

SPECIAL MEETING

**AGENDA
CITY OF FREDERICKSBURG
CITY COUNCIL
and
PLANNING & ZONING COMMISSION
MONDAY, APRIL 8, 2013
5:30 PM
LAW ENFORCEMENT CENTER**

1. Call to order.
2. Discuss the Diagnostic Report on the Subdivision Regulations.

ADJOURNMENT



Innovative approaches
Practical results
Outstanding service

Subdivision Ordinance Diagnostic Report

Prepared for:

City of Fredericksburg, Texas



Thursday, April 4, 2013

Prepared by:

FREESE AND NICHOLS, INC.
Daniel Harrison, AICP
1701 North Market Street, Suite 500 LB51
Dallas, Texas 76202
214-217-2200

FRB13108

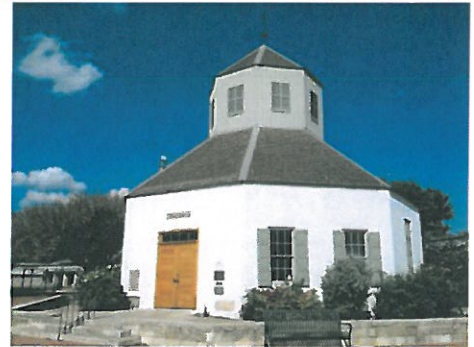


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INTRODUCTION

Background Information

The City of Fredericksburg, Texas has seen significant growth within its community, growing 18.2 percent from a population of 8,911 in 2000 to 10,530 in 2010 (an increase of 1,619 people). Fredericksburg is a unique Texas community that offers a high quality of life for its residents and businesses and serves as a tourist and cultural destination. With many desirable qualities within the community, new development and redevelopment is expected to occur within Fredericksburg and much of this growth will be regulated by the City's Subdivision Ordinance, most notably when property owners want to subdivide property or combine lots.

Currently, the Subdivision Ordinance is an older document and does not have many of the standards appropriate for contemporary development. This Diagnostic Report will review the current Subdivision Ordinance and identify potential issues and recommendations to solve those issues. The Diagnostic Report is intended to provide City leaders and the public with the guidance needed to improve its subdivision regulations.



Figure 1: Downtown Fredericksburg



Figure 2: New Residential Development

Cities have three primary land use management tools, which are a city's (1) Comprehensive Plan, (2) Zoning Ordinance, and (3) Subdivision Ordinance. The City's current Comprehensive Plan was adopted in 2006. The City's Comprehensive Plan lays out the vision for how the community is to develop. The Zoning Ordinance then implements the Comprehensive Plan's recommendations by establish zoning districts (lot sizes, etc.) and development standards (requirements for building, parking standards, landscaping standards, etc.). Subsequently, the Subdivision Ordinance is an implementation tool for both the Comprehensive Plan and the Zoning Ordinance as its primary function is to regulate how land is subdivided and public improvements are installed. While the current Subdivision Ordinances has served the City well, it has become evident that deficiencies exist and improvements should be made. Therefore, in an effort to continue to provide for the public health, safety, and welfare, City leaders have charged City Staff to work with the consulting firm, Freese and Nichols, Inc., to lay the foundation for updating the current Subdivision Ordinance and address immediate subdivision issues with the development of this Diagnostic Report.

Background of Platting

Subdivision Platting is the dividing of land and the creation of **building lots**. The City may also enforce its platting regulations in the extra-territorial jurisdiction (ETJ) to make sure public improvements created in the ETJ that will someday be annexed by the City meet the City's development standards. When a plat is approved and recorded, there is an accurate map/survey of the development created allowing the sale of lots. The City is also telling future purchasers that each of the lots is a legal "building

site" that meets all City requirements and has adequate infrastructure for its use including paved street access, water, wastewater, fire protection, and drainage. Platting does not tell a purchaser what land uses can be located on the lot or how they may be arranged; that is a function of zoning.

Platting authority for cities comes from Chapter 212 of the Texas Local Government Code and is considered an **administrative process**. The City has discretion in what subdivision platting requirements or rules are adopted, and many cities have very individualized regulations. Once subdivision regulations are adopted however, cities have very little discretion in applying those regulations. Subdivision regulations are technical, engineering type of regulations that ensures development will have adequate public facilities (utilities and streets), and must be uniformly applied. The plat approval process is not the appropriate time for negotiation of the details of what the uses will be or what the buildings will look like. Every person has a right to develop their property and if an applicant meets the requirements of the subdivision platting and development codes, their plat must be approved, no matter what adjacent property owners may think. There is very little discretion in approving plats and there is some potential liability on the part of the City and the individual P&Z Commissioners for denying a plat that meets all requirements. There is no public notice requirement for plats (except certain replats) and generally, giving adjacent property owners a say in the approval of plats not appropriate. (The one exception is replatting an already recorded subdivision that was zoned or deed restricted to two or less dwelling units in the previous five years)

Since it is not considered **legislative** and the approval of plats is **ministerial** and does not involve passing ordinances, the Council may delegate approval to the Planning and Zoning Commission, and in some cases to the staff. The best way to think of the "administrative" approval process of plats is that the approval body in Fredericksburg, the Planning and Zoning Commission is reviewing the work of the staff in making sure the plat complies with City ordinances. Council has done its legislative task in adopting subdivision regulations that it believes will sufficiently serve the population's needs for public facilities, adequate streets and sidewalks, and other related public facilities such as parks. Perhaps the best question a P&Z Commissioner can ask the staff about a plat is **"does this proposed plat meet all City requirements?"** If it does, state law mandates that it must be approved. If a plat does not meet all requirements or if a plat is denied, state law requires that the landowner be advised of the exact provisions of the subdivision regulations that the plat does not meet, so that those issues can be addressed and corrected.

There are some provisions of the newer types of development that are appropriate to the subdivision ordinance. These relate primarily to the public improvement standards. For example, "Neo-traditional" development provides for narrower streets laid out in a more gridiron type pattern. The extra-narrow streets have very short block lengths with virtually no cul-de-sacs. Ultimately, with the use of antique street lights, parkways and sidewalks, the neighborhood has the look of an old traditional neighborhood. An Alternative Subdivision Design approval process may

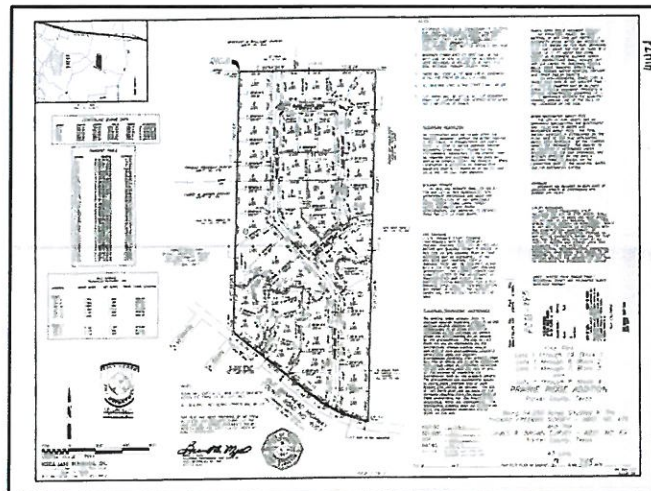


Figure 3: Example of a Plat

also be utilized or the Planned Development process in zoning may be used to provide for such design flexibility in subdivisions.

Stakeholder Interviews and Open House on February 11, 2013

On Monday, February 11, 2013, community stakeholders who have knowledge of and experience with the current Subdivision Ordinance met to provide an understanding of what works well and what problems should be addressed with the Diagnostic Report. City Staff contacted stakeholders and invited them to City Hall to participate in the interviews at pre-arranged interview times. Community stakeholders included the following groups:

- City Staff;
- Surveyors;
- Real Estate Professional and Home Builders;
- Developers and Contractors;
- Design Professionals; and
- City Council and Planning & Zoning Commission Members.



Figure 4: Fredericksburg City Hall

In order to gain additional input, an Open House was held at 6:30 PM that evening to allow all citizens and stakeholders who were not able to attend the interviews to provide input into the Diagnostic Report. The issues identified by these stakeholders have been incorporated into this report.

General Concepts for Updating or Developing a Subdivision Ordinance

This Diagnostic Report has been drafted as the first step in the City's goal of updating or creating a new Subdivision Ordinance. The following broad concepts pertaining to City issues have been considered in the drafting of this report.

A User-Friendly Format

Developers, consultants, and others who use the new Subdivision Ordinance should be able to easily navigate the new document. The new Subdivision Ordinance should be written in a format that promotes scanning over reading long passages of text.

The Incorporation of Innovative Planning Principles

The City seeks to incorporate the latest thinking in the art and science of city planning into its new Subdivision Ordinance. The ultimate goal of the new Subdivision Ordinance is to help continue to make Fredericksburg a great community. Therefore, one of the central objectives of this work effort will be to improve the basic policies and rules that govern and manage land development activities in the community. The updates or new Subdivision Ordinance should focus on outlining a user-friendly land development process that will result in a better-quality urbanized environment.

A Legally Sound and Fair Document

Finally, regulations must be a fair and highly defensible set of rules for the development of land in the community. Any new Subdivision Ordinance should clearly reflect basic Constitutional principles, recent court rulings, and other applicable case law. It also must be framed in accordance with Texas statutory authority as it pertains to community planning and land development, with issues such as appeal processes and rezoning.

The Resulting City Council and Planning & Zoning Directive

Following the review of this Diagnostic Report, the City leaders will need to provide input on the recommendations contained herein. The Diagnostic Report will serve as the foundation for the existing Subdivision Ordinance and the development of a new Subdivision Ordinance.

With these concepts at the forefront, this Diagnostic Report has been drafted. It represents the first step in the Council's directive to update, reorganize and simplify the City's subdivision regulations. The process used to get to this juncture was a fact-finding and input-gathering exercise with City stakeholders and also included extensive review of the existing codes, processes and plans. The results of the Consultants' research, investigations, and diagnostic interviews are contained in this report.

The purpose of this report is to provide the City's decision-makers with initial direction and recommendations for rewriting the City's Subdivision Ordinance.

If the City Council/Planning and Zoning Commission agrees with the recommendations presented in this report, the Consultants will proceed to Phase II of the work effort, which involves drafting the new Subdivision Ordinance document.

If the City Council/Planning and Zoning Commission has concerns about any of the issues or recommendations cited herein, these issues should be discussed and additional direction should be given to the Consultants on how they (the Council members) would prefer to approach those issues in the new Subdivision Ordinance.

Once the City Council/Planning and Zoning Commission members reach consensus on these issues (and on the rest of the Diagnostic Report), the Consultants should be authorized to proceed with the next phase of the project using the Council's directives as a guide for the forthcoming new Subdivision Ordinance.

DOCUMENT DESIGN

1) Formatting and Style – Need for a “User-Friendly” Document

Diagnostic Observation

One of the common themes expressed by the stakeholders during the interviews was frustration with the subdivision process. This frustration is generally linked to a lack of knowledge regarding the subdivision procedures and standards. If an individual wanted to become more familiar with subdivision procedures and standards, then he or she would often have a difficult time because most ordinances are not written to promote quick understanding of the issues.

The typical user of the subdivision ordinance desires to quickly find information to answer questions she or he may have. It is commonly accepted that a subdivision ordinance in any community is scanned by readers and not intended to be read from cover to cover. Therefore, it is important to design a document that meets the “scan-ability” desire of its readers. With the current format, a person cannot quickly scan through the subdivision ordinance, either visually or electronically, to find information due to a lack of subheadings, verbose/confusing wording, run-on sentences, and organization format.

Recommendation

The Subdivision Ordinance should be in a readable, user-friendly format. The general format needs to be more like an outline with subheadings for each paragraph. The following steps should be taken in order to improve the Subdivision Ordinance format and provide readers greater control over understanding the Subdivision Ordinance:

- 1) An improved numbering system combined with an improved layout.
 - a. For example: Improved section/sublevel numbering, and master table of contents.
- 2) Incorporate the use of more subheadings to increase the ability to scan.
- 3) Where possible, paragraph text should be replaced with bullet points or illustrations.
- 4) Reduce the need for text explanations when charts, tables, or illustrations can be used.

2) Simplify Procedures

Diagnostic Observation

Plats, construction plans, appeals and other standard procedures are important to the development process. Citizens and developers consistently use these procedures. These procedures need to be clear and concise so every user can have an understanding of the often-complicated processes.

Recommendation

It is recommended that all procedures be reviewed to better inform individuals of specific requirements. The use of visuals, such as flow charts, should be included in the Subdivision Ordinance to clarify procedures. Efforts should be made to shorten the time it takes to complete different procedures. Additionally, coordination amongst departments is critical to establish the best format for review and approval procedures.

GENERAL PROVISIONS

3) Application (To Whom Should the Ordinance Apply)

Diagnostic Observation

The applicability of the Subdivision Ordinance to a property owner is somewhat unclear. Ultimately, the subdivision regulations apply only to a subdivision of land that would result in a lot five (5) acres or smaller. However, this important information is found in the Definition Section (Sec. 38-32) and not the Applicability Section (Sec. 38-3).

The definition section (Sec. 38-2) has a definition for a "Subdivision" that generally tracks [Texas Local Government Code \(LGC\) Section 2.12.004](#). This definition states a subdivision is "The division of a tract or parcel of land into two or more parts, any part being less than five acres..." Subsequently, the Application section (Sec. 38-3) states that "Any owner of land within the limits of the city's subdivision jurisdiction as defined in section 38-4 below (i.e., the Jurisdiction Section) who subdivides (as defined in this article) land shall submit to the city planning and zoning commission a plat of the subdivision.

Recommendation

Update the Applicability Section (Sec. 38-3) to clearly indicate that the Subdivision Ordinance only applies when subdividing a tract or parcel into two or more parts, with any part being less than five acres.



Figure 5: Area shown would be exempt from the Subdivision Ordinance (if lots created are 5 acres or greater).

4) Plat Approval Authority

Diagnostic Issue/Observation

The Applicability Section (Sec. 38-3) states any owner of land must submit a plat to the P&Z for approval. However, this statement conflicts with the minor plat procedure, which the Director of Development Services approves. Notably, the Director of Development Services may defer the minor plat to the P&Z for approval.

Recommendation

The text for the approval process and the parties responsible for approval should not be contained within the Applicability Section. This text will be revised and moved to the appropriate location.

5) Timing of Improvements

Diagnostic Issue/Observation

The Applicability Section (Sec. 38-3) states that "No owner of land within such subdivision jurisdiction shall proceed with improvements in any such subdivision until the plat thereof shall receive preliminary and final approval by the city planning and zoning commission as provided in this article." Ideally, the installation of improvements (roads, water lines, etc.) occur between the preliminary approval (preliminary plat) and final approval (final plat). The City's current method does not fit the ideal model and can lead to difficulties with the construction of improvements and the filing of a plat.

Recommendation

Clarify the timing of public improvements in the platting process. It is recommended that the installation of improvements (e.g., roads) occur between the preliminary plat and final plat.

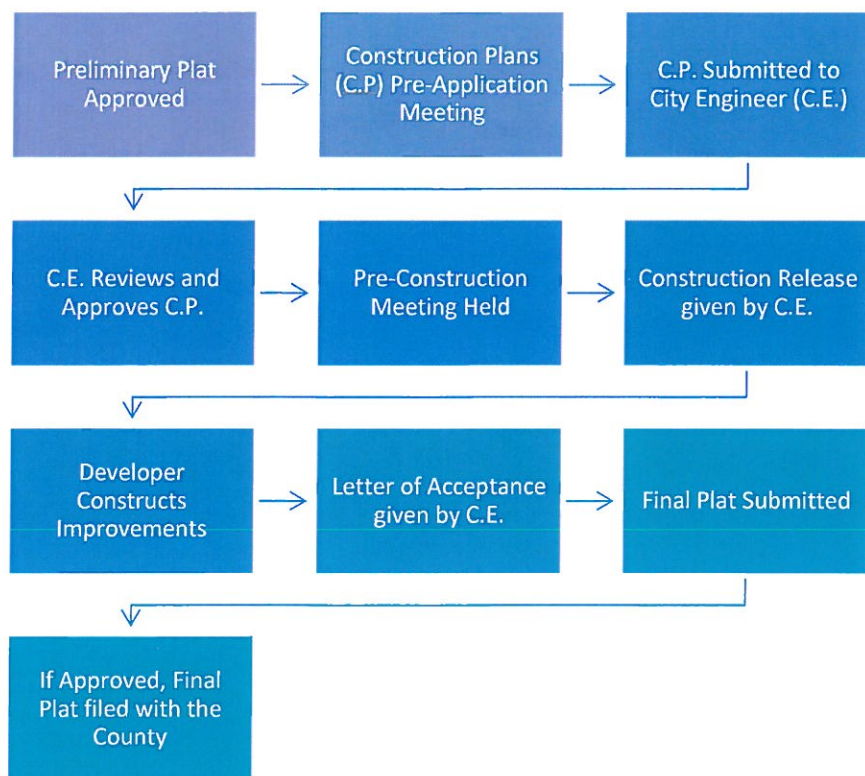


Figure 6: Flow Chart of Platting Process

6) Plat Required for a Building Permit or Certificate of Occupancy

Diagnostic Issue/Observation

The Jurisdiction Section (Sec. 38-3.C) establishes that no building permit or certificate of occupancy shall be issued for any parcel or plat that was created after November 4, 1996 (i.e., the ordinance effective date) unless that parcel or plat was created in conformance with the subdivision ordinance. In effect, the statement requires any new parcels created after November 4, 1996 to be properly platted before a building permit or certificate of occupancy can be issued.

Recommendation

It is recommended that all properties be platted, including properties created prior to November 4, 1996. This would be implemented by requiring any building permit or certificate of occupancy applicant to provide an approved plat as part of the application. This standard would help to ensure that necessary easements and right-of-ways are acquired when someone wants to develop a property in the older parts of the community. Notably, the subdivision of parcels five acres and larger would be exempt from this requirement.

7) Compliance with City Plans and Ordinances

Diagnostic Issue/Observation

In discussing the general provisions of the Subdivision Ordinance, it is important to inform the reader what other ordinances and plans generally apply to the applicant. Compliance with all City ordinances pertaining to a subdivision and the Transportation Element of the Comprehensive Plan (where applicable) needs to be required prior to approval of any application pursuant to this Subdivision Ordinance. Currently, Sec. 38-7 established compliance with different ordinances and the Comprehensive Plan; however, it does not identify the key ordinances for the reader, such as Stormwater Control.

Recommendation

Added a section details the critical ordinances and plans that may be applicable to a subdivision development.

DECISION-MARKER AUTHORITY

8) Establishing the Decision-Making Authority for Applications

Diagnostic Observation

Subdivision ordinances benefit from a section dedicated to identifying who is responsible for approval of different types of applications. These short sections prove to be very useful in informing users of the ordinance who will ultimately approve their application. It can also be used by staff for a quick reference regarding the approval process. Currently, the approval authority is spread throughout the document and often repeated in various sections. While repeating approval authority can be beneficial, ideally approval authority should be listed in the related subsection (e.g., preliminary plat section for the P&Z, minor plat for the director, etc.) and once in a standalone section where all approval groups or individuals are listed.

Recommendation

Establish a "Decision-Making Authority" section to identify and summarize the approval authorities related to the Subdivision Ordinance.

9) Role and Decision Authority of the P&Z

Diagnostic Observation

According to Sec. 38-3, the Planning and Zoning Commission's primary role is to approve all plats. However, reading only this section would create confusion with the minor plat (Sec. 38-12) where the P&Z does not necessarily approve a plat. Notably, the Director of Development Services has the first opportunity to approve a minor plat and not the P&Z. This type of ambiguity can be addressed once the new section addressing decision-making authority is created.

Recommendation

List all the types of applications in which the P&Z is the final approval authority, such as preliminary plats, final plats, amending plat, replats, etc.

10) Role and Decision Authority of the Director and other City Staff

Diagnostic Observation

The roles of the Director of Development Services and other City Staff, such as the City Engineer, need to be listed within the new decision-making authority section.

Recommendation

All applications for staff approval should be listed (replats). Also, the City Engineer can be shown as the approval authority for construction plans and acceptance of public improvements.

11) Role and Decision Authority of the City Council

Diagnostic Observation

While the Council is the ultimate authority and delegates subdivision matters to the P&Z, the Council is involved in a few decisions regarding the Subdivision Ordinance. The applications needing Council approval should be documented.

Recommendation

The City Council should remain responsible for waivers and park dedications. New approvals created by a new section, such as proportionality appeal, may be addressed by the City Council.

APPLICATION SUBMITTAL AND PROCESSING PROCEDURES

12) Clarify Public Hearing Requirement for Plats Applications

Diagnostic Observation

Currently, Section 38-8 provides for public hearing requirements for preliminary plat approval, final plat approval, and other approvals. Notably, the Texas LGC 212 only requires replats to have a public hearing – no other type of plat requires a public hearing. Furthermore, [LGC 212.015](#) establishes additional requirements for “certain replats.” These certain replats deal with large lot residential replats (i.e., not more than two residential units per lot). These replats have the additional standard that they can be protested if the replat requires a variance/waiver. The protest triggers an affirmative vote of at least three-fourths to approve the plat with the variance/waiver.

Recommendation

Amend Section 38-8 to require public hearing for only replats and certain replats. Notably, notification requirement by (1) publication and (2) written notice only applies to certain replats (i.e., not all replats). Therefore, the standard 72-hour notice of a public hearing is sufficient for replats.

13) Pre-Application Conference

Diagnostic Observation

While these types of conferences are helpful to the City and the development community, recent State law changes have made such conferences problematic for municipalities. This is due to the fact that vested rights can now “accrue on the filing of an original application or plan for development or plat application that gives the regulatory agency fair notice of the project and the nature of the permit sought” ([Texas LGC, Chapter 245, Section 245.002\(a\)\(2\)\(a-1\)](#)).

Recommendation

All pre-application conferences should be voluntary to avoid any vesting claims. No pre-application conferences with City Staff to discuss any type of development applications should be **held without an expressed waiver of vested rights claims**. This can be designed as part of the process of writing the subdivision ordinance.

14) Determination of Completeness Standards

Diagnostic Observation

The vesting statutes ([LGC 245](#)) also incorporate "completeness" language that is very important for the City to consider. Cities can terminate an application and related vesting if (1) they determine an application is not complete, (2) provide in writing to the applicant within 10 business days of the submission the list of missing information and (3) the applicant does not provide the missing information within 45 days.

Recommendation

The new Subdivision Ordinance will incorporate all needed provisions to be in agreement with LGC 245, including establishing an "Official Vesting Date." Additionally, the ordinance needs to incorporate provisions to terminate substandard applications without vesting. Ordinance changes should also include defining what constitutes an application, defining an initial staff "window" review with written comments returned to the applicant.

PLATS AND PROCEDURES

15) Statutory 30-Day Period for Plat Approvals

Diagnostic Issue/Observation

Over the years, the state has established mandatory review times for plats. A statutory 30-day period for Plat approvals, established by [LGC 212](#), commences on the "Official Submission Date.. Notably, each approval body has 30 days to review. The City currently has this 30-day requirement.

Recommendation

In addition to the existing requirement within the ordinance, the City should amend the Subdivision Ordinance to include additional language regarding the LGC's approval and administrative procedures for Plats, including establishing "Official Submission Dates." Notably, the City has already established submission dates, see Figure 7. There should be a clear difference between the [LGC 245](#) vesting requirement ("Official Vesting Date") and [LGC 212](#) 30-day action requirement ("Official Submission Date").

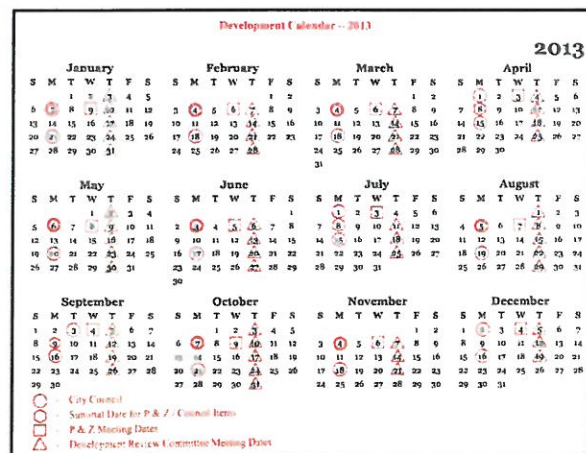


Figure 7: Current Development Calendar

16) Sketch Plat

Diagnostic Observation

The purpose of a sketch plat is to serve as a visual aid to the applicant, Director of Development Services, and City Engineer during the pre-application meeting. Section 38.9 already addresses the sketch plat and establishes the requirements for a sketch plat.

Recommendation

The City should keep the sketch plat with the voluntary pre-application meeting. The detailed list of requirements to be shown on the sketch plat could be replaced by a statement indicating that "the Director will create and maintain an application form detailing the requirements to be shown on the sketch plat."

17) Preliminary Plats

Diagnostic Observation

The preliminary plat section 38-9 addresses pre-application process through the approval of the preliminary plat. This section requires a "conceptual plan" for a proposed subdivision that constitutes a portion of a larger land area owned by the developer. The conceptual plan is a good method for addressing the development of larger areas. Additionally, this section adequately addresses timing requirement for plat review and approval.

During the interviews, several stakeholders mentioned the City's requirement to show existing and proposed right-of ways was difficult to achieve due to poor monument marking. Additionally, the approval process calls out three options: approve, approve with conditions, or deny. This section states that:

"Conditional approval shall be deemed to be a disapproval of such plat until the director determines that such conditions have been met, at which time the director may approve the plat without sending it back to the commission."

This wording and approval process should be reconsidered to address the 30-day approval.

Recommendation

The "form and content" section could be reduced to allow for the Director of Development Services to create and maintain an application form. Additionally, efforts will need to be taken to address the issue of applicants surveying the right-of-way (ROW). Further investigation is needed to develop a response and solution to surveying the ROW for preliminary plats. One possible option would be to allow surveyors to indicate ROW to the "best of their ability."

Finally, a "Waiver of Right to 30-Day Action" should be required for all applications that receive a decision to "approve with conditions." The revised preliminary plat showing the revisions (i.e., conditions) could either be approved by the Director of Development Services or sent back to the P&Z for approval. If the applicant does not sign the "Waiver of Right to 30-Day Action," then the application should be denied.

18) Final Plats

Diagnostic Observation

The final plat section (Sec. 38-10) has the same diagnostic observations as the preliminary plat section (Sec. 38-9).

In addition, setback lines are required to be shown on the final plat. This practice is common and useful for property in the ETJ. However, having setback lines on final plats for property within the city limits can become problematic. Setback lines are based on the zoning regulations. Often these setback lines are changed over the years. As a result, setback lines on a final plat often do not match the zoning regulating the land.

Also, the timing of the construction of public improvement needs to be reviewed. Ideally, all after the preliminary plat is approved, a developer would submit construction plans and build the improvements (roads, etc.), then after inspection a final plat would be filed and approved, thus accepting the improvements. Generally, cities make provisions for developers to have final plats approved before improvements are installed if surety is provided. However, using surety should be the rare exception to the rule and not standard practice for any city.

Recommendation

The final plat Section 38-10 has the same diagnostic observations as the preliminary plat section 38-9. Additionally, setbacks should not be shown on a plat and the timing of public improvements needs to be clearly stated.



Figure 8: Examples of a New Subdivision

19) Replats

Diagnostic Issue/Observation

The re-subdivision of any part of any block or blocks of a previously platted subdivision, addition, lot or tract, that is beyond the definition of an Amending Plat and that does not require the vacation of the entire preceding plat is a **Replat**. A Replat of all or a portion of a recorded Plat may be approved in accordance with State law without vacation of the recorded 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; and
3. Does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded Plat.

The current Replat section is a subsection of Section 38-11, which includes plat vacation, amending plats, and corrections to plats. While a replat shares something in common with these other applications (in that these application alter an existing plat), the replat section should be a standalone section to allow readers to better understand the entire replat process.

Additionally, this section is missing the LGC requirements for public hearings and the additional requirements for [LGC 212.015](#) that "Certain Replats" be subject to additional standards.

Recommendation

The replat section should be a standalone section that is separate from plat vacation, amending plats, and corrections to plats. This section should also be updated to reflect public hearing requirement for replats. Currently, the P&Z is the approval authority for all replats. It is recommended that the City allow the Director of Development Services to approve "Minor Replats" pursuant to [Texas Local Government Code 212.0065](#). A minor replat functions the same as a minor plat, with the difference being a minor replat changes a previously approved plat.

20) Vacating Plats

Diagnostic Issue/Observation

While often a rare occurrence, Section 38-11 addresses how a plat may be vacated. Sometimes owners of a project that never materialized wished to start the project over return the land back to a single property. If lots have been sold, then all owners of the property within the plat must make the application. Also, cities have been confronted with the concept of "paper plats," which are plats that have been filed with no infrastructure being installed. As an option to address this concern, some cities have adopted a process that allows the city to vacate the plat if there have been no lots sold after 5 years or if there has been a breach of the Improvement Agreement the developer signed with the City.

Recommendation

It is recommended that the city discuss adding the city-initiated vacating of plats. The city-initiation should be tied a breach of the Improvement Agreement, and should be written into all Improvement Agreements. This option would be used only to address paper plats and would serve to return the land back to a single property.

21) Amending Plats

Diagnostic Issue/Observation

Amending Plats are an important tool for many communities. The purpose of an Amending Plat is to provide an expeditious means of making minor revisions to a recorded Plat consistent with provisions of State law. [LGC Sec. 212.016](#) states, "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..." The purposes can be summarized as follows:

1. Error Corrections on the Plat;
2. Relocation of Lot Lines on the Plat; and
3. Replatting.

Currently, the P&Z approves amending plats. This section is too brief and the process needs to be more fully detailed.

Recommendation

It is recommended that the Director of Development Services approve Amending Plats and this section be expanded to address all necessary topics.

22) Minor Plats

Diagnostic Issue/Observation

The purpose of a Minor Plat is to simplify divisions of land under certain circumstances as outlined in [Texas Local Government Code Section 212.0065](#). A Minor Plat is a plat dividing land into no more than four (4) lots that meets the submission and approval requirements of the Subdivision Ordinance. Typically such plats may be approved by the City Staff and are considered a Final Plat. State law establishes that a Minor Plat may be filed only when all of the following circumstances apply:

- 1) The proposed division results in four (4) or fewer lots;
- 2) All lots in the proposed subdivision front onto an existing public street and the construction or extension of a street or alley is not required to meet the requirements of this Subdivision Ordinance; and
- 3) Except for Right-of-Way widening and easements, the plat does not require the extension of any municipal facilities to serve any lot within the subdivision.

Recommendation

No substantive changes are recommended for the Minor Plat Section (Sec. 38-12). Formatting changes will occur to bring this section into agreement with the other platting section (e.g., final plat section). Notably, the Director of Development Services will approve minor plat or have the option to defer to the P&Z for approval



Figure 9: Minor Plat Example

CONSTRUCTION PLANS AND PROCEDURES

23) City Engineer and the Role of Construction Plans and Procedures

Diagnostic Observation

Section 38-18 (Public, Private, and Franchised Utilities) says the placement of any utilities within a street ROW or easements must be approved by the engineer. This will generally occur with the construction of a the subdivision. Furthermore, Section 38-21 (Construction Requirements) says the construction plans shall be submitted to the Director of Development Services for review and require the approval of the City Engineer. The City Engineer is also responsible for the inspection and acceptance of improvements by the developer.

There appears to be opportunities to clarify the role of the City Engineer and the timing of his/her involvement. The current standards are adequate, however approvals are located in a different section. Ideally, there would be one main section addressing construction plans and procedures.

Recommendation

It is recommended that one section be created detailing the construction plan and procedures requirement. This section will outline the construction plan process and will be designed to ease use frustration. This section will identify how an applicant will:

- procedure will getting construction plans approve,
- the construction release,
- the timing of public improvement,
- improvement agreements and security for completion (if applicable), and
- inspection, maintenance, and acceptance of public improvements.

SUBDIVISION DESIGN STANDARDS

24) Adequate Public Facilities Policy Statement (Rough Proportionality)

Diagnostic Observation

Section 31-13 addresses the concept of adequate public facilities. This section specifically mentions providing adequate ROW for streets and adequate space for utilities.

Recommendation

This section should be expanded to specifically list other topics, such as fire flow requirements. It should also mention that it is the property owner's responsibility to provide adequate services. Finally, it is recommended that a "Rough Proportionality and Fair Share Policy Statement" be added to this section. This statement establishes there is a direct correlation between the increased demand on public facilities that is created by a new development, and the City's requirements to dedicate rights-of-way and easements and to construct a fair and proportional share of public improvements that are necessary to offset such impacts such that new development does not negatively affect the City as a whole. Ultimate, a fair and proportional share shall be determined as the level or standard of service that is required to adequately serve a new development.

25) Monument and Lot Markers

Diagnostic Observation

The current "Monument and Lot Markers" section (Sec. 38-13.B) appears to adequately address survey monuments and lot markers for new subdivisions. However, monument requirements were frequently discussed during the interviews. Stakeholders involved in the surveying for preliminary plats mentioned a difficulty for them related to the monuments.

Since an applicant for the preliminary plat must show the entire street ROW width of a perimeter street, the surveyor must find old monuments to tie into, which given the age of some subdivisions can be very difficult. Surveyors expressed frustration with the extra time and effort needed to prove the width for a perimeter street ROW. They requested a review of the current requirements.

Recommendation

Further discussion with staff is needed to understand the scope of the issue. It appears as this issue is mostly confined to the older parts of town. There are three main options. The first option is keep the current system. In order to support the first option, we would need to identify that making the surveyors provide this information is critical for the City, such as ROW was secured in an older part of town, etc. The second option would be to not require this information from surveyors. This option would make it difficult to prove that adequate ROW existed adjacent to the property. The third option would be to allow Staff to approve a minor waiver to this requirement when, in cases such as the older parts of town, to allow dedication of the ROW consistent to existing neighboring properties.

It is important to note that Section 38-13.B.3 (Minimum Improvements Required - Existing Streets) and Section 34-14.J (Existing Streets) play an important role in acquiring ROW and should not be changed. Ultimately, ROW does need to be dedicated (whenever appropriate) to bring ROW width to the standard contained in the Subdivision Ordinance.

26) Access Management and Cross Access Easements

Diagnostic Observation

The Subdivision Ordinance is lacking standards related to access. For example, there are no regulations concerning how close a driveway can be to an intersection. Driveway placement can have a significant impact on the traffic flow and safety at intersections. In order to help alleviate the need for driveways, cross access easements should also be provided.

Recommendation

It is recommended the City establish a minimum distance required between driveways on major city streets. For lots with sufficient frontage to safely meet the design requirements they can construct their own driveway. For lots without sufficient frontage, cross access easements and shared driveways should be required.

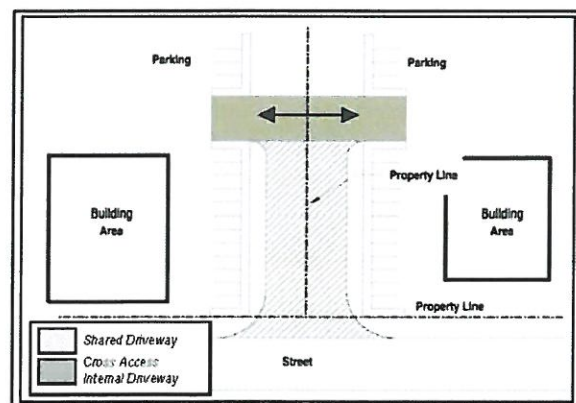


Figure 10: Example of Shared Driveway and Cross Access

27) Curbs

Diagnostic Observation

During the interviews, comments were made regarding the use of curbs, specifically how rollover curbs that were too high and scraped the underside of cars as they passed over. Curbs are required on all streets, except "Type ETJ" street, which is a typical rural bar-ditch design. The City has details for both stand-up curbs (two versions) and rollover curbs. The subdivision ordinance does not currently provide guidance on which curb type to use.

Recommendation

It is recommended that the curb requirements indicate when stand-up and rollover curbs are allowed. If drainage is an issue and complaints about rollover curbs persist, consideration should be given to limiting or eliminating the use of rollover curbs.

28) Cul-de-sac Design

Diagnostic Observation

During the interviews, it was expressed that the length of a cul-de-sac street should be based on the number of homes and not a specified distance. Currently, Sec. 38-14.H requires:

"A cul-de-sac shall not be more than 500' in length unless approved by the city planning and zoning commission for specific reasons of topography, engineering design or limited residential density or non-residential use intensity. In no case shall a cul-de-sac longer than 1,200' be allowed."

Recommendation

It is recommended that an alternative be considered. The City can allow the number of lots on a cul-de-sac to determine its length rather than a set distance (i.e., 500'). If the current standard 500' cul-de-sac length is divide it into the minimum 70' lot size for the R-1 zoning district, ($500/70=7.1$) then multiply by two (for both sides of the street), it yields approximately 14-15 lots on a standard cul-de-sac.

If a developer wants to have more than 15 lots on a cul-de-sac, the P&Z's approval should be obtained. A specific maximum number should be set (e.g., 20, 35 homes, etc.) for which the P&Z could approve.

Consideration should also be given to the size of the lots along the cul-de-sac, such as all lots must be at least one or two acres in size.



Figure 11: Example of a Standard 500' Cul-De-Sac Street (15 Lots)

29) Sidewalks

Diagnostic Issue/Observation

Sidewalks and their requirement to be constructed were a major issue expressed during the interviews. Some individuals complained about requiring sidewalks in residential areas that have 40' wide street pavement – state that much concrete was excessive. Others mentioned that requirements for sidewalks along major street was problematic because they are built to TxDOT standards and no place for sidewalks are provided. Ultimately, the Subdivision Ordinance requires sidewalk almost everywhere in the City. The following text is taken from Sec. 38-14:

(Q) Sidewalks. The following guidelines shall apply in determining sidewalk locations.

- (1) Sidewalks shall be installed as follows:
 - (a) The entire frontage on the subdivision side, or sides, of all major thoroughfares or arterial streets.
 - (b) On both sides of any street that serves as an approach to a school, bus stop, shopping center or focal point of the community, for a distance of 600 feet from such school, shopping center or focal point along all contiguous rights of way.
 - (c) Where density exceeds six dwelling units per gross acre.
 - (d) On at least one side of all marginal access streets.
 - (e) As deemed necessary by the city planning and zoning commission in approving a preliminary plat for commercial, industrial, public grounds, and multi-family dwelling areas.
- (2) Sidewalks shall be installed at the expense of the developer in accordance with the following requirements:
 - (a) No sidewalk shall be required until a lot is improved (upon completion of construction) but at the time such improvements are constructed, a sidewalk complying with the provisions herein shall be provided at the front of such lot and along the street side of corner lots.
 - (b) All sidewalks shall be not less than five feet in width, and four inches in depth, and of concrete construction in accordance with city specifications.
 - (c) Sidewalks shall be as nearly parallel to the street as possible.

Notably, a major concept in the Comprehensive Plan was an emphasis on networks for bicycle and pedestrian mobility. The plan discussed the need for citizens to be able to move about the city, either by walking in the neighborhood or by riding a bicycle. Sidewalks are crucial for establishing a place or area where people feel comfortable to walk.

During the interviews, it was discussed that many areas of the community do not have sidewalks and people generally walk on the edges of street, especially in residential areas, since there is no other place to walk. Also, given that most residential streets are 40' wide, a sufficient psychological and physical buffer has mostly likely been created for most pedestrians and bicyclist. While walking in the street is a viable option in a residential neighborhood, it is less of a viable option in areas where traffic speed increases, such as along TxDOT and many collector streets.

Recommendation

The City has four primary options to consider. First, for residential areas with 40' street pavement, sidewalks may not be necessary (except around schools or areas with high pedestrian activity) if lane markings are done on residential streets. There is an opportunity to utilize the standard 40' wide street for both pedestrians and bicyclists. The following options would eliminate the need for developers to construct sidewalks. In addition, the following examples show marked travel lanes (either using paint or traffic buttons). Generally, smaller travel lanes for vehicles corresponds to slower traffic. As a result, marking can help eliminate the need for standalone sidewalk and help to minimize speeding in residential neighborhood. The following examples should be considered as an alternative to the construction of sidewalks.

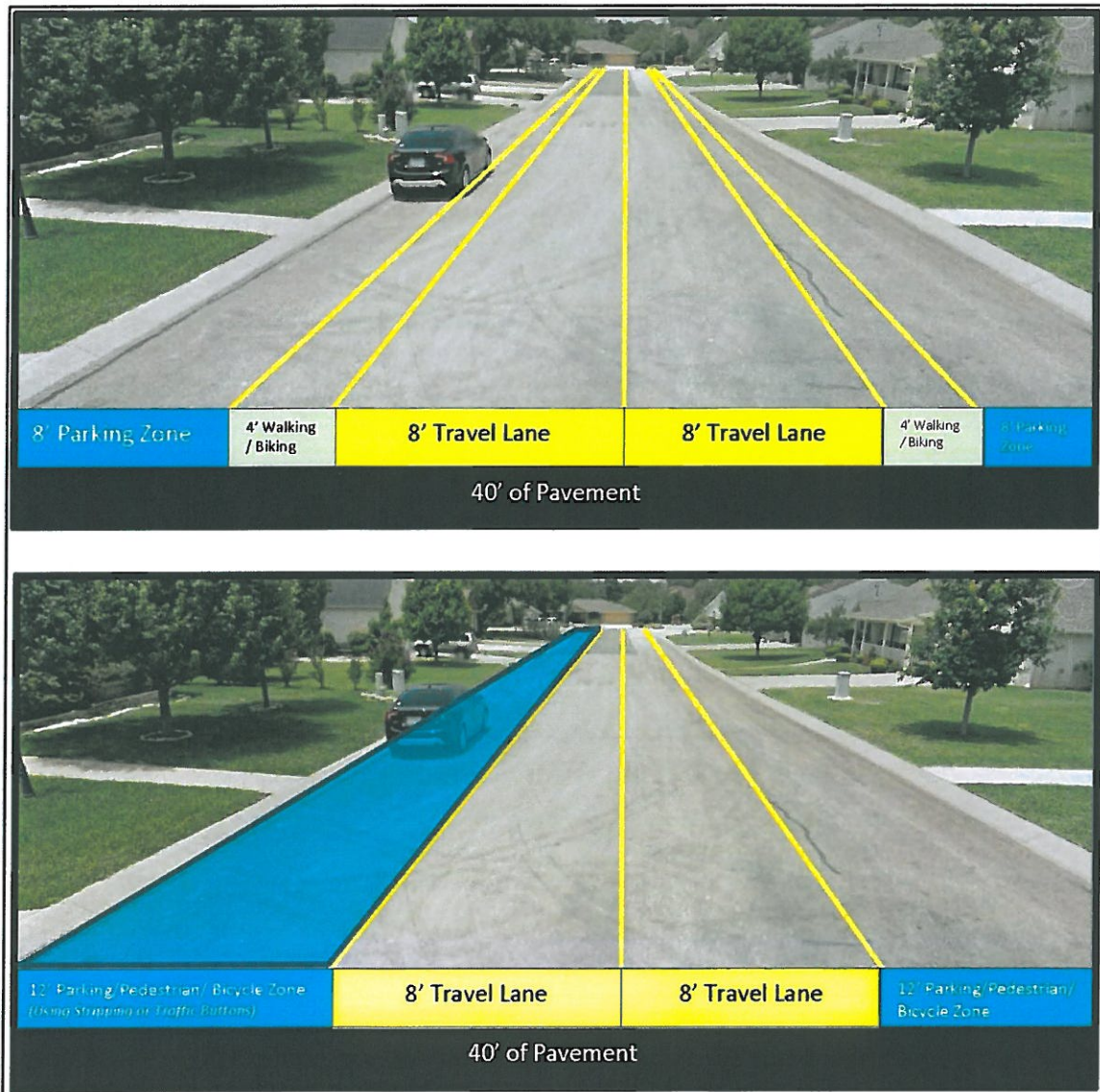


Figure 12: Possible Residential Sidewalk Solutions

Second, reducing the amount of paving required from 40' to 26' for a street is another option for the City to consider. By reducing the paving width, more area becomes available for installing sidewalks. However, the narrow streets may warrant the need for an enclosed storm sewer system to be installed, which can have a significant financial cost.

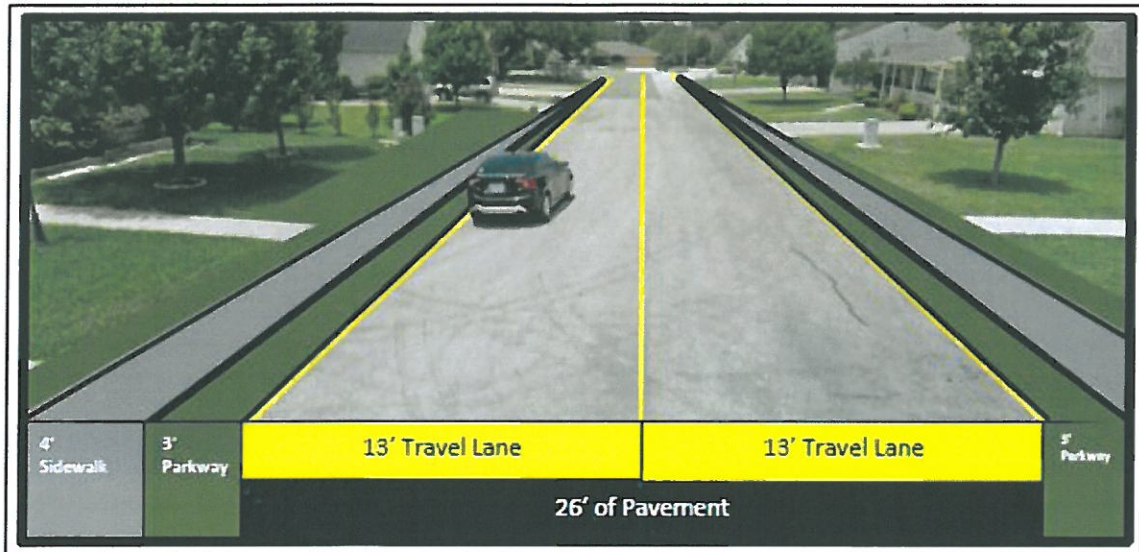


Figure 13: Possible Residential Sidewalk Solutions

The third option is sidewalks in relation to streets that are not 40' residential streets. The practice of requiring sidewalks in these areas should continue. However, it was mentioned that for several of the rural areas that have bar ditches that sidewalks are not feasible. The cases where sidewalks are not feasible should be documented and a waiver procedure created to allow for the approval of the plat. Thought should be given to escrow requirements; however, escrow is returned to the owner if the sidewalk is not built within 10 years.

Fourth, it is recommended the City investigate establishing a Sidewalk Plan, which will indicate where sidewalks are required, which would address many of the concerns expressed during the interviews. This targeted approach to sidewalks would allow areas where sidewalks are greatly needed to be constructed and for areas where sidewalks are not practical to be avoided.

30) Street Pavement Widths and ROW Widths

Diagnostic Observation

During the interviews, it was discussed that the street pavements widths (e.g., 40' for a local) and ROW widths (e.g., 50' for a local) should be reviewed. The standards contained in Sec. 34-14.A match the cross sections shown in the Comprehensive Plan. However, the Comprehensive Plan only addresses collector sized or larger streets – no information is given for the local streets or a rural street cross section. Specifically, comments were received that the "Type ETJ" street cross section is slightly too wide. (The City requires an extra two feet of paving than the county.)

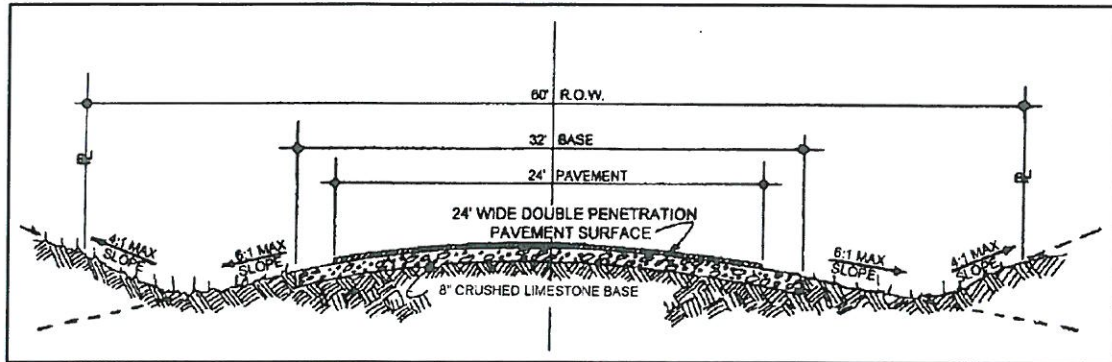


Figure 14: Existing "Type ETJ" Street Detail

STREET TYPE	RIGHT-OF-WAY WIDTH	PAVEMENT WIDTH
Divided Highway	100'	2 @ 27' + 20' Median
Arterial	80'	60'
Collector	60'	44'
"Type A" Local	50'	40'
"Type B" Local	60'	44'
"Type ETJ" Local	60'	24' edge to edge, no curb, + 4' shoulders/extended base (32' tot.)
Marginal Access	40'	30'
Private Street "Type A or B"	Local or as approved through PUD process	
"Type RR" Local	50 feet	31 feet

Figure 15: Existing Street Requirements

Also, it was discussed that some situations do not warrant the ROW dedication or a street enlargement, and that an alternative should be considered (in these cases).

Questions were raised about requiring 40' of paving for a "Type A" Local Street. Notably, much of the town already has 40' wide local streets and it is a distinguishing characteristic of the town, which interviewees expressed tremendous support for keeping the street at 40'. Other interviewees expressed concern that 40' was too much pavement, especially combined with curb/gutter and sidewalk requirements.

Ultimately, the following questions need to be answered:

- Is the "Type A" Local Street always appropriate for all residential neighborhoods?

- Are there other local streets that would be more appropriate?
- If alternatives do exist, then how should an alternative be approved?

Recommendation

Given its historic nature and its influence on the look and feel of Fredericksburg's neighborhoods, it is recommended that the "Type A" Local Street (with 50' of ROW and 40' of paving) be maintained as the standard local street. Interviewees mentioned that while Fredericksburg wants to have the vast majority of its standards be common standards throughout the region and Texas, it also desired to have a few standards that were unique to Fredericksburg as a way to continue to build upon its own identity.

However, the need is recognized that occasionally the "Type A" Local Street may not be the most appropriate roadway type. For example, in a larger lot development (one acre or larger) the "Type ETJ" or "Type RR" local street may be more appropriate. The "Type RR" local street requires land to be zoned "Rural Residential," which no land is currently zoned that category.

In these occasional or special cases, in which a change in required ROW width or roadway type is sought, either the City Staff or P&Z should be able to approve a waiver to the street type or street dimension and replace with a different standard, including drainage. Criteria would need to be established to determine which cases would need such consideration. Additionally, waivers (as discussed later in this document) will be recommended in two forms: minor waiver (for Staff approval) and major waiver (for P&Z approval).

In summary, it is recommended that the main street standards be maintained, but allow either City Staff or P&Z to decide (with criteria provided) that an alternative standard may be approved in predefined cases.

31) Block Design

Diagnostic Observation

Section 38-15 addresses block and lot design. The section contains quality standards, such as a standard 1,200' block. However, details about how to determine the measurement of the block length and width are not provided.

Recommendation

Block length and block width measurement will be added to the ordinance.

32) Park Dedications

Diagnostic Observation

Section 38-25 addresses park land dedication requirements. This section requires one (1) acre of land for every 133 proposed dwelling units (an option for payment in lieu is provided). If fewer than 665 units are proposed, the City Council may require the developer to pay the cash in lieu. In addition to this requirement, a park development fee of \$300 per unit is



Figure 16: Example of a Neighborhood Park

charged. This fee is subject to a park service zone and may vary from zone to zone.

Recommendation

Since plats are approved by the P&Z, it will be important to clarify when the City Council would make their decision related to park land dedication. Additionally, because park service zones are not shown on the Park Plan map contained in the Comprehensive Plan, this matter will need to be researched and addressed, with the possible addition of the zones to the plan map.



Figure 17: Example of a Neighborhood Park

33) Drainage and Stormwater (Stormwater Control Ordinance)

Diagnostic Observation

The Stormwater Control Ordinance applies to all property within the corporate city limits and the extraterritorial jurisdiction (ETJ), except for the following cases:

- 1) Single family or duplex residential lots, of whatever size, which exist as such and are zoned as such (inside the city limits) or are restricted as such (outside the city limits) prior to the adoption of this article.
- 2) Residential lots (restricted as such) in the extra territorial jurisdiction of the city that contain no more impervious ground cover than 20 percent of the gross lot surface area exclusive of any area within the 100 year floodplain.
- 3) Single lots, multi-family or non-residential lots of one-half acre or less which exist as such and are zoned as such (inside the city) or are restricted as such (outside the city), prior to the adoption of this article.
- 4) Entire subdivisions, or resubdivisions containing one-half total acre or less, or resubdivisions

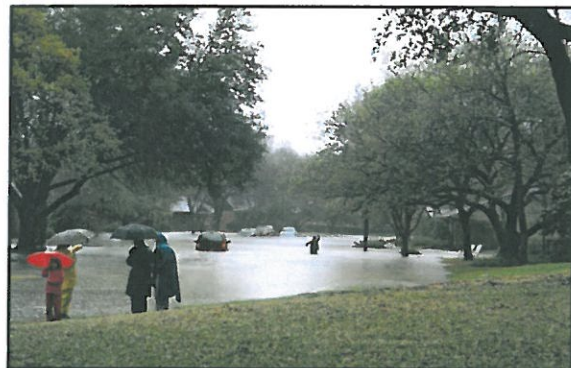


Figure 18: Flooding Examples

resulting in less total number of lots than the original subdivision.

The ordinance's key point is that new development must demonstrate that "the proposed development or improvement will not result in the additional identifiable adverse flooding of other property or public facilities, including roadways. This is to be demonstrated by a certified professional engineer's submittal of sufficient data and calculations acceptable to the city."

Recommendation

The Stormwater Control Ordinance appears to be functioning well. The only comments heard during the interviews were some complaints about drainage from one property to another and that it was often difficult to prove a floodplain existed (due to maps not being available). The ordinance should be updated to not allow one property to drain to more than one other residential property. Additional text and procedures will be established to show how drainage will be provided.

34) Water and Wastewater Line Extension Policy

Diagnostic Observation

Section 38-20 (Septic Tank Systems in Subdivisions) prohibits the use of septic tanks within the city limits and requires all lots to be connected to the wastewater collections system. Section 38-21.B.6 (Construction of Water, Sewer and Drainage Facilities) states that subdivisions are required to construct "off-site improvements" to connect to the city facilities (water, sewer, and drainage) from their subdivision. During the interviews, the extension of utilities across a property was discussed and some individuals disagreed with the idea of extending utilities.

Recommendation

It is recommended that the City keep its current policy regarding Section 38-20 and 38-21.B.6. In these cases, the developer is responsible for connecting to the system and off-site improvements would almost always be needed by a development. However, many cities in Texas have adopted policies that require a subdivision to extend utilities across the entire frontage in order to more efficiently allow the neighboring property to tie into the system. This policy does reduce the need and amount of off-site improvements required. Discussion with the City Staff and City leaders should occur to discuss the merits of such a policy for Fredericksburg. One option is to adopt both policies.

35) Showing Easements on a Plat

Diagnostic Observation

Section 38-18 and Section 38-19 address easements within the Subdivision Ordinance. During the interviews, it was mentioned that some individuals did not want to show easements on the plat. However, after reviewing these sections, the City's current standards appear adequate and no substantive issues were identified.

Recommendation

Allow the Director of Development Services and City Engineer to continue to implement the requirements of Section 38-18 and Section 38-19.

RELIEF FROM SUBDIVISION DESIGN STANDARDS

36) Subdivision Waivers

Diagnostic Observation

First, it is important to discuss the terminology of “waiver” and “variance.” There is the general term “variance” that means government’s ability to “vary” from the literal words or regulation. Then more specifically, in planning terms, the word “variance” is generally applied to zoning matters. In zoning law, the Texas Local Government Code (LGC 211) establishes that a “variance” requires that a “hardship” be present in order to grant. Also, the LGC only authorizes the the Board of Adjustment (BOA) to grant variances. Since zoning and subdivision ordinances are closely linked and sometimes included in the same ordinance (e.g., unified development code, etc.), it is often recommended that two terms be used to distinguish the different levels of evidence needed to grant and what governmental body is required for the review process. Therefore, for the remainder of the document will use the term “Subdivision Waiver” to describe what has typically be called a variance.

The purpose of a Subdivision Waiver to a particular standard or requirement is to determine whether or not such particular standard or requirement should be applied to an application.

Recommendation

It is recommended that Section 38-22 (Administration) be updated the replace the term “Variance” with “Subdivision Waiver.” Also, it is recommended that the proof of an “undue hardship” be removed because this level of proof is not required by LGC 212 (and this level of proof is only required for “Zoning Variance” per LGC 211). Please note, the Subdivision Waiver is not designed to be a complete “waiving” of a requirement, and should provide the minimum relief needed. Criteria should be established for how a minor and major subdivision waiver will be granted.

It is recommended that two types of Subdivision Waivers be created:

- 1) Minor Subdivision Waivers (pre-defined cases and approved by City Staff)
- 2) Major Subdivision Waivers (all other cases that are not Minor Subdivision Waivers and approved by the P&Z or Council).

37) Proportionality Appeal

Diagnostic Observation

The following is definition for "Proportionality" related to subdivision development:

"The developer's portion of the costs of an exaction or public improvement (determined by a professional engineer) and the level of service considered to be the "roughly proportional share" of such exaction or public improvement that is created by a proposed development or subdivision."

New development projects should contribute their fair and proportional share of costs of public improvements. A fair and proportional share should be determined as the level or standard of service that is required to adequately serve a new development. Standards relating to the dedication or construction requirements should be roughly proportional to the nature and extent of the impacts created by the proposed development on the City's water, wastewater, storm drainage, parks or roadway system, as the case may be, or does reasonably benefit the proposed development.

However, it is important that the Subdivision Ordinance address proportionality concerns from a developer who feels they are being asked to perform more than their "fair share" of a development cost for a road, water line, etc.

Recommendation

It is recommended that the Subdivision Ordinance contain a definition for proportionality and that proportionality be required. Furthermore, it is recommended that a process be developed to allow a developer to appeal to the P&Z or Council their level of participation. It is important that the subdivision ordinance address proportionality concerns from a developer who feels they are being asked to perform more than their "fair share" of a development cost (e.g., road, water line, etc.). The Subdivision Ordinance needs a method to address such concerns from the development community and to provide a clear understanding of the parameters of proportionality appeal.

38) Vested Rights Petition

Diagnostic Observation

State law has changed over the years to provide development projects that have started the development process under previously adopted ordinances to continue, even if new ordinances are passed by a city. Vesting laws establish the permits and projects (i.e., a series of permits) to be valid for two to five years. A process of determining when permits and projects officially begin (i.e., accepted by a city as a fully completed application) should be clearly written in any ordinance. State law currently does not adequately define the process of vesting.

Recommendation

It is recommended that the new Subdivision Ordinance have a process to:

1. Determine whether an existing project is vested on an as-needed basis;
2. Determine when an application is "complete" based on an objective checklist; and
3. Create criteria to ensure common standards for multi-phase developments, provided that development remains "active" and define "active".

DEFINITIONS

39) Location of the Definitions Section

Diagnostic Observation

Currently, the definition section (Sec. 38-2) is located between the Purpose and Intent Section (Sec. 38-1) and Application Section (Sec. 38-3). The location of the definition section interrupts the logic flow of establishing the purpose and applicability of the Subdivision Ordinance. Moreover, the definitions are a critical part to any ordinance and need to be in a location where most individuals would attempt to locate them. As with most written publications, definitions are located at the end of a document to allow a reader to find the meaning of word. This format allows the reader to quickly find the meaning of words.

Recommendation

The definitions section should be relocated to the end of the Subdivision Ordinance. All definitions should be contained in this section. In order to further improve the readability of the Subdivision Ordinance, definitions will be hyperlinked throughout the document so readers using the electronic version can effortlessly find definitions. Hyperlinks also serve to benefit readers of the printed versions because they indicate when a definition for a word is available.

40) Clarity of Definitions

Diagnostic Observation

The definition section is key to having a successful Subdivision Ordinance. If words and terms are clearly defined, then the implementation of subdivision regulations is more easily managed. If definitions are too vague or terms are not defined at all, then the City Staff and users have greater difficulty in understanding the requirements of a Subdivision Ordinance and whether the regulations apply in a given case. The current definitions appear to be in good shape.

Recommendation

As new definitions are added throughout the process, wording will be clear and concise. As the process of updating the Subdivision Ordinance occurs, some existing definitions may be updated, replaced, or deleted.

41) Number of Definitions

Diagnostic Observation

The current definition section is well-written, but it is a short section and is lacking in the number of definitions needed to manage the Subdivision Ordinance. Definitions are needed for "abutting," "access," "business day," "calendar day," "complete application," and "public improvement" to name a few. In order to lessen user frustration, additional definitions can help to clarify outstanding issue and allow readers to better understand the required procedures and standards.

Recommendation

New definitions will be added to cover all existing text and to address any new text.

ENGINEERING STANDARDS MEMO: DIAGNOSTIC REVIEW

General

The City provided copies of the Subdivision Ordinance; Specifications for Water, Sanitary Sewer, Street and Electrical Construction; Stormwater Control Ordinance for review. The "Specifications" document contained several areas of recommended changes, or that reflected changes to the procedures in use by the City.

Review Comments

Overall the information provided by the City appeared to be technically acceptable, easy to follow, consistent with accepted engineering practices, and generally consistent with other technical guidelines used by other communities.

The Checklists provided for review (P&Z Administrative Review, Site Plan, Preliminary Plat, Final Plat) were very concise and complete.

During a conference call on February 11, City Staff expressed some concern over details and cross sections that would provide for sidewalks on the rural street sections commonly used in the City. Once a policy decision is made as to whether the City will require sidewalks additional details will need to be developed.

In the same meeting questions were raised regarding access control management onto streets. In lieu of developing their own standards, the City may want to consider incorporating the TxDOT Access Control Manual into their standards. However, after discussion with City Staff, it is recommended the City develop its own standards for access management, which will have to be approved by TxDOT.

Recommendation/Further Action

1. Finalize "hand drawn" changes into the Specifications manual.
2. Create cross section and detail drawings for sidewalks adjacent to the standard roadway sections.
3. Fine tune standards and checklists.
4. Decide if a unique Access Control Manual is required or if the TxDOT Access Control Manual is adequate.
5. Continue discussions as to any suggested refinements to the standards.

Summary

The current engineering standards used by the City have stood the test of time and are consistent with accepted engineering standards. Some refinements during the overall Subdivision Review process may be required to insure consistency.