

# **Water District Review**

Application for Consent  
to Creation of, or Annexation  
to a Water District



City of Austin  
Planning and Zoning Department

*July 2012*

## GENERAL OVERVIEW

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

**DISTRICT REFERENCE:** For annexation to a district, 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.

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

**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.

**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 FORM:** Type or clearly print all information in Section 3. Submit this completed document with the materials listed in the Submission Requirements (Section 4) and the Submittal Verification Form (Section 5) and the review fees.

**FEES:**           Application for Creation  
- See [Current Fee Schedule](#) for Applicable Fees

Annexation to District  
- 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  SurfaceProposed Wastewater Service (Check one):  City System  Package Plant Septic  Spray Irrigation

**SUBMISSION REQUIREMENTS FOR  
CONSENT TO CREATION OF A WATER DISTRICT OR  
ANNEXATION TO A WATER DISTRICT**

- I. Completed application forms (Sections 3 & 5).
- II. Applicable review fees.
- III. One full-size copy of each tax plat required to show all property within the district or area proposed for annexation, as applicable, and all property within three hundred (300) feet of the proposed district or annexation area. Tax plats required by this subsection shall be the most recent official tax plats prepared by and available from the appraisal districts of the counties where the property is located. The boundary of the proposed district or annexation area shall be identified on the tax plat by red marking.
- IV. 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.
- V. Twenty (20) separately compiled and arranged packets and one CD-ROM containing the following information shall be submitted with the petition for consent to creation of a water district or annexation to a water district.
  - A. A **Summary** of the following information:
    1. the name of the proposed district;
    2. the acreage of the proposed district;
    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. a location map showing the boundaries of the proposed district and the limited and full purpose city limits; and identification of the proposed district by appropriate City grid numbers;
    7. existing population;
    8. projected population;
    9. projected number of residential units by type;
    10. average residential density using the combined area of residential tracts and open space adjacent to the residential tracts as the basis for the calculation;
    11. projected number of living unit equivalents (LUEs) of water and wastewater;
    12. proposed nature of water and wastewater service (City system, individual or community water supply, ground or surface water supply, package plant, septic tanks, etc.);
    13. proposed water and wastewater rates;
    14. projected monthly surcharge/special rate;
    15. projected tax rate;
    16. preliminary cost estimates of proposed improvements;
    17. bond issue requirements for district bonds and contract bonds; and
    18. a brief statement explaining justification for creation of the district.
  - B. **Water and Wastewater Information** as follows:

1. the number of LUEs within the district, using the City Water and Wastewater Department's design criteria for LUEs by:
  - a. watershed
  - b. water pressure zone
  - c. drainage basin
  - d. land use categories
2. a map showing the proximity of the district to the existing City water and wastewater service area;
3. an investigation and evaluation of reasonable and feasible alternative on and off-site improvements including:
  - a. the minimum improvements required to provide City service to the district without oversizing facilities;
  - b. the oversizing of facilities to service properties inside and outside the district;
  - c. improvements required to provide gravity wastewater service if lift station(s) are proposed;
  - d. maps showing all alternatives and the following items or estimates for each alternative:
    - (1) total cost
    - (2) number of LUEs served
    - (3) cost per LUE
    - (4) description of improvements
    - (5) list of facilities with sizes, lengths and capacities
    - (6) calculations for each item herein
4. a topographic map, showing the external and major internal improvements required to serve the proposed district;
5. information on the bond issue requirements for all of the improvements described in subsection (3) (d) if this section;
6. the status of the facilities;
7. the service area, size and capacity of the facilities;
8. anticipated completion date(s) for the facilities;
9. the service area of the proposed contract bond funded external improvements;
10. the basis of determining the service area;
11. capacity available to the City's Water and Wastewater Department;
12. the phasing of the district's external and major internal improvements;
13. the total amount of LUEs available through the improvements of each phase;
14. the service area of each phase;
15. if applicable, a copy of the water supply contract between the applicant and the water supplier;
16. a copy of the permit if a discharge/no discharge permit has been issued by the Texas Water Commission;
17. a copy of the application if a discharge/no discharge permit has been applied for but not issued; and
18. 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%.

**C. A Preliminary Fire Service Proposal including:**

1. name of proposed fire service provider;
2. location of proposed fire station site(s) within the proposed district; and
3. location of nearest existing fire station.

- D. Environmental Review Materials** including:
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:
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 **Land Use Plan** 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.
- G. **Transportation Review Materials** including a traffic impact analysis for the district and adjoining properties, conducted in accordance with guidelines promulgated by the City, with an area map depicting the proposed transportation system as it relates to the existing and proposed transportation network around the district. Roadways on the map shall extend beyond the district boundaries to show how they connect with adjacent lands and align with existing roads and future roads shown on the Roadway Plan.
- H. **Financial Review Materials**, including the proposed fee structure of district including calculations and numbers for ad valorem tax rates, utility rates, surcharge fees/special rates, and standby fees. Bonding fiscal and surcharge/special rate calculations shall be based on the applicable provisions of Ordinance No. 810819-E as well as based on any requested exemptions. If the applicant is filing petitions for more than one water district and the districts are interrelated, each petition shall also include a single bond proceeds statement and a single pro forma showing the City's total share and each district's share of any contract bond issue which will finance facilities to be used by more than one water district.
- I. The **Market Study** required by the rules of the Texas Water Commission.
- J. Location and size of **Proposed Public Facilities**.



- K. **Legal Documents** including:
1. proposed or approved consent ordinance, as applicable;
  2. proposed or approved consent agreement as applicable;
  3. proposed utility construction agreement if contract bonds with the City for City services are sought by the district;
  4. proposed construction participation agreements for any facilities the district plans to construct or use in participation with any other district or entity;
  5. a statement, if applicable, indicating there will be no construction participation agreements;
  6. Certified minutes from the appropriate district board approving annexation and service including conditions and a copy of the materials submitted to the district board by the applicant.
  7. a list of known requests for variances from City ordinances, including a justification for each such request;
  8. the general structural specifications or an agreement to meet or exceed City specifications for any major public facility proposed for dedication to either the City or the district; and

L. The applicant shall supplement the petition and any information required by this Section on a timely basis should changes in the proposed district render any information previously filed inaccurate or misleading.

V. If district creation is approved, the applicant must provide to the Director of Planning and Zoning Department 5 large-format copies of the land use plan approved by Council before the 15<sup>th</sup> day after the date the Council grants final consent. Each copy of the approved plan shall state the date that the Council approved the plan. One copy must be on mylar and capable of being reproduced. The applicant must also submit a copy of the land plan to the MUD coordinator in electronic PDF, TIF, or other approved electronic format.

**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 BELOW  
SIGNATURE 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