

# Article 12

PLATTING

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***ADOPTED: September 17, 2019***

***CASE NUMBER: TA190901***

***ORDINANCE NO. 10713-2019***

# ARTICLE 12: PLATTING

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# ARTICLE 12: PLATTING

## SECTION 1 - PURPOSE

- 12.1.1 It is the purpose of this Article to promote sound planning in the subdivision of land, and to provide consistent rules that protect the public health, safety, and welfare while allowing the legal platting of land. Platting of property may also require rezoning, if the existing zoning is for Agricultural uses.
- 12.1.2 The regulations herein have been made after careful study of existing local conditions and the desirable future development of the City. It is not the desire or the intent of the City Council to regiment the design of subdivisions of property in the City and its environs, but rather to recommend the utilization, to the fullest extent possible, of good, sound, modern subdivision planning principles.
- 12.1.3 It is intended that as much freedom as possible be allowed the individual owners and developers in the design and ultimate development of new subdivisions so that they will contribute innovation, individuality, and character to the community's new residential neighborhoods, commercial and industrial districts. At the same time, these rules are intended to assure that such development provides for:
- A. Sufficient, adequate major and secondary traffic thoroughfares and public facilities.
  - B. Minimum standards for facilities.
  - C. Consistency with Federal and State regulations.
  - D. A consistent and equitable pattern of development among neighboring parcels of land.
  - E. Consistency with the City's Comprehensive Plan, Thoroughfare Plan, Park Plan, Stormwater, Drainage, and Floodplain Management regulations and other adopted plans.
- 12.1.4 It is intended that the adoption of **Article 12 "Platting"**, shall in no way affect or alter the validity of Grand Prairie Ordinance No. 4695. This recodification is purely for administrative convenience rather than an attempt to affect the substantive law relating to impact fees.

## SECTION 2 - APPLICABILITY

- 12.2.1 Pursuant to the provisions of Chapter 42, Chapter 212, and Chapter 242 of the Texas Local Government Code, the governing body of the City does hereby extend to all of the area under its extraterritorial jurisdiction as defined by the statutes of the State the application of all of the terms and provisions in this Article establishing rules and regulations governing plats and subdivisions of land.
- 12.2.2 No person shall create a subdivision of land within the City or within its extraterritorial jurisdiction without complying with the provisions of this Article, and all plats and subdivisions of any such land shall conform to the rules and regulations set forth in this Article.

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- 12.2.3 The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, or to lay out suburban, building, or other lots, and to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared. The exception is as follows:
- A. When an applicant exhibits a duly executed and recorded deed covering a lot having dimensions of fifty (50) feet by one hundred twenty (120) feet or more has been sold by metes and bounds prior to October 18, 1960, and such lot being assessed for City taxes and conforms to the established lot pattern and zoning classification in the block where located, then a building permit may be issued provided the requested use of such property conforms to the permanent zoning or the property covered by the application.
- 12.2.4 If the Director of Planning and Development (or designee) determines that a plat or replat is not required, he shall notify the requesting party of that determination. If a plat or replat is required and such a document has been reviewed and approved by the Planning and Zoning Commission, the Director shall issue to the requesting party a written certification of that determination.
- 12.2.5 The request made under Subsection 12.2.3(A) of this Section, must identify the land that is the subject of the request. The Planning Division shall make its determination within twenty (20) days after the date it receives the request and shall issue the certificate, if appropriate, within ten (10) days after the date the determination is made.
- 12.2.6 The Planning and Zoning Commission shall not approve any plat of any subdivision within the zoning jurisdiction of the City unless the plat complies with the existing zoning.
- 12.2.7 The County Clerk of the county in which said land lies shall not file any such plat or replat of a subdivision unless there shall appear thereon, the endorsement of the Chairman of the Planning and Zoning Commission and the Planning Director or his designee.

### SECTION 3 - PRE-APPLICATION CONFERENCE

- 12.3.1 Each owner or sub-divider of land shall first confer with the Director of Development Services or designee before making application for approval of a preliminary plat or re-plat of a proposed subdivision, and shall secure a copy of the rules and regulations governing subdivisions of land so that such person may become thoroughly familiar with the subdivision requirements and policies of the City, as well as the provisions of the Comprehensive Plan as approved by the Planning and Zoning Commission and City Council, which instrument is on file in the Department of Planning, that may relate to and have effect upon the general area in which the proposed subdivision is situated.
- 12.3.2 Contractors and developer/owners are required to secure a permit from the City for all construction activities including clearing and grubbing, earthwork and excavating. Such permits with the City may be in the form of a building permit, a construction permit or a clearing and grubbing, or earthwork permit.

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Construction activities shall comply with all storm water guidelines as outlined within Article 14.6.

### SECTION 4 - APPLICATION REQUIRED

12.4.1 The procedure for review and approval of a subdivision plat shall be in compliance with Texas Local Government Code, Title 7, Chapter 212. Information in Exhibit A is required on all Plats in order for an application to be complete. Preliminary Plats must contain all the information shown in Exhibit A, plus the information required in Exhibit B. Final Plats, Amended Plats, and Replats must contain all the information in Exhibits A and B, and the information requested in Exhibit C.

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### EXHIBIT A: INFORMATION REQUIRED ON ALL PLATS

	Information	Item Provided	Not Provided	Not Applicable
1	Type of Plat: Preliminary, Final, Amendment, Replat			
2	Addition Name			
3	Number of Lots and Total Acreage			
4	Identify Survey and Abstract			
5	Name of City, County and State			
6	Name and Address of Owner			
7	Name and Address of Developer			
8	Name and Address of Surveyor			
9	Date of Plat, Scale of Drawing, North Arrow			
10	Accurate Metes and Bounds Description and Total Acreage			
11	Point of Beginning Identified			
12	Perimeter Property Corners Identified (type, size, found, set)			
13	Owners' names & Record Information on all Adjacent Tracts			
14	Names of Streets			
15	Width, Location and Filing Information of Existing Easements			
16	Lot and Block Numbers			
17	Continuation of Existing Streets			
18	Location/Width of Proposed ROWs, Easements Alleys			
19	Delta, Radius, Length, & Chord Bearings on all Curves			
20	Identify all Non-Tangent Curves			
21	Survey Ties to Existing Subdivisions & Monuments			
22	Max. Cul-de-sacs Length 600'			
23	Min. Cul-de-sac Radii 50'			
24	Max. Block Length of 1200'			
25	Min. Alley Width 20'			
26	Vicinity Map			
27	Adjacent Survey Line			
28	Show all Contiguous Property Lines			
29	20' Corner Clips at Intersections of Residential & Collectors			
30	Front Building Lines*			
31	Side Yard Building Lines at Street Intersections			
32	Building lines in Cul-de-sacs & Along Curves by Chord Def.*			
33	Dimension any Buffer/Setback Between Residential & Commercial Zoning			
34	Location of ____ Contour around Perimeter of _____.			
35	FEMA Designated Floodplain and FIRM Panel Identified with Date			
36	Location of 100-year Water Surface Elevation			

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### EXHIBIT B: PRELIMINARY PLAT REQUIREMENTS

Preliminary Plats shall include all the information required in Exhibit A, plus the information required in Exhibit B.

	Information	Item Provided	Not Provided	Not Applicable
1	All Items in Exhibit A			
2	Outline of Wooded Areas			
3	Intended Land Uses Identified			
4	Lots Dimensioned to the Closest Foot			
5	Identify Survey and Abstract			
6	Proposed Median Openings on Divided Thoroughfares			
7	Existing Median Openings on Divided Thoroughfares			
8	Avigation Zones Identified			
9	USCOE Impact Zone such as Flowage Easement or Designated Wetlands or Waters of the US			
10	Reference to any City Drainage Study and Date affecting the Subject Property			
11	Any Erosion Hazard Setback			

### EXHIBIT C: FINAL PLAT, AMENDMENT PLAT, AND REPLAT REQUIREMENTS

Final and Amending Plats and Replats shall require the information provided in Exhibit A, Exhibit B, and Exhibit C.

	Information	Item Provided	Not Provided	Not Applicable
1	Locations & Accurate Dimensions in Decimal and Feet			
2	Lots:			
3	Right-of-Way Widths			
4	Alley Widths			
5	Easements: GPS monument must be set by developer & shown on plat*			
6	Avigation Release			
7	Lowest Floor Elevation			
8	Owner's Dedication Statement			
9	Owner's Signature			
10	Notary of Owner's Signature			
11	Notary Seal			
12	Surveyor's Certificate			
13	Surveyor's Seal			
14	City Signature Block			

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\*For 30 or more residential lots and nonresidential development of three acres or more

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12.4.2 Engineering drawings must be supplied to the City Engineer or designee for developments involving public improvements prior to approval of a final plat by the Planning and Zoning Commission. Engineering drawings must be released for construction by the City Engineer or their designee prior to filing of the plat with the county. Release for construction shall be issued before any public works permit is issued for public works construction to begin on site.

### SECTION 5 - ADMINISTRATIVE APPROVAL OF CERTAIN PLATS

12.5.1 In accordance with Local Government Code Section 212.0065 of the Land Use Regulation of the State of Texas, the City of Grand Prairie delegates to the Director of Development Services or designee the authority to approve:

- A. Amending plats as described in [Section 12.11.4](#) of the Unified Development Code; and
- B. Minor plats, final plats and amendments to minor and final plats involving four or fewer lots fronting onto an existing street and not requiring the creation of any new streets or the extension of municipal facilities.

12.5.2 The Director of Development Services or designee may, for any reason, elect to present the plat to the Planning and Zoning Commission to approve the plat so long as the plat is placed on an agenda of the Commission within 30 days of filing, unless the applicant has requested in writing that the 30 day requirement be waived pursuant to Chapter 212 of the Texas Local Government Code.

12.5.3 The Director of Development Services or designee shall not disapprove the plat and shall be required to refer any plat that he or she refuses to approve to the Planning and Zoning Commission to make final decision.

### SECTION 6 - MINOR SUBDIVISION PLAT

12.6.1 A final plat may be reviewed without a preliminary plat when the following conditions exist:

- A. The property to be platted is five (5) acres or less;
- B. A total of four (4) or fewer lots are being platted; and
- C. No major public improvements (not requiring the creation of any new street or the extension of municipal facilities, etc.) are planned.

### SECTION 7 - PRELIMINARY PLAT SUBMITTAL

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- 12.7.1 In order to evaluate the consistency of a subdivision with the rules contained in this Article, the sub divider shall prepare a preliminary plat, together with other supplementary materials, in accordance with the section.
- A. The preliminary plat review process called for under this section shall not be required if the area to be platted is five (5) acres or less, the total number of lots to be platted is four (4) or less and no major public improvements (not requiring the creation of any new street or the extension of municipal facilities, etc.) are planned.
  - B. Unless determined to the contrary subject to Section 12.7.5 below, the Planning Director or designee may, regardless of the size of the area to be platted, waive the preliminary plat review process called for under this section if the total number of lots to be platted is two (2) or less and no major public improvements (not requiring the creation of any new street or the extension of municipal facilities, etc.) are planned.
- 12.7.2 Except as otherwise specified, copies of the preliminary plat and supplementary materials shall be submitted to the Planning Division with the application fee as provided in [Article 22, "Fee Schedule"](#), current property tax certification along with a written application for conditional approval at least twenty (20) days prior to the Planning and Zoning Commission meeting at which it is to be considered.
- 12.7.3 Copies or prints of the subdivision shall be drawn on sheets of twenty-four (24) inches by thirty-six (36) inches and be drawn to a scale of one (1) inch equals one hundred (100) feet or greater.
- 12.7.4 In cases of large developments which would exceed the dimensions of the sheet at a scale of one (1) inch equals one hundred (100) feet, preliminary plats may be drawn to a scale of one (1) inch equals two hundred (200) feet.
- 12.7.5 The Director of Development Services or designee may require a preliminary plat for the entire tract of land.
- 12.7.6 Copies or prints of the proposed subdivision shall show the following:
- A. Boundary lines, bearing, and distances sufficient to locate the exact area proposed for the subdivision. Plats along a creek must go to the midpoint of the creek.
  - B. The name and location of all adjoining subdivisions, layouts and uses, drawn to the same scale and shown adjacent to the tract proposed for subdivision in sufficient detail to show accurately the existing streets 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.
  - C. The location and widths of all streets, alleys and easements existing or proposed within the subdivision limits. In the case of easements, a written statement as to the easement use shall be included with the plat.

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- D. The location of all existing property lines, buildings, wastewater or water mains, gas mains, or other underground structures, easements of record or other existing features within the area proposed for subdivision.
- E. *The location of all Erosion Hazard Areas.* Erosion Hazard Areas are the portions of the tract(s) or lot(s) within erosion hazard setbacks as determined in the Drainage Manual for every stream.
- F. Zoning classification and designation of the intended uses of land within the proposed subdivision, setting out residential, retail, business, industrial, and off-street parking zones, and all other parcels of land intended to be dedicated to public use such as schools, parks and playgrounds, and other special uses or quasi-public uses that may be required. However, approval of a preliminary plat with uses so indicated does not constitute approval of such uses.
- G. Proposed building setback lines along the street for each comer or double frontage lot.
- H. The title under which the proposed subdivision is to be recorded, the name and address of the owner with the name of the licensed registered public surveyor platting the tract, and the name of the City.
- I. Scale, north arrow, date and other pertinent data.
- J. Contours equal to contour maps of the City currently released by the City Engineer, or five (5) foot contours, whichever is less.
- K. Location of GPS monument(s).
- L. All pertinent physical features of the property to be subdivided, including:
  - 1. The location and size of all watercourses, ravines, bridges, culverts, and existing structures;
  - 2. Drainage area in acres draining into the subdivision;
  - 3. Erosion hazard areas;
  - 4. Floodplain (with elevations and floodway);
  - 5. The outline of wooded areas;
  - 6. The location of important individual trees may be required;
  - 7. The location of all GPS monuments; and
  - 8. Any other significant features of the subdivision.
- M. When the preliminary plat submitted for approval covers only a portion of the owner's or sub divider's entire holding or subdivision, or a purchaser is buying only a portion of the property to be platted, a sketch of the prospective future street system of the un-submitted part of the tract shall be submitted.
  - 1. The street system portions submitted for approval shall be considered in light of adjustments and connections with that portion of the street system not submitted.

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2. Applicants may be required to submit a Traffic Impact Analysis as required by [Article 23, "Master Transportation Plan,"](#) of this Code.
  3. Access easements and Roadway right-of-way widths must be shown.
  4. Dedication of additional streets may be required with the plat as determined by the Director of Transportation Services.
- N. Political boundary i.e., corporate boundary lines, school district boundary lines, and county lines shall be shown when applicable.
- O. Staff may require an enlargement of a particular lot to be submitted containing dimension and setback information, as well as the build able lot area. No lot shall be approved with a minimum build able lot area less than the minimum requirements of that particular zoning district.
- P. Where applicable, submit four (4) sets of plans for all residential entry signage and screening walls to the Development Review Committee for approval prior to the submittal of the signed final plat documents for recordation.
- 12.7.7 The following notice shall be placed on the face of each preliminary plat by sub-divider:  
"Preliminary Plat - for Inspection Purposes Only."

The preliminary plat shall be accompanied by three (3) copies of a drainage plan sufficient in detail to determine how localized drainage will be accommodated and its effect on adjacent property. It will be prepared by an engineer licensed to practice in the State of Texas and experienced in municipal drainage work. The drainage plan will address the requirements of [Article 14, "Drainage,"](#) [Article 15, "Floodplain Management,"](#) the Drainage Design Manual and [Article 17, "Concept Plans."](#)

### SECTION 8 - PRELIMINARY PLAT APPROVAL

12.8.1 **Plat Requirements:** The sub-divider shall submit in duplicate a preliminary plat to the Planning and Zoning Commission. This requirement shall not apply if the area to be platted is five (5) acres or less, the total number of lots to be platted is four (4) or less and no major improvement (not requiring the creation of any new streets or the extension of municipal facilities, etc.) is involved. The preliminary plat shall be drawn to a scale of one (1) inch equals one hundred (100) feet or greater. The following procedures shall be the preliminary plat approval process:

- A. The Director of Development Services or designee shall make a study of the plat and give a written report to the Planning and Zoning Commission prior to its final action on the preliminary plat.
- B. Following review of the preliminary plat and other material submitted to comply with these regulations the Planning and Zoning Commission shall, and pursuant to Chapter 212 of the Texas Local Government Code, the Planning and Zoning Commission shall take action on the plat within thirty (30) calendar days after the filing of the application for preliminary plat. The Planning and Zoning Commission shall express its approval as

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conditional approval, if any, or if disapproved, shall express its disapproval and its reason in writing.

- C. Pursuant to Chapter 212 of the Texas Local Government Code, all plats or replats of subdivisions which comply with the terms of this Article without variance or deviation must be approved by the Planning and Zoning Commission of the City.
- D. There shall be no work done in the field (no clearing and grubbing, grading or earthwork) on a proposed development or subdivision of property until the owner/developer completes all Phase II Stormwater requirements in the current Drainage Design Manual, and has obtained applicable permits per Section 12.16.
- E. Approval of the preliminary plat expires eighteen (18) months from the date of approval unless the final plat has been submitted for approval. The Development Review Committee may extend its validation up to six (6) months, upon application and payment of additional fees. Further extension of approval beyond twenty four (24) months from the date of the approval may only be granted by the Planning and Zoning Commission upon recommendation from staff.
- F. The action of the Planning and Zoning Commission shall be noted in writing, along with any conditions required by the Commission for plat approval.
- G. Action of the Commission shall be certified by the Director of Development Services or designee.

### SECTION 9 - FINAL PLAT SUBMITTAL

- 12.9.1 Final Plat submittals, including Minor Plats, require a Pre-Application Conference prior to application. An exception may be made in cases where property proposed for final plat is shown on an approved, unexpired Preliminary Plat, and the applicant proposes no substantial changes or an increase in area or the number of lots.
- 12.9.2 An application for Final Plat shall not be complete until the applicant provides all the required items listed herein. The Planning Division will issue an official completeness or incompleteness letter following application, confirming that the application is complete, or listing the items needed for a complete application.
- 12.9.3 Copies of the final plat shall be submitted to the Planning Division, at a scale of one (1) inch equals one hundred (100) feet, or greater according to the published submittal guidelines available from the Planning Division.
- 12.9.4 The final plat shall show or be accompanied by the following information:
  - A. Description of the subdivision by metes and bounds;
  - B. Location of the subdivision with respect to a corner of the survey or tract or an original corner of the original survey of which it is a part;

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- C. Statement of the dimensions of the subdivision and of each street, alley, square, park, or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part;
- D. The subdivision name or identifying title, block and lot number(s), and the name of the City, county and state in which the subdivision is located, the abstract name and number, the name and address of the record owner or sub divider. For a Final Plat that encompasses an area already platted or partially platted, the description shall contain the existing platted subdivision identifier and lot and block numbers.
- E. A replat of existing platted lots shall retain the existing lot and block number pattern with an "R" suffix to denote the lot or lots being replatted. For example, "Lots 13R and 14R, Grand Prairie Addition." Each subsequent replat shall indicate the sequence of lot revisions with an additional suffix. For example, "Lot 13R1, Grand Prairie Addition."
- F. The names of adjacent subdivisions, names of streets, location of utility easements and dimensions, location of erosion hazard easements and dimensions, and the number of lots and blocks. Names of new streets shall, wherever possible, follow or be extensions of existing street names.
- G. An accurate boundary description of the property which is being subdivided, noting the bearings and distances of the sides, same being referenced to original survey lines, location of a GPS monument set for residential subdivisions of more than 30 lots, or for nonresidential developments of more than 3 acres, including multi-family, established subdivisions, or intersections of existing rights-of-way showing the lines of all adjacent streets, alleys and easements, noting width and names of each. Streets, alleys and easements of adjacent subdivisions shall be shown in a different manner than those of the proposed subdivision, preferably by dotted or dashed lines.
- H. The record plat shall indicate the location of all lots, streets, highways, alleys, easements, parks, and other features, with accurate dimensions given in feet and decimals of a foot, showing the length of radii, deflection angles, and of arcs of all curves; tangent distances and tangent bearings shall be given for each street; all such data being complete and sufficiently precise to permit accurate location upon the ground.
- I. Construction plans for all utilities such as:
  - 1. Access Easements.
  - 2. Proposed sewage collection system.
  - 3. Plan and profile of proposed streets.
  - 4. Plan and location for proposed GPS monument(s).
  - 5. Plan and profile of on-site and off-site proposed drainage facilities.
- J. The building lines of front and side streets shall be shown dotted or dashed and the location of utility easements shall be shown in dashed lines.
- K. The plat shall bear a properly executed dedication of all streets, highways, alleys, parks, playgrounds, and other lands intended for use of the public, such dedicatory instrument

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to be signed by the owner, or owners, and by all other persons or parties having a mortgage or lien interest in the property. Any private restriction or any trusteeships intended shall be filed with the plat, if same is too lengthy to permit lettering of same upon the plat.

- L. Current original tax certificates from the appropriate county or counties showing no due or delinquent taxes, certificates must contain the issuing county seal and signatures. Copies are unacceptable.
- M. Proper certification shall be made upon the plat, by a registered professional land surveyor, stating that the plan represents a survey made by such surveyor and that all necessary monuments are accurately and correctly shown upon the plat. The surveyor shall place such monuments as required by the City and they shall be set at all corners and angle points of the boundaries of the original tract to be subdivided and at all street intersections, angle points in street lines and points of curve and at such intermediate points as shall be required by the City. All lot corners are also to be marked with iron pipe markers driven firmly into solid earth. Such monuments shall be of iron rods not less than one half (1/2) of an inch in diameter and eighteen (18) inches in length, driven securely into solid earth with the grades of same being at grade with established sidewalk, or if walk is not established, flush with natural grade of the earth's surface.
- N. 4 inch wide by 4 inch tall blank space reserved for city approval block.
- O. Date, scale and north arrow.
- P. Impact fee and credit calculations, pro-rata charges, street marker fees, and a receipt indicating that such fees and charges have been paid.
- Q. Lowest floor elevations shall be shown for all lots within 200 feet of a 100-year floodplain or adjacent to dedicated streets or alleys.
- R. Fully developed floodplain (with elevations) and FEMA floodplain and floodway.
- S. Where applicable, submit four (4) sets of plans for all residential entry signage and screening walls to the Development Review Committee for approval prior to the submittal of the signed final plat documents for recordation.

### SECTION 10 - PROCEDURE FOR PLAT APPROVAL

12.10.1 Reference Article 12, "Platting," **Section 4, "Application Required,"** for procedures of plat approval.

12.10.2 Addressing:

- A. Approval from the Planning and Zoning Commission does not entitle any property to the assignment of an address. Only when ALL conditions of approval have been successfully met will the City officially assign the property or properties with an address.

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- B. No person shall be allowed to build any structure on a parcel without a valid address. A valid address is required for any building permit to be accepted or reviewed. Failure to provide a valid address and legal description at the time a building permit application is submitted may delay the process or potentially cause the denial of said permit(s).
- C. The City may withhold the issuance of a street number or building permit for the erection or construction of any building or structure in the City on a newly subdivided parcel of land until all the requirements of the subdivision regulations have been complied with, including installation of and acceptance by the City of all waterworks, wastewater, and paving improvements, (dedications and assessments) for the area designated.

### SECTION 11 - PLAT VACATIONS AND RE-PLATS

12.11.1 Any plat or re-plat may be vacated by the owner of the land at any time before the sale of any lot therein by a written instrument declaring the same to be vacated, duly executed, acknowledged, and recorded in the office of the County Clerk, subject to approval of the Planning and Zoning Commission.

In cases where lots have been sold, the plat or re-plat, or any part thereof, may be vacated upon the application of all the owners of lots in said plat and with the approval of all the owners of lots in said plat and with the approval of the Planning and Zoning Commission in accordance with Sections 212.013 and 212.014 Chapter 212, Municipal Regulation of Subdivisions and Property Development.

12.11.2 In the event there is no compliance with the previous stated requirement, a re-plat or re-subdivision of a plat, or a portion thereof, but without vacation of the immediately previous plat, may be approved by the Planning and Zoning Commission only when:

- A. It has been signed and acknowledged by the owners of the particular property that is being re-platted;
- B. Approval of the replat will not alter, amend or remove any covenants or restrictions; and
- C. There is compliance, when applicable, with Subsection 12.11.3 of this Section.

12.11.3 The following additional requirements for approval shall apply, in any re-platting of a subdivision, without vacating the previous plat, if any of the proposed area to be re-platted was within the preceding five (5) years limited by any interim or permanent zoning classification to residential use for not more than two residential units per lot, or if any lot in the previous subdivision was limited by deed restriction to residential use for not more than four (4) residential units per lot:

- A. Notice of Planning and Zoning Commission approval shall be given in accordance with the Texas Local Government Code by:

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1. Publication in an official newspaper or a newspaper of general circulation in the county in which the municipality is located; and
2. By written notice, with a copy of Section 212.015(c) of the State Local Government Code attached, forward to the owners of lots that are in the original Subdivision and that are within 200 feet of the lots to be re-platted as indicated on the most recently approved municipal tax roll.
3. If a variance is requested, the Planning and Zoning Commission shall conduct a public hearing prior to its decision and notice shall be given before the 15<sup>th</sup> day before the date of the hearing by the methods listed in A.1 and A.2 above.
4. If a proposed replat does not require a variance or exception, the city shall, not later than the 15th day after the date the replat is approved, provide written notice by mail of the approval of the replat 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 county tax roll. This subsection does not apply to a proposed replat if the city holds a public hearing and gives notice of the public hearing as described in Section A.3 above.
5. The notice of a replat approval required in A.4 above shall include the zoning designation of the property and the city's contact information, including telephone number and email address.

12.11.4 Notwithstanding any other provision of this Section, the Planning and Zoning Commission may approve and issue an amending plat which is signed by the owners of the properties affected and which is for one or more of the purposes set forth in this subsection, and such approval does not require notice, public hearing, or approval of other lot owners. This subsection shall apply only if the sole purpose of amending the plat is:

- A. To correct an error in any course or distance shown on the prior plat;
- B. To add any course or distance that was omitted on the prior plat;
- C. To correct an error in the description of the real property shown on the prior plat;
- D. To indicate monuments set after death, disability or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments;
- E. To show the proper location or character of any monument which has been changed in location or character or which originally was shown at the wrong location or incorrectly as to its character on the prior plat;
- F. To correct any other type of scrivener or clerical error or omission as previously approved by the Planning and Zoning Commission and/or City Council, such as lot numbers, acreage, street names, and identification of adjacent recorded plats;
- G. To correct an error in courses and distances of lot lines between two adjacent lots where both lot owners join in the application for plat amendment and neither lot is abolished,

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provided that such amendment does not attempt to remove recorded covenants or restrictions and does not have a material adverse effect on the property rights of the other owners in the plat;

- H. To relocate a lot line in order to cure an inadvertent encroachment of a building or improvement on a lot line or an easement;
  - 1. To relocate one or more lot lines between one or more adjacent lots where the owner or owners of all such lots join in the application for the plat amendment, provided that such amendment does not attempt to remove recorded covenants or restrictions or increase the number of lots; or
- I. To make necessary changes to the prior plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the prior plat if:
  - 1. The changes do not affect applicable zoning and other regulations of the City;
  - 2. The changes do not attempt to amend or remove any covenants or restrictions; and
  - 3. The area covered by the changes is located in an area that the Planning and Zoning Commission or City Council has approved as a residential improvement area.
- J. To re-plat one or more lots fronting on an existing street if:
  - 1. The owners of all those lots join in the application for amending the plat;
  - 2. The amendment does not attempt to remove recorded covenants or restrictions;
  - 3. The amendment does not increase the number of lots; and
  - 4. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

### SECTION 12 - FINAL PLAT APPROVAL AND RECORDATION

- 12.12.1 The final plat shall conform to the preliminary plat as approved and, incorporating all changes, direction and additions imposed by the either the Planning and Zoning Commission or City Council. The final plat shall not be filed, and no building permit issued until detailed engineering plans are released, and all developer agreements have been executed by the City. All plats, preliminary and final, shall be deemed disapproved until there has been full compliance with all requirements contained in this Article and such additional requirements imposed by the City or its agents for which provision is herein made.
- 12.12.2 If so desired by the developer, the final plat may constitute only that portion of the approved preliminary plat which the developer proposes to record and then develop, provided, however, that such portion conforms to all the requirements of these regulations.
- 12.12.3 Upon receipt of the plat check print copy, the Director of Development Services or designee shall review the plat to ascertain its compliance with these regulations and the action or conditions of the Planning and Zoning Commission and City Council, if applicable.

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- 12.12.4 When the check print copy of the plat has been reviewed and found to meet all general requirements and conditions of approval, the developer or the developer's engineers shall submit to the Director of Development Services or designee an adequate number of copies as needed to be signed for filing at the appropriate county. The Director of Development Services or designee shall stamp or apply on each of the copies the certificate of approval of the Planning and Zoning Commission attested by the Chairman of the Planning and Zoning Commission, and the Director of Development Services or his designee, and the date the plat was approved.
- 12.12.5 The subdivider or developer shall have the responsibility to record said plats with the County Clerk at Dallas, Tarrant, Johnson and/or Ellis County, Texas, within two years of the date of the Planning and Zoning Commission or administrative approval.
- 12.12.6 Engineering plans showing details of streets, GPS monuments, erosion hazard setbacks, alleys, culverts, bridges, storm drains, water mains, wastewater mains and other engineering details of the proposed subdivision shall be submitted to the Engineering Division at the same time as the final plat submittal.
- 12.12.7 Engineering plans shall be prepared by a registered professional engineer and shall conform to the standard specifications established by the City. The final plat will not be released for filing until detailed engineering plans have been approved by the City Engineer or their designee.
- 12.12.8 The approval of the detailed engineering plans shall expire after a period of 36 months following the date of the approval of plans by the City Engineer or their designee unless improvements have begun. If improvements have not begun, then the detailed engineering plans must be resubmitted to the Engineering Division for review and an additional fee may be required in accordance with the city's Fee Schedule.
- 12.12.9 Street marker fees shall be paid before engineering plans are release for construction.
- 12.12.10 After all improvements required by the City have been completed by the owner or sub divider of the proposed subdivision, the developer shall submit to the Engineering Division one set of as-built drawings depicting all public improvements that have been constructed, the same to be filed within thirty (30) days after completion of all required improvements.
- 12.12.11 After all improvements have been completed, credits shall be recalculated and refunds paid or additional impact fees collected.
- 12.12.12 Approval of a final plat or re-plat shall expire two (2) years from the date of the Planning and Zoning Commission action if the conditions of approval have not been satisfied or the plat is not submitted to the Planning Division for final review and signatures. The Development Review Committee may extend its validation up to six (6) months, upon application and payment of additional fees. Further extensions require approval by the Planning and Zoning Commission.
- 12.12.13 All improvements required by the City of the proposed subdivision shall be completed within 36 months after issuance of a construction permit. If the required improvements have not

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been completed within 36 months, the construction permit shall expire. Re-issuance of the construction permit will be subject to conformance with the most current Standard Specifications of the City. No additional fee shall be charged for re-issuance of the construction permit.

- 12.12.14 The Owner, Applicant, or the Applicants' Agent must make all final submittals in person. This is to insure that all requirements for the final submittal have been correctly made and to verify that all required filing materials have been submitted, in an effort to expedite the process and to avoid any delay in development.

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## SECTION 13 - STANDARD PLAT WORDING

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That \_\_\_\_\_ does hereby adopt this plat designating the hereon above described property as \_\_\_\_\_ an addition to the City of Grand Prairie, Texas and does hereby dedicate to the City of Grand Prairie in fee simple forever the streets, alleys and storm water management areas shown thereon. The easements shown thereon are hereby dedicated and reserved for the purposes as indicated. The utility, access, GPS monuments and fire lane easements shall be open to the public and private utilities for each particular use. The maintenance of paving on the utility, access and fire lane easements is the responsibility of the property owner. No buildings or other improvements, including fences, shall be permitted in an erosion hazard easement. No buildings or other improvements or growths, except fences, vegetation, driveways, and sidewalks less than 6 feet in width shall be constructed or placed upon, over or across the easements as shown except as permitted by City Ordinances. No improvements that may obstruct the flow of water may be constructed or placed in drainage easements. Any public utility shall have the right to remove and keep removed all or parts of the encroachments allowed above which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone. Any public utility shall have the right of ingress and egress to private property for the purpose of reading meters and any maintenance and service required or ordinarily performed by that utility.

This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Grand Prairie, Texas.

Notarization Statement

Surveyor's Certificate

## SECTION 14 - VARIANCES AND DORMANT PROJECTS

12.14.1 City Council, upon recommendation by the Planning and Zoning Commission may authorize variances from these regulations, pursuant to the procedures in **Article 1, "General Provisions and Procedures."**

12.14.2 City Council may authorize a variance from these platting and subdivision regulations when in its opinion undue hardship will result from requiring strict compliance. However, no variance may violate the Grand Prairie Code of Ordinances.

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- 12.14.3 Variances may be granted only when consistent with the general purpose and intent of this Article so that the public health, safety, and welfare may be secured and substantial justice done. A variance to the erosion hazard easement requirement is allowed only at the direction of the City Engineer.
- 12.14.4 Financial hardship to the sub-divider shall not constitute undue hardship.
- 12.14.5 In granting a variance, the City Council shall prescribe only conditions that it deems necessary or desirable to the public interest and upon making the findings hereinafter required.
- 12.14.6 The City 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 will reside or work in the proposed subdivision, and the probable effect of the variance upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity.
- 12.14.7 The City Council may not grant a variance unless it finds positive evidence demonstrating one or more of the following conditions:
- A. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Article would deprive the applicant of the reasonable use of his land.
  - B. That the variance represents the minimum departure from the provisions of this Article necessary for the preservation and enjoyment of a substantial property right of the applicant, and that the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area.
  - C. That 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 Article.
- 12.14.8 Such findings of the City Council together with the specific facts on which such findings are based shall be incorporated into the official minutes of the Council meeting at which such exception is granted.
- 12.14.9 Appeal of any Planning and Zoning Commission action may be taken to the City Council pursuant to the provisions outlined in [Article 1, "General Provisions and Procedures,"](#) and consistent with the findings listed above.
- 12.14.10 Exceptions to the assessment and collection of impact fees may be granted in accordance with the requirements of [Article 22, Section 3 "Impact Fees," "Impact Fee Required; Exceptions."](#)
- 12.14.11 A project is considered dormant if it does not have an expiration date and no progress has been made towards completion of the project as defined in Local Government Code Section 245.005.

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- A. The following projects will be considered dormant and expired as of January 18, 2005:

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1. Any plat or land study approved prior to November 20, 1990 on which no progress has been made toward completion of the project.
  2. All projects, for which final plats have not been filed of record with the County, approved between November 20, 1990 and the effective date of this ordinance amendment, on which no progress has been made toward completion of the project (January 18, 2005).
- B. Following adoption of this ordinance amendment, projects for which final plats have been filed of record with the County that are not developed, and for which no other progress has been made towards the completion of the project within five years from the date said final plat is approved by the Planning and Zoning Commission, will be considered dormant and expired.
- C. All other plats and land studies expire according to the standards for lapse of approval as set out within the Unified Development Code, Article 12, "Platting."

Progress towards completion is defined as any of the list of criteria which appear in Section 245.005(c) of the Texas Local Government Code.

### SECTION 15 - FEES

- 12.15.1 For a re-plat, costs are to be based on the number of additional lots created by the re-plat. For application fee to be paid reference [Article 22 "Fee Schedule."](#) Reference [Article 22, "Impact Fees," Section 7, "Calculation of Impact Fees," Subsection 22.3.7.4.](#)

### SECTION 16 – PERMITS AND CONSTRUCTION

12.16 There shall be no work done in the field (no clearing and grubbing, grading or earthwork) on a development or subdivision of property unless the owner/developer has complied with Phase II Stormwater requirements in the current Drainage Design Manual.

12.16.1 A permit for clearing and grubbing or grading and earthwork of a site must be issued when one or more of the following conditions is met:

- A. If an erosion control plan is deemed necessary by the City Engineer or designee, regardless of the parcel size;
- B. A Storm Water Pollution Prevention Plan (SWPPP) has been developed and an erosion control plan submitted to the Engineering Dept. in conjunction with;
  1. A signed construction site notice for projects from 1-4.99 acres; or
  2. A signed Notice of Intent (NOI) is submitted for projects of five (5) acres or larger.
- C. A Final Plan has been submitted to the Engineering Department for a residential development, or a nonresidential project.

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Clearing and grubbing shall be defined as a minimal disturbance necessary for the removal of roots, trees, stumps or other debris. It shall remain the owner's responsibility to maintain erosion control measures necessary even if the amount of disturbance is minimal.

Grading and earthwork shall be defined as the physical movement, shaping, and other treatment of the soil to prepare a site for construction.

Fees for the above permits are found in [Article 22](#) of the Unified Development Code.

12.16.2 The City may withhold the issuance of a street number or building permit for the erection or construction of any building or structure in the City on a newly subdivided parcel of land until all the requirements of the subdivision regulations have been complied with, including installation of and acceptance by the City of all waterworks, wastewater, and paving improvements, (dedications and assessments) for the area designated.

A. A foundation only permit may be issued after receiving approval from Engineering, Fire, Planning, Building Inspection and after review of the plat or re-plat by the Development Review Committee (DRC), the comments from which will not affect the location of the foundation).

B. Engineering drawings must be released for construction by the City Engineer or their designee prior to the filing of the final plat with the county and before any construction commences on site.

12.16.3 A person who owns a tract of land in the floodplain will be required to secure a Floodplain Development Permit from the City of Grand Prairie and the appropriate governmental agencies, for any construction or earth disturbing activities within the floodplain limits of the property. Permit shall be accepted by all appropriate agencies and in place prior to start of construction.

12.16.4 Building on land that has not been platted or has not met all requirements and conditions set forth by the Unified Development Code, the Planning and Zoning Commission or the City Council is unlawful. If a violation is found the City may invoke civil and/or criminal penalties as set forth in the Unified Development Code, [Article 21](#) and/or the State Statute 211.012.

### SECTION 17 – LOTS

12.17.1 Lot sizes and dimensions shall conform to the minimum requirements of the appropriate zoning district. No lot shall be approved which does not meet the minimum requirements, and does not provide an adequate building envelope. Lots with easements that impact the building envelope may be required to have a greater width or depth.

12.17.2 Building lines adjacent to streets shall be shown on the final plat for corner lots adjacent to the streets with the minimum setback as required by the appropriate zoning district.

12.17.3 Each lot shall face on a public street.

12.17.4 Side lot lines shall be substantially at right angles or radial to street lines.

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- 12.17.5 Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantage of topography and orientation.
- 12.17.6 Irregularly shaped lots shall have sufficient width at the required building line to meet frontage requirements of the appropriate zoning district.
- 12.17.7 The rear width shall be sufficient to provide access for all utilities, including garbage collection where appropriate, but shall not be less than ten (10) feet.
- 12.17.8 In areas where City wastewater lines are not available, a lot shall be platted of such area as to meet the minimum requirements of the City pertaining to an aeration system, or other alternative method of treatment or disposal, in accordance with state laws as per the Director of Environmental Services or a designee.
- 12.17.9 It shall be lawful to increase the size of lots from that originally platted, provided, however, that there is no remaining portion of a lot, lots or tract of land to be platted smaller than the minimum lot required in the appropriate zoning district and provided further that a final plat is submitted and approval obtained thereof in accordance with the requirement of a final plat as contained herein and in the provisions of Chapter 212 of the Texas Local Government Code.
- 12.17.10 When an applicant exhibits a duly executed and recorded deed covering a lot having dimensions of fifty (50) feet by one hundred twenty (120) feet or more which has been sold by metes and bounds prior to October 18, 1960, and such lot is being assessed for City taxes and conforms to the established lot pattern and zoning classification in the block where the lot is located, then a building permit may be issued provided the requested use of such property conforms to the permanent zoning of the property covered by the application, and no further subdivision is required.

### SECTION 18 - BLOCKS

- 12.18.1 The length, width and shape of blocks shall be determined with due regard to:
- A. Provisions of adequate building sites suitable to the special needs of the type of use contemplated. The Planning and Zoning Commission may require that the block and lot size bear reasonable relation to the planned use of the land.
  - B. Zoning requirements as to lot sizes and dimensions.
  - C. Need for convenient access, circulation, control, and safety of street traffic.
- 12.18.2 In general, intersecting streets, determining the block lengths and widths, shall be provided at such intervals as to serve cross traffic adequately, and to meet existing streets or customary subdivision practices.

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- 12.18.3 Where no adjacent existing subdivision dictates street layout, the block lengths shall not exceed one thousand two hundred (1,200) feet in length.
- 12.18.4 Blocks should not be less than five hundred (500) feet in length.
- 12.18.5 In cases where physical barriers, property ownership, or adjacent existing subdivisions create conditions where it is appropriate, there may be exception to these standards. The length may be increased or decreased to meet the existing conditions having due regard for connecting streets, circulation of traffic and public safety.
- 12.18.6 The number of minor or local street offsets should be minimized. However, when offset street intersections are provided, the minimum centerline spacing between streets shall not be less than one hundred fifty (150) feet.
- 12.18.7 Where no existing subdivision regulations control, the block width or depth shall be platted to give lots with a depth to width ratio of generally not more than two and one-half (2 1/2) to one and in no case more than four (4) to one, and the platting shall be such that the block width or depth generally shall not exceed three hundred fifty (350) feet nor be less than two hundred fifteen (215) feet. When possible, the block width and length shall be such to allow two (2) tiers of lots back to back to an alley.

### SECTION 19 - DESIGN STANDARDS

- 12.19.1 The arrangement, character, extent, width, grade, and location of all streets shall conform to the City's adopted Master Transportation Plan, [Article 23](#), and Thoroughfare Plan Map and consideration shall be given in their relation to existing and planned streets, to topographical conditions, to public safety and in their appropriate relation to the proposed uses of land to be served by such streets as shown in the Comprehensive Plan and in compliance with the Drainage Design Manual.
- 12.19.2 When such street is not on the adopted Thoroughfare Map, the arrangement of street subdivision shall either:
- A. Provide for the continuation or appropriate projection of existing streets in surrounding areas, or
  - B. Conform to a plan for the neighborhood approved by the Director of Transportation Services or designee and adopted by the Planning and Zoning Commission or Preliminary Plat approved by the Planning and Zoning Commission to meet a particular situation where topographical or other conditions make continuance or conformity to existing streets impracticable.
- 12.19.3 Local streets shall be laid out so that their use is consistent with the intended use.
- 12.19.4 Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed in the City under conditions approved by the Planning and Zoning Commission.

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- 12.19.5 Street right-of-way and pavement widths shall be provided as shown on the adopted Master Transportation Plan, [Article 23](#), and Thoroughfare Map for each classification of roadway. The Planning and Zoning Commission may grant an exception to this requirement upon recommendation of the Director of Transportation Services when a property is being platted or re-platted when (1) the adjacent street is already improved with curb and gutter, (2) the adjacent street is functioning adequately, and (3) there are no plans to improve the street in the following five (5) years.
- 12.19.6 A development with a density of four (4) units or less per acre must have a minimum twenty-seven (27) foot wide street. A development with a density greater than four (4) units per acre must use: (1) a minimum twenty-seven (27) foot wide street with an alley, or (2) a minimum thirty-one (31) foot wide street without an alley. All other street classifications will be based on the Thoroughfare Plan. Developable acreage is based on the total platted property less the area used or dedicated for drainage or open space.
- 12.19.7 Half-width streets shall be allowed by approval of the Director of Transportation Services, for divided roadways when the reasonable development of the subdivision in conforming to the other requirements of these regulations, and where the Planning and Zoning Commission finds it will be practical to require the dedication of the other one-half when the adjoining property is subdivided. Where part of a street is being dedicated along a common property line, it is the intention of this ordinance that both property owners shall share equally in the dedication of right-of-way and cost of street construction. (Reference [Article 22, "Impact Fees"](#))
- 12.19.8 A cul-de-sac shall not be longer than six hundred (600) feet, measured from the street right-of-way line of intersecting street to the end of the centerline of the bulb. The closed end shall have turnaround provided for, having an outside roadway diameter of at least eighty (80) feet and a street property line diameter of at least one hundred (100) feet.
- 12.19.9 A temporary turn-a-round is required when a street temporarily dead-ends and is longer than one hundred-fifty (150) feet, measured from the street right-of-way line. It must be on private property, in a temporary road-way easement and may be constructed of asphalt or concrete.
- 12.19.10 New streets of like alignment shall bear the names of existing streets and shall be dedicated at equal or greater width than the existing streets in accordance with the adopted Thoroughfare Plan. All street names shall be subject to the approval of the Planning and Zoning Commission, upon recommendation of the Development Review Committee. An exception to this requirement may be made in cases where the continuation of a street name may induce truck traffic into a residential area.
- 12.19.11 Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning and Zoning Commission may require an additional one hundred (100) feet of lot depth or a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.
- 12.19.12 A roadway that is not planned, anticipated or expected to continue will be a cul-de-sac and no permanent barriers will be allowed.

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- 12.19.13 All streets dedicated to the City or under street reconstruction shall be constructed in accordance with the specifications of the City, pursuant to the cost-participation criteria of this Article, and shall meet additional design criteria as follows:
- A. Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than eighty (80) degrees. Visibility and sight distances must be maintained as required in [Article 23](#) of the UDC, Master Transportation Plan.
  - B. Corner clips shall be required at all intersections of all streets in accordance with the Master Transportation Plan. (Reference [Article 23](#) of the UDC for definition)
  - C. A tangent meeting the requirements of the currently adopted Thoroughfare Plan of the City of Grand Prairie shall be introduced between reverse curves on arterial and collector streets.
  - D. When connecting street lines deflect from each other at any one point more than ten (10) degrees, they shall be connected by a curve with a radius adequate to insure a sight distance meeting the requirements of the currently adopted Master Transportation Plan of the City of Grand Prairie.
  - E. Street grades shall normally be not less than six tenths (0.6) percent nor more than seven (7) percent of grade.
  - F. No street grade shall be less than five-tenths (0.5) percent of grade, nor shall be more than ten (10) percent of grade.
  - G. Pavement thickness and design strength shall be as directed within the design standards established by the current Standard Details for the City of Grand Prairie. The classification of proposed streets within a development shall be confirmed with the Director of Transportation by the developer. Any deviation in these paving requirements shall be proposed in writing in conjunction with a formal design to be submitted to the City Engineer or designee for evaluation and final recommendation.
  - H. Criteria for centerline radius of horizontal curves are provided in [Article 23](#) of the UDC in accordance with the Master Transportation Plan.
  - I. Stopping sight distance will conform to [Article 23](#), Master Transportation Plan of the UDC.
- 12.19.14 A plat with residential streets adjacent to a school site is required to dedicate sixty (60) feet of right-of-way and provide thirty-seven (37) feet of paving to accommodate parking and the mixture of pedestrian, cars and buses typically encountered around schools. The additional ten (10) feet of right-of-way shall be dedicated on the school side of the street and shall be designated as parallel parking.

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### SECTION 20 - ALLEYS

- 12.20.1 The Planning and Zoning Commission may require an alley in commercial and industrial districts to assure provision is made for service access, such as off-street loading, unloading and parking zones consistent with and adequate for the use proposed.
- 12.20.2 Service alleys in commercial and industrial districts shall be a minimum of twenty-five (25) feet in width.
- 12.20.3 In residential areas, when alleys are provided, right-of-way shall be dedicated parallel, or approximately parallel, to the frontage of the street. A minimum right-of-way width of twenty (20) feet and minimum pavement width of fifteen (15) feet shall be provided with corner clips at each intersection with a street. Construction shall be in conformance with the design standards established by the current Standard Details of the City of Grand Prairie and have a well-designed storm drainage system.
- 12.20.4 Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn around facilities at the dead-end as determined by the Development Review Committee. Permanent dead-end alleys are prohibited.
- 12.20.5 Alleys shall not access onto or intersect with arterials or collector streets, unless necessitated by existing development.

### SECTION 21 - WATER AND WASTEWATER LINES

- 12.21.1 The sub-divider or developer, in the case of any subdivision of land, will be required to provide easements for and to install all water lines and wastewater lines in accordance with the City's standards and specifications governing the same, pursuant to the cost-participation criteria outlined in [Article 22, Section 3, "Impact Fees"](#).

### SECTION 22 – DRAINAGE AND FLOODPLAIN MANAGEMENT

- 12.22.1 Land subject to flooding, as defined by the criteria in [Article 14 "Drainage,"](#) and [Article 15, "Floodplain Management,"](#) and land deemed by the Planning and Zoning Commission to be uninhabitable because of the potential for flooding, shall not be platted for residential occupancy, nor shall it be set aside for uses that could be endangered by periodic or occasional inundation, or that might produce unsatisfactory conditions.
- 12.22.2 In addition, drainage facilities and bridges shall be designed in conformance with the provisions of [Article 14, "Drainage,"](#) and [Article 15, "Floodplain Management."](#)

### SECTION 23 - EASEMENTS

- 12.23.1 Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be a minimum of fifteen (15) feet wide or a width as may be reasonably

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necessary for the utility or utilities using same. Utility franchise companies may specify widths that are more or less than fifteen (15) feet. The sub-divider or developer may request in writing to the Director of Planning and Development or designee that no easement be required at the rear lot line of residential lots. This request shall be evaluated by the Development Review Committee and franchise utility companies and may be accepted or altered as needed to adequately serve the development.

12.23.2 Easements shall be required adjacent to all street frontages and shall be a minimum of fifteen (15) feet in width or a width as may be reasonably necessary for the utilities or franchisees of the City using the easements. Easements adjacent to street frontages within residential developments where no rear lot easement is proposed shall be a minimum of twenty (20) feet in width.

12.23.3 Erosion Hazard Easements shall be provided for all Erosion Hazard Areas for every stream in which natural channels are to be preserved (see Drainage Design Manual) to protect structures and lot improvements from erosion hazards. A person who erects or maintains a structure or fence within an erosion hazard easement is in violation of the Unified Development Code and subject to a civil penalty, not to exceed \$2,000 a day, per [Article 21, Section 21.11](#)

12.23.4 Where a subdivision is traversed by a watercourse, drainage-way, channel, or stream, there shall be provided a storm easement or drainage right-of-way conforming substantially with such course and of such additional width as may be designated by the City Engineer or their designee that will be reasonably adequate for proper drainage. Parallel streets, alleys or parkways along said waterway may be required in this situation.

12.23.5 No buildings or other improvements or growths, except fences, vegetation, driveways, and sidewalks less than 6 feet in width shall be constructed or placed upon, over or across utility easements, except for drainage easements in which no improvements which may obstruct the flow of water may be constructed or placed in such drainage easements, easements being reserved for the mutual use and accommodation of all public utilities using or desiring to use the same.

Any public utility shall have the right to remove and keep removed all or parts of the encroachments allowed above which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on the easements, and all public utilities shall at all times have the full right of ingress and egress to or from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems without the necessity at any time of procuring the permission of anyone.

12.23.6 Exceptions to the utility and drainage easement requirements may be granted by the City Engineer or designee upon a determination that there are adequate easements or right-of-way to accommodate the requirements of the City's utilities and franchisees.

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### SECTION 24 - ACCESS EASEMENTS

- 12.24.1 Dedication of a mutual access easement may be required to provide cross access of adjacent property or a shared use driveway to conform to the minimum driveway standards established by the adopted Thoroughfare Plan.
- 12.24.2 Access easements are required of development along divided thoroughfares to provide future access to median openings.
- 12.24.3 The minimum width of the access easement shall be 24 feet. Access easements providing access between adjacent properties shall extend to the adjoining property lines. The developer may submit an appeal in writing to the Director of Planning or his designee that requests the funds used for the construction of paving for the access easement be placed in escrow with the City. These funds would go to construct the access by adjacent developer(s) at the time of development.
- 12.24.4 Where a subdivision is traversed by a watercourse, drainage-way, channel, or stream, there shall be provided a drainage easement or storm water management area conforming substantially with such course, and of such additional width as may be designated by the Director of Planning and Development or designee that will be reasonably adequate for proper drainage. Parallel streets, alleys or parkways along said waterway may be required in this situation.

### SECTION 25 – DRIVEWAYS AND FIRE LANES

- 12.25.1 The arrangement, placement, spacing, width and return radii of all driveways connecting to a street, roadway or alley should conform to the standards of the City's adopted Master Transportation Plan.
- 12.25.2 The gradient for a designated fire lane shall not exceed a maximum of 6 percent (6%) unless specifically approved for a specific site by the fire chief or appointed designee.
- 12.25.3 Fire lanes shall be marked with a continuous 6 inch (152 mm) red stripe by paint, the shade and type of which comply with State of Texas specifications, or as approved by the City Traffic Engineer. The words "FIRE LANE NO PARKING" shall be stenciled with 4-inch (102 mm) letters of white paint on the red stripe. The interval between stenciled signs shall be adequate to inform the public of the existence of the fire lane, but in no event shall be at an interval greater than 25 feet (6096 mm). All fire lane markings and lettering shall be maintained in a clear and distinctive condition and shall be clearly legible.
- 12.25.4 No person shall mark, post, or otherwise identify a non-designated fire lane or private vehicular passageway as a fire lane, or mark same in such a manner so as to create confusion as to whether the passageway is a fire lane.

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### SECTION 26 - SIDEWALKS

- 12.26.1 Sidewalks shall be required along both sides of all streets or thoroughfares throughout the City of Grand Prairie, with the exception of local and collector streets as designated on the official Master Transportation Plan, [Article 23](#) of the Unified Development Code of the City which are adjacent to property zoned Light Industrial or Heavy Industrial.
- 12.26.2 Sidewalks shall be required along both sides of all arterial thoroughfares as designated on the official Master Transportation Plan of the City which are adjacent to property zoned Light Industrial or Heavy Industrial.
- 12.26.3 The Sidewalk Matrix ([Appendix H](#) of the UDC) allows the Director of Transportation Services to waive sidewalk requirements where topographical conditions or drainage ditches preclude their construction. Sidewalks shall be constructed in accordance with [Appendix H, "Sidewalk Matrix"](#) of the Unified Development Code.
- 12.26.4 Curb ramps shall be provided at all intersections at the time of construction or reconstruction and shall comply with the provisions in the Federal Register 49 CFR 153.
- 12.26.5 Where sidewalks are required according to the previously stated requirements the sidewalks shall be installed generally in the right-of-way, one (1) foot from the property line, and shall be a minimum of four (4) feet wide. Placement within a sidewalk easement is also allowed if the sidewalk cannot fit within the right-of-way or if the sidewalk is proposed to meander. However, sidewalks may be installed at a minimum width of six (6) feet adjacent to the curb of a street or thoroughfare with the approval of the City's Traffic Engineer upon a finding that the placement adjacent to the curb does not create a hazard to either pedestrians or vehicles.
- 12.26.6 Sidewalks shall generally be installed concurrently with the construction of the primary structure on a tract or lot.
- 12.26.7 Sidewalks shall be installed generally parallel to the street for the entire frontage(s) of the lot.
- 12.26.8 If a street is constructed which shall have no residential lot access points, then sidewalks shall be installed concurrently with the street construction.
- 12.26.9 Sidewalks shall be required of all applicable street reconstruction projects and must be constructed across utility easements.

If at the time of platting, a school site is identified as being within the subdivision, or if a school site exists within 2000 feet of any portion of the subdivision, then sidewalks will be required to be constructed concurrently with the street construction along both sides of all streets leading directly to the school site.

However, if the street leading to the school already exists, then sidewalks will not be required to be constructed outside of or beyond the immediate subdivision boundary by the affected developer or property owner.

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12.26.10 Exceptions to the sidewalk requirements may be granted by the Director of Transportation Services or designee if deemed unnecessary.

- A. Where a minimum of 50% of the block between intersecting streets on the same side of the street have improvements on them with no sidewalk, and where the City Traffic Engineer or designee determines that there is no existing pedestrian traffic of sufficient volume to indicate the need for sidewalks as evidenced by the lack of a beaten path or similar observable feature of the terrain, then the remaining property owners on the same side of the street are not required to install sidewalks; or
- B. Where streets exist with no curb and gutter, then sidewalks are not required to be installed, however funds equal to the amount required to construct the sidewalks, as determined by the City Engineer or designee, shall be placed in a sidewalk escrow account with the City for future construction by the City.
  1. Said developer or property owner placing funds into the escrow account shall enter into an agreement with the City as established by the Director of Planning and Development or designee.
  2. However, should the requirement for sidewalks be excepted per the provisions of this section, and at a later date, the City wishes to have sidewalks installed concurrently with other improvements to the area, the costs for sidewalk construction shall be included in either the bond funds for the construction project or in the property assessments against adjacent property, whichever applies.
  3. If the property or owner has placed funds in the sidewalk escrow account for sidewalk improvements with the City, no assessments will be charged.

12.26.11 Funds placed in the sidewalk escrow account shall be refunded upon request in the original amount without interest to the person or party having paid the original sum ten (10) years from the date of commencement of development or the lot or tract as evidenced by the issuance of a building permit if said sidewalk improvements have not commenced by then.

12.26.12 Where sidewalks are installed on corner lots, sidewalks shall be installed along both street frontages, and shall be extended to the curb with handicapped access ramps.

12.26.13 At the time of platting, where blocks are in the vicinity of and are within 1000 feet of a school, park, or shopping center, and are one thousand (1,000) feet long or longer, the Planning and Zoning Commission may require a walkway and utility easement, and sidewalk traversing the block perpendicular to the street near the middle of the block.

- A. The walkway and utility easement shall be a minimum width of ten (10) feet, and the sidewalk width shall be a minimum of four (4) feet, and shall extend from sidewalk to sidewalk, or at rear property line(s) if no street exists.
- B. Any sidewalks required under this section shall be installed concurrently with the street construction in the subdivision.

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- 12.26.14 Where sidewalks are required pursuant to this section, and the developer wishes an exception from the requirements for sidewalks, the developer may appeal to the City Council, which may waive the requirements for sidewalks, or may defer the installation of the sidewalks to whatever time as the Council feels appropriate upon placing an amount in the sidewalk escrow account with the City sufficient to cover the actual costs of constructing the sidewalks, as determined by the City Engineer or designee.
- 12.26.15 The fee for appealing a request for an exception to the sidewalk requirement to the City Council shall be established as set out in [Article 22, "Fee Schedule"](#), and shall be initiated by the completion and submittal of an application for an exception to the Traffic Engineering Division of the City.
- 12.26.16 Any sidewalks required under this section shall be constructed in accordance with the construction standards adopted by the City Engineer or designee.
- 12.26.17 Reference [Appendix H, "Sidewalk Matrix"](#)

### SECTION 27 - PUBLIC FACILITIES

#### 12.27.1 General

In all new subdivisions of and in the City and in the City's extraterritorial jurisdiction as defined by State statutes, it is the policy of the City that such development shall provide for the adequate construction of public facilities, including placement of underground street improvements, sidewalks, alleys, easements, and parks and playgrounds. All public facilities shall be designed and constructed in conformance with the plans and currently amended engineering standard details approved released for construction by the City Engineer or their designee, and/or the department managing the improvement project. No construction shall commence without written permission from the City Engineer or their designee.

#### 12.27.2 Street Improvement, Pavement

- A. The sub-divider of each tract of land will be required to construct all streets at his own expense and according to the City's standard specifications, including all engineering cost covering design, layout and construction supervision. Preliminary plans for such improvements shall be submitted to the Planning Department for study by the City Engineer before any work is started in the subdivision. Detailed construction plans, including plan and profile for each street, shall be filed with the submission of the final plat in the same number of copies as required of the final subdivision plat. The City may participate in the cost of street surfacing and construction of streets that do not appear on the impact fee capital improvements plan if the City requires that such streets be constructed to greater width and thickness of pavement than standard for residential or service streets. Standard street width shall be thirty one (31) feet of traveled roadway for development densities of four (4) units or more per acre. If the density is less than four units per acre or if concrete alleys are constructed with a minimum of fifteen (15) feet of width with rear entrance to all garages, a twenty-seven (27)-foot street may be constructed ([Section 12.19.7](#) of this article). The City shall have the exclusive right to determine the size, location and type of each street and the

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developer shall be required to dedicate all on-site right-of-way required therefore, subject only to credits that may be allowed for streets on the impact fee capital improvements plan.

1. On-site perimeter streets shall be constructed at the expense of the developer.
2. Off-site perimeter streets shall be constructed at the expense of the developer, subject to credits against impact fees for roadway facilities.
3. Funds paid by a developer to the City for construction of perimeter streets may be refunded by the City Council upon request in the original amount to the person or party having paid the original sum five (5) years from the date of commencement of development of the subdivision as evidenced by the issuance of a building permit if street improvements have not commenced by then. Upon commencement of construction of any street for which perimeter street fees have been previously collected and refunded under this section, the property owner(s) shall be assessed for the proportional share of the construction costs.
4. Funds paid by a developer to the City for construction of perimeter streets shall be refunded by the City Council upon request in the original amount to the person or party having paid the original sum ten (10) years from the date of commencement of development of the subdivision as evidenced by the issuance of a building permit if street improvements have not commenced by then. Upon commencement of construction of any street for which perimeter street fees have been previously collected and refunded under this section, the property owner(s) shall be assessed for the proportional share of the construction costs.
5. If, after fourteen (14) years from the date of commencement of the development of the subdivision as evidenced by the issuance of a building permit, no request has been submitted to the City by the person or party which paid the original sum for a refund of perimeter street fees previously paid, nor has construction commenced on the perimeter street for which the funds were paid, the City may use those perimeter street fees for street improvement capital projects. No more than 90 days and no less than 60 days prior to the ' end of the fourteen year period herein established, the City shall notify in writing the party who originally placed the funds with the City that a refund may be requested.

### **12.27.3 Waiver of Perimeter Street Paving Requirements**

- A. Perimeter streets may be waived by the Director of Planning and Development or designated representative upon affirmative findings as follows:
  1. There are a large number of small ownerships each with a limited amount of frontage on the street;
  2. The development has small amount of frontage in a rural area and the tract of land is not part of a larger tract being divided upon in small pieces by metes and bounds, thereby avoiding the subdivision regulations;

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3. The majority of the street frontage is already developed and there will be very little participation in a future street without an assessment program; or
  4. The street improvements are anticipated to be constructed by assessment or by another party such as the state, the county or the federal government.
- B. The City Council may, in its discretion, waive perimeter streets on the recommendation of the Director of Planning and Development.

### 12.27.4 Signalization

Developers shall be required to participate in signalization for intersections that are impacted by their development and if traffic volumes warrant placement of the signal. A traffic impact analysis may be required to assist the Director of Transportation in determining the need for signalization.

### 12.27.5 Participation

DEVELOPER STREET PARTICIPATION MATRIX										
STREET CLASSIFICATION	TOTAL LANES	R.O.W. WIDTH	TYPICAL PAVING WIDTH	SIDEWALK WIDTH (BOTH SIDES OF R.O.W.)	DEVELOPER'S LANE PARTICIPATION	BASE LANE WIDTH	Base Paving Width	PAVING WIDTH AT PROPERTY	DEVELOPER'S PORPORTION OF PARTICIPATION	DEVELOPER'S PORTION AS PERCENTAGE *
LU	2	50-60 FT.	27 FT.	4 FT.	1	13.5	27	W	13.5/27	50.00%
L2U	2	50-60 FT.	31 FT.	4 FT.	1	13.5	27	W	13.5/27	50.00%
C2U	2	70 FT.	37-45 FT.	4 FT.	1	13.5	27	W	13.5/27	50.00%
M3U	2	60-70 FT.	40-56 FT.	4 FT.	1	13.5	27	W	13.5/27	50.00%
P3U	3	60-70 FT.	36-49 FT.	4 FT.	1	13.5	27	W	13.5/27	50.00%
M4U	4	70-100 FT.	48-78 FT.	4-6 FT.	1	13.5	27	W	13.5/27	50.00%
P4D	4	100-120 FT	64-94 FT.	4-6 FT.	2	11.25	45	W	22.5/45	50.00%
M5U	4	100-120 FT	64-94 FT.	4-6 FT.	2	11.25	45	W	22.5/45	50.00%
P6D	6	120-140 FT	88-118 FT.	4-6 FT.	2	11.25	45	W	22.5/45	50.00%
P7U	6	120-140 FT	52-118 FT.	4-6 FT.	2	11.25	45	W	22.5/45	50.00%

All requests for City participation in oversized facilities shall be made at the time of filing the preliminary plat, final plat, or site plan submittal. The developer will be required to build improvements or escrow funds for improvements that are determined necessary from the traffic impact analysis and/or current Thoroughfare Plan. The level of participation that is the responsibility of the developer is a factor of the street designation, the property zoning, and the level of service that is desired for the roadway. Additional reference can be made to Chapter 14 of The City of Grand Prairie Code of Ordinances, and within this section of the UDC.

### 12.27.6 Street Signs

Within the City corporate boundaries and/or the City's ETJ, street signs shall be installed by the City at the expense of the sub-divider at each intersection and the sub-divider shall pay to the City current standard charges per street sign, as indicated in [Article 22, "Fee Schedule"](#). The developer shall pay such sum as computed by the Department of Transportation for street signs at the time of submission of the final plat being filed with the County.

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### 12.27.7 Water Lines, Wastewater Lines and Storm Drains

- A. All sub-dividers must demonstrate, at a time prior to preliminary plat approval, the availability of water service and wastewater disposal to the tract proposed for subdivision and at a level sufficient to accommodate the proposed land uses.

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- B. Any subdivision proposing to utilize water from wells and/or a private wastewater system shall comply with the provisions of Chapter 26, "Utilities and Services" of the City Code of Ordinances, in particular Sections 26-3 through 26-5, "Wells" and Section 26-30, "Private Sewage Facilities".
- C. The sub-divider or developer, in the case of any subdivision of land, will be required to install, at such sub-divider's or developer's own expense, all water lines, wastewater lines, storm drain lines and drainage ditches and structures in accordance with the City standard specifications governing the same, including all engineering costs covering design, layout and construction supervision. Preliminary plans and layouts for all such utility lines shall be submitted by the sub-divider or developer to the Planning Department for study by the City Engineer along with the submission of the preliminary plat of the subdivision. Final construction plans shall be submitted by the sub divider prior to the time of filing such sub divider's final plat with the Planning and Zoning Commission in the same number of copies as required of the subdivision plat.
- D. Except for credits against impact fees for those improvements appearing on the capital improvements plan upon which such impact fees were based, the City will not participate in the cost of any water, wastewater or drainage facilities within the subdivision except in the event of the requirement for oversize lines to serve land areas and improvements beyond the subdivision in question, or to serve other subdivisions. Each installation of this character and the terms and extent of City participation will be considered individually upon the merits of each facility and the conditions involved and subject to the City's pro-rata regulations of the Code. Trunk lines of such systems to serve the subdivision under consideration will be considered upon each facility's individual merits for each subdivision and subject to the City's pro-rata regulations.
- E. Water mains and wastewater lines shall be installed by the developer. Those lines not exceeding twelve (12) inches in diameter shall be installed solely at the expense of the developer. Minimum sized wastewater lines shall be eight (8) inches unless otherwise directed by the City Engineer or designee. Minimum size water mains shall be eight (8) inches unless otherwise directed by the City Engineer or designee. If mains larger than twelve (12) inches are required by the City in order to give service to other areas or subdivisions the difference in construction cost between a twelve (12) inch main and the required size will be paid by the City, or a credit will be provided against impact fees as provided by [Article 13 "Impact Fees"](#), [Section 10 "Credits"](#), or a pro-rata repayment contract will be executed as outlined in the City's pro-rata repayment regulations. All off-site water mains and wastewater lines required to connect service to the subdivision shall be installed at the expense of the developer up to twelve (12) inches; however, the City will execute a pro-rata repayment contract with the developer as outlined in the City's pro-rata regulations.
- F. On-site bridges or drainage structures shall be considered standard up to the width necessary to support a twenty-seven (27) foot street and all cost shall be the responsibility of the developer. If bridges are required in excess of the size necessary for a standard street, as defined on the Thoroughfare Plan, the City may bear the cost of the over width if funds are available therefore.

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- G. Storm drains shall be considered standard size up to seventy-two (72) inches and shall be installed at the expense of the developer. In the event storm drains are required in excess of standard size to handle upstream surface water outside of subdivision, the City may participate on a direct percentage basis for those costs in excess of seventy-two (72) inch pipe. If a concrete lined channel is constructed, the City's share of the cost will be determined by a ratio of equal pipe sizes as determined by the use of Manning's Formula. In the event that the subdivision is physically located in a drainage area that necessitates on site oversized facilities, the developer shall be responsible for the design and installation of such oversized facilities. The developer shall pay for the entire cost for on-site construction.
- H. In new subdivisions the developer shall provide all the necessary easements and rights-of-way required for drainage structures, including storm drains and open lined channels.
  - 1. Street grades shall be such that excessive sand deposition from too low a water velocity or pavement scouring from too high a velocity is to be avoided as far as possible. Street grades are normally to be not less than six (6) nor more than seventy (70) feet fall per thousand (1,000) linear feet and shall never be less than five (5) nor more than one hundred (100) feet fall per thousand (1,000) linear feet.

### **12.27.8 Drainage Facilities**

- A. All public drainage structures and storm drain conveyance systems shall be constructed in accordance with the City's standard specifications governing the same, as filed in the office of the City Engineer or their designee. Reference **Article 14, "Drainage"**.
- B. The sub-divider shall acquire required public drainage easements and construct at his own cost all drainage improvements required for the development of such person's subdivision, including any necessary downstream off-site channels or storm drains as described **Article 14, "Drainage", Section 6, "Off-Site Drainage Easements and Construction"**, with the following exceptions, at the developer's option:
  - 1. If the owner is unable to acquire the necessary off-site easements, such owner may provide the City with documentation of such owner's efforts, including evidence of a reasonable offer made to the affected property owner, and make a written request for assistance, tendering the anticipated costs, following which the City may acquire these easements either through negotiations or through condemnation. The owner shall be responsible to obtain private legal counsel to file and try the condemnation suit in the name of the City. The owner shall tender, to the City, 1.5 times the anticipated costs as determined by an appraiser. If the actual costs are greater than the tendered amount, the owner shall pay the additional amount. However, if the actual costs are less than the tendered amount, the owner shall be re-funded the difference.
  - 2. In areas where the proposed off-site improvements are to be made within existing City right-of-way, an estimate of these off-site costs shall be prepared and submitted along with the plans. Subject to Council approval, cost for such off-site improvements may be pro-rated to the extent that the owner pays for a percentage of the off-site cost based on the increase of the discharge originating within the limits of such owner's addition.

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### **12.27.9 Construction Permit**

Prior to any work being performed in or upon any public street, alley, easement, thoroughfare or public place within the City for purposes of laying, construction, building, repairing, rebuilding, grading, paving surfaces, excavating, resurfacing or similar construction work, the contractor shall obtain from the City Engineer, or their designee, a permit to do such work and pay a permit fee to the City in the amount of four (4) percent of the cost of the work, with a minimum permit fee of \$100, and execute a maintenance bond to the City in the sum of one hundred (100%) percent of the total contract price.

Bonds will not be required for the following:

- A. Projects with value of work less than \$2000.00.
- B. Maintenance of driveways and sidewalks is performed by the property owner.
- C. Earthwork which is in compliance with this Article.

The maintenance bond shall be for 100% of the construction value and have an expiration date of two (2) years after the date of acceptance of the specified work upon completion of all construction work as per the plans released for construction, release letter from the design engineer with receipt of all associated and required documentation to issue the said letter of acceptance. The permittee shall notify the Director of Planning and Development of the date on which such permittee intends to commence the work for which the permit is sought.

### **12.27.10 Pro-Rata, Charges Established**

- A. A charge, which shall be known as the pro-rata, shall be made against each lot or tract of land and the owner thereof whose water and wastewater line shall be hereafter connected with any water main or wastewater line in the City constructed by a developer with whom the City has contracted for reimbursement of over sizing or constructing water or wastewater mains or lines. The charge shall be at a rate per lot or acre as was agreed to by such contract, which shall be based on total evaluated or contract cost divided proportionately by acreage or number of lots served.
- B. Pro-rata charges shall be collected at the time of platting or, if the City's records do not show that such pro-rata charges were paid at the time of platting, prior to issuance of a building permit.
- C. Such charges shall be placed in trust funds for the reimbursement of the developer who oversized the line and transmitted to such developer as soon as practicable. Itemized infrastructure costs as outlined in Article 22.2.30 are eligible for reimbursement.
- D. Pro-rata contracts shall not exceed ten (10) years and upon expiration, such charges shall not be collected.

### **12.27.11 Subdivision Developer's Installation of Storm Drain, Water and Wastewater Extensions; Plans**

- A. At the option of the City, as an alternative plan, a developer may be permitted to contract and, subject to credits or reimbursement from impact fees for improvements appearing in

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the capital improvements plan upon which fees are based, pay for the total cost of installation of standard water and wastewater extensions as provided for in this Section. Upon approval by the City, a developer of an addition shall design and prepare construction plans of water and/or wastewater facilities, to serve a subdivision, including any access or offsite facilities that may be required. These plans shall conform in all details to the City's standards as to the design, grade, location, size and quality of materials and construction shall be directed by the City Engineer or designee. Said plans shall be prepared and sealed by a professional engineer licensed to perform such work by the State of Texas.

- B. Plans and profile submitted by the developer's engineer shall be plotted to a standard twenty four (24) inch by thirty-six (36) inch sheets. Plans and profiles shall be shown at scales of not less than one inch to forty (40) feet horizontal, and one inch to four (4) feet vertical. Plans and profiles shall show clearly all surface improvements, all existing or proposed subsurface utility lines and obstructions, and street and alley grades as directed by the Public Works Department or City Engineer. The engineer submitting the plans and profiles must affix such engineer's seal and signature to all plans and profile sheets. The complete design for water and wastewater plans and profiles shall be submitted to the City Engineer or designee for release of construction. The developer's engineer shall submit the final mylar of the cover sheet with all seals and signatures, and the signature of the developer, where appropriate upon said mylar cover sheet.

Upon final release, the signed mylar will be returned to the developer's engineer for the purpose of making such prints as required by the City, and such engineer may require, after which the mylar cover sheet may be returned, becoming the permanent property of the City.

Upon release of the plans by the City, the developer may enter into a contract with any individual or the developer may construct the system as so planned; provided, however, that the construction and installation of the public paving, water lines, wastewater lines, or storm drain lines shall be supervised by inspectors of the City to see that the installation is made in accordance with the plans and the City's standard specifications which, in every instance, shall be a part of said installation contract. The engineer of record shall also mark the final plans in their 'as-built' condition as record drawings after construction is complete. These record drawings shall bear the City standard record drawing statement and signature and date of submittal by the engineer of record.

- C. When the project is ready for construction, line and grade stakes will be set by the developer's engineer. All construction and installation of water and wastewater mains shall be supervised by the developer's engineer and inspected by inspectors of the City. A construction permit and payment of all inspection fees and related documentation shall be required for release for any permit to construct public improvements. Damage to the City's public infrastructure, caused by unauthorized work or neglect by the contractor, shall be corrected at the expense of the party that caused said damage. Correction of the damage and obtaining the required permits does not release that party from criminal prosecution if deemed justified by the Director of Public Works, the Director of Planning and Development, the City Attorney, or the designee for these positions.

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- D. No installation of public water mains or wastewater mains, or storm drain lines shall be made any other location except the dedicated street, alley or an easement running in favor of the City, which shall be filed of record by the owner of said addition. Any such installation when made shall become the property of the City, free and clear of all encumbrances, and any contract entered into between the developer and a contractor shall provide for a performance bond such as the City uses in its standards specifications and contract documents.
- E. **Maintenance Bond.** In the event the developer makes the installation, then such developer shall execute a two (2) year maintenance bond in favor of the City in the same form and conditions in the same manner as provided for in the standard contract documents used by the City in the making of water and wastewater installations (Reference Subsection 12.27.10 “Pro-Rata Charges Established” of this Article, for pro-rata payments collected by the City and paid to persons who originally financed the extension.)

### **12.27.12 Cost of On-Site New Subdivision Mains**

The developer will bear the total cost of on-site mains, with sizes to be determined by the City, except that the City will provide credits as provided by [Article 22.3, “Impact Fees”](#), [Section 22.3.10, “Credits”](#) from improvements which appear on the impact fee capital improvements plan, or enter into a pro-rata refunding contract for the difference in size between a twelve (12) inch main and the larger size required.

### **12.27.13 Off-Site Main Extensions**

- A. If extensions of water or wastewater mains are required prior to June 12, 1991 to serve property platted prior to June 12, 1990, the developer may proceed as provided in Subsection 12.27.11 of this Article, provided, however, to the extent that improvements appearing on the capital improvements plan or mains over twelve (12) inches are required, the developer shall be entitled to contract with the City for reimbursement from other developers either as their impact fees are paid, or under a pro-rata agreement.
- B. For all property platted on or after June 12, 1990, and for property platted prior thereto and which requires water or wastewater mains after June 12, 1991, the developer may contract the water and wastewater extension in accordance with Subsection 12.27.11 of this Article.

### **12.27.14 Off-Site Mains Not on Capital Improvements Plan**

If mains not appearing on the impact fee capital improvements plan are required to interconnect property to be developed with existing mains, the sizes to be determined by the City, the developer shall not be entitled to impact fee credits, but shall be required to bear the entire cost of construction such main, and the City shall agree to a ten year pro-rata refunding contract to collect and refund the original deposition or original developer and the existing mains. The period of eligibility shall begin as of the date of final inspection and acceptance of the extensions by the City.

### **12.27.15 Easements**

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The applicant and City will be responsible for off-site easement acquisitions required to serve the subdivision. If the applicant is unable to obtain said easements, the City will initiate condemnation suits to acquire said easements. The easement acquisition cost will be borne by the applicant, subject to credits against the impact fees for those easements and costs appearing on the impact fee capital improvements plan.

### **12.27.16 Temporary Lines**

Where temporary lines are constructed as an expedient to develop a particular area, such as across easements within the subdivision of which no frontage can be connected, or where wastewater mains are constructed which otherwise are not required in the ultimate plan of development for the wastewater system, the developer will bear the total cost without pro-rata repayments.

### **12.27.17 City Not Required to Make Extensions When No Funds Available**

In no event shall the City be required to make extensions under the provisions of this Article if there are no funds available on hand for the purpose.

### **12.27.18 Method of Enforcing Payment**

Nothing herein shall be deemed in any manner to be waiver of the City's right to validly assess the property owners and/or consumers concerned for the cost of the installation of standard size water and wastewater mains and to fix and enforce liens against said property, all of which may be done as provided by ordinance and in the manner prescribed by law. The City will never be obligated to furnish water and/or wastewater service to an applicant, until required pro-rata payments have been made.

### **12.27.19 When Owner May Not Install**

All water and wastewater main extensions herein provided for shall at the City's option be laid, constructed, and installed by the City directly, or by contract made by the City.

### **12.27.20 Lift Stations and Special Installation**

In the event a lift station or other special installations are required the same shall be installed under separate agreements between the City and the developer if the installation is designed to serve areas outside the proposed development. If the special installations are necessary to serve a subdivision under question, the entire cost will be borne by the developer subject only to impact fee capital improvements plan.

### **12.27.21 Street Lighting**

- A. The Developer or Sub-divider of property within the City of Grand Prairie and its ETJ shall be responsible for payment of the costs associated with the installation of street lights on all streets within the subdivision and along perimeter street

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- B. Roadways adjacent to the subdivided property. All street lighting installations shall conform to the standards of the City of Grand Prairie and shall be done by or under the supervision of the City or the franchised electrical utility.
- C. Street lights shall be installed at each intersection; along curves; and with spacing between lights in developed areas, as follows:
  - i. 200-280 feet for Principal Arterials (average illumination from 0.6-1.0 foot candles);
  - ii. 400 feet maximum spacing for Minor Arterials and for commercial and industrial streets that have a pavement width of 40 feet or more (average illumination from 0.4-0.6 foot candles);
  - iii. 600 feet maximum spacing for residential streets with 500 feet maximum recommended if added installation cost paid by developer or property owner (average illumination from NIL-0.4 foot candles); and
  - iv. Divided thoroughfares and streets with paved widths of 56 feet or more shall be considered to be two roadways.
- D. The developer shall provide street lighting or shall contract with the franchised electrical utility for the installation of the needed lights on internal and perimeter streets, as determined by the Department of Public Works, prior to the time the final plat is submitted for filing with the County. The developer shall pay, all costs for installation of the streetlights as determined by the City or the franchised electrical utility.
- E. All requests for City participation in offsite lighting along streets or street segments not adjacent to the subdivided property shall be made at the time of filing the preliminary plat.

### SECTION 28 - DEFINITIONS

---A---

**Alley:** A public space, right-of-way, easement, or thoroughfare providing a secondary means of access to abutting property.

**Amending Plat:** A map or drawing which may be recorded and is controlling over the preceding plat without vacation of that plat, in accordance with Article 212.016, Title 7, Local Government Code.

**Arterial Street:** A major thoroughfare intended to provide for continuity and high volume traffic movement between highways and between major traffic centers, as more precisely defined by the City's adopted Thoroughfare Plan.

---B---

**Block:** One or more lots, tracts, or parcels of land bounded by streets, railroads, or subdivision boundary lines, or a combination thereof further, an area of land enclosed by streets and occupied by or intended

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for building. Where “block” is meant as a term of measurement, it shall mean the distance along a side of a street between the nearest two streets that intersect said street on that side.

---C---

**Capital Improvement Plan:** Reference [Article 22, Section 22.3.2, “Definitions”](#).

**Collector Street:** A roadway intended to provide access to local streets in an area, from a major thoroughfare, as more precisely defined by the City's adopted Master Transportation Plan, [Article 23](#) of the Unified Development Code.

**Commission:** Where not otherwise stated, the Planning and Zoning Commission.

**Consumer:** The actual user of water or sewerage from a City water and sewerage connection.

**Corner Clip:** Right-of-way that is provided on each corner of an intersection, in the shape of a triangle for the purpose of installing curbs, gutters, and traffic control devices. The side of the triangle adjacent to the street typically has a length of 15 feet.

**Cost Participation:** The method of cost sharing between the City and a developer in the construction of public improvements for streets, bridges, water and wastewater lines, and drainage facilities, generally applicable when facilities are sized to accommodate more than the developer's project.

**Cul-de-sac:** A street that terminates in a vehicular turnaround.

---D---

**Developer:** The person or organization seeking to develop or plat land.

**Double Frontage Lot:** A lot that has street frontage on both the front and rear of the lot, with the address assigned only on the front of the property, with the primary means of access being provided on the front.

---E---

**Easement:** A privilege or right of use or enjoyment granted on, above, under, or across a particular tract of land by one-owner to another or to the public, as for utility access or drainage purposes.

**Erosion Hazard Area:** Land adjacent to a watercourse regulated by this Article, which is determined by the Floodplain Administrator to be subject to flood related erosion losses.

**Erosion Hazard Setback:** The minimum horizontal distance from the toe of the slope of the bank of a watercourse that a structure must be constructed or placed to be outside the erosion hazard area.

**Exception:** A grant of permission that authorized the sub divider to deviate in a specified manner from the strict requirements of this article, as approved by City Council.

**Extra-territorial Jurisdiction (ETJ):** That portion of the City's jurisdiction, as provided for by State statute, which lies outside of the City limits.

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**Final Plat:** The second phase of the platting process, which converts the preliminary plat into a legal document, which shall upon approval, by the City of Grand Prairie be recorded with the appropriate county, prior to the sale to lots or the issuance of building permits.

**Floodplain:** Reference [Article 15, "Floodplain Management," Section 21, "Definitions."](#)

---G---

**Grade:** The change in vertical rise divided by the change in horizontal distance, expressed as a percentage.

---I---

**Internal Streets:** Streets, or the portion of streets, which lie within a subdivision.

---L---

**Local Street:** A street which is intended primarily to serve traffic within a neighborhood and which is not necessarily continuous from or through several residential areas, as defined more precisely by the City's adopted Master Transportation Plan, [Article 23](#) of the Unified Development Code.

**Lot:** A parcel of real property (land) with a separate and distinct number or other designation shown on a plat, or subdivision map, approved by the City recorded in the office of the appropriate County Clerk, or a parcel legally created or established pursuant to applicable zoning or subdivision regulations.

**Lot of Record:** 1) A lot which exists as shown or described or is part of a subdivision, the plat of which has been recorded in the Deed Records of the County Clerk of Dallas, Tarrant, or Ellis County; or, 2) a parcel of land, the deed for which is recorded in the County Clerk's Office of Dallas, Tarrant, or Ellis County dated on or before October 18, 1960.

---P---

**Perimeter Streets:** Streets that form a boundary of a subdivision, and thus are not entirely contained within that subdivision.

**Plat:** The map or drawing on which is presented a sub-divider's plan of a subdivision which is submitted for approval, and a copy of which is intended to be recorded in final form.

**Preliminary Plat:** The initial plan for a subdivision, outlining roadway, lot and block layouts, and easements, which serves as the basis for preparation of a final plat.

**Private Wastewater Facility:** A wastewater treatment and disposal system not owned by a public entity, such as septic tank systems, or a privately-owned package waste water treatment plant.

**Pro-Rata:** A charge made against a developer to pay for water and wastewater mains provided by another developers.

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**Pro-Rata Contract:** A contract executed between the City and the person who financed a water and/or wastewater extension, in order that the original investor may recover a portion of such investor's cost of water or wastewater lien if other property owners adjacent to the lien make connection to said line.

**Public Improvements:** Shall be limited to the oversized portion of streets, drainage improvements, and water and wastewater lines shown on a master plan or other previously adopted planning document to be necessary to serve areas other than the subdivision.

---R---

**Recorded Plat:** The legal document representing a lot of subdivision that is filed for record, upon approval by the City at the office of the appropriate County Clerk.

**Replat:** A legal document that reconfigures property that has been platted and filed.

**Reverse Frontage:** Street frontage on the rear, rather than the front, of a lot.

---S---

**Wastewater Service Line:** A line extending from the main wastewater line to the building connection.

**Sidewalk:** A pedestrian walkway.

**Standard Size Wastewater Main:** A wastewater main twelve (12) inches in diameter.

**Standard Size Water Main:** A water main twelve (12) inches in diameter.

**Street:** A public or private vehicular access way, including all land within the right-of-way thereof.

**Subdivision:** The division of any lot, tract or parcel of land into two (2) or more lots. Said term also includes the re-subdivision of any lot, tract or parcel of land.

---T---

**Tract:** Generally a large area of land that is not platted and is described by metes and bounds, and is within a survey or abstract.

**Transportation Plan:** The City of Grand Prairie's Master Transportation Plan, [Article 23](#) of the Unified Development Code as adopted by the City Council, and as amended from time to time.

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**Utilities:** Facilities, particularly underground lines, used in connection with the transmission, delivery, or collection of water, wastewater, electricity, gas, cable or telephone service.

## ARTICLE 12: PLATTING

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**Vacated Plat:** A subdivision that is voided for the purpose of replacement by another plat. An instrument legally approved by the City and recorded in the appropriate County for purposes of voiding a previous recorded plat, in accordance with the state statutes.

**Variance:** Reference [Article 30, "Definitions"](#) for definition.

**Visibility Triangle:** An easement that is reserved to give the motorist entering or exiting an intersection, an unobstructed view of the intersection. Typically runs 30 feet in either direction along 90 degree angles formed at the intersection to an imaginary height of 40 inches to 48 inches.

---W---

**Water Department:** The department of the City having charge of the water system and wastewater system.

**Water Service Line:** A line extending from the water meter to the main water line.

---Z---

**Zoning:** The dividing of the City into districts and the establishment of regulations governing the use, placement, spacing and size of land and building in those districts.