

**MINUTES OF A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION, OF THE CITY OF PEARLAND, TEXAS, HELD MONDAY, AUGUST 29, 1994 AT 7:00 P.M., IN THE COUNCIL CHAMBERS, CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

The meeting was called to order with the following present:

Chairman	Emil Beltz
Vice Chairman	Pat Lopez
Commissioner	Robert Larsen
Commissioner	Marshall Eggers
Commissioner	Kevin Cole
Commissioner	Charles Philipp
Commissioner	Peggy Mayfield-Royer
Division Director - Planning, Public Works and Parks	Richard Burdine
City Engineer	John Hargrove
Secretary to the Commission	Wendy Standorf

**APPROVAL OF MINUTES:** Minutes of August 15, 1994

A motion to approve the minutes of the 8-15-94 meeting, was made by Vice Chairman Pat Lopez, seconded by Commissioner Kevin Cole.

**Motion Passed 7 to 0.**

**NEW BUSINESS**

**Final Plat Cobblestone Subdivision.** H. Carlos Smith and Andy Armstrong were present requesting approval of the final plat of Cobblestone Subdivision along with 2 variance requests.

Vice Chairman Pat Lopez stated they had previously denied the variance requesting 20' front building line.

Andy Armstrong pleaded their case regarding the limited number of floor plans they would be able to use if they were not granted the variance for a 20' building line. He also stated they would be willing to do whatever was necessary to be allowed a variance to the 15' sideyard requirement. This sideyard requirement would limit the development to primarily two-story homes.

Division Director Richard Burdine told the Commission there had been a thorough "zone search" conducted by staff and this property was zoned under the old ordinance as a residential P.U.D. on the back of the property and MF and GB in the front of the property. We have been looking at the property as an R-2 P.U.D. when it is really an R-3 P.U.D.

Richard Burdine and City Engineer John Hargrove recommend approval of the 20' building line variance request, but do not recommend approval of the sideyard variance request.

Vice Chairman Pat Lopez made the motion, seconded by Commissioner Robert Larsen to approval the final plat of Cobblestone Subdivision and the 20' front building line variance request, but deny the request for a variance to the 15' sideyard requirement.

**Motion Passed 7 to 0.**

**Final Replat Dixie Woods, Section One, Phase One.** Al Lentz was present requesting approval of the final replat of Dixie Woods, Section One, Phase One. A replat is necessary since Houston Lighting & Power is changing their easements.

Commissioner Charles Philipp made the motion, seconded by Commissioner Marshall Eggers to approve the final replat of Dixie Woods, Section One, Phase One, with the correction as required.

**REQUIRED CORRECTIONS:**

1. Fence located in the 2 feet wide fence easement to be maintained by Home Owner's Association.

**Motion Passed 7 to 0.**

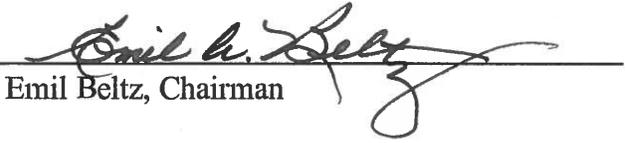
**Discussion of Proposed Changes to the Subdivision Ordinance.** Mr. Burdine reviewed the State law provisions that allow cities to regulate subdivision development. Changes to the City's subdivision ordinance will be reviewed at future Commission meetings.

**Director's Report:** None.

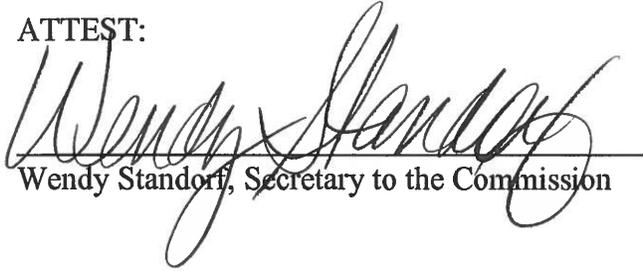
**Next Meeting Date:** September 19, 1994.

**Adjourned: 8:12 p.m.**

Minutes approved as submitted and/or corrected this 19<sup>th</sup> day of September A.D., 1994.

  
Emil Beltz, Chairman

ATTEST:

  
Wendy Standorf, Secretary to the Commission

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"subdivision" includes the division of land whether by plat or by metes and bounds description, and when appropriate to the context, shall relate to the process of subdividing or to the land subdivided for the purpose of dividing ownership. A subdivision developed and sold off by metes and bounds description shall meet the minimum lot sizes as set forth in the land use and urban development ordinance of the city. A division of land into parts greater than 5 acres, where each part has public access and no public improvement is dedicated shall not be considered a subdivision for platting purposes.

**Surveyor:** A licensed state land surveyor or a registered public professional land surveyor, as authorized by state statute to practice the profession of surveying.

**Utility Easement:** An interest in land granted to the city, to the public generally, and/or to a private utility corporation, for installing or maintaining utilities across, over or under private land, together with the right to enter thereon with machinery and vehicles necessary for the maintenance of said utilities.

Any office referred to in these regulations by title means the person employed or appointed by the city in that position, or his duly authorized representative.

Definitions not expressly prescribed herein are to be construed in accordance with customary usage in municipal planning and engineering practices. (Ord. No. 58, § II, 4-18-63; Ord. No. 58D, § 1,4-26-76; Ord. No. 421, § 2, 3-23-81)

### **Section 27-3. Procedures for submission of plats.**

#### **A. Preapplication Procedure**

1. Preliminary conference. It has been in the past, and shall be in the future, the policy of the City of Pearland to endeavor to cooperate with subdividers of property in an effort to promote sound planning in the subdivision of land and to prevent expensive errors in platting of property. The rules and regulations as set forth herein have been made after careful study by the commission and the city of existing local conditions and the desirable future of modern subdivision planning principals as recommended by the city staff and consultants and is allowed and is followed by other progressive cities in this state and this general locality. It is not the desire nor the intent of the city or planning commission to regiment the design of subdivisions of property in Pearland and its environs, but rather to recommend the utilization, to the fullest possible extent, of good sound modern subdivision planning principalsprinciples. It is intended that as much freedom as possible be allowed the individual owners and subdividers in the design and ultimate development of new subdivisions so they will contribute to the community new residential neighborhoods with individuality and character, and, at the same time, provide for sufficient and adequate major and secondary traffic thoroughfares, public utilities, parks and playgrounds and other public grounds that may be required, and to otherwise preserve the integrity of the plans for the city which have been formulated, and to meet the provisions of the comprehensive master plan

of conditions or limitations of such reservation, if any.

- i. The proposed plan of subdivision; shall showing streets, blocks, lots, alleys, easements, building lines, parks, etc., with principal dimensions. The preliminary plat shall cover all of the tract intended to be developed, at any time, even though it is intended by the developer or developers to file plats and install improvements for parts of the tract by sections or units.
  - j. The proposed number and location of all streetlights as shall be appropriate for the location of the subdivision and for the type of development and use contemplated. (Refer to section 27-5 (B) (9).)
  - k. The exact location, dimensions, description and flow line of existing water courses and drainage structures within the subdivision.
  - l. Base flood elevations and boundaries of flood-prone areas, including floodways shall meet development permit requirements in accordance with information in Ordinance No. 372, Art. IV, and Art. V, Section C. 532.
  - m. A preliminary plan for proposed fills or other structure elevating techniques, levees, channel modifications, seawalls and other methods to overcome flood or erosion-related hazards in compliance with temporary base elevation standards of Ordinance No. 372 532.
  - n. If the developer and/or owner wishes to plat only a portion of a larger tract, an overall conceptual development plan will shall be filed to ensure that the development will be consistent with the comprehensive master plan of the City of Pearland.
  - ~~o. Proposed uses of the land within the subdivision and a copy of restrictive covenants on all residential developments outside the city limits but within Pearland's extraterritorial jurisdiction; a residential density factor will be required based on the computed lots per acre of total development. This section is in direct conflict with Texas Local Government Code, Chapter 212, Subchapter A, Section 212.003.~~
3. Drainage plan. A complete drainage plan showing area discharge rates, pipe and channel flows, basin boundaries, storm intensities used and overall proposed grading shall be prepared and submitted whenever a preliminary plat is required. The drainage plan must cover the entire area planned for development and the adjacent land. No preliminary plat will be approved until an approved drainage plan is completed.
- 3.4 Submittal.
- a. Prior to submittal to the city for approval, 6 print copies of the unsigned preliminary

i. The city building inspector flood plain administrator shall be responsible for interpretation of base flood elevation information and boundaries of flood hazards as described herein and reflecting the temporary base flood elevation standards for residential construction within the City of Pearland, Texas as set forth in Ordinance No. 372 532 and amendments thereof.

j. Included with the Preliminary Plat shall be a tree survey performed according to guidelines provided by the City.

4. 5 On receipt of the preliminary plat and other information, the commission shall render a decision thereon within thirty (30) days. Such decision may consist of approval, disapproval or conditional approval. Conditional approval shall not be considered to be the approval of a plat or replat subject to conformity with prescribed conditions, but shall be deemed to be a disapproval of such plat or replat until such conditions are complied with. All objections made to the preliminary plat, or conditions imposed, shall be furnished to the subdivider in writing.

5. 6 Preliminary approval will expire six (6) (12) twelve months after the approval by the city Planning & Zoning Commission of the preliminary plat or of final sections of a preliminary general plan, except that if the subdivider shall apply in writing prior to the end of such six (6) month period, stating the reasons for needing the extension. this period may be extended for another six (6) months but not beyond a total of one year.

#### D. Final Plat (Subdivision Plat)

1. No final plat shall be considered unless a preliminary plat has been excepted by rules, or has been submitted and approved.

2. After the foregoing procedure has been complied with and a preliminary plat approved or conditionally approved by the city, the subdivider shall prepare or cause to be prepared a final plat, or plats, together with other supplementary information as specified herein. The final plat shall conform substantially to the preliminary plat as approved.

3. The subdivider may at his discretion, after approval or conditional approval of a preliminary plat, file a final plat or plats covering a portion of the preliminary plat. The remainder of the preliminary plat shall be deemed as approved or conditionally approved as in Section 27-3(C)(4) (5) and (5) (6) hereof; provided, however, that such approval or conditional approval of the remainder of the preliminary plat shall be limited to a two (2) year period; provided further, however, that the city may, at its discretion, extend such period of validity.

4. Construction drawings of any proposed street or utility or drainage works must be submitted prior to the approval of the final plat. Final plat will not be approved until the approval of the construction plans.

4.5 The final plat (subdivision plat) shall be drawn on tracing linen mylar in India permanent ink (or shall be a photographic reproduction on lines which is of equal or greater durability), and shall be one of the following sizes: 12" x 18", 18" x 24", 18" x 36", 18" x 48", 24" x 36" or 22" X 34". This original tracing mylar is to be filed in the office of the county clerk as a permanent record. A duplicate ink on linen mylar shall be furnished the city for its records. This plat shall be a minimum scale of one inch equals one hundred (100) feet and shall show the following:

a. Title of the plat should show:

1. The name of the subdivision and city and county in which it is located.
2. The legal description, including description of physical monuments, and identification of the subdivision including the names of the surveys, with abstract numbers, in which it is situated, which description shall be sufficient for the requirements of title examination. The plat shall be a descriptive diagram drawn to scale, and shall show by reference that the subdivision is a particular portion or part of a previously filed plat or recognized grant or partition, which diagram and description shall show as being included in the subdivision, at least all of the smallest unit of the last filed subdivision, plat or grant, out of which the instant subdivision is divided, or so much thereof as is owned by the subdivider.
3. The total acreage and total number of reserves, lots and blocks.
4. The name and address of the owner (and address unless given in letter of transmittal). If the owner is a company or corporation, the name of the responsible individual such as the president or vice-president shall be given.
5. ~~The name of the registered professional engineer and registered and public~~ The seal and signature of the registered professional land surveyor responsible for the plat.
6. Scale: One inch equals one hundred (100) feet minimum (show graphic scale).
7. Northpoint, (shown as true or magnetic with theoretical deviation), north to be at the top of the sheet, if possible, or at the left side.
8. Date; Each revision shall bear a new date.

b. A scale location sketch to show the relation of the subdivision to well-known streets, railroads and water-courses in all directions to a distance of at least one mile, preferable drawn in the upper right-hand

corner of the sheet.

- c. The boundaries of the subdivision:
  1. Ownership drawn in very heavy lines, with overall dimensions and bearings. Monuments shall be described on the drawing.
  2. Lines outside of boundaries to be dashed.
  3. Provide a tie to a well-established point for plats inside the city or to a survey corner if outside the city.
- d. The name and adjacent boundary location of the subdivision, streets, easement, pipelines, watercourses, railroad rights-of-way, easements and other important features, such as section lines, political subdivision or corporation lines and school district boundaries, on all sides for a distance of not less than two hundred (200) feet; if acreage, show as such.
- e. Show all streets and alleys with street names, R.O.W. widths measured at right angles or radially (where curved), complete curve data (R, L, P.C., P.R.C. & P.T.), length and bearing of all tangents between curves, bearings, charts, delta, radius, length and tangent. At all corner lots, building lines must match parallel property lines.
- f. All lot, block and street boundary lines, with blocks and lots numbered or alphabetized consecutively. Building lines and easements shall be shown and shall be defined by dimension. All principal lines shall have the bearing given and deviation from the norm indicated. The plat must provide a note stating that all existing pipelines or pipeline easements through the subdivision have been shown or that there are no existing pipeline easements within the limits of the subdivision or within 100' (See Notes, below) See Ordinance No. 421-6.
- g. Accurate dimensions, both linear and angular, of all items on the plat, the boundary survey on the side shall close within one in ten thousand (1:10,000). Linear dimensions shall be expressed in feet and decimals of a foot; angular dimensions may be shown by bearings, rounded to nearest second. Curved boundaries shall be fully described and all essential information given; circular curves shall be defined by actual length of radius and not by degree of curve. Complete dimensional data shall be given on fractional lots.

- n. Street grades shall be approved by the city. (See Exhibit A).
- o. ~~Trees and shrubs cannot~~ shall not be planted in the street rights-of-way except in accordance with a landscape plan approved by the Planning and Zoning Commission, that on residential streets where the distance between the curb and the sidewalk is a minimum of seven (7) feet, trees may be planted provided the lower limbs are trimmed to a height of seven (7) feet.
- p. Streets on comprehensive Thoroughfare plan. Where a subdivision embraces a street as shown on the comprehensive Thoroughfare plan of the city, such street shall be platted in the location and of the width indicated by the comprehensive Thoroughfare plan.
- q. Curbs. Curbs shall be installed by the subdivider on both sides of all interior streets.
- r. Street names. Names of new streets shall not duplicate or cause confusion with the names of existing streets, unless the new streets are a continuation of or in alignment with existing streets, in which case names of existing streets shall be used.
- s. Streetlights. Streetlights shall be installed by the subdivider at 300 foot intervals and at all street intersections within the subdivision and in cul-de-sacs.
- t. Street and traffic control signs. Street and traffic control signs shall be installed by the subdivider at all intersections within or abutting the subdivision. ~~Such signs shall be provided by the city, and shall be installed in accordance with standards of the city with the cost charged to the developer.~~
- u. ~~Stub streets. When required by the city, stub streets or R.O.W. are to be provided for future extension into adjacent developments. Stub streets to be extended in future development shall be so signed and barricaded as a condition for final acceptance by the City.~~

#### 4. Alleys

- a. Alleys shall be provided in commercial and industrial districts, except that the city may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the uses proposed.
- b. The minimum width of an alley shall be twenty (20) feet.
- c. Alley intersections and sharp changes in alignment shall be avoided, but where necessary corners shall be cut off sufficiently to permit safe vehicular movement.

such systems to serve the subdivision under consideration will be considered upon each facility's individual merits for each subdivision. Off site, along side, and oversized improvements will be subject to participation only upon the city's agreement to participate.

7. Street improvements, curb and gutter, storm sewer and pavement: The subdivider of each tract of land will be required to construct, at his own expense, those improvements required to serve the land platted as determined by the commission. Such improvements may include streets, pavement, curbs and gutters, storm sewers and any other improvements, all as required by the City Code of Ordinances and city approved specifications. The subdivider shall install, construct or reconstruct the same, all according to current City of Pearland standards and specifications as provided in such ordinances, and shall pay all costs including engineering costs covering design, layout and construction supervision by the city inspection and certification by a professional engineer. The commission may (*discuss*) require deposit of an escrow with the city, of an amount sufficient to pay for improvement of one-half of the street and all adjacent improvements. Detailed, approved construction plans, including plan and profile for each street, shall be filed with the submission of the final plat in the same number of two copies as required of the final subdivision plat, and failure to supply the same shall be grounds for a denial of the final plat. Streets shall be built to the standards required for the classification such street carries on the city's thoroughfare plan. For medians required by the city for traffic separation and extra traffic lanes required by the city for turning movements onto public streets, the city may require, but shall not pay for, medians or extra lanes required to provide safe ingress or egress for the subdivider's property.

8. City water and sewer lines within 300' of the platted development boundaries must be connected to provide city water and sewer to all platted lots within the City.

#### **B. Minimum standards:**

1. All requirements in this Ordinance notwithstanding, the minimum standards and specifications for all improvements within a subdivision, including but not limited to, storm drainage, street pavement, sidewalks, alley pavement, sanitary sewers and water lines, shall be those minimum standards and specifications as determined and approved by the city council from time to time and on file in the office of the planning department. Full compliance with said standards and specifications in each subdivision shall be a prerequisite for the final approval of a plat by the city.

(Ord. No. 58A, §§ 1, 2, 10-24-68; Ord. No. 58B, § 1, 5-25-70; Ord. No. 58C-1, § 4, 6-14-71; Ord. No. 58B-1, §1, 2-23-76; Ord. No. 421, § 5, 3-23-81; Ord. No. 421-2, § 1, 5-12-86)

2. Exhibits A and B attached. Until or unless modified by Council, the attached Exhibit A, "Design Standards for Street Construction," and Exhibit B, "Design Standards for Storm Drainage Improvements," shall be met by all development in the City of Pearland jurisdiction.

**Section 27-7. Exception.**

- a. Where any street forms any part of the boundaries of a subdivision and some part of the width of the street has been dedicated or committed to improvement, then the subdivider shall be required to dedicate and/or improve the balance of the width of any such street, but otherwise no improvements shall be required as a prerequisite to the approval of the plat for any existing dedicated street forming a boundary of a subdivision.
- b. Large tract residential subdivisions: Where a parcel is divided into larger tracts than standard minimum sized residential building lots, such parcels shall be so divided as to allow for the opening of major thoroughfares and the ultimate extension of adjacent minor streets. The city may vary the other requirements of these regulations in such a manner as the general welfare of such area may require to permit such large tracts. Where such large tract subdivision is on the basis of lots of five-eighths acres or larger, the subdivider may develop improvements for storm drainage, street pavement, sidewalks, alley pavement, sanitary sewers, and water lines according to the minimum standards and specifications for large lot subdivisions as determined and approved by the city council from time to time and on file in the office of the planning department. Full compliance with said large lot standards and specifications shall be a prerequisite for the final approval of a plat by the city.
- c. Where subdivision is unit of a large tract: Where the proposed subdivision constitutes a unit for 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 conceptual development plan of the entire area. (Ord. No. 421, § 6, 3-23-81; Ord. No. 458, § 1, 7-11-83; Ord. No. 421-1, § 3, 8-22-83)

**Section 27-8. Extension of Extraterritorial Jurisdiction.**

- a. Pursuant to Article 970a, Section 4 of the Revised Civil Statutes of the State of Texas, this chapter is hereby extended in its application to include all of the area within the extraterritorial jurisdiction of the city. The provisions of this chapter shall have the same force and effect within the area of extraterritorial jurisdiction as within the corporate limits of the city, except as provided in ~~state statutes and~~ subsections (b) and (c) of this section.
- b. No violation of any provision of this chapter outside the corporate limits of the city, but within such city's area of extraterritorial jurisdiction, shall constitute a misdemeanor.
- c. In the event any provision of this chapter is violated within the area of extraterritorial jurisdiction of the city and outside its corporate limits, the city may institute any appropriate action or proceedings in the district court to enjoin such violation. (Ord. No. 189, 2-26-70; Ord. No. 421-1, § 4, 8-22-83)

**Section 27-9. Adoption of Thoroughfare Plan.**

**EXHIBIT A**  
**CITY OF PEARLAND**  
**DESIGN STANDARDS**  
**FOR**  
**STREET CONSTRUCTION**

- 1.1 **SCOPE.** ~~Unless revised by action of City Council,~~ these standards are to be adhered to in the design of all streets and roads within the City of Pearland or within the City's Extraterritorial Jurisdiction. ~~Unless in a large lot subdivision,~~ all streets within the City Limits and/or Extraterritorial Jurisdiction shall be of reinforced portland cement concrete construction with curbs designed in accordance with current Portland Cement Association practices; shall be of the minimum thicknesses and minimum widths specified in the following sections; ~~shall be constructed on a minimum of 6 inches of lime stabilized subgrade and shall be drained by an adequately designed underground storm sewer system. Minimum gradient of curb & gutter streets shall be 0.35% unless approved otherwise by the City Engineer.~~
- 1.2 **MINIMUM SECTION FOR MAJOR THOROUGHFARE:** Thoroughfares shall be defined as through streets which carry an anticipated ADT of over 13,000 v.p.d., throughout a length of at least 2 miles; or fit into an arterial pattern and carry an anticipated ADT of over 8,000 v.p.d., or carry less than 8,000 v.p.d. and are essential to the continuity of existing arterial patterns of streets which are shown in the ~~Comprehensive Thoroughfare~~ Plan as a thoroughfare. ~~Arterial Streets~~ Major thoroughfares shall have a minimum paved width of 48 feet back-to-back of curb; and shall have R.O.W. width of ~~100~~ 120 feet or more. The minimum pavement thickness for arterial streets thoroughfares shall be 7 inches of 3,000 psi concrete on a minimum of 8" of stabilized subgrade.
- 1.3 **MINIMUM SECTIONS FOR PRIMARY COLLECTORS:** Primary Collectors shall be defined as through streets which carry an ADT of 8,000 to 13,000 v.p.d. throughout a length of at least 2 miles; or fit into a collector pattern and carry an ADT of ~~over 5,000 v.p.d., or carry less than 5,000~~ 8,000 v.p.d., and are essential to the continuity of existing Primary Collector patterns as defined in the ~~Comprehensive Thoroughfare~~ Plan. A Primary Collector shall also be placed adjacent to, and/or within, all areas where the residential density consists of 10 units or more per acre or adjacent to or within all multi-family, business, commercial, or industrial developments. Primary Collectors shall have a minimum width of 41 feet back-to-back of curbs and shall have a minimum R.O.W. width of ~~70 feet~~ 80 feet. The minimum pavement thickness for Collectors shall be 7 inches of 3,000 psi concrete on 6" of stabilized subgrade.
- 1.4 ~~MINIMUM SECTIONS FOR SECONDARY COLLECTORS. Secondary Collectors shall~~

# SUBCHAPTER A: REGULATION OF SUBDIVISIONS

## 212.001. Definitions

In this subchapter:

(1) "Extraterritorial jurisdiction" means a municipality's extraterritorial jurisdiction as determined under Chapter 42, except that for a municipality that has a population of 5,000 or more and is located in a county bordering the Rio Grande River, "extraterritorial jurisdiction" means the area outside the municipal limits but within five miles of those limits.

(2) "Plat" includes a replat.

Amended by Acts 1989, 71st Leg., ch. 1, § 46(b), eff. Aug. 28, 1989.

## § 212.002. Rules

After a public hearing on the matter, the governing body of a municipality may adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

## § 212.003. Extension of Rules to Extraterritorial Jurisdiction

(a) The governing body of a municipality by ordinance may extend to the extraterritorial jurisdiction of the municipality the application of municipal ordinances adopted under Section 212.002 and other municipal ordinances relating to access to public roads. However, unless otherwise authorized by state law, in its extraterritorial jurisdiction a municipality shall not regulate:

(1) the use of any building or property for business, industrial, residential, or other purposes;

(2) the bulk, height, or number of buildings constructed on a particular tract of land;

(3) the size of a building that can be constructed on a particular tract of land, including without limitation any restriction on the ratio of building floor space to the land square footage; or

(4) the number of residential units that can be built per acre of land.

(b) A fine or criminal penalty prescribed by the ordinance does not apply to a violation in the extraterritorial jurisdiction.

(c) The municipality is entitled to appropriate injunctive relief in district court to enjoin a violation of municipal ordinances or codes applicable in the extraterritorial jurisdiction.

Amended by Acts 1989, 71st Leg., ch. 1, § 46(b), eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 822, § 6, eff. Sept. 1, 1989.

## SECTION 1. Section 212.004(a), Local Government Code, is amended to read as follows:

(a) The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, [or] to lay out suburban, building, or other lots, or [and] to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. *A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated.*

(b) To be recorded, the plat must:

(1) describe the subdivision by metes and bounds;

(2) locate the subdivision with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part; and

(3) state the dimensions of the subdivision and of each street, alley, square, park, or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part.

(c) The owner or proprietor of the tract or the owner's or proprietor's agent must acknowledge the plat in the manner required for the acknowledgment of deeds.

(d) The plat must be filed and recorded with the county clerk of the county in which the tract is located.

(e) The plat is subject to the filing and recording provisions of Section 12.002, Property Code.

Amended by Acts 1989, 71st Leg., ch. 1, § 46(b), eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 624, § 8.02, eff. Sept. 1, 1989.

Subdivision Definition

## § 212.0045. Exception to Plat Requirement: Municipal Determination

(a) To determine whether specific divisions of land are required to be platted, a municipality may define and classify the divisions. A municipality need not require platting for every division of land otherwise within the scope of this subchapter.

(b) In lieu of a plat contemplated by this subchapter, a municipality may require the filing of a development plat under Subchapter B if that subchapter applies to the municipality.

Added by Acts 1989, 71st Leg., ch. 1, § 46(b), eff. Aug. 28, 1989.

## § 212.0046. Exception to Plat Requirement: Certain Property Abutting Aircraft Runway

An owner of a tract of land is not required to prepare a plat if the land:

(1) is located wholly within a municipality with a population of 5,000 or less;

(2) is divided into parts larger than 2¼ acres; and

(3) abuts any part of an aircraft runway.

Added by Acts 1989, 71st Leg., ch. 1, § 46(b), eff. Aug. 28, 1989.

SECTION 2. Section 212.005, Local Government Code, is amended to read as follows:  
Sec. 212.005. APPROVAL BY MUNICIPALITY REQUIRED. The municipal authority responsible for approving plats must approve a plat or replat that is required to be prepared under this subchapter and that satisfies all applicable regulations.

**§ 212.006. Authority Responsible for Approval Generally**

(a) The municipal authority responsible for approving plats under this subchapter is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to that of the municipal planning commission.

(b) In a municipality with a population of more than 1.5 million, at least two members of the municipal planning commission, but not more than 25 percent of the membership of the commission, must be residents of the area outside the limits of the municipality and in which the municipality exercises its authority to approve subdivision plats.

Amended by Acts 1989, 71st Leg., ch. 1, § 46(b), eff. Aug. 28, 1989.

**§ 212.0065. Delegation of Approval Responsibility**

A municipality may delegate the ability to approve minor plats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities to an employee of the municipality. The designated employee may, for any reason, elect to present the plat to the municipal planning commission or governing body, or both, to approve the plat. The employee shall not disapprove the plat and shall be required to refer any plat which he refuses to approve to the municipal planning commission or governing body, or both, within the time period specified in Section 212.009.

Added by Acts 1989, 71st Leg., ch. 845, § 1, eff. Aug. 28, 1989.

4/10/85 or less plat

**§ 212.007. Authority Responsible for Approval: Tract in Extraterritorial Jurisdiction of More Than One Municipality**

(a) For a tract located in the extraterritorial jurisdiction of more than one municipality, the authority responsible for approving a plat under this subchapter is the authority in the municipality with the largest population that under Section 212.006 has approval responsibility. The governing body of that municipality may enter into an agreement with any other affected municipality or with any other municipality having area that, if unincorporated, would be in the extraterritorial jurisdiction of the governing body's municipality delegating to the other municipality the responsibility for plat approval within specified parts of the affected area.

(b) Either party to an agreement under Subsection (a) may revoke the agreement after 20 years have elapsed after the date of the agreement unless the parties agree to a shorter period.

(c) A copy of the agreement shall be filed with the county clerk.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

**§ 212.008. Application for Approval**

A person desiring approval of a plat must apply to and file a copy of the plat with the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

**§ 212.009. Approval Procedure**

(a) The municipal authority responsible for approving plats shall act on a plat within 30 days after the date the plat is filed. A plat is considered approved by the municipal authority unless it is disapproved within that period.

(b) If an ordinance requires that a plat be approved by the governing body of the municipality in addition to the planning commission, the governing body shall act on the plat within 30 days after the date the plat is approved by the planning commission or is considered approved by the inaction of the commission. A plat is considered approved by the governing body unless it is disapproved within that period.

(c) If a plat is approved, the municipal authority giving the approval shall endorse the plat with a certificate indicating the approval. The certificate must be signed by:

- (1) the authority's presiding officer and attested by the authority's secretary; or
- (2) a majority of the members of the authority.

(d) If the municipal authority responsible for approving plats fails to act on a plat within the prescribed period, the authority on request shall issue a certificate stating the date the plat was filed and that the authority failed to act on the plat within the period. The certificate is effective in place of the endorsement required by Subsection (c).

(e) The municipal authority responsible for approving plats shall maintain a record of each application made to the authority and the authority's action taken on it. On request of an owner of an affected tract, the authority shall certify the reasons for the action taken on an application.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

**§ 212.010. Standards for Approval**

(a) The municipal authority responsible for approving plats shall approve a plat if:

(1) it conforms to the general plan of the municipality and its current and future streets, alleys, parks, playgrounds, and public utility facilities;

(2) it conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;

(3) a bond required under Section 212.0106, if applicable, is filed with the municipality; and

(4) it conforms to any rules adopted under Section 212.002.

(b) However, the municipal authority responsible for approving plats may not approve a plat unless the plat and other documents have been prepared as required by Section 212.0105, if applicable.

Amended by Acts 1989, 71st Leg., ch. 624, § 3.01, eff. Sept. 1, 1989.

**§ 212.0105. Water and Sewer Requirements in Certain Counties**

(a) This section applies only to a person who:

(1) is the owner of a tract of land in either:

(A) a county that is contiguous to an international border; or

(B) a county in which a political subdivision has received financial assistance through Subchapter K, Chapter 17, Water Code;<sup>1</sup>

(2) divides the tract in a manner that creates any lots that are intended for residential purposes and are five acres or less; and

(3) is required under this subchapter to have a plat prepared for the subdivision.

(b) The owner of the tract:

(1) must:

(A) include on the plat or have attached to the plat a document containing a description of the water and sewer service facilities that will be constructed or installed to service the subdivision and a statement of the date by which the facilities will be fully operable; and

(B) have attached to the plat a document prepared by an engineer registered to practice in this state certifying that the water and sewer service facilities described by the plat or on the document attached to the plat are in compliance with the model rules adopted under Section 16.343, Water Code; or

(2) must:

(A) include on the plat a statement that water and sewer service facilities are unnecessary for the subdivision; and

(B) have attached to the plat a document prepared by an engineer registered to practice in this state certifying that water and sewer service facilities are unnecessary for the subdivision under the model rules adopted under Section 16.343, Water Code.

(c) The governing body of the municipality may extend, beyond the date specified on the plat or on the document attached to the plat, the date by which the water and sewer service facilities must be fully operable if the governing body finds the extension is reasonable and not contrary to the public interest. If the facilities are fully operable before the expiration of the extension period, the facilities are considered to have been made fully operable in a timely manner. An extension is not reasonable if it would allow a residence in the subdivision to be inhabited without water or sewer services.

Added by Acts 1989, 71st Leg., ch. 824, § 8.01, eff. Sept. 1, 1989. Amended by Acts 1991, 72nd Leg., ch. 422, § 7, eff. Sept. 1, 1991.

<sup>1</sup>Section 17.881 et seq.

**§ 212.0106. Bond Requirements and Other Financial Guarantees in Certain Counties**

(a) This section applies only to a person described by Section 212.0105(a).

(b) If the governing body of a municipality in a county described by Section 212.0105(a)(1)(A) or (B) requires the owner of the tract to execute a bond, the owner must do so before subdividing the tract unless an alternative financial guarantee is provided under Subsection (c). The bond must:

(1) be payable to the presiding officer of the governing body or to the presiding officer's successors in office;

(2) be in an amount determined by the governing body to be adequate to ensure the proper construction or installation of the water and sewer service facilities to service the subdivision but not to exceed the estimated cost of the construction or installation of the facilities;

(3) be executed with sureties as may be approved by the governing body;

(4) be executed by a company authorized to do business as a surety in this state if the governing body requires a surety bond executed by a corporate surety; and

(5) be conditioned that the water and sewer service facilities will be constructed or installed:

(A) in compliance with the model rules adopted under Section 16.343, Water Code; and

(B) within the time stated on the plat or on the document attached to the plat for the subdivision or within any extension of that time.

(c) In lieu of the bond an owner may deposit cash, a letter of credit issued by a federally insured financial institution, or other acceptable financial guarantee.

(d) If a letter of credit is used, it must:

(1) list as the sole beneficiary the presiding officer of the governing body; and

(2) be conditioned that the water and sewer service facilities will be constructed or installed:

(A) in compliance with the model rules adopted under Section 16.343, Water Code; and

(B) within the time stated on the plat or on the document attached to the plat for the subdivision or within any extension of that time.

Added by Acts 1989, 71st Leg., ch. 824, § 8.01, eff. Sept. 1, 1989.

4.

**§ 212.011. Effect of Approval on Dedication**

(a) The approval of a plat is not considered an acceptance of any proposed dedication and does not impose on the municipality any duty regarding the maintenance or improvement of any dedicated parts until the appropriate municipal authorities make an actual appropriation of the dedicated parts by entry, use, or improvement.

(b) The disapproval of a plat is considered a refusal by the municipality of the offered dedication indicated on the plat.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

**§ 212.0115. Certification Regarding Compliance With Plat Requirements**

(a) For the purposes of this section, land is considered to be within the jurisdiction of a municipality if the land is located within the limits or in the extraterritorial jurisdiction of the municipality.

(b) On the approval of a plat by the municipal authority responsible for approving plats, the authority shall issue to the person applying for the approval a certificate stating that the plat has been reviewed and approved by the authority.

(c) On the written request of an owner of land, an entity that provides utility service, or the governing body of the municipality, the municipal authority responsible for approving plats shall make the following determinations regarding the owner's land or the land in which the entity or governing body is interested that is located within the jurisdiction of the municipality:

(1) whether a plat is required under this subchapter for the land; and

(2) if a plat is required, whether it has been prepared and whether it has been reviewed and approved by the authority.

(d) The request made under Subsection (c) must identify the land that is the subject of the request.

(e) If the municipal authority responsible for approving plats determines under Subsection (c) that a plat is not required, the authority shall issue to the requesting party a written certification of that determination. If the authority determines that a plat is required and that the plat has been prepared and has been reviewed and approved by the authority, the authority shall issue to the requesting party a written certification of that determination.

(f) The municipal authority responsible for approving plats shall make its determination within 20 days after the date it receives the request under Subsection (c) and shall issue the certificate, if appropriate, within 10 days after the date the determination is made.

(g) If both the municipal planning commission and the governing body of the municipality have authority to approve plats, only one of those entities need make the determinations and issue the certificates required by this section.

(h) The municipal authority responsible for approving plats may adopt rules it considers necessary to administer its functions under this section.

Added by Acts 1989, 71st Leg., ch. 1, § 46(b), eff. Aug. 28, 1989. Amended by Acts 1989, 71st Leg., ch. 624, § 3.03, eff. Sept. 1, 1989.

**§ 212.012. Connection of Utilities**

(a) An entity described by Subsection (b) may not serve or connect any land with water, sewer, electricity, gas, or other utility service unless the entity has been presented with or otherwise holds a certificate applicable to the land issued under Section 212.0115.

(b) The prohibition established by Subsection (a) applies only to:

(1) a municipality and officials of a municipality that provides water, sewer, electricity, gas, or other utility service;

(2) a municipally owned or municipally operated utility that provides any of those services;

(3) a public utility that provides any of those services;

(4) a water supply or sewer service corporation organized and operating under Chapter 76, Acts of the 43rd Legislature, 1st Called Session, 1933 (Article 1434a, Vernon's Texas Civil Statutes), that provides any of those services;

(5) a county that provides any of those services; and

(6) a special district or authority created by or under state law that provides any of those services.

(c) This section does not apply to any area covered by a development plat duly approved under Subchapter B or under an ordinance or rule relating to the development plat.

(d) The prohibition established by Subsection (a) applies only to land that an entity described by Subsection (b)(1), (2), or (3) first serves or first connects with services on or after September 1, 1987. The prohibition applies only to land that an entity described by Subsection (b)(4), (5), or (6) first serves or first connects with services on or after September 1, 1989.

Amended by Acts 1989, 71st Leg., ch. 1, § 46(b), eff. Aug. 28, 1989; Acts 1989, 71st Leg., ch. 624, § 3.01, eff. Sept. 1, 1989.

**§ 212.013. Vacating Plat**

(a) The proprietors of the tract covered by a plat may vacate the plat at any time before any lot in the plat is sold. The plat is vacated when a signed, acknowledged instrument declaring the plat vacated is approved and recorded in the manner prescribed for the original plat.

(b) If lots in the plat have been sold, the plat, or any part of the plat, may be vacated on the application of all the owners of lots in the plat with approval obtained in the manner prescribed for the original plat.

(c) The county clerk shall write legibly on the vacated plat the word "Vacated" and shall enter on the plat a reference to the volume and page at which the vacating instrument is recorded.

(d) On the execution and recording of the vacating instrument, the vacated plat has no effect.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

**§ 212.014. Replatting Without Vacating Preceding Plat**

A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:

(1) is signed and acknowledged by only the owners of the property being replatted;

(2) is approved, after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard, by the municipal authority responsible for approving plats; and

(3) does not attempt to amend or remove any covenants or restrictions.

Acts 1987, 70th Leg., ch. 149, § 1, eff. Sept. 1, 1987.

**SECTION 3.** Sections 212.015(b) and (c), Local Government Code, are amended to read as follows:

(b) Notice of the hearing required under Section 212.014 shall be given before the 15th day before the date of the hearing by:

(1) publication in an official newspaper or a newspaper of general circulation in the county in which the municipality is located; and

(2) by written notice, with a copy of Subsection (c) attached, forwarded by the municipal authority responsible for approving plats to the owners of lots that are [property] in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll [within 200 feet] of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the municipality.

(c) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the [all] members present of the municipal planning commission or

governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing.

(d) In computing the percentage of land area under Subsection (c), the area of streets and alleys shall be included.

(e) Compliance with Subsections (c) and (d) is not required for approval of a replat of part of a preceding plat if the area to be replatted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

Amended by Acts 1989, 71st Leg., ch. 845, §§ 2 to 5, eff. Aug. 28, 1989.

Ref Int Notice

**§ 212.016. Amending Plat**

(a) The municipal authority responsible for approving plats may approve and issue an amending plat, which may be recorded and is controlling over the preceding plat without vacation of that plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:

- (1) to correct an error in a course or distance shown on the preceding plat;
- (2) to add a course or distance that was omitted on the preceding plat;
- (3) to correct an error in a real property description shown on the preceding plat;
- (4) to indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
- (5) to show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
- (6) to correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
- (7) to correct an error in courses and distances of lot lines between two adjacent lots if:

- (A) both lot owners join in the application for amending the plat;
- (B) neither lot is abolished;
- (C) the amendment does not attempt to remove recorded covenants or restrictions; and
- (D) the amendment does not have a material adverse effect on the property rights of the other owners in the plat;
- (8) to relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
- (9) to relocate one or more lot lines between one or more adjacent lots if:
  - (A) the owners of all those lots join in the application for amending the plat;
  - (B) the amendment does not attempt to remove recorded covenants or restrictions; and
  - (C) the amendment does not increase the number of lots; or
- (10) to make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:

- (A) the changes do not affect applicable zoning and other regulations of the municipality;
- (B) the changes do not attempt to amend or remove any covenants or restrictions; and
- (C) the area covered by the changes is located in an area that the municipal planning commission or other appropriate governing body of the municipality has approved, after a public hearing, as a residential improvement area.

(b) Notice, a hearing, and the approval of other lot owners are not required for the approval and issuance of an amending plat.

Amended by Acts 1989, 71st Leg., ch. 1, § 46(b), eff. Aug. 28, 1989.

Amending Plat

**§ 212.017. Conflict of Interest; Penalty**

(a) In this section, "subdivided tract" means a tract of land, as a whole, that is subdivided. The term does not mean an individual lot in a subdivided tract of land.

(b) A person has a substantial interest in a subdivided tract if the person:

- (1) has an equitable or legal ownership interest in the tract with a fair market value of \$2,500 or more;
- (2) acts as a developer of the tract;
- (3) owns 10 percent or more of the voting stock or shares of or owns either 10 percent or more or \$5,000 or more of the fair market value of a business entity that:
  - (A) has an equitable or legal ownership interest in the tract with a fair market value of \$2,500 or more; or
  - (B) acts as a developer of the tract; or
- (4) receives in a calendar year funds from a business entity described by Subdivision (3) that exceed 10 percent of the person's gross income for the previous year.

(c) A person also is considered to have a substantial interest in a subdivided tract if the person is related in the first degree by consanguinity or affinity, as determined under Article 5996h, Revised Statutes, to another person who, under Subsection (b), has a substantial interest in the tract.

(d) If a member of the municipal authority responsible for approving plats has a substantial interest in a subdivided tract, the member shall file, before a vote or decision regarding the approval of a plat for the tract, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter. The affidavit must be filed with the municipal secretary or clerk.

(e) A member of the municipal authority responsible for approving plats commits an offense if the member violates Subsection (d). An offense under this subsection is a Class A misdemeanor.

(f) The finding by a court of a violation of this section does not render voidable an action of the municipal authority responsible for approving plats unless the measure would not have passed the municipal authority without the vote of the member who violated this section.

Amended by Acts 1989, 71st Leg., ch. 624, § 8.01, eff. Sept. 1, 1989; Acts 1991, 72nd Leg., ch. 561, § 38, eff. Aug. 26, 1991.

**§ 212.0175. Enforcement in Certain Counties; Penalty**

(a) The attorney general may take any action necessary to enforce a requirement imposed by or under Section 212.0105 or 212.0106 or to ensure that water and sewer service facilities are constructed or installed to service a subdivision in compliance with the model rules adopted under Section 16.343, Water Code.

(b) A person who violates Section 212.0105 or 212.0106 or fails to timely provide for the construction or installation of water or sewer service facilities that the person described on the plat or on the document attached to the plat, as required by Section 212.0105, is subject to a civil penalty of not less than \$500 nor more than \$1,000 plus court costs and attorney's fees.

(c) An owner of a tract of land commits an offense if the owner knowingly or intentionally violates a requirement imposed by or under Section 212.0105 or 212.0106 or fails to timely provide for the construction or installation of water or sewer service facilities that the person described on a plat or on a document attached to a plat, as required by Section 212.0105. An offense under this subsection is a Class B misdemeanor.

(d) A reference in this section to an "owner of a tract of land" does not include the owner of an individual lot in a subdivided tract of land.

Added by Acts 1989, 71st Leg., ch. 624, § 8.01, eff. Sept. 1, 1989.

**§ 212.018. Enforcement in General**

(a) At the request of the governing body of the municipality, the municipal attorney or any other attorney representing the municipality may file an action in a court of competent jurisdiction to:

(1) enjoin the violation or threatened violation by the owner of a tract of land of a requirement regarding the tract and established by, or adopted by the governing body under, this subchapter; or

(2) recover damages from the owner of a tract of land in an amount adequate for the municipality to undertake any construction or other activity necessary to bring about compliance with a requirement regarding the tract and established by, or adopted by the governing body under, this subchapter.

(b) A reference in this section to an "owner of a tract of land" does not include the owner of an individual lot in a subdivided tract of land.

Added by Acts 1989, 71st Leg., ch. 1, § 46(b), eff. Aug. 28, 1989. Amended by Acts 1989, 71st Leg., ch. 624, § 3.01, eff. Sept. 1, 1989.

**AGENDA - REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF PEARLAND, TEXAS, TO BE HELD ON MONDAY, AUGUST 29, 1994, at 7:00 P.M. IN THE COUNCIL CHAMBERS AT CITY HALL, 3519 LIBERTY DRIVE, PEARLAND, TEXAS.**

**I. CALL TO ORDER**

**II. APPROVAL OF MINUTES:** Minutes of August 15, 1994

**III. NEW BUSINESS**

**A. CONSIDERATION AND POSSIBLE ACTION - FINAL PLAT COBBLESTONE SUBDIVISION, a Subdivision of 36.074 acres being part of the N.E. 1/4 of the N.W. 1/4 of Section 12, H. T. & B. R. R. Co. Survey, A-508, Pearland, Brazoria County, Texas.**

**1. Variance requesting reconsideration of the 20 foot front building line, and would ask for a variance for this request. The lot depths are in accordance with the P.U.D. zoning of this property, but limits the size of the home that can be constructed on the lots.**

**2. Variance request of the 15 foot separation of the side lines of the houses. There again with the lots established in accordance with the P.U.D. zoning, the size of the homes are limited. We would request that you consider a five foot building line on each side of the lots.**

**B. CONSIDERATION AND POSSIBLE ACTION - FINAL REPLAT, DIXIE WOODS, SECTION ONE, PHASE ONE, being a replat of all Dixie Woods Section One, Phase One, as recorded in Volume 19, Pages 229-230, Brazoria County Map Records, in the W.D.C. Hall League, Abstract No. 70, Pearland, Brazoria County, Texas.**

**C. DISCUSSION - PROPOSED CHANGES TO THE SUBDIVISION ORDINANCE.**

**IV. DIRECTOR'S REPORT**

**V. NEXT MEETING DATE:** September 19, 1994

**VI. ADJOURNMENT**

Posted: 26<sup>th</sup> Day of August, A.D., 1994 4:30 P.M.

Removed: 6<sup>th</sup> Day of September, A.D., 1994