PUBLIC NOTICE

AGENDA

LOCKHART CITY COUNCIL

January 17, 2023

CLARK LIBRARY ANNEX-COUNCIL CHAMBERS
217 SOUTH MAIN STREET, 3RD FLOOR
LOCKHART, TEXAS

6:30 P.M. **WORK SESSION (No Action)**

Work session will be held to receive briefings and to initially discuss all items contained on the Agenda posted for 7:30 p.m. Generally, this work session is to simplify issues as it relates to the agenda items. No vote will be taken on any issues discussed or reviewed during the work session except to the extent specifically authorized under the Texas Open Meetings Act

DISCUSSION ONLY

A. Presentation regarding revisions to the U.S. Environmental Protection Agency Lead and Copper Rule.

B. Discuss Ordinance 2023-03 amending Chapter 52 "Subdivision Regulations" of the Code of Ordinances, updating, adding, deleting, correcting, or clarifying various provisions throughout the entire chapter; providing for severability; providing a repealer; providing for penalty; providing for publication; and establishing an effective date.

C. Discuss the selection of TRC Engineering relative to the U.S. Department of Commerce - Economic Development Administration Grant (08-79-05656) to provide professional services to design and construct approximately 2.5 miles of wastewater line to the Lockhart Industrial Park III.

7:30 P.M. **REGULAR MEETING**

1. CALL TO ORDER

Mayor Lew White

2. INVOCATION, PLEDGE OF ALLEGIANCE

Invocation. Pledge of Allegiance to the United States and Texas flags.

3. PUBLIC COMMENT

The purpose of this item is to allow the public an opportunity to address the City Council on issues that are or are not on the agenda. No discussion can be carried out on the citizen/visitor comment about items not on the agenda. Comments are limited to three minutes per speaker.

4. PUBLIC HEARING/COUNCIL ACTION

A. Hold a PUBLIC HEARING and discussion/action to consider Ordinance 2023-02 amending Chapter 64 "Zoning" of the Code of Ordinances, Section 64-2 "Definitions", to delete or revise existing definitions, and to add new definitions of various land uses; and to revise Section 64-196(b), 64-196(c), 64-196(d), 64-196(e), 64-196(f), 64-196(g), 64-196(h), 64-196(i), 64-196(j), 64-196(k), and 64-196(l), to delete or revise existing land uses, and add new land uses, listed as allowed by-right or as a specific use in the AO, PI, RLD, RMD, RHD, CLB, CCB, CMB, CHB, IL, and IH zoning districts.

5. DISCUSSION/ACTION ITEMS

A. DIscussion/action to consider Ordinance 2023-03 amending Chapter 52 "Subdivision Regulations" of the Code of Ordinances, updating, adding, deleting, correcting, or clarifying various provisions throughout the entire chapter; providing for severability; providing a repealer; providing for penalty; providing for publication; and establishing an effective date.

B. Discussion and/or action to select TRC Engineering relative to the U.S. Department of Commerce - Economic Development Administration Grant (08-79-05656) to provide professional services to design and construct approximately 2.5 miles of wastewater line to the Lockhart Industrial Park III.

6. CITY MANAGER'S REPORT, PRESENTATION AND POSSIBLE ACTION

- Spring bulk pickup event: Saturday, March 25, 7 a.m.
- 2023 Sidewalk Improvements Project.
- CDBG Grant award for water meter replacements.

7. COUNCIL AND STAFF COMMENTS - ITEMS OF COMMUNITY INTEREST

8. EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF THE GOVERNMENT CODE, TITLE 5, SUBCHAPTER D, SECTION 551.071, PRIVATE CONSULTATION WITH ITS ATTORNEY TO SEEK ADVICE ABOUT PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT OFFER; OR LEGAL MATTERS SUBJECT TO ATTORNEY/CLIENT PRIVILEGE.

A. Seek legal advice from City Attorney regarding Emergency Medical Services.

9. OPEN SESSION

A. Discussion and/or action regarding matters discussed in Executive Session.

10. ADJOURNMENT

City Council shall have the right at anytime to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the 13th day of January, 2023 at 3:15 p.m.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: January 17, 2023

AGENDA ITEM CAPTION: Presentation regarding revisions to the U.S. Environmental Protection Agency Lead and Copper Rule.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Other

BACKGROUND/SUMMARY/DISCUSSION: Overview of Lead and Copper Rule Revisions that go into effect October 16, 2024. Attached is information about the U.S. EPA's revisions.

PROJECT SCHEDULE (if applicable): N/A

AMOUNT & SOURCE OF FUNDING:
Funds Required: N/A
Account Number: N/A
Funds Available: N/A
Account Name: N/A

FISCAL NOTE (if applicable): N/A

PREVIOUS COUNCIL ACTION: N/A

COMMITTEE/BOARD/COMMISSION ACTION: N/A

STAFF RECOMMENDATION/REQUESTED MOTION: None

LIST OF SUPPORTING DOCUMENTS: Lead and Copper Rule Revision

Lead and Copper Rule Revision (LCRR)

- Background
- Current Requirements and Testing
- Intent of the Lead and Copper Rule Revision (LCRR)
- Testing in Schools and Childcare Facilities
- Service Line Inventory
- Next Steps?

Background

- Lead service lines were commonly used from the early 1900's to the late 1940's to deliver water to the customer
- The Lead and Copper Rule (LCR) was originally published by the EPA in 1991
- Young children and pregnant are typically more vulnerable to lead in drinking water than the general population
- Treatment techniques in systems were adopted to reduce exposure
- Lead service lines in the distribution system were immediately replaced upon discovery

Current Requirements and Testing

- The City of Lockhart's testing for Lead and Copper is currently done on a 3-year cycle
- 30 Sites are tested within the Lockhart Water System
- Sampling sites represent the entire City and a variety of different customer characteristics
- Samples are taken from the "First Draw" of an interior cold-water faucet
- Lead Action Level of >0.015 mg/l requires immediate notification to the customer. All other customers are notified of their results within 30 days of the testing results
- The City is in compliance with the current LCR and lead level results have remained under action levels

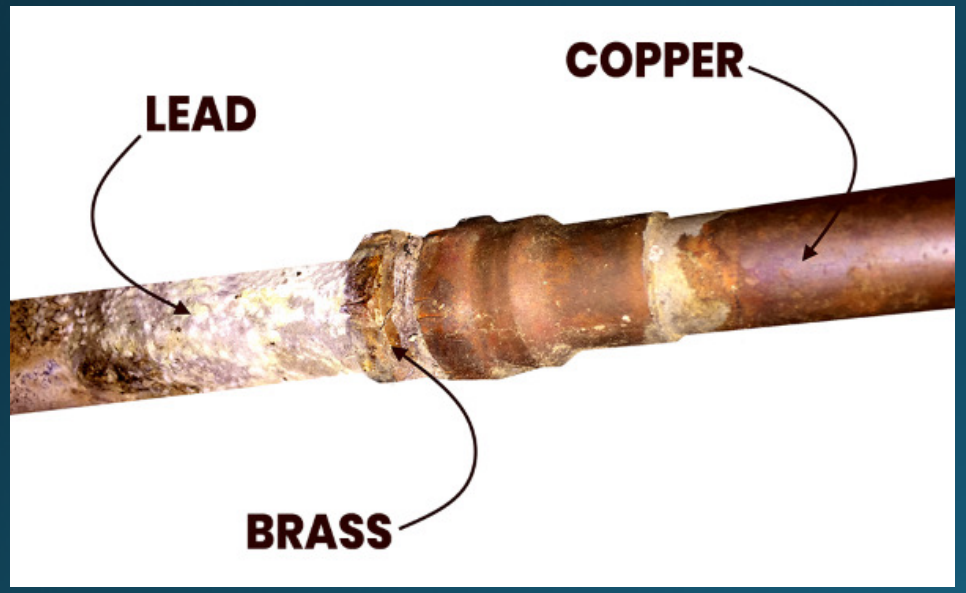
Intent of the Lead and Copper Rule Revisions

- Service Line Inventory - Proactively identify and remove lead service lines
- Testing in schools and childcare facilities
- Strengthen treatment requirements
- Notification and communication improvements- Requiring water systems to notify customers of samples exceeding action levels within 24 hours

Testing in Schools and Childcare Facilities

- All water systems will be required to test at schools and childcare facilities
- Facilities must be tested once over a five-year period (20% of facilities each year)
- Facilities will have the opportunity to be tested for lead by water systems upon request

Service Line Inventory



- Service lines are the pipes that connect to water mains and supply water to homes
- Ownership of service lines becomes the responsibility of the property owner after the after the water meter
- The new LCRR will require documentation of public and private service lines
- Categorize service materials (Lead, Non-Lead, Lead Status Unknown, and Galvanized Requiring Replacement)
- State and Local mandates banning the use of lead materials can assist in the service identification process

Next Steps?

- Continue complying with current LCR
- Stay up-to-date with TCEQ for additional direction following guidance from the EPA
- Identify gaps relative to the current rule and the new rule
- Prepare list of schools and childcare facilities to aid in sample scheduling
- Field train staff in service line material identification
- Meet the new requirements of LCRR by October 16, 2024

Additional Resources

For more information, please see the links below:

- https://www.epa.gov/ground-water-and-drinking-water/revised-lead-and-copper-rule
- https://www.tceq.texas.gov/drinkingwater/chemicals/lcrr

Thank You

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: January 17, 2023

AGENDA ITEM CAPTION: Discuss Ordinance 2023-03 amending Chapter 52 "Subdivision Regulations" of the Code of Ordinances, updating, adding, deleting, correcting, or clarifying various provisions throughout the entire chapter; providing for severability; providing a repealer; providing for penalty; providing for publication; and establishing an effective date.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: Comprehensive amendments are proposed to Chapter 52 “Subdivision Regulations” of the Lockhart Code of Ordinances. The primary reasons for this are: 1) To ensure compliance with changes in State law that affect subdivision platting standards and procedures; 2) Address various issues where staff and the Commission have over a period of years identified the need for clarification of existing provisions or the addition of entirely new provisions; and, 3) To clean up, delete, or relocate existing text to improve readability, to better express the intent of certain provisions, or to otherwise facilitate enforcement of the chapter. The amendments affect most of the sections in Chapter 52, so the proposed ordinance consists of the entire chapter, instead of just the provisions being changed. Essentially, this replaces the current Subdivision Regulations with a new document. There are three attachments. The first is a memo of explanation from staff. Following that is **Ordinance 2023-03**, and a marked-up (annotated) version of **Chapter 52** where deleted words are crossed out and added words are underlined. The proposed ordinance is the result of these changes.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:
Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: At their January 11th meeting, the Planning and Zoning Commission unanimously recommended APPROVAL.

City of Lockhart, Texas

Council Agenda Item
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STAFF RECOMMENDATION/REQUESTED MOTION: APPROVE Ordinance 2023-03 amending Chapter 52 "Subdivision Regulations" of the Code of Ordinances.

LIST OF SUPPORTING DOCUMENTS: 01-12-23 subdivision amendment memo to cc, ordinance 2023-03, subdivision regulation amendment 2023 (annotated)

CITY OF
Lockhart
TEXAS

(512) 398-3461 • FAX (512) 398-5103
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

MEMORANDUM

TO: City Council
FROM: Dan Gibson, City Planner
SUBJECT: Subdivision Regulations text amendments
DATE: January 12, 2023

Comprehensive amendments are proposed to Chapter 52 "Subdivision Regulations" of the Lockhart Code of Ordinances. The primary reasons for this are:

- To ensure compliance with changes in State law that affect subdivision platting standards and procedures.

- Address various issues where staff and the Commission have over a period of years identified the need for clarification of existing provisions or the addition of entirely new provisions.

- General "housekeeping" to clean up, delete, or relocate existing text to improve readability, to better express the intent of certain provisions, or to otherwise facilitate enforcement of the chapter.

The amendments affect most of the sections in Chapter 52, so the proposed ordinance consists of the entire chapter, instead of just the provisions being changed. Essentially, this replaces the current Subdivision Regulations with a new document. Following is a list of some of the more significant changes:

1. Several definitions were added or modified. For example, the definition of the term "city planner" is modified, including changing the term to "director of planning"

2. An exemption to platting requirements (called Family Transfer Exemption) is added for "family land-grants" in the ETJ.

3. Provisions are added or modified throughout the ordinance for compliance with changes in State law, primarily addressing the processing of plats (the "shot clock"), as well as modifying the notice requirements for replatting without vacation of the preceding plat.

4. A new Article III "Relief Procedures" is added, and includes the current Variance and Appeals sections as well as a new section regarding Vested Rights.

5. A new Article IV "Public Facilities" is added to address apportionment of costs for public infrastructure between the City and developers.

6. In Article V “Design Standards” (previously Article III), a new provision is added for bicycle facilities in the Streets section, as well as a new provision requiring perimeter screening of certain new subdivisions.

7. The sidewalk standards are expanded to include a new requirement that public sidewalks along arterial streets and expressway frontage roads be a minimum of six feet wide.

8. A new section is added to require perimeter screening (fence or wall) for certain new subdivisions.

9. The minimum percentages are raised for the amounts of land to be dedicated, or for payment of a fee in lieu of land dedication, for community facilities (parks, schools, etc.).

10. A new section is added providing guidelines for “Community Facility Improvements”, which primarily applies to parks in new subdivisions.

11. The contractor’s guarantee period for subdivision infrastructure construction is increased from one year to two years.

In addition to **Ordinance 2023-03**, a marked-up (annotated) version of **Chapter 52** is attached. Deleted words are crossed out and added words are underlined. The proposed ordinance is the result of these changes. There is a lot to digest, and staff will provide additional explanation as needed at the City Council meeting.

The Planning and Zoning Commission voted to recommend approval of the proposed amendments at their January 11th meeting.

ORDINANCE 2023-03

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 52 "SUBDIVISION REGULATIONS" OF THE CODE OF ORDINANCES, UPDATING, ADDING, DELETING, CORRECTING, OR CLARIFYING VARIOUS PROVISIONS THROUGHOUT THE ENTIRE CHAPTER; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, amendments to Chapter 52 "Subdivision Regulations" are required for conformance with changes in State law; and,

WHEREAS, the City staff and the Lockhart Planning and Zoning Commission have over a period of years identified the need for clarification of existing provisions or addition of new provisions in Chapter 52; and,

WHEREAS, numerous changes are proposed to generally improve readability, better express the intent of certain provisions, and to facilitate enforcement of Chapter 52; and,

WHEREAS, the Lockhart Planning and Zoning Commission reviewed the resulting amendments throughout the entire Chapter 52 at their meeting held on January 11, 2023, and voted to recommend said amendments; and,

WHEREAS, the City Council has determined that such amendments serve a public purpose and desires to amend the Code of Ordinances accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

I. The foregoing recitals are approved and adopted herein for all purposes.

II. Chapter 64 "Subdivision Regulations", is hereby amended in its entirety as follows:

ARTICLE I. GENERAL PROVISIONS

Sec. 52-1. Purpose.

(a) In the interpretation and application of the provisions of this chapter, it is the intention of the council that the principles, standards, and requirements provided for herein shall be minimum requirements for the platting and developing of subdivisions in the city and its extraterritorial jurisdiction (ETJ), as authorized by Chapter 212, Subchapter A and Subchapter B, Texas Local Government Code. Where other ordinances of the city are more restrictive in their requirements, such other ordinances shall control.

(b) The procedure and standards for the development, layout, and design of subdivisions of land are intended to:

(1) Promote and develop the utilization of land in a manner to assure the best possible community environment in accordance with the comprehensive master plan of the city.

(2) Guide and assist the developers in the correct procedures to be followed and to inform them of the design criteria and standards required.

(3) Protect the public interest by controlling the location, design, class, type of streets, sidewalks, utilities, and of essential areas and services required.

(4) Protect and promote the health, safety, and general welfare.

(5) Provide through the planning and platting process for the protection and notification of individuals that those properties which are to be developed are provided with adequate access, solid waste collection, utility services, and protection against potential flood hazards.

(6) Provide for the public welfare those essential areas required for educational, recreational, industrial, and commercial purposes.

Sec. 52-2. Definitions.

For the purpose of this chapter the following terms, phrases, words, and their derivations shall have the meaning given herein. When consistent with the context, words used in the present tense include the future, words in the plural include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory, while the word "may" is merely directory. Definitions not expressly prescribed herein are to be determined in accordance with the law. Definitions expressly prescribed herein are to be construed in accordance with the city's zoning ordinance, or other applicable ordinances of the city, or in the absence of such ordinances, then in accordance with customary usage in municipal planning, surveying, and engineering practices.

Alleys are minor dedicated rights-of-way that are used for utility lines and/or vehicular service access to the rear or the side of properties otherwise abutting on a street.

Applicant is the owner of a tract or parcel of land, or the subdivider, developer, surveyor, engineer, or other authorized agent representing the owner as appropriate, who submits a plat or who is otherwise subject to the requirements of this chapter.

Block is a contiguous area of land that may contain one or more lots, and which is bounded by any combination of streets, highways, railroad rights-of-way, parks or other public land, waterways, other physical barrier, or exterior boundary of a subdivision.

Building setback line is the line within a property and parallel to a property line defining the minimum required horizontal distance between a building and adjacent street right-of-way line or adjacent property lines.

City means the City of Lockhart, Caldwell County, Texas.

City administrative official or city manager is the city official, or his authorized representative, designated to take action as prescribed in this chapter for, or in, the name of the city.

City manager is the chief administrative officer designated to take action for, or in, the name of the City of Lockhart.

City staff are those various persons working for the city, either through direct employment or contract employment, who are so authorized to represent various work elements related to their specific expertise.

Commission means the planning and zoning commission of the city, and is the authority for the approval of plats under this chapter, unless otherwise stated.

Comprehensive master plan:

(1) A statement of public policy containing the goals and objectives of the community.

(2) Capital improvements programs.

(3) Land use plan.

(4) Thoroughfare plan.

(5) Community facilities plan.

(6) Subdivision and zoning regulations and other development codes, ordinances, policies, and plans promulgated by the council for the quality and orderly growth of the community.

Community facility development plan is a document listing the various elements and associated cost estimates of proposed improvements for required community facilities or public open space.

Concept plan is a scale drawing showing the overall development concept of a tract or parcel of land that is prepared for an initial application conference before a plat is submitted.

Council is the City Council of the City of Lockhart.

Day means calendar day unless otherwise specified.

Developer is a person or corporation who provides for the development of a tract or parcel of land into an area where building lots or sites are delineated and provided with street access, utilities and drainage facilities.

Development plat is a boundary survey and site plan for development of a tract of land submitted in accordance with section 212.045 of the Texas Local Government Code, showing existing and proposed structures and improvements, streets, alleys, sidewalks, easements, and areas for public use.

Director of planning is the staff representative authorized by the city manager to administer and enforce this chapter.

Easement is a grant by the property owner to the public, a corporation, or persons for the use of a strip or tract of land for specific purpose.

Engineer is a person duly authorized by the Texas Engineering Practice Act, as provided in chapter 1001 of the Texas Occupations Code, to practice the profession of engineering.

Extraterritorial jurisdiction (ETJ) means the statutory unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the city and further determined in section 42.121 of the Texas Local Government Code.

File or Filed is the city's acceptance of a proposed plat or plan for review when it is determined to be complete and all application requirements, including the payment of applicable fees, have been met.

Land use planner or *city planner* is a person having an occupation classified as city or land planning, capable of designing the proposed subdivision, or use of real estate, and capable of professionally drawing the proposals into map or plan form.

Lot is a designated parcel of land established by a recorded subdivision plat or development plat and which may be separately owned and used, developed or built upon.

Market value is the market value of a property as listed in the most recent tax roll of the Caldwell County Appraisal District.

Minor plat or *minor replat* is a recordable plat involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.

Plat is a complete and exact subdivision plan submitted to the city for consideration and which is submitted to the county clerk for recording~~,~~ subsequent to the fulfillment of all provisions of this chapter. Plat includes replat, in accordance with section 212.001 of the Texas Local Government Code.

Preliminary plat is an initial form of a subdivision plat required whenever public infrastructure must be constructed within the subdivision by the applicant, and is the basis for the engineering plans.

Public facilities are the water, wastewater, roadway, drainage or park facilities owned or operated by or on behalf of the City for the purpose of providing services to the public, including existing and new developments.

Record is to file an official copy of a document in the Office of the Caldwell County Clerk.

Record drawing is a revised set of drawings submitted by a contractor upon completion of a subdivision or other project that reflect all changes made in the specifications and working drawings during the construction process, and show the exact dimensions, geometry, and location of all elements of the work completed under the contract.

Recordable plat is a final plat, replat, resubdivision plat, minor plat, or amending plat, all of which are in a form containing certificates of authorization, dedication and approval in accordance with the requirements of this chapter for final plats, and which is intended to be recorded in the Office of the Caldwell County Clerk.

Resubdivision plat is a replat that includes adjacent land that is unplatted, or which is a combination of contiguous lots in adjacent but separate recorded subdivisions.

Right-of-way (R.O.W.) is a strip of land used or intended to be used, wholly or in part, as a public street, alley, crosswalk way, sidewalk or drainageway.

Standards are the official maps, master plans, ordinances and specifications of the city.

Streets are that portion of the dedicated right-of-way to be used for vehicle traffic and may be designated as street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

(1) *Major road/arterial streets* are those which are used primarily for fast or heavy traffic and which are designated in the comprehensive master plan as such.

(2) *Collector streets* are those which carry traffic from minors streets to major systems of arterial streets, including the principal entrance streets of a residential development and streets for circulation within such a development and which are designated in the comprehensive master plan as such.

(3) *Minor streets* are those which are used primarily for access to abutting properties.

(4) *Marginal access streets* are minor streets which are parallel to and adjacent to arterial streets and which provide access to abutting properties and protection from through traffic.

(5) *Cul-de-sac* is a short minor street having but one vehicular access to another street and terminated by a vehicular turnaround.

(6) *Dead-end street* is a street, other than a cul-de-sac, with only one outlet.

(7) The *street width* is measured from back of curb to back of curb; where no curb exists, it is measured from edge of pavement to edge of pavement.

Structure is any manmade construction composed of parts joined together, either built or moved onto a site for use, occupancy or ornamentation, and located below or on the ground or attached to something having a location on the ground.

Subdivider is any person or any agent thereof dividing or proposing to divide land so as to constitute a subdivision; in any event the term "subdivider" shall be restricted to include only the owner, equitable owner, or authorized agent of such owner or equitable owner, of land sought to be subdivided.

Subdivision includes the following when done for the present or future purpose of sale or building development of a tract of land located within the corporate limits or in the ETJ of the city:

(1) The division of any tract of land into two or more parts for the purpose of creating one or more new lots for development, or to modify an existing boundary of ownership whether or not for the purpose of development. This includes a division regardless of whether it is

made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

(2) The assembly of two or more existing adjacent platted lots in a recorded subdivision into one lot to be under the same ownership and use, where: (a) such lots are the minimum necessary to accommodate all facilities required by city ordinance; and (b) the area encompassed by one or more of the original lots is not proposed to be occupied by any portion of a principal building.

(3) A resubdivision of all or part of a recorded subdivision, including the expansion of a platted lot to include adjacent unplatted land, or the creation of a new lot encompassing portions of two or more adjacent platted subdivisions.

(4) Any change in the size or shape of a previously unplatted tract through acquisition of adjacent unplatted land except, however, where the parcel of land being conveyed between the tracts is vacant or contains an inadvertent existing encroachment, and is not developable by itself due to size, shape, or lack of street frontage, the acquisition shall not constitute a subdivision.

(5) Any change in the size, shape or number of lots in a recorded subdivision.

(6) The relocation of any street or other feature dedicated by a recorded plat, where the relocation alters the boundary of adjacent lots included in the same original plat, and where such lots have not been sold by the owner since the plat was recorded. This does not include simple abandonment or sale by the city of the land included in such dedicated street or other feature.

Subdivision development plan is a plan prepared in accordance with section 52-34, to show the overall future development of a tract of land when it is proposed to be subdivided and developed in phases and only a portion of the tract is to be platted initially.

Subdivision plat is a map of a subdivision submitted in accordance with section 212.04 of the Texas Local Government Code showing the exact location and boundaries of individual parcels of land subdivided into lots, and showing blocks, streets, alleys, easements and areas for public use, as applicable. For the purpose of this chapter, the term plat is used in reference to any recordable plat. No subdivision plat is effective until approved by the city and filed for record in the Office of the Caldwell County Clerk.

Surveyor is a registered professional land surveyor authorized by the Land Surveying Practices Act, as provided in chapter 1071 of the Texas Occupations Code, to practice surveying within the State of Texas.

Thoroughfare plan is the thoroughfare plan map and associated text and graphics contained in the transportation element of the adopted comprehensive plan.

Utilities include all those various facilities and elements of construction which relate to water, sanitary sewer, electrical, telephone, cable television, and gas distribution, collection, or transmission lines.

Sec. 52-3. Enforcement.

(a) Any subdivision of land being developed in violation of the terms and provisions of these regulations is hereby declared to be a public nuisance, and the city shall institute any action that may be necessary to restrain or abate such violations.

(b) Any person violating any provision of this chapter, within the corporate limit of the city, shall be guilty of a misdemeanor. Prosecution or conviction under this provision shall never be a bar to any other remedy or relief for violations of this chapter.

(c) Any person violating any provision of this chapter, outside the corporate limits of the city, but within the city's extraterritorial jurisdiction, shall not be considered as committing a misdemeanor, nor shall any fine be applicable; however, the city shall have the right to institute an action in the district court to enjoin the violation of any provision of this chapter

(d) On behalf of the city, the city attorney shall institute appropriate action to enforce the provisions of this chapter, or the standards referred to herein, with respect to any violation thereof which occurs within any area subject to the provisions of this chapter.

(e) The city attorney, or any other attorney representing the city, may at the city's request file an action in a court of competent jurisdiction to enjoin the violation or threatened violation by an owner of a tract of land of a requirement regarding the tract established by this chapter or to recover damages from the owner of a tract of land in an amount adequate for the city to undertake any construction or other activity necessary to bring about compliance with this chapter. An "owner of a tract of land" does not include the owner of an individual lot in a subdivided tract of land.

Secs. 52-4—52-30. Reserved.

ARTICLE II. PROCEDURE

Sec. 52-31. Plat required.

(a) *Subdivision plat*. The owner of a tract of land located within the city limits or extraterritorial jurisdiction who creates a subdivision, as defined in this chapter, shall prepare and submit a subdivision plat to the city for approval and recording according to the procedures and requirements of this chapter. No owner or agent of the owner of any land located within a subdivision shall sell or convey any land by reference to, exhibition of, or by the use of a plan or plat of a subdivision, nor shall a building permit be issued for or utility service be provided to any development on a tract of land requiring a recordable plat, before such plat is filed for review and approval by the city, and recorded with the county clerk. The conveyance of real property included within the subdivision shall be by lot and block. A subdivision plat is not required for the division or assembly of tracts of land into parts greater than five acres within the city limits, or greater than ten acres in the extraterritorial jurisdiction, where each part has access and no public improvement is being dedicated. For the purposes of this section, “access” means abutting an improved public street right-of-way along at least one property line for a distance of at least 25 feet. For the purposes of this section, “public improvement” means a right-of-way or easement, or other land, dedicated to and accepted by a taxing entity or public utility company for infrastructure or other public uses.

(b) *Development plat*. The owner of a tract of land located within the city limits or extraterritorial jurisdiction where no subdivision plat is required who proposes to construct a new building, or a structural addition exceeding 50 percent of the floor area of an existing building, on a tract that is not part of a recorded subdivision, shall prepare and submit a development plat to the city for approval according to the applicable standards and procedures for subdivision plats. No owner or agent of the owner of a tract of land shall undertake any construction, nor shall a building permit be issued for or utility service be provided to any development on a tract of land requiring a development plat, before such plat is approved in accordance with this chapter. A development plat is not required for:

(1) The construction or expansion of one single-family or duplex dwelling, or the installation of one manufactured home, on the tract.

(2) The construction of buildings not intended for human occupancy and as an accessory to any existing use provided such structures conform to all other applicable city regulations.

(3) The construction of buildings for storage of equipment, materials, or harvested products, or for the shelter of animals, where the sole use of the property is for agricultural purposes.

(c) *Family transfer exemption*. The owner of a tract of land located within the city's extraterritorial jurisdiction who wishes to subdivide the tract into four or fewer parcels for agricultural use and/or a single-family dwelling or manufactured home on each parcel is exempt from the requirement to submit a subdivision plat or development plat, subject to the following conditions:

(1) A Family Transfer Exemption application, including a survey showing the proposed subdivision lots, is submitted for administrative review and approved by the director of planning.

(2) The new parcels (the "second parcels") must be sold, given, or otherwise transferred by deed to individuals who are related to the original owner within the first or second degree of consanguinity or first degree of affinity, as defined in Chapter 573 of the Texas Government Code.

(3) An affidavit attesting to the familial relationship must be signed by the original owner and each owner of a second parcel, and must be provided to the director of planning along with a completed Family Transfer Exemption application form and fee.

(4) A deed restriction must be recorded by the original owner with the deeds prohibiting a secondary sale or further subdivision of the second parcels, or transfer of a parcel back to the owner of the original tract, for a period of five years unless in compliance with this chapter.

(5) All parcels must abut an existing public street right-of-way improved to Caldwell County road standards along at least one property line for a distance of at least 50 feet.

(6) All parcels must be at least one acre in area.

(7) Development on each lot shall comply with Caldwell County development regulations pertaining to residential/construction permits, driveway permits, on-site sewage facilities, floodplain hazard management, 911 addressing, and setbacks from water wells and septic systems, as applicable.

(8) If the subdivision does not or cannot comply with the foregoing requirements, either a subdivision plat must be submitted in accordance with section 52-31, above, or a subdivision variance may be requested as provided in section 52-3.

Sec. 52-32. Concept plan.

The applicant may prepare a concept plan and arrange with the director of planning for an informal conference with city officials for advice and assistance prior to preparing and submitting a preliminary plat, subdivision development plan, or recordable plat if no preliminary plat or subdivision development plan is required. Seven copies of the concept plan, prepared in accordance with section 52-171, shall be delivered to the director of planning not less than five business days prior to the conference. Because no application form is required, and no formal approval action is involved, the time limits for the review of plats and plans as provided in section 52-32.5 do not apply to concept plans. A concept plan is typically not applicable for a replat, resubdivision plat, minor plat, or amending plat.

Sec. 52-32.5. Plat/plan review and approval process.

(a) Submission of any plat or plan as provided in sections 52-33 through 52-40, and section 52-174, of this chapter, or as provided in chapter 64 "Zoning" for PDD development plans in the Planned Development District, shall be subject to an administrative completeness review prior to being accepted for technical review. A complete application shall consist of an application form with all sections completed and any required exhibits attached, preapplication approvals as described in section 52-34.5, payment of the application and/or review fee, and one full-size paper copy of the plat or plan containing all required information. The applicant shall be notified within ten business days whether the plat or plan is complete or not complete, with reasons given in writing if it is determined to be not complete. Engineering plans shall be submitted to the city engineer in a format determined by the city engineer, and the applicant shall be notified within ten business days whether the plans are complete or not complete, with reasons given in writing if it is determined to be not complete.

(b) When notified of an incomplete plat or plan, the applicant must resubmit their application correcting all deficiencies within 45 days of the date they are notified that it is not complete. Failure to resubmit a complete plat or plan within 45 days of the notice of incompleteness shall be deemed a withdrawal of the application, and the plat or plan may not be resubmitted except as a new application. Submittal of a plat or plan, including any required application form, is not accepted nor considered to be filed as defined in this chapter until it is determined to be complete.

(c) Once the application is deemed complete, the plat or plan is filed with the city in accordance with the procedures provided in sections 52-33 through 52-40, and section 52-174, of this chapter, or as provided in chapter 64 "Zoning" for PDD development plans in the Planned Development District, for the technical review. The plat or plan must be approved, approved

with conditions, or disapproved within 30 calendar days after the date the plat or plan is filed. A plat or plan is deemed approved unless it is disapproved within that period, or unless it is extended for one additional period of 30 calendar days by mutual agreement of the city and the applicant, whereby the applicant requests the extension in writing prior to the end of the first 30-day period, and the city approves the extension request.

(d) If the technical review of the plat or plan for accuracy reveals deficiencies that will likely result in disapproval if the deficiencies are not corrected, written comments identifying such deficiencies shall be provided to the applicant, and the applicant shall resubmit the plat or plan with the deficiencies corrected. If this occurs one or more times, and the plat or plan is not resubmitted without deficiencies by the date that would allow it to be approved prior to the applicable deadline provided in subsection (b), the director of planning may recommend that the plat or plan be approved with conditions or be disapproved.

(e) If a plat or plan is approved, the city shall endorse the plat or plan with a certificate indicating the approval. If the city fails to approve, approve with conditions, or disapprove the plat or plan within the initial 30-day period or the 30-day extension, as applicable, the city shall issue a certificate stating the date the plat or plan was filed and that the city failed to act on it within that period. Such certificate is effective in place of the endorsement indicating approval.

(f) If a plat or plan is approved with conditions or is disapproved, the applicant shall be provided a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulate each specific condition or reason. Each condition or reason must include a citation to the provision of: 1) this chapter; 2) chapter 64 "Zoning" for PDD development plans in the Planned Development District; 3) the City of Lockhart Construction Standards; or, 4) chapter 212 "Municipal Regulation of Subdivisions and Property Development" of the Texas Local Government Code, that is the basis for the conditional approval or disapproval, as applicable.

(g) After the conditional approval or disapproval of a plat or plan, the applicant may submit a written response that satisfies each condition for the conditional approval, or remedies each reason provided for disapproval. Once such response is received, the revised plat or plan must be approved or disapproved not later than the 15th calendar day after the date the response was submitted. The revised plat or plan is deemed approved unless it is disapproved within that period, in which case the city shall issue a certificate stating the date the revised plat or plan was submitted and that the city failed to act on it within 15 calendar days. Such certificate is effective in place of the endorsement indicating approval.

(h) If the revised plat or plan adequately addresses the reasons for the original conditional approval or disapproval, the city shall endorse it with a certificate indicating the approval as provided in subsection (d). If the revised plat or plan is disapproved, the applicant shall be provided a written statement of the reasons for disapproval as provided in subsection (f). Following such disapproval, the plat or plan may not be resubmitted except as a new application.

Sec. 52-33. Preliminary plat procedure.

(a) Following the concept plan conference, if any, the applicant shall prepare a preliminary plat in accordance with section 52-172-if the subdivision involves new public infrastructure. The plat is subject to the review and approval process provided in section 52-32.5. When determined to be complete, six full-size copies shall then be submitted to the director of planning for technical review. Upon receipt of staff comments, the applicant shall make any requested corrections or other changes to the plat or plan, and resubmit one full-size copy or digital file in the PDF format for review. Once the director of planning determines that the plat or plan is correct, the applicant shall submit 11 copies of the revised preliminary plat to the director of planning, who will then refer it to the commission for approval. In addition, the applicant shall provide a digital file in the PDF format. All plat prints shall be folded to a size no larger than nine inches by 12 inches at the time of submittal. If one or more variances are desired, they shall be requested concurrent with the preliminary plat application.

(b) The city engineer, director of planning, or commission may require the applicant to submit additional topographic information, detailed plans for proposed uses, or other information to determine possible flood or erosion hazards, the effect of the subdivision uses upon flows, and the adequacy of proposed flood protection measures. Such request will be in writing and shall specify the type of additional data required and its format. The city may employ, at the city's expense, outside consultants for technical assistance and advice upon request of the commission or city staff.

(c) The preliminary plat shall be reviewed as follows:

(1) City engineer, public works, water/wastewater and electric departments as appropriate:

a. Drainage system.

b. Street layout, paving grades, type of paving.

c. Boundary lines.

d. Monuments and benchmarks.

e. Location and size of alleys.

f. Availability of adequate water, sanitary sewer and electric service to the subdivision, including required water flow for fire suppression.

g Water utility system and fire hydrant locations.

h. Sanitary sewer utility system.

i. Electrical distribution system and street lighting.

j. Utility easements.

(2) Director of planning:

a. General plat format and content.

b. Lot and block numbers.

c. Street layout.

d. Street names.

e. Lot dimensions and building lines.

f. Subdivision name.

(3) Police department:

a. Traffic safety devices.

b. Street names and design.

c. Public access.

(4) Fire department/EMS:

a. Water utilities system and fire hydrant locations.

b. Street names.

c. Fire protection access.

(d) The director of planning shall forward the preliminary plat, and accompanying data to the commission with staff recommendations as to any further modifications.

(e) The commission shall:

(1) Approve or disapprove the preliminary plat and/or variances; or,

(2) Approve the preliminary plat and/or variances with modifications.

(f) Within ten days of the commission's decision, the city shall issue to the applicant a certificate stating the date that the preliminary plat was approved, approved with modifications, or denied, and state the reasons for denial, if applicable.

(g) If the commission disapproves, or approves with modification, the preliminary plat and/or variances, the applicant may elect one of the following:

(1) In the case of disapproval, make any changes necessary to address the commission's reason for denial, resubmit the plat to the director of planning with revisions for review and reconsideration by the commission in accordance with the same procedural requirements as for the original submission. If a revised preliminary plat is not resubmitted within 90 days of the commission's denial, it shall be considered withdrawn.

(2) In the case of approval with modification, make the changes requested by the commission and provide the director of planning with two revised copies of the preliminary plat. If the revised copies are not resubmitted within 90 days of the commission's approval, the preliminary plat shall be considered withdrawn.

(3) In either case of disapproval or approval with modification, not change or resubmit the plat, and appeal as provided in this chapter.

(h) After approval of the preliminary plat and/or variances by the commission, and submittal of revised copies, if applicable, the applicant may proceed with the final plat and engineering plans.

(i) Approval of the preliminary plat shall be effective for no more than 12 months before the final plat and engineering plans are submitted for approval. If no circumstances have occurred which would affect the preliminary plat during that period, the commission may consider, upon written request by the applicant, extending the approval of a maximum of two additional six-month time periods. At the end of this extension period, the approval is automatically revoked. The city reserves the right to review the condition of the project area to make a determination whether or not each six-month extension is justified or if modification should be made thereto. A preliminary plat that has expired can be reactivated only by resubmittal in accordance with all normal procedures for the original submission.

Sec. 52-34. Subdivision development plan procedure.

When only a portion of a tract is to be platted initially, with one or more additional phases of the same subdivision to be platted sequentially at a later date, and where a preliminary plat is not submitted for the entire original tract, the following provisions apply:

(1) A subdivision development plan for the entire tract and a preliminary plat, if required, for that phase to be immediately developed shall be submitted together for review and approval in accordance with the procedures in section 52-33 for preliminary plats. The subdivision development plan is a scale drawing including a vicinity map and legal description of the property, and showing proposed street rights-of-way, easements, building sites or lots, areas for parks or other public facilities, school sites, utilities, drainage features, contour intervals of not less than five feet, and proposed phase boundaries for the subdivision to be developed in sections.

(2) Upon approval, or approval with modifications, of the subdivision development plan and preliminary plat by the commission, a final plat for that portion to be immediately developed shall be submitted in accordance with this chapter. Additional phases conforming with the approved subdivision development plan may then be platted sequentially in accordance with the requirements for preliminary and final plats. No changes to the subdivision development plan shall be made without approval of the commission.

(3) The first phase subdivided shall be labeled "Section One" following the name of the subdivision, with subsequent phases numbered sequentially thereafter.

Sec. 52-34.5. Final plat preapplication approvals.

Applicable preapplication approvals must be completed before a final plat is filed. Documents subject to preapplication approval may include one or more of the following: 1) engineering plans in accordance with section 52-174; 2) a public facility development plan as provided in section 52-114; 3) a FEMA conditional letter of map revision (CLOMR) as provided in section 52-80(a); and, 4) a traffic impact analysis as provided in section 52-72(p).

Sec. 52-35. Final plat procedure.

(a) A final plat, which is a recordable plat, shall be prepared in accordance with the approved preliminary plat, if any, and with section 52-173. Following completion of preapplication approvals, the plat is subject to the review and approval process provided in section 52-32.5. When determined to be complete, six full-size copies of the plat and two full-size copies of the engineering plans, if applicable, shall be submitted to the director of planning for technical

review. Engineering plans shall be submitted to the city engineer in a format determined by the city engineer. Upon receipt of staff comments, the applicant shall make any requested corrections or other changes to the plat and/or plan, and resubmit one full-size copy or digital file in the PDF format for review. Once the director of planning determines that the plat or plan is accurate and is consistent with the approved preliminary plat, if applicable, the applicant shall submit ten full-size copies of the revised plat (two copies of revised minor plats) to the director of planning. All plat prints shall be ~~pre-~~folded to a size no larger than nine inches by 12 inches prior to submittal. If no preliminary plat was required and one or more variances are desired, they shall be requested concurrent with the final plat application.

(b) The commission shall approve, approve with conditions, or deny the plat and variances, if any, in accordance with the process provided in section 52-32.5.

(c) After approval of the plat, the applicant shall submit a set of digital drawing files of the plat on compact disc or flash drive, or by e-mail or cloud storage, in a digital PDF format, and shall also submit two coated, non-smearing Vellum or Mylar reproducible sets of the plat containing the notarized signature of the owner(s), and the signatures and seals of the surveyor and engineer, as applicable. The chairman of the commission, or designee, will sign the approval certificate on the reproducible sets. In the case of amending plats and minor plats or minor replats not requiring a variance, the city manager will sign the approval certificate. The director of planning shall cause the final plat to be recorded with the county clerk within five business days after acceptance by the city of all improvements, as provided in section 52-202, and upon receipt of the items listed in section 52-204. After recording, one reproducible set shall be retained by the director of planning.

(d) Changes made to a final plat subsequent to being recorded and not eligible for an amending plat as set forth in section 52-39, shall be submitted as a replat in accordance with section 52-38. Other corrections or changes made to a final plat subsequent to being recorded~~,~~ shall be submitted as an amending plat in accordance with section 52-39. Upon approval of the replat or amending plat, it shall be recorded with the county clerk, who shall mark the previously recorded plat as "*Void*".

(e) Construction by the applicant of any required public improvements shall commence within 12 months of the commission's approval of a final plat. Upon written request by the applicant, the director of planning may extend approval for one six-month period. At the end of this extension period, the approval is automatically revoked. A final plat that has expired can be reactivated only by resubmittal in accordance with the normal procedures for the original submission, including payment of applicable fees.

Sec. 52-36. Minor plat or minor replat procedure.

A minor plat does not require prior approval of a preliminary plat, and is prepared and processed in accordance with the requirements for final plats as specified in section 52-35, except that it may be approved administratively by the city manager or the city manager's designee. The city manager or designee may for any reason, elect to present the plat to the commission or, if the city manager or designee refuses to approve the plat, it shall be referred to the commission for approval or denial, in accordance with the procedures for final plats within three weeks of the city manager's denial. If one or more variances are requested by the applicant, the plat must be referred to the commission for approval or denial of both the variance and the plat in accordance with the procedure for final plats.

Sec. 52-37. Vacating plat.

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

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

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

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

Sec. 52-38. Replatting without vacating preceding plat.

(a) A replat is a recordable plat other than a minor replat as provided in section 52-36 that does not require prior approval of a preliminary plat and is prepared and processed in accordance with the requirements for final plats as specified in section 52-35. A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of the plat if the replat:

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

(2) Is approved by the commission, after a public hearing at which parties in interest and citizens have an opportunity to be heard; and,

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

(b) If during the preceding five years, any of the area to be replatted without vacation of the preceding plat was limited by zoning classification or deed restrictions to residential use for not more than two units per lot, and the replat requires a variance, then approval of the replat is subject to a public hearing, and notice of the hearing shall be given before the 15th day before the date of the hearing by:

(1) Publication in the city's official newspaper/publication of record; and,

(2) Written notice by mail, with a copy of subsection (c) of this section attached, to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved city tax roll or, in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property on which the replat is requested.

(c) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed plat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members of the commission present. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, excluding areas outside the original subdivision, must be submitted to the director of planning or the commission prior to the close of the public hearing. In computing the percentage of land under this subsection, the area of streets and alleys shall be included.

(d) Compliance with subsections (b) and (c) is not required if the area to be replatted was designated or reserved for other than single-family or duplex-family residential by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

(e) If during the preceding five years, any of the area to be replatted without vacation of the preceding plat was limited by zoning classification or deed restrictions to residential use for not more than two units per lot by-right, and does not require a variance, then notice by mail shall be given not later than the 15th day after the date the replat is approved to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent city tax roll, or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property on which the replat is requested. The notice shall include the zoning designation of the property after the replat, and the telephone number and e-mail address an owner of a lot may use to contact the city about the replat.

Sec. 52-39. Amending plat.

(a) An amending plat is a recordable plat prepared and processed in accordance with the requirements for final plats as specified in section 52-35, except that it may be approved administratively by the city manager or the city manager's designee. It is controlling over the preceding plat without vacation of that plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:

(1) To correct an error in a course or distance shown on the preceding plat.

(2) To add a course or distance that was omitted on the preceding plat.

(3) To correct an error in a real property description shown on the preceding plat.

(4) To indicate monuments set after the death, disability, or retirement from practice of the surveyor responsible for setting monuments.

(5) To show the location or character of a monument that has been changed in location or that is shown incorrectly as to location or character on the preceding plat.

(6) To correct any other type of scrivener or clerical error or omission previously approved by the city including lot numbers, acreage, street names and identification of adjacent recorded plats.

(7) To correct an error in courses and distances of lot lines between two adjacent lots if:

a. Both lot owners join in the application for amending the plat;

b. Neither lot is abolished;

c. The amendment does not attempt to remove recorded covenants or restrictions; and,

d. The amendment does not have a material adverse effect on the property rights of the other owners in the plat.

(8) To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement.

(9) To relocate one or more lot lines between one or more adjacent lots if:

a. The owners of all those lots join in the application for amending the plat;

b. The amendment does not attempt to remove recorded covenants or restrictions; and,

c. The amendment does not increase the number of lots.

(10) To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:

a. The changes do not affect applicable zoning and other regulations of the city;

b. The changes do not attempt to amend or remove any covenants or restrictions; and,

c. The area covered by the changes is located in an area that the commission and council have approved, after a public hearing, as a residential improvement area.

(11) To replat one or more lots fronting on an existing street if:

a. The owners of all those lots join in the application for amending the plat;

b. The amendment does not attempt to remove recorded covenants or restrictions;

c. The amendment does not increase the number of lots; and,

d. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

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

(c) Amending plats shall be presented to the city manager or the city manager's designee for approval. If, for any reason, the city manager or designee does not wish to approve the plat, it shall be presented to the commission for approval or denial in accordance with the procedures for final plats in section 52-35, within three weeks of the city manager's denial. If a variance is requested by the applicant, the amending plat must be referred to the commission for approval or denial of both the variance and the plat.

Sec. 52-40. Procedure for approval of development plat.

(a) Development plats for which it is determined that no dedication of land or easements, nor construction of public improvements other than sidewalks is required, may be approved administratively by the director of planning. The plat is subject to the completeness review and approval process provided in section 52-32.5. If one or more variances are requested by the applicant, the plat must be referred to the commission for approval or denial of both the variance and the plat in accordance with the procedure for final plats. A building permit shall not be issued for the development prior to endorsement of the director of planning's or the commission's approval on the plat, as applicable.

(b) Development plats requiring the construction of public streets or alleys, and/or the dedication of land or easements to accommodate such facilities as required to comply with city standards, shall be prepared and processed in accordance with the requirements for final plats as specified in section 52-35 provided, however, that when there is no dedication of land or easements, or where the applicant chooses to dedicate such land or easements by separate instrument instead of on the plat, recording of the development plat with the county clerk is not required. A building permit shall not be issued for the development prior to approval of the development plat by the commission. The development shall not pass final inspection or receive a certificate of occupancy until any required construction of public facilities is completed and accepted by the city, and any required dedications are recorded with the county clerk on the development plat or by separate instrument.

Sec. 52-41. Application fees.

Application fees for preliminary plats and all recordable plats, shall be as established by separate resolution of the city council. Such fees, which are collected for the purpose of defraying the costs administrative, clerical and inspection services necessary to implement this chapter, shall be collected by the city at the time the plat is submitted. No action by the city shall be valid unless and until the required fees have been paid to the city.

Sec. 52-42. Dedication and construction of public infrastructure.

(a) The approval of a plat is not considered an acceptance of any proposed dedication and does not impose on the city any duty regarding the maintenance or improvement of any dedicated parts until the city accepts the required improvements in accordance with section 52-202, or until the plat is recorded.

(b) To ensure that it will not incur liabilities, the city may require, before it gives approval of the engineering plans for a development, that the owner provide sufficient surety and warranty to guarantee that claims against the development will be satisfied if a default or construction failure occurs. A nonrevocable bond in the amount of ten percent of the total construction cost shall continue in force until the one-year warranty of construction has expired. This subsection does not preclude a claimant from seeking recovery by other means.

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

Secs 52-43—52-49. Reserved.

ARTICLE III. RELIEF PROCEDURES

Sec. 52-50. Variances.

(a) Concurrently with or separately from consideration of a preliminary plat or recordable plat, the commission may authorize a variance from this chapter when, in its opinion, undue hardship will result from requiring strict compliance. In considering a variance the commission shall allow only conditions that it deems necessary or desirable to the public interest. The commission shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions, public health, safety, convenience and welfare in the vicinity. No variance shall be approved unless the following is established:

(1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

(2) That the variances are necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the variance will not be detrimental to the public health, safety or welfare, and will not be injurious to other property in the area.

(3) That the variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.

(b) Findings of the commission, together with the specific facts on which such findings are based, shall be incorporated under the official minutes of the commission meeting at which a variance is granted. Variances shall be granted only when in harmony with the general purpose and intent of this chapter, so that the public health, safety and welfare may be secured, and substantial justice done. The commission shall not authorize a variance to this chapter that would constitute a violation of any other valid ordinance of the city.

Sec. 52-51. Appeals.

(a) The commission may consider appeals where the applicant alleges that there is an error in an order, requirement, decision or determination made by the city staff in the enforcement of this chapter. The commission may reverse or affirm, in whole or in part, or modify the city staff's order, requirement, decision or determination.

(b) Any person or persons aggrieved by any decision of the commission with respect to subdivision plats, subdivision variances, and appeals of administrative determinations may appeal to the city council by submitting to the director of planning, within ten days after the date of the commission's action, a written request specifying the grounds for the appeal, together with any supporting evidence. The appeal shall be forwarded to the council together with a copy of the approved minutes of the commission meeting at which the decision in question was made, and shall be considered at the earliest regular meeting for which all required materials are available. The council shall uphold, modify, or reverse the decision of the commission.

Sec. 52-52. Vested Rights.

The city shall consider the approval, disapproval or conditional approval of a subdivision or development plat solely on the basis of any orders, regulations, ordinances, rules, expirations dates, or other properly adopted requirements in effect at the time the original application is submitted for review, including review for administrative completeness, in accordance with Chapter 245 “Issuance of Local Permits” of the Texas Local Government Code, as well as any similar chapter, section, or provision of the Lockhart Code of Ordinances pertaining to vested rights related to development regulations and permits that is not in conflict with Chapter 245. This includes application for establishment of development rights, subsequent determination, and appeal, if any.

Secs. 52-53—52-59. Reserved.

ARTICLE IV. PUBLIC FACILITIES

Sec. 52-60. Proportionality.

In accordance with section 212.904 “Apportionment of Municipal Infrastructure Costs” of the Texas Local Government Code, it is the intent of this chapter that the regulations and standards herein achieve proportionality between the demands created by the proposed subdivision on public facilities and the obligation to provide adequate public facilities, assuring that development impacts are mitigated through contributions of land dedications, construction of capital improvements, and/or payment of fees, and that a development project contribute its fair share of such costs. A proportionality determination assures that a requirement to dedicate, construct, or pay a fee in lieu of dedication or construction imposed on a proposed plat as a condition of approval does not result in a disproportionate cost burden on the property owner, taking into consideration the nature and extent of demands created by the proposed development on the city’s public facilities systems. Required land or easement dedication, construction of public facilities, or payment of a fee, by the applicant is an exaction.

Sec. 52-61. Capital Improvements.

Land proposed for development in the city and in the city's extraterritorial jurisdiction must be served adequately by essential public facilities and services, including streets, sidewalks/trails, bikeways, stormwater drainage, water, wastewater, electricity, open space, and parks. A subdivision plat or development plat shall not be approved until and unless adequate public facilities exist or provision has been made for the facilities, whether the facilities are to be located within the property or off-site. A public facility shall be considered sufficient where it is demonstrated to have available capacity to accommodate the service demand generated by the proposed development, as well as other approved developments that would impact the service capacity.

Sec. 52-62. Land Dedication.

A subdivision plat or development plat shall not be approved until and unless it includes dedication of easements, rights-of-way, and other land as necessary to accommodate the essential public facilities and services required to fulfill the development's obligation as provided in section 52-57.

Sec. 52-63. Determination.

(a) Upon request by the director of planning or director of public works, the city engineer may make a determination as to whether or not an exaction requirement to be imposed as a condition of plat approval is roughly proportionate to the demand created by the subdivision or development on the essential public facility system of the city. In making this determination, the city engineer may consider:

(1) The proposed and potential use of the land.

(2) The timing and sequence of development in relation to availability of adequate levels of public facilities systems.

(3) Studies conducted to measure the demand for services create by the subdivision or development and its impact on the city's public facilities system.

(4) The function of the public infrastructure improvements in serving the proposed subdivision or development.

(5) The degree to which public infrastructure improvements necessary to serve the proposed subdivision or development are supplied by other developments.

(6) The anticipated participation by the city in the costs of necessary public infrastructure improvements.

(7) The degree to which acceptable private infrastructure improvements to be constructed and maintained by the applicant will offset the need for public infrastructure improvements.

(8) Any reimbursements for the costs of public infrastructure improvements for which the proposed subdivision or development is eligible.

(9) Any other information relating to the impacts created by the proposed subdivision or development on the city's public facilities systems.

(b) The Planning and Zoning Commission shall consider the city engineer's report, if any, in making a decision on a plat application, including conditional approval. The commission may also consider the report in granting a variance to one or more provisions of this chapter.

Sec. 52-64. Appeal.

An applicant for a subdivision plat or development plat which imposes an exaction requirement may file an appeal to contest any proportionality determination, other than impact fees, imposed as a condition of approval or in which the failure to comply is grounds for denying the application. The appeal is processed as provided in section 52-51.

Secs 52-~~43~~ 65—52-71 Reserved.

ARTICLE V. DESIGN STANDARDS

Sec. 52-72. Streets.

(a) The arrangement, character, extent, width, grade, and location of all streets shall conform to the thoroughfare plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. A plat of property in the path of a future collector or arterial street shown on the thoroughfare plan map shall dedicate the right-of-way corresponding to its classification, and the street shall be constructed at the subdivider's expense for all segments within the boundary of the subdivision.

(b) When a street is not on the thoroughfare plan, the arrangement of streets in a subdivision shall provide for the continuation of existing streets in surrounding areas. If there are no streets existing on adjacent vacant and unsubdivided land, the arrangement of streets in the subdivision shall make provision for the proper extension of streets into such area. The length of any dead end street projections intended for future extension beyond the limits of the subdivision shall not exceed the depth of one lot unless a cul-de-sac is constructed no further than one lot from the subdivision perimeter. Consideration shall be given to efficient internal distribution of traffic by maximizing connectivity with multiple streets and intersections in a grid pattern or similar arrangement of blocks.

(c) All subdivisions with a potential to serve more than 75 dwelling units, or more than 15 nonresidential lots, shall have at least two points of vehicular access consisting of improved streets connected to the city's thoroughfare system; or, a single entrance street divided by a median where the median extends to the nearest internal street which provides at least two routes to the interior of the subdivision. Residential driveways shall not be located on the sides of the divided street parallel to and within the length of an entrance median.

(d) Where a subdivision adjoins or contains an existing or proposed major road, arterial street, or collector street, the commission may require marginal access streets, reverse frontage, deep lots with rear service alleys, or such treatment as may be necessary for adequate protection to residential properties and to afford separation of through and local traffic. No side lot access to residential corner lots shall be allowed from any arterial street.

(e) Where a proposed new subdivision, or replat of an existing subdivision that creates additional lots, abuts upon an existing street that does not conform to the corresponding classification in the thoroughfare plan, the subdivider shall dedicate one-half of the right-of-way needed to make the ultimate full right-of-way width conform. Where the dedication of right-of-way is not feasible due to topographic or other physical obstructions, the subdivider may, at the city's discretion, dedicate a public access easement with corresponding utility or drainage easements as necessary in lieu of dedicating public street right-of-way.

(f) Reserve strips controlling access to streets, rights-of-way, or other land dedicated or intended to be dedicated to public use shall be prohibited, except where the city is given control, under conditions approved by the commission.

(g) Street jogs with centerline offsets of less than 125 feet are prohibited.

(h) Arterial street intersections shall be at 90-degree angles. Other street intersections shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect at less than 75 degrees nor more than 105 degrees.

(i) Street right-of-way and pavement widths shall be as shown on the thoroughfare plan and, where not shown therein, shall be not less than as follows:

(1) *Arterial streets:* Minimum right-of-way width 80 feet to a maximum of 140 feet, with the pavement width section to be based on standard details for the specific street class, depending upon the location and existing streets with which said street is to be connected.

(2) *Collector streets:* Right-of-way width 60 feet, and pavement width of 41 feet back-to-back of curb. The right-of-way width may be required to be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

(3) *Minor streets:*

a. *Residential street:* Right-of-way width 50 feet, and pavement width of 31 feet back-to-back of curb. The right-of-way width shall be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

b. *Local street in multifamily, commercial or industrial areas:* Right-of-way width 60 feet, with pavement width section as identified in standard details or greater if required for drainage. The right-of-way may be required to be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

(j) Half-width streets shall be prohibited.

(k) A cul-de-sac shall not be longer than 500 feet measured from the connecting street centerline to the center radius point of the closed end having a paved street turnaround diameter of at least 80 feet with a right-of-way diameter of at least 100 feet in residential areas, and a paved street turnaround diameter of at least 100 feet with a right-of-way diameter of at least 120 feet in nonresidential areas. Greater diameters may be required where the cul-de-sac would serve industrial or other development that uses tractor-trailer trucks. Center islands may be provided subject to approval by the city.

(l) Traffic circles (roundabouts) are encouraged in appropriate locations and may be used in accordance with the following conditions:

(1) The design shall be in accordance with Chapter 6 "Geometric Design" of Federal Highway Administration Publication No. FHWA-RD-00-067 "Roundabouts: An Informational Guide", as applicable to the type, width and design speeds of intersecting streets.

(2) Pavement markings, "Traffic Circle Ahead" or international graphic circular intersection signs, "Yield" signs and "One-Way" signs pointing to the right shall be provided and installed in locations approved by the public works department for each location where a street connects to the traffic circle in accordance with Chapter 7 "Traffic Design and Landscaping" of Federal Highway Administration Publication No. FHWA-RD-00-067 "Roundabouts: An Informational Guide", as amended.

(3) The center island shall consist of a circular curbed area within the public street right-of-way that is landscaped or developed to be aesthetically attractive while requiring a minimum of maintenance, as approved by the planning and zoning commission. Where right-of-way, topography, or other constraints preclude the ability to provide a curbed center island, a mountable curb with a traversable concrete apron may be required around the outer edge of the center island.

(4) A note on the plat shall state how the center island is to be developed and maintained, and that the subdivider or developer is responsible for maintenance during the first year following the date the plat is recorded.

(m) New streets of like alignment shall bear the names of existing streets and shall be dedicated at equal or greater widths than the existing streets. No street names shall be used which will duplicate or be confused with the name of existing streets.

(n) Names of new streets being constructed as part of a subdivision are subject to approval of the commission. Once a street is accepted by the city and the subdivision plat is recorded designating the name of such street, any subsequent change in the name of the street is subject to approval by the council.

(o) All new streets dedicated within a subdivision shall be improved in accordance with the construction standards of the city.

(p) If an existing public street not meeting city standards for its classification designated in the thoroughfare plan with respect to width, drainage, or surface type abuts the perimeter of a subdivision having an internal street intersecting the perimeter street where the internal

street provides the sole vehicular access to the subdivision or section thereof being platted, the subdivider shall pay an amount equal to one-half the estimated cost of improvement to city standards, as determined by the city engineer, for the length of the subdivision's frontage along the perimeter street. Such payment shall be made concurrently with acceptance of the subdivision improvements by the city, and the city shall deposit the funds in an account reserved for future improvement of the substandard perimeter street. This option is available only when it is determined that the existing perimeter street, in its current state, is capable of carrying the expected traffic upon full development of the subdivision. The city or the Texas Department of Transportation may require a traffic impact study to be prepared at the subdivider's expense to document the existing capacity of the street and/or to determine the need for off-site street improvements. If the existing perimeter street right-of-way is unimproved, or if the existing street does not have an adequate width for two lanes of traffic, or if it is determined that the street, in its current state, is otherwise not capable of safely carrying the expected traffic upon full development of the subdivision, it shall be improved by the subdivider at the subdivider's expense to comply with the city's street standards for its classification or to comply with safety improvements required by the Texas Department of Transportation, prior to acceptance of the subdivision by the city. The length of the improvement shall extend to the nearest existing improved street that has an adequate width for at least two lanes of traffic, and which is capable of carrying the expected traffic upon full development of the subdivision. If the substandard perimeter street is listed in the city's road impact fee capital improvements plan, the city shall contribute to the required improvements as provided in section 52-143.

(q) If bicycle facilities are shown on an adopted bikeway plan element of the city's comprehensive plan in a location along one or more streets within a new subdivision, the dedicated street right-of-way shall provide bicycle facilities based on best practices in the latest addition of the NACTO Urban Bikeway Design Guide, with pavement markings, signage, and physical barriers in conformance with the latest addition of the AASHTO Guide for the Development of Bicycle Facilities as referenced in the TxDOT Roadway Design Manual. The bicycle facility may be in the form of: 1) designated bike lanes in the street where the speed limit is 35 or 40 miles per hour; 2) spatially buffered bike lanes in the street where the speed limit is 45 or 50 miles per hour; or, 3) physically protected bike lanes (cycle track) in the street, or shared-use paths for pedestrians and bicycles separate from the street, where the speed limit is 55 miles per hour or greater. A bicycle facility required for a higher speed limit range can voluntarily be used in any lower speed limit range in lieu of its specified facility. Streets with a speed limit not greater than 30 miles per hour may have signage and pavement markings designating a bike route.

Sec. 52-73. Alleys.

(a) Right-of-way for service alleys in commercial and industrial districts shall be a minimum of 25 feet in width, with a 20-foot wide pavement section.

(b) Alleys in residential districts shall be parallel, or approximately parallel, to the frontage street, and shall have a minimum right-of-way width of 15 feet, with a ten-foot wide pavement section.

(c)Alleys shall be optional in all new developments and replatted existing subdivisions, unless expressly required by the commission because of drainage, topographical features, circulation, or existing conditions which may necessitate the use of an alley in a particular location. Any right-of-way for alleys shall be dedicated to the city.

(d) Alleys shall be paved in accordance with the construction standards of the city.

(e) Where the deflection of alley alignment exceeds 30 degrees, a cutback of a minimum 15 feet, or of such greater distance to provide safe vehicular movement, shall be established on the inside property line and the paving of the alley shall be cut back in the same manner.

(f) Where the deflection of an alley alignment exceeds 15 degrees, a five-foot-wide pole guy easement shall be provided at the exterior of each point of deflection and normal hereto. The easement length shall be 15 feet for a deflection from 15 degrees to 30 degrees and 25 feet for deflection greater than 30 degrees.

(g) Dead-end alleys are prohibited.

(h) Access to residential property may be permitted from the alley. Access from the alley shall not exclude another means of access from the front or side.

Sec. 52-74. Easements.

(a) Easements across lots, along and abutting front lot lines, or centered on rear or side lot lines shall be provided for utilities and drainage where necessary. Drainage easements must be exclusive and no improvements may be constructed therein. When such easements are shown on a subdivision plat, this exclusivity and restriction will be noted on the plat and included in any restrictive covenants. Drainage and utility easements will not be superimposed.

(b) Where a subdivision is traversed by a watercourse, drainage way or channel, a storm drain easement or drainage right-of-way, conforming substantially with such course and of a width to fulfill the requirements of the city's flood hazard area ordinance and drainage ordinance, as calculated by the developer's engineer, will be provided. Nonrestricted access shall be provided to all drainage ways and storm system easements for maintenance by the responsible parties. Access shall be provided within 500 feet of all points where drainage easements exist, and parallel streets or parkways may be required for access to the easement.

(c) Where alleys are not provided in a residential subdivision and utilities are to be provided in the rear of lots, a minimum seven and one-half-foot-wide utility easement shall be provided where needed along the rear of all lots within the subdivision. When one or more lots are located such that there is no similar easement in adjoining tracts, a minimum 15-foot wide easement will be provided.

(d) When the tract to be subdivided includes an easement of the blanket form or is a portion of a tract which includes such an easement, the subdivider shall take such action as is necessary prior to submission of the preliminary plat to have such easement removed or to have such easement redefined to a specific location and to a specific size or width.

(e) Public access easements may be provided to accommodate a required public sidewalk along and adjacent to the public street right-of-way where conflicts with natural features, utility equipment, or other appurtenances make the location of the sidewalk within the right-of-way impractical. Private access easements may be provided to accommodate joint vehicular access to adjacent lots in the subdivision.

Sec. 52-75. Blocks.

(a) The length, width and shapes of blocks shall be determined with due regard to:

(1) Provision of adequate building sites suitable to the special needs of the type of use contemplated.

(2) Zoning requirements as to lot sizes and dimensions.

(3) Needs for convenient access, circulation, control and safety of street traffic.

(b) In general, intersecting streets determining the block length and width shall be provided at such intervals as to serve cross-traffic adequately and to meet existing streets or in accordance with customary subdivision practices. Where no existing subdivision controls, the block lengths shall generally not exceed 800 feet along minor streets, 1,000 feet along collector streets, or 1,200 feet along arterial streets. Where no existing subdivision controls, the blocks shall generally not be less than 400 feet along minor or collector streets, or 500 feet along arterial streets. 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 to meet the existing conditions having due regard for connecting streets, circulation of traffic and public safety. Where opposite sides of a block are along different classifications of streets, the length shall generally conform to the maximum and minimum limits applicable to the higher classification.

(c) Where blocks in the vicinity of a school, park or shopping center are 1,000 feet or longer, the commission may require a six-foot public pedestrian access easement near the middle of the block or at a street that terminates between streets at the ends of the block.

(d) Where no existing subdivision controls, the block depth shall be platted to give lots with a depth to width ratios of generally not more than two and one-half to one and in no case more than four to one, and the design shall be such that the block depth generally shall not exceed 350 feet. When possible, the block width and length shall be such to allow tiers of lots back to back.

(e) Blocks shall be labeled sequentially, from One or from A in each subdivision or section thereof.

Sec. 52-76. Lots.

(a) Lots shall conform to the minimum requirements of the applicable zoning district, except where a variance is approved by the zoning board of adjustment. Lots in the extraterritorial jurisdiction shall conform to the minimum requirements of the current Caldwell County Development Ordinance.

(b) Each lot shall abut an improved public street right-of-way along at least one property line, except where private streets are approved in a planned development having the PDD zoning classification.

(c) Key lots or irregular shaped lots shall have sufficient width at the front building line to meet frontage requirements of the appropriate zoning district. Also, the rear width shall be sufficient to provide access for all utilities, but in no case less than ten feet.

(d) Flag lots, which have minimal or panhandle-type frontage, shall not be allowed in lieu of providing access to lots on the interior of a subdivision with one or more public streets except, however, that one flag lot may be approved in the subdivision of an unplatted tract having a length to width ratio of 3:1 or greater into two lots provided that the street frontage of each lot is at least 25 feet and the width of each lot is at least the minimum required by the applicable zoning district.

(e) Side lot lines shall be substantially at right angles or radial to street lines.

(f) Double frontage and reverse frontage lots will be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantage of topography and orientation. Where lots have double frontage, a front building line shall be established for each street.

(g) Each lot in each block shall be labeled sequentially from one.

Sec. 52-77. Sidewalks.

(a) In those instances when a six-foot pedestrian access easement is provided in accordance with subsection 52-75(c), the applicant shall construct a sidewalk not less than four feet wide therein.

(b) Public sidewalks~~,~~ not less than four feet wide~~,~~ shall be provided on each side of collector streets and minor nonresidential streets, and on one side of minor residential streets, including culs-de-sac exceeding 350 feet in length as measured in accordance with subsection 52-72(k). Public sidewalks not less than six feet wide shall be provided on each side of arterial streets and on the subdivision side of expressway frontage roads. Required sidewalks shall be constructed by the builder for each lot before a certificate of occupancy will be issued for any structure thereon. Sidewalks required along public streets abutting property that is already developed, abutting the side or rear of a vacant lot that has primary frontage on another street, or abutting land areas dedicated for a public park, drainage facility, open space, or other community facility in accordance with subsection 52-112, shall be constructed by the subdivider as a subdivision improvement, and accepted by the city, prior to the plat being recorded.

(c) The location of sidewalks shall be noted on the subdivision plat.

(d) Sidewalks are not required:

(1) On culs-de-sac 350 feet or less in length, as measured from the connecting street centerline to the center radius point of the closed end.

(2) Along minor streets in residential subdivisions where no lot is less than one acre in size.

(3) When no more than four lots are being replatted where there was no requirement for sidewalks at the time the subdivision was originally platted.

(4) For a minor plat of four or fewer residential lots along a minor residential street within an existing developed residential area not previously platted, where lots or parcels abutting the side or sides of the parcel being platted are developed and have no existing public sidewalk along their street frontages.

(5) Where the commission authorizes a variance waiving all or a portion of the sidewalk requirement in accordance with section 52-50.

(e) In instances where construction of a required sidewalk in the public right-of-way is not feasible due to drainage considerations, topography, or lack of adequate unobstructed right-of-way width as determined by the city engineer, director of public works or designee, the sidewalk requirement may be satisfied by one of the following alternatives:

(1) The sidewalk may be constructed in a dedicated public access easement inside the private property of one or more lots along the street right-of-way; or

(2) The subdivider may, at the city's discretion, pay a fee in lieu of constructing the sidewalk based upon an estimated cost per linear foot provided by the director of public works, city engineer or designee; or provided by the subdivider's engineer and accepted by the director of public works, city engineer or designee.

(f) Curb ramps for the disabled shall be constructed to comply with the most recently adopted edition of the Texas Accessibility Standards.

(g) Rights-of-way or easements for hike and bike trails or similar shared-path sidewalks at least ten feet wide shall be dedicated on the plat where shown on the adopted Sidewalk/Trail Plan, and such trails or shared-path sidewalks shall be constructed at the subdivider’s expense. Where aligned with a property’s street frontage, such trails and sidewalks shall serve as a required public sidewalk.

Sec. 52-78. Streetlights.

Streetlights shall be installed by the subdivider in accordance with the current streetlight policy, as adopted by the city council, and shall conform to the construction standards of the city.

Sec. 52-79. Street signs.

(a) *Street name signs.* Street name signs approved by the city shall be furnished and installed by the subdivider, at the subdivider's expense, at each intersection within or abutting the subdivision.

(b) *Traffic control signs.* Appropriate traffic control signs, required by the Uniform Traffic Control Manual and approved by the State of Texas, shall be furnished and installed by the subdivider, at the subdivider's expense.

Sec. 52-80. Flood hazard.

(a) Subdivision development in flood hazard areas shall be in accordance with chapter 22 "Floods", of the Lockhart Code of Ordinances. Increases in stormwater runoff created by expected additional impervious surface shall require stormwater detention as provided in article III, chapter 22. For changes in base flood elevation or flood hazard boundary, approval of a FEMA conditional letter of map revision (CLOMR) is required prior to acceptance of the final plat for technical review, and approval of a FEMA letter of map revision (LOMR) is required following completion and acceptance of all required subdivision improvements.

(b) Lots shall be graded and structures designed such that the ground level floor of buildings shall be a minimum of 12 inches above the highest point of the adjacent street top of curb, or above the crown of the street where there is no curb. Where the building is on a corner lot, this provision will apply to the highest top of curb or crown of the intersecting streets. Under special circumstances where such floor level is demonstrated by the subdivider's or developer's engineer to be impractical, one or more lots may be provided with drainage swale adjustment to prevent flooding of structures upon approval of a variance by the construction board of appeals.

Sec. 52-81. Electric utility.

Electric lines and facilities shall be in conformance with the requirements of the electrical provider. All electric lines, both primary and secondary, shall be underground in subdivisions consisting of more than ten lots or more than ten acres.

Sec. 52-82. Perimeter screening.

Residential subdivisions having six or more contiguous lots with rear yards abutting a collector or arterial perimeter street shall have a fence or wall no less than 67 percent opaque, and at least six feet but not greater than eight feet tall, constructed along but not encroaching into the perimeter street right-of-way prior to City acceptance of the subdivision improvements. Screening material shall consist of masonry, warp and rot resistant wood, or engineered/composite wood, with masonry columns measuring at least 16 inches square located no greater than 130 feet apart on-center, including angle and endpoints. Masonry columns shall extend at least eight inches from the street-side face of the fence or wall. Perimeter screening shall not block access to any fire hydrant or utility equipment, nor block any corner sight-triangle as defined in section 50-5 "Landscaping which constitutes traffic hazard", of the Lockhart Code of Ordinances. Perimeter screening shall be located in a fence easement at least as wide as the masonry columns, and shall be maintained by a homeowner's association or other permanent subdivision management established for the subdivision by the subdivider or developer.

Sec. 52-83—52-110. Reserved.

ARTICLE VI. COMMUNITY FACILITIES AND OPEN SPACES

Sec. 52-111. Areas for public use.

The subdivider shall consider one or more suitable sites for public parks, playgrounds, and other public community facilities in accordance with the comprehensive plan and associated plans and policies of the city. A school site approved by the Lockhart Independent School District for purchase by the district shall be considered an eligible community facility for the purpose of this article. Any provision for community facilities shall be indicated on the plat. Where land dedication or payment of fees in lieu of land dedication is required for a subdivision being platted in sequential phases, the entire land dedication or fee payment requirement shall be satisfied at the time that the plat of the first phase or section is recorded.

Sec. 52-112. Land dedication.

(a) Except as provided in section 52-113, land shall be dedicated by the subdivider in the amounts listed below or greater for community facilities or public open space in any subdivision within the city limits, greater than five acres in size, and zoned or intended to contain residential uses.

(1) *Subdivision size over five acres up to and including 20 acres*: Five percent of the total land area zoned or intended for residential use up to and including a gross density of seven units per acre, or ten percent of the total land area zoned or intended for residential use above seven units per acre.

(2) *Subdivision size over 20 acres*: Eight percent of the total land area zoned or intended for residential use up to and including a gross density of seven units per acre, or fifteen percent of the total land area zoned or intended for residential land use above seven units per acre.

(b) The location, size, and functions of the land to be dedicated for community facilities or public open space must be: 1) deemed by the city to be suitable for the intended use; 2) have appropriate pedestrian, bicycle, and motor vehicle access, including parking; 3) graded and provided with turf or other ground cover that is appropriate for the intended use; and, 4) be provided with water, wastewater, and electric service as determined by the city as necessary for the proposed use and public facility improvements. Utilities are considered part of the subdivision infrastructure, and shall not apply to the value of any required public facility improvement as provided in section 52-114. The subdivider shall either construct all required improvements for the intended use at their expense, or may, at the city's discretion, pay a fee in lieu of constructing such improvements, as provided in section 52-114. If the dedicated land area is a donation for a community facility involving buildings to be constructed by the school district or a governmental entity, the fee shall be paid in lieu of construction and shall be used by the school district or governmental entity for the community facility.

(c) No property required to be dedicated for community facilities or public open space shall be in the 100-year floodplain except, however, that natural areas may include 100-year floodplain up to a maximum of 50 percent of the minimum required land dedication if determined by the city to be suitable for leisure activities such as hiking, bicycling, picnicking, and wildlife

observance, and such area is deemed by the city as needed or acceptable for such use in that location. Ineligible land area may be dedicated as parkland, but shall not apply toward the minimum amount necessary to meet community facility or public open space dedication requirements.

(d) Stormwater detention ponds and conservation easements shall not apply to the minimum required land dedication except, however, that such areas may be included up to a maximum of 50 percent of the minimum required dedication if determined by the city to be suitable for leisure or recreational activities and not in conflict with the primary functions of the stormwater detention pond or conservation easement. Ineligible land area may be dedicated as parkland, but shall not apply toward the minimum amount necessary to meet community facility or public open space dedication requirements.

(e) Land area dedicated as a greenbelt for a public hike/bike trail designated on the city's land use and sidewalk/trail plans may apply toward the required land dedication where such greenbelt is determined by the city as being in a location and alignment that is generally consistent with the city's comprehensive plan.

(f) Land for community facilities or public open space not exceeding one acre shall have at least 100 feet of frontage on an improved public street right-of-way, with parking provided in the street right-of-way on or adjacent to the paved street as parallel, angled, or perpendicular spaces depending on the right-of-way width available. Land for community facilities or public open space over one acre shall have frontage on an improved public street right-of-way equal to at least 25 percent of the land's perimeter with paved and marked off-street parking provided in a parking lot on the site configured such that vehicles can be maneuvered without backing into a street unless the street is an internal park street. In all cases parking areas shall contain a number of spaces appropriate for the intended use or activities on the site as approved by the director of parks and recreation for parks, or as approved by the director of planning for other community facilities, and shall comply with the Texas Accessibility Standards for the number and configuration of parking spaces for the disabled.

(g) At the city's discretion, the land area dedication requirement may be satisfied by a privately owned and maintained amenity approved by the city in a multifamily development or in any part or parts of a Planned Development District (PDD) containing residential land uses.

Sec. 52-113. Fee in lieu of land dedication.

(a) In instances where dedication of land for community facilities or public open space is unacceptable, unsuitable, unneeded, or infeasible within a subdivision, the subdivider may, at the city's discretion, pay a fee in lieu of required land dedication specified in section 52-112 in the amounts listed below based upon the market value prior to development. The fee in lieu of land dedication is mandatory for subdivisions in the Lockhart Extraterritorial Jurisdiction.

(1) *Subdivision size over five acres up to and including 20 acres*: Five percent of market value of land area that is zoned or intended for residential use up to and including seven units per acre, or ten percent of the market value of land that is zoned or intended for residential use above seven units per acre.

(2) *Subdivision size over 20 acres*: Eight percent of market value of land area that is zoned or intended for residential use up to and including seven units per acre, or fifteen percent of the market value of land that is zoned or intended for residential use above seven units per acre.

(b) For subdivisions greater than one acre in size up to five acres in size, where no land dedication is required, a fee shall be paid equal to ~~5%~~ five percent of the market value of land area that is zoned or intended for residential use. No fee or land dedication is required for subdivisions one acre or less in size.

(c) If a fee is paid in lieu of land dedication, a fee shall also be paid in lieu of construction community facility improvements, in accordance with section 52-114(d).

(d) Fees paid to meet the community facility and public open space requirements shall be deposited by the city in an account for use only in the acquisition of land, purchase of equipment, or construction of improvements for public open space, including parks, playgrounds, and natural areas.

Sec. 52-114. Community facility improvements.

(a) Where the subdivider constructs community facility improvements, a community facility development plan shall be prepared by the subdivider and approved by the city, and the improvements shall be considered part of the subdivision infrastructure for the purpose of acceptance by the city prior to recordation of the subdivision plat. Improvements may include, but are not limited to, trees, pedestrian/bicycle paths, motor vehicle and bicycle parking, fencing, lighting, benches, picnic tables, shade structures, playscapes, sport courts or fields, exercise stations, water features, drinking fountains, and restrooms. Trees or other landscaping shall not be the only improvements. A children's playscape having at least four functions must be provided where the minimum required community facility or public open space is a park over one-half acre in size.

(b) Any privately owned and maintained amenities proposed in a Planned Development District must be specified on the PDD Development Plan, constructed as a condition of the adopted PDD zoning, and inspected and approved by the city prior to the plat being recorded. In a multifamily development, any privately owned and maintained amenities proposed in lieu of dedication of land for a community facility shall be specified on the construction plans for the development as a condition of the building permit, and inspected and approved by the city prior to issuance of a certificate of occupancy for any structure in the development.

(c) The value of public or private improvements must be equal to or more than the market value of the facility land area prior to development, up to a maximum of five acres. Any amount of dedicated land area over the first five acres is not subject to a corresponding improvement value.

(d) Where the subdivider pays a fee in lieu of constructing required improvements for the intended use, the amount due is equal to the market value of the dedicated land area prior to development, up to a maximum of five acres. Any amount of dedicated land area over the first five acres is not subject to a corresponding fee in lieu of construction. Fees paid in lieu of constructing required community facility improvements shall be deposited by the city in an account for use only in the community facility or public open space being dedicated.

Secs. 51-115—140. Reserved.

ARTICLE VII. PUBLIC INFRASTRUCTURE ENGINEERING AND CONSTRUCTION

Sec. 52-141. Standards for construction.

(a) The sanitary sewers and lift stations, storm sewers, drainage features, water utility mains, street improvements, sidewalks and electrical facilities and street lighting, with all appurtenances pertaining to the above, shall be designed, constructed and installed in each new subdivision at the expense of the developer in accordance with the construction standards of the city as may be revised from time to time. Variances to the construction standards must be approved in writing by the city engineer and city manager or designee before construction begins.

(b) All construction work, such as street paving, storm sewers, curb and/or gutter work, sidewalks, sanitary sewers, water mains, and electrical construction performed by the owner, developer, or contractor~~,~~ shall be subject to inspection during construction by the property authority of the city, and shall be constructed in accordance with the construction standards of the city except for certain subdivisions in the extraterritorial jurisdiction as provided in the current interlocal agreement between Caldwell County and the City of Lockhart, and available in the city secretary's office.

(c) The developer's engineer shall be responsible for inspection of all construction, and provide written documentation of such inspections for certification in accordance with section 52-202.

Sec. 52-142. Guarantee of performance.

The developer shall require guarantee of materials and workmanship of his construction contractors, with whom he contracts for furnishing materials and installing the improvements, required under this chapter and shall himself be responsible for guaranteeing that all materials and workmanship in connection with such improvements are free of defects for a period of two years after the date of acceptance of the improvements by the city manager, director of public works or designee.

Sec. 52-143. Responsibility for payment of infrastructure costs.

(a) The developer must pay for any required extensions of off-site water mains, wastewater mains, and electric primary lines unless otherwise negotiated by authorized city staff and approved by the city council. The city may pay for oversizing of mains and electric primary lines above the size required of the developer to provide sufficient domestic and fire protection water, wastewater service and electric primary lines for the development and any subsequent phases. All development costs associated with the subdivision shall be borne by the developer. The city shall have the right to recover all or part of the costs associated with in-place utility main or primary line extensions that will benefit development. Such cost recovery shall be based on proportionate use of such extensions or associated infrastructure.

(b) The city may pay, providing funds are available, for street right-of-way in excess of that required by the thoroughfare plan, except where such extra widths are in commercial developments, or where they're not required by the city. The city may participate, provided funds are available, in the extra cost of large drainage structures on major road/arterial streets shown on the thoroughfare plan.

(c) If a substandard perimeter street, as described in section 52-72, is listed in the city's road impact fee capital improvement plan, the city shall reimburse the subdivider for up to one-half the cost of the improvements to the extent that the funds are available in the road impact fee account. If, in such case, there are insufficient funds available in the road impact fee account, credit shall be given in the form of waiver of road impact fees for development in the subdivision equal to the amount of shortfall in the road impact fee account. The city's responsibility for reimbursement extends only to the road impact fee funds and/or credit available at the time the subdivision improvements are accepted by the city.

Sec. 52-144. Existing nonconforming subdivisions.

No building permit shall be issued by the city for any undeveloped lot in a previously platted subdivision where water, wastewater, street or other necessary public infrastructure to serve such lot does not meet current city standards unless such facilities are engineered and upgraded or constructed at the developer's expense in accordance with city's construction standards as provided in this chapter. If an undeveloped lot in an existing subdivision does not have frontage on a dedicated street right-of-way and is served only by a public or private access easement, where such lot is the only lot served by the easement, then no building permit shall be issued by the city unless paved access is constructed, at a minimum, in accordance with the current city standards for driveways. If an undeveloped lot in an existing subdivision does not have frontage on a dedicated street right-of-way and is served by a public access easement, where more than one lot is served by the same easement, then no building permit shall be issued by the city unless paved access is engineered and constructed in accordance with the city's construction standards for public streets as provided in this chapter.

Secs. 52-145—52-170. Reserved.

ARTICLE VIII. PLATS AND ENGINEERING PLANS

Sec. 52-172. Concept plan

(a) The concept plan should show the following information:

(1) Location within the city and with respect to adjoining property.

(2) Approximate acreage.

(3) Approximate location of streets.

(4) Approximate location of lot lines.

(5) Intended use(s), i.e., residential, multifamily, commercial, industrial, stormwater detention, park, etc.

(6) Approximate location of any flood hazard boundary area.

(7) The location, description, and size of existing utility and drainage infrastructure in the area, and the proposed infrastructure to serve all lots of the subdivision.

(b) The concept plan may be to any scale and need not be finely drafted.

Sec. 52-172. Preliminary plat.

(a) A preliminary plat shall be submitted on sheets no greater than 24 inches by 36 inches, including margins of not less than three-fourths inch, and to a scale of not less than 100 feet to the inch or larger. Where more than one sheet is required to encompass the subdivision, an index drawing on the cover sheet showing the entire subdivision at a reduced scale, with a sheet index overlay, shall be included.

(b) The following shall be shown on the preliminary plat:

(1) Name and address of the subdivider, record owner of land to be subdivided, surveyor preparing the plat, designer of the plat if not the surveyor, and the date of preparation.

(2) Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision currently located within the city or within the extraterritorial jurisdiction of the city. The subdivision name shall include the word “Subdivision”, “Addition”, or “Planned Development” at the end.

(3) A north arrow.

(4) Scale of the plat in feet per inch and a bar scale.

(5) A location map of the proposed subdivision in the city and with respect to existing streets. This map need not be to scale, but should be drawn neatly using a means other than screen-capture.

(6) Patent survey of which the subdivision is a part and location of patent survey lines if adjoining or intersecting the subdivision.

(7) Names of contiguous subdivisions and the owners and general use of contiguous parcels of unsubdivided land, with deed references.

(8) Total acreage of the subdivision.

(9) Subdivision boundary lines indicated by heavy lines.

(10) Section boundaries with sections labeled if subdivision is to be platted in phases.

(11) Existing conditions, as follows:

a. The exact location, width, name, and description of all existing above or below ground utility lines, and of all existing or recorded streets, alleys, reservations, easements, or other public rights-of-way within or abutting any portion of the perimeter of the subdivision.

b. Zoning district classification of land to be subdivided. If there is more than one classification, the dividing lines shall be shown. If there is only one classification, it may be stated in a plat note.

c. Flood hazard areas, if any, and documentation from which derived. If there is more than one floodplain zone, the dividing lines shall be shown. If there is only one zone for the entire subdivision, it may be stated in a plat note.

d. Topography with elevations labeled and contours at intervals not greater than two feet, and identification of natural water or drainage courses.

e. Location of city limits if adjoining or intersecting the subdivision.

(12) The location, dimensions, description and name of all proposed streets, alleys, sidewalks, parks or other public areas, stormwater detention areas, easements, blocks, lots and other sites within the subdivision, as appropriate.

(13) A number to identify each lot or site, with lots numbered consecutively within each block, and a number or letter to identify each block if there is more than one block.

(14) Building setback lines on fronts of all lots and sites, and side yard building setback lines along the side street of corner lots.

(15) Lot summary table indicating total number and acreage of lots in four categories of use: Residential, nonresidential, park, and stormwater detention, as applicable.

(16) The following plat notes:

a. General building setback requirements for front yards and for street side yards on corner lots, if such information is not otherwise depicted on the plat drawing.

b. Floodplain zone(s), and flood insurance rate map date and community panel number, if such information is not otherwise depicted on the plat drawing. If developable lots are within the 100-year floodplain, the minimum permissible floor elevation shall be specified in accordance with the city floodplain regulations.

c. Zoning classification(s) of land to be subdivided, if such information is not otherwise depicted on the plat drawing.

d. Description and location of sidewalks to be constructed, if such information is not otherwise depicted on the plat drawing, who is responsible for sidewalk construction, and timing of sidewalk construction.

e. Amount of fee to be paid in lieu of parkland construction, if applicable.

f. Any other notes deemed necessary by the surveyor.

(17) Legend containing symbols used on the plat drawing, and a written description of each one, as applicable.

Sec. 52-173. Recordable plat.

(a) A recordable plat shall be submitted on sheets no greater than 24 inches by 36 inches, including margins of not less than three-fourths inch, and to a scale of not less than 100 feet to the inch or larger. Where more than one sheet is required to encompass the subdivision, an index drawing on the cover sheet showing the entire subdivision at a reduced scale, with a sheet index overlay, shall be included. Space shall be provided for the required dedications, attestations, dates, titles, and seals. Lettering and line-work shall not have a micro-thin weight, and shall be black, with no gray or colors used. Signatures shall be written with a permanent black ink marker or pen with a medium tip.

(b) The following shall be shown on the recordable plat:

(1) Name and address of the subdivider, record owner of land to be subdivided, surveyor preparing the plat, designer of the plat if not the surveyor, and the date of preparation.

(2) Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision currently located within the city or within the extraterritorial jurisdiction of the city. The subdivision name shall include the word “Subdivision”, “Addition”, or “Planned Development” at the end.

(3) A north arrow

(4) Scale of the plat in feet per inch and a bar scale.

(5) A location map of the proposed subdivision in the city and with respect to existing streets. This map need not be to scale, but should be drawn neatly using a means other than screen-capture.

(6) Patent survey of which the subdivision is a part and location of patent survey lines if adjoining or intersecting the subdivision.

(7) Names of contiguous subdivisions and the owners of contiguous parcels of unsubdivided land, with deed references.

(8) Description by metes and bounds and total acreage of the subdivision boundaries, including reference to at least one existing benchmark, survey monument or subdivision corner.

(9) Subdivision boundary lines indicated by heavy lines.

(10) Section identification if subdivision is a phase of a larger subdivision.

(11) Existing conditions as follows:

a. The exact location, width, name and description of all existing above or below ground utility lines, and of all existing or recorded streets, alleys, reservations, easements or other public rights-of-way within or abutting any portion of the perimeter of the subdivision.

b. Zoning district classification of land to be subdivided. If there is more than one classification, the dividing lines shall be shown. If there is only one classification, it may be stated in a plat note.

c. Flood hazard areas, if any, and documentation from which derived. If there is more than one floodplain zone, the dividing lines shall be shown. If there is only one zone for the entire subdivision, it may be stated in a plat note.

d. Location of city limits if adjoining or intersecting the subdivision.

(12) The exact location, dimensions, description and name of all proposed streets, alleys, sidewalks, parks or other public areas, stormwater detention areas easements, blocks, lots and other sites within the subdivision, as appropriate.

(13) A number to identify each lot or site, with lots numbered consecutively within each block, and a number or letter to identify each block if there is more than one block.

(14) The square footage or acreage of each lot.

(15) Building setback lines on fronts of all lots and sites, and side yard building setback lines along the side street of corner lots.

(16) Lot summary table indicating total number and acreage of lots in four categories of use: Residential, nonresidential, park, and stormwater detention, as applicable.

(17) The length and bearing of all straight lines, and the length, radius, arc length and chord bearing of all curves shall be indicated along the lines of each lot. The curve data pertaining to block or lot boundaries may be placed in a curve table at the base of the plat and prepared in the following manner:

Curve Table

Curve Number	**Curve Length**	**Radius**	**Chord Length and Bearing**

(18) The description and location of all survey monumentation placed in the subdivision, in accordance with section 52-201.

(19) The following plat notes:

a. General building setback requirements for front yards and for street sideyards on corner lots, if such information is not otherwise depicted on the plat drawing.

b. Floodplain zone(s), and flood insurance rate map date and community panel number, if such information is not otherwise depicted on the plat drawing. If developable lots are within the 100-year floodplain, the minimum permissible floor elevation shall be specified in accordance with the city floodplain regulations.

c. Zoning classification(s) of land to be subdivided, if such information is not otherwise depicted on the plat drawing.

d. Description and location of sidewalks to be constructed, if such information is not otherwise depicted on the plat drawing, who is responsible for sidewalk construction, and timing of sidewalk construction.

e. Amount of fee to be paid in lieu of parkland construction, if applicable.

f. Any other notes deemed necessary by the surveyor.

(20) Legend containing symbols used on the plat drawing, and a written description of each symbol.

(c) The following certifications shall be included and signed on the plat, as applicable:

(1) The owner's certificate, with a separate signature block and notary statement for each person authorized to sign as an owner. If there is a lien-holder, a separate signature block shall be added for the name of the lien-holder's authorized representative or officer, including their title, business name, address, and date; and the label "Lien-holder".

STATE OF TEXAS
CALDWELL COUNTY

I (We), the undersigned owner(s) of the land shown on this plat and described and designated as (*name of subdivision as shown on the plat*) of the City of Lockhart, do hereby subdivide such property and dedicate to the use of the public forever~~,~~ the street and alley rights-of-way shown hereon, unless otherwise noted on the plat, and further reserve to the public all easements for the mutual use of all public utilities desiring to use the same; that any authorized owner of a facility within such easement shall have the right to remove and keep removed all or part of any growth or construction for maintenance or efficient use of its respective system in such easements.

_____ _____
DATE NAME

_____
ADDRESS

Before me, the undersigned authority, personally appeared (*name*), known to me to be the person whose name is subscribed to the foregoing document, and acknowledged to me that he executed the same for the purpose and considerations stated hereon.

Seal

_____
NOTARY PUBLIC
STATE OF TEXAS

My Commission Expires _____

(2) The surveyor's certificate.

I, _____, registered professional land surveyor, State of Texas, hereby certify that this plat is based on a survey made under my supervision and is true and correct to the best of my knowledge, and that all required monuments and markers were properly placed under my supervision.

IN WITNESS THEREOF, my hand and seal, this the _____ day of _____, 20___.

_____
NAME Seal
Registered Professional Land Surveyor

(3) The engineer's certificate, if applicable.

I, _____, a registered professional engineer, State of Texas, hereby certify that proper engineering considerations have been given to the design of engineering aspects of this subdivision in compliance with applicable city and state standards and regulations.

IN WITNESS THEREOF, my hand and seal, this the _____ day of _____, 20___.

_____
NAME Seal
Registered Professional Engineer

(4) The Commission's approval, if a final plat or replat other than a minor plat or amending plat.

I, _____, Chairman of the Planning and Zoning Commission of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart on the _____ day of _____, 20___.

_____
CHAIR

(5) Administrative approval, if a minor plat or replat, or amending plat.

I, _____, City Manager of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart on the _____ day of _____, 20___.

_____
CITY MANAGER, CITY OF LOCKHART

(6) The county clerk's certificate for recording.

STATE OF TEXAS
COUNTY OF CALDWELL

I, _____, County Clerk in and for Caldwell County, Texas, do hereby certify that the foregoing instrument with its certificates of authentication was filed for record in my office the _____ day of _____, 20 ___, at _____ o'clock __. M., and duly recorded on the _____ day of _____, 20 ___, in the Plat Records of Caldwell County, Texas, in Plat Cabinet ___ at Slide ___.

_____
NAME
County Clerk, Caldwell County, Texas

(d) The final design of utilities, drainage, sidewalk, and street facilities is to be shown in the engineering plans submitted with the final plat.

Sec. 52-174. Engineering plans.

(a) *General*.

(1) The developer shall have prepared a complete set of engineering plans showing details of all streets, alleys, drainage structures, water utility, sanitary sewer utility and electrical distribution system, combined with construction standards, specifications and related details, which are to be included for development. All costs related to the preparation of these plans shall be paid for by the developer. The engineering plans shall be prepared by a registered professional engineer, duly authorized to perform the specific type of design required for this task.

(2) The engineer shall design and prepare engineering plans to utilize the construction standards of the city. When no specific policy, standard, or ordinance exists, then he shall use the standard of the practices for similar conditions. The plans shall be signed and sealed by the professional engineer responsible for the design.

(3) All engineering plans shall be submitted on sheets 24 inches by 36 inches, including a minimum one-half inch margin except on the left border where a minimum two-inch binding margin will be provided. When appropriate, standard printed plan-profile sheets may be used. The initial submission of plans to the city engineer shall be in a format

determined by the city engineer. In addition, two full-size printed sets shall be submitted to the director of planning.

(4) If the subdivision involves improvements that are subject to a FEMA letter of map revision (LOMR), the approved conditional letter of map revision (CLOMR) shall be submitted to the city engineer as a condition of approval of the engineering plans.

(5) Once the engineering plans have been approved by the city engineer, one complete set shall be provided to the city engineer in a digital PDF format, and two full-size printed sets of the approved plans shall be provided to the director of planning for distribution to other city departments.

(b) *The engineering plans will contain, as a minimum:*

(1) Title, index and certification page, as applicable.

(2) Existing detail:

a. The exact location, dimensions, description and flow lines of existing watercourses and drainage structures within the subdivision and contiguous thereto.

b. All existing improvements within the subdivision, except structures to be removed and interior fences.

c. Type and size of all public utilities and roads within the subdivision and contiguous thereto.

d. Characteristics for soil bearing, shrink/swell, permeability and percolation.

(3) A topographic base map, showing contours with elevations labeled at intervals not greater than two feet. All topographic maps shall be based on the National Geodetic Vertical Datum, and a benchmark shall be shown giving its location and elevation. This sheet may be combined with the existing detail sheet.

(4) Drainage area map and calculations in accordance with the drainage ordinance.

(5) Street plan and profiles as follows:

a. Drawn at a scale of one inch equals 50 feet horizontal, with an appropriate vertical scale. All horizontal and vertical curve data shall be shown.

b. When the street right-of-way property lines are not curved chordally with the street, but the constructed street will have curves, the PC and PT stationing, radius and length of each street curve, as a minimum, shall be given.

c. Street centerline stationing shall reference the subdivision boundary, as appropriate.

(6) Sanitary sewer utility lines shall be shown on a standard plan-profile sheet with a scale of one inch equals 50 feet horizontal and an appropriate vertical scale. Stationing shall reference the subdivision boundary, as appropriate.

(7) The water utilities system will generally be at a horizontal scale of one inch equals 50 feet in the form of a general plan with appropriate scale plan-profile sheets and details. Fire hydrants shall be included as part of the water utilities system.

(8) Drainage channels, lines and structure(s), including bridges and culverts, shall be shown at a horizontal scale of one inch equals 50 feet in the form of a general plan with appropriate scale plan-profile sheets and details.

(9) Electrical distribution system plans shall be at a scale of one inch equals 100 feet and all appurtenances, including streetlights, shall be shown. Particular care shall be taken to ensure that guy line easements and streetlight easements shown on the plat correspond with the system.

(10) Required utility system improvements and streets which are not immediately adjacent to the subdivision, shall be shown as "off-site" plan and profiles, as appropriate.

(11) When improvement details shown in the construction standards of the city are sufficient to provide for proper construction, no additional details need to be shown on the plans.

Secs. 52-175—52-200. Reserved.

ARTICLE IX. REQUIREMENTS FOR ACCEPTANCE AND RECORDING OF SUBDIVISIONS

Sec. 52-201. Monumentation.

Stable monumentation consisting of a minimum one-half-inch diameter ferrous rod, a minimum of two feet in length, shall be set at each subdivision corner and at one street intersection corner for each internal block. Additional monuments consisting of a minimum one-half inch diameter ferrous rod, a minimum of 15 inches in length, shall be set at all subdivision lot corners, angle points, and curve points that are not otherwise marked with a two-foot long rod. All rods shall be set with the top flush with the ground surface and marked with an aluminum or plastic cap stamped with the surveyor’s registered number or firm name. If a record monument is found where a new monument would be placed, the existing monument may serve as the required monument for the new subdivision. All monumentation shall be set in accordance with the Texas Board of Professional Land Surveyor’s rules and regulations.

Sec. 52-202. Final acceptance.

(a) When construction of public infrastructure provided by the developer has been completed: 1) the developer shall furnish to the director of public works an affidavit of bills paid or releases of lien for all contractors who constructed the improvements; and 2) the developer's engineer shall furnish a certified statement to the city manager, director of public works or designee that the improvements are constructed in accordance with the approved plans and the construction standards of the city. The city staff shall then make final inspections and, if the work is satisfactory and in accordance with the approved engineering plans and the construction standards of the city, the director of public works or designee shall provide a letter of acceptance to the director of planning. The date of the letter of acceptance shall constitute the beginning of the developer's two-year guarantee period, as provided in section 52-142.

(b) Upon completion by the developer, and upon acceptance by the city, all improvements, installations and all dedicated lands become the property of the city. The city will not be responsible or liable for any portion of such lands or improvements until final acceptance.

(c) In addition to the items listed in subsection (a) above, if a subdivision involves improvements that are subject to a FEMA letter of map revision (LOMR), the approved LOMR shall be provided to the city prior to final acceptance of the subdivision.

Sec. 52-203. Record drawings.

The developer or the developer's engineer shall submit complete record drawings, consisting of one photographic mylar reproducible set, three sets of prints, and one set of digital drawing files of the plans on compact disc or flash drive, or by e-mail or cloud storage, in a PDF format, upon or after the city's acceptance of the public improvements, and prior to the plat being recorded.

Sec. 52-204. Plat recordation.

Following approval of the plat, and construction and acceptance of the required public improvements if any, the subdivider shall provide, in addition to the plat documents required elsewhere in this chapter, the following to the director of planning for recording the plat with the county clerk:

(1) A check or checks payable to the county clerk in the amount of the recordation fee for recording the plat.

(2) A tax certificate from the Caldwell County Appraisal District showing that no taxes are currently delinquent against the property.

(3) Sufficient evidence that the subdivider holds fee simple title to the property being subdivided, if there are no lien-holders listed as a signatory on the plat.

Sec. 52-205. Services withheld until plat recorded.

(a) No permit shall be issued for the installation of septic tanks upon any lot in a subdivision unless such septic tank system meets the requirements of the Caldwell County Private Sewage Facilities Rules, and of applicable provisions of the current Caldwell County Development Ordinance.

(b) Public utility companies shall not make service connections for any lot in a subdivision for which a plat has not been recorded.

(c) No building, repair, plumbing, or electrical permit shall be issued by the city for any structure on a lot in a subdivision for which a plat has not been recorded.

(d) The city shall not repair, maintain, install, or provide any streets or public utility services in any subdivision for which a plat has not been recorded.

(e) The city shall not sell or supply any electricity, water, sewerage, or garbage service within a subdivision for which a plat has not been recorded.

Secs. 52-206—52-235. Reserved.

IV. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.

V. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

VI. Penalty: Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.

VII. Publication: That the City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

VIII. Effective Date. That this ordinance shall become effective and be in full force ten days from the date of its passage.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 17th DAY OF JANUARY, 2023.

CITY OF LOCKHART

_____

Lew White
Mayor

ATTEST:

_____

Connie Constancio, TRMC
City Secretary

APPROVED AS TO FORM:

_____

Monte Akers
City Attorney

CHAPTER 52. SUBDIVISION REGULATIONS
DRAFT AMENDMENTS (Annotated)

ARTICLE I. ~~IN~~ GENERAL PROVISIONS

Sec. 52-1. Purpose.

(a) In the interpretation and application of the provisions of this chapter, it is the intention of the council that the principles, standards, and requirements provided for herein shall be minimum requirements for the platting and developing of subdivisions in the city and its extraterritorial jurisdiction (ETJ), as authorized by Chapter 212, Subchapter A and Subchapter B, Texas Local Government Code. Where other ordinances of the city are more restrictive in their requirements, such other ordinances shall control.

(b) The procedure and standards for the development, layout, and design of subdivisions of land are intended to:

(1) Promote and develop the utilization of land in a manner to assure the best possible community environment in accordance with the comprehensive master plan of the city.

(2) Guide and assist the developers in the correct procedures to be followed and to inform them of the design criteria and standards required.

(3) Protect the public interest by controlling the location, design, class, type of streets, sidewalks, utilities, and of essential areas and services required.

(4) Protect and promote the health, safety, and general welfare.

(5) Provide through the planning and platting process for the protection and notification of individuals that those properties which are to be developed are provided with ~~land development which provides for~~ adequate access, solid waste collection, utility services, and ~~guards~~ protection against potential flood hazards.

(6) Provide for the public welfare those essential areas required for educational, recreational, industrial, and commercial purposes.

Sec. 52-2. Definitions.

For the purpose of this chapter the following terms, phrases, words, and their derivations shall have the meaning given herein. When consistent with the context, words used in the present tense include the future, words in the plural include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory, while the word "may" is merely directory. Definitions not expressly prescribed herein are to be determined in accordance with the law. Definitions expressly prescribed herein are to be construed in accordance with the city's zoning ordinance, or other applicable ordinances of the city, or in the absence of such ordinances, then in accordance with customary usage in municipal planning, surveying, and engineering practices.

Alleys are minor dedicated ~~ways~~ rights-of-way ~~which~~ that are used ~~primarily~~ for utility lines and/or ~~secondarily for~~ vehicular service access to the ~~back~~ rear or the side ~~or~~ of properties otherwise abutting on a street.

Applicant is the owner of a tract or parcel of land, or the subdivider, developer, surveyor, engineer, or other authorized agent representing the owner as appropriate, who submits a plat or who is otherwise subject to the requirements of this chapter.

Block is a contiguous area of land that may contain one or more lots, and which is bounded by any combination of streets, highways, railroad rights-of-way, parks or other public land, waterways, other physical barrier, or exterior boundary of a subdivision.

Building setback line is the line within a property and parallel to a property line defining the minimum required horizontal distance between a building and adjacent street right-of-way line or adjacent property lines.

City means the City of Lockhart, Caldwell County, Texas.

City administrative official or city manager is the city official, or his authorized representative, designated to take action as prescribed in this chapter for, or in, the name of the city.

City manager is the chief administrative officer designated to take action for, or in, the name of the City of Lockhart.

~~*City planner* is the authorized staff representative delegated by the city manager to take action as prescribed in this chapter.~~

City staff are those various persons working for the city, either through direct employment or contract employment, who are so authorized to represent various work elements related to their specific expertise.

Commission means the planning and zoning commission of the city, and is the authority for the approval of plats under this chapter, unless otherwise stated.

Comprehensive master plan:

(1) A statement of public policy containing the goals and objectives of the community.

(2) Capital improvements programs.

(3) Land use plan.

(4) Thoroughfare plan.

(5) Community facilities plan.

(6) Subdivision and zoning regulations and other development codes, ordinances, policies, and plans promulgated by the council for the quality and orderly growth of the community.

Community facility development plan is a document listing the various elements and associated cost estimates of proposed improvements for required community facilities or public open space.

Concept plan is a scale drawing showing the overall development concept of a tract or parcel of land that is prepared for an initial application conference before a plat is submitted.

Council is the City Council of the City of Lockhart.

Day means calendar day unless otherwise specified.

Developer is a person or corporation who provides for the development of a tract or parcel of land into an area where building lots or sites are delineated and provided with street access, utilities and drainage facilities.

Development plat is a boundary survey and site plan for development of a tract of land submitted in accordance with ~~V.T.C.A.,~~ section 212.045 of the Texas Local Government Code ~~§ 212.045 subch. B~~, showing existing and proposed structures and improvements, streets, alleys, sidewalks, easements, and areas for public use.

Director of planning is the staff representative authorized by the city manager to administer and enforce this chapter.

Easement is a grant by the property owner to the public, a corporation, or persons for the use of a strip or tract of land for specific purpose.

Engineer is a person duly authorized by ~~under the provisions of~~ the Texas Engineering Practice Act ~~(Vernon's Ann. Civ. St. art. 3271a)~~, as provided in chapter 1001 of the Texas Occupations Code ~~heretofore or hereafter amended~~, to practice the profession of engineering.

Extraterritorial jurisdiction (ETJ) means the statutory unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the city and further determined ~~under V.C.T.A.,~~ in section 42.121 of the Texas Local Government Code ~~ch. 22~~.

File or Filed is the city's acceptance of a proposed plat or plan for review when it is determined to be complete and all application requirements, including the payment of applicable fees, have been met ~~to place among the official records as prescribed by this chapter~~.

Land use planner or *city planner* is a person having an occupation classified as city or land planning, capable of designing the proposed subdivision, or use of real estate, and capable of professionally drawing the proposals into map or plan form.

Lot is a designated parcel of land established by a recorded subdivision plat or development plat and which may be separately owned and used, developed or built upon.

Market value is the market value of a property as listed in the most recent tax roll of the Caldwell County Appraisal District.

Minor plat or *minor replat* is a recordable plat involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.

Plat is a complete and exact subdivision plan submitted to the city for consideration and which ~~will be~~ is submitted to the county clerk for recording~~,~~ subsequent to the fulfillment of all provisions of this chapter. Plat includes replat, in accordance with ~~V.T.C.A.,~~ section 212.001 of the Texas Local Government Code ~~§ 212.001~~.

Preliminary plat is an initial form of a subdivision plat required whenever public infrastructure must be constructed within the subdivision by the applicant, and is the basis for the engineering plans.

Public facilities are the water, wastewater, roadway, drainage or park facilities owned or operated by or on behalf of the City for the purpose of providing services to the public, including existing and new developments.

Record is to file an official copy of a document in the Office of the Caldwell County Clerk.

Record drawing is a revised set of drawings submitted by a contractor upon completion of a subdivision or other project that reflect all changes made in the specifications and working drawings during the construction process, and show the exact dimensions, geometry, and location of all elements of the work completed under the contract.

Recordable plat is a final plat, replat, resubdivision plat, minor plat, or amending plat, all of which are in a form containing certificates of authorization, dedication and approval in accordance with the requirements of this chapter for final plats, and which is intended to be ~~filed for record~~ recorded in the Office of the Caldwell County Clerk.

Resubdivision plat is a replat that includes adjacent land that is unplatted, or which is a combination of contiguous lots in adjacent but separate recorded subdivisions.

Right-of-way (R.O.W.) is a strip of land used or intended to be used, wholly or in part, as a public street, alley, crosswalk way, sidewalk or drainageway.

Standards are the official maps, master plans, ordinances and specifications of the city.

Streets are that portion of the dedicated right-of-way to be used for vehicle traffic and may be designated as street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

(1) *Major road/arterial streets* are those which are used primarily for fast or heavy traffic and which are designated in the comprehensive master plan as such.

(2) *Collector streets* are those which carry traffic from minors streets to major systems of arterial streets, including the principal entrance streets of a residential development and streets for circulation within such a development and which are designated in the comprehensive master plan as such.

(3) *Minor streets* are those which are used primarily for access to abutting properties.

(4) *Marginal access streets* are minor streets which are parallel to and adjacent to arterial streets and which provide access to abutting properties and protection from through traffic.

(5) *Cul-de-sac* is a short minor street having but one vehicular access to another street and terminated by a vehicular turnaround.

(6) *Dead-end street* is a street, other than a cul-de-sac, with only one outlet.

(7) The *street width* is measured from back of curb to back of curb; where no curb exists, it is measured from edge of pavement to edge of pavement.

Structure is any manmade construction composed of parts joined together, either built or moved onto a site for use, occupancy or ornamentation, and located below or on the ground or attached to something having a location on the ground.

Subdivider is any person or any agent thereof dividing or proposing to divide land so as to constitute a subdivision; in any event the term "subdivider" shall be restricted to include only the owner, equitable owner, or authorized agent of such owner or equitable owner, of land sought to be subdivided.

Subdivision includes the following when done for the present or future purpose of sale or building development of a tract of land located within the corporate limits or in the ETJ of the city:

(1) The division of any tract of land into two or more parts for the purpose of creating one or more new lots for development, or to modify an existing boundary of ownership whether or not for the purpose of development. This includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

(2) The assembly of two or more existing adjacent platted lots in a recorded subdivision into one lot to be under the same ownership and use, where: (a) such lots are the minimum necessary to accommodate all facilities required by city ordinance; and (b) the area encompassed by one or more of the original lots is not proposed to be occupied by any portion of a principal building.

(3) A resubdivision of all or part of a recorded subdivision, including the expansion of a platted lot to include adjacent unplatted land, or the creation of a new lot encompassing portions of two or more adjacent platted subdivisions.

(4) Any change in the size or shape of a previously unplatted tract through acquisition of adjacent unplatted land except, however, where the parcel of land being conveyed between the tracts is vacant or contains an inadvertent existing encroachment, and is not developable by itself due to size, shape, or lack of street frontage, the acquisition shall not constitute a subdivision.

(5) Any change in the size, shape or number of lots in a recorded subdivision.

(6) The relocation of any street or other feature dedicated by a recorded plat, where the relocation alters the boundary of adjacent lots included in the same original plat, and where such lots have not been sold by the owner since the plat was recorded. This does not include simple abandonment or sale by the city of the land included in such dedicated street or other feature.

Subdivision development plan is a plan prepared in accordance with section 52-34, to show the overall future development of a tract of land when it is proposed to be subdivided and developed in phases and only a portion of the tract is to be platted initially.

Subdivision plat is a map of a subdivision submitted in accordance with ~~V.T.C.A.,~~ section 212.04 of the Texas Local Government Code ~~§ 212.04 subch. A,~~ showing the exact location and boundaries of individual parcels of land subdivided into lots, and showing blocks, streets, alleys, easements and areas for public use, as applicable. For the purpose of this chapter, the term plat is used in reference to any recordable plat. No subdivision plat is effective until approved by the city and filed for record in the Office of the Caldwell County Clerk.

Surveyor is a registered professional land surveyor authorized by the Land Surveying Practices Act ~~(Vernon's Ann. Civ. St. art. 5282c)~~, as provided in chapter 1071 of the Texas Occupations Code, to practice surveying within the State of Texas.

Thoroughfare plan is the thoroughfare plan map and associated text and graphics contained in the transportation element of the adopted comprehensive plan.

Utilities include all those various facilities and elements of construction which relate to water, sanitary sewer, electrical, telephone, cable television, and gas distribution, collection, or transmission lines.

~~**Sec. 52-3. Variances.**~~

~~(a) Concurrently with or separately from consideration of a preliminary plat or recordable plat, the commission may authorize a variance from this chapter when, in its opinion, undue hardship will result from requiring strict compliance. In considering a variance the commission shall allow only conditions that it deems necessary or desirable to the public interest. The commission shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions, public health, safety, convenience and welfare in the vicinity. No variance shall be approved unless the following is established:~~

~~(1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.~~

~~(2) That the variances are necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area.~~

~~(3) That the variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.~~

~~(b) Findings of the commission, together with the specific facts on which such findings are based, shall be incorporated under the official minutes of the commission meeting at which a variance is granted. Variances shall be granted only when in harmony with the general purpose and intent of this chapter, so that the public health, safety and welfare may be secured, and substantial justice done. The commission shall not authorize a variance to this chapter that would constitute a violation of any other valid ordinance of the city.~~

~~**Sec. 52-4. Appeals.**~~

~~(a) The commission may consider appeals where the applicant alleges that there is an error in an order, requirement, decision or determination made by the city staff in the enforcement of this chapter. The commission may reverse or affirm, in whole or in part, or modify the city staff's order, requirement, decision or determination.~~

~~(b) Any person or persons aggrieved by any decision of the commission with respect to subdivision plats, subdivision variances, and appeals of administrative determinations may appeal to the city council by submitting to the city planner, within ten days after the date of the commission's action, a written request specifying the grounds for the appeal, together with any supporting evidence. The appeal shall be forwarded to the council together with a copy of the approved minutes of the commission meeting at which the decision in question was made, and shall be considered at the earliest regular meeting for which all required materials are available. The council shall uphold, modify, or reverse the decision of the commission.~~

Sec. 52-~~5~~ 3. Enforcement.

(a) Any subdivision of land being developed in violation of the terms and provisions of these regulations is hereby declared to be a public nuisance, and the city shall institute any action that may be necessary to restrain or abate such violations.

(b) Any person violating any provision of this chapter, within the corporate limit of the city, shall be guilty of a misdemeanor. Prosecution or conviction under this provision shall never be a bar to any other remedy or relief for violations of this chapter.

(c) Any person violating any provision of this chapter, outside the corporate limits of the city, but within the city's extraterritorial jurisdiction, shall not be considered as committing a misdemeanor, nor shall any fine be applicable; however, the city shall have the right to institute an action in the district court to enjoin the violation of any provision of this chapter

(d) On behalf of the city, the city attorney shall institute appropriate action to enforce the provisions of this chapter, or the standards referred to herein, with respect to any violation thereof which occurs within any area subject to the provisions of this chapter.

(e) The city attorney, or any other attorney representing the city, may at the city's request file an action in a court of competent jurisdiction to enjoin the violation or threatened violation by an owner of a tract of land of a requirement regarding the tract established by this chapter or to recover damages from the owner of a tract of land in an amount adequate for the city to undertake any construction or other activity necessary to bring about compliance with this chapter. An "owner of a tract of land" does not include the owner of an individual lot in a subdivided tract of land.

Secs. 52-~~6~~ 4—52-30. Reserved.

ARTICLE II. PROCEDURE

Sec. 52-31. Plat required.

(a) *Subdivision plat*. The owner of a tract of land located within the city limits or extraterritorial jurisdiction who creates a subdivision, as defined in this chapter, shall prepare and submit a subdivision plat to the city for approval and recording according to the procedures and requirements of this chapter. No owner or agent of the owner of any land located within a subdivision shall sell or convey any land by reference to, exhibition of, or by the use of a plan or plat of a subdivision, nor shall a building permit be issued for or utility service be provided to any development on a tract of land requiring a recordable plat, before such plat is filed for review and approval by the city, and ~~record~~ recorded with the county clerk. The conveyance of real property included within the subdivision shall be by ~~a~~ lot and block. A subdivision plat is not required for the division or assembly of tracts of land into parts greater than five acres within the city limits, or greater than ten acres in the extraterritorial jurisdiction, where each part has access and no public improvement is being dedicated. For the purposes of this section, "access" means abutting an improved public street right-of-way along at least one property line for a distance of at least 25 feet. For the purposes of this section, "public improvement" means a right-of-way or easement, or other land, dedicated to and accepted by a taxing entity or public utility company for infrastructure or other public uses.

(b) *Development plat*. The owner of a tract of land located within the city limits or extraterritorial jurisdiction where no subdivision plat is required who proposes to construct a new building, or a structural addition exceeding 50 percent of the floor area of an existing building, on a tract that is not part of a recorded subdivision, ~~and where no subdivision plat is required,~~ shall prepare and submit a development plat to the city for approval according to the applicable standards and procedures for ~~preliminary~~ subdivision plats. No owner or agent of the owner of a tract of land shall undertake any construction, nor shall a building permit be issued for or utility service be provided to any development on a tract of land requiring a development plat, before such plat is approved in accordance with this chapter. A development plat is not required for:

(1) The construction or expansion of one single-family or duplex dwelling, or the installation of one manufactured home, on the tract.

(2) The construction of buildings not intended for human occupancy and as an accessory to any existing use provided such structures ~~are in conformance with~~ conform to all other applicable city regulations.

(3) The construction of buildings for storage of equipment, materials, or harvested products, or for the shelter of animals, where the sole use of the property is for agricultural purposes.

(c) *Family transfer exemption*. The owner of a tract of land located within the city's extraterritorial jurisdiction who wishes to subdivide the tract into four or fewer parcels for agricultural use and/or a single-family dwelling or manufactured home on each parcel is exempt from the requirement to submit a subdivision plat or development plat, subject to the following conditions:

(1) A Family Transfer Exemption application, including a survey showing the proposed subdivision lots, is submitted for administrative review and approved by the director of planning.

(2) The new parcels (the "second parcels") must be sold, given, or otherwise transferred by deed to individuals who are related to the original owner within the first or second degree of consanguinity or first degree of affinity, as defined in Chapter 573 of the Texas Government Code.

(3) An affidavit attesting to the familial relationship must be signed by the original owner and each owner of a second parcel, and must be provided to the director of planning along with a completed Family Transfer Exemption application form and fee.

(4) A deed restriction must be recorded by the original owner with the deeds prohibiting a secondary sale or further subdivision of the second parcels, or transfer of a parcel back to the owner of the original tract, for a period of five years unless in compliance with this chapter.

(5) All parcels must abut an existing public street right-of-way improved to Caldwell County road standards along at least one property line for a distance of at least 50 feet.

(6) All parcels must be at least one acre in area.

(7) Development on each lot shall comply with Caldwell County development regulations pertaining to residential/construction permits, driveway permits, on-site sewage facilities, floodplain hazard management, 911 addressing, and setbacks from water wells and septic systems, as applicable.

(8) If the subdivision does not or cannot comply with the foregoing requirements, either a subdivision plat must be submitted in accordance with section 52-31, above, or a subdivision variance may be requested as provided in section 52-3.

Sec. 52-32. ~~Initial application~~ Concept plan.

The applicant ~~shall~~ may prepare a concept plan and arrange with the ~~city planner~~ director of planning for an informal conference with city officials for advice and assistance prior to preparing and submitting ~~the~~ a preliminary plat, subdivision development plan, or recordable plat if no preliminary plat or subdivision development plan is required. Seven copies of the concept plan, prepared in accordance with section 52-171, ~~will~~ shall be delivered to the ~~city planner~~ director of planning not less than five business days prior to the conference. Because no application form is required, and no formal approval action is involved, the time limits for the review of plats and plans as provided in section 52-32.5 do not apply to concept plans. A concept plan is typically not applicable for a replat, resubdivision plat, minor plat, or amending plat.

Sec. 52-32.5. Plat/plan review and approval process.

(a) Submission of any plat or plan as provided in sections 52-33 through 52-40, and section 52-174, of this chapter, or as provided in chapter 64 "Zoning" for PDD development plans in the Planned Development District, shall be subject to an administrative completeness review prior to being accepted for technical review. A complete application shall consist of an application form with all sections completed and any required exhibits attached, preapplication approvals as described in section 52-34.5, payment of the application and/or review fee, and one full-size paper copy of the plat or plan containing all required information. The applicant shall be notified within ten business days whether the plat or plan is complete or not complete, with reasons given in writing if it is determined

to be not complete. Engineering plans shall be submitted to the city engineer in a format determined by the city engineer, and the applicant shall be notified within ten business days whether the plans are complete or not complete, with reasons given in writing if it is determined to be not complete.

(b) When notified of an incomplete plat or plan, the applicant must resubmit their application correcting all deficiencies within 45 days of the date they are notified that it is not complete. Failure to resubmit a complete plat or plan within 45 days of the notice of incompleteness shall be deemed a withdrawal of the application, and the plat or plan may not be resubmitted except as a new application. Submittal of a plat or plan, including any required application form, is not accepted nor considered to be filed as defined in this chapter until it is determined to be complete.

(c) Once the application is deemed complete, the plat or plan is filed with the city in accordance with the procedures provided in sections 52-33 through 52-40, and section 52-174, of this chapter, or as provided in chapter 64 "Zoning" for PDD development plans in the Planned Development District, for the technical review. The plat or plan must be approved, approved with conditions, or disapproved within 30 calendar days after the date the plat or plan is filed. A plat or plan is deemed approved unless it is disapproved within that period, or unless it is extended for one additional period of 30 calendar days by mutual agreement of the city and the applicant, whereby the applicant requests the extension in writing prior to the end of the first 30-day period, and the city approves the extension request.

(d) If the technical review of the plat or plan for accuracy reveals deficiencies that will likely result in disapproval if the deficiencies are not corrected, written comments identifying such deficiencies shall be provided to the applicant, and the applicant shall resubmit the plat or plan with the deficiencies corrected. If this occurs one or more times, and the plat or plan is not resubmitted without deficiencies by the date that would allow it to be approved prior to the applicable deadline provided in subsection (b), the director of planning may recommend that the plat or plan be approved with conditions or be disapproved.

(e) If a plat or plan is approved, the city shall endorse the plat or plan with a certificate indicating the approval. If the city fails to approve, approve with conditions, or disapprove the plat or plan within the initial 30-day period or the 30-day extension, as applicable, the city shall issue a certificate stating the date the plat or plan was filed and that the city failed to act on it within that period. Such certificate is effective in place of the endorsement indicating approval.

(f) If a plat or plan is approved with conditions or is disapproved, the applicant shall be provided a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulate each specific condition or reason. Each condition or reason must include a citation to the provision of: 1) this chapter; 2) chapter 64 "Zoning" for PDD development plans in the Planned Development District; 3) the City of Lockhart Construction Standards; or, 4) chapter 212 "Municipal Regulation of Subdivisions and Property Development" of the Texas Local Government Code, that is the basis for the conditional approval or disapproval, as applicable.

(g) After the conditional approval or disapproval of a plat or plan, the applicant may submit a written response that satisfies each condition for the conditional approval, or remedies each reason provided for disapproval. Once such response is received, the revised plat or plan must be approved or disapproved not later than the 15th calendar day after the date the response was submitted. The revised plat or plan is deemed approved unless it is disapproved within that period, in which case the

city shall issue a certificate stating the date the revised plat or plan was submitted and that the city failed to act on it within 15 calendar days. Such certificate is effective in place of the endorsement indicating approval.

(h) If the revised plat or plan adequately addresses the reasons for the original conditional approval or disapproval, the city shall endorse it with a certificate indicating the approval as provided in subsection (d). If the revised plat or plan is disapproved, the applicant shall be provided a written statement of the reasons for disapproval as provided in subsection (f). Following such disapproval, the plat or plan may not be resubmitted except as a new application.

Sec. 52-33. Preliminary plat procedure.

(a) Following the ~~initial application~~ concept plan conference ~~and staff review of the concept plan~~, if any, the applicant shall prepare a preliminary plat in accordance with section 52-172~~,~~ if the subdivision involves new public infrastructure~~,~~. The plat is subject to the review and approval process provided in section 52-32.5. When determined to be complete, six full-size copies shall then be submitted ~~in seven prints~~ to the ~~city planner~~ director of planning for ~~staff~~ technical review~~, along with the application form and fee, at least three weeks prior to the commission meeting at which it is to be considered~~. Upon receipt of staff comments, the applicant shall make any requested corrections or other changes to the plat or plan, and resubmit one full-size copy or digital file in the PDF format for review. Once the director of planning determines that the plat or plan is correct, the applicant shall submit ~~12~~ 11 copies ~~prints~~ of the revised preliminary plat to the ~~city planner~~ director of planning, who will then refer it to the commission for approval ~~within three weeks of the submission of revisions~~. In addition, the applicant shall provide a digital file in the PDF format. All plat prints shall be folded to a size no larger than nine inches by 12 inches at the time of submittal. If one or more variances are desired, they shall be requested concurrent with the preliminary plat application.

(b) The city engineer, ~~city planner~~ director of planning, or commission may require the applicant to submit additional topographic information, detailed plans for proposed uses, or other information to determine possible flood or erosion hazards, the effect of the subdivision uses upon flows, and the adequacy of proposed flood protection measures. Such request will be in writing and shall specify the type of additional data required and its format. The city may employ, at the city's expense, outside consultants for technical assistance and advice upon request of the commission or city staff.

(c) The preliminary plat shall be reviewed as follows:

(1) City engineer, public works, water/wastewater and electric departments as appropriate:

a. Drainage system.

b. Street layout, paving grades, type of paving.

c. Boundary lines.

d. Monuments and benchmarks.

e. Location and size of alleys.

f. Availability of adequate water, sanitary sewer and electric service to the subdivision, including required water flow for fire suppression.

g Water utility system and fire hydrant locations.

h. Sanitary sewer utility system.

i. Electrical distribution system and street lighting.

j. Utility easements.

(2) ~~City planner~~ Director of planning:

a. General plat format and content.

b. Lot and block numbers.

c. Street layout.

d. Street names.

e. Lot dimensions and building lines.

f. Subdivision name.

(3) Police department:

a. Traffic safety devices.

b. Street names and design.

c. Public access.

(4) Fire department/EMS:

a. Water utilities system and fire hydrant locations.

b. Street names.

c. Fire protection access.

(d) The ~~city planner~~ director of planning shall forward the preliminary plat, and accompanying data to the commission with staff recommendations as to any further modifications.

(e) The commission shall:

(1) Approve or disapprove the preliminary plat and/or variances; or,

(2) Approve the preliminary plat and/or variances with modifications.

(f) Within ten days of the commission's decision, the city shall issue to the applicant a certificate stating the date that the preliminary plat was approved, approved with modifications, or denied, and state the reasons for denial, if applicable.

(g) If the commission disapproves, or approves with modification, the preliminary plat and/or variances, the applicant may elect one of the following:

(1) In the case of disapproval, make any changes necessary to address the commission's reason for denial, resubmit the plat to the ~~city planner~~ director of planning with revisions for review and reconsideration by the commission in accordance with the same procedural requirements as for the original submission. If a revised preliminary plat is not resubmitted within 90 days of the commission's denial, it shall be considered withdrawn.

(2) In the case of approval with modification, make the changes requested by the commission and provide the ~~city planner~~ director of planning with two revised copies of the preliminary plat. If the revised copies are not resubmitted within 90 days of the commission's approval, the preliminary plat shall be considered withdrawn.

(3) In either case of disapproval or approval with modification, not change or resubmit the plat, and appeal as provided in this chapter.

(h) After approval of the preliminary plat and/or variances by the commission, and submittal of revised copies, if applicable, the applicant may proceed with the final plat and engineering plans.

(i) Approval of the preliminary plat shall be effective for no more than 12 months before the final plat and engineering plans are submitted for approval. If no circumstances have occurred which would affect the preliminary plat during that period, the commission may consider, upon written request by the applicant, extending the approval of a maximum of two additional six-month time periods. At the end of this extension period, the approval is automatically revoked. The city reserves the right to review the condition of the project area to make a determination whether or not each six-month extension is justified or if modification should be made thereto. A preliminary plat that has expired can be reactivated only by resubmittal in accordance with all normal procedures for the original submission.

Sec. 52-34. Subdivision development plan procedure.

When only a portion of a tract is to be platted initially, with one or more additional phases of the same subdivision to be platted sequentially at a later date, and where a preliminary plat is not submitted for the entire original tract, the following provisions apply:

(1) A subdivision development plan for the entire tract and a preliminary plat, if required, for that phase to be immediately developed shall be submitted together for review and approval in accordance with the procedures in section 52-33 for preliminary plats. The subdivision development plan is a scale drawing including a vicinity map and legal description of the property, and showing proposed street rights-of-way, easements, building sites or lots, areas for parks or other public facilities, school sites, utilities, drainage features, contour intervals of not less than five feet, and proposed phase boundaries for the subdivision to be developed in sections.

(2) Upon approval, or approval with modifications, of the subdivision development plan and preliminary plat by the commission, a final plat for that portion to be immediately developed shall be submitted in accordance with this chapter. Additional phases conforming with the approved subdivision development plan may then be platted sequentially in accordance with the requirements for preliminary and final plats. No changes to the subdivision development plan shall be made without approval of the commission.

(3) The first phase subdivided shall be labeled "Section One" following the name of the subdivision, with subsequent phases numbered sequentially thereafter.

Sec. 52-34.5. Final plat preapplication approvals.

Applicable preapplication approvals must be completed before a final plat is filed. Documents subject to preapplication approval may include one or more of the following: 1) engineering plans in accordance with section 52-174; 2) a public facility development plan as provided in section 52-114; 3) a FEMA conditional letter of map revision (CLOMR) as provided in section 52-80(a); and, 4) a traffic impact analysis as provided in section 52-72(p).

Sec. 52-35. Final plat procedure.

(a) A final plat, which is a recordable plat, ~~and engineering plans, if required,~~ shall be prepared in accordance with the approved preliminary plat, if any, and with ~~sections~~ section 52-173 ~~and 52-174~~. Following completion of preapplication approvals, the plat is subject to the review and approval process provided in section 52-32.5. When determined to be complete, ~~Seven prints~~ six full-size copies of the plat and two full-size copies of the engineering plans, if applicable~~, along with a written application~~, shall be submitted to the ~~city planner~~ director of planning for ~~staff~~ technical review. ~~Two additional copies of the engineering~~ Engineering plans shall be submitted to the city engineer in a format determined by the city engineer. Upon receipt of staff comments, the applicant shall make any requested corrections or other changes to the plat and/or plan, and resubmit one full-size copy or digital file in the PDF format for review. Once the director of planning determines that the plat or plan is accurate and is consistent with the approved preliminary plat, if applicable, the applicant shall submit ~~12~~ 11 full-size copies ~~prints~~ of the revised plat (two ~~prints~~ copies of revised minor plats) ~~and engineering plans~~ to the ~~city planner~~ director of planning. ~~The plat shall be considered "filed" with the city on the date that the revisions are submitted along with the application fee as provided herein. The revised plat will be accepted only if the engineering plans, if any, have been approved by the city engineer. In addition, if the subdivision involves improvements that are subject to a FEMA letter of map revision (LOMR), the approved conditional letter of map revision (CLOMR) shall be provided to the city prior to acceptance of the plat.~~ All plat prints shall be ~~pre-~~folded to a size no larger than nine inches by 12 inches ~~at the time of~~ prior to submittal. If no preliminary plat was required and one or more variances are desired, they shall be requested concurrent with the final plat application.

(b) ~~Within 30 days after the final plat is filed with the city planner, the commission shall approve or disapprove the plat and variance(s), if any. Within ten days of the commission's decision, the city shall issue to the applicant a certificate stating the date that the final plat was approved or denied, and state the reasons for denial, if applicable.~~ If the plat complies with all standards and requirements of this chapter, it shall be approved. ~~A final plat that is denied may be resubmitted as a continuance of the same application if the necessary changes are made to address the reasons for the commission's~~

~~denial. If a revised final plat is not resubmitted within 90 days of the commission's denial, it shall be considered withdrawn.~~ The commission shall approve, approve with conditions, or deny the plat and variances, if any, in accordance with the process provided in section 52-32.5.

(c) After approval of the ~~final~~ plat, the applicant shall submit a set of digital drawing files of the plat on compact disc or flash drive, or by e-mail or cloud storage, in a digital PDF format, ~~and as a DXF, DWG, or ESRI shape file projected within the parameters of the Texas State Plane Coordinate System, South Central Zone, NAD 83, in survey feet,~~ and shall also submit two coated, non-smearing Vellum or Mylar reproducible sets of the plat containing the notarized signature of the owner(s), and the signatures and seals of the surveyor and engineer, as applicable. The chairman of the commission, or designee, will sign the approval certificate on the reproducible sets. In the case of amending plats and minor plats or minor replats not requiring a variance, the city manager will sign the approval certificate. The ~~city planner~~ director of planning shall cause the final plat to be recorded with the county clerk within five business days after acceptance by the city of all improvements, as provided in section 52-202, and upon receipt of the items listed in section 52-204. After recording, one reproducible set shall be retained by the ~~city planner~~ director of planning.

(d) Changes made to a final plat subsequent to being recorded and not eligible for an amending plat as set forth in section 52-39, shall be submitted as a replat in accordance with section 52-38. Other corrections or changes made to a final plat subsequent to being recorded~~,~~ shall be submitted as an amending plat in accordance with section 52-39. Upon approval of the replat or amending plat, it shall be recorded with the county clerk, who shall mark the previously recorded plat as ~~"void"~~ *"Void"*.

(e) Construction by the applicant of any required public improvements shall commence within 12 months of the commission's approval of a final plat. Upon written request by the applicant, the ~~city planner~~ director of planning may extend approval for one ~~additional~~ six-month period. At the end of this extension period, the approval is automatically revoked. A final plat that has expired can be reactivated only by resubmittal in accordance with the normal procedures for the original submission, including payment of applicable fees.

Sec. 52-36. Minor plat or minor replat procedure.

A minor plat does not require prior approval of a preliminary plat, and is prepared and processed in accordance with the requirements for final plats as specified in section 52-35, except that it may be approved administratively by the city manager or the city manager's designee. The city manager or designee may for any reason, elect to present the plat to the commission or, if the city manager or designee refuses to approve the plat, it shall be referred to the commission for approval or denial, in accordance with the procedures for final plats within three weeks of the city manager's denial. If one or more variances are requested by the applicant, the plat ~~is considered a final plat and~~ must be referred to the commission for approval or denial of both the variance and the plat in accordance with the procedure for final plats.

Sec. 52-37. Vacating plat.

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

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

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

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

Sec. 52-38. Replatting without vacating preceding plat.

(a) A replat is a recordable plat other than a minor replat as provided in section 52-36 that does not require prior approval of a preliminary plat and is prepared and processed in accordance with the requirements for final plats as specified in section 52-35~~, subject to additional public hearing requirements, if applicable, as set forth in this section~~. A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of the plat if the replat:

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

(2) Is approved by the commission, after a public ~~hearings~~ hearing at which parties in interest and citizens have an opportunity to be heard; and,

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

(b) If during the preceding five years, any of the area to be replatted without vacation of the preceding plat was limited by zoning classification or deed restrictions to residential use for not more than two units per lot, and the replat requires a variance, then approval of the replat is subject to a public hearing, and notice of the ~~public~~ hearing ~~required in subsection (a)~~ shall be given before the 15th day before the date of the hearing by:

(1) Publication in the city's official newspaper/publication of record; and,

(2) Written notice by mail, with a copy of subsection (c) of this section attached, to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved city tax roll or, in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property on which the replat is requested.

(c) If the proposed ~~plat~~ replat requires a variance and is protested in accordance with this subsection, the proposed plat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members of the commission present. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, ~~but within the~~ excluding areas outside the original subdivision, must be ~~filed with~~ submitted to the director of planning or the commission prior to the close of the public hearing. In computing the percentage of land under this subsection, the area of streets and alleys shall be included.

(d) Compliance with ~~the subsection~~ subsections (b) and (c) is not required if the area to be replatted was designated or reserved for other than single-family or duplex-family residential by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

(e) If during the preceding five years, any of the area to be replatted without vacation of the preceding plat was limited by zoning classification or deed restrictions to residential use for not more than two units per lot by-right, and does not require a variance, then notice by mail shall be given not later than the 15th day after the date the replat is approved to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent city tax roll, or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property on which the replat is requested. The notice shall include the zoning designation of the property after the replat, and the telephone number and e-mail address an owner of a lot may use to contact the city about the replat.

Sec. 52-39. Amending plat.

(a) An amending plat is a recordable plat prepared and processed in accordance with the requirements for final plats as specified in section 52-35, except that it may be approved administratively by the city manager or the city manager's designee. It is controlling over the preceding plat without vacation of that plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:

(1) To correct an error in a course or distance shown on the preceding plat.

(2) To add a course or distance that was omitted on the preceding plat.

(3) To correct an error in a real property description shown on the preceding plat.

(4) To indicate monuments set after the death, disability, or retirement from practice of the surveyor responsible for setting monuments.

(5) To show the location or character of a monument that has been changed in location or that is shown incorrectly as to location or character on the preceding plat.

(6) To correct any other type of scrivener or clerical error or omission previously approved by the city including lot numbers, acreage, street names and identification of adjacent recorded plats.

(7) To correct an error in courses and distances of lot lines between two adjacent lots if:

a. Both lot owners join in the application for amending the plat;

b. Neither lot is abolished;

c. The amendment does not attempt to remove recorded covenants or restrictions; and,

d. The amendment does not have a material adverse effect on the property rights of the other owners in the plat.

(8) To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement.

(9) To relocate one or more lot lines between one or more adjacent lots if:

a. The owners of all those lots join in the application for amending the plat;

b. The amendment does not attempt to remove recorded covenants or restrictions; and,

c. The amendment does not increase the number of lots.

(10) To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:

a. The changes do not affect applicable zoning and other regulations of the city;

b. The changes do not attempt to amend or remove any covenants or restrictions; and,

c. The area covered by the changes is located in an area that the commission and council have approved, after a public hearing, as a residential improvement area.

(11) To replat one or more lots fronting on an existing street if:

a. The owners of all those lots join in the application for amending the plat;

b. The amendment does not attempt to remove recorded covenants or restrictions;

c. The amendment does not increase the number of lots; and,

d. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

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

(c) Amending plats shall be presented to the city manager or the city manager's designee for approval. If, for any reason, the city manager or designee does not wish to approve the plat, it shall be presented to the commission for approval or denial in accordance with the procedures for final plats in section 52-35, within three weeks of the city manager's denial. If a variance is requested by the applicant, the amending plat must be referred to the commission for approval or denial of both the variance and the plat.

Sec. 52-40. Procedure for approval of development plat.

(a) Development plats for which it is determined that no dedication of land or easements, ~~dedications or~~ nor construction of public improvements other than sidewalks is required, may be approved administratively by the ~~city planner~~ director of planning. The plat is subject to the completeness review and approval process provided in section 52-32.5. If one or more variances are requested by the applicant, the plat must be referred to the commission for approval or denial of both the variance and the plat in accordance with the procedure for final plats. A building permit shall not be issued for the development prior to endorsement of the ~~city planner's~~ director of planning's or the commission's approval on the plat, as applicable.

(b) Development plats requiring the construction of public ~~sidewalks,~~ streets~~,~~ or alleys, and/or the dedication of land or easements to accommodate such facilities as required to comply with city standards, shall be prepared and processed in accordance with the requirements for final plats as specified in section 52-35 provided, however, that when there is no dedication of land or easements, or where the applicant chooses to dedicate such land or easements by separate instrument instead of on the plat, recording of the development plat with the county clerk is not required. A building permit shall not be issued for the development prior to approval of the development plat by the commission. The development shall not pass final inspection or receive a certificate of occupancy until any required construction of public facilities is completed and accepted by the city, and any required dedications are recorded with the county clerk on the development plat or by separate instrument.

Sec. 52-41. Application fees.

Application fees for preliminary plats and all recordable plats, shall be as established by separate resolution of the city council. Such fees, which are collected for the purpose of defraying the costs administrative, clerical and inspection services necessary to implement this chapter, shall be collected by the city at the time the plat is submitted. No action by the city shall be valid unless and until the required fees have been paid to the city.

Sec. 52-42. Dedication and construction of public infrastructure.

(a) The approval of a plat is not considered an acceptance of any proposed dedication and does not impose on the city any duty regarding the maintenance or improvement of any dedicated parts until the city accepts the required improvements in accordance with section 52-202, or until the plat is recorded.

(b) To ensure that it will not incur liabilities, the city may require, before it gives approval of the engineering plans for a development, that the owner provide sufficient surety and warranty to guarantee that claims against the development will be satisfied if a default or construction failure occurs. A nonrevocable bond in the amount of ten percent of the total construction cost shall continue in force until the one-year warranty of construction has expired. This subsection does not preclude a claimant from seeking recovery by other means.

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

Secs 52-43—52-~~70~~ 49. Reserved.

ARTICLE III. RELIEF PROCEDURES

Sec. 52-50. Variances.

(a) Concurrently with or separately from consideration of a preliminary plat or recordable plat, the commission may authorize a variance from this chapter when, in its opinion, undue hardship will result from requiring strict compliance. In considering a variance the commission shall allow only conditions that it deems necessary or desirable to the public interest. The commission shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity,

the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions, public health, safety, convenience and welfare in the vicinity. No variance shall be approved unless the following is established:

(1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

(2) That the variances are necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the variance will not be detrimental to the public health, safety or welfare, and will not be injurious to other property in the area.

(3) That the variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.

(b) Findings of the commission, together with the specific facts on which such findings are based, shall be incorporated under the official minutes of the commission meeting at which a variance is granted. Variances shall be granted only when in harmony with the general purpose and intent of this chapter, so that the public health, safety and welfare may be secured, and substantial justice done. The commission shall not authorize a variance to this chapter that would constitute a violation of any other valid ordinance of the city.

Sec. 52-51. Appeals.

(a) The commission may consider appeals where the applicant alleges that there is an error in an order, requirement, decision or determination made by the city staff in the enforcement of this chapter. The commission may reverse or affirm, in whole or in part, or modify the city staff's order, requirement, decision or determination.

(b) Any person or persons aggrieved by any decision of the commission with respect to subdivision plats, subdivision variances, and appeals of administrative determinations may appeal to the city council by submitting to the director of planning, within ten days after the date of the commission's action, a written request specifying the grounds for the appeal, together with any supporting evidence. The appeal shall be forwarded to the council together with a copy of the approved minutes of the commission meeting at which the decision in question was made, and shall be considered at the earliest regular meeting for which all required materials are available. The council shall uphold, modify, or reverse the decision of the commission.

Sec. 52-52. Vested Rights.

The city shall consider the approval, disapproval or conditional approval of a subdivision or development plat solely on the basis of any orders, regulations, ordinances, rules, expirations dates, or other properly adopted requirements in effect at the time the original application is submitted for review, including review for administrative completeness, in accordance with chapter 245 “Issuance of Local Permits” of the Texas Local Government Code, as well as any similar chapter, section, or provision of the Lockhart Code of Ordinances pertaining to vested rights related to development regulations and permits that is not in conflict with chapter 245. This includes application for establishment of development rights, subsequent determination, and appeal, if any.

Secs. 52-53—52-59. Reserved.

ARTICLE IV. PUBLIC FACILITIES

Sec. 52-60. Proportionality.

In accordance with section 212.904 "Apportionment of Municipal Infrastructure Costs" of the Texas Local Government Code, it is the intent of this chapter that the regulations and standards herein achieve proportionality between the demands created by the proposed subdivision on public facilities and the obligation to provide adequate public facilities, assuring that development impacts are mitigated through contributions of land dedications, construction of capital improvements, and/or payment of fees, and that a development project contribute its fair share of such costs. A proportionality determination assures that a requirement to dedicate, construct, or pay a fee in lieu of dedication or construction imposed on a proposed plat as a condition of approval does not result in a disproportionate cost burden on the property owner, taking into consideration the nature and extent of demands created by the proposed development on the city's public facilities systems. Required land or easement dedication, construction of public facilities, or payment of a fee, by the applicant is an exaction.

Sec. 52-61. Capital Improvements.

Land proposed for development in the city and in the city's extraterritorial jurisdiction must be served adequately by essential public facilities and services, including streets, sidewalks/trails, bikeways, stormwater drainage, water, wastewater, electricity, open space, and parks. A subdivision plat or development plat shall not be approved until and unless adequate public facilities exist or provision has been made for the facilities, whether the facilities are to be located within the property or off-site. A public facility shall be considered sufficient where it is demonstrated to have available capacity to accommodate the service demand generated by the proposed development, as well as other approved developments that would impact the service capacity.

Sec. 52-62. Land Dedication.

A subdivision plat or development plat shall not be approved until and unless it includes dedication of easements, rights-of-way, and other land as necessary to accommodate the essential public facilities and services required to fulfill the development's obligation as provided in section 52-61.

Sec. 52-63. Determination.

(a) Upon request by the director of planning or director of public works, the city engineer may make a determination as to whether or not an exaction requirement to be imposed as a condition of plat approval is roughly proportionate to the demand created by the subdivision or development on the essential public facility system of the city. In making this determination, the city engineer may consider:

(1) The proposed and potential use of the land.

(2) The timing and sequence of development in relation to availability of adequate levels of public facilities systems.

(3) Studies conducted to measure the demand for services create by the subdivision or development and its impact on the city's public facilities system.

(4) The function of the public infrastructure improvements in serving the proposed subdivision or development.

(5) The degree to which public infrastructure improvements necessary to serve the proposed subdivision or development are supplied by other developments.

(6) The anticipated participation by the city in the costs of necessary public infrastructure improvements.

(7) The degree to which acceptable private infrastructure improvements to be constructed and maintained by the applicant will offset the need for public infrastructure improvements.

(8) Any reimbursements for the costs of public infrastructure improvements for which the proposed subdivision or development is eligible.

(9) Any other information relating to the impacts created by the proposed subdivision or development on the city's public facilities systems.

(b) The Planning and Zoning Commission shall consider the city engineer's report, if any, in making a decision on a plat application, including conditional approval. The commission may also consider the report in granting a variance to one or more provisions of this chapter.

Sec. 52-64. Appeal.

An applicant for a subdivision plat or development plat which imposes an exaction requirement may file an appeal to contest any proportionality determination, other than impact fees, imposed as a condition of approval or in which the failure to comply is grounds for denying the application. The appeal is processed as provided in section 52-51.

Secs 52-~~43~~ 65—52-~~70~~ 71 Reserved.

ARTICLE ~~III~~ V. DESIGN STANDARDS

~~**Sec. 52-71. Reserved.**~~

Sec. 52-72. Streets.

(a) The arrangement, character, extent, width, grade, and location of all streets shall conform to the thoroughfare plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. A plat of property in the path of a future collector or arterial street shown on the thoroughfare plan map shall dedicate the right-of-way corresponding to its classification, and the street shall be constructed at the subdivider's expense for all segments within the boundary of the subdivision.

(b) When a street is not on the thoroughfare plan, the arrangement of streets in a subdivision shall provide for the continuation of existing streets in surrounding areas. If there are no streets existing on adjacent vacant and unsubdivided land, the arrangement of streets in the subdivision shall make provision for the proper extension of streets into such area. The length of any dead end street projections intended for future extension beyond the limits of the subdivision shall not exceed the depth of one lot unless a cul-de-sac is constructed no further than one lot from the subdivision perimeter. Consideration shall be given to efficient internal distribution of traffic by maximizing connectivity with multiple streets and intersections in a grid pattern or similar arrangement of blocks.

(c) All subdivisions with a potential to serve more than ~~100~~ 75 dwelling units, or more than ~~25~~ 15 nonresidential lots, shall have at least two points of vehicular access consisting of improved streets connected to the city's thoroughfare system; or, a single entrance street divided by a median where the median extends to the nearest internal street which provides at least two routes to the interior of the subdivision. Residential driveways shall not be located on the sides of the divided street parallel to and within the length of an entrance median.

(d) Where a subdivision adjoins or contains an existing or proposed major road, arterial street, or collector street, the commission may require marginal access streets, reverse frontage, deep lots with rear service alleys, or such treatment as may be necessary for adequate protection to residential properties and to afford separation of through and local traffic. No side lot access to residential corner lots shall be allowed from any arterial street.

(e) Where ~~the~~ a proposed new subdivision, or replat of an existing subdivision that creates additional lots, abuts upon an existing street that does not conform to the corresponding classification in the thoroughfare plan, the subdivider shall dedicate one-half of the right-of-way ~~sufficient~~ needed to make the ultimate full right-of-way width conform. Where the dedication of right-of-way is not feasible due to topographic or other physical obstructions, the subdivider may, at the city's discretion, dedicate a public access easement with corresponding utility or drainage easements as necessary in lieu of dedicating public street right-of-way.

(f) Reserve strips controlling access to streets, rights-of-way, or other land dedicated or intended to be dedicated to public use shall be prohibited, except where the city is given control, under conditions approved by the commission.

(g) Street jogs with centerline offsets of less than 125 feet are prohibited ~~shall be avoided~~.

(h) Arterial street intersections shall be at 90-degree angles. Other street intersections shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect at less than 75 degrees nor more than 105 degrees.

(i) Street right-of-way and pavement widths shall be as shown on the thoroughfare plan and, where not shown therein, shall be not less than as follows:

(1) *Arterial streets:* Minimum right-of-way width 80 feet to a maximum of 140 feet, with the pavement width section to be based on standard details for the specific street class, depending upon the location and existing streets with which said street is to be connected.

(2) *Collector streets:* Right-of-way width 60 feet, and pavement width of 41 feet back-to-back of curb. The right-of-way width may be required to be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

(3) *Minor streets:*

a. *Residential street:* Right-of-way width 50 feet, and pavement width of 31 feet back-to-back of curb. The right-of-way width shall be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

b. *Local street in multifamily, commercial or industrial areas:* Right-of-way width 60 feet, with pavement width section as identified in standard details or greater if required for drainage. The right-of-way may be required to be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

(j) Half-width streets shall be prohibited.

(k) A cul-de-sac shall not be longer than 500 feet measured from the connecting street centerline to the center radius point of the closed end having a paved street turnaround diameter of at least 80 feet with a right-of-way diameter of at least 100 feet ~~for~~ in residential areas, and ~~at least 180-foot~~ a paved street turnaround diameter of at least 100 feet with a ~~200-foot~~ right-of-way diameter of at least 120 feet in ~~commercial and industrial~~ nonresidential areas. Greater diameters may be required where the cul-de-sac would serve industrial or other development that uses tractor-trailer trucks. Center islands may be provided subject to approval by the city.

(l) Traffic circles (roundabouts) are encouraged in appropriate locations and may be used in accordance with the following conditions:

(1) The design shall be in accordance with Chapter 6 "Geometric Design" of Federal Highway Administration Publication No. FHWA-RD-00-067 "Roundabouts: An Informational Guide", as applicable to the type, width and design speeds of intersecting streets.

(2) Pavement markings, "Traffic Circle Ahead" or international graphic circular intersection signs, "Yield" signs and "One-Way" signs pointing to the right shall be provided and installed in locations approved by the public works department for each location where a street connects to the traffic circle in accordance with Chapter 7 "Traffic Design and Landscaping" of Federal Highway Administration Publication No. FHWA-RD-00-067 "Roundabouts: An Informational Guide", as amended.

(3) The center island shall consist of a circular curbed area within the public street right-of-way that is landscaped or developed to be aesthetically attractive while requiring a minimum of maintenance, as approved by the planning and zoning commission. Where right-of-way, topography, or other constraints preclude the ability to provide a curbed center island, a mountable curb with a traversable concrete apron may be required around the outer edge of the center island.

(4) A note on the plat shall state how the center island is to be developed and maintained, and that the subdivider or developer is responsible for maintenance during the first year following the date the plat is recorded.

(m) New streets of like alignment shall bear the names of existing streets and shall be dedicated at equal or greater widths than the existing streets. No street names shall be used which will duplicate or be confused with the name of existing streets.

(n) Names of new streets being constructed as part of a subdivision are subject to approval of the commission. Once a street is accepted by the city and the subdivision plat is recorded designating the name of such street, any subsequent change in the name of the street is subject to approval by the council.

(o) All new streets dedicated within a subdivision shall be improved in accordance with the construction standards of the city.

(p) If an existing public street ~~or unimproved rights-of-way~~ not meeting city standards for its classification designated in the thoroughfare plan with respect to width, drainage, or surface type abuts the perimeter of a subdivision having an internal street intersecting the perimeter street where the internal street provides the sole vehicular access to the subdivision or section thereof being platted, the subdivider shall pay an amount ~~it shall be improved at the subdivider's expense to comply with such standards prior to acceptance of the subdivision by the city. The length of the improvement shall extend to the nearest existing street or portion thereof that meets city standards. Where the substandard perimeter street is already paved with a durable all-weather surface and has an adequate width for at least two lanes of traffic, the city may accept, as an alternative to the subdivider improving the street, a payment~~ equal to one-half the estimated cost of improvement to city standards, as determined by the city engineer, for the length of the subdivision's frontage along the perimeter street. Such payment shall be made concurrently with acceptance of the subdivision improvements by the city, and the city shall deposit the funds in an account reserved for future improvement of the substandard perimeter street. This option is available only when it is determined that the existing perimeter street, in its current state, is capable of carrying the expected traffic upon full development of the subdivision. The city or the Texas Department of Transportation may require a traffic impact study to be prepared at the subdivider's expense to document the existing capacity of the street and/or to determine the need for off-site street improvements. If the existing perimeter street right-of-way is unimproved, or if the existing street does not have an adequate width for two lanes of traffic, or if it is determined that the street, in its current state, is otherwise not capable of safely carrying the expected traffic upon full development of the subdivision, it shall be improved by the subdivider at the subdivider's expense to comply with the city's street standards for its classification or to comply with safety improvements required by the Texas Department of Transportation, prior to acceptance of the subdivision by the city. The length of the improvement shall extend to the nearest existing improved street that has an adequate width for at least two lanes of traffic, and which is capable of carrying the expected traffic upon full development of the subdivision. If the substandard perimeter street is listed in the city's road impact fee capital improvements plan, the city shall contribute to the required improvements as provided in section 52-143.

(q) If bicycle facilities are shown on an adopted bikeway plan element of the city's comprehensive plan in a location along one or more streets within a new subdivision, the dedicated street right-of-way shall provide bicycle facilities based on best practices in the latest addition of the NACTO Urban Bikeway Design Guide, with pavement markings, signage, and physical barriers in conformance with the latest addition of the AASHTO Guide for the Development of Bicycle Facilities as referenced in the TxDOT Roadway Design Manual. The bicycle facility may be in the form of: 1) designated bike lanes in the

street where the speed limit is 35 or 40 miles per hour; 2) spatially buffered bike lanes in the street where the speed limit is 45 or 50 miles per hour; or, 3) physically protected bike lanes (cycle track) in the street, or shared-use paths for pedestrians and bicycles separate from the street, where the speed limit is 55 miles per hour or greater. A bicycle facility required for a higher speed limit range can voluntarily be used in any lower speed limit range in lieu of its specified facility. Streets with a speed limit not greater than 30 miles per hour may have signage and pavement markings designating a bike route.

Sec. 52-73. Alleys.

(a) Right-of-way for service alleys in commercial and industrial districts shall be a minimum of 25 feet in width, with a 20-foot wide pavement section.

(b) Alleys in residential districts shall be parallel, or approximately parallel, to the frontage street, and shall have a minimum right-of-way width of 15 feet, with a ten-foot wide pavement section.

(c) Alleys shall be optional in all new developments and replatted existing subdivisions, unless expressly required by the commission because of drainage, topographical features, circulation, or existing conditions which may necessitate the use of an alley in a particular location. Any right-of-way for alleys shall be dedicated to the city.

(d) Alleys shall be paved in accordance with the construction standards of the city.

(e) Where the deflection of alley alignment exceeds 30 degrees, a cutback of a minimum 15 feet, or of such greater distance to provide safe vehicular movement, shall be established on the inside property line and the paving of the alley shall be cut back in the same manner.

(f) Where the deflection of an alley alignment exceeds 15 degrees, a five-foot-wide pole guy easement shall be provided at the exterior of each point of deflection and normal hereto. The easement length shall be 15 feet for a deflection from 15 degrees to 30 degrees and 25 feet for deflection greater than 30 degrees.

(g) Dead-end alleys are prohibited.

(h) Access to residential property may be permitted from the alley. Access from the alley shall not exclude another means of access from the front or side.

Sec. 52-74. Easements.

(a) Easements across lots, along and abutting front lot lines, or centered on rear or side lot lines shall be provided for utilities and drainage where necessary. Drainage easements must be exclusive and no improvements may be constructed therein. When such easements are shown on a subdivision plat, this exclusivity and restriction will be noted on the plat and included in any restrictive covenants. Drainage and utility easements will not be superimposed.

(b) Where a subdivision is traversed by a watercourse, drainage way or channel, a storm drain easement or drainage right-of-way, conforming substantially with such course and of a width to fulfill the requirements of the city's flood hazard area ordinance and drainage ordinance, as calculated by the

developer's engineer, will be provided. Nonrestricted access shall be provided to all drainage ways and storm system easements for maintenance by the responsible parties. Access shall be provided within 500 feet of all points where drainage easements exist, and parallel streets or parkways may be required for access to the easement.

(c) Where alleys are not provided in a residential subdivision and utilities are to be provided in the rear of lots, a minimum seven and one-half-foot-wide utility easement shall be provided where needed along the rear of all lots within the subdivision. When one or more lots are located such that there is no similar easement in adjoining tracts, a minimum 15-foot wide easement will be provided.

(d) When the tract to be subdivided includes an easement of the blanket form or is a portion of a tract which includes such an easement, the subdivider shall take such action as is necessary prior to submission of the preliminary plat to have such easement removed or to have such easement redefined to a specific location and to a specific size or width.

(e) Public access easements may be provided to accommodate a required public sidewalk along and adjacent to the public street right-of-way where conflicts with natural features, utility equipment, or other appurtenances make the location of the sidewalk within the right-of-way impractical. Private access easements may be provided to accommodate joint vehicular access to adjacent lots in the subdivision.

Sec. 52-75. Blocks.

(a) The length, width and shapes of blocks shall be determined with due regard to:

(1) Provision of adequate building sites suitable to the special needs of the type of use contemplated.

(2) Zoning requirements as to lot sizes and dimensions.

(3) Needs for convenient access, circulation, control and safety of street traffic.

(b) In general, intersecting streets determining the block length and width shall be provided at such intervals as to serve cross-traffic adequately and to meet existing streets or in accordance with customary subdivision practices. Where no existing subdivision controls, the block lengths shall generally not exceed 800 feet along minor streets, 1,000 feet along collector streets, or 1,200 feet along arterial streets. Where no existing subdivision controls, the blocks shall generally not be less than 400 feet along minor or collector streets, or 500 feet along arterial streets. 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 to meet the existing conditions having due regard for connecting streets, circulation of traffic and public safety. Where opposite sides of a block are along different classifications of streets, the length shall generally conform to the maximum and minimum limits applicable to the higher classification.

(c) Where blocks in the vicinity of a school, park or shopping center are 1,000 feet or longer, the commission may require a six-foot public pedestrian access easement near the middle of the block or at a street that terminates between streets at the ends of the block.

(d) Where no existing subdivision controls, the block depth shall be platted to give lots with a depth to width ratios of generally not more than two and one-half to one and in no case more than four to one, and the design shall be such that the block depth generally shall not exceed 350 feet. When possible, the block width and length shall be such to allow tiers of lots back to back.

(e) Blocks shall be labeled sequentially, from One or from A in each subdivision or section thereof.

Sec. 52-76. Lots.

(a) Lots shall conform to the minimum requirements of the applicable zoning district, except where a variance is approved by the zoning board of adjustment. Lots in the extraterritorial jurisdiction shall conform to the minimum requirements ~~for the AO Agricultural–Open Space District~~ of the current Caldwell County Development Ordinance.

(b) Each lot shall abut an improved public street right-of-way along at least one property line, except where private streets are approved in a planned development having the PDD zoning classification.

(c) Key lots or irregular shaped lots shall have sufficient width at the front building line to meet frontage requirements of the appropriate zoning district. Also, the rear width shall be sufficient to provide access for all utilities, but in no case less than ten feet.

(d) Flag lots, which have minimal or panhandle-type frontage, shall not be allowed in lieu of providing access to lots on the interior of a subdivision with one or more public streets except, however, that one flag lot may be approved in the subdivision of ~~an extremely long and relatively narrow previously~~ an unplatted tract having a length to width ratio of 3:1 or greater into two lots provided that the street frontage of each ~~the flag~~ lot is at least 25 feet and the width of ~~the~~ each lot ~~where any building is constructed~~ is at least the minimum required by the applicable zoning district.

(e) Side lot lines shall be substantially at right angles or radial to street lines.

(f) Double frontage and reverse frontage lots will be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantage of topography and orientation. Where lots have double frontage, a front building line shall be established for each street.

(g) Each lot in each block shall be labeled sequentially from one.

Sec. 52-77. Sidewalks.

(a) In those instances when a six-foot pedestrian access easement is provided in accordance with subsection 52-75(c), the applicant shall construct a sidewalk not less than four feet wide therein.

(b) Public sidewalks~~,~~ not less than four feet wide~~,~~ shall be provided on each side of ~~major road/arterial streets and~~ collector streets and minor nonresidential streets, and on one side of ~~local~~ minor residential streets, including culs-de-sac exceeding 350 feet in length as measured in accordance with subsection 52-72(k). Public sidewalks not less than six feet wide shall be provided on each side of arterial streets and on the subdivision side of expressway frontage roads. Required sidewalks shall be

constructed by the builder for each lot before a certificate of occupancy will be issued for any structure thereon. Sidewalks required along public streets abutting property that is already developed, abutting the side or rear of a vacant lot that has primary frontage on another street, or abutting land areas dedicated for a public park, drainage facility, open space, or other community facility in accordance with subsection 52-112, shall be constructed by the subdivider as a subdivision improvement, and accepted by the city, prior to the plat being recorded.

(c) The location of sidewalks shall be noted on the subdivision plat.

(d) Sidewalks are not required:

(1) On culs-de-sac 350 feet or less in length, as measured from the connecting street centerline to the center radius point of the closed end.

(2) Along minor streets in residential subdivisions where no lot is less than one acre in size.

(3) When no more than four lots are being replatted where there was no requirement for sidewalks at the time the subdivision was originally platted.

(4) ~~Where the commission authorizes a variance waiving all or a portion of the sidewalk requirement in accordance with section 52-3.~~ For a minor plat of four or fewer residential lots along a minor residential street within an existing developed residential area not previously platted, where lots or parcels abutting the side or sides of the parcel being platted are developed and have no existing public sidewalk along their street frontages.

(5) Where the commission authorizes a variance waiving all or a portion of the sidewalk requirement in accordance with section 52-50.

(e) In instances where construction of a required sidewalk in the public right-of-way is not feasible due to drainage considerations, topography, or lack of adequate unobstructed right-of-way width as determined by the city engineer, director of public works or designee, the sidewalk requirement may be satisfied by one of the following alternatives:

(1) The sidewalk may be constructed in a dedicated public access easement inside the private property of one or more lots along the street right-of-way; or

(2) The subdivider may, at the city's discretion, pay a fee in lieu of constructing the sidewalk based upon an estimated cost per linear foot provided by the director of public works, city engineer or designee; or provided by the subdivider's engineer and accepted by the director of public works, city engineer or designee.

(f) Curb ramps for the ~~handicapped~~ disabled shall be constructed to comply with the most recently adopted edition ~~Section 4.7~~ of the Texas Accessibility Standards ~~of the Architectural Barriers Act, Article 9102, Texas Civil Statutes (April 1, 1994)~~.

(g) Rights-of-way or easements for hike and bike trails or similar shared-path sidewalks at least ten feet wide shall be dedicated on the plat where shown on the adopted Sidewalk/Trail Plan, and such trails or shared-path sidewalks shall be constructed at the subdivider's expense. Where aligned with a property's street frontage, such trails and sidewalks shall serve as a required public sidewalk.

Sec. 52-78. Streetlights.

Streetlights shall be installed by the subdivider in accordance with the current streetlight policy, as adopted by the city council, and shall conform to the construction standards of the city.

Sec. 52-79. Street signs.

(a) *Street name signs.* Street name signs approved by the city shall be furnished and installed by the subdivider, at the subdivider's expense, at each intersection within or abutting the subdivision.

(b) *Traffic control signs.* Appropriate traffic control signs, required by the Uniform Traffic Control Manual and approved by the State of Texas, shall be furnished and installed by the subdivider, at the subdivider's expense.

Sec. 52-80. Flood hazard.

(a) ~~The city may attach conditions to the approval of plats for areas subject to development problems~~ Subdivision development in flood hazard areas shall be in accordance with chapter 22 "Floods", of the Lockhart Code of Ordinances. Increases in stormwater runoff created by expected additional impervious surface shall require stormwater detention as provided in article III, chapter 22. For changes in base flood elevation or flood hazard boundary, approval of a FEMA conditional letter of map revision (CLOMR) is required prior to acceptance of the final plat for technical review, and approval of a FEMA letter of map revision (LOMR) is required following completion and acceptance of all required subdivision improvements.

(b) Lots shall be graded and structures designed such that the ground level floor of buildings shall be a minimum of 12 inches above the highest point of the adjacent street top of curb, or above the crown of the street where there is no curb. Where the building is on a corner lot, this provision will apply to the highest top of curb or crown of the intersecting streets. Under special circumstances where such floor level is demonstrated by the subdivider's or developer's engineer to be impractical, one or more lots may be provided with drainage swale adjustment to prevent flooding of structures upon approval of a variance by the construction board of appeals.

Sec. 52-81. Electric utility.

Electric lines and facilities shall be in conformance with the requirements of the electrical provider. All electric lines, both primary and secondary, shall be underground in subdivisions consisting of more than ten lots or more than ten acres.

Sec. 52-82. Perimeter screening.

Residential subdivisions having six or more contiguous lots with rear yards abutting a collector or arterial perimeter street shall have a fence or wall no less than 67 percent opaque, and at least six feet but not greater than eight feet tall, constructed along but not encroaching into the perimeter street right-of-way prior to City acceptance of the subdivision improvements. Screening material shall consist of masonry, warp and rot resistant wood, or engineered/composite wood, with masonry columns measuring at least 16 inches square located no greater than 130 feet apart on-center, including angle and endpoints.

Masonry columns shall extend at least eight inches from the street-side face of the fence or wall. Perimeter screening shall not block access to any fire hydrant or utility equipment, nor block any corner sight-triangle as defined in section 50-5 "Landscaping which constitutes traffic hazard", of the Lockhart Code of Ordinances. Perimeter screening shall be located in a fence easement at least as wide as the masonry columns, and shall be maintained by a homeowner's association or other permanent subdivision management established for the subdivision by the subdivider or developer.

Sec. ~~52-82~~ 52-83—52-110. Reserved.

ARTICLE ~~IV~~ VI. COMMUNITY FACILITIES AND OPEN SPACE~~S~~

Sec. 52-111. Areas for public use.

The subdivider shall ~~give consideration to~~ consider one or more suitable sites for public parks, playgrounds, and other public community facilities in accordance with the comprehensive plan and associated plans and policies of the city. A school site approved by the Lockhart Independent School District for purchase by the district shall be considered an eligible community facility for the purpose of this article. Any provision for ~~schools, parks, etc.,~~ community facilities shall be indicated on the plat. Where land dedication or payment of fees in lieu of land dedication is required for a subdivision being platted in sequential phases, the entire land dedication or fee payment requirement shall be satisfied at the time that the plat of ~~completion of~~ the first phase or section is recorded. ~~If the requirement is met through land dedication, it must have frontage on a dedicated and improved public street right-of-way.~~

Sec. 52-112. Land dedication.

(a) Except as provided in section 52-113 ~~or for nonresidential subdivisions~~, land shall be dedicated by the subdivider in the amounts listed below or greater for community facilities or public open space in any subdivision within the city limits, greater than five acres in size, and zoned or intended to contain residential uses.

(1) *Subdivision size over five acres up to and including 20 acres*: ~~5%~~ Five percent of the total land area zoned or intended for residential use up to and including a gross density of seven units per acre, or ten percent of the total land area zoned or intended for residential use above seven units per acre.

(2) *Subdivision size over 20 acres*: ~~8%~~ Eight percent of the total land area zoned or intended for residential use up to and including a gross density of seven units per acre, or fifteen percent of the total land area zoned or intended for residential land use above seven units per acre.

(b) The location, size, and functions of the land to be dedicated for community facilities or public open space must be: 1) deemed by the city to be suitable for the intended use; 2) have appropriate pedestrian, bicycle, and motor vehicle access, including parking; 3) graded and provided with turf or other ground cover that is appropriate for the intended use; and, 4) be provided with water, wastewater, and electric service as determined by the city as necessary for the proposed use and public facility improvements. Utilities are considered part of the subdivision infrastructure, and shall not apply to the value of any required public facility improvement as provided in section 52-114. ~~If~~

~~the subdivider develops the site for the approved public use at the subdivider's expense and with approval of the city, the land area dedicated may be decreased to the extent that the value of the improvements is equal to or more than the market value of the land area prior to development, as determined by the Caldwell County Tax Appraisal District, that is the difference between the minimum amount required and the amount actually dedicated.~~ The subdivider shall either construct all required improvements for the intended use at their expense, or may, at the city's discretion, pay a fee in lieu of constructing such improvements, as provided in section 52-114. If the dedicated land area is a donation for a community facility involving buildings to be constructed by the school district or a governmental entity, the fee shall be paid in lieu of construction and shall be used by the school district or governmental entity for the community facility.

(c) No property required to be dedicated for community facilities or public open space shall be in the 100-year floodplain except, however, that natural areas may include 100-year floodplain up to a maximum of 50 percent of the minimum required land dedication if determined by the city to be suitable for leisure activities such as hiking, bicycling, picnicking, and wildlife observance, and such area is deemed by the city as needed or acceptable for such use in that location. Ineligible land area may be dedicated as parkland, but shall not apply toward the minimum amount necessary to meet community facility or public open space dedication requirements.

(d) Stormwater detention ponds and conservation easements shall not apply to the minimum required land dedication except, however, that such areas may be included up to a maximum of 50 percent of the minimum required dedication if determined by the city to be suitable for leisure or recreational activities and not in conflict with the primary functions of the stormwater detention pond or conservation easement. Ineligible land area may be dedicated as parkland, but shall not apply toward the minimum amount necessary to meet community facility or public open space dedication requirements.

(e) Land area dedicated as a greenbelt for a public hike/bike trail designated on the city's land use and sidewalk/trail plans may apply toward the required land dedication where such greenbelt is determined by the city as being in a location and alignment that is generally consistent with the city's comprehensive plan.

(f) Land for community facilities or public open space not exceeding one acre shall have at least 100 feet of frontage on an improved public street right-of-way, with parking provided in the street right-of-way on or adjacent to the paved street as parallel, angled, or perpendicular spaces depending on the right-of-way width available. Land for community facilities or public open space over one acre shall have

frontage on an improved public street right-of-way equal to at least 25 percent of the land's perimeter with paved and marked off-street parking provided in a parking lot on the site configured such that vehicles can be maneuvered without backing into a street unless the street is an internal park street. In all cases parking areas shall contain a number of spaces appropriate for the intended use or activities on the site as approved by the director of parks and recreation for parks, or as approved by the director of planning for other community facilities, and shall comply with the Texas Accessibility Standards for the number and configuration of parking spaces for the disabled.

(g) At the city's discretion, the land area dedication requirement may be satisfied by a privately owned and maintained amenity approved by the city in a multifamily development or in any part or parts of a Planned Development District (PDD) containing residential land uses.

Sec. 52-113. Fee in lieu of land dedication.

(a) In instances where dedication of land for community facilities or public open space is unacceptable, unsuitable, unneeded, or infeasible within a subdivision, the subdivider may, at the city's discretion, pay a fee in lieu of required land dedication specified in section 52-112 in the amounts listed below based upon the market value prior to development. The fee in lieu of land dedication is mandatory for subdivisions in the Lockhart Extraterritorial Jurisdiction.

(1) *Subdivision size over five acres up to and including 20 acres*: ~~5%~~ Five percent of market value of land area that is zoned or intended for residential use up to and including seven units per acre, or ten percent of the market value of land that is zoned or intended for residential use above seven units per acre.

(2) *Subdivision size over 20 acres*: ~~8%~~ Eight percent of market value of land area that is zoned or intended for residential use up to and including seven units per acre, or fifteen percent of the market value of land that is zoned or intended for residential use above seven units per acre.

(b) For subdivisions greater than one acre in size up to five acres in size, where no land dedication is required, a fee shall be paid equal to ~~5%~~ five percent of the market value of land area that is zoned or intended for residential use. No fee or land dedication is required for subdivisions one acre or less in size.

(c) If a fee is paid in lieu of land dedication, a fee shall also be paid in lieu of constructing community facility improvements, in accordance with section 52-114(d).

(d) Fees paid to meet the community facility and public open space requirements shall be deposited by the city in an account for use only in the acquisition of land, purchase of equipment, or construction of improvements for public open space, including parks, playgrounds, and natural areas.

Sec. 52-114. Community facility improvements.

(a) Where the subdivider constructs community facility improvements, a community facility development plan shall be prepared by the subdivider and approved by the city, and the improvements shall be considered part of the subdivision infrastructure for the purpose of acceptance by the city prior to recordation of the subdivision plat. Improvements may include, but are not limited to, trees, pedestrian/bicycle paths, motor vehicle and bicycle parking, fencing, lighting, benches, picnic tables, shade structures, playscapes, sport courts or fields, exercise stations, water features, drinking fountains, and restrooms. Trees or other landscaping shall not be the only improvements. A children's playscape having at least four functions must be provided where the minimum required community facility or public open space is a park over one-half acre in size.

(b) Any privately owned and maintained amenities proposed in a Planned Development District must be specified on the PDD Development Plan, constructed as a condition of the adopted PDD zoning, and inspected and approved by the city prior to the plat being recorded. In a multifamily development, any privately owned and maintained amenities proposed in lieu of dedication of land for a community facility shall be specified on the construction plans for the development as a condition of the building permit, and inspected and approved by the city prior to issuance of a certificate of occupancy for any structure in the development.

(c) The value of public or private improvements must be equal to or more than the market value of the facility land area prior to development, up to a maximum of five acres. Any amount of dedicated land area over the first five acres is not subject to a corresponding improvement value.

(d) Where the subdivider pays a fee in lieu of constructing required improvements for the intended use, the amount due is equal to the market value of the dedicated land area prior to development, up to a maximum of five acres. Any amount of dedicated land area over the first five acres is not subject to a corresponding fee in lieu of construction. Fees paid in lieu of constructing required community facility improvements shall be deposited by the city in an account for use only in the community facility or public open space being dedicated.

Secs. 51-~~114~~ 115—140. Reserved.

ARTICLE ~~V~~ ~~VI~~ VII. PUBLIC INFRASTRUCTURE ENGINEERING AND CONSTRUCTION

Sec. 52-141. Standards for construction.

(a) The sanitary sewers and lift stations, storm sewers, drainage features, water utility mains, street improvements, sidewalks and electrical facilities and street lighting, with all appurtenances pertaining to the above, shall be designed, constructed and installed in each new subdivision at the expense of the developer in accordance with the construction standards of the city as may be revised from time to time. Variances to the construction standards must be approved in writing by the city engineer and city manager or designee before construction begins.

(b) All construction work, such as street paving, storm sewers, curb and/or gutter work, sidewalks, sanitary sewers, water mains, and electrical construction performed by the owner, developer, or contractor~~,~~ shall be subject to inspection during construction by the property authority of the city, and shall be constructed in accordance with the construction standards of the city except for certain subdivisions in the extraterritorial jurisdiction as provided in the ~~April 1, 2002,~~ current interlocal agreement between Caldwell County and the City of Lockhart, and available in the city secretary's office.

(c) The developer's engineer shall be responsible for inspection of all construction, and provide written documentation of such inspections for certification in accordance with section 52-202.

Sec. 52-142. Guarantee of performance.

The developer shall require guarantee of materials and workmanship of his construction contractors, with whom he contracts for furnishing materials and installing the improvements, required under this chapter and shall himself be responsible for guaranteeing that all materials and workmanship in connection with such improvements are free of defects for a period of ~~one year~~ two years after the date of acceptance of the improvements by the city manager, director of public works or designee.

Sec. 52-143. Responsibility for payment of infrastructure costs.

(a) The developer must pay for any required extensions of off-site water mains, wastewater mains, and electric primary lines unless otherwise negotiated by authorized city staff and approved by the city council. The city may pay for oversizing of mains and electric primary lines above the size required of the developer to provide sufficient domestic and fire protection water, wastewater service and electric primary lines for the development and any subsequent phases. All development costs associated with the subdivision shall be borne by the developer. The city shall have the right to recover all or part of the costs associated with in-place utility main or primary line extensions that will benefit development. Such cost recovery shall be based on proportionate use of such extensions or associated infrastructure.

(b) The city may pay, providing funds are available, for street right-of-way in excess of that required by the thoroughfare plan, except where such extra widths are in commercial developments, or where they're not required by the city. The city may participate, provided funds are available, in the extra cost of large drainage structures on major road/arterial streets shown on the thoroughfare plan.

(c) If a substandard perimeter street, as described in section 52-72, is listed in the city's road impact fee capital improvement plan, the city shall reimburse the subdivider for up to one-half the cost of the improvements to the extent that the funds are available in the road impact fee account. If, in such case, there are insufficient funds available in the road impact fee account, credit shall be given in the form of waiver of road impact fees for development in the subdivision equal to the amount of shortfall in the road impact fee account. The city's responsibility for reimbursement extends only to the road impact fee funds and/or credit available at the time the subdivision improvements are accepted by the city.

Sec. 52-144. Existing nonconforming subdivisions.

No building permit shall be issued by the city for any undeveloped lot in a previously platted subdivision where water, wastewater, street or other necessary public infrastructure to serve such lot does not meet current city standards unless such facilities are engineered and upgraded or constructed at the developer's expense in accordance with city's construction standards as provided in this chapter. If an undeveloped lot in an existing subdivision does not have frontage on a dedicated street right-of-way and is served only by a public or private access easement, where such lot is the only lot served by the easement, then no building permit shall be issued by the city unless paved access is constructed, at a minimum, in accordance with the current city standards for driveways. If an undeveloped lot in an existing subdivision does not have frontage on a dedicated street right-of-way and is served by a public access easement, where more than one lot is served by the same easement, then no building permit shall be issued by the city unless paved access is engineered and constructed in accordance with the city's construction standards for public streets as provided in this chapter.

Secs. 52-145—52-170. Reserved.

ARTICLE ~~VI~~ ~~VII~~ VIII. PLATS AND ENGINEERING PLANS

Sec. 52-172. Concept plan.

(a) The ~~initial~~ concept plan ~~will~~ should show the following information:

(1) Location within the city and with respect to adjoining property.

(2) Approximate acreage.

(3) Approximate location of streets.

(4) Approximate location of lot lines.

(5) Intended use(s), i.e., residential, multifamily, commercial, industrial, stormwater detention, park, etc.

(6) Approximate location of any flood hazard boundary area.

(7) The location, description, and size of existing ~~Existing~~ utility and drainage infrastructure in the area, and the proposed infrastructure to serve all lots of the subdivision.

(b) The ~~initial~~ concept plan may be to any scale and need not be finely drafted.

Sec. 52-172. Preliminary plat.

(a) A preliminary plat shall be submitted on sheets no greater than 24 inches by ~~32~~ 36 inches, including ~~a one-inch margin~~ margins of not less than three-fourths inch, and to a scale of not less than 100 feet to the inch or larger. Where more than one sheet is required to encompass the subdivision, an index drawing on the cover sheet showing the entire subdivision at a reduced scale, with a sheet index overlay, ~~will~~ shall be included.

(b) The following shall be shown on the preliminary plat:

(1) Name and address of the subdivider, record owner of land to be subdivided, surveyor preparing the plat, designer of the plat if not the surveyor, and the date of preparation.

(2) Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision currently located within the city or within the extraterritorial jurisdiction of the city. The subdivision name shall include the word "Subdivision", "Addition", or "Planned Development" at the end.

(3) A north arrow.

(4) Scale of the plat in feet per inch and a bar scale.

(5) A location map of the proposed subdivision in the city and with respect to existing streets. This map need not be to scale, but should be drawn neatly using a means other than screen-capture.

(6) Patent survey of which the subdivision is a part and location of patent survey lines if adjoining or intersecting the subdivision.

(7) Names of contiguous subdivisions and the owners and general use of contiguous parcels of unsubdivided land, with deed references.

(8) ~~Description by metes and bounds and total~~ Total acreage of the subdivision ~~boundaries, including reference to at least one existing benchmark, survey monument or subdivision corner~~.

(9) Subdivision boundary lines indicated by heavy lines.

(10) Section boundaries with sections labeled if subdivision is to be platted in phases.

(11) Existing conditions, as follows:

a. The exact location, width, name, and description of all existing above or below ground utility lines, and of all existing or recorded streets, alleys, reservations, easements, or other public rights-of-way within or abutting any portion of the perimeter of the subdivision~~, intersecting or contiguous, with its boundaries or forming such boundaries~~.

b. Zoning district classification of land to be subdivided. If there is more than one classification, the dividing lines shall be shown. If there is only one classification, it may be stated in a plat note.

c. Flood hazard areas, if any, and documentation from which derived. If there is more than one floodplain zone, the dividing lines shall be shown. If there is only one zone for the entire subdivision, it may be stated in a plat note.

d. Topography with elevations labeled and contours at intervals not greater than two feet, and identification of natural water or drainage courses.

e. Location of city limits if adjoining or intersecting the subdivision.

(12) The location, dimensions, description and name of all proposed streets, alleys, sidewalks, parks or other public areas, stormwater detention areas, easements, blocks, lots and other sites within the subdivision, as appropriate.

(13) A number to identify each lot or site, with lots numbered consecutively within each block, and a number or letter to identify each block if there is more than one block.

(14) Building setback lines on fronts of all lots and sites, and side yard building setback lines along the side street of corner lots.

(15) Lot summary table indicating total number and acreage of lots in four categories of use: Residential, nonresidential, park, and stormwater detention, as applicable.

(16) The following plat notes:

a. General building setback requirements for front yards and for street side yards on corner lots, if such information is not otherwise depicted on the plat drawing.

b. Floodplain zone(s), and flood insurance rate map date and community panel number, if such information is not otherwise depicted on the plat drawing. If developable lots are within the 100-year floodplain, the minimum permissible floor elevation shall be specified in accordance with the city floodplain regulations.

c. Zoning classification(s) of land to be subdivided, if such information is not otherwise depicted on the plat drawing.

d. Description and location of sidewalks to be constructed, if such information is not otherwise depicted on the plat drawing, who is responsible for sidewalk construction, and timing of sidewalk construction.

e. Amount of fee to be paid in lieu of parkland construction, if applicable.

f. Any other notes deemed necessary by the surveyor.

(17) Legend containing symbols used on the plat drawing, and a written description of each symbol.

~~(c) The design of utilities, drainage, sidewalk, and street facilities is to be shown in the engineering plans submitted with the final plat.~~

Sec. 52-173. ~~Final~~ Recordable plat.

(a) A ~~final~~ recordable plat shall be submitted on sheets no greater than 24 inches by ~~32~~ 36 inches, including ~~a one-inch margin~~ margins of not less than three-fourths inch, and to a scale of not less than 100 feet to the inch or larger. Where more than one sheet is required to encompass the subdivision, an index drawing on the cover sheet showing the entire subdivision at a reduced scale, with a sheet index overlay, ~~will~~ shall be included. Space shall be provided for the ~~complete~~ required dedications, attestations, dates, titles, and seals ~~will be provided~~. Lettering and line-work shall not have a micro-thin weight, and shall be black, with no gray or colors used. Signatures shall be written with a permanent black ink marker or pen with a medium tip.

(b) The following shall be shown on the ~~final~~ recordable plat:

(1) Name and address of the subdivider, record owner of land to be subdivided, surveyor preparing the plat, designer of the plat if not the surveyor, and the date of preparation.

(2) Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision currently located within the city or within the extraterritorial jurisdiction of the city. The subdivision name shall include the word “Subdivision”, “Addition”, or “Planned Development” at the end.

(2) A north arrow.

(3) Scale of the plat in feet per inch and a bar scale.

(5) A location map of the proposed subdivision in the city and with respect to existing streets. This map need not be to scale, but should be drawn neatly using a means other than screen-capture.

(5) Patent survey of which the subdivision is a part and location of patent survey lines if adjoining or intersecting the subdivision.

(6) Names of contiguous subdivisions and the owners of contiguous parcels of unsubdivided land, with deed references.

(7) Description by metes and bounds and total acreage of the subdivision boundaries, including reference to at least one existing benchmark, survey monument or subdivision corner.

(9) Subdivision boundary lines indicated by heavy lines.

(10) Section identification if subdivision is a phase of a larger subdivision.

(11) Existing conditions as follows:

a. The exact location, width, name and description of all existing above or below ground utility lines, and of all existing or recorded streets, alleys, reservations, easements or other public rights-of-way within or abutting any portion of the perimeter of the subdivision~~, intersecting or contiguous, with its boundaries, or forming such boundaries~~.

b. Zoning district classification of land to be subdivided. If there is more than one classification, the dividing lines shall be shown. If there is only one classification, it may be stated in a plat note.

c. Flood hazard areas, if any, and documentation from which derived. If there is more than one floodplain zone, the dividing lines shall be shown. If there is only one zone for the entire subdivision, it may be stated in a plat note.

d. Location of city limits if adjoining or intersecting the subdivision.

(12) The exact location, dimensions, description and name of all proposed streets, alleys, sidewalks, parks or other public areas, stormwater detention areas, easements, blocks, lots and other sites within the subdivision, as appropriate.

(13) A number to identify each lot or site, with lots numbered consecutively within each block, and a number or letter to identify each block if there is more than one block.

(14) The square footage or acreage of each lot.

(15) Building setback lines on fronts of all lots and sites, and side yard building setback lines along the side street of corner lots.

(16) Lot summary table indicating total number and acreage of lots in four categories of use: Residential, nonresidential, park, and stormwater detention, as applicable.

(17) The length and bearing of all straight lines, and the length, radius, arc length and chord bearing of all curves shall be indicated along the lines of each lot. The curve data pertaining to block or lot boundaries may be placed in a curve table at the base of the plat and prepared in the following manner:

Curve Table

Curve Number	Curve Length	Radius	Chord Length and Bearing

(18) The description and location of all survey ~~monuments and markers~~ monumentation placed in the subdivision, in accordance with section 52-201.

(19) The following plat notes:

a. General building setback requirements for front yards and for street sideyards on corner lots, if such information is not otherwise depicted on the plat drawing.

b. Floodplain zone(s), and flood insurance rate map date and community panel number, if such information is not otherwise depicted on the plat drawing. If developable lots are within the 100-year floodplain, the minimum permissible floor elevation shall be specified in accordance with the city floodplain regulations.

c. Zoning classification(s) of land to be subdivided, if such information is not otherwise depicted on the plat drawing.

d. Description and location of sidewalks to be constructed, if such information is not otherwise depicted on the plat drawing, who is responsible for sidewalk construction, and timing of sidewalk construction.

e. Amount of fee to be paid in lieu of parkland construction, if applicable.

f. Any other notes deemed necessary by the surveyor.

(20) Legend containing symbols used on the plat drawing, and a written description of each symbol.

(c) The following certifications shall be included and signed on the plat, as applicable:

(1) The owner's certificate, with a separate signature block and notary statement for each person authorized to sign as an owner. If there is a lien-holder, a separate signature block shall be added for the name of the lien-holder's authorized representative or officer, including their title, business name, address, and date; and the label "Lien-holder".

STATE OF TEXAS
CALDWELL COUNTY

I (We), the undersigned owner(s) of the land shown on this plat and described and designated as (*name of subdivision as shown on the ~~final~~ plat*) of the City of Lockhart, do hereby subdivide such property and dedicate to the use of the public forever~~,~~ the ~~streets~~ street and ~~alleys~~ alley rights-of-way shown hereon, unless otherwise noted on the plat, and further reserve to the public all easements for the mutual use of all public utilities desiring to use the same; that any ~~public utility~~ authorized owner of a facility within such easement shall have the right to remove and keep removed all or part of any growth or construction for maintenance or efficient use of its respective system in such easements.

_____ _____

DATE NAME

_____

ADDRESS

Before me, the undersigned authority, personally appeared (*name*), known to me to be the person whose name is subscribed to the foregoing document, and acknowledged to me that he executed the same for the purpose and considerations stated hereon.

Seal

_____

NOTARY PUBLIC
STATE OF TEXAS

My Commission Expires _____

(2) The surveyor's certificate.

I, _____, registered professional land surveyor, State of Texas, hereby certify that this plat is based on a survey made under my supervision and is true and correct to the best of my knowledge, and that all required monuments and markers were properly placed under my supervision.

IN WITNESS THEREOF, my hand and seal, this the _____ day of _____, 20___.

_____

NAME Seal
Registered Professional Land Surveyor

(3) The engineer's certificate, if applicable.

I, _____, a registered professional engineer, State of Texas, hereby certify that proper engineering considerations have been given to the design of engineering aspects of this subdivision in compliance with applicable city and state standards and regulations.

IN WITNESS THEREOF, my hand and seal, this the _____ day of _____, 20___.

_____

NAME Seal
Registered Professional Engineer

(4) The Commission's approval, if a final plat or replat other than a minor plat or amending plat.

I, _____, Chairman of the Planning and Zoning Commission of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart on the _____ day of _____, 20___.

_____
CHAIR~~MAN~~

(5) Administrative approval, if a minor plat or replat, or amending plat.

I, _____, City Manager of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart on the _____ day of _____, 20___.

_____
CITY MANAGER, CITY OF LOCKHART

(6) The county clerk's certificate for recording.

STATE OF TEXAS
COUNTY OF CALDWELL

I, _____, County Clerk in and for Caldwell County, Texas, do hereby certify that the foregoing instrument with its certificates of authentication was filed for record in my office the _____ day of _____, 20 ___, at _____ o'clock __. M., and duly recorded on the _____ day of _____, 20 ___, in the Plat Records of Caldwell County, Texas, in Plat Cabinet ___ at Slide ___.

_____
NAME
County Clerk, Caldwell County, Texas

(d) The final design of utilities, drainage, sidewalk, and street facilities is to be shown in the engineering plans submitted with the final plat.

Sec. 52-174. Engineering plans.

(a) *General*.

(1) The developer shall have prepared a complete set of engineering plans showing details of all streets, alleys, drainage structures, water utility, sanitary sewer utility and electrical distribution system, combined with construction standards, specifications and related details, which are to be included for development. All costs related to the preparation of these plans shall be paid for by the developer. The engineering plans shall be prepared by a registered professional engineer, duly authorized to perform the specific type of design required for this task.

(2) The engineer shall design and prepare engineering plans to utilize the construction standards of the city. When no specific policy, standard, or ordinance exists, then he shall use the standard of the practices for similar conditions. The plans shall be signed and sealed by the professional engineer responsible for the design.

(3) All engineering plans shall be submitted on sheets 24 inches by 36 inches, including a minimum one-half inch margin except on the left border where a minimum two-inch binding margin will be provided~~, and when appropriate will show an overlay of the subdivision lines~~. When appropriate, standard printed plan-profile sheets may be used. The initial submission of plans to the city engineer shall be in a format determined by the city engineer ~~include two complete sets~~. In addition, two full-size printed sets shall be submitted to the director of planning.

(4) If the subdivision involves improvements that are subject to a FEMA letter of map revision (LOMR), the approved conditional letter of map revision (CLOMR) shall be submitted to the city engineer as a condition of approval of the engineering plans.

(5) Once the engineering plans have been approved by the city engineer, one complete set shall be provided to the city engineer in a digital PDF format, and two full-size printed sets of the approved plans shall be provided to the director of planning for distribution to other city departments.

(b) *The engineering plans will contain, as a minimum:*

(1) Title, index and certification page, as applicable.

(2) Existing detail:

a. The exact location, dimensions, description and flow lines of existing watercourses and drainage structures within the subdivision and contiguous thereto.

b. All existing improvements within the subdivision, except structures to be removed and interior fences.

c. Type and size of all public utilities and roads within the subdivision and contiguous thereto.

d. Characteristics for soil bearing, shrink/swell, permeability and percolation.

(3) A topographic base map, showing contours with elevations labeled at intervals not greater than two feet. All topographic maps shall be based on the National Geodetic Vertical Datum, and a benchmark shall be shown giving its location and elevation. This sheet may be combined with the existing detail sheet.

(4) Drainage area map and calculations in accordance with the drainage ordinance.

(5) Street plan and profiles as follows:

a. Drawn at a scale of one inch equals 50 feet horizontal, with an appropriate vertical scale. All horizontal and vertical curve data shall be shown.

b. When the street right-of-way property lines are not curved chordally with the street, but the constructed street will have curves, the PC and PT stationing, radius and length of each street curve, as a minimum, shall be given.

c. Street centerline stationing shall reference the subdivision boundary, as appropriate.

(6) Sanitary sewer utility lines shall be shown on a standard plan-profile sheet with a scale of one inch equals 50 feet horizontal and an appropriate vertical scale. Stationing shall reference the subdivision boundary, as appropriate.

(7) The water utilities system will generally be at a horizontal scale of one inch equals 50 feet in the form of a general plan with appropriate scale plan-profile sheets and details. Fire hydrants shall be included as part of the water utilities system.

(8) Drainage channels, lines and structure(s), including bridges and culverts, shall be shown at a horizontal scale of one inch equals 50 feet in the form of a general plan with appropriate scale plan-profile sheets and details.

(9) Electrical distribution system plans shall be at a scale of one inch equals 100 feet and all appurtenances, including streetlights, shall be shown. Particular care shall be taken to ensure that guy line easements and streetlight easements shown on the plat correspond with the system.

(10) Required utility system improvements and streets which are not immediately adjacent to the subdivision, shall be shown as "off-site" plan and profiles, as appropriate.

(11) When improvement details shown in the construction standards of the city are sufficient to provide for proper construction, no additional details need to be shown on the plans.

Secs. 52-175—52-200. Reserved.

ARTICLE ~~VII~~ ~~VIII~~ IX. REQUIREMENTS FOR ACCEPTANCE AND RECORDING OF SUBDIVISIONS

Sec. 52-201. ~~Monuments and Markers~~ Monumentation.

~~(a)~~ Stable monumentation consisting of ~~A monument is a primary horizontal control point consisting of~~ a minimum one-half-inch diameter ferrous rod, a minimum of two feet in length, ~~set in the center of a concrete cylinder a minimum of six inches in diameter and 36 inches deep, with the top flush with the ground surface, and marked with an aluminum or plastic cap stamped with the surveyor's registered number or firm name.~~ shall be set at each subdivision corner and ~~Monuments shall be set at a minimum of two subdivision boundary corners, one of which shall be along a perimeter street right-of-way boundary, plus~~ at one street intersection corner for each internal block. Additional monuments consisting of a minimum one-half inch diameter ferrous rod, a minimum of 15 inches in length, shall be set ~~may be required above the minimum specified such that no monument is further than 1,300 feet from another monument. If a concrete monument exists where the corner of an adjacent platted subdivision coincides with a corner of the new subdivision, it may serve as a required monument for the new subdivision.~~

~~(b) A marker consists of a minimum one-half inch diameter ferrous rod, a minimum of three feet in length and driven flush with the ground surface. Markers shall be set~~ at all subdivision lot corners, angle points, and curve points that are not otherwise marked with a ~~concrete monument~~ two-foot long rod. All rods shall be set with the top flush with the ground surface and marked with an aluminum or plastic cap stamped with the surveyor's registered number or firm name. If a record monument is found where a new monument would be placed, the existing monument may serve as the required monument for the new subdivision. All monumentation shall be set in accordance with the Texas Board of Professional Land Surveyor's rules and regulations.

Sec. 52-202. Final acceptance.

(a) When construction of public infrastructure provided by the developer has been completed: 1) the developer shall furnish to the director of public works an affidavit of bills paid or releases of lien for all contractors who constructed the improvements; and 2) the developer's engineer shall furnish a certified statement to the city manager, director of public works or designee that the improvements are constructed in accordance with the approved plans and the construction standards of the city. The city staff shall then make final inspections and, if the work is satisfactory and in accordance with the approved engineering plans and the construction standards of the city, the director of public works or designee shall provide a letter of acceptance to the ~~city planner~~ director of planning. The date of the letter of acceptance shall constitute the beginning of the developer's ~~one-year~~ two-year guarantee period, as provided in section 52-142.

(b) Upon completion by the developer, and upon acceptance by the city, all improvements, installations and all dedicated lands become the property of the city. The city will not be responsible or liable for any portion of such lands or improvements until final acceptance.

(c) In addition to the items listed in subsection (a) above, if a subdivision involves improvements that are subject to a FEMA letter of map revision (LOMR), the approved LOMR shall be provided to the city prior to final acceptance of the subdivision.

Sec. 52-203. ~~As-built plans or record~~ Record drawings.

The developer or the developer's engineer shall ~~present~~ submit complete ~~"as-built" sets of construction plans~~ record drawings, consisting of one photographic mylar reproducible set, three sets of prints, and one set of digital drawing files of the plans on compact disc or flash drive, or by e-mail or cloud storage, in a PDF format ~~in the ASCII version of a DXF file, and where appropriate projected within the parameters of the Texas State Plane Coordinate System, South Central Zone, NAD 83, in survey feet~~, upon or after the city's acceptance of the public improvements, and prior to the plat being recorded.

Sec. 52-204. Plat recordation.

Following approval of the plat, and construction and acceptance of the required ~~infrastructure~~ public improvements if any, the subdivider shall provide, in addition to the plat documents required elsewhere in this chapter, the following to the ~~city planner~~ director of planning for recording the plat with the county clerk:

(1) A check or checks payable to the county clerk in the amount of the recordation fee for ~~filing~~ recording the ~~final~~ plat.

(2) A tax certificate from the Caldwell County Appraisal District showing that no taxes are currently ~~due or~~ delinquent against the property.

(3) Sufficient evidence that the subdivider holds fee simple title to the property being subdivided, if there are no lien-holders listed as a signatory on the plat.

Sec. 52-205. Services withheld until plat recorded.

(a) No permit shall be issued for the installation of septic tanks upon any lot in a subdivision unless such septic tank system meets the requirements of the Caldwell County Private Sewage Facilities ~~Regulation~~ Rules, and of ~~section 3.3.7 of the Subdivision Regulations of~~ applicable provisions of the current Caldwell County Development Ordinance.

(b) Public utility companies shall not make service connections for any lot in a subdivision for which a ~~final~~ plat has not been recorded.

(c) No building, repair, plumbing, or electrical permit shall be issued by the city for any structure on a lot in a subdivision for which a ~~final~~ plat has not been recorded.

(d) The city shall not repair, maintain, install, or provide any streets or public utility services in any subdivision for which a ~~final~~ plat has not been recorded.

(e) The city shall not sell or supply any electricity, water, sewerage, or garbage service within a subdivision for which a ~~final~~ plat has not been recorded.

Secs. 52-206—52-235. Reserved.

~~**ARTICLE VIII. RESERVED**~~

~~**Sec. 52-236. Reserved.**~~

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: January 17, 2023

AGENDA ITEM CAPTION: Discuss the selection of TRC Engineering relative to the U.S. Department of Commerce - Economic Development Administration Grant (08-79-05656) to provide professional services to design and construct approximately 2.5 miles of wastewater line to the Lockhart Industrial Park III.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Award of Contract

BACKGROUND/SUMMARY/DISCUSSION: The City of Lockhart was awarded an Ecomonic Development Administration (EDA) Grant (08-79-05656) from the U.S. Department of Commerce in the amount of $2,100,000 to install approximately 2.5 miles of wastewater lines between Larrimore Wastewater Treatment Plant and the new Lockhart Industrial Park III. This grant requires the use of professional engineering services to design and construct the grant funded project.

Advertisements for qualified engineering services for the EDA Grant were prepared and submittals were completed in compliance with the grant requirements. Proposals were received from one (1) company which was scored using qualification criteria by the EDA Grant Evaluation Team (Sean Kelley, Joe Chavira and John Eddleton). The firm that submitted a proposal for consideration was TRC, Inc, which scored 270 out of a maximum of 300. TRC's proposal displayed projects similar to the proposed project, has considerable experience and has the capacity to perform the engineering services in a timely manner.

PROJECT SCHEDULE (if applicable): Next Step- Negotiating the professional fees for engineering services for the grant.

AMOUNT & SOURCE OF FUNDING:
Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable):
EDA Total Grant = $2,100,000
Federal Share of Cost = $1,680,000 (80%)
City & LEDC's Share of Cost = $420,000 (20%)

PREVIOUS COUNCIL ACTION: November 1, 2022 - Professional Grant Administration Services Awarded

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: The Evaluation Team respectfully recommends the selection of TRC, Inc. for professional services.

LIST OF SUPPORTING DOCUMENTS: Engineering RFP EDA Grant Advertisement, Lockhart EDA Wastewater Grant Exhibit 1 (Map), Lockhart EDA Wastewater Grant Exhibit 2 (Budget-Probable Cost)

DECEMBER 8, 2022

CITY OF LOCKHART

ECONOMIC DEVELOPMENT ADMINISTRATION CONSTRUCTION GRANT ARPA
PROJECT #08-79-05656

ENGINEERING REQUEST FOR PROPOSALS
PUBLIC NOTICE

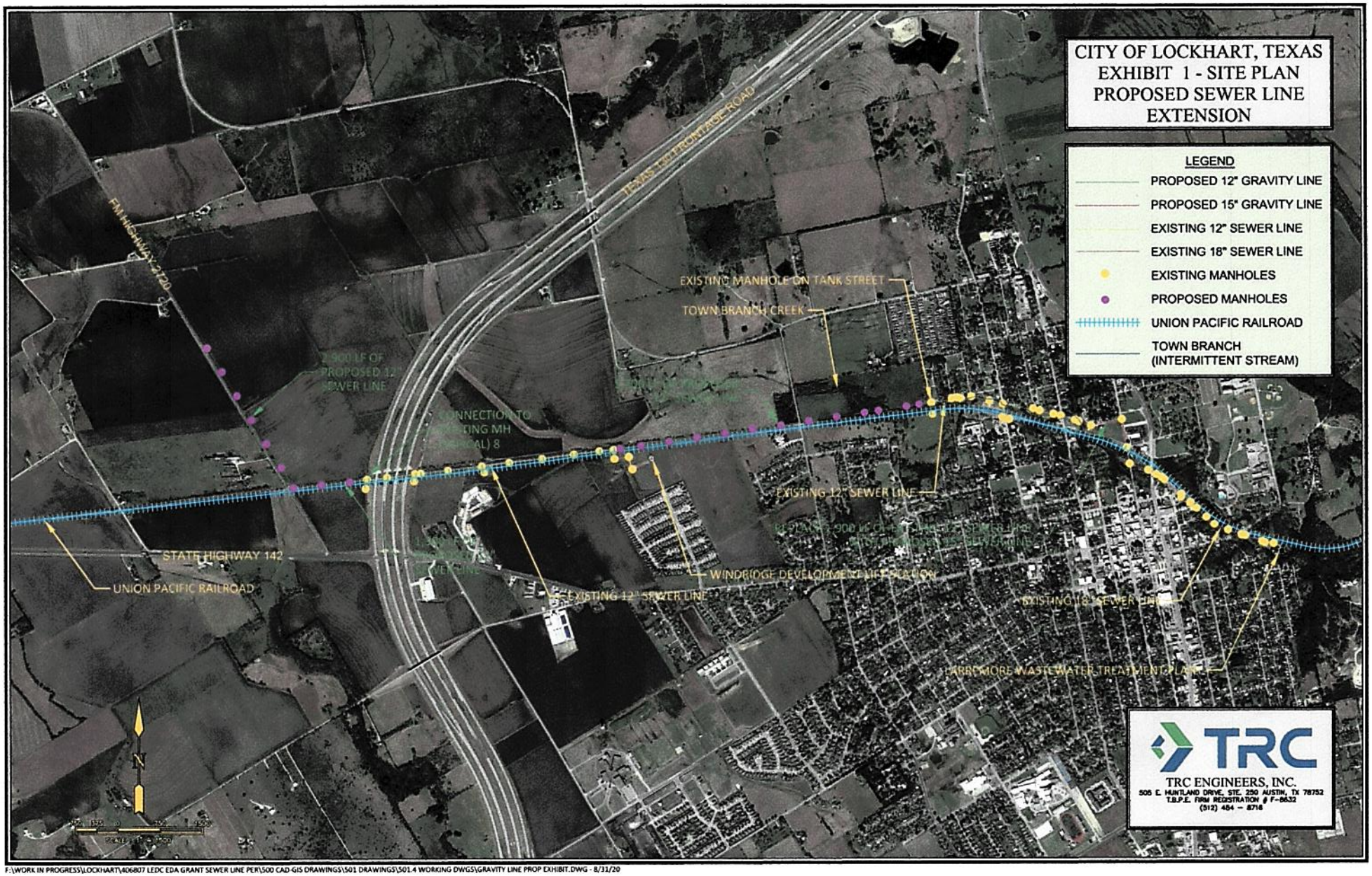
The City of Lockhart has received a construction grant from the Economic Development Administration. Accordingly, the City is seeking to contract with a qualified Engineering Firm to prepare all preliminary and final design plans and specifications, and to conduct all necessary interim and final inspections. These services are being solicited to assist the City in implementation of an Economic Development Administration ARPA project #08-79-05656 to construct sewer system improvements in the City of Lockhart.

Please submit your proposal of services and a statement of qualifications for the proposed services to Sean Kelly, Public Works Director via Email to: skelley@lockhart-tx.org

Emailed proposals shall be received by the City no later than 4:00 PM on Monday the Nineteenth of December 2022 (12-19-2022) which is ten (10) days after this publication. The City reserves the right to negotiate with any and all individuals or firms that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards. The City of Lockhart is an Affirmative Action/Equal Opportunity Employer and does not discriminate based on race, color, religion, sex. national origin, age, disability or genetic information.

Faxed proposals will not be accepted.

END OF TEXT



F:\WORK IN PROGRESS\LOCKHART\406807 LEDC EDA GRANT SEWER LINE PER\500 CAD-GIS DRAWINGS\501 DRAWINGS\501.4 WORKING DWGS\GRAVITY LINE PROP EXHIBIT.DWG - 8/31/20

CITY OF LOCKHART, TEXAS
EXHIBIT 2 - PRELIMINARY ENGINEER'S OPINION OF PROBABLE COST
SEWER LINE EXTENSION - SH130 TO LARREMORE WWTP

Item No.	Description	Quantity		Unit Price	Estimate Cost
1	12" PVC Sewer	9,900	LF	$65	$643,500
2	12" Gravity Main by Bore/Encasement	300	LF	$450	$135,000
3	15" PVC Sewer	1,900	LF	$70	$133,000
4	Demo Existing 12" Sewer	1,900	LF	$5	$9,500
5	Manholes	22	EA	$4,000	$88,000
6	Trench Safety	11,800	LF	$1	$11,800
7	Connection to Existing Manholes	8	EA	$2,000	$16,000
8	4" Sewer Service Connections	30	EA	$1,500	$45,000
9	Traffic Control Plan	1	LS	$2,500	$2,500
10	SW3P	1	LS	$1,500	$1,500
11	Silt Fence	11,800	LF	$1	$11,800
12	Mobilization/Demoblization	1	LS	$18,100	$18,100
				Construction Subtotal	$1,115,700
				Contingencies (15%)	$167,400
				Engineering/Surveying (13%)	$145,200
				Administrative (3.5%)	$51,800
				ESTIMATED PROJECT TOTAL	**$1,480,100**

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: January 17, 2023

AGENDA ITEM CAPTION: Hold a PUBLIC HEARING and discussion/action to consider Ordinance 2023-02 amending Chapter 64 "Zoning" of the Code of Ordinances, Section 64-2 "Definitions", to delete or revise existing definitions, and to add new definitions of various land uses; and to revise Section 64-196(b), 64-196(c), 64-196(d), 64-196(e), 64-196(f), 64-196(g), 64-196(h), 64-196(i), 64-196(j), 64-196(k), and 64-196(l), to delete or revise existing land uses, and add new land uses, listed as allowed by-right or as a specific use in the AO, PI, RLD, RMD, RHD, CLB, CCB, CMB, CHB, IL, and IH zoning districts.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: Section 64-93(c)(7) of the Zoning Ordinance allows the Planning and Zoning Commission to determine the appropriate zoning or use classification where a proposed activity is not listed as a use permitted by-right or as a specific use in any zoning district. The Commission's determination is enforceable until it can be codified by the City Council adopting an actual Zoning Ordinance amendment. This item is for approval of determinations that have been made from 2011 through 2022, but which have not yet been codified. In addition, staff has added several changes to clarify some other uses that are already listed in the Zoning Ordinance, but which have occasionally led to confusion due to the way they are worded. Also included are changes and additions to definitions associated with some of the uses being added or clarified. There are three attachments. The first is a memo of explanation from staff. Following that is **Ordinance 2023-02**, and the **Notice of Public Hearing** that was published in the Lockhart Post Register and which contains short descriptions of the proposed changes.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:
Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: At their January 11th meeting, the Planning and Zoning Commission unanimously recommended APPROVAL.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: APPROVE Ordinance 2023-02 amending Chapter 64 "Zoning" of the Code of Ordinances.

LIST OF SUPPORTING DOCUMENTS: 01-12-23 unlisted uses text amendment memo to cc, ordinance 2023-02, zoning text amendment 2023 ph notice

CITY OF
Lockhart
TEXAS

(512) 398-3461 • FAX (512) 398-5103
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

MEMORANDUM

TO: City Council
FROM: Dan Gibson, City Planner
SUBJECT: Zoning text amendments
DATE: January 12, 2023

Section 64-93(c)(7) of the Zoning Ordinance allows the Planning and Zoning Commission to determine the appropriate zoning or use classification where a proposed activity is not listed as a use permitted by-right or as a specific use in any zoning district. The Commission's determination is enforceable until it can be codified by the City Council adopting an actual Zoning Ordinance amendment. The Commission has made many such determinations over the years, and staff has waited simply because it's more efficient to adopt a large number at once.

This item is for approval of determinations that have been made from 2011 through 2022, but which have not yet been codified. In addition, staff has added several changes to clarify some other uses that are already listed in the Zoning Ordinance, but which have occasionally led to confusion due to the way they are worded. Also included, are changes and additions to definitions associated with some of the uses being added or clarified. Keep in mind that in the commercial zoning districts, most of the uses listed as permitted by-right or as a specific use in a particular district automatically carry over to the next higher commercial district as allowed by-right. Therefore, there was no need to list them again in the higher districts.

There are two attachments. The first is **Ordinance 2023-02**, and the second is the **Notice of Public Hearing** that was published in the Lockhart Post Register, and which contains short descriptions of the proposed changes. Staff will provide additional explanation as needed at the Commission meeting.

The Planning and Zoning Commission voted to recommend approval of the proposed amendments at their January 11th meeting.

ORDINANCE 2023-02

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 64 "ZONING" OF THE CODE OF ORDINANCES, SECTION 64-2 "DEFINITIONS", TO DELETE OR REVISE EXISTING DEFINITIONS, AND TO ADD NEW DEFINITIONS, OF VARIOUS LAND USES; AND TO REVISE SECTIONS 64-196(b), 64-196(c), 64-196(d), 64-196(e), 64-196(f), 64-196(g), 64-196(h), 64-196(i), 64-196(j), 64-196(k), AND 64-196(l), TO DELETE OR REVISE EXISTING LAND USES, AND ADD NEW LAND USES, LISTED AS ALLOWED BY-RIGHT OR AS A SPECIFIC USE IN THE AO, PI, RLD, RMD, RHD, CLB, CCB, CMB, CHB, IL AND IH ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Sections 64-93(c)(3)(7) and 64-196(a) authorize the Planning and Zoning Commission to determine the appropriate zoning classification for unlisted land uses to be allowed by-right and or as a specific use; and,

WHEREAS, a large number of such determinations have not yet been codified by adoption of an ordinance; and,

WHEREAS, additional unlisted land uses have been proposed since the Planning and Zoning Commission made the above-referenced determinations; and,

WHEREAS, some land uses require clarification by deleting or revising existing definitions, or by adding new definitions; and,

WHEREAS, the Lockhart Planning and Zoning Commission held a public hearing on January 11, 2023, to consider proposed amendments to the applicable sections of Chapter 64 "Zoning", and voted to recommend said amendments; and,

WHEREAS, the City Council has determined that such amendments serve a public purpose and desires to amend the Code of Ordinances accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

I. The foregoing recitals are approved and adopted herein for all purposes.

II. Chapter 64 "Zoning", Section 64-2, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 64-2. Definitions.

Bed and breakfast inn: An owner occupied dwelling that is typically historic or otherwise architecturally unique, where the owner provides, for compensation, sleeping accommodations and breakfast for transient guests. One off-street parking space shall be provided for each guest room, plus two parking spaces for the portion of the dwelling occupied by the owner.

~~*Boarding house*~~: [*ENTIRE TERM AND DEFINITION DELETED*]

Cabin resort: A business that provides overnight quarters for transient guests in the form of detached cabins, cottages, or other small permanent structure rented by the day or week, where the primary attraction is generally a natural setting and/or recreational features and activities, and which may include a caretakers quarters and office, recreation hall, one or more meeting rooms, restaurant, or other common facilities for guests.

Hotel: A building or group of buildings offering transient lodging accommodations to the general public at a daily rate and which provides guest rooms or units with linen and housekeeping service, and may also provide additional services such as restaurants, meeting rooms, entertainment, and recreational facilities. This term includes motels.

Lodging or boarding house: A dwelling, other than a hotel or motel, containing individual sleeping rooms that are rented for compensation, and where meals may be provided by the proprietor. One off-street parking space shall be provided for each sleeping room available for rent, plus one parking space for the proprietor's dwelling unit, if any.

Mixed use building: A building containing both residential and nonresidential uses, where the nonresidential use occupies at least the front 50 percent of the ground floor area of a single-story building and occupies at least the entire ground floor area of a multi-story building. The nonresidential use(s) may include any that are allowed separately in the same zoning district classification that allows mixed-use buildings. Except for mixed-use buildings in the CCB district, at least one off-street parking space mut be provided for each dwelling unit in addition to parking spaces required for the nonresidential use(s).

Special events center: A private indoor and/or outdoor facility that is available for rental by the public for weddings, receptions, reunions, seminars, parties, and other similar occasions of limited duration.

III. Chapter 64 "Zoning", Section 64-196, is hereby amended as follows, with all existing provisions not shown remaining unchanged:

Sec. 64-196. Establishment of zoning districts.

(b) Agricultural—open space district (AO). [*DESCRIPTION REMAINS UNCHANGED*]

(2) The following uses require a specific use permit:

m. Cabin resort.

n. Veterinary hospital, wildlife rehabilitation, and kennels with outside pens or stables for birds, domestic animals, and small wildlife.

o. Zoo or other outdoor facility for all types of wildlife.

(c) Public and institutional district (PI).

(1) The following uses are allowed by-right:

o. Special events center.

(2) The following uses require a specific use permit:

c. Zoo or other outdoor facility for all types of wildlife.

(d) Residential low density district (RLD). [*DESCRIPTION REMAINS UNCHANGED*]

(3) The following uses are allowed by-right:

c. Temporary real estate sales office in a structure intended for permanent occupancy as a dwelling in a new subdivision.

(e) Residential medium density district (RMD). [*DESCRIPTION REMAINS UNCHANGED*]

(3) The following uses are allowed by-right:

c. Temporary real estate sales office in a structure intended for permanent occupancy as a dwelling in a new subdivision.

(f) Residential high density district (RHD). [*DESCRIPTION REMAINS UNCHANGED*]

(3) The following uses are allowed by-right:

g. Temporary real estate sales office in a structure intended for permanent occupancy as a dwelling in a new subdivision.

(g) Commercial light business district (CLB).

(1) The following uses are allowed by right:

j. Fitness center.

k. Financial institution with no drive-up service other than ATM

(2) The following uses require a specific use permit:

a. Eating establishments, not of the drive-in or drive-up type, and excluding on-premise consumption of alcoholic beverages.

c. Retail stores, excluding sales of vehicle fuel and excluding sales of alcoholic beverages except in grocery stores for off-premise consumption, and where all inventory is within an enclosed building.

g. Mixed-use building.

h. Financial institution with drive-up service.

(h) Commercial central business district (CCB). [*DESCRIPTION REMAINS UNCHANGED*]

(1) The following uses are allowed by-right:

a. All uses allowed by-right or with a specific use permit in the CLB district except those listed in subsection (g)(2)e, (g)(2)f, (g)(2)I, and (g)(2)g.

(2) The following uses require a specific use permit:

a. Mixed use building.

k. Cabinet or upholstery shop.

l. Hotel.

(i) Commercial medium business district (CMB).

(1) The following uses are allowed by-right:

a. All uses allowed by-right or with a specific use permit in the CLB district except those listed in subsection (g)(2)e, (g)(2)f, (g)(2)I, and (g)(2)g.

b. Retail stores, including sale of vehicle fuel and/or alcoholic beverages.

e. Eating establishments of any type, including on-premise consumption of alcoholic beverages.

(2) The following uses require a specific use permit:

a. Mixed-use building.

n. Home improvement center with outside display and storage.

o. Self-storage warehouse facility.

(j) Commercial heavy business district (CHB). [*DESCRIPTION REMAINS UNCHANGED*]

(1) The following uses are allowed by-right:

b. Hotel.

~~h. Self-storage warehouse facility.~~ [DELETED]

(2) The following uses require a specific use permit:

q. Cabin resort.

r. Wild game processing.

(k) Industrial light district (IL). [*DESCRIPTION REMAINS UNCHANGED*]

(1) The following uses are allowed by-right:

m. Wild game processing.

(2) The following uses require a specific use permit:

p. Wholesale auto auction.

q. Outdoor vehicle storage facility.

(l) Industrial heavy district (IH). [*DESCRIPTION REMAINS UNCHANGED*]

(1) The following uses are allowed by-right:

f. Outdoor vehicle storage facility.

(2) The following uses require a specific use permit:

c. Bulk storage of petroleum, chemical products or compounds, or agricultural commodities.

e. Wholesale auto auction.

IV. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.

V. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

VI. Penalty: Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.

VII. Publication: That the City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

VIII. Effective Date. That this ordinance shall become effective and be in full force ten days from the date of its passage.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 17th DAY OF JANUARY, 2023.

CITY OF LOCKHART

_____

Lew White
Mayor

ATTEST:

_____

Connie Constancio, TRMC
City Secretary

APPROVED AS TO FORM:

_____

Monte Akers
City Attorney

NOTICE OF PUBLIC HEARING

The **City of Lockhart Planning and Zoning Commission** will hold a Public Hearing on Wednesday, January 11, 2023, at 7:00 PM in the Glosserman Room at City Hall, 308 West San Antonio Street, Lockhart, Texas, to receive public comments regarding a proposed ordinance amending Chapter 64 "Zoning", of the Lockhart Code of Ordinances to revise:

1. Section 64-2 Definitions, by deleting the existing definition for "Boarding house", revising the existing definition for "Hotel", and adding new definitions for "Lodging or boarding House", "Bed and breakfast inn", "Cabin resort", "Mixed-use building", and "Special events center".

2. Section 64-196(b) Agricultural–Open Space District (AO), Paragraph (2), by adding "m." "Cabin resort" as a specific use.

3. Section 64-196(b) Agricultural–Open Space District (AO), Paragraph (2), by adding "n." "Veterinary hospital, wildlife rehabilitation, and kennels with outside pens or stables for birds, domestic animals, and small wildlife" as a specific use.

4. Section 64-196(b) Agricultural–Open Space District (AO), Paragraph (2), by adding "o." "Zoo or other outdoor facility for all types of wildlife" as a specific use.

5. Section 64-196(c) Public and Institutional District (PI), Paragraph (1), by adding "o." "Special events center" as a use allowed by-right.

6. Section 64-196(c) Public and Institutional District (PI), Paragraph (2), by adding "d." "Zoo or other outdoor facility for all types of wildlife" as a specific use.

7. Section 64-196(d) Residential Low Density District (RLD), Paragraph (3), by adding "c." "Temporary real estate sales office in a structure intended for permanent occupancy as a dwelling in a new subdivision" as a use allowed by-right.

8. Section 64-196(e) Residential Medium Density District (RMD), by Paragraph (3), by adding "d." "Temporary real estate sales office in a structure intended for permanent occupancy as a dwelling in a new subdivision" as a use allowed by-right.

9. Section 64-196(f) Residential High Density District (RHD), Paragraph (3), by adding "g." "Temporary real estate sales office in a structure intended for permanent occupancy as a dwelling in a new subdivision" as a use allowed by-right.

10. Section 64-196(g) Commercial Light Business District (CLB), Paragraph (1), by adding "j." "Fitness center" as a use permitted by-right.

11. Section 64-196(g) Commercial Light Business District (CLB), Paragraph (1), by adding "k." "Financial institution with no drive-up service other than ATM" as a use permitted by-right.

12. Section 64-196(g) Commercial Light Business District (CLB), Paragraph (2), by changing “a.” to “Eating establishments, not of the drive-in or drive-up type, and excluding on-premise consumption of alcoholic beverages” as a specific use.

13. Section 64-196(g) Commercial Light Business District (CLB), Paragraph (2), by changing “c.” to “Retail stores, excluding sales of vehicle fuel and excluding sales of alcoholic beverages except in grocery stores for off-premises consumption, and where all inventory is within an enclosed building” as a specific use.

14. Section 64-196(g) Commercial Light Business District (CLB), Paragraph (2), by changing “g.” to “Mixed-use building” as a specific use.

15. Section 64-196(g) Commercial Light Business District (CLB), Paragraph (2), by changing “h.” to “Financial institution with drive-up service” as a specific use.

16. Section 64-196(h) Commercial Central Business District (CCB), Paragraph (1), by changing “a.” to “All uses allowed by-right or with a specific use permit in the CLB district except those listed in subsections (g)(2)e, (g)(2)f, (g)(2)i, and (g)(2)g.”

17. Section 64-196(h) Commercial Central Business District (CCB), Paragraph (2), by changing “a.” to “Mixed-use building” as a specific use.

18. Section 64-196(h) Commercial Central Business District (CCB), Paragraph (2), by adding “k.” “Cabinet or upholstery shop” as a specific use.

19. Section 64-196(h) Commercial Central Business District (CCB), Paragraph (2), by adding “l.” “Hotel” as a specific use.

20. Section 64-196(i) Commercial Medium Business District (CMB), Paragraph (1), by changing “a.” to “All uses allowed or permitted in the CLB district except those listed in subsections (g)(2)e, (g)(2)f, (g)(2)i, and (g)(2)g.”

21. Section 64-196(i) Commercial Medium Business District (CMB), Paragraph (1), by changing “b.” to “Retail stores, including sale of vehicle fuel and/or alcoholic beverages” as a use allowed by-right.

22. Section 64-196(i) Commercial Medium Business District (CMB), Paragraph (1), by changing “e.” to “Eating establishments of any type, including on-premise consumption of alcoholic beverages” as a use allowed by-right.

23. Section 64-196(i) Commercial Medium Business District (CMB), Paragraph (2), by changing “a.” to “Mixed-use building” as a specific use.

24. Section 64-196(i) Commercial Medium Business District (CMB), Paragraph (2), by adding “n.” “Home improvement center with outside display and storage” as a specific use.

25. Section 64-196(i) Commercial Medium Business District (CMB), Paragraph (2), by adding “o.” “Self-storage warehouse facility” as a specific use.

26. Section 64-196(j) Commercial Heavy Business District (CHB), Paragraph (1), by changing “b.” to “Hotel” as a use allowed by-right.

27. Section 64-196(j) Commercial Heavy Business District (CHB), Paragraph (1), by deleting “h.” “Self-storage warehouse facility” as a use allowed by-right.

28. Section 64-196(j) Commercial Heavy Business District (CHB), Paragraph (2), by adding “q.” “Cabin resort” as a specific use.

29. Section 64-196(j) Commercial Heavy Business District (CHB), Paragraph (2), by adding “r.” “Wild game processing” as a specific use.

30. Section 64-196(k) Industrial Light District (IL), Paragraph (1), by adding “m.” “Wild game processing” as use allowed by-right.

31. Section 64-196(k) Industrial Light District (IL) Paragraph (2), by adding “i.” “Wholesale auto auction” as a specific use.

32. Section 64-196(k) Industrial Light District (IL) Paragraph (2), by adding “j.” “Outdoor vehicle storage facility” as a specific use.

33. Section 64-196(l) Industrial Heavy District (IH) Paragraph (1), by adding “f.” “Outdoor vehicle storage facility” as a use allowed by-right.

34. Section 64-196(l) Industrial Heavy District (IH), Paragraph (2), by changing “c.” to “Bulk storage of petroleum, chemical products or compounds, or agricultural commodities” as a specific use.

35. Section 64-196(l) Industrial Heavy District (IH), Paragraph (2), by adding “e.” “Wholesale auto auction” as a specific use.

The **City of Lockhart City Council** will hold a Public Hearing on Tuesday, January 17, 2023, at 7:30 PM in the City Council Chamber, 3rd floor of the Clark Library-Masonic Building, 217 South Main Street, Lockhart, Texas, to consider these zoning text amendments, public comments, and the recommendations of the Planning and Zoning Commission.

All interested persons wishing to state their support or opposition may do so at either of these public hearings; or they may submit a written statement to the City Planner or his designee for presentation to the Planning and Zoning Commission and/or City Council before the time the public hearing begins. Additional information is available from the City Planner at the telephone number listed below, or in person at the Planning Department in City Hall.

Dan Gibson, AICP
City Planner
512-376-2454
dgibson@lockhart-tx.org

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: January 17, 2023

AGENDA ITEM CAPTION: DIscussion/action to consider Ordinance 2023-03 amending Chapter 52 "Subdivision Regulations" of the Code of Ordinances, updating, adding, deleting, correcting, or clarifying various provisions throughout the entire chapter; providing for severability; providing a repealer; providing for penalty; providing for publication; and establishing an effective date.

ORIGINATING DEPARTMENT AND CONTACT: Development Services - Dan Gibson

ACTION REQUESTED: Ordinance

BACKGROUND/SUMMARY/DISCUSSION: Comprehensive amendments are proposed to Chapter 52 “Subdivision Regulations” of the Lockhart Code of Ordinances. The primary reasons for this are: 1) To ensure compliance with changes in State law that affect subdivision platting standards and procedures; 2) Address various issues where staff and the Commission have over a period of years identified the need for clarification of existing provisions or the addition of entirely new provisions; and, 3) To clean up, delete, or relocate existing text to improve readability, to better express the intent of certain provisions, or to otherwise facilitate enforcement of the chapter. The amendments affect most of the sections in Chapter 52, so the proposed ordinance consists of the entire chapter, instead of just the provisions being changed. Essentially, this replaces the current Subdivision Regulations with a new document. There are three attachments. The first is a memo of explanation from staff. Following that is **Ordinance 2023-03**, and a marked-up (annotated) version of **Chapter 52** where deleted words are crossed out and added words are underlined. The proposed ordinance is the result of these changes.

PROJECT SCHEDULE (if applicable): Not applicable.

AMOUNT & SOURCE OF FUNDING:
Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable): Not applicable.

PREVIOUS COUNCIL ACTION: None.

COMMITTEE/BOARD/COMMISSION ACTION: At their January 11th meeting, the Planning and Zoning Commission unanimously recommended APPROVAL.

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

STAFF RECOMMENDATION/REQUESTED MOTION: APPROVE Ordinance 2023-03 amending Chapter 52 "Subdivision Regulations" of the Code of Ordinances.

LIST OF SUPPORTING DOCUMENTS: 01-12-23 subdivision amendment memo to cc, ordinance 2023-03, subdivision regulation amendment 2023 (annotated)

CITY OF
Lockhart
TEXAS

(512) 398-3461 • FAX (512) 398-5103
P.O. Box 239 • Lockhart, Texas 78644
308 West San Antonio Street

MEMORANDUM

TO: City Council
FROM: Dan Gibson, City Planner
SUBJECT: Subdivision Regulations text amendments
DATE: January 12, 2023

Comprehensive amendments are proposed to Chapter 52 "Subdivision Regulations" of the Lockhart Code of Ordinances. The primary reasons for this are:

- To ensure compliance with changes in State law that affect subdivision platting standards and procedures.

- Address various issues where staff and the Commission have over a period of years identified the need for clarification of existing provisions or the addition of entirely new provisions.

- General "housekeeping" to clean up, delete, or relocate existing text to improve readability, to better express the intent of certain provisions, or to otherwise facilitate enforcement of the chapter.

The amendments affect most of the sections in Chapter 52, so the proposed ordinance consists of the entire chapter, instead of just the provisions being changed. Essentially, this replaces the current Subdivision Regulations with a new document. Following is a list of some of the more significant changes:

1. Several definitions were added or modified. For example, the definition of the term "city planner" is modified, including changing the term to "director of planning"

2. An exemption to platting requirements (called Family Transfer Exemption) is added for "family land-grants" in the ETJ.

3. Provisions are added or modified throughout the ordinance for compliance with changes in State law, primarily addressing the processing of plats (the "shot clock"), as well as modifying the notice requirements for replatting without vacation of the preceding plat.

4. A new Article III "Relief Procedures" is added, and includes the current Variance and Appeals sections as well as a new section regarding Vested Rights.

5. A new Article IV "Public Facilities" is added to address apportionment of costs for public infrastructure between the City and developers.

6. In Article V “Design Standards” (previously Article III), a new provision is added for bicycle facilities in the Streets section, as well as a new provision requiring perimeter screening of certain new subdivisions.

7. The sidewalk standards are expanded to include a new requirement that public sidewalks along arterial streets and expressway frontage roads be a minimum of six feet wide.

8. A new section is added to require perimeter screening (fence or wall) for certain new subdivisions.

9. The minimum percentages are raised for the amounts of land to be dedicated, or for payment of a fee in lieu of land dedication, for community facilities (parks, schools, etc.).

10. A new section is added providing guidelines for “Community Facility Improvements”, which primarily applies to parks in new subdivisions.

11. The contractor’s guarantee period for subdivision infrastructure construction is increased from one year to two years.

In addition to **Ordinance 2023-03**, a marked-up (annotated) version of **Chapter 52** is attached. Deleted words are crossed out and added words are underlined. The proposed ordinance is the result of these changes. There is a lot to digest, and staff will provide additional explanation as needed at the City Council meeting.

The Planning and Zoning Commission voted to recommend approval of the proposed amendments at their January 11th meeting.

ORDINANCE 2023-03

AN ORDINANCE OF THE CITY OF LOCKHART, TEXAS, AMENDING CHAPTER 52 "SUBDIVISION REGULATIONS" OF THE CODE OF ORDINANCES, UPDATING, ADDING, DELETING, CORRECTING, OR CLARIFYING VARIOUS PROVISIONS THROUGHOUT THE ENTIRE CHAPTER; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, amendments to Chapter 52 "Subdivision Regulations" are required for conformance with changes in State law; and,

WHEREAS, the City staff and the Lockhart Planning and Zoning Commission have over a period of years identified the need for clarification of existing provisions or addition of new provisions in Chapter 52; and,

WHEREAS, numerous changes are proposed to generally improve readability, better express the intent of certain provisions, and to facilitate enforcement of Chapter 52; and,

WHEREAS, the Lockhart Planning and Zoning Commission reviewed the resulting amendments throughout the entire Chapter 52 at their meeting held on January 11, 2023, and voted to recommend said amendments; and,

WHEREAS, the City Council has determined that such amendments serve a public purpose and desires to amend the Code of Ordinances accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

I. The foregoing recitals are approved and adopted herein for all purposes.

II. Chapter 64 "Subdivision Regulations", is hereby amended in its entirety as follows:

ARTICLE I. GENERAL PROVISIONS

Sec. 52-1. Purpose.

(a) In the interpretation and application of the provisions of this chapter, it is the intention of the council that the principles, standards, and requirements provided for herein shall be minimum requirements for the platting and developing of subdivisions in the city and its extraterritorial jurisdiction (ETJ), as authorized by Chapter 212, Subchapter A and Subchapter B, Texas Local Government Code. Where other ordinances of the city are more restrictive in their requirements, such other ordinances shall control.

(b) The procedure and standards for the development, layout, and design of subdivisions of land are intended to:

(1) Promote and develop the utilization of land in a manner to assure the best possible community environment in accordance with the comprehensive master plan of the city.

(2) Guide and assist the developers in the correct procedures to be followed and to inform them of the design criteria and standards required.

(3) Protect the public interest by controlling the location, design, class, type of streets, sidewalks, utilities, and of essential areas and services required.

(4) Protect and promote the health, safety, and general welfare.

(5) Provide through the planning and platting process for the protection and notification of individuals that those properties which are to be developed are provided with adequate access, solid waste collection, utility services, and protection against potential flood hazards.

(6) Provide for the public welfare those essential areas required for educational, recreational, industrial, and commercial purposes.

Sec. 52-2. Definitions.

For the purpose of this chapter the following terms, phrases, words, and their derivations shall have the meaning given herein. When consistent with the context, words used in the present tense include the future, words in the plural include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory, while the word "may" is merely directory. Definitions not expressly prescribed herein are to be determined in accordance with the law. Definitions expressly prescribed herein are to be construed in accordance with the city's zoning ordinance, or other applicable ordinances of the city, or in the absence of such ordinances, then in accordance with customary usage in municipal planning, surveying, and engineering practices.

Alleys are minor dedicated rights-of-way that are used for utility lines and/or vehicular service access to the rear or the side of properties otherwise abutting on a street.

Applicant is the owner of a tract or parcel of land, or the subdivider, developer, surveyor, engineer, or other authorized agent representing the owner as appropriate, who submits a plat or who is otherwise subject to the requirements of this chapter.

Block is a contiguous area of land that may contain one or more lots, and which is bounded by any combination of streets, highways, railroad rights-of-way, parks or other public land, waterways, other physical barrier, or exterior boundary of a subdivision.

Building setback line is the line within a property and parallel to a property line defining the minimum required horizontal distance between a building and adjacent street right-of-way line or adjacent property lines.

City means the City of Lockhart, Caldwell County, Texas.

City administrative official or city manager is the city official, or his authorized representative, designated to take action as prescribed in this chapter for, or in, the name of the city.

City manager is the chief administrative officer designated to take action for, or in, the name of the City of Lockhart.

City staff are those various persons working for the city, either through direct employment or contract employment, who are so authorized to represent various work elements related to their specific expertise.

Commission means the planning and zoning commission of the city, and is the authority for the approval of plats under this chapter, unless otherwise stated.

Comprehensive master plan:

(1) A statement of public policy containing the goals and objectives of the community.

(2) Capital improvements programs.

(3) Land use plan.

(4) Thoroughfare plan.

(5) Community facilities plan.

(6) Subdivision and zoning regulations and other development codes, ordinances, policies, and plans promulgated by the council for the quality and orderly growth of the community.

Community facility development plan is a document listing the various elements and associated cost estimates of proposed improvements for required community facilities or public open space.

Concept plan is a scale drawing showing the overall development concept of a tract or parcel of land that is prepared for an initial application conference before a plat is submitted.

Council is the City Council of the City of Lockhart.

Day means calendar day unless otherwise specified.

Developer is a person or corporation who provides for the development of a tract or parcel of land into an area where building lots or sites are delineated and provided with street access, utilities and drainage facilities.

Development plat is a boundary survey and site plan for development of a tract of land submitted in accordance with section 212.045 of the Texas Local Government Code, showing existing and proposed structures and improvements, streets, alleys, sidewalks, easements, and areas for public use.

Director of planning is the staff representative authorized by the city manager to administer and enforce this chapter.

Easement is a grant by the property owner to the public, a corporation, or persons for the use of a strip or tract of land for specific purpose.

Engineer is a person duly authorized by the Texas Engineering Practice Act, as provided in chapter 1001 of the Texas Occupations Code, to practice the profession of engineering.

Extraterritorial jurisdiction (ETJ) means the statutory unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the city and further determined in section 42.121 of the Texas Local Government Code.

File or Filed is the city's acceptance of a proposed plat or plan for review when it is determined to be complete and all application requirements, including the payment of applicable fees, have been met.

Land use planner or *city planner* is a person having an occupation classified as city or land planning, capable of designing the proposed subdivision, or use of real estate, and capable of professionally drawing the proposals into map or plan form.

Lot is a designated parcel of land established by a recorded subdivision plat or development plat and which may be separately owned and used, developed or built upon.

Market value is the market value of a property as listed in the most recent tax roll of the Caldwell County Appraisal District.

Minor plat or *minor replat* is a recordable plat involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.

Plat is a complete and exact subdivision plan submitted to the city for consideration and which is submitted to the county clerk for recording~~,~~ subsequent to the fulfillment of all provisions of this chapter. Plat includes replat, in accordance with section 212.001 of the Texas Local Government Code.

Preliminary plat is an initial form of a subdivision plat required whenever public infrastructure must be constructed within the subdivision by the applicant, and is the basis for the engineering plans.

Public facilities are the water, wastewater, roadway, drainage or park facilities owned or operated by or on behalf of the City for the purpose of providing services to the public, including existing and new developments.

Record is to file an official copy of a document in the Office of the Caldwell County Clerk.

Record drawing is a revised set of drawings submitted by a contractor upon completion of a subdivision or other project that reflect all changes made in the specifications and working drawings during the construction process, and show the exact dimensions, geometry, and location of all elements of the work completed under the contract.

Recordable plat is a final plat, replat, resubdivision plat, minor plat, or amending plat, all of which are in a form containing certificates of authorization, dedication and approval in accordance with the requirements of this chapter for final plats, and which is intended to be recorded in the Office of the Caldwell County Clerk.

Resubdivision plat is a replat that includes adjacent land that is unplatted, or which is a combination of contiguous lots in adjacent but separate recorded subdivisions.

Right-of-way (R.O.W.) is a strip of land used or intended to be used, wholly or in part, as a public street, alley, crosswalk way, sidewalk or drainageway.

Standards are the official maps, master plans, ordinances and specifications of the city.

Streets are that portion of the dedicated right-of-way to be used for vehicle traffic and may be designated as street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

(1) *Major road/arterial streets* are those which are used primarily for fast or heavy traffic and which are designated in the comprehensive master plan as such.

(2) *Collector streets* are those which carry traffic from minors streets to major systems of arterial streets, including the principal entrance streets of a residential development and streets for circulation within such a development and which are designated in the comprehensive master plan as such.

(3) *Minor streets* are those which are used primarily for access to abutting properties.

(4) *Marginal access streets* are minor streets which are parallel to and adjacent to arterial streets and which provide access to abutting properties and protection from through traffic.

(5) *Cul-de-sac* is a short minor street having but one vehicular access to another street and terminated by a vehicular turnaround.

(6) *Dead-end street* is a street, other than a cul-de-sac, with only one outlet.

(7) The *street width* is measured from back of curb to back of curb; where no curb exists, it is measured from edge of pavement to edge of pavement.

Structure is any manmade construction composed of parts joined together, either built or moved onto a site for use, occupancy or ornamentation, and located below or on the ground or attached to something having a location on the ground.

Subdivider is any person or any agent thereof dividing or proposing to divide land so as to constitute a subdivision; in any event the term "subdivider" shall be restricted to include only the owner, equitable owner, or authorized agent of such owner or equitable owner, of land sought to be subdivided.

Subdivision includes the following when done for the present or future purpose of sale or building development of a tract of land located within the corporate limits or in the ETJ of the city:

(1) The division of any tract of land into two or more parts for the purpose of creating one or more new lots for development, or to modify an existing boundary of ownership whether or not for the purpose of development. This includes a division regardless of whether it is

made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

(2) The assembly of two or more existing adjacent platted lots in a recorded subdivision into one lot to be under the same ownership and use, where: (a) such lots are the minimum necessary to accommodate all facilities required by city ordinance; and (b) the area encompassed by one or more of the original lots is not proposed to be occupied by any portion of a principal building.

(3) A resubdivision of all or part of a recorded subdivision, including the expansion of a platted lot to include adjacent unplatted land, or the creation of a new lot encompassing portions of two or more adjacent platted subdivisions.

(4) Any change in the size or shape of a previously unplatted tract through acquisition of adjacent unplatted land except, however, where the parcel of land being conveyed between the tracts is vacant or contains an inadvertent existing encroachment, and is not developable by itself due to size, shape, or lack of street frontage, the acquisition shall not constitute a subdivision.

(5) Any change in the size, shape or number of lots in a recorded subdivision.

(6) The relocation of any street or other feature dedicated by a recorded plat, where the relocation alters the boundary of adjacent lots included in the same original plat, and where such lots have not been sold by the owner since the plat was recorded. This does not include simple abandonment or sale by the city of the land included in such dedicated street or other feature.

Subdivision development plan is a plan prepared in accordance with section 52-34, to show the overall future development of a tract of land when it is proposed to be subdivided and developed in phases and only a portion of the tract is to be platted initially.

Subdivision plat is a map of a subdivision submitted in accordance with section 212.04 of the Texas Local Government Code showing the exact location and boundaries of individual parcels of land subdivided into lots, and showing blocks, streets, alleys, easements and areas for public use, as applicable. For the purpose of this chapter, the term plat is used in reference to any recordable plat. No subdivision plat is effective until approved by the city and filed for record in the Office of the Caldwell County Clerk.

Surveyor is a registered professional land surveyor authorized by the Land Surveying Practices Act, as provided in chapter 1071 of the Texas Occupations Code, to practice surveying within the State of Texas.

Thoroughfare plan is the thoroughfare plan map and associated text and graphics contained in the transportation element of the adopted comprehensive plan.

Utilities include all those various facilities and elements of construction which relate to water, sanitary sewer, electrical, telephone, cable television, and gas distribution, collection, or transmission lines.

Sec. 52-3. Enforcement.

(a) Any subdivision of land being developed in violation of the terms and provisions of these regulations is hereby declared to be a public nuisance, and the city shall institute any action that may be necessary to restrain or abate such violations.

(b) Any person violating any provision of this chapter, within the corporate limit of the city, shall be guilty of a misdemeanor. Prosecution or conviction under this provision shall never be a bar to any other remedy or relief for violations of this chapter.

(c) Any person violating any provision of this chapter, outside the corporate limits of the city, but within the city's extraterritorial jurisdiction, shall not be considered as committing a misdemeanor, nor shall any fine be applicable; however, the city shall have the right to institute an action in the district court to enjoin the violation of any provision of this chapter

(d) On behalf of the city, the city attorney shall institute appropriate action to enforce the provisions of this chapter, or the standards referred to herein, with respect to any violation thereof which occurs within any area subject to the provisions of this chapter.

(e) The city attorney, or any other attorney representing the city, may at the city's request file an action in a court of competent jurisdiction to enjoin the violation or threatened violation by an owner of a tract of land of a requirement regarding the tract established by this chapter or to recover damages from the owner of a tract of land in an amount adequate for the city to undertake any construction or other activity necessary to bring about compliance with this chapter. An "owner of a tract of land" does not include the owner of an individual lot in a subdivided tract of land.

Secs. 52-4—52-30. Reserved.

ARTICLE II. PROCEDURE

Sec. 52-31. Plat required.

(a) *Subdivision plat*. The owner of a tract of land located within the city limits or extraterritorial jurisdiction who creates a subdivision, as defined in this chapter, shall prepare and submit a subdivision plat to the city for approval and recording according to the procedures and requirements of this chapter. No owner or agent of the owner of any land located within a subdivision shall sell or convey any land by reference to, exhibition of, or by the use of a plan or plat of a subdivision, nor shall a building permit be issued for or utility service be provided to any development on a tract of land requiring a recordable plat, before such plat is filed for review and approval by the city, and recorded with the county clerk. The conveyance of real property included within the subdivision shall be by lot and block. A subdivision plat is not required for the division or assembly of tracts of land into parts greater than five acres within the city limits, or greater than ten acres in the extraterritorial jurisdiction, where each part has access and no public improvement is being dedicated. For the purposes of this section, “access” means abutting an improved public street right-of-way along at least one property line for a distance of at least 25 feet. For the purposes of this section, “public improvement” means a right-of-way or easement, or other land, dedicated to and accepted by a taxing entity or public utility company for infrastructure or other public uses.

(b) *Development plat*. The owner of a tract of land located within the city limits or extraterritorial jurisdiction where no subdivision plat is required who proposes to construct a new building, or a structural addition exceeding 50 percent of the floor area of an existing building, on a tract that is not part of a recorded subdivision, shall prepare and submit a development plat to the city for approval according to the applicable standards and procedures for subdivision plats. No owner or agent of the owner of a tract of land shall undertake any construction, nor shall a building permit be issued for or utility service be provided to any development on a tract of land requiring a development plat, before such plat is approved in accordance with this chapter. A development plat is not required for:

(1) The construction or expansion of one single-family or duplex dwelling, or the installation of one manufactured home, on the tract.

(2) The construction of buildings not intended for human occupancy and as an accessory to any existing use provided such structures conform to all other applicable city regulations.

(3) The construction of buildings for storage of equipment, materials, or harvested products, or for the shelter of animals, where the sole use of the property is for agricultural purposes.

(c) *Family transfer exemption*. The owner of a tract of land located within the city's extraterritorial jurisdiction who wishes to subdivide the tract into four or fewer parcels for agricultural use and/or a single-family dwelling or manufactured home on each parcel is exempt from the requirement to submit a subdivision plat or development plat, subject to the following conditions:

(1) A Family Transfer Exemption application, including a survey showing the proposed subdivision lots, is submitted for administrative review and approved by the director of planning.

(2) The new parcels (the "second parcels") must be sold, given, or otherwise transferred by deed to individuals who are related to the original owner within the first or second degree of consanguinity or first degree of affinity, as defined in Chapter 573 of the Texas Government Code.

(3) An affidavit attesting to the familial relationship must be signed by the original owner and each owner of a second parcel, and must be provided to the director of planning along with a completed Family Transfer Exemption application form and fee.

(4) A deed restriction must be recorded by the original owner with the deeds prohibiting a secondary sale or further subdivision of the second parcels, or transfer of a parcel back to the owner of the original tract, for a period of five years unless in compliance with this chapter.

(5) All parcels must abut an existing public street right-of-way improved to Caldwell County road standards along at least one property line for a distance of at least 50 feet.

(6) All parcels must be at least one acre in area.

(7) Development on each lot shall comply with Caldwell County development regulations pertaining to residential/construction permits, driveway permits, on-site sewage facilities, floodplain hazard management, 911 addressing, and setbacks from water wells and septic systems, as applicable.

(8) If the subdivision does not or cannot comply with the foregoing requirements, either a subdivision plat must be submitted in accordance with section 52-31, above, or a subdivision variance may be requested as provided in section 52-3.

Sec. 52-32. Concept plan.

The applicant may prepare a concept plan and arrange with the director of planning for an informal conference with city officials for advice and assistance prior to preparing and submitting a preliminary plat, subdivision development plan, or recordable plat if no preliminary plat or subdivision development plan is required. Seven copies of the concept plan, prepared in accordance with section 52-171, shall be delivered to the director of planning not less than five business days prior to the conference. Because no application form is required, and no formal approval action is involved, the time limits for the review of plats and plans as provided in section 52-32.5 do not apply to concept plans. A concept plan is typically not applicable for a replat, resubdivision plat, minor plat, or amending plat.

Sec. 52-32.5. Plat/plan review and approval process.

(a) Submission of any plat or plan as provided in sections 52-33 through 52-40, and section 52-174, of this chapter, or as provided in chapter 64 "Zoning" for PDD development plans in the Planned Development District, shall be subject to an administrative completeness review prior to being accepted for technical review. A complete application shall consist of an application form with all sections completed and any required exhibits attached, preapplication approvals as described in section 52-34.5, payment of the application and/or review fee, and one full-size paper copy of the plat or plan containing all required information. The applicant shall be notified within ten business days whether the plat or plan is complete or not complete, with reasons given in writing if it is determined to be not complete. Engineering plans shall be submitted to the city engineer in a format determined by the city engineer, and the applicant shall be notified within ten business days whether the plans are complete or not complete, with reasons given in writing if it is determined to be not complete.

(b) When notified of an incomplete plat or plan, the applicant must resubmit their application correcting all deficiencies within 45 days of the date they are notified that it is not complete. Failure to resubmit a complete plat or plan within 45 days of the notice of incompleteness shall be deemed a withdrawal of the application, and the plat or plan may not be resubmitted except as a new application. Submittal of a plat or plan, including any required application form, is not accepted nor considered to be filed as defined in this chapter until it is determined to be complete.

(c) Once the application is deemed complete, the plat or plan is filed with the city in accordance with the procedures provided in sections 52-33 through 52-40, and section 52-174, of this chapter, or as provided in chapter 64 "Zoning" for PDD development plans in the Planned Development District, for the technical review. The plat or plan must be approved, approved

with conditions, or disapproved within 30 calendar days after the date the plat or plan is filed. A plat or plan is deemed approved unless it is disapproved within that period, or unless it is extended for one additional period of 30 calendar days by mutual agreement of the city and the applicant, whereby the applicant requests the extension in writing prior to the end of the first 30-day period, and the city approves the extension request.

(d) If the technical review of the plat or plan for accuracy reveals deficiencies that will likely result in disapproval if the deficiencies are not corrected, written comments identifying such deficiencies shall be provided to the applicant, and the applicant shall resubmit the plat or plan with the deficiencies corrected. If this occurs one or more times, and the plat or plan is not resubmitted without deficiencies by the date that would allow it to be approved prior to the applicable deadline provided in subsection (b), the director of planning may recommend that the plat or plan be approved with conditions or be disapproved.

(e) If a plat or plan is approved, the city shall endorse the plat or plan with a certificate indicating the approval. If the city fails to approve, approve with conditions, or disapprove the plat or plan within the initial 30-day period or the 30-day extension, as applicable, the city shall issue a certificate stating the date the plat or plan was filed and that the city failed to act on it within that period. Such certificate is effective in place of the endorsement indicating approval.

(f) If a plat or plan is approved with conditions or is disapproved, the applicant shall be provided a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulate each specific condition or reason. Each condition or reason must include a citation to the provision of: 1) this chapter; 2) chapter 64 "Zoning" for PDD development plans in the Planned Development District; 3) the City of Lockhart Construction Standards; or, 4) chapter 212 "Municipal Regulation of Subdivisions and Property Development" of the Texas Local Government Code, that is the basis for the conditional approval or disapproval, as applicable.

(g) After the conditional approval or disapproval of a plat or plan, the applicant may submit a written response that satisfies each condition for the conditional approval, or remedies each reason provided for disapproval. Once such response is received, the revised plat or plan must be approved or disapproved not later than the 15th calendar day after the date the response was submitted. The revised plat or plan is deemed approved unless it is disapproved within that period, in which case the city shall issue a certificate stating the date the revised plat or plan was submitted and that the city failed to act on it within 15 calendar days. Such certificate is effective in place of the endorsement indicating approval.

(h) If the revised plat or plan adequately addresses the reasons for the original conditional approval or disapproval, the city shall endorse it with a certificate indicating the approval as provided in subsection (d). If the revised plat or plan is disapproved, the applicant shall be provided a written statement of the reasons for disapproval as provided in subsection (f). Following such disapproval, the plat or plan may not be resubmitted except as a new application.

Sec. 52-33. Preliminary plat procedure.

(a) Following the concept plan conference, if any, the applicant shall prepare a preliminary plat in accordance with section 52-172-if the subdivision involves new public infrastructure. The plat is subject to the review and approval process provided in section 52-32.5. When determined to be complete, six full-size copies shall then be submitted to the director of planning for technical review. Upon receipt of staff comments, the applicant shall make any requested corrections or other changes to the plat or plan, and resubmit one full-size copy or digital file in the PDF format for review. Once the director of planning determines that the plat or plan is correct, the applicant shall submit 11 copies of the revised preliminary plat to the director of planning, who will then refer it to the commission for approval. In addition, the applicant shall provide a digital file in the PDF format. All plat prints shall be folded to a size no larger than nine inches by 12 inches at the time of submittal. If one or more variances are desired, they shall be requested concurrent with the preliminary plat application.

(b) The city engineer, director of planning, or commission may require the applicant to submit additional topographic information, detailed plans for proposed uses, or other information to determine possible flood or erosion hazards, the effect of the subdivision uses upon flows, and the adequacy of proposed flood protection measures. Such request will be in writing and shall specify the type of additional data required and its format. The city may employ, at the city's expense, outside consultants for technical assistance and advice upon request of the commission or city staff.

(c) The preliminary plat shall be reviewed as follows:

(1) City engineer, public works, water/wastewater and electric departments as appropriate:

a. Drainage system.

b. Street layout, paving grades, type of paving.

c. Boundary lines.

d. Monuments and benchmarks.

e. Location and size of alleys.

f. Availability of adequate water, sanitary sewer and electric service to the subdivision, including required water flow for fire suppression.

g Water utility system and fire hydrant locations.

h. Sanitary sewer utility system.

i. Electrical distribution system and street lighting.

j. Utility easements.

(2) Director of planning:

a. General plat format and content.

b. Lot and block numbers.

c. Street layout.

d. Street names.

e. Lot dimensions and building lines.

f. Subdivision name.

(3) Police department:

a. Traffic safety devices.

b. Street names and design.

c. Public access.

(4) Fire department/EMS:

a. Water utilities system and fire hydrant locations.

b. Street names.

c. Fire protection access.

(d) The director of planning shall forward the preliminary plat, and accompanying data to the commission with staff recommendations as to any further modifications.

(e) The commission shall:

(1) Approve or disapprove the preliminary plat and/or variances; or,

(2) Approve the preliminary plat and/or variances with modifications.

(f) Within ten days of the commission's decision, the city shall issue to the applicant a certificate stating the date that the preliminary plat was approved, approved with modifications, or denied, and state the reasons for denial, if applicable.

(g) If the commission disapproves, or approves with modification, the preliminary plat and/or variances, the applicant may elect one of the following:

(1) In the case of disapproval, make any changes necessary to address the commission's reason for denial, resubmit the plat to the director of planning with revisions for review and reconsideration by the commission in accordance with the same procedural requirements as for the original submission. If a revised preliminary plat is not resubmitted within 90 days of the commission's denial, it shall be considered withdrawn.

(2) In the case of approval with modification, make the changes requested by the commission and provide the director of planning with two revised copies of the preliminary plat. If the revised copies are not resubmitted within 90 days of the commission's approval, the preliminary plat shall be considered withdrawn.

(3) In either case of disapproval or approval with modification, not change or resubmit the plat, and appeal as provided in this chapter.

(h) After approval of the preliminary plat and/or variances by the commission, and submittal of revised copies, if applicable, the applicant may proceed with the final plat and engineering plans.

(i) Approval of the preliminary plat shall be effective for no more than 12 months before the final plat and engineering plans are submitted for approval. If no circumstances have occurred which would affect the preliminary plat during that period, the commission may consider, upon written request by the applicant, extending the approval of a maximum of two additional six-month time periods. At the end of this extension period, the approval is automatically revoked. The city reserves the right to review the condition of the project area to make a determination whether or not each six-month extension is justified or if modification should be made thereto. A preliminary plat that has expired can be reactivated only by resubmittal in accordance with all normal procedures for the original submission.

Sec. 52-34. Subdivision development plan procedure.

When only a portion of a tract is to be platted initially, with one or more additional phases of the same subdivision to be platted sequentially at a later date, and where a preliminary plat is not submitted for the entire original tract, the following provisions apply:

(1) A subdivision development plan for the entire tract and a preliminary plat, if required, for that phase to be immediately developed shall be submitted together for review and approval in accordance with the procedures in section 52-33 for preliminary plats. The subdivision development plan is a scale drawing including a vicinity map and legal description of the property, and showing proposed street rights-of-way, easements, building sites or lots, areas for parks or other public facilities, school sites, utilities, drainage features, contour intervals of not less than five feet, and proposed phase boundaries for the subdivision to be developed in sections.

(2) Upon approval, or approval with modifications, of the subdivision development plan and preliminary plat by the commission, a final plat for that portion to be immediately developed shall be submitted in accordance with this chapter. Additional phases conforming with the approved subdivision development plan may then be platted sequentially in accordance with the requirements for preliminary and final plats. No changes to the subdivision development plan shall be made without approval of the commission.

(3) The first phase subdivided shall be labeled "Section One" following the name of the subdivision, with subsequent phases numbered sequentially thereafter.

Sec. 52-34.5. Final plat preapplication approvals.

Applicable preapplication approvals must be completed before a final plat is filed. Documents subject to preapplication approval may include one or more of the following: 1) engineering plans in accordance with section 52-174; 2) a public facility development plan as provided in section 52-114; 3) a FEMA conditional letter of map revision (CLOMR) as provided in section 52-80(a); and, 4) a traffic impact analysis as provided in section 52-72(p).

Sec. 52-35. Final plat procedure.

(a) A final plat, which is a recordable plat, shall be prepared in accordance with the approved preliminary plat, if any, and with section 52-173. Following completion of preapplication approvals, the plat is subject to the review and approval process provided in section 52-32.5. When determined to be complete, six full-size copies of the plat and two full-size copies of the engineering plans, if applicable, shall be submitted to the director of planning for technical

review. Engineering plans shall be submitted to the city engineer in a format determined by the city engineer. Upon receipt of staff comments, the applicant shall make any requested corrections or other changes to the plat and/or plan, and resubmit one full-size copy or digital file in the PDF format for review. Once the director of planning determines that the plat or plan is accurate and is consistent with the approved preliminary plat, if applicable, the applicant shall submit ten full-size copies of the revised plat (two copies of revised minor plats) to the director of planning. All plat prints shall be ~~pre-~~folded to a size no larger than nine inches by 12 inches prior to submittal. If no preliminary plat was required and one or more variances are desired, they shall be requested concurrent with the final plat application.

(b) The commission shall approve, approve with conditions, or deny the plat and variances, if any, in accordance with the process provided in section 52-32.5.

(c) After approval of the plat, the applicant shall submit a set of digital drawing files of the plat on compact disc or flash drive, or by e-mail or cloud storage, in a digital PDF format, and shall also submit two coated, non-smearing Vellum or Mylar reproducible sets of the plat containing the notarized signature of the owner(s), and the signatures and seals of the surveyor and engineer, as applicable. The chairman of the commission, or designee, will sign the approval certificate on the reproducible sets. In the case of amending plats and minor plats or minor replats not requiring a variance, the city manager will sign the approval certificate. The director of planning shall cause the final plat to be recorded with the county clerk within five business days after acceptance by the city of all improvements, as provided in section 52-202, and upon receipt of the items listed in section 52-204. After recording, one reproducible set shall be retained by the director of planning.

(d) Changes made to a final plat subsequent to being recorded and not eligible for an amending plat as set forth in section 52-39, shall be submitted as a replat in accordance with section 52-38. Other corrections or changes made to a final plat subsequent to being recorded~~,~~ shall be submitted as an amending plat in accordance with section 52-39. Upon approval of the replat or amending plat, it shall be recorded with the county clerk, who shall mark the previously recorded plat as "*Void*".

(e) Construction by the applicant of any required public improvements shall commence within 12 months of the commission's approval of a final plat. Upon written request by the applicant, the director of planning may extend approval for one six-month period. At the end of this extension period, the approval is automatically revoked. A final plat that has expired can be reactivated only by resubmittal in accordance with the normal procedures for the original submission, including payment of applicable fees.

Sec. 52-36. Minor plat or minor replat procedure.

A minor plat does not require prior approval of a preliminary plat, and is prepared and processed in accordance with the requirements for final plats as specified in section 52-35, except that it may be approved administratively by the city manager or the city manager's designee. The city manager or designee may for any reason, elect to present the plat to the commission or, if the city manager or designee refuses to approve the plat, it shall be referred to the commission for approval or denial, in accordance with the procedures for final plats within three weeks of the city manager's denial. If one or more variances are requested by the applicant, the plat must be referred to the commission for approval or denial of both the variance and the plat in accordance with the procedure for final plats.

Sec. 52-37. Vacating plat.

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

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

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

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

Sec. 52-38. Replatting without vacating preceding plat.

(a) A replat is a recordable plat other than a minor replat as provided in section 52-36 that does not require prior approval of a preliminary plat and is prepared and processed in accordance with the requirements for final plats as specified in section 52-35. A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of the plat if the replat:

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

(2) Is approved by the commission, after a public hearing at which parties in interest and citizens have an opportunity to be heard; and,

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

(b) If during the preceding five years, any of the area to be replatted without vacation of the preceding plat was limited by zoning classification or deed restrictions to residential use for not more than two units per lot, and the replat requires a variance, then approval of the replat is subject to a public hearing, and notice of the hearing shall be given before the 15th day before the date of the hearing by:

(1) Publication in the city's official newspaper/publication of record; and,

(2) Written notice by mail, with a copy of subsection (c) of this section attached, to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved city tax roll or, in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property on which the replat is requested.

(c) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed plat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members of the commission present. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, excluding areas outside the original subdivision, must be submitted to the director of planning or the commission prior to the close of the public hearing. In computing the percentage of land under this subsection, the area of streets and alleys shall be included.

(d) Compliance with subsections (b) and (c) is not required if the area to be replatted was designated or reserved for other than single-family or duplex-family residential by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

(e) If during the preceding five years, any of the area to be replatted without vacation of the preceding plat was limited by zoning classification or deed restrictions to residential use for not more than two units per lot by-right, and does not require a variance, then notice by mail shall be given not later than the 15th day after the date the replat is approved to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent city tax roll, or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property on which the replat is requested. The notice shall include the zoning designation of the property after the replat, and the telephone number and e-mail address an owner of a lot may use to contact the city about the replat.

Sec. 52-39. Amending plat.

(a) An amending plat is a recordable plat prepared and processed in accordance with the requirements for final plats as specified in section 52-35, except that it may be approved administratively by the city manager or the city manager's designee. It is controlling over the preceding plat without vacation of that plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:

(1) To correct an error in a course or distance shown on the preceding plat.

(2) To add a course or distance that was omitted on the preceding plat.

(3) To correct an error in a real property description shown on the preceding plat.

(4) To indicate monuments set after the death, disability, or retirement from practice of the surveyor responsible for setting monuments.

(5) To show the location or character of a monument that has been changed in location or that is shown incorrectly as to location or character on the preceding plat.

(6) To correct any other type of scrivener or clerical error or omission previously approved by the city including lot numbers, acreage, street names and identification of adjacent recorded plats.

(7) To correct an error in courses and distances of lot lines between two adjacent lots if:

a. Both lot owners join in the application for amending the plat;

b. Neither lot is abolished;

c. The amendment does not attempt to remove recorded covenants or restrictions; and,

d. The amendment does not have a material adverse effect on the property rights of the other owners in the plat.

(8) To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement.

(9) To relocate one or more lot lines between one or more adjacent lots if:

a. The owners of all those lots join in the application for amending the plat;

b. The amendment does not attempt to remove recorded covenants or restrictions; and,

c. The amendment does not increase the number of lots.

(10) To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:

a. The changes do not affect applicable zoning and other regulations of the city;

b. The changes do not attempt to amend or remove any covenants or restrictions; and,

c. The area covered by the changes is located in an area that the commission and council have approved, after a public hearing, as a residential improvement area.

(11) To replat one or more lots fronting on an existing street if:

a. The owners of all those lots join in the application for amending the plat;

b. The amendment does not attempt to remove recorded covenants or restrictions;

c. The amendment does not increase the number of lots; and,

d. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

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

(c) Amending plats shall be presented to the city manager or the city manager's designee for approval. If, for any reason, the city manager or designee does not wish to approve the plat, it shall be presented to the commission for approval or denial in accordance with the procedures for final plats in section 52-35, within three weeks of the city manager's denial. If a variance is requested by the applicant, the amending plat must be referred to the commission for approval or denial of both the variance and the plat.

Sec. 52-40. Procedure for approval of development plat.

(a) Development plats for which it is determined that no dedication of land or easements, nor construction of public improvements other than sidewalks is required, may be approved administratively by the director of planning. The plat is subject to the completeness review and approval process provided in section 52-32.5. If one or more variances are requested by the applicant, the plat must be referred to the commission for approval or denial of both the variance and the plat in accordance with the procedure for final plats. A building permit shall not be issued for the development prior to endorsement of the director of planning's or the commission's approval on the plat, as applicable.

(b) Development plats requiring the construction of public streets or alleys, and/or the dedication of land or easements to accommodate such facilities as required to comply with city standards, shall be prepared and processed in accordance with the requirements for final plats as specified in section 52-35 provided, however, that when there is no dedication of land or easements, or where the applicant chooses to dedicate such land or easements by separate instrument instead of on the plat, recording of the development plat with the county clerk is not required. A building permit shall not be issued for the development prior to approval of the development plat by the commission. The development shall not pass final inspection or receive a certificate of occupancy until any required construction of public facilities is completed and accepted by the city, and any required dedications are recorded with the county clerk on the development plat or by separate instrument.

Sec. 52-41. Application fees.

Application fees for preliminary plats and all recordable plats, shall be as established by separate resolution of the city council. Such fees, which are collected for the purpose of defraying the costs administrative, clerical and inspection services necessary to implement this chapter, shall be collected by the city at the time the plat is submitted. No action by the city shall be valid unless and until the required fees have been paid to the city.

Sec. 52-42. Dedication and construction of public infrastructure.

(a) The approval of a plat is not considered an acceptance of any proposed dedication and does not impose on the city any duty regarding the maintenance or improvement of any dedicated parts until the city accepts the required improvements in accordance with section 52-202, or until the plat is recorded.

(b) To ensure that it will not incur liabilities, the city may require, before it gives approval of the engineering plans for a development, that the owner provide sufficient surety and warranty to guarantee that claims against the development will be satisfied if a default or construction failure occurs. A nonrevocable bond in the amount of ten percent of the total construction cost shall continue in force until the one-year warranty of construction has expired. This subsection does not preclude a claimant from seeking recovery by other means.

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

Secs 52-43—52-49. Reserved.

ARTICLE III. RELIEF PROCEDURES

Sec. 52-50. Variances.

(a) Concurrently with or separately from consideration of a preliminary plat or recordable plat, the commission may authorize a variance from this chapter when, in its opinion, undue hardship will result from requiring strict compliance. In considering a variance the commission shall allow only conditions that it deems necessary or desirable to the public interest. The commission shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions, public health, safety, convenience and welfare in the vicinity. No variance shall be approved unless the following is established:

(1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

(2) That the variances are necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the variance will not be detrimental to the public health, safety or welfare, and will not be injurious to other property in the area.

(3) That the variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.

(b) Findings of the commission, together with the specific facts on which such findings are based, shall be incorporated under the official minutes of the commission meeting at which a variance is granted. Variances shall be granted only when in harmony with the general purpose and intent of this chapter, so that the public health, safety and welfare may be secured, and substantial justice done. The commission shall not authorize a variance to this chapter that would constitute a violation of any other valid ordinance of the city.

Sec. 52-51. Appeals.

(a) The commission may consider appeals where the applicant alleges that there is an error in an order, requirement, decision or determination made by the city staff in the enforcement of this chapter. The commission may reverse or affirm, in whole or in part, or modify the city staff's order, requirement, decision or determination.

(b) Any person or persons aggrieved by any decision of the commission with respect to subdivision plats, subdivision variances, and appeals of administrative determinations may appeal to the city council by submitting to the director of planning, within ten days after the date of the commission's action, a written request specifying the grounds for the appeal, together with any supporting evidence. The appeal shall be forwarded to the council together with a copy of the approved minutes of the commission meeting at which the decision in question was made, and shall be considered at the earliest regular meeting for which all required materials are available. The council shall uphold, modify, or reverse the decision of the commission.

Sec. 52-52. Vested Rights.

The city shall consider the approval, disapproval or conditional approval of a subdivision or development plat solely on the basis of any orders, regulations, ordinances, rules, expirations dates, or other properly adopted requirements in effect at the time the original application is submitted for review, including review for administrative completeness, in accordance with Chapter 245 “Issuance of Local Permits” of the Texas Local Government Code, as well as any similar chapter, section, or provision of the Lockhart Code of Ordinances pertaining to vested rights related to development regulations and permits that is not in conflict with Chapter 245. This includes application for establishment of development rights, subsequent determination, and appeal, if any.

Secs. 52-53—52-59. Reserved.

ARTICLE IV. PUBLIC FACILITIES

Sec. 52-60. Proportionality.

In accordance with section 212.904 “Apportionment of Municipal Infrastructure Costs” of the Texas Local Government Code, it is the intent of this chapter that the regulations and standards herein achieve proportionality between the demands created by the proposed subdivision on public facilities and the obligation to provide adequate public facilities, assuring that development impacts are mitigated through contributions of land dedications, construction of capital improvements, and/or payment of fees, and that a development project contribute its fair share of such costs. A proportionality determination assures that a requirement to dedicate, construct, or pay a fee in lieu of dedication or construction imposed on a proposed plat as a condition of approval does not result in a disproportionate cost burden on the property owner, taking into consideration the nature and extent of demands created by the proposed development on the city’s public facilities systems. Required land or easement dedication, construction of public facilities, or payment of a fee, by the applicant is an exaction.

Sec. 52-61. Capital Improvements.

Land proposed for development in the city and in the city's extraterritorial jurisdiction must be served adequately by essential public facilities and services, including streets, sidewalks/trails, bikeways, stormwater drainage, water, wastewater, electricity, open space, and parks. A subdivision plat or development plat shall not be approved until and unless adequate public facilities exist or provision has been made for the facilities, whether the facilities are to be located within the property or off-site. A public facility shall be considered sufficient where it is demonstrated to have available capacity to accommodate the service demand generated by the proposed development, as well as other approved developments that would impact the service capacity.

Sec. 52-62. Land Dedication.

A subdivision plat or development plat shall not be approved until and unless it includes dedication of easements, rights-of-way, and other land as necessary to accommodate the essential public facilities and services required to fulfill the development's obligation as provided in section 52-57.

Sec. 52-63. Determination.

(a) Upon request by the director of planning or director of public works, the city engineer may make a determination as to whether or not an exaction requirement to be imposed as a condition of plat approval is roughly proportionate to the demand created by the subdivision or development on the essential public facility system of the city. In making this determination, the city engineer may consider:

(1) The proposed and potential use of the land.

(2) The timing and sequence of development in relation to availability of adequate levels of public facilities systems.

(3) Studies conducted to measure the demand for services create by the subdivision or development and its impact on the city's public facilities system.

(4) The function of the public infrastructure improvements in serving the proposed subdivision or development.

(5) The degree to which public infrastructure improvements necessary to serve the proposed subdivision or development are supplied by other developments.

(6) The anticipated participation by the city in the costs of necessary public infrastructure improvements.

(7) The degree to which acceptable private infrastructure improvements to be constructed and maintained by the applicant will offset the need for public infrastructure improvements.

(8) Any reimbursements for the costs of public infrastructure improvements for which the proposed subdivision or development is eligible.

(9) Any other information relating to the impacts created by the proposed subdivision or development on the city's public facilities systems.

(b) The Planning and Zoning Commission shall consider the city engineer's report, if any, in making a decision on a plat application, including conditional approval. The commission may also consider the report in granting a variance to one or more provisions of this chapter.

Sec. 52-64. Appeal.

An applicant for a subdivision plat or development plat which imposes an exaction requirement may file an appeal to contest any proportionality determination, other than impact fees, imposed as a condition of approval or in which the failure to comply is grounds for denying the application. The appeal is processed as provided in section 52-51.

Secs 52-~~43~~ 65—52-71 Reserved.

ARTICLE V. DESIGN STANDARDS

Sec. 52-72. Streets.

(a) The arrangement, character, extent, width, grade, and location of all streets shall conform to the thoroughfare plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. A plat of property in the path of a future collector or arterial street shown on the thoroughfare plan map shall dedicate the right-of-way corresponding to its classification, and the street shall be constructed at the subdivider's expense for all segments within the boundary of the subdivision.

(b) When a street is not on the thoroughfare plan, the arrangement of streets in a subdivision shall provide for the continuation of existing streets in surrounding areas. If there are no streets existing on adjacent vacant and unsubdivided land, the arrangement of streets in the subdivision shall make provision for the proper extension of streets into such area. The length of any dead end street projections intended for future extension beyond the limits of the subdivision shall not exceed the depth of one lot unless a cul-de-sac is constructed no further than one lot from the subdivision perimeter. Consideration shall be given to efficient internal distribution of traffic by maximizing connectivity with multiple streets and intersections in a grid pattern or similar arrangement of blocks.

(c) All subdivisions with a potential to serve more than 75 dwelling units, or more than 15 nonresidential lots, shall have at least two points of vehicular access consisting of improved streets connected to the city's thoroughfare system; or, a single entrance street divided by a median where the median extends to the nearest internal street which provides at least two routes to the interior of the subdivision. Residential driveways shall not be located on the sides of the divided street parallel to and within the length of an entrance median.

(d) Where a subdivision adjoins or contains an existing or proposed major road, arterial street, or collector street, the commission may require marginal access streets, reverse frontage, deep lots with rear service alleys, or such treatment as may be necessary for adequate protection to residential properties and to afford separation of through and local traffic. No side lot access to residential corner lots shall be allowed from any arterial street.

(e) Where a proposed new subdivision, or replat of an existing subdivision that creates additional lots, abuts upon an existing street that does not conform to the corresponding classification in the thoroughfare plan, the subdivider shall dedicate one-half of the right-of-way needed to make the ultimate full right-of-way width conform. Where the dedication of right-of-way is not feasible due to topographic or other physical obstructions, the subdivider may, at the city's discretion, dedicate a public access easement with corresponding utility or drainage easements as necessary in lieu of dedicating public street right-of-way.

(f) Reserve strips controlling access to streets, rights-of-way, or other land dedicated or intended to be dedicated to public use shall be prohibited, except where the city is given control, under conditions approved by the commission.

(g) Street jogs with centerline offsets of less than 125 feet are prohibited.

(h) Arterial street intersections shall be at 90-degree angles. Other street intersections shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect at less than 75 degrees nor more than 105 degrees.

(i) Street right-of-way and pavement widths shall be as shown on the thoroughfare plan and, where not shown therein, shall be not less than as follows:

(1) *Arterial streets:* Minimum right-of-way width 80 feet to a maximum of 140 feet, with the pavement width section to be based on standard details for the specific street class, depending upon the location and existing streets with which said street is to be connected.

(2) *Collector streets:* Right-of-way width 60 feet, and pavement width of 41 feet back-to-back of curb. The right-of-way width may be required to be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

(3) *Minor streets:*

a. *Residential street:* Right-of-way width 50 feet, and pavement width of 31 feet back-to-back of curb. The right-of-way width shall be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

b. *Local street in multifamily, commercial or industrial areas:* Right-of-way width 60 feet, with pavement width section as identified in standard details or greater if required for drainage. The right-of-way may be required to be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

(j) Half-width streets shall be prohibited.

(k) A cul-de-sac shall not be longer than 500 feet measured from the connecting street centerline to the center radius point of the closed end having a paved street turnaround diameter of at least 80 feet with a right-of-way diameter of at least 100 feet in residential areas, and a paved street turnaround diameter of at least 100 feet with a right-of-way diameter of at least 120 feet in nonresidential areas. Greater diameters may be required where the cul-de-sac would serve industrial or other development that uses tractor-trailer trucks. Center islands may be provided subject to approval by the city.

(l) Traffic circles (roundabouts) are encouraged in appropriate locations and may be used in accordance with the following conditions:

(1) The design shall be in accordance with Chapter 6 "Geometric Design" of Federal Highway Administration Publication No. FHWA-RD-00-067 "Roundabouts: An Informational Guide", as applicable to the type, width and design speeds of intersecting streets.

(2) Pavement markings, "Traffic Circle Ahead" or international graphic circular intersection signs, "Yield" signs and "One-Way" signs pointing to the right shall be provided and installed in locations approved by the public works department for each location where a street connects to the traffic circle in accordance with Chapter 7 "Traffic Design and Landscaping" of Federal Highway Administration Publication No. FHWA-RD-00-067 "Roundabouts: An Informational Guide", as amended.

(3) The center island shall consist of a circular curbed area within the public street right-of-way that is landscaped or developed to be aesthetically attractive while requiring a minimum of maintenance, as approved by the planning and zoning commission. Where right-of-way, topography, or other constraints preclude the ability to provide a curbed center island, a mountable curb with a traversable concrete apron may be required around the outer edge of the center island.

(4) A note on the plat shall state how the center island is to be developed and maintained, and that the subdivider or developer is responsible for maintenance during the first year following the date the plat is recorded.

(m) New streets of like alignment shall bear the names of existing streets and shall be dedicated at equal or greater widths than the existing streets. No street names shall be used which will duplicate or be confused with the name of existing streets.

(n) Names of new streets being constructed as part of a subdivision are subject to approval of the commission. Once a street is accepted by the city and the subdivision plat is recorded designating the name of such street, any subsequent change in the name of the street is subject to approval by the council.

(o) All new streets dedicated within a subdivision shall be improved in accordance with the construction standards of the city.

(p) If an existing public street not meeting city standards for its classification designated in the thoroughfare plan with respect to width, drainage, or surface type abuts the perimeter of a subdivision having an internal street intersecting the perimeter street where the internal

street provides the sole vehicular access to the subdivision or section thereof being platted, the subdivider shall pay an amount equal to one-half the estimated cost of improvement to city standards, as determined by the city engineer, for the length of the subdivision's frontage along the perimeter street. Such payment shall be made concurrently with acceptance of the subdivision improvements by the city, and the city shall deposit the funds in an account reserved for future improvement of the substandard perimeter street. This option is available only when it is determined that the existing perimeter street, in its current state, is capable of carrying the expected traffic upon full development of the subdivision. The city or the Texas Department of Transportation may require a traffic impact study to be prepared at the subdivider's expense to document the existing capacity of the street and/or to determine the need for off-site street improvements. If the existing perimeter street right-of-way is unimproved, or if the existing street does not have an adequate width for two lanes of traffic, or if it is determined that the street, in its current state, is otherwise not capable of safely carrying the expected traffic upon full development of the subdivision, it shall be improved by the subdivider at the subdivider's expense to comply with the city's street standards for its classification or to comply with safety improvements required by the Texas Department of Transportation, prior to acceptance of the subdivision by the city. The length of the improvement shall extend to the nearest existing improved street that has an adequate width for at least two lanes of traffic, and which is capable of carrying the expected traffic upon full development of the subdivision. If the substandard perimeter street is listed in the city's road impact fee capital improvements plan, the city shall contribute to the required improvements as provided in section 52-143.

(q) If bicycle facilities are shown on an adopted bikeway plan element of the city's comprehensive plan in a location along one or more streets within a new subdivision, the dedicated street right-of-way shall provide bicycle facilities based on best practices in the latest addition of the NACTO Urban Bikeway Design Guide, with pavement markings, signage, and physical barriers in conformance with the latest addition of the AASHTO Guide for the Development of Bicycle Facilities as referenced in the TxDOT Roadway Design Manual. The bicycle facility may be in the form of: 1) designated bike lanes in the street where the speed limit is 35 or 40 miles per hour; 2) spatially buffered bike lanes in the street where the speed limit is 45 or 50 miles per hour; or, 3) physically protected bike lanes (cycle track) in the street, or shared-use paths for pedestrians and bicycles separate from the street, where the speed limit is 55 miles per hour or greater. A bicycle facility required for a higher speed limit range can voluntarily be used in any lower speed limit range in lieu of its specified facility. Streets with a speed limit not greater than 30 miles per hour may have signage and pavement markings designating a bike route.

Sec. 52-73. Alleys.

(a) Right-of-way for service alleys in commercial and industrial districts shall be a minimum of 25 feet in width, with a 20-foot wide pavement section.

(b) Alleys in residential districts shall be parallel, or approximately parallel, to the frontage street, and shall have a minimum right-of-way width of 15 feet, with a ten-foot wide pavement section.

(c)Alleys shall be optional in all new developments and replatted existing subdivisions, unless expressly required by the commission because of drainage, topographical features, circulation, or existing conditions which may necessitate the use of an alley in a particular location. Any right-of-way for alleys shall be dedicated to the city.

(d) Alleys shall be paved in accordance with the construction standards of the city.

(e) Where the deflection of alley alignment exceeds 30 degrees, a cutback of a minimum 15 feet, or of such greater distance to provide safe vehicular movement, shall be established on the inside property line and the paving of the alley shall be cut back in the same manner.

(f) Where the deflection of an alley alignment exceeds 15 degrees, a five-foot-wide pole guy easement shall be provided at the exterior of each point of deflection and normal hereto. The easement length shall be 15 feet for a deflection from 15 degrees to 30 degrees and 25 feet for deflection greater than 30 degrees.

(g) Dead-end alleys are prohibited.

(h) Access to residential property may be permitted from the alley. Access from the alley shall not exclude another means of access from the front or side.

Sec. 52-74. Easements.

(a) Easements across lots, along and abutting front lot lines, or centered on rear or side lot lines shall be provided for utilities and drainage where necessary. Drainage easements must be exclusive and no improvements may be constructed therein. When such easements are shown on a subdivision plat, this exclusivity and restriction will be noted on the plat and included in any restrictive covenants. Drainage and utility easements will not be superimposed.

(b) Where a subdivision is traversed by a watercourse, drainage way or channel, a storm drain easement or drainage right-of-way, conforming substantially with such course and of a width to fulfill the requirements of the city's flood hazard area ordinance and drainage ordinance, as calculated by the developer's engineer, will be provided. Nonrestricted access shall be provided to all drainage ways and storm system easements for maintenance by the responsible parties. Access shall be provided within 500 feet of all points where drainage easements exist, and parallel streets or parkways may be required for access to the easement.

(c) Where alleys are not provided in a residential subdivision and utilities are to be provided in the rear of lots, a minimum seven and one-half-foot-wide utility easement shall be provided where needed along the rear of all lots within the subdivision. When one or more lots are located such that there is no similar easement in adjoining tracts, a minimum 15-foot wide easement will be provided.

(d) When the tract to be subdivided includes an easement of the blanket form or is a portion of a tract which includes such an easement, the subdivider shall take such action as is necessary prior to submission of the preliminary plat to have such easement removed or to have such easement redefined to a specific location and to a specific size or width.

(e) Public access easements may be provided to accommodate a required public sidewalk along and adjacent to the public street right-of-way where conflicts with natural features, utility equipment, or other appurtenances make the location of the sidewalk within the right-of-way impractical. Private access easements may be provided to accommodate joint vehicular access to adjacent lots in the subdivision.

Sec. 52-75. Blocks.

(a) The length, width and shapes of blocks shall be determined with due regard to:

(1) Provision of adequate building sites suitable to the special needs of the type of use contemplated.

(2) Zoning requirements as to lot sizes and dimensions.

(3) Needs for convenient access, circulation, control and safety of street traffic.

(b) In general, intersecting streets determining the block length and width shall be provided at such intervals as to serve cross-traffic adequately and to meet existing streets or in accordance with customary subdivision practices. Where no existing subdivision controls, the block lengths shall generally not exceed 800 feet along minor streets, 1,000 feet along collector streets, or 1,200 feet along arterial streets. Where no existing subdivision controls, the blocks shall generally not be less than 400 feet along minor or collector streets, or 500 feet along arterial streets. 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 to meet the existing conditions having due regard for connecting streets, circulation of traffic and public safety. Where opposite sides of a block are along different classifications of streets, the length shall generally conform to the maximum and minimum limits applicable to the higher classification.

(c) Where blocks in the vicinity of a school, park or shopping center are 1,000 feet or longer, the commission may require a six-foot public pedestrian access easement near the middle of the block or at a street that terminates between streets at the ends of the block.

(d) Where no existing subdivision controls, the block depth shall be platted to give lots with a depth to width ratios of generally not more than two and one-half to one and in no case more than four to one, and the design shall be such that the block depth generally shall not exceed 350 feet. When possible, the block width and length shall be such to allow tiers of lots back to back.

(e) Blocks shall be labeled sequentially, from One or from A in each subdivision or section thereof.

Sec. 52-76. Lots.

(a) Lots shall conform to the minimum requirements of the applicable zoning district, except where a variance is approved by the zoning board of adjustment. Lots in the extraterritorial jurisdiction shall conform to the minimum requirements of the current Caldwell County Development Ordinance.

(b) Each lot shall abut an improved public street right-of-way along at least one property line, except where private streets are approved in a planned development having the PDD zoning classification.

(c) Key lots or irregular shaped lots shall have sufficient width at the front building line to meet frontage requirements of the appropriate zoning district. Also, the rear width shall be sufficient to provide access for all utilities, but in no case less than ten feet.

(d) Flag lots, which have minimal or panhandle-type frontage, shall not be allowed in lieu of providing access to lots on the interior of a subdivision with one or more public streets except, however, that one flag lot may be approved in the subdivision of an unplatted tract having a length to width ratio of 3:1 or greater into two lots provided that the street frontage of each lot is at least 25 feet and the width of each lot is at least the minimum required by the applicable zoning district.

(e) Side lot lines shall be substantially at right angles or radial to street lines.

(f) Double frontage and reverse frontage lots will be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantage of topography and orientation. Where lots have double frontage, a front building line shall be established for each street.

(g) Each lot in each block shall be labeled sequentially from one.

Sec. 52-77. Sidewalks.

(a) In those instances when a six-foot pedestrian access easement is provided in accordance with subsection 52-75(c), the applicant shall construct a sidewalk not less than four feet wide therein.

(b) Public sidewalks~~,~~ not less than four feet wide~~,~~ shall be provided on each side of collector streets and minor nonresidential streets, and on one side of minor residential streets, including culs-de-sac exceeding 350 feet in length as measured in accordance with subsection 52-72(k). Public sidewalks not less than six feet wide shall be provided on each side of arterial streets and on the subdivision side of expressway frontage roads. Required sidewalks shall be constructed by the builder for each lot before a certificate of occupancy will be issued for any structure thereon. Sidewalks required along public streets abutting property that is already developed, abutting the side or rear of a vacant lot that has primary frontage on another street, or abutting land areas dedicated for a public park, drainage facility, open space, or other community facility in accordance with subsection 52-112, shall be constructed by the subdivider as a subdivision improvement, and accepted by the city, prior to the plat being recorded.

(c) The location of sidewalks shall be noted on the subdivision plat.

(d) Sidewalks are not required:

(1) On culs-de-sac 350 feet or less in length, as measured from the connecting street centerline to the center radius point of the closed end.

(2) Along minor streets in residential subdivisions where no lot is less than one acre in size.

(3) When no more than four lots are being replatted where there was no requirement for sidewalks at the time the subdivision was originally platted.

(4) For a minor plat of four or fewer residential lots along a minor residential street within an existing developed residential area not previously platted, where lots or parcels abutting the side or sides of the parcel being platted are developed and have no existing public sidewalk along their street frontages.

(5) Where the commission authorizes a variance waiving all or a portion of the sidewalk requirement in accordance with section 52-50.

(e) In instances where construction of a required sidewalk in the public right-of-way is not feasible due to drainage considerations, topography, or lack of adequate unobstructed right-of-way width as determined by the city engineer, director of public works or designee, the sidewalk requirement may be satisfied by one of the following alternatives:

(1) The sidewalk may be constructed in a dedicated public access easement inside the private property of one or more lots along the street right-of-way; or

(2) The subdivider may, at the city's discretion, pay a fee in lieu of constructing the sidewalk based upon an estimated cost per linear foot provided by the director of public works, city engineer or designee; or provided by the subdivider's engineer and accepted by the director of public works, city engineer or designee.

(f) Curb ramps for the disabled shall be constructed to comply with the most recently adopted edition of the Texas Accessibility Standards.

(g) Rights-of-way or easements for hike and bike trails or similar shared-path sidewalks at least ten feet wide shall be dedicated on the plat where shown on the adopted Sidewalk/Trail Plan, and such trails or shared-path sidewalks shall be constructed at the subdivider’s expense. Where aligned with a property’s street frontage, such trails and sidewalks shall serve as a required public sidewalk.

Sec. 52-78. Streetlights.

Streetlights shall be installed by the subdivider in accordance with the current streetlight policy, as adopted by the city council, and shall conform to the construction standards of the city.

Sec. 52-79. Street signs.

(a) *Street name signs.* Street name signs approved by the city shall be furnished and installed by the subdivider, at the subdivider's expense, at each intersection within or abutting the subdivision.

(b) *Traffic control signs.* Appropriate traffic control signs, required by the Uniform Traffic Control Manual and approved by the State of Texas, shall be furnished and installed by the subdivider, at the subdivider's expense.

Sec. 52-80. Flood hazard.

(a) Subdivision development in flood hazard areas shall be in accordance with chapter 22 "Floods", of the Lockhart Code of Ordinances. Increases in stormwater runoff created by expected additional impervious surface shall require stormwater detention as provided in article III, chapter 22. For changes in base flood elevation or flood hazard boundary, approval of a FEMA conditional letter of map revision (CLOMR) is required prior to acceptance of the final plat for technical review, and approval of a FEMA letter of map revision (LOMR) is required following completion and acceptance of all required subdivision improvements.

(b) Lots shall be graded and structures designed such that the ground level floor of buildings shall be a minimum of 12 inches above the highest point of the adjacent street top of curb, or above the crown of the street where there is no curb. Where the building is on a corner lot, this provision will apply to the highest top of curb or crown of the intersecting streets. Under special circumstances where such floor level is demonstrated by the subdivider's or developer's engineer to be impractical, one or more lots may be provided with drainage swale adjustment to prevent flooding of structures upon approval of a variance by the construction board of appeals.

Sec. 52-81. Electric utility.

Electric lines and facilities shall be in conformance with the requirements of the electrical provider. All electric lines, both primary and secondary, shall be underground in subdivisions consisting of more than ten lots or more than ten acres.

Sec. 52-82. Perimeter screening.

Residential subdivisions having six or more contiguous lots with rear yards abutting a collector or arterial perimeter street shall have a fence or wall no less than 67 percent opaque, and at least six feet but not greater than eight feet tall, constructed along but not encroaching into the perimeter street right-of-way prior to City acceptance of the subdivision improvements. Screening material shall consist of masonry, warp and rot resistant wood, or engineered/composite wood, with masonry columns measuring at least 16 inches square located no greater than 130 feet apart on-center, including angle and endpoints. Masonry columns shall extend at least eight inches from the street-side face of the fence or wall. Perimeter screening shall not block access to any fire hydrant or utility equipment, nor block any corner sight-triangle as defined in section 50-5 "Landscaping which constitutes traffic hazard", of the Lockhart Code of Ordinances. Perimeter screening shall be located in a fence easement at least as wide as the masonry columns, and shall be maintained by a homeowner's association or other permanent subdivision management established for the subdivision by the subdivider or developer.

Sec. 52-83—52-110. Reserved.

ARTICLE VI. COMMUNITY FACILITIES AND OPEN SPACES

Sec. 52-111. Areas for public use.

The subdivider shall consider one or more suitable sites for public parks, playgrounds, and other public community facilities in accordance with the comprehensive plan and associated plans and policies of the city. A school site approved by the Lockhart Independent School District for purchase by the district shall be considered an eligible community facility for the purpose of this article. Any provision for community facilities shall be indicated on the plat. Where land dedication or payment of fees in lieu of land dedication is required for a subdivision being platted in sequential phases, the entire land dedication or fee payment requirement shall be satisfied at the time that the plat of the first phase or section is recorded.

Sec. 52-112. Land dedication.

(a) Except as provided in section 52-113, land shall be dedicated by the subdivider in the amounts listed below or greater for community facilities or public open space in any subdivision within the city limits, greater than five acres in size, and zoned or intended to contain residential uses.

(1) *Subdivision size over five acres up to and including 20 acres*: Five percent of the total land area zoned or intended for residential use up to and including a gross density of seven units per acre, or ten percent of the total land area zoned or intended for residential use above seven units per acre.

(2) *Subdivision size over 20 acres*: Eight percent of the total land area zoned or intended for residential use up to and including a gross density of seven units per acre, or fifteen percent of the total land area zoned or intended for residential land use above seven units per acre.

(b) The location, size, and functions of the land to be dedicated for community facilities or public open space must be: 1) deemed by the city to be suitable for the intended use; 2) have appropriate pedestrian, bicycle, and motor vehicle access, including parking; 3) graded and provided with turf or other ground cover that is appropriate for the intended use; and, 4) be provided with water, wastewater, and electric service as determined by the city as necessary for the proposed use and public facility improvements. Utilities are considered part of the subdivision infrastructure, and shall not apply to the value of any required public facility improvement as provided in section 52-114. The subdivider shall either construct all required improvements for the intended use at their expense, or may, at the city's discretion, pay a fee in lieu of constructing such improvements, as provided in section 52-114. If the dedicated land area is a donation for a community facility involving buildings to be constructed by the school district or a governmental entity, the fee shall be paid in lieu of construction and shall be used by the school district or governmental entity for the community facility.

(c) No property required to be dedicated for community facilities or public open space shall be in the 100-year floodplain except, however, that natural areas may include 100-year floodplain up to a maximum of 50 percent of the minimum required land dedication if determined by the city to be suitable for leisure activities such as hiking, bicycling, picnicking, and wildlife

observance, and such area is deemed by the city as needed or acceptable for such use in that location. Ineligible land area may be dedicated as parkland, but shall not apply toward the minimum amount necessary to meet community facility or public open space dedication requirements.

(d) Stormwater detention ponds and conservation easements shall not apply to the minimum required land dedication except, however, that such areas may be included up to a maximum of 50 percent of the minimum required dedication if determined by the city to be suitable for leisure or recreational activities and not in conflict with the primary functions of the stormwater detention pond or conservation easement. Ineligible land area may be dedicated as parkland, but shall not apply toward the minimum amount necessary to meet community facility or public open space dedication requirements.

(e) Land area dedicated as a greenbelt for a public hike/bike trail designated on the city's land use and sidewalk/trail plans may apply toward the required land dedication where such greenbelt is determined by the city as being in a location and alignment that is generally consistent with the city's comprehensive plan.

(f) Land for community facilities or public open space not exceeding one acre shall have at least 100 feet of frontage on an improved public street right-of-way, with parking provided in the street right-of-way on or adjacent to the paved street as parallel, angled, or perpendicular spaces depending on the right-of-way width available. Land for community facilities or public open space over one acre shall have frontage on an improved public street right-of-way equal to at least 25 percent of the land's perimeter with paved and marked off-street parking provided in a parking lot on the site configured such that vehicles can be maneuvered without backing into a street unless the street is an internal park street. In all cases parking areas shall contain a number of spaces appropriate for the intended use or activities on the site as approved by the director of parks and recreation for parks, or as approved by the director of planning for other community facilities, and shall comply with the Texas Accessibility Standards for the number and configuration of parking spaces for the disabled.

(g) At the city's discretion, the land area dedication requirement may be satisfied by a privately owned and maintained amenity approved by the city in a multifamily development or in any part or parts of a Planned Development District (PDD) containing residential land uses.

Sec. 52-113. Fee in lieu of land dedication.

(a) In instances where dedication of land for community facilities or public open space is unacceptable, unsuitable, unneeded, or infeasible within a subdivision, the subdivider may, at the city's discretion, pay a fee in lieu of required land dedication specified in section 52-112 in the amounts listed below based upon the market value prior to development. The fee in lieu of land dedication is mandatory for subdivisions in the Lockhart Extraterritorial Jurisdiction.

(1) *Subdivision size over five acres up to and including 20 acres*: Five percent of market value of land area that is zoned or intended for residential use up to and including seven units per acre, or ten percent of the market value of land that is zoned or intended for residential use above seven units per acre.

(2) *Subdivision size over 20 acres*: Eight percent of market value of land area that is zoned or intended for residential use up to and including seven units per acre, or fifteen percent of the market value of land that is zoned or intended for residential use above seven units per acre.

(b) For subdivisions greater than one acre in size up to five acres in size, where no land dedication is required, a fee shall be paid equal to ~~5%~~ five percent of the market value of land area that is zoned or intended for residential use. No fee or land dedication is required for subdivisions one acre or less in size.

(c) If a fee is paid in lieu of land dedication, a fee shall also be paid in lieu of construction community facility improvements, in accordance with section 52-114(d).

(d) Fees paid to meet the community facility and public open space requirements shall be deposited by the city in an account for use only in the acquisition of land, purchase of equipment, or construction of improvements for public open space, including parks, playgrounds, and natural areas.

Sec. 52-114. Community facility improvements.

(a) Where the subdivider constructs community facility improvements, a community facility development plan shall be prepared by the subdivider and approved by the city, and the improvements shall be considered part of the subdivision infrastructure for the purpose of acceptance by the city prior to recordation of the subdivision plat. Improvements may include, but are not limited to, trees, pedestrian/bicycle paths, motor vehicle and bicycle parking, fencing, lighting, benches, picnic tables, shade structures, playscapes, sport courts or fields, exercise stations, water features, drinking fountains, and restrooms. Trees or other landscaping shall not be the only improvements. A children's playscape having at least four functions must be provided where the minimum required community facility or public open space is a park over one-half acre in size.

(b) Any privately owned and maintained amenities proposed in a Planned Development District must be specified on the PDD Development Plan, constructed as a condition of the adopted PDD zoning, and inspected and approved by the city prior to the plat being recorded. In a multifamily development, any privately owned and maintained amenities proposed in lieu of dedication of land for a community facility shall be specified on the construction plans for the development as a condition of the building permit, and inspected and approved by the city prior to issuance of a certificate of occupancy for any structure in the development.

(c) The value of public or private improvements must be equal to or more than the market value of the facility land area prior to development, up to a maximum of five acres. Any amount of dedicated land area over the first five acres is not subject to a corresponding improvement value.

(d) Where the subdivider pays a fee in lieu of constructing required improvements for the intended use, the amount due is equal to the market value of the dedicated land area prior to development, up to a maximum of five acres. Any amount of dedicated land area over the first five acres is not subject to a corresponding fee in lieu of construction. Fees paid in lieu of constructing required community facility improvements shall be deposited by the city in an account for use only in the community facility or public open space being dedicated.

Secs. 51-115—140. Reserved.

ARTICLE VII. PUBLIC INFRASTRUCTURE ENGINEERING AND CONSTRUCTION

Sec. 52-141. Standards for construction.

(a) The sanitary sewers and lift stations, storm sewers, drainage features, water utility mains, street improvements, sidewalks and electrical facilities and street lighting, with all appurtenances pertaining to the above, shall be designed, constructed and installed in each new subdivision at the expense of the developer in accordance with the construction standards of the city as may be revised from time to time. Variances to the construction standards must be approved in writing by the city engineer and city manager or designee before construction begins.

(b) All construction work, such as street paving, storm sewers, curb and/or gutter work, sidewalks, sanitary sewers, water mains, and electrical construction performed by the owner, developer, or contractor~~,~~ shall be subject to inspection during construction by the property authority of the city, and shall be constructed in accordance with the construction standards of the city except for certain subdivisions in the extraterritorial jurisdiction as provided in the current interlocal agreement between Caldwell County and the City of Lockhart, and available in the city secretary's office.

(c) The developer's engineer shall be responsible for inspection of all construction, and provide written documentation of such inspections for certification in accordance with section 52-202.

Sec. 52-142. Guarantee of performance.

The developer shall require guarantee of materials and workmanship of his construction contractors, with whom he contracts for furnishing materials and installing the improvements, required under this chapter and shall himself be responsible for guaranteeing that all materials and workmanship in connection with such improvements are free of defects for a period of two years after the date of acceptance of the improvements by the city manager, director of public works or designee.

Sec. 52-143. Responsibility for payment of infrastructure costs.

(a) The developer must pay for any required extensions of off-site water mains, wastewater mains, and electric primary lines unless otherwise negotiated by authorized city staff and approved by the city council. The city may pay for oversizing of mains and electric primary lines above the size required of the developer to provide sufficient domestic and fire protection water, wastewater service and electric primary lines for the development and any subsequent phases. All development costs associated with the subdivision shall be borne by the developer. The city shall have the right to recover all or part of the costs associated with in-place utility main or primary line extensions that will benefit development. Such cost recovery shall be based on proportionate use of such extensions or associated infrastructure.

(b) The city may pay, providing funds are available, for street right-of-way in excess of that required by the thoroughfare plan, except where such extra widths are in commercial developments, or where they're not required by the city. The city may participate, provided funds are available, in the extra cost of large drainage structures on major road/arterial streets shown on the thoroughfare plan.

(c) If a substandard perimeter street, as described in section 52-72, is listed in the city's road impact fee capital improvement plan, the city shall reimburse the subdivider for up to one-half the cost of the improvements to the extent that the funds are available in the road impact fee account. If, in such case, there are insufficient funds available in the road impact fee account, credit shall be given in the form of waiver of road impact fees for development in the subdivision equal to the amount of shortfall in the road impact fee account. The city's responsibility for reimbursement extends only to the road impact fee funds and/or credit available at the time the subdivision improvements are accepted by the city.

Sec. 52-144. Existing nonconforming subdivisions.

No building permit shall be issued by the city for any undeveloped lot in a previously platted subdivision where water, wastewater, street or other necessary public infrastructure to serve such lot does not meet current city standards unless such facilities are engineered and upgraded or constructed at the developer's expense in accordance with city's construction standards as provided in this chapter. If an undeveloped lot in an existing subdivision does not have frontage on a dedicated street right-of-way and is served only by a public or private access easement, where such lot is the only lot served by the easement, then no building permit shall be issued by the city unless paved access is constructed, at a minimum, in accordance with the current city standards for driveways. If an undeveloped lot in an existing subdivision does not have frontage on a dedicated street right-of-way and is served by a public access easement, where more than one lot is served by the same easement, then no building permit shall be issued by the city unless paved access is engineered and constructed in accordance with the city's construction standards for public streets as provided in this chapter.

Secs. 52-145—52-170. Reserved.

ARTICLE VIII. PLATS AND ENGINEERING PLANS

Sec. 52-172. Concept plan

(a) The concept plan should show the following information:

(1) Location within the city and with respect to adjoining property.

(2) Approximate acreage.

(3) Approximate location of streets.

(4) Approximate location of lot lines.

(5) Intended use(s), i.e., residential, multifamily, commercial, industrial, stormwater detention, park, etc.

(6) Approximate location of any flood hazard boundary area.

(7) The location, description, and size of existing utility and drainage infrastructure in the area, and the proposed infrastructure to serve all lots of the subdivision.

(b) The concept plan may be to any scale and need not be finely drafted.

Sec. 52-172. Preliminary plat.

(a) A preliminary plat shall be submitted on sheets no greater than 24 inches by 36 inches, including margins of not less than three-fourths inch, and to a scale of not less than 100 feet to the inch or larger. Where more than one sheet is required to encompass the subdivision, an index drawing on the cover sheet showing the entire subdivision at a reduced scale, with a sheet index overlay, shall be included.

(b) The following shall be shown on the preliminary plat:

(1) Name and address of the subdivider, record owner of land to be subdivided, surveyor preparing the plat, designer of the plat if not the surveyor, and the date of preparation.

(2) Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision currently located within the city or within the extraterritorial jurisdiction of the city. The subdivision name shall include the word “Subdivision”, “Addition”, or “Planned Development” at the end.

(3) A north arrow.

(4) Scale of the plat in feet per inch and a bar scale.

(5) A location map of the proposed subdivision in the city and with respect to existing streets. This map need not be to scale, but should be drawn neatly using a means other than screen-capture.

(6) Patent survey of which the subdivision is a part and location of patent survey lines if adjoining or intersecting the subdivision.

(7) Names of contiguous subdivisions and the owners and general use of contiguous parcels of unsubdivided land, with deed references.

(8) Total acreage of the subdivision.

(9) Subdivision boundary lines indicated by heavy lines.

(10) Section boundaries with sections labeled if subdivision is to be platted in phases.

(11) Existing conditions, as follows:

a. The exact location, width, name, and description of all existing above or below ground utility lines, and of all existing or recorded streets, alleys, reservations, easements, or other public rights-of-way within or abutting any portion of the perimeter of the subdivision.

b. Zoning district classification of land to be subdivided. If there is more than one classification, the dividing lines shall be shown. If there is only one classification, it may be stated in a plat note.

c. Flood hazard areas, if any, and documentation from which derived. If there is more than one floodplain zone, the dividing lines shall be shown. If there is only one zone for the entire subdivision, it may be stated in a plat note.

d. Topography with elevations labeled and contours at intervals not greater than two feet, and identification of natural water or drainage courses.

e. Location of city limits if adjoining or intersecting the subdivision.

(12) The location, dimensions, description and name of all proposed streets, alleys, sidewalks, parks or other public areas, stormwater detention areas, easements, blocks, lots and other sites within the subdivision, as appropriate.

(13) A number to identify each lot or site, with lots numbered consecutively within each block, and a number or letter to identify each block if there is more than one block.

(14) Building setback lines on fronts of all lots and sites, and side yard building setback lines along the side street of corner lots.

(15) Lot summary table indicating total number and acreage of lots in four categories of use: Residential, nonresidential, park, and stormwater detention, as applicable.

(16) The following plat notes:

a. General building setback requirements for front yards and for street side yards on corner lots, if such information is not otherwise depicted on the plat drawing.

b. Floodplain zone(s), and flood insurance rate map date and community panel number, if such information is not otherwise depicted on the plat drawing. If developable lots are within the 100-year floodplain, the minimum permissible floor elevation shall be specified in accordance with the city floodplain regulations.

c. Zoning classification(s) of land to be subdivided, if such information is not otherwise depicted on the plat drawing.

d. Description and location of sidewalks to be constructed, if such information is not otherwise depicted on the plat drawing, who is responsible for sidewalk construction, and timing of sidewalk construction.

e. Amount of fee to be paid in lieu of parkland construction, if applicable.

f. Any other notes deemed necessary by the surveyor.

(17) Legend containing symbols used on the plat drawing, and a written description of each one, as applicable.

Sec. 52-173. Recordable plat.

(a) A recordable plat shall be submitted on sheets no greater than 24 inches by 36 inches, including margins of not less than three-fourths inch, and to a scale of not less than 100 feet to the inch or larger. Where more than one sheet is required to encompass the subdivision, an index drawing on the cover sheet showing the entire subdivision at a reduced scale, with a sheet index overlay, shall be included. Space shall be provided for the required dedications, attestations, dates, titles, and seals. Lettering and line-work shall not have a micro-thin weight, and shall be black, with no gray or colors used. Signatures shall be written with a permanent black ink marker or pen with a medium tip.

(b) The following shall be shown on the recordable plat:

(1) Name and address of the subdivider, record owner of land to be subdivided, surveyor preparing the plat, designer of the plat if not the surveyor, and the date of preparation.

(2) Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision currently located within the city or within the extraterritorial jurisdiction of the city. The subdivision name shall include the word “Subdivision”, “Addition”, or “Planned Development” at the end.

(3) A north arrow

(4) Scale of the plat in feet per inch and a bar scale.

(5) A location map of the proposed subdivision in the city and with respect to existing streets. This map need not be to scale, but should be drawn neatly using a means other than screen-capture.

(6) Patent survey of which the subdivision is a part and location of patent survey lines if adjoining or intersecting the subdivision.

(7) Names of contiguous subdivisions and the owners of contiguous parcels of unsubdivided land, with deed references.

(8) Description by metes and bounds and total acreage of the subdivision boundaries, including reference to at least one existing benchmark, survey monument or subdivision corner.

(9) Subdivision boundary lines indicated by heavy lines.

(10) Section identification if subdivision is a phase of a larger subdivision.

(11) Existing conditions as follows:

a. The exact location, width, name and description of all existing above or below ground utility lines, and of all existing or recorded streets, alleys, reservations, easements or other public rights-of-way within or abutting any portion of the perimeter of the subdivision.

b. Zoning district classification of land to be subdivided. If there is more than one classification, the dividing lines shall be shown. If there is only one classification, it may be stated in a plat note.

c. Flood hazard areas, if any, and documentation from which derived. If there is more than one floodplain zone, the dividing lines shall be shown. If there is only one zone for the entire subdivision, it may be stated in a plat note.

d. Location of city limits if adjoining or intersecting the subdivision.

(12) The exact location, dimensions, description and name of all proposed streets, alleys, sidewalks, parks or other public areas, stormwater detention areas easements, blocks, lots and other sites within the subdivision, as appropriate.

(13) A number to identify each lot or site, with lots numbered consecutively within each block, and a number or letter to identify each block if there is more than one block.

(14) The square footage or acreage of each lot.

(15) Building setback lines on fronts of all lots and sites, and side yard building setback lines along the side street of corner lots.

(16) Lot summary table indicating total number and acreage of lots in four categories of use: Residential, nonresidential, park, and stormwater detention, as applicable.

(17) The length and bearing of all straight lines, and the length, radius, arc length and chord bearing of all curves shall be indicated along the lines of each lot. The curve data pertaining to block or lot boundaries may be placed in a curve table at the base of the plat and prepared in the following manner:

Curve Table

Curve Number	**Curve Length**	**Radius**	**Chord Length and Bearing**

(18) The description and location of all survey monumentation placed in the subdivision, in accordance with section 52-201.

(19) The following plat notes:

a. General building setback requirements for front yards and for street sideyards on corner lots, if such information is not otherwise depicted on the plat drawing.

b. Floodplain zone(s), and flood insurance rate map date and community panel number, if such information is not otherwise depicted on the plat drawing. If developable lots are within the 100-year floodplain, the minimum permissible floor elevation shall be specified in accordance with the city floodplain regulations.

c. Zoning classification(s) of land to be subdivided, if such information is not otherwise depicted on the plat drawing.

d. Description and location of sidewalks to be constructed, if such information is not otherwise depicted on the plat drawing, who is responsible for sidewalk construction, and timing of sidewalk construction.

e. Amount of fee to be paid in lieu of parkland construction, if applicable.

f. Any other notes deemed necessary by the surveyor.

(20) Legend containing symbols used on the plat drawing, and a written description of each symbol.

(c) The following certifications shall be included and signed on the plat, as applicable:

(1) The owner's certificate, with a separate signature block and notary statement for each person authorized to sign as an owner. If there is a lien-holder, a separate signature block shall be added for the name of the lien-holder's authorized representative or officer, including their title, business name, address, and date; and the label "Lien-holder".

STATE OF TEXAS
CALDWELL COUNTY

I (We), the undersigned owner(s) of the land shown on this plat and described and designated as (*name of subdivision as shown on the plat*) of the City of Lockhart, do hereby subdivide such property and dedicate to the use of the public forever~~,~~ the street and alley rights-of-way shown hereon, unless otherwise noted on the plat, and further reserve to the public all easements for the mutual use of all public utilities desiring to use the same; that any authorized owner of a facility within such easement shall have the right to remove and keep removed all or part of any growth or construction for maintenance or efficient use of its respective system in such easements.

_____	_____
DATE	NAME
	_____
	ADDRESS

Before me, the undersigned authority, personally appeared (*name*), known to me to be the person whose name is subscribed to the foregoing document, and acknowledged to me that he executed the same for the purpose and considerations stated hereon.

Seal

_____
NOTARY PUBLIC
STATE OF TEXAS

My Commission Expires _____

(2) The surveyor's certificate.

I, _____, registered professional land surveyor, State of Texas, hereby certify that this plat is based on a survey made under my supervision and is true and correct to the best of my knowledge, and that all required monuments and markers were properly placed under my supervision.

IN WITNESS THEREOF, my hand and seal, this the _____ day of _____, 20___.

_____
NAME Seal
Registered Professional Land Surveyor

(3) The engineer's certificate, if applicable.

I, _____, a registered professional engineer, State of Texas, hereby certify that proper engineering considerations have been given to the design of engineering aspects of this subdivision in compliance with applicable city and state standards and regulations.

IN WITNESS THEREOF, my hand and seal, this the _____ day of _____, 20___.

_____
NAME Seal
Registered Professional Engineer

(4) The Commission's approval, if a final plat or replat other than a minor plat or amending plat.

I, _____, Chairman of the Planning and Zoning Commission of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart on the _____ day of _____, 20___.

_____
CHAIR

(5) Administrative approval, if a minor plat or replat, or amending plat.

I, _____, City Manager of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart on the _____ day of _____, 20___.

_____
CITY MANAGER, CITY OF LOCKHART

(6) The county clerk's certificate for recording.

STATE OF TEXAS
COUNTY OF CALDWELL

I, _____, County Clerk in and for Caldwell County, Texas, do hereby certify that the foregoing instrument with its certificates of authentication was filed for record in my office the _____ day of _____, 20 ___, at _____ o'clock __. M., and duly recorded on the _____ day of _____, 20 ___, in the Plat Records of Caldwell County, Texas, in Plat Cabinet ___ at Slide ___.

_____
NAME
County Clerk, Caldwell County, Texas

(d) The final design of utilities, drainage, sidewalk, and street facilities is to be shown in the engineering plans submitted with the final plat.

Sec. 52-174. Engineering plans.

(a) *General*.

(1) The developer shall have prepared a complete set of engineering plans showing details of all streets, alleys, drainage structures, water utility, sanitary sewer utility and electrical distribution system, combined with construction standards, specifications and related details, which are to be included for development. All costs related to the preparation of these plans shall be paid for by the developer. The engineering plans shall be prepared by a registered professional engineer, duly authorized to perform the specific type of design required for this task.

(2) The engineer shall design and prepare engineering plans to utilize the construction standards of the city. When no specific policy, standard, or ordinance exists, then he shall use the standard of the practices for similar conditions. The plans shall be signed and sealed by the professional engineer responsible for the design.

(3) All engineering plans shall be submitted on sheets 24 inches by 36 inches, including a minimum one-half inch margin except on the left border where a minimum two-inch binding margin will be provided. When appropriate, standard printed plan-profile sheets may be used. The initial submission of plans to the city engineer shall be in a format

determined by the city engineer. In addition, two full-size printed sets shall be submitted to the director of planning.

(4) If the subdivision involves improvements that are subject to a FEMA letter of map revision (LOMR), the approved conditional letter of map revision (CLOMR) shall be submitted to the city engineer as a condition of approval of the engineering plans.

(5) Once the engineering plans have been approved by the city engineer, one complete set shall be provided to the city engineer in a digital PDF format, and two full-size printed sets of the approved plans shall be provided to the director of planning for distribution to other city departments.

(b) *The engineering plans will contain, as a minimum:*

(1) Title, index and certification page, as applicable.

(2) Existing detail:

a. The exact location, dimensions, description and flow lines of existing watercourses and drainage structures within the subdivision and contiguous thereto.

b. All existing improvements within the subdivision, except structures to be removed and interior fences.

c. Type and size of all public utilities and roads within the subdivision and contiguous thereto.

d. Characteristics for soil bearing, shrink/swell, permeability and percolation.

(3) A topographic base map, showing contours with elevations labeled at intervals not greater than two feet. All topographic maps shall be based on the National Geodetic Vertical Datum, and a benchmark shall be shown giving its location and elevation. This sheet may be combined with the existing detail sheet.

(4) Drainage area map and calculations in accordance with the drainage ordinance.

(5) Street plan and profiles as follows:

a. Drawn at a scale of one inch equals 50 feet horizontal, with an appropriate vertical scale. All horizontal and vertical curve data shall be shown.

b. When the street right-of-way property lines are not curved chordally with the street, but the constructed street will have curves, the PC and PT stationing, radius and length of each street curve, as a minimum, shall be given.

c. Street centerline stationing shall reference the subdivision boundary, as appropriate.

(6) Sanitary sewer utility lines shall be shown on a standard plan-profile sheet with a scale of one inch equals 50 feet horizontal and an appropriate vertical scale. Stationing shall reference the subdivision boundary, as appropriate.

(7) The water utilities system will generally be at a horizontal scale of one inch equals 50 feet in the form of a general plan with appropriate scale plan-profile sheets and details. Fire hydrants shall be included as part of the water utilities system.

(8) Drainage channels, lines and structure(s), including bridges and culverts, shall be shown at a horizontal scale of one inch equals 50 feet in the form of a general plan with appropriate scale plan-profile sheets and details.

(9) Electrical distribution system plans shall be at a scale of one inch equals 100 feet and all appurtenances, including streetlights, shall be shown. Particular care shall be taken to ensure that guy line easements and streetlight easements shown on the plat correspond with the system.

(10) Required utility system improvements and streets which are not immediately adjacent to the subdivision, shall be shown as "off-site" plan and profiles, as appropriate.

(11) When improvement details shown in the construction standards of the city are sufficient to provide for proper construction, no additional details need to be shown on the plans.

Secs. 52-175—52-200. Reserved.

ARTICLE IX. REQUIREMENTS FOR ACCEPTANCE AND RECORDING OF SUBDIVISIONS

Sec. 52-201. Monumentation.

Stable monumentation consisting of a minimum one-half-inch diameter ferrous rod, a minimum of two feet in length, shall be set at each subdivision corner and at one street intersection corner for each internal block. Additional monuments consisting of a minimum one-half inch diameter ferrous rod, a minimum of 15 inches in length, shall be set at all subdivision lot corners, angle points, and curve points that are not otherwise marked with a two-foot long rod. All rods shall be set with the top flush with the ground surface and marked with an aluminum or plastic cap stamped with the surveyor's registered number or firm name. If a record monument is found where a new monument would be placed, the existing monument may serve as the required monument for the new subdivision. All monumentation shall be set in accordance with the Texas Board of Professional Land Surveyor's rules and regulations.

Sec. 52-202. Final acceptance.

(a) When construction of public infrastructure provided by the developer has been completed: 1) the developer shall furnish to the director of public works an affidavit of bills paid or releases of lien for all contractors who constructed the improvements; and 2) the developer's engineer shall furnish a certified statement to the city manager, director of public works or designee that the improvements are constructed in accordance with the approved plans and the construction standards of the city. The city staff shall then make final inspections and, if the work is satisfactory and in accordance with the approved engineering plans and the construction standards of the city, the director of public works or designee shall provide a letter of acceptance to the director of planning. The date of the letter of acceptance shall constitute the beginning of the developer's two-year guarantee period, as provided in section 52-142.

(b) Upon completion by the developer, and upon acceptance by the city, all improvements, installations and all dedicated lands become the property of the city. The city will not be responsible or liable for any portion of such lands or improvements until final acceptance.

(c) In addition to the items listed in subsection (a) above, if a subdivision involves improvements that are subject to a FEMA letter of map revision (LOMR), the approved LOMR shall be provided to the city prior to final acceptance of the subdivision.

Sec. 52-203. Record drawings.

The developer or the developer's engineer shall submit complete record drawings, consisting of one photographic mylar reproducible set, three sets of prints, and one set of digital drawing files of the plans on compact disc or flash drive, or by e-mail or cloud storage, in a PDF format, upon or after the city's acceptance of the public improvements, and prior to the plat being recorded.

Sec. 52-204. Plat recordation.

Following approval of the plat, and construction and acceptance of the required public improvements if any, the subdivider shall provide, in addition to the plat documents required elsewhere in this chapter, the following to the director of planning for recording the plat with the county clerk:

(1) A check or checks payable to the county clerk in the amount of the recordation fee for recording the plat.

(2) A tax certificate from the Caldwell County Appraisal District showing that no taxes are currently delinquent against the property.

(3) Sufficient evidence that the subdivider holds fee simple title to the property being subdivided, if there are no lien-holders listed as a signatory on the plat.

Sec. 52-205. Services withheld until plat recorded.

(a) No permit shall be issued for the installation of septic tanks upon any lot in a subdivision unless such septic tank system meets the requirements of the Caldwell County Private Sewage Facilities Rules, and of applicable provisions of the current Caldwell County Development Ordinance.

(b) Public utility companies shall not make service connections for any lot in a subdivision for which a plat has not been recorded.

(c) No building, repair, plumbing, or electrical permit shall be issued by the city for any structure on a lot in a subdivision for which a plat has not been recorded.

(d) The city shall not repair, maintain, install, or provide any streets or public utility services in any subdivision for which a plat has not been recorded.

(e) The city shall not sell or supply any electricity, water, sewerage, or garbage service within a subdivision for which a plat has not been recorded.

Secs. 52-206—52-235. Reserved.

IV. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision or regulation.

V. Repealer: That all other ordinances, sections, or parts of ordinances heretofore adopted by the City of Lockhart in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

VI. Penalty: Any person who violates any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in Section 1-8 of the City Code.

VII. Publication: That the City Secretary is directed to cause the caption of this ordinance to be published in a newspaper of general circulation according to law.

VIII. Effective Date. That this ordinance shall become effective and be in full force ten days from the date of its passage.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, ON THIS THE 17th DAY OF JANUARY, 2023.

CITY OF LOCKHART

_____

Lew White
Mayor

ATTEST:

_____

Connie Constancio, TRMC
City Secretary

APPROVED AS TO FORM:

_____

Monte Akers
City Attorney

CHAPTER 52. SUBDIVISION REGULATIONS
DRAFT AMENDMENTS (Annotated)

ARTICLE I. ~~IN~~ GENERAL PROVISIONS

Sec. 52-1. Purpose.

(a) In the interpretation and application of the provisions of this chapter, it is the intention of the council that the principles, standards, and requirements provided for herein shall be minimum requirements for the platting and developing of subdivisions in the city and its extraterritorial jurisdiction (ETJ), as authorized by Chapter 212, Subchapter A and Subchapter B, Texas Local Government Code. Where other ordinances of the city are more restrictive in their requirements, such other ordinances shall control.

(b) The procedure and standards for the development, layout, and design of subdivisions of land are intended to:

(1) Promote and develop the utilization of land in a manner to assure the best possible community environment in accordance with the comprehensive master plan of the city.

(2) Guide and assist the developers in the correct procedures to be followed and to inform them of the design criteria and standards required.

(3) Protect the public interest by controlling the location, design, class, type of streets, sidewalks, utilities, and of essential areas and services required.

(4) Protect and promote the health, safety, and general welfare.

(5) Provide through the planning and platting process for the protection and notification of individuals that those properties which are to be developed are provided with ~~land development which provides for~~ adequate access, solid waste collection, utility services, and ~~guards~~ protection against potential flood hazards.

(6) Provide for the public welfare those essential areas required for educational, recreational, industrial, and commercial purposes.

Sec. 52-2. Definitions.

For the purpose of this chapter the following terms, phrases, words, and their derivations shall have the meaning given herein. When consistent with the context, words used in the present tense include the future, words in the plural include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory, while the word "may" is merely directory. Definitions not expressly prescribed herein are to be determined in accordance with the law. Definitions expressly prescribed herein are to be construed in accordance with the city's zoning ordinance, or other applicable ordinances of the city, or in the absence of such ordinances, then in accordance with customary usage in municipal planning, surveying, and engineering practices.

Alleys are minor dedicated ~~ways~~ rights-of-way ~~which~~ that are used ~~primarily~~ for utility lines and/or ~~secondarily for~~ vehicular service access to the ~~back~~ rear or the side ~~or~~ of properties otherwise abutting on a street.

Applicant is the owner of a tract or parcel of land, or the subdivider, developer, surveyor, engineer, or other authorized agent representing the owner as appropriate, who submits a plat or who is otherwise subject to the requirements of this chapter.

Block is a contiguous area of land that may contain one or more lots, and which is bounded by any combination of streets, highways, railroad rights-of-way, parks or other public land, waterways, other physical barrier, or exterior boundary of a subdivision.

Building setback line is the line within a property and parallel to a property line defining the minimum required horizontal distance between a building and adjacent street right-of-way line or adjacent property lines.

City means the City of Lockhart, Caldwell County, Texas.

City administrative official or city manager is the city official, or his authorized representative, designated to take action as prescribed in this chapter for, or in, the name of the city.

City manager is the chief administrative officer designated to take action for, or in, the name of the City of Lockhart.

~~*City planner* is the authorized staff representative delegated by the city manager to take action as prescribed in this chapter.~~

City staff are those various persons working for the city, either through direct employment or contract employment, who are so authorized to represent various work elements related to their specific expertise.

Commission means the planning and zoning commission of the city, and is the authority for the approval of plats under this chapter, unless otherwise stated.

Comprehensive master plan:

(1) A statement of public policy containing the goals and objectives of the community.

(2) Capital improvements programs.

(3) Land use plan.

(4) Thoroughfare plan.

(5) Community facilities plan.

(6) Subdivision and zoning regulations and other development codes, ordinances, policies, and plans promulgated by the council for the quality and orderly growth of the community.

Community facility development plan is a document listing the various elements and associated cost estimates of proposed improvements for required community facilities or public open space.

Concept plan is a scale drawing showing the overall development concept of a tract or parcel of land that is prepared for an initial application conference before a plat is submitted.

Council is the City Council of the City of Lockhart.

Day means calendar day unless otherwise specified.

Developer is a person or corporation who provides for the development of a tract or parcel of land into an area where building lots or sites are delineated and provided with street access, utilities and drainage facilities.

Development plat is a boundary survey and site plan for development of a tract of land submitted in accordance with ~~V.T.C.A.,~~ section 212.045 of the Texas Local Government Code ~~§ 212.045 subch. B~~, showing existing and proposed structures and improvements, streets, alleys, sidewalks, easements, and areas for public use.

Director of planning is the staff representative authorized by the city manager to administer and enforce this chapter.

Easement is a grant by the property owner to the public, a corporation, or persons for the use of a strip or tract of land for specific purpose.

Engineer is a person duly authorized by ~~under the provisions of~~ the Texas Engineering Practice Act ~~(Vernon's Ann. Civ. St. art. 3271a)~~, as provided in chapter 1001 of the Texas Occupations Code ~~heretofore or hereafter amended~~, to practice the profession of engineering.

Extraterritorial jurisdiction (ETJ) means the statutory unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the city and further determined ~~under V.C.T.A.,~~ in section 42.121 of the Texas Local Government Code ~~ch. 22~~.

File or Filed is the city's acceptance of a proposed plat or plan for review when it is determined to be complete and all application requirements, including the payment of applicable fees, have been met ~~to place among the official records as prescribed by this chapter~~.

Land use planner or *city planner* is a person having an occupation classified as city or land planning, capable of designing the proposed subdivision, or use of real estate, and capable of professionally drawing the proposals into map or plan form.

Lot is a designated parcel of land established by a recorded subdivision plat or development plat and which may be separately owned and used, developed or built upon.

Market value is the market value of a property as listed in the most recent tax roll of the Caldwell County Appraisal District.

Minor plat or *minor replat* is a recordable plat involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.

Plat is a complete and exact subdivision plan submitted to the city for consideration and which ~~will be~~ is submitted to the county clerk for recording~~,~~ subsequent to the fulfillment of all provisions of this chapter. Plat includes replat, in accordance with ~~V.T.C.A.,~~ section 212.001 of the Texas Local Government Code ~~§ 212.001~~.

Preliminary plat is an initial form of a subdivision plat required whenever public infrastructure must be constructed within the subdivision by the applicant, and is the basis for the engineering plans.

Public facilities are the water, wastewater, roadway, drainage or park facilities owned or operated by or on behalf of the City for the purpose of providing services to the public, including existing and new developments.

Record is to file an official copy of a document in the Office of the Caldwell County Clerk.

Record drawing is a revised set of drawings submitted by a contractor upon completion of a subdivision or other project that reflect all changes made in the specifications and working drawings during the construction process, and show the exact dimensions, geometry, and location of all elements of the work completed under the contract.

Recordable plat is a final plat, replat, resubdivision plat, minor plat, or amending plat, all of which are in a form containing certificates of authorization, dedication and approval in accordance with the requirements of this chapter for final plats, and which is intended to be ~~filed for record~~ recorded in the Office of the Caldwell County Clerk.

Resubdivision plat is a replat that includes adjacent land that is unplatted, or which is a combination of contiguous lots in adjacent but separate recorded subdivisions.

Right-of-way (R.O.W.) is a strip of land used or intended to be used, wholly or in part, as a public street, alley, crosswalk way, sidewalk or drainageway.

Standards are the official maps, master plans, ordinances and specifications of the city.

Streets are that portion of the dedicated right-of-way to be used for vehicle traffic and may be designated as street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

(1) *Major road/arterial streets* are those which are used primarily for fast or heavy traffic and which are designated in the comprehensive master plan as such.

(2) *Collector streets* are those which carry traffic from minors streets to major systems of arterial streets, including the principal entrance streets of a residential development and streets for circulation within such a development and which are designated in the comprehensive master plan as such.

(3) *Minor streets* are those which are used primarily for access to abutting properties.

(4) *Marginal access streets* are minor streets which are parallel to and adjacent to arterial streets and which provide access to abutting properties and protection from through traffic.

(5) *Cul-de-sac* is a short minor street having but one vehicular access to another street and terminated by a vehicular turnaround.

(6) *Dead-end street* is a street, other than a cul-de-sac, with only one outlet.

(7) The *street width* is measured from back of curb to back of curb; where no curb exists, it is measured from edge of pavement to edge of pavement.

Structure is any manmade construction composed of parts joined together, either built or moved onto a site for use, occupancy or ornamentation, and located below or on the ground or attached to something having a location on the ground.

Subdivider is any person or any agent thereof dividing or proposing to divide land so as to constitute a subdivision; in any event the term "subdivider" shall be restricted to include only the owner, equitable owner, or authorized agent of such owner or equitable owner, of land sought to be subdivided.

Subdivision includes the following when done for the present or future purpose of sale or building development of a tract of land located within the corporate limits or in the ETJ of the city:

(1) The division of any tract of land into two or more parts for the purpose of creating one or more new lots for development, or to modify an existing boundary of ownership whether or not for the purpose of development. This includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

(2) The assembly of two or more existing adjacent platted lots in a recorded subdivision into one lot to be under the same ownership and use, where: (a) such lots are the minimum necessary to accommodate all facilities required by city ordinance; and (b) the area encompassed by one or more of the original lots is not proposed to be occupied by any portion of a principal building.

(3) A resubdivision of all or part of a recorded subdivision, including the expansion of a platted lot to include adjacent unplatted land, or the creation of a new lot encompassing portions of two or more adjacent platted subdivisions.

(4) Any change in the size or shape of a previously unplatted tract through acquisition of adjacent unplatted land except, however, where the parcel of land being conveyed between the tracts is vacant or contains an inadvertent existing encroachment, and is not developable by itself due to size, shape, or lack of street frontage, the acquisition shall not constitute a subdivision.

(5) Any change in the size, shape or number of lots in a recorded subdivision.

(6) The relocation of any street or other feature dedicated by a recorded plat, where the relocation alters the boundary of adjacent lots included in the same original plat, and where such lots have not been sold by the owner since the plat was recorded. This does not include simple abandonment or sale by the city of the land included in such dedicated street or other feature.

Subdivision development plan is a plan prepared in accordance with section 52-34, to show the overall future development of a tract of land when it is proposed to be subdivided and developed in phases and only a portion of the tract is to be platted initially.

Subdivision plat is a map of a subdivision submitted in accordance with ~~V.T.C.A.,~~ section 212.04 of the Texas Local Government Code ~~§ 212.04 subch. A,~~ showing the exact location and boundaries of individual parcels of land subdivided into lots, and showing blocks, streets, alleys, easements and areas for public use, as applicable. For the purpose of this chapter, the term plat is used in reference to any recordable plat. No subdivision plat is effective until approved by the city and filed for record in the Office of the Caldwell County Clerk.

Surveyor is a registered professional land surveyor authorized by the Land Surveying Practices Act ~~(Vernon's Ann. Civ. St. art. 5282c)~~, as provided in chapter 1071 of the Texas Occupations Code, to practice surveying within the State of Texas.

Thoroughfare plan is the thoroughfare plan map and associated text and graphics contained in the transportation element of the adopted comprehensive plan.

Utilities include all those various facilities and elements of construction which relate to water, sanitary sewer, electrical, telephone, cable television, and gas distribution, collection, or transmission lines.

~~Sec. 52-3. Variances.~~

~~(a) Concurrently with or separately from consideration of a preliminary plat or recordable plat, the commission may authorize a variance from this chapter when, in its opinion, undue hardship will result from requiring strict compliance. In considering a variance the commission shall allow only conditions that it deems necessary or desirable to the public interest. The commission shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions, public health, safety, convenience and welfare in the vicinity. No variance shall be approved unless the following is established:~~

~~(1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.~~

~~(2) That the variances are necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the variance will not be detrimental to the public health, safety, or welfare, and will not be injurious to other property in the area.~~

~~(3) That the variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.~~

~~(b) Findings of the commission, together with the specific facts on which such findings are based, shall be incorporated under the official minutes of the commission meeting at which a variance is granted. Variances shall be granted only when in harmony with the general purpose and intent of this chapter, so that the public health, safety and welfare may be secured, and substantial justice done. The commission shall not authorize a variance to this chapter that would constitute a violation of any other valid ordinance of the city.~~

~~**Sec. 52-4. Appeals.**~~

~~(a) The commission may consider appeals where the applicant alleges that there is an error in an order, requirement, decision or determination made by the city staff in the enforcement of this chapter. The commission may reverse or affirm, in whole or in part, or modify the city staff's order, requirement, decision or determination.~~

~~(b) Any person or persons aggrieved by any decision of the commission with respect to subdivision plats, subdivision variances, and appeals of administrative determinations may appeal to the city council by submitting to the city planner, within ten days after the date of the commission's action, a written request specifying the grounds for the appeal, together with any supporting evidence. The appeal shall be forwarded to the council together with a copy of the approved minutes of the commission meeting at which the decision in question was made, and shall be considered at the earliest regular meeting for which all required materials are available. The council shall uphold, modify, or reverse the decision of the commission.~~

Sec. 52-~~5~~ 3. Enforcement.

(a) Any subdivision of land being developed in violation of the terms and provisions of these regulations is hereby declared to be a public nuisance, and the city shall institute any action that may be necessary to restrain or abate such violations.

(b) Any person violating any provision of this chapter, within the corporate limit of the city, shall be guilty of a misdemeanor. Prosecution or conviction under this provision shall never be a bar to any other remedy or relief for violations of this chapter.

(c) Any person violating any provision of this chapter, outside the corporate limits of the city, but within the city's extraterritorial jurisdiction, shall not be considered as committing a misdemeanor, nor shall any fine be applicable; however, the city shall have the right to institute an action in the district court to enjoin the violation of any provision of this chapter

(d) On behalf of the city, the city attorney shall institute appropriate action to enforce the provisions of this chapter, or the standards referred to herein, with respect to any violation thereof which occurs within any area subject to the provisions of this chapter.

(e) The city attorney, or any other attorney representing the city, may at the city's request file an action in a court of competent jurisdiction to enjoin the violation or threatened violation by an owner of a tract of land of a requirement regarding the tract established by this chapter or to recover damages from the owner of a tract of land in an amount adequate for the city to undertake any construction or other activity necessary to bring about compliance with this chapter. An "owner of a tract of land" does not include the owner of an individual lot in a subdivided tract of land.

Secs. 52-~~6~~ 4—52-30. Reserved.

ARTICLE II. PROCEDURE

Sec. 52-31. Plat required.

(a) *Subdivision plat*. The owner of a tract of land located within the city limits or extraterritorial jurisdiction who creates a subdivision, as defined in this chapter, shall prepare and submit a subdivision plat to the city for approval and recording according to the procedures and requirements of this chapter. No owner or agent of the owner of any land located within a subdivision shall sell or convey any land by reference to, exhibition of, or by the use of a plan or plat of a subdivision, nor shall a building permit be issued for or utility service be provided to any development on a tract of land requiring a recordable plat, before such plat is filed for review and approval by the city, and ~~record~~ recorded with the county clerk. The conveyance of real property included within the subdivision shall be by ~~a~~ lot and block. A subdivision plat is not required for the division or assembly of tracts of land into parts greater than five acres within the city limits, or greater than ten acres in the extraterritorial jurisdiction, where each part has access and no public improvement is being dedicated. For the purposes of this section, "access" means abutting an improved public street right-of-way along at least one property line for a distance of at least 25 feet. For the purposes of this section, "public improvement" means a right-of-way or easement, or other land, dedicated to and accepted by a taxing entity or public utility company for infrastructure or other public uses.

(b) *Development plat*. The owner of a tract of land located within the city limits or extraterritorial jurisdiction where no subdivision plat is required who proposes to construct a new building, or a structural addition exceeding 50 percent of the floor area of an existing building, on a tract that is not part of a recorded subdivision, ~~and where no subdivision plat is required,~~ shall prepare and submit a development plat to the city for approval according to the applicable standards and procedures for ~~preliminary~~ subdivision plats. No owner or agent of the owner of a tract of land shall undertake any construction, nor shall a building permit be issued for or utility service be provided to any development on a tract of land requiring a development plat, before such plat is approved in accordance with this chapter. A development plat is not required for:

(1) The construction or expansion of one single-family or duplex dwelling, or the installation of one manufactured home, on the tract.

(2) The construction of buildings not intended for human occupancy and as an accessory to any existing use provided such structures ~~are in conformance with~~ conform to all other applicable city regulations.

(3) The construction of buildings for storage of equipment, materials, or harvested products, or for the shelter of animals, where the sole use of the property is for agricultural purposes.

(c) *Family transfer exemption*. The owner of a tract of land located within the city's extraterritorial jurisdiction who wishes to subdivide the tract into four or fewer parcels for agricultural use and/or a single-family dwelling or manufactured home on each parcel is exempt from the requirement to submit a subdivision plat or development plat, subject to the following conditions:

(1) A Family Transfer Exemption application, including a survey showing the proposed subdivision lots, is submitted for administrative review and approved by the director of planning.

(2) The new parcels (the "second parcels") must be sold, given, or otherwise transferred by deed to individuals who are related to the original owner within the first or second degree of consanguinity or first degree of affinity, as defined in Chapter 573 of the Texas Government Code.

(3) An affidavit attesting to the familial relationship must be signed by the original owner and each owner of a second parcel, and must be provided to the director of planning along with a completed Family Transfer Exemption application form and fee.

(4) A deed restriction must be recorded by the original owner with the deeds prohibiting a secondary sale or further subdivision of the second parcels, or transfer of a parcel back to the owner of the original tract, for a period of five years unless in compliance with this chapter.

(5) All parcels must abut an existing public street right-of-way improved to Caldwell County road standards along at least one property line for a distance of at least 50 feet.

(6) All parcels must be at least one acre in area.

(7) Development on each lot shall comply with Caldwell County development regulations pertaining to residential/construction permits, driveway permits, on-site sewage facilities, floodplain hazard management, 911 addressing, and setbacks from water wells and septic systems, as applicable.

(8) If the subdivision does not or cannot comply with the foregoing requirements, either a subdivision plat must be submitted in accordance with section 52-31, above, or a subdivision variance may be requested as provided in section 52-3.

Sec. 52-32. ~~Initial application~~ Concept plan.

The applicant ~~shall~~ may prepare a concept plan and arrange with the ~~city planner~~ director of planning for an informal conference with city officials for advice and assistance prior to preparing and submitting ~~the~~ a preliminary plat, subdivision development plan, or recordable plat if no preliminary plat or subdivision development plan is required. Seven copies of the concept plan, prepared in accordance with section 52-171, ~~will~~ shall be delivered to the ~~city planner~~ director of planning not less than five business days prior to the conference. Because no application form is required, and no formal approval action is involved, the time limits for the review of plats and plans as provided in section 52-32.5 do not apply to concept plans. A concept plan is typically not applicable for a replat, resubdivision plat, minor plat, or amending plat.

Sec. 52-32.5. Plat/plan review and approval process.

(a) Submission of any plat or plan as provided in sections 52-33 through 52-40, and section 52-174, of this chapter, or as provided in chapter 64 "Zoning" for PDD development plans in the Planned Development District, shall be subject to an administrative completeness review prior to being accepted for technical review. A complete application shall consist of an application form with all sections completed and any required exhibits attached, preapplication approvals as described in section 52-34.5, payment of the application and/or review fee, and one full-size paper copy of the plat or plan containing all required information. The applicant shall be notified within ten business days whether the plat or plan is complete or not complete, with reasons given in writing if it is determined

to be not complete. Engineering plans shall be submitted to the city engineer in a format determined by the city engineer, and the applicant shall be notified within ten business days whether the plans are complete or not complete, with reasons given in writing if it is determined to be not complete.

(b) When notified of an incomplete plat or plan, the applicant must resubmit their application correcting all deficiencies within 45 days of the date they are notified that it is not complete. Failure to resubmit a complete plat or plan within 45 days of the notice of incompleteness shall be deemed a withdrawal of the application, and the plat or plan may not be resubmitted except as a new application. Submittal of a plat or plan, including any required application form, is not accepted nor considered to be filed as defined in this chapter until it is determined to be complete.

(c) Once the application is deemed complete, the plat or plan is filed with the city in accordance with the procedures provided in sections 52-33 through 52-40, and section 52-174, of this chapter, or as provided in chapter 64 "Zoning" for PDD development plans in the Planned Development District, for the technical review. The plat or plan must be approved, approved with conditions, or disapproved within 30 calendar days after the date the plat or plan is filed. A plat or plan is deemed approved unless it is disapproved within that period, or unless it is extended for one additional period of 30 calendar days by mutual agreement of the city and the applicant, whereby the applicant requests the extension in writing prior to the end of the first 30-day period, and the city approves the extension request.

(d) If the technical review of the plat or plan for accuracy reveals deficiencies that will likely result in disapproval if the deficiencies are not corrected, written comments identifying such deficiencies shall be provided to the applicant, and the applicant shall resubmit the plat or plan with the deficiencies corrected. If this occurs one or more times, and the plat or plan is not resubmitted without deficiencies by the date that would allow it to be approved prior to the applicable deadline provided in subsection (b), the director of planning may recommend that the plat or plan be approved with conditions or be disapproved.

(e) If a plat or plan is approved, the city shall endorse the plat or plan with a certificate indicating the approval. If the city fails to approve, approve with conditions, or disapprove the plat or plan within the initial 30-day period or the 30-day extension, as applicable, the city shall issue a certificate stating the date the plat or plan was filed and that the city failed to act on it within that period. Such certificate is effective in place of the endorsement indicating approval.

(f) If a plat or plan is approved with conditions or is disapproved, the applicant shall be provided a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulate each specific condition or reason. Each condition or reason must include a citation to the provision of: 1) this chapter; 2) chapter 64 "Zoning" for PDD development plans in the Planned Development District; 3) the City of Lockhart Construction Standards; or, 4) chapter 212 "Municipal Regulation of Subdivisions and Property Development" of the Texas Local Government Code, that is the basis for the conditional approval or disapproval, as applicable.

(g) After the conditional approval or disapproval of a plat or plan, the applicant may submit a written response that satisfies each condition for the conditional approval, or remedies each reason provided for disapproval. Once such response is received, the revised plat or plan must be approved or disapproved not later than the 15th calendar day after the date the response was submitted. The revised plat or plan is deemed approved unless it is disapproved within that period, in which case the

city shall issue a certificate stating the date the revised plat or plan was submitted and that the city failed to act on it within 15 calendar days. Such certificate is effective in place of the endorsement indicating approval.

(h) If the revised plat or plan adequately addresses the reasons for the original conditional approval or disapproval, the city shall endorse it with a certificate indicating the approval as provided in subsection (d). If the revised plat or plan is disapproved, the applicant shall be provided a written statement of the reasons for disapproval as provided in subsection (f). Following such disapproval, the plat or plan may not be resubmitted except as a new application.

Sec. 52-33. Preliminary plat procedure.

(a) Following the ~~initial application~~ concept plan conference ~~and staff review of the concept plan~~, if any, the applicant shall prepare a preliminary plat in accordance with section 52-172~~,~~ if the subdivision involves new public infrastructure~~,~~. The plat is subject to the review and approval process provided in section 52-32.5. When determined to be complete, six full-size copies shall then be submitted ~~in seven prints~~ to the ~~city planner~~ director of planning for ~~staff~~ technical review~~, along with the application form and fee, at least three weeks prior to the commission meeting at which it is to be considered~~. Upon receipt of staff comments, the applicant shall make any requested corrections or other changes to the plat or plan, and resubmit one full-size copy or digital file in the PDF format for review. Once the director of planning determines that the plat or plan is correct, the applicant shall submit ~~12~~ 11 copies ~~prints~~ of the revised preliminary plat to the ~~city planner~~ director of planning, who will then refer it to the commission for approval ~~within three weeks of the submission of revisions~~. In addition, the applicant shall provide a digital file in the PDF format. All plat prints shall be folded to a size no larger than nine inches by 12 inches at the time of submittal. If one or more variances are desired, they shall be requested concurrent with the preliminary plat application.

(b) The city engineer, ~~city planner~~ director of planning, or commission may require the applicant to submit additional topographic information, detailed plans for proposed uses, or other information to determine possible flood or erosion hazards, the effect of the subdivision uses upon flows, and the adequacy of proposed flood protection measures. Such request will be in writing and shall specify the type of additional data required and its format. The city may employ, at the city's expense, outside consultants for technical assistance and advice upon request of the commission or city staff.

(c) The preliminary plat shall be reviewed as follows:

(1) City engineer, public works, water/wastewater and electric departments as appropriate:

a. Drainage system.

b. Street layout, paving grades, type of paving.

c. Boundary lines.

d. Monuments and benchmarks.

e. Location and size of alleys.

f. Availability of adequate water, sanitary sewer and electric service to the subdivision, including required water flow for fire suppression.

g Water utility system and fire hydrant locations.

h. Sanitary sewer utility system.

i. Electrical distribution system and street lighting.

j. Utility easements.

(2) ~~City planner~~ Director of planning:

a. General plat format and content.

b. Lot and block numbers.

c. Street layout.

d. Street names.

e. Lot dimensions and building lines.

f. Subdivision name.

(3) Police department:

a. Traffic safety devices.

b. Street names and design.

c. Public access.

(4) Fire department/EMS:

a. Water utilities system and fire hydrant locations.

b. Street names.

c. Fire protection access.

(d) The ~~city planner~~ director of planning shall forward the preliminary plat, and accompanying data to the commission with staff recommendations as to any further modifications.

(e) The commission shall:

(1) Approve or disapprove the preliminary plat and/or variances; or,

(2) Approve the preliminary plat and/or variances with modifications.

(f) Within ten days of the commission's decision, the city shall issue to the applicant a certificate stating the date that the preliminary plat was approved, approved with modifications, or denied, and state the reasons for denial, if applicable.

(g) If the commission disapproves, or approves with modification, the preliminary plat and/or variances, the applicant may elect one of the following:

(1) In the case of disapproval, make any changes necessary to address the commission's reason for denial, resubmit the plat to the ~~city planner~~ director of planning with revisions for review and reconsideration by the commission in accordance with the same procedural requirements as for the original submission. If a revised preliminary plat is not resubmitted within 90 days of the commission's denial, it shall be considered withdrawn.

(2) In the case of approval with modification, make the changes requested by the commission and provide the ~~city planner~~ director of planning with two revised copies of the preliminary plat. If the revised copies are not resubmitted within 90 days of the commission's approval, the preliminary plat shall be considered withdrawn.

(3) In either case of disapproval or approval with modification, not change or resubmit the plat, and appeal as provided in this chapter.

(h) After approval of the preliminary plat and/or variances by the commission, and submittal of revised copies, if applicable, the applicant may proceed with the final plat and engineering plans.

(i) Approval of the preliminary plat shall be effective for no more than 12 months before the final plat and engineering plans are submitted for approval. If no circumstances have occurred which would affect the preliminary plat during that period, the commission may consider, upon written request by the applicant, extending the approval of a maximum of two additional six-month time periods. At the end of this extension period, the approval is automatically revoked. The city reserves the right to review the condition of the project area to make a determination whether or not each six-month extension is justified or if modification should be made thereto. A preliminary plat that has expired can be reactivated only by resubmittal in accordance with all normal procedures for the original submission.

Sec. 52-34. Subdivision development plan procedure.

When only a portion of a tract is to be platted initially, with one or more additional phases of the same subdivision to be platted sequentially at a later date, and where a preliminary plat is not submitted for the entire original tract, the following provisions apply:

(1) A subdivision development plan for the entire tract and a preliminary plat, if required, for that phase to be immediately developed shall be submitted together for review and approval in accordance with the procedures in section 52-33 for preliminary plats. The subdivision development plan is a scale drawing including a vicinity map and legal description of the property, and showing proposed street rights-of-way, easements, building sites or lots, areas for parks or other public facilities, school sites, utilities, drainage features, contour intervals of not less than five feet, and proposed phase boundaries for the subdivision to be developed in sections.

(2) Upon approval, or approval with modifications, of the subdivision development plan and preliminary plat by the commission, a final plat for that portion to be immediately developed shall be submitted in accordance with this chapter. Additional phases conforming with the approved subdivision development plan may then be platted sequentially in accordance with the requirements for preliminary and final plats. No changes to the subdivision development plan shall be made without approval of the commission.

(3) The first phase subdivided shall be labeled "Section One" following the name of the subdivision, with subsequent phases numbered sequentially thereafter.

Sec. 52-34.5. Final plat preapplication approvals.

Applicable preapplication approvals must be completed before a final plat is filed. Documents subject to preapplication approval may include one or more of the following: 1) engineering plans in accordance with section 52-174; 2) a public facility development plan as provided in section 52-114; 3) a FEMA conditional letter of map revision (CLOMR) as provided in section 52-80(a); and, 4) a traffic impact analysis as provided in section 52-72(p).

Sec. 52-35. Final plat procedure.

(a) A final plat, which is a recordable plat, ~~and engineering plans, if required,~~ shall be prepared in accordance with the approved preliminary plat, if any, and with ~~sections~~ section 52-173 ~~and 52-174~~. Following completion of preapplication approvals, the plat is subject to the review and approval process provided in section 52-32.5. When determined to be complete, ~~Seven prints~~ six full-size copies of the plat and two full-size copies of the engineering plans, if applicable~~, along with a written application~~, shall be submitted to the ~~city planner~~ director of planning for ~~staff~~ technical review. ~~Two additional copies of the engineering~~ Engineering plans shall be submitted to the city engineer in a format determined by the city engineer. Upon receipt of staff comments, the applicant shall make any requested corrections or other changes to the plat and/or plan, and resubmit one full-size copy or digital file in the PDF format for review. Once the director of planning determines that the plat or plan is accurate and is consistent with the approved preliminary plat, if applicable, the applicant shall submit ~~12~~ 11 full-size copies ~~prints~~ of the revised plat (two ~~prints~~ copies of revised minor plats) ~~and engineering plans~~ to the ~~city planner~~ director of planning. ~~The plat shall be considered "filed" with the city on the date that the revisions are submitted along with the application fee as provided herein. The revised plat will be accepted only if the engineering plans, if any, have been approved by the city engineer. In addition, if the subdivision involves improvements that are subject to a FEMA letter of map revision (LOMR), the approved conditional letter of map revision (CLOMR) shall be provided to the city prior to acceptance of the plat.~~ All plat prints shall be ~~pre-~~folded to a size no larger than nine inches by 12 inches ~~at the time of~~ prior to submittal. If no preliminary plat was required and one or more variances are desired, they shall be requested concurrent with the final plat application.

(b) ~~Within 30 days after the final plat is filed with the city planner, the commission shall approve or disapprove the plat and variance(s), if any. Within ten days of the commission's decision, the city shall issue to the applicant a certificate stating the date that the final plat was approved or denied, and state the reasons for denial, if applicable.~~ If the plat complies with all standards and requirements of this chapter, it shall be approved. ~~A final plat that is denied may be resubmitted as a continuance of the same application if the necessary changes are made to address the reasons for the commission's~~

~~denial. If a revised final plat is not resubmitted within 90 days of the commission's denial, it shall be considered withdrawn.~~ The commission shall approve, approve with conditions, or deny the plat and variances, if any, in accordance with the process provided in section 52-32.5.

(c) After approval of the ~~final~~ plat, the applicant shall submit a set of digital drawing files of the plat on compact disc or flash drive, or by e-mail or cloud storage, in a digital PDF format, ~~and as a DXF, DWG, or ESRI shape file projected within the parameters of the Texas State Plane Coordinate System, South Central Zone, NAD 83, in survey feet,~~ and shall also submit two coated, non-smearing Vellum or Mylar reproducible sets of the plat containing the notarized signature of the owner(s), and the signatures and seals of the surveyor and engineer, as applicable. The chairman of the commission, or designee, will sign the approval certificate on the reproducible sets. In the case of amending plats and minor plats or minor replats not requiring a variance, the city manager will sign the approval certificate. The ~~city planner~~ director of planning shall cause the final plat to be recorded with the county clerk within five business days after acceptance by the city of all improvements, as provided in section 52-202, and upon receipt of the items listed in section 52-204. After recording, one reproducible set shall be retained by the ~~city planner~~ director of planning.

(d) Changes made to a final plat subsequent to being recorded and not eligible for an amending plat as set forth in section 52-39, shall be submitted as a replat in accordance with section 52-38. Other corrections or changes made to a final plat subsequent to being recorded~~,~~ shall be submitted as an amending plat in accordance with section 52-39. Upon approval of the replat or amending plat, it shall be recorded with the county clerk, who shall mark the previously recorded plat as ~~"void"~~ *"Void"*.

(e) Construction by the applicant of any required public improvements shall commence within 12 months of the commission's approval of a final plat. Upon written request by the applicant, the ~~city planner~~ director of planning may extend approval for one ~~additional~~ six-month period. At the end of this extension period, the approval is automatically revoked. A final plat that has expired can be reactivated only by resubmittal in accordance with the normal procedures for the original submission, including payment of applicable fees.

Sec. 52-36. Minor plat or minor replat procedure.

A minor plat does not require prior approval of a preliminary plat, and is prepared and processed in accordance with the requirements for final plats as specified in section 52-35, except that it may be approved administratively by the city manager or the city manager's designee. The city manager or designee may for any reason, elect to present the plat to the commission or, if the city manager or designee refuses to approve the plat, it shall be referred to the commission for approval or denial, in accordance with the procedures for final plats within three weeks of the city manager's denial. If one or more variances are requested by the applicant, the plat ~~is considered a final plat and~~ must be referred to the commission for approval or denial of both the variance and the plat in accordance with the procedure for final plats.

Sec. 52-37. Vacating plat.

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

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

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

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

Sec. 52-38. Replatting without vacating preceding plat.

(a) A replat is a recordable plat other than a minor replat as provided in section 52-36 that does not require prior approval of a preliminary plat and is prepared and processed in accordance with the requirements for final plats as specified in section 52-35~~, subject to additional public hearing requirements, if applicable, as set forth in this section~~. A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of the plat if the replat:

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

(2) Is approved by the commission, after a public ~~hearings~~ hearing at which parties in interest and citizens have an opportunity to be heard; and,

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

(b) If during the preceding five years, any of the area to be replatted without vacation of the preceding plat was limited by zoning classification or deed restrictions to residential use for not more than two units per lot, and the replat requires a variance, then approval of the replat is subject to a public hearing, and notice of the ~~public~~ hearing ~~required in subsection (a)~~ shall be given before the 15th day before the date of the hearing by:

(1) Publication in the city's official newspaper/publication of record; and,

(2) Written notice by mail, with a copy of subsection (c) of this section attached, to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved city tax roll or, in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property on which the replat is requested.

(c) If the proposed ~~plat~~ replat requires a variance and is protested in accordance with this subsection, the proposed plat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members of the commission present. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, ~~but within the~~ excluding areas outside the original subdivision, must be ~~filed with~~ submitted to the director of planning or the commission prior to the close of the public hearing. In computing the percentage of land under this subsection, the area of streets and alleys shall be included.

(d) Compliance with ~~the subsection~~ subsections (b) and (c) is not required if the area to be replatted was designated or reserved for other than single-family or duplex-family residential by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

(e) If during the preceding five years, any of the area to be replatted without vacation of the preceding plat was limited by zoning classification or deed restrictions to residential use for not more than two units per lot by-right, and does not require a variance, then notice by mail shall be given not later than the 15th day after the date the replat is approved to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent city tax roll, or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property on which the replat is requested. The notice shall include the zoning designation of the property after the replat, and the telephone number and e-mail address an owner of a lot may use to contact the city about the replat.

Sec. 52-39. Amending plat.

(a) An amending plat is a recordable plat prepared and processed in accordance with the requirements for final plats as specified in section 52-35, except that it may be approved administratively by the city manager or the city manager's designee. It is controlling over the preceding plat without vacation of that plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:

(1) To correct an error in a course or distance shown on the preceding plat.

(2) To add a course or distance that was omitted on the preceding plat.

(3) To correct an error in a real property description shown on the preceding plat.

(4) To indicate monuments set after the death, disability, or retirement from practice of the surveyor responsible for setting monuments.

(5) To show the location or character of a monument that has been changed in location or that is shown incorrectly as to location or character on the preceding plat.

(6) To correct any other type of scrivener or clerical error or omission previously approved by the city including lot numbers, acreage, street names and identification of adjacent recorded plats.

(7) To correct an error in courses and distances of lot lines between two adjacent lots if:

a. Both lot owners join in the application for amending the plat;

b. Neither lot is abolished;

c. The amendment does not attempt to remove recorded covenants or restrictions; and,

d. The amendment does not have a material adverse effect on the property rights of the other owners in the plat.

(8) To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement.

(9) To relocate one or more lot lines between one or more adjacent lots if:

a. The owners of all those lots join in the application for amending the plat;

b. The amendment does not attempt to remove recorded covenants or restrictions; and,

c. The amendment does not increase the number of lots.

(10) To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:

a. The changes do not affect applicable zoning and other regulations of the city;

b. The changes do not attempt to amend or remove any covenants or restrictions; and,

c. The area covered by the changes is located in an area that the commission and council have approved, after a public hearing, as a residential improvement area.

(11) To replat one or more lots fronting on an existing street if:

a. The owners of all those lots join in the application for amending the plat;

b. The amendment does not attempt to remove recorded covenants or restrictions;

c. The amendment does not increase the number of lots; and,

d. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

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

(c) Amending plats shall be presented to the city manager or the city manager's designee for approval. If, for any reason, the city manager or designee does not wish to approve the plat, it shall be presented to the commission for approval or denial in accordance with the procedures for final plats in section 52-35, within three weeks of the city manager's denial. If a variance is requested by the applicant, the amending plat must be referred to the commission for approval or denial of both the variance and the plat.

Sec. 52-40. Procedure for approval of development plat.

(a) Development plats for which it is determined that no dedication of land or easements, ~~dedications or~~ nor construction of public improvements other than sidewalks is required, may be approved administratively by the ~~city planner~~ director of planning. The plat is subject to the completeness review and approval process provided in section 52-32.5. If one or more variances are requested by the applicant, the plat must be referred to the commission for approval or denial of both the variance and the plat in accordance with the procedure for final plats. A building permit shall not be issued for the development prior to endorsement of the ~~city planner's~~ director of planning's or the commission's approval on the plat, as applicable.

(b) Development plats requiring the construction of public ~~sidewalks,~~ streets~~,~~ or alleys, and/or the dedication of land or easements to accommodate such facilities as required to comply with city standards, shall be prepared and processed in accordance with the requirements for final plats as specified in section 52-35 provided, however, that when there is no dedication of land or easements, or where the applicant chooses to dedicate such land or easements by separate instrument instead of on the plat, recording of the development plat with the county clerk is not required. A building permit shall not be issued for the development prior to approval of the development plat by the commission. The development shall not pass final inspection or receive a certificate of occupancy until any required construction of public facilities is completed and accepted by the city, and any required dedications are recorded with the county clerk on the development plat or by separate instrument.

Sec. 52-41. Application fees.

Application fees for preliminary plats and all recordable plats, shall be as established by separate resolution of the city council. Such fees, which are collected for the purpose of defraying the costs administrative, clerical and inspection services necessary to implement this chapter, shall be collected by the city at the time the plat is submitted. No action by the city shall be valid unless and until the required fees have been paid to the city.

Sec. 52-42. Dedication and construction of public infrastructure.

(a) The approval of a plat is not considered an acceptance of any proposed dedication and does not impose on the city any duty regarding the maintenance or improvement of any dedicated parts until the city accepts the required improvements in accordance with section 52-202, or until the plat is recorded.

(b) To ensure that it will not incur liabilities, the city may require, before it gives approval of the engineering plans for a development, that the owner provide sufficient surety and warranty to guarantee that claims against the development will be satisfied if a default or construction failure occurs. A nonrevocable bond in the amount of ten percent of the total construction cost shall continue in force until the one-year warranty of construction has expired. This subsection does not preclude a claimant from seeking recovery by other means.

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

Secs 52-43—52-~~70~~ 49. Reserved.

ARTICLE III. RELIEF PROCEDURES

Sec. 52-50. Variances.

(a) Concurrently with or separately from consideration of a preliminary plat or recordable plat, the commission may authorize a variance from this chapter when, in its opinion, undue hardship will result from requiring strict compliance. In considering a variance the commission shall allow only conditions that it deems necessary or desirable to the public interest. The commission shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity,

the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions, public health, safety, convenience and welfare in the vicinity. No variance shall be approved unless the following is established:

(1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land.

(2) That the variances are necessary for the preservation and enjoyment of a substantial property right of the applicant, that the granting of the variance will not be detrimental to the public health, safety or welfare, and will not be injurious to other property in the area.

(3) That the variance shall not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter.

(b) Findings of the commission, together with the specific facts on which such findings are based, shall be incorporated under the official minutes of the commission meeting at which a variance is granted. Variances shall be granted only when in harmony with the general purpose and intent of this chapter, so that the public health, safety and welfare may be secured, and substantial justice done. The commission shall not authorize a variance to this chapter that would constitute a violation of any other valid ordinance of the city.

Sec. 52-51. Appeals.

(a) The commission may consider appeals where the applicant alleges that there is an error in an order, requirement, decision or determination made by the city staff in the enforcement of this chapter. The commission may reverse or affirm, in whole or in part, or modify the city staff's order, requirement, decision or determination.

(b) Any person or persons aggrieved by any decision of the commission with respect to subdivision plats, subdivision variances, and appeals of administrative determinations may appeal to the city council by submitting to the director of planning, within ten days after the date of the commission's action, a written request specifying the grounds for the appeal, together with any supporting evidence. The appeal shall be forwarded to the council together with a copy of the approved minutes of the commission meeting at which the decision in question was made, and shall be considered at the earliest regular meeting for which all required materials are available. The council shall uphold, modify, or reverse the decision of the commission.

Sec. 52-52. Vested Rights.

The city shall consider the approval, disapproval or conditional approval of a subdivision or development plat solely on the basis of any orders, regulations, ordinances, rules, expirations dates, or other properly adopted requirements in effect at the time the original application is submitted for review, including review for administrative completeness, in accordance with chapter 245 “Issuance of Local Permits” of the Texas Local Government Code, as well as any similar chapter, section, or provision of the Lockhart Code of Ordinances pertaining to vested rights related to development regulations and permits that is not in conflict with chapter 245. This includes application for establishment of development rights, subsequent determination, and appeal, if any.

Secs. 52-53—52-59. Reserved.

ARTICLE IV. PUBLIC FACILITIES

Sec. 52-60. Proportionality.

In accordance with section 212.904 "Apportionment of Municipal Infrastructure Costs" of the Texas Local Government Code, it is the intent of this chapter that the regulations and standards herein achieve proportionality between the demands created by the proposed subdivision on public facilities and the obligation to provide adequate public facilities, assuring that development impacts are mitigated through contributions of land dedications, construction of capital improvements, and/or payment of fees, and that a development project contribute its fair share of such costs. A proportionality determination assures that a requirement to dedicate, construct, or pay a fee in lieu of dedication or construction imposed on a proposed plat as a condition of approval does not result in a disproportionate cost burden on the property owner, taking into consideration the nature and extent of demands created by the proposed development on the city's public facilities systems. Required land or easement dedication, construction of public facilities, or payment of a fee, by the applicant is an exaction.

Sec. 52-61. Capital Improvements.

Land proposed for development in the city and in the city's extraterritorial jurisdiction must be served adequately by essential public facilities and services, including streets, sidewalks/trails, bikeways, stormwater drainage, water, wastewater, electricity, open space, and parks. A subdivision plat or development plat shall not be approved until and unless adequate public facilities exist or provision has been made for the facilities, whether the facilities are to be located within the property or off-site. A public facility shall be considered sufficient where it is demonstrated to have available capacity to accommodate the service demand generated by the proposed development, as well as other approved developments that would impact the service capacity.

Sec. 52-62. Land Dedication.

A subdivision plat or development plat shall not be approved until and unless it includes dedication of easements, rights-of-way, and other land as necessary to accommodate the essential public facilities and services required to fulfill the development's obligation as provided in section 52-61.

Sec. 52-63. Determination.

(a) Upon request by the director of planning or director of public works, the city engineer may make a determination as to whether or not an exaction requirement to be imposed as a condition of plat approval is roughly proportionate to the demand created by the subdivision or development on the essential public facility system of the city. In making this determination, the city engineer may consider:

(1) The proposed and potential use of the land.

(2) The timing and sequence of development in relation to availability of adequate levels of public facilities systems.

(3) Studies conducted to measure the demand for services create by the subdivision or development and its impact on the city's public facilities system.

(4) The function of the public infrastructure improvements in serving the proposed subdivision or development.

(5) The degree to which public infrastructure improvements necessary to serve the proposed subdivision or development are supplied by other developments.

(6) The anticipated participation by the city in the costs of necessary public infrastructure improvements.

(7) The degree to which acceptable private infrastructure improvements to be constructed and maintained by the applicant will offset the need for public infrastructure improvements.

(8) Any reimbursements for the costs of public infrastructure improvements for which the proposed subdivision or development is eligible.

(9) Any other information relating to the impacts created by the proposed subdivision or development on the city's public facilities systems.

(b) The Planning and Zoning Commission shall consider the city engineer's report, if any, in making a decision on a plat application, including conditional approval. The commission may also consider the report in granting a variance to one or more provisions of this chapter.

Sec. 52-64. Appeal.

An applicant for a subdivision plat or development plat which imposes an exaction requirement may file an appeal to contest any proportionality determination, other than impact fees, imposed as a condition of approval or in which the failure to comply is grounds for denying the application. The appeal is processed as provided in section 52-51.

Secs 52-~~43~~ 65—52-~~70~~ 71 Reserved.

ARTICLE ~~III~~ V. DESIGN STANDARDS

~~**Sec. 52-71. Reserved.**~~

Sec. 52-72. Streets.

(a) The arrangement, character, extent, width, grade, and location of all streets shall conform to the thoroughfare plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. A plat of property in the path of a future collector or arterial street shown on the thoroughfare plan map shall dedicate the right-of-way corresponding to its classification, and the street shall be constructed at the subdivider's expense for all segments within the boundary of the subdivision.

(b) When a street is not on the thoroughfare plan, the arrangement of streets in a subdivision shall provide for the continuation of existing streets in surrounding areas. If there are no streets existing on adjacent vacant and unsubdivided land, the arrangement of streets in the subdivision shall make provision for the proper extension of streets into such area. The length of any dead end street projections intended for future extension beyond the limits of the subdivision shall not exceed the depth of one lot unless a cul-de-sac is constructed no further than one lot from the subdivision perimeter. Consideration shall be given to efficient internal distribution of traffic by maximizing connectivity with multiple streets and intersections in a grid pattern or similar arrangement of blocks.

(c) All subdivisions with a potential to serve more than ~~100~~ 75 dwelling units, or more than ~~25~~ 15 nonresidential lots, shall have at least two points of vehicular access consisting of improved streets connected to the city's thoroughfare system; or, a single entrance street divided by a median where the median extends to the nearest internal street which provides at least two routes to the interior of the subdivision. Residential driveways shall not be located on the sides of the divided street parallel to and within the length of an entrance median.

(d) Where a subdivision adjoins or contains an existing or proposed major road, arterial street, or collector street, the commission may require marginal access streets, reverse frontage, deep lots with rear service alleys, or such treatment as may be necessary for adequate protection to residential properties and to afford separation of through and local traffic. No side lot access to residential corner lots shall be allowed from any arterial street.

(e) Where ~~the~~ a proposed new subdivision, or replat of an existing subdivision that creates additional lots, abuts upon an existing street that does not conform to the corresponding classification in the thoroughfare plan, the subdivider shall dedicate one-half of the right-of-way ~~sufficient~~ needed to make the ultimate full right-of-way width conform. Where the dedication of right-of-way is not feasible due to topographic or other physical obstructions, the subdivider may, at the city's discretion, dedicate a public access easement with corresponding utility or drainage easements as necessary in lieu of dedicating public street right-of-way.

(f) Reserve strips controlling access to streets, rights-of-way, or other land dedicated or intended to be dedicated to public use shall be prohibited, except where the city is given control, under conditions approved by the commission.

(g) Street jogs with centerline offsets of less than 125 feet are prohibited ~~shall be avoided~~.

(h) Arterial street intersections shall be at 90-degree angles. Other street intersections shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect at less than 75 degrees nor more than 105 degrees.

(i) Street right-of-way and pavement widths shall be as shown on the thoroughfare plan and, where not shown therein, shall be not less than as follows:

(1) *Arterial streets:* Minimum right-of-way width 80 feet to a maximum of 140 feet, with the pavement width section to be based on standard details for the specific street class, depending upon the location and existing streets with which said street is to be connected.

(2) *Collector streets:* Right-of-way width 60 feet, and pavement width of 41 feet back-to-back of curb. The right-of-way width may be required to be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

(3) *Minor streets:*

a. *Residential street:* Right-of-way width 50 feet, and pavement width of 31 feet back-to-back of curb. The right-of-way width shall be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

b. *Local street in multifamily, commercial or industrial areas:* Right-of-way width 60 feet, with pavement width section as identified in standard details or greater if required for drainage. The right-of-way may be required to be wider or supplemented with abutting easements where all utilities are to be located in the front of lots.

(j) Half-width streets shall be prohibited.

(k) A cul-de-sac shall not be longer than 500 feet measured from the connecting street centerline to the center radius point of the closed end having a paved street turnaround diameter of at least 80 feet with a right-of-way diameter of at least 100 feet ~~for~~ in residential areas, and ~~at least 180-foot~~ a paved street turnaround diameter of at least 100 feet with a ~~200-foot~~ right-of-way diameter of at least 120 feet in ~~commercial and industrial~~ nonresidential areas. Greater diameters may be required where the cul-de-sac would serve industrial or other development that uses tractor-trailer trucks. Center islands may be provided subject to approval by the city.

(l) Traffic circles (roundabouts) are encouraged in appropriate locations and may be used in accordance with the following conditions:

(1) The design shall be in accordance with Chapter 6 "Geometric Design" of Federal Highway Administration Publication No. FHWA-RD-00-067 "Roundabouts: An Informational Guide", as applicable to the type, width and design speeds of intersecting streets.

(2) Pavement markings, "Traffic Circle Ahead" or international graphic circular intersection signs, "Yield" signs and "One-Way" signs pointing to the right shall be provided and installed in locations approved by the public works department for each location where a street connects to the traffic circle in accordance with Chapter 7 "Traffic Design and Landscaping" of Federal Highway Administration Publication No. FHWA-RD-00-067 "Roundabouts: An Informational Guide", as amended.

(3) The center island shall consist of a circular curbed area within the public street right-of-way that is landscaped or developed to be aesthetically attractive while requiring a minimum of maintenance, as approved by the planning and zoning commission. Where right-of-way, topography, or other constraints preclude the ability to provide a curbed center island, a mountable curb with a traversable concrete apron may be required around the outer edge of the center island.

(4) A note on the plat shall state how the center island is to be developed and maintained, and that the subdivider or developer is responsible for maintenance during the first year following the date the plat is recorded.

(m) New streets of like alignment shall bear the names of existing streets and shall be dedicated at equal or greater widths than the existing streets. No street names shall be used which will duplicate or be confused with the name of existing streets.

(n) Names of new streets being constructed as part of a subdivision are subject to approval of the commission. Once a street is accepted by the city and the subdivision plat is recorded designating the name of such street, any subsequent change in the name of the street is subject to approval by the council.

(o) All new streets dedicated within a subdivision shall be improved in accordance with the construction standards of the city.

(p) If an existing public street ~~or unimproved rights-of-way~~ not meeting city standards for its classification designated in the thoroughfare plan with respect to width, drainage, or surface type abuts the perimeter of a subdivision having an internal street intersecting the perimeter street where the internal street provides the sole vehicular access to the subdivision or section thereof being platted, the subdivider shall pay an amount ~~it shall be improved at the subdivider's expense to comply with such standards prior to acceptance of the subdivision by the city. The length of the improvement shall extend to the nearest existing street or portion thereof that meets city standards. Where the substandard perimeter street is already paved with a durable all-weather surface and has an adequate width for at least two lanes of traffic, the city may accept, as an alternative to the subdivider improving the street, a payment~~ equal to one-half the estimated cost of improvement to city standards, as determined by the city engineer, for the length of the subdivision's frontage along the perimeter street. Such payment shall be made concurrently with acceptance of the subdivision improvements by the city, and the city shall deposit the funds in an account reserved for future improvement of the substandard perimeter street. This option is available only when it is determined that the existing perimeter street, in its current state, is capable of carrying the expected traffic upon full development of the subdivision. The city or the Texas Department of Transportation may require a traffic impact study to be prepared at the subdivider's expense to document the existing capacity of the street and/or to determine the need for off-site street improvements. If the existing perimeter street right-of-way is unimproved, or if the existing street does not have an adequate width for two lanes of traffic, or if it is determined that the street, in its current state, is otherwise not capable of safely carrying the expected traffic upon full development of the subdivision, it shall be improved by the subdivider at the subdivider's expense to comply with the city's street standards for its classification or to comply with safety improvements required by the Texas Department of Transportation, prior to acceptance of the subdivision by the city. The length of the improvement shall extend to the nearest existing improved street that has an adequate width for at least two lanes of traffic, and which is capable of carrying the expected traffic upon full development of the subdivision. If the substandard perimeter street is listed in the city's road impact fee capital improvements plan, the city shall contribute to the required improvements as provided in section 52-143.

(q) If bicycle facilities are shown on an adopted bikeway plan element of the city's comprehensive plan in a location along one or more streets within a new subdivision, the dedicated street right-of-way shall provide bicycle facilities based on best practices in the latest addition of the NACTO Urban Bikeway Design Guide, with pavement markings, signage, and physical barriers in conformance with the latest addition of the AASHTO Guide for the Development of Bicycle Facilities as referenced in the TxDOT Roadway Design Manual. The bicycle facility may be in the form of: 1) designated bike lanes in the

street where the speed limit is 35 or 40 miles per hour; 2) spatially buffered bike lanes in the street where the speed limit is 45 or 50 miles per hour; or, 3) physically protected bike lanes (cycle track) in the street, or shared-use paths for pedestrians and bicycles separate from the street, where the speed limit is 55 miles per hour or greater. A bicycle facility required for a higher speed limit range can voluntarily be used in any lower speed limit range in lieu of its specified facility. Streets with a speed limit not greater than 30 miles per hour may have signage and pavement markings designating a bike route.

Sec. 52-73. Alleys.

(a) Right-of-way for service alleys in commercial and industrial districts shall be a minimum of 25 feet in width, with a 20-foot wide pavement section.

(b) Alleys in residential districts shall be parallel, or approximately parallel, to the frontage street, and shall have a minimum right-of-way width of 15 feet, with a ten-foot wide pavement section.

(c) Alleys shall be optional in all new developments and replatted existing subdivisions, unless expressly required by the commission because of drainage, topographical features, circulation, or existing conditions which may necessitate the use of an alley in a particular location. Any right-of-way for alleys shall be dedicated to the city.

(d) Alleys shall be paved in accordance with the construction standards of the city.

(e) Where the deflection of alley alignment exceeds 30 degrees, a cutback of a minimum 15 feet, or of such greater distance to provide safe vehicular movement, shall be established on the inside property line and the paving of the alley shall be cut back in the same manner.

(f) Where the deflection of an alley alignment exceeds 15 degrees, a five-foot-wide pole guy easement shall be provided at the exterior of each point of deflection and normal hereto. The easement length shall be 15 feet for a deflection from 15 degrees to 30 degrees and 25 feet for deflection greater than 30 degrees.

(g) Dead-end alleys are prohibited.

(h) Access to residential property may be permitted from the alley. Access from the alley shall not exclude another means of access from the front or side.

Sec. 52-74. Easements.

(a) Easements across lots, along and abutting front lot lines, or centered on rear or side lot lines shall be provided for utilities and drainage where necessary. Drainage easements must be exclusive and no improvements may be constructed therein. When such easements are shown on a subdivision plat, this exclusivity and restriction will be noted on the plat and included in any restrictive covenants. Drainage and utility easements will not be superimposed.

(b) Where a subdivision is traversed by a watercourse, drainage way or channel, a storm drain easement or drainage right-of-way, conforming substantially with such course and of a width to fulfill the requirements of the city's flood hazard area ordinance and drainage ordinance, as calculated by the

developer's engineer, will be provided. Nonrestricted access shall be provided to all drainage ways and storm system easements for maintenance by the responsible parties. Access shall be provided within 500 feet of all points where drainage easements exist, and parallel streets or parkways may be required for access to the easement.

(c) Where alleys are not provided in a residential subdivision and utilities are to be provided in the rear of lots, a minimum seven and one-half-foot-wide utility easement shall be provided where needed along the rear of all lots within the subdivision. When one or more lots are located such that there is no similar easement in adjoining tracts, a minimum 15-foot wide easement will be provided.

(d) When the tract to be subdivided includes an easement of the blanket form or is a portion of a tract which includes such an easement, the subdivider shall take such action as is necessary prior to submission of the preliminary plat to have such easement removed or to have such easement redefined to a specific location and to a specific size or width.

(e) Public access easements may be provided to accommodate a required public sidewalk along and adjacent to the public street right-of-way where conflicts with natural features, utility equipment, or other appurtenances make the location of the sidewalk within the right-of-way impractical. Private access easements may be provided to accommodate joint vehicular access to adjacent lots in the subdivision.

Sec. 52-75. Blocks.

(a) The length, width and shapes of blocks shall be determined with due regard to:

(1) Provision of adequate building sites suitable to the special needs of the type of use contemplated.

(2) Zoning requirements as to lot sizes and dimensions.

(3) Needs for convenient access, circulation, control and safety of street traffic.

(b) In general, intersecting streets determining the block length and width shall be provided at such intervals as to serve cross-traffic adequately and to meet existing streets or in accordance with customary subdivision practices. Where no existing subdivision controls, the block lengths shall generally not exceed 800 feet along minor streets, 1,000 feet along collector streets, or 1,200 feet along arterial streets. Where no existing subdivision controls, the blocks shall generally not be less than 400 feet along minor or collector streets, or 500 feet along arterial streets. 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 to meet the existing conditions having due regard for connecting streets, circulation of traffic and public safety. Where opposite sides of a block are along different classifications of streets, the length shall generally conform to the maximum and minimum limits applicable to the higher classification.

(c) Where blocks in the vicinity of a school, park or shopping center are 1,000 feet or longer, the commission may require a six-foot public pedestrian access easement near the middle of the block or at a street that terminates between streets at the ends of the block.

(d) Where no existing subdivision controls, the block depth shall be platted to give lots with a depth to width ratios of generally not more than two and one-half to one and in no case more than four to one, and the design shall be such that the block depth generally shall not exceed 350 feet. When possible, the block width and length shall be such to allow tiers of lots back to back.

(e) Blocks shall be labeled sequentially, from One or from A in each subdivision or section thereof.

Sec. 52-76. Lots.

(a) Lots shall conform to the minimum requirements of the applicable zoning district, except where a variance is approved by the zoning board of adjustment. Lots in the extraterritorial jurisdiction shall conform to the minimum requirements ~~for the AO Agricultural–Open Space District~~ of the current Caldwell County Development Ordinance.

(b) Each lot shall abut an improved public street right-of-way along at least one property line, except where private streets are approved in a planned development having the PDD zoning classification.

(c) Key lots or irregular shaped lots shall have sufficient width at the front building line to meet frontage requirements of the appropriate zoning district. Also, the rear width shall be sufficient to provide access for all utilities, but in no case less than ten feet.

(d) Flag lots, which have minimal or panhandle-type frontage, shall not be allowed in lieu of providing access to lots on the interior of a subdivision with one or more public streets except, however, that one flag lot may be approved in the subdivision of ~~an extremely long and relatively narrow previously~~ an unplatted tract having a length to width ratio of 3:1 or greater into two lots provided that the street frontage of each ~~the flag~~ lot is at least 25 feet and the width of ~~the~~ each lot ~~where any building is constructed~~ is at least the minimum required by the applicable zoning district.

(e) Side lot lines shall be substantially at right angles or radial to street lines.

(f) Double frontage and reverse frontage lots will be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantage of topography and orientation. Where lots have double frontage, a front building line shall be established for each street.

(g) Each lot in each block shall be labeled sequentially from one.

Sec. 52-77. Sidewalks.

(a) In those instances when a six-foot pedestrian access easement is provided in accordance with subsection 52-75(c), the applicant shall construct a sidewalk not less than four feet wide therein.

(b) Public sidewalks~~,~~ not less than four feet wide~~,~~ shall be provided on each side of ~~major road/arterial streets and~~ collector streets and minor nonresidential streets, and on one side of ~~local~~ minor residential streets, including culs-de-sac exceeding 350 feet in length as measured in accordance with subsection 52-72(k). Public sidewalks not less than six feet wide shall be provided on each side of arterial streets and on the subdivision side of expressway frontage roads. Required sidewalks shall be

constructed by the builder for each lot before a certificate of occupancy will be issued for any structure thereon. Sidewalks required along public streets abutting property that is already developed, abutting the side or rear of a vacant lot that has primary frontage on another street, or abutting land areas dedicated for a public park, drainage facility, open space, or other community facility in accordance with subsection 52-112, shall be constructed by the subdivider as a subdivision improvement, and accepted by the city, prior to the plat being recorded.

(c) The location of sidewalks shall be noted on the subdivision plat.

(d) Sidewalks are not required:

(1) On culs-de-sac 350 feet or less in length, as measured from the connecting street centerline to the center radius point of the closed end.

(2) Along minor streets in residential subdivisions where no lot is less than one acre in size.

(3) When no more than four lots are being replatted where there was no requirement for sidewalks at the time the subdivision was originally platted.

(4) ~~Where the commission authorizes a variance waiving all or a portion of the sidewalk requirement in accordance with section 52-3.~~ For a minor plat of four or fewer residential lots along a minor residential street within an existing developed residential area not previously platted, where lots or parcels abutting the side or sides of the parcel being platted are developed and have no existing public sidewalk along their street frontages.

(5) Where the commission authorizes a variance waiving all or a portion of the sidewalk requirement in accordance with section 52-50.

(e) In instances where construction of a required sidewalk in the public right-of-way is not feasible due to drainage considerations, topography, or lack of adequate unobstructed right-of-way width as determined by the city engineer, director of public works or designee, the sidewalk requirement may be satisfied by one of the following alternatives:

(1) The sidewalk may be constructed in a dedicated public access easement inside the private property of one or more lots along the street right-of-way; or

(2) The subdivider may, at the city's discretion, pay a fee in lieu of constructing the sidewalk based upon an estimated cost per linear foot provided by the director of public works, city engineer or designee; or provided by the subdivider's engineer and accepted by the director of public works, city engineer or designee.

(f) Curb ramps for the ~~handicapped~~ disabled shall be constructed to comply with the most recently adopted edition ~~Section 4.7~~ of the Texas Accessibility Standards ~~of the Architectural Barriers Act, Article 9102, Texas Civil Statutes (April 1, 1994)~~.

(g) Rights-of-way or easements for hike and bike trails or similar shared-path sidewalks at least ten feet wide shall be dedicated on the plat where shown on the adopted Sidewalk/Trail Plan, and such trails or shared-path sidewalks shall be constructed at the subdivider's expense. Where aligned with a property's street frontage, such trails and sidewalks shall serve as a required public sidewalk.

Sec. 52-78. Streetlights.

Streetlights shall be installed by the subdivider in accordance with the current streetlight policy, as adopted by the city council, and shall conform to the construction standards of the city.

Sec. 52-79. Street signs.

(a) *Street name signs.* Street name signs approved by the city shall be furnished and installed by the subdivider, at the subdivider's expense, at each intersection within or abutting the subdivision.

(b) *Traffic control signs.* Appropriate traffic control signs, required by the Uniform Traffic Control Manual and approved by the State of Texas, shall be furnished and installed by the subdivider, at the subdivider's expense.

Sec. 52-80. Flood hazard.

(a) ~~The city may attach conditions to the approval of plats for areas subject to development problems~~ Subdivision development in flood hazard areas shall be in accordance with chapter 22 "Floods", of the Lockhart Code of Ordinances. Increases in stormwater runoff created by expected additional impervious surface shall require stormwater detention as provided in article III, chapter 22. For changes in base flood elevation or flood hazard boundary, approval of a FEMA conditional letter of map revision (CLOMR) is required prior to acceptance of the final plat for technical review, and approval of a FEMA letter of map revision (LOMR) is required following completion and acceptance of all required subdivision improvements.

(b) Lots shall be graded and structures designed such that the ground level floor of buildings shall be a minimum of 12 inches above the highest point of the adjacent street top of curb, or above the crown of the street where there is no curb. Where the building is on a corner lot, this provision will apply to the highest top of curb or crown of the intersecting streets. Under special circumstances where such floor level is demonstrated by the subdivider's or developer's engineer to be impractical, one or more lots may be provided with drainage swale adjustment to prevent flooding of structures upon approval of a variance by the construction board of appeals.

Sec. 52-81. Electric utility.

Electric lines and facilities shall be in conformance with the requirements of the electrical provider. All electric lines, both primary and secondary, shall be underground in subdivisions consisting of more than ten lots or more than ten acres.

Sec. 52-82. Perimeter screening.

Residential subdivisions having six or more contiguous lots with rear yards abutting a collector or arterial perimeter street shall have a fence or wall no less than 67 percent opaque, and at least six feet but not greater than eight feet tall, constructed along but not encroaching into the perimeter street right-of-way prior to City acceptance of the subdivision improvements. Screening material shall consist of masonry, warp and rot resistant wood, or engineered/composite wood, with masonry columns measuring at least 16 inches square located no greater than 130 feet apart on-center, including angle and endpoints.

Masonry columns shall extend at least eight inches from the street-side face of the fence or wall. Perimeter screening shall not block access to any fire hydrant or utility equipment, nor block any corner sight-triangle as defined in section 50-5 "Landscaping which constitutes traffic hazard", of the Lockhart Code of Ordinances. Perimeter screening shall be located in a fence easement at least as wide as the masonry columns, and shall be maintained by a homeowner's association or other permanent subdivision management established for the subdivision by the subdivider or developer.

Sec. ~~52-82~~ 52-83—52-110. Reserved.

ARTICLE ~~IV~~ VI. COMMUNITY FACILITIES AND OPEN SPACE~~S~~

Sec. 52-111. Areas for public use.

The subdivider shall ~~give consideration to~~ consider one or more suitable sites for public parks, playgrounds, and other public community facilities in accordance with the comprehensive plan and associated plans and policies of the city. A school site approved by the Lockhart Independent School District for purchase by the district shall be considered an eligible community facility for the purpose of this article. Any provision for ~~schools, parks, etc.,~~ community facilities shall be indicated on the plat. Where land dedication or payment of fees in lieu of land dedication is required for a subdivision being platted in sequential phases, the entire land dedication or fee payment requirement shall be satisfied at the time that the plat of ~~completion of~~ the first phase or section is recorded. ~~If the requirement is met through land dedication, it must have frontage on a dedicated and improved public street right-of-way.~~

Sec. 52-112. Land dedication.

(a) Except as provided in section 52-113 ~~or for nonresidential subdivisions~~, land shall be dedicated by the subdivider in the amounts listed below or greater for community facilities or public open space in any subdivision within the city limits, greater than five acres in size, and zoned or intended to contain residential uses.

(1) *Subdivision size over five acres up to and including 20 acres*: ~~5%~~ Five percent of the total land area zoned or intended for residential use up to and including a gross density of seven units per acre, or ten percent of the total land area zoned or intended for residential use above seven units per acre.

(2) *Subdivision size over 20 acres*: ~~8%~~ Eight percent of the total land area zoned or intended for residential use up to and including a gross density of seven units per acre, or fifteen percent of the total land area zoned or intended for residential land use above seven units per acre.

(b) The location, size, and functions of the land to be dedicated for community facilities or public open space must be: 1) deemed by the city to be suitable for the intended use; 2) have appropriate pedestrian, bicycle, and motor vehicle access, including parking; 3) graded and provided with turf or other ground cover that is appropriate for the intended use; and, 4) be provided with water, wastewater, and electric service as determined by the city as necessary for the proposed use and public facility improvements. Utilities are considered part of the subdivision infrastructure, and shall not apply to the value of any required public facility improvement as provided in section 52-114. ~~If~~

~~the subdivider develops the site for the approved public use at the subdivider's expense and with approval of the city, the land area dedicated may be decreased to the extent that the value of the improvements is equal to or more than the market value of the land area prior to development, as determined by the Caldwell County Tax Appraisal District, that is the difference between the minimum amount required and the amount actually dedicated.~~ The subdivider shall either construct all required improvements for the intended use at their expense, or may, at the city's discretion, pay a fee in lieu of constructing such improvements, as provided in section 52-114. If the dedicated land area is a donation for a community facility involving buildings to be constructed by the school district or a governmental entity, the fee shall be paid in lieu of construction and shall be used by the school district or governmental entity for the community facility.

(c) No property required to be dedicated for community facilities or public open space shall be in the 100-year floodplain except, however, that natural areas may include 100-year floodplain up to a maximum of 50 percent of the minimum required land dedication if determined by the city to be suitable for leisure activities such as hiking, bicycling, picnicking, and wildlife observance, and such area is deemed by the city as needed or acceptable for such use in that location. Ineligible land area may be dedicated as parkland, but shall not apply toward the minimum amount necessary to meet community facility or public open space dedication requirements.

(d) Stormwater detention ponds and conservation easements shall not apply to the minimum required land dedication except, however, that such areas may be included up to a maximum of 50 percent of the minimum required dedication if determined by the city to be suitable for leisure or recreational activities and not in conflict with the primary functions of the stormwater detention pond or conservation easement. Ineligible land area may be dedicated as parkland, but shall not apply toward the minimum amount necessary to meet community facility or public open space dedication requirements.

(e) Land area dedicated as a greenbelt for a public hike/bike trail designated on the city's land use and sidewalk/trail plans may apply toward the required land dedication where such greenbelt is determined by the city as being in a location and alignment that is generally consistent with the city's comprehensive plan.

(f) Land for community facilities or public open space not exceeding one acre shall have at least 100 feet of frontage on an improved public street right-of-way, with parking provided in the street right-of-way on or adjacent to the paved street as parallel, angled, or perpendicular spaces depending on the right-of-way width available. Land for community facilities or public open space over one acre shall have

frontage on an improved public street right-of-way equal to at least 25 percent of the land's perimeter with paved and marked off-street parking provided in a parking lot on the site configured such that vehicles can be maneuvered without backing into a street unless the street is an internal park street. In all cases parking areas shall contain a number of spaces appropriate for the intended use or activities on the site as approved by the director of parks and recreation for parks, or as approved by the director of planning for other community facilities, and shall comply with the Texas Accessibility Standards for the number and configuration of parking spaces for the disabled.

(g) At the city's discretion, the land area dedication requirement may be satisfied by a privately owned and maintained amenity approved by the city in a multifamily development or in any part or parts of a Planned Development District (PDD) containing residential land uses.

Sec. 52-113. Fee in lieu of land dedication.

(a) In instances where dedication of land for community facilities or public open space is unacceptable, unsuitable, unneeded, or infeasible within a subdivision, the subdivider may, at the city's discretion, pay a fee in lieu of required land dedication specified in section 52-112 in the amounts listed below based upon the market value prior to development. The fee in lieu of land dedication is mandatory for subdivisions in the Lockhart Extraterritorial Jurisdiction.

(1) *Subdivision size over five acres up to and including 20 acres*: ~~5%~~ Five percent of market value of land area that is zoned or intended for residential use up to and including seven units per acre, or ten percent of the market value of land that is zoned or intended for residential use above seven units per acre.

(2) *Subdivision size over 20 acres*: ~~8%~~ Eight percent of market value of land area that is zoned or intended for residential use up to and including seven units per acre, or fifteen percent of the market value of land that is zoned or intended for residential use above seven units per acre.

(b) For subdivisions greater than one acre in size up to five acres in size, where no land dedication is required, a fee shall be paid equal to ~~5%~~ five percent of the market value of land area that is zoned or intended for residential use. No fee or land dedication is required for subdivisions one acre or less in size.

(c) If a fee is paid in lieu of land dedication, a fee shall also be paid in lieu of constructing community facility improvements, in accordance with section 52-114(d).

(d) Fees paid to meet the community facility and public open space requirements shall be deposited by the city in an account for use only in the acquisition of land, purchase of equipment, or construction of improvements for public open space, including parks, playgrounds, and natural areas.

Sec. 52-114. Community facility improvements.

(a) Where the subdivider constructs community facility improvements, a community facility development plan shall be prepared by the subdivider and approved by the city, and the improvements shall be considered part of the subdivision infrastructure for the purpose of acceptance by the city prior to recordation of the subdivision plat. Improvements may include, but are not limited to, trees, pedestrian/bicycle paths, motor vehicle and bicycle parking, fencing, lighting, benches, picnic tables, shade structures, playscapes, sport courts or fields, exercise stations, water features, drinking fountains, and restrooms. Trees or other landscaping shall not be the only improvements. A children's playscape having at least four functions must be provided where the minimum required community facility or public open space is a park over one-half acre in size.

(b) Any privately owned and maintained amenities proposed in a Planned Development District must be specified on the PDD Development Plan, constructed as a condition of the adopted PDD zoning, and inspected and approved by the city prior to the plat being recorded. In a multifamily development, any privately owned and maintained amenities proposed in lieu of dedication of land for a community facility shall be specified on the construction plans for the development as a condition of the building permit, and inspected and approved by the city prior to issuance of a certificate of occupancy for any structure in the development.

(c) The value of public or private improvements must be equal to or more than the market value of the facility land area prior to development, up to a maximum of five acres. Any amount of dedicated land area over the first five acres is not subject to a corresponding improvement value.

(d) Where the subdivider pays a fee in lieu of constructing required improvements for the intended use, the amount due is equal to the market value of the dedicated land area prior to development, up to a maximum of five acres. Any amount of dedicated land area over the first five acres is not subject to a corresponding fee in lieu of construction. Fees paid in lieu of constructing required community facility improvements shall be deposited by the city in an account for use only in the community facility or public open space being dedicated.

Secs. 51-~~114~~ 115—140. Reserved.

ARTICLE ~~V~~ ~~VI~~ VII. PUBLIC INFRASTRUCTURE ENGINEERING AND CONSTRUCTION

Sec. 52-141. Standards for construction.

(a) The sanitary sewers and lift stations, storm sewers, drainage features, water utility mains, street improvements, sidewalks and electrical facilities and street lighting, with all appurtenances pertaining to the above, shall be designed, constructed and installed in each new subdivision at the expense of the developer in accordance with the construction standards of the city as may be revised from time to time. Variances to the construction standards must be approved in writing by the city engineer and city manager or designee before construction begins.

(b) All construction work, such as street paving, storm sewers, curb and/or gutter work, sidewalks, sanitary sewers, water mains, and electrical construction performed by the owner, developer, or contractor~~,~~ shall be subject to inspection during construction by the property authority of the city, and shall be constructed in accordance with the construction standards of the city except for certain subdivisions in the extraterritorial jurisdiction as provided in the ~~April 1, 2002,~~ current interlocal agreement between Caldwell County and the City of Lockhart, and available in the city secretary's office.

(c) The developer's engineer shall be responsible for inspection of all construction, and provide written documentation of such inspections for certification in accordance with section 52-202.

Sec. 52-142. Guarantee of performance.

The developer shall require guarantee of materials and workmanship of his construction contractors, with whom he contracts for furnishing materials and installing the improvements, required under this chapter and shall himself be responsible for guaranteeing that all materials and workmanship in connection with such improvements are free of defects for a period of ~~one year~~ two years after the date of acceptance of the improvements by the city manager, director of public works or designee.

Sec. 52-143. Responsibility for payment of infrastructure costs.

(a) The developer must pay for any required extensions of off-site water mains, wastewater mains, and electric primary lines unless otherwise negotiated by authorized city staff and approved by the city council. The city may pay for oversizing of mains and electric primary lines above the size required of the developer to provide sufficient domestic and fire protection water, wastewater service and electric primary lines for the development and any subsequent phases. All development costs associated with the subdivision shall be borne by the developer. The city shall have the right to recover all or part of the costs associated with in-place utility main or primary line extensions that will benefit development. Such cost recovery shall be based on proportionate use of such extensions or associated infrastructure.

(b) The city may pay, providing funds are available, for street right-of-way in excess of that required by the thoroughfare plan, except where such extra widths are in commercial developments, or where they're not required by the city. The city may participate, provided funds are available, in the extra cost of large drainage structures on major road/arterial streets shown on the thoroughfare plan.

(c) If a substandard perimeter street, as described in section 52-72, is listed in the city's road impact fee capital improvement plan, the city shall reimburse the subdivider for up to one-half the cost of the improvements to the extent that the funds are available in the road impact fee account. If, in such case, there are insufficient funds available in the road impact fee account, credit shall be given in the form of waiver of road impact fees for development in the subdivision equal to the amount of shortfall in the road impact fee account. The city's responsibility for reimbursement extends only to the road impact fee funds and/or credit available at the time the subdivision improvements are accepted by the city.

Sec. 52-144. Existing nonconforming subdivisions.

No building permit shall be issued by the city for any undeveloped lot in a previously platted subdivision where water, wastewater, street or other necessary public infrastructure to serve such lot does not meet current city standards unless such facilities are engineered and upgraded or constructed at the developer's expense in accordance with city's construction standards as provided in this chapter. If an undeveloped lot in an existing subdivision does not have frontage on a dedicated street right-of-way and is served only by a public or private access easement, where such lot is the only lot served by the easement, then no building permit shall be issued by the city unless paved access is constructed, at a minimum, in accordance with the current city standards for driveways. If an undeveloped lot in an existing subdivision does not have frontage on a dedicated street right-of-way and is served by a public access easement, where more than one lot is served by the same easement, then no building permit shall be issued by the city unless paved access is engineered and constructed in accordance with the city's construction standards for public streets as provided in this chapter.

Secs. 52-145—52-170. Reserved.

ARTICLE ~~VI~~ ~~VII~~ VIII. PLATS AND ENGINEERING PLANS

Sec. 52-172. Concept plan.

(a) The ~~initial~~ concept plan ~~will~~ should show the following information:

(1) Location within the city and with respect to adjoining property.

(2) Approximate acreage.

(3) Approximate location of streets.

(4) Approximate location of lot lines.

(5) Intended use(s), i.e., residential, multifamily, commercial, industrial, stormwater detention, park, etc.

(6) Approximate location of any flood hazard boundary area.

(7) The location, description, and size of existing ~~Existing~~ utility and drainage infrastructure in the area, and the proposed infrastructure to serve all lots of the subdivision.

(b) The ~~initial~~ concept plan may be to any scale and need not be finely drafted.

Sec. 52-172. Preliminary plat.

(a) A preliminary plat shall be submitted on sheets no greater than 24 inches by ~~32~~ 36 inches, including ~~a one-inch margin~~ margins of not less than three-fourths inch, and to a scale of not less than 100 feet to the inch or larger. Where more than one sheet is required to encompass the subdivision, an index drawing on the cover sheet showing the entire subdivision at a reduced scale, with a sheet index overlay, ~~will~~ shall be included.

(b) The following shall be shown on the preliminary plat:

(1) Name and address of the subdivider, record owner of land to be subdivided, surveyor preparing the plat, designer of the plat if not the surveyor, and the date of preparation.

(2) Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision currently located within the city or within the extraterritorial jurisdiction of the city. The subdivision name shall include the word "Subdivision", "Addition", or "Planned Development" at the end.

(3) A north arrow.

(4) Scale of the plat in feet per inch and a bar scale.

(5) A location map of the proposed subdivision in the city and with respect to existing streets. This map need not be to scale, but should be drawn neatly using a means other than screen-capture.

(6) Patent survey of which the subdivision is a part and location of patent survey lines if adjoining or intersecting the subdivision.

(7) Names of contiguous subdivisions and the owners and general use of contiguous parcels of unsubdivided land, with deed references.

(8) ~~Description by metes and bounds and total~~ Total acreage of the subdivision ~~boundaries, including reference to at least one existing benchmark, survey monument or subdivision corner~~.

(9) Subdivision boundary lines indicated by heavy lines.

(10) Section boundaries with sections labeled if subdivision is to be platted in phases.

(11) Existing conditions, as follows:

a. The exact location, width, name, and description of all existing above or below ground utility lines, and of all existing or recorded streets, alleys, reservations, easements, or other public rights-of-way within or abutting any portion of the perimeter of the subdivision~~, intersecting or contiguous, with its boundaries or forming such boundaries~~.

b. Zoning district classification of land to be subdivided. If there is more than one classification, the dividing lines shall be shown. If there is only one classification, it may be stated in a plat note.

c. Flood hazard areas, if any, and documentation from which derived. If there is more than one floodplain zone, the dividing lines shall be shown. If there is only one zone for the entire subdivision, it may be stated in a plat note.

d. Topography with elevations labeled and contours at intervals not greater than two feet, and identification of natural water or drainage courses.

e. Location of city limits if adjoining or intersecting the subdivision.

(12) The location, dimensions, description and name of all proposed streets, alleys, sidewalks, parks or other public areas, stormwater detention areas, easements, blocks, lots and other sites within the subdivision, as appropriate.

(13) A number to identify each lot or site, with lots numbered consecutively within each block, and a number or letter to identify each block if there is more than one block.

(14) Building setback lines on fronts of all lots and sites, and side yard building setback lines along the side street of corner lots.

(15) Lot summary table indicating total number and acreage of lots in four categories of use: Residential, nonresidential, park, and stormwater detention, as applicable.

(16) The following plat notes:

a. General building setback requirements for front yards and for street side yards on corner lots, if such information is not otherwise depicted on the plat drawing.

b. Floodplain zone(s), and flood insurance rate map date and community panel number, if such information is not otherwise depicted on the plat drawing. If developable lots are within the 100-year floodplain, the minimum permissible floor elevation shall be specified in accordance with the city floodplain regulations.

c. Zoning classification(s) of land to be subdivided, if such information is not otherwise depicted on the plat drawing.

d. Description and location of sidewalks to be constructed, if such information is not otherwise depicted on the plat drawing, who is responsible for sidewalk construction, and timing of sidewalk construction.

e. Amount of fee to be paid in lieu of parkland construction, if applicable.

f. Any other notes deemed necessary by the surveyor.

(17) Legend containing symbols used on the plat drawing, and a written description of each symbol.

~~(c) The design of utilities, drainage, sidewalk, and street facilities is to be shown in the engineering plans submitted with the final plat.~~

Sec. 52-173. ~~Final~~ Recordable plat.

(a) A ~~final~~ recordable plat shall be submitted on sheets no greater than 24 inches by ~~32~~ 36 inches, including ~~a one-inch margin~~ margins of not less than three-fourths inch, and to a scale of not less than 100 feet to the inch or larger. Where more than one sheet is required to encompass the subdivision, an index drawing on the cover sheet showing the entire subdivision at a reduced scale, with a sheet index overlay, ~~will~~ shall be included. Space shall be provided for the ~~complete~~ required dedications, attestations, dates, titles, and seals ~~will be provided~~. Lettering and line-work shall not have a micro-thin weight, and shall be black, with no gray or colors used. Signatures shall be written with a permanent black ink marker or pen with a medium tip.

(b) The following shall be shown on the ~~final~~ recordable plat:

(1) Name and address of the subdivider, record owner of land to be subdivided, surveyor preparing the plat, designer of the plat if not the surveyor, and the date of preparation.

(2) Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision currently located within the city or within the extraterritorial jurisdiction of the city. The subdivision name shall include the word “Subdivision”, “Addition”, or “Planned Development” at the end.

(2) A north arrow.

(3) Scale of the plat in feet per inch and a bar scale.

(5) A location map of the proposed subdivision in the city and with respect to existing streets. This map need not be to scale, but should be drawn neatly using a means other than screen-capture.

(5) Patent survey of which the subdivision is a part and location of patent survey lines if adjoining or intersecting the subdivision.

(6) Names of contiguous subdivisions and the owners of contiguous parcels of unsubdivided land, with deed references.

(7) Description by metes and bounds and total acreage of the subdivision boundaries, including reference to at least one existing benchmark, survey monument or subdivision corner.

(9) Subdivision boundary lines indicated by heavy lines.

(10) Section identification if subdivision is a phase of a larger subdivision.

(11) Existing conditions as follows:

a. The exact location, width, name and description of all existing above or below ground utility lines, and of all existing or recorded streets, alleys, reservations, easements or other public rights-of-way within or abutting any portion of the perimeter of the subdivision~~, intersecting or contiguous, with its boundaries, or forming such boundaries~~.

b. Zoning district classification of land to be subdivided. If there is more than one classification, the dividing lines shall be shown. If there is only one classification, it may be stated in a plat note.

c. Flood hazard areas, if any, and documentation from which derived. If there is more than one floodplain zone, the dividing lines shall be shown. If there is only one zone for the entire subdivision, it may be stated in a plat note.

d. Location of city limits if adjoining or intersecting the subdivision.

(12) The exact location, dimensions, description and name of all proposed streets, alleys, sidewalks, parks or other public areas, stormwater detention areas, easements, blocks, lots and other sites within the subdivision, as appropriate.

(13) A number to identify each lot or site, with lots numbered consecutively within each block, and a number or letter to identify each block if there is more than one block.

(14) The square footage or acreage of each lot.

(15) Building setback lines on fronts of all lots and sites, and side yard building setback lines along the side street of corner lots.

(16) Lot summary table indicating total number and acreage of lots in four categories of use: Residential, nonresidential, park, and stormwater detention, as applicable.

(17) The length and bearing of all straight lines, and the length, radius, arc length and chord bearing of all curves shall be indicated along the lines of each lot. The curve data pertaining to block or lot boundaries may be placed in a curve table at the base of the plat and prepared in the following manner:

Curve Table

Curve Number	Curve Length	Radius	Chord Length and Bearing

(18) The description and location of all survey ~~monuments and markers~~ monumentation placed in the subdivision, in accordance with section 52-201.

(19) The following plat notes:

a. General building setback requirements for front yards and for street sideyards on corner lots, if such information is not otherwise depicted on the plat drawing.

b. Floodplain zone(s), and flood insurance rate map date and community panel number, if such information is not otherwise depicted on the plat drawing. If developable lots are within the 100-year floodplain, the minimum permissible floor elevation shall be specified in accordance with the city floodplain regulations.

c. Zoning classification(s) of land to be subdivided, if such information is not otherwise depicted on the plat drawing.

d. Description and location of sidewalks to be constructed, if such information is not otherwise depicted on the plat drawing, who is responsible for sidewalk construction, and timing of sidewalk construction.

e. Amount of fee to be paid in lieu of parkland construction, if applicable.

f. Any other notes deemed necessary by the surveyor.

(20) Legend containing symbols used on the plat drawing, and a written description of each symbol.

(c) The following certifications shall be included and signed on the plat, as applicable:

(1) The owner's certificate, with a separate signature block and notary statement for each person authorized to sign as an owner. If there is a lien-holder, a separate signature block shall be added for the name of the lien-holder's authorized representative or officer, including their title, business name, address, and date; and the label "Lien-holder".

STATE OF TEXAS
CALDWELL COUNTY

I (We), the undersigned owner(s) of the land shown on this plat and described and designated as (*name of subdivision as shown on the ~~final~~ plat*) of the City of Lockhart, do hereby subdivide such property and dedicate to the use of the public forever~~,~~ the ~~streets~~ street and ~~alleys~~ alley rights-of-way shown hereon, unless otherwise noted on the plat, and further reserve to the public all easements for the mutual use of all public utilities desiring to use the same; that any ~~public utility~~ authorized owner of a facility within such easement shall have the right to remove and keep removed all or part of any growth or construction for maintenance or efficient use of its respective system in such easements.

_____ _____

DATE NAME

_____

ADDRESS

Before me, the undersigned authority, personally appeared (*name*), known to me to be the person whose name is subscribed to the foregoing document, and acknowledged to me that he executed the same for the purpose and considerations stated hereon.

Seal

_____

NOTARY PUBLIC
STATE OF TEXAS

My Commission Expires _____

(2) The surveyor's certificate.

I, _____, registered professional land surveyor, State of Texas, hereby certify that this plat is based on a survey made under my supervision and is true and correct to the best of my knowledge, and that all required monuments and markers were properly placed under my supervision.

IN WITNESS THEREOF, my hand and seal, this the _____ day of _____, 20___.

_____

NAME Seal
Registered Professional Land Surveyor

(3) The engineer's certificate, if applicable.

I, _____, a registered professional engineer, State of Texas, hereby certify that proper engineering considerations have been given to the design of engineering aspects of this subdivision in compliance with applicable city and state standards and regulations.

IN WITNESS THEREOF, my hand and seal, this the _____ day of _____, 20___.

_____

NAME Seal
Registered Professional Engineer

(4) The Commission's approval, if a final plat or replat other than a minor plat or amending plat.

I, _____, Chairman of the Planning and Zoning Commission of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart on the _____ day of _____, 20___.

_____
CHAIR~~MAN~~

(5) Administrative approval, if a minor plat or replat, or amending plat.

I, _____, City Manager of the City of Lockhart, do hereby certify that this plat was approved by the City of Lockhart on the _____ day of _____, 20___.

_____
CITY MANAGER, CITY OF LOCKHART

(6) The county clerk's certificate for recording.

STATE OF TEXAS
COUNTY OF CALDWELL

I, _____, County Clerk in and for Caldwell County, Texas, do hereby certify that the foregoing instrument with its certificates of authentication was filed for record in my office the _____ day of _____, 20 ___, at _____ o'clock __. M., and duly recorded on the _____ day of _____, 20 ___, in the Plat Records of Caldwell County, Texas, in Plat Cabinet ___ at Slide ___.

_____
NAME
County Clerk, Caldwell County, Texas

(d) The final design of utilities, drainage, sidewalk, and street facilities is to be shown in the engineering plans submitted with the final plat.

Sec. 52-174. Engineering plans.

(a) *General*.

(1) The developer shall have prepared a complete set of engineering plans showing details of all streets, alleys, drainage structures, water utility, sanitary sewer utility and electrical distribution system, combined with construction standards, specifications and related details, which are to be included for development. All costs related to the preparation of these plans shall be paid for by the developer. The engineering plans shall be prepared by a registered professional engineer, duly authorized to perform the specific type of design required for this task.

(2) The engineer shall design and prepare engineering plans to utilize the construction standards of the city. When no specific policy, standard, or ordinance exists, then he shall use the standard of the practices for similar conditions. The plans shall be signed and sealed by the professional engineer responsible for the design.

(3) All engineering plans shall be submitted on sheets 24 inches by 36 inches, including a minimum one-half inch margin except on the left border where a minimum two-inch binding margin will be provided~~, and when appropriate will show an overlay of the subdivision lines~~. When appropriate, standard printed plan-profile sheets may be used. The initial submission of plans to the city engineer shall be in a format determined by the city engineer ~~include two complete sets~~. In addition, two full-size printed sets shall be submitted to the director of planning.

(4) If the subdivision involves improvements that are subject to a FEMA letter of map revision (LOMR), the approved conditional letter of map revision (CLOMR) shall be submitted to the city engineer as a condition of approval of the engineering plans.

(5) Once the engineering plans have been approved by the city engineer, one complete set shall be provided to the city engineer in a digital PDF format, and two full-size printed sets of the approved plans shall be provided to the director of planning for distribution to other city departments.

(b) *The engineering plans will contain, as a minimum:*

(1) Title, index and certification page, as applicable.

(2) Existing detail:

a. The exact location, dimensions, description and flow lines of existing watercourses and drainage structures within the subdivision and contiguous thereto.

b. All existing improvements within the subdivision, except structures to be removed and interior fences.

c. Type and size of all public utilities and roads within the subdivision and contiguous thereto.

d. Characteristics for soil bearing, shrink/swell, permeability and percolation.

(3) A topographic base map, showing contours with elevations labeled at intervals not greater than two feet. All topographic maps shall be based on the National Geodetic Vertical Datum, and a benchmark shall be shown giving its location and elevation. This sheet may be combined with the existing detail sheet.

(4) Drainage area map and calculations in accordance with the drainage ordinance.

(5) Street plan and profiles as follows:

a. Drawn at a scale of one inch equals 50 feet horizontal, with an appropriate vertical scale. All horizontal and vertical curve data shall be shown.

b. When the street right-of-way property lines are not curved chordally with the street, but the constructed street will have curves, the PC and PT stationing, radius and length of each street curve, as a minimum, shall be given.

c. Street centerline stationing shall reference the subdivision boundary, as appropriate.

(6) Sanitary sewer utility lines shall be shown on a standard plan-profile sheet with a scale of one inch equals 50 feet horizontal and an appropriate vertical scale. Stationing shall reference the subdivision boundary, as appropriate.

(7) The water utilities system will generally be at a horizontal scale of one inch equals 50 feet in the form of a general plan with appropriate scale plan-profile sheets and details. Fire hydrants shall be included as part of the water utilities system.

(8) Drainage channels, lines and structure(s), including bridges and culverts, shall be shown at a horizontal scale of one inch equals 50 feet in the form of a general plan with appropriate scale plan-profile sheets and details.

(9) Electrical distribution system plans shall be at a scale of one inch equals 100 feet and all appurtenances, including streetlights, shall be shown. Particular care shall be taken to ensure that guy line easements and streetlight easements shown on the plat correspond with the system.

(10) Required utility system improvements and streets which are not immediately adjacent to the subdivision, shall be shown as "off-site" plan and profiles, as appropriate.

(11) When improvement details shown in the construction standards of the city are sufficient to provide for proper construction, no additional details need to be shown on the plans.

Secs. 52-175—52-200. Reserved.

ARTICLE ~~VII~~ ~~VIII~~ IX. REQUIREMENTS FOR ACCEPTANCE AND RECORDING OF SUBDIVISIONS

Sec. 52-201. ~~Monuments and Markers~~ Monumentation.

~~(a)~~ Stable monumentation consisting of ~~A monument is a primary horizontal control point consisting of~~ a minimum one-half-inch diameter ferrous rod, a minimum of two feet in length, ~~set in the center of a concrete cylinder a minimum of six inches in diameter and 36 inches deep, with the top flush with the ground surface, and marked with an aluminum or plastic cap stamped with the surveyor's registered number or firm name.~~ shall be set at each subdivision corner and ~~Monuments shall be set at a minimum of two subdivision boundary corners, one of which shall be along a perimeter street right-of-way boundary, plus~~ at one street intersection corner for each internal block. Additional monuments consisting of a minimum one-half inch diameter ferrous rod, a minimum of 15 inches in length, shall be set ~~may be required above the minimum specified such that no monument is further than 1,300 feet from another monument. If a concrete monument exists where the corner of an adjacent platted subdivision coincides with a corner of the new subdivision, it may serve as a required monument for the new subdivision.~~

~~(b) A marker consists of a minimum one-half inch diameter ferrous rod, a minimum of three feet in length and driven flush with the ground surface. Markers shall be set~~ at all subdivision lot corners, angle points, and curve points that are not otherwise marked with a ~~concrete monument~~ two-foot long rod. All rods shall be set with the top flush with the ground surface and marked with an aluminum or plastic cap stamped with the surveyor's registered number or firm name. If a record monument is found where a new monument would be placed, the existing monument may serve as the required monument for the new subdivision. All monumentation shall be set in accordance with the Texas Board of Professional Land Surveyor's rules and regulations.

Sec. 52-202. Final acceptance.

(a) When construction of public infrastructure provided by the developer has been completed: 1) the developer shall furnish to the director of public works an affidavit of bills paid or releases of lien for all contractors who constructed the improvements; and 2) the developer's engineer shall furnish a certified statement to the city manager, director of public works or designee that the improvements are constructed in accordance with the approved plans and the construction standards of the city. The city staff shall then make final inspections and, if the work is satisfactory and in accordance with the approved engineering plans and the construction standards of the city, the director of public works or designee shall provide a letter of acceptance to the ~~city planner~~ director of planning. The date of the letter of acceptance shall constitute the beginning of the developer's ~~one-year~~ two-year guarantee period, as provided in section 52-142.

(b) Upon completion by the developer, and upon acceptance by the city, all improvements, installations and all dedicated lands become the property of the city. The city will not be responsible or liable for any portion of such lands or improvements until final acceptance.

(c) In addition to the items listed in subsection (a) above, if a subdivision involves improvements that are subject to a FEMA letter of map revision (LOMR), the approved LOMR shall be provided to the city prior to final acceptance of the subdivision.

Sec. 52-203. ~~As-built plans or record~~ Record drawings.

The developer or the developer's engineer shall ~~present~~ submit complete ~~"as-built" sets of construction plans~~ record drawings, consisting of one photographic mylar reproducible set, three sets of prints, and one set of digital drawing files of the plans on compact disc or flash drive, or by e-mail or cloud storage, in a PDF format ~~in the ASCII version of a DXF file, and where appropriate projected within the parameters of the Texas State Plane Coordinate System, South Central Zone, NAD 83, in survey feet~~, upon or after the city's acceptance of the public improvements, and prior to the plat being recorded.

Sec. 52-204. Plat recordation.

Following approval of the plat, and construction and acceptance of the required ~~infrastructure~~ public improvements if any, the subdivider shall provide, in addition to the plat documents required elsewhere in this chapter, the following to the ~~city planner~~ director of planning for recording the plat with the county clerk:

(1) A check or checks payable to the county clerk in the amount of the recordation fee for ~~filing~~ recording the ~~final~~ plat.

(2) A tax certificate from the Caldwell County Appraisal District showing that no taxes are currently ~~due or~~ delinquent against the property.

(3) Sufficient evidence that the subdivider holds fee simple title to the property being subdivided, if there are no lien-holders listed as a signatory on the plat.

Sec. 52-205. Services withheld until plat recorded.

(a) No permit shall be issued for the installation of septic tanks upon any lot in a subdivision unless such septic tank system meets the requirements of the Caldwell County Private Sewage Facilities ~~Regulation~~ Rules, and of ~~section 3.3.7 of the Subdivision Regulations of~~ applicable provisions of the current Caldwell County Development Ordinance.

(b) Public utility companies shall not make service connections for any lot in a subdivision for which a ~~final~~ plat has not been recorded.

(c) No building, repair, plumbing, or electrical permit shall be issued by the city for any structure on a lot in a subdivision for which a ~~final~~ plat has not been recorded.

(d) The city shall not repair, maintain, install, or provide any streets or public utility services in any subdivision for which a ~~final~~ plat has not been recorded.

(e) The city shall not sell or supply any electricity, water, sewerage, or garbage service within a subdivision for which a ~~final~~ plat has not been recorded.

Secs. 52-206—52-235. Reserved.

~~**ARTICLE VIII. RESERVED**~~

~~**Sec. 52-236. Reserved.**~~

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COUNCIL MEETING DATE: January 17, 2023

AGENDA ITEM CAPTION: Discussion and/or action to select TRC Engineering relative to the U.S. Department of Commerce - Economic Development Administration Grant (08-79-05656) to provide professional services to design and construct approximately 2.5 miles of wastewater line to the Lockhart Industrial Park III.

ORIGINATING DEPARTMENT AND CONTACT: Public Works - Sean Kelley

ACTION REQUESTED: Award of Contract

BACKGROUND/SUMMARY/DISCUSSION: The City of Lockhart was awarded an Ecomonic Development Administration (EDA) Grant (08-79-05656) from the U.S. Department of Commerce in the amount of $2,100,000 to install approximately 2.5 miles of wastewater lines between Larrimore Wastewater Treatment Plant and the new Lockhart Industrial Park III. This grant requires the use of professional engineering services to design and construct the grant funded project.

Advertisements for qualified engineering services for the EDA Grant were prepared and submittals were completed in compliance with the grant requirements. Proposals were received from one (1) company which was scored using qualification criteria by the EDA Grant Evaluation Team (Sean Kelley, Joe Chavira and John Eddleton). The firm that submitted a proposal for consideration was TRC, Inc, which scored 270 out of a maximum of 300. TRC's proposal displayed projects similar to the proposed project, has considerable experience and has the capacity to perform the engineering services in a timely manner.

PROJECT SCHEDULE (if applicable): Next Step- Negotiating the professional fees for engineering services for the grant.

AMOUNT & SOURCE OF FUNDING:
Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable):
EDA Total Grant = $2,100,000
Federal Share of Cost = $1,680,000 (80%)
City & LEDC's Share of Cost = $420,000 (20%)

PREVIOUS COUNCIL ACTION: November 1, 2022 - Professional Grant Administration Services Awarded

City of Lockhart, Texas

Council Agenda Item
Cover Sheet

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION: The Evaluation Team respectfully recommends the selection of TRC, Inc. for professional services.

LIST OF SUPPORTING DOCUMENTS: Engineering RFP EDA Grant Advertisement, Lockhart EDA Wastewater Grant Exhibit 1 (Map), Lockhart EDA Wastewater Grant Exhibit 2 (Budget-Probable Cost), .

DECEMBER 8, 2022

CITY OF LOCKHART

ECONOMIC DEVELOPMENT ADMINISTRATION CONSTRUCTION GRANT ARPA
PROJECT #08-79-05656

ENGINEERING REQUEST FOR PROPOSALS
PUBLIC NOTICE

The City of Lockhart has received a construction grant from the Economic Development Administration. Accordingly, the City is seeking to contract with a qualified Engineering Firm to prepare all preliminary and final design plans and specifications, and to conduct all necessary interim and final inspections. These services are being solicited to assist the City in implementation of an Economic Development Administration ARPA project #08-79-05656 to construct sewer system improvements in the City of Lockhart.

Please submit your proposal of services and a statement of qualifications for the proposed services to Sean Kelly, Public Works Director via Email to: skelley@lockhart-tx.org

Emailed proposals shall be received by the City no later than 4:00 PM on Monday the Nineteenth of December 2022 (12-19-2022) which is ten (10) days after this publication. The City reserves the right to negotiate with any and all individuals or firms that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards. The City of Lockhart is an Affirmative Action/Equal Opportunity Employer and does not discriminate based on race, color, religion, sex. national origin, age, disability or genetic information.

Faxed proposals will not be accepted.

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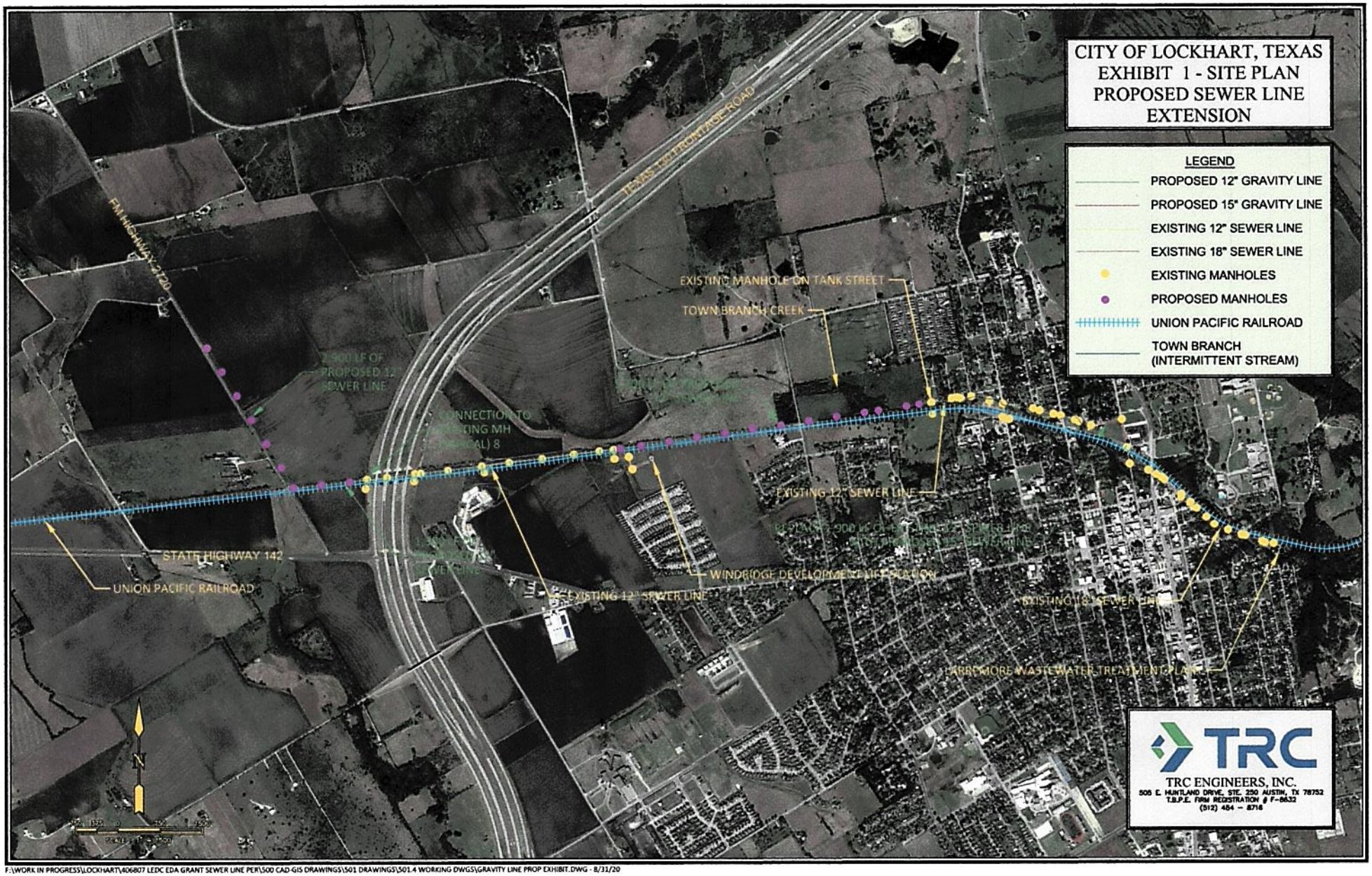

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CITY OF LOCKHART, TEXAS
EXHIBIT 2 - PRELIMINARY ENGINEER'S OPINION OF PROBABLE COST
SEWER LINE EXTENSION - SH130 TO LARREMORE WWTP

Item No.	Description	Quantity		Unit Price	Estimate Cost
1	12" PVC Sewer	9,900	LF	$65	$643,500
2	12" Gravity Main by Bore/Encasement	300	LF	$450	$135,000
3	15" PVC Sewer	1,900	LF	$70	$133,000
4	Demo Existing 12" Sewer	1,900	LF	$5	$9,500
5	Manholes	22	EA	$4,000	$88,000
6	Trench Safety	11,800	LF	$1	$11,800
7	Connection to Existing Manholes	8	EA	$2,000	$16,000
8	4" Sewer Service Connections	30	EA	$1,500	$45,000
9	Traffic Control Plan	1	LS	$2,500	$2,500
10	SW3P	1	LS	$1,500	$1,500
11	Silt Fence	11,800	LF	$1	$11,800
12	Mobilization/Demoblization	1	LS	$18,100	$18,100
				Construction Subtotal	$1,115,700
				Contingencies (15%)	$167,400
				Engineering/Surveying (13%)	$145,200
				Administrative (3.5%)	$51,800
				ESTIMATED PROJECT TOTAL	**$1,480,100**

Lockhart
TEXAS

2022-2023 Strategic Work Plan

The Strategic Planning Process

From January through April 2022, the City of Lockhart embarked on a strategic planning process to create strategic priorities for 2022-2023. The following is the process used to reach the conclusions for the plan:

The process kicked off with a preliminary Zoom between the City Manager, Steve Lewis, Mayor Lew White, and professional facilitator Alysia A. Cook, PCED, IOM with Opportunity Strategies LLC. The three met to review key issues facing the city, understand the programs and projects currently underway, and to prepare the process and format for the planning session.

On April 8, 2022, the City of Lockhart Management Team met at the Library for Part 1 of the Strategic Work Planning Session for 2022-2023.

On April 9, 2022, the City of Lockhart City Council and City Manager met at the Library for Part 2 of the Strategic Work Planning Session for 2022-2023.

Day One – Management Team

Day One began with City Manager Steve Lewis reviewing with the Management Team the City of Lockhart's accomplishments and success stories of 2021.

Following that, the City Manager and the facilitator shared some leadership concepts and considerations with the Lockhart Management Team. This led to some group discussions about the importance of continuous learning and leadership development.

The City Manager discussed with the participants that when goals are adopted by the City Council, they provide a positive impact for the Management Team in at least 4 different ways:

a) Direction is clearly set by City Council
b) Once that direction is established, differences can be discussed in a more open, less polarizing manner
c) Saves time in decision making on projects/programs
d) City Manager's recommendations can be better aligned with ultimate objectives

Mission of Lockhart Management Team

To promote and influence the alignment of organizational resources by focusing on:

a) Organizational planning and issues
b) Open communication with elected officials, staff, boards, commissions, and citizens
c) Ensuring City of Lockhart is a leader in Central Texas regarding issues with community relevance
d) Implementing programs that derive from the City Council and community's goals

Start – Stop – Continue

The facilitator then engaged the Management Team in a group exercise called *Start – Stop – Continue* which divides participants into small groups and has them offer feedback on what the City needs to start doing, stop doing, and continue doing.

These are individual manager recommendations and not necessarily agreed to by all managers or by City Council members. The responses are as follows:

Start

- Long-term capital planning
- Increasing non-emergency communications
- Administering annual customer service surveys that are statistically valid
- Developing recreation programs
- Indoor community recreation center
- City facilities and community infrastructure improvements
- New spaces for city facilities
- Modernize Human Resources policies including technology
- A vehicle acquisition fund
- Decreasing steps in the hiring process
- Staff planning for future growth
- Modernizing our contracts, best practices, attorney, etc. including reviewing for mutually beneficial language and avoiding one-sided contracts

Stop

- Ineffective/outdated contracts
- Thinking small
- Six-month probationary period for personnel
- Reconnecting customers after 10pm
- Providing free services (such as banners and road closures) and establish a fee schedule for these special requests
- Requiring utility inspections for every change of occupant

Continue

- Longevity pay
- Forward-looking planning for quality growth
- Law enforcement outreach with community
- Contracting (sending RFPs) for solid waste collection
- Supporting tourism
- Modernizing technology, e.g. paperless, Go Green
- Enhancing community investment
- Planning our wayfinding and signage
- Growing events that enhance overnight stays in Lockhart and maximize HOT $ collections
- Economic growth including considering developing a 4th industrial park
- Striving for improved customer service
- Community engagement including public open houses and social media

Next, the Management Team embarked on a discussion around the following topics which also included some departmental reports on the status of various projects:

- Growth Trends
- Land Development
- Economic Development
- Service Delivery
- Workforce Development
- Long Range Financial Outlook

Following those discussions, the facilitator led the Management Team through a discussion of what they each thought should be the 2022-2023 goals City Council would establish the following day. She recorded those recommendations, then the group reached consensus on what would be put forth to the Council to consider.

The final decisions for 2022-2023 were made by City Council the following day and are listed below.

Day Two – City Council

Day Two began with City Manager Steve Lewis reviewing with City Council the City of Lockhart's accomplishments and success stories of 2021.

Expectations – City Council

Following that, the facilitator asked City Council to share any expectations for the day. Responses were as follows:

- TxDOT – Wayfinding and Signage
- Summerside Subdivision turn lane and traffic light
- Urgent Care facility
- Comprehensive mental health care for first responders
- Keeping City Staff wages competitive
- Need for an Assistant City Manager
- Need for a grantwriter
- Regional animal shelter
- Next industrial park and/or property

The following is the City of Lockhart 2022-2023 Strategic Work Plan.

City of Lockhart Vision:

- To be a first-class community that has maintained its integrity and sense of community characterized by livable neighborhoods and quality schools.
- To be a City that focuses on family by ensuring quality recreational and cultural activities, services, housing, economic, and educational opportunities that promote a well-rounded productive member of the community.
- To be a City that is friendly to visitors and future residents with a spirit of fellowship and cooperation by accommodating their needs and recognizing the wealth in cultural, ethnic and age diversity.
- To be a City committed to sustainability by diligently balancing community needs with available resources and managing growth in a smart and fiscally responsible manner.
- To be a City that celebrates and embraces its long and rich history by reinvesting in neighborhoods, preserving areas and buildings of historic significance and returning the Central Business District to an economically viable and lively activity center.
- To be a City recognized for the quality of its built environment and the integration of the natural landscape throughout the community.
- To be a City that ensures a good balance between residential, commercial, industrial, and public/institutional uses supported by quality infrastructure and transportation systems.
- To be a City known for its innovative solutions to managing growth, progressiveness of City government, and responsiveness to the needs of citizens and businesses.

Source: Lockhart 2020 Comprehensive Plan

Goal #1: City Facilities

Goal #2: Human Resources/ Staffing

Goal #3: Parks & Recreation

Goal #4: Infrastructure

Goal #5: Modernization & Communications

Goal #6: Development & Quality of Life

Goal #7: Revenue Sustainability

2022-2023 Goals:

Each of the following seven goals is guided by the values of diversity and inclusion. Diversity and inclusion are a tapestry that is woven through every goal, every service, and every program.

Goal #1: City Facilities
To begin planning for new city facilities and offices.

Goal #2: Human Resources/Staffing
To enhance our HR services to ensure Lockhart remains a competitive employer.

Goal #3: Parks & Recreation
To develop the Parks & Recreation program and services.

Goal #4: Infrastructure
To enhance physical infrastructure and branded wayfinding throughout Lockhart.

Goal #5: Modernization & Communications
To modernize our in-house and online technology, systems, and communications to serve residents more efficiently and tell the Lockhart story.

Goal #6: Development & Quality of Life
To continually improve the quality of life and employment opportunities of the people of Lockhart.

Goal #7: Revenue Sustainability
To ensure the long-term financial health and sustainability of the City of Lockhart.

Goal #1: City Facilities

To begin planning for new city facilities and offices.

1.1 Consider which facilities improvements should be funded by certificates of obligation vs. bonds
1.2 Begin plans to replace/update City Hall
1.3 Begin plans to replace/update Police/Fire/Training facilities
1.4 Begin plans to replace/update Maintenance/City Barn Utilities
1.5 Reclaim old space at the hospital
1.6 Lease additional space at the EDC building
1.7 Conduct a Facilities Study with architects and engineers
1.8 Consider Airport improvements (TxDOT Aviation) in the study

Goal #2: Human Resources/Staffing

To enhance our HR services to ensure Lockhart remains a competitive employer.

2.1 Hire ACM (Assistant City Manager) immediately
2.2 Hire City Manager Support Staff (Executive Assistant or Administrative Assistant)
2.3 Once new ACM is hired, assign him/her with developing a Staffing Plan
2.4 Once new ACM is hired, assign him/her with developing a Succession Plan
2.5 Consider adding additional staff city-wide as needed
2.6 Retain law enforcement officers by ensuring compensation competitiveness
2.7 Implement a formal EAP (Employee Assistance Program)
2.8 Secure a grantwriter (explore opportunities for hiring one vs. contractor)

Goal #3: Parks & Recreation

To develop the Parks & Recreation program and services.

3.1 Develop adult and youth programming that utilize existing facilities
3.2 Conduct successful outreach to sports leagues across Texas and neighboring states
3.3 Consider new Parks & Rec facilities such as pickleball, volleyball, and frisbee golf
3.4 Plan for and implement safety improvements of existing facilities
3.5 Plan for and implement aesthetic improvements of existing facilities
3.6 City Council requests to meet with Parks & Rec Director and City Manager to discuss ideas and brainstorm next steps in the Parks Plan including:
- Work session, then tour Parks facilities with Parks & Rec Director
- Discuss short-term vs. long-term Parks & Rec needs
- Develop plan to survey citizens including bond exploration

Goal #4: Infrastructure

To enhance physical infrastructure and branded wayfinding throughout Lockhart.

4.1 Conduct public open houses to determine public wishes for Downtown
4.2 Council to approve a final Downtown Conceptual Design and authorize staff to implement
4.3 Consider an additional commercial district with retail and mixed-use offerings
4.4 Issue the RFP for a Comprehensive Plan update (hire firm by January 2023, then CIP (capital improvement plan) to follow
4.5 Explore downtown WiFi options including geofencing

Goal #5: Modernization & Communications

To modernize our in-house and online technology, systems, and communications to serve residents more efficiently and tell the Lockhart story.

5.1 PIO (Public Information Officer) to secure proposals for a new website design including:
- Online forms and application portals (permitting, employment, variance requests, etc.)
- Must be mobile responsive platform
- Ensure ease of use and innovative utility of site
- Include a portal to the Lockhart Economic Development Corporation website

5.2 Hire a consultant to 1) build a survey to ask the public what information they seek to find on the City of Lockhart website and 2) compare Lockhart website to other communities with high utilization of an innovative website

5.3 Streamline application processes of permits, developer proposals, engineering, employment, etc. to be placed on website (see 5.1)

5.4 Verify internet access at all City facilities

Goal #6: Development & Quality of Life

To continually improve the quality of life and employment opportunities of the people of Lockhart.

6.1 Consider proposed sidewalk ordinance
6.2 Facilitate/incentivize more housing options including:
- Rental housing options
- Workforce housing options
- Higher-income housing
- Infill/revitalized housing within centers of commerce (existing or planned)
- Senior/retiree housing

6.3 Continue to promote family-friendly events in Downtown
6.4 Encourage higher development standards (within state legislature contraints) to research modernization techniques and make recommendations to City Manager for consideration
6.5 Continue to implement Animal Control Audit recommendations
6.6 Continue to provide concerts on the square

Goal #7: Revenue Sustainability

To ensure the long-term financial health and sustainability of the City of Lockhart.

7.1 Explore and increase film production permitting fees
7.2 Create and implement fees for banners, road closures, event special requests
7.3 Use grantwriter (see 2.8) to find and write grants that benefit the City of Lockhart and its residents
7.4 Conduct discussions between City Council and Staff regarding which items can/should be funded by certificates of obligation vs. bonds
7.5 Update/increase construction permit fees and impact fees
7.6 Explore a bond vote for the items proposed by Parks & Rec and Council from Goal #3
7.7 Explore the concept of a Community Foundation with community benefactor options including other communities who have successfully created and implemented a Community Foundation

City of Lockhart Leadership

The 2022 City Council and Management Team participating:

City Council:

Lew White, Mayor
Angie Gonzales-Sanchez, Mayor Pro-Tem
Brad Westmoreland, Councilmember At-Large
Juan Mendoza, Councilmember District 1
David Bryant, Councilmember District 2
Kara McGregor, Councilmember District 3
Jeffry Michelson, Councilmember District 4

Management Team:

Steve Lewis, City Manager
Julie Bowermon, Director of Human Resources
Connie Constancio, City Secretary
Travis Hughes, Director of Parks & Recreation
Randy Jenkins, Fire Chief
Mike Kamerlander, Economic Development Director
Sean Kelley, Public Works Director
Pam Larison, Director of Finance
Bobby Leos, Electric Superintendent
Victoria Maranan, Public Information Officer
Bertha Martinez, Director of Library Services
Ernest Pedraza, Chief of Police

Facilitated by Opportunity Strategies LLC

Lockhart
TEXAS

City of Lockhart

2020-2021 Strategic Priorities

Prepared by:

Opportunity Strategies LLC

City of Lockhart

Summary

On January 17 & 18, 2020 the City of Lockhart hosted two half-day planning sessions to develop goals and strategies for the next 2 years. Some of these goal areas were internal, whereas others were external. The following is the process used to reach the conclusions for the plan.

The process began with a preliminary phone meeting between the facilitator and Steve Lewis, City Manager, to go over key issues facing the City, understand the programs and projects underway through the community, and to prepare the agenda and format for the planning retreat.

The first portion of the strategic planning process began on Friday, January 17, 2020 with the City Manager and the City of Lockhart Management Team. The facilitator began by asking the Management Team participants what their expectations for discussion for the day were. She then conducted a group brainstorm exercise called Start/Stop/Continue that lists the things that need to begin happening, stop happening, and are mission-critical and must continue regardless of circumstances.

The facilitator then guided the Management Team through 2020-2021 goal and strategy development to recommend to the City Council the following day.

On Saturday, January 18, 2020, the City Council and City Manager convened to review, revise, and establish priorities related to the recommendations generated the day before by the Management Team. Prior to the review, the facilitator asked the City Council to list their expectations for discussion for the day.

The following are the results.

Management Team Expectations for the Day's Discussion Topics

- Holistic view of the City
- Understanding other departments better
- Council to continue to be open to new ideas
- As the city grows, facilities and staff must keep up
- Next comprehensive master plan
- Establish an IT 3-5-year plan to keep current
- Replace phone systems and phone equipment
- Discuss records storage
- What is there for teens and tweens to do?
- Need administrative assistance
- Public Information Officer – keep information on point, factual, and streamlining voice: sharing voice vs. many voices
- Law enforcement: recruitment and administrative assistance
- Stick to implementing plan
- Fire equipment replacement plan and funding
- Achieve "needs" so we can work on "wants" for the future
- Customer service needs additional staff – same staffing level as 1000 accounts ago
- Technology training needed in Library (provide for public)
- Additional Library storage needed
- Electric services study needed and replace needed items
- Salary and compensation study to begin soon – want council to support and fund the results of the study

City Council Expectations for the Day's Discussion Topics

- Improve work environment for staff
- Accomplish unfinished business from last strategic plan
- 142 & I-130 development
- Low-hanging fruit and larger longer-term goals
- Eliminate the red tape
- Look ahead to see what's next
- Balance citizen needs and staff needs
- Keep on track
- Prepare for quality growth
- Neighborhood beautification
- City Hall facilities
- Discuss hospital/after-hours clinic
- Hear staff recommendations

Start/Stop/Continue

The facilitator guided the Management Team through an exercise that challenged them to brainstorm things that the City really needed to begin doing, what they should stop doing that could be a waste of resources, and what must they continue doing, regardless of circumstances. Below are their responses. Note that there are no right or wrong items; these are merely individuals' opinions about the things that should and shouldn't change in Lockhart. Just because one person has a certain opinion on a topic, that does not imply anyone else shared that opinion.

Start

- Long-term street paving plan (paving/resurfacing)
- Electrical system study
- Formal grantsmanship program
- Records storage facility
- Digitize public works and utility records/maps
- Establish fee schedule for fire plan reviews and inspections
- Review development related fees
- Improve customer service at Police Department and Utilities Department by increasing administrative staff
- Start a Main Street Program
- New City facilities (abolish sewer smell)
- Consider a 4-day/10-hour work week option
- Annual review of facility maintenance, i.e. HVAC systems, etc.
- Make Parks Department into Parks and Recreation Department (start recreation program)
- Review and fund vehicle replacement fund
- Expand/improve airport facilities
- Figuring out how to generate more general fund revenues to pay for items on this "start" list

Stop

- Printing reports – use digital reports when we can
- The waste in Archives
- Excessive paperwork related to personnel (consider paper reduction techniques instead)
- Making new employees wait 6 months to take time off/sick days/etc (other cities do 3 months)
- Excessive engine idling of city vehicles
- Worrying about other departments and focus on making your own team better
- Picking up commercial recycling for free
- Hanging highway banners for free
- Circulating city council department head reports monthly (do quarterly instead)
- Workshop portion of council meetings unless needed (they run too long)
- Referencing the past as “we have always done it that way” (we can be more innovative)

Continue

- Effective communication with customers/website
- Planning for the future
- Maintaining hiring standards
- Improving community amenities finding external funding sources
- Succession planning and cross-training
- Staff meetings
- Learning new ways of doing things
- Employee longevity and retention efforts
- Good customer service
- Acknowledging staff accomplishments
- Great teamwork
- Parks improvements/parks master plan
- Efforts on wayfinding program
- Replacing aged power lines
- Planning and engineering for downtown paving and drainage improvements
- Providing utilities to areas of anticipated future growth and development
- Planning for future industrial parks
- Accreditation for Police and Fire Departments

Recommendations from Staff:

The following items were recommendations from staff to city council. Items that have a checkbox (R) had agreement of city council the following day. The one item with no checkbox was rolled to consideration for 2022.

- ☑ Create and adopt 5-7-year paving/resurfacing plan (roads and sidewalks)
- ☑ Lockhart Police Department to conduct Active Shooter training for all City staff and elected officials and review official safety procedures for council meetings
- ☑ Explore asking the county for grant writer assistance
- ☑ Establish fee schedule for fire plan reviews and inspections
- ☑ Considering increasing existing fees for applications and development fees
- ☑ Develop an Airport Business Plan
- ☑ Research options for additional records storage
- ☑ Transition staff department reports from monthly to quarterly
- ☑ Pursue agenda management process and software
- ❑ Streamline paper processes where possible/evaluate software options
    - Utility billing
    - Applications
    - Council, boards, commissions:
        - Packets
        - Minutes

Goal Development from City Council:

The following items were items identified by council to move forward on for 2020-2021:

- Establish a Hospital with an Emergency Room in town
- Sell church property
- Create resources via Lockhart EDC for proactive outreach to quality builders for additional housing
- Create a Youth Advisory Board to explore options around youth programs/activities
- Adopt a TIF (tax increment financing) policy prior to project being submitted
- Implement downtown drainage improvements
- Develop fiber down 142, 183, and the Central Business District
- Traffic safety improvements: turn lanes and traffic lights
- Consider submitting a multi-year street bond program to voters
- Begin TXDOT safety projects
- Promote a Neighborhood Watch Program
- Promote beautification projects through teamwork
- Clean up trash/enforcement
- Enhance lower income districts/beautification efforts

Progress Reporting

The following icons are used to document progress of the following goals and strategies:

✓ = Completed

🎯 = On Target or In Progress

✕ = Not on Target

Goal 1: Economic Development / Planning

Strategies	2019-2020 Progress	2020-2021 Progress
1. Continue to partner with LISD and local youth organizations to encourage careers in local emergency services (Fire and Police)	🎯 Partner with Boy Scouts to develop Police Explorer Program. Fire personnel attend and participate in LISD career days.	
2. Better collaborate with downtown stakeholders and both Chambers of Commerce	✕	
3. Complete updating our development ordinances	🎯 Revised Engineering Standards – presented to Council January 2020. Subdivision Regulations to follow.	

4. Consider development tools to facilitate attraction / recruitment to SH 130 corridor	IEDC business park development study completed. Future consideration by LEDC.	
5. Bring utilities, assist assembling parcels, rezoning tracts along SH 130/142 and become shovel-ready	Mostly done. Site development will facilitate the remainder.	
6. Pursue prospects and developers and create a BRE (business retention and expansion) program	Hiring a second Economic Development practitioner.	
7. Start investing in more property for growth	IEDC study.	
8. Explore next industrial park	IEDC study.	
9. HOT (Hotel Occupancy Tax) Funds – board to develop and adopt new process to collect payments from B&Bs	HOT Advisory Board created. Board training and funding processes under review.	
10. Adopt and implement the Economic Development Strategic Plan (currently underway by Garner Economics) by Q4 2020	LEDC Board hired Garner Economics January 2020	
11. Robust LEDC website	Underway with EDsuite contract.	
12. Create resources via Lockhart EDC for proactive outreach to quality builders for additional housing	*N/A Brand new/created in 2020*	

Strategies	2019-2020 Progress	2020-2021 Progress
13. Adopt a TIF (tax increment financing) policy prior to project being submitted	*N/A Brand new/created in 2020*	
14. Develop fiber down 142, 183, and the Central Business District	*N/A Brand new/created in 2020*	

Goal #1 KPIs / Metrics:

- ☑ Did we partner with LISD & other youth organizations to encourage emergency services careers?
- ❑ Did we collaborate with downtown stakeholders and both Chambers of Commerce?
- ❑ Did we completely update our development ordinances?
- ❑ Did we brainstorm development tools for SH-130 development?
- ❑ Did we bring utilities and assemble parcels along SH-130?
- ❑ Did we develop shovel-ready development sites?
- ❑ Did we market those sites to prospective investors?
- ❑ Did we develop plans for our next industrial park?
- ❑ Did we revamp the way HOT funds are structured?
- ❑ Did we develop and implement an Economic Development Strategic Plan?
- ❑ Did the Lockhart EDC revamp their website to better attract investment?

# of quality home builders the Lockhart EDC proactively reached out to in 2020-2021? _____

- ❑ Did we adopt a new TIF policy?

# of miles of new fiber optics laid in Lockhart in 2020-2021? _____

Goal 2: Quality of Life / Quality of Facilities

Strategies	2019-2020 Progress	2020-2021 Progress
1. Invest money to improve the appearance of our town (streets, parks, entry signs)	Doubled street resurfacing funds in FY 20; Parks Master Plan projects.	
2. Conduct and implement a Space Study of City Buildings and facilities including City Hall	Budget established for FY 20 Space Study. RFP under development.	
3. Improve the image of City facilities as needed and conduct cosmetic improvements in the meantime	See No. 2 above.	
4. Update, renovate, and construct City facilities as needed, based on the space study. Realize that remodel of Central Fire Station is likely next.	Electrical panel upgrade at the Water Treatment Plant; Budget established for FY 20 Space Study; Fire Station No. 2 completed.	
5. Implement the Parks Master Plan, improving the quality of life for the community. What is in Phase 2: splash pad, restroom renovations, dog park, picnic shelter upgrades, and tree planting initiatives	✓ Multiple Phase I projects underway.	
6. Conduct a citywide quality of life citizen survey and ask council to fund.	✗ Allocate funds in FY 20-21; assign project to PIO.	
7. Establish a Hospital with an Emergency Room in town	*N/A Brand new/created in 2020*	
8. Sell church property	*N/A Brand new/created in 2020*	
9. Create a Youth Advisory Board to explore options around youth programs/activities	*N/A Brand new/created in 2020*	
10. Implement downtown drainage improvements	*N/A Brand new/created in 2020*	

Strategies	2019-2020 Progress	2020-2021 Progress
11. Consider submitting a multi-year street bond program to voters	*N/A Brand new/created in 2020*	
12. Promote beautification projects through teamwork	*N/A Brand new/created in 2020*	
13. Clean up trash/enforcement citywide	*N/A Brand new/created in 2020*	
14. Enhance lower income districts with beautification efforts	*N/A Brand new/created in 2020*	

Goal #2 KPIs / Metrics:

$ amount invested in streets in 2019? $_____
$ amount invested in parks in 2019? $_____
$ amount invested in gateway entry signs in 2019? $_____
$ amount invested in streets in 2020? $_____
$ amount invested in parks in 2020? $_____
$ amount invested in gateway entry signs in 2020? $_____
Which facilities did we improve the image of? _____

- ❑ Did we implement elements of the Parks Master Plan?
- ❑ Did we secure quotes on a Space Study of City buildings including City Hall?

# of City-owned buildings we renovated or retrofitted? _____

- ❑ Did we conduct a citywide quality of life citizen survey?
- ❑ Did we address levels of service based on the citizen responses we received?
- ❑ Did we address levels of satisfaction based on the citizen responses we received?
- ❑ Did we address areas for improvement based on the citizen responses we received?
- ❑ Did we court hospital providers?
- ❑ Did we sell the church property?
- ❑ Did we create a Youth Advisory Board?
- ❑ Did we implement downtown drainage improvements?
- ❑ Did we fully investigate issuing a street bond?
- ❑ Did we fully enforce trash clean up around town?
- ❑ Did we specifically target lower income neighborhoods for new beautification projects?

Goal 3: Staffing / Personnel

Strategies	2019-2020 Progress	2020-2021 Progress
1. Consider hiring additional personnel (engineer, IT, etc.)	In FY 20, staffing levels were increased by 2 full-time and 1 part-time positions.	
2. Conduct a staffing study that includes evaluating efficiencies and compensation	Classification and Compensation Study underway.	
3. Right size staffing levels city-wide based on study results	No funding was allocated for such a study; discuss need/timing of study during FY 20-21 budget process.	
4. Consider starting salaries that compete with surrounding communities	Classification and Compensation Study underway.	
5. Be consistent with staff development / policies / purchasing procedures	Comprehensive Purchasing Policy under development (anticipated to be complete 1st quarter of 2020). Revision of City Personnel Policy underway.	
6. Implement a staff development program (be consistent)	House Bill 3834 mandated cybersecurity training for all employees with computer access and elected officials – cybersecurity training program underway.	

Strategies	2019-2020 Progress	2020-2021 Progress
7. Start developing / preparing current staff to take on leadership roles within the organization in the future. Work on succession planning: add Fire, add Electric, add Streets, and add Animal Control.	Emphasis on leadership training for police personnel, cross training of job duties underway in Finance Department.	
8. Recruit and attract more bi-lingual staff	No funding was allocated to recruit bi-lingual staff; explore possible options during FY 20-21 budget process and the classification and compensation study.	
9. Customer service / experience excellence training for the Utility and Planning Development teams	Training budgeted item in FY 20 for Utility Customer Services staff.	

Goal #3 KPIs / Metrics:

# of new positions in 2019? _____

- ❑ # of new positions in 2020 and 2021? _____
- ❑ Did we perform a staffing efficiency/compensation study?
- ❑ Did we right-size our salaries based on that study by the end of 2020?
- ❑ Did we develop new consistent policies and procedures regarding professional development of staff?
- ❑ Did we develop new consistent policies and procedures regarding purchasing/procurement?
- ❑ Did we create and implement a new staff development program to ensure everyone has training opportunities?
- ❑ Did we begin grooming current staff for future leadership roles?
- ❑ How many staff do we have on a leadership track by the end of 2020?

# of new employees added in 2019 through 2021 who are bilingual? _____

- ❑ Did we deliver Customer Experience Excellence training to every City employee?

Goal 4: Procedures / IT Management and Services

Strategies	2019-2020 Progress	2020-2021 Progress
1. Improve technology / create specific strategies to have better IT support based on Assessment results	New outside IT management team hired; Strategic plan for current and emerging issues (cyber) near completion.	
2. Upgrade all technology-related issues as recommended – desktops, servers, software, equipment, and peripherals. $100K will pay for equipment, $20K is licensing agreement costs.	City-wide replacement of desktops with current operating systems complete; new servers in current fiscal year.	
3. Create a 5-year rolling IT equipment replacement plan	See above notes 1 and 2.	
4. Provide superior service by keeping technology up to date and being able to communicate with the public (keep an open line of communication through website.) Purchase next modules: INCODE	New PIO hired. Increased social media updates. INCODE permits and inspections software module implemented to track permit and inspections progress; online access to permit applications and tracking underway.	
5. Upgrade the server system	Desktop operating systems upgrade 100% complete. Server upgrades in progress.	
6. Streamline technology hardware, software processes within the City, based on Assessment recommendations	Ongoing and FY 20-21.	

Strategies	2019-2020 Progress	2020-2021 Progress
7. Upgrade all equipment and software and be trained on specific software to be used to maximum potential and determine which staff will require which trainings.	Current year 2020 departmental goal.	
8. Explore implementing downtown Wi-Fi	To be addressed in 2020 or 2021. Explore options with the Downtown Business Association and both Chambers of Commerce.	

Goal #4 KPIs / Metrics:

- ❑ Did we secure top quality technology support across all departments by the end of 2020?
- ❑ Did we upgrade our desktop computers?

% of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? _____

- ❑ Did we upgrade our servers?
- ❑ Did we upgrade our computer software, subscriptions, and licenses?
- ❑ Did we upgrade our peripherals?
- ❑ Did we upgrade our other technology equipment?
- ❑ Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- ❑ Did we upgrade our City server system?
- ❑ Did we streamline our City technology processes?
- ❑ Did we secure training for staff to use all new equipment properly and efficiently?
- ❑ Did we investigate implementing WiFi throughout Downtown Lockhart?

Goal 5: Public Safety

Strategies	2019-2020 Progress	2020-2021 Progress
1. Provide quality public safety to all citizens of Lockhart		
a. Develop a specific Retention Strategy first	City-wide classification and compensation study underway. **Fire:** Council approved 7% salary adjustment in FY 19-20. **Police:** all officers to attend leadership training, host ceremonial recognition events, retention strategy under development.	
b. Continue to implement hiring strategies we developed such as Fire and Police.	**Fire:** Use of recruitment video; developing recruitment flyer for use with LISD and the public; career day with Lockhart High School students; Fire Chief to serve on LISD Career and Technical Education Advisory Committee. **Police:** In 2019, Lockhart Police Officers visited with police cadets attending the AACOG Academy and made presentations to 2 classes of prospective candidates. In 1st quarter of 2020, LPD will make presentations to the CAPCOG Academy currently in progress.	

Strategies	2019-2020 Progress	2020-2021 Progress
c. Long-term public safety facility planning for Station #1.	Completed Fire Station No. 2. Analysis and cost estimate to remodel and upgrade Fire Station No. 1 underway.	
d. Develop an equipment replacement schedule. Seek funding for existing equipment (fire apparatus and patrol cars) replacements.	Developed an ambulance replacement schedule with Caldwell County and Seton. Upgrades to two-way radios (portables and mobiles) underway.	
e. Continue to ensure use of best practices / standards (research best practices, then implement)	**Fire**: Fire Department is preparing an emergency management tabletop exercise for City staff. **Police:** Upgraded Police Officer body-worn cameras to 3rd generation models.	
f. Evaluate Accreditation opportunities	**Fire:** Reviewing the Texas Fire Chief's Association (TFCA) accreditation process before formal enrollment. **Police:** Currently reviewing the 166 Texas Law Enforcement Best Practices. Will submit for recognition in the 3rd quarter of 2020.	

Strategies	2019-2020 Progress	2020-2021 Progress
g. Traffic safety improvements: turn lanes and traffic lights	*N/A Brand new/created in 2020*	
h. Begin TXDOT safety projects	*N/A Brand new/created in 2020*	
i. Promote a Neighborhood Watch Program	*N/A Brand new/created in 2020*	

Goal #5 KPIs / Metrics:

# of new law enforcement officers hired in 2019? _____
# of new law enforcement officers hired in 2020? _____
# of new law enforcement officers hired in 2021? _____
% law enforcement officers retained? _____%
# of new firefighters hired in 2019? _____
# of new firefighters hired in 2020? _____
# of new firefighters hired in 2021? _____
% firefighters retained? _____%

- ❑ Did we develop a long-term public safety facilities plan?
- ❑ Did we develop a public safety equipment replacement schedule?
- ❑ Did we implement that new replacement schedule?
- ❑ Did we research and record best practices across the country regarding public safety policy?
- ❑ Did we make any modifications to our public safety policies based on that research?
- ❑ Did we explore and evaluate Accreditation opportunities?
- ❑ Did we implement new turn lane and traffic light improvements in 2020-2021?
- ❑ Did we begin the TXDOT safety projects?
- ❑ Did we proactively promote a Neighborhood Watch Program for Lockhart?

Conclusion

At the end of the planning retreat, the facilitator reminded all the participants that these goals would only be achieved if they held true to their commitments today to implement these specific strategies and tactics.

She reminded them that they are one team working toward one vision. The city council and management team agreed to use this document regularly throughout 2020 and 2021 to track progress and measure accomplishments.

City of Lockhart

2019-2020 Strategic Priorities

Prepared by:

Opportunity Strategies LLC

City of Lockhart

Summary

On February 1 & 2, 2019 the City of Lockhart hosted two half-day planning sessions to develop goals and strategies for the next 2 years. Some of these goal areas were internal, whereas others were external. The following is the process used to reach the conclusions for the plan.

The process began with a preliminary phone meeting between the facilitator and Steve Lewis, City Manager, to go over key issues facing the City, understand the programs and projects underway through the community, and to prepare the agenda and format for the planning retreat.

The first portion of the strategic planning process began on Friday, February 1, 2019 with the City Manager and the City of Lockhart Management Team. The facilitator began by asking the Management Team participants what their expectations for discussion for the day were. She then took the team through a SWOT (Strengths, Weaknesses, Opportunities, & Threats) Analysis. The next group exercise was a brainstorm called Start/Stop/Continue that lists the things that need to begin happening, stop happening, and are mission-critical and must continue regardless of circumstances.

The facilitator then guided the Management Team through 2019-2020 goal and strategy development to recommend to the City Council the following day.

On Saturday, February 2, 2019, the City Council and City Manager convened to review, revise, and establish priorities related to the recommendations generated the day before by the Management Team. Prior to the review, the facilitator asked the City Council to list their expectations for discussion for the day.

The following are the results.

Management Team Expectations for the Day's Discussion Topics

- That City Council will take what we say seriously
- Consider all staff in decisions
- Hear each other's goals
- Live by the plans we create / develop
- That Council develop goals / priorities based on sound data / research
- Focus
- Consider quality of life as over-arching goal
- Discuss business attraction vs. recruitment
- Being prepared for growth
- Facilities improvements
- Facilities maintenance
- How do we give back to those who need extra help?
- Smart land use practices
- Discuss Tourists/Tourism – what is there for kids to do while in town visiting family?

City Council Expectations for the Day's Discussion Topics

- Capitalize on Tourism
- Discuss Wi-Fi
- Capitalize on BBQ Capital of Texas
- Cleaning up of unsightly properties (residential)
- Work in unity today
- Serve our community
- Focus
- To discuss Economic Development targeting technology jobs
- Industrial Park is full – now what?
- Cleaning up of City properties / facilities
- Actually implement our goals
- Discuss the direction of Economic Development
- Think bigger / think change / embrace change
- Develop our identity
- Attractive gateway signage
- Employee wages
- Technology infrastructure

SWOT Analysis

The facilitator guided the participants through an analysis of their current Strengths, the current Weaknesses or Challenges they are facing, Opportunities that may come their way in the future, and Threats that are possible to occur in the future. Note that there are no right or wrong answers here and no implication of likelihood. This is simply a brainstorm of the opinions of the participants to get them thinking about goals in the next portion. The Management Team listed their responses first, then the City Council added additional items the following day.

Strengths

- Historic district
- County seat
- BBQ Capital of Texas
- Location to highways
- Tourism
- Small town (family-oriented)
- Growing – room for more
- Desire to manage growth
- Good development process
- Proximity to Austin
- Comparable housing prices
- Existing capacity of utilities
- Easy mobility
- Economic Development Sales tax
- Clark Library
- Baker Theatre
- Ease of developing land (flat)
- Employees who experience long tenure
- Volunteers
- CTR (Chisholm Trail Roundup) & other local events
- Community support
- Recognizable court house
- Movies / film production (TFC)
- Long-term water planning
- High-level financial planning
- Competitive building / development fees
- “Real” city with well-managed growth
- New energy
- Proximity to large cities / airport
- New residents – new ideas – changing priorities
- Diversity
- First Friday Downtown Event

Weaknesses / Challenges

- Incentives – Economic Development lack of use
- Technology – aging equipment and software
- Infrastructure
- Facilities – condition / maintenance
- Competitive salaries within region
- Training opportunities
    - Professional development
    - Budget
- Closed minds – have always done it this way
- Tourism
- Managing growth
- Need for succession planning
- Public perception influencing job applicant pool
- Weak tax base
- Limited in-town post-secondary educational opportunities
- Lack of retail
- Lack of entertainment (kids)
- Limited grocery options
- City-owned property
- College
- Venue / convention center
- Lack of hotels
- Entryways to community
- Not using TIF financing
- Emerging downtown organization
- How to effectively support increasing, ever-growing number of festivals
    - Create packages for vendors and festivals
- No city recreation programs
- In-kind services
- Very limited public transportation services
- Outdated web information
- Poor communication with citizens

Opportunities

- Expand airport (hangars)
    - Install AWOS (Automated Weather Observing System)
- Improve working conditions of employees
- Proximity to Austin
- Implement first phase of parks master plan
- SH-130 has great properties but not city-owned property
- Undeveloped lots on Square and north / northwest of Square
- Long-tenured elected leadership
- Increase community involvement
- To develop positive relationship with County, School, and organizations
- Quality economic growth
- Franchise recreational or entertainment venues (theaters, bowling, outlets, concerts, water parks)
- Community college campus
- Increased communication needed with ISD for school planning, infrastructure, etc.
- Expand walking / biking opportunities for exercise and community involvement
- Lockhart Springs (natural spring)
- Lockhart State Park transfer to City
- Potential residential development around golf course
- Development within historic district
- School district growth
- Housing growth
- Business growth
- St. Paul Church and other redevelopment opportunities
- Hospital / medical facilities
- Public bathrooms downtown
- Develop Industrial Park
- More involvement with San Marcos Greater Partnership
- Partnership with Austin Chamber
- EDC $ will go further today than in 2 years (spec buildings, parking)

Threats

- Economic recession
- Voter turnout
- Government shutdown
- Citizen input
- Natural disaster
- Leadership in government
- Lack of economic development direction
- Competition from other cities
- Lack of resources
- Building maintenance
- Technology – cyber security
- Surging population
- Infrastructure improvement
- Maintaining reputation
- Planning without follow through
- Lack of educated workforce – skilled labor
- Crime
- Lack of workforce – people
- Retention and hiring
- Youth retention
- School quality
- Lack of industry
- Lack of racial unity
- Micro-managing
- Other utilities providers
- Homeless services – transportation
- Types of future growth

Start/Stop/Continue

The facilitator guided the Management Team through an exercise that challenged them to brainstorm things that the City really needed to begin doing, what they should stop doing that could be a waste of resources, and what must they continue doing, regardless of circumstances. Below are their responses. Note that there are no right or wrong items; these are merely individuals' opinions about the things that should and shouldn't change in Lockhart. Just because one person has a certain opinion on a topic, that does not imply anyone else shared that opinion.

Start

- Space allocation study
- Renovate City buildings – construct
- Downtown bathrooms
- Improve salaries – salary survey
- Staff development program / policies / procedures
- Consistency in purchasing
    - Revamp purchasing policy
- Replacing capital equipment / vehicles – vehicle fund
- Mandatory single stream recycling
- IT department, in-house City Engineer
- New technology in terms of equipment, network, server, software
- Re-assess who is in charge of downtown redevelopment
    - Name which entity (or entities) funds downtown redevelopment initiatives
    - Name which entity (or entities) manages downtown redevelopment initiatives
- 2020 Comprehensive Master Plan Update that includes a future land use plan and map

Stop

- In-house utility billing (consider outsourcing)
- Outsourcing IT (consider bringing in-house)
- Repetitive useless paperwork (paperwork/policies must be updated and streamlined)
- Increasing overtime in fire and police (hire more to fix this issue)
- Using outdated equipment
- Hand -picking collections of recycled goods (business pick up)
- Laying asphalt driveway approaches for “free”
- Demolition of condemned houses – stop doing in-house (needs to be outsourced)

Continue

- Meeting with County, City, School, Chamber, EDC
- Implementing 2020 Plan and Updates
- Attracting businesses – growth
- Providing superior service
- Redeveloping Downtown
- Implement Parks Master Plan
- Being a great place to work
- Public investments along SH-130
- Supporting festivals / movie projects
- Financial planning
- Embracing tourism

Goal 1: Economic Development / Planning

Strategies
1. Partner with LISD and local youth organizations to encourage careers in local emergency services (Fire and Police)
2. Reassess who is in charge of managing and funding downtown development and tourism
3. Attract a post-secondary education campus / facility
4. Complete updating our development ordinances
5. Consider development tools to facilitate attraction / recruitment to SH 130 corridor
6. Bring utilities, assist assembling parcels, rezoning tracts along SH 130
a) Shovel ready
b) Pursue prospects
7. Start investing in more property for growth
8. Explore next industrial park
9. HOT (Hotel Occupancy Tax) Funds – revamp structure
10. Economic Development Strategic Plan
11. Robust LEDC website

Goal #1 KPIs / Metrics:

- ❑ Did we partner with LISD & other youth organizations to encourage emergency services careers?
- ❑ Did we reassess downtown development and tourism initiatives and who leads each?
- ❑ Did we initiate efforts to attract a post-secondary educational institution or facility to Lockhart?
- ❑ Did we completely update our development ordinances?
- ❑ Did we brainstorm development tools for SH-130 development?
- ❑ Did we bring utilities and assemble parcels along SH-130?
- ❑ Did we develop shovel-ready development sites?
- ❑ Did we market those sites to prospective investors?
- ❑ Did we develop plans for our next industrial park?
- ❑ Did we revamp the way HOT funds are structured?
- ❑ Did we develop and implement an Economic Development Strategic Plan?
- ❑ Did the Lockhart EDC revamp their website to better attract investment?

Goal 2: Quality of Life / Quality of Facilities

Strategies
1. Invest money to improve the appearance of our town (streets, parks, entry signs)
2. Conduct a Space Study of City Buildings and facilities including City Hall
3. Improve the image of City facilities as needed
4. Update, renovate, and construct City facilities as needed
5. Implement the Parks Master Plan, improving the quality of life for community
6. Conduct a citywide quality of life citizen survey

Goal #2 KPIs / Metrics:

$ amount invested in streets in 2019 and 2020? $_____

$ amount invested in parks in 2019 and 2020? $_____

$ amount invested in gateway entry signs in 2019 and 2020? $_____

# of City facilities we improved the appearance of? _____

- ❑ Which facilities did we improve the image of?
- ❑ Did we implement elements of the Parks Master Plan?
- ❑ Did we secure quotes on a Space Study of City buildings including City Hall?
- ❑ How many City-owned buildings did we renovate or retrofit?
- ❑ Did we conduct a citywide quality of life citizen survey?
- ❑ Did we address levels of service based on the citizen responses we received?
- ❑ Did we address levels of satisfaction based on the citizen responses we received?
- ❑ Did we address areas for improvement based on the citizen responses we received?

Goal 3: Staffing / Personnel

Strategies
1. Consider hiring additional personnel (engineer, IT, etc.)
2. Conduct a staffing study that includes evaluating efficiencies and compensations
3. Right size staffing levels city-wide based on study results
3. Consider starting salaries that compete with surrounding communities
4. Be consistent with staff development / policies / purchasing procedures
5. Implement a staff development program (be consistent)
6. Start developing / preparing current staff to take on leadership roles within the organization in the future
7. Bi-lingual staff
8. Customer service / experience excellence training

Goal #3 KPIs / Metrics:

of new positions in 2019 and 2020? _____

- ❑ Did we perform a staffing efficiency/compensation study?
- ❑ Did we right-size our salaries based on that study by the end of 2020?
- ❑ Did we develop new consistent policies and procedures regarding professional development of staff?
- ❑ Did we develop new consistent policies and procedures regarding purchasing/procurement?
- ❑ Did we create and implement a new staff development program to ensure everyone has training opportunities?
- ❑ Did we begin grooming current staff for future leadership roles?
- ❑ How many staff do we have on a leadership track by the end of 2020?

# of new employees added in 2019 and 2020 who are bilingual? _____

- ❑ Did we deliver Customer Experience Excellence training to every City employee?

Goal 4: Procedures / IT / Software and Hardware

Strategies
1. Conduct a Technology Assessment that yields specific recommendations
2. Improve technology / create specific strategies to have better IT support based on Assessment results
3. Upgrade all technology-related issues as recommended – desktops, servers, software, equipment, and peripherals
4. Start replacing old equipment
5. Provide superior service by keeping technology up to date and being able to communicate with the public (keep an open line of communication through website)
6. Carefully weigh all the pros and cons of considering bringing IT in-house
7. Upgrade the operating system
8. Streamline technology hardware, software processes within the City, based on Assessment recommendations
9. Upgrade all equipment and software and be trained on specific software to be used to maximum potential
10. Explore implementing downtown Wi-Fi

Goal #4 KPIs / Metrics:

- ❑ Did we conduct a Technology Assessment?
- ❑ Did we secure top quality technology support across all departments by the end of 2020?
- ❑ Did we upgrade our desktop computers?

% of employees who received upgraded computers by the end of 2020 (from 2018 numbers)? _____

- ❑ Did we upgrade our servers?
- ❑ Did we upgrade our computer software, subscriptions, and licenses?
- ❑ Did we upgrade our peripherals?
- ❑ Did we upgrade our other technology equipment?
- ❑ Did we establish an IT policy for updates and replacements that will keep us up-to-date from now through the future?
- ❑ Did we carefully weigh all the pros and cons of keeping IT outsourced vs. bringing it in-house?
- ❑ Did we upgrade our City operating system?
- ❑ Did we streamline our City technology processes?
- ❑ Did we secure training for staff to use all new equipment properly and efficiently?
- ❑ Did we investigate implementing WiFi throughout Downtown Lockhart?

Goal 5: Public Safety

Strategies
1. Provide quality public safety to all citizens of Lockhart
a) Develop a specific Retention Strategy first
b) Develop a specific Hiring Strategy
c) Long-term public safety facility planning
d) Develop an equipment replacement schedule
e) Ensure use of best practices / standards (research best practices, then implement)
f) Evaluate Accreditation opportunities

Goal #5 KPIs / Metrics:

# of new law enforcement officers hired in 2019?

# of new law enforcement officers hired in 2020?

% law enforcement officers retained?

# of new firefighters hired in 2019?

# of new firefighters hired in 2020?

% firefighters retained?

- ❑ Did we develop a long-term public safety facilities plan?
- ❑ Did we develop a public safety equipment replacement schedule?
- ❑ Did we implement that new replacement schedule?
- ❑ Did we research and record best practices across the country regarding public safety policy?
- ❑ Did we make any modifications to our public safety policies based on that research?
- ❑ Did we explore and evaluate Accreditation opportunities?

Conclusion

At the end of the planning retreat, the facilitator reminded all the participants that these goals would only be achieved if they held true to their commitments today to implement these specific strategies and tactics.

She reminded them that they are one team working toward one vision. The participants agreed to use this document regularly throughout 2019 and 2020 to track progress and measure accomplishments.

CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)
PRIORITY ORDER

COUNCILMEMBER	PRIORITY	FY 18-19 GOALS
CASTILLO	1	Infrastructure Improvements: streets
GONZALES-SANCHEZ	1	Hire A City Manager
MCGREGOR	1	Economic development, creating and retaining jobs, grocery campaign.
MENDOZA	1	Pay Raise City Employees.
MICHELSON	1	Public relations position/ get the word out about Lockhart (promoting)
WESTMORELAND	1	Infrastructure Improvements: streets
WHITE	1	Economic development, creating and retaining jobs, grocery campaign.
CASTILLO	2	Economic development, creating and retaining jobs, grocery campaign.
GONZALES-SANCHEZ	2	All Department Heads to Budget Salary Increases for all City Employees.
MCGREGOR	2	Work with LISD to establish a community recreation center at the Adams Gym, per under Parks
MENDOZA	2	Economic development, creating and retaining jobs, grocery campaign.
MICHELSON	2	Signage in Lockhart (highway, downtown, and toll) / Wayfinding, branding,,,,)
WESTMORELAND	2	Signage in Lockhart (highway, downtown, and toll) / Wayfinding, branding,,,,)
WHITE	2	Public relations position
CASTILLO	3	Continued police community committee involvement, neighborhood watch, gang awareness
GONZALES-SANCHEZ	3	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods
MCGREGOR	3	Prepare Fire Station #3 (so we can have existing station remodeled)
MENDOZA	3	Continued police community committee involvement, neighborhood watch, gang awareness
MICHELSON	3	Prepare Fire Station #3 (so we can have existing station remodeled)
WESTMORELAND	3	More enforcement of codes directed at unsightly properties
WHITE	3	Wayfinding, branding, develop new entry sign and city markers
CASTILLO	4	City Facilities: Maintenance and repairs
GONZALES-SANCHEZ	4	Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city.
MCGREGOR	4	Public relations position work with social media/ get the word out about Lockhart
MENDOZA	4	City Facilities: Maintenance and repairs

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CITY COUNCIL FY 18-19 GOALS (FINAL COMBINED)
PRIORITY ORDER

COUNCILMEMBER	PRIORITY	FY 18-19 GOALS
MICHELSON	4	Refurbish City Hall inside (making it more inviting)
WESTMORELAND	4	Move forward with St Paul property project
WHITE	4	Park improvements- consider medium to long range plan for Town Branch development
CASTILLO	5	Affordable housing
GONZALES-SANCHEZ	5	Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot additional money for registration fees and course material.
MCGREGOR	5	Free public wifi on the square
MENDOZA	5	Parks improvements
MICHELSON	5	Continued police community committee involvement, neighborhood watch, gang awareness
WESTMORELAND	5	Angled parking downtown: N Main and N Commerce Sts(change during downtown drainage project)
WHITE	5	Continued police community committee involvement, neighborhood watch, gang awareness
CASTILLO	6	Wellness for employees

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CITY COUNCIL FY 18-19 GOALS

Category Order and Comments by City Manager

Council agreed at February 13 meeting that each Councilmember will submit at least 5 category goals in priority order to the City Manager to be considered by Council at first meeting in March, 2018

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Improve communication between City and Chamber of Commerce	In-House	Chamber
		City Facilites	GF	City Bldgs
		Refurbish City Hall inside (making it more inviting)	Gen Fund	City Bldgs
		Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs
		Hire A City Manager. Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommmended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager
		More code enforcement of codes directed at unsighlty properties	In-House	Code Enforc
		Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc
		Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accommate the number of people for the above events that have been mentioned.	GF	Convention Center
		Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown
		Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl
		Economic Development	GF	Econo Devl
		Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl
		Economic Development: Recurit more businesses especailly retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the speciality shops and boutiques in or around the sqaure.	GF	Econo Devl
		Pay raise across the board	GF	Employees
		All Department Heads to Budget Salary Increases for all City Employees.	GF	Employees
		Wellness for employees	GF	Employees
		Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off altenating system, especailly during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees
		Subdivision developemnt to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing
		Infrastructure	GF	Infrastructure
		Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure
		Improve Streets (repairs)	In-House	Infrastructure

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		Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure
		Angled parking for N Main and N Commerce Streets (change during downtown project)	In-House	Parking Downtown
		Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown
		Continue to work on City Park improvements	Gen Fund	Parks
		Revive all City parks	Grants	Parks
		Work with LISD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks
		Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks
		Park improvements - consider medium to long range Town branch development	GF	Parks
		Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks
		Parks Improvemens: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks
		Start Planning for 2040 plan	GF	Planning
		Police	GF	Police
		Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police
		Work with Police Department to bring back drug enforcement program	Gen Fund	Police
		Get back to Neighborhool Townhall Meetings	GF	Police
		Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is alot of training that is free but alot additonal money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilizied by the school as well.	GF	Police
		High School cadet programs for police, fire, EMS	GF	Police/Fire
		Public relations position to deal with social media	GF	Public Relations
		Get the word out about Lockhart (promoting, hiring a Public Relations person)	Gen Fund	Public Relations
		Sidewalk repair and expansion	GF	Sidewalks
		Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage
		Wayfinding, branding - develop new entry sign and city property markers	GF	Signage
		Move Forward with St Paul property project	In-House	St Paul Gift
		Devlop an oral history project to support a future "Walking Tour" app for Lockhart (ECONOMIC DEV/DOWNTOWN)	General Fund/Fundraising	Tourism
		More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourisn
		Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY FINAL LIST BY COUNCIL PRIORITIZED BY CATEGORY: SUBMIT TO CITY MGR BY MARCH 1 PLEASE	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY
		Access to Municipal Court for Utility Payments	In-House	Utility Customers
		Free public wifi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wifi
		Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi

CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
BW	7	Improve communication between City and Chamber of Commerce	In-House	Chamber	City Staff works together with Chambers on all their events by being a co-sponsor with many in-kind services. Robert Tobias attends their meetings and periodically makes presentations about Economic Development issues.
JC	4	City Facilities	GF	City Bldgs	Budget for roofs and major repairs
JEFF M	5	Refurbish City Hall inside (making it more inviting)	Gen Fund	City Bldgs	Working on it; repairs to ceiling in progress, restrooms to be refurbished and replace signage with more informative directions.
JEFF M	7	Prepare Fire Station 3 (so we can have main station remodeled)	Gen Fund	City Bldgs	New plans will be prepared working with new Chief who has different ideas than the previous Chief
AGS	1	Hire A City Manager. Hire a City Manager that is Well Rounded and Experienced and Will Help our City to Continue to Grow for the right and positive reasons. To hire a City Manager that will allow our Department Heads to Grow and Improve Our Departments with their recommended suggestions not only from our department heads but from our employees. Working Smarter not Harder.	GF	City Manager	I concur. The current City Mgr has rode back of garbage trucks, climbed electrical poles, worked water/sewer/asphalt/concrete projects, and has been a utility collections clerk, and during these experiences learned the value of suggestions for change that comes from employees in such positions. All department heads/supervisors are encouraged to listen to employees who have constructive ideas that would benefit in performing assigned tasks. City Mgr has also learned there are employees who keep there hands in their pockets and talk while everyone else is working and these are the same ones who are often found to be dishonest in their paperwork, sleep on the job, and have a poor attendance record.
BW	1	More code enforcement of codes directed at unsightly properties	In-House	Code Enforc	Will continue to address as complaints come in and as found during investigation outings.
LW	8	Continue demo of unsafe structures and pursue liens aggressively	GF	Code Enforc	Will continue to address and City Attorney exploring process to recover demolition costs
AGS	11	Convention Center. Our city is growing and there are too many events, programs and conferences that are going to other surrounding areas to have these events and those surrounding area businesses are benefitting and money is being spent in those areas instead on money being spent in our city. Granted, we do have meeting facilities in our city but these meeting facilities do not accommodate the number of people for the above events that have been mentioned.	GF	Convention Center	HOT funds and/or Bond Issue. Maintenance funds will be a minimum of $150,000 annually not including director's salary, utilities, and insurance.
LW	9	Downtown improvements-lighting, pedestrian safety, south plaza idea? Sculpture? Sidewalk mosaics?	GF	Downtown	CAPCOG/CO project will address
LW	1	Economic development, creating and retaining jobs, grocery campaign	general fund, LEDC	Econo Devl	Robert Tobias working with several companies now
JC	2	Economic Development	GF	Econo Devl	See above

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CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
JEFF M	3	Expand economic development (by helping to spread the word & being more involved)	Gen Fund	Econo Devl	Robert Tobias is involved with the San Marcos Partnership, local chambers, and with downtown businesses on a regular basis. Leads from the Governor's office and the Austin Chamber are also pursued as applicable.
AGS	4	Economic Development: Recruit more businesses especially retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and specialty shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city. Art Galleries and Music Venues have increased within our downtown area and though many not appreciate these type of business and or venues, it is good for our downtown and its livelihood. Let's work on getting more of the specialty shops and boutiques in or around the square.	GF	Econo Devl	The problem is that many of the property owners downtown do not have the funds to customize their buildings to support specialty shops which most the time are not willing to spend money on a building. Rob Tobias is exploring ways to address this issue.
JUAN M	1	Pay raise across the board	GF	Employees	Estimated Costs Including Benefits: For each 1% for non-civil service= $52,000 For each 1% for civil service = $28,000
AGS	2	All Department Heads to Budget Salary Increases for all City Employees.	GF	Employees	See above
JC	5	Wellness for employees	GF	Employees	City provides good health insurance ($586 per month each) with wellness plans for employees; many Cities have stopped this benefit and only provide a stipend for insurance.
AGS	9	Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especially during the holidays. I did appreciate that the city employees were allowed to stay home during our icy, sleet and snow days. The safety of our employees is very important.	GF	Employees	City employees with vacation leave and holiday time are off 23 days a year with pay which is more than a month of work days. The only holidays not given that we found are Columbus Day and Texas Independence Day. Employee safety is very important, however, some employees must come in to make conditions safe for residents and to respond to emergency conditions and that responsibility belongs to each department head who determines based on staff levels and skills time off during holiday times.
AGS	6	Subdivision development to attract more businesses to Lockhart. Increase the number of homes, apartments, housing. Our city is growing with new citizens wanting to make Lockhart their home but due to the number of housing available, they wait and or possibly lose interest.	GF	Housing	6 housing projects in place at different phases. City Manager recommended incentives to builders three years ago which Council approved and during the time it was in place it produced more housing. As a result, more engineering of subdivisions has begun.
JC	1	Infrastructure	GF	Infrastructure	$400,000 or more yearly needed for streets
LW	2	Infrastructure improvement- uncurbed streets, street rehab	GF	Infrastructure	See above. It will take a major bond issue to address all streets that do not have curbs.
BW	3	Improve Streets (repairs)	In-House	Infrastructure	See above.

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CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	3	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	GF	Infrastructure	For streets please see above. Brighter lighting is always a challenge in a city with so many trees. Lockhart still must comply with Senate Bill 5 which regulates power usage. Several cities have passed an ordinance that does not allow for the planting of trees within 15' of the right of way to improve lighting of streets and reduce tree trimming around power lines.
BW	4	Angled parking for N Main and N Commerce Streets (change during downtown project)	In-House	Parking Downtown	Scheduled with downtown improvements. Should also consider making 100 Blocks of N Main and N Commerce one-way and possibly consider other blocks downtown especially north/south streets.
AGS	10	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic. Our city is growing and we have been very fortunate with our parking however, it is a concern especially when you have the bigger and wider trucks that are parked in an area that is for a moderate size car. It becomes a hazard and a blind spot when trying to reverse out of the parking space and a blind spot for any and all pedestrians.	GF	Parking Downtown	Scheduled with downtown improvements
JEFF M	2	Continue to work on City Park improvements	Gen Fund	Parks	Master Plan near complete
BW	2	Revive all City parks	Grants	Parks	Master Plan near complete
KM	2	Work with LISD to establish a community recreation center at Adams Gym, perhaps under Parks (PUBLIC HEALTH/PARKS)	General Fund/Parks & Rec	Parks	Mayor is visiting with LISD about this
KM	3	Add 3 positions to the Parks Department, to help facilitate other improvements (PARKS)	General Fund/Parks & Rec	Parks	Approx. $100,000 to budget not including equipment and vehicles
LW	3	Park improvements - consider medium to long range Town branch development	GF	Parks	Bond issue needed
KM	4	Develop a dog park as part of the Stueve Lane Monte Vista Tract (PARKS/ANIMAL SHELTER/PUBLIC HEALTH)	General Fund/Parks & Rec	Parks	Estimate on this property is $ 25000 using used fencing. Maintenance and insurance are also cost factors
AGS	8	Parks Improvements: Purchase and update the park equipment to provide safe and fun filled parks for all to use.	GF	Parks	Master Plan near complete
JUAN M	3	Start Planning for 2040 plan	GF	Planning	Needs to be done
JC	3	Police	GF	Police	Chief Pedraza is working on these issues. Recently issued update that was sent to Council.
LW	4	Continued Police Community committee involvement, neighborhood watch, gang awareness	GF	Police	See above
JEFF M	4	Work with Police Department to bring back drug enforcement program	Gen Fund	Police	See above
JUAN M	5	Get back to Neighborhood Townhall Meetings	GF	Police	Will get with Chief about this

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CM INITIALS	PRIORITY #	GOALS IDENTIFIED BY COUNCIL FOR FY 18-19: SORTED BY CATEGORY	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	SORTED BY CATEGORY	CITY MANAGER COMMENTS
AGS	5	Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is a lot of training that is free but a lot additional money for registration fees and course material. I am grateful that the Police Department did invest in our Drug Dog and is being utilized by the school as well.	GF	Police	Chief Pedraza reports that Lockhart has two certified mental health officers, and he feels there is sufficient funding for training. He also reports that a new Narcotics Officer would cost about $90,000 for salary/benefits, training, a vehicle, and all required equipment.
LW	10	High School cadet programs for police, fire, EMS	GF	Police/Fire	Will visit with department heads again about this
LW	6	Public relations position to deal with social media	GF	Public Relations	Position would cost with benefits about $45,000 annually and would need more tasks to perform.
JEFF M	6	Public relations position to deal with social media	GF	Public Relations	See above
LW	7	Sidewalk repair and expansion	GF	Sidewalks	Costs average about $25 per linear foot
JEFF M	1	Signage in Lockhart (highway, downtown, and toll road)	Gen Fund	Signage	Wayfinding and Branding Committee in place
LW	5	Wayfinding, branding - develop new entry sign and city property markers	GF	Signage	See above
BW	5	Move Forward with St Paul property project	In-House	St Paul Gift	Working on costs associated with this projects which involve asbestos/lead paint survey and possible abatement, ADA restrooms, ADA entry ramp, kitchen changes, and other repairs.
KM	5	Devlop an oral history project to support a future "Walking Tour" app for Lo	General Fund/Fundraising	Tourism	Could be part of the Wayfinding and Branding Committee tasks
AGS	7	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants). Added events, especially the events that are free to the public do very well for the city as well as for the businesses and tourism. I welcome new events to the city but need to be selective in the events that we do host.	GF	Tourism	Chambers receive HOT funds for tourism and City co-sponsors events that contribute to tourism.
JUAN M	4	Create a Good Neighbor program (Lockhart Utility Customers can add an additional amount to utility bill to help others)	GF	Utility Customers	Have pursued this in the past. Requires a Board or Committee that is willing to take on the tasks of selecting who and how much help can be provided to customers. Some Cities allocate the funds to existing organization that is willing to take on the project.
BW	6	Access to Municipal Court for Utility Payments	In-House	Utility Customers	Working to this; advertisements and office training needed.
KM	1	Free public Wi-Fi on the square as part of the redevelopment on the North side (ECONOMIC DEV/DOWNTOWN)	CAPCOG Grant?	Wi-Fi	County Judge had indicated to Mayor that the County could do this.
JUAN M	2	Free public wifi on the square as part of the redevelopment on the North side	GF	Wifi	See Above

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	LOCKHART CITY COUNCIL FY 17-18 GOALS			
		Category and Priority Order		
COUNCIL MEMBER	PRIORITY	GOALS IDENTIFIED BY COUNCIL FOR FY 17-18 (as submitted by Councilmembers)	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	CATEGORY
BH	3	Continue Improving City Cemetery	with GF Expiring debt saving and/or Cemetery Tax	CEMETERY
Jeff M	2	Refurbish City Hall in the inside (to make more inviting to the public) as well as doing some landscaping outside		CITY BLDGS
BW	3	Spruce up and clean up City properies		CITY BLDGS
BH	4	Improve City Facilities Appearance	General Fund	CITY BLDGS
JC	4	City Facilities		CITY BLDGS
AGS	10	Convention Center		CONVENTION CTR
JC	2	Crime		CRIME
AGS	4	Police Task Force: Budget extra funds for a Police Task Force, a Narcotics Officer and a Mental Health Officer to address any drug and gang related problems and mental issues our city is being faced not only on the East side of our city but citywide. Budget for updated training for our police officers. There is alot of training that is free but alot additonal money for registration fees and course material.		CRIME
Jeff M	4	Work with Police Department to bring back drug enforcement program		CRIME
LW	8	Fund for helping utility customers in need	???	CUSTOMER SERV
BW	2	Continue to change angle parking downtown: 200 Blk S Main, 100 Blk N Main, 100 Blk N Commerce, 200 Blk E Market; little time and expense invovled		DOWNTOWN
LW	2	Downtown improvements,bathrooms, electric, pedestrian safety, beautification, wifi, lighting	??	DOWNTOWN
AGS	9	Parking around and surrounding the square. Issues with larger vehicles parked in areas that are narrow and that make it hard to see oncoming traffic		DOWNTOWN
LW	1	Expanding economic development department, budget, office, staff?, marketing	General fund, LEDC	ECCONOMIC DEV
AGS	3	Economic Development: Recurit more businesses especailly retail and continue efforts; contact existing and vacant building owners to see if they are willing to work with the City of Lockhart to bring retail businesses and speciality shops, as well as industrial. Purchase buildings and land when on the market for possible new businesses for the city.		ECCONOMIC DEV
JC	3	Economic Development		ECCONOMIC DEV
AGS	5	Subdivision development to attract more businesses to Lockhart.		ECCONOMIC DEV
JM	5	Set up meetings with developers for more retail space shopping centers along US 183		ECCONOMIC DEV

	LOCKHART CITY COUNCIL FY 17-18 GOALS			
		Category and Priority Order		
COUNCIL MEMBER	PRIORITY	GOALS IDENTIFIED BY COUNCIL FOR FY 17-18 (as submitted by Councilmembers)	SUGGESTED FUNDING SOURCE BY COUNCILMEMBER	CATEGORY
AGS	6	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants)		ECCONOMIC DEV
AGS	1	All Department Heads to Budget Salary Increases for all City Employees.		EMPLOYEES
JM	1	City Employee Raises		EMPLOYEES
JM	2	House or fund gym membership/space (weight rm) in Senior Center area (cardio machine) for City employees		EMPLOYEES
AGS	8	Employee: Possible additional Employee Holiday Time Off-Alternating System. Even though this has been discussed and the reasons for why it cannot be done, I would like to see a time off alternating system, especailly during the holidays.		EMPLOYEES
BW	1	ENFORCE ordinances that pertain to unsightly properties all over town		ENFORCEMENT
Jeff M	1	Enforce city ordinance regarding residential property		ENFORCEMENT
Jeff M	3	Continue to work on City Park improvements		PARKS
JM	3	Do inventory of City properties to idenify areas for pocket parks	LEDC funds	PARKS
LW	3	Park improvements	General fund	PARKS
BH	5	Parks Improvements	General Fund	PARKS
JC	5	Parks		PARKS
AGS	7	Parks Improvemens: Purchase and update the park equipment to provide safe and fun filled parks for all to use.		PARKS
LW	7	Town branch cleanup and beautification	???	PARKS
JM	4	Start process of Funding Sidewalks east of 183 connecting to the US 183 sidewalks		SIDEWALKS
LW	6	sidewalk repair and expansion	general fund bond	SIDEWALKS
BH	1	IMPLEMENT SIGNAGE IN LOCKHART	General Fund (LEDC) and/or Hotel Tax	SIGNAGE
LW	4	wayfinding, branding	general fund	SIGNAGE
LW	5	Entry signs	general fund	SIGNAGE
Jeff M	6	Signage on Highway 183 and SH130 = directing people to Lockhart		SIGNAGE
BW	4	Pursue opportunity to move Senior Citizens' Center to St Paul United Church of Christ Property		SR CITIZENS CTR
JC	1	Roads	Grants or impact fees	STREETS/INFRAS
AGS	2	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods		STREETS/INFRAS
BH	2	Continue improving City Streets	Increase Transportation Fund	STREETS/INFRAS
Jeff M	5	Continue to make improvements and redoing our city streets		STREETS/INFRAS

Lockhart City Council
FY 16-17 Goals
Revised 3-10-2016, 8:30 pm

Priority	Council Person	Goals Submitted	City Manager Comments
1	Castillo	Infastructure	Complete 2015 CO projects and need budget of $250,000 per year for streets, continue water and sewer main replacements; continue electric distribution maintenance plan-get new substation on line. Replace bad water raw water mains and find additional water for the future.
1	Gonzales-Sanchez	Department Heads to Budget Salary Increases for city employees so that we can keep our current city employees.	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) $ 29,000; Gen Fund Civil Serv $ 24,000; Other/Utilities: $ 15,000- Add'l
1	Hilburn	Improve City Cemetery with GF Expiring debt saving and/or Cemetery Tax	Cemetery Tax up to 5 cents allowed by State Law. Expiring GF debt committed to Police and Fire increased pay rates. ($132,000)
1	Mendoza	Find ways to use activity center for multi-purpose use. (basketball, volleyball). Funding source: Different companies in town	If approved by Council staff would approach local businesses
1	Michelson	Continue to improve infrastructure (drainage, street repairs) throughout the city	Complete 2015 CO and budget $250,000 per year for street materials
1	Westmoreland	Enforce ordinances that pertain to unsightly properties all over town. Make homeowners/residents (because some may be renters) take pride in their environment. It is an eyesore to drive around town and see overgrown properties, junked cars, and stacks of trash on porches, in yards and driveways. All levels of socio-economic residents in this town have shown evidence of being disrespectful to their environment.	City has no esthetics ordinance currently. The term "unsightly" is subjective and is difficult to prove in court.
1	White	Economic Development-expanding budget to get staff qualified to help Sandra with recruitment, working with LEDC to either build Spec building or invest in more property, Main St program to relieve Sandra of a lot of those duties	Main Street Program would require another person and funding to work with local businesses while Economic Development would conscentrate on new businesses and new jobs
2	Castillo	Economic Development	Need 12-15,000 sf of retail spaces with reasonable lease per sf and buildings that are 20 to 50,000 sf for industrial and maunufacturing
2	Gonzales-Sanchez	Infrastructure: Continue City Infrastructure: Drainage, Street Repairs, Completion of Curbing, Brighter Lighting in Neighborhoods	Complete 2015 CO projects and need budget of $250,000 per year for streets, continue water and sewer main replacements; continue electric distribution maintenance plan-get new substation on line. Replace bad water raw water mains and find additional water for the future. Most streets that lack curbing will need to be totally reconstructed. Brighter LED lights being experimented with since costs have come down.
2	Hilburn	Implement City Signage	Initial required funds up to $40,000 if City Crew does the work; total cost could be more than $70,000
2	Mendoza	New Park equipment. Funding Source: Each Councilmember responsible for a park and finding funding sources	Estimate: $ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
2	Michelson	Continue to improve ways to attract businesses to Lockhart	Need more 12-15,000 sf of retail spaces with reasonable lease per sf and buildings that are 20 to 50,000 sf for industrial and maunufacturing
2	Westmoreland	Create a policy for the residency of future admininstrative positions to live within the Lockhart city limits. If an administrator wants to be employed by the City of Lockhart, they need to reside here. Sharing in the daily lives of our citizens seems crucial to making decisions about Lockhart. They are paid by city taxes.	It is not legal to require all department heads to live in the City limits; only the City Manager is required to do so. All non-24 emergency response employees must live within 25 mintues of City Limis
2	White	Continue street rehab	Need $ 250,000 annually minimum for street work materials
3	Castillo	City Facilites	Not sure what this includes; can asses all departments for physical needs
3	Gonzales-Sanchez	Economic Development: Recurit more businesses especailly retail and continue efforts ; contact existing and vacant bldg owners to see if they are willing to work with City to bring these small retail businesses, as well as industrial; possibly purchasing two downtown county buildings when on the market for possible new businesses in the downtown area. Stronger platform with LEDC with methods to sell Lockhart and attract businesses.	LEDC could fund another report but the company says our numbers still should be good. Costs estimated $22,500 for updating data and recruitment. Prime softgood companies constantly want to be on Highway 183 in 12-15,000 sf and at a reasonalbe cost per sf plus higher traffic counts.

Lockhart City Council
FY 16-17 Goals
Revised 3-10-2016, 8:30 pm

Priority	Council Person	Goals Submitted	City Manager Comments
3	Hilburn	Continue improving city streets: Increase Transportation Fund	Current transportation monthly rate is $ 4 for residential and others; $260,000 annual which helps fund labor and equipment, but is not sufficient for materials. Another $250,000 for materials is needed annually.
3	Mendoza	Wi-Fi Free Zones Downtown Square. Funding source City Budget, School District, Downtown sponsors	Rough estimate is about $12,000
3	Michelson	Refurbish City Hall	If atrium removed, add more offices estimated at $45,000 and more outside landscaping estimated at $ 5,000; elevator going in with improvements to restrooms and offices
3	Westmoreland	Approach interested and future businesses cordially. Stringent ordinances (and the way they are approached), scare off some businesses. Let's be friendly in a positive way.	City Mgr respectfully requests names of such businesses. He has met with 18 business representatives over past 15 months that were looking at Lockhart but did not come. Except for the non-residential exterior building esthetics ordinance, none of them indicated a problem with the current ordinances or with staff. The main problems were high land prices and the lack of "ready built retail and industrial buildings", and traffic counts were not high enough. Most thought the impact fee schedules were very reasonable compared to other cities. Will continue to work toward friendlier customer service with simplified ordinances.
3	White	Park master plan to consider park bond issue, recreation dept and staff issues	Master Plan estimate: $ 45,000, recreation dept est at least $ 60,000 for a recreational professional with another $30,000 for equipment and materials
4	Castillo	Employees Wages	Est Cost Per % Increase Annually: Gen Fund (Not Civil Serv) $ 29,000; Gen Fund Civil Serv $ 24,000; Other/Utilities: $ 15,000- Add'l Cost FY 16-17 due to Civil Serv Pay Plan Expansions already apprroved: $ 132,000
4	Gonzales-Sanchez	Police Task Force: Budget extra funds to bring back a much needed Police Task Force to address any drug and gang related problems this city is being faced with especially on the East side of our city. Possibly ask the County to assist with funding.	Initial required funds up to $40,000 if City Crew does the work; total cost could be more than $70,000
4	Hilburn	Continue working on bringing industry to Lockhart: Continue supporting Ms. Mauldin	LEDC is will have sufficient funding to be more aggressive starting FY 16-17
4	Mendoza	Training Start up: Neighborhood Watch Training and Program: Police Budget	Have tried Neighborhood Watch Program in past but was not sustained because of lack of participation. Willing to try again.
4	Michelson	Improve signage on HWY 183 as well as SH130 = directing people to Lockhart	Possibly use of some of the KTB grant money
4	Westmoreland	Evaluate and/or change the degree of the angled parking along the 4 blocks off of the square. This would be: Main Street from Market to Prairie Lea Street; Main Street from San Antonio Street to Walnut Street; Commerce Street from Market Street to Prairie Lea Street, and Commerce Street from San Antonio Street to Walnut Street. These parking spaces were made before long vehicles were made! If ther are cars parked on both sides of the streets, only one care can pass through at a time. Then it becomes a one lane street. I have witnessed a differenct angled parking arrangement, and it provides more room and is much safer for the drivers and pedestrians.	Estimate to black out existing thermoplastic markings, redefine layout, and apply new thermoplastic markings with angle parking =$ 12,000; will probably loose 4 spaces per block. 2 on each side
4	White	Branding and wayfinding—may be included in #1	Initial required funds up to $40,000 if City Crew does the work; total cost could be more than $70,000
5	Castillo	Parks	Estimate: $ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
5	Gonzales-Sanchez	Subdivision development to attract more businesses to Lockhart	Working with 6 more subdivisons, either new or expanding, and possibly one more very large one northwest.
5	Hilburn	Improve tourism in Lockhart - City Council continue to work with and encourage Chambers of Commerce to be more involved	Council can make this directive to Chambers when dividing out HOT funds
5	Mendoza	Finding more funding for Retail Market Study. Zip code demographics with reports. Funding LEDC	LEDC could fund another report but the company says our numbers still should be good. Costs estimated $22,500 for updating data and recruitment.

Lockhart City Council
FY 16-17 Goals
Revised 3-10-2016, 8:30 pm

Priority	Council Person	Goals Submitted	City Manager Comments
5	Michelson	Work with LEDC or someone equivalent to build a building to help attract business	Need more 12-15,000 sf of retail spaces with reasonable lease per sf. Most softgood retailers want 12-15,000 on Hwy 183 at a reasonable price and increased traffic volumes
5	White	Sidewalks to include lighting	Funding required; for example San Jacinto to Jr High estimate is $130,000 just for materials along Maple walkway
6	Gonzales-Sanchez	More Events to Attract Tourism in Lockhart and Include Way Finding Signage (Hotels and Restaurants)	Initial required funds up to $40,000 if City Crew does the work; total cost could be more than $70,000. Chambers could use HOT for more tourism.
6	Michelson	Continue to work on City Park improvements	Estimate: $ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
6	White	Pursue possible ESD-EMS district	Legal issue with participation by County and City of Luling preferable
7	Gonzales-Sanchez	Parks Improvemens: Purchase more park equipment to provide safe and fun filled parks for all to use.	Estimate: $ 400,000 annually over next 4 years based on input from Parks Board Advisory Board
7	Mendoza	Start Talks With YMCA Austin again. Seek sponsors funding if necessary	Our population hurt in previous discussions, Will pursue again. They usually want commitment for a minimum number of individuals and families depending on population of not only City but its metro area
7	Michelson	Work on building a civic center/ recreation center	$ 9 million plus land $ 2.5 million for about 20,000 sf plus about $240,000 annual maintenance costs and minimum of $60,000 for utilities; estimated revenues offset is about $60,000; take out recreation center and cost go down about 20%. It has been reported that Bastrop is spending over $500,000 per year to operate its civic center. Revenues not covering costs.
7	White	Cemetery maintenance	Cemetery Tax up to 5 cents allowed by State Law
8	Gonzales-Sanchez	City Hall: Refurbish with Improvements and/or Upgrades	Elevator and improvements to restrooms planned; better offices for Connie and Sandra planned also.
9	Gonzales-Sanchez	Convention Center	$ 9 million plus land $ 2.5 million for about 20,000 sf plus about $240,000 annual maintenance costs and minimum of $60,000 for utilities; estimated revenues offset is about $60,000; take out recreation center and cost go down about 20%. It has been reported that Bastrop is spending over $500,000 per year to operate its civic center. Revenues not covering costs.
10	Gonzales-Sanchez	Employee: Possible additional Employee Holiday Time off-Alternating system	City emlpoyees now have 12 holidays and 1 personal holiday; time off is granted by seniority with department head responsible for keeping sufficient personnel to serve the public needs. Employees also receive at least 2 weeks of vacation time. Those employees required to work on holidays receive their normal pay plus holiday pay.

City of Lockhart

Future Debt Payments as of 9/30/18

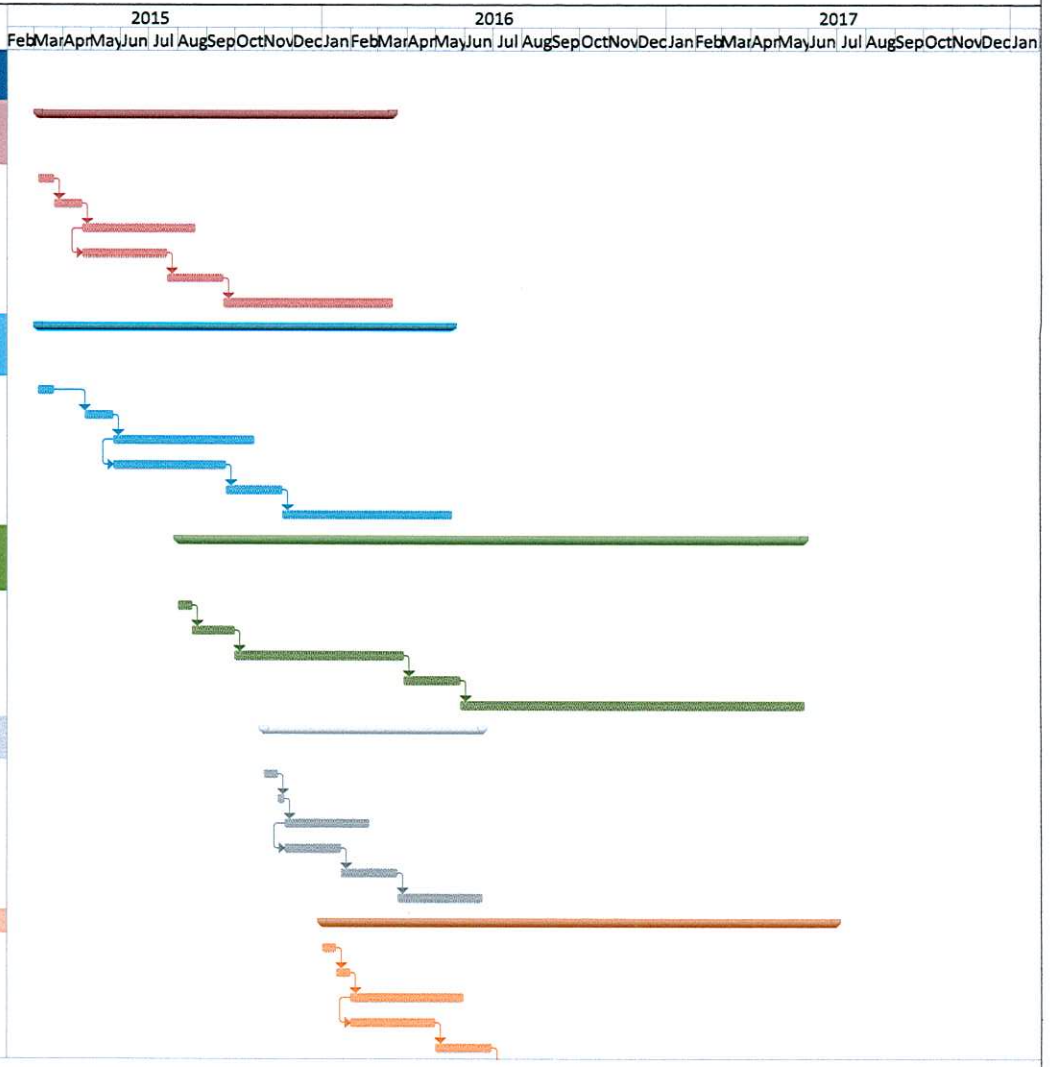
Description		Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
General Government																					
Hotel Tax Fund																					
2016 GO Refunding				40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000								400,000
Total Hotel Tax Fund P & I			-	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	-	-	-	-	-	-	-	400,000
LEDC																					
2015 Tax & Revenue	100.00%		48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
																					-
Total LEDC Fund P & I			48,093	48,044	48,103	48,152	63,645	63,670	63,513	63,543	63,555	63,643	63,687	65,647	65,544	65,575	65,482	65,579	65,538	65,676	1,048,596
2015 Capital Projects Fund																					
2015 Tax & Revenue																					-
Total 2015 Capital Projects Fund Fund P & I			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Drainage																					
2015 Tax & Revenue			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
																					-
Total Drainage Fund P & I			100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,700,000
General Fund																					
2015 Tax & Revenue																					-
Total General Fund P & I			-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Debt Service Fund																					
2006 Tax & Rev CO's	100.00%		47,175	50,535	48,690	46,845															146,070
																					-
2006-A Tax & Rev CO's	93.00%		267,890	267,803	267,332	271,128															806,264
																					-
2015 Tax & Revenue	TRNSF		186,594	186,302	186,653	186,945	279,275	279,421	278,487	278,662	278,735	279,261	279,523	291,203	290,590	290,773	290,222	290,798	290,554	291,374	4,548,778
																					-
2015 Tax & Revenue	12.00%		117,779	117,659	117,803	117,923	155,867	155,927	155,543	155,615	155,645	155,861	155,969	160,769	160,517	160,592	160,365	160,602	160,502	160,831	2,567,990
																					-
2016 GO Refunding	74.84%		171,056	346,930	361,150	353,161	656,899	666,927	661,698	666,974	673,111	670,566	678,350	-	-	-	-	-	-	-	5,735,766
																					-
Total Debt Service Fund P & I			790,494	969,229	981,628	976,002	1,092,041	1,102,275	1,095,728	1,101,251	1,107,491	1,105,688	1,113,842	451,972	451,107	451,365	450,587	451,400	451,056	452,205	13,804,868
Total General Government			**938,587**	**1,157,273**	**1,169,731**	**1,164,154**	**1,295,686**	**1,305,945**	**1,299,241**	**1,304,794**	**1,311,046**	**1,309,331**	**1,317,529**	**617,619**	**616,651**	**616,940**	**616,069**	**616,979**	**616,594**	**617,881**	**16,953,464**

Future Debt Payments as of 9/30/18

Description		Paid Debt	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	TOTAL DEBT
Proprietary																					
Electric Fund																					
2013 SIB Loan	30.81%		71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152			1,067,268
																					-
																					-
Total Electric Fund P & I		-	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,152	71,151	71,151	71,151	71,151	71,151	71,151	71,151	71,152	-	-	1,067,268
Water Fund																					
2006A Tax & Rev CO's	7.00%		20,164	20,157	20,122	20,408															60,687
2015 Tax & Revenue	49.60%		486,818	486,322	486,917	487,413	644,248	644,496	642,909	643,207	643,331	644,223	644,670	664,510	663,468	663,778	662,842	663,822	663,406	664,800	10,614,362
2016 GO Refunding	21.81%		49,849	101,103	105,247	102,919	191,435	194,357	192,833	194,371	196,159	195,418	197,686	-	-	-	-	-	-	-	1,671,528
2013 SIB Loan	35.80%		82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676	82,676			1,240,140
Total Water Fund P & I		-	639,507	690,258	694,962	693,416	918,359	921,529	918,418	920,254	922,166	922,317	925,032	747,186	746,144	746,454	745,518	746,498	663,406	664,800	13,586,717
Sewer Fund																					
2015 Tax & Revenue	4.30%		42,204	42,161	42,213	42,256	55,852	55,874	55,736	55,752	55,773	55,850	55,889	57,609	57,518	57,545	57,464	57,549	57,513	57,643	920,197
																					-
2016 GO Refunding	3.35%		7,657	15,529	16,166	15,808	29,404	29,853	29,619	29,855	30,130	30,016	30,364	-	-	-	-	-	-	-	256,744
																					-
2013 SIB Loan	33.39%		77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102	77,103	77,102	77,102			1,156,537
																					-
Total Sewer Fund P & I			126,963	134,793	135,481	135,166	162,359	162,829	162,457	162,710	163,005	162,968	163,356	134,711	134,620	134,648	134,566	134,651	57,513	57,643	2,333,478
Total Proprietary Fund P & I		**-**	**837,621**	**896,203**	**901,594**	**899,733**	**1,151,869**	**1,155,510**	**1,152,026**	**1,154,116**	**1,156,323**	**1,156,436**	**1,159,539**	**953,049**	**951,915**	**952,253**	**951,236**	**952,301**	**720,919**	**722,443**	**16,987,463**
Grand Total			**1,776,208**	**2,053,476**	**2,071,326**	**2,063,887**	**2,447,555**	**2,461,455**	**2,451,267**	**2,458,910**	**2,467,369**	**2,465,767**	**2,477,068**	**1,570,668**	**1,568,566**	**1,569,193**	**1,567,305**	**1,569,280**	**1,337,513**	**1,340,324**	**33,940,927**

City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish
$14,124,890.00		TOTAL PROJECT COST			
$2,068,024.00	1	**DRANING IMPROVEMENTS CONTRACT 1 - Mesquite/Wichita Street & Richland Drive**			
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15
		Survey	30 days	Mon 3/23/15	Tue 4/21/15
		Acquisition	120 days	Wed 4/22/15	Wed 8/19/15
		Engineering Design	90 days	Wed 4/22/15	Mon 7/20/15
		Bid Ad/NTP	60 days	Tue 7/21/15	Fri 9/18/15
		Construction	180 days	Sat 9/19/15	Wed 3/16/16
$1,999,200.00	2	**DRAINAGE IMPROVEMENTS CONTRACT 2 - Century Oaks/Market Street, & Ash/Comal Streets**			
		Surveying Proposal	17 days	Fri 3/6/15	Sun 3/22/15
		Survey	30 days	Sat 4/25/15	Sun 5/24/15
		Acquisition	150 days	Mon 5/25/15	Wed 10/21/15
		Engineering Design	120 days	Mon 5/25/15	Mon 9/21/15
		Bid Ad/NTP	60 days	Tue 9/22/15	Fri 11/20/15
		Construction	180 days	Sat 11/21/15	Wed 5/18/16
$3,394,038.00	3	**DRAINAGE IMPROVEMENTS CONTRACT 3 - Downtown Improvements Project**			
		Surveying Proposal	15 days	Sun 8/2/15	Sun 8/16/15
		Survey	45 days	Mon 8/17/15	Wed 9/30/15
		Engineering Design	180 days	Thu 10/1/15	Mon 3/28/16
		Bid Ad/NTP	60 days	Tue 3/29/16	Fri 5/27/16
		Construction	365 days	Sat 5/28/16	Sat 5/27/17
$323,400.00	4	**DRAINAGE IMPROVEMENTS CONTRACT 4 - Medina & US183 Project**			
		Surveying Proposal	15 days	Sun 11/1/15	Sun 11/15/15
		Survey	7 days	Mon 11/16/15	Sun 11/22/15
		Acquisition	90 days	Mon 11/23/15	Sat 2/20/16
		Engineering Design	60 days	Mon 11/23/15	Thu 1/21/16
		Bid Ad/NTP	60 days	Fri 1/22/16	Mon 3/21/16
		Construction	90 days	Tue 3/22/16	Sun 6/19/16
$1,764,000.00	5	**FM 2001 ELEVATED TANK PROJECT**			
		Surevying Proposal	15 days	Sat 1/2/16	Sat 1/16/16
		Survey	15 days	Sun 1/17/16	Sun 1/31/16
		Acquisition	120 days	Mon 2/1/16	Mon 5/30/16
		Engineering Design	90 days	Mon 2/1/16	Sat 4/30/16
		Bid Ad/NTP	60 days	Sun 5/1/16	Wed 6/29/16



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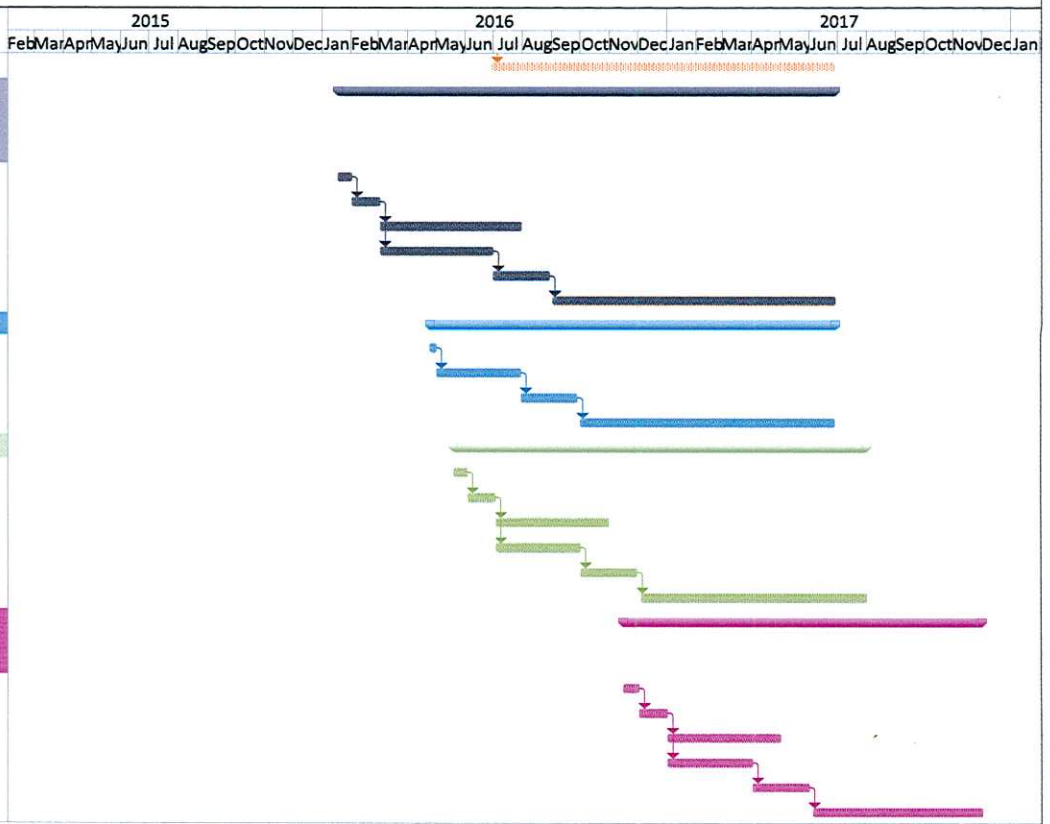
City of Lockhart
2015 BOND PROGRAM

Cost	Notes	Task Name	Duration	Start	Finish
		Construction	365 days	Thu 6/30/16	Thu 6/29/17
$1,355,516.00	6	**SH130 WATER MAN PROJECT - City Line Rd. to Existing Tank, SH 130 @ Hwy. 142, Borchert/Mockingbird, Control Valves, FM 2001**			
		Surevying Proposal	15 days	Mon 1/18/16	Mon 2/1/16
		Survey	30 days	Tue 2/2/16	Wed 3/2/16
		Acquisition	150 days	Thu 3/3/16	Sat 7/30/16
		Engineering Design	120 days	Thu 3/3/16	Thu 6/30/16
		Bid Ad/NTP	60 days	Fri 7/1/16	Mon 8/29/16
		Construction	300 days	Fri 9/2/16	Wed 6/28/17
$470,400.00	7	**SH130 PUMP STATION PROJECT**			
		Survey	7 days	Mon 4/25/16	Sun 5/1/16
		Engineering Design	90 days	Mon 5/2/16	Sat 7/30/16
		Bid Ad/NTP	60 days	Sun 7/31/16	Wed 9/28/16
		Construction	270 days	Sun 10/2/16	Wed 6/28/17
$859,186.00	8	**SH130/TOWN BRANCH SEWER PROJECT**			
		Surveying Proposal	15 days	Fri 5/20/16	Fri 6/3/16
		Survey	30 days	Sat 6/4/16	Sun 7/3/16
		Acquisition	120 days	Mon 7/4/16	Mon 10/31/16
		Engineering Design	90 days	Mon 7/4/16	Sat 10/1/16
		Bid Ad/NTP	60 days	Sun 10/2/16	Wed 11/30/16
		Construction	240 days	Mon 12/5/16	Tue 8/1/17
$1,891,126.00	9	**WATER TRANSMISSION MAIN PROJECT - Water Plant Transmission Main, MLK to FM 20 West Transmission Main**			
		Surveying Proposal	17 days	Wed 11/16/16	Fri 12/2/16
		Survey	30 days	Sat 12/3/16	Sun 1/1/17
		Acquisition	120 days	Mon 1/2/17	Mon 5/1/17
		Engineering Design	90 days	Mon 1/2/17	Sat 4/1/17
		Bid Ad/NTP	60 days	Sun 4/2/17	Wed 5/31/17
		Construction	180 days	Mon 6/5/17	Fri 12/1/17