

CITY OF BURTON ORDINANCE _____

AN ORDINANCE OF THE CITY OF BURTON, TEXAS, PROVIDING RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND AND PLATS WITHIN THE CITY; PROVIDING DEFINITIONS; ESTABLISHING PROCEDURES AND REQUISITES FOR THE SUBMISSION AND APPROVAL OF PRELIMINARY AND FINAL PLATS; CONTAINING REQUIREMENTS AND MINIMUM DESIGN AND CONSTRUCTION STANDARDS FOR STREETS , UTILITIES, DRAINAGE AND OTHER PUBLIC IMPROVEMENTS; CONTAINING OTHER MATTERS RELATED TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTANT OR IN CONFLICT HEREWITH; AND INCLUDING FINDINGS OF FACT, ENACTMENT PROVISIONS, REPEALER, SEVERABILITY, PUBLICATION, EFFECTIVE DATE, PUBLIC NOTICE AND MEETING.

WHEREAS, Chapter 212, of the Texas Local Government Code (TLGC), authorizes cities of the State of Texas to promulgate rules and regulations governing plats and the subdivision of land within their corporate limits; and

WHEREAS, the City of Burton, Texas is facing challenges today that will affect the quality of life for its citizens for decades to come and such regulations are authorized in order to protect and promote health, safety and general welfare of the community (2000 Burton Planning & Capacity Building Study (BPCB) 111-1); and

WHEREAS, the City of Burton needs to take a proactive approach to responsible land development, taking into consideration the capacities of its public utilities and roadways; and

WHEREAS, the City Council of the City of Burton, Texas hereby finds and determines that establishing rules and regulations governing plats and the subdivision of land is necessary to ensure the safe, orderly and healthful development of the community (TLGC 212.002); and

WHEREAS, the City of Burton, Texas recognizes the following statements taken from the 2000 Planning and Capacity Building Study:

1. Land use and planning guides both public and private actions and investments to produce an urban environment that is safe, attractive and an efficient place to live and work (BPCB 111-1).
2. The City of Burton is responsible to and for the development and protection of land within the boundaries of the city as well as the collection and allocation of tax monies collected for use on the City's infrastructure needs (water, sewer, roads, etc.) (BPCB 111-1 & Summary).
3. There are a limited number of large tracts of land within the city limits that are available for new residential or commercial development (BPCS 111-10).
4. Future growth and land use patterns will be influenced by the absence or presence of land use controls (BPCS 111-14).
5. The pressures for new residential and commercial development will continue while the citizens of the City of Burton seek to maintain the quality of life that attracted them to the community (BPCS 111-14).
6. The goal for land use regulation is to provide a healthy, safe and pleasant living environment for the residents of Burton through the proper utilization of land resources and through growth that is orderly and coordinated with the City's ability to provide facilities and services (BPCS 111-15); and

WHEREAS, a public hearing before the City Council was held on the ___ day of _____, 2025, at which hearing all persons desiring to be heard were heard concerning adoption of the rules and regulations governing plats and the subdivision of land as contained herein; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURTON, TEXAS:

1. Findings and Purpose

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. Enactment

The laws of the City of Burton shall hereby read in accordance with *Exhibit A*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

3. Repealer

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. Severability

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. Publication

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in and among the records of the City, as may be required by law.

6. Effective Date

This Ordinance shall be effective immediately upon passage and publication as provided for by law.

7. Proper Notice and Meeting

It is hereby and officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED, this the ___ day of _____, 2025,

by a vote of _____ (ayes) to _____ (nays) to _____ (abstentions) of the City Council of the City of Burton, Texas.

CITY OF BURTON, TEXAS

By: _____
Karen Buck, Mayor

ATTEST:

By: _____
Angela Harrington, City Secretary

APPROVED AS TO FORM:

By: _____
Legal Counsel

Exhibit A

PART I. - GENERAL PROVISIONS

Sec. 1.01. - Facts.

The facts and matters set forth in the preamble of this ordinance are hereby found to be true and correct.

Sec. 1.02. - Application.

This ordinance shall apply to all subdivisions of land within the City of Burton, Texas.

Sec. 1.03. - Definitions.

For the purposes of this ordinance, the following terms, phrases and words, shall have the meanings ascribed thereto. When not inconsistent with the context, words used in the present tense shall include the future tense; words used in the singular number shall include the plural number; and words used in the plural number shall include the singular number. Any office referred to herein by title shall include the person employed or appointed for that position or his/her duly authorized representative. Terms, phrases, or words not expressly defined herein are to be considered in accordance with customary usage.

- 1.03.01 *Alley*. The entire width between property lines forming any public right-of-way and which is designed primarily for secondary access to abutting properties having their primary access from an adjacent street or an approved or compensating open space or courtyard which has direct access to a public street.
- 1.03.02. *Block*. An identified tract or parcel of land established within a subdivision surrounded by a street or a combination of streets and other physical features and which may be further subdivided into individual lots or reserves.
- 1.03.03. *City council*. The duly elected governing body of the City of Burton, Texas.
- 1.03.04. *City*. The City of Burton, Texas, a municipal corporation located within Washington County, Texas, operating and existing as a Type A municipality pursuant to the general laws of the State of Texas.
- 1.03.05. *City building official*. The person authorized by the city as the city's building official, or his/her duly authorized representative.
- 1.03.06. *Commission*. The planning commission of the City of Burton, Texas. In the event that the City of Burton does not have a planning commission, all references to the commission herein shall be to the city council.
- 1.03.07. *Easement*. An area intended for restricted use on private property upon which a person or public or private entity has the right to remove and keep removed all or part of buildings, fences, trees, shrubs and other improvements or growths which in any way endanger or interfere with the construction, maintenance, or operation of any of their respective utility, drainage, access, or other authorized systems or facilities located within any such easement. Any such person or public or private entity owning an easement shall at all times have the right of unobstructed ingress and egress to and from and upon the

said easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of their respective systems or facilities without the necessity at any time of procuring the permission of anyone.

- 1.03.08 *Extraterritorial jurisdiction.* The unincorporated territory extending beyond the corporate boundaries of the city established pursuant to chapter 42 of the Texas Local Government Code, as may be amended from time to time. (At the time of the adoption of this Ordinance, the City of Burton's extraterritorial jurisdiction is covered under an agreement with Washington County in regards to subdivision.)
- 1.03.09. *Final plat.* A complete and exact subdivision plan prepared in conformity the provisions of this ordinance and in a manner suitable for recording with the county clerk of the county in which the property is located.
- 1.03.10. *Lot.* A physically undivided tract or parcel of land having frontage on a public street or approved private street and which is, or in the future may be, offered for sale, conveyance, transfer or improvements; which is designated as a distinct and separate tract; and which is identified by a tract or lot number or symbol on a duly approved subdivision plat that has been properly recorded.
- 1.03.11. *Person.* Any individual, partnership, association, firm, corporation, governmental agency, or political subdivision.
- 1.03.12. *Preliminary plat.* A map or drawing of a proposed subdivision prepared in accordance with the provisions of this ordinance, illustrating the features of the development for review and preliminary approval by the commission, but not suitable for recording with the county clerk of the county in which the property is located.
- 1.03.13. *Street, private.* A private thoroughfare or right-of-way, dedicated to public use, which provides vehicular access to adjacent private land.
- 1.03.14. *Subdivision.* The division of any lot, tract or parcel of land by plat, map or description into two or more parts, lots or sites for the purpose, whether immediate or future, of sale, rental or lease, or division of ownership. Any dedication and the laying out or realignment of new streets, or other public or private access ways, with or without lotting, shall constitute a subdivision. Subdivision shall also include the re-subdivision and re-platting of land or lots that are part of a previously recorded subdivision. An "addition" is a subdivision as defined herein. The term "subdivision" shall also include 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.

The following are exempt from the requirements of this ordinance: 1) an owner subdividing land into parcels of not less than five (5) acres each where each parcel has access and no public improvement is being dedicated; 2) transfer of ownership to heirs of an estate; and 3) an owner subdividing land where the subdivided parcel is transferred to someone within the third degree of consanguinity or affinity and the parcel is to be used for a homesteaded single-family dwelling.

- 1.03.15. *Subdivider and/or developer.* The terms "subdivider" and "developer" are synonymous for the purposes herein, and shall include any owner, or authorized agent

thereof, proposing to divide or dividing land so as to constitute a subdivision according to the terms and provisions of this ordinance.

- 1.03.16. *Title certificate.* A certificate prepared and executed by a title company authorized to do business in the State of Texas or an attorney licensed in the State of Texas describing all encumbrances of record that affect the property, together with all deeds recorded from and after the effective date of this ordinance. Such certificate shall include all property included within the platted area, and such certificate shall not have been executed more than 30 days prior to submission of same to the commission.

Sec. 1.04. - Special provisions.

- 1.04.01. *Plat approval required.* It shall be unlawful for any person to subdivide any tract, lot, or parcel of land within the City of Burton, Texas unless and until a preliminary and final plat of such subdivision has been approved in accordance with the terms of this ordinance. Unless and until a preliminary and final plat, plan or replat of a subdivision shall have been first approved in the manner provided herein by the commission, it shall be unlawful for any person to construct or cause to be constructed any street, utility facility, building, structure, or other improvement on any lot, tract, or parcel of land within such subdivision, except as specifically permitted herein. In addition, it shall be unlawful for any official of the city to issue any permit for such improvements, or any aspect thereof, or to serve or connect said land, or any part thereof, with any public utility which may be owned, controlled, or distributed by the city. Provided further, it shall be unlawful for any person or public or private entity to serve or connect any lot, tract, or parcel of land within any such subdivision with any utility service or facility unless and until a final plat of such subdivision has been approved in accordance herewith.

- 1.04.02. *Improvements required.* All of the improvements required under these regulations, improvements specified in the comprehensive plan, and improvements which, in the judgment of the commission, are necessary for the adequate provision of streets, drainage, utilities, municipal services, and facilities to the subdivision, shall be constructed at the sole expense of the developer.

- 1.04.03. The city shall not repair, maintain, or provide any streets or public utility services within a subdivision for which a final plat has not been approved and filed of record and in which the standards contained herein or referred to herein have not been complied with in full.

- 1.04.04. *Authorized agent.* A person may act as agent for a subdivider/developer upon submission with each application for preliminary and/or final plat approval of a certified copy of a power of attorney, certified by the county clerk of the county in which the property is located, containing in such certification the recording information of such power of attorney in the records of the county in which the property is located, and such certification being dated not more than seven days prior to the date of such application filing. Further, the power of attorney must specifically authorize the applicant to act on behalf of the subdivider/developer, must specifically identify the tract proposed for subdivision, and must state that the power of attorney authorizes the agent to execute all necessary documents and dedicatory statements necessary to effect final plat approval and recording thereof.

- 1.04.05 *Variance.* A variance from any such rule or regulation may be granted by City Council, only upon a good and sufficient showing by the owner that (1) there are special

circumstances or conditions affecting the property in question; and (2) that enforcement of the provisions of this Ordinance will deprive the applicant of a substantial property right; and if a variance is granted, it will not be materially detrimental to the public welfare or injurious to other property or property rights in the vicinity. Each and every application for a variance shall be decided solely and entirely on its own merits, and the disposition of any prior or pending application for a variance shall not be allowed to enter into or affect any decision on the application in question. Financial interests shall not be considered as a basis for the granting of a variance. No application for a variance shall be considered, unless submitted to the City Council, in writing, no later than the date the application for final plat approval is submitted.

PART II. - PROCEDURE FOR SUBMISSION OF PLATS

Sec. 2.01. - Preliminary conference.

Prior to the official filing of a preliminary plat, the subdivider, his/her planner, or other appropriate representative, shall consult with city staff for comments and advice on the procedures, specifications, and standards required by the city as conditions for subdivision plat approval. If requested in writing, the commission shall place, for discussion purposes only, an item on its agenda regarding the proposed subdivision in order to assist a subdivider on matters affecting such proposed subdivision.

Sec. 2.02. - Application for preliminary plat approval.

Any person desiring approval of a preliminary plat shall first file, in triplicate, an application for preliminary plat approval. Forms for such applications shall be kept on file with the city secretary and shall be in a form approved by the commission. Consideration of a preliminary plat by the commission shall not occur unless a fully completed and executed application has been filed in accordance with this ordinance. The chairman of the commission is hereby authorized and directed to deny, on behalf of the commission, any application for preliminary plat approval that is not fully completed and executed in accordance with this ordinance.

2.02.01. *Submittal date and time.* All plats, maps, reproductions, fees, applications, and related materials shall be submitted to the city secretary not later than 1:00 p.m. thirty (30) days prior to the next regular commission meeting. Materials received after 1:00 p.m. on the date specified herein shall automatically be placed on the agenda of the next regular meeting of the commission following submittal.

2.02.02. *Copies required.* The applicant shall provide ten, 24-inch by 36-inch paper prints from the original drawing of the plat reproduced on white paper with blue or black lines, each of which shall be folded to 8½ inches by 14 inches.

2.02.03. *Filing fees.* An application for preliminary plat approval shall be accompanied by a nonrefundable application fee tendered by certified check made payable to the "City of Burton, Texas," in the amounts adopted, and from time to time amended, by the city council and on file with the city secretary of the city.

2.02.05. *Encumbrances information.* Initial plat submittals shall be accompanied with a title opinion or a statement or certificates, either in separate writing or on the face of the plat,

executed by the applicant or the person who prepared the plat, which certifies that all existing encumbrances other than liens, such as various types of easements, fee strips, or significant topographical features on land being platted are fully shown and accurately identified on the face of the plat and further stating whether the plat being submitted includes all of the contiguous land which the subdivider owns directly or indirectly, or has a legal or beneficial interest in, or whether the subdivider owns or has a legal interest in any adjacent property. If the subdivider owns or has a legal interest in any adjacent property, the extent of such ownership and a boundary description of the land involved shall also be provided.

2.02.06. *Notice to utilities.* Evidence of notice to all utility companies which provide service to the area encompassed by the proposed subdivision, whether public or private, shall accompany each application for preliminary plat approval. Such notice shall contain a statement of the intent to subdivide, the intended use of the property within the subdivision, and shall have attached to such notice a copy of the preliminary plat that is filed within the city.

Sec. 2.03. - Form and content of preliminary plats.

All preliminary plats submitted to the commission shall be in the form and contain fully all information and/or language required hereunder:

- 2.03.01. The proposed name of the subdivision or development, which shall not be a duplicate of any subdivision or development of record within the county in which the property is located;
- 2.03.02. The legal description of the property proposed to be subdivided including the name of the county, survey, and abstract number, together with reference to at least one established corner of a nearby recorded subdivision or the nearest public street right-of-way intersection;
- 2.03.03. The total acreage and total number of lots, blocks, and reserves;
- 2.03.04. The name of the owner(s) of the property. If the owner(s) is other than a natural person, the name of the principal officer(s), or owner(s), of the entity which owns such property;
- 2.03.05. The name of the person or firm, and firm number who prepared the plat;
- 2.03.06. The date on which the plat was drawn;
- 2.03.07. The north point. The drawing of the subdivision shall be oriented with north to the top of the drawing;
- 2.03.08. The scale shall be drawn numerically and a graphic scale shall be provided. The scales acceptable for a preliminary plat shall be either one inch equals 100, 200, 300 or 400 feet, or for small projects (less than ten acres) one inch equals 20, 30, 40, 50 or 60 feet;
- 2.03.09. A scale vicinity map shall be provided and made a part of the plat indicating the general location of the subdivision and its relationship with well-known streets, railroads, watercourses and similar features in all directions from the subdivision to a distance not less than one-half mile. The scale of the vicinity map shall be to legible scale and shall

be oriented with north to the top of the drawing and shall also be the same direction as the detailed subdivision drawing;

- 2.03.10. The plat boundaries shall be drawn with heavy lines to indicate the subdivided area with overall survey dimensions and bearings. Lines outside the plat boundary should be drawn as dashed lines;
- 2.03.11. The adjacent areas outside the plat boundaries shall be identified indicating the name of adjacent subdivisions (including recording information), the names of the recorded owners of adjacent parcels of land, churches, schools, parks, bayous, and drainageways, acreage, and all existing streets, easements, pipelines, and other restricted uses;
- 2.03.12. The location and approximate width of existing and proposed watercourses, ravines, and drainage easements, topographical elevations, and the boundaries of designated flood zones, as provided in the then latest edition of the Federal Insurance Rate Map. All such information required herein shall be certified by a registered professional land surveyor and/or a registered professional engineer;
- 2.03.13. Contours with intervals of one (1) foot, referenced to North American Vertical Datum (NAVD 88), as required to show at least two contours within and adjacent to the subdivision. If the change in elevation throughout the property to be subdivided is less than one foot, then the plat is to clearly show the outfall drainage plan. Identify basis of control and temporary bench mark set within the subdivision;
- 2.03.14. The location and identification of all tracts not designated as lots within the boundaries of the plat. Such tracts, if not restricted for specific uses, shall be identified as unrestricted reserve. Restricted reserves shall be indicated on the plat and shall be designated as single-family residential, utility, church, park or recreational, school, multifamily, or medical and other special land uses;
- 2.03.15. The location, widths, and names of all existing or platted streets, roads, alleys, and easements, either existing or proposed, within the plat boundaries or immediately adjacent thereto, the location of all existing permanent buildings within the plat boundaries, and all existing easements and other important features, such as section lines, political subdivision or corporate limit lines on all sides for a distance of not less than 200 feet;
- 2.03.16. The names of all existing and proposed streets located within the plat boundaries or immediately adjacent thereto;
- 2.03.17. The location of all lots, blocks, building setback lines and other features within the plat boundaries with approximate dimensions;
- 2.03.18. Existing sewers, water and gas mains, culverts, bridges, pipelines, structures, or public utilities within the tract and immediately adjacent thereto with pipe sizes, grades, and locations indicated; If pipe sizes and grades are unknown, the Subdivider and/or Developer shall be responsible for potholing all applicable utilities.
- 2.03.19. The proposed layout of the subdivision, showing streets, blocks, lots, alleys, easements, building lines, parks with principal dimensions, and wooded areas or significant trees;

Sec. 2.04. – Processing preliminary plats.

2.04.01. Upon receipt of a preliminary plat, all required documents, and payment of all required filing fees, the planning and zoning coordinator shall check the preliminary plat for completeness. No preliminary plat shall be processed for review which is determined to be incomplete. The City Secretary shall coordinate the review of the preliminary plat with the applicable municipal departments, the city engineer, and public utility companies. Upon determination that the preliminary plat does not meet the minimum requirements of these subdivision regulations, the City Secretary shall give the developer written notice of the revisions required to complete the plat.

2.04.02. Upon completion of the staff review and receipt of necessary revisions from the developer, the preliminary plat shall be placed on the next available meeting agenda for consideration by the planning and zoning commission.

2.04.03 After the planning and zoning commission has reviewed the preliminary plat, the applicant shall be advised of any changes and/or additions required by the planning and zoning commission. Upon satisfactory completion of any requirements imposed by the planning and zoning commission, the applicant may proceed with the submittal of a final plat.

Sec. 2.05. – Effective Period of preliminary plat approval.

The approval by the planning and zoning commission of a preliminary plat shall be effective for a period of one (1) year. If a final plat application has not been submitted on at least a portion of the area covered by the preliminary plat within one year from the date of the approval of the preliminary plat by the planning and zoning commission, the preliminary plat shall be deemed null and void. If only a portion of the preliminary plat has been submitted for final plat action, those areas not platted within three years of the date of preliminary plat approval shall be declared null and void, unless an extension of time is granted by the planning and zoning commission. Any portion of a preliminary plat not receiving final approval by the planning and zoning commission and the city council within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a preliminary plat for approval. Such resubmittal shall be subject to any new subdivision or development regulations and payment of all applicable fees.

Sec. 2.06. - Application for final plat approval.

Any person desiring approval of a final plat shall first file an application for final plat approval. Forms for such applications shall be kept on file with the city secretary and shall be in a form approved by the commission. Consideration of a final plat by the commission shall not occur unless a fully completed and executed application has been filed in accordance with this ordinance. The chairman of the commission is hereby authorized and directed to deny, on behalf of the commission, any application for final plat approval that is not fully completed and executed in accordance with this ordinance.

2.06.01. *Time for filing.* All plats, maps, reproductions, fees, applications, and related materials shall be submitted to the city secretary not later than 1:00 p.m., thirty (30) days prior to the next regular commission meeting. Materials received after one o'clock p.m. on the date specified herein shall automatically be placed on the agenda of the next regular meeting of the commission following submittal.

- 2.06.02. *Copies required.* The applicant shall provide ten, 24-inch by 36-inch paper prints from the original drawing of the plat reproduced on white paper with blue or black lines, each of which shall be folded to 8½ inches by 14 inches.
- 2.06.03. *Filing fees.* An Application for final plat approval must be accompanied by a nonrefundable application fee tendered in the form of a certified check made payable to the "City of Burton, Texas," in the amounts as shall be specified by the Schedule of Fees of the City of Burton, Texas, as adopted, and from time to time amended, by the city council and on file with the city secretary of the city.
- 2.06.04. *Certificates of availability of utilities.* Each final plat shall be accompanied by a written certification from each entity, whether public or private, from which utility services are to be received, certifying the availability of same, and that such entity agrees to provide its respective utility service to the subdivision. In addition, where applicable, each such entity providing utility services shall certify approval or conformance of the construction plans and shall sign the cover sheet of the final plat to ensure compliance with such utility entity's construction standards.

Sec. 2.07. - Form and content of final plat.

All final plats shall incorporate all of the provisions relating to preliminary plats in section 2.03 of this ordinance and, where appropriate, reflect any conditions and requirements of final approval previously imposed by the commission together with the following additional requirements:

- 2.07.01. The final plat shall be drawn on mylar tracing cloth or stable plastic film or positive photographic film with black lines and image and shall be suitable for the reproduction of direct positive prints and reproductions. The cover sheet with signatures shall be translucent but the remaining pages may be white paper copies with an electronic PDF copy on a thumb drive in lieu of translucent;
- 2.07.02. The scale shall be drawn numerically and a graphic scale shall be provided. The scales acceptable for a final plat shall be either one inch equals 100, 200, 300 or 400 feet, or for small projects (less than ten acres) one inch equals 20, 30, 40, 50 or 60 feet;
- 2.07.03. All engineering and surveying data shall be shown on the final plat sufficient to locate all of the features of the plat on the ground. This data shall include, but not be limited to, full dimensions along all boundaries of the plat, street and alley rights-of-way, easements and drainageways, gullies, creeks, and bayous, together with the location of the high bank of such drainageways and watercourses, lots, blocks, reserves, out tracts or any other tracts designated separately within the plat boundaries, fee strips, or any other physical or topographical features necessary to be accurately located by surveying methods. Such information shall include line dimensions, bearings of deflecting angles, radii, central angles and degree of curvature, length of curves and tangent distances, all of which are to be shown in feet and decimal fractions thereof;
- 2.07.04. The name of the current record owner and address. If the record owner is a company or corporation, the name of the responsible individual such as the president or vice-president;

- 2.07.05. The name and seal of the registered professional land surveyor and/or registered professional engineer responsible for preparing the plat;
- 2.07.06. The date of submittal, and the date of submittal of each subsequent revision;
- 2.07.07. All streets and alleys with street names, widths measured at right angles or radially (where curved), complete curve data (R, L, P.C., P.R.C., and P.T.) length and bearing all tangents between curves;
- 2.07.08. 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;
- 2.07.09. All field surveys shall be accurate to, and performed in accordance with, the appropriate provisions of the minimum standards set forth by the TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS. There shall include reference to at least one monument that was a corner of the original tract. Linear dimensions shall be expressed in feet and decimals of a foot; angular dimensions may be shown by bearings in degrees, minutes, and seconds. 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;
- 2.07.10. The intended use of all lots within the subdivision shall be identified on the plat. All tracts not designated as lots within the boundaries of the plat shall be identified as provided in section 2.03.14 herein;
- 2.07.11. All dedication statements and certificates shall be made a part of the final plat drawing and shall conform in form and content to the form of statements and certificates set forth in appendix A to this ordinance, which is incorporated herein and made a part hereof for all purposes; and
- 2.07.12. All signed and sealed public improvement plans, such as streets, drainage, detention, and utilities. Additionally, City approval of engineering plans shall be required prior to approval of the final plat.

Sec. 2.08. - Plat drawing, reproductions, and filing.

The original plat drawing for an approved final plat shall be submitted to the commission on a suitable permanent translucent material that the commission shall, by written rule, from time to time, designate, including, but not limited to, tracing linen, mylar film or positive photographic film with lines, with lettering and signatures in black ink or image. The names of all persons signing any such plat shall also be lettered under the signature. Two paper prints from the original plat drawing (white paper with blue or black lines) and one positive vellum or film transparency shall also be provided. Filing of such final plats with the county clerk of the county in which the property is located, for recording, shall be made by the city. Such filing shall not be made until the earlier of:

- (a) The completion by the developer of the improvements required as a condition of plat approval and acceptance of such improvements by the city engineer and city council; or

- (b) The filing of a sufficient guarantee of such performance by the developer in accordance with section 4.05 hereof.

Such filing by the city shall be made promptly within 30 days of either condition. The city shall provide to the Developer two (2) copies of the final plat.

Sec. 2.09. - Title report.

A current title report, statement or opinion, title policy or certificate or letter from a title company authorized to do business in the State of Texas or an attorney licensed as such in the State of Texas shall be provided certifying that, within 30 days prior to the date the final plat is dated and filed with the commission, a search of the appropriate records was performed covering the land proposed to be platted and providing the following information concerning the title to said land:

- 2.09.01. The date of the examination of the records;
- 2.09.02. A legal description of the property lying within the proposed subdivision including a metes and bounds description of the boundaries of said land;
- 2.09.03. The name of the record owner of fee simple title as of the date of the examination of the records, together with the recording information of the instruments whereby such owner acquired fee simple title;
- 2.09.04. The names of all lienholders together with the recording information and date of the instruments by which such lienholders acquired their interests;
- 2.09.05. A description of the type and boundaries of all easements and fee strips not owned by the subdivider of the property in question, together with certified copies of the instruments whereby the owner of such easements or fee strips acquired their title, and the recording information for each such instrument; and
- 2.09.06. A tax certificate from each city, county, school, utility, or other governmental entity in which the land being platted is located showing that no delinquent taxes are due such entity for the property being platted.

Sec. 2.10. - Commission action.

Within 30 days of the filing of the plat, the commission shall review each plat submitted to it on a preliminary basis and upon a final basis and shall approve, approve with conditions or disapprove the plat. The commission shall approve any plat if it is in compliance with the provisions of this ordinance and other rules and regulations as may have been or may be adopted by the city council governing plats and/or the subdivision of land. The 30-day period described above may be extended if the applicant requests the extension in writing to the city and the city approve the extension request. If no commission exists at the time of the filing, council has 30 days to approve, approve with conditions, or disapprove. 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 the authority's presiding officer and attested by the authority's secretary, or a majority of the members of the authority.

Sec. 2.11. - Expiration of plat approval.

All preliminary plat approvals granted by the commission and the conditions thereon, if any, shall be valid for a period of six months from the date on which the approval was granted. All final plat approvals granted by the commission and the conditions thereon, if any, shall be valid for a period of six months from the date on which the final approval was granted. The commission may, upon receipt of a written request from the subdivider or his/her authorized agent, prior to the expiration date of the final plat approval, extend this term of approval for any time period not to exceed an additional six months. The maximum term for approval of any final plat granted by the commission that has not been duly recorded shall not exceed a total of 12 months from the date on which final plat approval was granted by the commission.

PART III. - DESIGN STANDARDS

Sec. 3.01. - Compliance with standards and specifications required for approval.

No preliminary or final plat shall be approved by the commission, and no permit shall be issued for the construction of any improvement intended for public use, or for the use of purchasers or owners of lots fronting or adjacent to such improvement, and no improvement intended for public use shall be accepted by the city, unless any such improvements shall comply with the following standards and specifications.

Sec. 3.02. - Public streets; general arrangement and layout.

The public street system pattern proposed within any subdivision shall comply with design standards of this section and shall:

- 3.02.01. Provide for adequate vehicular access to all properties within the subdivision plat boundaries;
- 3.02.02. Provide adequate street connections to adjacent properties to ensure adequate traffic circulation within the general area;
- 3.02.03. Provide a local street system serving properties to be developed for residential purposes which discourages through traffic while maintaining sufficient access and traffic movement for convenient circulation within the subdivision and access by fire, police and other emergency services personnel; and
- 3.02.04. Provide for a sufficient number of continuous streets to accommodate the traffic demands generated by new development.

Sec. 3.03. - Streets; specific standards.

- 3.03.01. Location and alignment. The location and alignment of public streets proposed to be dedicated and established within a subdivision or development plat shall be designed in conformance with the standards listed in section 3.03 herein.
- 3.03.02. Right-of-way width, widening. The width of the right-of-way to be dedicated for any street shall be at least 60 feet. In those instances where a subdivision plat is located adjacent to an existing public street with a right-of-way width less than 60 feet, sufficient additional right-of-way shall dedicate half of the right-of-way needed to reach 60 feet where the other half will be dedicated on the other side of the street. The centerline of the existing right-of-way shall be maintained. Notwithstanding the foregoing, the commission may, on

written application, in its discretion authorize a street right-of-way width of not less than 50 feet where such street cannot reasonably be made to continue or extend onto an existing, approved, proposed, or possible future street, is so located that logically it could not be extended to connect with an existing, approved, or proposed street, and there is not a likelihood that it would inhibit the ability of the city to provide emergency services from fire, police, medical, or other rescue personnel.

- 3.03.03. All lots shown on the plat shall abut a public street or a private street that shall meet all requirements herein for public streets. All lots shown on the plat shall have indicated thereon the front of the lot for subsequent construction of a building. Adequate off-street parking shall be provided for each lot.
- 3.03.04. Curves and intersections. Curves along streets shall have a centerline radius of not less than 40 feet, except that the centerline radius on a reverse curve shall not be less than 300 feet. Reverse curves should be separated by a tangent distance of not less than 50 feet. Street intersections are recommended at ninety (90) degree angles. Street crossing slopes shall be 2% maximum. The angle of street intersections shall not vary more than ten degrees from the perpendicular. Where acute angle intersections are approved a radius of at least 25 feet in the right-of-way line at the acute corner shall be provided.
- 3.03.05. Cul-de-sac right-of-way radii. The radii of the right-of-way at the end of local streets terminated with a circular cul-de-sac turnaround shall be not less than 60 feet. The city shall cause to be erected at the entrance of any such street a sign reading dead-end street, but such sign shall be at the expense of the developer.
- 3.03.06. Dead-end streets. Dead-end streets shall not be approved except in those instances where the street is terminated by a circular cul-de-sac turnaround or where the street is designated to be extended into adjacent property.
- 3.03.07. The developer shall be responsible for the installation of all required street signs and traffic control devices.

Sec. 3.04. - Street paving.

All public or private streets as provided herein shall be constructed in accordance with the City of Burton Design and Construction Standards (Exhibit B). The Subdivider shall provide a Geotech report substantiating the proposed pavement section including the required subgrade preparation.

Sec. 3.05. - Street names.

All streets dedicated by plat shall be named, and so identified on such plat, in conformance with the following:

- 3.05.01. New streets. New street names shall not duplicate existing street names located within the City of Burton, other than extensions of existing streets;
- 3.05.02. Extensions of existing streets. Existing street names shall be used in those instances where a new street is a direct extension of an existing street or a logical extension (when the streets in question are not and cannot be physically continuous) thereof except in those instances where the existing street name is a duplicate street name;

- 3.05.03. Suffixes. Street name suffixes such as court, circle and loop should be designated on streets that are cul-de-sac or in a configuration of a loop street;
- 3.05.04. Prefixes. Street name prefixes such as north, south, east and west may be used to clarify the general location of the street; however, such prefixes shall be consistent with the existing and established street naming and address numbering system of the general area in which the street is located; and
- 3.05.05. Alphabetical and numerical street names shall not be designated, except in those instances where such street is a direct extension of an existing street with such a name and is not a duplicate street name.
- 3.05.06. Street name change. No street name once designated may be changed except by city ordinance.

Sec. 3.06. - One-foot reserves.

In those instances where a public street is established by a plat submitted to the commission and such public street forms a stub street onto adjacent unplatted acreage, or where such public street lies along and parallel with the subdivision boundary and is adjacent to unplatted acreage, a one-foot wide reserve shall be established within the street right-of-way at its "dead-end" terminus, or along the right-of-way adjacent to such unplatted acreage, to form a buffer strip, dedicated to the public, between the public street right-of-way and the adjacent unplatted acreage, to prevent access to such public street from the adjacent unsubdivided acreage, unless and until the commission has reviewed the development proposals for such adjacent acreage, and a plat of the adjacent property is duly recorded. The conditions associated with the establishment of a one-foot reserve on a plat are contained in the following notation that shall be placed upon the face of any plat where a one-foot reserve is to be established:

"One-foot reserve dedicated to the city in fee as a buffer separation between the side or end of streets where such streets abut adjacent acreage tracts, the condition of such dedication being that when the adjacent property is subdivided pursuant to a recorded plat, the one-foot reserve shall thereupon become vested in the public for street right-of-way purposes."

Sec. 3.07. - Partial or half streets.

Partial or half streets may be dedicated in those instances where the commission determines that it is necessary for the proper development of the land and in the public interest to locate a public street right-of-way centered on a property line. The commission shall not approve a partial or half street dedication within a subdivision dedicating less than a 50-foot right-of-way width on a designated major thoroughfare or less than a 30-foot right-of-way width on any other type public street, except as provided in section 3.04.02 of this ordinance. Appropriate notations and the one foot reserve dedication in fee as provided in section 3.07 shall be placed upon the plat restricting access from any partial or half streets so dedicated to adjacent acreage tracts until the adjacent property is subdivided pursuant to a recorded plat and the additional adjacent right-of-way is acquired providing the full right-of-way as specified in this ordinance.

Sec. 3.08. - Easements.

- 3.08.01. *Utility easements.* Utility easements, both above and below grade, are those easements established by plat or separate instrument which are designed to accommodate

facilities necessary to provide various types of utility services to the individual properties within the plat boundaries. Utility easements may be used for, but not be limited to, facilities necessary to provide water, electrical power, natural gas, telephone, telegraph, cable television, and sanitary sewer services.

- 3.08.01.01. *Location.* Utility easements shall be provided along the rear of all lots except when the commission determines that such location is not feasible for the orderly development of the subdivision. Utility easements located along the outer boundaries of a plat shall contain the full width required for such easement except in those instances where the adjacent property is within a portion of a previously approved and platted subdivision and under the same ownership as the property being platted or where additional easement width is dedicated by separate instrument by the owner of said adjacent tract. In such cases, one-half of the required easement width shall be dedicated within the platted boundary with the other one-half provided outside the platted boundary by separate instrument or through notation on the plat certifying the ownership and dedication of said easement.
- 3.08.01.02. *Widths.* All utility easements established within any subdivision plat shall be not less than ten feet in width.
- 3.08.01.03. *Limitations.* All utility easements shall be limited to surface and below grade easements. Aerial easements over utility easements shall be limited to that necessary for transformers, amplifiers, and other similar devices that cannot be placed below grade, it being the express purpose and intent hereof to require all utilities, to the extent reasonably possible, to be placed below ground level.
- 3.08.02. *Drainage easements.* All drainage easements shall be located and dedicated to accommodate the drainage requirements necessary for the proper development of the property within the subdivision boundaries and within its natural watershed and in conformance with the city's comprehensive plan, its regulations governing storm drainage and/or flood control, and the requirements of other governmental agencies having jurisdiction over storm drainage or flood control within the area in which the subdivision is located. A suitable note on the plat shall restrict all properties within the subdivision to ensure that drainage easements within the plat boundaries shall be kept clear of fences, buildings, obstructive vegetation, and other obstructions to the operation and maintenance of the drainage facilities therein.
- 3.08.03. *Private easements, fee strips.*
- 3.08.03.01. *Existing easements, fee strips.* All easements or fee strips created prior to the subdivision of any tract of land shall be shown on the subdivision plat of said land with appropriate notations indicating the name of the holder of such easement or fee strip, the purpose of the easement and generally the facilities contained therein, the dimensions of the easement or fee strip tied to all adjacent lot lines, street rights-of-way and plat boundary lines, and the recording reference of the instruments creating and establishing said easement or fee strip. In those instances where easements have not been defined by accurate survey dimensions such as "over and across" type easements, the subdivider shall request the holder of such easement to accurately define the limits and location of such easement through the property within the plat boundaries. If the holder of such undefined easement does not define the easement involved and will not certify his/her refusal to define such easement to the commission, the subdivision plat shall provide

accurate information as to the centerline location of all existing pipelines or other utility facilities placed in conformance with the easement holder's rights, and building setback lines must be established 15 feet from and parallel to both sides of the centerline of all underground pipelines or pole lines involved.

3.08.03.02. *Establishment of special use utility or drainage easements.* A special use utility or drainage easement may be established by subdivision plat when such easement is for the purpose of accommodating a utility or drainage facility owned, operated, and maintained by a unit of government and is restricted to either water mains, sanitary sewers, storm sewers, or other drainage purposes and where it has been determined by the commission that these facilities cannot or should not be accommodated within a general purpose public utility or drainage easement or public street right-of-way. Easements proposed to be established for any privately-owned utility company or private organization providing utility services and restricted for their exclusive use shall not be created by a subdivision plat; however, such private utility facilities may be accommodated and placed within the general purpose utility easements and public streets established within the plat boundary. Nothing herein, however, may prevent such private companies or the subdivider from granting and establishing special or exclusive use easements by separate instrument if such arrangements are deemed necessary to properly serve the properties within the plat boundaries.

Sec. 3.09. - Federal flood insurance program.

No subdivision of land shall be approved unless same complies in all respects with the city's Flood Damage Prevention Ordinance. Each final plat shall have depicted thereon applicable boundaries of all flood zones as provided in the latest edition of the Federal Insurance Rate Maps.

Sec. 3.10. - Building setback requirements.

Each lot shall have building setback lines which run parallel to the property line. Minimum setback lines shall be as follows:

Front (Local Street) - Twenty-five (25) feet
Front (Arterial Street) - Thirty-five (35) feet
Rear - Twenty-five (25) feet
Side - Ten (10) feet
Side (Local Street) - Twenty-five (25) feet

Sec. 3.11. - Reserved tracts.

Reserve tracts are those individual parcels of land created within a platted subdivision which are not divided into residential lots, but are established to accommodate some specific purpose such as a private recreational facility, school or church site, or site for utility facilities and other activities and land uses for which division into lots is not suitable or appropriate. Since the use of reserve tracts may not be completely determined by the subdivider or developer at the time plats are prepared and submitted to the city, these reserve tracts are often established as unrestricted reserves that allows maximum flexibility in the determination of the ultimate use planned for such properties.

- 3.11.01. *Public street access.* Reserves established on any subdivision plat shall have frontage on and be immediately adjacent to at least one public street, with such frontage being not less than 50 feet in width.
- 3.11.02. *Identification and designation.* All reserves shall be labeled and identified on the plat, and a description of the use intended for such reserve, if known, shall be noted. If the use of the reserve is not restricted for any specific use, the reverse shall be identified and noted as being unrestricted. All reserves are to be identified and designated by alphabetical letters, not numbers, along with an indication as to the total acreage of such reserves that shall be shown within each reserve boundary.

Sec. 3.12. - Lots, general provisions.

The purpose of this section is to provide general overall guidelines for the establishment of individuals lots within a subdivision.

- 3.12.01. *General lot design, arrangement, layout.* The general lot design within any subdivision shall be based upon the concept that such lots are created and established as undivided tracts of land and that purchasers of such lots can be assured that these tracts of land meet the following basic criteria:
 - 3.12.01.01. That the lot is of sufficient size and shape to accommodate easements for all public and private utility services and facilities to adequately serve any residential dwelling unit constructed thereon.
 - 3.12.01.02. That the lot is of sufficient size and shape and is so located that direct vehicular access is provided from a public street or through an approved private street and that the required number of vehicles can be parked on the lot without encroachment within any adjacent public or private street right-of-way.
- 3.12.02. *Lot shapes.* Lots shall be designed, so far as possible, with side lot lines being at right angles or radial to any adjacent street right-of-way line. Where all lots are either perpendicular and at right angles or radial to adjacent street rights-of-way, a suitable notation shall be placed upon the plat in lieu of lot line bearings.
- 3.12.03. *Key or flag shaped lots.* For the purposes hereof, a key or flag shaped lot shall mean a lot having gross disparities in width between side lot lines, sometimes resembling a flag on a flag pole, a key, or some other lot shape of comparable irregularity. Key or flag shaped lots shall be prohibited.
- 3.12.04. *Street access limitations.* Rear and side vehicular driveway access from lots to adjacent streets designated as major thoroughfares or any other public street which carries a traffic volume where additional vehicular driveways would create a traffic hazard or impede the flow of traffic, shall not be approved and such access restriction shall be noted directly upon the plat and adjacent to the lots in question.
- 3.12.05. *Lot and block identification.* All blocks established in any subdivision shall be designated by number with said numbers being consecutive within the whole subdivision plat. Lots established within said blocks shall also be numbered with said numbers being consecutive within the block. Lot numbering shall be cumulative throughout the subdivision if the numbering system continues from block to block in a uniform manner.

Sec. 3.13. - Minimum lot sizes, general provisions.

3.13.01 Lot Size. Minimum lot size shall be based on the land use proposed by the Subdivider and upon the availability of central sewage disposal service. Lots to be served by septic systems shall conform to County and/or State regulations. No lot shall be platted less than one hundred fifteen (115) feet in depth or less than fifty (50) feet in width. Minimum average lot area shall be five thousand seven hundred fifty (5,750) square feet. In cases where an irregularly shaped tract is platted into lots and the remnant piece of property is of sufficient area to plat one or more lots, the Council may waive the depth requirement to prevent a hardship on the Subdivider. Minimum usable lot depths for lots backing on natural drainage easements shall be not less than one hundred (100) feet measured between front lot line and drainage easement.

3.13.02. Corner lots with a width of less than seventy-five (75) feet are to be at least fifteen (15) feet wider than the average of interior lots in the block. Lots facing or backing on major streets shall be at least ten (10) feet deeper than average lots facing on adjacent minor streets. Corner lots shall have a side setback of twenty-five (25) feet on the road side and a ten (10) foot setback on the interior lot side such that the corner lot shall be a minimum of seventy-five (75) feet to allow the house a forty (40) foot width. Anything less than forty (40) feet will limit the house design on a corner lot.

3.13.03 Lots should be rectangular insofar as practicable. Sharp angles between lot lines should be avoided. The ratio of depth to width should not ordinarily exceed two and one-half (2 ½) times. Side lot lines should be perpendicular or radial to street frontage. Each lot shall be provided with adequate access to an existing or proposed public street by front on such street not to be less than forty (40) feet. Double frontage lots are prohibited except when backing on major thoroughfares. Rear and side driveway access to major thoroughfares shall be prohibited.

3.13.04 Wherever feasible, each lot should face the front of a similar lot across the street. In general, an arrangement placing adjacent lots at right angles to each other should be avoided. The locations, size, and descriptions of all utilities to serve the proposed development shall be submitted as part of the Preliminary Plat.

Sec. 3.14. – Block Lengths

3.14.01 Where no existing subdivision or topographical constraints control, the block lengths shall not exceed 1,600 feet in length along major thoroughfares and 1,200 feet along other streets. Where no existing subdivision or topographical constraints control, the blocks shall not be less than 600 feet in length; however, in cases where physical barriers or property ownership creates conditions where it is appropriate that these standards be varied, the length may be increased or decreased (through issuance of a variance with plat approval) to meet the existing conditions having due regard for connecting streets, circulation of traffic and public safety.

Sec. 3.15. – Utilities.

3.15.01 Adequate provision for all utilities shall be provided to the entire subdivision. All distribution and service lines of electrical, telephone, television, and other wire-carrier type utilities shall be underground. Transformers, amplifiers, or similar devices associated with the underground lines shall be located upon the ground or below ground level. Where the underground placement of such facilities is not a standard practice of the utility involved, the subdivider or developer shall make arrangements with the applicable utility for payment of all costs associated with the nonstandard installation. The locations, size, and descriptions of all utilities to serve the proposed development shall be submitted as part of the Preliminary Plat.

Sec. 3.16. – Drainage.

3.16.01 An adequate storm drainage system consisting of inlets, pipes, and other underground drainage structures with approved outlets shall be constructed where drainage of storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities.

3.16.02 Structures for drainage shall be constructed in such locations and of such size to adequately serve the subdivision and the contributing drainage area. All drainage facilities shall be constructed in accordance with the City's Standard Specifications and with all other plans, policies, ordinances and codes of the City.

Sec. 3.17. – Sanitary sewer.

Sanitary sewer facilities shall be designed and constructed in accordance with the applicable standards of the city and the Texas Commission on Environmental Quality (TCEQ). Each lot within a proposed subdivision shall be connected to the sanitary sewer system of the city. No septic tank system shall be permitted within any newly platted subdivision within the city to which city sewer service is available at the time the final plat for the subdivision is recorded.

Sec. 3.18. - Water.

Facilities for the provision of potable water to all areas of the proposed subdivision shall be designed and constructed in accordance with the applicable standards of the city and the Texas Commission on Environmental Quality (TCEQ). Potable water system shall additionally provide fire protection per the TCEQ, current edition of International Fire Codes and City ordinances. Each lot within a proposed subdivision shall be connected to the potable water distribution system of the city.

Sec. 4.01 - Penalty.

Any person who intentionally, knowingly, recklessly or with criminal negligence violates any provision of this ordinance within the corporate limits of the City of Burton, Texas, or its extraterritorial jurisdiction shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount not exceeding \$2,000.00. Each day that such violation continues shall constitute a separate offense. Prosecution or conviction under this provision shall never be a bar to any other remedy or relief for violations of this ordinance.

Exhibit B

CITY OF BURTON

DESIGN AND CONSTRUCTION STANDARDS

1.01 Minimum Requirements

The intention of these standards is to define minimum requirements for street, utility, and drainage construction in new subdivisions within the limits of the City of Burton. These standards are supplementary to the City’s subdivision development ordinance, including the subsequent amendments.

1.02 Street Paving

The following minimum standards apply to subdivision street paving:

1. Type. Six (6) inches of reinforced concrete surface with concrete curb and gutter.
2. Pavement Width.
 - a) Major Streets – Forty-four feet (44’) to Sixty-four feet (64’) between back of curbs.
 - b) Secondary streets - Thirty-eight feet (38’) to forty-four feet (44’) between back of curbs.
 - c) Residential streets – Twenty-eight feet (28’) to thirty-two feet (32’) between back of curbs.
3. Cross Section. A standard cross section for a residential street is shown in the City’s standards paving detail sheet. Cross sections for secondary and major streets shall be proportioned similarly. At intersections, curb return radius shall be twenty-five (25’); at cul-de-sacs, forty-five feet (45’).
4. Concrete.
 - a) Reinforcing Steel.
 - i. Material – open hearth new billet steel.
 - ii. Yield strength – 60,000 psi, minimum.
 - iii. Splices – twenty-four (24) bar diameters.
 - iv. Bar size and spacing – No. 3 bars at eighteen inch (18”) centers, each way, minimum. Street should be designed based upon the sub-grade and load use of street.
 - v. Bar support – metal or plastic “chairs” shall be used to hold bars in position during placement of concrete.
 - b) Concrete Mixture.
 - i. Compressive strength – 3,000 psi, minimum at twenty-eight (28) days.
 - ii. Slump – four and one-half inches (4-1/2”) maximum.
 - iii. Cement factor – 5.0 bags per cubic yard, minimum.
 - c) Cement. Type I (Normal) Portland Cement, or with city engineer’s approval, Type III (High Early Strength).
 - d) Aggregate. Coarse and fine aggregate shall meet the requirements of the Texas Highway Department Standard Specification “Item 360” for concrete pavement.
 - e) Jointing.
 - i. Expansion joints with sleeved load transmission dowels – at intersections. Also, every eighty (80) linear feet, minimum.

- ii. Wood joints – Sound Heart Redwood.
 - iii. Joint seal – O.A. 90 asphalt or other types with approval.
 - f) Curing. Curing method shall retain as least ninety-seven percent (97%) of moisture at twenty-four (24) hours, at ninety-five percent (95%) at three days, and at least ninety-one percent (91%) at seven (7) days. (ASTM procedure C-5)
 - g) Test. Compressive strength – three (3) cylinders every 50 cubic yards of concrete or portion thereof. Testing lab is to be supplied by the developer.
 - h) Placement. Concrete shall not be placed on frozen sub-grade; when air temperature is thirty-eight (38) degrees F or below; when air temperature is below forty-two (42) degrees F and declining; when finishing cannot be completed during natural light.
5. Sub-grade.
- a) Rolling machinery – all sub-grade shall be rolled.
 - b) Density required – at least ninety-five (95%) percent of maximum density (Standard Proctor Density Test).
 - c) Lime stabilization – required when Plasticity Index (P.I.) of sub-grade soil exceeds 18.
 - d) Cement stabilization – Required when low P.I. “spongy” or wet soils.
 - e) Sub-grade shall not be allowed to dry before concrete or base is placed, nor shall concrete or base be placed on frozen sub-grade.
 - f) Density tests – at two hundred (200) linear foot intervals, or closer when requested by city engineer. Density tests shall be “staggered” across the width of the pavement. At no point should density tests be taken in a straight line. At least one density test must be taken on the outside edge of the pavement in cul-de-sacs.
6. Large Lot Subdivision. Where every lot in a subdivision is in excess of one (1) acre in size and the natural grade of the tract to be subdivided has at least three (3) feet of drop per one-thousand (1,000) feet, an open ditch cross-section of road will be allowed.
- a) Pavement Type.
 - i. Concrete meeting Item 1.02.
 - ii. Asphalt cross-section.
 - 1. 1-1/2 inches of hot mix asphalt Type D meeting TxDOT Item 340 (24-foot width).
 - 2. 8 inches of compacted limestone meeting TxDOT Item 247, Type A, Grade 2 (25-foot wide).
 - 3. Sub-grade meeting Item 1.02-5.
 - b) Pavement Width.
 - i. Residential streets – Twenty-four (24) feet edge-to-edge.
 - ii. All other streets require concrete meeting Item 1.02-2.
 - c) Cross Section. A standard cross-section for a residential street is shown on the *City’s standard paving detail sheet*.

1.03 Sidewalks

Sidewalks shall meet the following minimum standards:

- a) Dimensions.
 - a. Width – four feet (4’), zero inches (0”), minimum.
 - b. Thickness – Zero feet (0”), four inches (4”), minimum.
- b) Sub-grade. Two inches (2”) of compacted sand.

- c) Cross Slope. One-fourth inch (1/4") per foot toward curb. Slopes on sidewalks must be ADA compliant.
- d) Reinforcing shall be #3 rebar at no greater than Eighteen (18") C-C or #10 6x6 welded wire mesh supported by either chairs or c.m.u.bricks.
- e) Load transmission devices (dowels) shall be #4 rebar, twelve inch (12") long, embedded six inches (6") either side of expansion joint, one end shall be sleeved. Set load transmission devices twelve inch (12") C-C, maximum.
- f) Expansion joints are to be spaced ten feet (10') C-C and are to be Sound Heart Redwood, 3/4" thick with OA 90 asphalt or approved sealer.
- g) Control joints are to be cut (1/4 x 1/2") at no greater than 5' C-C spacing.
- h) Location. As per *Figure I*, as shown on standard detail sheet.

1.04 Water System

The following minimum standards apply to water system extensions within the City of Burton:

1. Main Lines.
 - a. Minimum diameter – six inches (6")
 - b. Depth – three feet (3'), six inches (6") of cover below final grade.
 - c. Material – C-900 PVC DR18.
 - d. Location – as shown on Standard Detail Sheet.
 - e. Mains shall be looped with no dead end serving more than four (4) lots.
2. Valves.
 - a. Locations – At tees: two (2) valves. At crosses: three (3) valves. At each connection to existing water system; one (1) valve.
 - b. Type – Non-rising stem, O-ring seals, Mueller or Clow brand. Counterclockwise opening, mechanical joint.
3. Fire Hydrants.
 - a. Locations – at each street intersection and cul-de-sac end. Single family residential areas: five hundred foot (500') intervals, maximum. Commercial, including reserves: three hundred foot (300') intervals, minimum.
 - b. Type – Mueller brand or approved equivalent, 3-way 5-1/4" barrel with 4-1/2" steamer (pumper) nozzle and two (2) 2-1/2" hose nozzles. Counter-clockwise opening, mechanical joint. Each fire hydrant is to have an individual gate valve (with adjustable riser box) located within four feet (4') of the fire hydrant.
4. Fittings.
 - a. Material – cast iron, cement lined, mechanical joint. All fittings are to be thrust blocked with concrete. All fittings are to be wrapped with plastic or similar materials to prevent concrete from adhering to the mechanical joint connection components.
 - b. Pressure rating – 250 psi.
5. Services.
 - a. Corporate stop – Mueller H-15000 or approved equivalent.
 - b. Curb stop – Mueller H-15275 or approved equivalent, ending in an approved concreted or plastic meter box. (All boxes in new development are to be of the same material).
 - c. Meter nipple required – Mueller H 10890G or approved equivalent.
 - d. Pipe material – soft copper.
 - e. Size – One inch (1"), one per each residential lot.
 - f. Concrete or plastic meter box of appropriate size is required.

- g. All curbs are to be marked to indicate the location of the water services for each individual lot.
6. Backfill.
- a. Under streets – wrap water line with six inch (6”) layer of bank sand; remainder of trench to be filled with 1.0 sack (100 psi) per cubic yard cement stabilized sand, compacted to 95% Proctor.
 - b. Other locations – wrap water lines with a six inch (6”) layer of bank sand; remainder of trench to be filled using compacted native soil. Sandy soil must be water jetted; other soils may be compacted by rolling with a tractor or similar method.
 - c. All trenches are to be compacted to 95% Standard Proctor.

1.05 Sanitary Sewer System

All homes must be connected to central sanitary sewer system. The following minimum standards apply to sanitary sewer extensions within the City of Burton.

- 1. Main Lines.
 - a. Minimum diameter – six inches (6”).
 - b. Minimum depth – four feet (4’), zero inches (0”). Exceptions may be made on depth with City of Burton approval.
 - c. Material.
 - i. Pipe – SDR 26 PVC.
 - ii. Fittings - same class as pipe, with rubber gaskets.
 - iii. ALL sanitary sewer lines must be air-tested and pass deflection testing thirty (30) days (or longer) after installation. The city reserves the right to require filming of any sewer installation, at the developer’s expense.
- 2. Manholes.
 - a. Size.
 - i. Four feet (4’), zero inches (0”) inside diameter.
 - ii. Thirty-two inch (32”) diameter opening in cove section for access to the sanitary sewer for cleaning and maintenance.
 - b. Spacing – three hundred feet (400”) maximum and at changes in direction or size of main line.
 - c. Material.
 - i. Pre-cast concrete manhole meeting ASTM C478 (latest revision).
 - ii. Cast-in-place manholes shall be 4000 psi concrete with wall thickness of no less than five inches (5”). The base shall be no less than twelve inches (12”) thick.
 - d. Pipe Connection – each pipe connection to sanitary sewer manholes shall be made water tight by either:
 - i. Approved flexible connectors; or
 - ii. Water tight grout.
 - e. Foundations – place manhole base on twelve inches (12”) minimum of compacted cement stabilized sand.
 - f. Manhole ring and lid.
 - i. Install thirty-two inch (32”) diameter cast iron ring using approved sealant.
 - ii. In pavement – adjust ring and cover to grade.)The City may require infiltration prevention measures, to be decided on a case by case basis. If they are required, the developer must pay for them).

- iii. In unpaved areas – adjust ring and cover to at least six inches (6”) above surrounding grade, sloping grade away from the manhole.
 - iv. Manhole lid is to have “Sanitary Sewer” cast into it. No other reference is to be cast into the lid.
3. Services.
- a. Minimum sizes-
 - i. Residential: single service – four inches (4”); double service – six inches (6”).
 - ii. Commercial: Six inches (6”) minimum.
 - b. Material - Sch. 40 or SDR 26-PVC.
 - c. Fittings required – wye, bend, and plug.
 - d. Stack required – where sewer depth exceeds six feet (6’), zero inches (0”).
 - e. Marking – “As built” plans required showing locations, with 4”x 4” oak timber marking each service and extending two feet (2’) above ground. Painting with a bright color paint. (Capped four-inch (4”) diameter PVC pipe may be used in lieu of oak timber). Curb is to be marked to indicate the location of the sanitary sewer service.
 - f. Bedding – cement stabilized sand (one sack per cubic yard). Thickness to be one half (1/2) of the pipe diameter beneath the pipe (in no case less than six-inch (6”) thickness) and to the centerline of the pipe.
4. Backfill. Same as for water system.
5. Location. Except in unusual circumstances and after recommendation by the city engineer and approval of City Council, sanitary mains shall be located in front of lots. They shall be placed within street rights-of-way opposite water mains. If authorized to be placed at rear of lot, mains shall be no closer than five feet (5’) to the easement boundary.
6. Lift Stations.
- a. If elevation of lots are found to not be compatible with the natural flow of the sewer system, each residence or commercial should have a small lift station installed on the property owners side of the clean out connection at the developers expense and maintenance will be at the property owners expense.
 - b. If the city determines that a larger lift station is required to be installed to enable the flow of new development waste to reach the city’s wastewater treatment plant, it shall be installed at the developer’s expense; this includes engineering design (using the city engineer) and all aspects of construction.

1.06 Drainage

The following minimum standards apply to drainage construction within the new subdivisions. The City of Burton has adopted the *Washington County Drainage District’s Criteria Manual* and all drainage calculations and plans shall be approved by the *Drainage District*.

1. Storm Sewers and Culverts.
- a. Minimum diameter – twenty-four inches (24”); eighteen inches (18”) for pipe serving one (1) inlet.
 - b. Minimum slope – storm sewers: 0.1%. Culverts shorter than one hundred feet (100’): 0.1 foot.
 - c. Materials.
 - i. Class III reinforced concrete pipe.
 - ii. High density polyethylene (HDPE) corrugated smooth lined thermoplastic pipe may be used when approved by the city engineer.

- iii. Texas Highway Department standard box culverts and headwalls
 - d. Joints.
 - i. Class III reinforced concrete pipe – bell and spigot joints with “O” ring type gaskets.
 - ii. High Density Polyethylene Pipe – bell and spigot joints with “O” ring type gaskets.
 - iii. Box culverts – “Ram-Nek” type asphaltic sealer or approved equal with joints to meet Texas Department of Highway specifications.
 - e. Bedding – All storm sewer is to be bedded with one and one-half (1-1/2) sack per cubic yard of cement stabilized sand, compacted to twelve inch (12”) thickness, minimum.
 - f. Backfill - All storm sewer piping shall be backfilled to twelve inches (12”) over the top of the pipe with one and one-half (1-1/2) sack per cubic yard cement stabilized sand, compacted by mechanical means. When using HDPE pipe, caution shall be taken to insure proper bedding and backfill to meet the manufactures recommendations to provide the structural support necessary.
 - g. Junction boxes and Manholes.
 - i. Size: nominal pipe size plus twelve inches (12”).
 - ii. Material: reinforced concrete, designed for the load. Minimum wall thickness – five inches (5”).
 - iii. Location.
 - 1. At changes in pipe size or direction.
 - 2. At distances not to exceed four hundred feet (400’).
 - iv. Access covers: twenty-four inch (24”) diameter cast iron ring and cover with the word “Storm” cast into the cover.
 - h. Inlets.
 - i. Minimum throat size: six inches (6”) high X five feet (5’) long.
 - ii. Material: reinforced concrete, designed for load.
 - iii. Wall thickness: five inches (5”).
 - iv. Access: twenty-four inch (24”) diameter cast iron ring and cover (see 1.06.g.iv).
- 2. Open Channels.
 - a. Unlined ditches – side slopes: three (3) horizontal, one (1) vertical. Bottom Slope:0.05% minimum. Easement width: top width plus sixteen feet (16’) on one (1) side plus six feet (6’) on other side.
 - b. Lined channels – bottom slope: 0.05% minimum. Lining material: five inches (5”) thick concrete with #3 bars at eighteen inches (18”) center to center. With approval of the City, pre-cast concrete pavement may be used in lieu of concrete. Concrete characteristics: same as for street paving. Easement width: top width plus twelve feet (12’) on one (1) side and four feet (4’) on the other side.
- 3. Design Criteria.
 - a. Storm period: twenty-five (25) years.
 - b. Runoff coefficient:
 - i. Single family residential area – fifty percent (50%).
 - ii. Commercial areas – eighty percent (80%).

1.07 Street Signs

For uniformity, street signs shall be approved through the City of Burton: Cost of signs and erection are the responsibility of the developer. Signs are required at each street intersection.

1.08 Regulations and Other Entities

These construction standards are not intended to replace the regulations of state or federal governmental entities whose jurisdiction include new subdivisions within the jurisdiction of the City of Burton.

2.00 RESPONSIBILITY FOR STREET AND UTILITIES INSTALLATION

2.01 Developer Responsibilities

In general, the sub-divider or developer shall be required to construct at his expense, all streets, alleys, sidewalks, crosswalks, street markers, sanitary sewers, sewage lift stations or other sewage facilities, water mains, and water systems, drainage culverts, storm sewers, bridges, street lights and other appurtenances in strict accordance with Articles 1.01 through 1.08, necessary and required to adequately serve the subdivision or addition to be developed by him.

2.02 Street, Utilities and Appurtenances to Become Property of the City of Burton

All streets, utilities and other appurtenances, except electrical service, constructed by the developer shall become the property of the City of Burton upon completion and acceptance by the city engineer and the City Council.

2.03 When City to Assist Developer

Upon the passage of these standards, it will be the policy of the City of Burton to assist the developer in recovering the cost of construction of such facilities where sizes and capacities of facilities are required to service urban development of a larger area than that being subdivided or areas extending beyond the limits of the proposed subdivision to the extent hereinafter set forth; but the City reserves the right to consider each facility on its own merit.

3.00 PARKS, PLAYGROUNDS, SCHOOLS, AND OTHER PUBLIC FACILITIES

3.01 Parks and Playgrounds

A sub-divider shall be required to provide open space for park purposes or dedicate funds for parks as set out in this ordinance.

3.02 Schools

The location, size and shape of any proposed school site shall be in accordance with the master plan of the City of Burton and/or Washington County, respectively, or supplemented, as approved by the City Council and finally accepted by the City Council and Burton Independent School District.

3.03 Public Facilities and Other Special Land Uses

The location, size and shape of any proposed public facility or other special land use site shall be in accordance with the most recent comprehensive plan for the City of Burton and/or Washington County, respectively, as approved by the Mayor or his designee and finally accepted by the City Council.