

ORDINANCE NO. 2017 0907 File No

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROPESVILLE; REGULATING THE CONSTRUCTION OF DEVELOPMENTS WITHIN THE CITY AND ITS EXTRATERRITORIAL JURISDICTION INCLUDING: STREETS, ALLEYS, SIDEWALKS, AND OTHER IMPROVEMENTS, PROVIDING PROCEDURES FOR THE CONSIDERATION OF PLATS; PROVIDING A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROPESVILLE AS FOLLOWS:

SECTION 1: ENACTMENT.

THAT, the following regulations regarding the development of streets, alleys, sidewalks and other improvements within the city hereby enacted and as enacted shall read as follows:

Sec. 1. Short Title.

The following regulations shall be and the same are adopted and approved and shall be known as and may be cited as the "City of Ropesville Subdivision Ordinance."

Sec. 2. General Purpose of Ordinance.

This Ordinance, shall govern every person, firm, partnership, association, corporation or other legal entity owning any tract of land within the corporate limits of the City of Ropesville, Hockley County, Texas and within the extraterritorial jurisdiction of this City as prescribed by the Texas Local Government Code in 211 and 212, as from time to time amended, who may hereafter divide any tract into two (2) or more parts for the purpose of laying out any subdivision of any tract of land or any addition to said City, or for laying out suburban lots of building lots, or any lots, and streets, and alleys or parks or other portions indicated for public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto.

Sec. 3. Definitions.

For the purpose of this ordinance, certain terms and words are hereby defined: terms not defined herein shall be construed in accordance with other ordinances of the City, other codes, Texas state statutes, or their customary usage and meaning.

- A. CITY- Shall mean the City of Ropesville, Hockley County, Texas.
- B. SUBDIVISION: Shall mean any land division regulated as authorized by the Texas Local Government Code and further described herein. The provisions contained herein shall apply to any of the following forms or types of land subdivision and development activity within the City limits or extraterritorial jurisdiction.

(1) The following conditions constitute a subdivision and require subdivision approval:

- (a) The division of any lot, tract, or parcel of land into two (2) or more lots or sites for the purpose of sale or building development or transfer of ownership, whether immediately or in the future.**
- (b) The re-subdivision of land or lots previously divided or platted whether the approval was by Hockley County, the City of Ropesville, or was legally recorded in Hockley County with no documented approval.**
- (c) The combining of two or more contiguous tracts, lots, sites or parcels for the purpose of creating one legal lot for the development or sale for the purpose of creating one legal lot for the development or sale for the purposes of the construction of a structure or structures.**
- (d) Division of land into parcels of any size which requires the creation of streets or public access on right of ways.**
- (e) The definition of "subdivision" shall not include a division of land into tracts of land greater than five (5) acres, where each part has access to an existing road and no public improvements are being dedicated.**

(2) The following conditions shall be exempt from subdivision approval:

- (a) Land legally platted and filed for record and provided with public streets, right of ways and utility service prior to the date of this ordinance.**
- (b) Inheritance, or testamentary division of property through wills, trusts, estates, or gifts of land by metes and bounds of tracts on which no improvements or alteration are occurring.**
- (c) Divisions of land created by court orders of competent jurisdiction, of lands on which no improvements are made, no change in utility service is required and no access by additional public street or right of way is created.**

- C. **SHALL OR MAY:** The word “shall” shall be deemed mandatory; maybe the word “may” ought to be deemed permissive.
- D. **PLAT:** Shall mean a map or chart of the subdivision. It shall include the plan, plat or replat both singular and plural.
- E. **MAJOR STREET:** Shall mean a principal traffic thoroughfare, which continues, or is intended to continue, across the City and which serves to connect remote parts of the City. It may also be principal connecting street with State of Federal highways.
- F. **SECONDARY OR COLLECTO STREET:** Shall mean a continuous street through several residential districts intended as a connecting street between residence districts and major streets or business districts.
- G. **MINOR OR RESDENTIAL STREETS:** Shall mean all streets not otherwise indicated.
- H. **MAYOR:** Shall mean the Mayor of the City of Ropesville.
- I. **EXTRATERRITORIAL JURISDICTION:** Shall mean that area adjacent to the corporate limits of the City over which the City is authorized to control among other things, subdivisions, building codes, public utilities, or as prescribed or defined by Texas State Law.
- J. **GENERAL PLAN:** Shall mean a map or plat designed to illustrate the overall general design features and street layout of proposed subdivision which is proposed to be developed and platted in sections.
- K. **REVISED PLAT:** Shall mean a plat which has been previously submitted and is being resubmitted with changes.
- L. **UTILITY COMMOTMENT:** Shall be a letter from the City documenting that a proposed plat can be adequately served with water and sewer according to historical events on record, regulations of the Texas Natural Resources Conservation Commission (TNRCC) or enforcement actions thereof, and any utility planning documents by the City Council.
- M. **CITY ENGINEER:** Shall mean a State of Texas licensed engineer(s) retained by the City.

- N. **PLANNING DOCUMENTS:** Shall mean a written report, map, or other document developed by the City, the City's consultants or staff, or other entities and has been adopted and amended by the City Council.
- O. **CITY PLANNING AND ZONING COMMISSION:** Shall mean the City Council acting as a Planning and Zoning Commission to review subdivision submittals all planning matters.
- P. **LEGAL LOT:** Shall mean any singular lot, platted, surveyed, legally divided by metes and bounds, and recorded for legal title with the Hockley County Clerk's office, before the date of this ordinance.
- Q. **BUILDING CODE:** The term "Building Code" means the latest revision of the building code identified in other City of Ropesville Ordinances as "being adopted." Information is available at City Hall when requesting Building Permits.

Sec. 4. Purpose and Jurisdiction.

- A. **Regulations to Control Subdivision of Land.** The City Council of the City of Ropesville does hereby adopt the following regulations to hereafter control the subdivision of land within the corporate limits of the City of Meadow and within the extraterritorial jurisdiction thereof, in order to provide for the safe, orderly and healthful development of the community and to secure adequate provisions for traffic, light, air, recreation, transportation, water, drainage, sewage, public safety, and other public facilities.
- B. **Territorial Limits or Regulations.** The territorial jurisdiction under this Chapter shall include all land located within the corporate limits of the City and all land lying within the City's extraterritorial jurisdiction which is currently one-half ($\frac{1}{2}$) mile or as otherwise described by amendments of Texas State Law of the corporate limits of the City, as from time to time extended.

Sec. 5. Application.

- A. **City Planning and Zoning Commission Approval Required.** It shall be unlawful for any landowner, or the agent of any landowner, to lay out, identify and divide by metes and bounds, subdivide, plat, or replat any land into lots, blocks, and streets within the jurisdictional limits of the City without the approval of the City Council acting as a City Planning and Zoning Commission. It shall also be unlawful for any such owner or agent to offer for sale or to sell, or to otherwise transfer ownership of any such

property therein or thereby which has not been laid out, subdivided, platted, or replatted in accordance with this Chapter.

- B. **City Improvements Withheld.** The City will make no improvements nor will the City maintain any streets or furnish any public utility service in any addition or subdivision for which approved final plat is not on file with the City Secretary and legally recorded at the County Clerk's Office.
- C. **Building Permits withheld unless ordinance complied with.** No street number and no building permit shall be issued for the construction of any building on any piece of property subdivided after the date hereof, unless said property has been subdivided or re-subdivided in accordance with this Ordinance.
- D. **Penalties to be assessed.** Any owner, person, or entity of any type may be assessed penalties for the sale or otherwise transfer of ownership of land in violation of this ordinance, or other violations, up to the amount provided for in the penalties Section until the violation is remedied or otherwise ceases.

Sec. 6. Processing Procedure.

A. Minor Amendments

The mayor shall have the authority to approve the following plat which may be recorded and shall be controlling over the preceding plat without vacation of that plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:

- (1) To correct an error in a course or distance shown on the preceding plat;
- (2) To add a course or distance that was omitted on the preceding plat;
- (3) To correct an error in a real property description shown on the preceding plat;
- (4) To indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
- (5) To show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
- (6) To correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for

- approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
- (7) To correct an error in course and distances of lot lines between two adjacent lots if:
- (A) Both lot owners join in the application for amending the plat;
 - (B) Neither lot is abolished;
 - (C) The amendment does not attempt to remove recorded covenants or restrictions; and
 - (D) The amendment does not have a material adverse effect on the property rights of the other owners in the plat;
- (8) To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
- (9) To relocate one or more lot lines between one or more adjacent lots if:
- (A) The owners of all those lots join in the application for amending the plat;
 - (B) The amendment does not attempt to remove recorded covenants or restrictions; and
 - (C) The amendment does not increase the number of lots;
- Notice, a hearing, and the approval of other lot owners are not required for the approval and issuance of an amended plat.

B. Preliminary Plat.

- (1) **Required Copies. Filing Deadline.** The sub-divider shall submit a preliminary plan of the entire area being subdivided; eight (8) legible copies shall be submitted to the City Secretary for review by the City Council fifteen calendar days prior to the next regularly scheduled meeting. When the Preliminary Plat is approved, a permanent reproducible copy with any revisions is to be submitted prior to submittals of Final Plat.
- (2) **Plat Requirements.** The Plat shall be drawn to a scale of one inch to one hundred feet (1"=100') and shall show and be accompanied by the following information:
- (a) Name of Subdivision;
 - (b) Complete legal description by metes and bonds;
 - (c) Total acreage and numbers of lots and blocks;
 - (d) Name and address of the owner and the owner's agent;
 - (e) Name and seal number of registered engineers or surveyors responsible for the project;
 - (f) Scale 1"=100' unless otherwise approved in writing;

- (g) North point;
- (h) Date and date of each revision;
- (i) Boundary dimensions and bearings;
- (j) A survey to tie the original survey of which said land is a part;
- (k) Name and location of adjacent subdivisions, streets, easements, pipelines, watercourses, etc., and the property lines and name of adjoining property owners in un-subdivided tracts;
- (l) Existing and proposed topographic and planimetric features within the subdivision, including watercourses and ravines, high banks, width of existing or proposed easements;
- (m) Existing transportation features within the subdivision including the location and width or rights-of-way, streets, alleys and easements;
- (n) Proposed features including location, width, surfacing, and name of streets; approximate width and depth of all lots, location of building lines, alleys and easements; and schematic plans and outline specifications for drainage, sanitary facilities and, utilities;
- (o) Designation of any sites for special uses including churches, sewage disposal plants, water plants, business, industry, or other special land uses. If proposed use is unknown, show as undesignated. Where a proposed site in the area taken in by a proposed addition or subdivision is planned for a school, park or public building such site shall be reserved on the preliminary plat for the proposed facility.
- (p) Limits of the 25-year and 100-year flood plan for all drainage ways draining into or away from a ten (10.0) acres or more subdivision before and after the development. If the subject subdivision is proposed to be located on a tract contributing to downstream drainage ways where damage to structures is known to occur, the aforementioned requirement shall pertain to subdivision tracts of one (1.0) acre or more.
- (q) Statement that the preliminary plan conforms to the adopted concept plan if any and including written request for all variances, stating the justifications; and
- (r) Statement outlining the estimated average single family lot size; and the estimated range of lot sizes by groupings of:
 - less than 7,000 square feet,
 - 7,001-8,000 square feet,
 - 8,001-10,000 square feet,
 - 10,001-120,00 square feet,
 - 20,000+ square feet.

- (3) Utility Commitment Letter. The sub-divider shall submit copies of utility commitment letters from all the utilities including the City of Ropesville that will provide utilities for the subdivision.
- (4) City Secretary to Check for Complete Information. The City Secretary or other staff so designated is to check that the above information has been included in the submittal. If the submittal is not complete, it will be returned prior to further review.
- (5) City Council to Review within Forty-five (45) Days. The City Council shall review the preliminary plat, and within forty-five (45) days, act upon said plat as submitted or as modified and, if approved, shall express its approval as "conditional approval" and state the conditions of such approval, if any, or is disapproved, shall express its disapproval and the reasons therefore. At the meeting during which the preliminary plat comes up for review, the party submitting such plat shall appear in person or by agent or by attorney.
- (6) City Council to Note its Action. The City Council shall note its action and conditions, if any, on two (2) copies of the preliminary plat.
- (7) Distribution of Plat Copies. Of the two (2) copies, one (1) shall be returned to the sub-divider, one (1) shall be filed with the City Secretary.
- (8) Authority to Proceed. Approval of the preliminary plat does not constitute acceptance of the subdivision, but is authority to proceed with the preparation of the final plat. Any work done on the subdivision before a final plat is accepted and recorded is done at the sub-dividers risk is discouraged. All approved preliminary plats expire at the end of one (1) year. The City Council may, if written from the sub0divider is received prior to the end of the one year period, grant an extension for up to one (1) additional year. If any major changes are required by the City Council, the council may require submission of a revised preliminary plat for approval.

C. Final Plat.

- (1) Required Copies: Filing Deadline. Sub-divider shall provide one (1) reproducible double matt Mylar copy and eight (8) legible white print copies of the final plat the City Council after the preliminary plat has been approved and all required changes and alterations hereto have been made

- (a) No final plat will be considered unless a preliminary plat has first been submitted and approved, except;

- (i) That the requirement for a preliminary plat may be waived, in writing, by the City Council if in the councils' opinion, the proposed subdivision requires no new streets or utilities and has an established land use by either existing zoning or existing development, and
- (ii) When the requirement for a preliminary plat is waived in accordance with (i) above, the applicant shall provide a list adjacent property owners outlined in other parts of this section and a public hearing shall be held by the City Council in conjunction with consideration of the final plat.
- (iii) The final plat shall be filed with the City Secretary at least fifteen (15) days prior to the meeting at which approval is requested.

(2) **Plat Requirement.** The final plat shall be drawn on substrate of the type, size and configuration as currently required for filing at the County Clerk's Office of Terry County and to a scale of one inch to one hundred feet (1'-100"). Where more than one (1) sheet is required, an index sheet of similar size shall be filed showing the entire subdivision. All restrictive covenants are to be shown on the index sheet or separate sheet. The currently accepted size is 18 inches by 24 inches and the material is double matt Mylar. The following will be shown on or will accompany the plat:

- (1) A title including the name of the subdivision- the name of the landowners or owners; the name of the registered public land surveyor responsible for the preparation of the plat; the scale and location of the subdivision with reference to an original corner of the original survey of which said land is a part; the date, north point, and total acres in the subdivision.
- (2) The certificate of the registered public land surveyor who surveyed, mapped, and monumented the land shall be place on the face of the plat as follows:

THE STATE OF TEXAS §

COUNTY OF TERRY §

KNOW BY ALL BY THESE PRESENTS

That I, _____ R.P.L.S do hereby certify that I prepared this plat from an actual and accurate on the ground survey of the land and the corner monuments shown thereon were properly placed by current “Minimum Standards for Professional Land Surveyors” as adopted by the Texas Board of Professional Land Surveying under my personal supervision, in accordance with Subdivision Ordinance of the City of Ropesville, Texas

Original Signature and Seal of Registered Professional Land Surveyor Registration Number

- (3) A certificate of ownership and dedication to the public of all streets, easements, alleys, parks, playground, or other dedicated public uses, signed and acknowledged before a notary public by the owners and any holders of liens against the land.
- (4) An accurate on-the-ground boundary survey of the property with bearings and distances and showing the lines of all adjacent land, streets, easements. And alleys with their names and width. (Street, alleys, and lot lines in adjacent subdivisions shall be shown dashed.) All necessary data to reproduce the plat on the ground must be shown on the plat.
- (5) A certificate of approval to be signed by the Mayor and the City Secretary shall be placed on the face of the plat. The plat shall show all existing features within the area being subdivided, such as existing watercourses, railroads, width of streets, alleys and easements to be retained and other physical features deemed pertinent to the subdivision.
- (6) Streets, alleys and easements that are to be dedicated shall be shown with the following engineering data:
 - (a) For streets: Complete curve data (Delta, Length of Curve, Point of Tangency) shown on the centerline of on each side of the street: length and bearing of all tangents; dimensions from all angle points of curve to an adjacent side lot line shall be provided. The number of feet of roadway shall also be shown on the plat.

- (b) For watercourses and easements: Distances to be provided along the side lot lines from the front lot line of the high bank of a stream. Traverse line distances are to be provided along the side lot lines from the front lot line along the edge of all large watercourses in a convenient location, preferable along a utility easement if paralleling the drainage easement of stream.
- (7) Lot and block lines and numbers of all proposed lots and blocks with complete dimensions for front, rear and side lot lines.
- (8) Building set back lines shall be shown on all lots.
- (9) Two (2) sets of plans and specifications prepared by a State of Texas licensed engineer shall be provided for the installation of water, sewer, paving and drainage, and said plans and specifications must be approved by the city engineer prior to the beginning of any construction of the subdivision.
- (10) A receipt showing that all taxes have been paid shall be submitted with the final plat.
- (11) The City Council shall be satisfied that the sub-divider will be in a financial position to install or cause to be installed at his own cost, risk and expense all of the improvements herein required. The City Council may require such security as t in its sole and absolute discretion may deem best in order to insure the orderly development within any subdivision.
- (12) It is expressly understood that as a condition to the approval of said subdivision, no sales will be completed until all utilities are installed and all other improvements required by this Ordinance are made and signed off on within the block in which said lot is contained.
- (13) Drainage easements to cover the limits of the 25-year flood plan
- (14) Limits of the 100-year flood plan and a citation of the source of flood plan data.

- (15) Minimum finished floor slab elevations, at a minimum of two (2) feet above the 100-year flood plain level, for all lots adjacent to or affected by the flood plain.
- (16) Slab elevations on all structures are to be a minimum of one and one half (1 ½) feet above the highest top of the curb along ~~any point along~~ the front lot line.
- (17) A certificate of a state of Texas Licensed Professional Engineer shall be placed on the face of the plat as follows:

STATE OF TEXAS §
 COUNTY OF HOCKLEY §

I, _____ do hereby certify that the information contained on this plat complies with the Subdivision Ordinances and any storm-water drainage policy adopted by the City of Ropesville, Texas. _____

Original Signature and Seal of State of Texas Licensed
 Professional Engineer License Number

- (18) City Council to Review Final Plat. The City Council shall review the final plat, and when satisfied that all conditions and requirements have been met, the City Council shall approve said plat, using the following format:

Approved this day of _____, 2017, by the City Council of the City of Ropesville, Texas.

Mayor

City Secretary

- (19) Disapproval of the Final Plat. Should the final, as submitted, fail to meet the conditions and requirements of the Ordinance, the City Council shall disapprove said plat and note its disapproval thereon, and attach, thereto a statement of the reasons for disapproval. In the event of disapproval, the City may withhold all City improvements of whatsoever nature including furnishing of sewer facilities and water service from all additions which have not been approved as provided by law and, further permits may not be issued on any piece of

property other than an original or a re-subdivided lot in a duly approved and recorded subdivision.

- (20) **Time of Approval.** Approval or disapproval of the final plat shall be voted by the City Council within forty-five (45) days after submission of said final plat. Failure to act within forty-five (45) days of the regularly scheduled meeting, at which the plat would have been presented, shall constitute approval by the City Council unless additional time is requested by the developer.

D. Only One (1) Plat Required.

If the Preliminary Plat of a subdivision meets with the hereinbefore set forth requirements for a Final Plat, the City Council may, on request of the sub-divider, consider such plat as a Final Plat and approve or disapprove the same as such. If the Preliminary plat is approved only as such, a Final Plat shall be filed in accordance with the other provisions of this Subdivision Ordinance. If the sub-divider elects to use this alternative, then he shall provide one (1) reproducible tracing and eight (8) white-print copies of the plat to the City Council.

E. Utilities

If a sub-divider or developer wishes to obtain City water, sewerage, or other services for his proposed or revised subdivision, he shall be required to obtain approval in writing for the number of proposed or revised lots prior to submitting a final plat or revised plat to the City Council for its approval pursuant to the terms and provisions of this Subdivision Ordinance.

- (1) After a proposed final or revised plat has been issued, approved for utilities and has received final approval by the City Council, no additional approval shall be required for the final issuance of building permits for lots located within the approved subdivision.

(2) Application for Utilities

(a) With respect to an application for utilities, the City Engineer will be primarily guided by the most current planning documents approved by the City Council.

(b) The City Engineer shall issue an opinion to the City Council based his interpretations of regulations by the TNRCC, historical performance of the utility, and sound engineering

practice. The City Council shall issue Utility Commitment Letter accordance with recommendations for the City Engineer.

(c) Any participation in offsite utilities by the City of Ropesville shall be approved by the City Council.

Sec. 1.07. Requirements and Standards.

- A. The sub-divider shall retain the service of a qualified State of Texas Licensed Professional Engineer. The engineer shall design the items is as follows:
 - (1) Utilities
 - (2) Streets, pavement design
 - (3) Drainage
 - (4) Calculation of flood plains
 - (5) Set slab elevations in relationship to flood plains
- B. The engineer's utility plans shall meet the minimum for submittal to TNRCC and shall be on 24' by 36 papers. They are to be signed and sealed by the engineer and to include all information for the construction of the project. Specifications are to be in bound sets or on the face of the plans to assure that all City requirements are followed.
- C. The -licensed engineer responsible for the project is to perform periodic inspection to determine if the work is performed in substantial conformance with the approved plans and specifications.
- D. When the project is complete, and tested, the engineer is to certify the City of Ropesville that the work both on and off site, if any, has been performed in substantial conformance with the approved plans, specifications, and change orders. Engineer is to deliver to the City a reproducible copy of record ~~as-built~~ plans for the project and three sets of blue-lines. The plans are to be clearly marked as ("RECORD") drawings with all record changes signed by the responsible engineer.
- E. The sub-divider shall provide a one year warranty on all work located in dedicated City right of ways or easements including all utilities, streets, drainage, street lights, or other improvements. The warranty is to begin at final acceptance by the City.
- F. The sub-divider shall be responsible for constructing paved streets and curbs and gutters within the subdivision, subject to the conditions contained herein.

- (1) **Arrangement.** Unless otherwise approved by the City Council, provision shall be made for the extension of major streets through any new subdivision. Collector streets shall be provided as required by the city Council for the circulation of traffic through the subdivision and the connection thereof to the major streets. Adequate minor streets shall be provided to accommodate the subdivision; Off-center street intersections with streets in adjacent subdivision should be avoided. All major and collector streets shall be continuous or in alignment with existing streets unless variations are deemed advisable by the Council due to topography and requirements of traffic circulation. A minimum of one future access, by street, to all adjacent tracts is to be maintained through stub-out streets as approved by the council.

Residential developments which introduce new street systems shall be encouraged within the framework of applicable ordinances, to plan street systems that offer curvilinear design while facilitating safe and adequate traffic circulation and drainage compatible with existing patterns.

(2) **Street Design Criteria**

- (a) **Soils Investigation.** The sub-divider shall, at his own expense, cause to be made a soils investigation by a qualified and independent State of Texas Licensed geotechnical engineer. The field investigation shall include test boring or profile holes within the right-of-ways of all proposed streets. The number of locations of such boring or holes shall be submitted to the City Engineer for review. Acceptance of the boring plan by the City Engineer does not constitute approval of the plan. The geotechnical engineer of record is the responsible engineer for the work. A minimum depth of holes is to be eight (108). For each individual soil layer identified in each boring, the Waterberg limits, Plasticity Index (PI), moisture contents, and other required data and information to quantify the bearing capacity, shrink-swell potential, and other characteristics necessary for a pavement design shall be determined. The method used for this determination shall be the same as those used by the Texas Department of Transportation (TxDOT) ~~State Department of Highways and Public Transportation~~ using their latest Manual of Testing; Procedures, 100-E Series test methods. The results of the soils investigation shall be presented to the sub-divider and to the City Engineer in written report form.

- (b) **Pavement Design.** Pavement design for collector and residential streets shall consist of surface pavement, flexible base, asphalt

stabilized base (as applicable), and compacted subgrade shall be designed in accordance with accepted engineering practiced for the conditions and expected traffic loads. In no case shall a hot mix asphaltic cement surface course be less than two (2) inches in the thickness nor shall a flexible base course be less than six (6) inches in thickness even though an engineered pavement design demonstrates that lesser thickness would be sufficient. Flexible base and asphalt stabilized base (as applicable) courses shall be carried at full thickness to a distance of one (1) foot outside of the back of the curb and gutter section. For major thoroughfare streets, a pavement design is required and shall be based on the TxDOT ~~State Department of Highways and Public Transportation~~ triaxial design criteria as follows:

Type of Street	Total Equivalent 18 Kip Single Axle	Load Frequency Design Factor Load Application	Wheel Design Load Kips ATDH
Major Thoroughfare	1,500,000	1.15	12

A written report containing pavement design data and recommendations based on the soils investigation shall be prepared at the sub-divider's expense by a State of Texas licensed engineer shall be presented to the sub-divider and to the City Engineer. The report shall state the load criteria and the soil classifications used.

(c) Curb and Gutter.

(1) All streets shall have reinforced concrete curbs (minimum concrete strength of 3,500 psi) described as follows:

Height above pavement	6"
Thickness	6"
Concrete Gutter width	18"
Overall width	24"
Overall height above subgrade	12"
Valley Gutters (minimum concrete strength 4,000 psi)	
Thickness	6' min
Width	6-0 min
Reinforcement	#4 rebar W 8" on _____
_____center each way	

each-way

Minimum Radii

Street Intersections	20'
Alleys	10'
Commercial Driveways	20'
Residential Driveways	10'

(2) Street Width. Note all widths are back to back of curb unless otherwise noted.

(a) Major Streets	R.O.W. 80'	Pavement	560'
(b) Collector Streets	R.O.W. 60'	Pavement	40' 38"
(c) Minor or residential Streets	R.O.W. 500'	Pavement	36' 30'
(d) 50' either side of major intersections	Wide Per Commission Approval		

(3) Curve Centerline Radii

(a) Major Streets	Radius 2,000' or less based on Design speed and good engineering practice as approved by the Commission
(b) Collector Streets	Radius 400'
(c) Minor Streets	Max 150'
(d) Reverse Curves	Min. connecting tangent 100'

(4) Intersection Separation

Minimum	150' centerline to centerline
---------	-------------------------------

(5) Intersections

(a) Intersecting angle	80 degrees without variance
(b) Acute angle	Curb radii min, 25'

(6) Cul-De-Sacs

- (a) Maximum length dead-end street 600'
- (b) Dead end streets at boundaries to adjacent tracts that are developable will be allowed with proper signage

- (c) Minimum diameter ~~8070'~~ pavement
- (d) Minimum diameter ~~10090'~~ R.O.W.
- (e) Temporary turn-a-round required on stubbed out future streets in excess of 400' long

(7) Street Names

Similar street names are to be avoided. List to be submitted to City and U.S. Post Office prior to putting on plat.

G. Sidewalks. Sidewalks are to be included in deed restrictions for residential subdivisions. All sidewalks are to be solely within R.O.W. ~~BS 36"48"~~ wide unless the sidewalk is immediately adjacent to the back of curb at which it will be 60" in width with minimum Building Code reinforcement. Fibrous reinforcement is permitted. Minimum concrete strength shall be 3,500 psi. Sidewalks are required in deed restrictions for commercial/retail subdivisions, unless concrete paving is used in appropriate areas. Sidewalks and all handicap access ramps at all street intersections shall meet the requirements of the Texas Accessibility Standards of the Architectural Barriers Act as administered by the Texas Department of Licensing and Regulation.

H. Lots.

- | | |
|------------|--|
| (1) Arce | 7,000 square feet minimum |
| (2) Sizes | Further described in Zoning Ordinances |
| (3) Width | 60 feet minimum |
| (4) Facing | Minimum frontage 50' unless in Cul-De-Sacs |

I. Blocks.

(1) Block Length

- | | |
|-----------------|--------------------|
| Through streets | Minimum 1,350 feet |
| Major streets | Minimum 1,500 feet |

J. Building Lines. Setbacks shall be as follows:

- | | |
|---------------|-----|
| Front Setback | 20' |
| Side Setback | 5' |
| Rear Setback | 20' |

K. Easements.

- (1) Drainage and Public Utility Easements are to be:

Front Lot	10'
Rear Lot	10
Side Lot	5

(2) To contain 25-year design storms flows

(3) As otherwise necessary for maintenance

L. Drainage and Storm Sewers.

- (1) Storm sewers and drainage ways are to contain 25-year storms.
- (2) Storm flows into and out of a tract are to be controlled to prevent flooding of existing structures and facilities, and increasing 100-year storm elevations up or down grade of the tract resulting in damage.
- (3) 100-year flood plains are to be shown on all site plans and plats.

M. Existing or Major Streams.

Major streams shall not be modified without consent of applicable state and federal agencies.

N. Sedimentation Controls.

Brush berms, hay bales, sedimentation basins and similar recognized techniques and material shall be employed during construction to prevent point source sedimentation loading of downstream facilities.

O. Water Systems.

The sub-divider shall provide all water lines necessary to properly serve each lot of the subdivision and insure that existing and/or new water facilities can supply the required demand for domestic use and for fire protection at the desired pressure. The sub-divider shall install all mains and shall extend the service to all lots terminating thereon with a curb stop and meter box. The sub-divider shall submit a certificate to the City Council certifying that the system has been designed in accordance with the requirements of the "TNRCC," and rules of the Texas Insurance Commission.

- (1) Water Mains

(a) Piping for water mains and connections shall be ductile iron Class 150~~200~~, or PVC AWWA C-900 Class 150, either mechanical or single rubber gasket joint. Service piping shall be copper or plastic as approved by Building Code.

(b) Water mains smaller than six inches (6") shall not be permitted.

(2) Fire Hydrants

(a) Fire hydrants are too compatible with the existing equipment in the City to assure availability of parts.

(b) Fire hydrant nozzles, threads, and thread type to be compatible with Fire Department Equipment and nozzles.

(3) Intersection Valves and Line Valves

(a) All water system valves are to be AWWA gate valves with operator boxes as designed for buried service. A list of approved manufacturers is available at City Hall.

(b) Three valves are required at four way intersections unless for direction feed is possible. A minimum of two valves are required at tees. Location of the valves shall be reviewed with the City Engineer.

P. Sanitary Sewer System

All subdivisions shall be provided with a sewage disposal system approved by the TECQ.

(1) Connection with sanitary sewer system shall be required except where the City Council determines that such connection would require unreasonable expenditure of funds when compared with other methods sewage disposal. Where septic tanks are installed, the sub-divider shall conduct percolation tests on each lot under the supervision of a State of Texas licensed engineer and determine the adequacy of the lots sizes proposed in accordance with septic tank regulations of the City of Meadow and TNRCC.

(2) Materials of Construction. (a) Gravity sewer in normal, buried serviced shall be "minimum diameter of 6" and shall be SDR 35 PVC pipe that complies with ASTM D-3034. The cell classification shall be 12454B in ASTM D-1784.

Elevated crossings, bores, road crossings, and conflicts with water lines, pipe may be ductile iron or other type pipe as required by other agencies, such as the TXDOT ~~Texas Department of Highways and Public Transportation~~, or as approved in writing by the Building Official. Any sewer crossing a TxDOT roadway much that a permit issued by the TxDOT district office in Lubbock, Texas.

Sewers shall be constructed according to TECQ Regulations. Sewer lines will be properly bedding in a bedding material suitable for the depth and location of the sewer. All bedding designs will be included on the plans that are submitted to the City for review.

(3) Piping Size

Six (6") inch diameter pipe shall be the minimum acceptable for sewer mains and lines. All sewer mains shall be graded to minimum acceptable grades as allowed by TNRCC.

(4) Manholes

Manholes shall be spaced at all changes in direction and not more than ~~four hundred (400')~~ feet apart. Manholes ~~and~~ shall be; constructed of precast concrete sections with poured floors, or concrete precast complete manholes and shall comply with ASTM C-470. Neoprene gaskets are required in all penetrations. Minimum concrete strength for all manhole components shall be 4,000 psi.

(5) Force Mains

Force mains shall be ductile iron or pressure class 150 ~~200~~ PVC pipe and fittings, Pressure Class Pipe shall have either mechanical joints or rubber gasket joints, approved by the City Engineer.

Q. Street Lighting

Street lighting shall be provided by the developer and shall conform to the current Edition of the Illuminating Engineering Society Handbook. Lighting levels shall be as recommended for very light traffic on thoroughfares.

R. Traffic Control Signs, Street Signs and Water Meter Boxes

All traffic control signs shall be provided and installed by the developer and shall conform with the Texas Manual on Uniform Traffic Control Devices for Streets and Highways, Vol. 1 and 2. All street signs and water meter boxes shall be provided and installed by the developer, and said street signs and water meter boxes must meet the specifications set forth by the City of Ropesville.

S. Flood Regulation

All flood plain calculations and the designs of changes to the flood plain shall be in accordance with the Emergency Phase of the National Flood Insurance Program, Article 8280-13, V.A.C.S. The City shall review each proposed subdivision to assure the following:

- (1) Proposals to Minimize Flood Damage. All such proposals shall be consistent with the need to minimize flood damage.
- (2) Public Facilities to Minimize Flood Damage. All public utilities and facilities, such as sewage, gas, electrical and water systems shall be located, elevated, and constructed to minimize or eliminate flood damage.
- (3) Adequate Drainage to be provided. Adequate drainage shall be provided so as to reduce exposure to flood hazards.

Sec. 1.08. Penalties.

A. Violation of any Provision of Chapter

Violation of any provision or provisions of this Chapter by any sub-divider shall constitute a misdemeanor and upon conviction of such violation in Municipal court of the City of Ropesville shall be punishable by a fine not to exceed \$2,000.00; furthermore each violation shall constitute a separate offense.

B. Other Legal Remedies

No conviction or convictions under the penal provision of this Ordinance, under the Texas Penal Code, shall ever considered as any bar to any injunctive or other legal remedy, relief, right or power existing in the City of Ropesville, Texas, Constitute and laws of the State of Texas.

C. Compliance with other Laws, Rules, Regulations, or Ordinances

Nothing in this ordinance shall be deemed to relieve the obligation of the sub-divider to comply with ordinances, rules, regulations, and laws of any other jurisdiction including Hockley County, the State of Texas, or the Federal Government.

Sec. 1.09. Variances.

When a sub-divider can show that a provision of these regulations would cause unnecessary hardship if strictly adhered to and where, because of some condition peculiar to the site, in the opinion of the City Council, a departure may be made without destroying the intent of such provisions and does not establish undesirable precedence, the City Council may authorize a variance. Variances shall not be detrimental to the public health, safety, or welfare, and shall not be injurious to other property. All requested variance must be fully described in writing along with the full justification including citations from laws, policies, design manuals, regulations and other documentation, and submitted along with the plat submittals. Exhibits of data and documentation, and submitted along with the plat submittals. Exhibits of data and documentation may be required. The Council shall have the authority to hold a public hearing if deemed necessary and formally notify adjacent or otherwise directly affected property owners and take the resulting testimony, and any other data into consideration. A variance may be granted conditionally based agreed to conditions that may be affected by future actions. Conditional variances granted during or before the Preliminary Plat may be denied during the Final Plat approval, if the conditions or future actions do not occur.

Sec. 1.10. ~~As-Built~~ Record Drawings.

The engineer representing the sub-divider shall present to the City council, reproducible complete "Record Drawings" for all paving, drainage structures, water lines, and sewer lines within thirty (30) days after completion of each contract. All drawings shall be obviously marked as built or record drawings, and signed and dated by the licensed engineer of record.

Sec. 1.11. Filing Fees.

- A. The following schedule of fees and charges shall be paid into the general fund of the City of Ropesville when any map or plat is tendered, and each of the fees and charges provided herein shall be paid in advance and no action of the City Council or any other board or any other agency shall be valid until the fee shall have been paid.

Concept Plan	Twenty-five (\$25.00) each for two per year thereafter fifty dollars \$50.00 each
Preliminary Plat	First Submittal fifty dollars (\$50.00) plus three dollars (\$3.00) per acre
All re-submittals	No charge for the first re-submittal Second and subsequent re-submittals- one half the cost of the original submittal

SECTION 2: SEVERABILITY

If any section, sentence, clause or phase of this Ordinance is held unconstitutional or otherwise invalid for any reason, such infirmity shall not affect the validity of the remainder of the Ordinance.

SECTION 3: REPEAL

All prior ordinances of the City Council of the City of Ropesville in conflict with this Ordinance are hereby repealed.

SECTION 4: EFFECTIVE DATE

This ordinance shall take effect upon completion of publication as provided by law.

PASSED AND APPROVED on this 12 day of September , 2017

Second Passing and approval on this the 28th day of September, 2017

CITY OF ROPESVILLE, TEXAS

Brenda Rabel, Mayor

Brenda Rabel

ATTEST:

Ofelia Corral, City Secretary
Ofelia Corral

