



City of Mineral Wells

Subdivision Regulations – 2022



ORDINANCE 1996-04

AN ORDINANCE PRESCRIBING RULES AND REGULATIONS GOVERNING PLATS, REPLATS AND SUBDIVISION OF LAND WITHIN THE CORPORATE LIMITS AND WITHIN ONE MILE OF THE CORPORATE LIMITS OF THE CITY OF MINERAL WELLS, PROVIDING FOR CERTAIN DEFINITIONS AND PROCEDURES: PROVIDING FOR REQUIREMENTS AND REGULATIONS FOR THE PREPARATION OF PRELIMINARY AND FINAL PLATS: PROVIDING FOR ACCEPTANCE OF SECTIONS AND REQUIREMENTS PRIOR TO ACCEPTANCE OF A FINAL PLAT; PRESCRIBING REGULATIONS FOR FILING PLATS, SUBDIVISION CONSTRUCTION AND ISSUANCE OF BUILDING PERMITS; PROVIDING STANDARDS RELATING TO BLOCKS, LOTS, STREETS, UTILITY EASEMENTS, SIDEWALKS, WATER SUPPLY, STORM SEWERS AND DRAINAGE; PRESCRIBING FEES TO BE CHARGED; ESTABLISHING JURISDICTION WITHIN THE CORPORATE LIMITS OF THE CITY AND WITHIN THE EXTRATERRITORIAL LIMITS THEREOF; PROVIDING FOR ENFORCEMENT; PROVIDING FOR VARIOUS IMPROVEMENTS FOR ALL SUBDIVISIONS; ESTABLISHING VARIANCES AND PRESCRIBING PENALTIES FOR VIOLATION OF ITS PROVISIONS NOT-TO-EXCEED THE SUM OF TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES: REPEALING ALL CONFLICTING ORDINANCES: AND, PROVIDING FOR SEVERABILITY AND A SAVING CLAUSE AND EFFECTIVE DATE.

WHEREAS, under the laws of the State of Texas, hereafter every owner of any tract of land situated within the corporate limits of the City of Mineral Wells, or within the extraterritorial limits of such City of Mineral Wells, who may hereafter divide the same in two (2) or more tracts for the purpose of laying out any subdivisions of such tract of land or any addition to said City of Mineral Wells, or for laying out suburban lots or building lots, or any lots and streets, and other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto, are required to submit a plat of such subdivision or addition for approval by the Planning and Zoning Commission of the City of Mineral Wells, and

WHEREAS, the City Council of the City of Mineral Wells is empowered by law to promulgate and establish the general plan of said City and its streets, alleys, and public utility facilities, including those which have been or may be laid out, together with the general plan for the extension of such City and of its roads, streets and public highways within said City and within the extraterritorial limits established from the corporate limits thereof.

NOW, THEREFORE, BE IT ORDAINED **BY THE CITY COUNCIL OF THE CITY OF MINERAL WELLS, TEXAS:**

1. **That the following "City of Mineral Wells Subdivision Regulations" are hereby approved and adopted.**

2. On and after the passage of this Ordinance any person, firm or corporation seeking approval of any plat, plan or replat of any subdivision of land within the corporate limits or within the extraterritorial limits from the corporate limits of the City of Mineral Wells shall be required to comply with the requirements of this ordinance before such approval may be granted.
3. That upon the effective date of this ordinance Appendix A Subdivisions of the Code of Ordinances of the City of Mineral Wells be and is hereby repealed.
4. That the editors of the Code of Ordinances of the City of Mineral Wells be and they are hereby authorized to codify this ordinance and the attached Subdivision Regulations as "Appendix A" to said Code.
5. This Ordinance shall become effective on the sixth day of March , 19 96.

INTRODUCED, PASSED AND APPROVED following a public hearing on this
the 6th day of February, 1996.

Myron M. Crawford

Attest:

Attest:

W. J. COOPER
CITY CLERK

George S.
GEORGE S.
TOMOR

STATE OF TEXAS
COUNTY OF PALO PINTO
CITY OF MINERAL WELLS

" I, _____, City Clerk of the City of Mineral Wells, Texas, do hereby certify that the above and foregoing is a true and correct copy of the Ordinance adopted on the day of _____, 19 _____ as it appears of record in the Minutes of said City Council.

WITNESS MY hand and the Seal of said City of Mineral Wells, Texas,
on this the _____ day of _____, 19____.

**City Clerk
City of Mineral Wells**

CITY OF MINERAL WELLS SUBDIVISION REGULATIONS

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ARTICLE I

GENERAL PROVISIONS AND REQUIREMENTS

Section 1.1 Authority

This ordinance is adopted pursuant to the authority of the Constitution and laws of the State of Texas, including the Local Government Code of the State of Texas, including Chapters 212 (Municipal Regulation of Subdivisions and Property Development) and 43 (Municipal Annexation) and Sections 12.001 (what may be recorded) and 12.002 (filing of Subdivision Plat), Texas Property Code Annotated (Vernon), as amended.

Section 1.2 Jurisdiction

From and after the date of its adoption, this ordinance shall govern all subdivision of land within the corporate limits of the City and the extraterritorial jurisdiction of the City to the extent authorized by applicable law.

Section 1.3 Consistency with the Comprehensive Master Plan and Zoning Ordinance

It is the intent of the City of Mineral Wells that these Subdivision Regulations shall be consistent with the adopted Comprehensive Master Plan, Zoning Ordinance, and any supplemental land use and community development policies that may be adopted by the City Council. No Plat or Subdivision of land within the City or within the extraterritorial jurisdiction of the City as provided by law shall be approved unless it conforms to such Plans, Policies, and Ordinances.

Section 1.4 Conflict with Other Ordinances

This ordinance shall be cumulative of all other ordinances of the City of Mineral Wells, Texas and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this ordinance.

Section 1.5 Severability Clause

If any section, article, paragraph, sentence, clause, phrase or word in this ordinance, or application thereto, any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction. Such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 1.6 Amendments

For the purpose of providing the public health, safety and general welfare, the City Council may from time to time amend the provisions imposed by these Subdivision Regulations. Public hearings on all proposed amendments shall be held by the City Council in the manner prescribed by law.

Section 1.7 Platting Required

No person, firm, association, or corporation shall subdivide land in the City except by platting of the same in compliance with State law and the rules and regulations provided in this Ordinance. No building permit shall be issued for the construction of improvements on any property not platted as aforesaid, except under the conditions described in this paragraph. Notwithstanding the other provisions of this Ordinance, a replat shall not be a condition precedent to the issuance of a building permit when all the following conditions shall exist.

- A. The tract or parcel of land is occupied by an existing single-family residential structure built pursuant to a duly issued building permit.
- B. The permit applied for is for the purpose of altering, remodeling, or enlarging the said existing single-family residential structure or of adding, altering, remodeling, or enlarging a permitted accessory structure.
- C. Both the existing structure and the proposed change conform to the zoning, building, electrical, plumbing and other applicable ordinances of the City.

ARTICLE II **DEFINITIONS**

Section 2.1 General

For the purposes of these Regulations, the following terms, phrases, words, and their derivations shall have the meaning ascribed to them in this Section. Any office referred to in these Regulations by title means the person employed or appointed by the City in that position, or his duly authorized representative.

Section 2.2 Definitions

Those words or phrases not expressly prescribed herein are to be defined in accordance with the Zoning Ordinance or other applicable Ordinances of the City, or in the absence of such Ordinances, then in accordance with customary usage in municipal planning and engineering practices.

1. **Acreage, Gross**: The total acreage of a subdivision, including areas dedicated to the public use, such as streets and vehicular easement rights of way.
2. **Acreage, Net**: The total acreage of a subdivision less those areas dedicated to public use such as street and vehicular easement rights of way. Easements shall be included in net acreage calculations.
3. **Alleys**: A minor right-of-way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street. Alleys will be prohibited in all future residential subdivisions in the City of Mineral Wells.
4. **As Built Plans**: The set of drawings of the paving, drainage, water, and sewer improvements showing all changes made in the plans during construction and containing on each sheet an "As-Built" stamp bearing the signature of the engineer for the subdivider or developer and the date.
5. **Barricade Dead-End Streets**: A fixed barrier to obstruct through traffic erected as a temporary measure pending the development of adjacent property.
6. **Benchmark**: A surveying term referring to a known point of reference as measured from mean sea level, by which other survey measurements can be based on.
7. **Block**: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities.
8. **Building**: Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structures.
 - a. **Building - Principal**: A principal building is one in which the primary use of the lot on which it is located is conducted.
 - b. **Building - Accessory**: A subordinate building located on the same lot as the principal building, the activity of which is clearly integral to the permitted use of the principal building.

9. Building Area: The building area of the lot is the gross area covered by the structures when placed on the lot.
10. Building Official: The duly authorized employee or representative of the City in charge of the planning function for the City and charged with implementation and enforcement of the subdivision, zoning and other growth-related ordinances.
11. Building Setback Line: A line defining an area on the building lot between the street right-of-way or property line and the building line within which no building shall be constructed, encroach or project except as specifically authorized in an adopted ordinance of the City of Mineral Wells, as shown on Exhibit C.
 - a. Front Building Setback Line: A line parallel to the street right-of-way line which the building faces and takes its primary access from.
 - b. Side Building Setback Line: A line parallel to the property line with an adjacent lot or street right-of-way on a corner lot, which the building sides up to.
 - c. Rear Building Setback Line: A line parallel to an adjacent lot line, alley, or street right-of-way line in the case of double frontage lots, which the building backs up to and has its rear or secondary access from.
12. Building Site: The actual location on a lot of the building area.
13. City: The word "City" shall be the City of Mineral Wells, Texas, together with all its governing and operating bodies.
14. City Manager: The duly authorized person as designated by the City Council to perform the management of daily fiscal and administrative responsibilities within the City.
15. City Attorney: The officially recognized legal counsel of the City of Mineral Wells.
16. City Standards: All construction shall be in accordance with applicable City specifications and design standards, the Standard Specifications for Public Works Construction, and all amendments thereto, as adopted by the North Central Texas Council of Governments, latest revision and the latest revision of the Standard Specifications for Construction of Streets, Highways and Bridges as adopted by the Texas Department of Transportation.
17. Commercial Development: Any development of which the primary use is of a commercial nature.
18. Commission: The Planning and Zoning Commission of the City of Mineral Wells, Texas.
19. Comprehensive Master Plan: The phrase "Comprehensive Master Plan" shall be the Comprehensive Plan of the City and adjoining areas adopted by the City Planning and Zoning Commission and City Council, including all its revisions. The Plan indicates the general locations recommended for various land uses, transportation routes, public and private buildings, streets, parks, and other public and private developments and improvements.

20. Construction Plans: The approved drawings and technical specifications including bid documents and contract conditions, where applicable, providing a graphic and written description of the character and scope of the work to be performed in construction of a subdivision, including the specific location and design of improvements to be installed in accordance with the requirements specified in these Regulations.
21. Council: The word "Council" or "City Council" shall be the duly elected governing body of the City of Mineral Wells.
22. Crosswalk: A marked pathway reserved for pedestrians and bicycles for crossing a street, which is located at the intersection of two or more streets, and may be electronically controlled.
23. Cul-de-sac: A short, minor street having but one outlet to another street and terminating on the opposite end by an appropriate vehicular turnaround as shown in Exhibit C.
24. Dead-end Street: A street, other than a cul-de-sac, with only one outlet, as shown in Exhibit C.
25. Dedication: A gift or donation of property by the owner to the City of Mineral Wells.
26. Density: The number of dwelling units per gross acre of subdivision, excluding any areas that are nonresidential in use.
27. Design Standards: A separate document approved by the Mineral Wells City Council establishing design standards.
28. Developer: An individual, partnership, corporation, or governmental entity undertaking the subdivision or improvement of land and other activities covered by these regulations, including the preparation of a subdivision plat showing the layout of the land and the public improvements involved therein. The term "developer" is intended to include the term "subdivider" even though personnel in successive stages of a project may vary.
29. Development: The construction of one or more new buildings or structures on one or more building lots, the moving of an existing building to another lot, or the use of open land for a new use. "To Develop" shall mean to create development.
30. Director of Public Works: The duly authorized person in charge of engineering for the City or his designated representative.
31. Drainage Channel: A channel constructed for the purpose of collecting and discharging storm water runoff.
32. Drainage (Right-of-Way) Easement: A strip of land intended to be occupied by a drainage channel and authorized by a property owner for the use by another for that specific purpose.
33. Drainage Plan: The drawings reflecting all drainage improvements to be made to a site in conformance with all requirements listed in these Regulations.
34. Easement: An interest in land granted to the City or other governmental entity, to the public generally, and/or to a private utility corporation.

35. Easement, Utility: An interest in land granted to the city and public generally and/or to a private utility for installing, or maintaining utilities across, over, or under private land together with the right to enter there-on with machinery, vehicles necessary for the maintenance of said utilities. Utility easements shall be 15' wide. It shall be the responsibility of the property owner to maintain the easement. No permanent structures shall be built in the easement.
36. Engineer: A person duly authorized under the provisions of the Texas Engineering Registration Act, as heretofore or hereafter amended, to practice the profession of engineering.
37. Escrow Agent: The official in charge of the deposit of cash with the local government in lieu of an amount required and still in force on a performance or maintenance bond.
38. Extraterritorial Jurisdiction: The unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the City of Mineral Wells, the outer limits of which are measured from the extremities of the corporate limits of the City outward for such distances as may be stipulated in the Texas Municipal Annexation Act in accordance with the total population of the incorporated City.
39. Flood Plain: Any and all area adjoining the channel of a river, stream, lake, water course, marshy area, or other drainage element, which has been or may be inundated by stormwater runoff. The extent of the flood plain shall be determined by the crest of a flood having a one percent chance of being equaled or exceeded in any given year as established by the Federal Insurance Administration.
40. Floodway: The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood, as defined by the Corps of Engineers or F.E.M.A., without cumulatively increasing the water surface elevation more than one foot.
41. Grade: The slope of a road, street, or other public way, specified in percentage (%) terms.
42. Improvement, Lot: Any building, structure, place, work of art, or other object, or improvement of the land on which they are situated constituting a physical betterment of real property or any part of such betterment.
43. Improvement, Public: Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree lawn, off-street parking area, lot improvement, or other facility for which the City may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which City responsibility is established.
44. Jurisdiction: The domain over which the authority of the City of Mineral Wells, Texas extends as granted by the statutes of the State of Texas.

45. Lot: An undivided tract or parcel of land having frontage on a public street or an approved open space having direct street access, 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 which is identified by a tract, or lot number, or symbol in a duly approved subdivision Plat which has been properly filed of record, as shown in Exhibit C.

- a. Lot Depth: The length of a line connecting the midpoints of the front and rear lot lines.
- b. Lot - Double Frontage or Through: Any lot, not a corner lot, with frontage on two streets which are parallel to each other or within forty-five degrees of being parallel to each other.
- c. Lot - Frontage: The length of street frontage between property lines.
- d. Lot - Irregular: Any lot not having equal front and rear lot lines, or equal side lot lines; a lot, the opposite lot lines of which vary in dimension and the corners of which have an angle of either more or less than ninety (90) degrees.
- e. Lot - Width: The average distance between the side lot lines, which is normally that distance measured along a straight line connecting the mid-point of the two side lot lines.

46. Lot of Record: A parcel of land which is part of a subdivision, the map or plat of which has been recorded in the office of the County Clerk of Palo Pinto County; or a parcel of land not a part of an urban or town lot subdivision, the deed of which has been recorded in the office of the County Clerk of Palo Pinto County, prior to the adoption date of this ordinance which has not been divided since recording.

47. Monument: An object placed to mark a corner point, established by a survey or an agreement, upon the surface of the earth.

48. National Flood Insurance Program: Program enacted by Title XIII of the Housing and Urban Development Act of 1968 to provide previously unavailable flood insurance protection to property owners in flood-prone areas.

49. Natural Drainage: The drainage characteristics of an area prior to any improvement or modifications being made.

50. Official Submission Date: The date upon which all required, completed materials for submission as described in these regulations have been transmitted to the City and all required fees paid.

51. Open Space: Private property under common ownership designated for recreational area, private park (for use of property owners within the subdivision), play lot area, plaza area, building setbacks (other than those normally required), and ornamental areas open to the general view within the subdivision. Open space does not include streets, alleys, utility easements, public parks, or required setbacks.

52. Park: Land dedicated to or purchased by the City for the purpose of providing public recreational and/or open areas.

53. Pavement Width: The portion of street available for vehicular traffic; where curbs are laid, it is the portion between the back of curbs.

54. Person: Any individual, association, firm, corporation, governmental agency, or political subdivision.

55. Plat: A map, drawing, chart, or plan showing the exact layout and proposed construction of a proposed subdivision into lots, blocks, streets, parks, school sites, commercial or industrial sites, drainage ways, easements, and/or any other elements as required by these Regulations, and which a subdivider shall submit for approval in accordance with these Regulations.
56. Plat - Amended: A minor change of an existing subdivision to a lot line or setback contained within. No new lots are created, existing lots are not combined, and any one lot is not substantially increased or decreased.
57. Plat - Preliminary: A Plat that is submitted to the City for its review of the concept and performance of the subdivision as related to the provisions of these Regulations. The preliminary plat and the review thereof are intended to produce a subdivision design in which all planning factors are recognized and reconciled prior to submission of the Final Plat.
58. Plat - Final: A Plat that has been submitted and approved in preliminary form, has been corrected by the applicant, has conformed to all the provisions of these Regulations, and has been submitted for final approval of the Planning and Zoning Commission and City Council.
59. Preliminary Approval: Approval expressed by the City as to the arrangement and approximate size of streets, parks, reserves, easements, blocks, and lots indicated on a Preliminary Plat.
60. Public Right-of-Way: A strip of land used or intended to be used, wholly or in part, as a public street, alley, crosswalk, sidewalk, drainage way or other public way.
61. Replat: A Plat vacating an existing subdivision in lieu of a new pattern of development, the subdivision of an existing or duly recorded lot or lots, the combining of two or more lots to create one lot, the changing of street names, the addition or deletion of existing easements, or the subdividing of an existing platted but undeveloped subdivision into a new pattern of lots and blocks. A replat may not necessarily imply a resubdivision if the actual lot configuration is not modified. See resubdivision.
62. Reserve Strip: A privately owned strip of land, normally one foot in depth, adjacent to a public right-of-way or easement preventing the extension of said right-of-way or easement without the expressed consent of the owner.
63. Resubdivision: A change in the approved and recorded subdivision plat if such change affects street layout, lot lines, lot configuration; or if it affects any map or plan legally recorded prior to the adoption of Subdivision Regulations. All resubdivisions shall require replatting.
64. Sewerage System, Public: A system designed for the wastewater collection, treatment and disposal that is wholly owned and operated by the City of Mineral Wells, its successors and assigns, or other governmental entity authorized and empowered to own and operate such a system.
65. Shall/May: The word "shall" is always mandatory, while the word "may" is permissive.
66. Sidewalk: A paved pedestrian way generally located within public street right-of-way, but outside of the roadway, and built-in accordance with City specifications.

67. **Site Development Plan:** A map, drawing or chart showing the location of all existing and planned structures, landscaping, design ingress and egress, parking, height of structures, and/or any other elements as required by these Regulations, and which a subdivider shall submit for approval in accordance with these Regulations.

68. **Steep Slope:** Areas that contain slopes over fifteen (15) percent grade and are characterized by increased runoff and sediment hazards.

69. **Street:** A public right-of-way which provides primary vehicular access to adjacent land whether designated as a street, highway, thoroughfare, parkway, throughway, avenue, lane, boulevard, road, place, drive, or however otherwise designated.

- a. **Primary Thoroughfare:** A street whose primary function is to provide traffic movement between major traffic generators such as principal neighborhoods, commercial centers, and industrial areas, and to connect with surrounding municipalities.
- b. **Secondary Thoroughfare:** A street whose primary function is to serve secondary traffic generation, such as community shopping areas, office complexes, high schools, and larger parks and recreation areas. They also serve to collect and distribute traffic from streets of lower classification to major arterial.
- c. **Collector Street:** The function of a collector street is to collect and distribute traffic from local access streets and to convey it to the arterial system. Collectors provide limited access to abutting property and parking is generally limited or restricted.
- d. **Street - Local:** A street that is used primarily for access to abutting residential property and circulation of traffic within residential neighborhoods. It is of a width and design to discourage through traffic, thereby protecting the residential area.
- e. **Street - Private or Service Drive:** A vehicular access way under private ownership and maintenance that has not been dedicated to the City and accepted by the City.
- f. **Street - Marginal Access:** A minor street which is parallel to and adjacent to arterial streets and highways and which provides access to abutting properties and protection from through traffic.

70. **Structure:** That which is built or constructed, an edifice or building of any kind, or any piece of work built up or composed of parts joined together in some definite manner.

71. **Subdivider:** Any person or any agent thereof dividing or proposing to divide land so as to constitute a subdivision as that term is defined herein. In any event, the term "subdivider" shall be restricted to include only the owner, equity owner, or authorized agent of such owner or equity owner of land to be subdivided.

72. **Subdivision:** The term "subdivision" shall mean a division of a lot, tract, or parcel of land into two (2) or more parts, lots, or sites for the purpose, whether immediate or future, of sale, division of ownership, or building development. Subdivision includes resubdivision of land or lots which are part of a previously recorded subdivision. All transfers of ownership, division, or development of land shall be governed by this ordinance. Subdivision does not include division of land and in parts of four (4) acres or more where each part has access, and no public improvement is being dedicated.

73. **Surveyor:** A licensed Registered Public Surveyor as authorized by the State Statutes to practice the profession of surveying.

74. Thoroughfare Plan: Street plan which is part of the Comprehensive Master Plan of the City of Mineral Wells.
75. Unopened Street or Alley: A designated street or alley, unimproved and not open to vehicular traffic.
76. Vacation: To cancel, rescind, or render an act that has the effect of voiding a subdivision Plat, portion thereof, or easement as recorded in the County Clerk's office.
77. Wastewater Service: The collection of waste bearing water that requires treatment prior to its return to nature and the system of pipes and equipment used to collect and transmit this water to treatment facilities; also called Sanitary Sewer Service.
78. Water System, Public: A system designed for the distribution and treatment of potable water that is wholly owned and operated by the City of Mineral Wells, its successors and assigns, or other governmental entity authorized and empowered to own and operate such a system.
79. Yard: A required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure from the general ground level of the graded lot upward; provided however that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture are not deemed to be obstructions if height limitations and requirements limiting obstruction of visibility are observed.

ARTICLE III

GENERAL PLATTING PROCEDURE REQUIREMENTS AND SUBMITTAL PROCESS

Section 3.1 Compliance Required

Unless the land proposed to be subdivided meets the requirements and conditions set forth in Section 3.12 for the short form procedure, then any person seeking to subdivide land shall comply with the provisions of this article.

Section 3.2 Preliminary Conference

Prior to the official filing of a Preliminary Plat or Site Development Plan, the subdivider, his planner, engineer, or representative shall consult with and present a proposed plan of the subdivision to the Building Official and other appropriately authorized City representative as determined by the City, for comments and advice on the procedures, specifications, and standards required by the City as set forth in this ordinance and City Construction Standards.

Section 3.3 Combination of Lots

Any person desirous of combining two or more contiguous and previously platted lots into one single lot for the purpose of removing interior lot lines to create more buildable lot area for a single-family residence may obtain approval from the Building Official providing that no easement will be affected.

Section 3.4 Plat Submittal

1. All plats to be considered for approval under these Regulations shall be submitted to the Building Official or his designee along with a completed application and fees and must be in accordance with all Regulation requirements. No Plat shall be formally accepted for review by the City of Mineral Wells until it fulfills all the requirements of this Article.
2. Scale and Sheet Size
3. All Plats shall be drawn to a scale of one inch (1") = one hundred feet (100'), unless permission is obtained from the City Manager for a larger or smaller scale prior to submittal. All sheet sizes shall be 24" x 36" and shall be drawn in ink on a reproducible film material.

Section 3.5 Site Development Plan Requirements

1. A Site Development Plan shall be submitted whenever the intended use of the tract is non-single family residential or at the request of the City Manager or other City representative at the Preliminary Conference required in Article III, Section 3.2 of these Regulations.
2. The Site Development Plan will be required prior to submission of Final Plat. The Site Development Plan shall be prepared by a registered Professional Engineer and, as appropriate, other professionals such as: Registered Public Surveyor, Licensed Architect or Certified Planner.

3. The Site Development Plan shall contain the following information which is also shown in the Checklist located in Exhibit A.
 - a. The location of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 feet.
 - b. Design and location of ingress and egress.
 - c. Off-street parking and loading facilities, and calculations showing how the quantities were obtained.
 - d. Height of all structures.
 - e. Proposed uses.
 - f. The location and types of all signs, including lighting and heights.
 - g. Elevation drawing citing proposed exterior finish materials.
 - h. Street names and right-of-way widths on proposed streets included in and abutting the site on any side.
 - i. The locations, sizes and descriptions of existing and approximate locations, sizes, and descriptions of proposed utilities (above and/or below grade) and related easements within the site or adjacent thereto.
 - j. Vehicular access, utility and drainage easements for dedicated infrastructures if required.
 - k. Proposed refuse disposal area and specifications, if applicable.
 - l. Verification of approval with signatures from appropriate authorities such as: electric, gas, cable, telephone, and solid waste disposal companies.
 - m. Such additional terms and conditions, including design standards, as the Planning and Zoning Commission and the City Council deem necessary.
 - n. The approximate locations, sizes and descriptions of proposed grading and drainage improvements. A drainage study shall be required to provide information as recorded in Section 5.6.

4. Site Development Plan Review Fee

A Site Development Plan Review fee shall be paid the City upon submission of a Site Development Plan in accordance with the approved official Fee Schedule included in Exhibit A. Such fee shall be non-refundable.

Section 3.6 Site Development Plan Submittal Process

1. Preliminary Conference

Prior to the official filing of a Site Development Plan, the subdivider, his planner, engineer, or representative shall consult with and present a proposed plan of the subdivision to the Building Official and other appropriate authorized City representatives, as determined by the City, for comments and advice on the procedures, specifications, and standards required by the City for the subdivision of land. Invitations will be sent to all utility companies for their comments and advice.

2. Duties of Developer

- a. Distribute a copy to the following authorities for review: electric, gas, cable, telephone, and solid waste disposal company.

- b. The developer shall submit ten (10) copies and one (1) reproducible copy of the Site Development Plan to the City staff at least twenty (20) days prior to the Planning and Zoning Commission meeting on which it is to be addressed.
- o. The developer shall also submit the completed application, as shown in Exhibit A, and pay the fees required for Site Development Plan approval. Fees shall be determined in accordance with the current official Fee Schedule included in Exhibit A. Such fee shall be non-refundable.
- p. The developer shall submit signed copies of any comments or recommendations provided by electric, gas, cable, solid waste disposal, or telephone companies regarding the site and proposed site development.

3. Duties of the City

- a. Review the document for completeness, noting applications of design principles and standards and compliance with Regulations and Ordinances established by the City Council.
- b. Summarize the recommendations of the reviewing authorities as referenced in 2a and prepare a written report to be presented to the Planning and Zoning Commission and City Council at least five (5) business days prior to the scheduled hearing date.
- c. At the time of submittal, the City will check all materials against the Site Development Plan requirements checklist for completeness before accepting any fees. Failure to submit all materials required for Site Development Plan approval will constitute an incomplete submittal and the application and fees shall not be accepted for processing.

4. Action by the Planning and Zoning Commission

The decision of the Planning and Zoning Commission shall be approval, conditional approval, or disapproval of the Site Development Plan:

- a. Approval shall not constitute acceptance of the Site Development Plan but is only a recommendation to the City Council for acceptance of the Site Development Plan.
- b. Conditional approval shall constitute approval, as defined above; however, is subject to compliance with prescribed conditions, and shall constitute disapproval until such conditions are met. Conditionally approved site plans need not be addressed again by the Planning and Zoning Commission. However, revisions to the Site Development Plan in compliance with the conditions must be submitted not later than fourteen (14) days prior to review of the Site Development Plan by the City Council.
- c. Disapproval signifies a recommendation to the City Council for the complete rejection of the Site Development Plan as submitted. The applicant may then choose to submit the Site Development Plan to the City Council.
- d. The Planning and Zoning Commission shall present its recommendations to the Council at the next regularly scheduled meeting immediately following the Planning and Zoning Commission meeting.

5. Action by the City Council

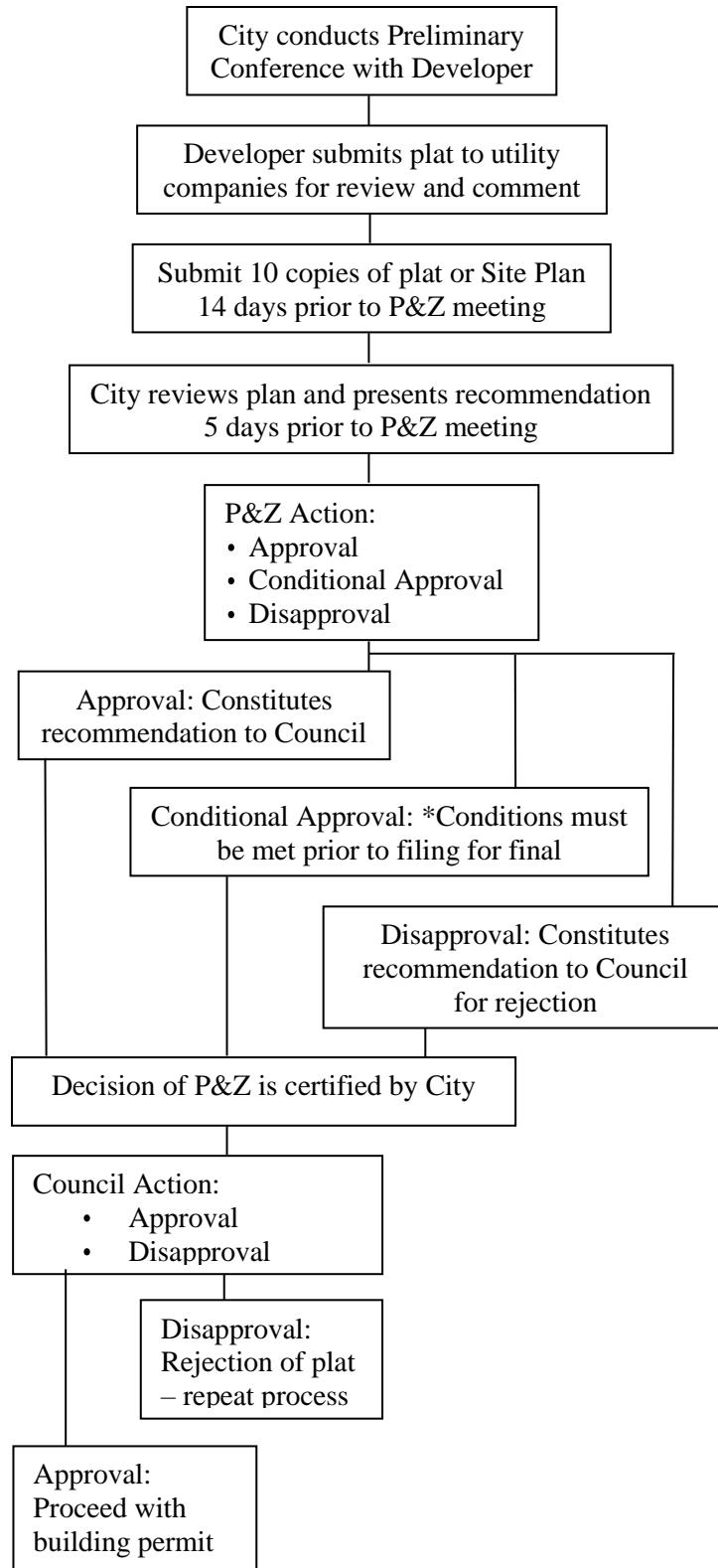
The decision of the City Council shall be approval, or disapproval of the Site Development Plan. A vote of the majority of the Council members present and voting shall be required to either approve or disapprove a Site Development Plan.

- a. Approval shall constitute permission for the applicant to proceed with the building permit process, provided the applicant has complied with any conditions specified by the Planning and Zoning Commission and approved by the City Council, and all other ordinances and regulations of the City, including obtaining Final Plat approval as required herein.
- b. Disapproval constitutes complete rejection of the Site Development Plan as submitted. The applicant may then choose to reinstitute the Site Development Plan approval procedure, including payment of all non-refundable fees required in the process.

6. Effective Period

- a. The approval of a Site Development Plan shall be effective for a period of twelve (12) months. In the event that issuance of a building permit has not occurred within twelve (12) months from the date of approval of the original Site Development Plan, the Site Development Plan shall require reapproval. The entire approval process including payment of fees shall be required.
- b. The applicant may receive one (1) extension of the Site Development Plan. Upon written request by the owner, at least thirty (30) days prior to the end of twelve months, the Site Development Plan shall be placed on the City Council agenda for consideration of an extension for a period not to exceed one (1) year.

Site Development Plan Submittal Process



Section 3.7 Preliminary Plat Requirements

1. A Preliminary Plat shall be required for all parcels of land on which the filing of a plat is required by State law or City Regulations and Ordinances. An exception shall be allowed in the event:
 - c. A Preliminary Plat has been approved within the last twelve (12) months; or
 - d. Platting is being submitted in accordance with Section 3.12.
2. The Preliminary Plat must meet all the criteria of Preliminary Plat submission as required in Regulations and Ordinances of the City and procedures as listed in the Regulations.
3. The Preliminary Plat shall be prepared by a Registered Public Surveyor, and as appropriate, other professionals such as: a Professional Engineer, Licensed Architect, or Certified Planner trained and experienced in subdivision design.
4. The Preliminary Plat shall contain the following information:
 - a. Names and addresses of the subdivider, record owner, land planner, engineer, and surveyor.
 - b. Proposed name of the subdivision which shall not be so similar to that of an existing subdivision as to cause confusion.
 - c. Names and lot patterns of contiguous platted subdivisions within 100' of the proposed subdivision, and the names of adjacent property owners if adjacent properties are unplatted.
 - d. Vicinity map showing location of tract by reference to existing streets or highways.
 - e. Subdivision boundary lines indicated by heavy lines, and the approximate area expressed in acres.
 - f. Location of City limit lines, if they either traverse the subdivision, form part of the subdivision, or are contiguous to the subdivision boundary.
 - g. Dimensions, names, and descriptions of all existing or recorded streets, alleys, reservations, easements, or other public rights-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries, as determined from existing records, for a distance of two hundred (200) feet from the proposed subdivision. If there are no adjacent existing or dedicated streets and alleys within two hundred (200) feet of the proposed subdivision on any side, then a map on a smaller scale must accompany the Preliminary Plat showing the outline and ownership of adjacent properties, locations of the nearest subdivisions, and existing or dedicated streets and alleys.
 - h. The locations, dimensions, names, and descriptions of all existing or recorded lots, blocks, parks, public areas, and permanent structures within or contiguous to the subdivision.
 - i. The locations, sizes and descriptions of existing and approximate locations, sizes, and descriptions of proposed utilities, (above and/or below grade) and related easements within the subdivision or adjacent thereto.
 - j. The approximate location, dimensions, descriptions and names of all proposed streets, drainage structures, parks, open spaces, natural features to be preserved, improvements to be installed for beautification, other public areas, reservations, easements or other rights-of-way, blocks, lots, and other sites within the subdivision specifically indicating the connection of improvements in adjacent subdivisions.
 - k. Identification and location of proposed uses within the subdivision to include tracts intended for residential, commercial, churches, parks, governmental, or other uses and, also indicating existing and proposed zoning classifications for each use.
 - l. Topographical information based on 2-foot vertical intervals except where excessive steep grade prohibits graphical representation, in which case 5-foot vertical intervals may be used.

- m. Centerline of water courses, creeks, ravines, existing drainage structures, and other pertinent data shall be shown.
- n. Areas subject to flooding shall be shown, delineating the 100-year flood limits, FIRM map required.
- o. A drainage study shall be required to provide the information as recorded in Section 5.6.
- p. A number or letter to identify each lot and each block, an indication of the typical lot size, and the approximate area of the smallest lot.
- q. All building setback lines on all lots and sites.
- r. Title, date of preparation, scale, and north arrow.
- s. Current description of the property to be subdivided that includes survey name and tract numbers from City or County records.
- t. A tentative master plat will be required as the proposed subdivision is a portion of a tract which is later to be subdivided in its entirety and shall include all information as required by the Preliminary Plat and shall be submitted with the Preliminary Plat.

5. Preliminary Plat Review Fee

- a. A Preliminary Plat review fee shall be paid to the City upon submission of the Preliminary Plat in accordance with the approved official Fee Schedule included in Exhibit A. Such fee shall be non-refundable.

Section 3.8 Preliminary Plat Submittal Process

1. Preliminary Conference

Prior to the official filing of a Preliminary Plat or Site Development Plan, the subdivider, his planner, engineer, or representative shall consult with and present a proposed plan of the subdivision to the Building Official and other appropriate authorized City representatives as determined by the City, for comments and advice on the procedures, specifications, and standards required by the City for the subdivision of land.

2. Duties of the Developer

- a. Distribute the Preliminary Plat to the following authorities for review: electric, cable, gas, telephone, and solid waste disposal company.
- b. The applicant shall submit ten (10) original blueline copies and one (1) 11" x 17" reproducible copy of the Preliminary Plat to the Building Official or his designee at least twenty (20) days prior to the Planning and Zoning Commission meeting on which it is to be addressed.
- c. The applicant shall submit the completed application shown in Exhibit A, and pay all fees required for preliminary platting as specified in Section 3.7.5 of this document. Such fees are non-refundable.
- d. At the time of submittal, and payment of all fees the Building Official or his designee will check all materials against the Preliminary Plat checklist for completeness. Failure to submit all materials required for Preliminary Plat approval will constitute an incomplete submittal and the application and fees shall not be accepted for processing.

3. Duties of the City

- a. Review the Preliminary Plat for completeness, noticing application of generally accepted engineering and planning design principles and standards.
- b. Summarize the recommendations of the reviewing authorities and prepare a report to be presented to the Planning and Zoning Commission at least five (5) business days prior to the scheduled hearing date.

4. Action by the Planning and Zoning Commission

- a. The commission shall act on the Preliminary Plat within 30 days after the Plat is filed, provided the application and fees are accepted.
- b. Approval shall not constitute acceptance of the Preliminary Plat but is only a recommendation to the City Council.
- c. Conditional approval shall constitute approval, as defined above; however, it is subject to compliance with prescribed conditions and shall constitute disapproval until such conditions are met. Conditionally approved Preliminary Plats need not be addressed by the Planning and Zoning Commission again. The conditions attached to a Preliminary Plat shall be met upon the filing of the Final Plat.
- d. Disapproval signifies a recommendation to the City Council for the complete rejection of the Preliminary Plat as submitted. The applicant may then choose to submit the Preliminary Plat to the City Council.
- e. The decision of the Planning and Zoning Commission shall be certified by the Building Official the following business day and that certification notice shall be presented to the Council at the next regularly scheduled meeting immediately following the Planning and Zoning Commission meeting.

5. Action by the City Council

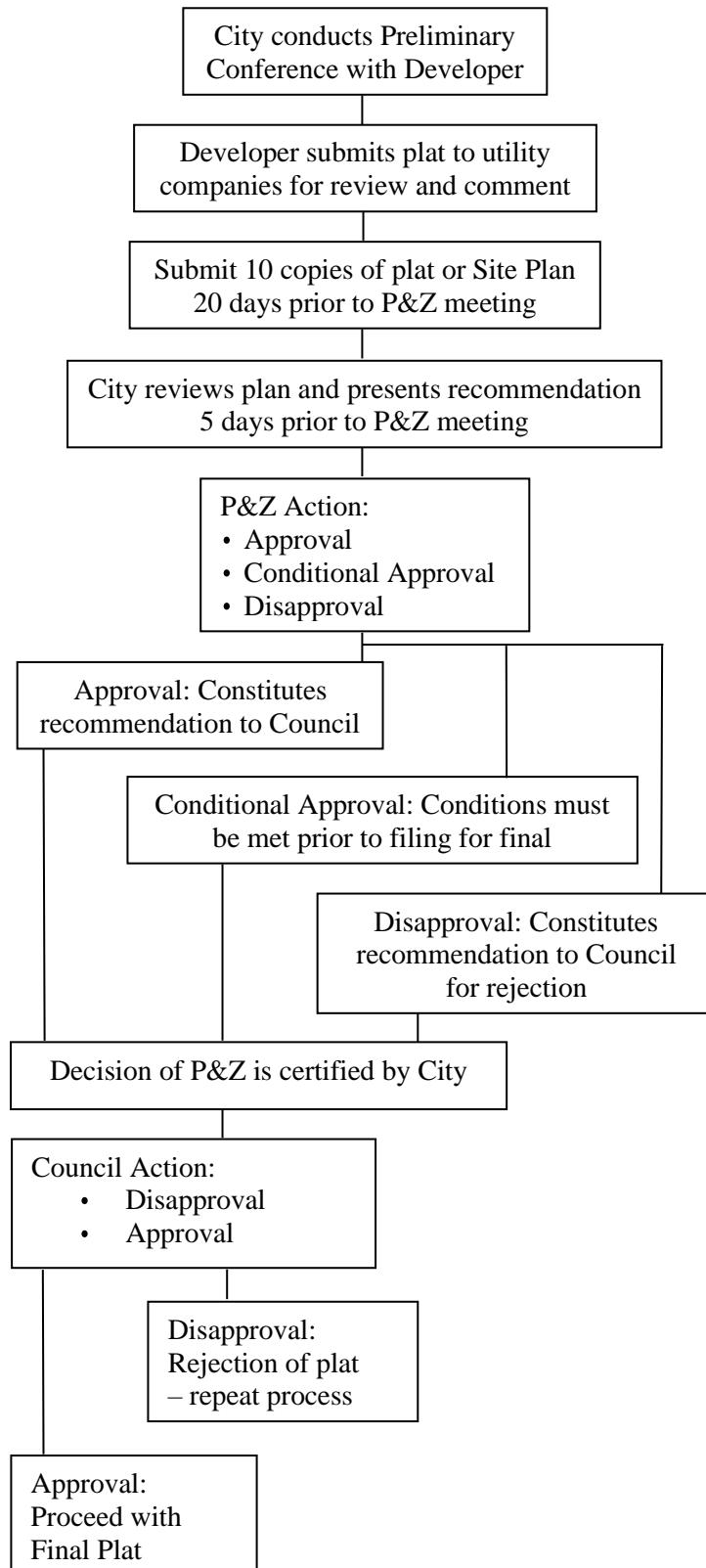
The decision of the City Council shall be approval or disapproval of the Preliminary Plat. A simple majority vote of the City Council members present and voting shall be required to approve or disapprove the Preliminary Plat. The City Council shall act on the plat within 30 days after the date the Planning and Zoning Commission acts on the preliminary plat.

- a. Approval shall not constitute acceptance of the subdivision but is only authorization to proceed with the preparations of engineering plans and Final Plat.
- b. Approval of the Preliminary Plat shall be subject to all conditions specified by the Planning and Zoning Commission either being complied with or documented and approved by the City Council.
- c. Disapproval signifies rejection completely of the Preliminary Plat as submitted. The applicant may then choose to reinstate the subdivision approval procedure, including all fees required in the process.

6. Effective Period

- a. The council approval of a Preliminary Plat shall be effective for a period of twelve (12) months. In the event that the Final Platting Process has not been considered by the Planning and Zoning Commission within twelve (12) months from the date of approval of the original Preliminary Plat, the Preliminary Plat shall require re-approval. The entire approval process including payment of fees will be required.
- b. The applicant may receive a maximum of one (1) extension of the Preliminary Plat for twelve (12) months. Upon written request by the owner, the Preliminary Plat will be placed on the City Council agenda for consideration for extension. Written request must be received fourteen (14) days prior to the City Council meeting on which it is to be considered.

Preliminary Plat Submittal Process



Section 3.9 Final Plat Requirements

1. A Final Plat shall be required for all subdivision of land within the corporate limits of the City and the extra-territorial jurisdiction. The Final Plat shall comply in all respects to the approved Preliminary Plat and may include all or only a part of the area of the approved Preliminary Plat or Site Development Plan.
2. After obtaining approval or conditional approval of a Preliminary Plat or Site Development Plan and compliance with all necessary fiscal agreements including fees, assessments, and delinquent taxes, the applicant may, if wishing to proceed with the subdivision, submit a Final Plat. The Final Plat shall be submitted with a completed application and shall be in accordance with all regulation requirements. Should any changes to the plat configuration be made, the approval process shall begin again, and a new filing fee may be required.
3. The Final Plat shall be prepared by a Registered Public Surveyor of the State of Texas, trained in subdivision design.
4. The Final Plat shall contain the following information also shown in Exhibit A.
 - a. Title or name of development and graphic scale, north point, date of Plat, and key map.
 - b. Location of the development by City, County, and State.
 - c. Accurate boundary survey and property description with tract boundary lines indicated by heavy lines.
 - d. Accurate Plat dimensions with all engineering information necessary to reproduce the Plat on the ground.
 - e. Approved name and right-of-way width of each street, both within and adjacent to the development.
 - f. Locations, dimensions, and purposes of any easements or other rights-of-way, and all building lines.
 - g. Identification of each lot number or site and block by letter.
 - h. Record owners of contiguous parcels of unsubdivided land, names, and lot patterns of contiguous subdivisions within 100 feet of the proposed subdivision.
 - i. Boundary lines, dimensions, and descriptions of open spaces to be dedicated for public use.
 - j. Certificate of dedication of all streets, parks, and other public uses signed by the owner or owners.
 - k. Designation of the entity responsible for the operation and maintenance of any commonly held property and a waiver releasing the City of such responsibility.
 - l. Space for signatures attesting approval of the Plat by Planning and Zoning Commission Chairman, Mayor, and City Secretary, as shown in Exhibit B.
 - m. Seal and signature of the surveyor and/or engineer responsible for surveying the development and/or the preparation of the Plat, as shown in Exhibit B.
 - n. All deed restrictions that are to be filed with the Plat shall be filed separately with the Plat.
 - o. Compliance with all special requirements developed in Preliminary Plat review and Site Development Plan Review.
 - p. Finished floor elevation.
5. Final Plat Review Fee

A Final Plat review fee shall be paid to the City upon submission of the Final Plat in accordance with the approved official Fee Schedule included in Exhibit A. Such fee shall be non-refundable.

Section 3.10 Final Plat Submittal Process

1. Duties of Developer

- a. Upon submittal of the Final Plats, the subdivider shall submit to the City the engineering plans and specifications prepared, signed, and sealed by a registered professional engineer. These plans shall make adequate provisions for all surface and storm drainage within and across the subdivision; shall provide for the construction of a water distribution system, including fire hydrants, adequate to serve the subdivision with water with adequate pressure for fire protection, domestic consumption, and/or light commercial use together with such mains as may be required to connect with the existing system; shall provide for a sanitary sewer system adequate to serve each lot or building site within the subdivision and shall provide for the construction of such other improvements as may be required. The subdivider shall provide contemporaneous with construction plans, detailed cost estimates of all proposed public improvements prepared by a registered professional engineer. The subdivider shall pay the full cost of all on site public improvements. Subsequent to the approval of the Final Plat, detailed construction plans which shall conform to the provisions of this ordinance and all other ordinances of the City relating to construction standards, shall be submitted to the Director of Public Works or authorized representative to be approved, signed, and dated prior to the commencement of construction.
- b. A receipt shall be noted on the Final Plat or shall accompany the Final Plat indicating that all taxes have been paid.
- c. The developer shall submit ten (10) original blueline copies and four (4) 11" x 17" reproducible copies of the Final Plat and three (3) sets of complete engineering drawings to the Building Official or his designee at least twenty (20) days prior to the Planning and Zoning Commission meeting on which it is to be addressed.
- d. The developer shall also submit the completed application, as shown in Exhibit A and pay all fees required for Final Platting in accordance with Section 3.9.5 of this document.
- e. At the time of submittal, the Building Official or his designee will check all materials against the Final Plat checklist for completeness before accepting any fees. Failure to submit all materials required for Final Plat approval will constitute an incomplete submittal. The application and fees shall not be accepted by the City for processing.

2. Duties of the City

- a. Review the Final Plat for completeness noting application of design principles and standards and compliance with approved Preliminary Plat or Site Development Plan and City Ordinances and Regulations.
- b. Distribute a copy of the Final Plat, plans, and specifications to the following authorities for review: Director of Public Works, Fire Department Chief, and other authorities as appropriate.
- c. Summarize the recommendations of the reviewing authorities and prepare a report to be presented to the Planning and Zoning Commission at least five (5) days prior to the scheduled hearing date at which the item is to be considered.

3. Action by the Planning and Zoning Commission

The decision of the Planning and Zoning Commission shall be approval or disapproval of the Final Plat. The commission shall act on the final plat within 30 days after the plat is filed, provided the application and fees are accepted.

- a. Approval shall not constitute acceptance of the Final Plat, but it is only a recommendation to the City Council for acceptance of the Final Plat.
- b. Disapproval constitutes complete rejection of the Final Plat. The applicant may then choose to reinstate the subdivision approval procedure, including all fees required in the process.
- c. The decision of the Planning and Zoning Commission shall be certified by the Building Official the following business day and that certification notice shall be presented to the Council at the next regularly scheduled meeting immediately following the Planning and Zoning Commission meeting.

4. Decision of the City Council

The decision of the City Council shall be approval or disapproval of the Final Plat. A vote of the majority of the members of the Council present and voting shall be required to approve or disapprove a Final Plat. The City Council shall act on the Final Plat within 30 days after the date the plat is approved by the Planning and Zoning Commission or is considered approved by applicable law.

- a. Approval shall constitute acceptance of the Final Plat, and the subdivider shall proceed with the filing of the Final Plat.
- b. Disapproval signifies rejection completely of the Final Plat as submitted. The applicant may then choose to reinstate the subdivision approval procedure, including all fees required in the process.

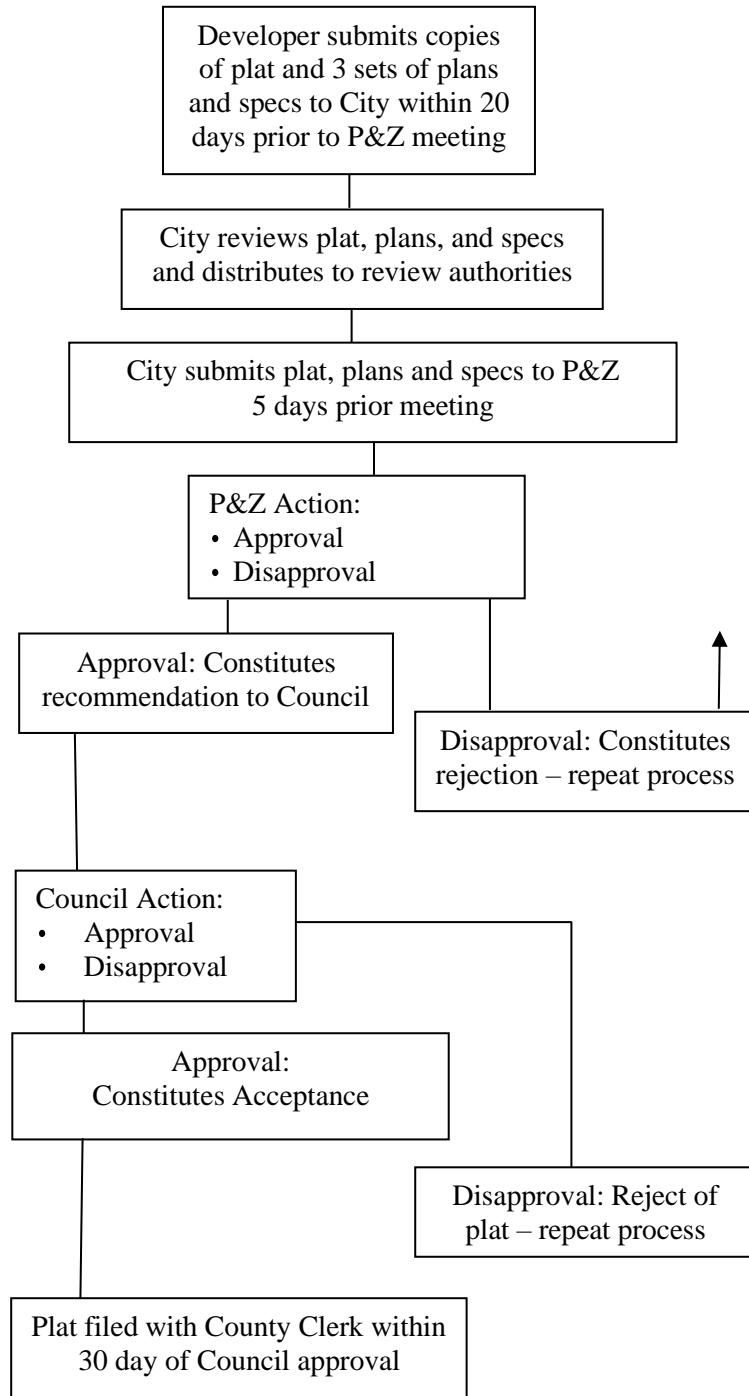
5. Final Plat Filing Procedure

The Final Plat shall be filed of record by the City in the plat records of the county where the real property is located, but only after the City Council has officially acted upon the Final Plat with reference to improvements, dedications, and utilities. Three copies of the recorded final plat shall be filed with the City Clerk prior to the issuance of any building permits.

6. Expiration of Final Plat

Approval of the Final Plat shall expire unless the Plat is recorded in the office of the County Clerk where the real property is located within a period of thirty (30) days after the date of final approval.

Final Plat Submittal Process



Section 3.11 Commission and City Council Acceptance of Final Plat as Sections of an Approved Preliminary Plat

An owner or subdivider, at his option, may obtain Final Plat approval of a portion or section of a previously approved Preliminary Plat or Site Development Plan provided he meets all the requirements of Subdivision Ordinances with reference to such or section in the same manner as is required for a complete subdivision. In the event a subdivision is approved, and the Final Plat thereof is approved by the Planning and Zoning Commission and City Council in sections, each Final Plat of each section is to carry the name of the entire subdivision, but is to bear a distinguishing letter, number, or subtitle. Block numbers shall run consecutively throughout the entire subdivision, even though such subdivision may be finally approved.

Section 3.12 Platting or Replatting - Short Form

1. Conditions and Requirements

A Preliminary Plat, Preliminary Plat approval, or detailed utility drawings will not be required for a Short Form Plat.

A Short Form procedure may be followed for the approval of a subdivision when the land proposed to be subdivided or resubdivided meets the following conditions and requirements:

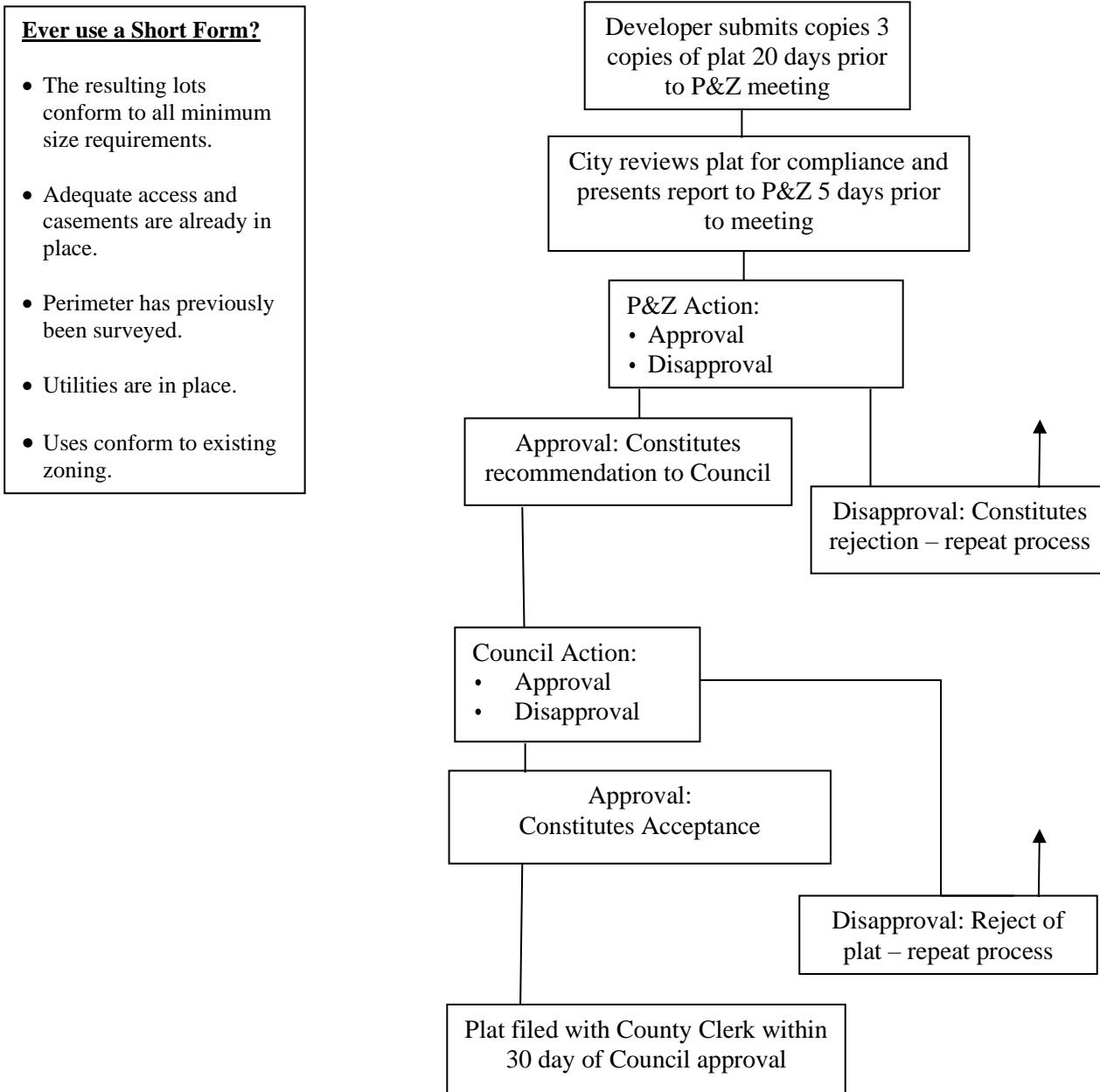
- a. The resulting lots conform to all minimum size requirements of these Regulations and the Zoning Ordinances.
- b. Such land abuts upon a street of adequate width and is so situated that no additional street right-of-ways, easements, construction, or other public property are required in order to meet the requirements of these Regulations, unless otherwise required by the City.
- c. The perimeter of the tract being subdivided has been surveyed and marked on the ground, a Plat thereof prepared and submitted to the Building Official or his designer and the nearest corner of each lot or parcel of such proposed subdivision is within two hundred feet (200') of a known corner which is adequately marked by a concrete monument or iron stake.
- d. The utilities, as required in these Regulations, are in place to serve each parcel or lot of such subdivision or resubdivision, the necessary easements are already existing and arrangements to provide such utilities have been made.
- e. The uses proposed for the property will not require rezoning of any portion of the property and the resulting lots conform to all area and setback requirements of these Regulations and the Zoning Ordinances for the City of Mineral Wells.

2. Formal Application for a Short Form Plat or Replat approval shall be made by the subdivider in writing to the Planning and Zoning Commission and submitted to the City twenty (20) days prior to the next regularly scheduled meeting.
3. Submission - The subdivider shall submit ten (10) blueline copies of the Plat, and four (4) 11" X 17" mylar reproducible copies with the Building Official at least twenty (20) days prior to the date at which the Planning and Zoning Commission will consider the request. The Short Form Plat shall be submitted in final form meeting the form and content requirements of a Final Plat. A Site Development Plan may be required at the discretion of the City Manager prior to processing the Short Form.

4. Processing

- a. The subdivider shall submit the Plat in accordance with the Fee Schedule as required for a Final Plat as recorded in Section 3.9.5.
- b. The City staff shall process the plat and ensure that it is checked for conformance to City Ordinances and Regulations.
- c. The City staff shall forward a copy of all submitted material to the Planning and Zoning Commission with any comments or recommendations of the City staff, Director of Public Works, Fire Department Chief, electric company, cable company, gas company, telephone companies, and solid waste disposal company and subsequently to the City Council for approval. The staff report shall be submitted to respective reviewing bodies at least five (5) business days prior to each bodies' scheduled meeting date.
- d. Contents of the Plat shall consist of those items required of a Final Plat as listed Section 3.9.4.
- e. Procedure regarding action of the City are as listed in Section 3.10 "Final Plats."

Short Form Plat Submittal Process



Section 3.13 Vacation Instrument, Replatting, and Amended Plats

1. Vacation of a Plat

- a. Prior to the sale of any lot, in cases where lots have not been sold, any Plan, Plat or Replat may be vacated by the proprietors of the land covered thereby, at any time before the sale of any lot therein, by a written instrument declaring the same to the vacated, duly executed, acknowledged, and recorded in the same office as the Plat to be vacated, provided the approval of the City Planning and Zoning Commission and the City Council shall have been obtained, and the execution and recordation of the instrument shall operate to destroy the force and effect of the recording of the Plan, Plat, or Replat so vacated.
- b. After the sale of any lot. In cases where lots have been sold, the Plan, Plat or Replat, or any part thereof, may be vacated upon the application of all the owners of lots in said plat with the recommendation of the Planning and Zoning Commission and with the approval of the City Council.
- c. An application to vacate a plat shall be submitted to the City on the form shown in Exhibit A. The corresponding fee as prescribed in the Fee Schedule included in Exhibit A shall be paid upon submission of the application. Such fee shall be non-refundable.

2. Replat

A replat of a plat or a resubdivision of a plat, but without vacation of the immediate previous plat, shall be authorized to be recorded and shall be deemed valid and controlling when approved by the City Planning and Zoning Commission and City Council under the following conditions:

- a. It has been signed and acknowledged by all the owners of the particular property which is being replatted,
- b. It has been approved by the City Planning and Zoning Commission and City Council after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard,
- c. It does not attempt to alter, amend, or remove any covenants or restrictions, and
- d. There is compliance, when applicable, with subsections 3 and 4 of this section.

The following additional requirements for approval shall apply, in any resubdivision or replatting of a subdivision, without vacating the immediate previous plat if any of the proposed area to be resubdivided or replatted was within the immediate preceding five (5) years limited by any interim or permanent zoning classification to residential use for not more than two residential units per lot, or if any lot in the immediate previous subdivision was limited by deed restriction to residential use for not more than two residential units per lot:

3. Notice of such City Planning and Zoning Commission and City Council hearings shall be given before fifteen (15) days prior to the hearing by:
 - a. Publication in the City's official newspaper, and
 - b. Written notice, with a copy of subdivision (b) of this subsection attached thereto, forwarded by the City Council to the owners of lots that are in the original subdivision and that are within two hundred (200) feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the city.

4. If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three fourths of the members present of the Planning and Zoning Commission and the City Council. For a legal protest, written instruments signed by the owners of at least twenty (20) percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending two hundred (200) feet from that area, but within the original subdivision, must be filed with the Planning and zoning commission and City Council prior to the close of the public hearing. In computing the percentage of land area under this subsection the area of streets and alleys shall be included.
 - a. Provided, however, Compliance with subdivision (a) or (b) of this subsection shall not be required for approval of a replatting or resubdividing of a portion of a prior plat if all of the proposed area sought to be replatted or resubdivided was designated or reserved for usage other than for single or duplex family residential usage by notation on the last legally recorded plat or in the legally recorded restrictions applicable to such plat.
 - b. An application to Replat a plat shall be submitted to the City in the form shown in Exhibit A. The corresponding fee as prescribed in the Fee Schedule included in Exhibit A shall be paid upon submission of the application. Such fee shall be non- refundable.

5. Amended Plat

The City Council is authorized to approve and issue an Amended Plat which is signed by applicants only and which is for one or more purposes set forth below. Approval and issuance of such Amended Plat shall not require notice, hearing, or approval of other lot owners, only, if the purpose of the Amending Plat is for one or more of the following:

- a. to correct an error in any course or distance shown on the prior Plat,
- b. to add any course or distance that was omitted on the prior Plat,
- c. to correct an error in the description of the real property shown on the prior Plat,
- d. to indicate monuments set after death, disability, or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments,
- e. to show the proper location or character of any monument which has been changed in location or character or which originally was shown at the wrong location or incorrectly as to its character on the prior Plat,
- f. to correct any other type of scribe or clerical error or omission as previously approved by the Planning and Zoning Commission or governing body of the City of Mineral Wells; such errors and omissions may include, but are not limited to, lot numbers, acreage, street names, and identification of adjacent recorded Plats,
- g. to correct an error in courses and distances of lot lines between two adjacent lots where both lot owners join in the application for plat amendment and neither lot is abolished, provided that such amendment does not attempt to remove recorded covenants or restrictions and does not have a materially adverse effect on the property rights of other owners in the Plat,
- h. to replace a lot line to cure an inadvertent encroachment of a building or improvement on a lot line or on an easement, or

- i. to relocate one or more lot lines between one or more adjacent lots where the owner or owners of all such lots join in the application for the plat amendment, provided that such amendment does not:
 - 1) attempt to remove recorded covenants restrictions, or
 - 2) increase the number of lots.
6. To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
 - a. the changes do not affect applicable zoning and other regulations of the municipality,
 - b. the changes do not attempt to amend or remove any covenants or restrictions, and
 - c. the area covered by the changes is in an area that the Planning and Zoning Commission and City Council have approved, after a public hearing, as a residential improvement area.

An application to amend a plat shall be submitted to the City in the form shown in Exhibit A. The corresponding fee as prescribed in the Fee Schedule, included in Exhibit A, shall be paid upon submission of the application. Such fee shall be non-refundable.

Section 3.14 Dedication

1. Division of Property

Every owner of property to be divided, for which a Plat has been submitted for approval, shall be required to dedicate to the City that portion of such property as is necessary for the orderly development of streets, roadways, thoroughfares, utilities or other public purposes, and such dedication requirements, as imposed, shall be a prerequisite to Plat approval.

2. Amended Plats

- a. No dedication for streets, utilities or other public purposes may be required as a prerequisite to approval of a Plat combining two or more existing platted lots for the purpose of removing interior lots lines or for the purpose of correction of error as permitted in Section 3.13.3.
- b. No dedication of right-of-way or easements except for the provision of utilities may be required as a prerequisite to approval of a Plat revision submitted for the purpose of moving an interior lot line to create an enhanced building site.

ARTICLE IV **IMPROVEMENTS**

Section 4.1 Inspection

No building permit shall be issued until completion of all improvements within the subdivision and acceptance by the City. The Engineer responsible for the design of the proposed improvements shall submit testing reports performed by the engineer of an independent testing laboratory with a verification statement to the Director of Public Works that the improvements have been constructed in accordance with the plans and specifications as approved by the City Council and in accordance with any other provisions of any other ordinance of the City applicable thereto.

Section 4.2 Costs of Street Sign Markers and Traffic Control Devices

The subdivider shall pay for the costs of purchasing and installation of all street name markers and traffic control devices at each street intersection within the subdivision, which shall be purchased from and installed by the City of Mineral Wells, to maintain uniformity throughout the City to coincide with all applicable traffic codes.

Section 4.3 Perimeter Streets

Where the proposed subdivision is located adjacent to a substandard road or street within the City and it is deemed by the City that it is not feasible to improve said road or street at the time of development of the subdivision, the subdivider or developer shall pay to the City a fee equal to one-half (1/2) the cost of improvements required to meet City standards (including, but not limited to excavation, subgrade preparation, paving, drainage facilities, utility adjustments, engineering, and construction where feasible) and dedicate the necessary right-of-way for said road or street as a condition precedent to the acceptance of the subdivision improvements by the City for maintenance purposes. No building permits shall be issued until all fees have been paid. The estimate of the cost of said improvement shall be provided by the developer and approved by the Director of Public Works. The fees shall be placed by the City into a street improvement escrow fund and shall be specifically reserved and used for the improvement of said road or street. When a thoroughfare is improved adjacent to the subdivision, there shall not be a curb and gutter assessment levied by the City against the property for which the fee was collected. If the improvement to the road or street does not occur within ten (10) years from the date the fee is placed on deposit with the City, the fee, including any interest earned thereon, shall be returned to the property owners of record at that time.

Section 4.4 As-Built Plans

Prior to the acceptance of a subdivision by the City Council, the engineer for the subdivider or developer shall submit to the Director of Public Works, or authorized representative, three complete sets of drawings and one (1) reproducible film set of the paving, drainage, water and sewer improvements showing all changes made in the plans during construction and containing on each sheet an "As-Built" stamp bearing the signature of the engineer for the subdivider or developer and the date. In addition, one (1) complete and reproducible set of the utility plan sheets and all engineering drawings containing the "As-Built" information, shall be submitted.

Section 4.5 Guarantee of Performance

Prior to construction of a subdivision, the developer shall submit either from himself or his contractors one of the following:

1. A good and sufficient performance bond as provided by a licensed surety company on forms provided by that surety company,
2. A cash deposit made in the Treasury of the City of Mineral Wells, or
3. A certificate of deposit or irrevocable letter of credit as approved by the City Attorney from a financial institution which is insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation.

Any of the above options shall be in an amount sufficient to secure to the City the satisfactory construction, installation, and dedication of any uncompleted portion of required improvements.

The period within which the required improvements must be completed shall be agreed upon by the City and the developer and shall be specified in the resolution approving the final plat.

Upon completion of the improvements for which the deposit is made as security, and approval by the City Manager or his designee, the City of Mineral Wells shall reassign the deposit to the party making the original deposit, including accrued interest or dividends thereon, unless same deposit is to be used in lieu of a maintenance bond as described in Section 4.6.

Release of the performance bond, cash deposit, certificate of deposit or irrevocable letter of credit by the City Manager shall not occur until the Director of Public Works has submitted a certificate stating that all required improvements have been made, and the developer's submitted "As-Built" plans have been reviewed and approved by the Director of Public Works.

Section 4.6 Maintenance Bond

Prior to acceptance of a subdivision by the City Council, the developer shall submit from himself or his contractors, a good and sufficient maintenance bond or a deposit as described in SECTION 4.5. Said maintenance bond or deposit shall be for a full period of two (2) years from the date of final acceptance of the contractual project and shall be in the amount of one hundred (100%) percent of the contract price. Said maintenance bond or deposit shall indemnify the City against any repairs which may become necessary to any part of the construction work performed in connection with the subdivision arising from defective workmanship or materials used therein.

Section 4.7 Engineer's Certificate

Upon completion of the construction of all improvements, a certificate shall be provided, signed by the developer's registered engineer, that any and all improvements constructed in the subdivision have been completed in accordance with the approved construction plans.

ARTICLE V

SUBDIVISION DESIGN REQUIREMENT

Section 5.1 General

1. Conformity to the Design Requirements - No Plat or construction plans shall be approved by the Planning and Zoning Commission, or City Council, and no completed improvements shall be accepted by the City Council unless they conform to the subdivision design requirements as contained in the City of Mineral Wells Subdivision Regulations and other applicable regulatory documents.
2. Conformity to the Comprehensive Master Plan - The subdivision shall conform to the Comprehensive Master Plan and the parts thereof as it exists and as hereinafter amended.
3. Extension of City Facilities - To properly serve a subdivision, it may be necessary to extend existing utilities and/or drainage facilities. When these extensions or facilities are constructed outside the proposed subdivision, they are herein referred to as "off-site improvements." The subdivider shall install at his own expense off-site improvements of such size to adequately serve the area being subdivided. However, the City may require the construction of off-site improvements of a size greater than set out above. Any financial commitment by the City must be approved by the City Council prior to plat approval.

Section 5.2 Blocks

Block lengths shall not exceed sixteen hundred (1600') feet. Blocks shall not be less than five hundred (500') feet in length. In cases where it is deemed appropriate that these standards be varied, the length may be amended to meet existing conditions. In any case, due regard for connecting streets, traffic circulation and public safety are to be maintained.

Section 5.3 Lots

1. General - The lot design should provide for lots of adequate width, depth, and shape to provide open area to eliminate overcrowding, and to be appropriate for the location of the subdivision and for the type of development and use contemplated, and in accordance with the adopted Comprehensive Zoning Ordinance of the City of Mineral Wells relative to the particular zoning district in which the lot is located.
2. Side Lot Lines - shall be substantially at right angles to straight streets and radial to curved street lines.
3. Each lot shall face a platted street.
4. Lots which are corner lots, that is, having frontage on two streets intersecting adjacent to the lot, shall have front building lines on both streets.

5. Double frontage and reverse frontage lots should be avoided where possible. Double frontage lots will be allowable if deemed essential to provide separation of residential development from traffic arteries or to overcome a specific disadvantage of topography and orientation. In any case, double frontage lots shall have front building lines established for each street on which the lot has frontage. Access to lots with double frontage shall be prohibited from streets designated as "arterial" in the Comprehensive Plan.
6. The minimum size of lots served by a septic tank shall be one-half (1/2) acre or twenty-two thousand seven hundred eighty (21,780) square feet. Design guidelines involving water and sewerage systems on residential lots shall conform with the Texas Department of Health's publication, "Construction Standards for On-Site Sewerage Facilities," adopted November 5, 1989 or most recent version.

Section 5.4 Streets

1. General
 - a. Streets on City Comprehensive Master Plan or Thoroughfare Plan - Whenever a tract to be subdivided borders on or embraces any part of any street or arterial so designated on the City Comprehensive Master Plan or Thoroughfare Plan, such part of such proposed public way shall be platted by the subdivider in the same general location and at the same width as indicated on the City Comprehensive Master Plan. All major and minor collector street locations, alignment, right-of-way width, pavement width, and cross section shall be in accordance with the adopted Comprehensive Master Plan and the City's adopted Subdivision Regulations.
 - b. Street Layout - Adequate streets shall be provided by the subdivider and the arrangement, character, extent, width, grade, and location of each shall conform to the Comprehensive Master Plan and shall be considered in relation to existing and planned streets, topographical conditions, public safety, and convenience and in their appropriate relationship to the proposed uses of land to be served by such streets. The street layout shall be devised for the most advantageous development of the entire neighborhood.
 - c. Local or Residential Streets - Streets shall be laid out so as to discourage their use by through traffic.
 - d. Reserve Strips Prohibited - There shall be no reserve strips controlling access to land dedicated or intended to be dedicated to public use.
 - e. Street Names - Names of new streets shall not duplicate or cause confusion with the names of existing streets unless the new streets are a continuation of or in alignment with existing streets, in which case names of existing streets shall be used.
 - f. Relation to Adjoining Street System - Where necessary to the neighborhood pattern, existing streets in adjoining areas shall be continued and shall be at least as wide as such existing streets and in alignment therewith.
 - g. Projection of Streets - Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such unsubdivided area.
 - h. Street Lengths - Excepting collectors or thoroughfares, street lengths without an intersection or turn around shall not exceed sixteen hundred 1600 feet.
 - i. Street Intersections - Street intersections shall be as nearly at right angles as practicable, giving due regard to terrain, topography, site distances, and safety. All arterial, major and minor collectors, and local streets, unless otherwise approved by the Planning and Zoning Commission, shall intersect at or near ninety (90) degree angles.

- j. Street Jogs - Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be prohibited. Streets intersecting with or extending to meet an existing street shall be tied to the existing street on center line with distances and angles to show relationships.
- k. Half Streets - No half streets will be permitted along the boundaries of proposed subdivisions.
- l. Dead-end Streets - Permanent dead-end streets shall be prohibited except as short stubs to permit future expansion and shall not exceed the depth of one (1) lot or two hundred fifty (250) feet, whichever is less. Dead-end streets greater than two hundred fifty (250) feet long shall be classified as a cul-de-sac and subject to the provisions in paragraph "m" below.
- m. Cul-de-sac - A cul-de-sac shall not be more than six hundred (600) feet in length measured from the street centerline intersection and the radius point of the cul-de-sac. The turnaround on a residential cul-de-sac shall have a minimum right-of-way radius of fifty (50) feet and a minimum driving surface radius of forty (40) feet. The turnaround on a commercial or industrial cul-de-sac shall have a minimum right-of-way radius of one hundred (100) feet and a minimum driving radius of ninety (90) feet.
- n. Dead-End Street Barricades - A permanent metal barricade with appropriate safety reflective equipment will be constructed of sufficient materials and strength, and fixed to the ground to prohibit vehicular access beyond. Where a temporary dead-end street is utilized, a cul-de-sac must be provided unless an alternate turnaround design is specifically approved by the City. An easement shall be provided for that portion of the turnaround that lies outside the limits of the normal street right-of-way and shall be submitted with the Final Plat. The easement may provide for termination upon the extension of the street.
- o. Private Streets - Private streets shall be constructed in accordance with all the design requirements of Section 5.4 as regarding street pavement and Section 5.6 as regarding storm drainage. Maintenance of private streets shall not be the responsibility of the City.
- p. Residential Driveways - Residential driveways to serve single car garages, two car garages, carports, and/or storage areas shall be not less than sixteen (16) feet no more than twenty-four (24) feet in width, measured at the property line. A driveway shall not begin less than twenty-five (25) feet from the point of tangency of the corner radius of an intersection. Residential driveways shall not be constructed closer than ten (10) feet apart. The radius of all driveway returns shall be a minimum of five (5) feet.
- q. Commercial Driveways - Commercial driveways should not exceed sixty-five (65) percent of the property frontage and shall be a minimum of twenty-four (24) feet and a maximum of forty-five (45) feet in width. When the property frontage is seventy-five (75) feet or greater, the driveway measured at the property line shall not begin less than ten (10) feet from the property corner. When the property frontage is less than seventy-five (75) feet, the driveway measured at the property line may begin a minimum of five (5) feet from the property corner provided there is not an existing driveway within fifteen (15) feet of the property corner on the adjacent property. The radius of all driveways shall be a minimum of ten (10) feet, except in instances where the edge of the driveway is located less than ten (10) feet from the property corner, in such cases the minimum radius shall be five (5) feet.
- r. Curb Ramps - Curb ramps for the handicapped shall be provided at all intersections when sidewalks are constructed. Ramps shall be located to provide adequate and reasonable access for the safe and convenient movement of physically handicapped persons, including those in wheelchairs.

- s. Street Signs - Within the corporate limits of the City of Mineral Wells the developer shall pay for the installing of all regulatory, warning, and guide signs, including posts, as shown on the plans or as directed by the City. Street name signs shall be installed at each intersection. Examples of regulatory, warning and guide signs are as follows:
 - 1) Regulatory signs shall include, but not limited to STOP, 4-WAY, YIELD, KEEP RIGHT, and speed limit signs.
 - 2) Warning signs shall include, but are not limited to DEAD END, NO OUTLET, DIVIDED ROAD, and PAVEMENT ENDS.
 - 3) Guide signs shall include, but are not limited to street name signs, DETOUR, direction arrow, and advance arrow.
- t. Street Lights - In general, lights should be located on metal or fiberglass poles at street intersections and at intervals no greater than five hundred (500) feet apart. Street lights should be the equivalent of nine thousand five hundred (9,500) lumens high pressure sodium fixtures on minor residential streets. All collector streets and thoroughfares shall have high pressure sodium fixtures with an equivalent of twenty-seven thousand five hundred (27,500) lumens. The City reserves the right to inspect the street lighting construction. In any event, a street light will be required at each cul-de-sac.
- u. Pavement Widths and Right-of-Way Widths - Pavement widths shall be measured from the back of one curb to the back of the other curb. The minimum widths of pavement and right-of-way shall conform to the adopted Comprehensive Plan, and pavement sections shall conform to the design details of the City. These widths are summarized in Table 1. The alignment and design of streets should be such that collector streets have a safe design speed of fifty (50) miles per hour, and residential streets have a safe design speed of forty (40) miles per hour.

Table 1
Minimum Widths of Paving and Light-of-Day

Minimum Light-of-Day	Street Classification	Minimum Paving Width*
120'	Primary Thoroughfare	25' with 20' median
90'	Secondary Thoroughfare	25' with 14' median
70'	Collector	45'
50'	Local Street	31'

* Paving on Primary and Secondary Thoroughfares consist of two (2) paving sections with a median.

- v. Curb and Gutter - A six (6) inch standard curb shall be constructed on South sides of all streets. No "roll-over" or "lay-down" curbs will be permitted within the corporate limits of the City of Mineral Wells.

2. Design Standards

General Design Requirements for streets, as contained in the adopted Design Standards for the City of Mineral Wells document, shall be required for all new development within the jurisdictions of the City of Mineral Wells.

3. Responsibility for Installation

a. Internal Streets

- i. The subdivider shall be responsible for the construction of all streets within his subdivision at his own expense.
- ii. The subdivider shall, at his own cost, dedicate such right-of-way for streets and construct such streets of such a size as required in Article V, Table 1 of Section 5.4 herein so as to adequately serve the area being subdivided.

b. Perimeter Streets

Where the proposed subdivision is located adjacent to a substandard road or street within the City and it is deemed not feasible to improve said road or street at the time of development of the subdivision, the subdivider or developer shall pay to the City a fee equal to one-half (1/2) the cost of improvements required to meet City standards (including, but not limited to, excavation, subgrade preparation for paving drainage facilities, utility adjustments, and engineering) and dedicate the necessary right-of-way for said road or street as a condition precedent to the acceptance of the subdivision improvements by the City for maintenance purposes. No building permits shall be issued until all fees have been paid. The estimate of the cost of said improvement shall be prepared by the developer and approved by the Director of Public Works and made available to the subdivider. The fees shall be placed by the City into a street improvement escrow fund and shall be specifically reserved and used for the improvement of said road or street. When a thoroughfare is improved adjacent to the subdivision, there shall not be a curb and gutter assessment levied by the City against the property for which the fee was collected. If the improvement to the road or street does not occur within ten (10) years from the date the fee is placed on deposit with the City, the fee, including any interest earned thereon, shall be returned to the property owners of record at the time.

Section 5.5 Sidewalks

1. Guidelines - Sidewalks shall be installed along all thoroughfares and collector streets, as defined by the latest edition of the Mineral Wells thoroughfare plan. Sidewalks may be required by the Director of Public Works on other streets and/or other areas should reason exist to expect heavy pedestrian traffic in these areas. Sidewalks should be at least four (4) feet wide in residential areas and six (6) feet wide in commercial/industrial areas.
2. Responsibility for Installation - The developer, as a part of the subdivision Plat approval, shall be responsible for the construction of the required sidewalk. No final clearance or certificate of occupancy will be issued until such sidewalk has been installed, in accordance with the requirements of the Plat approval.
3. Installation - Sidewalks shall be installed at the expense of the developer in the manner described herein:
 - a. Sidewalks shall be as nearly parallel to the street as possible and placed upon public right-of-way adjacent to the property line.

Section 5.6 Storm Drainage

All construction for storm drainage in the development or improvement of property within the City of Mineral Wells shall conform to the design standards and requirements as contained in the adopted Design Standards for the City of Mineral Wells document as well as the following regulations.

1. Construction in Areas Subject to Flooding

The provisions of the City's current Flood Damage Prevention Ordinance (F.I.A. criteria) shall be observed in preparing land development plans.

2. Building or Structure Set-Back Requirement

No building or structure, including fences, shall hereafter be constructed, reconstructed, or relocated within twenty (20) feet of open drainage channel maintenance strip. It is the intent of this section to ensure that an unobstructed width of at least twenty (20) feet is maintained between the top of the high bank of any such drainage channel and any building or structure.

3. Minimum Lot and Floor Elevations

Minimum lot and floor elevations shall be established as follows:

- a. Lots abutting a natural or excavated channel shall have a minimum elevation for the buildable area of the lot at least equal to the highest elevation of the drainage floodway easement, and a finished floor elevation at or above the one hundred (100) year design storm or F.I.A. flood plain elevation, whichever is greater.
- b. Where lots do not abut a natural or excavated channel, minimum floor elevations shall be at or above the street curb, unless otherwise approved by the Director of Public Works or authorized representative. Where a lot is adjacent to a drainage flume or channel, the finished floor shall be at or above the one hundred (100) year floor elevation. Where the structure is below a street, the builder shall grade and construct facilities so that a positive drainage system of swales are capable of discharging the resultant flows which may flow across the yard area into the structure. A six (6) inch minimum must be maintained between floor elevation and ground line at building perimeter.
- c. The minimum finished floor elevation shall be shown on the Final File Plat for record purposes. Prior to the final acceptance of utilities and street construction by the City, a certified statement shall be prepared by a Registered Public Surveyor showing all lot elevations, as developed within the subject project, meet or exceed the requirements for the minimum finished floor elevations. This certification shall be filed with the Director of Public Works or authorized representative.
- d. Existing platted property which is subject to flooding or carries a specified or recorded minimum finished elevation shall be surveyed by a Registered Public Surveyor prior to obtaining a building permit. The certified survey data shall be furnished to the Director of Public Works or authorized representative for approval. Certificate of compliance with the provisions of this Ordinance pertaining to specified finished floor levels shall be required.

Section 5.7 Water System

1. General: The design and construction of the water distribution system to serve the development shall be in accordance with good engineering principles, with the Subdivision Ordinance, with the Rules and Regulations for Public Water Systems as published by the Texas Natural Resource Conservation Commission (TNRCC), with the requirements of the State Board of Insurance and the City of Mineral Wells standards. No construction shall commence prior to the approval of the plans and specifications by the City and the appropriate state regulatory agency.

All facilities shall be of sufficient size to provide adequate capacity for ultimate development and in accordance with the City's Water Master Plan. Pipelines shall be sized to meet the domestic requirements plus an appropriate allowance for fire protection. The City reserves the right to require larger pipelines than those required for the proposed development as provided for by the City Code of Ordinances. The design criteria for water demand shall be submitted to the City with the plans and specifications.

If the proposed subdivision is located beyond the area presently being served by the water distribution system, the developer shall be required to provide the off-site improvements necessary to transport water to the area being developed. Individual water wells for the lots will not be considered an acceptable method of serving the development.

2. Requirements pertaining to water line sizes, pipe material, fittings, fire hydrants, etc. are contained in the adopted Design Standards for the City of Mineral Wells document.

Section 5.8 Sewer System

1. General: The design and construction of the sewer collection system to serve the development shall be in accordance with good engineering principles, Subdivision Ordinance, and Design Criteria for Sewerage Systems as published by the TNRCC and with the City of Mineral Wells standards. No construction shall commence prior to the approval of the plans and specifications by the City and the appropriate State Regulatory agency.

All facilities shall be of sufficient size to provide adequate capacity for ultimate development. Sewer lines shall be sized to meet the peak-day dry-weather flow plus an appropriate allowance for inflow/infiltration. The City reserves the right to require a pipeline of a larger size than that required by the development. The design criteria and calculations shall be submitted to the City with the plans and specifications.

If the proposed subdivision is located beyond the drainage area presently being served by the sewage collection system, the developer shall be required to provide the off-site and on-site improvements necessary to transport the sewage from the area being developed. Any lift station, force main, and/or gravity sewer pipe improvements required as a result of the proposed development shall be the developer's responsibility. Septic tanks, absorption fields, evapotranspiration beds, etc. will be considered on a case-by-case basis.

2. Requirements pertaining to sewer pipe sizes and grades, pipe material, manholes, etc. are contained in the adopted Design Standards for the City of Mineral Wells document.

Section 5.9 Utility Services

1. All services for utilities shall be made available for each lot in such manner so as to eliminate the necessity for disturbing the street pavement, curb, gutter, sidewalks, and drainage structures when connections are made.
2. Water service lines shall be a minimum of three quarter (3/4) inch Type "K" copper pressure pipe and shall be provided with a corporation at the main and a curb stop located at least two (2) feet outside of curb with cover not to exceed one and a half (1-1/2) feet.
3. Sanitary sewer service lines shall be a minimum of four (4) inches, shall meet the same requirements for sanitary sewers described above, shall be constructed from the main to the lot property line using wyes and necessary bends, and shall have a minimum cover at the property line of four (4) feet, where possible.
4. Sewer services shall be located on the lower side of each lot and as approved by the City.
5. Sewer services shall have a clean out located at the property line. Provisions shall be made to connect the house sewer without disturbing the clean out.
6. In general, only one lot shall be served by a single service.
7. The subdivider shall make arrangements with all other appropriate companies for the extension of their respective utility lines, service to and within the addition, and for any costs or refunds of such cost.

ARTICLE VI **ENFORCEMENT**

Section 6.1 Appeal

Any subdivider contesting any disapproval and/or the interpretation and/or the application of any rule, standard, regulation, determination, requirement, or necessity set forth in these Regulations shall have the right, after filing a written request with the City Council as set forth in these Regulations within seven (7) days of the disapproval and/or interpretation, to have a hearing thereon before said body within thirty (30) days after the date of filing of such request. Decision of said body shall be final, and such further appeal shall be in accordance with appropriate law.

Section 6.2 Penalty

Any person, firm or corporation who knowingly violates any of the provisions of this Ordinance or who shall fail to comply with any provision hereof within the corporate limits of Mineral Wells shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine not to exceed two hundred (200) dollars, and each day that such violation continues shall constitute a separate offense and shall be punishable accordingly.

APPENDIX A
Applications, Checklists, and Fee Schedules

UTILITIES REVIEW CHECKLIST

City of Mineral Wells

Prior to presenting a plan to the City for initiation of the platting process, the developer is asked to have the utilities listed below to offer their comments. The developer is to present this form and a copy of the plan to each of the utilities listed below. The utility in turn, is asked to sign and stamp the form below indicating that they have reviewed (or are reviewing) the plan.

Developer: _____ Plan:_____

1. TU Electric:

Official: _____ Date:_____

SEAL OR STAMP and comments:

2. Southern Union Gas:

Official: _____ Date:_____

SEAL OR STAMP and comments:

3. Telephone Company:

Official: _____ Date:_____

SEAL OR STAMP and comments:

4. Water Utility:

Official: _____ Date:_____

SEAL OR STAMP and comments:

5. Cable TV:

Official: _____ Date:_____

SEAL OR STAMP and comments:

(For City Use Only)

On Incomplete Not Plan Applicable

1. The locations of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within one hundred (100) feet.

2. Landscaping lighting and/or fencing and/or screening of yards and setback areas and proposed changes.

3. Design and location of ingress and egress.

4. Off-street parking and loading facilities, and calculations showing how the quantities were obtained.

5. Height of all structures. Proposed uses.

6. The location and types of all signs, including lighting and heights.

7. Elevation drawings citing proposed exterior finish materials.

8. Street names on proposed streets.

9. Proposed water and sanitary sewer plans, grading plans, and storm sewer or drainage plans conforming to applicable existing ordinance requirements, which shall be submitted with and incorporated into the Site Development Plan.

10. Utility and drainage easements for dedicated infrastructure if required.

11. Proposed refuse disposal area and specification if applicable.

12. Signed drawings from the electric, gas, cable, telephone, and solid waste disposal companies.

13. Such additional terms and conditions, including design standards, as the Planning and Zoning Commission and the City Council deem necessary.

(For City Use Only)

Preliminary Conference held: Yes _____ No _____ Date _____

Senior City Representative Presiding: _____

Application Reviewed for Completeness by: _____ Date _____

Application Complete _____

_____ Application Incomplete _____

Application resubmitted: _____ Date: _____

Complete: Yes _____ No _____

Application tentatively scheduled for P&Z agenda:

Date _____

Fee amount \$ _____

Date paid: _____

Receipt No. _____

P&Z Recommendation:

Council Action:

Approval _____

Approval _____

Denial _____

Denial _____

Date _____

Date _____

PRELIMINARY PLAT APPLICATION AND CHECKLIST
CITY OF MINERAL WELLS

Case Number: _____

Date: _____

Name of Proposed Development _____

Name of Developer _____

Address _____ Phone _____

Owner of Record _____

Address _____ Phone _____

Name of Preliminary Landowner _____

Address _____ Phone _____

Name of Surveyor _____

Address _____ Phone _____

Name of Engineer _____

Address _____ Phone _____

Total Acreage _____ Current Zoning _____ Number of Lots/Units _____

Signed _____

The Preliminary Plat shall be drawn to a scale not to exceed one (1) inch equals one hundred (100) feet, all sheet sizes shall be 24 inches by 36 inches. The Preliminary Plat shall generally include all of the tract intended to be developed at one time. When more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision at an appropriate scale shall be attached to the plat. The Preliminary Plat shall contain or have attached thereto:

(For City Use Only)

<u>On</u>	<u>Incomplete</u>	<u>Not Plan Applicable</u>
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1. Names and addresses of the subdivider, record owner, land planner, engineer and/or surveyor.

2. Proposed name of the subdivision which shall not be so similar to that of an existing subdivision as to cause confusion.

3. Names and lot patterns of continuous platted subdivisions within one hundred (100) feet of the proposed subdivision and the names of adjacent property owners if adjacent properties are unplatted.

4. Vicinity map showing location of tract by reference to existing streets or highways.

5. Subdivision boundary lines, indicated by heavy lines, and the approximate area expressed in acres.

6. Location of City limit lines, if they either traverse the subdivision, form part of the subdivision, or are contiguous to the subdivision boundary.

7. Dimensions, names, and descriptions of all existing or recorded streets, alleys, reservations, easements, or public rights-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries, as determined from existing records, for a distance of two hundred (200) feet from the proposed subdivision. If there are no adjacent existing or dedicated streets and alleys within two hundred (200) feet of proposed subdivision on any side, then a map on a smaller scale must accompany the Preliminary Plat showing the outline and ownership of adjacent properties, locations of the nearest subdivisions, and existing or dedicated streets and alleys.

8. The locations, dimensions, names, and descriptions of all existing or recorded lots and blocks, parks, public areas, and permanent structures within or contiguous to the subdivision.

(For City Use Only)

Preliminary Conference held: Yes _____ No _____ Date _____

Senior City Representative Presiding: _____

Application Reviewed for Completeness by: _____ Date _____

Application Complete _____

_____ Application Incomplete _____

Application resubmitted: _____ Date: _____

Complete: Yes _____ No _____

Application tentatively scheduled for P&Z agenda:

Date _____

Fee amount \$ _____

Date paid: _____

Receipt No. _____

P&Z Recommendation:

Approval _____

Denial _____

Date _____

Council Action:

Approval _____

Denial _____

Date _____

**FINAL PLAT APPLICATION AND CHECKLIST
CITY OF MINERAL WELLS**

Case Number: _____

Date: _____

Name of Proposed Development _____

Name of Developer _____

Address _____ Phone _____

Owner of Record _____

Address _____ Phone _____

Name of Preliminary Planner _____

Address _____ Phone _____

Name of Surveyor _____

Address _____ Phone _____

Name of Engineer _____

Address _____ Phone _____

Total Acreage _____ Current Zoning _____ Number of Lots/Units _____

Signed _____

The Final Plat shall conform to the Preliminary Plat as approved by the City Council and shall be drawn to legibly show all data at a satisfactory scale, not smaller than one (1) inch equals one hundred (100) feet. The Final Plat shall be submitted on a drawing which is 24 inches by 36 inches.

(For City Use Only)

1. Title or name of development written and graphic scale, north point, date of plat, and key map.
2. Location of development by City, County, and State.
3. Accurate boundary survey and property description with tract boundary lines indicated by heavy lines.
4. The drainage calculations for the site shall be provided on the plans. This calculation shall identify the sub-drainage area by number, the contributing areas in acres, the time of concentration in minutes, the coefficient of runoff, the storm frequency and duration, the storm intensity in inches per hour, and the accumulated runoff in cubic feet per second.
5. The direction of storm water flow on the site shall be shown on the drainage area map, with a "Q" shown at locations where flow enters inlets, channels, or other structures.
6. The drainage facilities shall be designed for ultimate watershed development, as shown by the Comprehensive Master Plan even though the project may be developed in phases or the topography is such that other developments contribute to the proposed site.
7. Where phased development will occur, the drainage plans and calculations shall show how the drainage will be controlled during intermediary construction.
8. Where the storm drainage facilities tie into existing facilities, the plans shall show how this project will affect those existing facilities.
9. All existing and proposed drainage easements on the project site shall be shown.

WATER AND SANITARY SEWER SYSTEM CHECKLIST
CITY OF MINERAL WELLS

On Incomplete Not Plan Applicable

1. The plans shall show existing and proposed water supply improvements, including size of pipelines, location of valves (gates and flush) and location of fire hydrants and services.

2. The plans shall consist of plan profile sheets drawn to a scale not to exceed one (1) inch equals fifty (50) feet and show existing and proposed waste water collection improvements, including location of manholes, cleanouts, and services.

3. Where proposed facilities tie into existing facilities, the plans shall show the flowline of the existing facilities and how the proposed facilities affect the system.

FOR CITY USE

Preliminary Conference held: Yes _____ No _____ Date _____

Senior City Representative Presiding: _____

Application Reviewed for Completeness by: _____ Date _____

Application Complete _____

_____ Application Incomplete _____

Application resubmitted: _____ Date: _____

Complete: Yes _____ No _____

Application tentatively scheduled for P&Z agenda:

Date _____

Fee amount \$ _____

Date paid: _____

Receipt No. _____

P&Z Recommendation:

Approval _____

Denial _____

Date _____

Council Action:

Approval _____

Denial _____

Date _____

**APPLICATION FOR VACATION OF A PLAT
CITY OF MINERAL WELLS**

Name of Development _____

Name of Developer _____

Address _____ Phone _____

Owner of Record _____

Address _____ Phone _____

Request _____

Signed

FEE SCHEDULE
CITY OF MINERAL WELLS

Site Development Plan	\$100
Preliminary Plat	\$50 + \$5 per acre
Final Plat	\$50 + \$5 per lot
Short Form Plat	\$50 + \$5 per lot
Replat	\$150
Vacation of a Plat	\$100
Plat Amendment.....	\$10

Table A-13 Parker County

Coefficients		Return Period (Years)						
		1	2	5	10	25	50	100
e	0.81993	0.81528	0.80996	0.80658	0.80148	0.80055	0.79789	
b	42.333	51.064	67.052	77.954	92.557	106.196	120.205	
d	8	9	11	12	13	14	15	
Hours	Minutes	Rainfall Intensity (inches per hour)						
0.083	5	5.17	5.94	7.10	7.93	9.13	10.06	11.01
	6	4.86	5.61	6.76	7.57	8.74	9.65	10.59
	7	4.60	5.33	6.45	7.25	8.39	9.28	10.21
	8	4.36	5.07	6.18	6.96	8.07	8.94	9.85
	9	4.15	4.84	5.92	6.69	7.77	8.63	9.52
	10	3.96	4.63	5.69	6.44	7.50	8.34	9.22
	11	3.79	4.44	5.48	6.22	7.25	8.07	8.93
	12	3.63	4.27	5.29	6.01	7.01	7.82	8.67
	13	3.49	4.11	5.11	5.81	6.80	7.59	8.42
0.250	14	3.36	3.96	4.94	5.63	6.59	7.37	8.19
	15	3.24	3.83	4.79	5.46	6.41	7.17	7.97
	16	3.13	3.70	4.65	5.30	6.23	6.98	7.76
	17	3.02	3.59	4.51	5.16	6.06	6.80	7.57
	18	2.93	3.48	4.38	5.02	5.90	6.62	7.38
	19	2.84	3.38	4.27	4.89	5.76	6.46	7.21
	20	2.75	3.28	4.15	4.76	5.61	6.31	7.05
	21	2.68	3.19	4.05	4.65	5.48	6.17	6.89
	22	2.60	3.11	3.95	4.54	5.36	6.03	6.74
	23	2.53	3.03	3.85	4.43	5.24	5.90	6.60
	24	2.47	2.95	3.77	4.33	5.12	5.77	6.46
	25	2.41	2.88	3.68	4.24	5.01	5.65	6.33
	26	2.35	2.81	3.60	4.15	4.91	5.54	6.21
	27	2.29	2.75	3.52	4.06	4.81	5.43	6.09
	28	2.24	2.69	3.45	3.98	4.72	5.33	5.98
0.500	29	2.19	2.63	3.38	3.90	4.63	5.23	5.87
	30	2.14	2.58	3.31	3.82	4.54	5.13	5.77
	31	2.10	2.52	3.25	3.75	4.46	5.04	5.67
	32	2.06	2.47	3.19	3.68	4.38	4.95	5.57
	33	2.02	2.43	3.13	3.62	4.30	4.87	5.48
	34	1.98	2.38	3.07	3.55	4.23	4.79	5.39
	35	1.94	2.33	3.02	3.49	4.16	4.71	5.30
	36	1.90	2.29	2.97	3.43	4.09	4.63	5.22
	37	1.87	2.25	2.92	3.38	4.02	4.56	5.14
	38	1.83	2.21	2.87	3.32	3.96	4.49	5.06
	39	1.80	2.17	2.82	3.27	3.90	4.42	4.98
	40	1.77	2.14	2.78	3.22	3.84	4.36	4.91
	41	1.74	2.10	2.73	3.17	3.78	4.29	4.84
	42	1.71	2.07	2.69	3.12	3.73	4.23	4.77
	43	1.68	2.04	2.65	3.08	3.68	4.17	4.71
0.750	44	1.66	2.01	2.61	3.03	3.62	4.12	4.64
	45	1.63	1.98	2.57	2.99	3.57	4.06	4.58
	46	1.61	1.95	2.54	2.95	3.52	4.01	4.52
	47	1.58	1.92	2.50	2.91	3.48	3.95	4.46
	48	1.56	1.89	2.47	2.87	3.43	3.90	4.41
	49	1.54	1.86	2.43	2.83	3.39	3.85	4.35
	50	1.52	1.84	2.40	2.79	3.34	3.80	4.30
	51	1.50	1.81	2.37	2.76	3.30	3.76	4.25
	52	1.47	1.79	2.34	2.72	3.26	3.71	4.20
	53	1.45	1.77	2.31	2.69	3.22	3.67	4.15
	54	1.44	1.74	2.28	2.66	3.18	3.62	4.10
	55	1.42	1.72	2.25	2.62	3.15	3.58	4.05
	56	1.40	1.70	2.23	2.59	3.11	3.54	4.01
	57	1.38	1.68	2.20	2.56	3.07	3.50	3.96
	58	1.36	1.66	2.17	2.53	3.04	3.46	3.92
	59	1.35	1.64	2.15	2.50	3.00	3.42	3.88
1	60	1.33	1.62	2.12	2.48	2.97	3.39	3.84
2	120	0.79	0.97	1.29	1.52	1.84	2.10	2.40
3	180	0.58	0.71	0.95	1.12	1.36	1.57	1.79
6	360	0.33	0.41	0.56	0.66	0.80	0.93	1.06
12	720	0.19	0.24	0.32	0.38	0.47	0.54	0.62
24	1440	0.11	0.14	0.18	0.22	0.27	0.31	0.36

APPENDIX B
Certificates and Approvals
(For Final Plat)

SURVEYOR'S CERTIFICATE

THIS is to certify that I, _____, a registered professional engineer (Registered Public Surveyor) of the State of Texas, have platted the above subdivision from an actual survey on the ground, and that all lot corners, angle points, and points of curve shall be properly marked on the ground, and that this plat correctly represents that survey made by me.

(Print Name)
Engineer or Surveyor Texas Registration No. _____

(Seal)

CITY COUNCIL AND PLANNING AND ZONING COMMISSION APPROVAL

Approved: (date) _____, 20_____

City of Mineral Wells
Palo Pinto County, Texas

By: _____, Mayor

Attest: _____, City Secretary

Attest: _____, Planning and Zoning Commission Chairman

**OWNER'S CERTIFICATE
FORM OF DEDICATION AND NOTARY**

STATE OF TEXAS:

COUNTY OF PALO PINTO:

WHEREAS I, _____, am the sole owner, (or, we, _____, are all of the owners) of a tract of land situated in the _____ Survey, County of _____, according to the deed recorded in Volume _____, Page _____, Deed Records of _____ County, Texas, particularly described as follows:

(insert legal description)

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT I, _____, being the sole owner (or we, _____, being all of the owners) do hereby adopt this plat designating the hereinabove described real property as Subdivision (or Addition) to the City of Mineral Wells, Palo Pinto County, Texas, and I (we) do hereby dedicate to the public's use forever the streets, alleys, parks, and easements shown thereon. The easements shown thereon are hereby reserved for the purposes as indicated. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed, reconstructed, or placed upon, over or across the easements shown, said easements being hereby reserved for the mutual use and accommodation of all public utilities using or desiring to use the same. All, and any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the easements and all public utilities shall at all times have full right of ingress and egress to or from and upon reconstructing, inspecting, patrolling, and maintaining respective systems without the necessity at any time of procuring the permission of anyone.

Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and at any maintenance and service required or ordinarily performed by that utility. The easements dedicated are for the specific use of installing water, sewer, electrical, telephone, or cablevision lines, and are not intended to be used for the collection of garbage or for the use of garbage vehicles in any manner.

This plat approved subject to all platting ordinances, rules, regulations, resolutions of the City of Mineral Wells, Texas.

WITNESSED my (our) hand(s) at _____ County, Texas this the
_____ day of _____, 20____.

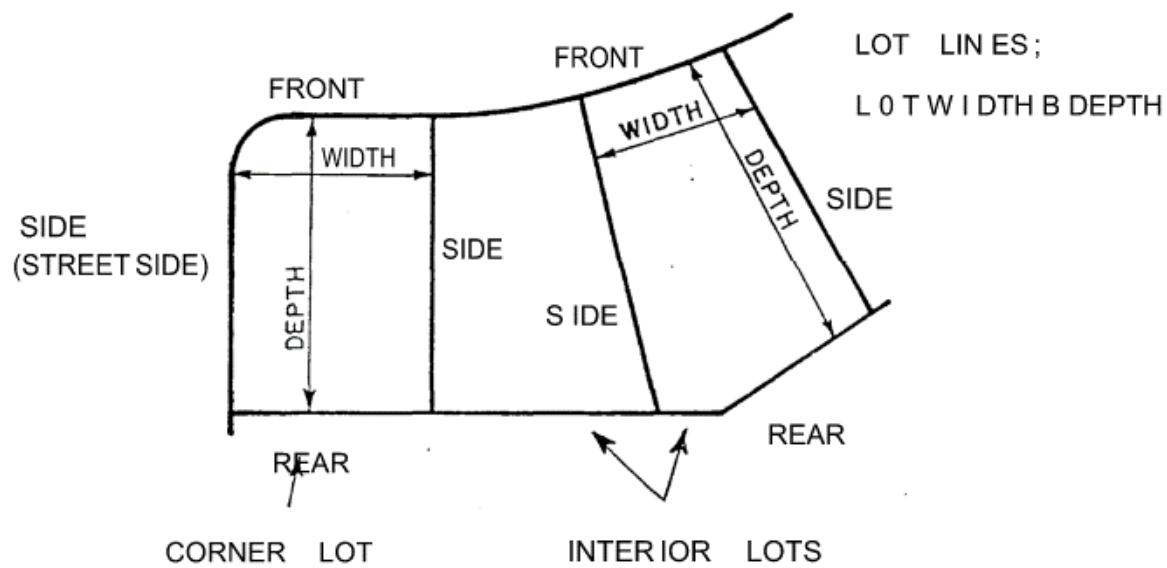
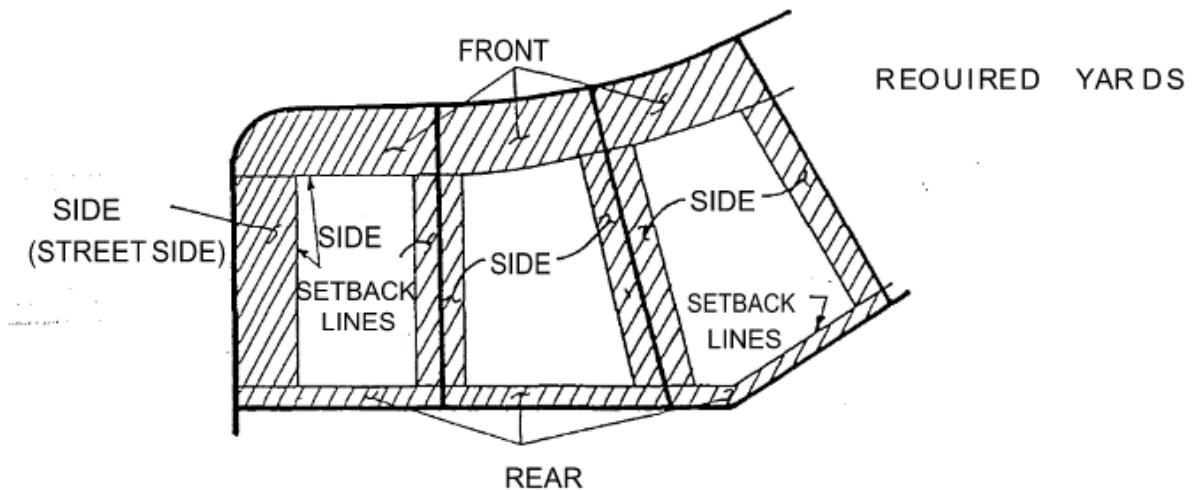
BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the _____ day of _____, 20____.

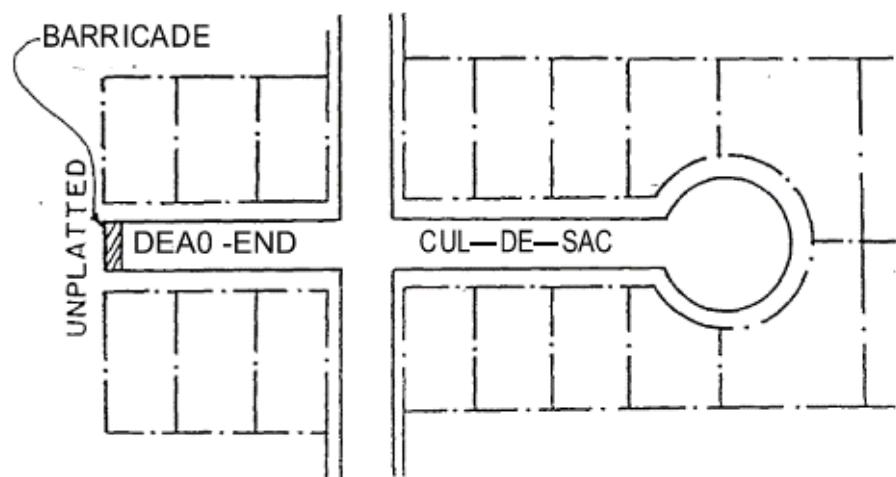
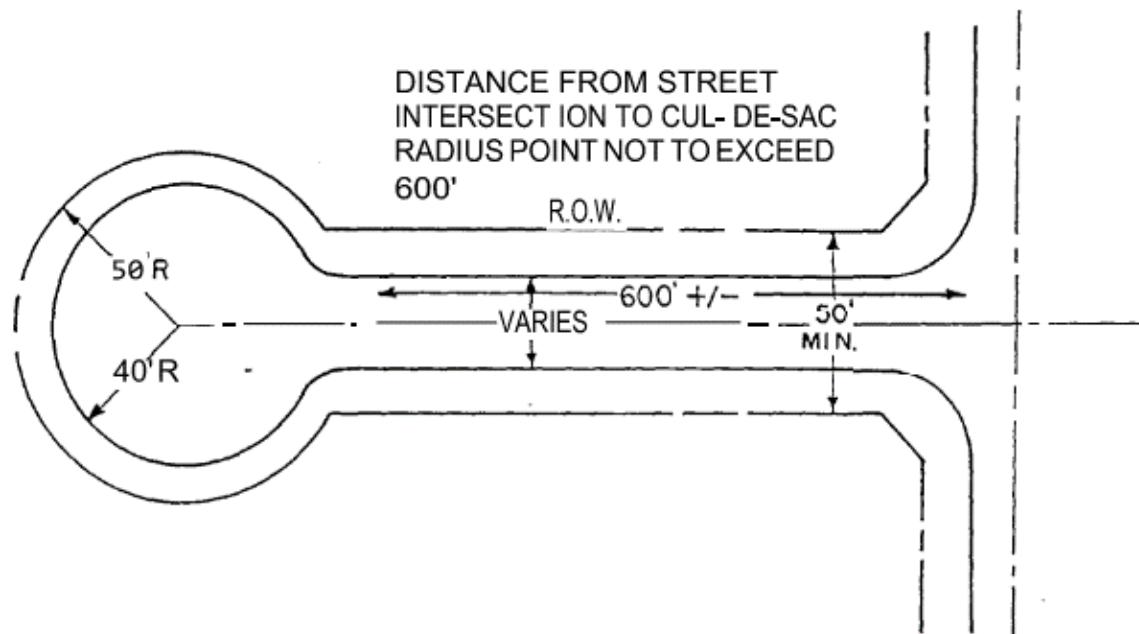
Notary Public _____ County, Texas

APPENDIX C
ILLUSTRATIONS
(For Final Plat)

TYPICAL LOTS



RESIDENTIAL STREETS



SIGHT TRIANGLE

