

City of Woodcreek Planning and Zoning Commission Meeting
February 5, 2020; 5:00 p.m.
NOTICE/AGENDA

This notice is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551). The Woodcreek Planning and Zoning Commission will hold a Meeting on February 5, 2020, at 5:00 p.m. at Woodcreek City Hall, 41 Champions Circle, Woodcreek, Texas at which time the following items will be considered:

- 1. Call to Order**
- 2. Pledges**
- 3. Roll Call**
- 4. Approval of Minutes of January 7, 2020**
- 5. Public Comments**

Interested persons are required to sign up with the presiding officer or designee before the meeting begins and shall indicate the topic about which they wish to speak and whether they wish to speak on the item at the beginning of the meeting or during the meeting when the agenda item is being considered by the Commission. Speakers shall refrain from comments regarding the City's staff, elected officials, or council appointed committee membership which are prohibited by law. Delegations of more than five persons shall appoint one person to present their views before the Commission. The Commission may not discuss or comment about an item not included on the agenda, except that the Commission may (1) make a statement of fact regarding the item; (2) make a statement concerning the policy regarding the item; or (3) propose that the item be placed on a future agenda. Comments will be limited to three (3) minutes per speaker.

- 6. Public Hearing on Proposed Changes to Chapter 50: Water Quality of the Woodcreek Code of Ordinances.**
- 7. Discussion and Make Recommendation to Woodcreek City Council on Proposed Changes to Chapter 50: Water Quality of the Woodcreek Code of Ordinances.**
- 8. Discussion on a potential development called Cottage Court in the Extra-Territorial Jurisdiction on a parcel of land in Woodcreek, Section 22 on Jacobs Well Road and Pleasant Valley Road.**
- 9. Discussion and Possible Action on the Direction of Woodcreek City Council on the Review and Update of the 2030 Comprehensive Plan for the City of Woodcreek.**
- 10. Adjourn**

Executive sessions held during this meeting will generally take place in the City Manager's office, at the discretion of the Planning & Zoning Commission.

The Planning & Zoning Commission may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available

opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.


Attendance By Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

The City of Woodcreek is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please call the City Secretary's Office at 512-847-9390 for information. Hearing-impaired or speech-disabled persons equipped with telecommunications devices for the deaf may call 7-1-1 or may utilize the statewide Relay Texas program at 1-800-735-2988.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

I certify that the above notice was posted on the 31st day of January, 2020 at 3:10 pm

By: 
Brenton B. Lewis, City Manager

City of Woodcreek Planning and Zoning Commission Meeting
January 7, 2020; 5:00 p.m.
NOTICE/AGENDA

1. Call to Order

Chairperson Kotarba called the meeting to order at 5:00 p.m.

2. Pledges

3. Roll Call

Present: Chairperson Joe Kotarba, Vice Chairperson Larry Alford, Commissioner Jack Boze, Commissioner Jeff Rasco, Commissioner Kathy Maldonado, Alternate Commissioner Bob Hambrick, City Manager Brenton B. Lewis, City Secretary Linda Land

Absent: Alternate Commissioner Carl Weldon

4. Approval of Minutes of August 13, 2019 and December 18, 2019

Vice Chairperson Alford motioned to approve the draft minutes from August 13, 2019 and December 18, 2019 as presented. The motion was seconded by Commissioner Maldonado and passed with a vote of 5-0-0.

5. Public Comments

None.

**6. Executive Session – Pursuant to Chapter 551.087 of the Texas Government Code –
Deliberation Regarding Economic Development Negotiations**

Adjourn into Executive Session – 5:02 p.m.

Return to Regular Session – 5:49 p.m.

7. Adjourn. There being no further business, the meeting was adjourned at 5:49 p.m.

Joe Kotarba, Chairperson

Linda Land, City Secretary

CHAPTER 50: WATER QUALITY

Section

General Provisions

- 50.01 Popular name
- 50.02 Introduction
- 50.03 Purpose
- 50.04 Program description
- 50.05 Scope
- 50.06 Standards and Specifications
- 50.07 Mandate
- 50.08 Definitions

Prohibitions and Restricted Activities

- 50.20 General prohibitions
- 50.21 Specific prohibitions
- 50.22 Pesticides, herbicides and fertilizers
- 50.23 Used oil

Regulations and Standards

- 50.35 General performance standards
- 50.36 Water quality design threshold
- 50.37 Impervious cover
- 50.38 Water quality buffer zones
- 50.39 Environmental features
- 50.40 Erosive flow control
- 50.41 Infiltration
- 50.42 Steep slopes
- 50.43 Vegetation
- 50.44 Hazardous material traps

Variances

50.60 Presumption

50.61 Identification

50.62 Conditions

50.63 Considerations

50.64 Findings

50.65 Pecuniary hardship

50.66 Minimum departure

50.67 Adequate basis; favorable outcomes; potential mitigation

Penalty

50.99 Penalty

GENERAL PROVISIONS

§ 50.01 POPULAR NAME.

This chapter shall be commonly cited as the "*Water Quality Protection Ordinance*".

(Ord. 10-139, passed 2-10-2010)

§ 50.02 INTRODUCTION.

Tex. Water Code § 26.177 provides an opportunity for municipalities to regulate water protection, water pollution and pollution abatement.

(Ord. 10-139, passed 2-10-2010)

§ 50.03 PURPOSE.

(A) This chapter provides standards and procedures for municipal determination of the non-point source pollution control management policies and shall govern the planning, design, construction, operation and maintenance of drainage, erosion and water quality control facilities within the city's jurisdiction. This chapter sets forth the minimum requirements necessary to provide and maintain a safe, efficient and effective non-point source pollution control system and to establish the various public and private responsibilities for the provision thereof.

(B) Further, it is the purpose of this chapter to:

- (1) Protect human life, health and property;
- (2) Prevent losses of endangered species and habitat of endangered species;
- (3) Protect the integrity of local ecological systems;
- (4) Minimize the expenditure of public money for building and maintaining non-point source pollution control projects and cleaning sediments out of storm drains, streets, sidewalks and watercourses;
- (5) Help maintain a stable tax base and preserve land values;
- (6) Preserve the natural beauty and aesthetics of the community;
- (7) Control and manage the quality of storm water runoff, the sediment load in that runoff, from points and surfaces within subdivisions;
- (8) Establish a reasonable standard of design and performance for development which prevents erosion and sediment damage and which reduces the pollutant loading to streams, ponds and other watercourses; and
- (9) Prevent degradation and pollution of ground water resources.

(Ord. 10-139, passed 2-10-2010)

§ 50.04 PROGRAM DESCRIPTION.

(A) The city's water quality protection program is comprehensive and practical.

(B) The regulations enacted to implement the program are found throughout the city's development ordinances, which include, but are not limited to, the following rules, as they exist or as they shall be adopted and hereafter amended:

<i>Element of Program</i>	<i>Applicable Ordinance</i>
Development agreements	Development agreement
Drainage	Water quality protection
	Flood damage prevention
	Site development
Impervious cover	Water quality protection
Land use	Zoning
Lot size in ETJ	Water quality protection
Lot size in city limits	Zoning
Open Space	Zoning, Site Development and Subdivision
Preferred growth areas	Zoning
Public education	Water quality protection
Rural vision	Comprehensive Plan and/or Master Plan
Vegetation	Site Development, Trees & Zoning
Wastewater	Subdivision
Water pollution	Water quality protection
Water supply	Subdivision
Water Quality Buffer Zone	Water quality protection

(Ord. _____, passed _____)

§ 50.05 SCOPE.

(A) This chapter applies to all property within the city limits and the ETJ.

(B) This chapter does not apply to:

- (1) Any proposed developments with less than 15% impervious cover and the street and drainage network is designed to include the use of open roadway sections, ribbon curb, drainage swales, maintenance of sheet flows and the development includes water quality buffer zones as noted in Section 50.38; or
- (2) Subdivision lots of two or fewer single-family residences or one duplex that comply with the impervious cover limit of 30%, or
- (3) Development or redevelopment of residential or commercial property that creates less than 5,000 square feet of new impervious cover except when the impervious cover for the new development or redevelopment added together with the existing development impervious cover exceeds 30% impervious cover for the site.

(C) A developer/owner may offer the City cash-in-lieu-of meeting the requirements of this chapter if approved by the City Council. The City may consider the cash-in-lieu if the amount will be equal to the estimated costs for construction of on-site water quality facilities for the proposed development. The city will, at the Council's discretion, deposit such funds in a construction account for future regional water quality facilities.

(Ord. _____, passed _____)

§ 50.06 STANDARDS AND SPECIFICATIONS.

The Texas Commission on Environmental Quality (TCEQ) Edwards Aquifer Protection Program, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (RG-348) including Errata Sheet, Addendum Sheet and two Appendices establishes uniform design practices for applicants to gain compliance with this ordinance. It neither replaces the need for engineering judgment, nor precludes the use of any information relevant to the accomplishment of the purposes of this chapter. Other generally accepted or innovative and effective engineering procedures may be used in conjunction with, or instead of, those prescribed by RG-348 if approved by the City Engineer and the TCEQ, if required. RG-348 is maintained and available for download from the TCEQ website.

(Ord. _____, passed _____)

§ 50.07 MANDATE.

(A) Any person proposing to develop or improve real property within the jurisdiction of the city is subject to the provisions of this chapter.

(B) Requirements of this chapter shall be addressed in applications for plats, site development permits, rezoning, Planned Unit Development Districts (PUDDs), conditional use permits and construction permits.

(C) The city also may require development agreements, utility agreements and district formation agreement to address requirements of this chapter.

(D) It shall be an offense for any person to develop or improve real property in violation of this chapter.

(Ord. 10-139, passed 2-10-2010) Penalty, see § 50.99

§ 50.08 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only. Unless otherwise expressly indicated, references to state and federal laws, final regulations and formal guidance shall refer to the then current enactment of such laws, final regulations and formal guidance, as they are amended from time to time.

AFFECTED PERSON. Any person who resides within the city's jurisdiction, whose legal rights, duties or privileges may be affected by storm water management practices, from any proposed development for which a permit is sought.

AGRICULTURAL ACTIVITIES. Pasturing of livestock or use of the land for planting, growing, cultivating and harvesting crops for human or animal consumption.

AGRICULTURAL STORM WATER RUNOFF. Any storm water runoff from orchards, cultivated crops, pastures, range land and other non-point source agricultural activities, but not discharges from concentrated animal feeding operations as defined in 40 C.F.R. § 122.23 or discharges from concentrated aquatic animal production facilities as defined in 40 C.F.R. § 122.24.

ANNUAL POLLUTANT LOAD. The amount of pollution in storm water runoff that is discharged from a developed site over the course of one year; usually measured in pounds and based on an average year of rainfall. The **ANNUAL POLLUTANT LOAD** is calculated by multiplying the pollutant concentration by the volume of runoff.

APPLICANT. A person who submits an application for approval required by this chapter. The **APPLICANT** shall be the owner of the property subject to this chapter, acting in person or by and through the owner's authorized representative. Documentation, in a form acceptable to the city, evidencing ownership of the property or the authority of the authorized agent must be submitted along with the application. For example, written power of attorney or letter of agency will be sufficient to prove agency. A deed or tax letter will be adequate to establish ownership of the property.

APPLICATION. A written request for an approval required by this chapter.

BACKGROUND POLLUTANT LOAD. The amount of pollution in storm water runoff that is discharged from a site before development. The **BACKGROUND POLLUTANT LOAD** is calculated by multiplying the drainage area of the site by the annual runoff coefficient by the background storm water pollution concentrations.

BEST MANAGEMENT PRACTICE (BMP). Schedules of activities, prohibitions of practices, maintenance procedures and other management practices to prevent or reduce the non-point source pollution of waters in the state. The two basic types of **BMPs**, for purposes of this chapter, are **STRUCTURAL BMPs** (which include engineered and constructed systems that are designed to provide for water quantity and/or water quality control of storm water runoff) and **NON-STRUCTURAL BMPs** (which include institutional and pollution-prevention type practices designed to prevent pollutants from entering storm water runoff or to reduce the volume of storm water requiring management). This term expressly includes both **STRUCTURAL AND NON-STRUCTURAL BMPs**.

BLUFF. Geologic surface feature with a vertical change in elevation of more than 40 feet at an average gradient greater than 400%.

BOND. Any form of a surety bond in an amount and form satisfactory to the city.

BUILDER. A person engaged in clearing, grubbing, filling, excavating, grading, constructing a pad, installing utility service lines and/or constructing or placing a building(s) or other structure(s) on a lot or other type of tract of land that is owned by the person and that will not be further subdivided into other lots.

CITY. The City of Woodcreek, an incorporated municipality located in Hays County, Texas.

CITY ATTORNEY. The individual or law firm appointed by the City Council to render legal services and advice in relation to the administration, interpretation and enforcement of this chapter.

CITY LIMITS. The incorporated municipal boundaries of the City of Woodcreek.

COMMERCIAL DEVELOPMENT. All development other than open space, single-family or multi-family residential development.

CONSTRUCTION LIMIT LINE. The line marking the boundary of disturbance from construction.

CONTRACTOR. Any person, other than the owner, engaging in land development activities on land located within city's jurisdiction.

CRITICAL ENVIRONMENTAL FEATURES (CEFs). Features determined to be of critical importance to the maintenance of water quality, including floodplains; riparian corridors; ground water recharge areas; springs; canyon rimrocks; caves; sinkholes; faults and fractures with solution enlarged openings; and highly erodible natural features.

CYPRESS CREEK TECHNICAL RESOURCE GUIDE. Guide developed by the Cypress Creek project that outlines low impact development and alternate standards techniques to encourage low impervious cover development and provide guidance for developments less than 5 acres in area that are exempt from the *TCEQ Edwards Aquifer Protection Rules*.

DEVELOPER. A person who owns a tract of land and who is engaged in clearing, grubbing, filling, mining, excavating, grading, installing streets and utilities or otherwise preparing that tract of land for the eventual division into one or more lots on which building(s) or other structure(s) will be constructed or placed.

DEVELOPMENT. The construction of buildings, roads, utilities, drainage improvements or other structures. The term includes construction, excavation, dredging, grading, filling and clearing or removing vegetation. Pruning, or other forms of general or regular maintenance of vegetation on developed property, shall not be considered *DEVELOPMENT* for purposes of this chapter. This term includes the erection of towers, placement of temporary buildings and excavation of pits or ponds.

DISCHARGE. Any addition or introduction of any pollutant, storm water or any other substance in a harmful quantity to a storm water drainage system or to waters in the state.

DISCHARGE (HYDRAULICS). The rate of fluid flow, expressed as the volume of fluid passing a point per unit time, commonly expressed as cubic feet per second.

DISCHARGER. Any person who causes, allows, permits or is otherwise responsible for, a discharge, including, without limitation, any owner or operator of a construction site or industrial facility.

DOMESTIC SEWAGE. Human excrement, gray water from home clothes washing, bathing, showers, dishwashing and food preparation, other wastewater from household and residential drains and waterborne waste normally discharged from the sanitary conveniences of apartment houses, hotels, office buildings, factories, institutions and other dwellings, but excluding industrial waste.

DRAINAGE AREA. The horizontal projection of the area contributing runoff to a single control or design point.

EDWARDS AQUIFER PROTECTION PROGRAM. Program administered by the TCEQ to protect the Edwards Aquifer that is a drinking water source for San Antonio and surrounding central Texas communities.

EROSION. The detachment and movement of soil, sediment or rock fragments by wind, water, ice or gravity.

EPA. The federal Environmental Protection Agency, or a successor agency.

ETJ. The extraterritorial jurisdiction of the City of Woodcreek.

EXTREMELY HAZARDOUS SUBSTANCE. Any substance listed in the appendices to 40 C.F.R. part 355, *Emergency Planning and Notification*.

FACILITY. Any building, structure, installation, process, land or activity from which there is or may be discharge of a pollutant.

FERTILIZER. A solid or non-solid substance or compound that contains an essential plant nutrient element in a form available to plants that is used primarily for its essential plant nutrient element content in promoting or stimulating growth of a plant or improving the quality of a crop, or a mixture of one or more fertilizers. The term does not include the excreta of an animal, plant remains or a mixture of those substances, for which no claim of essential plant nutrients is made.

FILL. The human-made deposition and compaction of material to affect a rise in elevation.

FINAL STABILIZATION. The status of a site when all soil disturbing activities have been completed and:

- (1) A uniform perennial vegetative cover with a minimum density of 70% of the cover for unpaved areas and areas not covered by permanent structures has been established; or
- (2) Equivalent permanent stabilization measures have been employed, such as the use of riprap, gabions or geotextiles.

FLOOD or FLOODING. A general and temporary condition of partial or complete inundation of normally dry land areas resulting from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

FLOODPLAIN. For the purposes of water quality buffer zones, this term shall mean either of one or the other following definitions:

- (1) A FEMA studied floodplain identified on the *FIRM (Flood Insurance Rate Maps)* as Zone AE or equivalent; or
- (2) A studied floodplain as provided through engineering data prepared and certified by a professional engineer.

GRADE. The vertical location or elevation of a surface, or the degree of rise or descent of a slope.

HARMFUL QUANTITY. The amount of any substance that will cause pollution of water in the state.

HAZARDOUS HOUSEHOLD WASTE (HHW). Any material generated in a household (including single and multiple residences, hotels, motels, bunk houses, ranger stations, crew quarters, camp grounds, picnic grounds and day use recreational areas) by a consumer which, except for the exclusion provided in 40 C.F.R. § 261.4(b)(1), would be classified as a hazardous waste under 40 C.F.R. part 261.

HAZARDOUS SUBSTANCE. Any substance listed in Table 302.4 of 40 C.F.R. part 302.

HAZARDOUS WASTE. Any substance identified or listed as a hazardous waste by the EPA pursuant to 40 C.F.R. part 261.

HERBICIDE. A substance or mixture of substances used to destroy a plant or to inhibit plant growth.

IMPERVIOUS COVER. All roads, driveways, parking areas, buildings, decking, rooftop landscapes and other impermeable construction covering the natural land surface that prevents infiltration. Swimming pool surface water area for pools which discharge to the storm drainage system shall also be included. Water quality and detention basins, swales and other conveyances for drainage purposes only shall not be calculated as **IMPERVIOUS COVER**. For purposes of compliance with this chapter, the term expressly excludes storage tanks for rain water collection systems.

INDUSTRIAL WASTE. Any liquid or solid substance that results from any process of industry, manufacturing, mining, production, trade or business.

INFILTRATION. The passage or movement of water into the subsurface of the natural land.

LAND USER. Any person operating, leasing, renting or having made other arrangements with the landowner by which the landowner authorizes use of his or her land.

MULTI-FAMILY DWELLING. Three or more dwelling units on a single lot designed to be occupied by three or more families living independently of one another, exclusive of hotels and motels. Includes three-family units (triplex) and four-family units (quadriplex), as well as traditional apartments.

NATURAL STATE. The condition of the land existing prior to any development activities.

NON-POINT SOURCE (NPS) POLLUTION. Pollution that is caused by or attributable to diffuse sources. Such pollution results in the human-made or human-induced alteration of the chemical, physical, biological or radiological integrity of water. Typically, **NPS POLLUTION** results from land runoff, precipitation, atmospheric disposition or percolation.

NON-POINT SOURCE POLLUTION CONTROL PLAN. The drawings and documents submitted by an applicant seeking plan or permit approval under this chapter. Such a plan consists of a system of vegetative, structural and other measures to control the increased rate and volume of surface runoff and reduce pollutants in the runoff caused by human changes to the land.

NOTICE OF TERMINATION (NOT). The notice of termination that is required by either the site development permit or the building permit.

OIL. Any kind of petroleum substance including but not limited to petroleum, fuel oil, crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure, sludge, oil refuse and oil mixed with waste.

OPERATOR. The person or persons who, either individually or taken together, have day-to-day authority for operational control over a facility and activities at the facility sufficient to attain compliance with the requirements of this chapter.

OWNER. The person who owns a facility or part of a facility subject to the requirements of this chapter.

PERSON. Any individual, association, firm, corporation, governmental agency, political subdivision or legal entity of any kind.

PESTICIDE. A substance or mixture of substances intended to prevent, destroy, repel or mitigate any pest, or any substance or mixture of substances intended for use as a plant regulator, defoliant or desiccant, as these terms are defined in *Tex. Agriculture Code* § 76.001.

PETROLEUM STORAGE TANK (PST). Any one or combination of aboveground or underground storage tanks that contain oil, petroleum products or petroleum substances and any connecting underground pipes.

POINT SOURCE. Any discernable, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

POLLUTANT. Eroded or displaced sediment, soil, silt or sand resulting from development activities; dredged spoil; solid waste; sewage; garbage; chemical waste; biological materials; radioactive materials; abandoned or discarded appliances or equipment; and industrial, municipal, and agricultural waste which is or may be discharged into waters in the state. This term shall be limited to those substances listed herein, or monitored or regulated by the TCEQ or EPA.

POLLUTION. The alteration of the physical, thermal, chemical or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental or injurious to humans, animal life, vegetation or property, or to the public health, safety or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose.

PROFESSIONAL ENGINEER (PE). A person who has been duly licensed and registered by the State Board of Registration for Professional Engineers to engage in the practice of engineering in the state.

RECHARGE ZONE. The area where the stratigraphic units constituting the Edwards or Trinity Aquifer outcrops, including the outcrops of other geologic formations in proximity to the Edwards or Trinity Aquifer, where caves, sinkholes, faults, fractures or other permeable features create a potential for recharge of surface waters into the Edwards or Trinity Aquifer. The entire city limits and extra-territorial jurisdiction of the city lies within the Edwards Aquifer Contributing Zone.

RELEASE. Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into a storm water drainage system or into waters in the state.

RESIDENCE. Any building, or portion thereof, which is designed for or used as living quarters for one or more families.

RIPARIAN CORRIDOR. The ecological areas within and adjacent to a floodplain that are or can be comprised of the following plant species: Pecan, American Elm, Arizona Walnut, Bald Cypress, Black Walnut, Bur Oak, Cedar Elm, Little Walnut, Green Ash, Texas Sugarberry, American Sycamore, Eastern Cottonwood, Black Willow and Live Oak.

RUBBISH. Non-putrescible solid waste, excluding ashes, that consist of:

(1) Combustible waste materials, including paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves and similar materials; and

(2) Non-combustible waste materials, including glass, crockery, tin cans, aluminum cans, metal furniture and similar materials that do not burn at ordinary incinerator temperatures (160°F to 180°F).

RUNOFF. The portion of precipitation or precipitation drainage that flows by force of gravity across ground surface as sheet flow or in a storm water drainage system towards water in the state.

SENSITIVE FEATURES. A large variety of types including caves, solution cavities, solution enlarged fractures, sinkholes or other karst surface expression that meet the definition for "sensitive" in the *Instructions to Geologists for Geological Assessments* (Form TCEQ-0585).

SEPTIC TANK WASTE. Any domestic sewage from holding tanks such as vessels, chemical toilets, campers, trailers and septic tanks.

SEWAGE or SANITARY SEWAGE. The domestic sewage and/or industrial waste that is discharged into a sanitary sewer system and passes through the sanitary sewer system to a sewage treatment plant for treatment.

SEWER or SANITARY SEWER. The system of pipes, conduits and other conveyances designed or used for collecting or conveying domestic sewage and/or industrial waste from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, to a sewage treatment plant and which are intended to exclude storm water, surface water and ground water.

SINGLE-FAMILY RESIDENCE. A dwelling designed and constructed for occupancy by one single family and which is located on a separate lot delineated by side and rear lot lines, including single-family detached and single-family attached (townhouses) dwellings.

SOLID WASTE. Any garbage, rubbish, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility, and other discarded material, including, solid, liquid, semi-solid or contained gaseous material resulting from industrial, municipal, commercial, mining and agricultural operations and from community and institutional activities.

SPRING. A point or zone of natural ground water discharge having measurable flow, or a pool, and characterized by the presence of a mesic plant community adapted to the moist conditions of the site.

START OF CONSTRUCTION. The first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

STEEP SLOPE. A 400% grade, as defined for the purposes of setbacks.

STORM WATER DRAINAGE SYSTEM. A conveyance or system of conveyances including roads with drainage systems, catch basins, curbs, gutters, ditches, human-made channels or storm drains designed or used for collecting or conveying storm water.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP). A plan required by either the TPDES construction site general permit or the TPDES industrial general permit that describes and ensures the implementation of practices that are to be used to reduce the pollutants in storm water discharges associated with construction or other industrial activity.

STREAMS. Perennial and intermittent watercourses identified through site inspection and USGS maps. **PERENNIAL STREAMS** are those which are depicted on a USGS map with a solid blue line. **INTERMITTENT STREAMS** are those which are depicted on a USGS map with a dotted blue line.

SUBDIVISION. A division, or re-division, of any tract of land situated within the city's jurisdiction into two or more parts, lots or sites, for the purpose, whether immediate or in the future, of sale, division of ownership or building development. **SUBDIVISION** includes re-subdivisions of land or lots which are part of previously recorded subdivisions.

TCEQ. The Texas Commission on Environmental Quality or its predecessor or successor agencies as defined by law.

TPDES. Texas Pollutant Discharge Elimination System, as authorized by *Tex. Water Code Ch. 26* and administered by the TCEQ.

TPDES GENERAL PERMIT FOR INDUSTRIAL STORM WATER DISCHARGES. The TPDES industrial storm water multi-sector general permit TXR050000 issued by TCEQ and published in the State Register, as it may be amended or renewed from time to time.

TPDES GENERAL PERMIT FOR CONSTRUCTION SITE STORM WATER DISCHARGES. The TPDES general permit issued by TCEQ TXR150000 relating to discharges from construction activities and published in the State Register, as it may be amended or renewed from time to time.

TPDES PERMIT. A permit issued by TCEQ pursuant to authority granted under 33 U.S.C. § 1342(b) that authorizes the discharge of pollutants, whether the permit is issued to a person, or as a general permit for a category of dischargers in a particular geographic area.

TRANSFERABLE DEVELOPMENT RIGHT (TDR). Authorization to exceed the uniform intensity levels otherwise imposed under this chapter on a less environmentally-sensitive tract of land resulting from voluntary relinquishment of development rights otherwise allowed under this chapter on a more environmentally-sensitive tract of land (e.g., through dedicated conservation easement). A **TDR** can also result from voluntary retrofitting of existing development with water quality protection measures not otherwise required by this chapter.

VARIANCE. A grant of relief to a person from the requirements of this chapter when specific enforcement would result in unjustifiable or unnecessary hardship due to out-of-the-ordinary or extenuating circumstances.

WATER IN THE STATE or WATER. Any ground water, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets or canals inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, navigable or non-navigable, and including the beds and banks of all watercourses and bodies of surface water, that are inside the jurisdiction of the state.

WATERSHED. The total area contributing runoff to a stream or drainage system.

WETLAND. An area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions and conforms to the U.S. Army Corps of Engineers' definition. **WETLANDS** generally include swamps, marshes, bogs and similar areas.

YARD WASTE. Leaves, grass clippings, yard and garden debris and brush that results from landscaping maintenance and land-clearing operations.

(Ord. _____, passed _____)

PROHIBITIONS AND RESTRICTED ACTIVITIES

§ 50.20 GENERAL PROHIBITIONS.

(A) Except as otherwise specifically authorized by this chapter, no person shall discharge, or cause, suffer or allow the discharge, of any wastes, substances or other materials into or adjacent to, or where it may enter, any water in the state which causes or will cause pollution of any water in the state.

(B) Except as otherwise specifically authorized by this chapter, no person shall introduce or cause to be introduced into a storm water drainage system any pollutants or other discharge that is not composed entirely of storm water, except where otherwise exempt or allowed through permit by the TCEQ.

(Ord. 10-139, passed 2-10-2010) Penalty, see § 50.99

§ 50.21 SPECIFIC PROHIBITIONS.

(A) No person shall introduce or cause to be introduced into a storm water drainage system any discharge that causes or contributes to causing a violation of a water quality standard established by law.

(B) No person shall introduce, discharge or cause, suffer or allow a release of any harmful quantity of the following substances into a storm water drainage system:

- (1) Used motor oil, antifreeze or any other motor vehicle fluid;
- (2) Industrial waste;
- (3) Hazardous waste, including hazardous household waste;
- (4) Domestic sewage or septic tank waste, grease trap waste or grit trap waste;
- (5) Garbage, rubbish or yard waste beyond that which typically washes off a yard during a rain event;
- (6) Wastewater from a commercial carwash facility; from any vehicle washing, cleaning or maintenance operation at any new or used automobile or other vehicle dealership, rental agency, body shop, repair shop or maintenance facility; or from any washing, cleaning or maintenance of any business or commercial or public service vehicle, including a truck, bus or heavy equipment, by a business or public entity that operates more than two such vehicles;
- (7) Wastewater from the washing, cleaning, de-icing or other maintenance of aircraft;
- (8) Wastewater from a commercial mobile power washer or from the washing or other cleaning of a building exterior that contains any soap, detergent, degreaser, solvent or any other harmful-cleaning substance;
- (9) Wastewater from commercial floor, rug or carpet cleaning;
- (10) Wastewater from the washdown or other cleaning of pavement that contains any harmful quantity of soap, detergent, solvent, degreaser, emulsifier, dispersant or any other harmful cleaning substance as defined by EPA or TCEQ; or any wastewater from the washdown or other cleaning of any pavement where any spill, leak or other release of oil, motor fuel or other petroleum or hazardous substance has occurred, unless all harmful quantities of such released material have been previously removed;
- (11) Effluent from a cooling tower, condenser, compressor, emissions scrubber, emissions filter or the blowdown from a boiler;
- (12) Ready-mixed concrete, mortar, ceramic or asphalt base material or hydromulch material, or from the cleaning of commercial vehicles or equipment containing, or used in transporting or applying, such material;
- (13) Runoff or washdown water from any animal pen, kennel or fowl or livestock containment area;
- (14) Filter backwash from a swimming pool, fountain or spa;
- (15) Swimming pool water containing any harmful quantity of chlorine, muriatic acid or other chemical used in the treatment or disinfection of the swimming pool water or in pool cleaning;
- (16) Discharge from water line disinfection by superchlorination or other means, if it contains any harmful quantity of chlorine or any other chemical used in line disinfection;

(17) Fire protection water containing oil or hazardous substances or materials (except for discharges or flows from firefighting activities by a locally accredited fire department);

(18) Water from a water curtain in a spray room used for painting vehicles or equipment;

(19) Contaminated runoff from a vehicle wrecking yard;

(20) Substance or material that will damage, block or clog the storm water drainage system; and/or

(21) Release from a petroleum storage tank (PST), or any leachate or runoff from soil contaminated by a leaking PST, or any discharge of pumped, confined or treated wastewater from the remediation of any such PST release, unless the discharge satisfies all of the following criteria:

(a) The discharge complies with all state and federal standards and requirements;

(b) Discharge does not contain a harmful quantity of any pollutant; and

(c) The discharge does not contain more than 50 parts per billion of benzene; 500 parts per billion combined total quantities of benzene, toluene, ethylbenzene and xylene (BTEX); or 15 mg/l of total petroleum hydrocarbons (TPH).

(C) No person shall introduce or cause to be introduced into a storm water drainage system any harmful quantity of sediment, silt, dirt, soil, sand or other material associated with clearing, grading, excavation or other construction activities, or associated with landfilling or other placement or disposal of soil, rock, sand or other earth materials, in excess of what could be retained on site or captured by employing sediment and erosion control measures to the minimum extent required by this chapter.

(D) No person shall connect a line conveying sanitary sewage, whether domestic or industrial, to a storm water drainage system, nor allow such a connection to continue if discovered.

(E) No person shall cause or allow any pavement washwater from a service station to be discharged into a storm water drainage system unless such washwater has first passed through a grease, oil and sand interceptor which is properly functioning and maintained.

(F) No person shall cause or allow to be caused a discharge with less than 90% of the pollutant load removed, to be discharged into any stream, creek, storm water drainage system or tributary.

(Ord. 10-139, passed 2-10-2010) Penalty, see § 50.99

§ 50.22 PESTICIDES, HERBICIDES AND FERTILIZERS.

(A) Any license, permit, registration, certification or evidence of financial responsibility required by state or federal law for sale, distribution, application, manufacture, transportation, storage or disposal of a pesticide, herbicide or fertilizer must be presented to an authorized city enforcement officer for examination upon request.

(B) No person shall use or cause to be used any pesticide or herbicide contrary to any directions for use on any labeling required by state or federal statute or regulation.

(C) No person shall use or cause to be used any pesticide, herbicide or fertilizer in any manner that the person knows, or reasonably should know, is likely to cause, or does cause, a harmful quantity of the pesticide, herbicide or fertilizer to enter a storm water drainage system or waters of the United States.

(D) No person shall dispose of, discard, store or transport a pesticide, herbicide or fertilizer, or a pesticide, herbicide or fertilizer container, in a manner that the person knows, or reasonably should know, is likely to cause or does cause, a harmful quantity of the pesticide, herbicide or fertilizer to enter a storm water drainage system or waters in the state.

(Ord. 10-139, passed 2-10-2010) Penalty, see § 50.99

§ 50.23 USED OIL.

(A) No person shall:

- (1) Discharge used oil into a storm water drainage system or a sewer, drainage system, septic tank, surface water, ground water or watercourse;
- (2) Knowingly mix or commingle used oil with solid waste that is to be disposed of in a landfill or knowingly directly dispose of used oil on land or in a landfill; and/or
- (3) Apply used oil to a road or land for dust suppression, weed abatement or other similar use that introduces used oil into the environment.

(B) All businesses engaged in the changing of motor oil for the public, all municipal waste landfills and all fire stations may serve as public used oil collection centers as provided by state law.

(C) A retail establishment which sells motor oil in containers directly to the public for use off-premises shall post in a prominent place a sign informing the public that improper disposal of used oil is prohibited by law. The sign shall prominently display the toll-free telephone number of the state used oil information center.

(Ord. 10-139, passed 2-10-2010) Penalty, see § 50.99

REGULATIONS AND STANDARDS

§ 50.35 GENERAL PERFORMANCE STANDARDS.

Except as otherwise provided in this chapter, all development subject to this chapter shall achieve the following performance standards:

(A) It is the objective of these regulations to protect water quality, drainageways, and groundwater from channel erosion and stormwater runoff pollution.

(B) All new development shall achieve the pollutant removal standards detailed in this Section through the design and implementation of structural and nonstructural BMPs and water quality controls. These standards shall apply to an entire project for which a unified development scheme is intended by the applicant, without regard to whether the project is comprised of more than one lot. These regulations cannot be avoided by dividing a single project into several small lots.

The "TCEQ Edwards Aquifer Rules – Technical Guidance on Best Management Practices, RG-348" (*Manual*) shall be used to guide efforts to achieve the performance standards for *development* set forth in this Chapter. The *Manual* describes in detail the technical criteria and procedures to be used to comply with provisions of this Chapter. It neither replaces the need for engineering judgment nor precludes the use of any information relevant to the accomplishment of the purposes of this Chapter. If approved by the City Engineer and TCEQ, other generally accepted, or innovative and effective, engineering designs, practices and procedures may be used in conjunction with, or instead of, those prescribed by the *Manual*.

(C) Performance Standards: All new development that adds more than 5,000 square feet of new impervious cover is subject to the following requirements:

- (1) 5 acres or less and not part of a common plan of development (i.e., exempt from *TCEQ Edwards Rules*): Technical demonstration that the water quality volume is retained on site for not less than 24 hours through the use of conventional and low impact development techniques found in the *Cypress Creek Technical Resource Guide*.

- (2) Greater than 5 acres: Technical demonstration of pollutant load removal is required by obtaining Contributing Zone Plan (CZP) approval from TCEQ unless the project is exempt from the TCEQ requirements due to proposed impervious cover levels less than TCEQ thresholds for permitting. If exempt from TCEQ Edwards CZP, then, the project shall comply with the *Cypress Creek Technical Resource Guide* and obtain City approval prior to commencing construction.

(D) Alternate Standards

- (1) As an incentive to reduce impervious cover, all Developments with less than 15% impervious cover that are exempt from the *TCEQ Edwards Rules* are not required to provide technical demonstration for removal of pollutants, but must incorporate sufficient water quality control measures to comply with the provisions found in the *Cypress Creek Technical Resource Guide*. Development eligible for these Alternate Standards must meet the following requirements:
 - The development impervious cover is 15 percent or less and the cluster development sections (individual drainage areas) have 20 percent or less gross impervious cover.
 - Street and drainage network is designed to include the use of open-roadway sections, ribbon curb, grassy channels, and maximize sheet flow.

(E) Water Quality Controls (WQC) Maintenance

- (1) An applicant for a subdivision plat or a site development permit shall submit a WQC Maintenance Plan describing the specific measures proposed for operating, monitoring, and maintaining each water quality control facility proposed for a development project as required by this Chapter. The measures described in the WQC Maintenance Plan shall be consistent with the guidelines set forth in the Manual. City approval of the WQC Maintenance Plan is required prior to approval of a plat or issuance of a site development permit.
- (2) Upon City approval of the WQC Maintenance Plan, the project applicant shall record in the county deed records and on any recorded plat(s) for the development a notation stating that the property is subject to a Water Quality Control Maintenance Plan on file at the City's administrative offices. Upon transferring title to the property, or any subdivided portion thereof, the applicant shall establish a deed restriction stating that the property is subject to a Water Quality Control Maintenance Plan on file at the City's administrative offices.
- (3) All owners of water quality control facilities shall operate, monitor, and maintain each water quality control facility required by this Chapter in accordance with the WQC Maintenance Plan and the requirements of this Chapter.
- (4) The WQC Maintenance Plan may provide for transfer of responsibility for WQC operation and maintenance activities to:
 - (a) a groundwater district, a municipal utility district, a public utility district, or any other special district created under state law;
 - (b) a homeowners' or property owners' association;
 - (c) a natural resources conservation or other environmental interest group; or
 - (d) any similar third-party entity.

Transfer of responsibility to any such entity requires the advance written consent of the City. Any entity assuming responsibility for WQC operation and maintenance shall also assume responsibility for the financial assurance as may be required by the City Council.

(F) Construction Phase Erosion and Sedimentation Control

Erosion and sedimentation shall be controlled throughout the entire development process in accordance with the TCEQ Edwards Aquifer Manual.

- (1) Preparation of and adherence to a TCEQ Stormwater Pollution Prevention Plan (SWPPP) shall be considered to meet the requirement for erosion and sedimentation control. The permittee shall make the SWPPP inspection reports and records available to City staff upon request.
- (2) Site disturbance must be phased to limit soil erosion and final stabilization shall be accomplished with each phase.
- (3) Sediment basins are required for drainage areas serving at least 10 acres and are sized to capture the runoff from the 2-year 24-hour storm (8,000 cubic feet per acre). The runoff shall be detained for a minimum of 48 hours. Sediment basins cannot be installed in drainage areas greater than 40 acres and are not allowed in the Water Quality Buffer Zone.

(Ord. _____, passed _____)

§ 50.36 WATER QUALITY DESIGN THRESHOLD.

- (A) The design storm event for water quality is defined in the *TCEQ Edwards Aquifer Technical Guidance, RG-348*.
- (B) The pollutant loadings shall be calculated in accordance with *TCEQ RG-348*.

(Ord. _____, passed _____)

§ 50.37 IMPERVIOUS COVER.

(A) *Maximum limitations.* A 30% maximum limitation on impervious cover is hereby established for any new development or redevelopment added together with the existing development for the site.

(B) *Impervious cover limit calculations.* Impervious cover limits in this section are expressed as a percentage of the gross site area of the subject tract. For purposes of calculation of impervious cover limits, the gross site area includes water quality buffer zone (WQBZ) areas and critical environmental feature (CEF) setback areas.

(C) *Human-made improvements.* Impervious cover shall include all human-made improvements which prevent the infiltration of water into the natural soil or prevent the migration of the infiltration as base flow. The following shall be considered as impervious cover:

- (1) Roads, pavements and driveways;
- (2) Parking areas;
- (3) Buildings;
- (4) Pedestrian walkways and sidewalks;
- (5) Concrete, asphalt, masonry, surfaced areas and paving stone surfaced areas;
- (6) Swimming pool water surface area;
- (7) Densely compacted natural soils or fills which result in a coefficient of permeability less than 1×10^{-6} cm/sec;
- (8) All existing human-made impervious surfaces prior to development;
- (9) Water quality and storm water detention basins lined with impermeable materials;
- (10) Storm water drainage conveyance structures lined with impermeable materials; and
- (12) Fifty percent of the horizontal surface area of an uncovered deck that has drainage spaces between the deck boards that is located over a pervious surface.

(D) *Exceptions to impervious cover calculations.*

- (1) Existing roads adjacent to the development and not constructed as part of the development at an earlier phase;
- (2) Naturally occurring impervious features, such as rock out crops;
- (3) Landscaped areas and areas remaining in their natural state;
- (4) Water quality controls and storm water detention basins not lined with impermeable materials; and
- (5) Storm water drainage conveyance structures not lined with impermeable materials.
- (6) Interlocking or "permeable pavers" based on percent of permeability;
- (7) Functioning rainwater harvesting systems.

(E) *Reduction incentives.*

- (1) **Rainwater harvesting.** Rainwater harvesting consists of a series of components designed to capture, store and reuse rainwater. A rainwater harvesting system consists of six basic components including:
 - (a) Catchment area/roof, which is the surface on which the rain falls;
 - (b) Gutters and downspouts, which transport the water from the catchment area to storage;
 - (c) Leaf screens and roof washers, which are used to filter out debris;
 - (d) Cisterns or storage tanks where collected rainfall is stored;
 - (e) Conveyance, which is the method of delivering the water either by gravity or pump; and
 - (f) Water treatment, which includes filters and equipment that are used to settle, filter, and disinfect the water if it is to be used for drinking water.
- (2) A rainwater harvesting system approved under this article shall comply with the following minimum requirements:
 - (a) The entire system, including rainwater collection, conveyance and storage, shall be isolated from the site stormwater system.
 - (b) The collected rainwater shall be used for on-site irrigation or other purposes as approved by the city.
 - (c) The system shall comply with the pollution control performance standards of section 50.35.
 - (d) The on-site irrigation system shall be designed in accordance with standard irrigation practices considering such factors as soil type, slope, and vegetative uptake rates.
- (3) Rainwater collection and containment structures functioning as a rainwater harvesting system are not considered impervious cover. Such structures and/or improvements can be used to obtain credit towards any impervious cover requirement set forth in this article. Structures and/or improvements (e.g., building roofs, patios, awnings, etc.) from which stormwater is harvested are considered impervious cover.
- (4) In order to qualify to receive credit for a rainwater harvesting system, the system must be designed to exceed normal draw (i.e., no credit will be given if the tank routinely stays full). Credit is just for the tank cover. In order to qualify, the applicant must demonstrate where water is going. (e.g., how it will be drawn down, use as non-potable source rainwater, or irrigation).
- (5) Credits can zero-out impervious cover for purposes of calculating runoff treatment for the captured area. Applicants may also get up to 10 percentage points credit toward additional cover. The calculation procedures are found in the *Cypress Creek Technical Resource Guide*.

(F) *Restrictions on siting of impervious cover.*

- (1) Impervious cover shall not be constructed downstream of water quality controls except for specific instances reviewed and approved by the City engineer.
- (2) Impervious cover shall not be constructed within WQBZs except as allowed by this Ordinance.
- (3) Impervious cover shall not be constructed within critical environmental feature setback areas.
- (4) Impervious cover shall not be constructed within the areas designated for on-site irrigation of treated wastewater effluent disposal and/or captured stormwater.

(Ord. _____, passed _____)

§ 50.38 WATER QUALITY BUFFER ZONES.

(A) This section is applied at the time of the platting (creation of newly-subdivided lots or site plans). This section does not apply to legally platted lots that existed as of the effective date of this chapter. There are two options to define the water quality buffer zone (WQBZ) limits. The site developer can select Option 1 (Setbacks) or Option 2 (Floodplain)

(B) A water quality buffer zone is established along each waterway with the specified contributing (watershed drainage) area as follows.

OPTION 1 - Setbacks

- (1) Greater than 5 acres and up to 40 acres and excluding roadside swales. The WQBZ shall extend a minimum of 25 feet from either side of the centerline of the waterway (total of 50 feet of buffer zone).
- (2) Greater than 40 acres and up to 128 acres. The WQBZ shall extend a minimum of 50 feet from either side of the centerline of the waterway (total of 100 feet of buffer zone).
- (3) Greater than 128 acres and up to 320 acres. The WQBZ shall extend a minimum of 100 feet from either side of the centerline of the waterway (total of 200 feet of buffer zone).
- (4) Greater than 320 acres and up to 6480 acre. The WQBZ shall extend a minimum of 200 feet from either side of the centerline of the waterway (total of 400 feet of buffer zone).
- (5) Greater than 640 acres. The WQBZ shall extend a minimum of 300 feet from either side of the centerline of the waterway (total of 600 feet of buffer zone).

Note: at the sole discretion of the city, and based on special circumstances, minimum distances from the waterway centerline may be adjusted so long as the total WQBZ width remains constant (e.g., for a waterway with a watershed of greater than 640 acres, the minimum width on one side of the waterway centerline could be 200 feet as long as the width on the other side of the waterway was at least 400 feet).

OPTION 2 – Floodplain

For creeks or rivers draining less than 40 square miles but more than five (5) acres, excluding roadside swales, the WQBZ shall extend a minimum of 25 feet from the 100-year floodplain boundary paralleling each side of the creek or river. The 100-year floodplain shall be based on modeling approaches as approved by the City Engineer. For creeks or rivers draining more than 40 square miles, the WQBZ shall be considered equal to the 100-year floodplain as designated by the Federal Emergency Management Agency or by an engineered floodplain study approved by the City Engineer.

- (1) In those cases where U.S. jurisdictional wetlands exist beyond the edge of the minimum buffer zone set forth above, the buffer zone shall be expanded to encompass the full extent of the wetlands, plus an additional 25 feet beyond the edge of the wetland.
- (2) If two or more WQBZs overlap, the widest of the buffer zones shall be established.

(C) Except as specifically provided for in this section, all development activities, including temporary construction activities, structural water quality treatment BMPs and landscaping activities, are prohibited in the water quality buffer zone of a waterway.

(D) The following development activities within a WQBZ may be allowed at the sole discretion of the city with the corresponding conditions:

- (1) Critical utility crossings if the number of crossings of the WQBZ is limited to the maximum feasible extent;
- (2) Critical roadway crossings if the number of crossings of the WQBZ is limited to the maximum feasible extent;
- (3) Critical transportation crossings if the number of crossings of the WQBZ is limited to the maximum feasible extent;
- (4) Hike and bike trails if provided for in an approved development plan;
- (5) Maintenance and restoration of natural vegetation;
- (6) Water quality control monitoring devices;
- (7) Removal of trash, debris, pollutants;
- (8) Fences that do not obstruct flood flows;
- (9) Public and private parks and open space, if human activities are limited to hiking, jogging or walking trails, and excluding stables, corrals and other forms of animal housing; and/or
- (10) Private drives to allow access to property not otherwise accessible.
- (11) Regional detention structures for the purpose of managing flooding where the embankment/structure occupies a narrow footprint and minimal excavation takes place in the flood storage pool, for example, the detention storage cannot be created by excavating the flood pool. Limited vegetation clearing is allowed to construct the embankment and outlet works.

(E) Any development within a WQBZ allowed under division (E) above shall be designed and/or conducted in a manner which limits the alteration and pollution of the natural riparian corridor to the maximum extent feasible. In no case shall any wastewater line be located less than 100 feet from the centerline of a waterway unless the applicant has demonstrated that installation of the wastewater line outside of this zone is physically prohibitive or environmentally unsound. Any wastewater lines located in a WQBZ shall meet design standards and construction specifications to ensure zero leakage.

(F) All water quality control discharges and storm water discharges shall not be directly connected to the WQBZ. Instead, concentrated runoff shall be converted to diffused, overland sheet flow and shall have peak velocities of less than five feet per second at the two-year unless demonstration is provided that this is not achievable with the proposed BMPs for managing storm water runoff and quality, or that other means of diffusing the velocity of the runoff is provided that will protect the affected stream's morphology.

(Ord. _____, passed _____)

§ 50.39 ENVIRONMENTAL FEATURES.

(A) Sensitive features must be identified before the tract is subdivided and proposed locations for roads defined so they may be avoided.

(B) Sealing of sensitive features will only be permitted when they are numerous, extensive and impossible to avoid. Sealing of sensitive surface features will require approval from the City Manager.

(C) The natural buffer around a feature must extend a minimum of 150 feet in all directions. Where the boundary of the drainage area to the feature lies more than 150 feet from the feature, the buffer must extend to the boundary of the drainage area, or 300 feet, whichever is less.

(D) For a critical environmental feature (CEF) that is in direct communication with the Edwards or Trinity Aquifer, the upstream setback area shall extend out to the upper catchment divide of the CEF or 300 feet, whichever is less, but in no circumstances no less than 150 feet.

(Ord. _____, passed _____)

§ 50.40 EROSIVE FLOW CONTROL.

(A) No untreated storm water runoff from developed land shall be allowed to flow over critical environmental features.

(B) All roof runoff from non-residential buildings shall have downspouts disconnected from the site storm water drainage system. Special circumstances may be reviewed and approved by the city without a waiver to this requirement.

(C) Drainage patterns shall be designed to the maximum extent practical to prevent erosion, maintain the recharge of local seeps and springs and attenuate the harm of contaminants collected and transported by storm water. All discharge points from storm water retention and detention ponds or other accumulation areas shall provide for energy dissipation prior to exiting the site.

(D) Overland sheet flow and natural drainage features and patterns shall be maintained to the maximum extent practical, rather than concentrating flows in storm sewers and drainage ditches.

(E) Enclosed storm sewers and impervious channel linings may be considered and approved by the city if such storm sewers or impervious linings are considered to be protective of water quality and the outlet is stable and prevents downstream scour.

(F) Overland flow facilities for a storm water drainage system shall be designed in accordance with the criteria of the *Hays County Drainage Criteria Manual*.

(Ord. _____, passed _____)

§ 50.41 INFILTRATION.

(A) To the maximum extent practical, water quality controls shall be designed to restore the infiltration capacity of pre-development conditions.

(B) Infiltration BMPs shall be designed in accordance with the *Edwards Aquifer Technical Guidance Manual RG-348* or the *Cypress Creek Technical Resource Guide*

(C) Infiltration systems shall be designed and located to avoid impacts to existing springs and recharge structures.

(Ord. _____, passed _____)

§ 50.42 STEEP SLOPES.

(A) To the maximum extent practical, non-residential construction shall be limited to those areas with pre-development natural grades of less than 25%.

(B) Erosion control, terracing and water quality control BMPs shall be designed in accordance with the *Edwards Aquifer Technical Guidance Manual RG-348* or the *Cypress Creek Technical Resource Guide*.

(C) A cut or fill with a finished gradient steeper than 33% shall be stabilized with a permanent structure.

(Ord. _____, passed _____)

§ 50.43 VEGETATION.

(A) To the maximum extent practical:

- (1) Landscape shall be preserved in its natural state;
- (2) Xeriscape and low maintenance vegetation shall be included in all non-residential development in accordance with the specifications in the *Edwards Aquifer Technical Guidance Manual RG-348* or the *Cypress Creek Technical Resource Guide*; and
- (3) The use of herbicides, pesticides and fertilizers shall be minimized.

(B) A pesticide and fertilizer management plan shall be submitted providing information regarding proper use, storage and disposal of pesticides and fertilizers. The plan shall indicate likely pesticides and fertilizers to be used. The plan shall include two lists of pesticides and fertilizers:

- (1) Those which, due to their chemical characteristics, potentially contribute significantly to water quality degradation; and
- (2) Those which, due to the chemical characteristics, potentially would result in minimal water quality degradation.

(C) An integrated pest management (IPM) plan shall be submitted.

(D) Vegetative BMPs, such as vegetative filter strips, shall be designed in accordance with the *Edwards Aquifer Technical Guidance Manual RG-348* or the *Cypress Creek Technical Resource Guide*.

(Ord. _____, passed _____)

§ 50.44 HAZARDOUS MATERIAL TRAPS.

(A) Hazardous material traps (HMTs) must be constructed for four-lane minor or major arterials that are designed for traffic greater than 5,000 vehicles per day.

(B) HMTs are designed to retain a spill of 10,000 gallons of liquid hazardous material.

(Ord. 10-139, passed 2-10-2010)

VARIANCES

§ 50.60 PRESUMPTION.

(A) There shall be a presumption against variances.

(B) However, if the applicant requests a variance in writing, the Board of Adjustment may authorize a waiver from these regulations in accordance with this chapter.

(Ord. 10-139, passed 2-10-2010)

§ 50.61 IDENTIFICATION.

All variances requested for a project must be identified during the site plan approval process.

(Ord. 10-139, passed 2-10-2010)

§ 50.62 CONDITIONS.

In granting a variance, the Board of Adjustment shall prescribe upon the applicant only conditions that it deems necessary to or desirable in the public interest.

(Ord. 10-139, passed 2-10-2010)

§ 50.63 CONSIDERATIONS.

In making the findings required below, the Board of Adjustment shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed development and the probable effect of such waiver the public health, safety, convenience and welfare in the vicinity.

(Ord. 10-139, passed 2-10-2010)

§ 50.64 FINDINGS.

No variance shall be granted unless the Board of Adjustment finds that all of the following provisions are met, and the burden shall be on the developer to show that these provisions are satisfied:

- (A) There are special circumstances or conditions affecting the land involved, such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of this land;
- (B) The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
- (C) The granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and
- (D) The granting of the variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of this chapter.

(Ord. 10-139, passed 2-10-2010)

§ 50.65 PECUNIARY HARDSHIP.

Pecuniary hardship to the applicant, property owner or developer, standing alone, shall not be deemed sufficient to constitute undue hardship.

(Ord. 10-139, passed 2-10-2010)

§ 50.66 MINIMUM DEPARTURE.

When the Board of Adjustment determines that a variance is warranted, the variance permitted shall be the minimum departure from the terms of this chapter necessary to avoid such deprivation of privileges enjoyed by such other property to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences.

(Ord. 10-139, passed 2-10-2010)

§ 50.67 ADEQUATE BASIS; FAVORABLE OUTCOMES; POTENTIAL MITIGATION.

(A) It shall be an adequate basis for granting a variance that doing so will enable the applicant to create additional open space, preserve trees, maintain critical environmental features, ensure more wildlife preservation or bring non-conforming structures (including, but not limited to, signs) into compliance with current regulations. This section is designed to achieve a more favorable outcome for the general public than would be possible complying with the strict mandates of this chapter.

(B) It shall be an adequate basis for granting a variance that the applicant provides the city with a proposal pursuant to which the applicant presents a site exceeding the standard impervious cover rates with a mitigation plan that compensates for the additional impervious cover. Examples of potential mitigation include, but are not limited to, the applicant's:

- (1) Acquisition of transferable development rights (TDRs) to offset the additional impervious cover; and/or
- (2) Installation of a rain water collection system.

(Ord. 10-139, passed 2-10-2010)

PENALTY

§ 50.99 PENALTY.

(A) *Civil enforcement.* The city shall have the power to administer and enforce the provisions of this chapter as may be required by governing law. Any person violating any provision of this chapter is subject to suit for injunctive relief. Any violation of this chapter is hereby declared to be a nuisance.

(B) *Civil remedies.* Nothing in this chapter shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this chapter and to seek remedies as allowed by law, including, but not limited to, the following:

- (1) Injunctive relief to prevent specific conduct that violates the chapter or to require specific conduct that is necessary for compliance with the chapter; and
- (2) Other available relief.

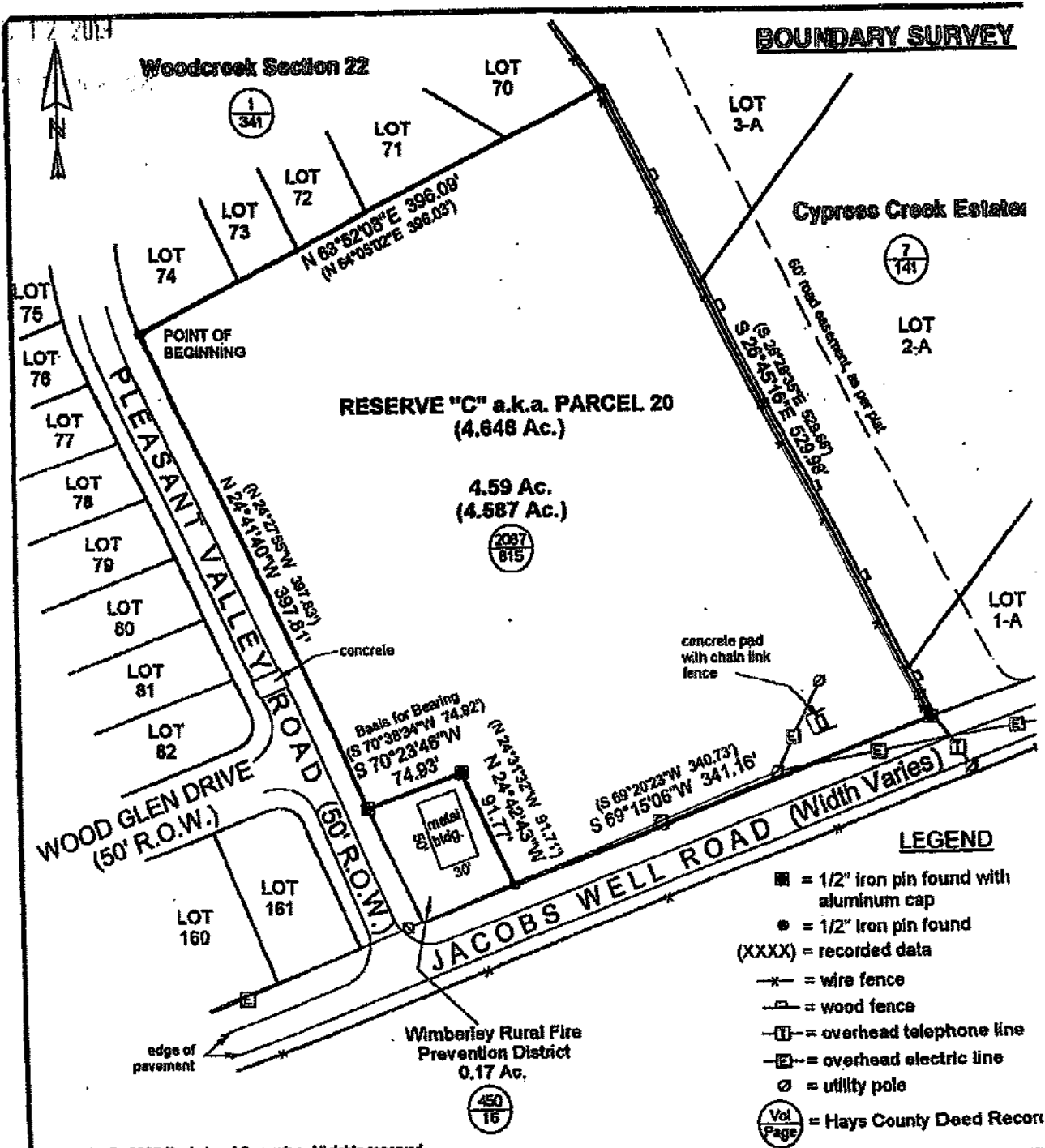
(C) *Administrative.* The city may deny, withhold or postpone issuance of permits if applicant is found to have violated or failed to comply with this chapter. The city may also negotiate with violators for the payment by violators of administrative fines in lieu of formal enforcement in court.

(D) *Administrative action.*

- (1) *Stop work orders.* When an appropriate authorized official of the city determines that there has been non-compliance with any material term, condition, requirement or agreement under this chapter, the person obtaining such approved plan shall be ordered by the city in writing to cease and desist from further development or construction material to the alleged non-compliance until corrected by compliance.
- (2) *Withholding of other authorizations.* The city may refuse to grant development, construction or occupancy approvals for improvements for a property that does not fully and completely comply with all terms and conditions of this chapter. Without limiting the type or number of approvals the city may withhold, the city is specifically authorized to refuse to grant site development permits, sign permits, building permits, utility connections and certificates of occupancy.

(Ord. 10-139, passed 2-10-2010)

12/2014



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Subject property does not lie within a Special Flood Hazard Area as determined from FIRM Hazard Map, Community Panel No. 480321 0219 F, dated September 2, 2005.

LEGAL DESCRIPTION: Being 4.59 acres of land, more or less, being a portion of Reserve "C", a 4.6 acre parcel in WOODCREEK, SECTION 22, a subdivision in Hays County, Texas, according to the m or plat thereof recorded in Volume 1, Page 341, Hays County Plat Records, being that same tract of l called 4.587 acres, as described and recorded in Volume 2087, Page 815, Hays County Official Publ Records, said 4.59 acres being more particularly described in the field notes attached hereto.

CLIENT: MMDK1205 LTD.

TITLE COMPANY:
Southwestern Title Company

Section 4.4.6.4 Cottage Court

HD-35-CO-2



GENERAL DESCRIPTION

This building type consists of a series of small, detached structures located on individual lots, arranged to delineate a shared court that is typically perpendicular to the street. The shared court takes the place of a private open space and becomes an important community-enhancing element of this type. This type is appropriately scaled to fit within primarily single-family neighborhoods and is important for providing affordability and a broad choice of housing types that promote walkability.

RECEIVED

DEC 12 2019

CITY OF WASHINGTON

RECEIVED
DEC 12 2019
CITY OF WOODBRIDGE

Jacob's Well
Natural Area



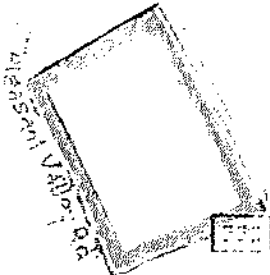
572
Cypress Creek Rd

Jacob's Well
Spring

Cypress Creek

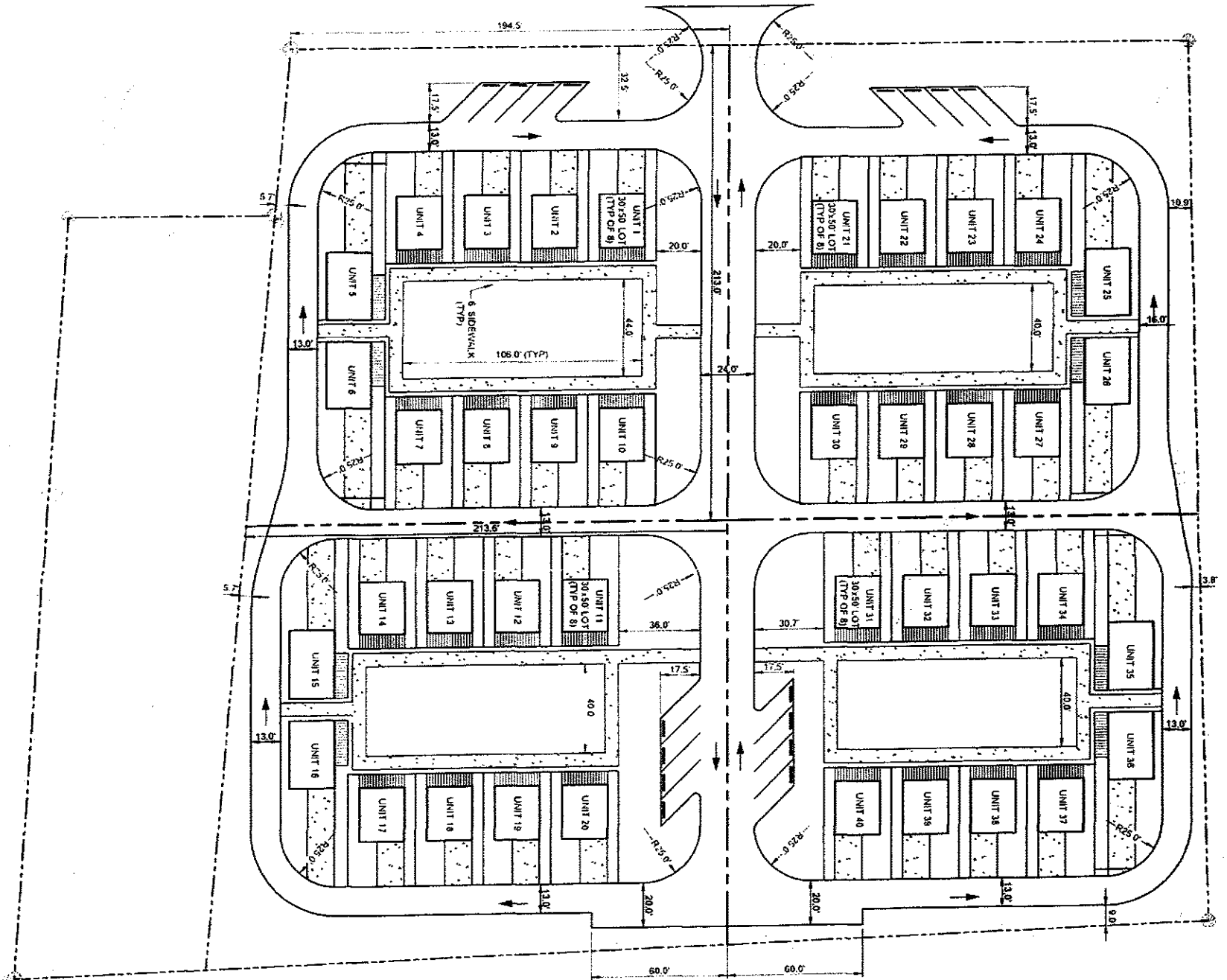


732
Jacob's Well Rd



Jacob's Well Rd

Cypress Creek



0 10' 20' 30' 60'
SCALE IN FEET

FOR REVIEW PURPOSES ONLY, NOT FOR CONSTRUCTION

PRELIMINARY SITE LAYOUT
COTTAGE COURT

Dropping Springs, Texas

Banks & Associates
Civil and Environmental Engineering
820 Currie Ranch Road
Wimberley, Texas 78676
(512) 801-9049
Firm Registration No. F-2002

NO	DATE	REVISIONS	BY

FOR REVIEW, THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF THE BOARD OF ENGINEERING AND SURVEYING ON Nov. 3, 19, No. 84248. IT IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION.

Agenda Item 10
Sheet No. C-1
11/04/19
Rev. 0

COMPREHENSIVE PLAN TEMPLATE

Steven Burstein, AICP

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1. Introduction

This report is intended to assist local governments to prepare or update comprehensive plans. Contained in this report is information useful for preparing a comprehensive plan, including a review of relevant State Statutes, definitions of key terms, and tips on comprehensive planning. It should provide a starting point for determining how to approach comprehensive planning, what subjects need to be addressed, and what methods and techniques might be used.

The template is presented in Section 7 of this document. This is a recommended outline for a complete comprehensive plan. However, it is not intended to be a cookbook with a single recipe that works for all communities. Planning is not mandated in the State of New Mexico. No single definition of a comprehensive plan exists for New Mexico, nor are there substantive standards for what key issues must be addressed in a plan. A workable approach for each community must be figured out locally. Nonetheless, a comprehensive planning should include certain minimum components in order to serve the purposes of a

comprehensive plan.

The template may serve as a checklist for local governments to assess whether the requisite pieces are addressed. For example, a comprehensive plan is not merely a vision statement, a strategic plan, a policy plan or a single element addressing only land use or public facilities. Additionally, a comprehensive plan is distinctly different from a zoning regulation or other land use regulations, although there should be a strong bond between the two tools.

2. What is involved in a comprehensive planning process?

Comprehensive planning is a serious endeavor requiring resources, time, and involvement of many participants. Resources include either professional planning staff or consultants. Usually a comprehensive plan requires a concerted effort over approximately a two-year period. When it comes to involvement, typically a comprehensive plan is based on a degree of competition among stakeholders, managers and participants. Many people need to take part in different facets of the discussion. The dynamics of the process require information and facilitation to result in a product that is satisfactory to the community, while truly setting out a vision which can inspire and motivate efforts for the plan's realization.

Comprehensive planning by nature affects the development market through giving policy guidance to how the supply of developable land can be used. It identifies land available for development. It addresses limitations to the type, location, density and, sometimes, timing of development. Zoning, subdivision regulations and other regulatory tools actually implement these land market features. Supporting infrastructure, which should be planned in accordance with the comprehensive plan, makes basic services available to private property, and thereby enhances the property's value and developability.

The comprehensive plan process is an on-going process. A plan should be re-evaluated no longer than five years after its adoption. In some cases, a plan should be updated only a few years after adoption to ensure it remains current and relevant.

3. What is a comprehensive plan?

A comprehensive plan is an official public document adopted by a local government as a policy guide to decisions about the physical development of the community.

It indicates in a general way how the leaders of the government want the community to develop in the next 20 - 30 years.

Comments below elaborate on key words and phrases in this definition:

comprehensive: The plan encompasses all functional elements (e.g., land use, environment, transportation and public facilities) which bear on physical development in an internally consistent manner. The data, policies and regulations considered in various elements should all be internally consistent. The plan also encompasses all geographic parts of the community. A study area might extend outside the jurisdictions if such areas affect and are affected by the policies of the jurisdictions. In some cases to be truly comprehensive in geographic coverage, multiple local governments must cooperate in developing a multi-jurisdictional comprehensive plan.

official public document adopted by a local government: The plan is usually approved or adopted by the governing body of the country or municipality, such as the Board of County Commissioners, City Council, Town Council, Board of Village Trustees, and so on. As discussed below, the plan is usually developed by an appointed advisory planning commission or a comprehensive plan steering committee

policy guide to decisions: The plan lays out the government's general approach and particular policies to be considered when making decisions at the various levels of government (e.g., body of elected officials, appointed boards such as the Planning Commission, and staff).

physical development of the community: Comprehensive plans deal fundamentally with the physical characteristics of the community. Hence, land use is typically the core element of a comprehensive plan. However, in order to arrive at an appropriate plan for the use of land, other physical aspects must be addressed, such as environmental features, transportation, water and wastewater facilities, and other public facilities.

indicates in a general way: The comprehensive plan contains general policies and recommendations which usually do not indicate specific locations nor detailed regulations.

how the leaders of the government want the community to develop: The comprehensive plan expresses the vision and policy directions agreed to

by the community's governing body. Usually the plan is developed by an advisory body – a planning commission or steering committee – encompassing a broadly representative membership. In developing the plan, substantial public involvement is obtained to assure the leaders of the government that the plan is properly considered and has broad support.

next 20 - 30 years: The typical horizon of a comprehensive plan is 20 to 30 years into the future. The comprehensive plan time frame is beyond the foreground of pressing current issues and opens up a perspective of future possibilities and problems.

Comprehensive planning is a form of long range planning. Such endeavors usually engage participants to think about community change and problem-solving in a manner that is different from the way they are accustomed to. This kind of planning can be defined in the following ways:

Long range planning

- ...is an organized way of determining community needs and setting goals and objectives to address the needs.
- ... is the art and science of anticipatory problem solving.
- ...bridges the gap from where we are to where we want to go.
- ...is defending the common interest against the onslaught of parochial interests.

4. Why prepare or update a comprehensive plan?

There are general and specific reasons why a comprehensive plan should be prepared. At the general end of the spectrum, a community or area may need to articulate a vision for its future, reaching agreement on the overall type of place it wants to be. To this means, the plan should contain the vision and the goals and objectives, and also contain enough specificity in methods and techniques or indicators to help measure the progress in reaching that vision. At the specific end of the spectrum, there may be particular concerns in changes threatening one neighborhood or sub-area; however, the big picture needs to be established in order to properly focus on how those neighborhood or sub-area changes should be guided. The planning process is often useful for

getting people to think about the longer-range consequences of current decisions to result in wiser, more sustainable actions.

T.J. Kent states in his seminal book The Urban General Plan (1964) the following fundamental purposes which the comprehensive plan is intended to achieve:

5. To improve the physical environment of the community as a setting for human activities - to make it more functional, beautiful, decent, healthful, interesting, and efficient.
6. To promote the public interest, the interest of the community at large, rather than the interests of individuals or special groups within the community.
7. To facilitate the democratic determination and implementation of community policies on physical development.
8. To effect political and technical coordination in community development
9. To inject long-range considerations into the determination of short-range actions.
10. To bring professional and technical knowledge to bear on the making of political decisions concerning the physical development of the community.

One of the most important and practical purposes of a comprehensive plan is to give guidance to the specific land use regulations adopted by the local government. Such regulations include:

- Zoning ordinance,
- Official zoning map,
- Subdivision regulations, and
- Growth management tools*.

* Growth management tools are a set of regulatory provisions designed to address in a consistent, cohesive way the rate, extent and/or character of growth and development in a community. The approach implied by growth management is to integrate with zoning and subdivision regulations additional provisions to guide development. Such provisions in the set of tools might include performance incentives, design guidelines, differential impact fees, growth quotas, and adequate public facilities ordinances. Growth management might also include developing an integrated set of non-regulatory approaches such as incentives-based packaging of public/private partnerships, working with land trusts, economic development initiatives, and housing programs.

Internal consistency between the comprehensive plan and land use regulations is an important part of implementing the vision of the plan. The quality of general direction should provide a range of ways in which a matter can be handled on the regulatory side.

5. New Mexico Enabling Legislation

The statutes of the State of New Mexico enable and do not mandate the preparation of a comprehensive plan by local governments. In the New Mexico Statutes, both comprehensive plan and master plan are used and appear to be synonymous. In this document, the term comprehensive plan is used to mean both master plan and comprehensive plan.

Much of the terminology of the New Mexico Statutes comes from the Standard City Planning Enabling Act, drafted by an advisory committee of the U.S. Department of Commerce in the 1920s. Following is a brief description of the main statutory provisions with comments from a practical planning perspective (note that this is not a legal opinion):

- Section 3-19-9 NMSA 1978 addresses the purpose of a master plan. Subsection (A) states that "a municipal planning commission shall prepare and adopt a master plan for the physical development of the municipality and the area within the planning and platting jurisdiction of the municipality which in the planning commission's judgement bears a relationship to the planning of the municipality..."

- Section 3-19-9(B) allows that in addition to recommendations for the physical development of the municipality and its planning jurisdiction, the master plan may also address:
 - streets, bridges, viaducts and parkways; parks and playgrounds; floodways, waterways and waterfront development, airports and other ways, grounds, places and spaces;
 - public schools, public buildings and other public property;
 - public utilities and terminals, whether publicly or privately owned
 - community centers and neighborhood units and the replanning of blighted districts and slum areas; and
 - public ways, grounds, places, spaces, building properties , utilities or terminals.

Comment: There is no description of what elements should be in a comprehensive plan, nor what should be contained in each element in

order to address the subject in a professionally adequate manner. This remains the purview of the planning commissions. There is no direction from the Statute on whether the various pieces of a master plan should be internally consistent with one another.

- Section 3-19-1(c) allows for the municipality as a planning authority to "retain to the governing body as much of this power, authority, jurisdiction and duty as it desires." This must be established by ordinance.

Comment: This provision is important because it allows for the planning commission to function as an advisory board in developing a plan and recommending its adoption, then for the actual adoption of the plan to occur as an action of the governing body. Planning practice and theory favor this approach since the plan carries significant influence and should be used as a set of policies and recommendations used by the body of elected officials rather than only by the body of appointed representatives serving on the planning commission.

- Section 3-19-10 addresses the adoption of a master plan by a municipality, stating it is through an action of resolution after at least one (1) public hearing.
- Section 3-19-11 addresses the legal status of a municipality's master plan including, among other features :
 - (A) "After a master plan...has been approved and within the area of the master plan... the approval of the planning commission is necessary to construct, authorize, accept, widen, narrow, remove, extend, relocate, vacate, abandon, acquire or change the use of any:
 - (1) park, street or their public way, ground, place or space;
 - (2) public building or structure; or
 - (3) utility, whether publicly or privately owned.
 - (B) "The failure of the planning commission to act within sixty-five days after the submission of a proposal to it constitutes approval of the proposal unless the proponent agrees to an extension of time. If the planning commission disapproves a proposal, it must state its reasons to the governing body. The governing body may overrule the planning commission and approve the proposal by a two-thirds vote of all its members.
 - (C) "...After the adoption of the master plan or any part thereof affecting the property, all extensions, betterments or additions to buildings, structures, plants or other equipment of any public utility

shall be made in conformity with the master plan or any part thereof affecting the property and upon approval of the planning commission..."

Comment: These provisions establish the intended role of the planning commission in approving public improvements or utility improvements whether public or private. Subsection (C) requires conformity of those improvements with an adopted master plan. The Statute supports a strong tie between the physical development (i.e., land use) and the extension of utilities, which can produce a very powerful planning framework and is often missed in master plans. Typically, planning commissions do not have a strong role in the approval or disapproval of public utility improvements. This is one of only two sections in the Statutes (see Section 3-21-5 for the other.) that speaks to internal conformity or consistency. Subsection (B) allows for automatic planning commission approval if the planning commission does not act within 65 days. This provides the option for the planning commission to not be involved.

- Section 3-19-12 states "Every plat approved by the planning authority is an amendment, addition or a detail of the master plan or any part thereof adopted by the planning commission."

Comment: The required inclusion of subdivision plats in a master plan is highly unusual. Plats are typically much more specific than the general land use designations in a plan. Plats contain detailed information, such as lot lines, surveyed rights-of-way, site plan showing buildings, and landscape plans, that arguably do not belong in a master plan and would tend to clutter up the plan. On the other hand, this provision could provide a higher degree of confidence in land developers' expectations that once a plat is approved, it supercedes any prior comprehensive plan designations that might have not fully supported the development conceived of in the plat. The provision appears to be commonly ignored by municipalities.

- Section 3-21-5 is entitled Zoning: conformance to comprehensive plan. Subsection (A) states "The regulations and restrictions of the county or municipal zoning authority are to be in accordance with a comprehensive plan..."

Comment: Conformance of the zoning code with the comprehensive plan is required through this section. It should be noted that the plan is referred to as a master plan throughout Section 3-19, but here it is called a comprehensive plan. This appears to be a minor inconsistency in

terminology that does not have substantive effect on the provision. Additionally, it is noteworthy that this provision applies to both municipal and county plans.

- Section 4-57 enables the creation of county planning commissions and describes the power and duties of the commission. Subsection 4-57-2(B) allows that a county planning commission may: (1) make reports and recommendations for the planning and development of the county to any other individual, partnership, firm, public or private corporation, association, trust estate, political subdivision or agency of the state or any other legal entity or their legal representatives, agents or assigns; (2) recommend to the administrative and governing officials of the county, programs for public improvements and their financing.

Comment: Enabling preparation of a comprehensive or master plan for a County is not specifically stated in this Statute. Subsection (1) refers to recommendations without specifying what the recommendations about, but which might include the content of a comprehensive or master plan.

- Section 3-19-5 establishes the planning and platting jurisdictions for municipalities. Section A states A... the planning and platting jurisdiction of a municipality
(1) having a population of twenty-five thousand or more persons includes all territory within five miles of its boundary and not within the boundary of another municipality; or

(2) having a population of less than twenty-five thousand persons includes all territory within three miles of its boundary and not within the boundary of another municipality.

Comment: The municipality is enabled to prepare a comprehensive plan addressing a planning area that extends outside its corporate boundary in the area within the distances established by this statute. It is not clear whether, for advisory purposes rather than through jurisdictional authority, a municipality can determine a larger plan area.

6. Hierarchy of policy direction in a comprehensive plan

Goals, objectives and policies are the typical framework for the overall policy direction established in a plan.

“Goals” are overarching statements describing the direction that a community

wants to go.

“Objectives” are statements describing how those goals should be reached.

“Policies” are statements of actions and specific directions or approaches that should be taken to achieve the objectives.

Some plans do not have policies for a variety of reasons including the level of detail, the intent for using the plan, or the assignment of implementation actions is occurring elsewhere.

“Strategies” are statements of specific actions that should be taken, identifying the responsible party or parties, the time frame within which the action should occur and other details considered necessary to prepare for implementation to occur. Strategies are often statements providing the same level of direction as policies. However, sometimes strategies are more specific than policies, in effect, filling a lower level in the hierarchy. In such cases strategies may be implementation actions. Strategic planning, as distinct from comprehensive planning, is focused on arriving at concrete actions that responsible parties commit to carry-out. Additionally, a hybrid of strategic planning might be included as a element of a comprehensive plan.

And in some cases strategies describe a general direction for actions to reach a goal, in which case they are equivalent to objectives in the hierarchy.

Goals and objectives make up the policy framework that guides the Regional Water Plan.

Desired Qualities of Goals and Objectives

- √ Goals are general and should reflect the values of the community.
- √ Goals are visionary into the desired future.
- √ Objectives should be measurable and achievable.
- √ Objectives are not so specific as alternative strategies or policies, nor so broad as goals.
- √ Goals and objectives must relate to their subject matters (e.g., if a land use element is being prepared, then subjects of transportation, water, housing and economic development should only be addressed as they relate to land use)

Example 1 of Goal, Objective and Policies

Goal	The City shall seek to achieve high quality residential environments providing a level of stability, safety, tranquility and balanced mix of supporting uses.
Objective:	To protect viable residential neighborhoods from intrusions by incompatible uses
Policies:	<ul style="list-style-type: none"> a. The City shall seek to abate existing incompatible uses in residential neighborhoods. b. Spot zoning shall be prohibited in low density residential neighborhoods. c. The conditional use procedure shall be used to ensure that new potentially higher intensity non-residential uses are no more disruptive to existing residential uses than is reasonably necessary through evaluation of performance standards for design and site treatment.

Example 2 of Goal, Objective and Policies

Goal:	Existing irrigated agricultural activities should be encouraged and supported to remain in active agricultural production.
Objective:	To create and support the development of opportunities for continued farming operations.
Policies:	<ul style="list-style-type: none"> a. The County shall encourage and provide for the marketing of local agricultural products through such avenues as the farmers market and roadside stands. b. The County shall consider creating a transfer of density provision in the zoning code that may be voluntarily used to cluster residential development away from agricultural areas to preserve meaningful land area utilized for agricultural production. c. A right-to-farm ordinance shall be devised to ensure that agricultural lands are treated sensitively to the location of and pressures from surrounding urban development. The ordinance may include: (1) a declaration that normal farming operations do not constitute a "nuisance" if begun before residential development occurs; (2) title or plat notification for nearby properties explaining that the parcel is identified as agricultural and there may be activities that are inconvenient or cause discomfort to area residencies, and (3) establishment of a grievance or arbitration committee to mediate disputes between farmers and non-farmers.

7. Template of a Comprehensive Plan

The template for a comprehensive plan was designed to provide an outline for

developing an adequate and balanced local long range planning document.

1. Introduction

The introduction should provide the reader with the following:

- Purpose of the plan
- Plan principles
- Legal foundations for the plan
- Planning process

2. Community Vision (optional)

Process for developing the vision statement, covering:

- Community Interviews
- Wants and needs community survey
- Meetings and workshops
- Compilation of information
- Report preparation
- Vision statement

III. Community Background and Existing Conditions

- Demographic profile of the community and plan study area
 - Historic population trends
 - Population projections in five year increments
- Economic profile of the community and plan study area, including map
- Physical features of the community and plan study area, including map
- Settlement history

IV. Environment Element

- Supporting studies
 - Identification of natural hazards and community natural resources, including maps
 - Significance of features, including maps
 - Management of resources
- Goals, objectives and policies

V. Land Use Element

- Supporting studies
 - Existing land use inventory and map (categories; amount, type and intensities of land use (use of GIS)
 - Analysis of land use patterns (typically by sub-areas)

- Issues and opportunities analysis reviewing key factors and driving forces supporting trends, expected changes from past trends and desired changes in land use patterns
- Alternative land use scenarios
- Special studies. Possibilities include:
 1. Community character - urban design and rural character
 2. Visual preference analysis
 3. Land use compatibility
 4. Annexation criteria
 5. Development agreements and impact fees
 6. Community festivals
 7. Main Street
 8. Agricultural heritage and open space
- Narrative description of desired future land use pattern, themes and/or strategies
- Goals, objectives and policies
- Future land use map

The inclusion of maps, tables, photographs, and graphics that provide insights into desired land use practices is strongly recommended in the Land Use Element.

VI. Transportation Element

- Supporting Studies
 - Existing Conditions
 - Inventory of Transportation Facilities and Services (all modes)
 - Functional Classification System
 - Existing Arterial Road Network
 - Issues and Needs
 - Levels of Service
 - Vehicle Miles Traveled
 - Other Indicators
- Alternative transportation network analysis (traffic forecast modeling may be used with current and projected land use and socio-economic assumptions)
- Special Studies that Guide High Priority Strategies in the Plan. Possibilities include such subjects as:
 1. Bridge crossings
 2. Choke points
 3. Traffic calming
 4. Private roads: standards, connectivity of system, accessibility to public

5. Non-motorized transportation facilities
 6. Demand management strategies
 7. Transit services (bus, express bus, bus rapid transit, commuter rail, streetcar, light rail)
 8. Scenic drives
 9. Environmental Impact Assessments
- Future Transportation Network
 - Future Transportation Network Map (Preferred Alternative)
 - Roads
 - Pedestrian and Bicycle Facilities
 - Transit Facilities and Services
 - Transportation Improvements

List each project and its key characteristics, including segments by location, type of improvement, and estimated cost. Projects funded through the State Transportation Improvement Program of the New Mexico State Highway and Transportation Program (STIP) should be identified in the Transportation Element. Additionally, projects funded primarily by the local government which are not listed in the STIP should be listed in the Transportation Element, providing supporting rationale for capital facilities funding, including impact fee assessments.
 - Finance strategy
 - Available revenue
 - Potential additional revenue sources/strategies
 - Unmet needs
 - Goals, objectives and policies

VII. Capital Facilities Element

- Subjects of the Capital Facilities Element, typically including:
 - Utilities
 - Roads, streets, sidewalks
 - Public buildings
 - Public parks
 - Public irrigation and drainage facilities
 - Telecommunications infrastructure (special component)
- Rationale for planning for capital facilities: good management, growth management and eligibility for grants and loans.
- Scenario-driven approach using different assumptions about needs (levels of service) and revenues to identify the best combination of level of service and financing plan.
- Description of levels of service

- Capital projects
- Operating impact of capital projects
- Financing plan
- Implementation plan
- Goals, objectives and policies

Additional Elements that might be prepared include, but are not limited to:

- Action Plan, Strategic Plan or Implementation
- Housing
- Urban Design/Community Character
- Parks and Open Space
- Utilities
- Economic Development
- Downtown Revitalization
- Telecommunications
- Historic Preservation
- Agriculture Preservation
- Cultural
- Social Services
- Fiscal
- Growth Management

8. Best Practices in Comprehensive Planning

A. Broad Public Involvement

The comprehensive planning process should have broad buy-in from the public, stakeholders and elected officials. The "bare bones" minimum is to hold a public hearing before governing or appointed advisory bodies vote on a plan. Visioning is one process that might be added, as discussed below. There usually is a need to supplement a planning process with one or more of the following events: focus groups, leadership forums, town halls, and community surveys. Additionally, convening a steering committee, consisting of members of a planning commission and perhaps other members of the public representing more sectors of the community, can provide useful advise on the plan development throughout the planning process. Public involvement is typically a time-consuming and challenging component of comprehensive planning, requiring the planners to try very hard to get participants to engage in long range thinking.

B. Visioning

Visioning is becoming an increasingly accepted planning tool that is especially useful when integrated into a comprehensive planning process as an "up-front" public involvement activity. The technique in preparing a local comprehensive plan seems to work rather well to do visioning to arrive at a vision statement, then prepare the plan analysis, analyze alternative land use scenarios according to the vision, then develop the goals and objectives at the same time as arriving at the preferred land use scenario (which becomes the "Future Land Use Map").

Following are the steps of a sample visioning process:

- ✓ Design the entire process,
- ✓ Develop an introductory slide show to stimulate discussion of place,
- ✓ Develop a series of vignettes to illustrate possibilities for how a community might grow (oblique aeriels, ground photographs, computer generated visualizations, and some hand drawn vignettes) visualizing possible future urban and rural character,
- ✓ Prepare a background paper with population and employment projections and other gathered factual information for the review of the participants.
- ✓ Conduct two or three rounds of public workshops in several locations throughout the community. The first round can develop a list of what's valued, what should be kept and what should be changed in their specific community. The second round can be designed to prioritize, refine, and cluster the most important issues and value statements to the community. The third round can gather participants from the entire community to prioritize the top topics and top issues (attributes), conduct an individual and group writing exercise designed to combine the top attributes, create an edited product from each group, then the whole group of participants vote on their favorite vision statement. Interim adoption of the vision statement and goals early in the process before the scenarios were developed.

C. Alternative Land Use Scenarios and Quantitative Analysis of Alternatives

Scenario-building allow the technical and non-technical participants in the comprehensive planning process to consider the

impacts of various ways in which the community can grow. The purpose of scenario-building is to analyze various land use strategies, transportation alternatives and perhaps alternatives in other major community or regional systems as a means to evaluating impacts and making decisions. Assumptions, rather than presented as certain, might be placed in the form of alternatives for several uncertain futures. Scenarios present different stories, each of which integrates internally consistent interpretations of future events. This approach can be built into a comprehensive planning practice to strengthen and crystalize the analysis.

T.J. Kent articulated the importance of the scenario-building approach in The Urban General Plan, while it did not become part of the conventional comprehensive planning process at that time. He stated: "Since there can be no plan without decisions rejecting certain alternatives and adopting other, and since the understanding and support necessary to implement the plan require constant explanation of the reasoning expressed in the final plan, the major alternatives that were considered and rejected by the legislative body should be described in the plan document."

At a minimum, there may be a comparison of the trend land use pattern - reflecting no policy-change - to the preferred land use alternative that is proposed as the future land use pattern. Preferably, several viable alternatives would be developed based on differing driving forces and story lines.

Various quantitative analyses should be used to evaluate the pros and cons of the alternatives. How much land area is required for the different urban uses is one key comparison. This is particularly important for understanding in-fill and redevelopment. An assessment of disturbance of environmentally sensitive lands - such as steep hills, highly erosive soils, wetlands, riparian areas and prime agricultural lands is important. Transportation performance is another important area for comparative analyses. Water use is another area of particular concern in this arid country.

D. Physical planning description and targets

The land use element is the core portion of the plan describing the community's strategy of growth. The essential role of the plan is to influence land use decisions. Land use categories should be

selected that are most meaningful to the community. According to these categories, maps of existing land use and future land use should be prepared. Densities and intensities of land use should be sufficiently fine-grade to allow calculations of land areas - and these should be indicated in the plan document. The map should show if and where mixes of land uses and centers are desirable. The relationship between land use and transportation (another physical planning component) should be explored.

E. Clarity in policy statements

Goals, objectives and policies should be as clear, succinct and relevant to the subject matter as possible. The hierarchy moves from more general to more specific in developing the statements. The statements should be readable, reasonably simple, and deal with a single subject matter. Policy statements should not be overly vague or ambiguous. Statements should provide guidance for the body of work addressed in the relevant element (for instance, transportation policies should generally not be included in a land use element). The statements should be reasonably short and simple, while not stripped bare of meaningful elaborations that express the purpose of the goal, objective or policy. Finally, policy statements should adhere to the public input or policy guidance arrived at through the processes used to develop the plan.

F. Internal consistency within the Comprehensive Plan

All of the components of a comprehensive plan should be well-coordinated and complimentary. Typically the land use element establishes the core set of growth strategies with which other elements should be supporting. The transportation element should substantively contribute to the urban form developed in the land use plan. The capital facilities plan should be in sync with the projected needs for new land development. Land use/transportation planning expert Robert Cervero has articulated the principle that land use plans should shape transportation decisions as well as other elements of a comprehensive plan. Conversely, if water, transportation, open space and other critical community and regional systems cannot practically support a desired land use pattern, then the land use plan must be changed.

G. Tie-in of the Comprehensive Plan to current planning and capital

budgeting

The comprehensive plan should be used to guide the zoning code and official zoning map, zoning discretionary decisions such as re-zoning, special use permits and conditional use permits, and subdivision approvals. The plan should give guidance on various growth management tools. Annexations, historic districts and landmarks designations, extraterritorial planning and plating, local economic development, impact and development fees, and transfers of development rights are among the planning actions that should be supported by the comprehensive plan.

Implementation measures should be established in or tied to the comprehensive plan. Actions of responsible parties, time frames for actions, sequencing and indicators of performance might be addressed in the plan or a companion strategic plan.

Capital facilities planning should be integrated into comprehensive planning. An element of the plan dedicated to capital facilities is recommended, as shown in the comprehensive plan template.

H. Phasing of growth

Phasing provides guidance that land development activities are proceeding in locations where they can be supported in a timely and efficient way with capital facilities and other regional and community systems. The functional plan elements for transportation and capital facilities must be coordinated with any phasing plan. Often those plans have a shorter horizon year than the long range land use plan, indicating when identified improvements are anticipated.

9. Strategies for Consideration in Comprehensive Plans

Following is a list of general land use approaches and strategies supported in the Middle Rio Grande's Focus 2050 Regional Plan that might be considered appropriate in local comprehensive plans. This is only a partial list; and the Regional Plan should be consulted for a full set of the concepts.

- Jobs/housing balance improved, including basic employment in identified centers.
- Urban development directed within existing urban areas (mainly in

- municipalities), on adjacent mesas and away from the Valley floor
- Encourage retention of irrigated agriculture in the Valley
- Encourage new towns in identified areas
- Limited clustered development located in traditional valley communities
- Encourage in-fill and redevelopment in current urban community areas
- Encourage emphasis on centers and corridors and transit-oriented development
- Support extra-territorial planning and zoning
- Assure that there are adequate public facilities for development
- Assure that there are adequate long range water supplies to support development
- Delineate community edges to retain distinct, separate communities
- Consider "green linkages" between the outer edges of communities to discourage creeping commercial or residential growth outside the designated urban or urbanizing areas
- Develop any new towns with minimum urban densities, with attention to appropriate location and character
- Discourage the creation of additional large lot subdivisions
- Determine means to discourage development and reassemble pre-platted bulk land subdivisions
- Encourage mixed use centers of an appropriate size to serve community
- Encourage each neighborhood to contain local shopping, public and recreational facilities
- Discourage linear commercial development following arterials

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The author, formerly Senior Planner for the Middle Rio Grande Council of Governments (for whom this paper was written), is currently Executive Director of the Santa Fe Regional Planning Authority



City of Woodcreek

Vision 2030 Master Plan

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Background

Vision 2030 Master Plan

The first Master Plan for the City of Woodcreek, "Vision 2020" was completed in August 1999. The original plan called for citizens and council members to conduct a periodic review of the document. Accordingly, a subsequent plan review was submitted to the City Council by a citizens committee in October 2004.

In June 2009, Mayor Eric Eskelund called for the update of the Master Plan. This effort went beyond the review conducted in 2004 and included an in-depth analysis of conditions in the community gathered through a survey of citizens.

In 2015, Mayor Eskelund called for update of the Master Plan and charged Councilmembers Jerry Moore and William Scheel with the process of updating the 2009 Master Plan. Council members Moore led the effort supported by a citizens committee and fellow Councilmember Scheel. They conducted a survey of citizens, reviewed goals and objectives, developed updates for those goals and objectives, and conducted a community meeting that set the foundation for the plan update.

Councilmember Scheel became Mayor in December 2017 and in the Spring of 2018 Councilmember Aurora LeBrun was appointed to fill this vacancy. Mr. Moore did not complete the Plan update prior to retiring from Council in November 2018. Newly-elected Councilmember Cyndi Jackson replaced Mr. Moore as Chair of the Committee.

The final draft of the document was presented to the Planning & Zoning Commission for review and recommendations. A public hearing was held by the Planning & Zoning Commission on March 20, 2019. City Council approved the final document on July 17, 2019 after a Public Hearing on May 8, 2019.

Process

Vision 2030 Master Plan

PLANNING AND EXECUTION

Applications were accepted from interested citizens and a 2030 Committee was formed. In the first meeting of the Committee, duties and responsibilities were outlined, as follows:

- Update the design of the comprehensive plan to meet current and future needs of the community on a long term basis.
- Seek and consider input from the community at large by developing a community survey.
- Develop new goals and objectives for the City based upon public input received from the community, survey, and public forums.
- Make periodic progress reports to the City Council throughout the update process.

Committee members were also charged with responsibilities for:

- Validation of the survey instrument
- Assessment of achievement of past goals and objectives

The Committee used the data reflected in the community survey and information received in the public meeting to assess the validity of the goals and objectives within the 2020 Vision Plan.

While the Committee found little change in the survey results conducted now 10 years later, they did see a dramatic shift in new residents in the Community. Additionally, the focused interest in parks and green space and continued concern with condition of the City's infrastructure became the cornerstone of the recommendations made.

Current Conditions

Vision 2030 Master Plan

Introduction

The City of Woodcreek, Texas, is a small, wooded, mostly-residential community located in the Texas Hill Country with a population of nearly 1,500 people within Hays County. Woodcreek is situated between Cypress Creek, which forms the western city limit, and Ranch Road 12, which forms the eastern city limit. Woodcreek is less than three miles directly northwest of Wimberley, Texas; ten miles directly south of Dripping Springs, Texas; and approximately 30 miles southwest of Austin, Texas. The Woodcreek community was incorporated in 1984 and was developed around a semi-private 18-hole golf course facility, presently called "Quicksand at Woodcreek" golf course.

The Existing Conditions Report details an inventory of current (2017) conditions in Woodcreek including the following topics: City Government; Population; Land Use and Zoning; Public Infrastructure and City Services; Economic Development (2018); Housing; Environment; and Parks and Open Spaces.

City Government

The City of Woodcreek is a Type-A General Law Municipality, according to the Texas Local Government Code, Chapter 6, meaning that the city has a population over 600 people and operates without a charter but according to the state statutes prescribing the city's powers, duties and limitations. Woodcreek is led by a City Council which consists of the Mayor, Mayor Pro-Tem, and four Councilmembers, all of which are elected to two-year terms. City staff consists of a City Manager, City Secretary, Director of Public Works, City Engineer, and Assistant Administrator.

Each Councilmember (including Mayor and Mayor Pro-Tem) and city staff play important roles in the function of the City, including a focus on the following responsibilities: City Hall; Planning; Public Safety; Development; Infrastructure; Open Spaces; and Executive/Administrative topics. There are a few City committees that act as subcommittees to the City Council to address specific topics such as: Planning and Zoning; the Parks and Recreation Board; the Roads and Streets Committee; and the Vision Update Committee.



Current Conditions

The City of Woodcreek is a member jurisdiction of the following state and regional agencies and organizations:

- CAMPO – The Capital Area Metropolitan Planning Organization
<http://www.camptexas.org/>
- Cypress Creek Watershed Protection Plan
<http://www.cypresscreekproject.net/new-page-1>
- TML – The Texas Municipal League
<https://www.tml.org/>
- CAPCOG – Capital Area Council of Governments
<http://www.capcog.org/>
- Wimberley Valley Chamber of Commerce
<http://www.wimberley.org/>

Population

The City of Woodcreek has a population of 1,457 according to the latest Census (2010). The 2014 Texas State Data Center population estimates show the estimated population for Woodcreek to be 1,461, with a 0.3% increase in that four-year time period. The next Census will not take place until 2020. The table below shows the population changes between the 2000 and 2010 Census for Woodcreek.

2000 and 2010 Population for Woodcreek, Texas

Census Year	Population	Percent Change
2000	1,274	
2010	1,457	14.34%

The City of Woodcreek has a unique population compared to an average city, which presents unique needs. The table on the next page shows demographic and social characteristics of the City of Woodcreek's population and also how these characteristics compare to those of the United States as a whole.



Figure 1
Demography
compared to
United States

Demographic and Social Characteristics:		
Characteristic	Woodcreek [#]	U.S. [%]
2010 US Census		
Total Population	1,457	100
Male	654	49.2
Female	803	50.8
Median Age (Years)	57	35.8
Under 5 Years	50	3.2
18 Years and Over	1,232	84.6
65 Years and Over	541	37.1
One Race	1,448	99.4
White	1,416	97.2
Black or African American	1	0.1
American Indian and Alaska Native	7	0.5
Asian	5	0.4
Native Hawaiian and Other Pacific Islander	0	0
Some other race	18	1.2
Two or more races	9	0.6
Hispanic or Latino	78	5.4
Household Population	712	100
Average Household Size	2.05	2.58
Average Family Size	2.58	3.14
Total Housing Units	783	100
Occupied Housing Units	712	90.9
Owner-Occupied Housing Units	591	83
Renter-Occupied Housing Units	121	17
Vacant Housing Units	71	9.1
American Community Survey (2011-2015 Estimates)		
Population 25 Years and Over	1,113	100
High School Graduate or Higher	1,064	96.0
Bachelor's degree or higher	938	84.0
Civilian veterans, civilians >17 Years	186	16.2
Disability Status	222	17.2
Foreign Born	0	0
		13.2

Current Conditions

Vision 2030 Master Plan

Land Use and Zoning

The city limit of Woodcreek is approximately 1.06 square miles. The Extraterritorial Jurisdiction (ETJ) extends 0.5 miles from the current city limits. The ETJ currently abuts the City of Wimberley city limits and the City of Wimberley ETJ currently abuts the majority of the southern boundary of the Woodcreek ETJ. The Woodcreek ETJ is 4.3 miles from the ETJ of Dripping Springs.

The community is made up mostly of residential land uses (single-family and multi-family residences), with some recreational land uses (the Quicksand Golf Course and Camp Young Judaea), some commercial/retail (a liquor store), and a nature preserve located on private property.



Figure 2
City of Woodcreek City Limit & ETJ Map

Current Conditions

Vision 2030 Master Plan

Figure 3

City of
Woodcreek Land
Use Map



Vision 2030 Master Plan - City of Woodcreek

Current Conditions

The categories and descriptions of the City of Woodcreek's zoning ordinance are outlined below. The Zoning map for Woodcreek that corresponds to this list can be seen on the next page.

City of Woodcreek Zoning Categories:

- 4PLX – Four Plex: Four single-family dwelling units limited to no more than one building per lot
- G – Governmental Services: Intended to provide appropriate areas for uses that provide important community services. (Facilities owned or leased by the federal, state, city, or city government; and churches, schools, either or public or private non-profit, and libraries)
- GB –Greenbelt District: Intended to establish and preserve peaceful, attractive, natural or undisturbed areas adjacent to residential districts (hiking, jogging, and non-motorized biking, and nature trails)
- MF-1 – Multi-Family: Single-family homes, duplex units, four-plex units, or apartment complexes having the number of units, but no more than 14 units per acre
- MF-2– Multi-Family: Single-family homes, multi –Family: Duplex units, four-plex units, or apartment complexes having the number of units, but no more than 16 units per acre
- MF-1A– Multi-Family: Duplex units, four-plex units or apartment complexes having the number of units, but no more than 14 units per acre
- NC – Neighborhood Commercial: Intended to provide sites for retail and service businesses or other such businesses
- NWP – Natural Wildlife Preserve: Privately owned land established to preserve open space and wildlife
- P-1 – Public Park: Intended to establish and preserve peaceful and attractive parcels of land as a place for public recreation (public open and natural areas surrounded or partly surrounded by woodlands or grassland)

Current Conditions

The categories and descriptions of the City of Woodcreek's zoning ordinance are outlined below. The Zoning map for Woodcreek that corresponds to this list can be seen on the next page.

City of Woodcreek Zoning Categories:

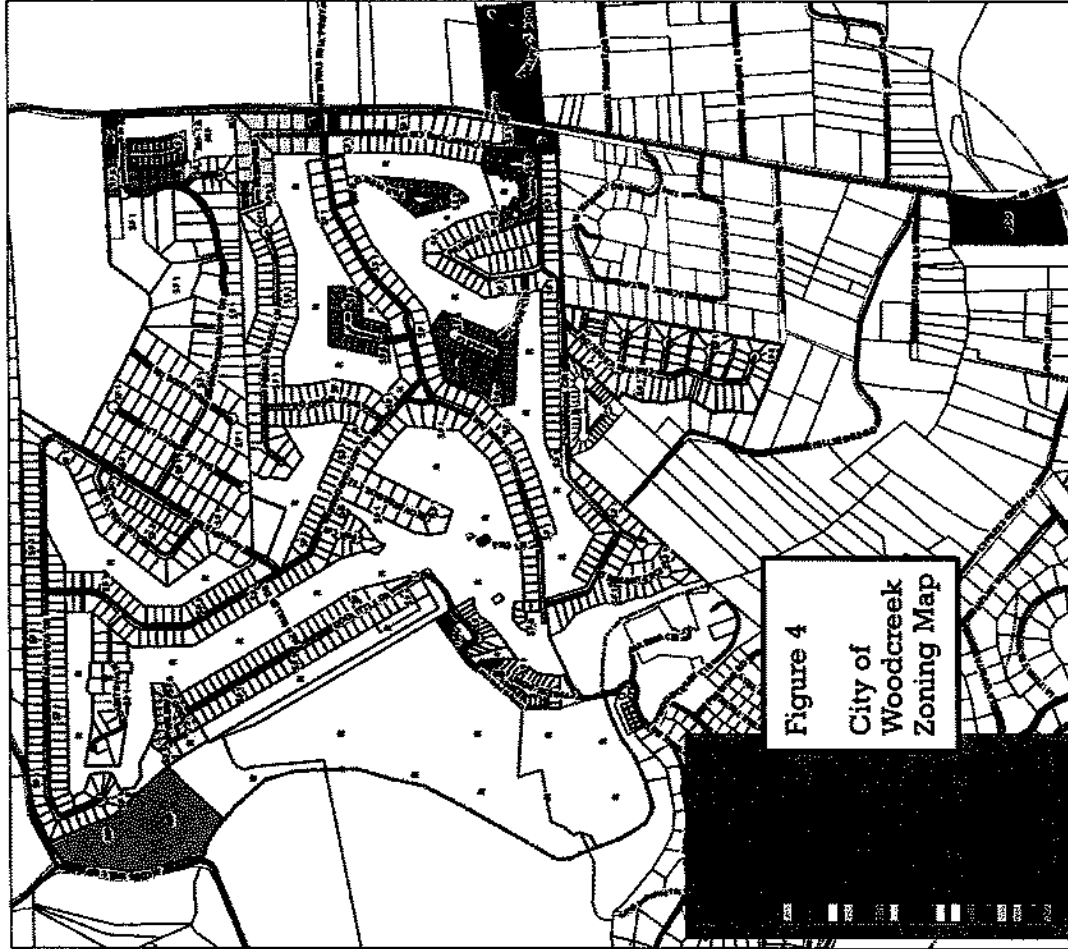
- PUD – Planned Unit Development: Planned diverse land uses, such as housing, recreation, and shopping in one consolidated development, and allowing for cluster development and alternative design standards
- R – Recreational: Intended to establish and preserve attractive recreational facilities including golf courses and youth camp facilities.
- SF1 – Single Family 1: One-family dwelling with no more than one residence per lot (minimum square feet for one story: 1,500, for two story: 2,000)
- SF2 – Single Family 2: One-family dwelling with no more than one residence per lot (minimum square feet: 1,000)
- SF3 – Single Family 3: One-family dwelling with no more than one residence per lot (minimum square feet for one story: 1,000, for two story: 1,200)
- SF4 – Single Family 4: One-family dwelling with no more than one residence per lot (minimum square feet: 900); short-term rentals allowed
- SF5 – Single Family 5: One-family dwelling with no more than one residence per lot (minimum square feet: 1,000); one-car garage
- SF6 – Single Family 6: One-family dwelling with no more than one residence per lot (minimum square feet: 1,000); two-car garage
- TH/C – Townhouse/Condo: Multiple-dwelling units with one family per dwelling unit
- U – Utility: Intended for uses required for both public and private utilities and commercial wireless communications systems

Current Conditions

Public Infrastructure and City Services

An inventory of the existing public infrastructure and city services for Woodcreek is presented in the list below including the name or entity of the service provider.

Service:	Provided By:
Water	Aqua Texas – Privately owned and operated
Wastewater	Aqua Texas – Privately owned and operated
Electricity	Pedernales Electric Cooperative, Inc. – Privately owned and operated
Telephone	Frontier
Internet	Charter Spectrum
Cable	Charter Spectrum
Fire	Wimberley Fire Rescue – volunteer fire department for the Wimberley Valley that serves Woodcreek
Police	Hays County Precinct 3 Constable's Office – Contracted with City of Woodcreek
EMT/Ambulance	Hays County
Emergency Management (Flood, Hazard, Homeland Security)	Hays County



Current Conditions

Vision 2030 Master Plan

Economic Development

Currently, the sales tax that is brought in for city purposes mostly originates with the golf course and the liquor store. While there are some home-based businesses in Woodcreek, none contribute a significant value to the tax base. The primary tax base for the City of Woodcreek is residential property tax. The City's 2018 total adopted ad valorem tax rate is \$0.2235/\$100 valuation including: \$0.1362/\$100 valuation for maintenance and operation and \$0.0873/\$100 valuation for principal and interest for debt service.

Woodcreek is beginning to focus on economic development, voluntary annexation, and ETJ development in order to bring in a stronger tax base for the community and to attract and retain residents to live, shop, and work in the community. An assessment of the potential to develop a stronger tax base may be explored in the future.

Housing

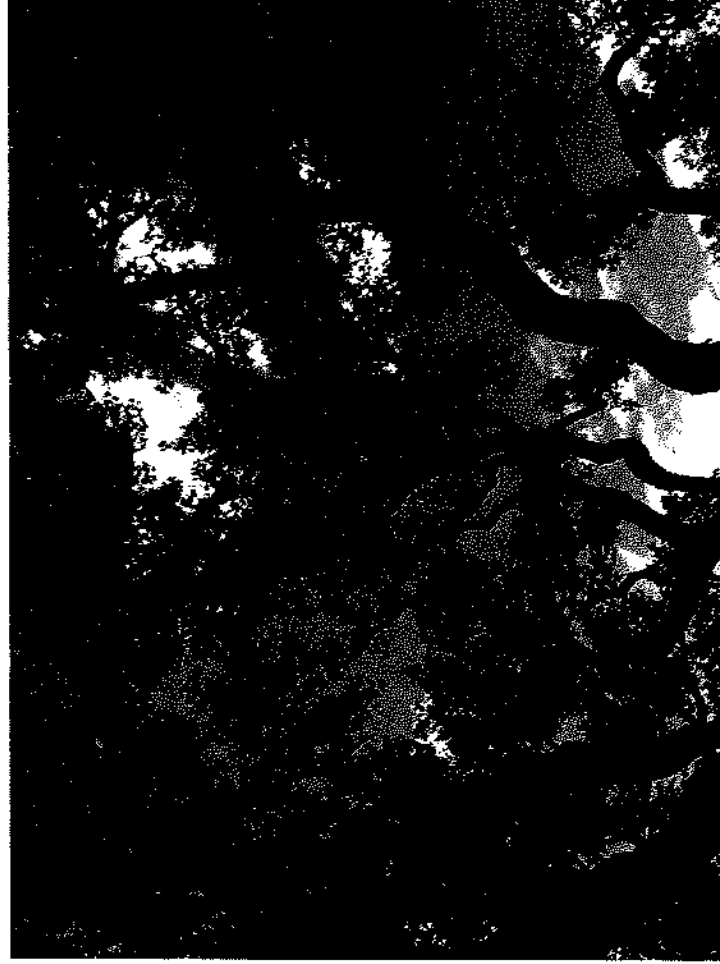
The City of Woodcreek has a mix of housing options, including single family and multifamily; however, the majority of housing is single family. As outlined in the Land Use and Zoning section, there are a variety of types of single family and multifamily housing uses permissible within the City of Woodcreek.

As of the 2010 Census, there were 783 total housing units in the City of Woodcreek, 712 of which were occupied. Of the 71 vacant housing units, which comprise 9.1% of all housing units, 1.1% were for rent, 0.1% were rented, but not occupied, 2.8% were for sale, and 0.3% were sold, but not occupied. As of the 2010 Census, there were 24 housing units that are for seasonal, recreational, or occasional use. The homeowner vacancy rate is 3.6% and the rental vacancy rate is 6.9%. These numbers will have changed since the 2010 Census, but no survey or reporting has been done to inventory this same information since then.

There are no current plans for future development at this time. In order for the City of Woodcreek to gain more residential housing developments, an annexation would be necessary.

Current Conditions

Vision 2030 Master Plan



Environment

Woodcreek is a heavily wooded community and wishes to maintain a healthy tree canopy. The City keeps record of any reports of "oak wilt" and notifies all adjacent properties to the diseased trees to assist with mitigation and tree mortality. In April 2015, the City produced a map illustrating locations of tree mortality or known tree disease centers of oak wilt in order to keep track of any issues and mitigate future problems and prevent further tree loss.

Other hazard prevention and environmental awareness efforts include a permanent ban on burning, feeding deer, and fireworks. The City has also adopted a Water Quality Protection Ordinance limiting impervious cover to 30% to assist with runoff and flooding.

Current Conditions

Vision 2030 Master Plan

Parks and Open Spaces

The City of Woodcreek currently maintains two parks: Augusta Park and the Memorial Plaza. The City maintains a beautification budget to trim trees on public lands, plant flowers/greenery, and maintain the parks and city-owned greenspace. Public Park zoning districts are intended to preserve parcels of land for public recreation. The Augusta Park and Veteran's Memorial Plaza, are currently the only parcels with this designation in Woodcreek.

Augusta Park is a beautiful half acre park with a bocce ball court and picnic tables. There is also an educational rain garden to provide visitors with information on native plants. This park was partially funded by the LCRA/PEC Community Grant Program in 2015. Augusta Park is located toward the northern city limits of Woodcreek at 90 Augusta Drive.

Veteran's Memorial Plaza is an open space park located by the main entrance to the City of Woodcreek on the northwest corner of Ranch Road 12 at Woodcreek Drive. The Plaza includes flag poles, parking, picnic area, and a memorial for United States Veterans.

In addition, numerous roadways in the City feature tree islands that double as traffic calming devices as well as aesthetically pleasing natural features. The feel of the City is rural.

There is a Nature Preserve located in the northwest vicinity of Woodcreek that is privately owned land. The majority of the open and green space in the City of Woodcreek is designated as Recreational. This district establishes and preserves recreational facilities, such as the golf course and Camp Young Judaea youth camp facility.



Survey Responses

Vision 2030 Master Plan

While survey responses were relatively low compared to those of ten years ago, one thing is clear, the population is changing rapidly. A full 65% of respondents have been in the City for less than 10 years. Timely then, this survey asked why respondents selected Woodcreek. Not surprisingly, the rural setting continues to be a population driver.

Woodcreek 2030 Comprehensive Plan Survey

Q6 How long have you lived in Woodcreek?

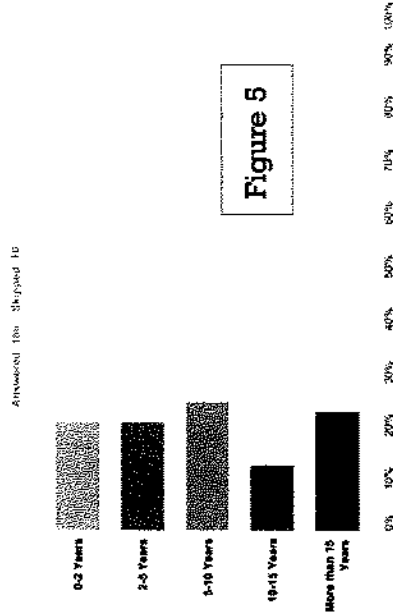


Figure 5

Woodcreek 2030 Comprehensive Plan Survey

Q24 If you moved to the City of Woodcreek from another community, why did you select it as your new home? Check all that apply.

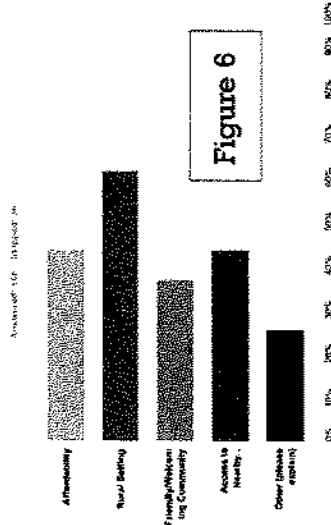


Figure 6

Answer Choice	Responses	Percentage
0-2 Years	10	20.43%
2-5 Years	10	20.43%
5-10 Years	14	24.19%
10-15 Years	7	12.37%
More than 15 Years	12	22.16%
Total	53	

Answer Choice	Responses	Percentage
Affordability	23	43.33%
Rural Setting	47	81.48%
Friendly/Welcome to Community	13	36.19%
Access to Nature	23	43.33%
Other (please specify)	14	26.26%
Total	110	

Survey Responses

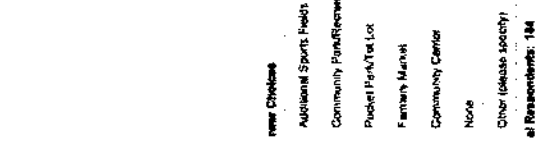
Vision 2030 Master Plan

The focus on a rural setting dominates the wish-list responses, with community and recreational space chosen as a priority. Park space was also given highest marks for desired land use.

Figure 7

	Very Desirable	Desirable	No Opinion	Undesirable	Very undesirable	Total
Office or Office Park	1.18%	10.40%	20.81%	27.76%	39.85%	60
Park	41.81%	31.64%	12.43%	6.78%	7.34%	173

Figure 8

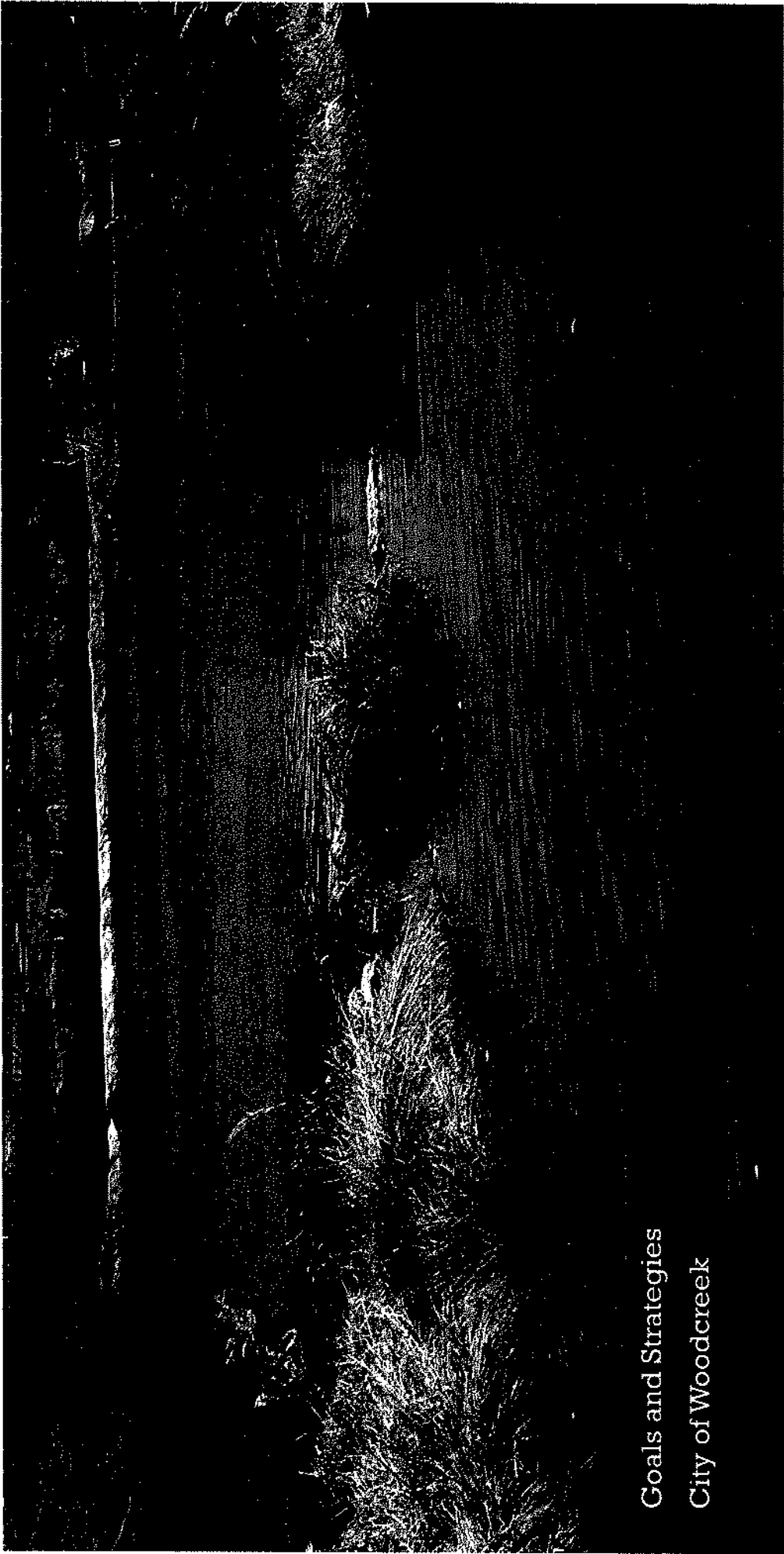


Woodcreek 2030 Comprehensive Plan Survey

Q23 In your opinion, which of the following are desired in Woodcreek? Check all that apply.

Answered: 134 Skipped: 15





Goals and Strategies
City of Woodcreek

Goals

City of Woodcreek

- Goal 1:** Evaluate existing and future needs for capital improvements and infrastructure throughout the City and develop schedule and budget to address needs.
- Goal 2:** Provide improved recreational opportunities by enhancing existing amenities and actively searching for new prospects to expand or add new park areas, trails, and other recreational facilities. Collaborate with Parks Board and assist in implementing the parks plan.
- Goal 3:** Ensure proper fiscal discipline and develop strategies to generate revenue to fund necessary capital projects.
- Goal 4:** Review land use policies to ensure the success of Woodcreek by attracting potential residents and providing for future needs.
- Goal 5:** Ensure the city's municipal government serves the needs of a growing city.
- Goal 6:** Create a specific and compelling brand for Woodcreek and promote the community to potential residents.

Strategies

City of Woodcreek

Goal 1: Evaluate existing and future needs for capital improvements and infrastructure throughout the City and develop schedule and budget to address needs.

Objective 1.1: Upgrade collector roads by 2022 and all roads by 2030.

Strategy 1.1.1: Improve existing asphalt road surfaces. Collector roads will be prioritized first (Woodcreek Drive, Brookhollow Drive, Brookmeadow Drive, Augusta Drive, and Champions Circle)

Objective 1.2: Address vehicular traffic concerns around volume, speed and noise; to increase safety to pedestrian and bicycle traffic; in order to preserve the essentially residential nature of Woodcreek.

Strategy 1.2.1: Consider ways to reduce cut-through traffic.

Strategy 1.2.2: Work with Camp Young Judaea to create new entrance for truck and bus access.

Strategy 1.2.3: Research and adopt traffic calming measures.

Strategies

City of Woodcreek

Goal 1: Evaluate existing and future needs for capital improvements and infrastructure throughout the City and develop schedule and budget to address needs.

Objective 1.3: Incentivize investments by potential water service customers and or service providers to enhance long-term operations and maintenance.

Strategy 1.3.1: Encourage rainwater collection and water saving landscape techniques throughout the city to reduce water consumption. Council support by modifying existing ordinances and offering a reference of acceptable architectural solutions.

Strategy 1.3.2: Evaluate short- and long-term benefits of municipal ownership of water and sewer systems.

Objective 1.4: Review access to new dry utility (cable, telephone, etc.) providers to create competition among providers by January 2030.

Strategy 1.4.1: Contact potential providers for cable, internet, and telephone services to discuss extension of services. Evaluate new technologies that may benefit the city such as broadcast WIFI

Objective 1.5: Maintain high level of public safety services by conducting annual review of quality of service and potential improvements.

Strategy 1.5.1: Review relationships with Wimberley Fire Rescue, Hays County Precinct 3 Constable's Office, and Hays County EMT/Ambulance services.

Strategies

City of Woodcreek

Goal 1: Evaluate existing and future needs for capital improvements and infrastructure throughout the City and develop schedule and budget to address needs.

Objective 1.6: Monitor flood mitigation issues with biennial report.

Strategy 1.6.1: Seek state and federal funding to address flood prone areas, such as Bull Creek, Hog Creek, and Cypress Point Pond.

Strategy 1.6.2: Increase partnership Cypress Creek Watershed Association

Strategy 1.6.3: Consider use of bioswales and natural retention in areas of the City with poor drainage.



Strategies

City of Woodcreek

Goal 2: Provide improved recreational opportunities by enhancing existing amenities and actively searching for new prospects to expand or add new park areas, trails, and other recreational facilities. Collaborate with Parks Board and assist in implementing the parks plan.

Objective 2.1: Increase public park space by 50% by 2028

Strategy 2.1.1: By 2020: Designate Par View triangle as a sustainable city green space, subject to landscaping and maintenance with a water meter.

Strategy 2.1.2: By 2021: Enhance Triangle Park with park benches, a drinking fountain, and decorative elements. Modifications could range from sculptures, graphic elements, interpretive signage for native plants and could even incorporate a small gazebo. Explore parking space for users of Triangle park that do not encroach on the central portion of the space (bicycles and golf carts).

Strategy 2.1.3: By 2021: Enhance Veterans' Memorial Park and the Woodcreek entrance spaces on the north and south sides of Woodcreek Dr. Incorporate the existing signage and modify the landscaping for ease of maintenance while maintaining an inviting appearance. On the south side add picnic tables and landscaping.

Strategy 2.1.4: By 2021: Enhance Augusta Park with nature play equipment and an appropriately sized playscape adjacent to the bocce ball court. Enhance the nature trail and native plant signage around the existing rain garden.

Strategy 2.1.5: By 2023: Develop the Brookhollow city property adjacent to Hog Creek with an all-inclusive playscape. This will provide a centrally located park to most of Woodcreek. Add appropriate signage for protection of Cypress Creek watershed and safety of citizens.

Strategies

City of Woodcreek

Goal 2: Provide improved recreational opportunities by enhancing existing amenities and actively searching for new prospects to expand or add new park areas, trails, and other recreational facilities. Collaborate with Parks Board and assist in implementing the parks plan.

Objective 2.1: Increase public park space by 50% by 2028

Strategy 2.1.6: By 2023: Begin development of a trail system that could incorporate the Hog Creek waterway, Veterans' Park, and the area around the water tower that would connect with the Winter's Mill Trail at RR 12. Work with the Quicksand Golf Course and Camp Young Judaea on their property adjacent to the creek.

Strategy 2.1.7: By 2025: Develop a Central Park. This park will require joint cooperation with property owners, Quicksand Golf Course, and Hays County to reclaim Hog Creek's natural wetland environment from the current retention pond and dam at Cypress Point, as it feeds into Cypress Creek at Cypress Falls. The dam will be removed and the bridge and roadway upgraded, so that the waterway can be restored within engineering limitations for public safety, watershed protection, and property rights. The northern half of the resulting park will be developed for ball fields, playground, trails, and other people uses, while the southern half is reserved for wetland habitat, restoring a natural environment and enhancing Cypress Creek's beauty, biology, and hydrology.

Strategy 2.1.8: 2019 through 2030: Acquire land for public parks as soon as practicable. Potential sites include, but are not limited to, Wildwood Circle, LaRocca Lane, Brookmeadow Drive and Cypress Point. Recommend that the council enact guidelines or ordinance to require trails and parks in future residential and commercial developments.

Strategy 2.1.9: By 2030: Develop a Nature Research Center adjacent to Cypress Creek in partnership with Texas State University or similar institution that focuses on the preservation of Cypress Creek and the Wimberley Valley.

Strategy 2.1.10: Consider partnership with Camp Young Judaea for community use.

Strategies

City of Woodcreek

Goal 2: Provide improved recreational opportunities by enhancing existing amenities and actively searching for new prospects to expand or add new park areas, trails, and other recreational facilities. Collaborate with Parks Board and assist in implementing the parks plan.

Objective 2.2: Explore programs with Texas State or similar organizations for the study of ex-urban life, culture, and the sustainability of the environment. Look at opportunities to encourage and celebrate volunteerism.

Objective 2.3: Monitor environmental concerns with bi-annual report.

Strategy 2.3.1: Create a Woodcreek Environmental Committee comprised of citizens in 2019.

Strategy 2.3.2: Identify and protect natural springs and other natural water sources within City and ETJ. Meet with interested groups (Master Naturalists, etc.) and identify these.

Strategy 2.3.3: Create a natural buffer zone between Woodcreek and "non-conforming" development by annexing surrounding hills and vacant land along Winters Mill Parkway and Ranch Road 12.

Strategies

City of Woodcreek

Goal 3: Ensure proper fiscal discipline and develop strategies to generate revenue to fund necessary capital projects.

Objective 3.1: Explore financial prospects with quarterly report.

Strategy 3.1.1: Research potential funding from grants, donations, estate bequests or private foundations.

Objective 3.2: Enhance operating capital to fund needed capital improvement projects.

Strategy 3.2.1: Expand tax base through annexation of existing ETJ.

Strategy 3.2.2: Educate the citizens on the needs of the City and the correlation between the cost of capital improvements and funding sources.

Strategies

City of Woodcreek

Goal 4: Review land use policies to ensure the success of Woodcreek by attracting potential residents and providing for future needs.

Objective 4.1: Develop a strategy for annexation of areas within the existing Woodcreek ETJ.

Strategy 4.1.1: Expand City Limits to include the current ETJ.

Strategy 4.1.2: Formulate strategies to encourage ETJ adoption.

Objective 4.2: Encourage development of housing for senior living.

Strategy 4.2.1: Attract developers to construct senior-appropriate housing, such as patio homes, independent living, and/or assisted living.

Objective 4.3: Improve and expand housing stock by encouraging new types of housing in appropriate locations by 2030.

Strategy 4.3.1: Allow high quality, environmentally sustainable single-family residential housing, with permeable cover limit and runoff impact assessment.

Strategies

City of Woodcreek

Goal 5: Ensure the city's municipal government serves the needs of a growing city.

Objective 5.1: Monitor the growth rate of the City and prepare accordingly for any necessary legislative action.

Objective 5.2: Increase city outreach.

Strategy 5.2.1: Hold town hall events every quarter and ensure city council members attend

Strategy 5.2.2: Sponsor other events (Christmas, Halloween, 4th of July, Farmers Market, "Woodcreek Day" at Camp Young Judaea, Coffee with the Mayor)

Strategy 5.2.3: Conduct straw polls and other informal surveys at events.

Strategy 5.2.4: Support the development of annual community events.

Strategies

City of Woodcreek

Goal 6: Create a specific and compelling brand for Woodcreek and promote the community to potential residents.

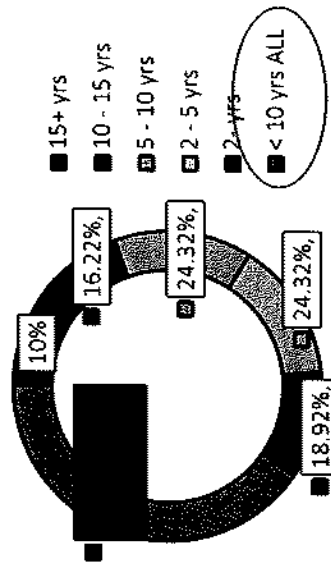
Objective 6.1: Create a new city motto and logo by 2022.

Strategy 6.1.1: Explore resources to create a motto and logo with public input.

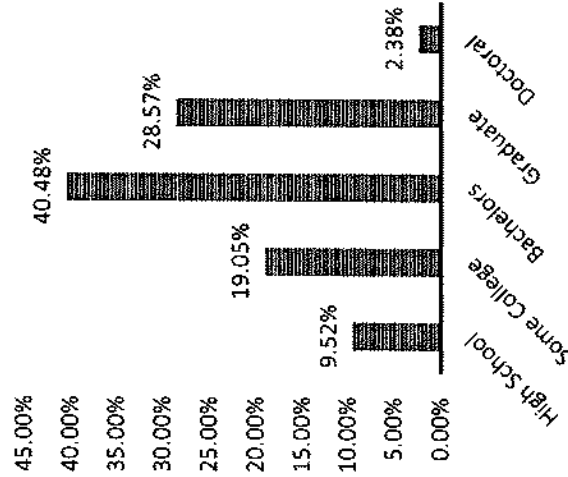
Strategy 6.1.2: Promote the community by enhancing communication among all available stakeholders.

Charting some survey statistics

LENGTH OF RESIDENCE



LEVEL OF ATTAINED EDUCATION



TRANSPORTATION ISSUES

