Taylor Subdivision Ordinance

Ordinance 2001-16, Adopted April 12, 2001

Ordinance Modifications

Ordinance 2003-33, Adopted September 23, 2003

Ordinance 2005-13, Adopted July 26, 2005

Ordinance 2006-34, Adopted December 14, 2006

Ordinance 2007-12, Adopted June 14, 2007

Ordinance 2008-1, Adopted January 22, 2008

Ordinance 2008-8, Adopted April 22, 2008

Ordinance 2011-12, Adopted April 14, 2011

Chapter 1
General Provisions

1.1 Title

This ordinance shall be officially known and cited as the "Subdivision Ordinance of the City of Taylor, Texas." It alternatively may be referred to throughout this document as the "Ordinance."

1.2 Authority

The Subdivision Ordinance is adopted pursuant to the powers granted to the City and subject to any limitations imposed by the Constitution and laws of the State of Texas. The City shall adopt and administer subdivisions and property development in accordance with Chapter 212 of the Local Government Code and all other State and Federal laws written or hereafter amended or passed authorizing the City to adopt rules governing plats and subdivisions of land within City jurisdiction and extraterritorial jurisdiction to promote the health, safety, morals, or general welfare of the City and safe, orderly, and healthful development of the City.

1.3 Purposes

The purposes of this Ordinance are: to ensure and promote a place in which all citizens may live, work, play, learn, and grow in a safe and productive living environment in a community built for family living; to conserve the value of property and encourage the most appropriate use of land throughout the City and to do so in accordance with the Comprehensive Plan. These purposes are met by:

1. providing the means of implementing the policies and provisions of the Comprehensive Plan;

2. guiding the growth of the City, concentrating more intense development in areas with high development capability and limiting development in areas of low capability; and

3. guiding through the establishment of performance standards, the type, distribution, and intensity of development.

1.4 Applicability

The provisions of this Ordinance, including the "City of Taylor Engineering Manual & Details" and all appendices, shall apply to the development of all land within the City of Taylor, Texas, unless specifically provided otherwise in this Ordinance. (Ord. 2011-12, 4/14/11)

1.5 Minimum Standards and Conflicting Provisions:

The provisions of this Ordinance, including the "City of Taylor Engineering Manual & Details" and all appendices are the minimum standards necessary to accomplish its stated purposes. It is not the intent of this Ordinance to interfere with, abrogate or annul any private

easement, covenant, deed restriction or other agreement between private parties. When the provisions of this Ordinance impose a greater restriction than imposed by such private agreements, the provisions of this Ordinance shall control. When private agreements impose a greater restriction than imposed by this Ordinance, such private agreements shall control. (Ord. 2011-12, 4/14/11)

1.6 Rules of Construction

1.6.1 Meanings and Intent:

All provisions, terms, phrases and expressions contained in this Ordinance shall be construed in accordance with the "City of Taylor Engineering Manual & Details" and their stated purpose. (Ord. 2011-12, 4/14/11)

1.6.2 Text

In case of any difference of meaning or implication between the text of this Ordinance and any drawing or figure, the text shall control.

1.6.3 Computation of Time

The time within which an act is to be completed shall be computed by excluding the first day and including the last day; if the last day is a Saturday, Sunday or legal holiday, that day shall be excluded. In the computation of time for public hearing notice, both the first day (day of the advertisement) and the last day (day of the hearing) shall be excluded.

1.6.4 Delegation of Authority

Whenever a provision requires the City Manager or his designee to do some act or perform some duty, it is to be construed to authorize the head of the department or other officer to designate, delegate and authorize subordinates to perform the required act or duty unless the terms of the provision specify otherwise.

1.6.5 Non-Technical and Technical Words:

Words and phrases shall be construed according to this Ordinance, including the "City of Taylor Engineering Manual & Details" and all appendices to this Ordinance, and then according to the common and approved usage of the language, and technical words and phrases shall also be construed according to this Ordinance, including the "City of Taylor Engineering Manual & Details" and appendices to this Ordinance, after which technical words and phrases shall be construed according to the peculiar and appropriate meaning acquired by them in the law. (Ord. 2011-12, 4/14/11)

1.6.6 Public Officials, Bodies and Agencies

All public officials, bodies, and agencies to which references are made are those of the City of Taylor unless otherwise indicated.

1.6.7 Mandatory and Discretionary Terms

The words "shall" and "must" are always mandatory. The words "may" and "should" are permissive.

1.6.8 Conjunctions

Unless the context clearly indicates the contrary, conjunctions shall be interpreted as follows:

1. "And" indicates that all connected items, conditions, provisions or events shall apply; and
2. "Or" indicates that one or more of the connected items, conditions, provisions or events shall apply.

1.6.9 Tenses, Numbers and Gender

Words used in the past or present tense include the future as well as the past or present, unless the context clearly indicates the contrary. The singular shall include the plural and the plural shall include the singular, as the context and application of this Ordinance may reasonably suggest. Words of one gender shall apply to persons, natural or fictitious, regardless of gender, as the context and application of this Ordinance may reasonably suggest.

1.7 Transitional Provisions

The following transitional provisions shall apply to various matters pending or occurring prior to the effective date of this Ordinance.

1.7.1 Existing Permits or Private Agreements

This Ordinance is not intended to abrogate or annul any permits or agreements issued prior to the effective date of this Ordinance.

1.8 Written Interpretations

The following regulations shall govern the rendering of written interpretations of the provisions of this Ordinance.

1.8.1 Authority

The Building Official shall have authority to make all written interpretations concerning the provisions of this Ordinance. A request for interpretation shall be submitted to the Building Official.

1.8.2 Rendering of Interpretation

Within ten (10) days after a request for interpretation has been submitted, the Building Official shall: (1) review and evaluate the request in light of the text of this Ordinance, the official zoning map, the Comprehensive Plan and any other relevant information; (2) consult with other staff, as necessary; and (3) render an opinion.

1.8.3 Form

The interpretation shall be provided to the applicant in writing and be sent to the applicant by United States mail.

1.8.4 Official Record

The Building Official shall maintain an official record of interpretations. The record of interpretations shall be available for public inspection during normal business hours.

1.8.5 Appeal

Appeals of written interpretations made by the Building Official shall be taken to the Planning and Zoning Commission. In considering such an appeal, the Board shall consider the interpretation and public testimony in light of the Comprehensive Plan, this Ordinance, and the official zoning map, whichever are applicable. The Board shall modify or reject the interpretation only if it is not supported by substantial competent evidence or if the interpretation is contrary to the Comprehensive Plan, this Ordinance or the official zoning map.

1.9 Subdivision Fees

Refer to the City's "Fee Ordinance" or the Community Development Department for all associated subdivision fees.

1.10 Base Map

See Base Map, Figure 1-1 or the Community Development Department for additional information.

1.11 Severability Clause

If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part of provisions thereof, other than the part so decided to be invalid or unconstitutional.

1.12 Repealer Clause

All other ordinances, parts of ordinances or resolutions in conflict with this ordinance are hereby repealed to the extent of any such conflict.

1.13 Introduction

In accordance with Article VIII of the City Charter, this ordinance was introduced before the City Council on the 27th day of March, 2001.

PASSED, APPROVED and ADOPTED on the 24th day of April, 2001.

_____

Randall J Pick, Chairman
Board of Commissioners

ATTEST:

_____

Barbara S. Belz, City Clerk

Chapter 2
Subdivision Improvements

ARTICLE I: GENERAL

2.1 Purpose

The purpose of this chapter is to control the subdivision of land in order to provide for orderly development and to secure adequate provisions for traffic, light, air, recreation, transportation, water, drainage, sewage and other facilities.

2.2 Applicability

This chapter shall apply to any land within the corporate limits and extraterritorial jurisdiction (ETJ) of the City of Taylor, unless specifically exempted by this article.

2.3 Authority

It shall be unlawful for any owner or agent of any owner of land to lay out, subdivide, plat or replat any land into lots, blocks and streets within the City or within the extraterritorial jurisdiction without the approval of the Planning and Zoning Commission. The City shall withhold all City improvements, including the maintenance of streets and furnishing of sewage and water service from all additions and subdivisions, the platting of which has not been approved by the Planning and Zoning Commission.

It shall also be unlawful for any such owner or agent to offer for sale or sell property therein or thereby, which has not been laid out, subdivided, platted or replatted with the approval of the Planning and Zoning Commission

No street number and no building permit shall be issued for the erection of any building in the City on any piece of property, other than an original or a resubdivided lot in a duly approved and recorded subdivision, without the written approval of a plat or subdivision by the Planning and Zoning Commission, , the approval of construction plans, the acceptance of the public improvements, and a duly approved and recorded subdivision or plat recorded with the Williamson County Clerks Office, except as otherwise provided for in Chapter 2, Article III, Commercial Design and Improvement Standards.

2.4 Engineer Required

The subdivider shall retain the services of a professional engineer, licensed in the State of Texas, whose seal shall be placed on each sheet of the drawings, and who shall be responsible for the design and inspection of the drainage, roads and streets, and sewer and water facilities within the subdivision.

2.5 Monuments

Monuments, consisting of one-half (1/2) inch reinforced steel or larger, twenty-four (24) inches in length, shall be placed and countersunk at the corners of all lot lines.

At least two (2) benchmarks for each subdivision shall be permanently installed in an approved manner, with the location and the elevation as shown on the construction plans. Permanent benchmarks shall be brass disks set in an approved location with the elevation and benchmark numbers stamped in the disc.

ARTICLE II: RESIDENTIAL DESIGN AND IMPROVEMENT STANDARDS

2.6 Lots

The lot design of a neighborhood should provide for lots of adequate width and depth to provide open area and to eliminate overcrowding. Lots should be rectangular so far as practicable and should have the side lot lines at right angles to the streets on which the lot faces or radial to curved street lines.

1. All lots must front on a public street right-of-way.
2. All lots shown on the plat shall be for residential purposes unless otherwise noted.
3. Double frontage lots are prohibited, except when backing on an arterial street.
4. Unless approved by the Planning and Zoning Commission, no lots shall face on an arterial street.
5. All lots shown must conform to the minimum requirements of the zoning district in which it is located.
6. An individual sewer tap and water tap shall be installed for each lot.

2.6.1 No building permit shall be issued by the city for new construction or a renovation greater than fifty (50%) percent of replacement value, if that proposed construction will cross a lot line.

2.7 Blocks

Blocks are to be numbered consecutively within the overall plat and/or sections of an overall plat as recorded. All lots are to be numbered consecutively within each block. Lot numbering continues from block to block in a uniform manner that has been approved on an overall preliminary plat.

Maximum block length for residential: One thousand two hundred (1,200) feet and the minimum block length for residential is three hundred (300) feet, except upon approval by the City Planning and Zoning Commission.

Maximum block length along an arterial street: One thousand six hundred (1,600) feet and the minimum block length along an arterial street is four hundred (400) feet, except upon approval by the Planning and Zoning Commission.

2.7.1 Transition Setbacks

Transition building lines having a minimum angle of forty five (45) degrees are to be provided where an offset in building lines is greater than five (5) feet.

2.8 Streets

The street pattern of a neighborhood should provide adequate circulation within the subdivision and yet discourage excessive through traffic on local streets. The subdivider shall be responsible for the construction of all interior street improvements.

The subdivider shall be responsible for the construction of the adjacent half of all perimeter streets surrounding the subdivision that are not improved to city standards. Perimeter street subdivision requirements include any residential subdivision with greater than four (4) lots. In lieu of constructing perimeter streets, the City Manager may approve an escrow of one-half (1/2) of the cost. The cost must be approved by the City Engineer.

2.8.1 Street Arrangements

Unless otherwise approved by the Planning and Zoning Commission, provision shall be made for the extension of arterial streets. Collector streets shall be provided for the circulation of traffic through the subdivision and the connection thereof to the arterial streets. Adequate minor streets shall be provided to accommodate the subdivision. Off-center divisions should be avoided. All arterial and collector streets shall be continuous or in alignment with existing streets unless variations are deemed advisable by the City Engineer due to topography and requirements of traffic circulation.

2.8.2 Right-of-Way (ROW) Widths

All street and road rights-of-way within new subdivisions shall be subject to the minimum right-of-way and street widths as determined by the City Engineer.

2.8.2.1 Work in Right of Way

Any work occurring within the City's Right of Way including, without limitation, installation or relocation of utilities such as electric, gas, cable, landscaping, or drainage shall require a permit prior to any work. (Ord. 2007-12, 6/14/07)

2.8.3 Street Jogs

Street jogs with centerline offsets of less than one hundred twenty-five (125) feet joining a minor street, less than one hundred fifty (150) feet joining a collector street, and less than two hundred (200) feet joining an arterial street shall be prohibited.

2.8.4 Intersection Angles

1. All streets are to intersect at a ninety (90) degree angle. Variations must be approved by the City Engineer.

2. Acute angle intersections approved by the City Engineer are to have twenty-five (25) foot radius at acute corners.

3. Street intersections with or extending to meet an existing street will be tied to the existing street on centerline with dimensions and bearings to show relationship.

2.8.5 Arterial Street Requirements

1. Arterial Street Curves. Curves in arterial streets are to have a centerline radius of two thousand (2,000) feet or more with exceptions to this standard granted only by the City Engineer. Reverse curves are to be separated by a minimum tangent of one hundred (100) feet.

2. Arterial street locations, alignments, widths, and cross-sections are to be determined by the Planning and Zoning Commission and designated on the Thoroughfare Plan.

2.8.6 Minor Street Curves

Curves in minor or residential streets are to have a centerline radius of three hundred (300) feet or more unless approved by the City Engineer.

2.8.7 Collector Street Curves

Secondary or collector streets are to have a centerline radius of eight hundred (800) feet or more with exceptions to this standard granted only by the City Engineer.

2.8.8 Cul-de-sacs

Cul-de-sacs shall not be longer than six hundred (600) feet and shall have a turnaround roadway (cul-de-sac) of eighty (80) feet and a street right-of-way of at least one hundred (100) feet at the closed end.

Temporary turnarounds shall be used at the end of a street that is more than four hundred (400) feet in length and will be extended in the future. Note for temporary turnaround: "Cross-hatched area is temporary easement for turnaround until street is extended (direction) in a recorded plat."

2.8.9 Street Buffers

A one-foot reserve shall be dedicated to the public in fee as a buffer separation between the side or end of streets in subdivision plats where such streets abut adjacent acreage tracts. When the adjacent property is subdivided in a recorded plat, the one-foot reserve shall become vested in the public for street right-of-way purposes (and the fee title thereto shall revert to and revest in the dedicator, his heirs, assigns, or successors).

2.8.10 Alleys

When alleys are provided, they shall have a minimum width of twenty (20) feet.

2.8.11 Street Names

Street names shall be continuations of existing street names adjacent to or on-line, if they are not duplications. Proposed new names shall be submitted to the Building Official for approval prior to the submittal of final plat.

2.8.12 Street Signage

The subdivider is responsible for furnishing and erecting street signs with block numbers as required by the City.

2.8.13 Street Lighting

The Developer is responsible for furnishing and erecting street lighting as required by the City Manager or his designee. (Ord. 2007-12, 6/14/07)

2.9 Utility Easements

The subdivider may be responsible for dedicating utility easements to the City. Easements shall be worked out with private utility companies prior to plat submittal to the City.

2.10 Drainage

Adequate drainage shall be provided within the limits of the subdivision. The protection of adjoining property will be considered in the review of plans submitted. The subdivider shall be responsible for constructing all drainage improvements.

2.10.1 Design

Design of all drainage facilities, including but not limited to streets, inlets, storm sewers, outfalls, culverts, ditches and channels shall conform to normally accepted engineering standards as determined by the City Engineer. Under no circumstances will drainage be allowed to result in a negative effect upstream or downstream.

2.10.2 Maintenance Agreement Required for Drainage Facilities

If the City requires that the Developer (or landowner, PID, HOA, or other entity or person specifically approved by the City) shall be responsible for the maintenance of the Drainage Facilities, a Maintenance Agreement, as both are hereinafter defined, will be written and approved by the City that shall include terms and provisions deemed necessary by the City to provide maintenance of the Drainage Facilities. (Ord. 2007-12, 6/14/07)

2.10.3 Maintenance Agreement Noted on Final Plat

If a Developer requests, and the City approves, that a Public Improvement District (PID), Home Owners Association (HOA), or other entity be responsible for the maintenance of the Drainage Facilities, the Maintenance Agreement shall be included as part of the platting process and must be approved by the City prior to final plat approval. The plat shall include the information that a Maintenance Agreement is required for the Drainage Facility in the development and any term and provisions of the Maintenance Agreement the City deems necessary shall be noted on the final plat, which may include all terms of the Maintenance Agreement. (Ord. 2007-12, 6/14/07)

2.10.4 Maintenance Agreement if Preliminary Plat Not Required

The Maintenance Agreement must be negotiated during the Preliminary Platting process, or earlier in the planning process if required by the City, when a preliminary plat is not required. (Ord. 2007-12, 6/14/07)

2.10.5 City Maintenance of Drainage Facilities

If the City determines it will maintain the Drainage Facilities, it shall be noted on the final plat. The real and personal property included as the Drainage Facility shall be deeded and conveyed to the City as part of the platting process using instruments deemed reasonable and necessary to the City prior to final plat approval. The deed or other conveyance documents to the City must be free and clear of all liens, debts or other encumbrances, and the City may require evidence and title assurances of that requirement, including without limitation an owner's title insurance policy. (Ord. 2007-12, 6/14/07)

2.10.6 Role of the Homeowners Association/Public Improvement District

Ongoing role of the HOA/PID: The City Planner shall be the City liaison to a HOA and/or PID maintaining Drainage Facilities. Requirements concerning the HOA or PID operation to assure continued operation of Drainage Facilities shall be required by the City, including without limitation, financial reports filed with the City at least annually, a limitation against dissolution without City consent, and an assessment deemed adequate by the City to operate the Maintenance Facilities, allowing the City to collect dues directly and to assess liens against the subdivision for maintenance of the Drainage Facilities. (Ord. 2007-12, 6/14/07)

2.10.7 City Council Approval of Land Restrictions

All deed restrictions, covenants running with the land, and easements needed to operate the Drainage Facility must be approved by the City, filed of record, and contain provisions necessary to operate the Drainage Facilities and preventing amendment or dissolution without prior written consent from the City in the books and records of the entity. (Ord. 2007-12, 6/14/07)

2.11 Water and Sewer

The subdivider is responsible for extending utilities to the development site and shall make the necessary arrangements therefore with the applicable private utility companies and the City. The City may participate in the over-sizing of utilities if desired to serve further development.

2.11.1 Utilities Furnished or Supplied by City

Sewer. Sanitary sewers shall be installed to serve each lot. All sewer systems shall be extended across lots to the adjacent property lines.

Water. Water lines shall be installed to serve each subdivided or platted lots within the corporate limits of the City and within the extraterritorial jurisdiction. All water systems shall be extended across lots to the adjacent property lines.

All public improvements shall be the responsibility of the developer. Upon approval and acceptance of the water and sewer utilities by the City, the systems become the property of the City.

2.11.1.1 Private Utilities

Private Utilities – Within new subdivisions, all private utilities, except for distribution mains, shall be placed underground by the developer. There shall be no overhead power lines for street lights. Gas meters shall be placed underground in an appropriate box located in the parkway as approved by the City, or placed adjacent to the residential structure. If adjacent to the residential structure, the backside of the meter and pressure reducing valve shall be at least one foot from the finished edge of the residence, but not more than two feet. (Ord. 2008-8, 4/22/08)

2.11.2 Fire Flow Requirement

No building permit shall be issued by the City for construction, if that proposed construction does not meet the fire flow requirements. Minimum acceptable flow for fire protection is five hundred (500) gallons per minute (gpm) for a duration of not less than two (2) hours. This flow must be met with the water supply system remaining at or above a pressure of twenty (20) pounds per square inch (psi). All water mains must be a minimum of eight inches (8") diameter. Water mains shall be Polyvinyl Chloride Pipe (PVC) and shall be designed, manufactured, and tested in accordance with the applicable requirements of AWWA C-900 and AWWA M-23. Eight inch (8") through twelve inch (12") pipe shall be pressure class 150, DR18. Pressure class requirements for larger diameter pipes shall be subject to the approval of the City Engineer. These requirements apply to all new development, including residential, commercial, and industrial building uses. Any variation in these requirements is subject to the approval of the City Engineer.

2.12 Park and Playground Sites

In a residential subdivision of twenty (20) acres or more, the subdivider is required to dedicate five (5) percent of the total area of the subdivision that is not in the floodplain for park purposes or pay an escrow, with terms established by the city, in lieu of the parkland dedication. All dedication of land is subject to the approval of the City.

Park and playground sites shall be reserved as indicated on the Future Land Use Plan. Size shall be in accordance with the City's Comprehensive Plan for the park system.

2.13 School Sites

Location and size of school sites to be in accordance with the requirements of the school district and approved by the City of Taylor. All other conditions of this Ordinance shall also apply.

2.14 Sidewalks

The subdivider is responsible to note the location of sidewalks on the plat. The builder shall be responsible for constructing sidewalks in all residential districts. Sidewalks shall be installed on at least one side of the street, be a minimum of four (4) feet in width and be in compliance with the Americans with Disabilities Act (ADA). All sidewalks must be in compliance with specifications provided by the City Engineer.

2.15 Acceptance of Public Improvements

Prior to final acceptance for maintenance of the completed improvements by the City Council, the subdivider shall file with the City Engineer or City Manager the following:

1. A two (2) year, one-hundred percent (100%) percent maintenance bond of the contract price executed by a corporate surety licensed to do business in the State of Texas, conditioned that the improvements are free from defects in materials and workmanship.

2. Three (3) sets of reproducible "record drawings" for each project, which further contain or have attached certification from a professional engineer that all improvements comply with this Ordinance.

3. An affidavit from the subdivider stating that to the best of his information and belief, the contractor has complied with the regulations contained in this Ordinance.

4. Exemption: No maintenance or performance bond is required when the cost of the public improvements are expected to be less than five thousand (5,000) dollars. (ord. 2006-34)

2.16 Final Plat Acceptance

The acceptance of a final plat by the City does not in any manner obligate the City to finance or furnish any improvements of any kind within the approved subdivision.

2.16.1 Final Plat Expiration

From the date of Planning and Zoning Commission approval, a final plat will expire no later than six (6) months from the date of the Planning and Zoning Commission approval of the final plat of the approval if:

1. the plat has not been filed for record in the County Clerks office in Williamson County Texas; or

2. construction has not commenced and reasonable construction progress has been completed as determined by the City; or;

3. an appeal of the City determination of construction progress to the Planning and Zoning Commission has been rejected by the Planning and Zoning Commission; or

4. an extension to the filing or construction requirement has not been approved by the Commission. (Ord. 2007-12, 6/14/07)

2.17 Building Permits and Fees

Plans submitted for building permits shall not be approved and no permits shall be issued until the public improvements are accepted by the City, all appropriate fees are paid, and the plat is filed for record with the Williamson County Clerk's Office.

ARTICLE III: COMMERCIAL DESIGN AND IMPROVEMENT STANDARDS

2.18 Lots

The lot design should provide for adequate width and depth to provide sufficient area for design components including but not limited to landscaping, parking and open area and to eliminate overcrowding, if applicable. Lots should be rectangular so far as practical and should have the side lot lines at right angles to the streets on which the lot faces or radial to curved street lines.

1. All lots must front on a public street right-of-way.
2. All lots shown must conform to the minimum requirements of the zoning district in which it is located.
3. An individual sewer tap and water tap shall be installed for each lot.

2.18.1 No building permit shall be issued by the city for new construction or a renovation greater than fifty (50%) percent of replacement value, if that proposed construction will cross a lot line.

2.19 Blocks

Blocks are to be numbered consecutively within the overall plat and/or sections of an overall plat as recorded. All lots are to be numbered consecutively within each block. Lot numbering continues from block to block in a uniform manner that has been approved on an overall preliminary plat.

2.20 Streets

The subdivider shall be responsible for the construction of the adjacent half of all perimeter streets surrounding the subdivision that are not improved to city standards. Perimeter street subdivision requirements include all commercial subdivisions. In lieu of constructing perimeter streets, the City Manager may approve an escrow of one-half (1/2) of the cost. The cost must be approved by the City Engineer.

2.20.1 Street Arrangements

Unless otherwise approved by the Planning and Zoning Commission, provision shall be made for the extension of arterial streets. Collector streets shall be provided for the circulation of traffic through the subdivision and the connection thereof to the arterial streets. All arterial and collector streets shall be continuous or in alignment with existing

streets unless variations are deemed advisable by the City Engineer due to topography and requirements of traffic circulation.

2.20.2 Arterial Street Requirements

Arterial Street Curves. Curves in arterial streets are to have a centerline radius of two thousand (2,000) feet or more with exceptions to this standard granted only by the City Engineer. Reverse curves are to be separated by a minimum tangent of one hundred (100) feet.

Arterial street locations, alignments, widths, and cross-sections are designated on the Thoroughfare Plan.

2.20.3 Collector Street Curves

Secondary or collector streets are to have a centerline radius of eight hundred (800) feet or more with exceptions to this standard granted only by the City Engineer.

2.21 Utility Easements

The subdivider may be responsible for dedicating utility easements to the City. Easements shall be worked out with private utility companies prior to plat submittal to the City.

2.22 Drainage

Adequate drainage shall be provided within the limits of the subdivision. The protection of adjoining property will be considered in the review of plans submitted. The subdivider shall be responsible for constructing all drainage improvements.

2.22.1 Design

Design of all drainage facilities, including but not limited to streets, inlets, storm sewers, outfalls, culverts, ditches and channels shall conform to normally accepted engineering standards as determined by the City Engineer. Under no circumstances will drainage be allowed to result in a negative effect upstream or downstream.

2.23 Water and Sewer

The subdivider is responsible for extending utilities to the development site and shall make the necessary arrangements therefore with the applicable private utility companies and the City. The City may participate in the oversizing of utilities if desired to serve further development.

2.23.1 Utilities Furnished or Supplied by City

Sewer. Sanitary sewers shall be installed to serve each subdivided or platted lots within the corporate limits of the City and within the extraterritorial jurisdiction. All sewer systems shall be extended across lots to the adjacent property lines.

Water. Water lines shall be installed to serve each subdivided or platted lots within the corporate limits of the City and within the extraterritorial jurisdiction. All water systems shall be extended across lots to the adjacent property lines.

All public improvements shall be the responsibility of the developer. Upon approval and acceptance of the water and sewer utilities by the City, the systems become the property of the City.

2.23.1.1 Private Utilities

Private Utilities – Within new subdivisions, all private utilities, except for distribution mains, shall be placed underground by the developer. There shall be no overhead power lines for street lights. Gas meters shall be placed underground in an appropriate box located in the parkway as approved by the City, or placed adjacent to the residential structure. If adjacent to the residential structure, the backside of the meter and pressure reducing valve shall be at least one foot from the finished edge of the residence, but not more than two feet.

2.23.2 Fire Flow Requirement

No building permit shall be issued by the City for construction, if that proposed construction does not meet the fire flow requirements. Minimum acceptable flow for fire protection is five hundred (500) gallons per minute (gpm) for a duration of not less than two (2) hours. This flow must be met with the water supply system remaining at or above a pressure of twenty (20) pounds per square inch (psi). All water mains must be a minimum of eight inches (8") diameter. Water mains shall be Polyvinyl Chloride Pipe (PVC) and shall be designed, manufactured, and tested in accordance with the applicable requirements of AWWA C-900 and AWWA M-23. Eight inch (8") through twelve inch (12") pipe shall be pressure class 150, DR18. Pressure class requirements for larger diameter pipes shall be subject to the approval of the City Engineer. These requirements apply to all new development, including residential, commercial, and industrial building uses. Any variation in these requirements is subject to the approval of the City Engineer.

2.24 Sidewalks

The subdivider is responsible to note the location of sidewalks on the plat. Sidewalks shall be constructed and extended across their property along the perimeter of all property boundaries adjacent to public right-of-ways. Sidewalks shall be a minimum of four (4) feet in width and be in compliance with the Americans with Disabilities Act (ADA). All sidewalks must be in compliance with specifications provided by the City Engineer.

2.25 Acceptance of Public Improvements

Prior to final acceptance for maintenance of the completed improvements by the City Council, the subdivider shall file with the City Engineer or City Manager the following:

1. A two (2) year, one-hundred (100%) percent maintenance bond of the contract price executed by a corporate surety licensed to do business in the State of Texas, conditioned that the improvements are free from defects in materials and workmanship.

2. Three (3) sets of reproducible "record drawings" for each project, which further contains or has attached certification from a professional engineer that all improvements comply with this Ordinance.

3. An affidavit from the subdivider stating that to the best of his information and belief, the contractor has complied with the regulations contained in this Ordinance.

4. Exemption: No maintenance or performance bond is required when the cost of the public improvements are expected to be less than five thousand (5,000) dollars. (ord. 2006-34)

2.26 Final Plat Acceptance, Filing, and Issuance of Building Permit

The acceptance of a final plat by the City does not in any manner obligate the City to finance or furnish any improvements of any kind within the approved subdivision.

The duly approved plat shall be recorded for record with the Williamson County Clerk's Office following the acceptance of the public improvements by the City, if applicable; and in the event there are no public improvements, prior to the issuance of the building permit.

2.27 Building Permits and Fees

Plans submitted for building permits shall include the necessary drainage related facilities.

Permits for the construction of new, renovated, expanded or reconstructed facilities that include public improvements, shall not be issued until the City has approved the construction plans and all of the applicable fees are paid.

Permits for the construction of new, renovated, expanded or reconstructed facilities that do not include public improvements, shall not be issued until the City has approved the construction plans, the payment of all applicable fees, and the duly approved plat is filed for record with the Williamson County Clerk's office.

2.28 Work in Right of Way

Any work occurring within the City's Right of Way including, without limitation, installation or relocation of utilities such as electric, gas, cable, landscaping, or drainage shall require a permit prior to any work. (Ord. 2007-12, 6/14/07)

Chapter 3
Review and Approval Procedures for Planning and Zoning Commission

3.1 Subdivision Concept Plan

Prior to completion of the preliminary plat, the developer or owner shall meet with the City Manager or his designee to discuss the "concept" of the proposed project. At this conference, the City Manager or his designee will provide information to the subdivider regarding utility, street, drainage and zoning constraints. In the event preliminary and final plats are not required, the concept plan shall be mandatory.

3.2 Subdivision Preliminary Plat

The developer or owner of the land to be subdivided shall submit a preliminary plat of the entire area under one ownership at the time the preliminary plat is submitted. Twelve (12) copies of a preliminary plat shall be submitted to the City for presentation to the Planning and Zoning Commission twenty-one (21) days prior to the meeting at which approval is sought. The plat shall be drawn to a scale of one inch equals one hundred feet (1"=100'), and shall show or be accompanied by the following information:

1. Name of subdivision (check for duplication).
2. Legal description of the land being subdivided attached to preliminary plat.
3. Total acreage and total number of lots and blocks.
4. Name of owner and address (unless given in letter of transmittal). If owner is a company or corporation, name of responsible individual such as a president or vice-president must be given.
5. Name of registered engineer or public surveyor.
6. Scale: One inch equals one hundred feet (1"=100') (consent of Planning and Zoning Commission needed for smaller scale and then only if lots are more than one-half (½) acre in area).
7. North arrow: North to be at top of sheet if possible.
8. Date: Each revision to bear new date.
9. Boundaries:
    a. Ownership boundaries drawn in very heavy lines, with overall dimensions and bearings.
    b. Lines outside of boundaries of proposed subdivision to be dashed.

c. Provide a tie to an original corner of the original survey of which said land is a part.

10. Adjacent Property: Name and adjacent boundary location of subdivision, streets, easements, pipelines, watercourses, etc.

11. Topography Within the Subdivision: Water courses and ravines, showing high bank and width of existing or proposed easements, and contour lines at two (2) foot intervals and any other physical features pertinent to the subdivision.

12. Existing Features Inside Subdivision: Location and width of existing rights-of-ways, streets, alleys, easements and transportation features.

13. Proposed Features Inside Residential Subdivision:

    a. Location, width, and name of streets.

    b. Width and depth of all lots.

    c. Location of building lines, alleys and easements.

14. Plans shall show the limits of the one hundred (100) year floodplains and floodways for all waterways.

15. Easements: A copy of the instrument establishing any private easement shall be submitted with the preliminary plat. Easement boundaries must be tied by dimensions to adjacent lot and tract corners. Where the private easement has no defined location or width, an effort shall be made to reach agreement on a defined easement. Where no agreement can be reached, then pipelines shall be accurately located and tied to lot lines, and building setback lines shall be shown at a distance of ten (10) feet from and parallel to the centerline of the pipeline.

16. Engineering Data Required:

    a. Streets: Complete curve data shown on each side of street; length and bearings of all tangents; dimensions from all angle points and points of curve to an adjacent side lot line.

    b. Lots: Complete dimensions and bearings for front, rear, and side lot lines.

    c. Water Courses and Easements: Distances to be provided along the side lot lines from the front lot line to the point where the side line crosses the drainage easement line or the high bank of a stream; traverse line to be provided along the edge of all large water courses in a convenient location, preferably along a utility easement if paralleling the drainage easement or stream.

17. Special Uses: Designate any sites for churches, sewage disposal plants, water plants, business, industry or other special land uses. If proposed use is unknown, designate as unrestricted. Show location of any proposed site for a school, park or public building.

3.2.1 Review of Preliminary Plat

Following review of the preliminary plat and negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made by him/her and upon advice from the City Attorney that the requirements as to legal form have been met and upon recommendation of the City Manager, the Planning and Zoning Commission shall, within thirty (30) days, act thereon as submitted, or modified, and if approved shall express its approval as "Conditional Approval," and state condition of such approval, if any, or if disapproved, shall express its disapproval and the reasons therefore.

The action of the Planning and Zoning Commission shall be noted on three (3) copies of the Preliminary Plat, and any conditions of either approval or disapproval shall be attached to and/or referred to each plat. One (1) copy shall be returned to the subdivider and one (1) copy shall be retained by the City Manager.

Approval of the preliminary plat does not constitute acceptance of the subdivision, but is merely authority to proceed with the preparation of the final plat. No work shall be done on the subdivision before the final plat is approved. Approval of a preliminary plat expires at the end of one hundred eighty (180) days unless final plat has been submitted to the Planning and Zoning Commission. If any major changes are required by the Planning and Zoning Commission, the City Manager may require submission of a revised preliminary plat.

3.3 Final Plat

Twelve (12) white print copies of the final plat and one (1) mylar reproducible of the final plat shall be submitted to the Planning and Zoning Commission after the preliminary plat has been approved and all required changes and alterations made. No final plat will be considered unless a preliminary plat has first been submitted. Such plats shall be filed with the City Manager at least twenty-one (21) days prior to the meeting at which approval is requested. The final plat shall show or be accompanied by the following data:

1. Plats shall be drawn on eighteen by twenty-three (18 x 23) inch sheets to the scale of one inch equals one hundred feet (1"=100').

2. A title including name and subdivision, owner or owners, and registered professional land surveyor responsible for the plat and the scale and location of the subdivision with reference to an original corner of the original survey of which said land is a part, the date, north arrow, total acres and numbers of lots and blocks.

3. The certificate of the registered professional land surveyor who surveyed, mapped and monumented the land shall be placed on the face of the plat.

4. A certificate of ownership and dedication of all streets, easements, alleys, parks and playgrounds to public use forever, signed and acknowledged before a notary public by the owner and lienholder of the land.

5. An accurate on-the-ground boundary survey of the property with bearings and distances and showing the lines of all adjacent land, streets, easements, and alleys with their names and width. (Streets, alleys and lot lines in adjacent subdivision shall be shown dotted.) All necessary data to reproduce the plat on the ground must be shown on the plat.

6. Certificate of approval to be signed by the Chairman and Secretary of the Planning and Zoning Commission shall be placed on the face of the plat.

7. The plat shall show all existing features inside of the area being subdivided, such as existing water courses, railroads, width of streets, alleys and easements to be retained and other physical features deemed pertinent to the subdivision.

8. Streets, alleys and easements to be dedicated will be shown with the following engineering data: complete curve data shown on each side of the street; length and bearings of all tangents; dimensions from all angle points of curve to an adjacent side lot line.

9. Water Courses and Easements: Distances to be provided along the side lot lines from the front lot line or the high bank of a stream; traverse line to be provided along the edge of all large water courses in a convenient location, preferably along utility easement if paralleling the drainage easement or stream.

10. Drainage and Floodplains:

    a. All subdivisions shall provide adequate drainage easements to cover one hundred (100) year floodplain areas, drainage channels, pipe systems and any other related drainage facilities. Limits of the one hundred (100) year floodplains and floodways shall be shown.

    b. The final plat shall establish specific minimum floor slab elevations for construction of any structures on a lot within the one hundred (100) year floodplain to be a minimum of two (2) feet above the one hundred (100) year floodplain.

    c. The final plat shall also contain certification by a licensed professional engineer that certifies that the information contained on the plat complies with all ordinances adopted by the City.

11. Lot and block lines and numbers of all proposed lots and blocks with complete dimensions for front, rear and side lot lines. Building setback lines shall be shown on all lots.

11. Twelve (12) sets of plans and specifications for water, sewer, paving and drainage prepared by a registered engineer must be approved by the City Engineer prior to the beginning of any construction of the subdivision.

13. Final Plat Expiration. From the date of Planning and Zoning Commission approval, a final plat will expire no later than six (6) months from the date of the Planning and Zoning Commission approval of the final plat of the approval if:
    1. the plat has not been filed for record in the County Clerks office in Williamson County Texas; or
    2. construction has not commenced and reasonable construction progress has been completed as determined by the City; or;
    3. an appeal of the City determination of construction progress to the Planning and Zoning Commission has been rejected by the Planning and Zoning Commission; or
    4. an extension to the filing or construction requirement has not been approved by the Commission. (Ord. 2007-12, 6/14/07)

3.3.1 Administrative Approval Plat (Ordinance 2008-1, 1/22/08)

Plats, replats or amended plats containing four(4) of fewer lots and requiring no extensions of municipal facilities may be administratively approved by the City Manager without consideration of the Planning and Zoning Commission if the plat, replat, or amended plat meets all applicable requirements of this Ordinance.

Amended plats as described by section 212.016 of the Local Government Code, as amended from time to time, with the exception of the authority to relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement, may be administratively approved by the City Manager, without consideration of the Planning and Zoning Commission if the plat meets all applicable requirements of this Ordinance. (Ordinance 2005-1, July 26, 2005)

The City Manager shall not disapprove a plat, replat or amended plat submitted under this section and shall instead refer any plat, replat, or amended plat which the City Manager refuses to approve to the Planning and Zoning Commission for its consideration. Any such plat, replat or amended plat shall be acted on by the Planning and Zoning Commission.

The City Manager shall provide to the Planning and Zoning Commission periodic reports requiring administratively approved plats, replats or amended plats.

3.3.2 Requirements for Easements

Prior to approval of the final plat, the subdivider of any subdivision plat wherein public streets or easements are shown crossing private easements or fee strips shall, by letter to the Planning and Zoning Commission, assume responsibility for seeing that any adjustments and protection of existing pipelines, electrical transmission lines, or other facilities shall be planned and provided for to the satisfaction of the holder of the private easements or fee strips and the City Manager prior to the filing of the plat for record.

Prior to the filing of the final plat for record, the following requirements must be met:

1. The subdivider of any plat shall obtain from the holder of any private easement or fee strip within the plat crossed by proposed streets or other public easements an instrument granting to the public the use of the said public streets or easements over and across said private easements or fee strips for construction, operation, and maintenance of those public facilities normally using the type of public streets and easements indicated. This instrument shall be delivered to the Planning and Zoning Commission to be filed for record along with the plat.

2. The subdivider shall furnish the Planning and Zoning Commission with a letter from the holder of the private easements or fee strips in question stating that arrangements in pipelines, electric transmission lines, or other similar facilities have been made to the satisfaction of the holder of the easement.

3. The developer shall provide the Planning and Zoning Commission with a letter from the City Manager stating that arrangements for all matters pertaining to any necessary adjustments have been made to the satisfaction the City.

4. Easement for drainage adjacent to lots, tracts, or reserves shall be noted: "This easement shall be kept clear of fences, buildings, planting, and other obstructions to the operations and maintenance of the drainage facility."

3.4 Performance Bond

Prior to approval of the final plat, the subdivider shall file with the City Manager a performance bond executed by a corporate surety licensed to do business in the State of Texas, in an amount equal to the cost of the uncompleted and unaccepted improvements required by this Ordinance, as approved by the City Engineer, conditioned that the subdivider will complete such improvements within two (2) years from the date of final plat approval. Such bond shall conform to forms approved by the City.

3.5 Improvement Plans

Plans and specifications for all improvements must be approved by the City Engineer prior to the time the work on such improvements is commenced. Any improvement made shall be subject to the approval and acceptance of the City Engineer.

The engineer representing the subdivider must present to the City Manager, reproducible complete "record drawings" for all paving, drainage structures, water lines, and sewer lines prior to final acceptance of public improvements.

3.6 Variances

The Planning and Zoning Commission may authorize a variance from these regulations when, in its opinion, undue hardship on the part of the subdivider will result from requiring strict compliance. In granting or imposing a variance, the Planning and Zoning Commission shall prescribe only conditions that it deems necessary to the public interest. In making the findings herein required, the Planning and Zoning Commission shall take

into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, and welfare in the vicinity. No variance shall be granted or imposed unless the Planning and Zoning Commission finds:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land or the City of orderly development; and

2. That granting of the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and

3. That the granting or imposition of the variance will not be detrimental to the public health, safety and welfare; and

4. That the granting or imposition of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Ordinance. Such findings of the Planning and Zoning Commission together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Planning and Zoning Commission meeting at which such variance is granted or imposed. Variances may be granted or imposed only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety, and welfare may be secured. Pecuniary hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship. All variances shall be granted or imposed on a case-by-case basis and no variance shall be construed to serve as a precedence for subsequent variances.

3.7 Review Procedure

Following a review of the final plat, and when to the satisfaction of the City Manager and City Attorney that all required conditions and requirements have been met, the Planning and Zoning Commission shall approve the said plat. Should the final plat, as submitted, fail to meet the conditions, and requirements of this Ordinance, then the Planning and Zoning Commission shall disapprove said plat and note its disapproval thereon, and attach thereto a statement of the reasons for disapproval.

Chapter 4
Enforcement

4.1 Enforcement Responsibility

This Ordinance shall be administered and enforced by the City Manager.

4.2 Compliance Required

No person may use, occupy or develop land, buildings or other structures, or authorize or permit the use, occupancy or development of land, buildings or other structures except in accordance with all provisions of this Ordinance.

4.3 Remedies and Enforcement Powers

4.3.1 Violations

Any person, firm or corporation violating this provision shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Taylor, Texas, shall be subject to a fine not to exceed the sum of five hundred dollars ($500.00) for each offense, except however, where a different penalty has been established by state law for such offense the penalty shall be that fixed by state law, and for any offense which is a violation of any provision of law that governs fire safety, zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed the sum of two thousand dollars ($2,000.00) for each offense; and each and every day said violation is continued shall constitute a separate offense.

4.3.2 Stop Work

Whenever any construction work is being done contrary to the provisions of this Ordinance, the Enforcement Officer may order the work stopped by notice in writing served on the owner or contractor doing or causing such work to be done, and such person shall forthwith stop such work until authorized by the Enforcement Officer to proceed with the work.

4.3.3 Inspections

The Enforcement Officer shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance.

4.4 Enforcement Procedures

4.4.1 Notice

The Enforcement Officer shall give written notice by certified mail to the owner of land on which a violation exists. The notice shall state the nature of the violation.

4.4.2 Notice of Criminal Penalty

In no case shall any person acting on behalf of the City seek a criminal penalty for violation of this Ordinance without giving thirty (30) days prior notice of the violation, specifying the action necessary to correct the violation and avoid criminal prosecution.

4.5 Other Enforcement Powers

In addition to the enforcement powers specified in this Ordinance, the City may exercise any and all enforcement powers granted to it by Texas law, as it may be amended from time to time.

4.5.1 Continuation

Nothing in this Ordinance shall prohibit the continuation of previous enforcement actions, undertaken pursuant to previous, valid resolutions, ordinances and laws.

Chapter 5
Definitions

5.1 Terms Defined

Words and terms used in this Subdivision Ordinance shall be given the meanings set forth in this Chapter. All words not defined shall be given their common, ordinary meanings, as the context may reasonably suggest. In case of a dispute over the meaning of a term not defined in this Ordinance, or over the application of a definition that is set forth, the Building Official shall give a written interpretation in accordance with the procedures and standards of procedures in Section 1.8, "Written Interpretations."

Alley - A public right-of-way which affords a secondary means of access to abutting property.

Arterial Street - A principal traffic thoroughfare which more or less continues across the City which serves to connect remote parts of the City. It may also be a principal connecting street with the state and federal highways. Such arterial streets or thoroughfares are all such streets which will be indicated on the Thoroughfare Plan which will hereafter be adopted and placed on file with the Planning and Zoning Commission and City Engineer.

Basement - A story partially (at least fifty (50) percent), measured from floor to ceiling, below the average level of the ground surrounding the building. A basement is not counted when measuring the height of a building.

Block - A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, airport boundaries, or corporate boundary lines.

Block Face - A side of a block facing upon a street, within which lots face the abutting street.

Buildable Width - The width of the building site left to be built upon after the required side setbacks are provided.

Building - Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind.

Building Height - The vertical distance between the average finished grade at the base of the building and: (a) the highest point of the coping of a mansard or flat roof or (b) the mid-point between the eaves and ridge line of a gable, hip or gambrel roof. In the case of fences or walls, height shall be measured on the side with the least vertical exposure above finished grade to the top of the fence or wall.

Building Line - The rear line of a required front setback that is generally parallel to the street line forming the front line.

Building Lot - A single tract of land located within a single block that (at the time of filing for a building permit) is designed by its owner or developer under single ownership or control. It shall front upon a street or approved place. Therefore, a "building lot" may not

coincide with a lot of record. A "building lot" may be subsequently subdivided into two or more "building lots," subject to the provisions of this Ordinance.

Building Mixed - A building used partly for residential use and partly for community facility and/or commercial use. A mixed building is a commercial use.

Building, Principal - A building in which the principal use of the lot on which it is located is conducted. All residential uses, except bona fide servants' quarters, are principal uses.

Building, Residential - A building which is arranged, designed, used, or intended to be used for residential occupancy by one or more families or lodgers.

City - City of Taylor, Texas.

City of Taylor Engineering Manual & Details – The engineering manual adopted February 9, 2010, by Ordinance 2009-37, and any engineer manual adopted by the City of taylor, Texas, by ordinance after March 24, 2011, superseding or repealing Ordinance 2009-37. (Ord 2011-12, 4/14/11)

Collector Street - A street that continues through several residential districts and is intended as a connecting street between residential districts and arterial streets or thoroughfares or business districts. Such secondary or collector streets will also be indicated in the Thoroughfare Plan when adopted which will be placed on file with the City Engineer.

Commission - The Planning and Zoning Commission of the City of Taylor, Texas.

Construction Plans – shall mean the scaled and dimensioned drawings intended to identify exactly how a proposed project will be constructed. Construction plans include, but are not limited to, the following information: cover sheet, plat, site plan, landscape plan, sign plan, drainage plans and calculations, building plans, plans for both public and private utilities, construction details, etc.

Development, or to Develop - The construction of a new building or any structure on a building lot, the relocation of an existing building on another building lot, or the use of open land for a new use. To "develop" is to create a development.

Distribution Mains – Off-site utilities serving a subdivision and other areas, that are not laterals or service lines.

Drainage Facilities: All facilities constructed within a subdivision related to storm water drainage, including but not limited to swales, lawn areas, fences, structures, drainage facilities, drainage pipes, pumps, and detention and retention ponds. (Ord. 2007-12, 6/14/07)

Dwelling Unit - One or more rooms, which are arranged, designed, used, or intended to be used for occupancy by a single family or a group of persons living together as a family or by a single person. Individual bathrooms and complete kitchen facilities permanently installed are not necessarily provided. Each installation of kitchen facilities consisting of at

least a stove or cooking device and a sink shall constitute a separate dwelling unit. Apartment units in apartment hotels are dwelling units.

Extraterritorial Jurisdiction - That area adjacent to the corporate limits of the City over which the City is authorized to control, among other things, subdivisions as prescribed or defined by law or by statutes.

Family - One or more persons related by blood, marriage, or adoption; or a group not to exceed four (4) persons not all related by blood or marriage, adoption or guardianship, occupying a dwelling unit.

Four-Family Residential - The use of a lot for four (4) dwelling units, other than mobile homes, within a single structure.

Home Owner's Association (HOA): an organization authorized by the Texas Property Code Section 202 that is established in part to provide for the maintenance of required drainage improvements. (Ord. 2007-12, 6/14/07)

Landscape - Trees, shrubs, ground cover, vines or grass installed in planting areas.

Lot Area or Lot Size - The amount of horizontal land area within lot lines. No building permit or development approval shall be issued for a lot that does not meet the minimum lot size requirements of this Ordinance.

Lot Area per Dwelling Unit - The lot area required for each dwelling unit located on a building lot.

Lot, Corner - A building lot situated at the intersection of two streets, the interior angle of such intersection not to exceed one hundred thirty-five (135) degrees.

Lot, Double Frontage - A building lot not a corner lot, both the front and rear lot lines which adjoin street lines. On a double frontage lot, both street lines shall be deemed front lot lines unless contrary to any restrictive covenant applicable to said property.

Lot, Interior - A building lot other than a corner lot.

Lot, Reverse Corner - A corner lot, the rear lot line of which abuts the side lot line of the lot to its rear.

Lot Line - A boundary of a building lot.

Lot Line, Front - The boundary of a building lot which is the line of an existing or dedicated street. Upon corner lots either street line may be selected as the front lot line provided a front and rear setback are provided adjacent and opposite, respectively to the front line, and provided further that same does not violate any restrictive covenant applicable to said property.

Lot Line, Rear - The boundary of a building lot which is most distant from and is, or is most nearly, parallel to the front lot line.

Lot Line, Side - Any boundary of a building lot which is not a front lot line or a rear lot line.

Lot of Record - An area of land designated as a lot on a plat of a subdivision recorded pursuant to statutes of the State of Texas with the County Clerk (County of Williamson) or an area of land held in single ownership described by metes and bounds upon a deed recorded or registered with the County Clerk.

Lot Width - The minimum distance measured in a straight line between the side lot lines of a building lot along a straight line, which shall be on the side of the building line opposite from the front line and one which must touch the building line at one point.

Maintenance Agreement - An agreement between the City of Taylor, Texas and a Developer that will insure that installed appurtenances will be maintained in accordance with best management practices. (Ord. 2007-12, 6/14/07)

Manufacturing, Limited - Light manufacturing processes unlikely to generate potentially harmful nuisance impacts such as noise, vibration, dust, odor, smoke, gas or fumes on adjacent property.

Manufacturing, General - An establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales and distribution of such products, but excluding basic industrial processing.

Manufactured Home Park (also Trailer Park or RV Park) - A parcel of land not less than five (5) acres nor greater than twenty- five (25) (for short- or long-term occupancy) by manufactured homes in designated spaces. Facility may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities.

Manufactured Home Subdivision - A parcel of land which is designed, planed, improved and intended for the long-term placement of individually owned HUD-Code manufactured homes on platted lots which can be purchased outright by the owners. Facility may include a residence for the owner/manager of the premises, utility hook-ups, accessory structures, playgrounds and open space areas, fenced yard areas for pets, and other similar amenities.

Manufactured Housing - Any one of three types of prefabricated housing products which are typically manufactured/assembled at a location other than the end user's permanent site, and which are, regulated by the Texas Manufactured Housing Standards Act (Article 5221f and 5221f-1, V,A.C.S.). For the purpose of this Ordinance, there are three types of manufactured homes:

1. Mobile Home - A movable dwelling designed to be transported on its own chassis on the highway (either intact or in major sections) by a prime mover, which is constructed with a base section so as to be independently self-supporting, and which does not require a permanent foundation for year-round living. A mobile home is also defined as any manufactured home that was constructed prior to June 15, 1976.

2. HUD-Code Manufactured Home - A movable dwelling designed to be transported on the highway (either intact or in major sections) by a prime mover, which can be used as a residential dwelling either with or without a permanent foundation. A HUD-Code manufactured home is also defined as a movable manufactured home that was constructed after June 15, 1976

3. Industrialized Home (also called Modular Prefabricated Structure or Modular Home) - A structure or building module as defined under the jurisdiction and control of the Texas Department of Labor and Standards, that is transportable in one or more sections on a temporary chassis or other conveyance device, and that is designed to be installed and used by a consumer as a fixed residence on a permanent foundation system. The term includes the plumbing, heating, air conditioning and electrical systems contained in the structure. The term does not include mobile homes or HUD-Code manufactured homes as defined in the Texas Manufactured Housing Standards Act (Article 5221f, V.A.C.S.). Industrialized homes must meet all applicable local codes and zoning regulations that pertain to construction of traditional site constructed ("stick built") homes.

Motel or Hotel - A facility offering temporary lodging accommodations or guest rooms on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, housekeeping service and recreational facilities. A guestroom shall be defined as a room designed for the overnight lodging of hotel guests for an established rate or fee.

Municipal Facility or Use - Any area, land, building, structure and/or facility which is owned, used, leased or operated by the City of Taylor, Texas.

Multi-Family Residential - Any structure containing five (5) or more dwelling units.

Nonconforming Structure - Buildings and structures constructed prior to April 12, 2001 that do not comply with the setback, height, lot size or other dimensional or property development-related standards of the zoning district in which such buildings or structures are located.

Nonconforming Use - Uses that were established prior to April 12, 2001 that do not conform to the use regulations of the zoning district in which such uses are located.

Off-Site Improvements: Improvements made to a parcel of property in accordance with local policies that are not contained within the boundaries of the property. (Ord. 2007-12, 6/14/07)

Off-Street Parking Incidental to Main Use - Off-street parking spaces provided in accordance with the requirements of this Ordinance, located on the lot or tract occupied by the main use or within one hundred fifty feet (150') of such lot or tract, and located within the same zoning district as the main use or in an adjacent parking district.

On-Site Improvements: Improvements made to benefit a parcel or parcels of property in accordance with local policies that are within the boundaries of property being improved. (Ord. 2007-12, 6/14/07)

Open Space - That part of a building lot, including courts or setbacks, which is open and unobstructed from its lowest level to the sky, and is accessible to all residents upon a building lot, and is not part of the roof or that portion of the building containing dwelling units.

Park and Recreation, Public - An open recreation facility or park owned and operated by a public agency, such as the park department or school board and available to the general public.

Parking Lot, Space - A surface area, enclosed or unenclosed sufficient in size to store one automobile together with a surfaced driveway connecting the parking space with the street or alley and permitting ingress and egress of an automobile. A "parking space" shall not occupy any public land.

Parking Lot - An off-street (i.e., not on a public street or alley), ground level area, paved in accordance with City of Taylor parking lot standards for the short- or long,-term storage of motor vehicles.

Parking Lot or Structure, Commercial (Auto) - An area or structure devoted to the parking or storage of automobiles for a fee which may include, in the case of a parking structure only, a facility for servicing automobiles provided that such facility is an internal function for use only by automobiles occupying the structure and that such facility creates no special problems of ingress or egress.

Park or Playground (Private) - See "Private Recreation Facility".

Park or Playground (Public) - See "Public Recreation".

Permanent Foundation - A structure or structures in direct contact with the earth, continues in design and strength to anchor and supported a structure to said earth, designed to support a buildings dead and live loads, designed not to change in condition or place, constructed of a material that does not rot or deteriorate.

PID: Public Improvement District as authorized by section 372 of the Texas Local Government Code. (Ord. 2007-12, 6/14/07)

Plat - A map or chart of the subdivision. It shall include plan, plat or replat, both singular and plural.

Public Improvements – any water, wastewater, paving, and drainage facility that will be maintained by the City.

Public Infrastructure - any portion of a street, drainage, water, and wastewater improvement system, including but not limited to any and all appurtenances related to such system, whether on or off-site, which is intended to serve more than one parcel of property, connects to existing public infrastructure, or intended to provide for the public health, safety, and welfare of the community. (Ord. 2007-12, 6/14/07)

Public Recreation - Publicly owned and operated parks, recreation areas, playgrounds, swimming pools and open spaces that are available for use by the general public without

membership or affiliation. This land use shall include special event type uses such as rodeos, concerts, festivals and other special events.

Re-subdivision - The division of an existing subdivision, together with any change of lot size therein, or with relocation of any street lines.

Setback - The unobstructed, unoccupied open space between a structure and the property line of the lot on which the structure is located. Setbacks shall be unobstructed from the ground to the sky and measured as the horizontal distance between a property line and the furthermost projection of the structure, except as provided otherwise in this Ordinance.

Setback, Front - A setback extending along the whole length of the front lot line between the side lot lines, and being the minimum horizontal distance between street line and the main building or any projections thereof other than steps, planter boxes, and unenclosed porches.

Setback, Rear - A setback extending across the rear of a lot between the side lot lines and being the minimum horizontal distance between the rear lot line and the rear of the principal building or any projections thereof other than steps, unenclosed balconies, or unenclosed porches.

Setback, Side - A setback extending along the side lot line from the front setback to the rear setback, being the minimum horizontal distance between any building or projections thereof except steps and the side lot line.

Single-Family Dwelling, Attached (Townhouse) - A dwelling which is joined to another dwelling at one or more sides by a party (i.e., shared) wall, which is designed for occupancy by one family, and which is located on a separate lot delineated by front side and rear lot lines.

Single-Family Dwelling, Detached - A dwelling designed and constructed as a freestanding structure for occupancy by one family, and located on a lot or separate building tract having no physical connection to a building located on any other lot or tract.

Storage Unit - (a) a structure, larger in size than six feet by eight feet (6 x 8), used for incidental storage or workspace at a residence, or (b) a series of enclosed units attached to permanent foundations that are leased or sold for the purpose of storing goods.

Story - That part of a building between the surface of a floor and the ceiling immediately above.

Street - A public right-of-way which affords a primary means of access to abutting property. A driveway or alley which serves only to give secondary vehicular access to a building lot or to an accessory parking or loading facility, or to allow vehicles to take or discharge passengers at the entrance to a building shall not be considered a street.

Street Width - Measurement from back-of-curb to back-of-curb.

Street Line - The right-of-way line of a street.

Subdivider - The person, firm, partnership, association, corporation or other legal entity subdividing a piece of land to be sold or otherwise handled for their own personal gain or use.

Subdivision - The division of a tract or parcel of land into two or more parts or lots for the purpose, whether immediate or future, of sale or building development or transfer of ownership, and shall include re-subdivision and shall further include both residential and business or commercial subdivision of land.

Temporary Use - Structures such as construction sheds, seats, canopies, tents and fences used in construction work or for temporary purposes such as reviewing stands, all structures shall be completely removed upon the expiration of the time limit stated in the permit.

Use - The purpose or activity for which the land, or building thereon, is designed, arranged, or intended, or for which it is occupied or maintained, and shall include any manner of such activity with respect to the standards of this Ordinance.

Use, Principal - The main use of land or buildings as distinguished from a subordinate or accessory use.

Utility, Major - Public or quasi-public utility facilities less widely distributed than essential or limited utility facilities and of such a nature as to have an high degree of impact on adjoining properties. Typical uses include electrical generating plants, regional water and wastewater treatment plants, waste transfer stations, and sanitary landfills.

Utility, Minor - Public or quasi-public utility facilities of such a nature as to have an intermediate impact on adjoining properties. Typical uses include electrical and natural gas substations, communication equipment exchanges, construction/demolition landfills, reservoirs and water tanks, and radio, television and microwave transmission towers.

Utility, Private – Regulated enterprise, with or without a franchise, for providing needed service including but not limited to electric, natural gas, cable tv, and other communication systems, but not including cellular towers, that are not owned and operated by the city, county, state, federal government, or special utility district.

Visual Screen - A wall, not of living plant material, permanently affixed to the ground in which the area of all openings and cracks in each square foot of wall and entrance gates shall not exceed fourteen (14) square inches, and the wall is of sufficient height so that the objects being screened are not visible from any point on the lot line when viewed from any height between ground level and seven (7) feet above ground level. No wall shall exceed ten (10) feet in height.