CHAPTER 154: SUBDIVISIONS

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GENERAL PROVISIONS

§ 154.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESS. The means by which property is connected to a public street. ***ACCESS*** to/from TXDOT facilities must be approved by TXDOT prior to approval of a plat. ***ACCESS*** to/from nonresidential property through or to residential streets must be avoided.

AMENDING PLAT. A subdivision plat that reflects changes to an original filed final plat.

ARTERIAL SYSTEM. The roadway system comprised of major and minor arterials.

BENCHMARK. A monument that is part of a leveling network and is a point of precisely measured elevation. See ***MONUMENT***.

BUILDING. Any structure that encloses a space used for sheltering any occupancy. Each portion of a building separated from other portions by a firewall shall be considered a separate building.

CITY ATTORNEY. The attorney employed as City Attorney of the city.

CITY COUNCIL. The duly and constitutionally elected governing body of the city.

CITY MANAGER. The person employed as the chief administrative officer of the city, and duly appointed by the City Council.

COMPREHENSIVE PLAN. The plan and adaptations, thoroughfare plan, bikeway plan, future land use plan, gateways and corridors, amendments or supplements thereto, adopted by the City Council and used as a guide for future development of the city and surrounding areas.

CONCEPT PLAN. The initial project layout that provides an opportunity to review and evaluate the impact of a proposed development on the character of the surrounding area in which it is proposed to be located. The process takes into consideration the general form of the land before and after development, as well as the spatial relationship of the proposed structures, open space, landscape areas, parking, and general access and circulation patterns as they relate to the proposed development and the surrounding areas.

COUNTY COMMISSIONERS COURT. The duly and constitutionally elected governing body of Bell County, Texas.

COVENANT. A private legal restriction on the use of land contained in the deed to the property or otherwise formally recorded.

DENSITY. The number of dwelling units per acre in a residential development.

DEVELOPER. Any person or persons, firm or corporation subdividing or developing a tract or parcel of land to be sold or otherwise marketed.

DEVELOPMENT. Any activity initiated or directed to improve real estate and requiring a permit from a city, county, or government agency, including without limitation intensive brush and or tree removal of a significant amount.

EASEMENT or PUBLIC UTILITY EASEMENT. A strip of land reserved for public use by the grantor and accepted by the city for the installation and maintenance of utility lines, improved drainage infrastructure, or for other city or public services or for access to property. The ownership or title to the land encompassed by the easement being retained by the owner.

(1) ***ACCESS OR PASSAGE. EASEMENT***, as defined above, for the purposes of pedestrian and/or vehicular mobility between parcels or through a parcel.

(2) ***PEDESTRIAN. EASEMENT***, as defined above, for the purposes of pedestrian traffic (i.e., for sidewalks, bike paths).

(3) ***VEHICULAR. EASEMENT***, as defined above, for the purposes of vehicular traffic.

ENGINEER. A person duly authorized and licensed under the provisions of the Texas Engineering Practice Act (V.T.C.A., Tex. Occupations Code Ch. 1001), as heretofore or hereinafter amended, to practice the profession of engineering.

ENGINEERING DRAWINGS. Engineering drawings support and provide greater detail to a plat. ***ENGINEERING DRAWINGS*** typically, where applicable, include, but are not limited to, water layout, sewer layout, drainage and topography, street light layout, street plan and profile sheets, sewer main plan and profile, water utility details, sewer utility details, paving details, drainage details, erosion and sedimentation control plan and standard construction details. ***ENGINEERING DRAWINGS*** shall be prepared, signed, and sealed by a Texas Licensed Professional Engineer and shall conform to the general requirements and minimum standards of design and requirements as presented in this chapter.

EXTRATERRITORIAL JURISDICTION (ETJ). Under the terms of V.T.C.A., Tex. Loc. Gov't Code Ch. 42, the unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the city, the outer boundaries of which are measured from the extremities of the corporate limits of the city outward for a distance of two miles, except where it overlaps the ETJ, of other municipalities. Such overlaps are apportioned by mutual agreement with the other municipalities, adopted by resolution and shown on the official ETJ map.

FLAG LOT. A large lot not meeting minimum frontage requirements where access to the public road is by a narrow 30 foot wide strip of land which is part of the lot. Flag lots should be avoided if at all possible.

INFRASTRUCTURE IMPROVEMENTS. Any public facility, service or amenity, constructed to sustain a proposed land use activity. ***INFRASTRUCTURE*** includes, but is not limited to, streets, alleys, sidewalks, crosswalks, sanitary sewers, sewage lift stations, septic tanks or other sewage facilities to include water mains, water systems, drainage culverts, lined channels, storm sewers, bridges, streetlights and fire hydrants.

LAY DOWN OR RIBBON CURB. A curb constructed of concrete that is a lower height to promote drainage, allow access onto property or into a driveway or allows for handicap access to a sidewalk.

LOT. A physically undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer, lease or improvement, which is designated as a distinct and separate tract and which is identified by a lot number or tract symbol on an approved subdivision plat which has been officially recorded.

(1) ***CORNER LOT.*** A lot abutting two or more streets at their intersection.

(2) ***DOUBLE FRONTAGE LOT.*** A lot that fronts and backs on two streets.

(3) ***LOT DEPTH.*** The average depth of the lot.

(4) ***LOT FRONT or FRONTAGE.*** That portion of a lot or tract of land which is the principal side of a property and which abuts on a public street. This shall be the same side in which direction a building will face and the side on which there is the main entrance.

(5) ***LOT WIDTH.*** The average width of the lot.

MAINTENANCE BOND. Bond or letter of credit guaranteeing against defects in public roads, utilities, drainage features or other public infrastructure for a specified time period following the approval of the final plat by the city.

MAY. Deemed permissible.

MONUMENT. A reference point, line or plane used as a basis for measurements.

OPEN SPACE. A public or common ownership property designated for a recreation area, private park, building setback and ornamental areas open to general view within the development. ***OPEN SPACE*** does not include streets or alleys.

PARCEL. A tract of land owned and recorded as the property of the same persons or controlled by a single entity.

PAVEMENT WIDTH. The width from the back of curb to the back of curb of a street.

PERFORMANCE BOND. A surety bond posted by a developer guaranteeing full performance as specified in plans approved by the city with the proceeds to be used by the city to complete the improvements on the plans in the event of the developers nonperformance.

PERSON. Any individual, association, firm, corporation, governmental agency, partnership or political subdivision.

PLANNING AND ZONING COMMISSION. A board comprised of citizens of the city appointed by the City Council as an advisory body, charged to recommend changes in the zoning and other planning functions as delegated by the City Council.

PLAT. A map of a subdivision showing the location and boundaries of individual parcels of land subdivided into lots, with streets, alleys and the like, and drawn to scale. As used in this chapter, a ***PLAT*** includes final plats, replats, amending plats and minor plats.

RESERVE STRIP OR PARCEL. Any lot, tract, parcel, strip or any other land which prohibits access from public or private tracts or parcels of land dedicated or intended to be dedicated to public use.

RE-SUBDIVISION. The replacement of all or a part of a recorded plat with a new plat which alters the lines within the perimeter boundary of the previous plat.

RIGHT-OF-WAY. A strip of land dedicated to the public for public streets or to accommodate access and/or utilities to lots or tracts.

SERVICE LINES, PRIVATE. That portion of the utility service line from the property line at the right-of-way to the structure itself.

SERVICE LINES, PUBLIC. That portion of the utility service line that is completely contained within the right-of-way.

SHALL. Deemed as mandatory.

SIDEWALK. A paved pedestrian walkway constructed within a street right-of-way and generally parallel to the street.

SITE DEVELOPMENT REVIEW COMMITTEE (SDRC). A committee consisting of representatives from various city departments, impacted public entities, and private utility companies which reviews plats and development proposals for compliance with applicable codes and ordinances.

STREET, ROAD, or ROADWAY. A way for vehicular traffic, whether designed as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or other designation. See § 154.37 for specific standards associated with the different classifications of streets. Streets may be classified as follows:

(1) ***ALLEY.*** A narrow public passage easement or minor public right-of-way which provides a secondary means of vehicular access to abutting property and which is used primarily for vehicular traffic to the rear or side of properties which otherwise abut on a public street.

(2) ***CUL-DE-SAC.*** Street with only one outlet which terminates in a vehicular turnaround at the other end.

(3) ***DEAD-END.*** Street with only one outlet but with no vehicular turnaround at the other end.

(4) ***FRONTAGE or SERVICE ROAD.*** Usually parallel to a major arterial (highway), designed to reduce the number of driveways and streets that intersect the highway.

(5) ***INTERNAL STREET.*** Street within a subdivision that begins at an intersection and ends in a cul-de-sac or dead-end, or connects to the same street of origin. This street does not provide for the through movement of traffic.

(6) ***MAJOR ARTERIAL.*** High volume streets with multiple lanes which facilitate travel between major destinations or activity centers, as well as long-distance traffic that goes through or bypasses an area. These are limited access roads on which no driveway access for single-family or two-family residential lots may be allowed.

(7) ***MAJOR COLLECTORS.*** Streets generally located along borders of neighborhoods and within commercial areas to collect and to channel this traffic to the arterial system. These are limited access roads on which no driveway access for single-family or two-family residential lots may be allowed.

(8) ***MINOR ARTERIALS.*** High volume streets with multiple lanes which facilitate traffic into and between major arterials. These are limited access roads on which no driveway access for single-family or two-family residential lots may be allowed.

(9) ***MINOR COLLECTORS.*** Streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to major collectors or arterials. Residential lots may front on these streets.

(10) ***PRIVATE ROAD.*** A roadway that is not dedicated for public use nor accepted by the city for maintenance. A private road typically provides access to two or more properties or structures.

(11) ***RESIDENTIAL or LOCAL STREETS.*** Streets whose primary function is to serve individual residential lots. They carry low traffic volumes at low speeds.

(12) ***RURAL ROAD.*** Streets that serve individual residential lots and carry surface water runoff via bar ditches. Rural roads shall not serve individual residential lots which are smaller than one-half acres per lot. They carry low traffic volumes at low speeds.

STRUCTURE. Anything that is built or constructed with a roof covering.

SUBDIVISION. Any division of land for which a plat is required to be approved and recorded under the provision of V.T.C.A., Tex. Loc. Gov't. Code, § 212.004. This includes the division of land situated within the corporate limits of the city into two or more parts for any purpose no matter how it is conveyed. However, it does not include the division of land into parts greater than five acres where each part has access and no public improvement is being dedicated. No subdivision of land within the city may be recorded with the County Clerk until a final plat, accurately describing the property to be subdivided and platted, has been approved by the city in accordance with this chapter, signed and dated by the Mayor, Chair of the Planning and Zoning Commission and/or other designated officers of the city.

(1) ***MAJOR SUBDIVISION.*** Any subdivision consisting of five or more lots and/or a subdivision requiring extension of municipal facilities. ***MAJOR SUBDIVISIONS*** may incorporate more than one phase of development.

(2) ***MINOR SUBDIVISION.*** A subdivision of four or fewer lots fronting on existing streets and not requiring the creation of any new street or extension of municipal facilities.

SURVEYOR. A licensed state land surveyor or a registered professional land surveyor, as authorized by the Professional Land Surveying Practices Act (V.T.C.A., Tex. Occupations Code, Ch. 1071).

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ). The environmental agency for the state.

THOROUGHFARE PLAN. The plan of major and secondary streets and highways, which is the part of the comprehensive plan adopted by the City Council.

(Ord. 2010-08, passed 3-9-10; Am. Ord. 2012-21, passed 10-9-12; Am. Ord. 2022-49, passed 9-13-22; Ord. 2025-16, passed 6-10-25)

§ 154.02 AUTHORITY AND PURPOSE.

(A) This chapter is adopted under the authority of the Constitution and laws of the State of Texas, specifically Tex. Loc. Gov't. Code, Ch. 212 regarding Municipal Regulation of Subdivisions and Property Development, as amended. The regulations contained herein shall govern every subdivision of land as defined within the corporate limits of the city.

(B) The purpose of this chapter is to provide for the orderly, safe and healthful development of the areas within the city. Specifically, this chapter is intended to coordinate the orderly subdivision of property along with other city ordinances relating to flood prevention and protections, zoning, site development review, access and off-street parking, building codes and other development related codes.

(Ord. 2010-08, passed 3-9-10; Ord. 2025-16, passed 6-10-25)

§ 154.03 FEES.

Fees shall be as presented in the Fee Schedule approved by the City Council as part of the current fiscal year's operating budget.

(Ord. 2010-08, passed 3-9-10)

§ 154.04 THOROUGHFARE PLAN.

(A) The thoroughfare plan map attached to Ordinance 2004-15 as Exhibit "A" and incorporated herein by reference for all relevant purposes as if set forth at length herein, is hereby adopted and approved by the City Council as the transportation thoroughfare plan map. All prior thoroughfare plans and associated thoroughfare plan maps are hereby repealed, and the comprehensive plan is amended to reflect the changes shown in the thoroughfare plan map herein adopted.

(B) The transportation thoroughfare plan is the city's general plan for guiding thoroughfare system development, including sidewalks, the planned widening and extension of its roads, streets and public highways within the city. The plan indicates the needed rights-of-way, general alignments for planned new roadways, as well as plans for widening and extensions of existing thoroughfares. Proposed general alignments are shown for planned new roadways, but actual alignments may vary depending upon the topography of the land and changing conditions. The importance of thoroughfare planning is to decide, in advance, the general location and type of thoroughfares that are needed to serve the projected future mobility needs of the city and region, and to require consideration of thoroughfare right-of-way needs concurrent with new development or redevelopment.

(C) Sidewalks and other pedestrian pathways such as linear parks along drainage channels are necessary to move people safely to and from schools and commercial areas while providing opportunity for neighborhoods to be more neighborly and residents to walk, exercise and the like.

(D) The plan shows approximate alignments and right-of-way requirements for planned thoroughfares that should be considered in platting of subdivisions, required right-of-way dedication and construction of major roadways. The plan does not show future alignments of residential streets because the function of these streets is to provide access to adjacent land development. The alignment of residential streets may vary depending upon specific development plans. Minor collectors' alignments are to be determined based on function approval during the planning process for new developments.

(E) The original of the thoroughfare plan map shall be filed in the office of the City Secretary. This copy shall be the official map and shall bear the signature of the Mayor and attestation of the City Secretary. This copy shall not be changed in any manner except as the Council may amend this thoroughfare plan from time to time. In case of any question, this copy, together with any amending ordinances, shall be controlling.

(F) Additional copies of the original map shall be placed in the offices of the Planning and Development Director and the Public Works Director. These copies shall be maintained up-to-date by posting thereon all subsequent amendments and shall be identified as the official thoroughfare plan map.

(Ord. 2010-08, passed 3-9-10; Ord. 2025-16, passed 6-10-25)

§ 154.05 OVERVIEW.

(A) A filed plat shall be required in accordance with the procedures outlined in this chapter in the following circumstances:

(1) Subdivision of land into two or more parts;

(2) Changing the configuration of existing filed plats;

(3) Division of land where there is no access to the tract(s);

(4) Division of land where new public infrastructure is required; or

(5) Prior to obtaining building permits on unplatted lots.

(B) If the Director of Planning and Development or his or her designee determines that a plat or replat is required, no building permit shall be issued by the city until satisfactory compliance is achieved.

(C) The subdivider, developer or person requesting plat approval will be required to install, at his or her own expense, all water lines, streets, street signs, sewer lines, storm sewer lines, drainage facilities and structures within the subdivision, in accordance with city standards governing the same, including all engineering costs covering design, layout and construction. When a street pavement of a greater width than 42 feet, back of curb to back of curb, is required by the city, the city shall pay the cost of paving the additional width and associated costs. There will be no participation by the city in the cost of any of the underground utility lines or drainage facilities, within the subdivision, except in the event of the requirement for oversize mains to serve land areas and improvements beyond the subdivision in question or to serve other subdivisions. The city's participation will be considered individually, upon the merits of each facility and the condition involved, and shall be in accordance with policies set forth by the City Council. All utility mains will be sized to meet the acceptable services/pressures adopted by the city. The city will not participate in water mains eight inches or larger in diameter and sewer mains eight inches or larger in diameter unless these mains are required by the city for future expansion and which are not required to serve the development in question with acceptable services/pressures adopted by the city.

(Ord. 2010-08, passed 3-9-10)

§ 154.06 DEVELOPERS PRESENCE REQUIRED.

The developer or his or her authorized representative must be present at all Planning and Zoning Commission Meetings and City Council meetings at which his or her plan or plat is on the agenda for discussion or action. Failure of the developer or his or her authorized representative to appear before the Planning and Zoning Commission or City Council during a meeting on which the plan or plat is on the agenda for discussion or action may be deemed a withdrawal of the plat or plan.

(Ord. 2010-08, passed 3-9-10)

§ 154.07 EXEMPTIONS.

The provisions of this chapter do not apply to:

(A) The division of land within city limits by metes and bounds in parcels five acres or more where each parcel has access to a public street and no public improvement is required;

(B) Cemeteries complying with all state and local laws and regulations;

(C) Divisions of land created by a court of competent jurisdiction;

(D) The use of two or more platted lots to create a larger development site:

(1) The proposed use is the same as that for which the subdivision was platted by the subdivider (i.e., in R-I zoning district, only one home may be constructed on both adjoining lots);

(2) No increase is anticipated in the estimated traffic generation or utility demands; and

(3) Off-site storm water runoff is neither increased nor concentrated.

(E) The division of an existing legal lot, the division being caused by the city's acquisition of a part of the legal lot, when the Council finds that the acquisition by the city is in the best interest of the public health, safety and welfare of the citizens of Harker Heights. Upon the Council so finding, the resulting parcels shall be deemed to constitute legal lots for the purposes of developing under the requirements of this chapter and other applicable city regulations. In creating the division, the Council is empowered to attach to the resulting parcels acquired by the city, and the remainder parcels not acquired by the city upon agreement with the owner, such conditions as it finds reasonable and necessary to offset any adverse effects resulting from the city's acquisition as a part of the original legal lot, in so far as any such condition is not contrary to the spirit and intent of the ordinance.

(Ord. 2010-08, passed 3-9-10; Ord. 2025-16, passed 6-10-25)

§ 154.08 BUILDING PERMITS.

No building permit, certificate of occupancy, plumbing permit, electrical permit or utility tap shall be issued by the city for or with respect to any land within the city limit for any parcel of land which was developed not in conformity with the provisions of this chapter until full compliance and proper approvals have been obtained.

(Ord. 2010-08, passed 3-9-10)

§ 154.09 SITE PREP PLAN.

No excavation of land or construction of any public or private improvements shall take place or commence prior to obtaining a site preparation permit and no public infrastructure construction shall begin within any proposed subdivision until such time as the city approves the plans and specifications for such subdivision and the construction of the approved erosion and sediment control measures.

(Ord. 2010-08, passed 3-9-10)

§ 154.10 APPEALS.

Decisions of the Director of Planning and Development may be appealed first to the City Manager and then to the City Council.

(Ord. 2010-08, passed 3-9-10)

PLATTING PROCESS

§ 154.20 GENERAL RESIDENTIAL AND COMMERCIAL.

(A) The owner of a lot, tract, site or parcel must obtain final plat approval for any subdivision or development activity to which this chapter applies. The plat approval process generally consists of the following procedures:

(1) *Application forms and procedures.*

(a) *Pre-application meeting.*

1. One or more pre-application meetings with city staff for review and discussion of the applicant's proposed development. The preapplication meeting is the initial step in the development process intended to introduce basic project components and area information. The pre-application meeting provides the opportunity for review, analysis, and discussion of basic project intent, design, components and compatibility.

2. Prior to submitting a concept plan, preliminary plat, final plat, replat, minor plat, or amending plat the applicant shall schedule an appointment through the Planning and Development Department to meet with city staff. The purposes of the pre-application meeting is to review the proposed development with regard to stormwater design requirements and goals of Harker Height's TPDES permit; to discuss the procedures for approval of the plat and the requirements as to general layout of streets and/or reservations of land, street improvements, drainage, sewerage, water service, fire protection, and similar matters, as well as the availability of existing services; and to discuss application procedures and submittal requirements. A preapplication meeting checklist is located on the city's website.

(b) The following design standards, specifications, and requirements, as amended, are incorporated by reference into this chapter and are located on the city's website:

1. Concept Plan/Revised Concept Plan Checklist.

2. Preliminary Plat/Revised Preliminary Plat Checklist.

3. Final Plat/Replat/ Minor/ Amending Plat Checklist.

(c) The Planning and Development Director may establish procedures and forms with regard to the content, format and number of copies of information constituting an application for a concept plan, preliminary plat, final plat, minor replat, amending plat or replat.

(d) *Approval criteria*. Applications for the approval of plats as defined by this chapter shall be evaluated for compliance with these regulations and the requirements contained in the City's Drainage Criteria Manual, all of which are incorporated herein by reference. The determination of infrastructure needs and capacity and the delineation of floodplain or other limitations on development will be done only during the review and approval of either a preliminary or a final plat complete with required engineering plans and required applicable checklist items. The approval of any plat other than a final plat does not certify the availability or capacity of infrastructure or that the property is suitable for development.

(2) Submission of an application and a concept plan by the applicant for initial review by city staff, with final review and approval required by the Planning and Zoning Commission and the City Council.

(a) Concept plan. The purpose of the concept plan is to demonstrate compatibility of the proposed development with this chapter and other applicable city ordinances, and the coordination of improvements within and among individually platted parcels, sections, or phases of a development, and the surrounding properties prior to the consideration of a preliminary plat. The concept plan is an opportunity to detect and correct design challenges before the developer prepares detailed engineering documents, but does not constitute the submittal of a plat.

(b) Any residential development involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of any municipal facilities does not require the submittal of a concept plan.

(c) In lieu of a concept plan, the City Manager may permit submittal of a site plan at the time of building permit application.

(d) The concept plan shall contain or have attached thereto the following:

1. Name of the developer, record owner, and authorized agents, proposed name of the development.

2. A layout of the entire tract, including internal lots, and its relationship to adjacent property, existing development and recorded plats, showing the existing property lines of the land being subdivided, north indicator, and scale.

3. Topographic contours available from the U.S. Geological Survey.

4. Significant drainage features and structures including any regulatory one-hundred-year floodplains, the location of existing watercourses, dry creek beds, wells, sinkholes and other similar features.

5. Specific information related to land use for the proposed development and adjoining property for a distance of 300 feet.

6. Building placement and building envelopes.

7. Parking layout.

8. General landscaping and buffer areas.

9. Location of all existing and proposed water and sewer lines.

10. All existing and/or proposed public utility easements and private easements.

11. Location of all existing and proposed stormwater drainage easements or onsite detention plan.

12. Location of all existing and proposed streets, sidewalks, alleys, and access points.

13. Vehicular circulation/ connectivity plan.

14. Location of all existing and proposed fire/emergency vehicle access lanes.

15. Location of all existing and proposed fire hydrants.

(e) A concept plan shall be submitted to the Planning and Development Department prior to the submittal of a preliminary plat unless the Director of Planning and Development authorizes concurrent filing.

(f) The concept plan shall be drawn on 24" x 36" sheets and/or on a plat document size format so as to be consistent with the preliminary/final plat document. When more than one sheet is necessary to illustrate the entire area, an index sheet showing the entire subdivision, at a scale sufficient to identify the drawings that follow, shall be attached to the concept plan document.

(g) The City Manager or his designated appointee will have the authority to review and approve any substantial amendments to a prior concept plan.

(h) An approved concept plan shall expire if there is more than a 24-month period of time between its approval and the submittal of a preliminary plat.

(3) Submission of a preliminary plat and preliminary engineering drawings by the applicant for review and approval by the Planning and Zoning Commission and City Council.

(4) Submission of final engineering drawings and construction of infrastructure by the applicant for approval by the Director of Planning and Development and the Director of Public Works.

(5) Submission of a final plat by the applicant for review and approval by the Director of Planning and Development along with a letter of credit or performance bond for any infrastructure item that is not complete. The Planning and Development Director may not disapprove the plat but shall refer any plat to the Planning and Zoning Commission if the applicant refuses to implement the Director's recommendations.

(6) Submission of Mylars, field notes, dedication, and as built drawings signed by a Texas Professional Engineer (when required). In addition, if the applicant is other than a natural person acting on his own behalf, submit a resolution, unanimous consent, or other such instrument in recordable form authorizing specific persons to act on behalf of the applicant in requesting final plat approval.

(7) Filing of final plat.

(B) Applications for minor plats, replats, amending plats, preliminary plats and final plats shall be submitted to the Planning and Development Department. Applications shall contain the following.

(1) *Application*. Completed application form.

(2) *Fee*. Application fee as established by the City Council and stated in the city's fee schedule.

(3) *Copies.*

(a) Preliminary plats shall require ten paper copies of the plat, and seven sets of preliminary engineering drawings with necessary calculations. After plat comments are approved by the City Council, the developer shall submit three corrected copies of the plat and/or engineering drawings if changes to the plat and/or engineering drawings are required. Corrected copies should be submitted before construction begins on the subdivision.

(b) Final plats shall require ten paper copies of the plat and seven sets of final engineering drawings with necessary calculations. After plat comments are approved by the Planning and Zoning Commission, and the City Council if necessary, the developer shall submit three corrected copies of the plat and/or engineering drawings if changes to the plat and/or engineering drawings are required.

(c) A digital copy of the final plat must be submitted. Digital final plat files should be submitted in DXF, DWG or GIS shapefile/feature class/coverage format. This digital format shall be an exact replica of any required and/or included data represented on the submitted hard copy of the final plat. Engineering drawings are excepted from this requirement. This data must be provided on standard transfer media or by electronic transfer (three and one-half inch floppy disk or CD-ROM, DVD, e-mail attachment or any other media as approved by the city Planning Department). The submitted transfer media shall be labeled with the project name (subdivision name) and filing date. State Plane 83 Texas South Central Zone 4204 coordinate system should be the base of all submissions whenever possible.

(4) *Time line*. Submittal of plats and engineering drawings, not meeting the standards for being a minor plat, shall be made 28 days prior to the scheduled Planning and Zoning Commission meeting as preliminary plats and preliminary engineering drawings. Preliminary plats and preliminary engineering drawings shall be presented to the Council within 30 days of action being taken by the Planning and Zoning Commission. Final plats and final engineering drawings shall be reviewed by the Director of Planning and Development. Final plats and final engineering drawings shall be reviewed by the Planning and Zoning Commission and the Council only if the Director of Planning and Development finds that there is substantial deviation, as defined in § 154.21(B), from the preliminary plat or preliminary engineering drawings. If the Director of Planning and Development rules that a final plat and/or final engineering drawings substantially deviate from the approved preliminary plat and/or preliminary engineering drawings, then the Planning and Zoning Commission shall have 30 days from the date of application of the plat to make a ruling and the City Council shall have 30 days from the date of the Planning and Zoning Commission's ruling to take action on the final plat.

(5) *Post approval of final plat*. The developer shall provide the city with two original reproducible Mylars and two paper copies of the plat with the required original signatures, dedications and specific notations.

(6) *As built drawing submital requirements*. The developer shall provide the city with a digital copy and a single set of paper drawings of the constructed infrastructure. These drawings shall meet the requirements as set in § 154.25, "As Built Drawings". Digital as built files should be submitted in PDF, DXF, DWG or GIS shapefile/feature class/coverage format. This digital format shall be an exact replica of any required and/or included data represented on the submitted hard copy drawing/document. This data must be provided on standard transfer media or by electronic transfer (three and one-half inch floppy disk or CD-ROM, DVD, e-mail attachment or any other media as approved by the city Planning Department). The submitted transfer media shall be labeled with the project name (subdivision name) and filing date. State Plane 83 Texas South Central Zone 4204 coordinate system should be the base of all submissions whenever possible. Failure to do so could result in revocation or denial of construction permits and/or certificate of occupancy.

(Ord. 2010-08, passed 3-9-10; Am. Ord. 2012-21, passed 10-9-12; Am. Ord. 2014-25, passed 10-28-14; Am. Ord. 2023-48, passed 12-12-23)

§ 154.21 PRELIMINARY PLAT.

(A) *General.* The preliminary plat and preliminary engineering drawings shall show all proposed phases of development of an area of land under the same ownership. Approval or conditional approval of the concept plan (if required), the preliminary plat and preliminary engineering drawings is required by the Planning and Zoning Commission and City Council prior to consideration of the final plat and final engineering drawings by the Director of Planning and Development. Preliminary plats and preliminary engineering drawings shall be deemed approved if no action is taken by the Planning and Zoning Commission within 30 days of submittal, and if no action is taken by the City Council within 30 days of Planning and Zoning Commission approval.

(B) *Changes to preliminary plat.* An approved preliminary plat and/or preliminary engineering drawings is binding and must be complied with; however, it may be amended at the request of the developer, or required by the city per this section. Substantial amendments or changes to an approved preliminary plat or preliminary engineering drawings must be reviewed and approved by the Planning and Zoning Commission as well as by the City Council. Minor amendments may be approved by the Planning and Development Director. Minor amendments are those that:

(1) Increase by 10% or less the number of lots or potential structures that can be accommodated by the infrastructure;

(2) Reduce the number of lots; and

(3) Any proposed change in infrastructure is considered a major amendment, unless deemed by the Public Works Director as a minor amendment.

(C) *Form and content.* A complete submission for approval shall contain ten paper copies of the plat and seven paper copies of the engineering drawings. Failure to submit the plat and engineering drawings together in the quantities as stated herein at the time of submission shall be deemed an incomplete submission. The submission shall not be considered complete until all required documents (plat and engineering documents) in their respective quantities as stated herein are submitted.

(1) *Preliminary plat.* The preliminary plat shall be prepared and sealed by a Texas Licensed Professional Engineer or Texas Registered Professional Land Surveyor and plotted on 22 inch by 34 inch sheets at a scale of one inch to 100 feet or larger. The plat shall conform to the general requirements and minimum standards of design and requirements, and shall include the following elements as applicable:

(a) A cover sheet is required for all plats involving three or more sheets. All plan sheet numbers shall be placed on the cover along with the corresponding plan sheet titles. This cover sheet should include a listing of all plan sheet numbers and plan sheet titles in the engineering drawings as well. A vicinity map should always be included on the cover sheet to show the project location;

(b) Title block including proposed subdivision name, phase, block and lot numbers, current legal description (or reference thereto), acreage, name and address of property owner, name and address of surveyor/engineer, date of survey, date of preparation and page content title. This title block shall be present on each page of the plat;

(c) Index sheet for plats with more than one sheet that shows the entire subdivision drawn to a scale of not less than one inch equals 100 feet;

(d) Legal description, existing boundary, lot lines and right-of-way lines of streets and easements with accurate dimensions, bearings, deflection angles, radii and central angles of all curves;

(e) Phasing plan if subdivision is to be constructed in phases;

(f) Lot lines shall have line dimensions clearly displayed within the lot along with the lot's respective lot number. Groups of lots that are considered within a block shall have the block number clearly displayed;

(g) All right-of-way lines and easements shall be clearly displayed on the plat. The plat shall clearly display the location, size and purpose of all existing and proposed easements on or adjoining the property;

(h) Location of existing and proposed streets, alleys, bikeways and sidewalks on or adjoining the site. Such information shall include name, right-of-way widths, type and width of surfacing. All private streets shall be clearly labeled;

(i) Any areas reserved or dedicated for public uses;

(j) Easements and street stub-outs necessary to serve adjacent properties;

(k) Adjacent property information including present ownership, legal descriptions (recorded volume and page) and property lines within 100 feet;

(l) Primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings and similar data shall be referred. The plat shall be located with respect to a corner of the surveyor tract, or an original corner of the original survey of which it is a part. Temporary benchmarks and NGS datum shall be described on each sheet;

(m) Scale, basis of bearing and benchmarks (datum) and description shall all be clearly displayed on the plat; and

(n) A north arrow is required on all sheets and should be oriented either upward or to the right. It is the intent of this requirement that all stationing should start from cardinal points of the compass and proceed in the direction of construction.

(2) *Preliminary engineering drawings.* Preliminary engineering drawings shall be prepared and sealed by a Texas Licensed Professional Engineer and plotted on 22 inch by 34 inch sheets at a scale of one inch to 100 feet or larger. The preliminary engineering drawings shall match the features found on the preliminary plat and they shall conform to the general requirements and minimum standards of design and requirements in accordance with the most current edition of the *Standard Specifications for Public Works Construction, North Central Texas* adopted by the city, and shall include the following elements as applicable:

(a) Title block including proposed subdivision name, phase(s), block and lot numbers, current legal description (or reference thereto), acreage, name and address of property owner, name and address of surveyor/engineer, date of survey, date of preparation and page content title. This title block shall be present on each page of the preliminary engineering drawings;

(b) Water layout plan view to include rough locations of service connections, pipe diameters, valves, hydrants and flush assemblies;

(c) Sanitary sewer layout plan to include rough locations of service connections, pipe diameters, cleanouts and manholes;

(d) Street and sidewalk layout plan view; and

(e) Storm water drainage layout plan (drainage calculations are only necessary on major drainage structures at this step).

(D) *Processing preliminary plat.*

(1) Submission of preliminary plat application along with all items required in § 154.20 (B)(3)(a).

(2) The preliminary plat and preliminary engineering drawings shall be reviewed by the Planning and Development Department for conformity with the city's plans, thoroughfare plan, utility master plan, engineering standards and specifications, city ordinances and other applicable city standards. Upon completion of this review, the preliminary plat and preliminary engineering drawings shall be submitted to the Planning and Zoning Commission.

(3) The Planning and Zoning Commission shall review the preliminary plat, preliminary engineering drawings and all staff's recommendations. Particular attention will be given to the arrangement, location and width of streets, their relation to the topography of the land, lot sizes and arrangement, water and sewer lines, drainage, the further development of adjoining lands and the requirements of city ordinances, policies and plans.

(4) The Planning and Zoning Commission shall act on the preliminary plat and preliminary engineering drawings and may advise the developer of any specific changes or additions they will require in the layout, or comment on the character and extent of improvements and dedications that will be required prior to infrastructure construction and as a prerequisite to the approval of the final plat and final engineering drawings.

(5) The Planning and Zoning Commission shall forward the preliminary plat and preliminary engineering drawings with their approval to the City Council for their consideration. The Planning and Development Director shall inform the developer in writing of the decision of the Planning and Zoning Commission and City Council including any conditions for approval or reasons for disapproval. If disapproved by the Planning and Zoning Commission or the City Council, the applicant may resubmit a preliminary plat and preliminary engineering drawings addressing the concerns of the Planning and Zoning Commission and the City Council for reconsideration.

(6) A preliminary plat and preliminary engineering drawings shall expire 24 months after approval unless:

(a) An extension is applied for and granted by the Director of Planning and Development if the city's regulations and requirements have not changed;

(b) Final plat submittal, on at least one phase, occurs within 24 months following the initial approval; or

(c) Preliminary plats and preliminary engineering drawings will also expire if there is a more than a 24 month period of time between approval and submittal of any phase of the preliminary plat.

(7) Submittal shall be 28 days prior to the scheduled Planning and Zoning Commission meeting. The plat and engineering drawings shall be presented to the Council within 30 days of action being taken by the Planning and Zoning Commission for their consideration. The plat and engineering drawings shall be considered approved if the Council does not act on it within 30 days after the Planning and Zoning Commission has acted on it.

(Ord. 2010-08, passed 3-9-10; Am. Ord. 2012-21, passed 10-9-12; Am. Ord. 2014-25, passed 10-28-14)

§ 154.22 FINAL PLAT.

(A) *General.* The final plat and final engineering drawings shall be substantially consistent per requirements in § 154.21(B) with the preliminary plat and preliminary engineering drawings for the subject phase of construction. The first phase of a subdivision shall have its final plats and final engineering drawings submitted within 24 months of approval of preliminary plat and preliminary engineering drawings after which time, a new preliminary plat and preliminary engineering drawings may be required. Final plats and final engineering drawings shall be deemed approved if no action is taken by the Planning and Development Director within 30 days of submittal or 60 days if the final plat is referred by the Planning and Development Director to the Planning and Zoning Commission and the City Council due to substantial deviation from the preliminary plat as determined by § 154.21(B).

(B) *Form and content*. A complete submission for approval shall contain ten paper copies of the plat and seven paper copies of the engineering drawings. Failure to submit the plat and engineering drawings together in the quantities as stated herein at the time of submission shall be deemed an incomplete submission. The submission shall not be considered complete until all required documents (plat and engineering documents) in their respective quantities as stated herein are submitted.

(1) *Final plat.* Shall be prepared and sealed by a Texas Licensed Professional Engineer or Texas Registered Professional Land Surveyor and plotted on 22 inch by 34 inch sheets at a scale of one inch to 100 feet or larger. The plat shall conform to the general requirements and minimum standards of design and requirements, and shall include the following elements as applicable:

(a) A cover sheet is required for all plats involving three or more sheets. All plan sheet numbers shall be placed on the cover along with the corresponding plan sheet titles. Cover sheet shall include all plan sheet numbers and plan sheet titles shown in the engineering drawings as well. A vicinity map should always be included on the cover sheet to show the project location;

(b) Title block including proposed subdivision name, phase, block and lot numbers, current legal description (or reference thereto), acreage, name and address of property owner, name and address of surveyor/engineer, date of survey, date of preparation and page content title. This title block shall be present on each page of the plat;

(c) Legal description, existing boundary, lot lines and right-of-way lines of streets and easements with accurate dimensions, bearings, deflection angles, radii and central angles of all curves;

(d) Index sheet for plats with more than one sheet that shows the entire subdivision drawn to a scale of not less than one inch equals 100 feet;

(e) Lot lines shall have line dimensions clearly displayed within the lot along with the lot's respective lot number. Groups of lots that are considered within a block shall have the block number clearly displayed;

(f) All right-of-way lines and easements shall be clearly displayed on the plat. The plat shall clearly display the location, size and purpose of all existing and proposed easements on or adjoining the property;

(g) Location of existing and proposed streets, alleys, bikeways and sidewalks on or adjoining the site. Such information shall include name, right-of-way widths, type and width of surfacing. All private streets shall be clearly labeled;

(h) Any areas reserved or dedicated for public uses;

(i) Notes addressing how lots with low wastewater service tolerances will be served;

(j) Delineation of the Federal Emergency Management Association (FEMA) Special Flood Hazard Area as well as any hazards from adjacent detention facilities or as required by the city;

(k) Easements and street stub-outs necessary to serve adjacent properties;

(l) Adjacent property information including present ownership, legal descriptions (recorded volume and page) and property lines within 100 feet;

(m) Primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings and similar data shall be referred. The plat shall be located with respect to a corner of the surveyor tract, or an original corner of the original survey of which it is a part. Temporary benchmarks and NGS datum shall be described on each sheet;

(n) Scale, basis of bearing and benchmarks (datum) and description shall all be clearly displayed on the plat;

(o) A north arrow is required on all sheets and should be oriented either upward or to the right. It is the intent of this requirement that all stationing should start from cardinal points of the compass and proceed in the direction of construction;

(p) Minimum building setback lines on all lots and other sites;

(q) Signature/certification blocks. All final plats shall have affixed to the first page of the plat sheets to be recorded the following elements as applicable:

1. A surveyor's certificate, in the following format, shall be placed on the final plat:

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision and Property Development Regulations of the City of Harker Heights, Texas.

_____

Signature

_____

Texas Reg. No.

2. An original certificate of ownership and of dedication of all streets, alleys, easements and lands to public use forever, signed and acknowledged before a notary public by the owner of the land, shall appear on the face of the map, containing complete and accurate description of the property being platted and the streets dedicated;

3. A certificate of approval by the Planning and Zoning Commission, in the following format, shall be placed on the final plat.

Approved this _____day of ____, _____, by the Planning and Zoning Commission of the City of Harker Heights, Texas.

_____

Chairperson, Planning and Zoning Commission

_____

Secretary, Planning and Zoning Commission

4. A certificate of approval by the City Council, in the following format shall be placed on the final plat:

Approved this _____ day of _____, by the City Council of the City of Harker Heights, Texas.

_____

Mayor

_____

City Secretary

5. A certificate of approval by the Director of Planning and Development, in the following format shall be placed on the final plat:

Approved this the _____ day of _____, by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

_____

Director of Planning and Development

6. A tax certification block, in the following format, shall be placed on the final plat:

The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas, does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this _____ day of _____, A.D.____

Bell County Tax Appraisal District

By: _____

7. A recordation block, in the following format, shall be placed on the final plat:

FILED FOR RECORD this _____day of _____, _____ in Cabinet _____, Slide(s) _____, Plat Records of Bell County, Texas. Dedication instrument in Instrument # _____, Deed Records of Bell County, Texas.

(2) *Final engineering drawings.* Engineering drawings shall be prepared and sealed by a Texas Licensed Professional Engineer and plotted on 22 inch by 34 inch sheets at a scale of one inch to 100 feet or larger. The engineering drawings shall match the features found on the final plat and they shall conform to the general requirements and minimum standards of design and requirements in accordance with the most current edition of the Standard Specifications for Public Works Construction, North Central Texas, and shall include the following elements as applicable:

(a) Title block including proposed subdivision name, phase, block and lot numbers, current legal description (or reference thereto), acreage, name and address of property owner, name and address of surveyor/engineer, date of survey, date of preparation and page content title. This title block shall be present on each page of the engineering drawings;

(b) Lot layout showing the area in square feet of each lot proposed;

(c) Water layout plan, fire flow/water design report, details;

(d) Sanitary sewer layout plan and profiles, a wastewater design report, details, specifications, lift station capacity and a detailed engineering estimate;

(e) Street plan and profiles, to include paving details and a traffic control plan (if applicable);

(f) Street light layout;

(g) Display natural ground profiles of each right-of-way or easement line. Centerline profiles will be satisfactory for right-of-way or easements, except where there is a difference of 0.50 foot or more from one right-of-way or easement line to the other line measured parallel at any point along the right-of-way or easement;

(h) Storm water plan and profiles of culverts and channels, a grading plan with two foot contours, a drainage report, an erosion and sedimentation control plan, delineated drainage basins, details for all structures, specifications and a detailed engineering estimate;

(i) Existing contours at intervals of two feet for grades up to 5% and not more than five feet for grades over 5%;

(j) Drainage information and calculations required by Chapter 158, including, but not limited to, drainage channel and detention pond locations and approximate size of facilities. Flow line elevations shall be shown along with direction of flow of all existing or proposed drainage features;

(k) Drainage structures, 100-year floodplain, floodway, watercourses, railroad, structures and other physical features on or adjacent to the site;

(l) Location and size of all existing and/or proposed city utilities, and all others where known. All city utility lines six inches in diameter or larger within the right-of-way shall be shown on the profile view. All utility lines, regardless of size, should be shown in the plan view, where known;

(m) Major thoroughfare plans and profiles shall be drawn at a scale of one inch equals two feet vertically and one inch equals 20 feet horizontally. Minor streets and easement plans and profiles shall be drawn at a scale of one inch equals five feet vertically and one inch equals 50 feet horizontally or one inch equals four feet vertically and one inch equals 40 feet horizontally. Label each plan sheet as to street widths, right-of-way widths, pavement width and thickness, type of roadway materials, curbs, intersection radii, curve data, stationing, existing utilities type and location. Stationing must run from left to right, except for short streets or lines originating from a major intersection where the full length can be shown on a single plan and profile sheet;

(n) Texas Department of Transportation (TXDOT) approvals for driveway and drainage into their jurisdiction, if applicable;

(o) Existing conditions such as marshes, wooded areas, buildings and other significant features;

(p) Significant features on adjacent properties such as slopes, structures and power lines;

(q) Grading, erosion and sedimentation control plan;

(r) Details of all special structures and standard details, such as drainage features, streams and gully crossing, special manholes and the like, shall be drawn with the vertical and horizontal scales equal to each other; and

(s) Station all point of curvature (P.C.'s), point of tangency (P.T.'s) radius returns and grade change point of intersection (P.I.'s) in the profile with their respective elevations.

(3) *Resolution/dedication/field notes.* The applicant will furnish the city with a signed, original copy of the dedication, resolution and field notes, as applicable, at the same time the final plat and final engineering drawings are submitted for approval.

(C) *Processing final plat.*

(1) Submission of application as provided under § 154.20(B)(3)(b).

(2) The final plat and final engineering drawings shall be reviewed by the Planning and Development Department for conformity with the approved preliminary plat and preliminary engineering drawings, city's plans, thoroughfare plan, utility master plan, engineering standards and specifications, city ordinances and other applicable city standards. Upon completion of this review, the final plat and final engineering drawings shall be approved by the Director of Planning and Development or submitted to the Planing and Zoning Commission for review.

(3) If forwarded onto the Planning and Zoning Commission, the commission shall study the final plat and final engineering drawings and all recommendations. Particular attention will be given to the arrangement, location and width of streets, their relation to the topography of the land, lot sizes and arrangement, water and sewer lines, drainage, the further development of adjoining lands and the requirements of city ordinances, polices and plans. The Planning and Zoning Commission shall act on the plat and engineering drawings and may advise the developer of any specific changes or additions they will require in the layout, or comment on the character and extent of improvements and dedications that will be required as a prerequisite to the approval of the final plat and final engineering drawings. The final plat and final engineering drawings approval is the Planning and Zoning Commission's responsibility, unless the Commission forwards the final plat and final engineering drawings to the Council because of a deviation from the preliminary plat and preliminary engineering drawings as defined in § 154.21(B).

(4) The final plat and final engineering drawings shall not be: approved, conditionally approved or filed for record and no permits shall be issued until the applicant posts with the city a letter of credit/performance bond for any infrastructure construction remaining.

(Ord. 2010-08, passed 3-9-10)

§ 154.23 GUARANTEE OF PERFORMANCE.

(A) *General.* In order to record an approved final plat in which public infrastructure improvements are required, the developer shall construct the improvements to the approval of the city or file a guarantee of performance in lieu of completing the infrastructure prior to recordation of the plat. All such construction shall be inspected while in progress by the Public Works Department and must be approved upon completion by the Public Works Director or his or her designee.

(B) *Filing a guarantee*. If the developer elects to file a guarantee of performance in lieu of completing construction prior to recording the plat, one of the following methods of posting security shall be used, while the city does reserve the right to select which of the following guarantees of performance is utilized.

(1) Unconditional letter of credit from a local bank, local federally insured Savings and Loan Association or other financial institution in a form acceptable to the city and signed by a principal officer of the institution, agreeing to pay to the city, on demand, a stipulated sum of money to apply to the estimated costs of completion of all required improvements, cost of completion of the required improvements being verified by the City Engineer.

The letter of credit shall be dated to expire not less than one year from the recordation of the final plat. If the required infrastructure is not complete within six months of acceptance of the letter of credit, the city shall use the funds to construct the improvements.

(2) Performance bond submitted with the city by a surety company holding a license to do business in the State of Texas, in a form acceptable to the city, in an amount equal to the estimated costs of completion of required improvements verified by the City Engineer. It shall be dated to expire not less than one year from the recordation of the final plat. If the required infrastructure is not complete within six months of acceptance of the letter of credit, the city shall use the funds to construct the improvements.

(C) *Guarantee of performance*. For the guarantee of performance, as described in this section, the Engineer whose stamp and signature are found on the final plat and final engineering drawings shall prepare a detailed estimate of outstanding infrastructure items to include the cost of each item, the cost of installation of each item and the total cumulative cost of all outstanding infrastructure items. This detailed estimate should be stamped and signed by the Engineer. The city's Engineer shall review this detailed estimate to ensure that all items are accounted for and are valued at costs that are reasonable given the market at the time of which the project occurs. The city may request that the developer make modifications to the detailed estimate to reflect comments from the city's Engineer. Once approved by the city's Engineer, the city will accept the guarantee of performance, as described in this section, for the total cumulative cost as shown on the detailed estimate, and the final plat shall be filed with the county.

(Ord. 2010-08, passed 3-9-10)

§ 154.24 MAINTENANCE BOND REQUIRED.

(A) Before the issuance of any building permit, the subdivider shall furnish the city with a maintenance bond, or other surety instrument such as a letter of credit or escrow account. The purpose of the maintenance bond/surety instruments is to assure the quality of materials and workmanship and maintenance of all required improvements including the city's costs for collecting the guaranteed funds and administering the correction and/or replacement of covered improvements in the event the subdivider defaults. The maintenance bond or other surety instrument shall be satisfactory to the city as to form, sufficiency and manner of execution. For water and sewer related improvements, the bond or other instrument shall be in an amount equal to 20% of the cost of improvements verified by the city Engineer and shall run for a period of one calendar year. Bonds or other instruments for streets and drainage facilities shall be in an amount equal to 40% of the improvements verified by the city Engineer and shall run for a period of two calendar years. Effective time frame for bonds or other instruments will be measured from the date of release of the performance surely instrument, or signing and recording of the final plat whichever is later. In an instance where a maintenance bond or other surety instrument has been posted and a defect or failure of any required improvement occurs within the period of coverage, the city may declare the bond or surety instrument to be in default and require that the improvements be repaired or replaced.

(B) Whenever a defect or failure of any required improvement occurs within the period of coverage, the city shall require that a new maintenance bond or surety instrument be posted for a period of one full calendar year, except streets and drainage channels and structures which will be for two calendar years. The amount of the bond or instrument will be equal to the amount required to correct the fault or failure. Effective time frame for the new maintenance bond or other instrument shall begin on the date the city inspects and approves the required correction.

(Ord. 2010-08, passed 3-9-10)

§ 154.25 AS BUILT DRAWINGS.

(A) *As built drawings*. The purpose of this requirement is to document the subdivision improvements as they were actually built. These drawings are required to replace the approved plans that are on file at the Director of Public Work's office and as such should contain all of the sheets presented in the final plat and final engineering drawings. These plans shall be labeled "as built" or "record drawings". These drawings shall minimally include:

(1) An index sheet listing all plan sheets presented in the as built drawings;

(2) Drawings shall contain information within tolerances pertinent to the intended function of the design;

(3) Waterlines and appurtenances shall be field located with a horizontal and vertical location within a tolerance of one foot, more or less;

(4) Gravity wastewater lines and manholes shall be field located with a vertical location within a tolerance of 0.1 foot, more or less, and a horizontal location within a tolerance of one foot, more or less;

(5) Pressure wastewater lines and appurtenances shall be field located with a horizontal and vertical location within a tolerance of one foot, more or less;

(6) Drainage facilities shall be field located with a vertical location within a tolerance of 0.1 foot, more or less, and a horizontal location within a tolerance of one foot more or less;

(7) Roadway and sidewalk paving shall be field located with a vertical location within a tolerance of 0.1 foot, more or less, and a horizontal location within a tolerance of one foot, more or less;

(8) All public facilities shall be shown to be located within public rights-of-way or appropriate easements; and

(9) The as built drawings shall be prepared by a Texas Licensed Professional Engineer and shall bear a certification from the Engineer as follows:

(a) "To the City of Harker Heights: I certify that the subdivision improvements shown on this sheet reflect any revisions of design as approved by the city and which I authorized, and/or any and all field changes of which I am aware."; and

(b) The certification shall be executed by, and shall bear the seal and original signature of the professional Engineer licensed in the State of Texas at the date of such certification that directly supervised the construction of the project pursuant to the Texas Engineering Practice Act.

(B) *As built drawing submital requirements.* The developer shall provide the city with a digital copy and a single set of drawings of the constructed infrastructure. A digital copy of the as built plat and its as built engineering drawings must be submitted. Digital as-built files should be submitted in PDF, DXF, DWG or GIS shapefile/feature class/coverage format. This digital format shall be an exact replica of any required and/or included data represented on the submitted hard copy drawing/document. This data must be provided on standard transfer media or by electronic transfer (three and one-half inch floppy disk or CD-ROM, DVD, e-mail attachment or any other media as approved by the city Planning Department). The submitted transfer media shall be labeled with the project name (subdivision name) and filing date. State Plane 83 Texas South Central Zone 4204 coordinate system should be the base of all submissions whenever possible. Failure to do so could result in revocation or denial of construction permits and/or certificate of occupancy.

(Ord. 2010-08, passed 3-9-10; Am. Ord. 2014-25, passed 10-28-14)

§ 154.26 SPECIAL PLATS OR PROCEDURES.

(A) *Amending plats*.

(1) *General.* A plat may be considered an amending plat solely for the purposes established in Tex. Loc. Gov't. Code, § 212.016.

(2) *Form and content.* The amending plat should depict both the current and the proposed configuration of all altered lots. The current configuration should be located on the left side of the plat and shall depict all information as required for a preliminary plat as provided in this chapter. The proposed configuration should be located on the right side of the plat and shall depict all information as required for a final plat as provided in this chapter.

(3) *Processing.* The Planning and Development Director, or the Planning and Zoning Commission and the City Council (if forwarded by the Director of Planning and Development) may approve and issue an amended plat, which may be recorded with the County Clerk and controls over the preceding plat without vacation of the plat, if the amended plat is signed by the applicant(s) and is solely for one or more of the following purposes as established by Tex. Loc. Gov't. Code, § 212.016:

(a) To correct an error in a course or distance shown on the preceding plat;

(b) To add a course or distance that was omitted on the preceding plat;

(c) To correct an error in the description of the real property shown on the preceding plat;

(d) To indicate monuments set forth after death, disability or retirement from practice of the Engineer or surveyor responsible for setting monuments;

(e) To show the proper location or character of any monument which has been changed in location or character or which originally was shown incorrectly as to location or character on the preceding plat;

(f) To correct any other type of scrivener's, clerical error or omission previously approved by the Planning and Zoning Commission and/or City Council, including lot numbers, acreage, street names and identification of adjacent recorded plats;

(g) To correct an error in courses and distances of lot lines between two adjacent lots where both lot owners join in the application for plat amendment and neither lot is abolished; provided, that such amendment does not attempt to remove recorded covenants or restrictions and does not have a material adverse effect on the property rights of the other owners in the plat;

(h) To relocate a lot line in order to cure an inadvertent encroachment of a building or improvement on a lot line or on an easement;

(i) To relocate one or more lot lines between one or more adjacent lots where the owner(s) of all such lots join in the application for the plat amendment; provided, that such amendment does not attempt to remove recorded covenants or restrictions and does not increase the number of lots;

(j) To make necessary changes to the preceding plat to create six or fewer lots in the plat if the changes do not affect applicable zoning and other regulations of the city, and the changes do not attempt to amend or remove any covenants or restrictions and the area covered by the changes is located in an area that the Planning and Zoning Commission and/or the City Council has approved, after a public hearing, as a residential improvement area; and

(k) To replat one or more lots fronting on an existing street if the owners of all those lots join in the application for the amendment. The amendment does not attempt to remove recorded covenants or restrictions or increase the number of lots; and, the amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

(B) *Minor plats.*

(1) *General.* A plat of a subdivision involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of any city infrastructure.

(2) *Processing.* Minor plats shall be approved by the Planning and Development Director if they meet all of the requirements. The Director may elect to forward the plat to the Planning and Zoning Commission for approval.

(3) *Form and content.* Minor plats will be required in general conformance with final plat procedures except in regards to the signature block. The Planning and Zoning and City Council certification blocks as described under final plat requirements should not be utilized on minor plats (all other certification blocks should be utilized). Minor plats should utilize the following certification block in the place of the Planning and Zoning and City Council certification blocks:

APPROVED this the _____ day of _____, by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

_____

Director of Planning and Development

_____

Attest: City Secretary

(C) *Replat.*

(1) *General.* A replat is a revision of a previously platted subdivision that involves vacating the prior subdivision and re-subdivides the property that usually changes the number of lots in accordance with the Tex. Loc. Gov't. Code, Ch. 212. A replat shall follow the same procedures as are required for an original plat and shall comply with Tex. Loc. Gov't. Code, Ch. 212 of the Local Government Code, including requirements for public hearings and notifications. Replats may be approved administratively if they qualify under the following:

(a) Minor plats or replats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities; or

(b) A replat under Tex. Loc. Gov't. Code, § 212.0145 that does not require the creation of any new street or the extension of municipal facilities.

(2) *Form and content.* The replat shall depict both the current and the proposed configuration of all altered lots. The current configuration should be located on the left side of the plat and shall depict all information as required for preliminary plats as presented in § 154.21. The proposed configuration should be located on the right side of the plat and shall depict all the information as required for final plats as presented in Section § 154.22.

(D) *Vacating a plat.* (Refer to Tex. Loc. Gov't. Code, § 212.013). Vacating a plat should follow the same procedure as prescribed for the original plat.

(Ord. 2010-08, passed 3-9-10)

DESIGN STANDARDS

§ 154.35 DESIGN STANDARDS WITHIN CITY LIMITS.

No plat shall be approved and no improvements shall be accepted by the city unless they conform to or exceed the following standards and specifications and all other applicable standards unless an exception/variance is granted.

(A) *Conformity with zoning*. Parcels must be consistent with zoning standards of the zoning district the parcels are located in.

(B) *Conformity with land use plan*. The subdivision shall conform to the plans of the city and any parts, amendments and/or supplements thereto.

(C) *Conformity with design and construction standards for streets, sidewalks, drainage, water and sanitary sewer construction.* All construction of infrastructure improvements shall be in accordance with the city's design guidelines, utility master plans and engineering standards and specifications.

(D) *Certain detailed standards and specifications not covered herein*. In circumstances where public health and safety issues are identified, city staff shall specify additional requirements for a requested subdivision that are not covered within this chapter. No such requirements shall conflict with this or any other ordinances of the city.

(E) *Reserve strips*. There shall be no reserve strips of property that create unusable tracts added properties, and/or other non-conformities.

(F) *Provision for future re-subdivision*. If a tract is subdivided into parcels larger than ordinary building lot sizes, such parcels shall be arranged so as to allow for the opening of future streets and future subdivisions.

(Ord. 2010-08, passed 3-9-10; Am. Ord. 2014-25, passed 10-28-14)

§ 154.36 PUBLIC INFRASTRUCTURE IMPROVEMENTS.

(A) *Development costs*. The developer/property owner shall install, at his or her own expense, all water lines, streets, sidewalks, sewer lines, storm sewer lines, drainage facilities and structures within the subdivision, in accordance with city standards governing the same, including all engineering costs covering design, layout and construction.

(B) *Development mains*. Developers shall pay the actual cost of water and sewer main extensions, water towers and associated facilities and equipment, force mains and lift stations required to serve their development area including costs of right-of-way and easements acquisition. Required facilities shall be extended to the edge of adjacent land along street sides or as determined by the city.

(C) *Street over-sizing*. Where street over-sizing in excess of 42 feet in width is required by the city, the city shall reimburse the actual and reasonable cost directly attributable to such over-sizing (including the cost of additional pavement, additional subgrade and additional cross-drainage costs) as herein provided.

(1) *Reimbursement request*. In order to initiate a reimbursement request, the owner must establish a per linear foot oversize cost for the reimbursable public improvements. Requests for the reimbursement to the owner shall include owner's name and mailing address. The requests must include as built drawings showing the reimbursable items with quantities and unit costs, and other supporting or explanatory documentation. The cost for over-sizing shall be mutually agreed upon by the city and the developer.

(2) *Over-sizing requirements*. Upon acceptance of the infrastructure by the city, refunds for approved over-sizing shall be scheduled as of the next year's capital improvements program, unless funds are available earlier. If payment is not made within 60 days after acceptance by the city, interest will accrue at an agreed upon rate between the developer and the city.

(3) *Exceptions*. The City Council may modify the requirements of this section and may elect to participate in the cost of such developments if it finds that the circumstances taken as a whole would make it inappropriate to require the subdivider to comply with this section, or any portion thereof, and such modification or participation would accomplish a legitimate public purpose which would benefit the city. Each request by a subdivider pursuant to this section shall be considered separately in accordance with such criteria as may be defined by the City Council, and the approval of any such request shall be accompanied by such conditions as may be necessary to ensure that a legitimate public purpose beneficial to the city is accomplished. Nothing in this section is intended to authorize the use of public funds or credit for a private purpose.

(D) *Inadequate or substandard streets*. Inadequate or substandard existing streets shall be upgraded to city standards by the developer, including dedication of additional right-of-way if necessary. If development is on one side of such a street, the developer shall dedicate additional right-of-way if necessary, upgrade the street pavement and associated infrastructure on the side that is being platted. Sidewalks shall be constructed or upgraded (if needed) to city standards by the builder/owner prior to the issuance of a certificate of occupancy.

(E) *Inspection*. All infrastructure improvements shall meet or exceed city design criteria and specifications to include being in accordance with the Third Edition (or more current edition) of the *Standard Specifications for Public Works Construction, North Central Texas*. The city will inspect the construction work as it progresses and will make final inspection to assure compliance with city standards. Upon acceptance by the city, all infrastructure improvements constructed for subdivision within the city limits shall become the property of the city unless otherwise noted on the plat.

(F) *Water and wastewater service*. All subdivisions shall provide water distribution and wastewater collection systems that are approved by the city. Design should be consistent with the city standards of construction, engineering standards and specifications and the utility master plans.

(1) *Water connection*. All subdivisions shall connect with the publicly owned water distribution and wastewater collection systems unless a waiver is approved by the city. If the waiver is approved, the developer must submit evidence of conformance with TCEQ, Bell County Health Department, and the city fire flow requirements.

(2) *Extending water distribution*. The developer shall extend water distribution and wastewater collection lines from the nearest city-approved point of connection to the furthest boundary line of the platted subdivision along the right-of-way line or within an abutting dedicated easement specified for the exclusive use of the particular utility. These municipal utilities shall not be located in combination easements without the specific approval of the Public Works Director. This is required in order to provide a point of connection for adjacent properties not having access to such services. Where the developer is not required to extend utilities to adjacent property, an easement shall be required to accommodate future development on adjacent property.

(3) *Fire hydrants*. Fire hydrants shall be installed pursuant to the most currently amended and adopted edition of the International Fire Code. In areas not served by the city, the developer must perform a fire flow test on the system with the city staff as witnesses to assure adequate fire protection is provided.

(4) *Underground conduits*. Underground conduits shall be of sufficient size, as determined by generally accepted and good engineering principals, to accommodate and/or deliver current and anticipated future loads and/or flows and pressures, as the case may be, but in no case less than that specified below for each particular application.

(5) *Water mains*. In no case shall any water main be less than six inches in residential areas and eight inches in nonresidential areas. Water mains shall be sized as shown on the master water plan; in the absence of such a plan, or when the plan does not indicate requirements for a water main in the same location as the proposed water main, the water main shall be designed and sized to deliver the following pressures/flows.

(a) At each building service, the minimum pressure set forth by the Texas Commission on Environmental Quality, Water Supply Division.

(b) Private service lines shall be defined as the service line extending from water system meter to an individual customer. Public service lines shall be defined as the line extending from a water main to a single meter. ***BULLHEADS*** shall be defined as a public service line with branches to serve two or more customers.

(c) Public service lines will become the property of the city when completed and will be maintained by the developer/builder at his or her expense until accepted by the city. Public service lines will not be less than three-quarter inch or larger than two inches in diameter. Bullheads shall be no less than one inch in diameter. All public service lines shall be sized to deliver the pressures required by the Texas Commission on Environmental Quality. In no case will public service lines exceed 150 feet in length without prior approval of the Public Works Department.

(d) If an existing water main is within 300 feet of the boundary of any lot or tract of land proposed for development and/or improvement through the erection of buildings, then the water main shall be extended to the lot or tract in question. From the point of connection with the existing main, the water main shall be installed in accordance with all applicable regulations.

(6) *Sewer lines*. If an existing sewer main is within 300 feet of the boundary of any lot or tract of land proposed for development and/or improvement through the erection of buildings, then the sewer main shall be extended, in accordance with all applicable regulations, to the lot or tract in question.

(7) *Service line*. Whenever a water or sewer main is required to be extended to a lot or tract, an appropriate service line (tap) shall be extended to serve the lot or tract, and buildings located thereon shall be connected thereto whether they are pre-existing or are subsequently erected. The provisions of divisions (F)(1) and (2) above and any other ordinance notwithstanding, any subdivision or re-subivision of a lot or tract of land shall be required to provide water and/or sewer service to the subdivision or re-subivision, regardless of whether a subdivision plat is required to be prepared and approved by the city.

(8) *Extending requirements*. All utilities shall be required to extend across the full width of the development lot (defined by plat or lot of record) in such an alignment that it can be extended to the next property. Properties already served by water and sewer shall not be required to install additional facilities unless the current lines are not of adequate capacity to serve the proposed development in which case the developer will be required to install adequate facilities. Once a utility meter is installed, movement required due to changes in grade/landscape will be the responsibility of the developer/builder.

(9) *Other utilities*. All other utilities (i.e. electric, gas, communications and cable TV) shall be located in perimeter lot easements. These utilities shall not be located in a public right-of-way or a specified easement, prohibiting its use, without the approval of the Public Works Director.

(Ord. 2010-08, passed 3-9-10; Am. Ord. 2014-25, passed 10-28-14; Am. Ord. 2020-12, passed 4-28-20)

§ 154.37 STREETS.

(A) *Street layout*.

(1) *Thoroughfare plan*. Proposed streets must be in conformance with the city thoroughfare plan. All arterial and collector street locations, alignments, right-of-way widths, pavement widths and cross-sections shall be in accordance with the adopted plans and standards. Streets that are not on the thoroughfare plan and are proposed to collect traffic from residential streets shall be designed and constructed as minor or major collectors as determined by the Public Works Director.

(2) *Consistency with existing streets*. The arrangement, character, extent, width, grade and location of each proposed street shall be consistent with streets in the immediate area. However, new streets must meet the minimum current standards. Consideration shall be made for topographical conditions, public safety, convenience and the proposed use of land to be served by such streets.

(3) *Entrances to subdivisions*. In no case shall platted lots have their sole access through an adjacent jurisdiction. As a rule, new subdivisions must have at least two access streets. Entrances shall be 42 feet wide with a 70-foot right-of-way for a minimum distance of 100 feet from the intersection. A developer may request the approval of one access street if the access street has no connecting streets, terminates in a permanent cul-de-sac or provides access to not more than a total of 30 single-family dwelling lots or an equivalent housing unit density comprised of duplex or multi-family structures. In addition to the single point of access situation presented by streets that end in permanent cul-de-sac, a single point of access may be dictated by property configuration, safety or access management restrictions. In determining if a new subdivision may have one point of ingress/egress, consideration shall be given to:

(a) Traffic circulation and emergency vehicle access;

(b) Traffic and pedestrian safety with due consideration given to school bus routes; and

(c) Topography and visibility distances.

(4) *Residential streets*. Internal local streets shall be laid out so as to discourage then-use by through traffic when possible.

(5) *Secondary access streets*. Where a subdivision has frontage on an arterial street, the city may require a secondary access street to facilitate the sharing of curb cuts and/or to separate access to lots from through traffic.

(6) *Projection of streets*. Where adjoining areas are not subdivided, the developer shall design and construct abutting short stub-outs or temporary turnarounds for the projection of streets at proper block intervals into such unsubdivided areas.

(7) *Inadequate or substandard streets*. Inadequate or substandard existing streets and other infrastructure shall be upgraded to city standards by the developer, including dedication of an additional right-of-way if necessary. If development is on one side of such a street, the developer shall dedicate an additional right-of-way if necessary, upgrade the street pavement and associated infrastructure on the side that is being platted. Sidewalks shall be constructed or upgraded (if needed) to city standards by the builder/owner prior to the issuance of a certificate of occupancy.

(B) *Street design standards*.

(1) *Street design*. Street design shall be in accordance with the city's standards and specifications.

(2) *Curbs and gutters*. The developer shall install curbs and gutters on all new streets except as provided in § 154.45, unless required in special situations determined by the city.

(3) *Curb cuts*. Restrictions to location, design, size and/or number of curb cuts are as required in the Zoning Code.

(4) *Pavement standards*. Streets shall be paved in accordance with city standards. The city may require increased right-of-way or pavement widths if traffic impacts of the proposed development or conditions in the area merit such changes.

(C) *Street classification*. All streets within the city shall be located and constructed as shown on the thoroughfare plan and, where not otherwise shown thereon, shall be designed as follows.

(1) *Rural roads*. Rural roads shall have a roadway surface that is 36 feet in width (measured between the outside edges of ribbon curb), with a minimum 60 feet of right-of-way. Rural roads may have bar ditch(es). The Public Works Director may approve a right-of-way width of 50 feet if a 15-foot wide utility easement is provided for public water and sewer facilities. Ribbon curbs may be allowed in limited cases with the approval of the Public Works Director when sheet flow off of the street is preferred to concentrated discharge.

(2) *Residential or local streets*. Residential streets shall have a roadway surface that is 36 feet in width (back-of-curb to back-of-curb), with a minimum 60 feet of right-of-way. Where entrances to subdivisions are not part of a collector street, they shall be a minimum of 42 feet wide with 70 feet of right-of-way for a distance of 100 feet from the intersection. Residential streets shall have five-foot to six-foot wide residential sidewalks and amenities as indicated in the adopted sidewalk plan.

(3) *Minor collectors*. Minor collectors shall have a roadway surface that is 42 feet in width (back-of-curb to back-of-curb), with a minimum of 70 feet of right-of-way. These are streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to the major collectors or an arterial. These are limited access roads on which residential lots may have driveway access. Minor collectors shall have six-foot to eight-foot wide connector sidewalks and amenities as indicated in the adopted sidewalk plan.

(4) *Major collectors*. Major collectors shall have a roadway surface that is 48 feet in width (back-of-curb to back-of-curb), with a minimum of 80 feet of right-of-way. These streets are generally located along borders of subdivisions and within commercial areas to collect traffic from residential areas and to channel this traffic to the arterial system. These are limited access roads on which no residential lots may have driveway access. Major collectors shall have six-foot to eight-foot wide connector sidewalks and amenities on both sides of the roadway as indicated in the adopted sidewalk plan.

(5) *Minor arterials*. Minor arterials shall have a roadway surface between 60 and 80 feet in width (back-of-curb to back-of-curb), depending on the needs and the design as determined by the city or TXDOT. The right-of-way shall be between 90 and 110 feet, depending on the design requirements as determined by the city or TXDOT. These are limited access roads on which no residential lots may have driveway access. Minor arterials shall have six-foot to ten-foot wide promenade sidewalks and amenities on both sides of roadway as indicated in the adopted sidewalk plan.

(6) *Major arterials*. Major arterials shall have a roadway surface between 60 and 80 feet in width (back-of-curb to back-of-curb), depending on the needs and the design as determined by the city or TXDOT. The right-of-way shall be between 110 and 120 feet, depending on the design requirements as determined by the city and TXDOT. Major arterials shall have six-foot to ten-foot wide connector or promenade sidewalks and amenities as indicated in the adopted sidewalk plan.

(D) *Miscellaneous street requirements*.

(1) *Property abutting arterials*. Where a subdivision abuts or contains an existing or proposed arterial, the Planning and Zoning Commission may require access streets, reverse frontage with a screening buffer containing a non-access easement along the rear property line, deep lots with rear service alleys or other such treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(2) *Property abutting railroads*. Where a subdivision abuts or contains a railroad right-of-way or limited access highway right-of-way, the Planning and Zoning Commission may require a street approximately parallel to and on the side of such right-of-way.

(3) *Reserve strips*. Reserve strips controlling access to streets shall be prohibited except where their control is dedicated to the city, under conditions approved by the Planning and Zoning Commission.

(4) *Street jogs*. Street jogs with centerline off-sets of less than 125 feet shall be avoided.

(5) *Street intersections*. Streets shall be laid out so as to intersect at right angles, or as nearly as possible to 90 degrees. Six foot concrete valley gutters are required at street intersections where cross drainage will occur.

(6) *Non-cul-de-sac designed dead-end streets*. Dead-end streets shall be prohibited except for short stub-outs for future roadway extensions. Short stub-out streets may require special terminus treatments for drainage concerns and street integrity. Temporary turnarounds are required if the dead-end street exceeds 150 feet in length.

(7) *Cul-de-sac design*. For subdivisions with lots of less than one acre, cul-de-sac streets shall not exceed 800 feet in length (as measured from the right-of-way line of the intersecting roadway to the center of the turnaround). For single-family subdivisions with lots greater than one acre, the length may not exceed 1,200 feet. All cul-de-sacs shall be provided at the closed end with a turnaround having a minimum required radius of 50 feet from the face of curb to the center of the cul-de-sac with a minimum 124 foot right-of-way. The right-of-way shall extend a minimum of 12 feet behind the back of curb. The placement section shall meet fire code requirements.

(8) *Street names*. No street names shall be used which will duplicate or be confused with names of existing streets. Street extensions shall use the existing street names. Street names shall be subject to the approval of the Planning and Zoning Commission.

(9) *Street signs*. The city, at the developer's expense, shall install all street signs. The developer shall be charged for the cost of materials only.

(E) *Alleys*.

(1) Alleys shall generally be parallel to the street.

(2) Alley intersections and sharp changes in alignment shall be avoided. Where two alleys intersect, or where an alley turns, additional width may be required to allow for the turning of vehicles or guying of utility poles.

(3) Easements may be required on either side of the alley or alleys for utility placement.

(4) The width of an alley shall not be less than 20 feet.

(5) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the terminus, as determined by the Planning and Zoning Commission.

(6) Alleys shall paved in the same manner as streets.

(F) *Construction standards*.

(1) *Design*. Pavement section design shall be accomplished by a Texas registered professional engineer and shall be based upon a geo-technical analysis performed by a qualified geo-technical professional. All construction shall conform to Appendix A, Tables I through IV and the following adopted regulations where applicable: § 50.02, Chapter 50 of this Code of Ordinances, adoption of "Standard Specifications for Public Works Construction".

(2) *Street surfaces*. All street wearing surfaces shall consist of concrete or hot mixed asphaltic concrete (HMAC) laid over a base course of crushed stone which has been designed, and compacted in accordance with city standards and requirements.

(3) *Curb and gutter*. All curb and gutter, integral curbs, valley gutters, driveway approaches, drainage structures and the like shall be constructed of Class "A" (3,600 PSI) Portland Cement Concrete per city standards.

(Ord. 2010-08, passed 3-9-10; Am. Ord. 2022-54, passed 10-11-22)

§ 154.38 STREET LIGHTING.

(A) *Within the city's corporate boundaries.*

(1) Adequate street lighting for pedestrian and traffic safety shall be installed in all subdivisions established within the city's corporate boundaries. Street lights shall generally be limited to intersections, curves, dead ends, cul-de-sacs and streets where pole spacing exceeds 600 feet. Installation procedures and acceptable designs and specifications shall be established by the electric utility company serving energy to the lights. The use of special non-standard poles or fixtures from sources other than the electric utility is prohibited and shall not be accepted for dedication.

(2) The subdivision developer shall be responsible to the power utility provider for the cost of street lighting materials and the cost of installation, including the cost of service lines to supply electricity to the street lights and all associated engineering costs. Once satisfactorily installed, approved and accepted, the ownership and maintenance of the street lights shall be dedicated to the electric utility serving the area, per the city's agreement with the subject power utility provider. Electricity powering the street lights shall be provided by the electric utility providing service to the area. The city will pay the energy costs of street lights meeting the requirements of this section and located in the city limits, per the city's agreement with the subject power utility.

(Ord. 2010-08, passed 3-9-10; Ord. 2025-16, passed 6-10-25)

§ 154.39 BLOCK LENGTHS.

Block lengths between intersections of through streets shall not exceed 1,200 feet, except along major thoroughfares in which case such length shall not exceed 1,600 feet. Block length in subdivisions with lots of one acre or more shall not exceed 1,800 feet.

(Ord. 2010-08, passed 3-9-10)

§ 154.40 SIDEWALKS.

(A) In developments in which the original application for approval is filed after the effective date hereof, the developer/property owner shall construct sidewalks on both sides of all streets, private access drives, passage easements and other circulation routes. Sidewalks shall be installed by the developer at the time of development, and owners of lots that remain undeveloped must construct sidewalks within two years after the date of approval of the final plat. Sidewalks must be constructed and accepted by the city prior to the issuance of a certificate of occupancy.

(B) Sidewalks shall be constructed one foot from the property line in the rights-of-way adjacent to their lots, whether on the front, side, or rear of the lots, with a minimum six foot buffer strip behind the back of the curb or edge of pavement. Sidewalks shall be properly connected with existing sidewalks and constructed according to city standards. Streets designated by the Thoroughfare Plan for use as a collector or larger shall require a minimum six foot wide sidewalk. All other sidewalks shall be a minimum of five feet in width.

(C) The appearance of a sidewalk (scoring pattern or special paving) shall be maintained across commercial driveways and alley access points, and crosswalks shall be marked at all legs of the intersection. Obstructions such as, but not limited to, fire hydrants, telephone poles, and street signs, shall not be located within a sidewalk, unless written approval of such is obtained from the Director of Public Works.

(D) Sidewalks constructed to the requirements in this section shall include a standard sidewalk pedestrian ramp whenever a curb return or other structure may present an architectural barrier to handicapped access within a pedestrian path or at street/sidewalk intersections constructed in accordance with ADA requirements.

(E) An alternative sidewalk design may be approved in writing by the Director of Public Works where there are unusual and practical difficulties in carrying out the provisions set forth by this code, provided the alternate design will not adversely affect any adjoining property or the general public.

(F) Exemptions. Division (A) of this section shall not apply to:

(1) Large-lot residential subdivisions, where lots are one acre or larger in size;

(2) Cul-de-sacs with a throat length of one lot or fewer; or

(3) Improvements to existing developments on streets not identified in the sidewalk network, where the majority of the developed portions of the street do not have sidewalks present.

(Ord. 2010-08, passed 3-9-10; Am. Ord. 2014-25, passed 10-28-14; Am. Ord. 2017-11, passed 6-13-17)

§ 154.41 DRAINAGE AND STORM WATER MANAGEMENT.

(A) *General.* Storm water management shall be in accordance with the city Drainage Policy (Chapter 158). Erosion and sediment control shall be in accordance with the Erosion and Sedimentation Ordinance (Chapter 156).

(B) *Drainage easements*. Drainage easements are required where a watercourse, drainage way, natural channel or stream traverses a subdivision. No construction shall impede, constrict or block the flow of water in any easement or natural watercourse. Such easement shall not be considered a part of the lot area for purposes of minimum lot size requirements of the Zoning Ordinance. Fifteen feet strips on both sides of earthen ditches, streams, channels and the like, are required to provide access for city maintenance crews and their equipment. A 15 foot strip shall be required on one side only of a concrete drainage ditch. Additionally, drainage easements may be used for utilities.

(Ord. 2010-08, passed 3-9-10)

§ 154.42 EASEMENTS.

(A) Easements across lots or centered on rear or side lots lines shall be provided for utilities where necessary. Drainage, utility and access easements of adequate size, as determined by the Public Works Director or other designated staff, are required to provide for development of adjacent land.

(1) The width for all water and sanitary sewer utilities shall be a minimum of 15 feet.

(2) Where electrical utilities will be installed, these utility easements shall be a minimum of ten feet in width.

(3) Depending on services required and project design, easement width may be increased.

(4) Where any public or private utility line is required by the developer to be adjusted in location or elevation, the developer shall cause such changes to be made with the approval of the appropriate city representatives and the developer shall bear all costs of such changes.

(5) Easements with multiple utilities may require additional width.

(6) Additional easements may be required for the placement of guy wires.

(B) *Streetlight easements*. Streetlight easements of 15 feet in width shall be provided between interior lots, where electrical service is from the rear.

(C) *Access easements.*

(1) *Vehicular access easements*. Vehicular access easements may be required to facilitate the sharing of curb cuts between adjacent owners of property fronting on collector and/or arterial streets. Vehicular access easements 30 feet wide may also be used, if there is no other way possible, to provide access for properties which do not have direct frontage on public rights-of-way.

(2) *Pedestrian access easements*. Pedestrian easements may be required where deemed necessary by the Planning and Zoning Commission or City Council to provide pedestrian circulation within the subdivision or access to schools, shopping centers, recreation, transportation or other community facilities. Such easements shall be at least 15 feet in width and include a minimum five foot sidewalk.

(Ord. 2010-08, passed 3-9-10)

§ 154.43 LOTS.

(A) All lots shall meet minimum standards required by the Zoning Ordinance.

(B) All lots shall be provided with adequate access to a public street. Flag lots or access easements are permissible only where absolutely necessary and appropriate to meet this requirement.

(Ord. 2010-08, passed 3-9-10)

§ 154.44 MONUMENTS.

All monuments shall comply with the minimum standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveyors and in specific compliance with the Professional Land Surveying Practices Act and Board Rule.

(Ord. 2010-08, passed 3-9-10)

§ 154.45 SPECIAL PROVISION FOR RURAL, HILLSIDE AND LARGER LOT SUBDIVISION.

Large lot residential subdivisions consist of lots having a minimum area of one acre or greater that are intended for single-family residential use. Because of the larger lot size, lower population and traffic densities within these subdivisions, sidewalks are not required (unless necessary for managing drainage). Lay down curb is required unless the developer wants curb and gutter. All of the other standards and

requirements of the subdivision regulations are applicable, unless indicated otherwise by the city.

(Ord. 2010-08, passed 3-9-10)

ADMINISTRATION AND ENFORCEMENT

§ 154.60 WAIVERS.

(A) The Planning and Zoning Commission and the City Council may authorize waivers from design standards. In granting a waiver, the city shall prescribe only conditions that it deems necessary or desirable in the public interest.

(B) In making the findings required under § 154.61, the Planning and Zoning Commission and the City Council shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision and the probable effect of such waiver upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.

(Ord. 2010-08, passed 3-9-10)

§ 154.61 FINDINGS.

No waiver to the findings set forth by the city shall be granted unless:

(A) There are special circumstances or conditions affecting the land involved use that the strict application of the provision of standards would deprive the applicant of the reasonable use of his or her land;

(B) The waiver is necessary for line preservation and enjoyment of the property;

(C) The granting of the waiver will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and

(D) The granting of the waiver will not have the effect of preventing the orderly subdivision of adjoining land in the vicinity in accordance with the provisions of this chapter.

(Ord. 2010-08, passed 3-9-10)

§ 154.62 CONFLICT WITH OTHER PROVISIONS.

(A) *Public provisions*. The regulations are not intended to interfere with, abrogate or annul any rule or regulation, statue or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

(B) *Private provisions*. These regulations are not intended to abrogate any private easement, covenant or any other private agreement or restriction; however, where the provisions of these regulations are more restrictive or impose higher standards or regulations than such private easement, covenant or other private agreement or restriction, the requirements of these regulations shall govern.

(Ord. 2010-08, passed 3-9-10)

§ 154.63 ENFORCEMENT OF REGULATIONS.

(A) At the request of the city, the City Attorney, or his or her designated representative, shall institute appropriate action in a court of competent jurisdiction to enforce these regulations.

(B) Any person violating any provision of this chapter shall, upon conviction, be guilty of a misdemeanor and is punishable by a fine of up to $2,000 and each day such violation continues shall be considered a separate offense and punishable accordingly.

(Ord. 2010-08, passed 3-9-10; Ord. 2025-16, passed 6-10-25)

APPENDIX A: PAVEMENT DESIGN PROCEDURE

Table

I. Subgrade classification groups

II. Subgrade classification chart

III. Pavement thickness design chart; local, minor, and major residential street

IV. Pavement thickness design chart; minor and major collector street

TABLE I: SUBGRADE CLASSIFICATION GROUPS

	Soil Classification Tests	
Group No.	**Liquid Limit**	**Plasticity Inde**
I	<35	5-15
II	30-40	10-25
III	40-50	15-30
IV	50-60	20-35
V	60-70	25-40
VI	70-80	35-50
VII	>80	40-60

NOTE: Graphical representation of these subgrade groups are shown on Table II. Values which plot on the borderline between two groups should be assigned the group number of the poorer soil group. Soils which have less than 40% passing the Number 200 mesh sieve and which would plot in Groups III through VII may be upgraded to the next better group.

(Ord. 93-06, passed 4-22-93)

TABLE II: SUBGRADE CLASSIFICATION CHART

Please Note: To view the diagram, please see the printed version of your code of ordinances.

TABLE III: PAVEMENT THICKNESS DESIGN CHART; LOCAL, MINOR, AND MAJOR RESIDENTIAL STREET

Please Note: To view the diagram, please see the printed version of your code of ordinances.

TABLE IV: PAVEMENT THICKNESS DESIGN CHART; MINOR AND MAJOR COLLECTOR STREET

Please Note: To view the diagram, please see the printed version of your code of ordinances.

APPENDIX B: RAINFALL INTENSITY CURVE

Please Note: To view the diagram, please see the printed version of your code of ordinances.