

CITY OF PATTISON
ORDINANCE NO. 52

SUBDIVISION REGULATIONS

ADOPTED BY THE BOARD OF ALDERMEN JANUARY 11, 2000

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I. AUTHORITY AND PURPOSE:

1. PURPOSE OF REGULATION TO CONTROL SUBDIVISION OF LAND

The City of Pattison does here by adopt the following regulations to hereafter control the subdivision of land within the corporate limits of the city of Pattison and within its extraterritorial jurisdiction thereof, in order to provide for reasonable and consistent standards to maintain critical water availability and quality. To provide for the safe, orderly, and healthful development of the community and to secure adequate provisions for traffic, light, air, recreation, transportation, drainage, sewage, and other public facilities.

- a. The various development constraints outlined herein are ordered by the Board of Aldermen of the City of Pattison, Texas (hereinafter, the "Board" and the "City" respectively) under authority granted to the City of Tex. Loc. Gov't. Code Ch. 212.

2. AUTHORITY AND RESPONSIBILITY OF THE BOARD OF ALDERMEN

The Board, acting through the Mayor, shall enforce rules, regulations, standards and specifications for the construction, installation, design, location and arrangements of streets, curbs, street signs, gates for utility easements, sidewalks, monuments, criteria for drainage easement requirements, drainage facilities and crosswalk ways. All such improvements shall be constructed, installed, designed, located and arranged by the subdivider in accordance with such rules, regulations, standards and specifications. In the event of conflict between these regulations and those adopted by another governmental entity, the more stringent regulations shall prevail.

3. THIRD PARTY CONSULTANTS

On behalf of the City, the Mayor may retain legal counsel and institute appropriate action in a court of competent jurisdiction to enforce the provisions of this Regulation or the Standards referred to herein with respect to any violation thereof which occurs within the City or its extraterritorial jurisdiction. The Mayor may enter into contracts with engineers, surveyors and other appropriate professionals in order to evaluate any proposals made under this Ordinance.

II DEFINITION OF TERMS:

1. 100-YEAR FLOOD PLAIN (ZONE) - that area subject to inundation by a flood having a one-percent probability of occurrence, in any given year based on existing conditions of development within the watershed area, as determined by the Federal Emergency Management Agency and approved by the Waller County Engineer. A flood having a one-percent probability of occurrence on the average would occur once every hundred years.
2. BUILDING SET-BACK LINES - the lines within a property defining the minimum horizontal distance between a building and the adjacent property line.
3. CONTOUR LINES - elevation lines drawn upon the plat illustrating general topography and drainage flow.
4. DEDICATION - the transfer of property from private to public ownership.
5. EASEMENT - Right given by the buyer of land to another party for specific use of that land; i.e., electrical, water and sewer lines, drainage, etc. Granting of an easement does not, in and of itself, convey fee title.
6. EXTRATERRITORIAL JURISDICTION (ETJ) - authority granted to the City to exercise subdivision development regulations for a specific distance outside its boundaries in unincorporated areas.
7. LOT - an undivided tract or parcel of land having frontage on a public or private street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement, which is designated as a distinct and separate tract and/or which is identified by a tract or lot number of symbol in a duly approved subdivision plat which has been properly filed of record.
8. MOBILE HOME PARK - any facility or area developed or the lease or rental of two or more mobile homes.
9. PAVEMENT WIDTH - the portion of a street available for vehicular traffic.
10. PLAT - a subdivision plan submitted for preliminary or final approval to the Board in conformity with the provisions of these regulations and which, if given final approval, will be submitted to the City Secretary for recording. A re-plat or re-subdivision will be considered a plat as defined herein.
11. PUBLIC SEWAGE SYSTEM - any publicly privately owned system for collection, treatment and disposal of sewage that is operated in accordance with the terms and conditions of a valid waste discharge permit issued by the Texas Natural Resources Conservation Commission (TNRCC) or its successor agency.

12. PUBLIC WATER SYSTEM - a system for the provision of waters for human consumption that serves more than one (1) service connection across property lines. Such term includes (1) any collection, treatment storage and distribution facilities under control of the operator of such system and used primarily in connection with such system, and (2) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. A public water system is either a "Community Water System" or a "Non-Community Water System." Without excluding other meanings of "Individual" or "Served", an individual shall be deemed to be served by a water system if he resides in, uses as his place of employment, or works in, a place to which drinking water is supplied from the system.
13. RESIDENTIAL USE - the term "residential use" shall be construed to include single-family residential uses only.
14. RIGHT-OF-WAY - that portion of the subdivision dedicated to public use for streets, roads, and drainage ways. Said dedication shall not convey fee title unless clearly stated in the dedication instrument.
15. SHALL AND MAY - the word "shall" is mandatory and the word "may" is permissive.
16. SHOULD AND WILL - the word "should" is a recommendation and is not mandatory; and the word "will" is mandatory.
17. STREET OR ROAD - a public or private thoroughfare, which provides vehicular access to adjacent land.
 - a. Arterial Streets - serve high volume through traffic from collector and secondary streets with considerable route continuity usually at higher constant speeds.
 - b. Connector Streets - immediate streets that serve to connect secondary streets with arterial streets.
 - c. Secondary Streets - serve primarily to provide access to property abutting the public right-of-way so designed as to prevent through traffic.
18. SUBDIVISION - any division of land that meets at least one of the criteria below:
 - a. A division of any tract of land into two or more parts (tracts) for the purpose of laying out any subdivision of land.
 - b. The laying out of suburban or building lots.
 - c. Any development dedicating portions of property to the public.

- d. A subdivision that has been platted and recorded with the Waller County Clerk that is within the City limits or ETJ or that is required by statute to be so platted and recorded; or any four (4) or more adjoining lots or tracts, any one of which is less than two (2) acres in size; or a mobile home park; or any lot or tract used or intended to be used for multi-family dwellings, including specifically but not limited to apartments, duplexes and condominiums.
- 19. SURVEYOR – a Registered Professional Land Surveyor as authorized by the State Statutes to practice the profession of surveying.
 - 20. TIME SHARE - interval ownership of a piece of real estate (commonly a condominium unit, but may be any other real estate) for a certain interval or time period (example: one week each year). Said interval ownership can be either for a term of years (such as 20 years), or fee simple (absolute ownership).
 - 21. UTILITY EASEMENT – easement dedicated by the owner of the proposed subdivision in perpetuity for the installation and maintenance of utilities and all the necessary appurtenances thereto installed above, on, or below the surface of the ground. Nothing shall be placed or permitted to remain within the dedicated easement limits that may damage or interfere with the proper installation and/or maintenance of utilities. Utility companies, their agents and assigns, shall have all of the rights and benefits necessary for the full enjoyment of the rights herein granted, including but not limited to the free right of ingress to and egress from the utility easement, and the right to, periodically, cut and/or remove all trees, brush and other obstructions that may injure, endanger or interfere with the operation and/or maintenance of utility installations.

III. PROCEDURE:

- 1. The following procedure shall be followed by the subdivider in order to secure approval of a subdivision by the City:
 - a. Preliminary Approval:
 - (1) Seven (7) copies of the preliminary plat stamped or stated "Preliminary" and accompanying data, and required fees, shall be transmitted to the City Secretary. The City Secretary, or other party designated by the Board, shall review the plat for completeness and for compliance with filing requirements. Whenever the plat filing requirements have been met the City Secretary shall schedule Board presentation for the next available scheduled Board meeting, compliant with agenda posting requirements and the City Secretary shall notify the Developer of the scheduled presentation. Once presented to the Board, the Board shall act within thirty (30) days, or having taken no action, the plat is deemed approved.

- (2) One copy of the presented plat indicating changes necessary for approval, will be returned to the registered surveyor. A working plat which has been reviewed by the Board and altered at its direction, will not be approved until such changes have been agreed to, in writing, by the applicant, and such changes made to the plat.
- (3) A corrected preliminary plat being resubmitted will be transmitted to the City Secretary. PLATS WILL NOT BE SCHEDULED ON THE CITY AGENDA UNTIL ALL PRELIMINARY REQUIREMENTS ARE SATISFIED.
- (4) Approval of the preliminary plat by the Board will indicate its approval for construction of roads and infrastructure, but will not constitute approval for recording. Regardless, construction cannot begin without execution of a Corporate Surety Bond, or Letter of Credit as required under Section IV.C.
- (5) Approved preliminary plats shall be filed with the City Secretary.
- (6) No sale of lots in any subdivision shall begin until final approval has been granted by the Board and the subdivision plat has been filed with the City Secretary.

b. Final Approval:

- (1) Subdivider may, at his election, waive the preliminary approval and request final approval at the time of submission of plat and accompanying data to the Board as long as all items in Chapter IV have been satisfied, and steps (1) through (4) for preliminary approval have been met.
- (2) Presented to the Board shall submit original and seven (7) reproducible Mylar prints (plus monies in the amount of \$25.00 per sheet in subdivision plat) to the City Secretary immediately after approval by the Board. The Mylar copies will be filed on record with the City Secretary and original will be returned to the surveyor after filing.
- (3) The surveyor (developer) shall submit sixteen (16) copies of the filed plat to the City Secretary's office within two (2) weeks for distribution. The copies of the plat shall be for distribution to governmental agencies, school districts, emergency services and utilities.
- (4) The survey or (developer) shall submit a black-line print reduced version of the recorded plat with dimensions not to exceed eleven (11) inches by seventeen (17) inches.

2. Master Plan – When Subdivision is Part of a Larger Tract: When the proposed subdivision constitutes a unit of a larger tract owned by the subdivider, which is intended to be subsequently subdivided as additional units of the same subdivision, the preliminary and final plats shall be accompanied by a layout of the entire area at a scale of not more than 400 feet to one (1) inch, showing the tentative proposed layout of streets, blocks, lots, drainage and other improvements for such areas. The overall layout, if approved by the City, shall be attached to and filed with a copy of the approved subdivision plat in the permanent files of the City Secretary. Thereafter, plats of subsequent units of such subdivisions shall conform to such approved overall layout, unless changed by the developer and the City. The Board may order changes in the approved overall layout when it finds:
 - a. That adherence to the previously approved overall layout will hinder the orderly subdivision of other land in the area; or
 - b. That adherence to the previously approved overall layout will be detrimental to the public health, safety, morals or general welfare of the City or will be injurious to the safe, orderly and healthful development of the City.
3. Variances: Upon written request, the Board may authorize a variance from these regulations when in its opinion,
 - a. Undue hardship will result from requiring strict compliance; or
 - b. In the case of a subdivider who proposed a planned development or a residential subdivision with lots smaller than the minimum provided under these regulations, the subdivider demonstrates that (1) it has secured an adequate and reliable source of public water which is not produced from underground wells, and (2) the plans for the proposed residential subdivision or planned development adequately address all other engineering and infrastructure design criteria raised by the increased population density which the subdivider proposes.

In granting a variance under either (a) or (b) above, the Board shall prescribe only conditions that it deems necessary to or desirable in the public interest. In making the findings, the Board 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 variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.

4. Resubdividing/Canceling/Correcting All or Part of a Recorded Subdivision: In order to maintain the integrity of the City's plat records, the following procedures are outlined for anyone desiring to alter any dimensions on a recorded plat.

Procedure: (Landowner)

1. Complete application form available from the City Secretary.

2. Plat property, showing existing property lines on left or top of sheet contrasted to proposed resubdivision/cancellation on right or bottom of sheet.
3. Meet all requirements of City Subdivision Regulations in regard to Preliminary and/or Final Plat.
4. Publish notice of the requested alteration in a publicly available newspaper with circulation recognized in the local area at least three (3) times within the period beginning on the 30th day and ending on the 7th day before the date of the meeting.
5. Notify all property owners within 250 feet of the boundaries of the subject property of the requested change and the date and time of the meeting by certified mail (cost and effort to be incurred by landowner). The procedure for this may require that the landowner obtain a list of names and mailing addresses of property owners from the Waller County Appraisal District. Present a copy of this list and the postal return receipts showing delivery to the affected property owners prior to the meeting. Annotate on Return Receipt the name of the subdivision and lot number.
6. Mail out must be completed no later than fourteen (14) days before scheduled board date. If less than 80 percent of the receipts have not been received on the day before the board date, the item may be postponed.
7. Insure that a representative is present to meet with the Board when the proposed alteration is to be considered.
8. Immediately following final approval by the Board, provide the City Secretary with the original and seven (7) reproducible Mylar copies of the approved plat accompanied by a \$25/page filing fee.
9. Submit twenty (20) copies of filed plat to the City Secretary for distribution no later than fourteen (14) days after filing.

Procedure: (Developer)

All procedures remain the same as for the landowner with the exception of Item 5.

10. See that all property owners in the unit or section of the subdivision in question be notified by certified mail, cost and effort to be incurred by subdivider. The procedure for this will require that the subdivider obtain a list of names and mailing addresses of all property owners in the subdivision or unit in question from the office of the Waller County Appraisal District. Present a copy of this list and the postal return receipts showing delivery to the affected property owners prior to the meeting.

IV. PLATS:

NO DEVELOPER CAN USE A SUBDIVISION'S LEGAL DESCRIPTION IN ANY DEED OR CONVENANCE OR CONTRACT OF SALE UNTIL THE MAP AND PLAT OF THE SUBDIVISION HAS BEEN APPROVED BY THE BOARD AND FILED WITH THE CITY SECRETARY. ANY VIOLATION IS A MISDEMEANOR OFFENSE AND CONSTITUTES PRIMA FACIE EVIDENCE OF AN ATTEMPT TO DEFRAUD.

A. PRELIMINARY PLATS:

1. No construction work shall begin on the proposed subdivision until approval of the preliminary plat by the Board.
2. Approval of the preliminary plat shall expire and become null and void twelve (12) months after the date of approval. Upon good cause shown, an extension of time may be requested; however, if the request is denied, then a new preliminary plat must be submitted for consideration and approval.
3. Approval of the preliminary plat will indicate their approval for construction, but will not constitute approval for recording.
4. Seven (7) copies of the preliminary plat shall be submitted to the Board for review a minimum of thirty (30) days prior to the Board's consideration of said plat.
5. Plat and drawing sheets shall be 18" x 24" with a minimum of 1/2" margins on all sides.
6. The preliminary plat shall show the following:
 - a. Title or name of subdivision, which shall not have the same spelling as, or be pronounced similar to, the name of any other subdivision located with Waller County. Subdivision name shall be located above the caption where the legal description by acreage in the survey shall be listed.
 - b. When more than one sheet is required for a plat, a key map showing the entire subdivision to a small scale shall be shown on the first sheet, along with an index of all sheets.
 - c. Name and address of the owner(s), subdivider and lienholder (if applicable), using the required signature statements on current form available from the City Secretary.
 - d. Name and address of the registered public surveyor, or registered professional engineer, responsible for the design of the plat.

- e. Date of preparation; north arrow; scale of plat (not to exceed one inch to two hundred feet (1:200)).
- f. Vicinity or project location map (scale not more than one inch to four thousand feet (1:4000) identifying adjacent streets, subdivisions and other sites with mileage to pinpoint location.
- g. Heavy boundary lines.
- h. The location, width and name of existing streets and subdivisions and the locations of existing lots, easements, pipelines, fee strips, survey lines, building lines, watercourses, or other important information shall be shown within and on all sides of the subdivision for a distance not less than 200 feet. The lines of such indication beyond the plat boundary shall be dashed. Names of owners of contiguous unplatted properties on all boundaries of the subdivision will be shown, if applicable. Proposed well sites and existing improvements within the subdivision shall be shown.
- i. Systematic order of identification of lots in consecutive numerical order.
- j. No lot shall be smaller than one and one half (1.5) acres, with an average of two (2.0) acres for all properties served by a public water system. No lots shall be smaller than four (4) acres with an average of five (5) acres for all properties served by a private water well. Rectangular shaped lots will have a 130' minimum frontage width. Cul-de-sac and irregularly shaped lots will have a 40' minimum frontage width.
- k. Dimensions of all lots, together with a 50' minimum set-back line shown adjacent to road frontage, and 25' set-back lines shown from side and rear property boundaries. If shown by note: "City of Pattison requires a minimum 50' building set-back line from road frontage, and 25' set-back from side and rear property boundaries."
- l. All lots shown in subdivision will show bearings and distance.
- m. Plat will show: acreage of subdivision and of each lot; acreage of subdivision and acreage of roads by survey number, public or private; acreage and linear feet of roads, public or private.
- n. Dimensions of the subdivision and dimensions and locations of all roads, streets, easements, squares, parks or other portions of the land intended to be dedicated to public use, or for the use of purchasers or owners of tracts or lots fronting or adjacent thereto. Include linear footage of all roads.
- o. Stub-out roads to be located at approximate one-half (1/2) mile intervals. There shall be a minimum of one (1) stub-out to properties abutting subdivision for future road connections.

- p. A certificate of dedication of all roads, streets, parks or other land intended for public use, or for the use of purchasers or owners or other land intended for public use, or for the use of purchasers or owners of tracts fronting or adjacent thereto shall be shown on the plat. Roads not dedicated to the public must be so stated.
- q. Names of streets to conform whenever possible to existing street names.
- r. City limits and ETJ lines shown on plat.
- s. Topographical information shall include contour lines on a basis of five (5) vertical feet in terrain with an average slope to 12 percent, and on a basis of ten (10) vertical feet in terrain over 12 percent. On roads with a slope gradient of ten (10) percent or more, a road profile will be provided showing gradients.
- t. Areas of the 100 -Year Flood Zone taken from the latest Department of Housing and Urban Development, Federal Insurance Administration Flood Maps are to be included, being identified by this statement: "This subdivision does not line in the 100-Year Flood Zone as determined by HUD-FEMA" or "The shaded area as shown lies within the 100-Year Flood Zone as determined by HUD-FEMA where construction is regulated." All lots within the 100-Year Flood Zone shall have required slab elevations shown on the plat. Flood plain elevations shall also be shown.
- u. Layouts that will cause unsatisfactory drainage conditions, or that complicate maintenance of streets or any land dedicated for public use will not be accepted.
- v. Certifications required on plat: Owner/Developer/Lienholder and Registered Professional Land Surveyor with signatures notarized by a Notary Public.

B. ACCOMPANYING DATA FOR SUBMISSION FOR PRELIMINARY PLAT APPROVAL:

1. Written approval from the Waller County Engineer of proposed wastewater disposal.
2. Seven (7) copies of proposed subdivision plat.
3. Copies of plan and profiles of sanitary sewer lines indicating type, size, depth and grades of lines if subdivision will be serviced by a public sewage treatment facility.
4. Certified quantity (Pumping Report) as required by Texas Department of Health, Chemical and Physical Quality Report, Well Drillers' log and Plan of Distribution System if public water is to be made available to the subdivision.
5. Road profiles showing gradients, if applicable.

6. Photostatic copies of USGS maps with subdivision sketched in at scale.
7. Construction schedule showing, at a minimum, the scheduled start and completion dates of each item of work required to construct drainage, subgrade, base and pavement and the point of contact for each phase.
8. Plans of storm drainage (to be approved by the Board).
9. A proposed master plan of all of the developer's property is required when a subdivision is part of a larger tract. The master plan shall be prepared at a scale of not more than 400 feet to an inch which shall show: (1) existing and proposed subdivisions, including streets, lots, parks, drainage easements and rights-of-way; and (2) general drainage plan, flow line of existing drainage structures, and ultimate destination of water.

C. CORORATE SURETY BONDS/LETTER OF CREDIT:

1. A Corporate Surety Bond or Irrevocable Letter of Credit in the amount per lineal foot as set by the Board for road or street construction within the subdivision. The bond shall be executed by a surety company authorized to do business in the State of Texas and shall be made payable to the City. The condition of the bond or letter of credit shall be that the owner or owners of the tracts of land to be subdivided will construct the roads or streets of such subdivision within the time frame in accordance with the City's Subdivision Regulations and Road Department Standards. Full amount of the bond or letter of credit shall remain in force until road construction is completed and roads are approved and accepted by the Board.

D. FINAL PLATS:

1. Final plat requirements include all preliminary plat requirements and accompanying data plus the following:
 - a. Clearance on street names from Post Office.
 - b. Copies of paid County, City, or school (as applicable) tax receipts on subdivision.
 - c. Signed certification statements.
 - d. All required drainage easements shall be presented to scale on the final plat.
 - e. Comment letter from Texas Department of Health showing unconditional construction approval AND/OR comment letter from Texas Natural Resources Conservation Commission approving plans and specifications for public sewage treatment facility.

2. Directions for Proper Dedication and Execution:

- a. Plats shall be 18" x 24".
- b. All plats shall have original signatures in BLACK ink. Each signature shall have, immediately under it in legible lettering or typing in BLACK ink, the name corresponding to the original signature and mailing address. All corporate, legal, license and registration seals shall be affixed and darkened in such a manner as to be legible. All signatures shall be notarized.
- c. One (1) signed original (to be returned to surveyor after filing) and two (2) signed reproducible mylars to be retained in the office of the City Secretary.

NOTE: ONCE THE PLAT HAS BEEN APPROVED AND ACCEPTED AND FILED FOR RECORD WITH THE CITY SECRETARY, THE MYLARS CANNOT BE REMOVED FROM THE SECRETARY'S RECORDS FOR ANY REASON.

V. ROAD CONSTRUCTION: COMPLIANCE, INSPECTION, TESTING:

1. Submission of the preliminary plat for approval shall be an acknowledgment of notice of all the requirements of these Subdivision Regulations.
2. It shall be the responsibility of the Subdivider, or a qualified agent employed by him, to inspect the work as it is being performed to assure compliance with these regulations.
3. Subdivider shall be responsible, to determine and assure that all completed work complies fully with all requirements of the Subdivision Regulations.
4. Subdivider's request for (1) inspection of any phase of the work or, (2) final inspection of the completed work, shall constitute notice and certification by said Subdivider that he, or a qualified agent employed by him, has inspected and found work to be in compliance with all requirements of the Subdivision Regulations.
5. Minimum testing requirements are listed in the sections covering the particular work on which test must be made by the owner.
6. Failure to comply with any testing required or failure to obtain the tests and inspections required before proceeding with the next phase of the work shall automatically cause a determination of noncompliance with the Subdivision Regulations by default.
7. Determination of noncompliance caused by failure to obtain required tests and inspection may only be corrected by:
 - a. Complete removal of the work and reconstruction in conformance with the Subdivision Regulations requirements; or

- b. Testing of representative samples taken by core drilling or by removal of specified sections to reach the areas to be tested; or
 - c. Any reasonable method approved in writing by the Board that will prove complete compliance with the Subdivision Regulations.
8. All cost of work, repairs or testing as described in Items 5, 6 and 7 above, shall be solely at the expense of the Subdivider, and all such work, repairs or testing shall be as follows:
- a. In accordance with a plan which has been presented to and approved, in writing, by the Board; and
 - b. Under the direction of the person designated by the Board; and
 - c. Performed by a person or firm qualified to produce and furnish accurate results. Such person or firm shall be approved, in writing, by the Board; and
 - d. Completed within a reasonable time as set by the Board.
9. The City shall perform the minimum amount of inspection and testing, as set forth in these regulations, to assure compliance. However, it is intended that the burden of inspection, testing and responsibility for compliance shall rest with the Subdivider and/or Owner.
10. Inspection, approval and acceptance by the Board do not relieve the Subdivider of his responsibility to inspect, test and construct the work in complete compliance with the Subdivision Regulations.
11. Inspection, approval and acceptance by the Board shall not constitute a waiver of any rights, including the right to collect under any bond/letter of credit furnished.

MINIMUM REQUIREMENTS:

1. Arterial streets (Roads) - serve high volume through traffic from collector and secondary streets with considerable route continuity usually at higher constant speeds:

Minimum right-of-way	80'
Minimum width of roadbed	40'
Minimum section if curbed (face to face of curbs)	36'
Minimum compacted depth of base material	8"
Minimum ditch depth (below subgrade crown)	12"
Minimum pavement width	24'
Maximum allowable grade	9%

2. Connector Streets - intermediate streets that serve to connect secondary streets with arterial streets:

Minimum right-of-way	60'
Minimum width of roadbed	32'
Minimum section if curbed (face to face of curbs)	30'
Minimum compacted depth of base material	6"
Minimum ditch depth (below subgrade crown)	12"
Minimum pavement width	22'
Maximum allowable grade	9%

3. Secondary Streets - serve primarily to provide access to residential property abutting the public right-of-way so designed as to prevent through traffic:

Minimum right-of-way	60'
Minimum width of roadbed	28'
Minimum section if curbed (face to face of curbs)	30'
Minimum compacted depth of base material	6"
Minimum ditch depth (below subgrade crown)	12"
Minimum pavement width	22'
Maximum allowable grade	12%

4. Streets or Roads Which are Existing County Roads - Where the subdivision affects a county road, the City shall consult with Waller County Commissioners' Court in order to determine the minimum right-of-way width which will be necessary. The right-of-way requirement may be as wide as 120 feet if the county road is a potential major artery. Where the subdivision affects only one side of a county road, adequate right-of-way shall be provided for one half the additional width to provide right-of-way as prescribed by the Board. Where the development is on both sides of the existing county road, right-of-way for the total prescribed width shall be provided. Any improvements proposed by the developer for existing county roads shall be:

- a. Made according to the minimum regulations for arterial streets or roads.
- b. Approved by the Waller County Commissioners' Court and by the Board in writing prior to the construction of such improvements.
- c. Equal to, or better than, the existing road, in the judgment of both the Board and the Commissioner's Court of Waller County, which judgment shall be final.

5. Cross Streets and Dead End Streets

- a. Cross streets shall be provided at a maximum spacing of 2,000 feet to facilitate the movement of emergency vehicles.
- b. Dead-end streets which may subsequently be developed must be extended to the subdivision property line with a sixty-foot (60') square-out. Dead-end streets, which will remain as dead-end streets, shall end

on a cul-de-sac with a minimum right-of-way of fifty-foot (50') radius. (100' radius in commercial areas).

6. All lot corners shall be marked with 1/2" diameter by 2' long iron pins.
7. No street or road shall have an abrupt offset or jog in it. Developers are encouraged to avoid 90° turns and to use gentle curves insofar as possible. Inside curves will be designed so that traffic will not be induced to use the right-of-way as part of the traveled way. (See Design Criteria in Department Standards).
8. Where dedicated streets in an adjoining subdivision end at the property line of a new subdivision, the said streets shall be continued through the new subdivision. All streets and roads in the new subdivision shall be platted so that a continuation of said streets and roads might be made in other subdivisions in the future.
9. Where the Board determines in its sole discretion that the application of the surface course (as in these Regulations) should be delayed on any stubout road in any subdivision, then the Board may determine the sum of money deemed necessary prior to final plat approval. Such sum shall be deposited in a special account and its use restricted to completion of the stubout road or roads of such subdivision.
10. Subdivision entrances entering off a county road or a state highway shall meet the approval of the Board, as well as the Waller County Commissioner's Court or the Texas Highway Department Resident Engineer, as appropriate.
11. All lines (water, sewer, electric, etc.) shall be buried a minimum depth of 24".
12. Water lines located in city right-of-way shall be located within 5' of the property line.
13. When utility lines extend across a roadway, they shall be installed prior to the placement of base so that the roadbed is not disturbed subsequent to road construction.
14. All work shall be constructed and finished in accordance with good engineering practices.

DRAINAGE:

1. All drains, drainage structures and appurtenances shall be designed by a person authorized to practice the profession of engineering under the provisions of the Texas Engineering Registration Act, and amendments thereto.
2. Drainage calculations shall be made using the Rational Method or by other accepted methods approved in writing by the Board. Drainage for streets or roads shall be designed for a 10-year flood frequency, and shall be subject to the approval of the Board.
3. All data and calculations shall be presented to the Board upon request.

4. Minimum pipe diameter under streets is 24". Drainage structures shall be backfilled in accordance with Item 400.5 of the Texas Highway Department Standard Specifications.
5. All roads or streets shall have ditches, which are a minimum depth of 12" below the shoulder of the subgrade. Greater depths shall be provided as required to accommodate the design flow. All street widths and grades shall be indicated on the construction drawings.
6. All drains, drainage structures and appurtenances shall be inspected and approved in writing by the Board prior to acceptance of the subgrade and prior to the placement of any base material on the subgrade.
7. All required drainage easements shall be represented to scale on the final plat.
8. Before final acceptance for a subdivision is given by the City for street and drainage work, the engineer responsible for the design of said work shall issue a letter to the City stating that he has made an inspection of such improvements and recommends their acceptance by the City. Attached to his letter shall be one set of "as built" drawings showing the work to be accepted for use by the City

SUBGRADE:

1. All unstable or otherwise objectionable material of the subgrade shall be removed and replaced with approved material. All holes, ruts and depressions shall be filled with approved material and, if required, the subgrade shall be thoroughly wetted with water, reshaped and rolled to the extent directed in order to place the subgrade in an acceptable condition to receive the base material.
2. The surface of the subgrade shall be finished to line and grade as established in conformity with typical sections, and any deviation in excess of one-half inch (1/2") in cross section and sixteen feet (16') in length measured in longitudinally shall be corrected by loosing, adding or removing material, reshaping and compacting by sprinkling and rolling. Sufficient subgrade shall be prepared in advance to insure satisfactory culmination of the work.
3. Subgrade material shall be compacted by approved equipment to an apparent dry density of the total material of not less than ninety-five percent (95%) of the maximum dry density as determined by the modified Proctor compaction test made in accordance with the procedure outlined in the Texas Highway Department Testing Manual. Tests for density will be made within twenty-four (24) hours after compaction operations are completed. If the material fails to meet the density specified, it shall be reworked as necessary to obtain the density required.

4. When a fill is required to achieve the prescribed subgrade elevation, such fill shall be placed in uniform lifts covering the entire width of the cross section. Prior to compaction, the layers shall not exceed a six inch (6") depth where pneumatic tire rolling is to be used and shall not exceed eight inches (8") in depth for rolling with other types of rollers. Each lift shall be compacted to the required density before succeeding lifts are placed.
5. The subgrade shall be inspected and approved in writing by the Board prior to the placement of any base on subject grade.

BASE MATERIAL:

1. All roads and streets shall receive base material in the minimum amounts as shown on Page 14, Minimum Requirements.
2. Subgrade must be approved, in writing, before the placement of any base material.
3. Roadway base material shall conform to the requirement of the Texas Highway Department Standard Specification Item 247 (crushed stone). The crushed stone shall have an abrasion of not more than forty (40) when subject to the Los Angeles Abrasion Test (AASHO-T96). Caliche or other material is strictly prohibited.
4. Base material shall meet the following minimum requirements:

Retained on a 2-1/4" screen	0 to 10%
Retained on a No. 4 sieve	35% to 75%
Retained on a 40 mesh sieve	60% to 85%
Liquid limit shall not exceed	40
Plasticity index shall not exceed	16
5. Standard methods of compaction shall be used, and base material shall be applied and compacted in a minimum to two (2) courses, and to a minimum density of 95% modified proctor.
6. Test reports showing base material compliance, from a certified testing laboratory, as submitted to the Board. Minimum tests made and submitted shall be one of each 500 cubic yards of base material placed, with a minimum of one per project. Such test shall be made by and at the expense of the owner, by a testing laboratory selected or approved by the Board. Additional tests may be required. Additional tests, if required, will be made at the discretion of the Board and at the expense of the owner.
7. Compliance test reports shall be submitted prior to request for inspection of completed base.

8. The quantity of base material shall be ascertained in a manner acceptable to the Board. The following methods are suggested:
 - a. Certified truck tickets
 - b. Core samples at selected intervals
 - c. Pick and shovel samples at selected locations.

Quantity is to be ascertained prior to final inspection of completed base.

9. Completed base shall be inspected and approved, in writing, by the Board, prior to placement of any pavement.

PAVEMENT:

1. All roads and streets shall be paved with the following type and shall conform to the requirements

A. HOT MIX ASPHALTIC CONCRETE PAVEMENT

1. The asphalt material for Prime Coat shall meet the requirements for Cutback Asphalt, MC-1, Item 310, Texas Highway Department Specifications. Prime Coat shall be applied with an approved sprayer, at a rate of not to exceed 0.25 gallons per square yard of surface.
2. The asphalt material for Tack Coat shall meet the requirements for Cutback Asphalt, RC2, Item 310, Texas Highway Department Specifications. Tack Coat shall be applied with an approved sprayer, at a rate not to exceed 0.10 gallons per square yard of surface.
3. The compacted surface course shall be applied at the rate of one hundred sixty-five pounds (165lbs.) per square yard. For industrial roads, it shall be applied at one hundred ninety pounds (190lbs.) per square yard. The paving mixture and construction methods shall conform to Item 340, "Hot Mix Asphaltic Concrete", "Type D", of the Standard Specifications For Construction of Highways, Streets and Bridges adopted by the Texas Department of Transportation, March 1, 1993 with and including all officially issued amendments.
 - a. Stability of item 340, Description, is hereby supplemented by the following: The stability of the compacted mixture shall not be less than forty-five percent (45%) nor more than sixty-five percent (65%).
 - b. Course Aggregate, of Item 340.2, Materials, is hereby supplemented by the following: The course aggregate for Type "D" shall have an abrasion of not more than thirty-five (35) when subjected to the Los Angeles Abrasion Test (AASHTO-T-96). If crushed gravel is used for Type "D", it

shall be so crushed that ninety percent (90%) of the particles shall have more than one (1) crushed face.

4. Hot mix asphalt concrete pavement shall not be placed when general weather conditions, in the opinion of the County Engineer, are not suitable.
5. Test reports showing material compliance, from a certified testing laboratory, shall be submitted to the Board. Minimum tests made and submitted shall be one for each day's production, or one per 500 tons placed, whichever is least, with a minimum of one per project. Such tests shall be made by and at the expense of the owner, by a testing laboratory selected or approved by the Board. Additional tests may be required. The Board will make such additional testing.

TRAFFIC SIGNS AND GUARD POSTS:

Signs and guard posts shall be installed by the Subdivider in accordance with the Texas Manual on Uniform Traffic Control Devices for Streets and Highways and as directed by the Board. The Subdivider shall consult with the Board prior to the placement of any traffic signs or guard posts, street name signs shall have white lettering on green background.

VI. FINAL INSPECTION AND ACCEPTANCE:

1. The Subdivider, upon completion of drainage, roads, streets and other facilities intended for the use of the public or purchasers or owners of lots fronting or adjacent to, shall request from the Board a final inspection.
2. The Board or its designee shall, within fifteen (15) days, inspect the completed work for compliance.
3. The Subdivider will be notified, in writing, of any work not found in compliance with the Subdivision Regulations. The Board will establish a reasonable time for correction of the defective work and the Subdivider shall make the necessary corrections within the time set, or such corrections will be made by action taken upon the performance bond or letter of credit.
4. When, in the Board's opinion, extremely bad weather or other substantially unusual conditions justify approval of an extension of time for construction completion, an extension of the existing bond or letter of credit may be granted, provided the request for such extension is made in writing and received by the Board at least thirty (30) days prior to original expiration date.

VII. MISCELLANEOUS

1. The City shall not construct, repair, maintain, etc., improvements of a property owner that exist within the public right-of-way.
- 2: There shall be no reserve (access easements) strips controlling access to land dedicated or intended to be dedicated to public use.
3. The responsibility of all costs of the in-place improvements as required by these Regulations shall be borne by the Subdivider.
- 4 Water distribution lines shall be located within 5' of the property line when placed in public right-of-way. All water valves shall be conspicuously marked.
5. Construction bonds/letters of credit shall be submitted as a prerequisite for construction and the full amount of the bonds/letters of credit shall remain in force until road construction is completed and roads are approved by the Board.
6. The City shall not repair or maintain streets or roads that have not been accepted by the Board.
7. Access to all new subdivisions shall be from an adequate City or County maintained street (road) or a state or federally maintained road or street.
8. All streets (roads) constructed in subdivisions located in the City or ETJ of the City shall adhere to the regulations and standards as approved by the Board, whether public or private.
9. Platting requirements that meet "most of" but not all of these Subdivision Regulations may be submitted as a Request for Variance to these Regulations.

VIII. SEPARABILITY OF PROVISIONS:

The provisions of these Regulations are separable, in accordance with the following:

- A. If any sentence, phrase, section, paragraph, article or any part of these rules, regulations and requirements is declared invalid, unenforceable or unconstitutional for any cause or reason, such invalidity, unenforceability or unconstitutionality shall not be held to affect, invalidate or impair the validity, force or effect of any other sentence, phrase, section, paragraph, article or any other part of these rules, regulations and requirements.
- B. If any court of competent jurisdiction shall judge invalid the application of any provision of these regulations to a particular property, such judgment shall not affect the application of said provision to any other property not specifically included in said judgment.

IX. FEES

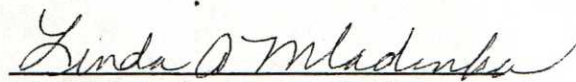
The following schedule of fees and charges shall be paid into the General fund of the City of Pattison when any map or plat is tendered to the City Secretary, and each of the fees and charges provided herein shall be paid in advance, and no action of the Board or any other agency shall be valid until the fee has been paid. The City Secretary, deputies, or assistants shall calculate the fees and charges in accordance with the following schedule:

GENERAL PLATS

Preliminary Plats (Long Form)	Two hundred dollars (\$200.00) per plat, plus ten dollars (\$10.00) per lot, plus fifty dollars (\$50.00) per acre for other uses.
Revised Preliminary Plats	One hundred dollars (\$100.00) per plat
Final Plats (Short Form)	One hundred dollars (\$100.00) per plat
General Plans	One hundred dollars (\$100.00) per plat

The above fees shall be charged on all plats regardless of the action taken by the Planning and Zoning Committee and the Board of Aldermen.

Approved: 01-11-2000


Linda Mladenka, Mayor of Pattison

ATTEST:


Lynda Fairchild
Pattison City Secretary