

# **Water District Review**

Out-of-District Service

*or*

## **Amendment to Consent Agreement**

(May include a Land Plan Revision requiring City Council action)



City of Austin  
Planning and Zoning Department

*July 2012*

## **GENERAL OVERVIEW**

**ORDINANCE REFERENCE:** Chapter 25-9, Article 2, Division 5 of the Austin City Code

**DISTRICT REFERENCE:** Please refer to the district's consent agreement and amendments, if any, to identify any additional provisions that may apply.

**DEADLINE:** None, applications may be submitted anytime during business hours.

**HOW TO APPLY:** A consultation with the MUD coordinator is recommended prior to submittal. Call (512) 974-6338 or (512) 974-2681 to request an appointment with the Intake staff to submit the application. Please inform the MUD coordinator of your appointment so that he may be present to provide assistance to the Intake staff.

**RESPONSE TIME:** City Council action will occur within approximately 91 days. The time period varies with regularly scheduled meeting dates.

**CASE NUMBER:** A case file is coded with a numerical sequence similar to:

C12m-87-25

Where:           C12m = prefix code for MUD cases  
                  -87    = Year case is submitted  
                  -25    = Specific case number

The Planning and Zoning Department MUD Coordinator maintains all Water District files

**WHO IS RESPONSIBLE:** The MUD Review Section of the Current Planning Division of Planning and Zoning Department.

**WHERE ARE THEY LOCATED:** One Texas Center  
  505 Barton Springs, 5<sup>th</sup> Floor  
  Austin, TX 78704

**HOW TO OBTAIN INFORMATION:** Contact the MUD Coordinator at (512) 974-2022

**ARE APPOINTMENTS NECESSARY?** Yes

**WHAT IS THE ROLE OF THE MUD COORDINATOR?** Acting as the City Manager's designee, the MUD Coordinator is your contact person. He orchestrates the responses to your request from all City Departments and other review authorities (e.g. County, School District). He also prepares summary reports and makes presentations to the various boards and commissions and to the City Council. He schedules the request for all agenda deadlines and attends the meetings in order to facilitate the review.

## INSTRUCTIONS

**APPLICATION PACKET:** Type or clearly print all information in Section 3. Submit this completed document with the materials listed in the Submission Requirements (Section 4), the Submittal Verification Form (Section 5), and the review fee (see below).

**SUBMITTAL REQUIREMENTS:** A request for out-of-district service shall be made by the person requesting out-of-district service. A request to amend an existing consent document or agreement between the City and the water district shall be made by the original party to the consent document or agreement, or a successor in interest to such party.

A request for service to sites within the City service area, which sites are isolated from direct City service by a district but which can be served through contract bond-financed facilities within or immediately adjacent to that district shall not be considered for the purposes of this ordinance to constitute out-of-district service. Requests for service under this circumstance shall be processed through the approach main or other appropriate City procedures.

In order to prevent or alleviate a danger to the public health and safety and upon notice from a water district desiring to provide emergency out-of-district service, the City Manager may authorize emergency out-of-district service. The request for emergency service shall be reviewed by Council at the first scheduled meeting following the Manager's action.

**FEES:** Out-of-District Service  
See [Current Fee Schedule](#) for Applicable Fees

Amendment to Consent Agreement:  
See [Current Fee Schedule](#) for Applicable Fees

**ETHICS AND FINANCIAL DISCLOSURE INFORMATION:** If you or your agent/representative were a City employee or official within the past 24 months, you may be subject to the Ethics and Financial Disclosure Ordinance (860717-X). Copies of this ordinance may be obtained by calling the City Clerk's office at (512) 974-2210.

### APPLICATION FOR WATER DISTRICT REVIEW

#### PROJECT INFORMATION (Departmental Use Only)

Filing Date: \_\_\_\_\_ File Number: \_\_\_\_\_

District Type: \_\_\_\_\_ MUD \_\_\_\_\_ WCID \_\_\_\_\_ Other (Note)

Application Type:

- Pre-application for creation of a water district
- Application for creation of a water district
- Land plan revision eligible for administrative approval
- Amendment to a consent agreement (may include a land plan revision requiring City Council action)
- Out-of-district service
- Annexation to a water district

#### GEOGRAPHIC REFERENCE & OTHER DATA

District Name: \_\_\_\_\_

County: \_\_\_\_\_

In City? \_\_\_\_\_ Yes \_\_\_\_\_ No ETJ? \_\_\_\_\_ 2-Mile \_\_\_\_\_ 5-Mile

City Grid Map No(s): \_\_\_\_\_

Tax Plat No(s): \_\_\_\_\_

Traffic Serial Zone(s): \_\_\_\_\_

Water Pressure Zone: \_\_\_\_\_

Watershed(s): \_\_\_\_\_

In Recharge Zone \_\_\_\_\_ Yes \_\_\_\_\_ No

School District: \_\_\_\_\_ Fire District: \_\_\_\_\_

Projected population \_\_\_\_\_

Projected tax rate \_\_\_\_\_

District bonds \_\_\_\_\_

Contract bonds \_\_\_\_\_

Projected monthly surcharge \_\_\_\_\_

Proposed Water Source (Check one):  City System  Ground  Surface

Proposed Wastewater Service (Check one):  City System  Package Plant  
 Septic  Spray Irrigation

**SUBMISSION REQUIREMENTS FOR OUT-OF-DISTRICT SERVICE  
AND CONSENT AGREEMENT AMENDMENTS**

- I. Completed application forms (Sections 3 & 5).
- II. Applicable review fee.
- III. One set of full-size tax maps from the appraisal district with the subject parcel(s) clearly outlined
- IV. Results of TIA determination from PAZ Transportation Review Division
- V. Twelve (12) separately compiled and arranged packets containing the following information:
  - A. A **Summary** of the following information:
    - 1. the name of the water district;
    - 2. the acreage of the water district and proposed out-of-district service areas, if applicable;
    - 3. the name and phone number of the applicant;
    - 4. the name and phone number of the applicant's agent;
    - 5. the name and phone number of the applicant's engineer;
    - 6. projected population;
    - 7. acreage;
    - 8. number of residential units by type;
    - 9. average residential density calculated using the combined area of residential tracts and open space adjacent to the residential tracts as the basis for the calculation;
    - 10. number of living unit equivalents (LUEs) using the City water and wastewater design criteria;
    - 11. a location map showing the boundaries of the district, proposed and existing out-of-district service areas and the limited and full purpose City limits.
  - B. A *legible* **Land Use Plan** for the entire district, clearly identifying any proposed revisions, and any approved or proposed out-of-district service areas. Including the following items:
    - 1. a plan depicting arterial and collector streets and identifying proposed land uses for each tract of land within the district;
    - 2. Each tract shall be identified by one of the land use categories listed below:
      - a. SF—Single family detached (specify density)
      - b. DUP-- Duplex (specify density)
      - c. MF--Multi-family residential (specify density)
      - d. OFC--Commercial-office

- e. RET--Commercial-retail
  - f. COMM—Commercial-other (specify type);
  - g. IND--Industrial
  - h. GRBLT—Greenbelt, park/open space
  - i. PUB—Public/quasi-public facility (specify type; e.g. fire station, elementary school, utility sites, including irrigation fields);
  - j. ROW—Right-of-way
3. Each tract proposed for residential use shall note the average and maximum number of units proposed for the tract.
- C. A tabular comparison between the approved and proposed plan comparing:
1. LUEs or water and wastewater capacity as defined in the applicable consent agreement;
  2. land uses by acreage;
  3. the number of dwelling units by residential category; and
  4. residential density within each residential category
- D. **Environmental Review Materials** including:  
(*Conditional – see Note 1*)
1. an environmental impact analysis of the development of the district conducted in accordance with guidelines promulgated by the City;
  2. preliminary special watershed information including, as applicable:
    - a. all major, intermediate and minor waterways;
    - b. all critical water quality zone and water quality buffer zones;
    - c. the portion of the development located over or draining into the Edwards Aquifer Recharge Zone (North and South);
    - d. the location and size of proposed water quality facilities;
    - e. a copy of the Land Use Plan indicating slope categories as required by appropriate watershed ordinance;
    - f. a hydro geologic assessment and inventory if the project is over or draining to the Edwards Aquifer including sinkholes, known or inferred faults, and groundwater availability;
  3. if the district will utilize groundwater, a groundwater report containing the following information is required:
    - a. geologic structure in the area;
    - b. geologic cross sections;
    - c. existing water wells within a two-mile radius;
    - d. potentiometric surface maps showing highest and lowest recorded water levels;
    - e. hydrographs for area wells going back to drought years of the mid-1950s;
    - f. dependability of system to supply water under drought conditions;
    - g. location and identification of recharge areas;
    - h. location of discharge areas (natural and man-made);

- i. quantity of recharge and discharge;
- j. aquifer tests conducted under steady state conditions from at least two (2) observation wells (along strike and dip of pumped well);
- k. boundary effects of tests;
- l. draw down and recovery data;
- m. transmissivity and storage co-efficient of aquifer;
- n. safe yield for the aquifer;
- o. data showing homogeneous or heterogeneous behavior of aquifer;
- p. chemical water analysis report;
- q. water quality variations in the area;
- r. climate effects on water quality;
- s. encroachment of poor quality water;
- t. relationship of aquifer to other aquifers; and
- u. driller's log and caliper log for all test holes.

**E. Preliminary Drainage Information**, as follows:

*(Conditional – see Note 1)*

- 1. a watershed area map showing the boundaries of the district and the boundaries of all affected major watersheds;
- 2. a district drainage area map overlaid over a copy of the Land Use Plan, including approximate delineation of existing fully developed one-hundred (100) year floodplains;
- 3. a preliminary drainage study, including:
  - a. predevelopment and proposed runoff rates;
  - b. preliminary location and sizing of detention facilities;
  - c. preliminary hydraulic system sizing and layout;
  - d. developed one-hundred (100) year floodplains including all proposed floodplain modifications;
  - e. a report on the manner by which the impacts of increased runoff and velocity rates on downstream property owners will be addressed. This report should include, if feasible, the location of potential regional detention facilities; and
  - f. a preliminary cost estimate of proposed drainage improvements.

**F. A Water and Wastewater Report** containing and discussing the following information as applicable:

- 1. All approved or proposed changes in the alignment, size, capacity, service area, bond requirements, phasing, and completion date of internal and external improvements.
- 2. the number of LUEs within the district, using the Austin Water Utility's design criteria for LUEs by:
  - a. watershed
  - b. water pressure zone

- c. drainage basin
- d. land use categories
3. a map showing the proximity of the district to the existing City water and wastewater service area;

**G. Financial Information** including:

1. Changes in bond issue requirements, if any, including changes in the date for ninety percent (90%) completion of district facilities as such affects annexation by the City.
2. Changes in projected monthly surcharge and surcharge calculations, if any.
3. Changes in tax rates and tax calculations, if any.

**H. Legal Documents** including:

(as applicable)

1. copy of original consent agreement and any relevant amendments
2. proposed amendments to agreements
3. justification for amendments
4. certified minutes from the appropriate district board approving the out-of-district service including conditions and a copy of the materials submitted to the district board by the applicant.

**Note 1:**

Environmental and Drainage Information is required unless the following conditions are met:

- If all of the land proposed for out-of-district service or for a revision to the approved Land Use Plan is included within a preliminary subdivision plan or final plat approved by the appropriate Commission; and
- In either instance, no revision to the preliminary plan or resubdivision is required; and
- Subdivision review procedures are amended to require a water/wastewater commitment prior to Commission approval of a preliminary subdivision plan, and required environmental and drainage information has been submitted to the Director as part of a subdivision application.

**ADDITIONAL REQUIREMENTS UNIQUE TO  
REQUESTS FOR OUT-OF-DISTRICT SERVICE**

**I. Fire Service Proposal** for out-of-district service area including:

- A. name of proposed fire service provider;
- B. location of proposed fire station site(s) within the proposed district; and
- C. location of nearest existing fire station.

**II. Additional information to be included in the Water and Wastewater Report**

- A. An investigation and evaluation of reasonable and feasible alternative on- and off-site improvements including:
  1. the minimum improvements required to provide City service to the district without oversizing facilities;

2. the oversizing of facilities to service properties inside and outside the district;
  3. improvements required to provide gravity wastewater service if lift station(s) are proposed;
  4. maps at a scale of 1"=2,000' showing all alternatives and the following items or estimates for each alternative:
    - a. total cost;
    - b. number of LUEs served;
    - c. cost per LUE;
    - d. description of improvements;
    - e. list of facilities with sizes, lengths and capacities;
    - f. calculations for each item herein;
- B. A topographic map, drawn to a scale of 1"=800' showing the external and major internal improvements required to serve the proposed district.
  - C. Information on the bond issue requirements for all of the improvements
  - D. The status of the facilities.
  - E. The service area, size and capacity of the facilities.
  - F. Anticipated completion date(s) for facilities.
  - G. The service area of the proposed contract bond funded external improvements.
  - H. The basis of determining the service area.
  - I. Capacity available to the Austin Water Utility.
  - J. The phasing of the district's external and major internal improvements.
  - K. The total amount of LUEs available through the improvements of each phase.
  - L. The service area of each phase.
  - M. If applicable, a copy of the water supply contract between the applicant and the water supplier.
  - N. A copy of the permit if a discharge/no discharge permit has been issued by the Texas Water Commission.
  - O. A copy of the application if a discharge/no discharge permit has been applied for but not issued.

- P. The location and acreage of proposed irrigation lands with the areas proposed for irrigation shown on a slope map including the following categories: 0-15%; 15-25%; 25-35% and >35%.
- Q. A topographic map the location of the tract in relation to the entire water district;
- R. A topographic map showing all internal and external improvements required to serve the tract;
- S. The proposed build-out of the entire water district, the amount of build-out to date, and the water and wastewater requirements and build-out schedule of the tract requesting service.
- T. A topographic map showing proposed improvements by the Austin Water Utility in the area, and the proximity of the out-of-district service area to those improvements.
- U. The name and number of approach main requests, if any, filed with the City requesting service to the property.

**ADDITIONAL REQUIREMENTS UNIQUE TO  
CONSENT AGREEMENT AMENDMENTS**

- I. Additional information to be included in the **Water and Wastewater Report**
  - A. Changes in the district's water and wastewater demands.
  - B. All changes in contract bond funded facilities.
- II. If the proposed consent agreement amendment includes a land plan revision, provide a list of the names and mailing addresses of all owners of property within three-hundred feet (300') of the subject property, according to current appraisal district records.
- III. If a land plan revision is approved by the City Council, the applicant shall submit a reproducible Mylar and 5 large-format copies of the revised Land use Plan to the Director before the 15<sup>th</sup> day after the date the Council grants final consent.

**SUBMITTAL VERIFICATION FORM**

My signature attests to the fact that the attached Application Package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

PLEASE TYPE OR PRINT NAME AND DATE BELOW,  
SIGN, AND INDICATE FIRM REPRESENTED, IF  
APPLICABLE.

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Date

Signature

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Name (Typed or Printed)

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Firm