



City of Buda

Development Process Administrative Manual



Buda, Texas, Established 1881

Table of Contents

Introduction	3
Development Review Process	4
Zoning Process.....	5
Zoning Process Flowchart	6
Zoning Process Questions and Answers	7
Zoning Process Checklist.....	9
Platting Process Overview.....	10
Platting Process Flowchart.....	11
Platting Process Questions and Answer	12
General Development Plan Checklist.....	14
Preliminary Plan Checklist.....	15
Final Plat Checklist.....	21
Variance Checklist	27
Site Plan Checklist.....	28
Public Infrastructure/Construction Plan Process Overview	31
Building Permit Process Overview	39
Commercial Building Permit Process	41
Residential Permit Process	44
Miscellaneous	48
Specific Use Permit Checklist	50



Buda, Texas, Established 1881

Introduction

Introduction

Thank you for considering the City of Buda for your development. The Developer's Guide is provided to assist you in planning and navigating through the approval process. The Guide is just that and is not intended to replace the Unified Development Code or the Comprehensive Plan. It is your assistant when you can't make contact with one of our staff members.

We have broken it down into the critical review phases. Included is a summary, flowchart, questions and answer, and checklist to better communicate the process involved with development in the City of Buda. The Guide's sequence mirrors that of a development project, moving from annexation, zoning approval, to certificate of occupancy. For planning purposes we have provided a normal timeline to include the project Council meetings, Planning and Zoning Commission meetings, and the Development Review timelines.

One thing this does not have is all the answers. As we find areas to improve we keep updating the Guide until which time it does have all the answers (or close too.) It is intended for your benefit so your feedback is critical to its effectiveness. Please feel free to point out items that could make this more efficient for you and other developers to follow.

Development Review Committee

Throughout this manual you will find reference to a Development Review Committee (DRC). The DRC will be your primary point of contact and point of review throughout the process. The DRC consists of the Assistant City Manager, City Engineer, City Planner, Director of Public Works, Fire Marshall, City Inspector, and any outside agency the Assistant City Manager believes can assist the City in its review of your project. The DRC meets every Thursday at 9:00 AM at the City Hall Annex Building, located at 100 Houston Street. In order for your project to be considered by the DRC the application and associated documents must be submitted to City Hall by 10:00 AM on Monday. The packages will be distributed to the DRC members who will take the next 7 business days to review the documents. When you submit your application you can indicate your desire to attend the meeting. It is highly encouraged that you do so to allow the DRC to have the most accurate information considered in their recommendation to the Planning and Zoning Commission. On the next page is a flow chart of the DRC Review.

Variance

There will be times when the Unified Development Code will not permit your planned project. A variance is a method to grant relief to a person from the requirements of Code when specific enforcement would result in unnecessary hardships. A variance, therefore, permits construction or development in a manner otherwise prohibited by the Code. The Board of Adjustments (BOA) shall review variance requests. In the case of variances to sign regulations, the Sign Review Board (SRB) shall review such variance requests.

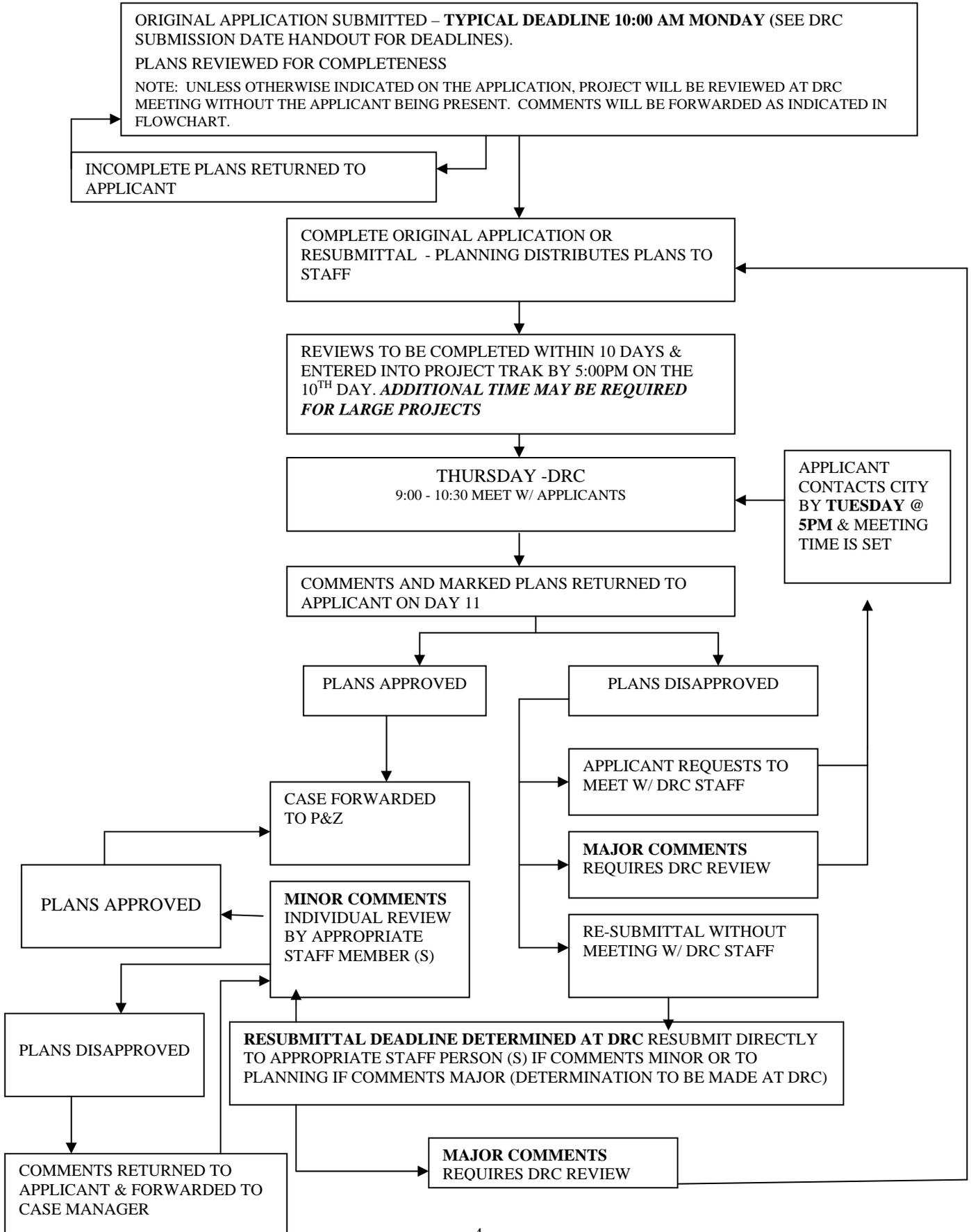
Manuals

The City of Buda has adopted the City of Austin's Design Criteria Manuals to include Transportation Criteria Manual, Standards Criteria Manual, Environmental Criteria Manual, Drainage Criteria Manual, Utilities Criteria Manual, and Standard Specification Manual. A CD-ROM copy of these manuals is available at the Buda Public Library. Additionally, the City of Buda has adopted the LCRA Nonpoint Source Pollution Control Technical Manual.



Buda, Texas, Established 1881

Development Review Process





Zoning Process

Zoning is one of the major functions of municipal government, authorized by State Law, which divides the City into distinct districts for the purpose of regulating the use and development of the land. Through the zoning process, the City attempts to ensure compatible land use patterns by minimizing conflicts between uses and, therefore, protecting property values and enhancing the urban environment.

The City of Buda's Zoning Ordinance was adopted on January 7, 2003. It is a body of regulations pertaining to allowable uses within given zoning districts, characteristics of the sites occupied by those uses, and the geographic area contained within the boundaries of zoning districts. When considering the future uses of a property in the City of Buda, your first step will be to consult the City Staff. The City Staff is available to assist you in making this determination and will serve as your point of contact for information throughout the following zoning process.

If it is determined that your proposed use conflicts with the allowable uses within the existing zoning district, you may consider making application for a request to change the designated zoning of your site to one that will accommodate your use. This change may entail expansion of existing adjacent zoning boundaries, change of the existing district to another standard zoning district, or a request for the establishment of a Planned Development district. Planned Development districts are designed to allow creative site design, flexibility in use, or additional regulation not provided for within the standard zoning districts.

Your first step in the zoning change process (which establishes an actual amendment to the Zoning Ordinance) will be to contact the Planning Administrator or City Staff to discuss the nature of your zoning request. The Planning Administrator and staff will help you explore the feasibility of your request. Your request will be reviewed for its compatibility with the existing land uses and the City of Buda Comprehensive Plan.

The second step will be the submission of your application for zoning change or Conditional Use Permit. If your application requires the submission of a site plan, you will attend a Development Review Committee meeting subsequent to the consideration of your application by the Planning & Zoning Commission. This meeting provides City staff the opportunity to "troubleshoot" your application prior to public hearing. Note that all property owners within 200 feet of the subject property are notified of the zoning change and are invited to attend all public hearings concerning the zoning change.

Following application submission, your case will be heard by the Planning & Zoning Commission, who will make recommendation regarding your request to the City Council. The City Council will, in turn, decide the final disposition of your request.

Special Use Permits

Conditional Use Permits is a specialized use that would not be appropriate generally or without restrictions. The use must conform to the Comprehensive Plan and is compatible with the existing neighborhood.

Planned Unit Developments

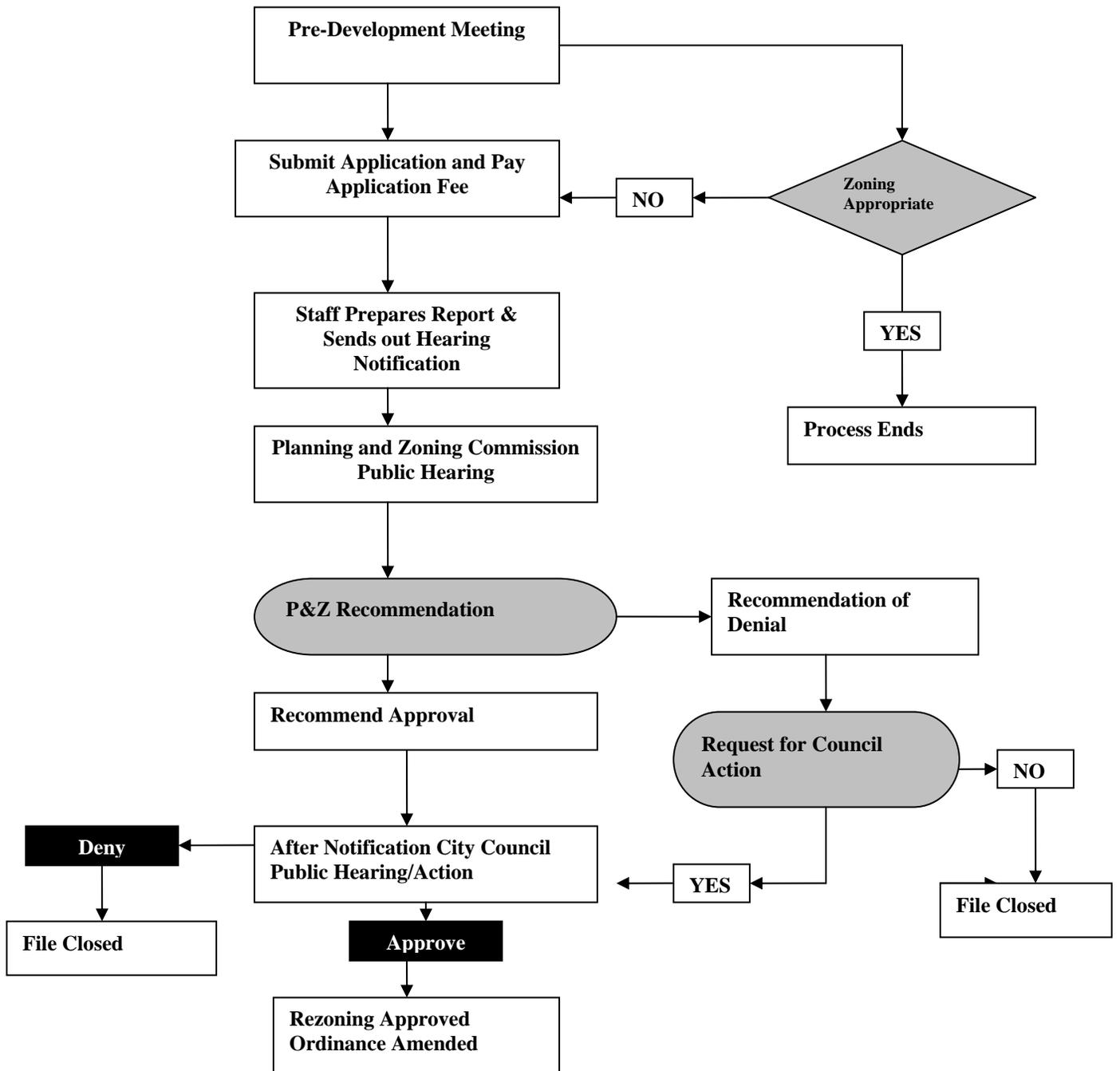
Planned Unit Developments or PUD's accommodate planned associations of uses developed as integral land use units. These can include industrial districts, offices, commercial or service centers, shopping centers, residential developments of multiple or mixed housing including attached single-family dwellings or any appropriate combination thereof. Planned Unit Developments may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in the City of Buda Zoning Ordinance.

A viable Zoning Ordinance must not be static, but rather a changing body of regulation in order to recognize the changing needs of the public, the demands of changes in technology, or the manner of doing business. City Staff oversees this continual process of change and is charged with the responsibility of keeping the zoning change process accessible to and efficient for you, the user.



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Zoning Process Flowchart





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Zoning Process Questions and Answers

The following addresses the most frequently asked questions regarding the zoning process.

How do I check the zoning of my property?

The City Staff will be your central point of contact for information regarding the zoning process. You can address your questions to City Staff.

What if the zoning district does not allow my proposed use?

You may consider rezoning the property to a district appropriate for your proposed use, or find property that already has the appropriate zoning. Contact City Staff to see if the request is appropriate for the immediate area.

What are my options regarding rezoning?

There are normally two types of requests:

The first is to request a change to another standard zoning district that allows your proposed use. The uses allowed and conditions pertaining to site development (e.g. setbacks, height, lot coverage, etc.) will be controlled by the City of Buda Zoning Ordinance.

The second is to request the establishment of a Planned Development district. This allows the combination of uses and conditions of several zoning districts; or limits the use and conditions found within a single district in order to create a unique zoning district.

How do I initiate the process?

Obtain an application from City Staff. Complete the application and return it to City Staff with supplemental information as needed. (Check the submittal requirements section and checklist provided)

Note: It is always advisable to first discuss your request with City Staff in a Pre-Development Meeting.

How long will the rezoning process take?

Plan on two months to complete all the different public hearings required. A list of meeting dates and deadlines is available in the City Staff office and the Appendix of this guide.

How much does it cost?

Consult City Staff or the Fee Schedule regarding specific fees.

How does the Planning and Zoning Commission and City Council obtain public input?

The City Staff will mail notice of your request to all property owners within 200 feet of the subject property ten days prior to the first public hearing. Notices are also placed in the newspaper and agendas posted publicly on the front of the Municipal Building. City Staff highly recommends that you contact adjacent property owners prior to this notification. Those persons wishing to comment will have an opportunity to do so at the public hearings.

What does the public hearing process entail?

The public hearing process involves appearing before the City's Planning & Zoning Commission and then the City Council. Each will hear your request, staffs report, any presentation you have prepared as well as public input before reaching a decision on the matter. The Planning & Zoning Commission will make a recommendation to the City Council regarding approval or denial of your request. The City Council then holds a public hearing and the 1st reading of the rezoning ordinance. If approved, the 2nd reading of the ordinance will take place at the next City Council meeting.



Buda, Texas, Established 1881

What if the Planning & Zoning Commission denies my request?

If the Planning & Zoning Commission recommends denial of the rezoning, you may request that the item be forwarded to the City Council.

How should I prepare for the public hearing?

First of all, presentations should be brief and concise and are usually helpful but are not required. You should describe any impacts on existing uses (both negative and positive) that would be created by the requested zoning and proposed use. If you decide to use visual aids, notify City Staff 24 hours prior to the meeting so that projectors, easels, etc. can be provided. Make sure your graphics can be seen from the audience. Finally, you should describe any efforts (and results of previous meetings, if any) that have been made to discuss the request with nearby property owners.

If City Council approves my zoning request, what do I do next?

Prior to issuance of a building permit, the following processes must be completed:

Platting (Refer to the Platting section of this guide for more detail)

Site Plan (Refer to the Building Permits section of this guide for more detail)



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Zoning Process Checklist

Failure of applicant to provide required information constitutes grounds for refusal of application acceptance for processing; or staff recommendation of denial when application is scheduled for consideration.

The Zoning Plan is intended to provide the Planning and Zoning Commission and the City Council with the information and data that is necessary to assess the merits of requests for zoning. Please note that this checklist is intended to assist developers and design professionals in the preparation of submittals for DRC review and are generally what is needed to facilitate the review of the zoning plan. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval.

General Requirements:

An application form and the appropriate fee as listed on the Development Review Fee Schedule.

- A letter of intent including:
- Existing and proposed zoning districts
 - Justification for the request.
 - An assessment of public facilities, demonstrating the adequacy of or provision for public facilities serving the proposed development, including but not limited to roads and/or traffic, water, wastewater, drainage and schools.
- A written and electronic metes and bounds legal description of the property and/or areas being rezoned.
- A location map indicating property to be rezoned.
- If more than one zoning district is proposed, a Zoning Plan is required.

Contents of a Zoning Plan:

- Drawn on a sheet size of 18" X 24" or 24" x 36" (smaller or larger sheet size may be accepted only if approved by Development Review Committee Chair).
- Drawn to an engineer scale not smaller than 1" = 60' (smaller scale may be accepted only if approved by Development Review Committee Chair).
- Name, address and telephone numbers of all professional consultants, if any.
- Submitted with a total of four (4) copies individually folded set with name of project in lower right corner.
- Project name, vicinity map, scale, north arrow and date.
- Any city or extraterritorial lines traversing or on the boundary of the development.
- Applicant's name and address and their legal interest in the subject property.
- Owners name and address, if different from the applicant.
- Property boundaries plotted to scale with bearings and distances shown and a layout of the development, showing the configuration and location of proposed zoning classifications.
- Land use designation as contained in the Buda Future Land Use Plan.
- Zoning designations and existing uses adjacent to the proposed development.
- Location of all Environmentally Sensitive Areas, including any field inspection information that provides more detail for clarification purposes, and an indication of any planned mitigation to changes to natural features.
- Limits of the 100-year floodplain and floodway.
- An assessment of public facilities, demonstrating the adequacy of or provision for public facilities serving the proposed development, including but not limited to roads and/or traffic, water, wastewater, drainage and schools.
- Any other information deemed necessary by the City Manager to analyze the project.



Platting Process Overview

The City of Buda Unified Development Code regulates the subdivision of all property within the city limits and extraterritorial jurisdiction of the City of Buda.

Platting is the process through which land is subdivided and is either developed or sold. In the platting process, the layout of streets and utilities is established; the streets identify blocks, and blocks are further subdivided to create lots for individual ownership. This process is also used to subdivide existing platted lots which may not involve extension of public improvements.

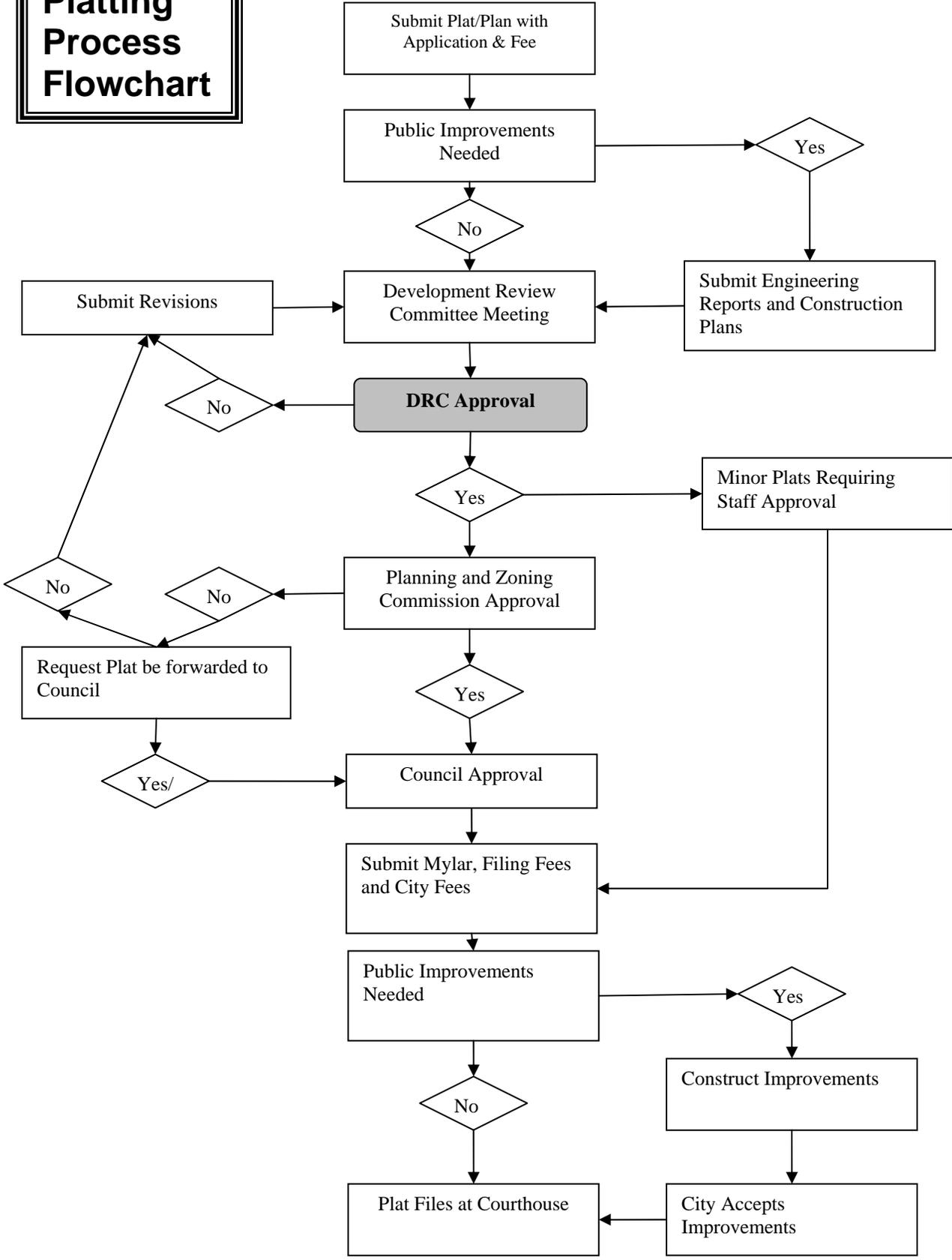
The manner in which land is subdivided, how streets are designed and how the lots are laid out have a lasting effect on the physical character of the city. Streets, water, sewage and drainage systems must be of a safe, effective design and construction. Streets must be adequately sized to accommodate the maneuvering of emergency vehicles, and the future property owner must be guaranteed a parcel with facilities suited to its intended use.

Plat approval is divided into three (3) distinct phases: General Development Plan, Preliminary Plat and final plat. A General Development Plan is required when large pieces of property are developed in phases, or in areas under common ownership where comprehensive planning issues are identified. Preliminary Plats provide a detailed layout of the subdivision with existing and proposed features. The Preliminary Plat is mutually beneficial to both the developer and the City in that it provides an opportunity for the developer to explore the feasibility of the project while allowing the City to provide initial direction on the availability of City services. Final plats are the final documents that are filed at the Hays County Courthouse.

Both the Preliminary Plan and Final Plat processes consist of five (5) major steps. The first is the submission of plats and Engineering Documents. Second is the review by the City of Buda Development Review Committee. Third, approval by City staff, or recommendation by the Planning & Zoning Commission and approval by the City Council. Fourth is the construction of any required infrastructure. And fifth is the filing of the plat at the Hays County Courthouse.

You will be assigned a case Planner who will be your primary contact throughout the process. Similarly, a case engineer will be assigned who will review submittals relating to public infrastructure and stormwater requirements.

Platting Process Flowchart





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Platting Process Questions and Answer

The following addresses the most frequently asked questions regarding the platting process.

What is the first step in the platting process?

Prior to any application submittal, it is recommended that the subdivider request a meeting with Engineering and Planning Department staff to discuss the procedures, policies, specifications, and standards required by the City. The submission of a sketch or concept plan can save the subdivider time and expense during the approval process.

When is a General Development Plan required?

A General Development Plan is required when large pieces of property are developed in phases, or in areas under common ownership where comprehensive planning issues are identified.

Do all plats require City Council approval?

No, City Council approval is not necessary for amending minor plats and subdivisions of less than 4 lots and no new streets. These plats are approved in-house by City staff. All other plats require review and recommendation by the Planning and Zoning Commission and final approval by the City Council.

How do I get a plat prepared?

You will need to enlist the services of a licensed professional surveyor. A licensed professional engineer will also be needed if you have public infrastructure required. You can locate a professional engineer or surveyor by contacting the Texas Society of Professional Engineers or the Texas Surveyor's Association or by looking in your local phone directory. Four (4) paper copies for the DRC (24" x 36", scale 1" = 100' or equivalent) and a digital copy of the graphics file should be prepared. Other submittal requirements are included in the Appendix of this guide.

What kind of development plans will I need to submit if public improvements are involved?

A final plat submittal shall be accompanied by design and construction documents bearing the seal and signature of a registered professional engineer licensed in the State of Texas. All plans shall be in accordance with city engineering standards.

Is there a deadline for submission of plats and fees?

No. Your first submission will be to the DRC and will include copies of your plat and associated fees. Submissions will be addressed at the next available Development Review Committee meeting.

What is the Development Review Committee Meeting?

The Development Review Committee meeting is typically held on Thursdays; however, the Committee meets when available. The purpose of the meeting is to assemble the applicant, City staff, affected utility companies, and other interested parties to "troubleshoot" your plat and development plans. While attendance is not mandatory, we encourage you to attend to help be a part of the discussion.

What if the Development Review Committee identifies unresolved issues?

A list of comments is made available to the applicant after each DRC meeting. Drawings should be modified, using these comments and resubmitted to the DRC for approval.

What is the next step after the Planning & Zoning Commission approves the plat?

Upon approval, any other applicable fees such as parkland dedication fees, street sign fees, street light fees, etc. will need to be paid. Two (2) photographic mylar copies of the drawing(s) will also need to be submitted to the Engineering and Planning Department. Staff will then file the plat with the County Clerk's Office if no public infrastructure is needed. You will be responsible for associated filing fees.



Buda, Texas, Established 1881

After my final plat is approved, what do I do next?

Following approval of your final plat, you may proceed with the submittal of engineering construction plans, described in the following section, "Public Infrastructure".

Whom do I contact if I have questions?

Contact the Engineering and Planning Department if you have any questions.



Buda, Texas, Established 1881

General Development Plan Checklist

Failure of applicant to provide required information or obtain waiver from DRC Chair constitutes grounds for refusal of GDP acceptance for processing; or staff recommendation of denial when application is scheduled for consideration.

Please note that this checklist is intended to assist developers and design professionals in the preparation of submittals for DRC review and are generally what is needed to facilitate the review of the GDP. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval.

Application Requirements:

- Drawn on a sheet size of 18" X 24" or 24" x 36"(smaller or larger sheet size may be accepted only if approved by Development Review Committee Chair).
- Drawn to scale: 1" = 50' or 1" = 100' (smaller or larger scale may be accepted only if approved by Development Review Committee Chair).
- Submitted with a total of four (4) copies individually folded set with name of project in lower right corner.
- Accompanied by this application form, and the appropriate fee as listed on the Development Review Fee Schedule.
- One (1) week prior to review by the Planning and Zoning Commission, 14 copies of the plat are required.
- One (1) week prior to review by the City Council, 12 copies of the plat are required.
- All documents shall bear appropriate seals, stamps or other validations/certifications of work as applicable in accordance with State law and local requirements.

GDP's Shall Contain:

General Information

- The date, written and graphic scale, north arrow, proposed name of the development, key map showing the location of the development in relation to existing streets and highways and dates of preparation and revisions.
- The name and address of the property owner or owners, and the planners, registered engineer, surveyor or other representatives processing the plat.
- Any city or extraterritorial lines traversing or on the boundary of the development.
- The names of the record owners of contiguous undeveloped lands. Name of the subdivider or developer, record owner or owners and the planners, registered engineer, surveyor or other representatives processing the plat.
- Title Block containing: Proposed name of the subdivision or lot on record, acres in platted and unplatted land and total of those acres, survey and jurisdiction (City of Buda, County of Hays, Texas, for example).

Boundaries, Acreage, Zoning and Uses

- Proposed land uses (in bubble diagram form)
- Existing land uses for the adjoining property
- Collector street system within the development
- Adjoining street system
- Location of floodplain
- Location of existing and proposed utilities to the site
- Jurisdictions (city limit lines, ETJ lines)
- Phasing
- Proposed density
- Drainage:** All significant existing and proposed drainage features, structures, and facilities. Stormwater runoff data in sufficient detail to determine on-site and of-site runoff impacts and compliance with master drainage plans as determined by the City Engineer.



Buda, Texas, Established 1881

Preliminary Plan Checklist

Failure of applicant to provide required information or obtain waiver from DRC Chair constitutes grounds for refusal of plan acceptance for processing; or staff recommendation of denial when application is scheduled for consideration.

Please note that this checklist is intended to assist developers and design professionals in the preparation of submittals for DRC review and are generally what is needed to facilitate the review of the preliminary plan. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval.

General Information:

A preliminary plan is intended to provide sufficient information to evaluate and review the general design of the development to ensure compliance with the Buda' Comprehensive Plan and the Buda Unified Development Code. A preliminary plan shall be required for all proposed developments or subdivisions of land, except where otherwise provided for in the Buda Unified Development Code. For more information see Section 3.8 (4) of the Buda Development Code.

Applicant information required: the applicant, owner and contact information on the application must be provided in entirety. If the applicant, property owner or contacts are the same, note as such. The contact should be the name of the principal design professional (i.e. a surveyor or engineer) preparing the plan document. If multiple design professionals are involved in the preparation of the plan document, list the principal design professional. All correspondence relating to the plan will be directed to the contact designated on the application.

Owner signature: the preliminary plan application is required to be signed by the current property owner. If the property owner is not available to sign the application, then a letter of authorization from the property owner is required to be submitted which empowers a designee to sign for the property owner.

Waiver from Section 212.009: The Texas Local Government Code requires that a plat be considered by the Planning and Zoning Commission within 30 days of acceptance of the plat application and subsequently, the plat must be acted on by the City Council within 30 days of the action by the Planning and Zoning Commission. Because 30 days is generally not enough time for a plat application to be processed, the City requests that all applicants for a plat sign a waiver to the statutory 30 day period. Failure of an applicant to sign a waiver to the statutory 30 day period identified in Section 212.009 of Texas Local Government Code could result in the application being forwarded to the Planning and Zoning Commission and, subsequently, the City Council with a recommendation of denial. The waiver must be signed by the property owner or by the property owner's designee as noted on a letter of authorization.

Acceptance of plan application: All plan applications will be reviewed for completeness before they are accepted by City Staff. Failure of an applicant to provide required information or obtain waiver from DRC Chair constitutes grounds for refusal of plan acceptance for processing; or staff recommendation of denial when application is scheduled for consideration.

Expiration of preliminary plan: An approved preliminary plan shall become null and void twenty-four (24) months after its approval, unless a final plat is filed and approved for all or part of the preliminary plan within that time. An approved final plat shall extend the expiration date for any remaining portion of the preliminary plan.

Requirements:

- Drawn on a sheet size of 18" X 24" or 24" x 36"(smaller of larger sheet size may be accepted only if approved by Development Review Committee Chair).
- Drawn to scale: 1" = 50' or 1" = 100' (smaller of larger scale may be accepted only if approved by Development Review Committee Chair).
- Submitted with a total of four (4) copies individually folded set with name of project in lower right corner.
 - Preliminary Plan w/topography
 - Slope Map
 - Drainage Area Map/Existing and Proposed Conditions



Buda, Texas, Established 1881

- Utility Plan
- Accompanied by this application form, and the appropriate fee as listed on the Development Review Fee Schedule.
- One (1) week prior to review by the Planning and Zoning Commission, 14 copies of the plat are required.
- One (1) week prior to review by the City Council, 12 copies of the plat are required.
- All documents shall bear appropriate seals, stamps or other validations/certifications of work as applicable in accordance with State law and local requirements.
- Tree survey meeting the requirements of the City of Buda Unified Development Code

Plan / Replat Shall Contain:

General Information

- The date, written and graphic scale, north arrow, proposed name of the development, key map showing the location of the development in relation to existing streets and highways and dates of preparation and revisions.
- The name and address of the property owner or owners, and the planners, registered engineer, surveyor or other representatives processing the plan.
- Any city or extraterritorial lines traversing or on the boundary of the development.
- The names of the record owners of contiguous undeveloped lands. Name of the subdivider or developer, record owner or owners and the planners, registered engineer, surveyor or other representatives processing the plan.
- Title Block containing: Proposed name of the subdivision or lot on record, acres in planted and unplatted land and total of those acres, survey and jurisdiction (City of Buda, County of Hays, Texas, for example).
- Location of the dedicated park land, to include but not limited to, the portion residing in the floodplain, parkland slopes, access points.

Boundaries, Acreage, Zoning and Uses

- The development boundary lines, shown by contiguous dark lines of sufficient width to be easily identified.
- The total acreage within the development, the identification of each existing and proposed type of land use, and the acreage of each use.
- All existing or proposed lots and blocks identified by letter or number within the development and the names and lot patterns of contiguous developments, shown by dotted or dashed lines.
- The existing and proposed zoning of the land to be developed and the zoning of adjacent land.
- The location and identification of all existing buildings, parking lots, driveways, and other significant structures.

Utilities

- The identification, location and size of all existing public facilities, including water and sanitary sewer lines and the associated easements that are located within or on the boundaries of the development.
- The identification, location, and size of all proposed public facilities, including water and sanitary sewer lines and associated easements that are proposed to serve the development, showing the location, size, and distance of any existing lines to which connections are proposed.
- Detailed information on the means by which any alternative water or sanitary sewer service is to be provided, such as by wells or septic systems.
- The location and routing of all existing or proposed lines, easements, and facilities for providing electrical services for the development.
- The identification, location and size of all existing gas, petroleum, telecommunications, or similar common carrier easements located within or on the boundary of the development.
- Provide water and sewer demand/loading calculations based on City of Austin's Water and Wastewater Design Criteria Manual, Texas Commission on Environmental Quality (TCEQ) regulations/criteria and standard engineering practice.

Streets, Sidewalks and Driveways

- The identification, location and size of all existing streets and street rights-of-way located within the development or adjacent developments.
- The identification, location, and size of all proposed streets, sidewalk and slope rights-of-way which are to serve the development, showing the proposed connection or alignment with existing or proposed streets in adjacent developments. Where there is no adjacent development and there are arterial or collector streets proposed for the development, a key map shall be included to show the proposed future alignment and connection of the arterial or collector streets to the same type of streets in the nearest development.



Buda, Texas, Established 1881

- The location and width of any existing or proposed driveways that accesses or proposed to access any existing or proposed arterial street located within or on the boundary of the development.
- Location and dimension of existing and proposed curb cuts.
- As right-of-way dedication and placement of sidewalks are a function of existing street location, the following information needs to be shown and labeled; Centerline of existing streets, back of curb and/or edge of pavement, Arrow from centerline to edge of existing right-of-way with dimension and arrow from centerline to edge of proposed right-of-way with dimension.

Water Quality Control

- Description of the water quality control design and location.

Drainage

- The topography of the existing land included within the development and any major changes in topography resulting from development as shown by contour lines of two (2) foot vertical intervals. Upon prior approval of the city engineer, different contour intervals may be used.
- The identification, location, and approximate dimensions of all existing and proposed water courses, ponds, detention ponds, ditches, channels, floodway and floodplain boundaries, storm water improvements, drainage easements, or similar natural or man-made drainage facilities or features located within or outside the boundaries of the development that do or will affect or impact stormwater drainage on or across the development.
- Unless the city engineer determines during the predesign conference and after review of appropriate drainage study information, that the development will not create the need for any drainage improvements, all developments shall be required to submit with the preliminary plan a preliminary drainage study, along with a drainage area map, containing the following information:
 - The delineation of the major contributing watersheds for stormwater that crosses or is proposed to cross any property within or on the boundary of the development.
 - All areas outside of existing or proposed drainage easements or street rights-of-way serving the development that will be inundated by the 100 year flood.
 - A summary of the drainage calculations used to determine the proposed stormwater drainage system that will be necessary to serve the development. The calculations shall be prepared and submitted in accordance with the Austin's Drainage Design Manual in order to review and assess the adequacy of the proposed drainage system.
- Expected impacts on offsite properties and proposed measures for remedying impacts.

Drainage Area Map and Runoff Calculations:

- Normally, use 1" = 200' scale for on-site, and 1" = 400' for off-site. Show match lines between any two (2) or more maps.
- Show existing and proposed storm drains and inlets with designations.
- Indicate sub-areas for alley, street, and off-site areas.
- Use design criteria as shown in design manual.
- Indicate boundary for each drainage area.
- Show points of concentration and their designations. Provide a table at each discharge point of 10- and 100-year discharge for existing and proposed development of the site. Indicate how offsite drainage is to be handled.
- Indicate runoff at all inlets, dead-end streets and alleys, or to and from adjacent additions or acreage.
- Provide runoff calculations for all areas showing acreage, runoff coefficient, and inlet time. (Q = CIA Table)
- For cumulative runoff, show calculations.
- Indicate all crests, sags, and street and alley intersections with flow arrows.
- Identify direction of north to top page or to the left.

Other Items to be included:

- Label and show any FEMA 100-year floodplain and floodway on the plan. Label and show centerline of any stream, creek, swale, etc.
- Submittal of Conditional Letter of Map Revision (CLOMR) if any portion of the FEMA100-year floodplain is to be reclaimed. Review of the CLOMR and approval by City is required prior to approval of preliminary plan. See checklist for flood studies. Reclamation of the 100-year floodplain is subject to City's review and approval.
- Upon completion of public improvements, submission of all documents necessary to obtain a Letter of Map Revision (LOMR) from FEMA shall be submitted to the City of Buda. The LOMR will then be reviewed, approved, and sent to FEMA prior to acceptance of the subdivision. The LOMR is necessary to remove any lot within the floodplain from the



Buda, Texas, Established 1881

Flood Insurance Rate Map. All changes or additional data, as requested by FEMA upon its review of the LOMR, are the responsibility of the owner and/or developer.

- Submittal of flood study for any sizable creek that is not defined as floodplain on Flood Insurance Rate Map. (FIRM). See checklist for flood studies. Review and approval by City of flood study is required prior to preliminary plan approval.
- All areas of the 100-year floodplain that are not reclaimed shall be contained in a drainage easement and labeled with metes and bounds description on the preliminary plan.
- Label and show any Environmentally Sensitive Area on the plan.
- Show location of all existing and proposed drainage easements.
- Preliminary Plan shall show the outfall location of any detention pond and any other outfall on the project.
- Add a note that states: Discharge from any detention pond outfall or storm drain outfall may require an offsite drainage easement to accommodate the flow. If an offsite drainage easement is required, a study shall be made of the off-site property to determine the size of the drainage easement to accommodate the flow.
- Add note on Preliminary Plan that states: Acceptance of the drainage features identified on the Preliminary Plan are subject to change during the final plan process and do not constitute subsequent approval of same. The City reserves the right to require additional data or studies to ensure compliance with City of Buda Subdivision and Land Regulations, Drainage Design Criteria and Comprehensive Master Drainage Plan.

Procedures for Flood Plain Studies and Alterations

Fill and alteration of floodplains, which is not unreasonable damaging to the environment, is permitted where it will not create other flood problems. The following are the engineering criteria for such requests.

1. FEMA Submittal: Developments which impact designated Federal Emergency Management Agency (FEMA) flood plains in the City of Buda will be required to submit the minimum data which shall be sent to FEMA for conditional approval of the proposed project. The conditional Letter of Map Revision (CLOMR) shall be submitted to the City of Buda prior to approval of any preliminary plan. Approval of (CLOMR) from FEMA will be required prior to acceptance of a final plat.
 - a. A written description of the scope of the proposed project and the methodology used to analyze the project's effects.
 - b. Hydraulic backwater models of the 10, 50, 100, and 500-year flood for the following.
2. Duplicate of the effective Flood Insurance Study (FIS) model.
3. Existing conditions (effective FIS model including cross-sections through the project site. All cross-sections should reflect conditions prior to construction of the project).
4. Proposed conditions (existing conditions model reflecting the proposed project).
 - a. Floodway hydraulic backwater models of the following:
 - i. Duplicate effective
 - ii. Existing Conditions

Proposed Conditions

1. A copy of the Flood Insurance Rate Map with the project area indicated.
2. Topographic mapping of the entire area covered by the proposed condition model, indicating the locations of all cross-sections used in the hydraulic model and delineating the proposed 100-year flood plain boundary.
3. Topographic mapping of the entire area covered by the proposed conditions model, indicating the locations of all cross-sections used in the hydraulic model and delineating:
 - a. The proposed 100 and 500 year floodplain boundaries.
 - b. The proposed floodway boundary.
 - c. Certification that the project meets the requirements of the 44 CFR 60.3 (d) (2).

Upon completion of the proposed project, "as-built" and final LOMR plans certified by a registered professional engineer should be submitted to the City of Buda for review and subsequent transmittal to FEMA. FEMA requires that individual legal notices be sent to all affected property owners when developments (cut or fill) occurs in the regulatory floodway that would cause any rise in the 100-year FIS water surface elevation. Public notice in the official community newspaper is required for proposed modifications to the regulatory floodway. In all of the above hydraulic models, the following rules will apply:



1. The hydraulic parameters, such as bridge loss coefficients, “n” values, etc., used in the effective FIS models will only be changed where obvious errors or changes have taken place and must be documented.
2. The computed water surface elevation profiles have to converge with the existing profiles
3. The information should be shown on a map of suitable scale and typographic definition to provide reasonable accuracy.
4. All items should be labeled for easy cross-referencing to the hydraulic model and summary data.

FEMA may have questions regarding the project. The engineer must address all of FEMA’s comments. It is not anticipated, but if revisions to the development are required by FEMA, the developer will be responsible to do so.

Flood studies for creeks not defined on FIRM and design for bridges, culverts and channels.

Hydraulic data should be submitted to the Engineering Department, preferably using the Corps HEC-2 program to compute the channel’s water surface elevation. The data should be submitted on floppy disk and in a bound report using the following criteria:

1. Study to be based on the 100-year fully developed watershed, based upon the 100-year rainfall event.
2. Floodways serving drainage areas larger than one (1) square mile in area and which are still functioning primarily in a natural and adequate state shall not be altered or improved to provide for the drainage needs of a development, unless there is no other reasonable means or method to provide for such drainage
3. Modified existing condition backwater model – this model should include pre-development cross-sections through the project side obtained from field surveys or updated topographic information.
4. Proposed condition reflecting the development’s impact on the flood plain area.
5. Water surface elevation and velocity summary tables tabulating the results of the above analysis.
6. Topographic map at a suitable scale with cross-sections, existing and proposed 100-year fully developed flood plain delineated, and the area being developed shown.
7. Documentation from the Corps of Engineers determining if a 404 permit is required for the project

Flood Plain Reclamation-Engineering Criteria:

1. Water Surface Elevation: Alterations of the flood plain shall result in no increase in the 100-year fully developed watershed water surface elevation on other properties. No alteration of the flood plain will be permitted which could result in any degree of increased flooding to other properties, adjacent, upstream, or downstream.
2. Stream Velocity: Alterations of the flood plain shall not create an erosive water velocity on or off-site. The mean velocity of stream flow at the site after fill shall be no greater than the mean velocity of the stream flow under existing conditions. No alteration to the flood plain will be permitted which could increase velocities of flood waters to the extent that the significant erosion of flood plain soils will occur either on the subject property or on other properties up or downstream. Staff’s determination of what constitutes an “erosive” velocity will be based on analysis of the surface material and permissible velocities for specific cross-sections affected by the proposed alteration, using standard engineering tables as a general guide. And as established by Drainage design criteria.
3. Conveyance: Alterations of the flood plain shall be permitted only to the extent permitted by equal conveyance on both sides of the natural channel. Staff’s calculation of the impact of the proposed alteration will be based on the “equal conveyance” principle in order to insure equitable treatment for all property owners. Under equal conveyance, if the City allows a change in the flood carrying capacity (capacity to carry a particular volume of water per unit of time) on one side of the creek due to a proposed alteration of the flood plain, it must also allow an equal change to the owner on the other side. The combined change in flood carrying capacity, due to the proposed alteration, plus corresponding alteration to the other side of the creek, may not cause either an increase in flood elevation or an erosive velocity, or violate the other criteria.

Toe of Fill Alignment: The toe of any fill slope shall parallel the natural channel to prevent an unbalancing of the stream flow in the altered flood plain.

Side Slopes: To insure maximum accessibility to the flood plain for maintenance and other purposes, and to lessen the probability of slope erosion during periods of high water, maximum slopes of filled area shall usually not exceed 4 feet horizontal to 1 foot vertical. Grass cover is required for all cut and fill slopes 4:1 or flatter. Concrete rip-rap or an approved equal erosion protection measure is required on slopes steeper than 3:1. Vertical walls, terracing and other slope treatments will be considered only as:

1. part of a landscaping plan submission; and
2. if no unbalancing of stream flow results.



Vegetation/Landscaping: Engineering plan submission shall include plans for:

1. erosion control of cut and fill slopes
2. restoration of excavated areas
3. tree protection where possible in and below fill areas.

Landscaping should incorporate natural materials (earth, stone, and wood) on cut or fill slopes wherever possible. Applicant shall show in the plan the general nature and extent of existing vegetation on the tract, the location of trees 8-inch and larger in diameter, the areas which will be preserved, altered, or removed as a result of the proposed alterations. Locations and construction details should be provided, showing how trees will be preserved in areas which will be altered by filling or paving within the drip line of those trees. Applicant should also submit plans showing location, type, and size of new plant materials and other landscape features planned for altered flood plain areas.

The items listed in the checklist are generally what are needed to facilitate the review of the preliminary plan. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval by the drainage department

Note: Approval of a preliminary plan shall expire twenty –four (24) months from date of approval unless a final plat for all or any portion of the preliminary plan has been approved.



Buda, Texas, Established 1881

Final Plat Checklist

Please note that this checklist is intended to assist developers and design professionals in the preparation of submittals for DRC review and are generally what is needed to facilitate the review of the final plat. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval.

General Information:

A final plat is intended to serve as the official recorded map of the property to be developed, showing thereon the boundaries, lots, public streets and easements and other significant public facilities and features which are necessary to serve the development, as required by the Unified Development Code. A final plat of the property to be subdivided or developed is required of all development to which Section 3.8(5) of the Unified Development Code applies. For a development to be constructed in phases, the final plat may include only a portion of the land included in a general development plan and/or preliminary plat. The final plat shall conform to the approved preliminary plat. For more information see Section 3.8(5) of the Unified Development Code.

Applicant information required: the applicant, owner and contact information on the application must be provided in entirety. If the applicant, property owner or contact is the same, note as such. The contact should be the name of the principal design professional (i.e. a surveyor or engineer) preparing the plat document. If multiple design professionals are involved in the preparation of the plat document, list the principal design professional. All correspondence relating to the plat will be directed to the contact designated on the application.

Owner signature: the final plat application is required to be signed by the current property owner. If the property owner is not available to sign the application, then a letter of authorization from the property owner is required to be submitted which empowers a designee to sign for the property owner.

Waiver from Section 212.009: The Texas Local Government Code requires that a plat be considered by the Planning and Zoning Commission within 30 days of acceptance of the plat application and subsequently, the plat must be acted on by the City Council within 30 days of the action by the Planning and Zoning Commission. Because 30 days is generally not enough time for a plat application to be processed, the City requests that all applicants for a plat sign a waiver to the statutory 30 day period. Failure of an applicant to sign a waiver to the statutory 30 day period identified in Section 212.009 of Texas Local Government Code could result in the application being forwarded to the Planning and Zoning Commission and, subsequently, the City Council with a recommendation of denial. The waiver must be signed by the property owner or by the property owner's designee as noted on a letter of authorization.

Acceptance of plat application: All plat applications will be reviewed for completeness before they are accepted by City Staff. Failure of applicant to provide required information or obtain waiver from DRC Chair constitutes grounds for refusal of plat acceptance for processing; or staff recommendation of denial when application is scheduled for consideration.

Expiration of Final Plat and Plans: An approved final plat which has not been filed in the appropriate records of Hays County within two (2) years of its approval shall be considered null and void unless an extension is granted by the Planning and Zoning Commission for good cause.

Requirements:

- Drawn on a sheet size of 18" X 24"
- Drawn to scale: 1" = 50' or 1" = 100' (unless otherwise approved by the by Development Review Committee Chair).
- Submitted with a total of four (4) copies of final plat **individually folded** with name of project in lower right corner.
- Submitted with digital files of the subject plat, in pdf format and in a format that can be geo-referenced in a G.I.S. database.
- Five (5) sets of **engineering/construction plans** if required (required for all public improvements, including sidewalks). Properties located within the City's ETJ may be required to submit one (1) additional copy.
- Accompanied by this application form, and the appropriate fee as listed on the **Development Review Fee Schedule**.
- One (1) week prior to review by the Planning and Zoning Commission, 14 copies of the plat are required.
- One (1) week prior to review by the City Council, 12 copies of the plat are required.
- Payment of all site inspection and infrastructure fees.



Buda, Texas, Established 1881

Plat / Replat Shall Contain:

- The date, written and graphic scale, north arrow, proposed name of the development, key map showing the location of the development in relation to existing streets and highways and dates of preparation and revisions.
- The signature of the owner or owners of the land included within the plat, acknowledged in the form required for the acknowledgement of deeds.
- Name of the subdivider or developer, record owner and planner, engineer or surveyor.
- Title Block containing: Proposed name of the subdivision or lot on record, acres in platted and unplatted land and total of those acres, survey and jurisdiction (City of Buda, County of Buda, Texas, for example).
- Proposed name of the subdivision, development or lot on record, which shall not have the same spelling or be pronounced similarly to the name of any other development located on land within the jurisdiction of the city. Developers of phased development shall use the same base name for different sections, identified by a section number.
- The development boundary lines, shown by continuous dark lines of sufficient width to be easily identified, as shown by a survey performed by a registered professional land surveyor describing the boundaries of the development by metes and bounds. The survey shall:
 - Locate the boundaries with respect to a corner of the survey or tract or any original corner of the original survey abstract of which it is a part (provide a note of description of the location of the survey abstract). At least one corner shall be tied by course and distance to a corner in a recorded subdivision or to a right-of-way pin at an intersection. (Note describing corner markers should be included);
 - Describe and locate all permanent survey monuments, pins, and control points and tie and reference the survey corners to the Texas State Plane Coordinate System; and
 - Identify the dimensions of the development with a legal description and bearings and distances on the boundary of the plat.
 - Location of development by city, county and state.
- The exact location, dimension and description of all existing or recorded street, alleys, easements, and public rights-of-way within the development, intersecting or contiguous with its boundary or forming such boundary.
- The dimensions of all existing or proposed lots and blocks within the development identified by letter or number running consecutively throughout the development.
- The exact location, dimensions and description of all proposed streets, alleys, drainage and utility easements, parks, other areas, reservations, easements or other rights-of-way to be dedicated to the public, located within, intersecting or contiguous with its boundary or forming such boundary.
- All proposed streets or changes to be made in existing streets shall be described with accurate bearings or deflecting angles and radii, area and central angle, degree of curvature, tangent distance and length of all curves where appropriate, and the primary control points.
- Approved name and width of each street. Street names are required for all newly created streets on the final plat document. Please note that street names will not be "reserved" prior to the submission of a final plat document. As staff MUST verify street names for spelling and pronunciation at the time of the submission of the final plat, staff asks that all street name issues be reserved until the submission of the final plat.
- As right-of-way dedication and placement of sidewalks are a function of existing street location, the following information needs to be shown and labeled; Centerline of existing streets, back of curb and/or edge of pavement, Arrow from centerline to edge of existing right-of-way with dimension and arrow from centerline to edge of proposed right-of-way with dimension.
- Existing and proposed easements – labeled, dimensioned, and instrument used to create or abandon such easements.
- Boundary lines of open spaces to be dedicated or granted for use by the public or inhabitants of the development.
- Reference by record name to recorded subdivision plats or adjoining platted land.
- The minimum finished floor elevations for all proposed buildings, if required by the committee. The elevations shall be stated as mean sea level rather than relative.
- Building setback lines.
- All required dedication and certification statements.
- Certification that iron pins have been set in order to determine location of public improvements.
- Signature block for approving body.
- Submit a landscape plan showing in detail the location, species, and size of the proposed landscape, and all calculations necessary to indicate compliance with Chapter 7 of the Unified Development Code.



Buda, Texas, Established 1881

- All documents shall bear appropriate seals, stamps or other validations/certifications of work as applicable in accordance with State law and local requirements.
- The plat will not be filed by City Staff with Hays County until all appropriate Parkland Fees have been paid.

Special Considerations for Plats in the City's Extraterritorial Jurisdiction (ETJ)

The City of Buda and Hays County have an agreement regarding the subdivision of land in the ETJ which requires review of a plat by both the City and County. In addition to the plat requirements listed above, the following requirements apply to plats submitted in the City's ETJ:

- Provide a total of ten (10) copies of the plat for the initial submission. Four will be for City review, and six will be for County review. After the initial submission, each submission thereafter should include only four copies of the plat.
- Provide a digital version of the plat that complies with the Hays County Digital Data Submission Standards.
- A signature block for the Hays County Development Services Director authorizing the filing of the plat is required.
- Subdividers shall dedicate public right-of-way pursuant to the Hays County Transportation Plan, in accordance with the County's roadway standards.
- Prior to the acceptance of new public infrastructure in the subdivision, the City shall require fiscal surety from the applicant/developer as required by the Subdivision and Development Regulations of Hays County, payable to Hays County, which shall be binding and in effect for two (2) years from the date of acceptance of such improvements. The City shall require the applicant/developer to be responsible for maintenance of the streets and improvements as also required by the Subdivision and Development Regulations of Hays County.
- A fee of \$320.00 per lot, payable by the applicant/developer to the County, is required in order for the County to review the plat. This fee will be collected by the City and remitted to the County for their review services.

Requirements for Recording Plat:

In order to comply with the county's plat filing requirements, the following must be completed on the final plat document.

- All stamps and seals must be legible.
- Tax Certificates are required with the filing of each plat from all taxing entities. Also required is a Re-Printed Tax Receipt which shows the total amount of taxes paid. The amount shown on the Re-Printed Tax Receipt should be equal to the taxes paid as shown on the Tax Certificate. The County Clerk will not file a plat without these two documents. Tax Certificates and Tax Receipts may be obtained from the Hays County Tax Assessor/Collector's Office.
- All signatures must be original and acknowledged (notary public) and each name must be printed below each signature.
- The recording fee for a plat shall be in accordance with the fee schedule established by the Hays County Clerk's Office. The current filing fee is \$6.00 per plat plus \$50.00 per plat page recorded. It is recommended that the applicant verify the current recording fees with the County prior to submitting mylars.
- If public improvements will be constructed, a fiscal surety instrument will be required.

The following are general requirements for the execution package:

- 2 Photographic Mylar copies of the plat with original signatures for the County and 1 paper copy for the City.
- All relevant tax certificates and receipts covering the platted property.
- A check for filing fees made payable to Hays County.
- Development contracts must be executed prior to filing the final plat for all public improvements. If there are any public improvements that require construction, development contracts will be required.
- Park fees, if required, must be paid to the Parks and Recreation Department prior to filing the final plat (see attached Subdivision Parks Review Application).
- All site inspection and infrastructure fees must be paid prior to approval of a final plat.
- Any other offsite easements that are required, or other agreements, must be finalized prior to filing of the final plat.
- All documents shall bear appropriate seals, stamps or other validations/certifications of work as applicable in accordance with State law and local requirements.

Once the execution package is received, all items will be reviewed. Any discrepancies in the plat documents or development contracts may delay the filing of the final plat. Development contracts must be approved prior to filing the



Buda, Texas, Established 1881

final plat at the county courthouse. Any omission of the above listed items may delay the filing of the final plat. Staff will obtain signatures from the City Secretary prior to filing.

All final plats must be recorded within two years from the date of approval or they become null and void.



Buda, Texas, Established 1881

SUBDIVISION PARKS REVIEW APPLICATION

The Parks and Recreation Commission has been charged to ensure that each new subdivision provides adequate provisions of parkland and open space to meet the needs of the growing community. When submitting a preliminary plan for consideration a developer must provide the following information to the Commission for their review.

Subdivision Name _____ Developer _____

- 1. Number of residential lots _____
- 2. Parkland Dedication Required (Lots/50) _____ acres
- 3. Parkland Acres not in a floodplain _____ acres
- 4. Parkland Acres in a floodplain _____ acres

- a. Is the Floodplain on Garlic Creek ____ yes ____ no
- b. Is the Floodplain on Onion Creek ____ yes ____ no

Please answer the following if you answered yes to either of the above questions:

Garlic Creek: Is there a 100ft strip on the side(s) of the creek that is being dedicated for parkland?
____ yes ____ no

If no, please explain the reason why not: _____

Onion Creek: Is there a 300ft strip on the side(s) of the creek that is being dedicated for parkland?
____ yes ____ no

If no, please explain the reason why not: _____

- c. If it is not on Onion/Garlic Creek, does the amount of dedicated parkland meet the 3:1 ration (Floodplain: Non Floodplain acres)? ____ yes ____ no
If no, please explain why it does not: _____

- d. If there is parkland dedicated as part of the floodplain but outside the 100-year floodplain, is there at least 30ft width/breadth? ____ yes ____ no
If no, please explain why it does not: _____

5. Ensure that you attach a separate drawing for each lot dedicated to parkland and ensure that dimensions (all sides) are provided. (8 1/2 x 11)

- a. Is there access to the parkland designated on a subdivision plat with at least 200ft of street frontage?
____ yes ____ no
If no, please explain why the Commission should consider the dedicated parkland without the 200ft frontage:

- b. Is water and sewer access being provided to the boundary?
____ yes ____ no
- c. Describe any Greenbelt Frontage being provided:

- 6. There are times when a developer may not be able to provide the dedicated parkland. If that is the case, please attach a written justification why you cannot do so.
 - a. Are you willing to provide a fee in lieu of the land you cannot dedicate?
____ yes ____ no



Please explain why you feel the Commission should approve your parkland dedication without payment of the fee:

b. If you are agreeing to pay a fee in lieu of parkland dedication, are you willing to pay the associated development fees as well? _____ yes _____ no

Please explain why you feel the Commission should approve your parkland dedication without the development fee commitment: _____

7. The Unified Development Code requires that a Subdivider shall improve all dedicated public land with improvements approved by the City of at least \$30,000 per acre of parkland, or a portion thereof.

a. Please indicate the amount required for parkland development:

_____ number of acres required times \$30,000 equals _____

8. I, _____, Developer, understand that any design, specification and construction improvements shall be subject to review and approval by the City and that these improvements must be completed with three years of the City's approval for the first final plat of the subdivision and that approval of my preliminary plan is subject to the City's approval of the Subdivision's parkland dedication.

Developer's Signature

The Parkland for _____ Subdivision was reviewed by the Parks and Recreation Commission on _____ and is recommended/not recommended for approval by the City Council.

City Administrator

Attest:



Buda, Texas, Established 1881

Variance Checklist

Failure of applicant to provide required information or obtain waiver from DRC Chair constitutes grounds for refusal of variance application, acceptance for processing; or staff recommendation of denial when application is scheduled for consideration.

Please note that this checklist is intended to assist developers and design professionals in the preparation of submittals for DRC review and are generally what is needed to facilitate the review of the variance. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval.

Application Requirements:

Petitioner must provide the rationale for the variance using the following seven (7) criteria:

- Extraordinary Conditions. That there are extraordinary or special conditions affecting the land involved such that strict application of the provisions of this Code will deprive the applicant of a reasonable use of its land. For example, a variance might be justified because of topographic, or other special conditions unique to the property and development involved, while it would not be justified due to inconvenience or financial disadvantage.
- Application of a Substantial Property Right That the variance is necessary for the preservation of a substantial property right of the applicant.
- Substantial Detriment. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this Code.
- Other Property. That the conditions that create the need for the variance do not generally apply to other property in the vicinity.
- Applicant's Actions. That the conditions that create the need for the variance are not the result of the applicant's own actions.
- Comprehensive Plan. That the granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of this Code.
- Utilization That because of the conditions that create the need for the variance, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

Or,

If the variance is from an exaction (e.g. Road construction, right-of-way dedication, drainage improvement – a public improvement and/or dedication to the public), the imposition of any development exaction pursuant to these regulations (1) exceeds any reasonable benefit to the property owner or (2) is so excessive as to constitute confiscation of the tract being platted.

Waiver of the developmental exactions shall be considered by the City Council after a recommendation from the Planning and Zoning Commission.

NOTE: Request must include the following:

- Completed application (one per variance).
- Fee as adopted by the Council and published in the Development Review Fee Schedule.
- Copy of the proposed plat and location map.



Buda, Texas, Established 1881

Site Plan Checklist

Failure of applicant to provide required information or obtain waiver from DRC Chair constitutes grounds for refusal of site plan acceptance for processing.

Please note that this checklist is intended to assist developers and design professionals in the preparation of submittals for DRC review and are generally what is needed to facilitate the review of the site plan. Under special circumstances, additional items may be required through the Development Review Committee process prior to approval. You may begin construction any time after the issuance of an approved site development permit. A site development permit will expire if work has not commenced within 180 days from the issue date.

Requirements:

- Drawn on a sheet size of 18" X 24" or 24" x 36"(smaller or larger sheet size may be accepted only if approved by Development Review Committee Chair).
- Drawn to an engineer scale not smaller than 1" = 60' (smaller or larger scale may be accepted only if approved by Development Review Committee Chair).
- Submitted with a total of five (5) copies **individually folded** set with name of project in lower right corner. One additional copy is required for projects located in the ETJ.
- Accompanied by this application form, and the appropriate fee as listed on the **Development Review Fee Schedule**.

General Information:

- The date, written and graphic scale, north arrow, proposed name of the development, key map showing the location of the development in relation to existing streets and highways and dates of preparation and revisions.
- The name and address of the property owner or owners, and the planners, registered engineer, surveyor or other representatives processing the plat.
- Any city or extraterritorial lines traversing or on the boundary of the development.
- The names of the record owners of contiguous lands.
- Title Block containing: Project name, Street address or project, project scale, Original date and last revision date.
- Property boundaries plotted to scale with bearings and distances shown.
- Site Data information:
 - Property owner's name and address and applicant's name if different
 - Land area in square feet and acres
 - Lot coverage percentage
 - Zoning of the lot(s) and required and proposed zoning requirements (e.g. setbacks, lot size, etc.)
 - Any approvals that were granted by the Board of Zoning Appeals, including the date of each approval
 - Total gross floor area of all buildings and gross floor area of each floor in existing and proposed buildings, including basements
 - Number of parking spaces existing and proposed and calculation of number of parking spaces required
 - Number of dwelling units (for apartment and townhouse projects only).

Detailed Information:

In addition to the General Information indicated above that must be shown on the site plan, detailed information, as it pertains to the specific site plan must be included as described below.

- All dimensions shall be shown in feet and in hundredths of a foot.
- Street lines, lot lines, right-of-way, easements and areas dedicated or proposed to be dedicated for public use.
- The length of all-straight lines, radii, lengths of curves and tangent bearings for each street, lot and boundary line shall be shown.
- The dimensions and angles or bearings of the lines of each lot and of each area proposed to be dedicated for public use shall be shown.
- All existing and proposed structures on the site and the use of same, including their specific location, height (in feet and stories), dimensions, setbacks and general description of construction materials (e.g. masonry, wood frame, steel frame, etc.).



Buda, Texas, Established 1881

- Location of all exterior doors on all buildings.
- The location of all existing buildings, driveways, parking lots, sidewalks and other pertinent site features within 100' of the subject property.
- Structures to be removed (if any) labeled and shown.
- Traffic flow and parking;
 - Locations design and flow patterns for roads, parking areas and delivery areas.
 - Ingress and egress points, driveways and aisles. (including driveways on adjacent lots and across the street).
 - Parking spaces including handicap areas, access aisles and ramps.
 - Pedestrian access/traffic including sidewalks, crosswalks and pavement markings.
 - Location of fire lanes and other emergency zones.
 - Sight distances.
 - Tie distance to nearest public street intersection.
- Existing and/or proposed addresses. (Proposed addresses shall be reviewed and approved by the Building Department)
- Street names, right-of-way widths and pavement widths for all streets that adjoin the site.
- Locations of floodplain and flood zone boundaries.
- Locations of any state or federal wetlands.
- Topography:
 - Existing and proposed contours at a minimum 2' contour interval within 100' of the subject property (due to the complexity of some sites 1' contour interval may be required).
 - Proposed finished floor elevations and garage floor elevations.
 - Lowest architectural opening elevations in designated flood zone areas.
 - Spot elevations of swales.
 - Flow arrows to indicate direction of surface flow.
 - Proposed method(s) of erosion and sedimentation control.
- Location of all existing and proposed utilities, including laterals, pipe sizes, materials and grades.
- Location of all fire hydrants within 500 feet of the site.
- Location of all existing and proposed drainage structures that comprise the site's drainage system, including ditches, swales, creeks, culverts, and bridges, with the direction of flow indicated by arrows
- Design and plan details of special construction (culverts, bridges, head walls, etc.)
- Construction sequence
- The size, nature and location of any outdoor storage.
- Location of any outdoor fencing, including size, height and type of construction.
- Location and style of outdoor lighting facilities.
- Location, size, design and construction material of all existing and proposed signs. NOTE: A separate sign application is required in addition to the site plan submittal. Please see Permit Clerk for an application.
- Design and material for building exterior façade and articulation. See CH 7 of the UDC.
- Calculations showing the amount of "green space" being provided.
- Location, size, design and construction material of all existing and proposed outdoor refuse receptacles and enclosures.
- Permanent reference monuments shall be shown.
- Landscape Plan.
 - Identify existing trees to remain (include species and size).
 - Identify locations of proposed planting, include a planting schedule with scientific and common names of plants, sizes at planting and quantities of trees, shrubs and ground covers to be planted.
 - Identify existing or proposed overhead utility lines and any existing or proposed utility easements.
 - Provide a written summary to show:
 - Total gross area in the development in square feet.
 - The area and percentage of the lot covered by structures and impervious surfaces.
 - The area and percentage of the lot covered by existing tree canopy.
 - The area and percentage of the lot covered by proposed tree canopy.
 - The area and percentage of all landscaped area.
 - Irrigation notes to show intent to comply with code requirements.
 - If any existing trees are to be used for credit a Tree Protection Plan is required.
 - A Tree Survey is required unless one is on file:
 - Location and dimension of existing boundary line.



Buda, Texas, Established 1881

- Location, diameter, and common name of all trees greater than 8-inch DBH.
- Area and percentage of mature tree canopy.
- Date of survey.
-

Miscellaneous Information:

- If located adjacent to Bradfield Subdivision:
 - Additional buffering shall be required as set forth in CH 7 of the UDC.



Public Infrastructure/Construction Plan Process Overview

The physical construction and acceptance of the public utilities to be dedicated by the City must be accomplished prior to the issuance of Building Permits. During this process, the developer, contractor, and City staff work together to provide a product that is beneficial to all parties, particularly the future property owner.

The first step is to submit detailed Construction Plans of the development for City review and comment. These plans provide a common reference base for all parties during the construction and inspection phase, and ensure that the improvements will meet minimum city standards.

There is no established time in the process before which detailed construction plans may be submitted. In fact, the sooner, the better. However, in some cases, it may be better to wait until the Preliminary Plat is approved to avoid multiple revisions. In all instances, the construction plans should address drainage, paving, and utility improvements by employing the minimum requirements as outlined in the Design Criteria Manuals.

Once the Construction Plans are approved by the City, infrastructure construction may commence after a preconstruction meeting has been held. An Inspector will be assigned to the job to ensure that all City codes, policies, and procedures are followed. A Checklist is also provided in this section to outline the procedure for the contractor.

When construction is complete, a final field inspection will be conducted by City Engineering to generate a punch list. After the construction is complete and has been approved, a "Letter of Acceptance" will be issued. A two (2) year warranty period exists from the date of the "Letter of Acceptance", during which the developer/contractor is responsible for any problems w/ the infrastructure. This is the formal acceptance of the public infrastructure by the City. As-builts drawings must be submitted to the City with the signatures of the Design Engineer and Contractor.

In some instances, the City may participate in extra width paving and/or oversizing of utilities. A letter of formal request and justification of public benefit may be submitted for City participation in such costs. If approved, the City will issue a check for the agreed-upon participation once city acceptance of the improvements has occurred.

Engineering will be your contact for all aspects of the subdivision acceptance process and should be contacted for information or guidance concerning the subjects discussed in this section of the guide. The process involves several other departments and may require consultation with them as well, but Engineering Services will be your primary point of contact through the public infrastructure process.

Floodplain Development Permit

A Development Permit is required when a developer wishes to build in or alter the character of property identified in the 100-year regulatory floodplain.

If any proposed grading or improvements involve property in the floodway a hydraulic flood study performed by an engineer licensed in the state of Texas is required. The applicant's engineer will need to submit the study and supporting hydraulic data to the City's Engineer. This information will be reviewed by the Federal Emergency Management Agency (FEMA) as well as the City. The appropriate FEMA application forms and fees will also be required at the time of submission. NOTE: A detailed study may also be required for development in areas that do not yet have a mapped floodway but have been identified as floodplain.

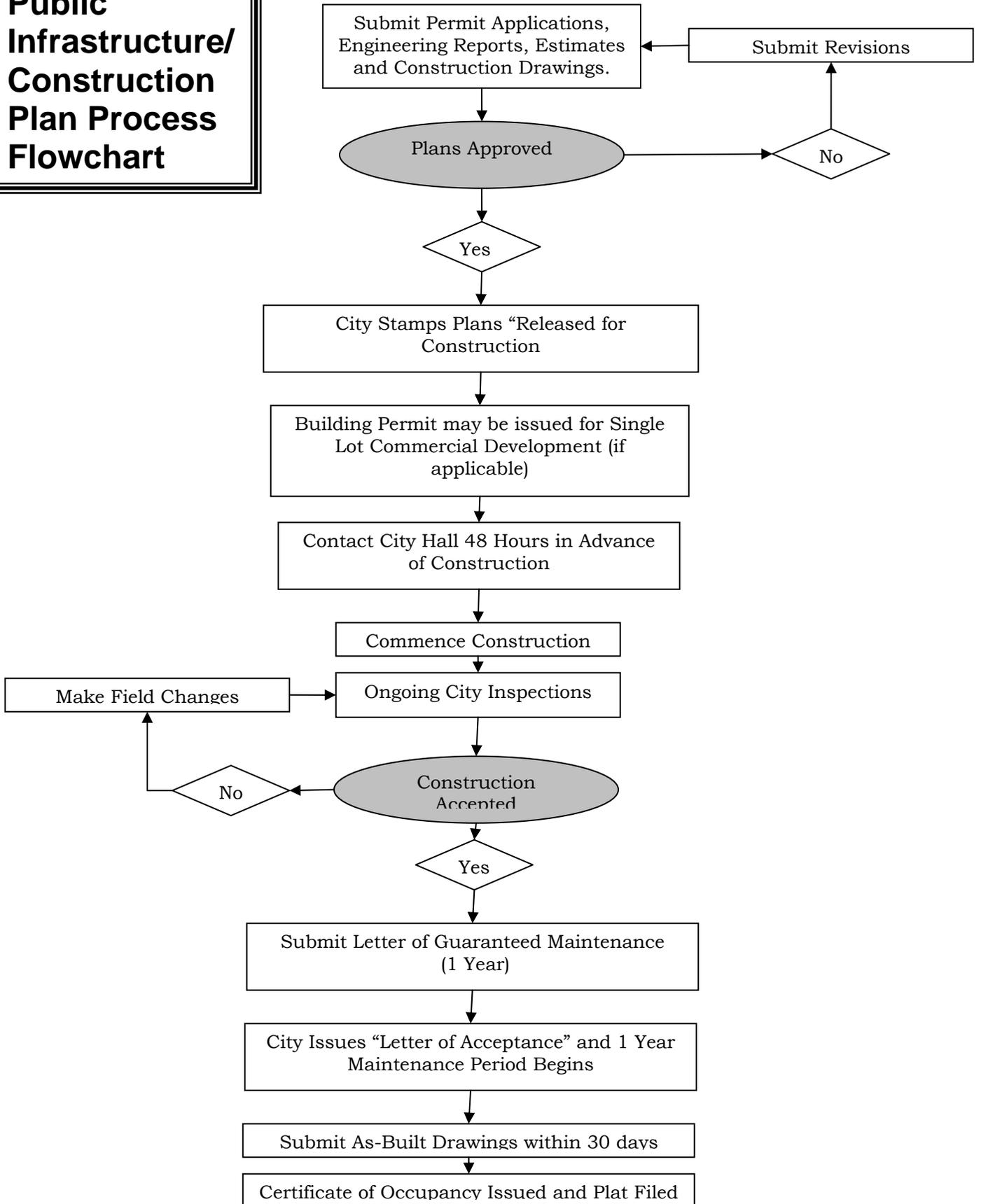
If the proposed grading or improvements only involve property in the floodplain fringe a development plan and permit application (with the appropriate certifications) will need to be submitted to the City Engineer for review and approval only.

After construction, Elevation certificates and/or Flood proofing certificates will be required as applicable to the project.



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Public Infrastructure/ Construction Plan Process Flowchart





Public Infrastructure/Construction Plan Process Questions/Answers

Here are some frequently asked questions regarding the public infrastructure process.

What is public infrastructure?

Essentially, public infrastructure includes any facility or services such as water, sewer lines, streets, or other utilities that are owned and maintained by the City of Buda. Other infrastructure such as electrical, gas, cable and telephone are handled by outside utility companies as shown below:

Electrical:	Pedernales Electric Coop	512-262-2161
Gas:	Centerpoint Energy	800-427-7142
Cable:	Time Warner Cable	800-418-8848
Telephone:	Verizon	Residential 800-483-4000 Commercial 800-483-5000

How do I know when public infrastructure is required?

Public infrastructure needs are usually identified during pre-development meetings through the aid of utility maps and site inspections. More specific requirements are identified during the Site Development Review process.

Who can prepare construction plans associated with project?

You will need to enlist the services of a professional engineer licensed in the construction plans for my State of Texas to design and prepare the new infrastructure. You can locate a professional engineer by contacting the Texas Society of Professional Engineers or in the Yellow Pages of your local phone directory.

Once plans are approved, a preconstruction meeting must be scheduled with the City Engineer. An inspector will be assigned to the project to monitor compliance with City codes, policies and procedures. It is our intention to work with the developers, contractors and engineers to achieve a quality and cost effective project for everyone.

How far do I need to extend public utilities to serve my development?

Public Water and Sewer mains need to be extended “to and through” your development so that adjacent property owners can tie on and do the same.

When do I have to construct a detention pond?

Stormwater detention is a requirement of most developments within the City of Buda depending on the type of development and its location and impact on the drainage system. Additional questions can be answered by contacting the City Engineer.

When can I start construction?

You may begin construction any time after a permit has been issued. A permit will expire if work has not commenced within 180 days from the issue date. Prior to commencement, a city-approved fiscal surety instrument will have to be submitted in the amount of 110% of the estimate total costs of the improvements valid for two (2) years from date of final plat or site development permit issuance. Failure to complete such improvements within two (2) years shall authorize the City to complete the improvements using such fiscal surety unless otherwise determined subject to approval by the City. Please see CH 12.5 in the UDC.

When does the City accept the public infrastructure that I build?

Official acceptance of developer constructed public infrastructure occurs when a “letter of acceptance” is issued after the City Inspector is satisfied that the infrastructure is built to City Standards. A 2 year warranty period exists from the date of the “letter of acceptance”, during which the developer/contractor is responsible for any problems w/ the infrastructure. Such fiscal surety shall be submitted valid for two (2) years in the amount of twenty (20) percent of total construction costs. Please see CH 12.5 in the UDC.



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Public Infrastructure/Construction Plan Checklist

Construction Plan Requirements:

Submit construction plans for ALL public improvements with, or prior to the submission of the final plat document: Streets, sidewalks, water lines, sewer lines, and drainage facilities.

Transportation Related Improvements:

- Plan and profile of all streets.
 - Curb return elevations in plan view on the street and on the intersecting street.
 - Elevations in profile every 100 feet and at changes in slope for the centerline and /or the back of curb on both sides of the street. Elevations in profile every 25 feet through a vertical curve.
 - Percent grades.
 - Edge of pavement, particularly where concrete flatwork and asphalt join.
 - Tie-ins to existing street network, with barricade removal, patching and other necessary work shown.
 - Horizontal and vertical curve information.
 - Curb layouts: Sidewalk ramps, flume entrances, and driveway locations.
 - Sidewalks that are adjacent to the public street – see sidewalk comments below.
 - All appropriate details and pavement cross sections.
 - Guard rails and barricades must be noted as necessary.
 - Pavement marking plans, signage plans, and traffic control plans.
 - Casing or conduit for future utility crossings, if necessary.
- Sidewalks – Sidewalk construction plans are required for all sidewalks along street frontages. If construction plans for any streets are required, the sidewalk may be shown adjacent to the street. If the street is already in existence, sidewalk plans must be submitted and labeled “Sidewalk Plans.” Sidewalks shown on a site layout submitted for the purpose of a building permit are not sufficient.
 - Plan view for slopes less than 4% is sufficient. Plan and profile for sidewalks with a slope greater than 4% is required - note that sidewalks greater than 5% must comply with the Texas Accessibility Standards for general ramps.
 - Notation of the treatment of the sidewalk at intersections of driveways.
 - Handicap ramps shown correctly with surface color and texture treatment noted.
 - Necessary information to show that the walk able path is not impeded: Medians shown with layouts, trees and shrubs removed where necessary.
 - Curb ramps noted and type of ramp to be utilized.
 - All details for sidewalks and ramps.
- Utility Information
 - All adjacent utilities are shown in the plan view. Nearby utilities may be shown for reference in the profile view.
 - Manholes, valve boxes and other at-surface features shown and labeled.
 - Bore locations shown with plan and profile. Casing labeled.
- Drainage
 - Drainage Area Map with drainage calculations and inlet sizing calculations, conduit calculations, and culvert analysis. Street capacity calculations if applicable.
 - All pipes shown in plan and profile with the appropriate 10 and 100-year velocities, flow rates, and hydraulic grade lines – trunk lines and laterals included.
 - Junction boxes at all grade changes and pipe size changes – labeled with stations and elevations.
 - Inlets, flumes, and other structures that may affect the street shown with details.

Drainage Related Improvements

- Drainage Area Map
 - Normally, use 1" = 200' scale for on-site, and 1" = 400' for off-site. Show match lines between any two (2) or more maps.
 - Show existing and proposed storm drains and inlets with designations.
 - Indicate sub-areas for alley, street, and off-site areas.
 - Use design criteria as shown in design manual.
 - Indicate zoning on drainage area.
 - Show points of concentration and their designations.



Buda, Texas, Established 1881

- Indicate runoff at all inlets, dead-end streets and alleys, or to and from adjacent additions or acreage.
- Provide runoff calculations for all areas showing acreage, runoff coefficient, and inlet time. (Q = CIA Table or FORM A)
- For cumulative runoff, show calculations.
- Indicate all crests, sags, and street and alley intersections with flow arrows.
- Identify direction of north to top page or to the left.
- Show limits of 100-year fully developed flood plain on drainage area map.
- Storm Sewers**
 - Diversion of flow from one natural drainage area to another will not be allowed.
 - Show plan and profile of all storm sewers.
 - Specify size and type of material of all pipes.
 - Use heavier than Class III pipes where crossing railroads, areas of deep fill and areas subjected to heavy loads.
 - Specify concrete strength for all structures. The minimum allowable is 4200 psi.
 - Provide inlets where street capacity is exceeded.
 - Provide inlets where alley runoff exceeds intersecting street capacity.
 - Do not allow storm water flow from streets into alleys.
 - Do not use high velocities in storm sewer design. A maximum discharge velocity of eight (8) fps at the outfall is required. Velocity dissipation may be necessary to reduce erosion.
 - Flumes may not be allowed unless specifically designated.
 - Provide headwalls and aprons for all storm sewer outfalls. Provide rip-rap around headwalls where slopes exceed 3:1.
 - Discharge flow lines of storm sewers to be 1.5 feet above the flow line of creeks and channels, unless channel lining is present. Energy dissipation shall be provided when specified by the Engineer.
 - Where fill is proposed for trench cut in creeks or outfall ditches, compaction shall be 95% of the maximum density as determined by ASTM D 698.
 - Investigation shall be made by the engineer to validate the adequacy of the storm sewer outfall to a major stream.
 - Outfall area must have adequate capacity to carry the discharge. Provide erosion control facilities with hydraulic data.
 - Any off-site drainage work or discharge to downstream property will require an easement. Easement shall be sized such that the developed flows can be conveyed within the easement. Submit field notes for off-site easement that may be required (Private development only).
- Plan and Profile**
 - Indicate property lines and lot lines along storm sewers, and show easements with dimensions.
 - If necessary, provide separate plan and profile of storm sewers. The storm drain pipes should also be shown on paving plans with a dashed line, and on sanitary sewer profiles showing the full pipe section.
 - Tie storm sewer system stationing with paving stations.
 - Show and label pipe sizes, curb inlets, manholes, junction boxes, etc. in plan and profile.
 - Show hydraulics on each segment of pipe profile to include: Q100, C = Manning full flow capacity; S, V, V²/2g.
 - Show curve data for all storm sewer system. Curves in pipe shall have a radius of one-hundred (100) feet or greater. In special circumstances, a smaller radius may be approved by the City Engineer.
 - Show all existing utilities in plan and profile. On storm sewer profiles, as a minimum, the sanitary sewer profile will be shown.
 - Indicate existing and proposed ground line and improvements on all street, alley, and storm sewer profiles.
 - Show future streets and grades where applicable.
 - Where connections are made to existing storm sewer, show computations of existing system when available. HGL will be calculated from the outfall to the connection point including the designed flows of the added on system.
 - Indicate flow line elevations of storm sewers on profile, show pipe slope (percent grade).
 - Intersect laterals at 45 degrees or less with trunk line.
 - Show details of all junction boxes, headwalls, storm sewers, flumes, and manholes, when more than one pipe intersects the drainage facility or any other item not a standard detail.
 - Bends in pipe may be used. No bend at one location may exceed 45 degrees.
 - Bends greater than 45 degrees require a manhole or junction box.
 - Manhole or junction box is required at all pipe size changes and grade changes.
 - Manhole or junction box is required at all locations where pickup points involve two laterals or inlets discharging into the storm sewer trunk line.
 - Provide manholes at minimum spacing specified in Drainage Design Criteria and at the upstream end of the storm drain system.
 - Profile outfall with typical flat bottom section.



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- Show all hydraulics, velocity head changes, gradients, and computations.
- Show water surface at outfall of storm drain.
- On all dead-end streets and alleys, show grade out to "daylight" for drainage on the profiles and provide erosion control. Show typical section and slope of "daylight" drainage.
- At sags in pavement, provide a positive overflow swale and easement to act as a safety path for failure of the storm drain system. Minimum finished floor elevations will be shown on the plat to protect building against flooding should the positive overflow be used.
- Where quantities of runoff are shown on plans or profiles, indicate storm frequency design.
- Provide sections for road, railroad and other ditches with profiles and hydraulic computations. Show design water surface on profile.
- Paving**
 - Provide six (6) inch curb on alleys parallel to creek or channel on creek side of alley.
 - For a proposed driveway turnout, curb return P.T. must be 12 feet upstream from any existing or proposed inlet.
 - Check the need for curbing at all alley turns and "T" intersections. Flatten grades ahead of turns and intersections
 - Where inlets are placed in an alley, provide curbing for 10 feet on each side of combination inlet.
- Laterals**
 - Show laterals on trunk profile with stations.
 - Provide lateral profiles for laterals exceeding forty-five (45) feet in length. Profile short laterals that pass over a sanitary sewer or other profiled utility.
 - Where laterals tie into trunk lines, place at 45-degree or less angles with centerlines. Connect them so that the longitudinal centers intersect.
 - Calculate hydraulic grade line for laterals and inlets to insure collection of storm water. Check $1.5V^2/2g$, using trunk line velocity on laterals less than 80-feet long. Final the H.G. at the gutter or inlet lip by adding the $1.5V^2/2g$ to the hydraulic gradient of the trunk line at the lateral connection. For all inlets, provide H.G.L. And hydraulic data on profile for all profiled laterals. Laterals longer than eighty (80) feet require special analysis.
 - All inlets shall have a minimum eighteen inch (18") laterals.
- Inlets and Intakes**
 - Provide inlets where street capacity is exceeded. Provide inlets where runoff from alley causes the capacity of the intersecting street to be exceeded.
 - Indicate runoff concentrating at all inlets and direction of flow. Show runoff for all stub outs, pipes and intakes.
 - On plan view, indicate size of inlet, lateral size, flow line, top-of-curb elevations, paving station, and inlet designation number.
 - Use standard curb inlets in residential streets. Use recessed inlets in divided streets, minor and major thoroughfares. Use of grate inlets is not allowed without prior consent of the City Engineer. Only in very rare cases will grate inlets be allowed.
 - Use type "Y" or special "Y" inlets in ditches or swales. No "Glory Holes" allowed as intake for a storm sewer or at a culvert. A three (3) foot concrete apron shall be constructed around inlets.
- Detention or Retention Pond (When required by the Subdivision Regulations)**
 - Provide drainage area map and show all computations for runoff affecting the detention basin.
 - Provide a plot plan with existing and proposed contours for the detention basin and plan for structural measures.
 - Where earth embankment is proposed for impoundment, furnish a typical embankment section, and specifications for fill include profile for the structural outflow structure and geotechnical report.
 - Provide structural details and calculations for any item not a standard detail.
 - Provide detention basin volume calculations and elevation versus storage curve.
 - Provide hydraulic calculations for outflow structure and elevation versus discharge curve.
 - Provide routings or modified rational determination of storage requirements, demonstrating that critical duration is used (permitted for areas of 1000 acres or less).
 - Provide computation from Drainage Criteria Manual for all proposed detention and retention ponds.
 - Fencing may be required around detention area.
- Bridges**
 - Clear the lowest member of the bridge by 1 feet above the design water surface, unless otherwise directed by the Engineering Department.
 - Show geotechnical soil boring information on plans.
 - Show bridge sections upstream and downstream.
 - Provide hydraulic calculations on all sections.
 - Provide structural details and calculations with dead load deflection diagram.
 - Provide vertical and horizontal alignment.
 - Show soil erosion protection measures and concrete rip-rap.



Buda, Texas, Established 1881

- Grading Plan
 - Provide grading plan that shows proposed contours and/or elevations that address lot to lot drainage.
 - Show how offsite runoff onto the development and discharge off the development is accommodated by the grading plan.
 - Provide cross section of typical swale, berm, channel, etc. as a component of grading plan.
 - Where reclamation of the 100-year floodplain is involved provide a note on grading plan that states: Upon completion of public improvements, submission of all documents necessary to obtain a Letter of Map Revision (LOMR) from FEMA shall be submitted to the City of Buda. The LOMR will then be reviewed, approved, and sent to FEMA prior to acceptance of the subdivision. The LOMR is necessary to remove any lot within the floodplain from the Flood Insurance Rate Map. All changes or additional data, as requested by FEMA upon its review of the LOMR, are the responsibility of the owner and/or developer.
- Channels
 - Provide typical section for channel improvements. Include a section where the channel changes in its dimensions or configuration.
 - Provide plan and profile showing existing contours and proposed centerline, top-of-bank, flowline elevations, stationing and 100-year water surface elevation.
 - Provide hydraulic calculations on all sections.
 - Provide structural details for channel section that involves concrete, gabions, paving material, etc
 - Show soil erosion protection measures and concrete rip-rap.
- All documents shall bear appropriate seals, stamps or other validations/certifications of work as applicable in accordance with State law and local requirements.
- Fiscal surety instrument

Permits and Fees:

Street Signs

The developer is responsible for erecting all street signs within the public right-of-way upon approval by the City of Buda.

Street Lighting

Applicant shall contact Buda Public Works for all street lighting issues. All street lighting issues must be finalized prior to the acceptance of the subdivision. This includes any payment if applicable.

Texas Department of Transportation (TxDOT) Permits

A TxDOT Permit is required for all public improvements that are proposed in TxDOT Right of Way. As TxDOT permission may affect street layout, please be aware that no final plat will be approved until a TxDOT permit is approved for street locations. All other TxDOT permits must be applied for and received prior to commencing work on site. TxDOT permits must be submitted through the City's right-of-way for approval. Please contact the right-of-way if a permit is required.

- Submit four sets of plans on 11" x 17" for the area where activities are proposed within the TxDOT right-of-way: plan, profile and details. TxDOT or City of Buda right-of-way shall be clearly shown and labeled as such.
- Include all necessary details and dimensions for work proposed within the right-of-way, bore pits, receiving pits, edge of pavement, borrow ditch sections, etc.
- A traffic control plan must be included. Traffic Control Plan must comply with the most recent edition of the Texas Manual of Uniform Traffic Control Design and be sealed by a Professional Engineer.
- Provide a brief written summary of the proposed work. Include the linear footage, type and size of all proposed utility construction or installation. If constructing manholes, include the type and size.
- Approval letter from the Texas Department of Licensing and Regulation for all sidewalks or other pedestrian routes within the right-of-way.

Railroad Permits



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The applicant is responsible for obtaining all right-of-way permits for entry and use of railroad property. The contractor is the solely responsibility to submit the paperwork for & obtain the "Contractor's Right-of-Entry" permit, when it comes to Railroad crossings. This "Contractor's Right-of-Entry" permit is in addition to permits obtained for perpetual use of the right-of-way for utility purposes.



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Building Permit Process Overview

Building permitting is the process through which the City ensures compliance with all codes and ordinances, relative to the construction of buildings and building sites. The process includes a Pre-Development Meeting, building plan review, issuance of a building permit, and the issuance of a certificate of occupancy upon successful completion of construction. This process is the same for all development in the City of Buda with the exception of Single-Family Residential. No DRC meeting is required as approval is handled by Planning and Engineering staff internally.

Building Permit

The applicant must submit three (3) sets of Building Plans along with a building permit application and fee to Building Inspectors. Upon review and approval, a building permit is issued. Construction must begin within one (1) year of the issuance of an approved site plan and 180 days of the issuance of a building permit. At least one building inspection must occur for each 180 days, or the work will be considered abandoned and require the issuance of a new permit.

Certificate of Occupancy

Once all final inspections and approvals have been obtained from the City, the owner or tenant is ready to make application for a Certificate of Occupancy. A Certificate of Occupancy for each use or change in tenant must be obtained from and submitted to Building Inspectors prior to the occupancy of the new commercial structure.

Single Family Residential

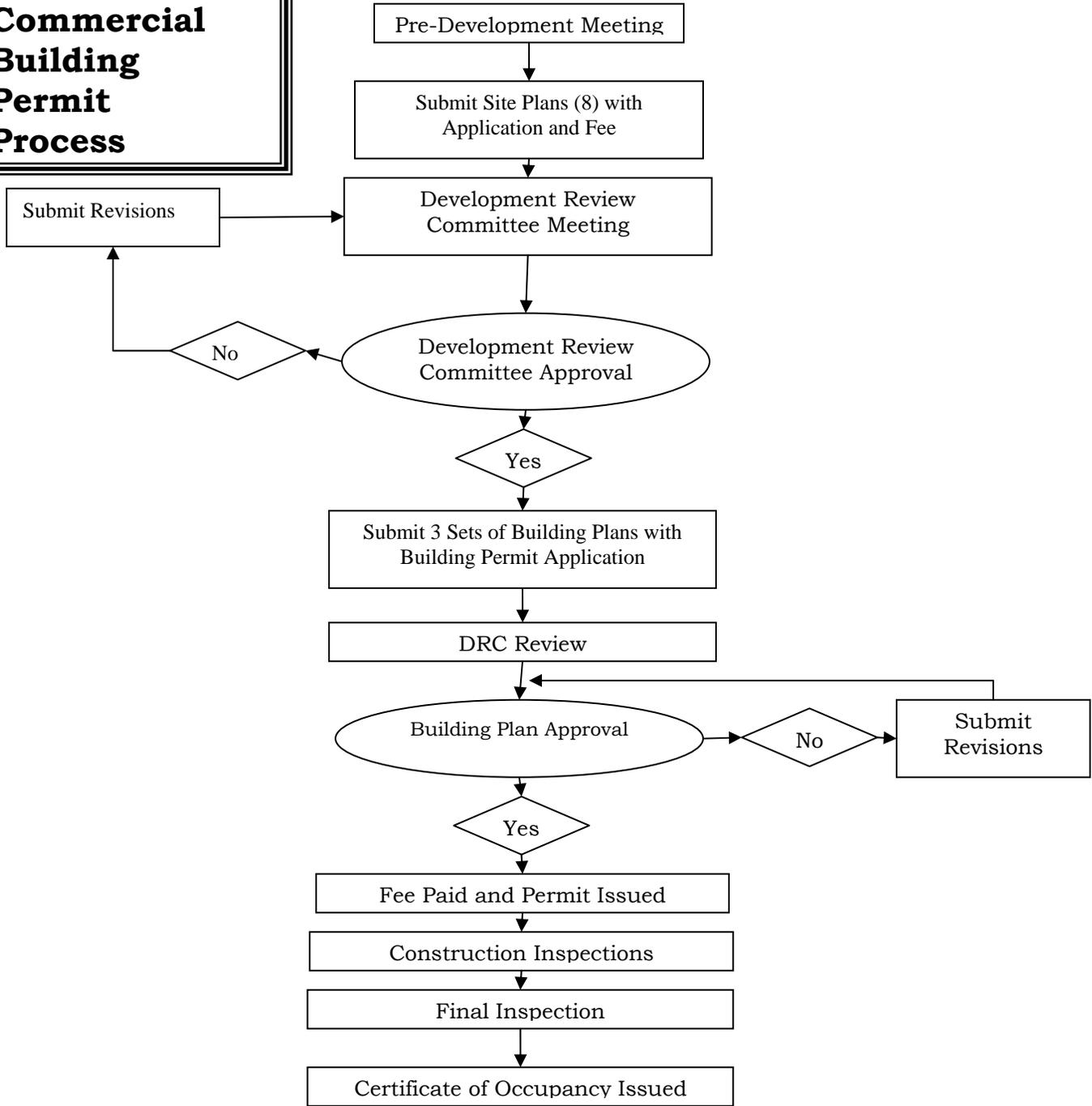
Residential construction plan review will ordinarily be completed within ten working days from the date of your submission, provided that plans are complete and no problems requiring resubmission arise. City Staff will review the site plan submitted by the applicant. This review will look at issues such as building setbacks, driveway dimension requirements, encroachments into easements, rights-of-way, etc.. Once the site plan has been approved by City Staff, Building Inspectors will review construction drawings, issue the appropriate building permits, perform scheduled inspections and award a certificate of occupancy upon successful completion of the project.

Building Inspectors will be your central point of contact for both the residential and commercial building permit processes. Where review or inspection by other divisions is required, Building Inspectors will schedule the necessary meetings and inspections, and ensure that you are kept abreast of your project's status.



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Commercial Building Permit Process





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Commercial Building Permit Process

Question and Answer

The following addresses the most frequently asked questions regarding the commercial building permit process.

Under what conditions would I apply for a commercial building permit?

You would apply for this permit for all types of new construction, additions and alterations for any new or existing structure used for commercial purposes.

Why does the city review a developer's plans?

The City reviews all plans to ensure that the plans are in compliance with all codes applicable to development in the City of Buda.

What are the preliminary requirements for pursuing a commercial building permit?

Check to ensure that the property complies with all the zoning and platting requirements.

What are the plan review submittal requirements?

Building Inspectors will review a complete plan set. Submit three (3) comprehensive sets of plans and a permit application.

Now that I have met all the zoning and platting requirements and I have submitted the required paperwork to Building Inspectors, what is my next step?

After a two (2) week period, the City will notify you whether your application has been approved or denied, or you may call the City for a status update at any time.

When are fees required and how much are they?

Payment of fees is normally required after approval of plans and prior to issuance of a building permit. The fees will be contingent on the type of work being done.

When can I start construction?

You may begin construction any time after the building permit has been issued. A building permit will expire if work has not commenced within 180 days from the issue date.

How many city divisions are involved in the inspection of my construction and when will the inspections be made?

This varies with the complexity of the job, e.g. if the permit involves a restaurant and subdivision work on utilities, then the following divisions are involved: Building Inspectors, Fire, Environmental Code, Health, and Engineering. However, Building Inspectors will give you a list of the inspections required and when to contact us to schedule them for you. Ordinarily, Building Inspectors will perform its construction inspections in the following order:

- Building Permits
- Plumbing/Sewer Rough
- Building Foundation
- Electrical Rough
- Plumbing Top Out
- Mechanical Rough
- Building Frame
- Plumbing Final
- Electrical Final
- Mechanical Final



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Building Final

If I am not at the site at the time the inspections are made, how will I know if the work has been approved?

A green, yellow or red tag will be posted in the immediate vicinity of the work inspected. Green tags indicate approval, yellow indicates that there are questions and red tags indicate disapproval. If you receive a yellow or red tag, contact the issuing Inspector for information regarding any corrective action required. After the work has been corrected, contact Building Inspectors for the next inspection.

When can I use and occupy my building?

Only after inspections and approvals have been obtained and you have received a Certificate of Occupancy approval.

How do I get my Certificate of Occupancy?

You can get your Certificate of Occupancy after all building permit inspections have been completed and the Certificate of Occupancy fee has been paid. (This will vary with types of permits).

What kind of permit will I need if I plan to alter or remodel a commercial structure?

You will need to obtain permits for those parts of the structure affected. For example, if you plan to install a new heating system, replace a sewer line, and rewire the existing structure, a separate permit would be required for each aspect of the remodeling job.



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Commercial Building Permit Process Checklist

Procedural

- Have you met all the zoning and platting requirements?
- Have you checked with Building Inspectors for the general requirements of the permit you are seeking?

Submittal

- Submit a site plan application to City Staff along with the application fee and 5 copies of your plan. This plan will be reviewed by the Development Review Committee.
- Upon site plan approval, submit 3 sets of building plans for review. Be sure your plans include the following.
 - Site Plan
 - Proposed General Use
 - Floor Plans and Elevations
 - Foundation Design
 - Structure Design
 - Mechanical, Plumbing, Electrical Designs, if required
 - Architect or Engineer's Seal, if required
 - Obtain building permit and commence construction.
 - Upon successful completion of construction, obtain Certificate of Occupancy



Buda, Texas, Established 1881

Residential Permit Process

Question and Answer

The following addresses the most frequently asked questions regarding the residential building permit process.

Under what conditions would I apply for a residential building permit?

This permit would be applicable to new construction, additions and alterations of any single family, duplex, or townhouse structure; all others, including multi-family residential projects, would be require to go through the commercial permitting process.

What should I do prior to pursuing a residential building permit?

You will need to determine that the property has been platted. You will also need to determine if the property is zoned appropriately for the proposed use. Refer to the two previous sections of this guide titled Platting Process and Zoning Process.

What do I need to do to obtain a residential building permit?

First, contact City Staff. A Residential Site Plan application must be filled out and include a site plan of the proposed structure. This plan will be reviewed by City Staff and will be forwarded to Building Inspectors once approved. There, you will obtain your building permit.

Note: A floodplain check will also be needed. If the property is located in the regulatory floodplain, a Development Permit and Elevation Certificate will be needed to ensure that the structure is built at least one (1) foot above the base flood elevation. Contact the Floodplain Administrator for more detail.

What type of plans will I submit to Building Inspectors?

You will submit a permit application to Building Inspectors, one (1) complete set of construction plans, a plot plan, and a post-tension letter (if using a post-tensioned foundation).

When will I know if I have approval to begin construction?

Provided that your application is complete and no technical problems are identified, you should have approval within ten (10) working days of your submission of plans. Upon approval, you will pay the applicable fees and a building permit will be issued. At this time, you will be given a permit identification card to be prominently displayed on your job site.

When can I begin construction?

You can begin construction upon your payment of fees and receipt of your approved Building Permit application. You must begin construction within 180 days and receive at least one inspection for each 180 days following issuance of your permit.

What inspections will be required?

Ordinarily, with the complete construction of a residential unit (as opposed to remodeling or add-ons), you will have ten (10) inspections performed in the following order:

- Plumbing/Sewer Rough
- Building Foundation
- Electric Rough
- Plumbing Top Out
- Mechanical Rough
- Building Frame
- Plumbing Final
- Electrical Final
- Mechanical Final



Building Final

You will need to contact Building Inspectors for each inspection and receive approval prior to proceeding to the next stage. A green, yellow or red tag will be posted in the immediate vicinity of the work inspected. Green tags indicate approval, yellow indicates that there are questions and red tags indicate disapproval. If you receive a yellow or red tag, contact the issuing Inspector for information regarding any corrective action required. After the work has been corrected, contact Building Inspectors for the next inspection.

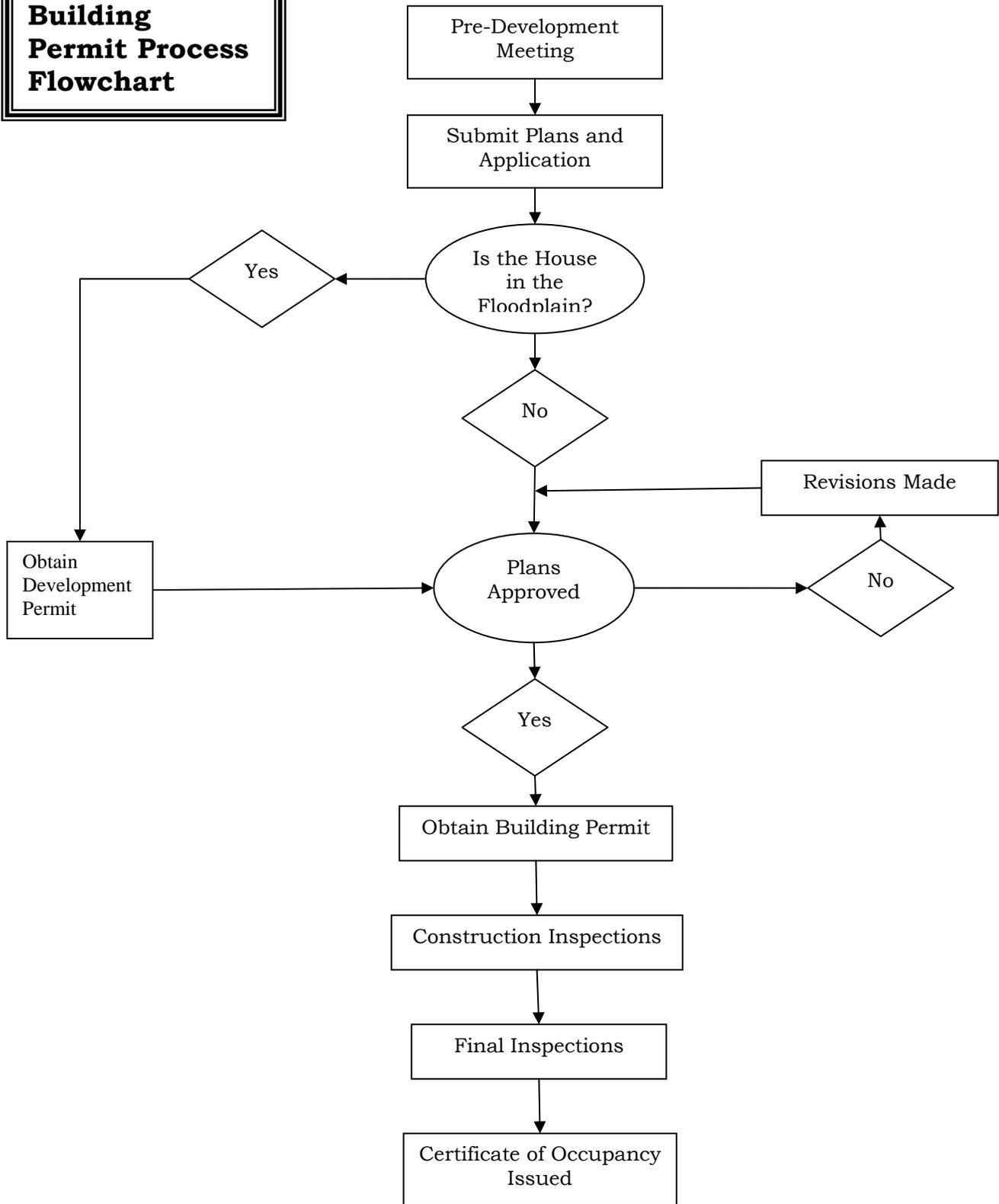
When can the dwelling be occupied?

After the final inspection has been performed and approval made, the City will file a release for utilities. At this time, a Certificate of Occupancy is issued, the Certificate of Occupancy fees paid, and the unit is ready for occupancy.

What about add-ons and remodeling?

The process is basically the same as for new construction. The construction plans will only reflect those portions of the structure affected. Similarly, permits will be required for the specific type of work being performed (e.g. separate plumbing, electrical, or mechanical permit).

**Residential
Building
Permit Process
Flowchart**





Residential Building Permit Process Checklist

Procedural

- Have you determined that your property has been platted?
- Have you determined that the property is zoned appropriately for the proposed use?
- Have you determined the property's location relative to any floodplain?

Submittal

- Have you completed a building permit application and submitted building plans to the City?
- Have you submitted the following?
 - Permit application
 - One complete set of construction plans
 - Plot plan
 - Post-tension letter (if using post-tensioned foundation)



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Miscellaneous

Certificate of Design Compliance

The Certificate of Design Compliance process was implemented by the City of Buda to maintain the architectural integrity and significance of locally designed historic landmarks and properties located in the City's historic districts. The City established the Historic Commission to review property owner's requests for changes to the aforementioned types of properties. Requests include:

- Exterior alteration to an existing structure
- Construction of a new structure
- Demolition or removal of a structure
- Inclusion into or exclusion from a historic district

An approved Certificate of Design Compliance is required before work commences on any of the changes listed above. Routine maintenance does not require a Certificate of Design Compliance.

The Process

To obtain a Certificate of Design Compliance, the applicant must do the following:

- Complete the Certificate of Design Compliance application and pay the application fee.
- Submit the application to the Planning Department.
- Plans are reviewed by the appropriate departments.
- The Planning Department counsels with the applicant, if necessary, to resolve any identified problems.
- A hearing date with the Historic Commission is set.
- Upon approval, needed permits are acquired.
- Work begins as described by the Certificate of Design Compliance application and is to be completed within 180 days.
- The Planning Department must be notified when work is complete and an inspection is performed by the Planning Department and the Historic Commission chairperson.

This process can vary depending upon the type and complexity of the proposed work. The best policy is to involve the Historic Commission early in the process to allow for adequate consultation, review and a timely response. The Historic Commission meets the first Thursday of each month. As applicants must be notified 15 days in advance, we should have all necessary paperwork in our office no later than the second Friday of the month before the scheduled monthly meeting.

Release and/or Closing of Streets, Alleys, or Easements

Many times, the development of older portions of the City of Buda may require the release and/or closing of streets, alleys or easements. The applicant should discuss any proposals to release and/or close a street, alley or easement with City Staff in a pre-development meeting. Contact City Staff at (512) 312-0084 to schedule this meeting. The following checklist of information should be used by property owners requesting the City of Buda to vacate and/or release any adjoining alleys, streets, or easements. The information requested is to be completed in full by those property owners requesting the City to take such action. When the information has been gathered and the checklist has been completed, the request may be formally submitted to the City Staff for approval of the Planning and Zoning Commission and the City Council. No requests can be accepted for approval unless items on the checklist have been completed in full.

Note: The ordinance vacating a street or alley requires two readings by the City Council.

The Process

To request for the release and/or closing of streets, alleys or easements, the applicant must submit the following:

- Letter of Application/Closing Request (see application).
- A surveyor's reproducible drawing and six (6) copies (standard size is 24"X36"), to include the following:
 - Street, alley, or easement and adjacent platted lots.
 - Any structures and fences as they exist within closing area.



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- Location of any utility lines (such as water, sewer, gas, or electrical) and existing easements, including those easements to be retained in the requested area of vacation.
- Attach a field note description of any easements to be retained by the City. (Note: City staff will review request to determine the easements which will need to be retained).
- Attach a field-note description of any alley, street, or easement to be vacated, and field- note description of each part of the alley, street, or easement to be quit-claimed to individuals.
- A check payable to the Hays County Clerk's Office in the amount of the recordation fee for the release and drawing.
- Letter of Application /Planning and Zoning Commission Action and the application fee in the amount of \$50.00 payable to the City of Buda (see application).

License Agreement

License Agreement permit encroachments into City rights-of-way. The License Agreement usually includes encroachments into sidewalks and can include awnings, signs and other items placed on sidewalks. This license does not, however, permit encroachments into State rights-of-way.

The Process

To obtain a License Agreement, the applicant must do the following:

- Complete the License Agreement application and pay a non- refundable application fee.
- Along with the application, the applicant must also submit the following:
 - A plan of the area being requested for a License Agreement, showing all adjacent lot(s), easement(s), or other improvements contained on the public right-of-way and any and all improvements to be placed on such by the applicant.
 - A transmittal letter including specific information, special circumstances or conditions which apply to the request.
 - A certificate of liability insurance and hold harmless agreement must also be received and approved before any permits are granted
- Submit the application and fee to City Staff. The License Agreement will be addressed at the next available Development Review Committee meeting.
- The Development Review Committee determines whether the request is feasible and if so, the License Agreement is forwarded to the City Council for consideration.
- The City Council is the final decision maker on a License Agreement.
- Upon completion of this process and approval of the License Agreement by the City Council, the appropriate permit may be obtained.



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Specific Use Permit Checklist

The City of Buda requires a **Site Plan** for review and approval of a specific use permit. The site plan, if approved, is filed as part of the ordinance. The following information must be submitted to the Planning and Development Department in order for a request to be processed.

Application:

- Legal description of property on an 8½" X 11" sheet – two (2) typed copies on plain bond – no letterhead.
- Submitted with a total of four (4) copies of site plan drawn in ink and on plain white paper. Drawings by engineering firms are preferred. **All site plans must be individually folded with the name of the project face up.**
- Accompanied by this application form, and the appropriate fee as listed on the Development Review Fee Schedule.
- An electronic copy of all plans in PDF format.

Site Plan Requirements:

- 1" = 100' or larger scale for site plan.
- Vicinity Map or location map.
- North arrow.
- Name of property owner and/or proposed developer.
- Existing zoning and use of property and adjacent properties.
- Total number of acres in request.
- Distinct boundaries and dimensions of subject site.
- Description of all processes and activities involved with the proposed use.
- Location of all existing and proposed buildings and structures, including the number of stories, height, roofline, gross floor area, and location of building entrances and exits.
- Approximate location of existing and proposed utilities.
- Location of existing drainage and natural features.
- The location and dimension of all curb cuts, public and private streets, parking and loading areas, pedestrian walks, lighting facilities, and outside storage facilities.
- Building setbacks.
- Location, dimension, and type of sign(s) to be used on the property. (Scale drawings preferred.)
- Location and size of all greenbelts, open space, recreational areas or parks.
- Location, height, and type of all walls, fences or screening.
- Proposed and existing landscaping, and screening buffers.

Approval Criteria:

A Specific Use Permit shall only be issued if all of the following conditions have been found:

- That the specific use will be compatible with and not injurious to the use and enjoyment of other property nor significantly diminish or impair property values within the immediate vicinity;
- That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;
- That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;
- The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;
- That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;
- That directional lighting will be provided so as not to disturb or adversely affect neighboring properties; and
- That there is sufficient landscaping and screening to ensure harmony and compatibility with adjacent property.