

O R D I N A N C E

(Motion was made by Jan Pierce, seconded by Diane Lincoln, that the following Ordinance be passed:)

ORDINANCE NO. 90-5

AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING THE PLATTING OR REPLATTING OF LAND INTO SUBDIVISIONS IN THE TOWN OF WOODLOCH AND REQUIRING PLATS AND REPLATS TO CONFORM TO SUCH RULES AND REGULATIONS IN ORDER TO PROCURE THE APPROVAL OF THE TOWN PLANNING COMMISSION, TOWN OF WOODLOCH, PROVIDING A PENALTY AND SAVINGS CLAUSE AND REPEALING ALL ORDINANCES; OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WOODLOCH, TEXAS;

SECTION 1
GENERAL

1.01 These regulations shall govern every person, firm, association, corporation or any other legal entity owning any tract of land within the corporate limits of the Town of Woodloch or within the ETJ of the Town of Woodloch who may hereafter:

1. Divide the same into two or more parts for the purpose of laying out any subdivision of any tract of land or any addition to said town, or
2. For laying out suburban lots or building lots, streets, alleys, parks, or other portions intended for public use, or for construction of any commercial, public, or residential structure on the land.

SECTION 2
DEFINITIONS

2.01 Building setback restriction - Defined area designated on a subdivision plat in which no building structure may be constructed and is located between the adjacent street right-of-way line or other type of easement or right-of-way line and the proposed building.

2.02 Town - Town or Town Hall shall mean the Town of Woodloch.

2.03 Town Engineer - This term means the Registered Professional Engineer employed or designated by the Town of Woodloch, Texas to provide professional engineering services for and on behalf of the Town.

2.04 Commission - Planning commission of the Town of Woodloch formed by Town Council Ordinance and Appointment.

2.05 Developer - Person, firm, corporation or any legal entity whether one or more or a combination of one or more engaged in a business of improving and selling or using land for the purpose of constructing improvements thereon, to be sold or leased to others or otherwise handled for their own personal gain or use.

2.06 Extra Territorial jurisdiction (ETJ) - This refers to the unincorporated territory extending 1/2 mile beyond the corporate limits of the Town of Woodloch and contiguous to the corporate limits of the Town of Woodloch which has

been established as a result of the provisions of the Texas Municipal Annexation Act and the State Subdivision Acts.

2.07 Owner - The person designated as the owner of record of the property to be subdivided or platted.

2.08 Plat

A. Preliminary Plat - A map or drawing of a proposed development to illustrate the features of the development for review and approval by the Commission but not suitable for recording in the County Records.

B. Final Plat - A map or drawing of proposed subdivision prepared in a manner suitable for recording in the records of Montgomery County containing accurate detailed Engineering data, dimensions, dedicatory statements, and certificates, and prepared in conformance with the conditions of preliminary approval previously granted by the Commission.

2.09 Resubdivision - The division of an existing recorded subdivision together with any change of lot size therein or the relocation of any street line.

2.10 Subdivision - The division of a tract or parcel of land into two or more parts or lots for the purpose, whether immediate or future, of sale or building development or transfer of ownership and shall include resubdivision. Subdivision shall not become valid until approved by Town Council and recorded in Montgomery County Records.

2.11 Vegetation Barrier - A visual screen of vegetation no less than 6 feet in height. A typical barrier would be trees, evergreens, or other native flora.

SECTION 3 PURPOSE, AUTHORITY AND JURISDICTION

3.01 Under the Authority of Article 974A of the revised Civil Statutes of the State of Texas which article is hereby made a part of these regulations, the Town Council of the Town of Woodloch does hereby adopt the following regulations to hereafter control the subdivision of land within the corporate limits of the Town of Woodloch and the ETJ of the Town of Woodloch in order to provide for the orderly development of the area to secure adequate provision for traffic light, air, recreation, transportation, water, drainage, sanitary sewer, and other facilities. And under the authority of Article 970A of the Municipal Annexation Act which article is hereby made a part of these regulations the Town Council of the Town of Woodloch does hereby adopt these regulations as to the extent of extra-territorial jurisdiction.

3.02 Any owner of land located inside of or within the corporate limits of the Town of Woodloch or within the ETJ of the Town of Woodloch wishing to subdivide such land shall submit to the Commission a preliminary and final plat of the subdivision which shall conform to the minimum requirements set forth in these regulations. It is urged that informal discussions be held between the Developer, the Town Officials and the Town Engineer to insure compliance within the basic requirements and to arrive at a coordinated plat layout.

3.03 No subdivision plat shall be filed or recorded and no lot in a subdivision inside of the corporate limits of

Woodloch or within the ETJ of the Town of Woodloch shall be improved or sold until the final plat shall have been approved by the Town Council. The Town shall have the authority to prohibit the installation of public utilities in unapproved streets and easements and to prohibit the issuance of building permits for structures on lots abutting on unapproved streets. The final plat must be approved by the Town Council.

SECTION 4
PROCEDURE

4.01

Preliminary Plat - Preliminary plat of any proposed subdivision shall be submitted to the Planning Commission and approved before the subdivider proceeds with the final plat for record.

1. This preliminary plat shall be drawn to a scale of 1" = 200', 1" = 100', 1" = 50', 1" = 40', or 1" = 20'. The preliminary plat shall contain at least the following information:

A. Existing features inside the platted area:

1. The existing boundary lines of the land to be platted. Boundary lines shall be drawn in heavy for easy identification.
2. The location of all existing easements, pipelines, wells, water courses, railroads, streets, and other similar drainage and transportation features.
3. The location and width of all existing streets, alleys, easements, buildings, and structures.
4. Topographical information with contour lines of 2-foot intervals maximum based on a datum approved by the Town's Engineer.
5. Elevation of 100 - Year Flood Plain and the extent, if any, that this occurs within the plat.
6. Location of any floodway within the plat.
7. Total acreage of platted area.

B. Existing features outside of platted area:

1. The names and property lines of all adjoining property owners.
2. The names and location of adjacent subdivisions, streets, easements, pipelines, water courses, etc. within 100 ft. of plat boundary with recording information on easement, streets, etc.
3. All lines outside of the proposed subdivision are to be dashed.

C. New features inside of subdivision:

1. The proposed name of the subdivision.
2. The location, width and names of proposed street right-of-ways, along with pavement widths.
3. Width and depth of all lots. If the side lot lines are not parallel, the distance between them at the building set-back line and at the

narrowest point should be given.

4. Location of building lines, vegetation barrier, alleys, and easements
5. Location and approximate size of sites for schools, churches, parks, and other special land uses and vegetative barriers where required.
6. The area in square feet and acres of each of the subdivided parcels.

D. Key map - A key map showing the relation of the subdivision to major streets in all directions for a distance of at least 1 mile.

E. Title - The date, scale, north arrow, title under which the plat is to be recorded, appropriate legal descriptions such as survey name and abstract, the name of the owner, and the name of the engineer or surveyor platting the tract.

F. Submission - The Owner shall furnish to the Town Planning Commission 10 days or more before the regular meeting of the commission with:

1. Reproducible tracing.
2. A minimum of 5 legible prints of the preliminary plat.
3. Five (5) copies of a letter of transmittal stating briefly the type of street surfacing, drainage, sanitary facilities and water supply proposed and the name and address of the owner and engineer or surveyor.
4. A title letter or certificate as defined in Section 4.02-5.
5. Preliminary Plat Fee.

These documents shall be transmitted to the Town Engineer.

G. Approval - The Town Planning Commission shall approve, conditionally approve, defer or disapprove within 30 days any preliminary plat submitted to it. Approval of preliminary plat shall not constitute final acceptance of the plat. Failure to act within 30 days of the regularly scheduled meeting at which the plat would have been submitted shall constitute approval by the Town Council unless additional time is requested from the Developer. After preliminary approval and final approval by the commission, the final plat shall then be sent to Town Council for final approval. Reasons for the disapproval or conditional approval or deferral shall be put in writing attached to one copy of the plat and returned to the person submitting the plat. Preliminary approval will expire 12 months after the approval of the commission of the preliminary plat or the final sections thereof except that if the subdivider shall apply in writing prior to the end of such 12 month period stating reasons for needing the extension, this period may be extended for another 12 months, but not beyond the total of two years.

H. Disapproval - If any such plat is disapproved by the Town Council, such disapproval shall be deemed a

disapproval of the offered dedication shown therein.

- I. Fees - \$200.00 Base Fee plus \$5.00/acre and \$5.00/lot additional.

4.02

Final Plat - After the approval of a preliminary plat by the commission two sets of construction Plans for Public Facilities and final plat showing an actual field boundary survey of the tract prepared by a Registered Public Surveyor and bearing his seal shall be submitted to said Commission by filing in the Office of the Town Engineer. Said Plat shall have all changes and alterations made on it that were required on the previously submitted preliminary plat.

1. Sheet Size and Scales - All final plats shall be drawn on reproducible sheets 20" X 24" and to a scale of 1 inch = 100 feet. Where more than 1 (one) sheet is required an index sheet of maximum size 20" X 24" shall be filed showing the entire subdivision at a suitable scale.

2. Final plat shall contain the following information:

A. Existing features inside subdivision:

1. The existing boundary lines of the land to be subdivided. Boundary lines shall be drawn in heavy for easy identification.
2. The location of all existing water courses, railroads, easements, pipelines, wells and other similar drainage and transportation features.
3. The location of all the existing streets, alleys, and easements, buildings and structures to be retained and to be removed.

B. Existing features outside subdivision:

1. The names and property lines of adjoining subdivisions and of the adjoining property owners together with the respective plat or deed references.
2. The name and location of adjacent streets, alleys, easements, water courses, etc. within 100 ft. of plat boundaries.
3. All lines outside of the plat a subdivision boundaries are to be dashed.

C. Streets, Alleys, Easements - The lines and names of all proposed streets or right-of-ways or easements to be dedicated to public use with the following engineering data:

1. For streets provide complete curve data, central angle, tangent, degrees of curvature shown on the center line or on each side of street, provide length and bearing of all tangents, furnish dimensions of all angle points of curve to an adjacent side lot line.
2. For water courses and easements, distance along the side lot line from the front lot line on the high bank of the stream. Provide traverse line along the edge of all large water courses in a convenient location

preferably along the utility easements if paralleling the drainage easement or stream.

- D. Name of subdivision and total acreage
- E. Lots and blocks - The lines and numbers of all proposed lots and blocks with complete bearings and dimensions for front, rear, and side lot lines along with areas and square feet and acres.
- F. Building setback lines and vegetation barriers shall be shown on all lots.
- G. Reservations - The use and property dimensions for all special reservations including sites for schools, churches, parks, and reserves.
- H. Monument and control points
 1. Provide the description and location of all permanent survey monuments and control points.
 2. Refer to suitable primary control points to which all dimensions bearings, and similar data are tied. Show dimensions in feet and decimals of a foot.

I. Certificates of Approval

The following will be placed on the face of the plat in addition to the requirements of Montgomery County, Texas.

KNOW ALL MEN BY THESE PRESENTS:

That I _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereof were properly placed under my personal supervision, in accordance with the subdivision regulations of the Town of Woodloch, Texas.

Signature and Seal of Registered
Public Surveyor

I THE UNDERSIGNED, Engineer for the Town of Woodloch, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the Town as to which his approval is required.

Town Engineer - Woodloch

This plat and subdivision has been submitted to and considered by the Town Planning Commission and the Town Council of the Town of Woodloch, Texas, and is hereby approved by such Commission an Council.

Dated This _____ Day of _____, 19____.

ATTEST:

By: _____
Mayor

Town Secretary

By: _____
Chairman
Planning Commission

- J. Key Map - A key map showing relation of subdivision to major streets in all directions for a distance of at least one mile.
- K. Title - The date, scale, north arrow, subdivision title, along with appropriate legal descriptions such as survey name and abstract with the name of the owner and engineer or surveyor platting the tract.
- L. Dedications and certificates - Such dedications and certificates as are applicable.
- M. Special restrictions - Where restrictions of land use, other than those given in these regulations are to be imposed by the subdivider, such restrictions shall be placed on the final plat or on a separate instrument filed with the plat.
- N. Offsite Easements - Provide recorded offsite easements with final plat submittal.
3. Water, sewer, paving, and drainage plans - Two sets of plans and specifications for water, sanitary sewer, storm sewer, paving, and drainage prepared by a registered professional engineer must be submitted with the final plat. As noted in Section 6 of these subdivision and platting regulations, all developers will be required to retain services of the Town Engineer for the design and inspection of all public utilities that the Town will maintain after development occurs. The subdivision plat cannot be approved by Town Council for recordation until Town Council approves Construction Plans for the subdivision and suitable arrangement for water supply and waste water treatment are approved by Town Council.
4. Tax receipt - Submit a receipt or tax certificate showing that all taxes have been paid with the final plat.
5. Title Letter or Certificate from a title guarantee company or from an attorney duly licensed to practice law in Texas certifying to at least the following concerning title to the land:
- A. A statement of records examined and date examined (within last 60 days).
 - B. Description of property by metes and bounds.
 - C. Name of fee owner as of date of examination along with date, file number, volume, and page of the recording of the deed involved.
 - D. The name of any lien holder together with a date of filing, volume, and page of lien.

E. A general description of any easement and fee strips granted along with the file number, date of filing, volume and page of such recording information.

6. Submission - Furnish the Commission with 6 legible prints of the original tracing and a reproducible copy of the final plat 10 days or more before the regular Commission Meeting. These documents shall be filed in the office of the Town Engineer.

7. Fees - \$200.00 base fee plus \$30.00/acre and \$8.00/lot.

8. Public Facility Construction Guarantee - A suitable Fiscal Guarantee in the amount established by the Town Engineer for the Public Facilities for the subdivision shall be provided to the Town Council and approved by Town Council prior to the plat being approved and recorded. Such Fiscal Guarantee shall be adjusted to reflect on going construction on a monthly basis or adjustments in construction costs on a annual basis as recommended by the Town Engineer and approved by Town Council.

9. Approval - The Town Planning Commission shall approve or conditionally approve, defer to disapprove, within 60 days any final plat submittal: Failure to act within said 60 days of the regular scheduled meeting at which the plat would have been submitted shall constitute approval by the Town. Final approval shall expire 1 year after the Town Council action granting approval of any final plat unless the final plat has been filed for record, except that if the subdivider shall apply in writing prior to the end of such one year period stating reasons for needing extension, this period may at the discretion of the Town Council be extended for another year, but not beyond that period.

4.03 Replats - Any replatting to follow final platting rules as set herein.

SECTION 5 GENERAL REQUIREMENTS OF DESIGN STANDARDS

5.01 Streets

1. Conformity to major street plan - The width and location of streets shall conform to such major street plan as the Town Council may have adopted if any, both as to the horizontal and vertical alignment of pavements and right-of-way widths.

2. Relation to adjoining street system - Proposed street system shall extend all existing major streets and such existing secondary and local access streets as may be desirable for convenience and circulation. Where possible, the width, the horizontal and vertical alignment of extended streets shall be observed primarily with respect to the major thoroughfare plan of Montgomery County, the City of Conroe, and the Town of Woodloch.

3. Street Jogs - Where offsets of street alignment are in the opinion of the Commission unavoidable, such offsets may be employed, provided the distance between center lines is not less than 125 feet.

4. Large lot subdivision - If the lots in the proposed subdivision are large enough to suggest resubdivision in the future, or if part of the tract is not subdivided, consideration must be given to possible future street openings and access to future lots which could result from such resubdivision
5. Through traffic - Local residential streets shall be designated so as to discourage high speed or through traffic.
6. Topography - The street system shall bear a logical relationship to the natural topography of the ground.
7. Street Right-Of-Way Widths - Shall be measured from front lot line to front lot line of opposite lots.
 - A. Local Access Streets - Shall have a minimum right-of-way width of 60 feet.
 - B. Secondary or feeder street - Shall have a minimum right-of-way width of 80 feet.
 - C. Major Streets - The width of major streets shall be determined by the Town Council, the Commission, the major street plan and adopted standards such as they may be. Major streets with a width of less than 100 feet are to be increased to a width of 100 feet for a distance of 150 feet with the approach to a thoroughfare intersection with a transition back to normal right-of-way over a distance of an additional 150 feet.
8. Street Alignment - The maximum deflection of alignment permitted without the use of curves shall be 5'.
9. Major street curves - Curves in major streets shall have the centerline radius of 2000 feet or more with exceptions to this standard granted only by the Town Council in writing.
10. Secondary street curves - Curves in secondary or feeder streets shall have a centerline radius of 800 feet or more with the exceptions to this standard granted only by the Town Council in writing.
11. Local access street curves - Curves in local access streets are to have a centerline radius of 300 feet of more for loop or partial loop streets.
12. Reverse Curves - Reverse curves shall be separate by a minimum tangent of one hundred (100) feet.
13. Vertical Curves - See: ENGINEERING AND CONSTRUCTION STANDARDS, SECTION 6.
14. Dead-End Streets - (Cul-de-dacs)
 - A. Maximum Length - The maximum length of a dead-end street with a permanent turn-around shall be eight hundred (800) feet, except in conditions of unusual topography.
 - B. Temporary Turn-Around - Temporary turn-arounds of one hundred feet in diameter are to be provided at the end of streets more than four hundred (400) feet long that will be extended in the future. The following note should be placed on

the plat: "Cross-hatched area is temporary easement for turn-around until street is extended (give direction) in a recorded plat."

15. Street Intersections:

A. Angle of Intersection: Except where existing conditions will nor permit, all streets intersect at a ninety (90) degree angle. Variations of more than ten (10) degrees on local access streets and more that five (5) degrees on major or secondary streets must first be approved by the Town Council in writing.

B. Radius at Acute Corners: Acute angle intersections approved by the Commission are to have twenty-five (25) feet or greater radii at acute corners.

C. Center Line Tie with Existing Streets: Each new street intersecting with or extending to meet an existing street shall be tied to the existing street on center line with dimensions and bearing to show relationship.

16. Partial or Half Streets:

Partial or half-streets may be provided where the Commission feels that a street should be located on a property line. The following note shall be used in all such dedications: "This _____ foot strip is dedicated as an easement for all utility purposes, including storm and sanitary sewers and shall automatically become dedicated for street purposes when and insofar a _____ - foot strip adjacent to it is so dedicated and the required improvements are as installed." A suitable fiscal guarantee approved by Town Council in the amount established by the Town Engineer shall be required from the Developer for the construction costs of the half-street within the plat.

17. Reserve Strips: Provisional one-foot (1) reserves may be used along the side or end of streets that abut acreage tracts, accompanied by a note on the plat as follows: "One (1) foot reserve to become automatically dedicated for street purposes when adjacent property is recorded in a plat."

18. Street Names: New streets shall be named so as to provide continuity of name with existing streets and so as to prevent conflict with identical or similar names in other parts of the County. All streets named will be approved by the Commission.

5.02 Lots

1. Use: All lots shown on the plat will be for residential purposes unless otherwise noted.

2. Lot Size: To be approved by the Town Council. On the basis of the appropriate zoning district in which they lie and the use of which they are to be put, all lots must conform to the regulations of the Town Council, including minimum area, width, an depth.

3. Minimum Width: Seventy-five (75) feet. Radial lots to have minimum width of seventy-five (75) feet at and for a distance of thirty (30) feet behind the building line.

4. Minimum Depth: One hundred twenty (120) feet.
5. Minimum Area: Nine thousand (9,000) feet.
6. Corner Lots: Corner lots with a width of less than ninety (90) feet are to be at least five (5) feet wider than average of interior lots in the block. Corner lots with a width of less than ninety (90) feet adjacent to a major thoroughfare are to be at least fifteen (15) feet wider than the average of interior lots in the block.
7. Lots on Major Streets: Lots facing or backing on major streets shall be at least ten (10) feet deeper than average of lots facing on adjacent minor streets. Lots backing on major street shall not have access to any major street.
8. Lots on Drainage Easements: Minimum usable lot depths for lots backing on natural drainage easements shall be not less than eighty (80) feet measured between front lot line and drainage easement.
9. Lot Lines: Side lot lines should be perpendicular or radial to street frontage.
10. Lot Facing:
 - A. Street Frontage: Each lot shall be provided with adequate access to an existing or proposed public street by frontage on such street.
 - B. Front Facing: Wherever feasible, each lot should face the front of a similar lot across the street. In general, an arrangement placing adjacent lots at right angles to each other should be avoided.
11. Lot Numbering: All lots are to be numbered consecutively within each block. Lot numbering may be cumulative throughout the subdivision if the numbering continues from block to block in a uniform manner that has been approved on an overall preliminary plat.

5.03

Blocks:

1. Block Length:

- A. Residential: Maximum block length for residential use shall be fourteen hundred (1400) feet, measured along the center of the block. Six hundred (600) feet is a desirable minimum.
 - B. On Major Street: Maximum block length along a major street shall be eighteen hundred (1800) feet except under special conditions and upon approval of the Town Council.
2. Block Width: Blocks shall be wide enough to allow two (2) tiers of lots of at least minimum depth, except when prevented by the size of the property or the need to back up to a major thoroughfare.
 3. Block Numbering: Blocks are to be numbered consecutively within the overall plat.

5.04 Building Lines:

1. Front Street: The front building line shall not be less than twenty-five (25) feet from the front property line, except where the lots face on a major street, the front building line shall not be less than thirty-five (35) feet from the front property line.
2. Side Street: The building line on the street side of corner lots shall not be less than fifteen (15) feet from the side street property line, except that where the lots side on a major street, the building line shall not be less than twenty-five (25) feet from the side street property line, and where the side of a corner lot is across the street from or adjacent to the front of other lots, the building line shall be at the same distance from the streets as the front building line of the opposite or adjacent lots.
3. Pipelines: Provide a 15' building setback line on each side of any pipeline easement.

5.05 Alleys:

1. Width: Where provided, alleys shall not be less than twenty (20) feet in width.
2. Cut-Offs: In case of intersection alleys, a cut-off shall be required at each corner. Cut-offs shall be triangles having two (2) equal sides each of which shall be not less than ten (10) feet in length.
3. Required Alleys: Alleys shall be required in all business areas and in those portions of new residential subdivisions where partial blocks are needed to complete existing blocks with alleys.

5.06 Easements:

1. Size: The size of easements where alleys are not provided shall not be less than eight (8) feet on each side of rear lot lines, with additional five (5) feet aerial on each side beginning at a plane twenty (20) feet above the ground. The full width of easement shall be not less than sixteen (16) feet at ground level nor less than twenty (26) feet above ground.
2. Use: Where necessary, easements shall be retained for power, telephone, cable TV, storm sewers, sanitary sewers, water lines, open drains, gas lines, or other utilities. Such easements may be required across parts of lots (including side lines) other than as described above, if, in the opinion of the Commission, same is needed.

5.07 Reservations:

1. Permitted Purposes: No land contained in the proposed subdivision shall be reserved for any use other than a use permitted by the Town Council for the zoning in which the land to be reserved is located.
2. Designation on Plat: The specific use for which each piece of land is to be used must be shown by appropriate label or description on the plat; provided, that land to be used for any purpose other than residential uses, may, if the specific use is

not known, be described as a restricted or unrestricted reserve.

3. Parks and Playgrounds: The location and size of parks and playgrounds shall be in accordance with the Town Council's Plan, if any, and with the requirements of the Town Council. Park sites are to be purchased at the developer's acreage cost plus a prorated cost of improvements.

4. Schools: The location and size of schools shall be in accordance with the Town Council plan with respect to school location, if any, and with the requirements of the School District.

5. Unrestricted reserves: Reserves, tracts, or those individual parcels of land in the subdivision plat which are not divided into lots are established to accommodate some specific purpose such as a commercial center, industrial site, golf course, or other type of private facility. Since the use of reserve tracts cannot be completely determined by the subdivider or the developer at the time plats are prepared and submitted to the Town Planning Commission, these reserved tracts may be established as "unrestricted reserve" which allows maximum flexibility in the determination of the ultimate use for such properties. All unrestricted reserves will be bound by a one foot reserve within the adjacent street right-of-way which will not permit access to the reserve tracts before those plats are resubmitted to the Town Council or Commission for an approved land plan and plat.

6. Restricted reserves: Where a specific purpose is established for a reserve tract, such intended use must be noted and identified on the plat. The building of noted improvements within the restricted reserves will require a site plan to be submitted to the Planning Commission and approved by the Commission and Town Council before construction commences. Where public facilities or right-of-ways will be dedicated during future development of restricted reserves, a replat will be necessary of the restricted reserve.

7. Minimum Area: Nine thousand (9,000) square feet.

5.08 Septic Tanks: No plat submitted for preliminary or final plat shall be approved within the ETJ of the Town of Woodloch with septic tanks for sanitary sewage disposal or treatment unless no alternative source of wastewater disposal is available.

5.09 Compensating open space requirements: In those instances where proposed lots have an area less than the minimum established the Commission, compensating open space will be required and can be approved by the Commission and Town Council. For planned unit development (PUD), compensating open space must be made available based on the density of developments and in accordance with the general zoning requirements of the Town of Woodloch. Such compensating open spaces remain undeveloped or landscaped and may be developed for recreational purposes within the PUD both active or passive. They may be used to provide courtyard access from the groups or clusters of lots adjacent to public streets or for temporary storm water detention structures within the planned storm water facility plan of the Town.

5.10 Parking:

1. Residential - Each residential lot shall provide sufficient off street parking on a paved surface for at least two vehicles other than garage space.
 2. Commercial - Each lot plan for business or commercial use shall have off street parking at a ratio of not less than 1.5 square feet of parking for each 1 square foot of gross building area.
 3. Multi Family - Each apartment or townhouse unit shall have off street parking for 1.4 vehicles each.
- 5.11 Adjacent commercial parking lots shall be constructed to allow proper traffic between parking lots.

SECTION 6
ENGINEERING AND CONSTRUCTION STANDARDS

- 6.01 Policies: Policies, terms and conditions to be followed in paving work and the extending of water and sewer lines and drainage must be approved by the Town Council and Town Engineer. All improvements shall be installed by the developer at his expense. The Town shall not participate in the development unless a larger facility or improvement is required by the Town. The Town may participate in the cost of the facility to the extent of the difference in the cost of the facility and improvement required to serve the developers land and that required by the Town to be installed. An appropriate method of such reimbursement between the Town and the developer will be agreed to in writing before construction begins.

- 6.02 Engineering and Specifications for Construction: A developer will be required to retain the services of the Town Engineer whose seal shall be placed on the drawings for the design and construction monitoring of the public drainage, roads, streets, sewers and water facilities within the plat for utilities that will be dedicated to the public and operated and maintain by the Town of Woodloch. The developer may retain an Engineer of his choice registered in the State of Texas whose seal shall be placed on the drawings for the design of all private facilities for the purpose of drainage, roads, streets, sanitary sewer and water facilities within his plat.

All engineering construction plans, surveys, and standard specifications for construction of streets, drainage, storm sewer, or sanitary sewer lines shall be approved prior to commencement of construction of same. The Professional Engineering services required of the developer for public utility work shall be done by the Town Engineer and shall be as designated in the current issue of the manual Professional Practice General Engineering Service, published by the Texas Society of Professional Engineers and shall include both design and construction monitoring as defined therein. Plat shall not be approved until all fees have been paid the engineer. Platting shall be done by the developer's Engineer.

- 6.03 Street: All streets shall be constructed in accordance with the current and minimum standards adopted by the Commissioners Court of Montgomery County Texas, except as amended herein:

1. Alignment grade and width: Alignment in streets shall be as hereinbefore stated in the general requirements of design standards.

2. Grades: Gutter grades shall be minimum of .003 feet per foot. Crown sections shall slope not less than 1/4-inch per foot for asphaltic concrete, and 1/8-inch per foot for portland cement concrete. The minimum drop around curb returns will be 3/10th of 1 foot. The maximum drop of grade tangents from opposite direction to a common low point shall not exceed 1-1/2 feet. All gutter grades shall be above the design water surface of ditches and storm sewer without exception. All grade changes with an algebraic difference of 1% of more shall be connected with a 100 ft. vertical curve.

3. Width: Minimum width of streets and right-of-ways shall be as follows:

<u>Classification</u>	<u>Minimum Right Way Width</u>	<u>Street Width Back to Back of Curb</u>
<u>Major streets</u> as determined by the Town Council	100 Feet	dual 24 foot lanes
<u>Commercial, or secondary feeder streets</u>	80 Feet	41 feet
<u>Local access streets</u>	60 Feet	28 feet

4. Pavement Design: Pavement design shall conform to the current Montgomery County specifications unless otherwise approved by the Town Council and the Town Engineer.

5. Curb and gutter: Curb and gutter, curb and combination curb and gutter shall be constructed of reinforced concrete. Cross section and shape shall conform to standards of Montgomery County as hereby adopted.

6. Monuments - All street intersections, angle points, and street alignments of curves shall be monumented by the Developer. Such monuments shall be of iron pipe not less than 1" in diameter and 3 feet long driven into solid ground or at finish grade of the street.

6.04 Drainage and Storm Sewers - Adequate drainage shall be provided within the limits of the plat in accordance with recognized good engineering standards and construction practices relating to same. Drainage shall conform to the Town's Master Utility Plan and to the Design Criteria established by Montgomery County.

6.05 Sanitary Sewer System: The developer will be required to submit a letter form the Texas Water Commission approving the system. The developer shall provide sewer lines necessary to properly serve the subdivision and shall insure that existing and/or new sewerage facilities are adequate to carry the expected increase in load.

1. Sanitary sewer lines - Shall have their locations and materials governed by the regulations of the Texas Water Commission and the Town Plumbing code.

2. Pipe Bedding and Backfill - Details to be approved by Town Engineer.

6.06 Water Systems: The Developer will be required to submit a letter from the Texas Department of Health approving the system.

1. Water Distribution Lines - Shall have their locations and materials determined by the Texas Department of Health "Rules and Regulations for Public Water Systems." The Rules for "Approved" systems shall govern.
2. Water gate valves shall be left-opening and AWWA approved.

6.07 Sidewalks: Sidewalks shall adjoin sidewalks of adjacent properties where required by Commission.

6.08 As built plans of completed improvements: Developer must present to the Town's Engineer reproducible complete as-built plans for all paving, drainage structures, water lines and waste water lines, within 60 days after completion of such utilities whether private or public.

6.09 Maintenance Bond: Upon the completion of all public improvements, including but not limited to streets, proper street signing, sidewalks, drainage, water, and wastewater facilities, in accordance with the Town specifications and standards, and their acceptance by the Town, the developer or contractor shall furnish the Town with a maintenance bond executed by a corporate surety holding a permit by the State of Texas to act as surety or other surety acceptable to the Town. The Bond shall equal 5% of the contract cost of such improvements and shall be in effect one year from the date of completion and acceptance by the Town.

SECTION 7 VARIANCES

7.01 When a subdivider can show that a provision of these regulations would cause unnecessary hardship if strictly adhered to, or where because of some condition peculiar to the site or the unique nature of the development compliance with these regulations is not consistent with or required by good engineering and planning practices, and if in the opinion of the Town Council and the Town Engineer a departure from these regulations may be made without destroying the intent of same, the Town Council may authorize a variance.

SECTION 8 VEGETATION BARRIERS

8.01 Town Council and Commission have established the following vegetative barriers for all areas where commercial or multi-family zoning adjoins zoning of any other type.

1. Vegetative setbacks or barrier of 25 feet in width shall be maintained at all times where commercial and multi-family properties abut any single family residential property or adjacent acreage that may in the future become single family residential.

2. Vegetation barriers of not less than 15 feet will be required for commercial property that abuts any existing multifamily tract. All multi-family tracts shall have a vegetation barrier of at least 10 feet within their property lines on all multi-family projects that abut multi-family or commercial zoning.

SECTION 9
FILING FEES

9.01 The following schedule of fees and charges shall be paid in to the general fund of the Town of Woodloch when any map or plat is tendered to the Town Engineer. Each of the fees and charges provided herein shall be paid in advance and no action of the Town Council, Commission or the Town Engineer or any Town agency shall be valid until the fees shall have been paid. The Town Engineer, deputies or assistants shall calculate the fees and charges according to the following schedule:

1. Preliminary Plats - \$200 base fee plus \$5.00/acre and \$5.00/lot
2. Final Plats - \$200 base fee plus \$30.0/acre and \$8.00/lot

The above fees shall be charged on all plats regardless of the action taken by the Town Council. These fees are subject to change without notice.

SECTION 10
PENALTY FOR VIOLATION

10.0 No person shall subdivide of develop land until a valid subdivision plat exists in compliance with this Ordinance. Any person violating this ordinance or any portion thereof shall upon conviction be guilty of misdemeanor and be fined not less than \$10.00, not more than \$1000.00. For each day that such violation continues, each violation shall be considered separate offense and punishable accordingly.

SECTION 11
SAVINGS CLAUSE

11.01 If any section, subsection, sentence, clause, or phrase of this Ordinance for any reasons held to be unconstitutional, void, or invalid, the validity of the remaining portions of the ordinance shall not be affected thereby. It being the intent of the Town Council in adopting this Ordinance that no portion thereof or provision or regulation continued herein shall become inoperative of fail by reason with the unconstitutionality or invalidity of any section, subsection, sentence, clause, phrase or provision of this ordinance.

SECTION 12
REPEALING CLAUSE

12.01 Any ordinance in conflict with this Ordinance, herewith, is expressly repealed.

SECTION 13

13.01 The importance of this Ordinance and its intent and purpose being declared to be for the benefit of the citizens and property owners in the Town of Woodloch, Texas, constitutes an emergency and an imperative public necessity that it be declared to be an emergency measure and that this Ordinance shall take effect immediately from and after its passage and it is so enacted.

PASSED AND APPROVED on this the 11th day of September
A.D. 1990.

TOWN OF WOODLOCH, TEXAS

By: D. B. Ald Mayor

Attest:

By: _____
Town Secretary