

AN ORDINANCE OF WHARTON COUNTY, TEXAS, REVISING THE DRAINAGE FEE

WHEREAS, the Commissioners Court has determined that it is important that Engineering Plans be reviewed for compliance with Federal, State and County Ordinances and requirements to minimize flood risk and reduce future flood damages;

WHEREAS, it is important that detailed drainage a review be performed; **WHEREAS**, this ordinance replaces all previous Drainage Review Ordinances;

WHEREAS, this fee will be in addition to the Wharton County Development Permit Fee, and compliance to this ordinance is necessary for issuance of a Wharton County Development Permit;

WHEREAS, Wharton County Commissioners Court reserves the right to grant a variance to this ordinance, as deemed appropriate;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS COURT OF WHARTON COUNTY

SECTION 1: That it is hereby determined to be in the best interests of Wharton County, Texas and its inhabitants to adopt the following Updated Drainage Plan Review Fee:

Single-Family Residential Developments:

This category is for all single-family residential developments, in excess of 6 lots. This fee includes subdivision plat review, construction document review, and drainage report review. *This fee does not include construction inspections of work in ROW, review of submittals for work in ROW, and final walk-through at completion of construction in ROW.*

- a. \$3,500 drainage review fee for additions greater than 6 lots and less than 25 lots. Add \$50 for each additional lot in excess of 25 lots.
- b. The initial review fee includes up to two (2) rounds of reviews. The same fees for the initial review may apply for major modifications to the original submittal.
- c. \$1,000 for the third (3rd), and each subsequent review of plans and submittals.
- d. Duplex properties are considered "single-family residential" for purposes of this ordinance.
- e. Note: An additional review fee will be levied in the event an additional review for Roadway Creek Crossings, and/or Conditional Letters of Map Revision (CLOMRs) as necessary. The review fee for these additional activities will be in addition to the fee for Single-Family Residential as stated above.

Commercial/Industrial Developments:

Improvements in this category are defined as any proposed improvement to a property including structures, paving, driveways, drainage features and other miscellaneous new construction that is associated with a commercial or industrial development. *This fee does not include construction inspections of work in ROW, review of submittals for work in ROW, and final walk-through at completion of construction in ROW.*

APPROVED BY WHARTON COUNTY
COMMISSIONERS COURT IN
SESSION ON 09-14-2020

- a. \$3,500 for drainage review of commercial/industrial improvements on land up to 10-acres in size. An additional \$100 shall be paid for each additional acre in excess of 10 acres.
- b. The initial review fee includes up to two (2) rounds of reviews. The same fees for the initial review may apply for major modifications to the original submittal.
- c. \$1,000 for the third (3rd), and each subsequent review of plans and submittals.
- d. Apartment Complex developments are considered "commercial" property for purposes of this ordinance.
- e. Note: An additional review fee will be levied in the event reviews of the following are required with any Commercial/Industrial projects: Minor Creek Crossing, Major Creek Crossing, and/or Conditional Letters of Map Revision (CLOMRs). The review fee for these additional activities will be added to the fee for Commercial / Industrial projects.

Roadway Creek Crossings (Bridge or Culvert) Projects:

- a. \$2,500 for the initial review of creek crossing design.
- b. The initial review fee includes up to two (2) rounds of reviews. The same fees for the initial review may apply for major modifications to the original submittal.
- c. \$750 for the third; and each subsequent review of plans and submittals.

Conditional Letter of Map Revision (CLOMRs) or (LOMRs) Review:

This fee is for the review of projects that require modifications to the FEMA designated flood hazard area, as defined in the current effective FEMA floodplain maps for Jackson County (and future revisions thereof). This would be a review of the FEMA submittal package to ensure that the floodplain models accurately represent the proposed improvements and recommended changes to the FEMA floodplain maps. This effort would also include a sign-off on the MT-2 form, which is required by the local floodplain administrator prior to FEMA approval of a CLOMR/LOMR application.

- a. \$3,000 for the initial review.
- b. \$1,000 for each subsequent review. Major modifications may require another initial review fee.

Linear Pipeline Projects:

- a. \$3,000 for initial review of any oil/gas linear pipeline project.
- b. The initial review fee includes up to two (2) rounds of reviews. The same fees for the initial review may apply for major modifications to the original submittal.
- c. \$1,000 for the third (3rd), and each subsequent review of plans and submittals.

Public Improvements Construction Phase Inspections, Reviews, and Close-out:

This category is for residential, commercial, industrial developments, and/or general public improvements that will require construction of improvements within the County ROW (other than typical driveways), and that may ultimately be dedicated to the County for maintenance in the future. This fee will be tallied as part of the subdivision or development review process and the total fee will be provided to the developer

before issuance of a permit. Payment of this fee will be required prior to issuance of a permit.

- a. \$8,000 for a total of 6 site inspections during construction.
- b. \$1,300 for each additional site inspection.
- c. \$2,700 for up to 6 submittals and/or inspection reports submitted for review.
- d. \$450 for each additional submittal and/or inspection report provided.
- e. \$2,000 for the final close-out inspection.
- f. \$1,200 for any additional close-out inspections.
- g. Note: If the Construction Phase fee estimate provided to the developer as part of the development review process is inadequate due to the need for additional site inspections, submittal reviews, inspection report reviews, or additional final inspections, then an additional fee will be provided to the developer and this fee will be required to be paid before the County will accept the public improvements for long-term maintenance.

Subdivision Plats without Public Improvements:

This category is for subdivision plats that are not directly associated with a proposed development. In many cases these plats are reviewed by the local commissioner, but in some instances a subdivision plat requires additional review (on a case-by-case basis). This fee is to be levied if a subdivision of land is located in a region that has unique drainage issues, floodplains, conflicts with the subdivision regulations, or other similar factors that warrant a more thorough review.

- a. \$2,000 for a subdivision of land of 6 or fewer lots.
- b. Add \$10 for each additional lot in excess of 6 lots.

The following general requirements are required to consider the application a complete submittal:

- a. 100% construction plans shall be submitted for review. Plans shall include all necessary information needed for permitting and construction of the project. Plans shall include a copy of the preliminary plat (if required).
- b. Developer is to provide a cover letter and engineering report documenting the proposed project. Developer is to provide a copy of any associated H&H model utilized in the design of the proposed project.
- c. Current adopted drainage requirements as of the date of a complete application package, shall apply.
- d. All review comments shall be addressed with each subsequent submittal. The Design Engineer shall provide written responses to all disputed comments.