

RE-PLAT REQUIREMENTS

(Excerpts taken from the City of Aurora Subdivision Ordinance)

Final Plat or Replat - Submission of a *Final Plat or Replat Application* to the Planning and Zoning Commission and the City Council, with subsequent approval thereof, is required prior to the filing of a Final Plat or Replat with the Wise County Clerk's Office.

Section 3.10 Plat Application Fees

Every applicant requesting approval of a plat shall pay the applicable fee at the time of submittal. Such fee shall include any recording fees required by the Wise County Clerk's Office. Application fees for Preliminary Plats, Replats, Minor Plats, Amending Plats, Final Plats, and Development Plats shall be established by separate ordinance approved by the City Council.

Section 3.17 Processing Final Plats, Amending Plats, Minor Plats, or Replats

A. Upon receipt of a Replat, Amending Plat, Minor Plat, or Final Plat, all required documents, and payment of all required filing fees, the Planning and Zoning Coordinator shall check the submittal for completeness. No Replat, Amending Plat, Minor Plat, or Final Plat shall be processed for review which is not determined to be complete. No Final Plat shall be processed for review for any area in which a Preliminary Plat has not been previously approved by the Planning and Zoning Commission. The Planning and Zoning Coordinator shall coordinate the review of all plats with the applicable municipal departments, City Engineer, and public utility companies. Upon determination that the Preliminary Plat does not meet the minimum requirements of these Subdivision Regulations, the Planning and Zoning Coordinator shall give the developer written notice of the revisions required to complete the plat.

B. Upon completion of the staff review and receipt of any necessary revisions from the developer, the Plat shall be placed on the next available meeting agenda for consideration by the Planning and Zoning Commission.

C. If applicable under these Subdivision Regulations, the Planning and Zoning Commission shall hold any required public hearing on Replats in conformance with Sections 212.014 and 212.015 of the Texas Local Government Code.

D. After the Planning and Zoning Commission has reviewed the plat, the Commission may either: (1) approve the plat as presented, (2) approve

the plat with conditions, or (3) disapprove the plat. After the Planning and Zoning Commission has approved the plat, it shall be forwarded to the City Council for consideration. Upon satisfactory completion of any conditions required by the Planning and Zoning Commission, the plat submittal shall be placed on the next available agenda for consideration by the City Council. Disapproval of the plat by the Commission shall require submittal to the City Council for final consideration.

E. In all final plat considerations, City Council may either approve or disapprove. The City Council shall hold a public hearing on Replats.

Notice of such hearing shall be advertised in the official newspaper at least 15 days prior to the hearing. The City Council shall approve a Plat, according to Section 212.010 of the Texas Local Government Code, if it conforms to the general plan of the city and to these Subdivision Regulations. However, the City Council may disapprove a plat which does not conform to the general plan or to these Subdivision Regulations. If the City Council determines that additional conditions must be met, the plat shall be disapproved and returned to the Planning and Zoning Commission for reprocessing, including Commission approval, prior to resubmittal to City Council. Any disapproval shall be deemed a refusal by the City to accept the offered dedications shown thereon. Furthermore, the action of the City Council shall be final in the consideration of the proposed plat.

Section 3.18 Official Filing and Recording of Final Plats

Upon approval of the plat by the City Council, the Planning and Zoning Coordinator shall proceed with the official filing of record procedures using the following guidelines:

A. The signature showing final approval of the plat shall not be affixed until all taxes, assessment charges and other monetary obligations due to the City have been paid.

B. The Planning and Zoning Coordinator shall obtain the necessary signatures from the Mayor, City Administrator, Planning and Zoning Commission Chairman and Planning and Zoning Commission Secretary.

The Planning and Zoning Coordinator shall verify that all required covenants have been accepted by the applicant prior to submitting the plat to the Wise County Clerk's Office for filing.

C. To be recorded, the plat must:

1. Describe the subdivision by metes and bounds;
 2. Locate the subdivision with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part;
 3. State the dimensions of the subdivision and of each street, alley, square, park, or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part; and
4. Meet all other requirements of these Subdivision Regulations and State law.
- D. The owner of the tract must acknowledge the plat in the manner required for the acknowledgment of deeds.
- E. The plat must be filed with the Wise County Clerk's Office.
- F. The plat is subject to the filing and recording provisions of Section 12.002, Texas Property Code.
- G. Upon receipt of the official filed plat, the Planning and Zoning Coordinator will place a mylar film and a blackline copy in the City Plat File showing the official filing notation from the Wise County Clerk's Office.
- H. Approval of the plat by the City Council authorizes the developer to proceed with the installation of the public facilities in the subdivision provided such plans have been approved by the City Engineer, a Developer Agreement has been executed, and all fees have been paid.

Section 3.19 Effect of Approval on Dedication

The approval of a plat is not considered an acceptance of any proposed dedication for public use or use by persons other than the owner of the property covered by the plat and does not impose on the municipality any duty regarding the maintenance or improvement of any purportedly dedicated parts until the municipality's governing body makes an actual appropriation of the dedicated parts by formal acceptance, entry, use, or improvement.

Section 3.20 Notice of Noncompliance

For any subdivision existing for which a plat to be filed for record has not been approved or which fails to meet the standards contained or referred to herein, the Commission may adopt a resolution concerning such failure or lack of approval and indicating that same is a violation of the provisions of this ordinance. The Commission may cause a certified copy of such resolution to be filed in the Wise County Deed Records in which said subdivision or part thereof lies. If compliance and approval are secured following the filing of said resolution, the Commission shall file in the Wise County Deed Records an instrument which, in effect, rescinds such earlier field resolution.

CHAPTER 7 REQUIREMENTS FOR SUBMITTAL OF A REPLAT

Section 7.1 Replat Approval Required

A. All applicants seeking approval of a Replat shall comply with the requirements of this Chapter. Every Replat, other than Minor Plats or Amending Plats, shall require approval of the City Council, but only after a recommendation has been obtained from the Planning and Zoning Commission. A Replat is required when a previously approved subdivision, or portion thereof, is proposed to be subdivided into smaller lots or, to combine existing smaller lots into a development with larger lots, and the proposed changes do not meet the criteria of Amending Plats or Minor Plats. The procedures contained in this Chapter shall be used when the tract being proposed for redevelopment, or portion thereof, is currently platted into lots and blocks, and filed for record in the Wise County Clerk's Office as a platted subdivision of record, and the owner is requesting to redevelop the property into a new configuration.

B. Minor Plats and Amending Plats may be approved by the Mayor as provided in Texas Local Government Code, Sections 212.0065 and 212.016.

Section 7.2 Replat Documents Required

The application packet shall include all documents listed below and no Replat will be reviewed by the City until all documents are submitted in a completed format and all fees have been paid.

- (1) Replat Application (See Section 7.3)
- (2) Replat Drawing (See Section 7.4)
- (3) Taxes and Liens Paid Certificates (See Section 7.5)
- (4) Preliminary Drainage Analysis or Drainage Study (See Section 7.6)
- (5) Utility Layout or Engineering Drawings (See Section 7.7)

Section 7.3 Replat Application

The applicant shall submit a written *Replat Application* to the Planning and Zoning Coordinator not less than thirty-five (35) days prior to the regular meeting of the Planning and Zoning Commission for which approval is being sought.

Section 7.4 Replat Drawing

The applicant shall submit the required number of copies of the Replat Drawing as indicated by the Replat Application. The drawing shall contain, at a minimum, all the information listed in the "Requirements for All Plat Drawings" contained in Section 11.1 and include all the information listed as "Additional Requirements for Replats, Minor Plats, Amending Plats, and Final Plat Drawings" contained in Section 11.3 of these Subdivision Regulations. No Replat may be approved which does not contain the signatures of the owners of the property being replatted.

Section 7.5 Taxes and Liens Paid Certificates

The applicant shall submit a certificate, available from the Planning and Zoning Coordinator, indicating that any taxes or liens due the City have been paid.

Section 7.6 Preliminary Drainage Analysis or Drainage Study

Due to the variable conditions of a Replat, the Building and Zoning Official will review the submittal and may require the applicant to submit a Preliminary Drainage Analysis or a Drainage Study of the subdivision area. The applicant may be exempt from this requirement when the Building and Building and Zoning Official is satisfied that no drainage facilities are necessary or where a Drainage Study for the area has been approved within the previous four year period.

Section 7.7 Utility Layout or Engineering Drawings

The applicant shall submit a Utility Layout to show the location and sizes of all existing and proposed public utilities to verify easement requirements. However, when the Building and Building and Zoning Official has determined that the proposed redevelopment of the subdivision will require public improvements, the applicant or his engineer, shall submit engineering plans for all public improvements for approval by the City as a prerequisite to the approval of the Replat by the Planning and Zoning Commission. Furthermore, when a Replat results in the reconfiguration of lots so as to impact the location of any existing water or sewer tap locations, the developer shall submit sufficient information regarding the location of the existing taps and provide for any utility adjustments so as to assure the availability of utility services to each lot. Any engineering

drawings associated with a Replat shall conform to the requirements of the Design Manual.

Section 7.8 Review, Processing and Approval of Replats

Every Replat shall be reviewed for conformity with the Comprehensive Land Use Plan, these requirements and any other applicable ordinance in accordance with the procedures established for "Processing Final Plats, Amending Plats, Minor Plats, or Replats" in Section 3.16 of these Subdivision Regulations. Replats may not amend or remove any recorded covenants or restrictions. If the proposed replat requires a variance and is protested in accordance with Section 212.015 of the Texas Local Government Code, in order to be approved, the proposed replat must receive the affirmative vote of at least three-fourths of the members present of the Planning and Zoning Commission and the City Council.

Section 7.9 Replat Public Hearing Requirements

Certain replats are required to comply with the public hearing regulations contained in Section 212.014 and Section 212.015 of the Texas Local Government Code. The required public hearing for Replats under State law shall be held by the Planning and Zoning Commission. An additional public hearing will be held by the City Council as provided in Section 3.16.

CHAPTER 11

TECHNICAL SPECIFICATIONS FOR PLAT DRAWINGS

Section 11.1 Requirements for all Plat Drawings

Every plat drawing shall include the information contained in this Chapter 11.

A. Adjacent Properties - All property lines, streets and easements on lands immediately adjacent to and contiguous with the perimeter of the proposed subdivision shall be shown for an area extending one hundred (100) feet of the perimeter with the names of the owners as shown in the most current Tax Assessor's files. If the adjacent properties are platted, the names of adjoining subdivisions and the names of adjoining streets are to be shown.

B. City Limit Lines - The location of the Corporate Limit boundaries of the City or any adjacent city shall be shown on the plat drawing where applicable.

C. Date - The date on which the drawing was prepared shall be shown on the plat drawing.

D. Easements - The location and dimension of all existing or proposed easements shall be shown on the plat drawing indicating whether such easement is for any specific purpose. Utility easements for the use of public utilities of not less than seven and one-half (7.5') feet in width shall be provided along each side of all rear property lines or on the contained side of perimeter lots. If necessary for the extension of water or sewer mains, storm drainage or other utilities, easements of greater width may be required, or additional easements may be required, along lot lines or across lots. In all cases, easements shall connect with easements already established in adjoining properties or extend to connect with a public right-of-way. No lot shall be shown with an easement which prevents proper development and full utilization of the lot as a suitable building site for the intended zoning district.

E. Lot and Block Numbering - All lots and blocks shall be consecutively numbered, or lettered in alphabetical order. The blocks in subdivisions bearing the same name shall be numbered or lettered consecutively through the several sections or phases. Lettering for blocks shall be larger and bolder than lot numbers or circled to make identification clear. Any lot or block which is planned as an 'out-parcel' shall be numbered and designated on the plat with notation regarding any development restrictions.

F. Map Sheet Size - Map sheets shall be of such size as are acceptable for filing in the office of County Clerk and shall not exceed twenty-four by thirty-six (24"x 36") inches, but may be eighteen by twenty-four (18" x 24") inches, with a binding margin of not less than one and one-half (1½ ") inches on the left side of the sheets. Sheets shall be numbered in sequence if more than one (1) sheet is used and an index sheet provided with match lines.

G. North Arrow - A north arrow indicating the approximate true north shall be predominantly placed near the scale.

H. Ownership/Developer - The name, address, and telephone number of the current legal owner, and the name, address, and telephone number of the developer, if other than the owner, shall be shown on the plat drawing.

I. Plat Notes and Conditions - When appropriate, the drawing shall contain a listing of any Plat Notes and Plat Conditions in a readily identifiable location with each note numbered consecutively.

J. Public Use Areas - The location and dimensions of all property proposed to be set aside for park use, or other public or common reservation shall be shown on the plat drawing, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.

K. Scale - The drawing shall be prepared at a numerical scale no greater than one (1") inch equals one hundred (100') feet. At the discretion of the Building and Zoning Official, the plat may be drawn at a numerically smaller scale, i.e. 1" = 50', 1" = 40', etc. if the plat can still be drawn on the required sheet size. A graphic scale symbol shall be placed on the drawing.

L. Street Names - All existing and proposed street names shall be shown on the plat drawing. New street names shall be sufficiently different in sound and in spelling from other road names in the City so as to not cause confusion. A road which is, or is planned as a continuation of, an existing road shall bear the same name.

M. Street Right-of-Way - The width of all existing and proposed public street rights-of-way shall be shown on the plat drawing and be consistent with the minimum requirements contained in the Design Manual and the Master Thoroughfare Plan. Dimensions shall be shown for all curves. The distance from the centerline of any existing roadway of a boundary street to the proposed subdivision shall be shown to determine the adequacy of right-of-way along the route and to determine if additional right-of-way is necessary to accommodate the proposed street. Sufficient iron pins shall be found or set and shown on the drawing together with dimensions to adequately describe all perimeter streets.

N. Subdivision Boundary - The proposed subdivision boundary lines shall be shown in heavy lines so as to provide a differentiation with the internal features of the area being proposed for platting. The location and dimensions of all boundary lines of the property shall be expressed to the nearest hundredth foot.

O. Subdivision Name - The name of the proposed subdivision with predominantly larger letters than those used elsewhere shall be shown on the drawing within the Title Block. The proposed name of the subdivision shall not be a duplication of any existing subdivision name, whether by spelling or pronunciation, or similar to any other subdivision within the City

unless the proposed subdivision is contiguous with a subsequent filing or a replat of an existing subdivision. The Planning and Zoning Commission shall have final authority to require a change in the proposed name of the subdivision.

P. Title Block - In addition to the name of the subdivision shall be an entry indicating whether the plat is a Preliminary Plat, Final Plat, Replat, Minor Plat, Amending Plat, or Development Plat.

Q. Vicinity Location Map - A small vicinity location map shall be shown on the plat drawing. The vicinity location map shall be drawn at an approximate scale of 1"= 2000' and show sufficient streets, Collector and Arterial Street names, and major features of the surrounding area to locate the area being subdivided.

R. Surveyor's Certification - Every final plat drawing shall contain a Surveyor's Certification of Compliance by a Professional Land Surveyor registered in the State of Texas. The Certification of Compliance shall not be less than one and one-half inches high and four inches wide and contain the following information:

<p>KNOW ALL MEN BY THESE PRESENTS</p> <p>That I, _____, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground.</p> <p>_____</p> <p>Signature and Date</p> <p>Phone Number: _____ (Affix Seal)</p>

Section 11.2 Additional Requirements for Preliminary Plat Drawings
In addition to the minimum information required of all plat drawings contained in Section 11.1 of these Subdivision Regulations, every Preliminary Plat Drawing shall include the information contained in this section.

A. Permanent and Temporary Structures - The location and general outline of any existing permanent or temporary structures with sufficient dimensions to determine building line encroachments shall be shown on the plat drawing.

B. Sectionalizing or Phasing of Plats - The plat drawing shall indicate any sectionalizing or phasing of the proposed subdivision. Thereafter, plats of subsequent units of such subdivision shall conform to the approved overall layout and phasing, unless a new Preliminary Plat is submitted. However, a subsequent reduction of a phase may be considered provided that it conforms to the original street arrangement.

C. Zoning Classification - The plat drawing shall indicate the current zoning classification of the proposed subdivision and all adjacent properties.

D. Lot Dimensions - The approximate dimensions of all proposed or existing lots with sufficient detail to verify compliance with the specific requirements of the Zoning Ordinance shall be shown on the plat drawing.

E. Flood Plain Features - The location of the 100-year flood limits, if applicable, shall be shown on the Preliminary Plat drawing. If the subdivision or a portion thereof is located in a 100 year flood-prone area, the developer will be required to comply with the Design Manual and the Flood Damage Prevention Ordinance.

F. Certificate of Approval - Every Preliminary Plat Drawing shall contain a Certificate of Approval by the Planning and Zoning Commission. The Certificate of Approval shall not be less than one and one-half inches high and four inches wide and contain the following information:

<p>The Planning and Zoning Commission of the City of Aurora, Texas voted affirmatively on this ____ day of _____, 20____, to approve this Preliminary Plat.</p> <p>_____</p> <p>Chairman, Planning and Zoning Commission</p> <p>Attest:</p> <p>_____</p> <p>Secretary, Planning and Zoning Commission</p>

Section 11.3 Additional Requirements for Replats, Minor Plats, Amending Plats, and Final Plat Drawings

Every Replat, Minor Plat, Amending Plat, or Final Plat drawing shall include the following information in addition to the minimum information required of all plat drawings contained in Section 11.1 of these regulations.

A. Metes and Bounds Description - A written metes and bounds description of the property shall be shown on the plat drawing that will readily determine the location, bearing and length of all perimeter boundary lines, and be capable of reproducing such lines upon the ground with a closure error of less than 1:25,000. The Legal Description shall include reference to an original survey or subdivision corner, and the Texas NAD83 State Plane Coordinate System. The Legal Description shall include the acreage of the total area of the proposed subdivision and be consistent with the subdivision boundary, and information to show the last instrument conveying title to each parcel of property involved in the proposed subdivision, giving grantee and land records references. The Legal Description will also be shown in its entirety on a separate 8 1/2 x 11 or 8 1/2 x 14 inch sheet of bond paper to meet the filing requirements of the Wise County Clerk's Office.

B. Lot Dimensions - The exact dimensions of all proposed or existing lots and the perimeter boundary of the subdivision shall be shown on the plat drawing.

C. Lot Areas - The area for each lot expressed in square feet shall be shown on the plat drawing. (This information may be shown in tabular form on the plat or on a separate sheet.)

D. Irregular Side Lot Lines - Side lot lines which are not perpendicular to the street right-of-way shall be indicated with bearing and distance.

E. Permanent Structure Encroachments - Any permanent structures which encroach any building set-back lines and will remain after completion of the development shall be shown on the drawing with appropriate dimensions.

F. Drainage Easements - The location of any drainage easements, if applicable, shall be shown on the plat drawing. If the subdivision or a portion thereof is located in the 100 year flood-prone area, the developer will be required to comply with the provisions of the Design Manual and the Flood Damage Prevention Ordinance.

G. Planning and Zoning Commission Approval Certification - Every Replat or Final Plat shall contain a Certificate of Approval by the Planning and Zoning Commission as will Amending and Minor Plats when appropriate. The Certificate of Approval by the Planning and Zoning Commission shall not be less than two inches high and four and one-half inches wide and contain the following information:

The Planning and Zoning Commission of the City of Aurora,
Texas voted affirmatively on this ____ day of _____,
20____, to approve this plat.

Chairman, Planning and Zoning Commission

Attest:

Secretary, Planning and Zoning Commission

H. Wise County Certification - Any Certification block required by the Wise County Clerk's Office for filing shall be shown on the plat drawing.

I. Dedication Certificate - Every Replat, Amending Plat, Minor Plat, or Final Plat shall contain an Owner's Certificate of Dedication as follows:

KNOW ALL MEN BY THESE PRESENTS:

That I, (owners name) do hereby certify that I am the legal owner of the above described tract of land and do hereby convey to the public or public use, the streets, alleys, rights-of-way, easements, and any other public areas shown on this plat.

Signature of Owner

STATE OF TEXAS §
COUNTY OF WISE §

Before me, the undersigned Notary Public in and for said county and State on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, 20____.

Notary Public in and for Wise County

Printed Name

J. City Council Approval Certification - Every Replat or Final Plat shall contain a Certificate of Approval by the City Council as will Amending and Minor Plats when approved by the City Council. The Certificate of Approval by the City Council shall not be less than two inches high and four inches wide and contain the information shown below. A similar certificate without the voting statement will be provided for the Mayor's approval of Amending and Minor Plats when appropriate.

The City Council of the City of Aurora, Texas voted affirmatively on this _____ day of _____, 20____, to approve of this Plat for filing of record.

Mayor, City of Aurora

ATTEST:

City Secretary

Section 11.4 Additional Requirements for Development Plats

In addition to other requirements set forth in these Subdivision Regulations, every Development Plat shall be prepared as a boundary survey showing:

- A. each existing or proposed building, structure, or improvement or proposed modification of the external configuration of the building, structure, or improvement involving a change of the building, structure, or improvement;
- B. each easement and right-of-way within or abutting the boundary of the surveyed property; and
- C. the dimensions of each street, sidewalk, alley, square, park, or other part of the property intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, sidewalk, alley, square, park, or other part.

CHAPTER 12

SUBDIVISION DESIGN CRITERIA

Section 12.1 General Design Criteria

Every Subdivision Plat shall be reviewed by the City for conformance with the design criteria contained in this Chapter. The City recognizes that suitability characteristics vary from site to site and the Planning and Zoning Commission shall provide oversight in their interpretation, application and enforcement of these criteria.

- A. Access from Major Thoroughfares - Where a residential subdivision borders or contains an existing or proposed thoroughfare, as shown on the Master Streets Plan, residential lots shall not in general, where possible, have frontage onto or derive access directly from an existing or proposed Collector Street, or larger. Non-residential lots which have frontage onto or derive access directly from an existing or proposed Collector Street, as shown on the Master Streets Plan, shall have driveway locations which

comply with the spacing requirements contained in the "CapaCity" Design Manual.

B. Block Depths - Blocks should have sufficient depth to provide for two (2) rows of lots of appropriate depths. Exceptions to this prescribed block depth may be permitted in blocks adjacent to major streets, railroads, waterways or city limit lines. The use of a public alley shall be limited to non-residential subdivisions.

C. Block Lengths - Block lengths in residential areas shall not exceed fifteen (15) times the minimum lot width required in the zoning district or 1,000 feet long (whichever is less) without an intersection with another street. Blocks designed for industrial uses may be of such length and width as determined and appropriate by the Planning and Zoning Commission for the prospective use. In long blocks, the Planning and Zoning Commission may require the reservation of an easement through the block to accommodate utilities, drainage facilities, fire apparatus access, or pedestrian traffic. When such an easement is required, additional width shall be included in the adjacent lots.

D. Buildable Area - Every residential lot proposed for development shall contain a buildable area which contains, at a minimum, 125 percent of the minimum structure square footage required for the applicable zoning district. The buildable area shall be situated out of the 100 Year Special Flood Hazard Area and drainage easements or drainage rights-of-way.

E. Character of the Land - Land which the Planning and Zoning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed until adequate methods are formulated by the developer and approved by the Planning and Zoning Commission to solve the problems created by the unsuitable land conditions.

F. Conformity With Comprehensive Land Use Plan - Every subdivision plat shall conform to the City's Comprehensive Land Use Plan, Zoning Ordinance, Subdivision Ordinance, and other applicable City standards.

G. Corner Lots - Additional lot width should be considered for corner lots to allow for one full size and one half size front yard set-back areas.

H. Cul-de-sac Length - No street may be designed to be dead-ended without the installation of a cul-de-sac with a fifty (50) foot right-of-way radius and a forty (40) foot pavement radius back to back of curb. No cul-de-sac street may exceed six hundred (600) feet in length, as measured along the street centerline from the projected curb intersection to the farthest curb location and no cul-de-sac shall exceed five hundred (500) feet unless the water main is looped.

I. Double Frontage Lots - Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from Collector or Arterial Streets or to overcome specific disadvantages of topography and orientation. The Planning and Zoning Commission may require that a restriction be placed on the plat to limit the facing of main structures or limit driveway access from any Collector or Arterial Street.

J. Drainage Easements - The City will advise the developer when to utilize either a drainage easement or a drainage right-of-way to accommodate drainage facilities in the subdivision. When a drainage easement is utilized, lot lines shall normally be drawn to the center of the drainage easement and the drainage easement shown with a dashed line. Areas within drainage easements and drainage rights-of-way shall not be included within the required buildable area that is, at a minimum, 125 percent of the minimum square footage required for the proposed structure in the applicable zoning district.

K. Grading and Lot Drainage - Residential lot grading shall be conducted in a manner which will not allow runoff to cross more than two lots, including the lot on which the drainage originates, before it enters a street or drainage easement. If this is not possible, then a drainage easement must be provided and any necessary facilities shall be constructed and installed by the developer. Lots shall be laid out so as to provide positive drainage away from all buildings. Individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Grading which will result in the need for earth restraining structures greater in height than four (4) feet will require installation of an engineered retaining wall constructed in accordance with the current building code.

L. Intersection Angles - Spacing of intersections along major streets shall conform to the Design Manual. Not more than two (2) streets shall intersect at any one point unless specifically approved by the Planning and Zoning Commission. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersections on the opposite side of such street. Streets shall be laid out so

as to intersect as nearly as possible at right angles. Intersections which are not right angles shall use the following criteria:

1. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique street intersection or curved street approaching an intersection should be approximately at right angles for at least fifty (50) feet from the intersection.
2. Street jogs with center-line offsets of less than one hundred and seventy-five (175) feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection.

M. Lot Dimensions - Lot dimensions shall be consistent with the minimum standards of the Zoning Ordinance. Conventional design practices for subdivision planning requires that side lot lines be at right angles to street lines or as a radial. However, lot lines which are not at right angles to street lines, or shown as a radial, shall contain a bearing notation. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front and side-yard setback from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for the offstreet parking and loading facilities required for the type of use and development contemplated, as established in the Zoning Ordinance.

N. Masonry Screening Walls - For residential subdivisions and the rear property line of non-residential subdivisions, masonry screening walls shall be constructed adjacent to any street designated as Thoroughfare, or larger, on the Master Thoroughfare Plan. No screening wall shall be constructed within the street right-of-way.

O. Multiple Entrance and Exit Locations - The use of two or more entrance and exit locations is required when the subdivision contains forty (40) or more lots. However, the Planning and Zoning Commission may recommend a waiver of this requirement when alternative proposals are determined to be practical and sound planning principles have been considered.

P. Rights-of-Way - Right-of-way widths shall be consistent with those shown on the Master Streets Plan. Right-of-Way widths in excess of the standards designated on the Master Streets Plan shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Furthermore, street right-of-way widths in commercial, industrial and similar high intensity land use areas shall be appropriate for the type

of development being proposed, but no street in such area shall be less than the minimum required for a Collector Street.

Q. Water bodies - If a tract being subdivided contains a water body, or portion thereof, lot lines shall be drawn so as to distribute the entire ownership of the water body among adjacent lots. The Planning and Zoning Commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a local government responsibility. If a water body is intended to be situated on its own lot, the lot shall be numbered according to the numbering sequence of the subdivision. Furthermore, any lot intended to be used as a buildable lot which includes a water body shall contain a buildable area that is, at a minimum, 125 percent of the minimum square footage required for applicable zoning district.

12.2 Application to Development Plats

Recognizing that Development Plats are routinely utilized in connection with the development of properties that have been previously created or recorded and are therefore of limited size or dimensions, the design criteria set forth in Section 12.1 are generally intended to be applicable to subdivision plats only. However, to the extent that compliance would not create an unnecessary hardship on the development of a Development Plat, the above design criteria shall apply.

CHAPTER 13

STREET AND EASEMENT VACATIONS

13.1 In General

A. A petition requesting the proposed closing or vacation must be presented to the Planning and Zoning Coordinator together with the appropriate filing fee. Such petition must contain the names, addresses, phone numbers, and signatures of all property owners owning property adjacent to the portion of the street or easement which is proposed to be vacated. The applicant must submit a metes and bounds legal description and a graphic exhibit of the portion of the right-of-way to be abandoned which must be signed and sealed by a Registered Professional Land Surveyor. In addition, a Standard Form of Vacation Acknowledgment shall be completed and submitted for each utility currently located within the right-of-way or easement.

B. The Planning and Zoning Coordinator will set a public hearing regarding the proposed closing before the Planning and Zoning Commission at a regularly scheduled meeting. Public notices will be mailed to all property

owners affected by the proposed closing or vacation at least fifteen (15) days prior to the scheduled meeting.

C. The City staff will perform the following:

1. Secure an appraisal of the value of the physical property involved in the closure. The appraisal may be performed by an employee of the City who is knowledgeable of property values, or by an independent appraiser hired by the City.
2. Prepare and submit for City Council approval, recommendations for the proposed sale and or lease based upon the estimated value and the best interests of the City and owners of the adjacent property.
3. Prepare an ordinance and appropriate documents for transfer or lease of the property involved in the vacation or closure.
4. The Planning and Zoning Commission will conduct a public hearing allowing the opportunity for interested parties to address their opinions of the proposed closing or vacation. At the close of the Public Hearing the Commission will make a recommendation to the City Council as to the advisability of approving the proposed closing or vacation.

D. The proposed closing or vacation will then be set for public hearing before the City Council by the following notices:

1. The hearing will be advertised by the publishing of a legal notice in the official newspaper of the City at least fifteen (15) days prior to the scheduled hearing.
2. Adjacent property owners will be notified by mail of the proposed public hearing at least fifteen (15) days prior to the scheduled hearing.
3. Notice of the proposed hearing before the City Council will be posted in a public place within the City at least seventy-two (72) hours prior to the scheduled hearing.

E. The City Council will conduct the public hearing on the proposed closing or vacation allowing the opportunity for all interested parties to express their opinions on the matter. At the close of the public hearing, the City Council will make a determination as to whether the evidence

presented at the hearing together with the recommendation of the Planning and Zoning Commission provide sufficient justification for proceeding with the closure or vacation. The closure or vacation of street right-of-way shall be approved by ordinance.

CHAPTER 14 INSTALLATION OF PERMANENT FIELD MONUMENTS

Section 14.1 General

The applicant shall place permanent reference monuments in the subdivision or development as required herein and under the direction of a Registered Land Surveyor or Professional Engineer. All such monuments shall be set flush with or below the ground and planted in such a manner that they will not be generally disturbed.

Section 14.2 Subdivision Boundaries

The external boundaries of a subdivision shall be documented in the field by monuments of not less than four (4) inches square or five (5) inches in diameter, and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded; or by iron rods or pipes not less than eighteen (18) inches in length and one-half ($\frac{1}{2}$) inch in diameter. These monuments shall be placed at all corners of the subdivision boundary, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line, and at all angle points along a meandering line.

Section 14.3 Internal Block Corners

All internal block corners, intersections, street angle points and curves tangents shall receive permanent monuments in the field by iron rods or pipes at least eighteen (18) inches long and one-half ($\frac{1}{2}$) inch in diameter.

Section 14.4 Lot Corners

All corners of all lots shall receive monuments in the field by iron rods eighteen (18) inches long and one-half ($\frac{1}{2}$) inch in diameter.

FEES FOR REPLATTING

Fee due to the City: \$500.00

Fee due County: \$31 per page

Tax Certification: \$16 for 1st page and \$4 for each additional page