

Village of Pleak Subdivision Ordinance
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ORDINANCE NO. _____

AN ORDINANCE OF THE VILLAGE OF PLEAK ESTABLISHING PROCEDURES FOR FILING WITH THE VILLAGE OF PLEAK PRELIMINARY AND FINAL PLATS FOR THE DEVELOPMENT OF SUBDIVISIONS; PROVIDING FOR DEFINITIONS; ESTABLISHING BUILDING DESIGN STANDARDS; PROVIDING FOR PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

WHEREAS, it is the intention of the Village Council that the procedures, standards and requirements provided for in this ordinance shall be followed for the platting and developing of subdivisions in the Village and its extraterritorial jurisdiction;

WHEREAS it is the Village Council's intention with this ordinance to provide for the orderly, safe, and healthful development of the area within the Village and its extraterritorial jurisdiction and to promote the health, safety, morals and welfare of the community;

NOW, THEREFORE BE IT ORDAINED BY THE VILLAGE COUNCIL FOR THE VILLAGE OF PLEAK the following subdivision and building design standards ordinance is hereby adopted.

ARTICLE I. GENERAL REQUIREMENTS.

Section 1. Interpretation.

The village council at all times reserves to itself the power, duty and responsibility to provide such interpretation, meaning and understanding as shall be from time to time deemed desirable as to the intent, understanding and/or application of this ordinance or any provision of this ordinance, and the decision of the village council as may be expressed in any ordinance adopted from time to time shall be deemed controlling on all parties, as if the same had been repeated verbatim herein.

Section 2. Definitions.

For the purpose of this subdivision ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Definitions not expressly prescribed herein are to be determined in accordance with customary usage in municipal planning and engineering practices. The word "shall" is always mandatory, while the word "may" is merely directory.

Access easement shall mean an easement designated on the final plat, whether or not so named, which provides access to platted tracts excepting single family and duplex residential. The easement shall meet all of the requirements as set forth for a dedicated street, including but not limited to construction standards, width, building lines, and function, but shall be privately maintained.

Alley shall mean a minor public right-of-way not intended to provide the primary means of access to abutting lots, which is used primarily for vehicular service access to the back or sides of properties otherwise abutting on a street.

Amending plat shall mean a plat which is controlling over the preceding plat without vacation of that plat, which is submitted for approval of certain dimensional and notational corrections and lot line adjustments under the provisions of the Texas Local Government Code. An amending plat is a final plat.

Block shall mean a tract or parcel of land designated as such on a duly recorded plat and may be entirely surrounded by public streets or by a combination of public streets and public parks, cemeteries, railroad rights-of-way, or natural or manmade physical features that disrupt what would otherwise be an unbroken landscape (for example, ditches, gullies, ridges, etc.).

Building shall mean any structure which is built for the support, shelter, or enclosure of persons, animals, chattels, machinery, equipment, or movable property of any kind.

Building line or building setback shall mean the line with the property defining the minimum horizontal distance between a building or other structure and the adjacent street line and other property lot lines, including side or rear property lines.

Commission shall mean the planning commission of the village. The commission is appointed by the village council to act on subdivision plats, planning issues and such other matters as shall be from time to time referred to the planning commission by the village council.

Comprehensive/Master plan shall mean the comprehensive plan, including all its revisions, of the Village and adjoining areas as adopted by the Village Council and the Commission as a guide to future development. This plan indicates the general locations recommended for various land uses, transportation routes, public and private buildings, streets, parks, water, sewer, and other private developments and improvements. The comprehensive plan may also be defined as a series of plans such as the thoroughfare plan, water and sewer plan, and annexation plan, among others.

Condominium shall mean joint ownership and control, as distinguished from sole ownership and control of specified horizontal layers of air space; each condominium unit is individually owned, while the common elements of the condominium building, structure or development are jointly owned; may be commercial, industrial, recreational, or residential.

County shall mean Fort Bend County, Texas.

County Commission shall mean the duly and constitutionally elected governing body of Fort Bend County.

Crosswalk shall mean a public right-of-way not more than six (6) feet in width between property lines which provides pedestrian circulation.

Cul-de-sac shall mean a street having but one (1) outlet to another street and terminated on the opposite end by a vehicular turnaround.

Dead end street shall mean a street, other than a cul-de-sac, with only one (1) outlet.

Design standards shall mean such general requirements as shall be from time to time promulgated by the building official, the Village engineer or the village council for the design of public improvements and private improvements that connect to or affect the public infrastructure.

Developer shall mean any person subdividing a tract or parcel of land to be sold or otherwise handled for their own personal gain or use.

Development shall mean a planning or construction project involving substantial property involvement and usually including the subdivision of land and change in land use character.

Double front lot shall mean a building lot, not a corner lot, which has frontage on two (2) streets that are parallel or within forty-five (45) degrees of being parallel to each other.

Duplex shall mean a building containing two dwelling units to be occupied by two families living independently of each other.

Easement shall mean an area for restricted use on private property upon which a public utility shall have the right to remove and keep removed all or part of any building, fences, trees, shrubs, or other improvements or growths which in any way endanger, tend to endanger, or interfere with the construction or maintenance, or efficiency of its respective systems on any of these easements. The public utility shall at all times have the right of ingress and egress to, from and upon the said easement for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems without the necessity of procuring the permission of anyone. The ownership or title to the land encompassed by the easement is retained by the owner.

Engineer shall mean a person duly authorized under the provisions of the Texas Engineering Registration Act, as amended, to practice the profession of engineering and who is specifically qualified to design and prepare construction plans, specifications and documents for subdivision development.

Extraterritorial jurisdiction shall mean the unincorporated area that is contiguous to the corporate boundaries of the village, in which area, within the

provisions of the Local Government Code, the village may enjoin the violations of its ordinances.

Filing date (Commission) shall mean the date when all necessary forms, fees, and copies are submitted for review, to the planning commission to make a recommendation and approval, and such forms, fees and requirements are acknowledged as being complete by letter or certificate issued by the planning commission to or in favor of the developer or applicant.

Filing date (Village Council) shall mean the date the Commission recommends approval of the plat to the Village Council.

Filing fee shall mean the prescribed fee rates, as shall be from time to time be established by the village council to accompany the filing of preliminary and final subdivision plats.

Final plat shall mean a map or drawing of a proposed subdivision prepared to meet all of the requirements for approval of the planning commission and the village council. An amended plat is also a final plat.

Fire lane shall mean a required access for emergency vehicles to be shown on the plat as a privately maintained easement providing public access.

Front or frontage shall mean that portion of a tract of land which abuts on a public street to which it has direct access.

Land plan shall mean a general, conceptual or master plan for an area proposed for partial or complete subdivision. The land plan shall show the proposed locations of land uses, streets, phasing of development, important physical features, and other applicable information for the entire area to be subdivided.

Lot shall mean a divided or undivided parcel of land having frontage on at least one public street which is or in the future may be offered for sale, conveyance, transfer or improvement; which is designated as distinct and separate; and which is identified by lot number and block number or symbol in a duly approved subdivision plat which has been properly filed for record.

Lot area shall mean the total area, measured on a horizontal plane, included with the lot or property line.

Lot depth shall mean the length of a straight line connecting the midpoint of the front and rear lot lines.

Lot width shall mean width of the lot at the front building setback line.

Major Thoroughfare Plan shall mean the comprehensive plan of highways, major thoroughfares, and collector streets as a part of the Village's comprehensive plan and adaptations, amendments, or supplements thereto as adopted by the Commission and Village Council.

Multi-family dwelling shall mean a structure designed to contain three or more complete separate living facilities for single family occupancy. Multi-family dwellings shall include apartments and condominiums and shall be platted accordingly.

One-foot reserve shall mean a buffer strip established within the public street right-of-way and adjacent un-subdivided acreage to prevent access to the public street right-of-way for a street on or parallel to the plat boundary. When the adjacent property is platted the one-foot (1') reserve becomes vested in the public for street right-of-way purposes.

Patio home or zero lot line home shall mean a single family detached dwelling unit that requires a zero building line on one side and a minimum ten-foot (10') side yard on the other. There shall be right to access from the side yard adjoining the zero lot line for maintenance purposes, and there shall be only one detached dwelling unit per platted lot which shall be individually owned.

Pavement width shall mean the portion of a street available for vehicular traffic. Where curbs are laid it shall be from inside of curb to inside of curb.

Person shall mean any individual, association, firm, corporation, governmental agency, or political subdivision.

Planned unit development shall mean a form of development which promotes the development of a tract of land in a unified manner and which may allow for certain variances from the established standards for lot sizes, lot width and building lines, as established in this chapter. Town homes, patio homes, cluster homes, condominiums and multi-family developments may be considered a planned unit development.

Plat shall mean a map, drawing, chart, or plan showing the layout of a proposed subdivision into lots, block, streets, parks, school sites, commercial or industrial sites, drainage ways, building lots, easements, alleys, or similar type of plat, which a developer submits for approval and a copy of which he intends to record in final form.

Plat certificate shall mean a certificate issued upon approval and recordation of the subdivision certifying that the subdivision has met all the requirements for a plat.

Preliminary plat shall mean a map or drawing of a proposed subdivision illustrating features of the development for review and recommendation by the commission, but not suitable for recordation in the county records.

Principal building shall mean the building in which the principal use of the lot which it is located on is conducted. All residential uses are principal uses.

Private street shall mean a private right-of-way, not dedicated to public use, which provides vehicular access to more than two residential dwelling units, or two or more commercial or industrial buildings or parking areas. The right-of-way and pavement shall meet all of the requirements as set forth for a street dedicated to public use, including but not limited to construction standards, width, building lines, and function, but shall be privately maintained.

Public easement shall mean a right granted or dedicated to the public or governmental agency in, on, across, over, or under property for a specified use by an instrument or map duly recorded in the records of the County.

Public street shall mean a right-of-way dedicated to public use for pedestrian and vehicular traffic and public utility purposes.

Record plat shall mean a plat of any lot, tract or parcel of land that is recorded with the county clerk following final approval by the village council.

Replat shall mean the resubdivision of all or any part of any block or lots of a previously platted subdivision.

Reserve shall mean a tract, parcel, or unit of land not physically divided, which may have frontage on a public street, and which is, or in the future may be, offered for sale, conveyance, transfer, lease, or improvement which is designated as a distinct separate tract and which is identified by a reserve

symbol on a duly approved subdivision plat that has been properly recorded with the County.

Resubdivision shall mean the division of any existing subdivision, together with any change of lot size therein, or the relocation of any street lines.

Sidewalk shall mean a paved pedestrian walkway parallel to a street right-of-way line or street pavement edge, which walkway shall be constructed within the right-of-way of any public street.

Single family dwelling unit shall mean a building containing one (1) dwelling unit that is designed to be occupied by one family, and there shall be only one (1) such dwelling unit per platted lot.

Subdivision shall mean any division of property for which a plat is required to be approved and recorded under the provision of Chapter 42 and Chapter 212 of the Texas Local Government Code. The word subdivision shall mean any division of any tract of land situated within the corporate limits of the village or within the village's extra territorial area of such limits, into two (2) or more parts for the purpose of laying out any subdivision of any tract of land including any addition to the village or for laying out suburban lots or building lots, or any lots, streets, alleys, squares, parks, or parts or other portions intended for public or for use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts. Subdivision shall include resubdivision and when in context, shall relate to the process of subdividing or to the land or area subdivided. A division of a tract includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. A subdivision, subject to the regulations of this ordinance, shall not include a division of land into parts greater than five (5) acres, where each part has access and no public improvement is being dedicated.

Street shall mean a public right-of-way, however designated, which provides vehicular circulation and access to adjacent property:

- a. A major thoroughfare means a principal traffic artery or traffic way, usually of more or less continuous routing over long distances, whose function is to serve as a principal connecting street with state and federal highways, and shall include each street designated as a major thoroughfare on the major thoroughfare plan of the Village or so

designated by the Commission and Village Council. Minimum width of right-of-way shall be one hundred (100) feet.

- b. A collector street means a street whose function is: (a) to collect and distribute traffic between major thoroughfares and minor streets, (b) to collect and distribute traffic between multiple subdivisions, (c) to serve commercial tracts or other nonresidential tracts, or (d) to serve multi-family residential. It is not necessarily of continuous routing for long distances, has intersections at grades, provides direct access to abutting property, and shall include each street designated as a collector street on the thoroughfare plan or so designated by the Commission and Village Council. Minimum paving width of a collector street shall be forty (40) feet measured inside curb to inside curb. Minimum width of right-of-way shall be eighty (80) feet.
- c. A minor street means a street whose function is to provide access to abutting residential property within neighborhoods, with all intersections at grade, and not of continuous routing for any great distance so as to discourage heavy, through traffic and shall include any public street which is not classified as a major thoroughfare or a collector street. Minimum width of right-of-way shall be sixty (60) feet.
- d. An access street means a public street within or bounding a townhouse or patio home subdivision which serves a townhouse or patio home subdivision and other adjacent property.
- e. An interior street means a public street not more than six hundred feet (600') long within a townhouse or patio home subdivision which is located and designed to serve a limited area within such subdivision and shall not serve other properties outside the subdivision.

Surveyor shall mean a registered professional land surveyor, as authorized by statutes, to practice the profession of surveying.

Title report shall mean a report, prepared and executed by a title company authorized to do business in the state or an attorney licensed in the state, certifying the true owner of the property and describing all encumbrances of record which affect the property.

Townhouse shall mean a single family residential unit that shares at least one (1) common or party wall with another unit. There shall be only one (1) such dwelling unit per platted lot. Each unit and the platted lot upon which it stands shall be individually owned, subject to a party wall agreement with the adjacent owner. In addition to individually owned lots as described herein, townhouse developments generally are cluster developments or planned unit developments in which there is land, and in some cases, facilities that are owned in common by all of the townhouse owners within the same subdivision.

Tract shall mean the same as a lot and shall be subject to the same platting requirements.

Village engineer shall mean the registered professional engineer or firm or registered professional consulting engineer that has been specifically designated as such by the village.

Section 3. Special Provisions.

- a. No plat of a subdivision within the corporate limits or extraterritorial jurisdiction necessary for recording with the County Clerk shall be approved by the Village or any Village Official unless the same has been recommended by the Commission and approved by the Village Council. It shall accurately describe the property to be conveyed or developed and be prepared in accordance with the subdivision regulations of this ordinance, current design standards and other applicable ordinances notwithstanding any other provisions in this ordinance to the contrary.
- b. No building permit, certificate of occupancy, plumbing permit, electrical permit, utility tap, or any other permit or authority required or permitted under this ordinance shall be issued or granted, nor shall acceptance of required public improvements within the corporate limits be permitted, without a recorded plat as provided herein.
- c. A subdivision within the Village and its extraterritorial jurisdiction shall conform to the subdivision regulations, current design date of final enactment of this chapter or any standards of the Village, and other applicable ordinances and standards that may exist at the amendments thereto that may be from time to time adopted.

- d. No building, repair, plumbing, or electrical permit shall be issued by the village for any structure on a lot in a subdivision for which a final plat has not been approved and filed for record, nor any structure on a lot within a subdivision in which the standards contained herein or referred to herein have not been complied with in full.
- e. The Village shall not repair, maintain, install, or provide any streets or public utility services in any subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein or referred to herein have not been complied with in full.
- f. The Village shall not permit, sell or supply water, electricity, gas or sewerage service within a subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein or referred to herein have not been complied within full.
- g. The Village attorney or their designee shall, when directed by the Village Council, institute appropriate action in a court of competent jurisdiction to enforce the provisions of this ordinance or the standards referred to herein with respect to any violation thereof which occurs within the village, or within the extra-territorial jurisdiction of the village.

Section 4. Interpretation and purpose.

- a. In the interpretation and application of the provisions of these regulations, it is the intention of the Village Council that the principles, standards and requirements provided for herein shall be minimum requirements for the platting and developing of subdivisions in the Village and its extraterritorial jurisdiction. It is the purpose of this chapter to provide for the orderly, safe, and healthful development of the area within the Village and its extraterritorial jurisdiction and to promote the health, safety, morals and welfare of the community.
- b. The Village Council at all times reserves to itself the power, duty and responsibility to provide such interpretation, meaning and understanding as shall be from time to time deemed desirable as to the intent, understanding and/or application of this chapter or any provision hereof, and the decision of the Village Council as may be expressed in any ordinance adopted from time to time shall be deemed controlling on all parties hereto as if the same had been repeated verbatim herein.

Section 5. Penalty.

- a. Violation of any provision(s) of this ordinance that governs fire safety, zoning, or public health and sanitation, including dumping or refuse shall be subject to a fine not to exceed two thousand dollars (\$2,000.00). All other violations of this ordinance shall be subject to a fine not to exceed five hundred dollars (\$500.00). Each day of the occurrence of any such violation or failure to perform such act shall constitute a separate offense.
- b. The imposition of a fine upon conviction shall not prevent the revocation or suspension of any license, franchise or permit issued or granted by the village, nor shall it be deemed to prevent, impede or delay the rights of the village to proceed in any other court of competent jurisdiction to secure other equitable relief, including but not limited to, injunctions or to file suits in the name of the village or as a member of a class for damages or other relief as provided by law.
- c. Any person or corporation, who permits, aids, assists or employs another person or corporation in doing any prohibited act or failing to do any act as shall be required in this ordinance shall be deemed in violation as if such person or corporation had actually committed such act or failed to actually perform such act as herein required. Such person or corporate representative need not actually be present at the time of the violation; and a person or corporation may be deemed in violation whenever the act of permitting, aiding, assisting or employing occurs before or after the violation.
- d. In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance shall be deemed a public nuisance and may be abated by the village as provided by law.

Section 6. Subject developments.

The provisions of this ordinance and the current design standards shall apply to the following forms of land:

- a. All subdivisions within the Village of Pleak or within it's extraterritorial jurisdiction;
- b. All subdivision of land which was outside the jurisdiction of the subdivision regulations of the village and which subsequently came within the

jurisdiction of the subdivisions regulations of the village through annexation or extension of the extraterritorial jurisdiction of the village;

- c. The division of land previously subdivided or platted into tracts, sites or parcels, and not recorded;
- d. The dedication or vacation, when no appropriation by use, entry or improvement has been made, of streets, fire lanes and alleys through any tract of land regardless of the area involved;
- e. The vacation of previously recorded subdivision plat;
- f. Permanent public or semi-public spaces such as golf courses, recreational uses, institutional uses, schools, open spaces or park areas, and similar uses; and
- g. Any other development on an undeveloped or semi-developed site within the corporate limits or extraterritorial jurisdiction of the village.
- h. In the event a reasonable question shall exist at any time as to whether a proposed division of land is subject to the provision of this ordinance, the village council is hereby vested with full power and authority to make such determination and the decision shall be on the property owner thereof.

Section 7. Exemptions.

The provisions of the subdivision regulations of this ordinance shall not apply to:

- a. The combining of two contiguous tracts, lots or parcels for the purpose of creating one legal lot, provided that the two contiguous tracts have been previously legally platted and recorded and no easements need to be abandoned;
- b. Existing cemeteries complying with all state and local laws and regulations (exemptions do not apply to new cemeteries or expansion of existing cemeteries);
- c. Division of land created by order of a court of competent jurisdiction;
- d. Divisions of land into parts greater than five (5) acres where each part has access and no public improvement is being dedicated pursuant to Chapter 212 section 212.004(a) of the Texas Local Government Code; and

- e. Subdivision development that is exempt by other law.

Section 8. Variances.

- a. The planning commission shall review the variance request and make a recommendation to the village council. The village council may then authorize a variance from these regulations when in its opinion undue hardship will result from requiring strict compliance. The applicant shall have the responsibility of proving that compliance would create a hardship. In granting a variance, the village council may prescribe conditions that it deems necessary or desirable to the public interest. Any conditions that are prescribed shall be deemed continuing and shall be placed of record in the office of the county clerk either on the face of the subdivision plat or as an attachment thereto. The village council 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 reside or work in the proposed subdivision and the probable effect of such variance upon traffic conditions and upon public health, safety, convenience, and welfare in the vicinity. No variance will be granted unless the village council finds that an undue hardship exists. The following conditions must be present for consideration:
 - 1. 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. The granting of the variance will not be detrimental to the public safety or welfare, or injurious to other property in the area;
 - 3. The granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this ordinance;
 - 4. A more appropriate design solution exists which is not currently allowed in this ordinance.
- b. A variance may not be granted in such cases where the only evidence for the granting of the variance is the loss of a potential profit at the time of the lot development and build out. Economic hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship.

- c. Such recommendations of the planning commission and findings of the village council, together with the specific facts on which such findings are based, shall be incorporated in the official minutes of the planning commission and the village council meetings at which such variance is recommended or granted. Variances may be granted only when in harmony with the general purpose and intent of this ordinance so that the public health, safety and welfare may be secured. The village council may reach a conclusion that a hardship exists if it finds that:
1. The applicant complies strictly with the provisions of this ordinance, and no other reasonable use of the property may be made except for the use that is proposed and recommended;
 2. The hardship to which the applicant complains is one suffered by the applicant rather than by neighbors or the general public;
 3. The hardship relates to the applicant's land, rather than personal circumstances;
 4. The hardship is unique to the property, rather than one shared by many surrounding properties; and
 5. The hardship is not the result of the applicant's own actions or neglectful conduct.
- d. In granting variances, the village may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties. All conditions as are imposed shall be placed of record on the face of the subdivision plat or may, as an alternative thereof, be placed of record by separate instrument duly filed for record with the subdivision plat in the office of the county clerk.
- e. A variance may, at the sole discretion of the village council, be issued for an indefinite duration or for a specified period of time.
- f. All conditions imposed by the village council are enforceable in the same manner as any other applicable requirement of this ordinance.

Section 9. Responsibility of Subdivider.

It is the responsibility of the applicant for a subdivision plat to obtain such information and/or documentation as shall be necessary to ensure that the application is in accord with the provisions of this ordinance and all other law. In this regard, it is suggested that the applicant for a subdivision plat first confer with the Village and obtain such written information as may be available from the Village prior to making an application for subdivision plat approval and/or submitting any documents to the Village for approval. The applicant shall be solely responsible for knowledge of all applicable law, policies and/or procedures as may be then promulgated by the Village.

ARTICLE II. PROCEDURES AND REQUIREMENTS FOR PRELIMINARY AND FINAL PLATS.

Purpose.

The purpose of this ordinance is to establish the procedures and requirements for the submittal, review, recommendation, consideration and action by the Planning Commission and the Village Council on a request for subdivision plat approval and to provide the procedures necessary to ensure the orderly processing of the application for subdivision plat approval in the Village and its extraterritorial jurisdiction.

Section 1. Submission of plats.

The Planning Commission shall have the authority to recommend to the Village Council approval of final plats for subdivisions. Before a subdivision of any tract of land shall occur, the subdivider, owner, or proper agent thereof shall request to be placed on the agenda of the Planning Commission for the Planning Commission to consider the proposed subdivision plat.

Section 2. Land plan.

- a. The land plan shall be accompanied by the completed application and appropriate fees at least twenty-one (21) days to the Village Engineer and fourteen (14) days to the members of the Planning Commission prior to the Planning Commission meeting at which it is to be considered.

- b. Two (2) copies of prints of the proposed land plan, drawn on sheets at a size of twenty-four inches by thirty-six inches (24"x36") and twelve (12) copies of the print reduced to a size of eleven inches by seventeen inches (11"x17") shall be submitted. After a review of the land plan, a revised submittal may be required. If required, the revised land plan shall be submitted seven (7) days prior to the Planning Commission meeting and shall include seven (7) copies of the plat drawn on sheets at a size of twenty-four inches by thirty-six inches (24"x 36") and eleven (11) copies of the plan reduced to a size of eleven inches by seventeen inches (11" X 17").
- c. Recommendation of approval by the Planning Commission of a land plan does not exempt a developer from meeting all ordinances in effect at the time of the recommendation on the land plan and any and all amendments or newly-adopted ordinances after recommendation and prior to final plat approval, unless agreed to by the Village Council under a separate development or utility agreement.
- d. Unless agreed to by the Village Council under a separate development or utility agreement, the recommendation of approval by the Planning Commission of a land plan shall be valid for a period of twelve (12) months. Extension(s) may be approved by the Planning Commission for up to an additional six (6) months for a total of two (2) years. Upon approval by the Village Council of a final plat of individual sections of the development approval of the land plan is automatically extended for an additional twelve (12) months. However, unless agreed to by the Village Council under a separate development or utility agreement, the approval of a land plan shall not be valid for a combined period of more than five (5) years.
- e. Not required. A land plan shall not be required if the preliminary plat(s) contains sufficient information to provide for the proper coordination of development.

Section 3. Land plan purpose and intent.

- a. The purpose of the land plan is to allow the Planning Commission to review the proposed major thoroughfare and collector street patterns, land use, environmental issues, conformance to the comprehensive master plan, the property's relationship to adjoining subdivisions or properties, as well as

such additional developmental or infrastructure review as deemed necessary by the Village.

- b. A land plan consisting of a general plan, master plan, and/or concept plan shall be submitted to the Planning Commission for review prior to or in conjunction with the submittal of any preliminary plat, except as noted below, for any tract of land over fifty (50) acres in size. If the Planning Commission determines that an area less than fifty (50) acres contains unique features or is surrounded by existing or proposed subdivisions with potential limited access, a land plan may be required to be reviewed prior to the preliminary or final plat submittal. The decision by the Planning Commission to require a land plan shall be deemed final and binding as a condition prerequisite to further review of the proposed subdivision plan.
- c. Partial development. Where a phased or partial development is proposed, the land plan shall include the entire property from which the initial or any subsequent phase is being subdivided. Where the subdivider can demonstrate that natural or manmade features, such as creeks and thoroughfares, make unnecessary the inclusion of the entire property in the land plan to adequately review the proposed subdivision for compliance with all of the terms and provision of this ordinance, the subdivider may request approval from the Planning Commission for a submittal of a smaller land plan area. Boundaries such as thoroughfares (existing or proposed), creeks, political subdivisions, or other such natural or man-made features may be used to delineate the smaller land plan area.
- d. Changes to the land plan may be acceptable up through the platting procedures as long as the changes are minor and are not critical or greatly affect the configuration of thoroughfares and collector streets, drainage or other infrastructure, entrances, land uses, etc. The Village Engineer or his designee will determine if a change is minor or if there is a need for a new land plan.
- e. Traffic impact analysis. Any land plan or subdivision plat involving a change to a proposed thoroughfare plan must be preceded by submission for approval of a traffic impact analysis if required by the Planning Commission and such format and under such procedures as the Planning Commission may from time to time require or specify. Failure to provide a traffic impact analysis and/or traffic study or to meet any other requirements that may be imposed by the Planning Commission shall be grounds to deny the filing of any subdivision plat tendered or offered for filing.

Section 4. Land plan graphic requirements.

- a. The Village shall be provided with an electronic file of the land plan in the format(s) designated by the Village Engineer.
- b. Graphic requirements. The following are the graphic requirements of a land plan:
 1. A scale of 1" = 100' or 1" = 200'.
 2. A title block within the lower right corner of the land plan.
 3. A vicinity or location map, drawn to scale, that delineates the location of the proposed subdivision with respect to major thoroughfares, freeways, water courses and ditches. The vicinity map shall be located in the upper right corner of the drawing or map.
 4. Proposed name of the development.
 5. The name and address of the subdivider and the land planner, engineer, or surveyor responsible for the design or survey.
 6. A graphic scale indicating the scale at which the drawing is prepared.
 7. Date of the drawing.
 8. The legal description of the tract according to the abstract and survey records of the county.
 9. North clearly indicated to the top or left of the plan.
 10. The perimeter of the boundary drawn in a bold solid line.
 11. The names of adjacent additions or subdivisions with respective recording information and/or owners of adjoining parcels of unplatted land with respective recording information.
 12. The existing zoning on adjoining land where applicable.
 13. The recommended land use on adjoining land; if owned by the same applicant.

14. The location, width and names of all existing or platted streets or other public rights-of-way within and/or adjacent to the tract.
15. Existing permanent buildings.
16. Railroad rights-of-way.
17. Existing drainage channels or creeks and other important natural features.
18. Existing pipelines, fee strips and easements.
19. Adjacent political subdivisions and corporate limits.
20. Applicable district boundaries.
21. The proposed layout and width of proposed thoroughfares, collector streets and minor streets. Designation of tracts as lots or reserves in accordance with anticipated usage.

Section 5. Planning commission action on preliminary plats.

- a. A preliminary plat of any proposed subdivision shall be submitted for the Planning Commission review and recommendation for approval in compliance with the schedule and requirements set forth in this ordinance and as set forth below.
- b. The Planning Commission shall act on the preliminary plat within 30 days of the filing date of the preliminary plat.
- c. Within 30 days of the filing date of the preliminary plat, the Planning Commission may take one of the following actions:
 1. Approve the preliminary plat;
 2. Disapprove the preliminary plat; or
 3. Conditional approval.
 - a. Conditional approval shall be considered to be the approval of a plat subject to conformity with prescribed conditions, but shall be

deemed to be a disapproval of such plat until such conditions are complied with.

- d. Approval of a preliminary plat shall be effective for two (2) years.
- e. All objections made to the preliminary plat, or conditions imposed, shall be in writing and provided to the applicant.
- f. No construction work shall begin on the proposed improvements in the proposed subdivision prior to the approval by the Planning Commission and the Village Council of the final plat.
- g. Any plat within the extraterritorial jurisdiction of the Village shall also be subject to the county platting requirements and the more restrictive requirements shall govern.

Section 6. Preliminary plat general requirements.

- a. The preliminary plat shall be accompanied by the completed application and appropriate fees at least twenty-one (21) days prior to the Commission meeting at which it is to be considered.
- b. All preliminary plats shall be submitted in legible format on a good grade blue line or black line paper.
- c. The preliminary plat shall be prepared by a licensed professional engineer, licensed professional land surveyor and/or land planner.
- d. The preliminary plat shall include preliminary plans for the following:
 - 1. Water distribution system;
 - 2. Sewerage collection system; and
 - 3. On-site and off site drainage system.
- e. The Planning Commission shall be furnished with copies of letters from the officers and individuals named herein verifying contact and specifying that review has occurred and the activity as herein specified has been successfully completed:

1. The village engineer stating the proposed subdivision is in compliance with the drainage requirements of the Village.
 2. All applicable utility companies including gas, electrical and telephone, stating that these companies have knowledge of the proposed subdivision and are currently negotiating the necessary service easements and acknowledging receipt of the preliminary plat for the purpose of establishing easements.
 3. Any other applicable district or entity with jurisdiction in the area verifying adequate capacities and applicable fees.
- f. These verification letters must be received by the planning commission prior to final plat approval by the commission.

Section 7. Graphic requirements.

- a. Preliminary plats which do not include the following data and information will be considered incomplete and may not be accepted for submission by the Planning Commission. The required copies or prints of the proposed subdivision shall include the following:
 1. Two (2) copies of prints of the proposed subdivision on sheets at a size of twenty-four inches by thirty-six inches (24" x 36") and twelve (12) copies of the print reduced to a size of eleven inches by seventeen inches (11" x 17") shall be submitted. An electronic file of the preliminary plat and related drawings in the format(s) designated by the Village shall also be submitted.
 2. In cases of large developments which would exceed the dimensions of the sheet of one hundred feet to the inch (1" = 100') scale, preliminary plats may be two hundred feet to the inch (1" = 200'). A graphic scale shall be shown on the plat.
 3. The preliminary plat shall show all designated land uses, lots or reserves, on the face of the plat and all approved comprehensive, water, sewer, and thoroughfare plans.
 4. Location(s) of any existing structures to be retained shall be shown on the plat.

5. A vicinity or location map that delineates the location of the proposed subdivision with respect to major thoroughfares, freeways, water courses and ditches. The vicinity map shall be located in the upper right corner of the drawing.
6. The boundary lines, abstract lines, survey lines, corporate boundaries, district boundaries, existing or proposed highways and streets.
7. The name and location of all adjoining subdivisions or property owners shall be drawn to the same scale and shown in dashed lines adjacent to the tract proposed for subdivision in sufficient detail to show accurately the existing streets, easements and alleys and other features that may influence the layout of development of the proposed subdivision. Adjacent unplatted land shall show property lines and owners of record, and recording information.
8. The location and widths of all streets, alleys, railroads and easements existing or proposed within the subdivision limits and the manner in which such streets, alleys and easements may eventually connect with those of the nearest existing subdivision.
9. A copy of the proposed subdivision restrictions and/or covenants that are anticipated by be filed for record and will constitute encumbrances on the subject property.
10. Proposed street names are suggested but not required for the preliminary plat.
11. The location of all existing property lines, existing lot and block numbers and date recorded; existing buildings; existing drainage facilities, utilities, and pipelines showing pipe sizes and capacities of sewer or water mains, gas mains, or other underground structures, whether public or private, easements of record; or other existing features within the area proposed for subdivision.
12. Proposed arrangement of lots, including lot and block numbers in accordance with a systematic, consecutive numbering arrangement and proposed use of same and their relationship to streets, alleys and easements in adjacent subdivisions. Any nonresidential reserves shall also be shown.

13. The title under which the proposed subdivision is to be recorded; the name of the city, county and state in which the subdivision is located; the name and complete address of the owner; and the name and complete address of the land planner, engineer, or registered professional land surveyor preparing the drawing shall be located in the lower right corner. The subdivision name shall not be duplicated, but phasing identification is allowed.
14. Sites reserved for parks, playgrounds, schools, or other private or public use.
15. North arrow, date, scale and other pertinent data oriented to the top of the sheet.
16. Contours with intervals of one foot (1') or less for the area with all elevation on the contour map referenced to the latest U.S.C.&G.S. and Village data. If no contours exist on-site or immediately adjacent to the site, spot elevations may be used as a substitute for contour lines. Spot elevations shall be no further than five hundred feet (500').
17. All physical features of the property to be subdivided including location and size of all natural and artificial water courses, ditches, ravines, culverts, and bridges; the outline of major wooded areas or the location, species and sizes of major specimen trees of thirty inches (30") or greater in diameter; and other structures or features pertinent to the subdivision.
18. 100 year flood plain according to the Federal Emergency Management Agency information.

Section 8. Action by the planning commission on the final plat.

- a. After the preliminary plat has been approved or conditionally approved by the Planning Commission, the subdivider shall submit a final plat to the Planning Commission.
- b. The Planning Commission shall act on the final plat within 30 days of the filing date of the final plat.
- c. Within 30 days of the filing date of the final plat, the Planning Commission may take one of the following actions:

1. Recommend approval;
2. Recommend approval contingent upon corrections or changes to be made to the plat; or
3. Recommend disapproval.

Section 9. Final plat requirements.

a. The submittal of the final plat shall include the following:

1. The final plat shall be in general conformance with the preliminary plat as recommended and shall incorporate all conditions, changes, directions and additions recommended by the Planning Commission and if not directly incorporated, the terms or provisions thereof shall be inscribed on the face of the plat and/or set out on separate writing to filed for record with the plat. The final approval of the plat shall be by the Village Council. If the subdivision is in the Village's extraterritorial jurisdiction, it shall also be approved by the county commissioners court.
2. The final plat shall not be submitted for Village Council approval until detailed engineering construction plans have been submitted for approval by the Village Engineer.
3. The final plat shall constitute only that portion approved of the preliminary plat which the subdivider proposes to record and then develop. Such portion shall conform to all the requirements of the regulations of this ordinance.
4. The final plat and construction plans shall be submitted for review and recommendation by the commission at least twenty-one (21) calendar days prior to a regularly or specially scheduled meeting at which they are to be considered.
5. Ten (10) copies of prints of the proposed subdivision on sheets at a size of twenty-four by thirty-six inches (24"x36") and drawn to a minimum scale of one hundred feet to the inch (1" = 100') and ten (10) copies of the print reduced to a size of eleven inches by

seventeen inches (11" x 17") shall be submitted. The submittal shall include the following:

- a. Completed application form;
 - b. Copies and reductions of the plat;
 - c. Transmittal letter;
 - d. Fees;
 - e. Tax certificates;
 - f. Current title commitment of specific tract of land; and
 - g. Engineering construction plans, or as a minimum requirement, the final utility layout showing the sizes and depths of all utilities as well as street widths.
6. All public utility easements shall be included as required for utility companies by the Village.
 7. The final plat (and any replats) shall be prepared by a registered professional land surveyor.
 8. Resolution of any contingency items recommended by the commission.
 9. Performance bonds, letter of credit for the cost of the public improvements, or assurance of completion of the public improvements.
- b. Graphic requirements for final plat. In addition to the graphic requirements for a preliminary plat the final plat shall include the following:
1. All final plats shall be submitted on sheets no larger than twenty- four inches by thirty-six inches (24" x36") and to a scale not greater than one hundred feet to the inch (1" =100').
 2. The exterior boundary for the subdivision shall be indicated by a distinct bold line and corner marked by individual symbols

3. The length and bearing of all straight lines, and the radii, arc lengths, chord length, tangent length and central angles of all curves shall be indicated along the lines of each lot or in a cube or line table. The curve data pertaining to block or lot boundaries may be placed in a curve table showing curve number, radius, delta, arc length, chord length, and chord bearing.
4. The names and recording information of all adjoining subdivisions, all abutting lots, lot and block numbers and other recorded information.
5. Reference ties to courses and distances of at least one recognized land corner shall be shown with a point of beginning.
6. The names, accurate location and widths of all adjacent streets, watercourses, railroads, alleys, easements, Village and utility district boundaries.
7. Street names shall be shown and shall not duplicate existing street names in the Village or the extraterritorial jurisdiction. Extensions of streets shall have the same name as the existing street. Similar spelling or pronunciations should be avoided to prevent confusion.
8. The location and dimension of any utility easement adjoining or abutting the subdivision or proposed within the subdivision shall be shown. It shall be applicant's responsibility to coordinate with appropriate utility companies for placement of utility easements.
9. In all subdivisions and additions, sufficient permanent monuments shall be established at points to represent or reference boundary corners, angle points, and points of curvature or tangency along all street rights-of-way in the subdivision. Survey monuments shall be an iron rod or pipe not less than five-eighth inches (5/8") in diameter and twenty-four inches (24") long. Monuments shall be set flush with the top of the ground or the curb. Each monument set by the surveyor shall include a cap with the surveyor's identification attached to it.
10. The final plat shall show a title block in the lower right corner of the sheet. The name of the subdivision, the name, address, and telephone numbers of the subdivider and engineer or surveyor, the scale and location of the subdivision, and reference to original land grant or

survey and abstract numbers shall be indicated. If more than one page is required for the plat, the title block may be reduced in size on the subsequent sheets. The vicinity map is required on only one sheet.

11. An owner's dedication block or acknowledgment shall be attached to and be a part of the final subdivision plat.
12. A statement signed by the owner and acknowledged before a notary public as to the authenticity of the signatures.
13. Lien holder's certification and notarization.
14. A signed registered professional land surveyor's certificate.
15. Plat approval block for the signature of the mayor and Village council and a place for the Village secretary to attest such signature.
16. Locations of any existing structures to be retained shall be shown on the plat.
17. Any proposed reserve uses and the property dimensions shall be shown on the plat. The use of the reserve shall be shown.
18. Any special restrictions shall be noted on the plat or referenced accordingly.
19. General notes shall be included on the final plat as specified by the Village. These notes shall appear on the same page with the layout of the subdivision and shall include, but are not limited to the following:
 - a. Standard abbreviations;
 - b. Finished floor elevations;
 - c. Reference to U.S.C.&G.S. benchmark and description and temporary benchmark within five hundred feet (500') of the subdivision;
 - d. Elevation data;
 - e. Flood zone information;

- f. District boundaries;
- g. Location of aerial easements; and
- h. Building permit note.

Section 10. Engineering construction plans.

Prior to the submittal of the final plat for Village Council approval, engineering plans showing paving and design details of streets, alleys, culverts, bridges, storm sewers, water mains, sanitary sewers and other engineering details of the proposed subdivision shall be submitted to the Village Engineer. Such plans shall be prepared by a registered professional engineer and shall conform with current design standards, this ordinance and applicable ordinances adopted by the Village.

Section 11. Action by Village Council on the final plat.

- a. The Village Council shall act on the final plat within 30 days after the date the plat is filed. The filing date for a final plat shall mean the date the planning commission recommends “approval” of the final plat.
- b. The action of the Village Council on the final plat shall consist of:
 - 1. Approval;
 - 2. Disapproval of the plat; or
 - 3. Deferral or postponement.
- c. Final approval by the Village Council shall expire if the plat is not recorded within one (1) year of the date of final approval by the Village Council. Failure to record the plat within one (1) year of the date of Village Council approval, shall void all approvals thereto.
- d. Where only a portion of an approved preliminary plat is submitted for final plat approval, a final plat of the remaining area may be submitted at any time within five (5) years of the date of preliminary plat approval. If the final plat for the remaining area does not conform substantially with the approved preliminary plat, the remaining area of the preliminary plat shall be deemed null and void. If a final plat of the remaining area has not been submitted

within the five-year time period, the portion of the preliminary plat for which no final plat has been submitted shall be deemed null and void. However, if at least one (1) phase of the preliminary plat has received final plat approval, its public improvements have been completed, and it has been filed in accordance with this ordinance, an extension to the five-year time limit shall be granted by Planning Commission upon request by the developer unless the Village Engineer or his designee determines that development conditions have substantially changed since the date of preliminary plat approval, in which case the request shall be forwarded to the Village Council. The Village Council may deny the request if it determines that development conditions have substantially changed, and such conditions shall be stated in the minutes of the meeting. A request for the extension must be submitted to the Planning Commission prior to the five-year deadline date. Such extensions shall be for a period of one (1) year, and may be renewed annually.

Section 12. Signature and recordation.

Following approval by the Village Council, the specified number of originals may be submitted for signature and the placement of the village seal. If the final plat is within the Village limits, the originals shall be accompanied by the filing fee and the Village shall record the final plat at the county clerk's office. If the final plat is in the extraterritorial jurisdiction, the plat originals shall be forwarded by the Village to the office of the county engineer for review and action by the county commissioners court and recordation.

Section 13. Commencement of work.

No construction work shall begin on the proposed improvements in the proposed subdivision prior to the approval of the final plat.

Section 14. Additional requirements.

The subdivision plat boundaries shall be tied to existing monuments with coordinates using Texas Plane Coordinate System, South Central Zone.

The village shall be provided with an AutoCAD.DWG file or compatible .DXF file on computer disk.

Section 15. Short form plat.

- a. Approval of platting under the short form procedures eliminates the necessity for a preliminary plat. Application fees for short form platting shall be paid at the time of application.
- b. A short form platting procedure may be requested if the final plat meets the following requirements:
 1. No more than four (4) lots, tracts or reserves are included.
 2. The area to be platted lies within an existing public street circulation system already approved by the Village council.
 3. The plat does not propose to vacate public street right-of-way or easements.
 4. The plat does not propose creation or extension of public rights-of-way.
 5. The proposed development does not require any significant drainage improvements and, if contained wholly or partially within the 100-year flood plain, conforms to Federal Emergency Management Agency flood plain management rules.
 6. The proposed development is consistent with the thoroughfare plan and creates no significant traffic congestion on the existing public street system.
 7. The short form plat shall meet all of the requirements for a final plat.

Section 16. Minor plat.

The minor plat, as specified in the Texas Local Government Code, Section 212.0065(a)(2) may be used in a limited manner in order to create or adjust property lines and/or easements as defined in the plat for the purpose of development flexibility. The minor plat shall involve four or fewer lots fronting on an existing street and shall not require the creation of any new street or extension of municipal facilities. The minor plat shall meet all the requirements of a short form final plat.

Section 17. Vacating plat.

- a. A plat or any part of a plat may be vacated by request of the owners of all of the lots in the plat. In addition to the procedures outlined in Chapter 212, Texas Local Government Code, as amended, the submittal requirements for the vacation to the planning commission and village council are the same as for approval of a final plat.
- b. A vacated plat shall be recommended by the planning commission and approved by the village council. The village council may reject any vacation instrument which abridges or destroys any public rights in improvements, easements, streets, alleys or similar public areas which are deemed by the village council necessary to serve the surrounding area.
- c. An approved vacated plat must be recorded.

Section 18. Replat.

- a. A replat is a redesign of all or a part of a recorded plat or subdivision of land which substantially changes the elements of the plat. The same procedures shall be followed as for preliminary, final or short form plat. The replat must be in accordance with Chapter 212, Texas Local Government Code, including a public hearing.
- b. All proposed replats which are governed by the provisions of Chapter 212 of the Texas Local Government Code must be submitted with the following items in addition to those required by the preliminary, final or short form plat:
 1. A written statement indicating intent to seek the planning commission approval under the requirements of Chapter 212 of the Texas Local Government Code.
 2. A current (not more than 30 days old) title report, statement, opinion, title policy, certificate or letter from a title company authorized to do business in the State of Texas or from an attorney licensed as such in the State of Texas which indicates the name of the record owner of fee simple title for every piece of property required to be given written notice of such replat under the provisions of Chapter 212 of the Texas Local Government Code.

3. A certified list (not more than 30 days old) of all owners of property as such ownership appears on the last approved ad valorem tax rolls of either the Village or county in which such property is located, which are required to be given written notice of such replat under the provisions of Chapter 212 of the Texas Local Government Code. Certification for the purpose of this subsection shall be made by a title company authorized to do business in the State of Texas or an attorney licensed as such in the State of Texas.
 4. One (1) stamped envelope addressed to each landowner indicated on either the title report or the tax roll as required above. Each envelope shall contain a copy of the required notice as set out in Chapter 212 of the Texas Local Government Code.
 5. An affidavit in separate writing signed by all the owners of property within proposed replat which attests that the proposed replat "does not attempt to alter, amend or remove covenants or restrictions."
 6. The mayor will establish a date for the public hearing and authorize the Village secretary to publish the required notification of the public hearing.
- c. If action on a residential replat application must be deferred because sufficient written protest has been submitted, the thirty (30) day period in which action must be taken by the Village council is extended by the period of time necessary to verify the written protest.
 - d. The replat of a subdivision shall meet all the requirements for a new subdivision that may be pertinent, as provided for herein. It shall show the existing property being re-subdivided.
 - e. The title shall identify the documents as "Lots _____, being a replat of Lots _____ of Block _____ of the Subdivision." A reason for the replat shall also be stated on the plat.
 - f. A partial replat of only the affected lots will be accepted when the conditions and/or opinions allowed by the amending plat procedure are not applicable.

Section 19. Amending plat.

- a. An amending plat shall meet all of the informational requirements set forth for a final plat.

- b. The planning commission may recommend and the village council may approve an amending plat, which shall be recorded and is controlling over the preceding or final plat without vacation of the plat, if the amending plat is signed by the applicants only and is solely for one or more of the purposes listed in Chapter 212 of the Texas Local Government Code pertaining to amending plats.

Section 20. Recordation.

Following the approval of the village council, a plat shall follow the following procedure for recordation:

- a. The subdivider shall submit the required number of original to the village for signatures and recordation. All signatures shall be clearly affixed in permanent black ink. All seals shall be affixed in permanent black ink or a raised seal.
- b. A current title commitment for the specified tract and current tax certificate shall be submitted and verified prior to the Village signatures and seals being affixed on the plat.
- c. If the subdivision is within the village, the village shall record the plat in the county clerk's office. The subdivider shall forward a check for the appropriate amount with the submittal of the originals for signatures. If the plat is in the extraterritorial jurisdiction, the plat originals shall be forwarded by the Village to the county for approval and recordation. One recorded original shall be returned to the village.
- d. The final plat shall not be submitted for recordation until detailed engineering plans have been approved by the Village and /or public improvements are complete. The approval of the final plat and construction plans shall be valid for one (1) year, after which time they must be re-approved by the Village, subject to current requirements before recordation.
- e. The restrictive covenants shall be provided and the recording information shall be shown in a note on the plat.
- f. An address map shall be provided. All addresses shall be coordinated with the appropriate utility company or the village.

Section 21. Schedule of fees.

a. The following fees shall be charged and paid by any applicant seeking any authority under this chapter. All fees must be paid at the time an application for authority hereunder is made in accordance with the provisions of this chapter and in the amounts as herein specified:

- 1. Land plan/conceptual plan \$200.00
- 2. Preliminary plat
 - a. Base \$500.00
 - b. Plus, per lot \$ 2.00
 - c. Plus, per acre of reserve \$ 10.00
- 3. Final Plat
 - a. Base \$300.00
 - b. Plus, per lot \$ 1.00
 - c. Plus, per acre of reserve \$ 5.00
- 4. Variance request \$200.00
- 5. Plan Review Fee
 - a. Base \$ 50.00
 - b. Plus, per sheet \$ 10.00

b. Inspection fee, for water, sanitary sewer, drainage, and street improvements. Applicant shall provide estimated costs, and supporting information for determination of the cost of the Project. These fees shall be payable at the time of platting or upon request for a building permit. The fee shall be as follows:

- 1. One percent (1%) of actual construction cost of Projects of \$10,000 or less, or

2. \$100.00 plus three-fourths of one percent ($\frac{3}{4}$ of 1%) of actual construction cost on the incremental project value over \$10,000 but less than \$50,000, or
3. \$400.00 plus one-half of one percent ($\frac{1}{2}$ of 1%) of actual construction cost on the incremental project value in excess of \$50,000.

c. Adjustments:

1. Adjustments to the above referenced fees and charges for application for authority hereunder shall be established from time to time by ordinance by the Village Council.
2. Such fees and charges shall be imposed on all applications seeking authority under this chapter regardless of the action taken by the Commission and Village Council thereon. Additional fees shall be collected for the purpose of defraying the costs of administrative, clerical, inspection services and professional fees necessary to properly investigate the request for authority hereunder, as required prior to any final approval.