

ORDINANCE NO. 103

CITY OF WALLIS SUBDIVISION ORDINANCE

- ART. I. IN GENERAL
- ART. II. PROCEDURES
- ART. III. GENERAL REQUIREMENTS AND PRINCIPLES

ARTICLE I. IN GENERAL

SEC. 1. AUTHORITY; SCOPE OF PROVISIONS.

The Advisory/Planning Committee of the City has power authority to recommend to the City Council approval of plats for subdivisions within the corporate limits of the City and for a distance surrounding the corporate limits of the City within the City's area of extraterritorial jurisdiction as authorized by the Texas Municipal Annexation Act.

SEC. 2. PENALTIES.

The penalty upon conviction for violation of this chapter shall be by fine of not more than \$200.00.

ARTICLE II. PROCEDURES

SEC. 3. GENERAL INFORMATION.

(A) DUTY OF OWNER, SUBDIVIDER.

It is suggested that each owner or subdivider of land first confer with the City Advisory/Planning Committee before preparing the preliminary plan of his proposed subdivision and secure a copy of the rules and regulations governing subdivisions of lands so that he may become thoroughly familiar with subdivision requirements and policies of the city and with the features, provisions and recommendations of the comprehensive master plan as prepared by the City Advisory/Planning Committee, which instrument is on file in the office of that body, that may relate to and have effect upon the general area in which the proposed subdivision is situated.

(B) APPLICATION FOR APPROVAL.

Whenever any subdivision of any tract of land into two (2) or more tracts is proposed to be made and before any contract for sale of or any offer to sell such subdivision or any part thereof is made and before any permit for the erection of a structure shall be granted by the city government's building inspector to the subdivider, the subdivider or owner thereof, or his agent, shall apply in

writing to the City Advisory/Planning Committee for approval of such land subdivision. The application of the subdivider, owner or agent shall conform to the specification outlined in Section 4 through Section 26 of these regulations.

(C) DEFINITIONS.

For the purposes of this Chapter, the following terms, phrases, words, and their derivations shall have the meanings ascribed to them in this section. When not inconsistent with the context, words used in the present tense include the future, words used in the singular number include the plural; and words used in the plural number include the singular. Definitions not expressly prescribed herein are to be determined according to customary usage.

- (1) ALLEY. An "alley" is a minor public right-of-way which provides a secondary means of vehicular access to abutting property and which is used primarily for vehicular traffic to the rear or side of properties which otherwise abut on a public street.
- (2) BLOCK. A "block" is a tract or parcel of land designated as such on a duly recorded plat and may be entirely surrounded by public streets or by a combination of public streets and public parks, cemeteries, railroad rights-of-way, or natural or man-made physical features that disrupt what would otherwise be an unbroken landscape (for example, ditches, gullies, ridges, etc.)
- (3) BUILDING. A "building" is any structure which is built for the support, shelter, or enclosure of persons, animals, chattels, machinery, equipment, or movable property of any kind.
- (4) BUILDING LINE OR BUILDING SETBACK LINE. The term "building line" or "building setback line" shall refer to a line parallel to the frontal street right-of-way line and the building line within which no building shall be constructed.
- (5) CITY. The word "City" shall refer to the municipal corporation, City of Wallis, Texas.
- (6) CITY COUNCIL. The words "City Council" shall mean the duly and constitutionally elected governing body of the City of Wallis, Texas.
- (7) CITY ADVISORY/PLANNING COMMITTEE. The words "City Advisory/Planning Committee" shall mean the duly organized body of citizens of the City of Wallis,

Texas, appointed the City Council, which Planning Committee charged with the responsibilities prescribed by the state statutes and as directed by the City Council.

- (8) CITY ATTORNEY. The words "City Attorney" shall mean the person employed as City Attorney of the City of Wallis, Texas, duly appointed by the City Council.
- (9) CITY ENGINEER. The words "City Engineer" shall mean the person employed as City Engineer of the City of Wallis, Texas.
- (10) COUNTY. The word "county" shall refer to the County of Austin, Texas.
- (11) COUNTY COMMISSION. The words "county commission" or "commissioner's court", as generally termed, shall mean the duly and constitutionally elected governing body of Austin County, Texas.
- (12) CROSSWALK. A public right-of-way not more than six (6) feet in width between property lines which provides pedestrian circulation.
- (13) CUL-DE-SAC. A street having but one outlet to another street and terminated on the opposite end by a vehicular turn-around.
- (14) DEVELOPER. The word "developer" shall mean any person or person, firm, or corporation subdividing a tract or parcel of land to be sold or otherwise handled for their own personal gain of use.
- (15) DEAD-END STREET. The term "dead-end street" means a street, other than a cul-de-sac, with only one outlet.
- (16) DOUBLE FRONT LOT. A "double front lot" means a building lot, not a corner lot, which has frontage on two streets that are parallel or within forty-five (45) degrees of being parallel to each other.
- (17) ENGINEER. The word "engineer" means a person duly authorized and licensed under the provision of the Texas Engineering Registration Act, as heretofore or hereinafter amended, to practice the profession of engineering.
- (18) EASEMENT. The word "easement" means a strip of land reserved for the use of the public by the grantor, usually at the rear or side of lots or parcels of

land, in which to install and maintain utility lines, drainage ditches or channels, or for other city or public services; the ownership or title to the land encompassed by the easement, the grantor is in effect vesting the public with authority to control the use of land within the easement and, in exercising such control, the City may specify that no building or part of a building or other permanent structure or fence, shrubbery or trees, may be located within the limits of the easement.

- (19) EXTRATERRITORIAL JURISDICTION. Within the terms of the Texas Municipal Annexation Act, the term "extraterritorial jurisdiction" means the unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the City of Wallis, the outer boundaries 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 of Wallis, in which area, with the terms of the act, the City may enjoin the violation of its subdivision control ordinance.
- (20) FILING DATE. The term "filing date" shall refer to the date which is five (5) days prior to the regular meeting of the City Advisory/Planning committee at which the subdivision plat (preliminary or final) is to receive consideration.
- (21) FILING FEE. The term "filing fee" shall refer to the prescribed plat and lot fee rates, as hereinafter stipulated, to accompany the filing with the City Advisory/Planning Committee or preliminary and final subdivision plats.
- (22) FINAL PLAT. The term "final plat" shall refer to the map or plan of the proposed subdivision submitted to the City Advisory/Planning Committee on or before the "filing date", as the term is defined herein, for approval by the City Advisory/Planning Committee, and said plat shall be prepared in accordance with this chapter.
- (23) FRONT OR FRONTAGE. The term "front or frontage" shall be that portion of a tract of land which abuts on a public street to which it has direct access.
- (24) LIVING AREA. The term "living area" shall refer to the floor area of main structure, to be constructed on such lots, exclusive of open porches, steps,

screened porte cocheres, breeze-ways, garages, and other out buildings, shall be no less than twelve hundred (1200) square feet, unless it is a VA or FHA loan and requires less or other governmental agency or government owned or sponsored housing authority or housing program. Also excluded from the requirement herein of a minimum twelve hundred (1200) square feet living area shall be residences to be constructed in a subdivision designed for retired, handicapped or aged persons, or subdivision designed primarily for duplex, triplex or fourplex residences.

- (25) LOT. The word "lot" refers to a physically undivided tract or in the future may be, offered for sale, conveyance, transfer, lease, or improvement, which is designated as a distinct and separate tract and which is identified by a lot number or tract symbol on a duly approved subdivision plat which has been properly recorded.
- (26) LOT DEPTH. The "lot depth" is the length of a straight line connecting the mid-point of the front and rear lot lines.
- (27) LOT WIDTH. The "lot width" is the average length of the front and rear property lines.
- (28) COMPREHENSIVE PLAN. The term "comprehensive plan" shall refer to the comprehensive urban plan for Wallis and adaptations, amendments, or supplements thereto, which has or have been adopted in principle by the City Advisory/Planning Committee as a guide to future development of the City of Wallis and its surrounding area.
- (29) MAJOR STREET OR THOROUGHFARE PLAN. The term "major street" or "thoroughfare plan" shall mean the comprehensive plan of major and secondary streets and highways as a part of the city's comprehensive plan and adaptations, amendments, or supplements thereto as adopted by the City Advisory/Planning Committee and the City Council.
- (30) MAJOR THOROUGHFARE. The term "major thoroughfare" shall refer to a public street which is designed for and used for fast or heavy traffic, or is intended to serve as major trafficway of considerable continuity, and is designated as such upon the most recent plan for major thoroughfares of the City of Wallis, Texas, as adopted by the City Advisory/Planning Committee and City Council.

- (31) MAY. The word "may" is permissive.
- (32) MINOR STREET. The term "minor street" shall refer to any public street which is not classified as a major thoroughfare or secondary street.
- (33) PLAT. The term "plat" means a map, drawing, chart, or plan showing the layout of a proposed subdivision into lots, blocks, streets, parks, school sites, commercial or industrial sites, drainage ways, building lots, easements, alleys, or any similar type of plat, which a developer submits for approval and a copy of which he intends to record in final form.
- (34) PAVEMENT WIDTH. The term "pavement width" means the portion of the surface of a street available for vehicular traffic, and, where curbs are laid, it is the portion between the face of curbs.
- (35) PERSON. The term "person" means any individual, association, firm, corporation, governmental agency, or political subdivision.
- (36) PRELIMINARY PLAT. The term "preliminary plat" means the first or introductory plat of a proposed subdivision where a developer intends to submit, from time to time, additional fractional final plats.
- (37) PUBLIC EASEMENTS. A "public easement" is a right granted or dedicated to the public or governmental agency in, on, across, over, or under property for specified use or uses by an instrument or map duly recorded in the records of the county clerk of Austin, Texas.
- (38) PUBLIC STREETS. A "public street" is a right-of-way dedicated to public use for pedestrian and vehicular traffic and public utility purposes.
- (39) RESERVE. The word "reserve" shall refer to a tract, parcel, or unit of land not physically divided, having frontage on a public street, which is proposed and intended for other than single-family residential use and which is, or in the future may be, offered for sale, conveyance, transfer, lease, or improvement, and which is designated as a distinct separate tract and which is identified by reserve symbol on a duly approved subdivision plat which has been properly recorded with the County Clerk of Austin County, Texas.

- (40) RESIDENTIAL BUILDING. The term "residential building", as herein used, shall mean main structures, porches, whether screened or unscreened, breeze-ways, attached garages, detached garages, porte cocheres, steps, and projections covered by roof.
- (41) SHALL. The word "shall" is always mandatory.
- (42) STREET. The word "street" means public right-of-way, however designated, which provides vehicular circulation and access to adjacent property.
- (a) A "major street", "major thoroughfare", or "arterial street" means a principal traffic artery of trafficway, usually of more or less continuous routing over long distances, whose function is to serve as a principle connecting street with state and federal highways, and shall include each street designated as a major "thoroughfare" or "street" on the major street or thoroughfare plan of the city or so designated by the City Advisory/Planning Committee and City Council. Minimum width of right-of-way shall be eighty (80) feet.
- (b) A "secondary street" or "collector street" means a street whose function is to collect and distribute traffic between major thoroughfares and minor streets, is not necessarily of continuous routing for long distances, has intersections at grades and provides direct access to abutting property, and shall include each street designated as a "secondary street" on the major street or thoroughfare plan or so designated by the City Advisory/Planning Committee and City Council. Minimum width of right-of-way shall be seventy (70) feet.
- (c) A "minor street" means a street whose function is to provide access to abutting residential property within neighborhoods, with all intersections at grade, and not of continuous routing for any great distance so as to discourage heavy, through traffic. Minimum width of right-of-way shall be sixty (60) feet.
- (43) SIDEWALK. The word "sidewalk" means a minimum forty-eight (48) inch width Portland cement paved pedestrian walkway extending for the entire length of a block of blocks parallel to a street right-of-way line of street pavement edge, which walkway

shall be constructed with the right-of-way of any public street.

- (44) SUBDIVISION. A "subdivision" is any division of property for which a plat is required to be approved and recorded under the provision of Article 974a, Vernon's Texas Civil Statutes, Article 970a, the Texas Municipal Annexation Act, and under this chapter. The word "subdivision" shall mean any division of any tract of land situated within the corporate limits of the City of Wallis, Texas, or within the City's extraterritorial area of such limits, into two (2) or more parts for the purpose of laying out any subdivision of any tract of land or any addition of the City of Wallis or for laying out suburban lots or building lots, or any lots, streets, alleys, or parts or other portions intended for public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto. "Subdivision" shall include resubdivision and, when in context, shall relate to the process of subdividing of to the land or areas subdivided. Resubdivision shall mean the division of any existing subdivision, together with any change of lot size therein, or with the relocation of any street lines; however, it does not include the division of land for agricultural purposes in parcels or tracts of five (5) acres or more and not involving any new street, alley or easement of access. A partition subdivision is excluded from the definition herein.
- (45) SURVEYOR. The term "surveyor" means a licensed state land surveyor or a registered public surveyor, as authorized by the Texas Land Surveyors Registration Act.
- (46) PARTITION SUBDIVISION: Division of land into two or more parts without a change of actual ownership or a change of ownership only as to or between parties that are related to the second degree of consanguinity or affinity.

#### SEC. 4. SPECIFIC REQUIREMENTS AND CITY POLICY.

After the effective date hereof, the City Council will require that all land subdividers and developers shall, on all new subdivisions of land in the city and for a distance of one-half mile beyond its corporate limits, adhere to and be governed by the policies as have been established for the provision and construction of underground utilities; street improvements; alleys or easements.



(A) WATER LINES, SEWER LINES AND STORM SEWERS.

(1) The subdivider or developer, in the case of any subdivision of land, will be required to install, at his own expense, all water lines and taps, sewer lines and taps, storm sewer lines and drainage ditches and structures in accordance with the City standards and specifications governing the same, including all engineering costs covering design, layout and construction supervision. All taps must be stubbed out to property line of each lot at developers expense. Tap fees will be paid as each connection is activated. Preliminary plans and layouts for all such utility lines shall be submitted by the subdivider or developer to the City Advisory/Planning Committee for study by the city engineer along with the submission of the preliminary plat of the subdivision. Final construction plans will be submitted by the subdivider at the time of filing his final plat with the City Advisory/Planning Committee in the same number of copies as required of the subdivision plat. (Must be in compliance with City Plumbing Ordinance No. 62)

(2) There will be no participation by the City in the cost of any of the underground utility lines or drainage facilities within the subdivision except in the event of the requirement for oversize lines to serve land areas and improvements beyond the subdivision in question, or to serve other subdivisions. Each installation of this character and the terms and extent of City participation will be considered individually upon the merits of each facility and the conditions involved.

(3) Trunk lines of such systems to serve the subdivision under consideration will be considered upon each facility's individual merits for each subdivision.

(B) STREET IMPROVEMENTS, CURB AND GUTTER, PAVEMENT.

(1) The subdivider of each tract of land will be required to construct, at his own expense and to install flexible base of select material and surface the streets according to the City standards, specifications and guidelines as set out in (B) (4) including all engineering costs covering design, layout and construction supervision. Preliminary plans for such improvements shall be submitted to the City Advisory/Planning Committee for study by the city engineer and for tentative approval before any work is started in the subdivision. Detail construction plans, including plan and profile for each street, shall be filed with the submission of the final plat in the same number of copies as required of the final subdivision plat.

(2) Each street installation project will be considered by the city upon the individual merits of each project prior to construction.

(3) Sidewalks are not a specific requirement in new subdivisions. However, should a subdivider or developer elect to install sidewalks in a subdivision, preliminary plans shall be submitted along with the preliminary plat of the development and detail construction plans shall be filed for approval of the City Advisory/Planning Committee and city engineer at the time of submission of the final plat.

(4) ACTUAL GUIDELINES:

- (a) All streets within the City shall be constructed so as to comply with and conform to the road construction standards in effect for Austin County, Texas at such time that the City grants initial approval to the developer as to the subdivision identified in the developers application, and such streets shall be paved.
- (b) At such time as the streets are constructed and completed the developer must notify the City in writing that the streets have been built in accordance with the specifications required by the City and that an inspection of the streets for approval by appropriate City official is requested by developer.
- (c) Once the inspection by the City is complete a formal report by the City inspector recommending approval and acceptance by City Council shall be presented to City Council.
- (d) The developer shall remain solely responsible for the maintenance of all streets constructed by him so as to comply with the standards required by City for a period of one year after formal Council action to accept the street is made. The City may as a condition of acceptance of the streets may require of developers a security bond to insure performance by the developer in an amount not to exceed 25% of all actual construction including engineering, labor and materials of all streets constructed by developer in the subject subdivision. The option of a required bond will be waived in any case where the financial condition and stability of the developer is sufficiently established to City Council to be adequate enough to evidence the future performance and financial capability of the developer.

(e) In conjunction with proposed street construction by a developer the developer must also submit a drainage plan to be submitted to Council for approval prior to acceptance of subdivision by the Council.

(C) ALLEYS AND EASEMENTS.

The City will require in new subdivisions twenty foot wide easements in lieu of alleys except in conditions as set out in Section 13, hereafter. If a subdivider desires to include alleys in a subdivision, then the expense of development of the same, at not less than twenty feet (20') in width, will be borne by the owner of the subdivision or the developer, and the same shall be construed in accordance with City standards and specifications. Any construction plans related to this type of improvement shall be submitted to the City Advisory/Planning Committee along with the final plat of the subdivision at the time the final plat is submitted to the City Advisory/Planning Committee for approval.

SEC. 5. PROCEDURE FOR PRELIMINARY PLAT APPROVAL.

(A) PRESCRIBED.

Four copies, or prints, of the preliminary plat of any proposed subdivision shall be submitted to the City Advisory/Planning Committee for approval before the preparation of the final plat for record. Such preliminary plat shall be filed in the office of the City Advisory/Planning Committee at least five (5) days prior to the regular meeting of such body at which approval is requested.

(B) SCALE CONTENTS.

This plat shall be drawn to a scale of one inch equals one hundred feet (1"=100'), or larger, and shall show or be accompanied by the following data and information:

- (1) Proposed subdivision name, or identifying title, and the name of the city, county and state in which the subdivision is located.
- (2) Name, address or record owner, subdivider, engineer, surveyor, land planner or any other designer responsible for the survey and design.
- (3) Location of boundary or property lines; width and location of platted streets, alleys and easements within or adjacent to the property being subdivided;

present physical features on the land including natural and artificial water courses, ditches, ravines, culverts, bridges, present structures and any other features directly pertinent to the land being subdivided, location of any existing utilities, pipelines, showing pipe sizes and capacities of sewer and water mains and drainage facilities; outline of any existing wooded areas and the location, species and size of any individual trees.

Where the property to be subdivided is located upon broken or highly undulating or rough terrain, the City Advisory/Planning Committee may require a topographic map of the City datum, of such datum of any public authority that may be established in the area. The description of the property shall include the approximate acreage. Plats shall be located with respect to an original corner of the survey of which the land is a part.

- (4) The preliminary plat shall show the street system designed, location and width of the proposed streets, easements, and alleys; building lots and other features and their relationship to streets, alleys and easements in adjacent subdivisions. If there are no adjacent subdivisions thereto, a vicinity or location map, drawn at a smaller scale, shall be submitted along with the preliminary plat, this map to show the boundaries and ownership of adjacent properties; the location and distance to the nearest subdivisions; and the manner in which the streets, alleys, easements and highways of the proposed subdivision may eventually connect with those of the nearest existing subdivision.
- (5) Classification and designation of the intended uses of land within the subdivision proposed, setting out residential, retail business, industrial, off-street parking, and all other parcels of land intended to be dedicated to public use, such as schools, parks and playgrounds, and any other special uses or semi-public uses.
- (6) Date, north point and scales of the drawing or subdivision layout.
- (7) (A) Preliminary plan of proposed water distribution system.  
(B) Preliminary plan of proposed sewage collection system.  
(C) Preliminary plan for on-site and off-site drainage.

- (B) Where the preliminary plat submitted for approval owner's or subdivider's entire holding or ultimate subdivision, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system portion submitted for approval will be considered in the light of adjustments and connections with the street system of the part not submitted.

(C) EFFECT OF APPROVAL.

It is to be understood that the approval of the preliminary plat by the City Advisory/Planning Committee does not constitute official acceptance of the proposed subdivision by the City, but does constitute an authorization to begin and proceed with the preparation of the final subdivision plat. There shall be no work in the field on the proposed subdivision until the final plat has been approved and accepted in an official action by the City Advisory/Planning Committee and the City Council, and the instrument recorded in the office of the county clerk, except and unless upon the written approval of the City Advisory/Planning Committee with the City Council being cognizant of such approval.

(D) DURATION OF APPROVAL.

Approval of the preliminary plat expires at the expiration of a period of six (6) months unless the final plat has been submitted for approval.

SEC. 6. PROCEDURE FOR APPROVAL OF FINAL PLAT.

(A) PREPARATION.

After the approval by the City Advisory/Planning Committee of the preliminary plat, a final plat shall be prepared and submitted to the City Advisory/Planning committee for approval and reference to the City Council for its approval and subsequent recording in the office of the county clerk. Four (4) prints of this final plat shall be submitted to the planning commission at least five (5) days prior to the regular meeting of that body at which approval is requested.

(B) PREPARATION OF PLAT.

The plat shall be clearly and legibly drawn to a scale not smaller than one inch equals one hundred feet (1"=100') on a sheet 22"x36" in size. All figures and letters shown thereon shall be plain, distinct and of sufficient size that they can be easily read. Should more than one sheet be required for the layout, there shall be included with the

several large-scale drawings, a key map showing the entire subdivision, drawn at a smaller scale, with block numbers and street names, this key map to be included upon the first sheet or separately upon a cover sheet of the same size as the large-scale sheets.

(C) CONTENTS.

The final plat shall show or be accompanied by the following information:

- (1) The subdivision name or identifying title and the name of the city, county and state in which the subdivision is located; the name and address of the record owner or subdivider.
- (2) The names of adjacent subdivisions; names of streets; the numbers of lots and blocks; the same to be in accordance with a systematic, consecutive numbering arrangement. Names of new streets should, wherever possible, follow or be extensions of existing street names.
- (3) An accurate boundary survey of the property which is being subdivided, noting the bearings and distances of the sides, same being referenced to an original corner of the survey of which the land is a part, and established subdivisions, showing the lines of all adjacent lands and properties; lines of adjacent subdivisions shall be shown in a different manner than those of the proposed subdivision, preferably dotted or dashed.
- (4) The record plat shall indicate the location of all lots, streets, highways, alleys, easements, parks, playgrounds and such other features, with accurate dimensions given in feet and decimals of a foot, showing the length of radii, deflection angles, and of arcs of all curves; tangent distances and tangent bearings shall be given for each street, all such data being complete and sufficiently precise to permit accurate locations upon the ground. The record plat shall also show a schedule of all nonrectangular lots indicating therein the square area of each such lot.
- (5) Proposed plans for all utilities such as:
  - (A) Proposed water distribution system.
  - (B) Proposed sewage collection system.
  - (C) Plan and profile of proposed streets.
  - (D) Plan and profile of on-site and off-site proposed drainage facilities.

- (6) The building lines of front and side streets shall be shown dotted or dashed, and the location of utility easements shall be shown in dashed lines.
- (7) The plat shall bear a properly executed dedication of all streets, highways, alleys, parks and playgrounds, and other land intended for use of the public, such dedicatory instrument to be signed by the owner or owners, and by all other persons or parties having a mortgage or lien interest in the property. Any private restrictions or any trusteeships intended shall be filed with the plat, if the same are too lengthy as to permit lettering of same upon the plat.
- (8) A receipt shall be so noted on the plat or shall accompany the plat, indicating that all taxes have been paid.
- (9) Proper certification shall be made upon the plat, by a reputable, registered civil engineer or land surveyor, ascertaining that the plan represents a survey made by him and that all necessary monuments are accurately and correctly shown upon the plat.

The engineer shall place such monuments as required by the City and they shall be set at all corners and angle points of the boundaries of the original tract to be subdivided and at all street intersections, angle points in street lines and points of curve and at such other intermediate points in street lines and points of curve and at such other intermediate points as shall be required by the city. All lot corners are also to be marked with iron pipe markers driven firmly into solid earth. Such monuments shall be of iron pipe not less than three-quarters of an inch (3/4") in diameter and two feet (2') in length, driven securely into solid earth with the grades of same being at grade with established sidewalk or, if walk is not established, flush with natural grade of the earth's surface.
- (10) Before final approval of the plat by the planning commission, there shall be filed with the planning commission, certificate by the owner or owners of the subdivision proposed, as to the completion of all improvements required by the city in accordance with the city's standards and specifications. For any required improvements not so completed there shall be submitted with the plat a certificate of the city secretary as to the sufficiency of the bond offered or required in lieu thereof.

(11) Proper blanks for certificate of approval to be filled out by the planning commission and the city council.

(12) Date, scale and north point.

(D) APPROVAL BY PLANNING COMMISSION.

After approval of the plat by the planning commission, four white background, blue-line print and reproducible negative print shall be furnished the City Advisory/Planning Committee. All figures, letters and symbols shown upon the drawings shall be plain, distinct and of sufficient size as may be easily read and of such density as will remain a permanent and lasting record.

(E) DURATION OF APPROVAL.

Approval of the plat shall expire if the subdivision is not developed within a two year period from the date of final approval.

(F) FEES.

A filing fee of five dollars (\$5.00) per plat plus two dollars and fifty cents (\$2.50) a lot shall be required and made payable by check drawn to the order of the City upon submission of the preliminary plat to the City Advisory/Planning Committee for approval. No charge will be made for the final plat. For replats, a charge of five dollars (\$5.00) will be made in the event no preliminary plat is required. If preliminary plat is required, the required charge shall be the same as for a new subdivision plat.

ARTICLE III. GENERAL REQUIREMENTS AND PRINCIPLES

SEC. 7. STREETS; ARRANGEMENT, WIDTH.

The arrangement of streets in the subdivision shall provide for the continuation and extension of major and secondary thoroughfares as are shown on the major street plan of the City Advisory/Planning Committee. Such thoroughfare shall be of the width designated on the major street plan or as recommended by the City Advisory/Planning Committee. Minor residential streets in the subdivision shall provide convenient circulation of land traffic within the subdivision and adequate access to all building lots within the subdivision. Off-center street intersections will not be approved except in unusual cases. Parkways and boulevards shall be of such width as may be designated by the planning commission. As a general rule, minor residential street rights-of-way shall not be less than sixty (60) feet wide.



SEC. 8. RELATIONSHIP OF STREETS WITH ADJOINING STREETS AND LAND.

In order that proper relationship of new subdivision streets may be maintained with adjoining streets and land, the system of streets in a new subdivision, except in unusual cases, must connect with streets already dedicated in adjacent subdivisions that have been platted. There must, in general, be a reasonable projection of streets in the nearest subdivision tracts, and the same must be continued to the boundaries of the tract subdivided, so that other subdivisions may be connected therewith.

SEC. 9. PARCELS LARGER THAN NORMAL BUILDING LOTS.

Where a tract of land is subdivided into parcels that are larger than normal building lots, such parcels shall be arranged to permit the opening of future streets and logical ultimate resubdivision.

SEC. 10. DEAD-END STREETS, COURTS, CUL-DE-SACS, RESERVE STREETS.

Except in unusual cases, dead-end streets will not be approved unless such dead-end streets are provided in such manner as will permit connection with future streets in adjacent lands.

Courts, cul-de-sacs or "places" may be provided where the shape of a portion of the proposed subdivision or where the terrain of the land would make it difficult, uneconomical or unreasonable to plat with connecting streets. These courts, cul-de-sacs or "places" shall be so arranged as to provide access to all lots and shall, generally, not exceed four hundred (400) feet in length. A turn-around must be provided at the closed end having an outside radius of not less than fifty (50) feet.

In general, no reserve strips controlling access to land dedicated or to be dedicated to public use shall be permitted.

SEC. 11. BLOCKS.

Block lengths, generally, should not exceed one thousand two hundred (1,200) feet in length. In blocks of over one thousand (1,000) feet length or more, there shall be provided, near the center of the block, a utility or pedestrian easement or walk, the walk to be paved to a width of not less than five (5) feet.

SEC. 12. ALLEYS, LOADING COURTS.

Alleys, or loading courts, of a minimum width of twenty (20) feet paved surface or, in lieu thereof, adequate off-street loading space, shall be provided in business blocks. Alleys are not required in residential districts, except that same shall be provided where alleys of adjacent subdivision already platted would be closed or dead-ended by failure to provide alleys in the new subdivisions.

SEC. 13. EASEMENTS.

In lieu of alleys, not required but optional in residential districts, easements for public utilities of not less than ten (10) feet shall be provided on each side of rear lot lines (back to back lots) and of not less than sixteen (16) feet shall be provided alongside the rear of perimeter lots. If necessary for the extension of water or sewer mains, storm drainage or other utilities, easements of greater widths may be required along lot lines or across lots. In all cases, easements shall connect with already established easements in adjoining property, and utilities shall be located within said easements in accordance with utility layout standards adopted by the City Advisory/Planning Committee.

SEC. 14. CURB RADII AT INTERSECTIONS.

Curb radii at street intersections shall be not less than twenty (20) feet and property lines shall be adjusted accordingly.

SEC. 15. LOTS: SIZE, AREA.

(A) GENERALLY. The minimum dimensions for residential lots in subdivisions shall be fifty (50) feet in width and generally not less than one hundred twenty (120) feet in length, unless the planning commission, for reasonable cause or for special reasons, may otherwise approve. In no case shall a rectangular or irregularly shaped lot contain less than six thousand (6,000) square feet of area.

(B) CORNER LOTS. Corner lots shall be increased in size whenever necessary so as to provide that any structure to be placed thereon shall conform to the building line of each street in accordance with the zoning ordinance requirements.

(C) DOUBLE FRONTAGE LOTS. Double frontage lots are undesirable and should not be allowed if at all possible to avoid them.

(D) No lot or tract may be divided or resubdivided into smaller tracts.

SEC. 16. SIDE LOT LINES.

Side lot lines, insofar as practicable, shall be at right angles or radial to street lines.

SEC. 17. BUILDING LINES.

Building lines shall be shown on all lots intended for residential usage. Whenever required by the planning commission, building lines must be shown on lots intended for business usage.

Building lines or setback lines shall be established and so indicated on all subdivision plats as below stipulated:

(A) Single-family and multi-family residential lots:

(1) CORNER LOTS.

(A) A minimum building setback of twenty-five (25) feet shall be provided on the front and and fifteen (15) feet on the side of all corner single-family and multi-family residential lots where such lots side upon minor streets.

(B) A minimum building setback of twenty-five (25) feet shall be provided on the front and twenty (20) feet on the side of all corner single-family and multi-family residential lots where such lots side upon secondary streets.

(C) A minimum building setback of twenty-five (25) feet shall be provided on the front and twenty-five (25) feet on the side of all corner single-family and multifamily residential lots where lots side upon major streets.

(2) INTERIOR LOTS. A minimum building setback of twenty-five (25) feet shall be provided on the front ten (10) feet on each side of all interior single-family and multi-family residential lots fronting on minor, secondary and major streets.

(B) Commercial and industrial lots in outlying areas other than central business, industrial and shopping center districts:

(1) CORNER LOTS.

(A) A corner building setback of twenty-five (25) feet shall be provided on the front and fifteen (15) feet on the side of all corner commercial and industrial lots that side upon minor streets.

(B) A minimum building setback of twenty-five (25) feet shall be provided on the front and twenty (20) feet on the side of all corner commercial and industrial lots that side upon secondary streets unless specific building lines are otherwise established by City of Wallis ordinance upon a designated secondary streets.

(2) INTERIOR LOTS. A minimum building setback of twenty-five (25) feet shall be provided on the front of all interior commercial and industrial lots that front upon minor, secondary or major streets unless specific building lines are otherwise established by City of Wallis Ordinance upon a designated secondary of major street.

SEC. 18. WATER AND SEWER FACILITIES.

The planning commission may refuse to approve a plat whenever it is evident that adequate water and sewer facilities cannot be supplied within a reasonable time.

SEC. 19. LAND SUBJECT TO FLOODING, OTHERWISE UNINHABITABLE.

Land subject to flooding and land deemed by the planning commission to be uninhabitable, shall not be platted for residential accupancy, nor shall it be platted for such other uses as may increase danger to health, life or property or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation, or shall not produce unsatisfactory living conditions.

SEC. 20. SITES FOR PARKS, SCHOOLS OTHER PUBLIC USAGE.

Sites suitable for parks, schools, palygrounds or other public usage, should be carefully considered in collaboration with the City Advisory/Planning Committee and so indicated upon the preliminary plat so that it can be determined as to site conformity to the recommended locations and as are indicated upon the master plan and so that they can be duly placed upon the final record plat for dedication. Such sites should be in conformity to the general requirements of the planning principles and shall be of adequate size as recommended by the planning commission and as may be required by the city under its policies and specificaitons.

SEC. 21. VARIATIONS AND MODIFICATIONS OF PROVISIONS.

Variations and modifications of the general requirements as above outlined will be made by the planning commission when, in its judgment, special or peculiar factors and conditions warrant such variations do not affect the general application or spirit of the rules and regulations, or the master city plan of the city. The planning commission shall be the judge in all cases regarding the application of the foregoing rules and regulations. Advice and cooperation is offered and will always be freely given by officers of the planning commission.

SEC. 22. WHERE SUBDIVISION IS UNIT OF A LARGER TRACT.

Where the proposed subdivision constitutes a unit of a larger tract owned by the subdivider, which is intended to be subsequently subdivided as additional units of the same subdivision, the preliminary and final plats shall be accompanied by a layout to the entire area, showing the tentative proposed layout of street, blocks, drainage, water, sewerage, and other improvements for such areas. The overall layout, if approved by the planning commission, shall be attached to and filed with a copy of approved subdivision plat in the permanent files of the city. Thereafter, plats of subsequent units of such subdivision shall conform to such approved overall layout, unless changed by the planning commission. However, except where the subdivider agrees to such change, the planning commission may change such approved overall layout only when the planning commission finds:

- (A) That adherence to the previously approved overall layout will hinder the orderly subdivision of other land in the area in accordance with the provisions of this chapter; or
- (B) That adherence to the previously approved overall layout will be detrimental to the public health, safety or welfare, or will be injurious to other property in the area.

SEC. 23. REGULATIONS FOR TOWNHOUSE SUBDIVISION.

(A) DEFINITIONS.

- (1) TOWNHOUSE. The term "townhouse" and "row house" shall be used interchangeably and shall mean a structure which is one of dwelling units designed for single-family occupancy, which are connected or immediately adjacent to each other.

- (2) TOWNHOUSE SUBDIVISION. The term "townhouse subdivision" shall apply to those developments in which it is proposed to partition land into individual lots and construct townhouses which may be individually owned and where the minimum lot sizes are to be less than those required under section 15 of this chapter.
- (3) INTERIOR STREET. The term "interior street" shall apply to public streets not more than six hundred (600) feet long within a townhouse subdivision which streets are located and designed to serve a limited area within such subdivision and shall not serve other properties outside the subdivision.
- (4) ACCESS STREET. The term "access street" shall apply to those public streets within or bounding a townhouse subdivision which serve a townhouse subdivision and other adjacent property.
- (5) OPEN SPACE. The term "open space" shall apply to private property under common ownership designated for recreation area, private park, play lot area, plaza area, building setbacks and ornamental area open to general view within the subdivision. Open space does not include streets, alleys, utility easements and required building setbacks.
- (B) REQUIREMENTS.
- (1) GENERAL. All those persons proposing or intending to develop a townhouse subdivision within the City of Wallis or within its area jurisdiction shall comply with the procedural requirements set out in section 4 through 6 of this chapter.
- (2) STREETS.
- (A) Interior streets, if dedicated to public use, shall have minimum right-of-way width of sixty (60) feet and shall be developed with a minimum of thirty-six (36) foot paving section with concrete curbs and gutters in accordance with City of Wallis construction standards.
- (B) Access streets shall have minimum right-of-way width of sixty (60) feet and shall be developed with a minimum of thirty-two (32) foot pavement section.
- (C) All townhouse subdivisions shall have direct access street to at least one dedicated and

accessible public street having a right-of-way width of not less than sixty (60) feet.

- (D) Alleys shall have a minimum right-of-way of twenty (20) feet and shall be developed with a concrete pavement in accordance with City of Wallis construction standards.

(3) BUILDING SETBACK.

- (A) Building setback lines of twenty (20) feet shall be required on all lots fronting or backing on an access street.
- (B) Building setback lines of twenty (20) feet shall be required on all lots siding on access streets or upon a plat boundary.
- (C) No building setback lines shall be required on the sides of lots abutting interior streets, except where traffic safety or other factors necessitate the establishment of such records.
- (D) Where townhouse lots and dwelling units are designed to face upon an open or common access court rather than upon a public street, said open or common court shall be at least forty (40) feet wide and not more than two hundred (200) feet long, measured from the public street upon which the court must open. Said court may not include vehicular drives or parking area in front of dwelling units.

(4) LOTS.

- (A) Lot area shall be a minimum of two thousand five hundred (2,500) square feet.
- (B) Lot width shall be a minimum of twenty-five (25) feet.
- (C) Dwelling units may be constructed up to side lot lines, and openings shall not face a side lot line unless the side wall of the dwelling unit is at least ten (10) feet from the side lot line.
- (D) Lot size may be reduced under the provisions that open space, as defined herein, be dedicated according to the following schedule:

For every one hundred (100) square feet of open space per lot provided, the minimum lot area may

be reduced by two hundred (200) square feet. No lot shall, however, have a lot area of less than two thousand (2,000) square feet, and a width of less than twenty-five (25) feet.

OPEN SPACE PER DWELLING	MINIMUM LOT AREA
0	2,500 sf
100	2,300
200	2,100
250	2,000

- (5) UTILITIES. All utilities such as sanitary sewer, water, gas, telephone, TV cable and electrical, shall be placed overhead or underground.

SEC. 24. REGULATIONS FOR MOBILE HOME OF TRAVEL TRAILER PARKS, SUBDIVISIONS AND MOBILE HOMES OUTSIDE PARKS OR SUBDIVISIONS.

The location, development and control of mobile home or travel trailer parks and /or subdivisions and the parking of mobile homes and travel trailers outside parks and subdivisions designed for the purposes shall be governed by the regulations established by the City of Wallis Ordinance.

SEC. 25. LARGE SCALE NEIGHBORHOOD DEVELOPMENT.

The standards and requirements of the regulations contained in this chapter may be modified by the planning commission in the case of a plan and program of development of a new town, a complete large residential community of neighborhood unit, or mass housing project, which contains adequate provisions for circulation, recreation, light, air and service needs of the tract when fully developed and populated and equal to or better than the detailed requirements of these regulations in this chapter and which also provides such covenants or other legal provisions as will assure conformity to the comprehensive plan of the City of Wallis and/or Austin County.

SEC. 26. RESTRICTIONS.

- (1) No trailer, mobile home, modular home old house or structure, tent, shack, lean-to, garage, barn, bus or other out building erected on the property shall at any time be used as residence, either temporarily or permanently or permanently, nor shall any structure of a temporary character be used as a residence. Under no circumstances will house trailers be permitted to be used for a residential purpose on any



of the above described property at any time whether the same be left upon its running gear and installed upon permanent footings or blocks.

- (2) No yard toilet or privy shall be erected or maintained on any of said lots (City Ord. No. 62).
- (3) No building materials of any kind or character shall be placed or stored in the streets. All building materials to be used in the construction of buildings in this Subdivision shall be placed within the curb line of the premises upon delivery, and no building materials shall be placed on any lot until after the owner has executed a building contract.
- (4) No garbage, trash, ashes, or other refuse may be thrown or dumped on any vacant lot in the Subdivision; nor shall same or any container therefor be left in the street line or public view except as the same may be maintained in a neat and sanitary manner in the rear of the residence of out buildings constructed on said lots.
- (5) No trash burners, barrels or any type of trash burning device no closer than twenty-five (25) feet of any property line.
- (6) No nuisance, junk cars, or advertising signs, billboard, or other advertising device shall be placed on or suffered to remain upon any of the premises in this Subdivision except those signs erected for street purposes of safety, direction and identification and that the developer of said Subdivision may maintain a sign or billboard to advertise said Subdivision, and except that the owner may place on such premises such advertising signs or devices that they may deem appropriate, having to do with the sale of the property and except that any lot owner may place on a lot owned by him for resale a sign so indicating, having an area of not more than five (5) square feet and a height of not more than four (4) feet from the surface of the ground.
- (7) Grass and weeds on each site conveyed must be kept mowed at regular intervals as may be necessary to maintain such site in a neat and attractive manner. Curb lines abutting said property must be kept in good condition. Until a home or residence is built on lot or lots, Declarants shall have the right to have the grass and weeds cut and curb lines maintained when and as often as in their judgment the same is necessary if the owner or owners fail to do

so and the owner or owners of said lots shall be held by the acceptance of such deed to be obligated to pay the Declarants for the cost of such work a reasonable price prevailing for the same in the neighborhood (City Ord. No. 27).

- (8) No fence constructed around lots in the Subdivision shall be nearer than the building line, as shown on said plat, and no fence shall be constructed of materials other than chain-link or red-wood. No fence, well, hedge, or shrub planting which obstructs sight lines at elevations between two (2) and six (6) feet above the road shall be placed or permitted to remain on any corner lot wherein the triangular area formed by the street property lines and line connecting them at points twenty (20) feet from the intersection of the street lines and no tree or shrubs shall be permitted to remain within such distance of such intersection unless the foliage line is maintained at a sufficient height to prevent obstruction of such sight lines.
- (9) No vicious animals, cattle, sheep, goats, hogs, horses, or poultry shall be kept in any part of this Subdivision.
- (10) Any residence constructed in City Limits of Wallis can be constructed of wood frame, but must be on a slab.
- (11) All driveway culverts shall conform in size and capacity to the requirements of the City of Wallis, Texas. Driveways shall be constructed of concrete, asphalt or similar hard road base surface materials.
- (12) The slab foundation on all structures shall be a minimum of twelve (12) inches above natural land grade or elevation.

SEC. 27. REGULATIONS OF PARTITION SUBDIVISIONS.

Partition subdivisions, as defined in this ordinance, shall not be subject to the other general provisions contained in this ordinance; however, such subdivisions shall be governed by and subject to all other ordinances, resolutions, rules, regulations and policies established by the City prior to or after enactment of this ordinance.

PASSED AND APPROVED this 9th day of June, 1987.

CITY OF WALLIS, TEXAS

ATTEST:

BY: Betty Marek  
BETTY MAREK,  
CITY SECRETARY

BY: Franklin A. Rohan  
FRANKLIN A. ROHAN,  
MAYOR PRO TEMPORE

APPROVED:

BY: [Signature]  
V. O. "BUTCH" CARDEN, JR.,  
ATTORNEY FOR CITY

PASSED AND APPROVED this 9th day of June, 1987.

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