

ORDINANCE NO. 2002- 18

AN ORDINANCE AMENDING SECTIONS 21-3, 21-38, 21-71, AND 21-81 OF THE VICTORIA CITY CODE TO PROVIDE FOR RURAL SUBDIVISIONS IN AREAS IN EXCESS OF ¼ MILE FROM WATER OR SEWER SERVICES, ESTABLISH RECOMMENDED STRUCTURE ELEVATIONS, AMEND THE CITY'S ENGINEERING DESIGN STANDARDS TO ADD FIGURE IX, "RURAL SUBDIVISION STANDARDS", PROVIDING FOR ENFORCEMENT, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, PROVIDING A SAVINGS CLAUSE, PROVIDING FOR CODIFICATION, PROVIDING A PENALTY NOT TO EXCEED \$500 UPON CONVICTION, PROVIDING FOR PUBLICATION, AND DECLARING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

The definition of "Land use, rural residential" of Section 21-3 of the Victoria City Code is amended to read as follows:

Land use, rural residential. A land use consisting of detached, single family residences which is developed in accordance with Section 21-71. A rural residential subdivision is developed without public water and wastewater facilities, and utilizes individual water wells and septic systems.

2.

Section 21-38 of the Victoria City Code is amended to add subsection (26), which shall read as follows:

(26) The following statement shall be noted on any plat of a subdivision for which approval is sought which either in part or its entirety is located in the extraterritorial jurisdiction (ETJ) of the City:

"The City of Victoria does not maintain drainage systems outside the City limits. The City strongly recommends that any structures of significant value be placed with a finished floor elevation at least 22 inches above the grade of the centerline of the adjacent street, or 12 inches above the highest adjacent grade, whichever elevation is more appropriate based on the topography of the property."

3.

Section 21-71 of the Victoria City Code is amended to read as follows:

Sec. 21-71. Rural Subdivisions.

(a) *Rural Subdivisions only permitted at least ¼ mile from water or sewer lines.* The purpose of this Section is to allow for the development of rural subdivisions in areas that are not served by public water or sewer mains. Accordingly, the provisions of this section shall not apply to proposed subdivisions located within 3/4 mile (3,960 feet) from existing public water and sanitary sewer mains.

(b) *Streets and Drainage.* The developer of a rural subdivision shall provide street and drainage facilities in accordance with the City of Victoria's Engineering Design Standards and Specifications as modified by Table 2.3 and Table 2.4.

TABLE 2.3

RURAL SUBDIVISION STREET STANDARDS

<u>ELEMENT</u>	<u>RURAL SUBDIVISION STREET</u>
Design speed	30 miles per hour
Minimum centerline radius	300 feet
Desirable minimum grade	0.3%
Minimum ditch grade	0.2%
Stopping sight distance	200 feet
Minimum number of traffic lanes	2
Minimum pavement width (see detail)	24 feet
Minimum right-of-way width	60 feet

TABLE 2.4
RURAL SUBDIVISION DRAINAGE STANDARDS

<u>ELEMENT</u>	<u>RURAL SUBDIVISION DRAINAGE</u>
Maximum depth of water in ditch	top of ditch (5-year storm frequency)
Maximum depth of water at any point in crown of roadway	12 inches (100-year storm frequency)
Minimum size storm sewer pipe for underground drainage	18 inches
Minimum size of box culverts	2 feet x 2 feet
Maximum ditch side slope	3:1 slope
Minimum depth of ditch without City Engineers approval	18 24 inches
Maximum depth of ditch without City Engineers approval	4 feet

(c) *Sidewalks.* Sidewalks are not required on streets in rural subdivisions.

(e) *Street lights.* Street lights are not required within rural subdivisions. However, the developer shall dedicate easements for street lights in accordance with the City's Engineering Design Standards and Specifications and place conduit therein in accordance with such standards and specifications.

(f) *Water.* A developer or property owner in a rural subdivision shall not be required to obtain City Council approval for a water well permit that is otherwise in compliance with Article 13-60, et. seq., of the Victoria City Code.

(g) *Septic Tanks.* Lots in a rural subdivision may contain septic tanks that would otherwise violate Section 10-115 of this code (which prohibit all septic tanks within the City limits) as long as those septic tanks comply with all local and state laws and regulations.

(h) *No interference with City wells.* No provision in this section will constitute an exception to Section 13-55 of the Victoria City Code. A rural subdivision shall not be platted in a manner that would require any lot therein to be served by a water well or septic tank in violation of Section 13-55 of this code.

(i) *Private Utilities.* At the developer's discretion, private franchised utilities (electric, telephone, cable television, etc.) may be placed either overhead or underground within rural subdivisions.

(j) *Lot and setback requirements.* Every lot platted under this section shall meet the minimum lot size, lot width, and setback requirements of Section 21-82(b) of this code. A commercial or industrial lot shall also meet the applicable minimum requirements of the applicable section of this code.

4.

Subsection (b)(1) of Section 21-82 of the Victoria City Code is amended to read as follows:

(1) *Generally:* These rural residential standards apply to subdivisions which are located at least 3/4 mile (3,960 feet) from existing public water or sanitary sewer mains, and which are to be served by individual water wells and septic tanks. If public water and wastewater services are provided, then the standards of subsection (a) above may be followed.

5.

The City Council hereby amends its Engineering Design Standards, which are also known as "Volume I, Design Standards for Public Works Construction" to add Figure IX, entitled "Rural Subdivision Standards", a copy of which is attached hereto and incorporated herein, which will apply to rural subdivisions constructed in accordance with Section 21-71 of the Victoria City Code.

6.

Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined a sum not to exceed \$500.00 as provided in Section 1-8 of the City Code.

7.

In addition to any other remedy provided by law, the City and its officers shall have the right to enjoin any violation of this Ordinance by injunction issued by a court of competent jurisdiction.

8.

All parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

9.

If any provision of this Ordinance, or the application thereof to any person or circumstances, shall be held invalid or unconstitutional by a Court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

10.

The Code of the City of Victoria, Texas, as amended, shall remain in full force and effect, save and except as amended by this Ordinance.

11.

It is the intention of the City Council that this Ordinance shall become a part of the Code of the City of Victoria, Texas, and it may be renumbered and codified therein accordingly.

12.

The City Secretary shall publish the caption or a descriptive title of this Ordinance one time within 10 days after final passage of the ordinance in a newspaper of general circulation in the City of Victoria in accordance with Article II, § 10 of the City Charter.

13.

This ordinance shall become effective 10 days after final passage and approval by the City Council of the City of Victoria, Texas.

PASSED FIRST READING, this the 5TH day of NOVEMBER, 2002.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

PASSED SECOND READING, this the 19TH day of NOVEMBER, 2002.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

PASSED THIRD READING, this the 19TH day of NOVEMBER, 2002.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 19TH day of NOVEMBER, 2002.



ATTEST:

Scarlet Swoboda
SCARLET SWOBODA, City Secretary

Gary Middleton
GARY MIDDLETON, Mayor of the
City of Victoria, Texas

APPROVED AS TO LEGAL FORM:

David Atmar Smith
DAVID ATMAR SMITH, City Attorney

Distribution: Legal Department
Planning Department
Department of Public Works
Department of Utilities
The Victoria Advocate

Copies Sent: NOVEMBER 20, 2002

Figure IX
Rural Subdivision Standards

(will apply to rural subdivisions constructed in accordance with Section 21-71 of the Victoria City Code)

1. Storm sewer shall be Class III Reinforced Concrete, tongue and groove, installed with ram-tek. Closed conduits, circular, elliptical, or box, shall be selected based on hydraulic principals and economy of size and shape. 6:1 sloped-end treatments shall be placed and formed at all ends of pipe (~~street intersections or driveways~~) parallel to the roadway and 4:1 sloped-end treatments shall be required at all ends of pipe perpendicular to the roadway.
2. Larger pipes upstream shall not flow into smaller pipes downstream unless construction constraints prohibit the use of a larger pipe downstream, or the improvements are discharging into an existing system, or the upstream system is intended for use in detention.
3. Crowns of pipe shall be matched at any size change unless severe depth constraints prohibit.
4. Storm sewers shall be located in public street rights-of-way or in approved easements. Back lot easements are discouraged and will require approval from the City Engineer.
5. Pipe located between lots or within 20 feet of an existing a proposed structure shall have rubber gasket joints.
6. Ditch side slopes shall be no steeper than a 3:1 slope (3 feet horizontal to every 1 foot vertical).
7. The "n" coefficient for the ditch calculations shall be a minimum of 0.035.
8. Erosion control methods approved by the City Engineer shall be utilized in ditch designs where velocities of flow are calculated to be greater than 5.0 feet per second or where soil conditions dictate their need.
9. In cases where topography or other special circumstances make it impractical to meet the open ditch design standards within the standard 60 foot right-of-way, the City Engineer may require the dedication of drainage easements up to 20 feet in width on both sides of the street right-of-way.
9. 10. Construction of streets and ditches in rural subdivisions shall comply with the following Rural Subdivision Street and Ditch Detail:

