



City of La Porte Planning and Zoning Commission Agenda

Notice is hereby given of a **Regular Meeting** of the La Porte Planning and Zoning Commission to be held on **Thursday, February 18, 2016 at 6:00 p.m.** at City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, regarding the items of business according to the agenda listed below:

1. Call to order.
2. Roll call of members.
3. Consider approval of meeting minutes: January 21, 2016 Meeting.
4. Consider a request by Stripes LLC for approval of a waiver to the city's Design Guidelines (Exterior Façade Materials) as outlined in Section 106-928 of the Code of Ordinance for the proposed Stripes Gas Station and Convenience Store proposed at the southeast corner of W. Main Street (Spencer Highway) and Bay Area Boulevard (Sens Road).
5. Consider a request by Liberty Property Trust for approval of a waiver to the city's Design Guidelines (Exterior Façade Materials) as outlined in Section 106-928 of the Code of Ordinance for the proposed warehouse distribution facility at 1801 S. 16th Street (southeast corner of S. 16th Street and Export Drive).
6. Consider a request by Liberty Property Trust for approval of a major development site plan for a proposed warehouse distribution facility at 1801 S. 16th Street (southeast corner of S. 16th Street and Export Drive).
7. Open a public hearing to receive input on proposed modifications to Ordinance No. 1444, more commonly known as the City of La Porte Development Ordinance, regulating review process for subdivisions, site plans and other development-related requirements and codifying the regulations as part of Chapter 86 of the City of La Porte's Code of Ordinances.
 - a. Staff Presentation
 - b. Applicant Presentation
 - c. Public Comments (for, against, or questions)
 - d. Question and Answer
8. Close public hearing.
9. Consider a recommendation to the La Porte City Council on the proposed modifications to Ordinance No. 1444 and the codification of those regulations as part of Chapter 86.
10. Administrative reports.
11. Commission comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.
12. Adjourn.

A quorum of City Council members may be present and participate in discussions during this meeting; however, no action will be taken by the Council.

In compliance with the Americans with Disabilities Act, The City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meetings. Please contact Patrice Fogarty, City Secretary, at 281-470-5019.

CERTIFICATION

I certify that a copy of the Thursday, February 18, 2016, agenda of items to be considered by the Planning and Zoning Commission was posted on the City Hall bulletin board on the ____ day of _____, 2016.

Title: _____

**Planning and Zoning Commission
Minutes of January 21, 2016**

Commissioners Present: Helen LaCour, Richard Warren, Nick Barrera, Mark Follis, Larry Stockham, and Hal Lawler

Commissioners Absent: Trey Kendrick, Wyatt Smith, Lou Ann Martin

City Staff Present: Director of Planning and Development Tim Tietjens, City Planner Eric Ensey, Assistant City Attorney Clark Askins, and Planning Technician Ryan Cramer

1. Call to order.

Chairman Hal Lawler called the meeting to order at 6:08 p.m.

2. Roll Call of Members.

Commissioners LaCour, Warren, Barrera, Follis, Stockham, and Chairman Lawler were present for roll call.

City Planner Eric Ensey introduced new Commissioner Larry Stockham.

3. Consider approval of meeting minutes: December 17, 2015 Meeting

Motion by Commissioner Barrera to approve the meeting minutes of December 17, 2015.

Second by Commissioner Stockham. **Motion carried.**

Ayes: LaCour, Warren, Barrera, Follis, Stockham, and Lawler

Nays:

4. Open a public hearing to receive input on an application for Zone Change Request #15-9200003, a request by Bayway Homes Inc. to rezone a 0.575 acre tract of land located at the southeast corner of N. 1st Street and the unimproved E Street right-of-way also known as Lots 1-8, Block 108, Town of La Porte Subdivision from General Commercial (GC) to Medium Density Residential (R-2).

***Note:** Chairman Lawler suspended the agenda at this time to move to agenda items 8,9,10 and 11. Agenda items 4, 5, 6, and 7 were considered after agenda item 11.

a. Staff Presentation

City Planner Eric Ensey presented the staff reports for agenda items 4 through 7 concurrently. Mr. Ensey said that this was brought forward by Bayway Homes in order for them to build houses on the land. The City tried to contact surrounding land owners and they were not interested in participating in the zone change request. There is already some single family

detached in the GC zone north of Adams Street. Market conditions have not demanded the depth of an entire block be commercial.

Commissioner Warren pointed out that there was conversation about changing the whole backside of Broadway back to residential as it used to be.

Written notice was mailed to owners of real property within 200 feet of the site within 10 days of the hearing and in this case notice was sent to all property owners and residents within the rezoning area Mr. Ensey noted that the City received four public responses, three in opposition and one in support.

Commissioner Warren commented on existing homes on N 1st St. that the City may have participated in construction.

b. Applicant Presentation

Applicant did not attend the meeting and did not give a presentation.

c. Public Comments

There were no public comments.

d. Question and Answer

There were no questions.

5. Close public hearing

Chairman Lawler closed the public hearing at 7:45.

6. Consider a recommendation to the La Porte City Council on Zone Change Request #15-9200003.

Motion by Commissioner Warren to recommend to City Council approval of the proposed rezone of a 0.57 acre tract of land legally described as Lots 1-8, Block 108, Town of La Porte Subdivision, City of La Porte, Harris County, Texas from GC to R-2.

Second by Commissioner Follis. **Motion carried.**

Ayes: LaCour, Warren, Barrera, Follis, Stockham, and Lawler

Nays:

7. Consider a recommendation to the La Porte City Council on a proposed amendment to the Future Land Use Plan component of the La Porte Comprehensive Plan by amending the land use designation for a 0.575 acre tract of land located at the southeast corner of N. 1st Street and the unimproved E Street right-of-way also known as Lots 1-8, Block 108, Town of La Porte Subdivision from "Commercial" use to "Low-Density Residential" use.

Motion by Commissioner Barrera to recommend approval to City Council of an amendment to the Future Land Use Plan component of the La Porte Comprehensive Plan by amending the land use designation for a 0.575 acre tract of land located at the southeast corner of N. 1st Street and the unimproved E Street right-of-way also known as Lots 1-8, Block 108, Town of La Porte Subdivision from “Commercial” use to “Low-Density Residential” use.

Second by Commissioner LaCour. **Motion carried.**

Ayes: LaCour, Warren, Barrera, Follis, Stockham, and Lawler

Nays:

8. **Open a public hearing to receive input on an application for Zone Change Request #15-92000004, a request by Warwick Homes Inc. and the City of La Porte to rezone an approximately 3.9 acre tract of land located on Fairmont Parkway east of Willmont Road further described as Reserve B and C, Willmont Commercial Park Amended Subdivision (owned by Warwick Homes) and Tract 33 Treat Plant Site, Abstract 482, Williams Jones Survey (owned by the City of La Porte) from Neighborhood Commercial (NC) to General Commercial (GC).**

a. **Staff Presentation**

City Planner Eric Ensey presented the staff report for agenda items 8-11 concurrently. The proposal was a zone change request for a 3.9 acre tract on Fairmont Parkway between Big Island Slough and Willmont Road. This was brought forward by Warwick Homes in an effort to make the land more marketable. The proposed zone change would be in line with other General Commercial zoned tracts along Fairmont Parkway. Written notice mailed to owners of real property within 200 feet of the site within 10 days of the hearing and in this case. The City received six responses from the mail-out, five were opposed and one was in support.

b. **Applicant Presentation**

Applicant Tom Cauthen (4620 N Braeswood Houston, TX) purchased the subject property from the City of La Porte. Mr. Cauthen worked with the City to rezone the property to Neighborhood Commercial. There was discussion on drainage, intended use and traffic circulation. Mr. Cauthen claimed that it will not sell as Neighborhood Commercial zoned property.

Commissioner Barrera asked what he intends to build on it and Mr. Cauthen did not know, it just depends on who buys it. It won't be a retail center.

Commissioner Stockham discussed access to the site.

Commissioner Stockham questioned if the City's lift station was landlocked. Staff confirmed that it does have an access point.

Commissioner Warren discussed about Mr. Cauthen's inability to sell the property.

Director of Planning and Development Tim Tietjens said that the City has been partnering with Harris County to work on the lights and add some turning lanes to make those intersections more like the Willmont intersection.

c. Public Comments

Sherri Andrews (10122 Roseberry Drive) spoke against the zone change. As an adjacent property owner she felt that it put their home at a greater risk to be broken into as well as hurting home values. She further expressed concerns with traffic and drainage.

Charles Brightenbach (10110 Roseberry) spoke against the zone change stating concerns with a drainage problem that impacts his property. Discussion occurred over the drainage problem and Chairman Lawler stated that staff has been made aware of the problem.

Linda Brightenbach (10110 Roseberry) spoke against the zone change. She discussed grading and drainage issues. Commissioner Follis offered to follow up with Public Works about it.

Joseph Droll 3831 Roseberry, was against the zone change because he wants to know the intended use of the property. He also discussed wildlife displacement in the area.

Director of Planning and Development Tim Tietjens noted that the applicant could build on it now if a Neighborhood Commercial use came in and wanted to use it. He also discussed the issue of drainage and, though it is a civil matter, he indicated that the City would work with Mr. Cauthen on a solution.

Commissioners Barrera and Follis suggested that the City should require as-built drawings for all developments.

Sherri Andrews also expressed concern with the height of any development.

Commissioner Follis stated that there are a number of undesirable uses that are currently allowed in the NC district.

d. Question and Answer

There were no questions.

9. Close Public Hearing

Chairman Lawler closed the public hearing at 7:21.

10. Consider a recommendation to the La Porte City Council on Zone Change Request #15-92000004

Motion by Commissioner Follis to recommend to City Council, approval of proposed rezoning of Reserve B and C, Block 1, Willmont Commercial Park Amended Subdivision, and Tract 33 Treat Plant Site, Abstract 482, William Jones Survey, City of La Porte, Harris County, Texas, from Neighborhood Commercial (NC) to General Commercial (GC).

Second by Commissioner Warren. **Motion carried.**

Ayes: LaCour, Warren, Barrera, Follis, Stockham, and Lawler

Nays:

11. **Consider a recommendation to the La Porte City Council on a proposed amendment to the Future Land Use Plan component of the La Porte Comprehensive Plan by amending the land use designation for an approximately 3.9 acre tract of land located on Fairmont Parkway east of Willmont Road further described as Reserve B and C, Willmont Commercial Park Amended Subdivision (owned by Warwick Homes) and Tract 33 Treat Plant Site, Abstract 482, Williams Jones Survey (owned by the City of La Porte) from “Neighborhood Commercial” use to “Commercial” use.**

Motion by Commissioner Warren to recommend to Council an amendment to the Future Land Use Plan component of the La Porte Comprehensive Plan by amending the land use designation for an approximately 3.9 acre tract of land located on Fairmont Parkway east of Willmont Road further described as Reserve B and C, Willmont Commercial Park Amended Subdivision (owned by Warwick Homes) and Tract 33 Treat Plant Site, Abstract 482, Williams Jones Survey (owned by the City of La Porte) from “Neighborhood Commercial” use to “Commercial” use.

Second by Commissioner Barrera. **Motion carried.**

Ayes: LaCour, Warren, Barrera, Follis, Stockham, and Lawler

Nays:

12. **Administrative Reports**

Director of Planning and Development Tim Tietjens said that the vote on the Family Entertainment Center passed City Council unanimously.

13. **Commission comments on matters appearing on the agenda or inquiry of staff regarding specific factual information or existing policy.**

Commissioner Warren complimented the Commission’s ability to look beyond the concerns of the nearby home owners.

Commissioner Barrera wants to add an existing topographic map, drainage plan and an as built topographic map to the permit process. Commissioner Follis indicated that the fill dirt permit is being reviewed currently.

Commissioner Follis informed the group that revisions to the development ordinance are nearly complete. He also suggested that they consider changing the Future Land Use Plan as it relates to the Northside before it was initially set to be discussed.

Commissioner Stockham asked about the buffer between residential and commercial.

14. Adjourn

Motion by Commissioner Warren to adjourn.

Second by Commissioner LaCour.

Chairman Lawler adjourned the meeting at 7:59 p.m.

Respectfully submitted,

Ryan Cramer
Secretary, Planning and Zoning Commission

Passed and Approved on _____, 2016.

Hal Lawler
Chairman, Planning and Zoning Commission

**City of La Porte, Texas
Planning and Zoning Commission**



February 18, 2016

AGENDA ITEM 4

Consider a Waiver Request to the City's
Design Guidelines (Exterior Façade Materials)
for the Proposed Stripes Convenience Store and Gas Station
at the Southeast Corner of W. Main Street (Spencer Highway) and Bay Area Boulevard (Sens Road).
Applicant: Stripes LLC

*Eric J. Ensey, City Planner
Planning and Development Department
City of La Porte, Texas*

Planning and Development Department Staff Report

ISSUE

Should the Planning and Zoning Commission approve a request by Stripes LLC for a waiver to the city's exterior façade materials design guidelines for construction of new Stripes Convenience Store and Gas Station at the southeast corner of W. Main Street (Spencer Highway) and Bay Area Boulevard (Sens Road)?

DISCUSSION

The site is subject to the city's Design Guidelines as outlined in Article IX of Chapter 106 of the city's Code of Ordinances. Section 106-928 outlines various architectural design guidelines, including building form, building articulation, roof, architectural design elements, and exterior façade materials. Because this site fronts Spencer Highway, the code requires 50% of the building's façade be covered by stone or masonry materials for a Tier 2 building and 50% for other materials such as stucco, architectural block, cementitious fiberboard, EIFS (above 14 feet), and painted, colored or stamped tilt-wall.

The applicant is requesting consideration of a waiver to the city's Design Guidelines concerning Exterior Façade Materials. Their proposal includes the use of a cementitious fiberboard material on all facades of the building. Although this is a masonry product and will result in the building being fully covered by a masonry product, the code requires the use of stone and/or brick to cover 50% of the façade.

Section 106-927 of the city's Code of Ordinances states that the Planning and Zoning Commission may approve a waiver request subject to two findings. The following is a list of those findings:

1. The project as designed is consistent with the general spirit and intent of the City of La Porte's Comprehensive Plan.
2. The proposed building will result in an attractive contribution to the community.

In reviewing this waiver request, staff is concerned with waiving the use of brick or stone. The city's design guidelines intentionally specify this requirement to add quality and diversity to the architectural design of buildings within the community. As a result, staff is not supportive of the waiver request. All development should comply with the design guideline regulations. Staff is

concerned that a deviation from these requirements has the potential to set an expectation for other development.

ATTACHMENTS

- Exhibit A: Applicant Letter and Building Elevations
- Exhibit B: Area Map
- Exhibit C: Section 106-928, Architectural Design Guidelines
- Exhibit D: Exterior Façade Materials Policy



February 1, 2016

Mr. Eric J. Ensey, City Planner
 City of La Porte Planning & Development
 604 W. Fairmont Parkway
 La Porte, Texas 77571

RE: ARTICLE IX. - DESIGN GUIDELINES FOR GC, NC AND BI DISTRICTS

Dear Mr. Ensey,

We would like to submit the attached Exhibit for consideration of our Stripes Prototype Design in conjunction with the City of La Porte's Design Guidelines. The location we are referencing specifically is the Stripes site located at Spencer and Bay Area, for Tier 2 compliance specifically. Our interpretations and requests for deviation are included in the comments below, which correspond to the attached Elevation, Floor Plan and colored perspective.

Sec. 106-928 – Architectural Design Guidelines

(a) Building Form: While our wainscot / base extends to a height of 9'-0", the awning clearly defines this separation between a 'base' and a 'middle' component, as the color and/ or material changes here as well to further define a separate component. The design includes a top / fascia along the tops of the walls as well.

(b) Building Articulation:

(1a) Horizontal Articulation:

- Convenience Store side---Height is 21'-8" x 3 = 65', however, our wall length is just over this at 67'-8". There is an offset of 6' (21'-8" x 25% = 5.42' offset depth required) that extends a width of 15'-8" (67'-8" x 25% = 16.92' width required). We would ask that these be approved with the current design, as we feel the intent is met with the variation of the wall planes and depths albeit the exact dimensional requirements are not met.
- Restaurant side ---19'-8" x 3 = 59', the current wall length is 28'-0" and, therefore, is compliant with the length restriction. There is an offset of approximately 3' (19'-8" x 25% = 4.92' offset depth required) that extends a width of 15'-6" (28'-0" x 25% = 7'). We would ask that the dimension of the offset depth be approved as is, as we feel the intent is met with the variation of the wall planes and depths.

(1b) Vertical Articulation:

- Convenience Store side---Height is $21'-8'' \times 3 = 65'$, however, our wall length is just over this at $67'-8''$. Wall height of $21'-8'' \times 25\% = 5.42'$ height change required. We have a height change of $3'-0''$ from this portion of the building to the tower element. Again, although the exact dimension required is not met, we feel we are meeting the intent of the guidelines by varying the roof height and would ask this be approved as currently designed.
- Restaurant side--- $19'-8'' \times 3 = 59'$, the current wall length is $28'-0''$. Wall height of $19'-8'' \times 25\% = 4.92'$ height change required. We have a height change of $5'-0''$ from this portion of the building to the tower element and therefore are compliant with the required dimensional changes.

(c) Roofs: Not applicable.

(d) Architectural Design Elements

- (1) The design includes 3 of the design elements in the list:
 - a. awnings; c. vertical elements (tower); and e. outdoor patio.
- (2) Not applicable.
- (3) Tier 2 to incorporate no less than two of the architectural elements, we include three as listed in item 1.
- (4) Not applicable.

(e) Exterior Façade Materials

- (1) The elevations are comprised of factory primed Nichiha Fiber Cement Board panels, Illumination and Architectural Block series. We would interpret that the City consider these to be the cementitious fiberboard listed under Group B (although the installation is not lap siding or board and batten). Additionally, we would ask that the Nichiha VintageWood series panels used for the tower elements be classified aesthetically as Wood under Group C. These panels provide the look and beauty of wood, backed by the longevity and durability of fiber cement.
- (2) None of the listed prohibited materials are included in our façade design.
- (3) Not applicable.
- (4) The dominant color of the building is a muted gray. However, the upper portion of the building on the convenience store side contains variations of 3 blues, specific to the Stripes and Sunoco brands and brand identity. Additionally, the green on the Laredo Taco Company (LTC) side of the building is the trademarked LTC green color, also specific to its brand recognition.

We appreciate your consideration in your review for compliance and deviation approval, and look forward to our continued partnership with the City of La Porte and the Stripes | Sunoco team.

Respectfully,



Jami Cook, AIA, LEED AP
Project Architect
479.273.7780 ext. 296
jami.cook@hfa-ae.com

Exterior View 1



Exterior View 2



Exterior View 3: with Pylon



135 131 127 123 119 115 111 107 103 51

EXHIBIT B

AREA MAP



SUBJECT SITE



W MAIN ST

SENS RD

BAY AREA BLVD

S 25TH ST

11526

11834

2901

2904

Sec. 106-928. Architectural design guidelines.

(a) Building Form (Applicable to Tier 1 and 2)

- (1) All buildings shall be designed and constructed in tri-partite architecture so that they have a distinct base, middle and top.



Examples of Single Story Tri-Partite

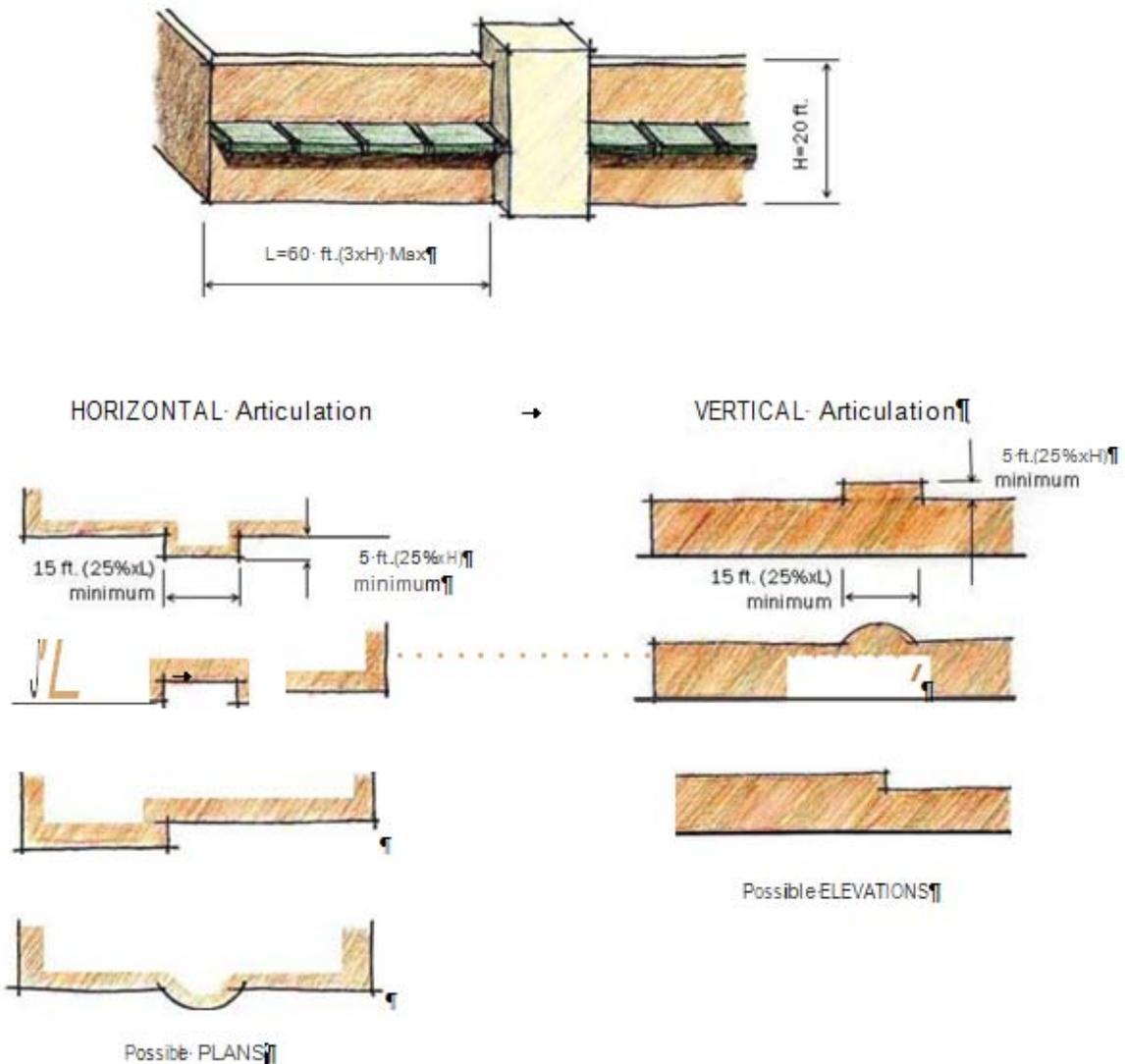


(b) Building Articulation (Applicable to Tier 1 and 2)

- (1) Primary facades clearly visible from a public street or along an active storefront shall meet the following minimum standards for articulation:

- a. **Horizontal Articulation.** No building wall shall extend for a distance equal to 3 times the wall's height without having an off- set equal to 25% of the wall's height, and that new plane shall extend for a distance equal to at least 25% of the maximum length of the first plane.
- b. **Vertical Articulation.** No horizontal wall shall extend for a distance greater than 3 times the height of the wall without changing height by a minimum of 25% of the wall's height.

BUILDING ARTICULATION EXAMPLES



(c) Roofs (Applicable to Tier 1)

(1) Where clearly visible from a public street or along active storefronts, any hip, gable or mansard roofs may only utilize the following materials: metal standing seam, slate, clay or concrete tile (barrel or Roman shape). Minimum 3 on 12 roof pitch required.

(d) Architectural Design Elements

(1) The following is a list of acceptable architectural design elements that must be included into the design of buildings as required in this section.

- a. Canopies, awnings, porticos with colonnade, or arcades
- b. Raised pilaster cornices (end columns at corner), or quoin corners
- c. Vertical elements (tower, cupola, lighthouse, turret, arches, etc)
- d. Windows and doors framed with smooth cobble, cast stone, limestone, or other decorative masonry headers and sills; or dormer windows
- e. Outdoor patios and/or courtyards (landscaped and furnished)
- f. Decorative ornamentation integrated into the building façade, such as corbels,

medallions (non-signage), functioning clocks, niches, wrought iron, balconettes, gargoyles, or horizontal and rhythm patterned brickwork; or other architectural features approved by the Director of Planning and Development or designee

g. Any other architectural design element approved by the Director of Planning and Development or designee

(2) Applicable to Tier 1, all structures shall be designed to incorporate no less than four of the architectural elements above. Buildings over 50,000 square feet must include a minimum of five of the referenced architectural elements in subsection d.1 above.

(3) Applicable to Tier 2, all structures shall be designed to incorporate no less than two of the architectural elements above. Buildings over 50,000 square feet must include a minimum of three of the referenced architectural elements in subsection d.1 above.

(4) Applicable to Tier 3, all structures shall be designed to incorporate no less than one of the architectural elements from the list in subsection d.1 above.

(e) Exterior Façade Materials

(1) Allowed exterior materials are categorized into the following three groups, of which at least two materials from different groups shall be used in all exterior facades in Tier 1, Tier 2, and Tier 3:

a. Group A: Brick and stone

b. Group B: Stucco, architectural concrete block with integrated color (split face CMU), factory primed cementitious fiberboard in the form of lap siding or board and batten, EIFS (above 14 feet from grade only), and painted, colored or stamped tilt-wall

c. Group C: Metal, tile, wood

(2) Prohibited exterior materials include cinder block, vinyl, plastic, aggregate pea-gravel finished surfaces, and pre-engineered metal building siding.

(3) Primary façade treatments are applicable to Tier 1 buildings. The following shall apply to all exterior walls of buildings which are clearly visible from a public street or along an active storefront:

a. Primary Facades, excluding windows, doors, and other openings, shall be constructed of at least 80% Group A materials and up to 20% Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features as approved by the Director of Planning and Development or designee.

b. Buildings over 50,000 square feet may use Split-Face CMU (architectural block) for up to 20% of the primary façade, in addition to the 20% of Group B materials.

(4) Building color requirements are applicable to buildings in all tiers. The dominant color of all buildings shall be muted shades of color. Black and stark white shall not be used except as an accent color. There are no restrictions on accent colors which comprise less than 1.0% of the building face, except that florescent colors are prohibited.



Planning and Development Department Policy
Effective: June 4, 2015
#P2015-001

Exterior Façade Materials for Tier 2 and Tier 3 Buildings Policy

Purpose:

To clarify minimum requirements for exterior façade materials for buildings categorized as Tier 2 and Tier 3.

Timing:

Effective immediately.

Policy:

The City Council approved Ordinance O-2015-3551 in November 2014 adopting a comprehensive update of the city's zoning regulations. One of those modifications was the implementation of design guidelines for development. In reviewing Section 106-928 of those regulations, it became apparent that minimum requirements for exterior façade materials for Tier 2 and Tier 3 buildings were not clearly denoted. The following is a revised Section 106-928(d) that shall guide development of Tier 2 and Tier 3 buildings until such time as the section is amended.

Sec. 106-928. Architectural design guidelines.

(d) Exterior Façade Materials

- (1) Allowed exterior materials are categorized into the following three groups, of which at least two materials from different groups shall be used in all exterior facades in Tier 1, Tier 2, and Tier 3:
 - a. Group A: Brick and stone
 - b. Group B: Stucco, architectural concrete block with integrated color (split face CMU), factory primed cementitious fiberboard in the form of lap siding or board and batten, EIFS (above 14 feet from grade only), and painted, colored or stamped tilt-wall
 - c. Group C: Metal, tile, wood
- (2) Prohibited exterior materials include cinder block, vinyl, plastic, aggregate pea-gravel finished surfaces, and pre-engineered metal building siding.
- (3) Primary façade treatments are applicable to Tier 1 buildings. The following shall apply to all exterior walls of buildings which are clearly visible from a public street or along an active storefront:
 - a. Primary Facades, excluding windows, doors, and other openings, shall be constructed of at least 80% Group A materials and up to 20% Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features as approved by the Director of Planning and Development or designee.
 - b. Buildings over 50,000 square feet may use Split-Face CMU (architectural block)

Exterior Façade Materials for Tier 2 and Tier 3 Buildings Policy

June 4, 2015

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for up to 20% of the primary façade, in addition to the 20% of Group B materials.

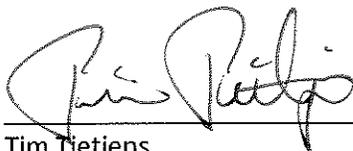
(4) Primary façade treatments are applicable to Tier 2 buildings. The following shall apply to all exterior walls of buildings which are clearly visible from a public street or along an active storefront:

a. Primary Facades, excluding windows, doors, and other openings, shall be constructed of at least 50% Group A materials and up to 50% Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features as approved by the Director of Planning and Development or designee.

(5) Primary façade treatments are applicable to Tier 3 buildings. The following shall apply to all exterior walls of buildings which are clearly visible from a public street or along an active storefront:

a. Primary Facades, excluding windows, doors, and other openings, shall be constructed of at least 20% Group A materials and up to 80% Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features as approved by the Director of Planning and Development or designee.

(56) Building color requirements are applicable to buildings in all tiers. The dominant color of all buildings shall be muted shades of color. Black and stark white shall not be used except as an accent color. There are no restrictions on accent colors which comprise less than 1.0% of the building face, except that florescent colors are prohibited.



Tim Tietjens
Director of Planning and Development



Date

**City of La Porte, Texas
Planning and Zoning Commission**



February 18, 2016

AGENDA ITEM 5

Consider a Waiver Request to the City's
Design Guidelines (Exterior Façade Materials)
for the Proposed Port Crossing B4 Warehouse Building
at the Southeast Corner of S. 16th Street and Export Drive (1801 S. 16th Street).
Applicant: Liberty Property Trust

Eric J. Ensey, City Planner
Planning and Development Department
City of La Porte, Texas

Planning and Development Department Staff Report

ISSUE

Should the Planning and Zoning Commission approve a request by Liberty Property Trust for a waiver to the city's exterior façade materials design guidelines for construction of the proposed Port Crossing B4 Warehouse Building located at the southeast corner of S. 16th Street and Export Drive (1801 S. 16th Street)?

DISCUSSION

The site is subject to the city's Design Guidelines as outlined in Article IX of Chapter 106 of the city's Code of Ordinances. Section 106-928 outlines various architectural design guidelines, including building form, building articulation, roof, architectural design elements, and exterior façade materials. Because this site is within the TIRZ No. 1, the code requires 20% of the building's façade be covered by stone or brick materials for a Tier 3 building and 80% for other materials such as stucco, architectural block, cementitious fiberboard, EIFS (above 14 feet), and painted, colored or stamped tilt-wall.

The applicant is requesting consideration of a waiver to the city's Design Guidelines concerning Exterior Façade Materials. Their proposal includes the use of a colored tilt-wall material on all facades of the building. Although this is a masonry product and will result in the building being fully covered by a masonry product, the code requires the use of stone and/or brick to cover 20% of the façade.

Section 106-927 of the city's Code of Ordinances states that the Planning and Zoning Commission may approve a waiver request subject to two findings. The following is a list of those findings:

1. The project as designed is consistent with the general spirit and intent of the City of La Porte's Comprehensive Plan.
2. The proposed building will result in an attractive contribution to the community.

In reviewing this waiver request, staff is concerned with waiving the use of brick or stone. The city's design guidelines intentionally specify this requirement to add quality and diversity to the architectural design of buildings within the community. As a result, staff is not supportive of the waiver request, but would support a modification that would provide a stone or brick element at the pedestrian entrances of the building at all corners visible from a public right-of-way. Staff

would support waiving the masonry requirement on the remainder of the façade where there are the loading docks and the glass windows. Staff is concerned with the precedent that could be perceived with a 100% deviation from these requirements.

For consideration, there are other buildings within the Port Crossing development that were constructed under the previous version of the masonry design guidelines, where the style of building proposed would have been permitted. Under the previous version of the code, a cement tilt-wall constructed building would have met code requirements.

ATTACHMENTS

- Exhibit A: Applicant Letter and Building Elevations
- Exhibit B: Area Map
- Exhibit C: Section 106-928, Architectural Design Guidelines
- Exhibit D: Exterior Façade Materials Policy

Ensey, Eric

From: Kenneth Chang [kchang@libertyproperty.com]
Sent: Wednesday, February 03, 2016 11:14 AM
To: Ensey, Eric
Cc: Kevin Polasek
Subject: RE: B4 Site Plan Review Letter...
Attachments: Submittal #2_Review Letter_Port Crossing B4-signed.pdf; 2.jpg; 1.jpg

Eric,

Per our phone conversation on Monday, I would like to request consideration of a variance regarding planning comment 27. This comment references Section 106-680 which requires 20% of any building façade visible from a public ROW to be stone or masonry. We would like to request a variance to this per the reasons below.

1. Attached are two photos of buildings we own within Port Crossing Commerce Center. None of the existing buildings within the park have any masonry or stone on the buildings. In our experience, it is not typical for there to be stone or masonry on such large distribution warehouse buildings. We would propose to keep the current look of the park with textured and painted concrete tilt wall and accent the building in other ways.
2. At Liberty Property Trust, we pride ourselves in building to a higher standard than many of our competitors. Being long term holders of real estate, we are meticulous with our construction quality and take our slab pours one step further by curing with wet blankets for a full 7 days following slab pour. We are also very conscious of designing appealing and functional entries. For this building, we have two stories of glass proposed at our corner entries of both sides of the building. Many developers will save costs and only construct one level of glass, resulting in a very basically cost efficient entry. We are also proposing to install exterior LED lighting on Building B4.
3. In our opinion, stone and masonry will make more sense on a smaller, more office like development than it does on such a large distribution warehouse building with the majority of the building being truck dock positions.

Please let me know if you have any questions or need any additional information. Thank you.

Ken Chang, P.E., LEED AP

Director, Development
Liberty Property Trust
O 281.955.2000 D 281.517.2518
8827 North Sam Houston Parkway West, Houston, TX 77064
kchang@libertyproperty.com

From: Ensey, Eric [<mailto:EnseyE@laportetx.gov>]
Sent: Monday, February 01, 2016 10:33 AM
To: Kevin Polasek <kbp@terraassoc.com>; Kenneth Chang <kchang@libertyproperty.com>
Subject: B4 Site Plan Review Letter...

Please see the attached... Let me know if you have any comments.

Eric J. Ensey, City Planner

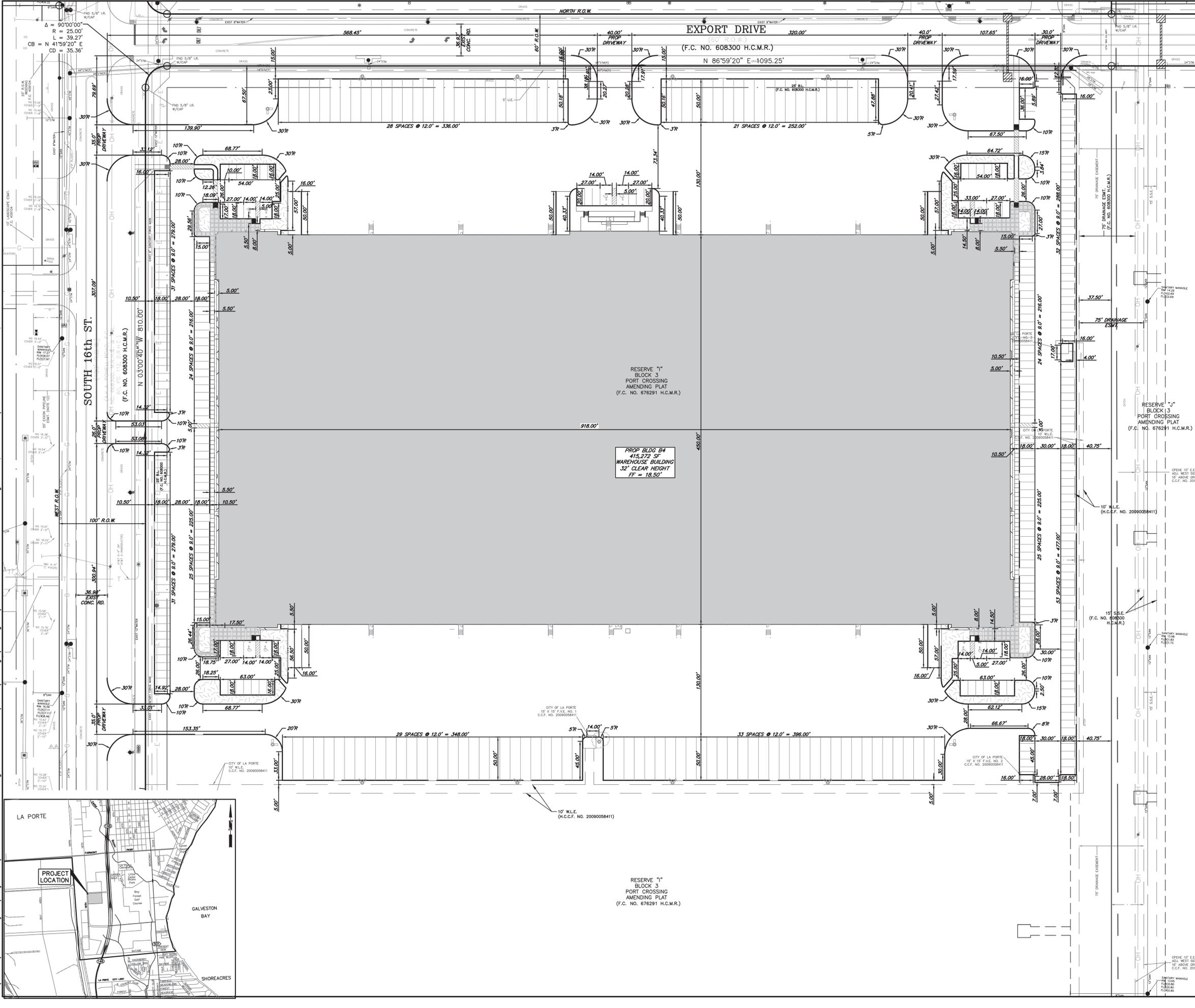
City of La Porte Planning & Development
604 W. Fairmont Parkway
La Porte, Texas 77571
Phone: 281-470-5063
enseye@laportetx.gov



DISCLAIMER

This e-mail message is intended only for the personal use of the above named recipient(s). If you are not the intended recipient, you may not review, copy or forward this e-mail message. If you have received this communication incorrectly, please notify Liberty Property Trust immediately via e-mail or phone and delete the message accordingly.

F:\Clients\1730 Liberty Property Trust\1730-1503 Port Crossing - Phase 1 Development\Drawings\Building B4\C1 DIMENSIONAL CONTROL PLAN.dwg Nov 20, 2015-12:30pm Terra Associates Inc., Jaime Martinez



FLOODPLAIN INFORMATION

THE SUBJECT PROPERTY IS LOCATED ENTIRELY WITHIN SHADED ZONE "X" (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD), EXCEPT AREAS LABELED AS BEING IN ZONE "AE" ("SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT; BASE FLOOD ELEVATIONS DETERMINED") PER NATIONAL FLOOD INSURANCE PROGRAM FIRM MAP NUMBER 48201C0945M (CITY OF LA PORTE); PRELIMINARY MAP DATED MARCH 29, 2013. LOCATIONS OF ZONE BOUNDARIES SHOWN HEREON ARE APPROXIMATE AND WERE TRACED FROM SAID FIRM.

BENCHMARK INFORMATION

- All elevations shown hereon are based on U.S. Survey Foot; NAVD 88 (2001 Adjustment).
- H.C.F.R.M. NO. 010290; Elevation=6.06'
Brass disk located from Highway 146 and Choate Road, travel west on Choate Road 0.2 miles. Monument is at the center of headwall between the east and west bound lanes of Choate Road.
 - PROJECT TBM-1; Elevation=13.52'
Box cut on top of a "C" curb inlet located on the south side of East Richey Road near the northwest corner of the subject property.
 - PROJECT TBM-2; Elevation=16.04'
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 - PROJECT TBM-3; Elevation=9.98'
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 - PROJECT TBM-6; ELEVATION=16.18'
Box cut on Type C-1 Inlet on south side of Export Drive at intersection of Export Drive and South 16th Street.

OWNER: LIBERTY PROPERTY, L.P.
8827 NORTH SAM HOUSTON PARKING WEST
HOUSTON, TX 77064

OWNER CONTACT: KEN CHANG, P.E.
ADDRESS: 1801 16TH ST.
LA PORTE, TX 77571

DEVELOPMENT: PORT CROSSING
DEVELOPMENT TYPE: INDUSTRIAL
ZONING TYPE: BI

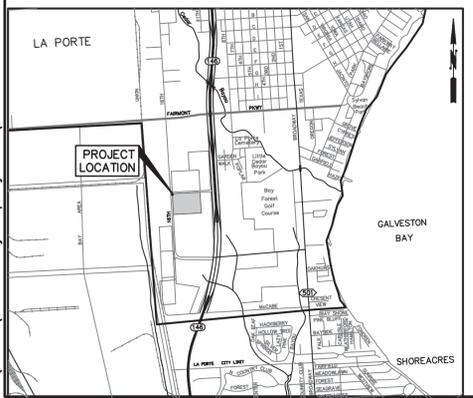
LEGAL DESCRIPTION: PORTION OF RESTRICTED RESERVE "I", BLOCK 3 OF PORT CROSSING AMENDING PLAT, AS RECORDED IN FILM CODE NO. 676291 OF THE MAP RECORDS, HARRIS COUNTY, TEXAS

HCAD NO. 129-217-003-0001

- NOTES:**
- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - SEE ARCHITECTS PLANS FOR DETAILS OF HANDICAP PARKING, SIGNAGE, RAMPS, STRIPING, ETC.
 - ALL CURB RETURN RADII SHALL BE 2', AS SHOWN TYPICAL ON THIS PLAN, UNLESS OTHERWISE NOTED.
 - ALL DIMENSIONS ARE PARALLEL OR PERPENDICULAR TO THE NORTH PROPERTY LINE BEARING N86°59'20"E, UNLESS OTHERWISE NOTED.

David Sepulveda

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY DAVID SEPULVEDA, P.E. 84006 ON NOV 20, 2015.



REV. NO.	DESCRIPTION	DATE	APP.

**LIBERTY PROPERTY, L.P.
PORT CROSSING - BLDG B4**

DIMENSIONAL CONTROL PLAN

TERRA ASSOCIATES, INC. 1445 N. LOOP WEST - SUITE 450
HOUSTON, TEXAS 77008
713-993-0333
CONSULTING ENGINEERS TBPE Registration No.: F-003832

DRAWN BY: JMZ SCALE: 1" = 50' PROJECT NO: 1730-1503
CHECKED BY: JOM DATE: NOVEMBER 20, 2015 CONTRACT:

SHEET C1 OF C3

powers brown architecture
 1314 Texas Ave., 2nd Floor
 Houston, Texas 77002
 713.224.0456
 713.224.0457 fax
 www.powersbrown.com

PROJECT TITLE
Liberty Port Crossing - Phase 1
 1801 S. 16th St.
 La Porte, TX 77571
 A PROJECT FOR
Liberty Property Trust

GENERAL NOTES

EXTERIOR MATERIALS

- CONCRETE TILT WALL, FIELD PAINT
- CONCRETE TILT WALL, ACCENT PAINT
- ▨ PREFINISHED METAL CANOPY CLEAR ANODIZED FINISH
- ▤ 1" INSULATED VISION GLAZING SOLARGRAY WITH SOLARBAN 60 COATING
- ▥ 1" INSULATED SPANDREL GLAZING SOLARGRAY WITH SOLARBAN 60 COATING

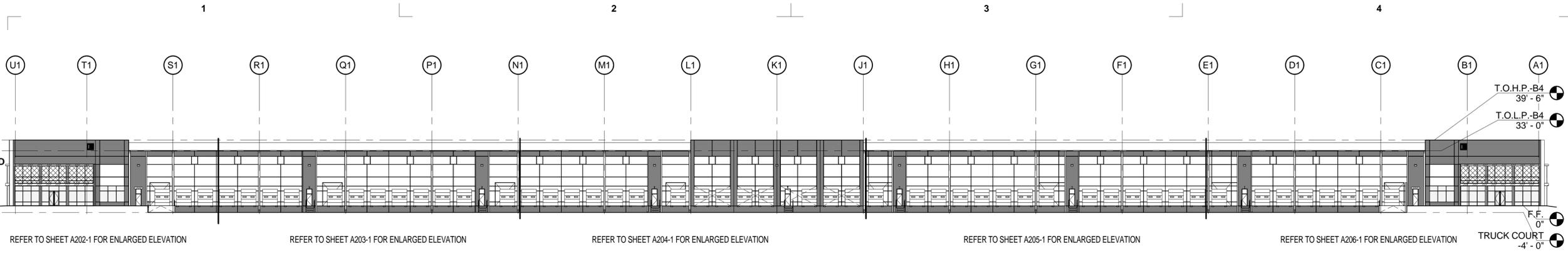
A PER CITY OF LA PORTE DESIGN GUIDELINES, SECTION 106-926, PROPOSED BUILDING IS CLASSIFIED AS "TIER 3." PROPOSED BUILDING COMPLIES WITH SECTION 106-928 d.(1) WITH PROPOSED CANOPIES. PROPOSED BUILDING COMPLIES WITH SECTION 106-928 e. (1) VIA PAINTED CONCRETE TILT WALL AND PREFINISHED METAL CANOPIES.

DATE	REVISION
2015-11-20	Site Submission

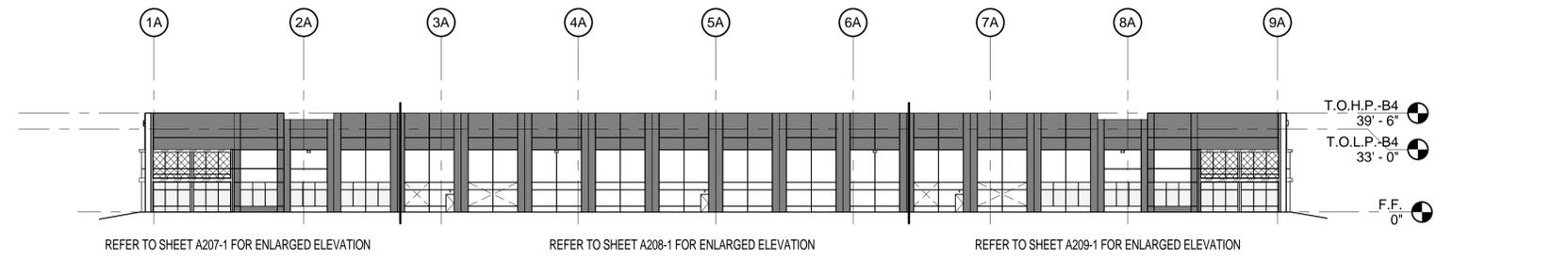
PROJECT NO: 151257
DRAWN BY: KRS
CHECKED BY: NK

SHEET TITLE
OVERALL BUILDING 'B4' ELEVATIONS

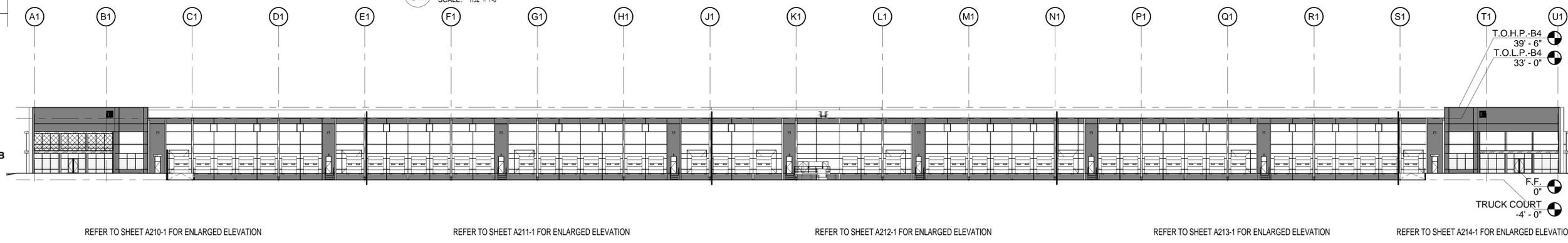
SEAL	SHEET NUMBER
REFER TO POWER BROWN ARCHITECTURE REGISTRATION BOARD PRELIMINARY NOT FOR CONSTRUCTION PERMIT OR REGULATORY APPROVAL CURRENT AS OF:	A201-1



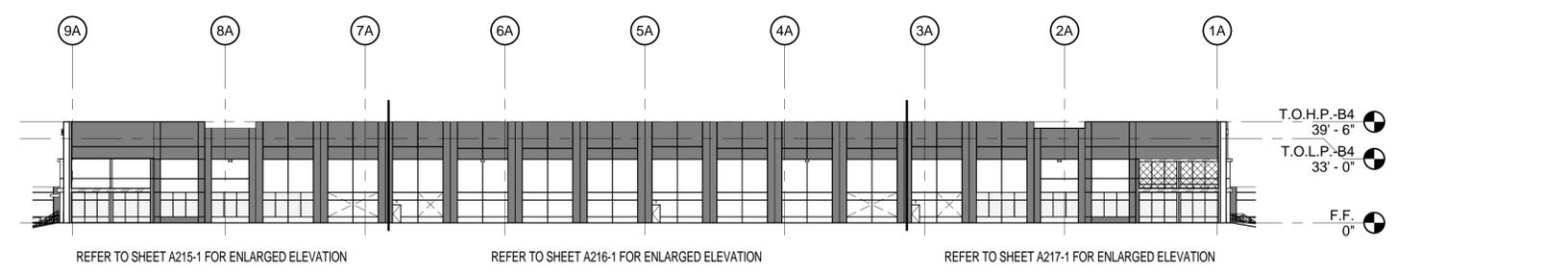
D1 OVERALL NORTH ELEVATION
 SCALE: 1/32" = 1'-0"



C2 OVERALL EAST ELEVATION
 SCALE: 1/32" = 1'-0"



B1 OVERALL SOUTH ELEVATION
 SCALE: 1/32" = 1'-0"



A2 OVERALL WEST ELEVATION
 SCALE: 1/32" = 1'-0"

C:\Users\stapper\Documents\151257_Central_stapper.rvt
 11/19/2015 2:42:37 PM

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EXHIBIT A



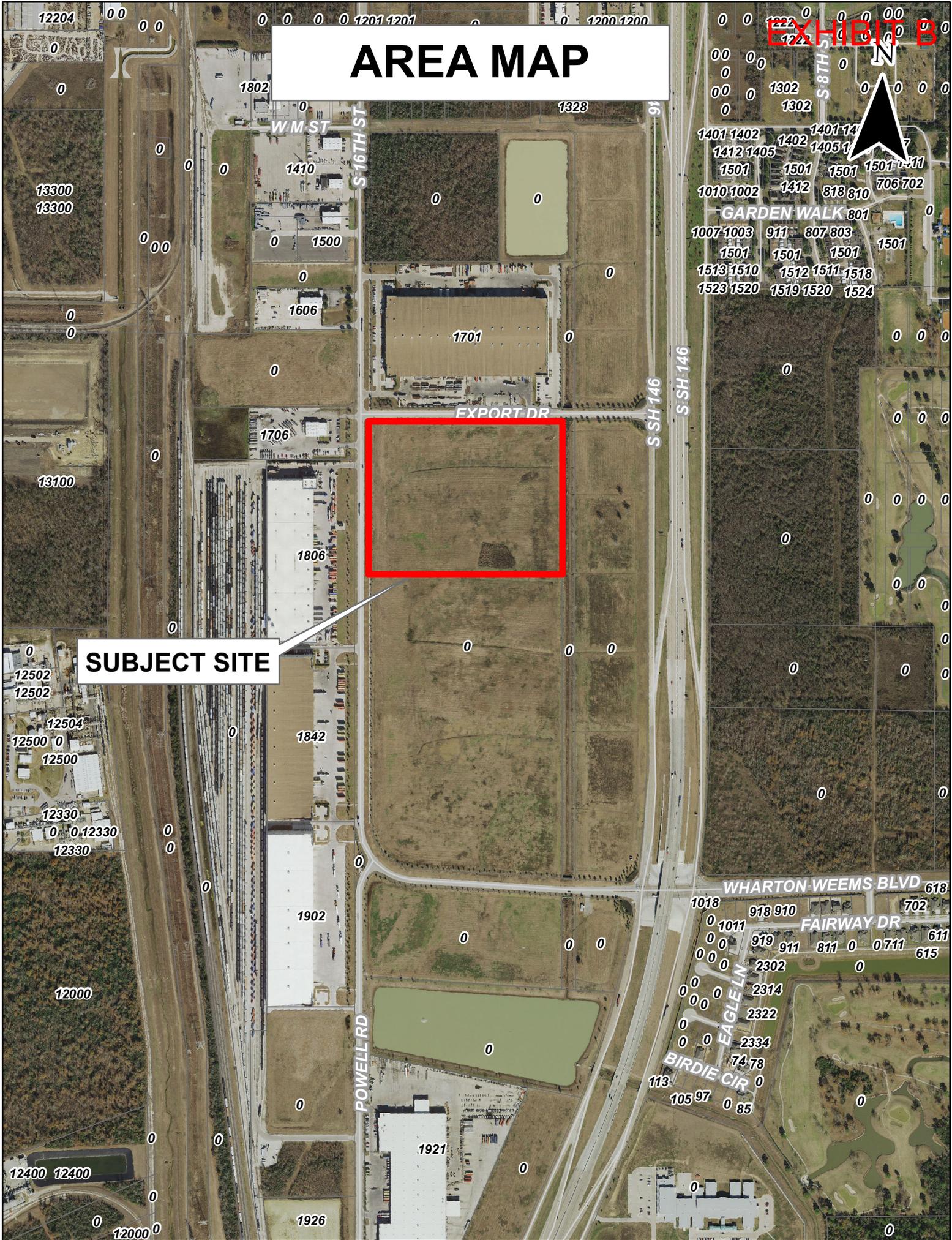


AREA MAP

EXHIBIT B



SUBJECT SITE



Sec. 106-928. Architectural design guidelines.

(a) Building Form (Applicable to Tier 1 and 2)

- (1) All buildings shall be designed and constructed in tri-partite architecture so that they have a distinct base, middle and top.

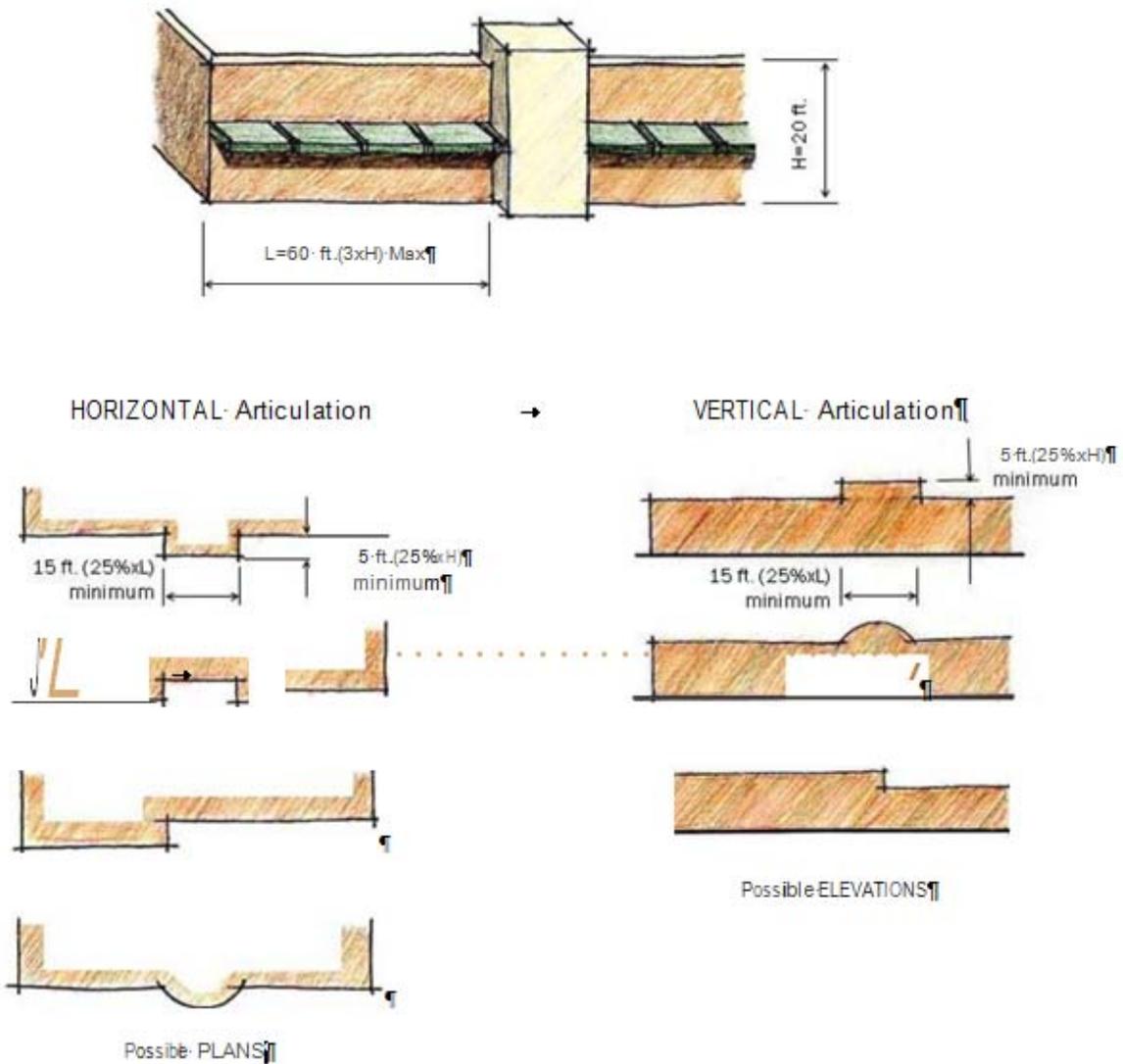


Examples of Single Story Tri-Partite

(b) Building Articulation (Applicable to Tier 1 and 2)

- (1) Primary facades clearly visible from a public street or along an active storefront shall meet the following minimum standards for articulation:
- a. **Horizontal Articulation.** No building wall shall extend for a distance equal to 3 times the wall's height without having an off- set equal to 25% of the wall's height, and that new plane shall extend for a distance equal to at least 25% of the maximum length of the first plane.
 - b. **Vertical Articulation.** No horizontal wall shall extend for a distance greater than 3 times the height of the wall without changing height by a minimum of 25% of the wall's height.

BUILDING ARTICULATION EXAMPLES



(c) Roofs (Applicable to Tier 1)

(1) Where clearly visible from a public street or along active storefronts, any hip, gable or mansard roofs may only utilize the following materials: metal standing seam, slate, clay or concrete tile (barrel or Roman shape). Minimum 3 on 12 roof pitch required.

(d) Architectural Design Elements

(1) The following is a list of acceptable architectural design elements that must be included into the design of buildings as required in this section.

- a. Canopies, awnings, porticos with colonnade, or arcades
- b. Raised pilaster cornices (end columns at corner), or quoin corners
- c. Vertical elements (tower, cupola, lighthouse, turret, arches, etc)
- d. Windows and doors framed with smooth cobble, cast stone, limestone, or other decorative masonry headers and sills; or dormer windows
- e. Outdoor patios and/or courtyards (landscaped and furnished)
- f. Decorative ornamentation integrated into the building façade, such as corbels,

medallions (non-signage), functioning clocks, niches, wrought iron, balconettes, gargoyles, or horizontal and rhythm patterned brickwork; or other architectural features approved by the Director of Planning and Development or designee

g. Any other architectural design element approved by the Director of Planning and Development or designee

(2) Applicable to Tier 1, all structures shall be designed to incorporate no less than four of the architectural elements above. Buildings over 50,000 square feet must include a minimum of five of the referenced architectural elements in subsection d.1 above.

(3) Applicable to Tier 2, all structures shall be designed to incorporate no less than two of the architectural elements above. Buildings over 50,000 square feet must include a minimum of three of the referenced architectural elements in subsection d.1 above.

(4) Applicable to Tier 3, all structures shall be designed to incorporate no less than one of the architectural elements from the list in subsection d.1 above.

(e) Exterior Façade Materials

(1) Allowed exterior materials are categorized into the following three groups, of which at least two materials from different groups shall be used in all exterior facades in Tier 1, Tier 2, and Tier 3:

a. Group A: Brick and stone

b. Group B: Stucco, architectural concrete block with integrated color (split face CMU), factory primed cementitious fiberboard in the form of lap siding or board and batten, EIFS (above 14 feet from grade only), and painted, colored or stamped tilt-wall

c. Group C: Metal, tile, wood

(2) Prohibited exterior materials include cinder block, vinyl, plastic, aggregate pea-gravel finished surfaces, and pre-engineered metal building siding.

(3) Primary façade treatments are applicable to Tier 1 buildings. The following shall apply to all exterior walls of buildings which are clearly visible from a public street or along an active storefront:

a. Primary Facades, excluding windows, doors, and other openings, shall be constructed of at least 80% Group A materials and up to 20% Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features as approved by the Director of Planning and Development or designee.

b. Buildings over 50,000 square feet may use Split-Face CMU (architectural block) for up to 20% of the primary façade, in addition to the 20% of Group B materials.

(4) Building color requirements are applicable to buildings in all tiers. The dominant color of all buildings shall be muted shades of color. Black and stark white shall not be used except as an accent color. There are no restrictions on accent colors which comprise less than 1.0% of the building face, except that florescent colors are prohibited.



Planning and Development Department Policy
Effective: June 4, 2015
#P2015-001

Exterior Façade Materials for Tier 2 and Tier 3 Buildings Policy

Purpose:

To clarify minimum requirements for exterior façade materials for buildings categorized as Tier 2 and Tier 3.

Timing:

Effective immediately.

Policy:

The City Council approved Ordinance O-2015-3551 in November 2014 adopting a comprehensive update of the city's zoning regulations. One of those modifications was the implementation of design guidelines for development. In reviewing Section 106-928 of those regulations, it became apparent that minimum requirements for exterior façade materials for Tier 2 and Tier 3 buildings were not clearly denoted. The following is a revised Section 106-928(d) that shall guide development of Tier 2 and Tier 3 buildings until such time as the section is amended.

Sec. 106-928. Architectural design guidelines.

(d) Exterior Façade Materials

- (1) Allowed exterior materials are categorized into the following three groups, of which at least two materials from different groups shall be used in all exterior facades in Tier 1, Tier 2, and Tier 3:
 - a. Group A: Brick and stone
 - b. Group B: Stucco, architectural concrete block with integrated color (split face CMU), factory primed cementitious fiberboard in the form of lap siding or board and batten, EIFS (above 14 feet from grade only), and painted, colored or stamped tilt-wall
 - c. Group C: Metal, tile, wood
- (2) Prohibited exterior materials include cinder block, vinyl, plastic, aggregate pea-gravel finished surfaces, and pre-engineered metal building siding.
- (3) Primary façade treatments are applicable to Tier 1 buildings. The following shall apply to all exterior walls of buildings which are clearly visible from a public street or along an active storefront:
 - a. Primary Facades, excluding windows, doors, and other openings, shall be constructed of at least 80% Group A materials and up to 20% Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features as approved by the Director of Planning and Development or designee.
 - b. Buildings over 50,000 square feet may use Split-Face CMU (architectural block)

Exterior Façade Materials for Tier 2 and Tier 3 Buildings Policy

June 4, 2015

Page 2

for up to 20% of the primary façade, in addition to the 20% of Group B materials.

(4) Primary façade treatments are applicable to Tier 2 buildings. The following shall apply to all exterior walls of buildings which are clearly visible from a public street or along an active storefront:

a. Primary Facades, excluding windows, doors, and other openings, shall be constructed of at least 50% Group A materials and up to 50% Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features as approved by the Director of Planning and Development or designee.

(5) Primary façade treatments are applicable to Tier 3 buildings. The following shall apply to all exterior walls of buildings which are clearly visible from a public street or along an active storefront:

a. Primary Facades, excluding windows, doors, and other openings, shall be constructed of at least 20% Group A materials and up to 80% Group B materials. However, accent materials from Group C may be allowed in limited application for architectural features as approved by the Director of Planning and Development or designee.

(56) Building color requirements are applicable to buildings in all tiers. The dominant color of all buildings shall be muted shades of color. Black and stark white shall not be used except as an accent color. There are no restrictions on accent colors which comprise less than 1.0% of the building face, except that florescent colors are prohibited.



Tim Tietjens
Director of Planning and Development



Date

**City of La Porte, Texas
Planning and Zoning Commission**



February 18, 2016

AGENDA ITEM 6

Consider approval of a Major Development Site Plan (#15-83000003)
to allow for construction of a new Warehouse/Distribution Facility
for the property located at the southeast corner of S. 16th Street and Export Drive (1801 S. 16th St.)
in the Port Crossing Business Park.

Applicant: Liberty Property Trust

Eric J. Ensey, City Planner
Planning and Development Department
City of La Porte, Texas

Planning and Development Department Staff Report

ISSUE

Should the Planning and Zoning Commission approve a request by Liberty Property Trust for a Major Development Site Plan to allow construction of the proposed Port Crossing B4 Building, which is a new warehouse/distribution facility located at 1801 S. 16th Street?

RECOMMENDATION

Staff recommends approval of the proposed Major Development Site Plan as submitted.

DISCUSSION

Applicant/Property Owner:

Liberty Property Trust

Applicant's Request:

The applicant is seeking to construct a new warehouse distribution facility, which is referred to as Port Crossing B4 Building. The proposed facility will be a 415,272 square foot building on a 21.47 acre portion of Reserve "I", Block 3, Port Crossing Amending Plat. The subject site is currently undeveloped. The attached Exhibit A is the proposed site development plan.

Background Information:

The subject site is a 21.47 acre portion of Reserve "I", Block 3, Port Crossing Amending Plat. The overall Reserve "I" parcel is 66.16 acres in size. The subject site is located at the southeast corner of S. 16th Street and Export Drive in the Port Crossing Business Park. The attached Exhibit B is an Area Map showing the location of the subject property.

The site is zoned PUD, Planned Unit Development, and is undeveloped land in the Port Crossing Business Park. Because the Port Crossing Business Park is zoned PUD, development is subject to the Special Conditional Use Permit (SCUP) approved by the City Council on August 24, 2015. The attached Exhibit C is the Zoning Map for the site.

The proposed use, warehouse/distribution, is permitted in the approved SCUP. The City of La Porte’s Land Use Plan identifies this parcel as “Light Industrial” use. The following table summarizes the surrounding zoning and land uses:

	Zoning	Land Use
North	PUD, Planned Unit Development	Existing warehouse/distribution facility in the Port Crossing Business Park
South	PUD, Planned Unit Development	Undeveloped site in the Port Crossing Business Park
West	PUD, Planned Unit Development	Truck Terminal Facility (1706 S. 16 th Street) and Warehouse/Distribution Facility (1806 S. 16 th Street)
East	PUD, Planned Unit Development	Undeveloped site in the Port Crossing Business Park

Analysis:

This site development plan was reviewed according to the provisions of Appendix E of the city’s Development Ordinance (No. 1444). Because the site is greater than 10 acres in size, it requires approval by the Planning and Zoning Commission. The site plan is also subject to all applicable requirements of the city’s Zoning Ordinance (Chapter 106 of the city’s Code of Ordinances) and all applicable requirements of the Port Crossing SCUP approved for this site. Planning staff has reviewed the proposed site development plan and concluded that the application complies with all applicable code requirements. The following is a description of staff’s analysis of various considerations:

Site Improvements.

The site will include a 415,272 square foot building, new parking lots with a total of 280 automobile parking spaces and 111 designated truck parking spaces, site circulation, landscaping, and drainage improvements.

Landscaping.

The site development plan includes proposed landscaping in accordance with the provisions of Section 106-800 of the Code of Ordinances. There are street trees existing along both the S. 16th Street and Export Drive right-of-way. The proposed development can utilize those existing trees to meet the street tree requirement in the code. The proposed development will include the planting of the required shrubs between the parking area and adjacent public right-of-way at 3 feet on center. Additionally, the applicant is proposing trees and shrubs in planter beds within the parking lot areas in order to visually break up the parking lot as well as provide future shade relief. Staff has reviewed the landscaping proposed and finds that the proposed development is consistent with the landscaping required in Section 106-800 of the Code of Ordinances.

Parking and circulation.

Section 106-839 of the Code of Ordinances outlines the city's parking requirements for warehouse/distribution uses. The requirements are as follows for this development:

1. Office – 3 per 1,000 sq. ft. (30 spaces required)
2. Warehouse – 1.5 per non-office employee (250 spaces required)

In this case a total of 280 parking spaces are required by code. The applicant is proposing a total of 280 parking spaces with the development. The applicant is also providing the necessary ADA parking spaces required.

On December 10, 2015 the City of La Porte Zoning Board of Adjustment approved a variance to the number of driveways allowed per right-of-way. The Board approved three curb-cut access points along Export Drive and three along S. 16th Street. The Board approved the variance to help facilitate a separation of automobile vehicular traffic from truck traffic on the site and provide a better flow of traffic.

Sidewalks.

The applicant is including sidewalks as required in the city's Public Improvement Criteria Manual (PICM). There is an existing sidewalk along S. 16th Street and the applicant is proposing construction of a sidewalk on Export Drive as part of this development.

Fire Hydrant Locations.

The Fire Marshal has reviewed the proposed site plan and has determined that the proposed development complies with the requirements for fire hydrant location.

Drainage and detention.

The proposed development is part of the drainage system developed by the Port Crossing Property Owner Association. Regional detention ponds were provided in the Port Crossing Business Park that were sized to detain the development of this site as well as all other development within the boundaries of the Port Crossing development. As a result, additional on-site detention is not required.

The proposed development is consistent with the city's PICM requirements for drainage purposes.

Utilities.

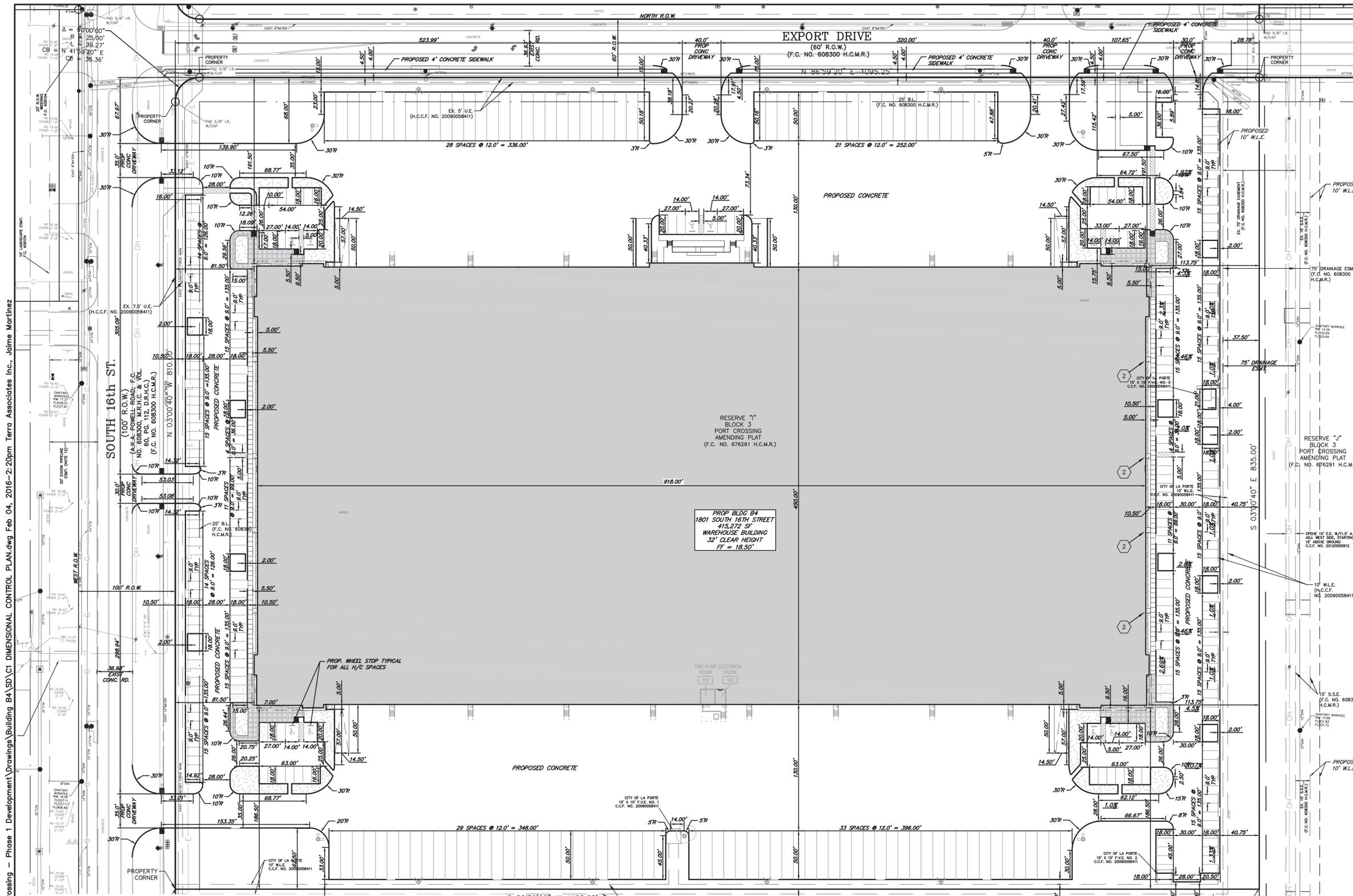
There are sufficient public utility facilities in proximity of this site to meet the needs of the proposed development. Much of the infrastructure required for the Port Crossing Business Park was installed in 2006 and 2007. A 12-inch sanitary sewer line is on the west side of S. 16th Street and on the east side of the subject parcel parallel to the drainage channel. The proposed development will tap into the existing line east of the subject parcel. Additionally, the site will tap into the existing 8-inch water line in Export Drive. The Utilities Division of the city's Public Works Department has reviewed the site plan and has no objection to connection to the city's water and sewer lines as proposed.

Conclusion:

Based on the analysis above, staff finds that the proposed Major Development Site Plan for the Port Crossing B4 Building complies with the various applicable code requirements and should be considered for approval.

ATTACHMENTS

- Exhibit A: Proposed Port Crossing B-4 Site Plan
- Exhibit B: Area Map
- Exhibit C: Zoning Map



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PROJECT TBM-1: Elevation=13.52'
Box cut on Type C-2 Inlet on north side of Wharton Weems Boulevard approximately 275 feet east of intersection of Wharton Weems Boulevard and South 16th Street.

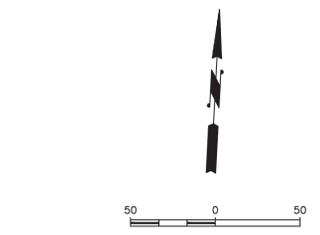
PROJECT TBM-2: Elevation=16.04'
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Box cut on Type C-1 Inlet on south side of Export Drive at intersection of Export Drive and South 16th Street.



OWNER: LIBERTY PROPERTY, L.P.
8827 NORTH SAM HOUSTON PARKING WEST
HOUSTON, TX 77064

OWNER CONTACT: KEN CHANG, P.E.

SITE ADDRESS: 1801 16TH ST.
LA PORTE, TX 77571

DEVELOPMENT: PORT CROSSING

DEVELOPMENT TYPE: INDUSTRIAL

ZONING TYPE: PUD - PLANNED UNIT DEVELOPMENT

LEGAL DESCRIPTION: PORTION OF RESTRICTED RESERVE "I", BLOCK 3 OF PORT CROSSING AMENDING PLAT, AS RECORDED IN FILM CODE NO. 676291 OF THE MAP RECORDS, HARRIS COUNTY, TEXAS

HCAD NO. 129-217-003-0001

LOT COVERAGE: 9.53 AC. = 44%
21.47 AC.

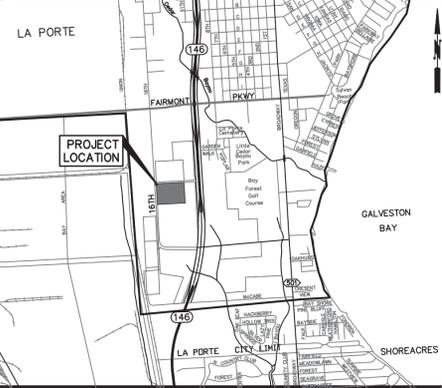
SITE ACREAGE: 21.47 AC.

David Sepulveda



THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY DAVID SEPULVEDA, P.E. 84006 ON FEB. 4, 2016

F:\Clients\1730 Liberty Property Trust\1730-1503 Port Crossing - Phase 1 Development\Drawings\Building B4\SD\C1 DIMENSIONAL CONTROL PLAN.dwg Feb 04, 2016-2:20pm Terra Associates Inc., Jaime Martinez



- NOTES:**
- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - SEE ARCHITECTS PLANS FOR DETAILS OF HANDICAP PARKING, SIGNAGE, RAMPS, STRIPING, ETC.
 - ALL CURB RETURN RADI SHALL BE 2', AS SHOWN TYPICAL ON THIS PLAN, UNLESS OTHERWISE NOTED.
 - ALL DIMENSIONS ARE PARALLEL OR PERPENDICULAR TO THE NORTH PROPERTY LINE BEARING N86°59'20"E, UNLESS OTHERWISE NOTED.
 - ALL DRIVEWAYS, DRIVE AISLES AND PARKING WILL BE CONCRETE W/THICKNESS SPECIFIED IN THE CONSTRUCTION SET.
 - ALL STANDARD PARKING IS 9' X 18'.
 - ANY DUMPSTER LOCATED ON THIS SITE MUST BE FULLY SCREENED WITH A SOLID WOOD OR MASONRY FENCE AND SOLID GATE.
 - USES PERMITTED IN ACCORDANCE WITH THE PORT CROSSING GENERAL PLAN AND APPROVED DEVELOPMENT AGREEMENT.

* THIS DISTANCE SHALL BE MEASURED FROM THE INTERSECTION OF PROPERTY LINES COMMON WITH STREET RIGHT-OF-WAY LINES.

FIGURE 10-3
CURB AND DRIVEWAY CRITERIA INDUSTRIAL DISTRICTS (MU, MS, NC, GC, BI, LI, HI)

DRIVE WIDTH - 30' MINIMUM TO 50' MAXIMUM
CURB RETURN RADIUS - 10' MINIMUM TO 30' MAXIMUM
(CURB RETURN CANNOT CROSS PROPERTY LINE.)

DISTANCE FROM INTERSECTION - 40' MIN.*
SPACING BETWEEN DRIVEWAYS - 40' MIN.

PARKING TABLE

10,000 SF FUTURE OFFICE: 3 PER 1,000SF	30 SPACES REQUIRED
405,272 SF WAREHOUSE: 1.5 PER PER NON-OFFICE EMPLOYEE	250 SPACES REQUIRED
280 TOTAL SPACES REQUIRED	
280 TOTAL SPACES PROVIDED, 166 POSSIBLE NON-OFFICE EMPLOYEES	
7 ADA SPACES REQ'D	
8 ADA SPACES PROVIDED	
LEED CREDIT PREFERRED PARKING FOR LOW-EMITTING AND FUEL EFFICIENT VEHICLES (5% TOTAL)	
15 SPACES REQ'D AND 16 PROVIDED	

CITY APPROVING AUTHORITY CERTIFICATE

This is to certify that on ___ day of _____, 20___ the City Planning and Zoning Commission of the City of La Porte, Texas has approved this site plan and development of **PORT CROSSING BUILDING B4** in conformance with the laws of the State of Texas and the ordinances of the City of La Porte.

ATTEST:
By: _____
Secretary, Planning and Zoning Commission

By: _____
Director, Planning and Development

SITE PLAN ACCURACY CERTIFICATE

I, DAVID A. SEPULVEDA, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING (OR SURVEYING) AND HEREBY CERTIFY THAT ABOVE PLAT OR SITE PLAN IS TRUE AND CORRECT; THAT ALL BEARINGS, DISTANCES, ANGLES, CURVE RADII, AND CENTRAL ANGLES ARE ACCURATELY SHOWN ON THE PLAT.

DAVID A. SEPULVEDA
TEXAS REGISTRATION NO. 84006

REV. NO.	DESCRIPTION	DATE	APP.
LIBERTY PROPERTY, L.P. PORT CROSSING - BLDG B4			
DIMENSIONAL CONTROL PLAN			
TERRA ASSOCIATES, INC. CONSULTING ENGINEERS		1445 N. LOOP WEST - SUITE 450 HOUSTON, TEXAS 77008 713-993-0333 TBPE Registration No.: F-003832	
DRAWN BY: JMJ	SCALE: 1" = 50'	PROJECT NO. 1730-1503 CONTRACT:	
CHECKED BY: JOM	DATE: FEBRUARY 4, 2016	SHEET C1 OF C3	

FLOODPLAIN INFORMATION
 THE SUBJECT PROPERTY IS LOCATED ENTIRELY WITHIN SHADED ZONE "X" (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD), EXCEPT AREAS LABELED AS BEING IN ZONE "AE" ("SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD EVENT; BASE FLOOD ELEVATIONS DETERMINED") PER NATIONAL FLOOD INSURANCE PROGRAM FIRM MAP NUMBER 4820100945M (CITY OF LA PORTE); PRELIMINARY MAP DATED MARCH 29, 2013. LOCATIONS OF ZONE BOUNDARIES SHOWN HEREON ARE APPROXIMATE AND WERE TRACED FROM SAID FIRM.

BENCHMARK INFORMATION
 All elevations shown herein are based on U.S. Survey Foot; NAVD 88 (2001 Adjustment).

H.C.F.R.M. NO. 010290; Elevation=6.06'
 Brass disk located from Highway 146 and Choate Road, travel west on Choate Road 0.2 miles. Monument is at the center of headwall between the east and west bound lanes of Choate Road.

PROJECT TBM-1; Elevation=13.52'
 Box cut on Type C-2 Inlet on north side of Wharton Weems Boulevard approximately 275 feet east of intersection of Wharton Weems Boulevard and South 16th Street.

PROJECT TBM-2; Elevation=16.04'
 Box cut on Type C-1 Inlet on east side of South 16th Street approximately 900 feet south of intersection of Wharton Weems Boulevard and South 16th Street.

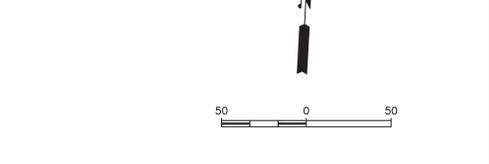
PROJECT TBM-3; Elevation=9.99'
 Box cut on Type C-1 Inlet on west side of State Highway 146 feeder road approximately 250 feet north of intersection of McCabe Road and State Highway 146 feeder road.

PROJECT TBM-4; Elevation=12.81'
 Box cut on Type C-1 Inlet on north side of Wharton Weems Boulevard approximately 90 feet west of intersection of Wharton Weems Boulevard and State Highway 146 feeder road.

PROJECT TBM-5; Elevation=12.52'
 Box cut on Type C-1 Inlet on south side of Export Drive at intersection of Export Drive and State Highway 146 feeder road.

PROJECT TBM-6; Elevation=16.18'
 Box cut on Type C-1 Inlet on south side of Export Drive at intersection of Export Drive and South 16th Street.

NOTES
 1 EXISTING TREES TO BE REMOVED
 SEE SHEET L1.1 FOR LANDSCAPE PLANS



LEGEND	
FF 18.50	FINISHED FLOOR
TC 13.00	TOP OF GRATE
TC 16.50	TOP OF CURB
TP 16.00	TOP OF PAVEMENT
TSW 18.50	TOP OF SIDEWALK
TOB 14.00	TOP OF BANK
1.5%	SLOPE ARROW
TC 123.47	EXISTING TOP OF CURB
TP 122.97	EXISTING TOP OF PAVEMENT (NOT FIELD VERIFIED)
■	EXISTING INLET
●	EXISTING MANHOLE
□	PROPOSED INLET
○	PROPOSED MANHOLE

David Sepulveda
 DAVID A. SEPULVEDA
 84006
 PROFESSIONAL ENGINEER
 THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY DAVID SEPULVEDA, P.E. 84006 ON FEB. 4, 2016.

REV. NO.	DESCRIPTION	DATE	APP.

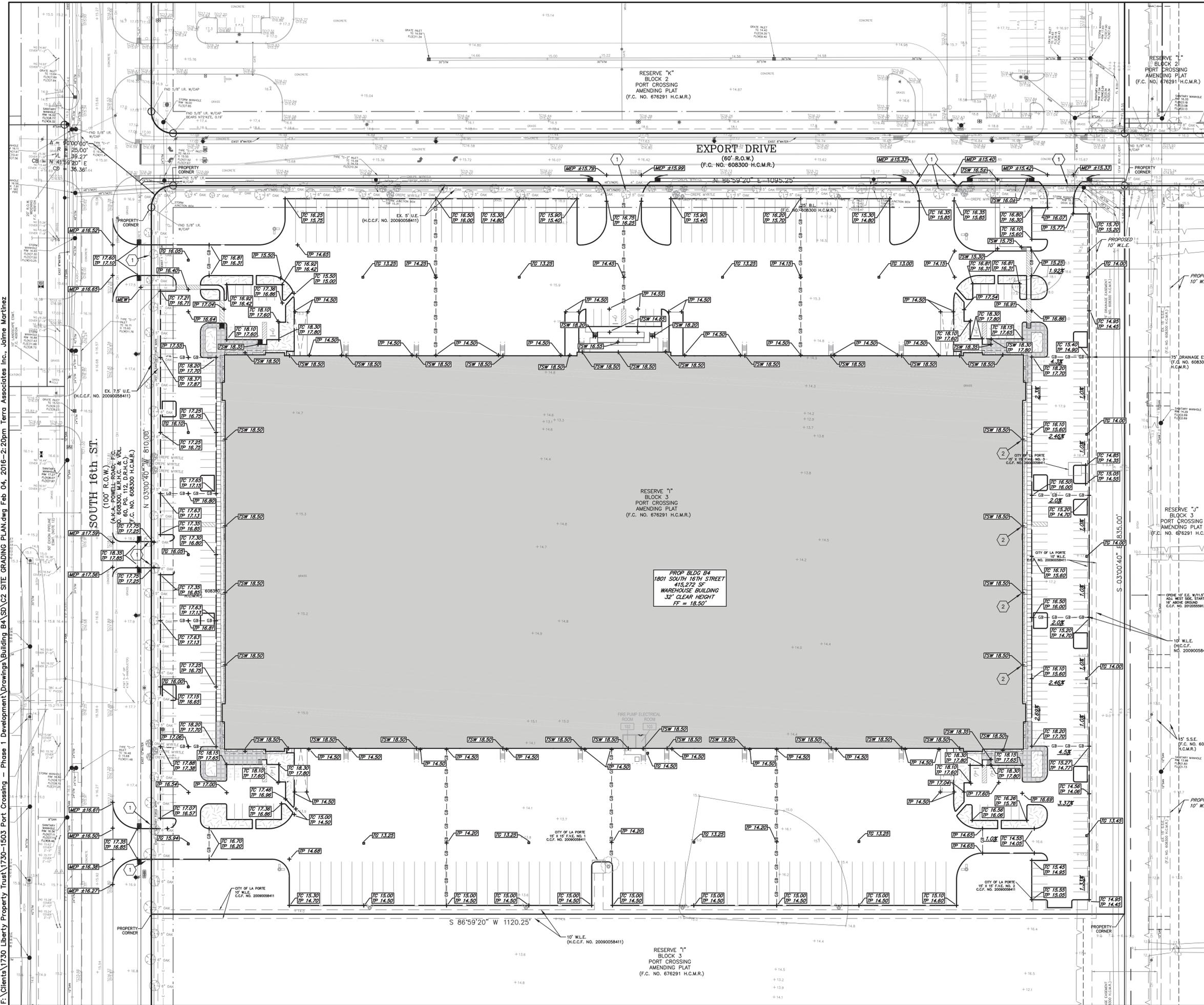
LIBERTY PROPERTY, L.P.
PORT CROSSING - BLDG B4

SITE GRADING PLAN

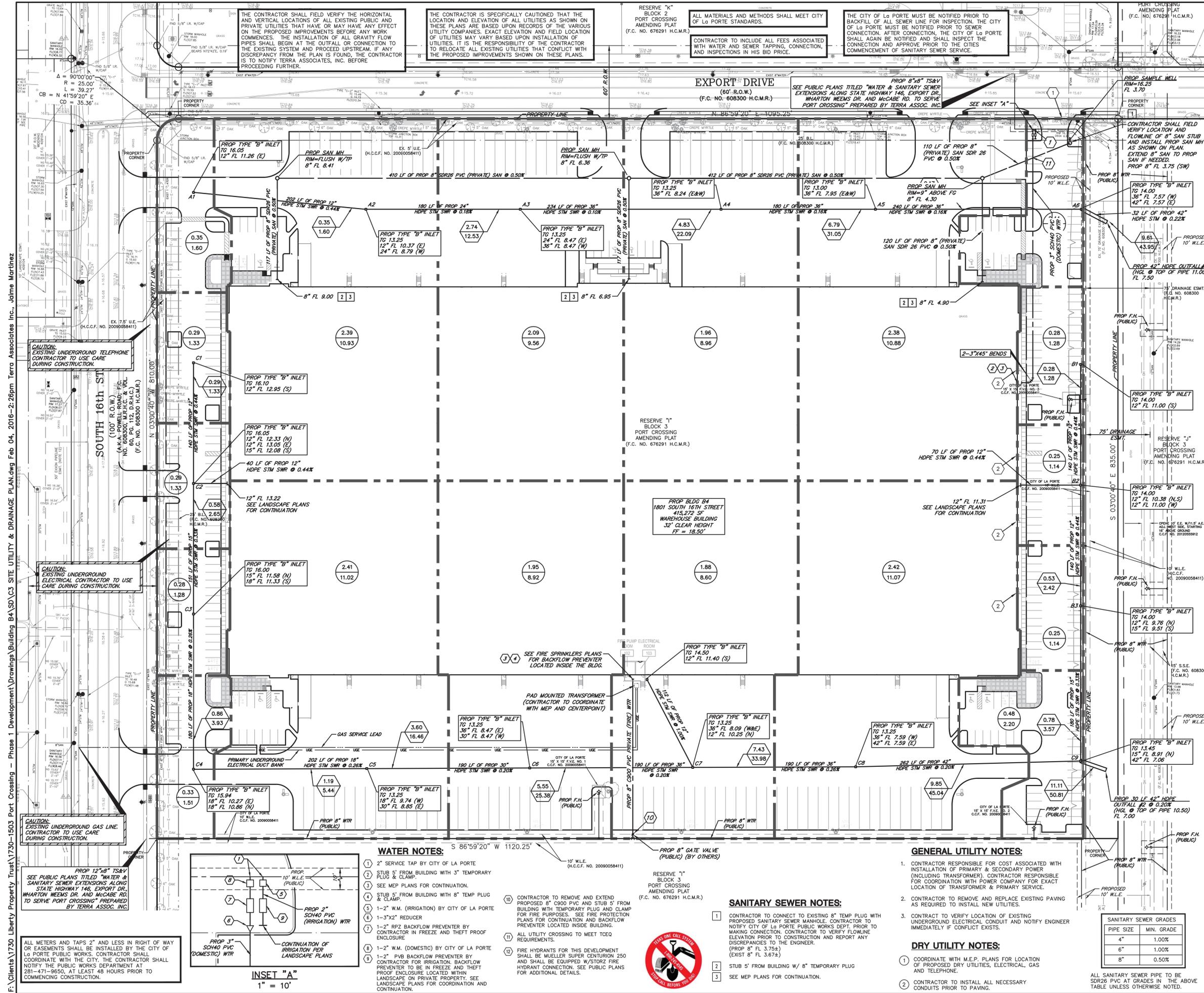
TERRA 1445 N. LOOP WEST - SUITE 450
 HOUSTON, TEXAS 77008
 713-993-0333
 ASSOCIATES, INC. TBPE Registration No.: F-003832

DRAWN BY: JMZ SCALE: 1" = 50' PROJECT No. 1730-1503
 CHECKED BY: JOM DATE: FEBRUARY 4, 2016 CONTRACT:

SHEET C2 OF C3

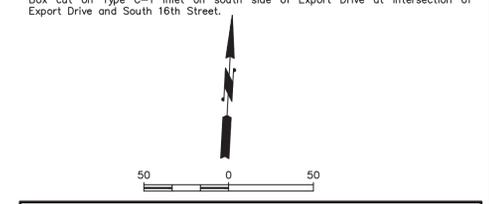


F:\Clients\1730 Liberty Property Trust\1730-1503 Port Crossing - Phase 1 Development\Drawings\Building B4\SD\C2 SITE GRADING PLAN.dwg Feb 04, 2016 - 2:20pm Terra Associates Inc., Jaime Martinez



FLOODPLAIN INFORMATION:
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 Box cut on Type C-1 Inlet on south side of Export Drive at intersection of Export Drive and South 16th Street.



LEGEND

- EXISTING INLET
- EXISTING MANHOLE
- PROPOSED INLET
- PROPOSED MANHOLE
- ⊕ PROPOSED MANHOLE W/ GRATE TOP
- △ PROPOSED CLEANOUT
- ⊗ PROPOSED GATE VALVE
- PROPOSED WATER METER
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED WATER LINE
- PROPOSED DRAINAGE AREA DIVIDE
- 1.03 INCREMENTAL DRAINAGE AREA ACRES
- 2.80 3-YR. INCREMENTAL FLOW, CFS
- 8.74 CUMULATIVE AREA, ACRES
- 21.82 3-YR CUMULATIVE FLOW, CFS
- EXTREME SHEET FLOW

THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY DAVID SEPULVEDA, P.E. 84008 ON FEB. 4, 2016.

REV. NO.	DESCRIPTION	DATE	APP.

LIBERTY PROPERTY, L.P.
PORT CROSSING - BLDG B4

SITE UTILITY & DRAINAGE PLAN

TERRA 1445 N. LOOP WEST - SUITE 450
 HOUSTON, TEXAS 77008
 713-993-0333
 CONSULTING ENGINEERS
 TBPE Registration No.: F-003832

DRAWN BY: JMJ SCALE: 1" = 50' PROJECT No. 1730-1503
 CHECKED BY: JOM DATE: FEBRUARY 4, 2016 CONTRACT:

SHEET C3 OF C3

F:\Clients\1730 Liberty Property Trust\1730-1503 Port Crossing - Phase 1 Development\Drawings\Building B4\SD\C3 SITE UTILITY & DRAINAGE PLAN.dwg Feb 04, 2016 - 2:26pm Terra Associates Inc., Jaime Martinez

WATER NOTES:

- 2" SERVICE TAP BY CITY OF LA PORTE
- STUB 5' FROM BUILDING WITH 3" TEMPORARY PLUG & CLAMP.
- SEE MEP PLANS FOR CONTINUATION.
- STUB 5' FROM BUILDING WITH 8" TEMP PLUG & CLAMP.
- 1-2" W.M. (IRRIGATION) BY CITY OF LA PORTE
- 1-3"x2" REDUCER
- 1-2" RPZ BACKFLOW PREVENTER BY CONTRACTOR IN FREEZE AND THEFT PROOF ENCLOSURE
- 1-2" W.M. (DOMESTIC) BY CITY OF LA PORTE
- 1-2" PVB BACKFLOW PREVENTER BY CONTRACTOR FOR IRRIGATION BACKFLOW PREVENTER TO BE IN FREEZE AND THEFT PROOF ENCLOSURE LOCATED WITHIN LANDSCAPE ON PRIVATE PROPERTY. SEE LANDSCAPE PLANS FOR COORDINATION AND CONTINUATION.

GENERAL UTILITY NOTES:

- CONTRACTOR RESPONSIBLE FOR COST ASSOCIATED WITH INSTALLATION OF PRIMARY & SECONDARY POWER (INCLUDING TRANSFORMER). CONTRACTOR RESPONSIBLE FOR COORDINATION WITH POWER COMPANY FOR EXACT LOCATION OF TRANSFORMER & PRIMARY SERVICE.
- CONTRACTOR TO REMOVE AND REPLACE EXISTING PAVING AS REQUIRED TO INSTALL NEW UTILITIES.
- CONTRACT TO VERIFY LOCATION OF EXISTING UNDERGROUND ELECTRICAL CONDUIT AND NOTIFY ENGINEER IMMEDIATELY IF CONFLICT EXISTS.

DRY UTILITY NOTES:

- COORDINATE WITH M.E.P. PLANS FOR LOCATION OF PROPOSED DRY UTILITIES, ELECTRICAL, GAS AND TELEPHONE.
- CONTRACTOR TO INSTALL ALL NECESSARY CONDUITS PRIOR TO PAVING.

SANITARY SEWER NOTES:

- CONTRACTOR TO CONNECT TO EXISTING 8" TEMP PLUG WITH PROPOSED SANITARY SEWER MANHOLE. CONTRACTOR TO NOTIFY CITY OF LA PORTE PUBLIC WORKS DEPT. PRIOR TO MAKING CONNECTION. CONTRACTOR TO VERIFY FLOWLINE ELEVATION PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES TO THE ENGINEER. (PROP 8" FL 3.75±) (EXIST 8" FL 3.67±)
- STUB 5' FROM BUILDING W/ 8" TEMPORARY PLUG
- SEE MEP PLANS FOR CONTINUATION.

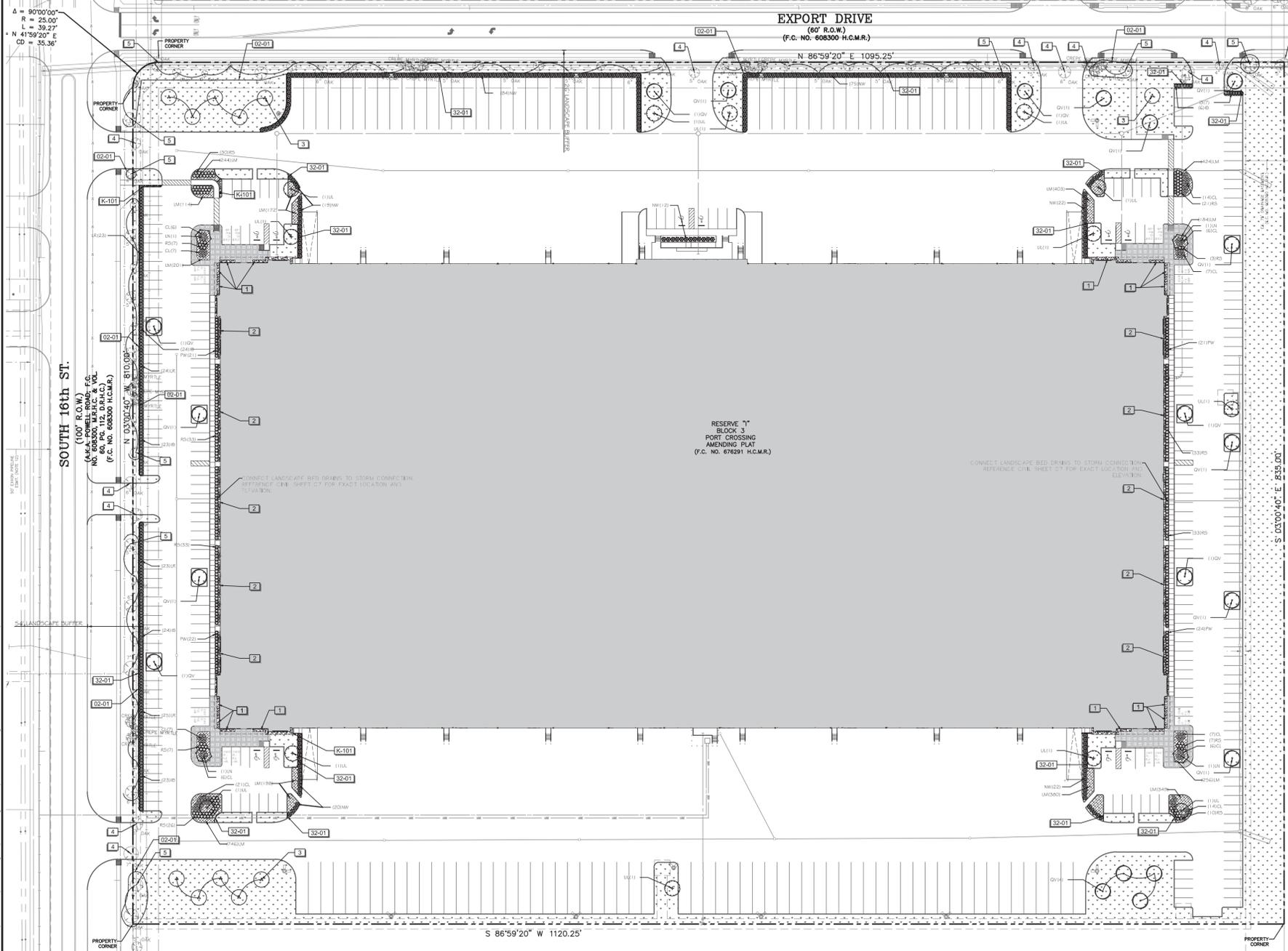
CAUTION: EXISTING UNDERGROUND TELEPHONE CONTRACTOR TO USE CARE DURING CONSTRUCTION.

CAUTION: EXISTING UNDERGROUND ELECTRICAL CONTRACTOR TO USE CARE DURING CONSTRUCTION.

CAUTION: EXISTING UNDERGROUND GAS LINE. CONTRACTOR TO USE CARE DURING CONSTRUCTION.



ALL AREAS DISTURBED BY CONSTRUCTION (INCLUDING AREAS OUTSIDE PROPERTY LINES) SHALL BE PLANTED WITH SOLID SOD AND WATERED A MINIMUM OF 10 WEEKS OR UNTIL GRASS IS FULLY ESTABLISHED.



PLANT SCHEDULE

TREES	CODE	QTY	COMMON NAME / BOTANICAL NAME	CONT.	CAL.	HEIGHT	SPREAD	BR.	HT.
LN	4		Natchez Grape Myrtle / Lagerstroemia indica x faurei 'Natchez'	30 gal	2" Cal	8-10' H	4'-5'	4'	5'
QV	20		Southern Live Oak / Quercus virginiana	100 gal	4" Cal	14-16' H	7'-8'	5'	+
UL	13		Chinese Elm Tree / Ulmus parvifolia 'Lacebark Elm'	30 gal	2" Cal	8-10' H	4'-5'		
SHRUBS	CODE	QTY	COMMON NAME / BOTANICAL NAME	CONT.	HT.	O.C.			
CL	102		Dwarf Bottle Brush / Callistemon citrinus 'Little John'	5 gal	24"	36"			
IB	107		Dwarf Burford Holly / Ilex cornuta 'Burfordi Nana'	5 gal	30"	36"			
LR	95		Wax leaf Ligustrum / Ligustrum japonicum 'Recurvifolium'	5 gal	30"	36"			
NW	300		White Oleander / Nerium oleander 'White'	5 gal	30"	42"			
PW	87		Wheeler's Dwarf Mock Orange / Photanum tobira 'Wheeler's Dwarf' Pruned to min. 3' height at maturity	5 gal	24"	36"			
RS	244		Snow White Indian Hawthorn / Rhamnus indica 'Snow White' Min. 24" height at time of planting.	3 gal	24"	36"			
GROUND COVERS	CODE	QTY	COMMON NAME / BOTANICAL NAME	CONT.	HT.	O.C.			
CT SEED	98.421 sf		Bermuda Grass / Cynodon dactylon 'Tif 419' Hydromulch with 2.5 lbs of seed/1,000 sf, wood mulch @ 2,000 lb/ac, Sticky Sticky Tackifier @ 15 lb/ac (or approved equal), 13-13-13 fertilizer @ 600 lb/ac. Contractor to submit product information for approval prior to install.	seed					
LM	3,999		Lily Turf / Linopie muscan	1 gal	12"	12"			
RELOCATED TREE		22							

From: Division 4 - Fencing and Landscaping Requirements Sec. 106-800 - Landscaping

- (a) Landscaping is required along the front property line and along the side property lines in a minimum 4' wide planting strip. Corner lots shall be treated as having two front property lines.
- (c) (1) (a) The required planting strip shall be located adjacent to the front and side property lines up to the front of the primary structure of the site or the building setback line, whichever is greater.

(b) There shall be at least one shade tree for every 30 linear feet of front property.

Street Name	Length	Divisor	Trees Required	Provided
Export Drive	1063'	30	35	37 (Existing)
S. 16th Street	813'	30	27	28 (Existing)

(c) When a parking lot is located between the building and any adjacent right-of-way, shrubs are required in the planting strip adjacent to the right-of-way and shall be spaced at three feet on center.

Total Parking Lot Frontage: 1,198 LF
1,198 LF / 3 = 399
Shrubs Required: 399 Shrubs Provided: 407

(e) i. Parking lot with minimum 20 spaces shall provide a planter at the ratio of one for every ten parking spaces.

Parking Spaces	Multiplier	Planters Required	Area Required	Provided
402	10	40 x 135 SF	5,427 SF	19,881 SF

ii. Planters (minimum 135 square feet) shall not abut on more than two sides of required perimeter landscape area. Each required planter shall have one shade tree.

43 Planters Required = 43 Parking Lot Trees Provided

(2) a. Shade trees shall be a minimum of two-inch caliper and shall be selected from city's recommended native/protected trees and plants list.

b. Shrubs or hedgerow plants shall be no less than five gallons in size.

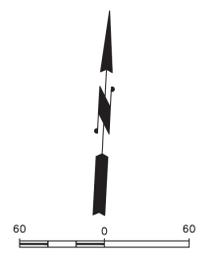


LANDSCAPE NOTES

- PLANT MATERIAL QUANTITIES ARE FOR THE CONVENIENCE OF THE CONTRACTOR ONLY. CONTRACTOR SHALL VERIFY ALL QUANTITIES.
- CONTRACTOR SHALL HAVE ALL UTILITY LINES LOCATED BEFORE PERFORMING ANY EXCAVATION FOR LANDSCAPE AND OR IRRIGATION INSTALLATION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING A FULL STAND OF GRASS AT THE TIME OF POSSESSION BY THE OWNER.
- ALL AREAS DISTURBED BY CONSTRUCTION (INCLUDING AREAS OUTSIDE PROPERTY LINES) SHALL BE PLANTED AND WATERED A MINIMUM OF 10 WEEKS OR UNTIL GRASS IS FULLY ESTABLISHED.
- LANDSCAPE BED EDGING SHALL BE PROVIDED WHERE INDICATED ON PLANS AND BETWEEN PLANTING/STONE BEDS AND LAWN AREAS/SIDEWALKS. SEE SHEET L3.1 FOR DETAILS.
- OPEN AREAS WITHIN LANDSCAPE BEDS SHALL BE MULCHED AS SHOWN IN DETAILS ON SHEET L3.1 AND AS SPECIFIED.
- CONTRACTOR IS RESPONSIBLE FOR OBTAINING PHOTOGRAPHS OF ACTUAL LANDSCAPE MATERIALS AND SUBMITTING THEM TO THE LANDSCAPE ARCHITECT FOR RECORD FOR APPROVAL PRIOR TO INSTALLATION.
- PLANT MATERIAL SELECTED SHALL FOLLOW THE GUIDELINES OF THE AMERICAN STANDARD FOR NURSERY STOCK BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
- PLANTINGS INSTALLED SHALL BE WARRANTED (FOR REPLACEMENT) FOR ONE (1) CALENDAR YEAR AFTER ACCEPTANCE OF THE LANDSCAPE INSTALLATION.
- LANDSCAPE SHALL BE IRRIGATED BY AUTOMATIC IRRIGATION SYSTEM.

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY	DETAIL
1	MEXICAN BEACH PEBBLE WITH BED DRAIN. SEE DETAIL 314, SHEET L3.1	6.49 cy	
2	RIVER ROCK WITH BED DRAIN. SEE DETAIL 312 & 313, SHEET L3.1.		
3	RELOCATED EXISTING TREE		
4	EXISTING TREE TO BE RELOCATED		
5	EXISTING TREES TO REMAIN		
EXISTING CONDITIONS		QTY	DETAIL
02-01	TREE PROTECTION FENCE. SEE NOTES AND DETAILS ON SHEET L3.1.	1.76 l f	
EXTERIOR IMPROVEMENTS		QTY	DETAIL
32-01	STEEL BED EDGE	1,600 lf	
ROCK		QTY	DETAIL
K-101	BULL ROCK. SEE DETAIL 313, SHEET L3.1	1.07 cy	



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REV. NO.	DESCRIPTION	DATE	APP.

LIBERTY PROPERTY, L.P.
PORT CROSSING - BLDG B4

LANDSCAPE PLAN

TERRA ASSOCIATES, INC. 1445 N. LOOP WEST - SUITE 450
HOUSTON, TEXAS 77008
713-993-0333
CONSULTING ENGINEERS TBPE Registration No.: F-003832

DRAWN BY: JMZ	SCALE: 1" = 60'	PROJECT No. 1730-1503
CHECKED BY: JOM	DATE: FEBRUARY 2, 2016	CONTRACT:
		SHEET L1.1 OF C17

powers brown architecture

1314 Texas Ave., 2nd Floor
Houston, Texas 77002
713.224.0456
713.224.0457 fax
www.powersbrown.com

PROJECT TITLE

Liberty Port Crossing - Phase 1

1801 S. 16th St.
La Porte, TX 77571

A PROJECT FOR
Liberty Property Trust

GENERAL NOTES

EXTERIOR MATERIALS

-  CONCRETE TILTWALL, FIELD PAINT
-  CONCRETE TILTWALL, ACCENT PAINT
-  PREFINISHED METAL CANOPY CLEAR ANODIZED FINISH
-  1" INSULATED VISION GLAZING SOLARGRAY WITH SOLARBAN 60 COATING
-  1" INSULATED SPANDREL GLAZING SOLARGRAY WITH SOLARBAN 60 COATING

A PER CITY OF LA PORTE DESIGN GUIDELINES, SECTION 106-928, PROPOSED BUILDING IS CLASSIFIED AS "TIER 3." PROPOSED BUILDING COMPLIES WITH SECTION 106-928 d.(1) WITH PROPOSED CANOPIES. PROPOSED BUILDING COMPLIES WITH SECTION 106-928 e.(1) VIA PAINTED CONCRETE TILTWALL AND PREFINISHED METAL CANOPIES.

DATE	REVISION
2016-01-25	Site Submission

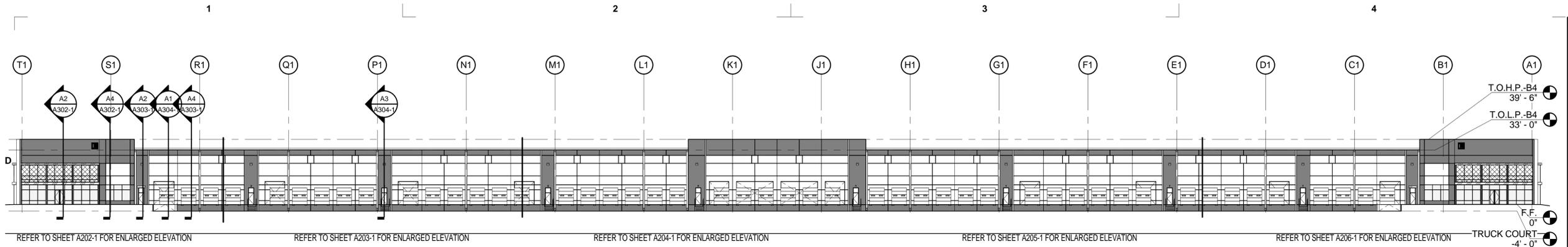
PROJECT NO: 151257
DRAWN BY: KRS
CHECKED BY: NK

SHEET TITLE
OVERALL BUILDING 'B4' ELEVATIONS

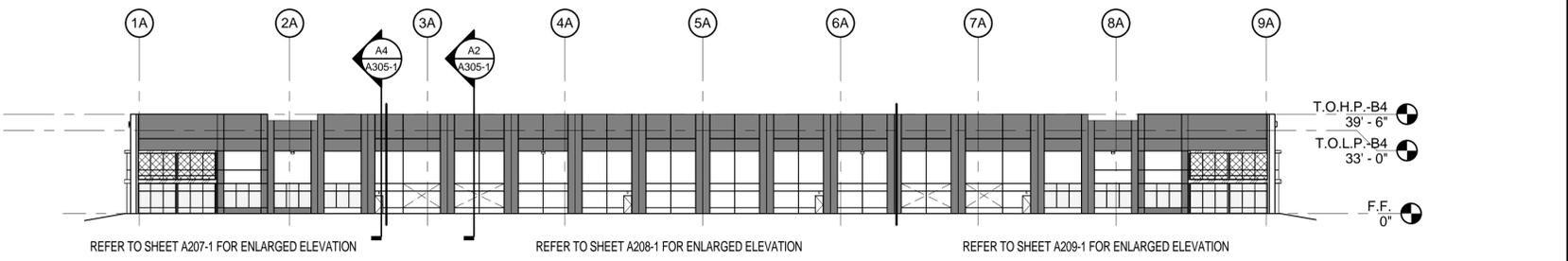
SEAL SHEET NUMBER



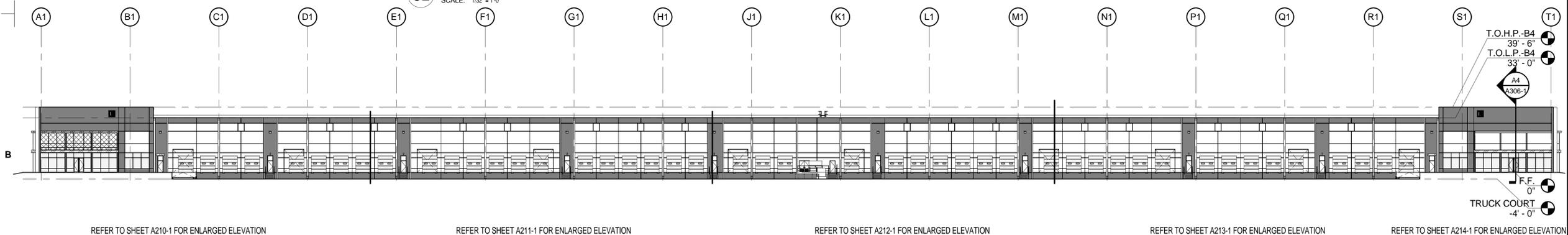
A201-1



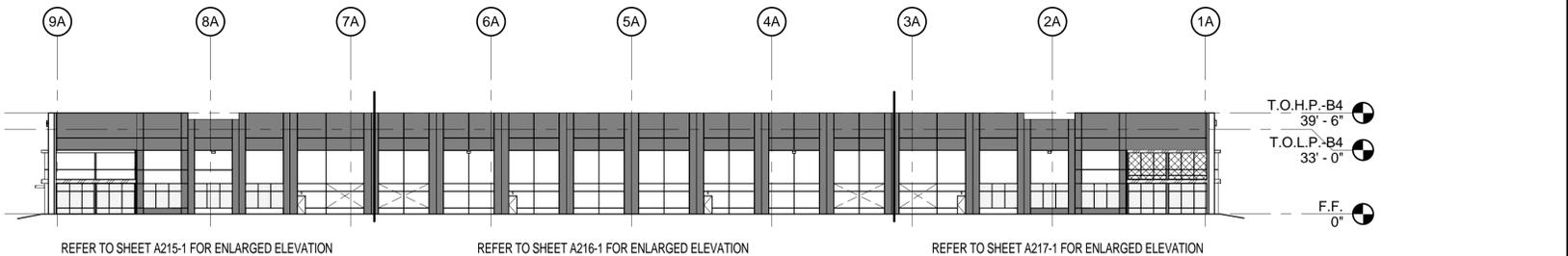
D1 OVERALL NORTH ELEVATION
SCALE: 1/32" = 1'-0"



C2 OVERALL EAST ELEVATION
SCALE: 1/32" = 1'-0"



B1 OVERALL SOUTH ELEVATION
SCALE: 1/32" = 1'-0"



A2 OVERALL WEST ELEVATION
SCALE: 1/32" = 1'-0"

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1/25/2016 2:22:41 PM

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FIRE FLOW TESTS



FIRE HYDRANT FLOW TEST REPORT

PROPERTY NAME: PORT CROSSING JOB #: 54660
 PROPERTY ADDRESS: TX 146 LA PORT TX 77571

DATE: 7/21/2015 TIME: 10:00 AM KEY MAP:

LINE	LOCATION OF	MANUFACTURER	YEAR	STATIC PSI	RESIDUAL	PROB	QPM
1	LAND	WELLS	N/A	56	44	27	1720
2	SAND	WELLS	N/A	56	44	27	1680
3	SAND	WELLS	N/A	56	38	24	1640



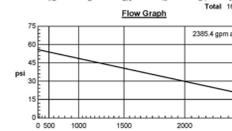
Hydrant Flow Test Report

Test Date 7/21/15 Test Time 10:00 AM
 Location: Port Crossing, Hwy 146, La Porte, Texas 77571
 Tested by: American Fire Systems, Inc., 5726 Teague Road, Houston, Texas 77041

Notes: Graph below based on flow test results from hydrants #1 & #2 on Export Drive (see flow test report diagram). Results based on gauging one hydrant while flowing two 2 1/2" outlets at adjacent fire hydrant.

Flow Hydrants

Outlet	Elev	Size	C	Pilot Pressure	Flow
#1	2	2.5	9	24	820 gpm
#2	2	2.5	9	24	820 gpm
					Total 1640 gpm



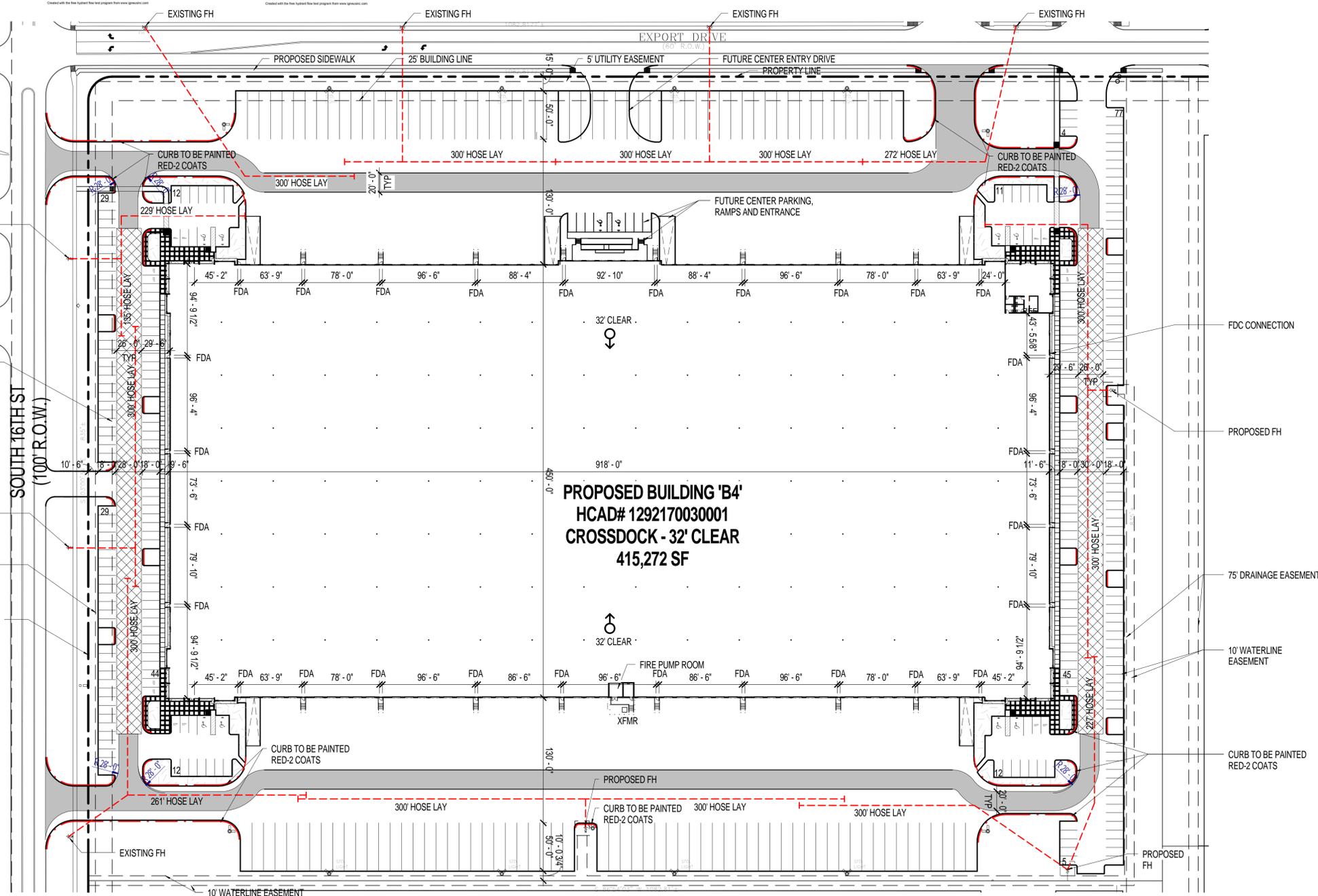
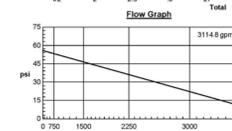
Hydrant Flow Test Report

Test Date 7/21/15 Test Time 10:00 AM
 Location: Port Crossing, Hwy 146, La Porte, Texas 77571
 Tested by: American Fire Systems, Inc., 5726 Teague Road, Houston, Texas 77041

Notes: Graph below based on flow test results from hydrants #1 & #2 on S. 16th Street (see flow test report diagram). Results based on gauging one hydrant while flowing two 2 1/2" outlets at adjacent fire hydrant.

Flow Hydrants

Outlet	Elev	Size	C	Pilot Pressure	Flow
#1	2	2.5	9	27	850 gpm
#2	2	2.5	9	27	850 gpm
					Total 1700 gpm



PROPOSED BUILDING 'B4'
 HCAD# 1292170030001
 CROSSDOCK - 32' CLEAR
 415,272 SF

powers brown architecture
 1314 Texas Ave., 2nd Floor
 Houston, Texas 77002
 713.224.0456
 713.224.0457 fax
 www.powersbrown.com

PROJECT TITLE
 Liberty Port Crossing - Phase 1
 1801 S. 16th St.
 La Porte, TX 77571
 A PROJECT FOR
 Liberty Property Trust

GENERAL NOTES

LEGEND

- AERIAL APPARATUS ACCESS LANE: 26'-0" TYPICAL, 28' RADIUS
- FIRE APPARATUS ACCESS LANE: 20'-0" TYPICAL, 28' RADIUS
- HOSE LAY

FDA = FIRE DEPARTMENT ACCESS DOOR

A FIRE DEPARTMENT ACCESS SITE CONCRETE PAVING TO BE CAPABLE OF WITHSTANDING 90,000 LBS UNDER ALL WEATHER CONDITIONS

B PROVIDE FIRE LANE STRIPING PER LOCAL JURISDICTION

C PROVIDE (2) COATS OF PAINT FOR PERIMETER STRIPING AND CURBS

D BUILDING IS FULLY SPRINKLERED WITH ESFR SYSTEM, WILL BE PERMITTED SEPARATELY.

PARKING CALCULATIONS:
 10,000 SF FUTURE OFFICE: 3 PER 1,000SF = 30 SPACES
 405,272 SF WAREHOUSE: 1.5 PER NON-OFFICE EMPLOYEE = 250 SPACES
 280 TOTAL SPACES REQUIRED
 280 TOTAL SPACES PROVIDED, 166 POSSIBLE NON-OFFICE EMPLOYEES

7 ADA SPACES REQ'D
 8 ADA SPACES PROVIDED
 LEED CREDIT PREFERRED PARKING FOR LOW-EMITTING AND FUEL EFFICIENT VEHICLES (5% TOTAL)
 15 SPACES REQ'D AND 16 PROVIDED

MASTER SITE KEY MAP

- NOT IN SCOPE
- PROPOSED

DATE: 2016-01-25 REVISION: Site Submission

PROJECT NO: 151257
DRAWN BY: KRS
CHECKED BY: NK

SHEET TITLE
 OVERALL BUILDING 'B4' FIRE MARSHAL PLAN

SEAL **SHEET NUMBER**
 FM102-1

REGISTERED ARCHITECT
 NIZIR KHALEK
 STATE OF TEXAS
 01-25-2016

C:\Users\stapper\Documents\151257_Central_stapper.rvt
 1/25/2016 3:23:29 PM

OVERALL BUILDING B4 SITE PLAN
 SCALE: 1" = 60'-0"

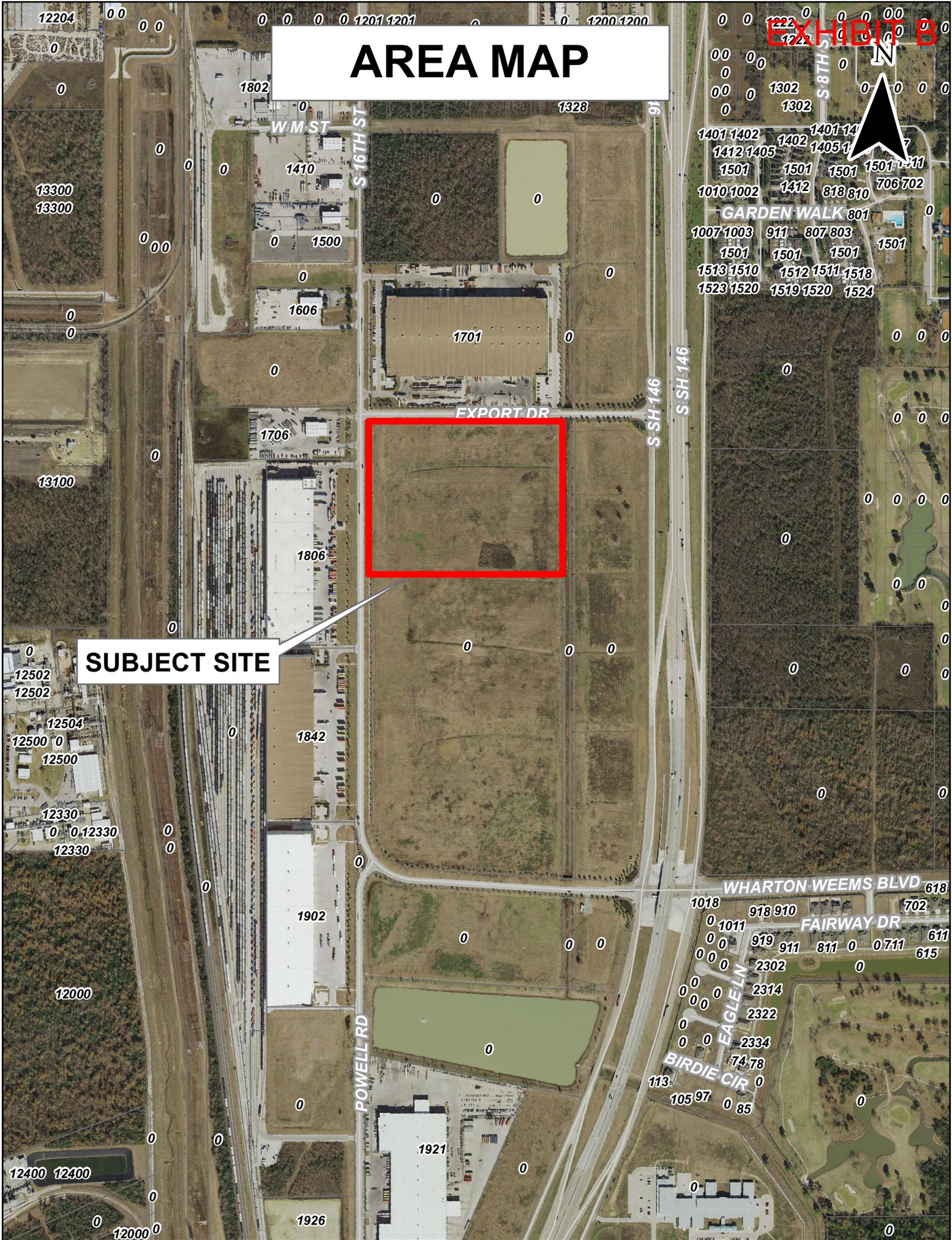
Copyright © 2013 POWERS BROWN ARCHITECTURE. No portion of this drawing may be copied without the express written consent of the Architect.

AREA MAP

EXHIBIT B



SUBJECT SITE



**City of La Porte, Texas
Planning and Zoning Commission**



February 18, 2016

AGENDA ITEMS 7-9

Consider a recommendation to the City Council
on proposed modification to Ordinance 1444 (Development Ordinance)

*Eric J. Ensey, City Planner
Planning and Development Department
City of La Porte, Texas*

Planning and Development Department Staff Report

ISSUE

Following the public hearing, should the Planning and Zoning Commission consider recommending approval to the City Council, the proposed modifications to Ordinance No. 1444, more commonly known as the City of La Porte Development Ordinance, as presented in the attached Exhibit A?

RECOMMENDATION

Staff recommends the Planning and Zoning Commission recommend approval to the City Council of the proposed modifications to Ordinance No. 1444 (Development Ordinance) as presented in the attached Exhibit A.

DISCUSSION

Ordinance No. 1444 is the city's Development Ordinance and includes the procedures and regulations regarding development of property in the City of La Porte. These regulations range from subdivision platting to site development plans to general engineering standards and requirements. The Development Ordinance was adopted by City Council in 1985 with minor modifications through the years.

An audit of the Planning and Development Department was commissioned and conducted by the City Council in 2012. In 2013, Planning and Development Department staff began implementing the various recommendations of the audit. One of the recommendations of the audit was for the city to update and codify the Development Ordinance.

As a result, the Planning and Zoning Commission established a subcommittee at the February 19, 2015 meeting to review Ordinance No. 1444 (Development Ordinance) and recommend modifications to the ordinance. The subcommittee included Commissioners Mark Follis (Chair), Richard Warren, Nick Barrera, and Lou Ann Martin. Planning and Development Department staff support was provided to the group.

The attached Exhibit A is the draft ordinance that includes the proposed modifications to Ordinance 1444 as recommended by the subcommittee. The Subcommittee is presenting this document to the Commission as a public hearing item for discussion

purposes and to present the modifications being proposed. Notice of this public hearing was published in the Bay Area Observer and posted at City Hall and on the city's website.

The following includes a description of the modifications being proposed. Those areas in the attached Exhibit A highlighted in yellow indicate new language as part of the proposed modification. The ~~strike-throughs~~ indicate where language is proposed to be removed. It's important to note that the proposed changes to the document are not substantial in nature. The majority of the changes proposed were to arrange the document in a manner that it could be codified. There were some processes that have changed over the years, so those have been included in this document. All the proposed modifications are consistent with state law and have been reviewed by the City Attorney.

General Modifications:

1. The Development Ordinance is being proposed to be codified as Chapter 86 of the City of La Porte Code of Ordinances.
2. References to old versions of state law have been modified with references to Texas Local Government Code.
3. Any reference to the Planning Department was replaced with "Planning and Development" as it relates to the department name or title of the director.
4. The certificates and signature blocks previously included as part of the ordinance have been removed. It is recommended or necessary that these be adopted in the codified version of the code. Instead, the Subcommittee is recommending that they be a departmental policy of the Planning and Development Department. These certificates have been included as part of Exhibit B for reference purposes.

Purpose (Section 86-1):

5. A new purpose clause was added to outline a general purpose for the chapter.

Statutory authority and jurisdiction (Section 86-2):

6. This section was modified to outline the city's authority to regulate and approve various development projects in the community.

Conformance requirements (Section 86-3):

7. This section was modified to simplify and more clearly provide various conformance requirements for development, including conformance with the Comprehensive Plan, Public Improvement Criteria Manual (PICM), etc.

Definitions (Section 86-4):

8. Most of the modifications to this section are minor in nature and function as a means of clarification of terms.

However there were some new definitions added that were not included in the original

Development Ordinance: “City”, “City Building Regulations”, “City Council”, and “Plat, Administrative”.

[The various development applications have been proposed to be broken out in different sections for codification purposes. Those sections include: Pre-development Applicant Consultation, General Plan, Development Site Plans, and Subdivision Platting.]

Pre-development Applicant Consultation (Section 86-5):

9. The Pre-development Applicant Consultation (or PAC) process replaces the Sketch Plan procedures. The intent of the PAC process is to provide applicants/developers with an opportunity to discuss the city’s review process and requirements for a proposed development project.

General Plans (Section 86-6):

10. This was already a procedure in the previous version of the Development Ordinance, however modifications have been made to codify these requirements. Additional requirements to General Plan submittals have been included (including drainage plans and traffic analysis).

Development Site Plans (Section 86-7):

11. Both Major and Minor Site Plans are included in this section. Both have the same submittal requirements, but different review paths (which has not been modified).
12. Additional submittal requirements have been added (including parking and landscaping tables, drainage calculations, exterior building elevations if subject to the city’s Design Guideline regulations, a traffic impact analysis if required by the Director.
13. A new provision was added for amendments to Site Plans. The intent of this section is to allow the Director to approve modifications that do not change the character of the development (especially if said site plan was approved by the Planning and Zoning Commission).

Subdivision Plats (Section 86-8):

14. All the various plat processes have been moved to this section. The platting procedures are generally governed by state statutes, and as a result, there are fewer modifications proposed to this section.
15. The requirements for group care facilities previously approved by City Council and not codified were included as subsections (j) and (k).

General Standards for Subdivisions and Developments (Section 86-15):

16. There are not many substantive modifications proposed to this section. Most of the modifications are for clarification purposes.
17. The only substantive modification is to the fees associate with the various development applications. The Subcommittee analyzed the fees charged by other municipalities for similar development applications. The fee modifications proposed are intended to bring the fees charged by the City of La Porte more in-line with our surrounding municipalities. These fees are intended to help off-set the administrative costs of processing development applications.

Waivers (Section 86-26):

18. This section was previously called “Variances”. The Subcommittee is recommending the name be changed to “Waivers” as the term variance is generally and legally tied to review of modifications to Chapter 106 (Zoning) by the Zoning Board of Adjustment. Because these waivers are reviewed by the Planning and Zoning Commission, it is easier to differentiate and explain the procedure as a “Waiver”.

ATTACHMENTS

- Exhibit A: Proposed Ordinance Amending Ordinance 1444 (Development Ordinance)
- Exhibit B: Certificates and Signature Blocks
- Exhibit C: Original Ordinance 1444 (Development Ordinance)

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 86 “DEVELOPMENT REGULATIONS” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS BY ADOPTING COMPREHENSIVE GUIDELINES, RULES AND REGULATIONS FOR SUBDIVISION AND DEVELOPMENT OF LAND IN THE CITY OF LA PORTE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

Section 1: That Chapter 86, “Development Regulations”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

“Article I. In General.

Sec. 86-1. Purpose.

(a) It is the intent of this chapter for the City to outline the requirements for subdividers, developers, applicants, engineers, surveyors, realtors and other persons interested and involved in the subdivision and development of land.

(b) It is also the intent, purpose and scope of this chapter to promote the vision, goals and policies of the City’s Comprehensive Plan and all of its components and to protect the health, safety and general welfare of the public.

Sec. 86-2. Statutory authority and jurisdiction.

(a) Pursuant to the authority granted to cities and counties under the constitution and laws of the state, including the provisions of Texas Local Government Code § 212.003, as amended Chapter 212, and as amended, the City Council does hereby adopt the rules and regulations established in this chapter governing the subdivision and development of land within the city limits and extraterritorial jurisdiction of the city. provided, however, that the City of La Porte excludes from the terms, conditions and effects of this chapter and all amendments hereto, unsubdivided development in the extraterritorial jurisdiction of the City, and land included within the boundaries of any Industrial District or Districts that may be hereafter created by the City of La Porte under the terms of Article

~~970a and amendments thereto of the Revised Civil Statutes the Texas Local Government Code of the State of Texas.~~

(b) The Approving Authority shall review all plans, plats, and all accompanying documentation required in this chapter, and require developer and subdivider compliance with the applicable state law, this chapter, the Zoning Ordinance of the City of La Porte, other applicable ordinances of the City of La Porte, **the City of La Porte Comprehensive Plan**, and approved written policies and procedures of the City of La Porte.

(c) **If any section of this chapter is in conflict with other provisions of this chapter or any other ordinance, the more restrictive rule or regulation shall apply.**

~~Under the authority of Article 974a of the Revised Civil Statutes [the Texas Local Government Code] of the State of Texas, which article is hereby made part of these regulations [this ordinance], the City Council of the City of La Porte does hereby adopt the following regulations to hereafter control the development of land within the corporate limits of the City of La Porte and in the unincorporated areas lying within the extraterritorial jurisdiction of the City of La Porte in order to provide for the orderly development of the areas and to secure adequate provision for the orderly development of the areas and to secure adequate provision for traffic, light, air, recreation, transportation, water, drainage, sewage, and other facilities; provided, however, that the City of La Porte excludes from the terms, conditions and effects of this Ordinance [chapter] and all amendments hereto, unsubdivided development in the extraterritorial jurisdiction of the City, and land included within the boundaries of any Industrial District or Districts that may be hereafter created by the City of La Porte under the terms of Article 970a and amendments thereto of the Revised Civil Statutes [the Texas Local Government Code] of the State of Texas.~~

Sec. 86-3. Conformance requirements.

(a) **In so implementing this chapter, the City may, as needed, utilize policies in the City's Comprehensive Plan, including but not limited to the future land use plan and corresponding provisions, as well as complementary general design and construction standards approved by ordinance by City Council.**

(b) **All development must also be in compliance with the City's Public Improvement Criteria Manual (PICM), where applicable.**

(c) It shall be unlawful for any owner or agent of any owner of land to layout, subdivide, resubdivide, plat, or replat any land within the City of La Porte or its extraterritorial jurisdiction without an approved City Development Authorization. In addition, it shall be unlawful for any owner or agent of any owner of land to cause the development of any land within the corporate limits of the City of La Porte, without an approved City Development Authorization. It shall be unlawful for any such owner or agent to offer for sale or sell property therein or thereby, which has not been laid out, subdivided, re-subdivided, platted, replatted or developed without the approvals required in this ~~Ordinance~~ **Chapter**, subsequent to the passage of this ~~Ordinance~~ **Chapter**.

(d) The City shall withhold all City improvements of whatsoever nature, including the maintenance of streets and the furnishing of utilities from all subdivisions or developments not in conformance with the provisions of this Chapter.

(e) No Building Permit shall be issued for the erection or improvements of any building in the City's jurisdiction not located within an approved and recorded subdivision plat or within an approved Development Site Plan as defined herein.

CONFORMANCE WITH THE COMPREHENSIVE PLAN (3.03)

~~The City shall, under the provisions of Article 11, XI, Section 5 of the Texas Constitution and the provisions of Article 970a and 974a, [the Texas Local Government Code of the State of Texas], require that all plans or plats conform to the:~~

~~a. Comprehensive Plan of the City, its streets, alleys and public utility facilities which have been laid out; and,~~

~~b. The Comprehensive Plan for the extension of the City, its roads, streets, public highways, water and sewer mains and other instrumentalities of public utilities within the City and its extraterritorial jurisdiction.~~

GENERAL (1.00)

~~This ordinance shall govern every person, firm, association or corporation owning any tract of land within the City limits of the City of La Porte and within its extraterritorial jurisdiction who may hereafter subdivide or engage in development as hereinafter defined any tract of land or any addition to said City provided, however, that the City of La Porte hereby excludes from the terms, conditions and effects of this ordinance and all amendments hereto, land included within the boundaries of any Industrial District or Districts within the Extraterritorial Jurisdiction of the City of La Porte that currently exists or may be hereafter created by the City of La Porte under the terms of Chapter 212, Municipal Regulation of Subdivisions and Property Development, of the Texas Local Government Code,~~

Sec. 86-4. Definitions.

For the purpose of this ordinance the following various terms, phrases and words, will have the meaning ascribed to them herein. When not inconsistent with the context, words used in present tense include the future; words used in singular include the plural; words used in plural include the singular; "shall" is mandatory; and "may" is permissive. Any office referred to herein by title will include the person employed or appointed for that position or its duly authorized deputy or representative. Terms, phrases or words not expressly defined herein are to be considered in accordance with customary usage.

AGRICULTURAL USE: Any activity related to the cultivation of the soil, the producing of crops to human food, animal feed or planting seed or for the production of fibers; floriculture, viticulture or horticulture raising or keeping of livestock; and planting cover crops or leaving land idle for the purpose of participating in any governmental program or recognized, normal crop or livestock rotation procedure.

A residential unit and related ~~out-buildings~~ **accessory buildings** located solely for one or more of the purposes described in the preceding sentence shall be deemed an agricultural use.

ALLEY: A public right-of-way ~~which~~ **that** is used for utility installation or for secondary access to individual properties ~~which~~ **that** have their primary access from an adjacent public street or an approved common or compensating open space or court yard ~~which~~ **that** has direct access to a public street.

APPROVING AUTHORITY: ~~commission~~ **The Planning and Zoning Commission** or the City official having authority to sign plats or plans signifying City approval of said plats or plans. For Minor Developments **and Administrative Plats**, the Approving Authority is the Director of Planning and Development. For all other developments or subdivisions, the Approving Authority is the Planning and Zoning Commission.

ARTICLE 974a: ~~A general law of the State of Texas found at Acts 1927 General Laws, Ch. 231, as it may be from time to time amended.~~

BUILDING SETBACK LINE: A line that is the required minimum distance from the street right-of-way line or easement line or any other lot line that establishes the area ~~within which~~ **where** any structure must be erected or placed.

BLOCK: An identified tract or parcel of land established within a subdivision surrounded by a street or a combination of streets and other physical features ~~which~~ **that** may be further subdivided into individual lots or reserves.

BUILDING PERMIT: A permit for improvements granted by the Chief Building Official under the provisions of the City Building ~~Codes~~ **Regulations** currently in force and effect; ~~save and except improvements of less than \$1,000.00 valuation.~~ As used herein, **the term "improvement"** shall include the construction, enlargement, alteration, repair, removal, or conversion of a building or structure.

CHIEF BUILDING OFFICIAL: The City officer or other designated authority charged with the administration and enforcement of the City Building ~~Codes~~ **Regulations**, or his/her authorized representative.

CITY: **The City of La Porte, Texas.**

CITY BUILDNG REGULATIONS: **All building regulations referred to in and incorporated by Chapter 82 of the City's Code of Ordinances.**

CITY COUNCIL: **The City Council of the City of La Porte, Texas.**

CITY SECRETARY: ~~That~~ **The** person holding the office of City Secretary under the terms of the La Porte Charter, or her/his designated representative.

COMMISSION: The Planning and Zoning Commission of the City.

COMPENSATION OPEN SPACE: Those areas designated on a plat or plan ~~which~~ **that** are restricted from development, except for landscaping and recreational uses and which all owners of residential properties within the plat have a common legal interest or which are retained in private ownership and

restricted from development, except for landscaping and recreational uses, for the exclusive use of all owners of residential property within the plat, and such designation shall remain in effect until the plat is vacated or the tract is replatted. The terms “compensating open space”, “common open space”, “common property” and “common area” may be used interchangeably and may be considered as similar.

COMPREHENSIVE PLAN: A long- range plan adopted by the City Council **in accordance with Texas Local Government Code Chapter 213 and as such plan is periodically amended or updated**, which is intended to guide the development of the City **and** that includes analysis, recommendations and proposals for the community’s population, economy, housing, transportation, community facilities and infrastructure.

COUNTY: Harris County, Texas

DEPARTMENT: The Planning **and Development** Department of the City of La Porte.

DEVELOPER: The legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option or contract to purchase, or other persons having property interests in such land.

DEVELOPMENT: The process of converting land within the City’s jurisdiction from its natural state, or altering the elevation of property or converting its existing usage to residential, commercial or industrial uses. This definition encompasses any and all physical changes to the land not regulated through the City Building Code inherent in such conversions. The term development includes subdivisions as defined herein.

DEVELOPMENT AUTHORIZION: A document issued by the Department for the development of land within the City’s jurisdiction. A Development Authorization is issued after final approval of a Subdivision Plat or Development Site Plan by the City Approving Authority, and authorizes the construction of improvements not regulated by the City Building Code.

DEVELOPMENT, MAJOR: Any development **not qualifying as a Minor Development, as the term “Minor Development” is defined herein.**

DEVELOPMENT, MINOR: Any project or development that involves no more than ten (10) acres of land and **where** the total square footage of all buildings on the site does not exceed 150,000 square feet and ~~requires no change to the City’s Infrastructure Plan~~ **presents no conflict with the City’s Comprehensive Plan.**

DIRECTOR: The ~~City~~ Director of **the** Planning **and Development** Department or designated representative.

DWELLING UNIT: A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

EASEMENT: A right given by the owner or a parcel of land to another person, public agent or private corporation for specific and limited use of that parcel.

EXTRATERRITORIAL JURISDICTION: The unincorporated territory ~~beyond the~~ outside of and contiguous to the City limits of the City established by the authority of Texas Local Government Code Chapter 42 Article 970a and 974a ~~[or area outside the municipal limits but within five miles of those limits]~~.

FILING DATE: The date when a Development Site Plan, General Plan, or a Subdivision Plat is formally presented to the Approving Authority for its approval and is registered as a part of the Approving Authority's official records.

FLOOD HAZARD AREA: Those areas of the City designated as having a greater chance of flooding from natural disasters such as rainstorms or hurricanes. Such areas are shown on the official flood insurance rate maps (FIRM) established by FEMA and adopted by City Council.

FLOOD HAZARD PREVENTION ORDINANCE: The ~~City Ordinance~~ ordinance adopted by the City Council and codified in Chapter 94 "Floods" of the La Porte, Texas Code of Ordinances which that defines the special flood hazard areas of the City and regulates land development more restrictively within such areas, ~~by means of requirement for issuance of a special Flood Plain Development Permit.~~

GENERAL PLAN: A map or ~~plat~~ plan illustrating designated to illustrate the general design features and street layout of a proposed development which is proposed to be platted and developed in phases. This plan, when approved by the Commission, constitutes a guide which the Commission should refer to in the subsequent review of Subdivision Plats or Development Site Plans that cover portions of the land contained within the General Plan, and as well as adjacent property.

HARRIS COUNTY ROAD LAW: A special law of the State of Texas found in Acts 1913, Special Laws, Chapter 17, as may be from time to time amended.

INDUSTRIAL DISTRICTS: That land within the extraterritorial jurisdiction of the City of La Porte, and either:

- (a) Being designated as the "Battleground Industrial District of La Porte, Texas" in Ordinance 729, passed by the City Council of the City of La Porte; or
- (b) Being designated as the "Bay Port Industrial District of La Porte, Texas" in Ordinance 842, passed by the City Council of the City of La Porte; or
- (c) Being designated as the "South La Porte Industrial District or La Porte, Texas" in Ordinance 98-2258, passed by the City Council of the City of La Porte.

LOT: An undivided tract or parcel of land contained within a block or designated on a Subdivision Plat by numerical identification.

MOBILE HOME PARK: An unsubdivided development divided into mobile home sites for rent and for the installation of mobile home thereon.

MOBILE HOME SUBDIVISION: A subdivision divided into mobile home lots for sale.

MONUMENT: A fixed reference point or object located convenient to proposed developments in La Porte for which **that** the City or another governmental agency has determined the elevation above mean sea level and the geographic location within the Texas Plane Coordinate System.

MONUMENT SYSTEM: A monument system established by the City to provide horizontal and vertical survey control for land development in La Porte within a common frame of reference. A document describing the City Monument System is published separately.

ONE-FOOT RESERVE: A strip of land one foot wide and within public street right of ways and adjacent to subdivision reserves or adjacent acreage to prevent access to said public street until the reserve or adjacent acreage has been platted in accordance with this Ordinance [these regulations].

PLAN, DEVELOPMENT SITE: A site plan for unsubdivided developments certified by the land owner and by a Professional Engineer or Registered Public Surveyor, executed by the City Approving Authority and prepared as specified in ~~Section 4.08~~ **Section 86-7** of ~~these regulations~~ **this Chapter**.

PLANNED UNIT DEVELOPMENT: A land area characterized by a unified site design which: (1) has individual building sites and provides common open spaces; and (2) is designed to be capable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property. The ownership of the common property may be either public or private. A Planned Unit Development may include subdivisions. It may be a single Planned Unit Development as initially designed; or as expanded by annexation of additional land area; or a group of contiguous Planned Unit Developments, as separate entities or merged into a single consolidated entity.

PLANNING CONSULTANT: A certified land planner, Texas registered professional engineer, Texas registered land surveyor, Texas registered architect, or other qualified consultant, who performs land planning services to subdividers or developers for a fee.

~~PLAN, SKETCH: A rough sketch map of a proposed subdivision or other development of sufficient accuracy to be used for the purpose of discussion and preliminary decision making, prepared in conformance with Section 4.00 et. seq. of this Ordinance [of these regulations].~~

PLAT, ADMINISTRATIVE: A replat or subdivision of ~~10 (ten)~~ land totaling ten (10) acres or less, and involving four (4) or fewer lots fronting on an existing streets and not requiring the creation of any new street or the extension of municipal facilities or the aggregation of multiple lots into one lot.

PLAT, AMENDING: A plat, previously approved by the Commission and duly recorded, which is resubmitted to the Commission for re-approval and recording which contains dimensional or notational corrections or erroneous information contained on the originally approved and recorded plat. An amending plat is not to be considered as a replat or resubdivision and may not contain any changes or additions to the physical characteristics of the original subdivision, but is intended only to correct errors or mis-calculations as allowed under the provisions of ~~Art. 974a, Section 5(d)~~ **Chapter 212 of the Texas Local Government Code**.

PLAT, FINAL: A map or drawing of a proposed subdivision prepared in a manner suitable for recording in the appropriate County records and prepared in conformance with **Sec. 86-8(c)**~~Section 4.04 et seq.~~ of this Ordinance.

PLAT, PRELIMINARY: A map or drawing of a proposed subdivision illustrating its development features for review, prepared as specified in ~~Section 4.04~~, et seq. of this ordinance.

PLAT, STREET DEDICATION: A map or drawing suitable for recording in the appropriate county records illustrating the location of ~~as a public street~~ within a specific tract of land.

PUBLIC IMPORVEMENTS CRITERIA MANUAL (PICM): The set of standards set forth by the Director of Planning ~~and Development~~ Department and approved by the City Council to determine the specific technical requirements for construction of public improvements. The manual may be acquired from the Planning ~~and Development~~ Department, and is on file in the City Secretary's Office.

RESERVE: A parcel of land within a Subdivision Plat or Development Site Plan reserved from current development. A reserve may be restricted to a special use such as drainage, recreation or common area. Reserves within the subdivisions not restricted in use may be shown as "unrestricted".

RESUBDIVISION OR REPLAT: The relocation or removal of existing streets or lots by re-platting as allowed under the provisions of ~~Art. 974a VTCS Section 5 as amended~~ ~~Chapter 212, Texas Local Government Code, and as amended.~~

RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, prescription or condemnation and used or intended to be used as a road, utility installation, crosswalk, railroad, electric transmission lines, or other similar use.

SPECIAL USE SITES: A location shown on the Comprehensive Plan where a proposed school, park, public building or other public facility is to be located.

STREETS, COLLECTOR: A street designed to serve equally the functions of access and movement. Collector streets serve as links between local streets and arterials.

STREET, CUL- DE- SAC: A local street having one end open to vehicular traffic and having one closed end terminated by a turnaround.

STREET, LOCAL: A neighborhood or minor street whose primary purpose is to provide access to abutting properties.

STREET, PRIMARY ARTERIAL: An expressway, freeway, or primary thoroughfare whose primary function is the movement of traffic.

STREET, PRIVATE: A vehicular access way, under private ownership and maintenance, providing access to buildings containing residential dwelling units without direct access to an approved public street right- of- way. Parking lots and private driveways within shopping centers, commercial areas and industrial developments shall not be considered as private streets.

STREET, PUBLIC: A publically ~~owned or maintained~~ right- of- way, however designated, dedicated or acquired, which provides vehicular access to adjacent properties.

STREET, SECONDARY ARTERIAL: A primary thoroughfare whose predominant function is the movement of traffic but which provides more access than normally associated with a primary arterial.

STREET, STUB: A public street not terminated by a permanent circular turnaround, ending adjacent to undeveloped property or acreage and intended to be extended at such time as the adjacent undeveloped property or acreage is subdivided or developed.

STREET, THOROUGHFARE: A public street designed for heavy traffic and intended to serve as a traffic artery of considerable length and continuity throughout the community and so designated on the latest edition of the City Thoroughfare Plan as contained in the City's Comprehensive Plan.

SUBDIVIDER: Any owner or authorized agent thereof, proposing to divide, or dividing, land so as to constitute a subdivision according to the terms and provisions of this Ordinance Chapter. A subdivider is further defined to be a developer.

SUBDIVISION: A division of any tract of land into two (2) or more parts for the purpose of laying out any subdivision or any tract of land or any addition to the City, or for laying out suburban lots or building lots, or any lots, and streets, alleys or parts or other portions intended for public use or the use of the purchasers or owners of lots fronting thereon or adjacent thereto. A subdivision includes re-subdivision (replat) but it does not include the division of land for agricultural purposes in parcels or tracts of five (5) acres or more and not involving any new streets, alleys or easements of access. A subdivision is further defined to be a development.

SUBDIVISION, MAJOR: Any subdivision not qualifying as a minor subdivision, as the term "minor subdivision" is defined herein.

SUBDIVISION, MINOR: A subdivision involving less than ten (10) acres of land, which has no common area or reserves, has no adjacent stub street right of ways, and requires no change to the City's Comprehensive Plan.

SUBMITTAL DATE: The date and time specified in this chapter when plans, plats, related materials and fees must be received by the City prior to the next regular meeting of the commission in order to be considered at such meeting. The "submittal date" is not to be considered as the "filing date" as herein defined.

TITLE CERTIFICATE (ABTRACTOR'S CERTIFICATE, PLANNING LETTER): A certificate prepared and executed by a title company authorized to do business in the State of Texas or an attorney licensed in the State of Texas describing all encumbrances of record which affect the property together with all deeds recorded from and after the effective date of this Ordinance Chapter which shall include any part of the property included in a subdivision plat or development site plan.

VARIANCE: **WAIVER:** Permission granted in writing by the Commission to depart from the literal requirements of this ordinance Chapter.

ZONING ORDINANCE: The Zoning Ordinance of the City of La Porte, Texas, codified as Chapter 106 in the La Porte Texas Code of Ordinances, together with any amendments thereto.

Sec. 86-5. Pre-development Applicant Consultation.

(a) The developer or owner of land may choose to schedule a Pre-development Applicant Consultation (PAC) meeting with the Director. The PAC meeting is intended to provide information on the City's review process, procedures and requirements and allow for dialogue between the City and developer or owner of land prior to submittal of any development application outlined in this chapter.

SKETCH PLANS

The developer or owner of the land may choose to submit a Sketch Plan to the Director of Community Development for his formal review. The applicant should discuss with the Director the procedure for submittal and approval of Subdivision Plats or of Development Site Plans and the requirements as to the general layout of streets, reservation of land, street improvements, drainage, sewage, fire protection, and similar matters as well as the availability of existing services. The Director shall also advise the applicant, where appropriate, to discuss the proposed development or subdivision with those officials who must eventually approve these aspects of the Subdivision Plat or Development Site Plan coming within their jurisdiction.

A. SKETCH PLANS: REQUIREMENTS AND CONTENTS (SEE APPENDIX B)

For Major Subdivisions or Developments, the developer may prepare several different schematic land plans for the same property during the Sketch Plan stage. Complete instructions for preparing Sketch Plans for all Developments or subdivisions are contained in Appendix B.

B. SKETCH PLANS: SUBMISSIONS

The City encourages the subdivider or developer to submit one (1) copy of each Sketch Plan and one (1) copy of the completed development checklist (available at the Department) to the Director at least two (2) weeks prior to the date he intends to submit his first formal plan or plat.

C. SKETCH PLANS, EFFECT OF SKETCH PLAN REVIEW

Sketch Plan review is optional and informational in nature and no city approval or disapproval results from its review. The developer may file a formal plan or plat, regardless of the outcome of Sketch Plan review.

Sec. 86-6. General Plans.

(a) General Plans are required for all phased projects involving Major Subdivisions or Major Developments. The General Plan is to be designed to illustrate the general design features of a subdivision or development which is proposed to be developed or platted in phases or sections. This plan, when approved by the Commission, constitutes a guide which the Commission will refer to in the subsequent review of plans or plats that cover portions of the land contained within the general overall plan and adjacent properties. Should the developer's future plans change, such changes are to be disclosed to the Department by filing a new General Plan.

(b) Application shall be submitted to the Department at least three (3) weeks before the date which Commission review is requested, unless otherwise approved by the Director.

(c) Application shall consist of all required documentation **submitted** either electronically or one (1) paper copy in a 24"x36" format.

~~Five (5) copies of the General Plan, certified by the developer and planning consultants, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date at which Commission review is requested. Complete instruction for preparing General Plans are contained in Appendix C.~~

(d) The following information must be submitted as part of a General Plan submission: ~~This appendix to the La Porte Development Ordinance prescribes criteria for the preparation of General Plans and the information which must be submitted therewith.~~

(1) Application and applicable fee.

(2) Development checklist.

(3) Project description letter.

(4) Any additional information required by the Director.

(5) The General Plan shall graphically contain the following:

a. Name of the development. ~~(Cannot be duplicates of any other names used within the City's jurisdiction)~~

b. Legal description of the site. ~~land within proposed developments: "____. ____ acres out of the _____ Survey, Abstract Number _____, Harris, County, Texas". Identify owners of each tract, if separate ownership.~~

c. Existing and proposed zoning.

d. Name **and contact information** of the developer.

e. Name **and contact information** of the project design team.

f. Developer/Owner signature block.

g. City approval signature block.

h. Scale of plan in engineering format. ~~Scale of 1" = 100' unless another scale is approved by the Department): Exact~~

i. North arrow. ~~(Pointing toward top of sheet if practicable)~~

j. **Vicinity** key map ~~to showing~~ **ing** relation of development to surrounding streets, railroads and watercourses.

- k. Perimeter **boundary of the property**. ~~boundaries: Draw perimeter boundary of property.~~
- l. Identification of each phase of development and proposed land use/s for each phase.
~~Phases: Total number of Subdivisions and number of each type (unsubdivided) Development planned~~
- m. Label adjacent subdivisions, streets, easements, water courses, acreage tracts, and other natural and manmade features.
- n. Show land contours at one foot intervals ~~as taken from City topographic maps or from a ground survey.~~
- o. Identify required building lines adjacent to all existing or proposed public and private streets and alleys.
- p. If building locations are known, include the footprint of each building, indicating the building type, building height, number of stories, floor area, and density of residential development.
- q. Show rights-of-way for all streets and alleys either existing or proposed within or adjacent to the general plan boundaries. Indicate right-of-way width of all streets as identified in the PICM. **Identify whether streets are intended to be public or private.**
- r. Indicate **approximate** location, widths, and types for all easements whether existing or proposed within or adjacent to the general plan boundaries.
- s. Identify the location of all existing public utilities within or adjacent to the general plan boundaries and how each phase of development will connect with those utilities.
- t. Show approximate boundary of flood hazard area as taken from **the official FEMA Flood Insurance Rate Maps adopted by the city** ~~City topographic maps~~ or other sources approved by the Director.
- u. **Stormwater drainage plan showing general drainage basins and possible location for on-site detention if required.**
- v. **Traffic study or written documentation from the Director that the development does not necessitate a traffic study.**
- w. **Other information required by the Director.**

~~Draw boundaries of and designate location, approximate area (in square feet and acres) and proposed usage of any sites intended for restricted or unrestricted reserved (within subdivisions) or for developments other than subdivisions. Indicate existing and proposed zoning of each site.~~

~~Unsubdivided developments (See Appendix E): If known, draw site plans for unsubdivided developments and identify each building planned and its size, number of stories and proposed usage.~~

~~Street Names: Provide names of all existing streets located within the plat boundaries and immediately adjacent thereto.~~

~~Existing public utilities: Indicate the location and size of adjacent City water and sanitary sewer mains and storm drainage outfalls. Indicate depth of adjacent sanitary sewer manholes and storm drainage outfalls, if known.~~

(e) Unless stipulation for additional time is agreed to by the applicant, the failure of the Commission to act within thirty (30) days from the date of the filing of the application by the developer, will cause the General Plan to be deemed approved.

(f) General applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the General Plan and take one of the following actions:

(1) Approve the General Plan as filed. Commission approval of the General Plan authorizes the developer to file a Preliminary Plat or a Development Site Plan.

(2) Conditionally Approve the General Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Chairman of ~~the~~ Planning Commission. Commission conditional approval requires submission of an amended General Plan and additional documentation as specified by the Planning Commission for final Commission approval, which may be filed concurrently with the next Preliminary Plat or Development Site Plan, as the case may be.

(3) Disapprove the General Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Commission. Commission disapproval of a General Plan requires submission of a new General Plan.

~~Commission action shall be noted on three (3) copies of the General Plan, which shall be distributed to the developer, Department, and official files of the Commission. Unless stipulated for additional time is agreed to by the developer, the failure of the Planning Commission to act within thirty (30) days from the date of the filing of the plan by the developer will cause the plan to be deemed approved.~~

(g) The original approved mylar of the General Plan shall be retained by the Department in the official files of the Commission. No subsequent plan or plat will be approved until the original mylar has been delivered to the department.

(h) In the event the developer or subdivider fails to file a Preliminary Plat or Development Site Plan within one year of Commission approval of the General Plan, approval of said General Plan shall terminate upon written notice to the subdivider, developer, or owner.

(i) The developer, subdivider, or owner may request in writing a one year extension specifying the reason why the document has not been filed.

Sec. 86-7. Development Site Plans.

(a) General

(1) The following sections of this ~~Chapter ordinance~~ outline procedures for preparing and obtaining approval for developments not defined herein as subdivisions. Except as noted ~~in this section in subparagraph (2) below in Section 4.08(A) below~~, it shall be a violation of this ~~Ordinance Chapter~~ for any person to develop property within the City of La Porte without first:

- a. Filing a Development Site Plan and required documentation for approval;
- b. Having said Development Site Plan approved according to the procedures set forth herein; and
- c. Obtaining a Development Authorization.

(2) No Development Site Plan shall be required as provided for herein in the case of development that is solely and strictly a Subdivision (as that term is defined herein) and the requirements of ~~Section 4.04~~ ~~Section 86-8(c)~~ of this ~~Ordinance Chapter~~ have been satisfied for each subdivision.

(3) For both Major and Minor Developments, the Development Site Plan ~~is~~ shall be drawn accurately to scale with exact dimensions. When accompanied by all other required documentation, Development Site Plans shall contain sufficient detail for evaluation of the proposed development. ~~Complete instructions for preparing Development Site Plans are contained in Appendix E.~~

(4) ~~The following information must be submitted~~ provided as part of a Development Site Plan submission:

- a. Application and applicable fee.
- b. Development checklist.
- c. Project description letter.
- d. ~~Drainage Plan and/or calculations as required by the Director.~~
- e. ~~Exterior building elevations for sites subject to the city's Design Guidelines (Chapter 106, Article IX).~~
- f. ~~Traffic Impact Assessment, if required by the Director.~~
- g. Any additional information required by the Director.
- h. Development Site Plan showing the location of all improvements on the site, whether existing or proposed. Proposed improvements shall be in compliance with all applicable local, state and federal requirements. The Development Site Plan shall contain the following graphical information:

1. Name of development (~~Cannot be a duplicate of any other name used within the City's jurisdiction~~)
2. Type of development (~~See La Porte Development Checklist~~)
3. Description of land within proposed development: “_____ . _____ acres out of the _____ Survey, Abstract Number _____, Harris County, Texas.”
4. Legal description of development, **including blocks and lots or reserves or a metes and bounds description of the property boundary.** ~~Subdivision recording information and section, block and lot number or reserve designation or metes and bounds description of property boundary.~~
5. Name of owner **or authorized representative.** (~~If a company or corporation, list name and title of authorized representative.~~)
6. Name of developer. (~~if a company or corporation, list name and title of authorized representative.~~)
7. Name of planning consultant.
8. Filing date **of application.** (~~date of City Planning and Zoning Commission Review~~)
9. **Engineering Scale of Plat**
10. North arrow (~~Pointing to top of sheet~~)
11. **Key Vicinity** map that shows (~~to show~~) relation of development to surrounding streets, railroads, and water courses.
12. ~~Boundaries:~~ Draw Perimeter boundaries of development including dimensions.
13. ~~Building lines:~~ Indicate **all** building lines on the **site.** ~~adjacent to all street right of ways. Building Footprints:~~ Draw the footprint of each building site and show overall dimensions and building type for each building. Show shortest distances from each building to nearest building and property line.
14. ~~Adjacent property:~~ Indicate name, location and recording information for adjacent **properties** ~~developments~~, streets, easements, water courses, acreage tracts, and other natural or manmade features.
15. **Parking table that labels existing and proposed parking in comparison to the required parking for the development.**
16. **Landscape table that labels existing and proposed trees and shrubs, including name of plant species, quantity and size.**
17. **Identify topography and label contours in one-foot intervals.** Include cut and fill changes to the site.

18. Define high banks and flow lines of water courses. Define post-development limits of other natural or manmade physical development obstacles.

19. For mobile home parks, show proposed layout of mobile home sites and reserves. Number sites and blocks consecutively. Draw boundaries of sites the same way as for subdivision lots (~~See Appendix D~~). Indicate size of each site in square feet. Designate usage of each reserve, such as recreation, laundry drying, and dead storage. ~~Detail site plan as described below.~~

~~Reserves: Draw boundaries for and designate area (in square feet and acres) for reserves dedicated or restricted usages, such as those for drainage, recreation, parkland, or other uses (indicate usage). Unrestricted reserves are not permitted within the boundaries of Development Site Plans.~~

20. ~~Other site improvements:~~ Draw perimeter of, dimension, and identify type and usage of each **existing or proposed** ~~additional~~ structure or site improvement, including parking lots, security lighting, driveways, curb cuts, culverts, water lines, fire hydrants, sanitary sewers, storm drains, natural gas lines, electrical lines, telephone lines, walkways, landscaping and other site improvements.

21. ~~Streets:~~ Show rights-of-way of all streets and alleys, either existing or proposed, within the plat boundaries and immediately adjacent thereto. Show right of way width at points of curvature or tangency, at one point within tangent segments, and at changes in width.

22. ~~Street names:~~ Provide names of all existing and proposed streets located within the plat boundaries and immediately adjacent thereto. **Any proposed street name** ~~(Cannot be duplicates of any street name in current use, unless continuations of existing streets.)~~

23. ~~Utility Easements:~~ Indicate location, widths and types of for all existing and proposed utilities and easements on the site, including, but not limited to, water line, sanitary sewer, drainage, power. Label ~~Indicate~~ recording information for existing easements. ~~(See PICM for easement criteria.)~~

24. ~~Flood Hazard Area:~~ Show boundary of flood hazard area and shade areas within lat boundaries inside flood hazard area. ~~(See La Porte Flood Hazard Prevention Ordinance.)~~ Show finished floor elevation of buildings inside flood hazard area.

~~Survey monument tie in: For Major Developments, show nearest City approved survey monument (as the point of Commencement) bearing and distance to a defined corner on the perimeter boundary of the property.~~

~~Survey Control Monuments: For Major Developments, show location of all proposed survey control monuments to be installed by the developer pursuant to Sections 6.02 of the Ordinance.~~

25. All required dedication statements and certificates must be included.

(b) Minor Development Site Plan

(1) ~~Five (5) copies of the Minor Development Site Plan, certified by the owner and engineer or surveyor, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date at which Director review is requested.~~ Application shall be submitted to the Department at least two (2) weeks before the date which Director review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.

(2) The Director is the Approving Authority for all Minor Developments Site Plans. Following review of the Minor Development Site Plans, the Director shall, within two (2) weeks of the filing date, take one of the following actions:

a. Approve the Minor Development Site Plan as filed. Approval of a Minor Development Site Plan and all accompanying documentation by the Director, together with approval of Public Improvement Construction Documents by the Director, results in issuance of a Development Authorization by the Department.

b. Conditionally approve the Minor Development Site Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Director. Conditional approval of a minor development Site Plan requires that the developer satisfy the conditions established by the Department. Once the stated conditions have been satisfied, the Minor Development Site Plan and accompanying documentation may be resubmitted for Department approval.

c. Disapprove the Minor Development Site Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Director. Disapproval of a Minor Development Site Plan requires filing of a new Minor Development Site Plan.

(3) Department action shall be noted on three (3) copies of the Minor Development Site Plan, which shall be distributed to the developer, Department and the City Code Enforcement Division.

(4) Unless stipulation for additional time is agreed to by the Developer, the failure of the Director to act within ~~two~~ **four** (24) weeks from **the date of submittal of the Minor Development Site Plan** by the Developer will cause the Plan to be deemed approved.

(5) Director disapproval of a Minor Development Site Plan may be appealed to the Commission within twenty (20) days of the mailing of a written notice of disapproval. Once the appeal has been filed, the Minor Development Site Plan will be presented to the Commission for its ruling as specified for Major Development Site Plans in ~~Section (B) above~~ **subparagraph (c) below**. The following materials must be filed with the City Secretary **for an appeal**:

- a. A copy of the Director's disapproval letter.
- b. A letter stating the basis of appeal.
- c. A copy of the **Minor** Development Site Plan.

(c) Major Development Site Plan

(1) ~~Five (5) copies of the Major Development Site Plan, certified by the developer and engineer or surveyor, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date at which Commission review is requested.~~

Application shall be submitted to the Department at least three (3) weeks before the date which Commission review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.

(2) The Commission is the Approving Authority for all Major Development Plans. Following review of the Major Development Site Plan, the Commission shall, ~~within thirty (30) days of the filing date,~~ take one of the following actions:

a. Approve the Major Development Site Plan as filed. Approval of a Major Development Site Plan and all accompanying documentation by the Commission, together with approval of ~~Public Improvements~~ construction documents for any proposed public improvements by the Director results in issuance of a Development Authorization by the Department.

b. Conditionally approve the Major Development Site Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Chairman of the ~~Planning~~ Commission. Conditional approval of a Major Development Site Plan requires that the Developer satisfy the conditions established by the Commission. Once the stated conditions have been satisfied, the Major Development Site Plan and accompanying documentation may be refiled for Commission approval.

c. Disapprove the Major Development Site Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the ~~Planning~~ Commission. Disapproval of a Major Development Site Plan requires filing of a new Major Development Site Plan.

(3) Commission action shall be noted on four (4) copies of the Major Development Site Plan, which shall be distributed to the developer, Department, City Code Enforcement Division, and official Commission files.

(4) Unless stipulation for additional time is agreed to by the developer, the failure of the ~~Planning~~ Commission to act within thirty (30) days from the date of the filing of the plan by the developer will cause the plan to be deemed approved.

(d) Amendments to Minor and Major Development Site Plans

(1) Amendments to minor and major development site plans are those that provide for rearrangement or reconfiguration of floor plans or building elevations, modifications to parking areas, landscape areas, drainage facilities, utilities or other site improvements. An amendment may only occur to a site plan that has an active building permit on file.

(2) Said modifications shall:

- a. Comply with all requirements of Chapter 106 of the City's Code of Ordinances and other applicable city regulations.
 - b. Not conflict with the Comprehensive Plan.
 - c. Not change the character of the development or the intent of the original plat approval.
- (3) The Director is the Approving Authority for all Amendments to Site Plans. Following review of the amendment, the Director shall, within two (2) weeks of the filing date, take one of the following actions:
- a. Approve the amendment as filed. Approval of an Amendment shall be clearly noted on the originally approved site plan, along with any conditions required by the Director.
 - b. Disapprove the amendment as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Director.
- (4) Director disapproval of an amendment may be appealed to the Commission within twenty (20) days of the written notice of disapproval. Once the appeal has been filed, the amendment will be presented to the Commission for its ruling as specified for Major Development Site Plans in subparagraph (c) above.

Sec. 86-8. Subdivision plats.

(a) The following sections outline procedures for preparing and obtaining approval of Subdivision Plats for residential, commercial, or industrial properties. All Final Subdivision Plats must be recorded in the County map records.

(b) Preliminary Plat

(1) Preliminary Plats are required for all Major Subdivisions and shall be consistent with the approved General Plan, if applicable.

(2) Application shall be submitted to the Department at least two (2) weeks before the date which Commission review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.

~~Five (5) copies of the Preliminary Plat, certified by the developer and planning consultant, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date which Commission review is requested. Preliminary Plats shall be drawn accurately to scale with exact dimensions for street centerlines and approximate dimensions for other lines. Complete instructions for preparing Preliminary Plats and required accompanying documentation are contained in Appendix D.~~

(3) The following information must be ~~submitted~~ **provided** as part of a Preliminary Plat submission:

a. Application and applicable fee.

b. Development checklist.

c. Project description letter.

d. Any additional information required by the Director.

e. The Preliminary Plat shall graphically contain the following (ensure compliance with PICM standards, where applicable):

1. Name of subdivision, which cannot be similar to that of an existing subdivision.
2. Type of development.
3. Description of land on which subdivision lies: “_____ acres out of the _____ Survey, Abstract Number ____, Harris County, State of Texas.”
4. Date.
5. Scale **in engineering format**.
6. North arrow.
7. Name of developer and property owner.
8. Name of surveyor and/or engineer preparing the plat.
9. Total number of lots, blocks and reserves.
10. Indicate size of each lot and reserve.
11. **Vicinity** ~~Key~~-map in relation to surrounding streets, railroads and water courses.
12. Label adjacent properties including ownership information and HCAD parcel identifications, where applicable.
13. Show all physical features of the site including high banks of water courses and any other natural or man-made physical development obstacles.
14. Draw perimeter boundaries of the subdivision.
15. Show proposed layout of blocks and lots or reserves within blocks.
16. For reserves: Draw boundaries for and designate area (in square feet and acres) for unrestricted reserves and those dedicated for restricted usages, such as those for drainage, recreation, parkland, or other uses (indicate intended usage and existing zoning).
17. Label contours at one-foot intervals.

18. Show and label all rights-of-way of all streets and alleys, either existing or proposed, within the plat boundaries and immediately adjacent thereto. Indicate right-of-way width between points, curvature, tangency and at changes in width.

19. Provide names of all existing and proposed streets located within the plat boundaries and immediately adjacent thereto. Street names cannot be duplicates of any street names in current use, unless continuations of existing streets or as part of a historical grid pattern.

20. Label location, widths and types of all easements, either existing or proposed, within the platted area or immediately adjacent thereto. Include any recording information on any existing easements.

21. Show nearest city approved survey monument and exact bearing (nearest second) and distance (nearest hundredth of a foot) to a defined point on the perimeter boundary of the property.

22. Show location of all proposed survey control monuments to be installed by the developer pursuant to **Section 86-9 of this Chapter.**

23. Show boundary of flood hazard area/s as adopted by the city.

24. Show location of all existing and proposed storm drainage, sanitary sewer system, and water lines.

25. For condominium developments: Draw the footprint of each building site and show overall dimensions and building type for each building. Show shortest distances from each building to nearest building and property line. For each building type, draw to larger scale the plan of each building type, showing all perimeter wall dimensions and the dimensions and location of walls between units. Designate each unit type and floor area in square feet.

~~**Building lines:** Indicate building lines adjacent to all existing or proposed street right of ways, easements, side or rear lot lines, or other locations required by City Ordinances.~~

(4) Preliminary Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the plat and take one of the following actions:

a. Approve the Preliminary Plat as filed.

b. Disapprove the Preliminary Plat as filed, provided, the reason for such disapproval is stated in writing and a copy of the statement is signed by the Chairman of the Commission. **Disapproval may also include conditions for resubmittal of Preliminary Plat.**

~~**Conditional Approval:** Commission conditional approval requires submission of an amended Preliminary Plat and additional documentation as specified by the Planning Commission for final commission approval.~~

(5) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Commission to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

(6) **The original approved mylar of the Preliminary Plat shall be retained by the Department in the official files of the Commission.** ~~Commission action shall be noted on three (3) copies of the Preliminary Plat, which shall be distributed to the developer, Department, and official files of the Commission.~~

(7) In the event the subdivider fails to file a Final Plat within one year of Approving Authority approval of the Preliminary Plat, approval of said Preliminary Plat shall terminate upon written notice to the subdivider or owner. The subdivider or owner may request in writing a one year extension specifying the reason why a Final Plat has not been filed.

(c) Final Plat

(1) Final plats are required for all subdivision, and shall be consistent with the Preliminary Plat if applicable. Final Plats of subdivisions are drawn accurately to scale with exact dimensions. Complete instructions for preparing Final Plats are contained in Appendix D.

(2) In conjunction with the filing of the Final Plat, the subdivider or developer shall file a proposed set of covenants, restrictions, conditions, and reservations, affecting the property enclosed within the Final Plat. The covenants and restrictions shall include provisions creating an association of lot owners charged with the responsibility of promoting the recreation, health, safety, and welfare of the members of the association, and for the improvement and maintenance of any common areas, compensating open space, private streets, alleys, or parking areas included within the Final Plat. The association shall be empowered to levy assessments to be used exclusively in the enforcement of the covenants, restrictions, conditions, and reservations affecting the property enclosed in the Final Plat, and for the furtherance of its responsibility of improving and maintaining any common areas, compensating open space, private streets, alleys, parking areas or other private improvements included within the Final Plat. The assessments levied shall be a charge on the land and shall be a continuing lien on the property against which each such assessment is made.

(3) The proposed set of covenants, restrictions, conditions and reservations filed shall be submitted to the City Attorney of the City of La Porte, who shall review the documents and insure that the form of the documents complies with this chapter.

(4) **Application shall be submitted to the Department at least two (2) weeks before the date which Commission review is requested. Application shall consist of all required documentation either electronically or one (1) paper copy.** ~~Five (5) copies of the Final Plat certified by the owners, lienholders, and engineers or surveyor, and one (1) copy of all required documentation and one (1) copy of the proposed deed restrictions outlined above, shall be submitted to the Department for review at least two (2) weeks before the date at which the Final Plat is filed with the Commission.~~

(5) The following information must be submitted as part of a Final Plat submission:

- a. Application and applicable fee.
- b. Development checklist.
- c. Title certificate, abstract, or planning letter.
- d. Complete public street construction drawings for approval by the Director.
- e. Complete public utility construction drawings for approval by the Director.
- f. List of coordinates for each point to be marked in the final field survey. Each point on the list is to be assigned a unique number code. A copy of the Final Plat, marked with the locations of each number code, is to be submitted as well.
- g. Letters from the servicing utility companies approving of the easements shown on the plat.
- h. Copy of deeds for any private easements within the subdivision.
- i. Commitment of park dedication as required in **Section 86-11 of this Chapter**.
- j. A letter, statement or instrument from the holder of any privately owned easement or fee strip within the subdivision boundaries approving any crossings of said existing easement or fee strip by proposed streets, utilities, or easements shown on the plat. If adjustment of existing utilities is required, said letter shall specify the nature of the adjustments and the approval of the owner for such adjustments.
- k. Set of covenants, restrictions, conditions, and reservations, affecting the property enclosed within the Final Plat.
- l. **Title information as required in Section 86-9(n) of this Chapter.**
- m. Any additional information required by the Director.
- n. Final Plat to graphically contain the following (ensure compliance with PICM standards, where applicable):
 1. **The graphical requirements outlined for a Preliminary Plat in Section 86-8(b)(3)(e), Items 1-22.**
 2. Metes and bounds description in map for with appropriate bearings and distances.
 3. Owners' Acknowledgement Statement
 4. Lienholders' Subordination Agreement, where applicable
 5. Plat Accuracy Certificate
 6. Final Survey Certificate
 7. Approving Authority Certificate

8. Harris County Clerk Filing Statement

9. Permanent Access Easement must be labeled for any proposed private roads.

10. Any other special statements required by the Director

(6) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Commission to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved. ~~All Final Plats require final approval from the Commission. Following review of the Final Plat, the Commission shall, within thirty (30) calendar days of the filing date, take one of the following actions:~~

(7) Final Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the plat and take one of the following actions:

a. Approve the Final Plat as filed. Such approval of a Final Plat as filed and all accompanying documentation by the Commission, together with approval of Public Improvement Construction Documents by the Director shall result in issuance of a Development Authorization by the Department which permits the developer to begin construction of subdivision improvements.

b. Disapprove the Final Plat as filed, provided the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Planning Commission. Such disapproval requires filing of a new Final Plat.

(8) Notice of the Commission's action shall be forwarded to the applicant. ~~noted on three (3) copies of the Final Plat, which shall be distributed to the developer, Department, and official files of the Commission.~~

(9) A Final Plat shall not be recorded until executed by the Director and by the Commission. Before the Final Plat is executed, the developer shall follow the procedure provided for in Section, and construct the proposed improvements according to the approved plans and specifications. In the event the developer or owner fails to commence construction of such improvements within one year of Development Authorization, approval of the Final Plat shall terminate upon written notice from the Commission to the developer or owner. The developer or owner may request in writing one year extension specifying the reasons why construction has not commenced.

The Planning & Zoning Commission shall not sign and deliver a copy of the plat to be recorded, nor shall such Final Plat be recorded, if such proposed improvements are not completed within two years of commencement of construction, and approved by the Director of Community Development. In the event the developer or owner fails to complete construction of such improvements within two years of commencement of construction, approval of the Final Plat shall terminate upon written notice from the Commission to developer or owner. The developer or owner may request a one year extension in writing from the Director specifying the reasons why construction had not been completed.

The Final Plat shall not be recorded unless the deed restrictions called for herein are recorded simultaneously with the recordation of the Final Plat.

(10) After recordation with Harris County, the original recorded mylar film of the Final Plat shall be retained in the official files of the Commission.

(d) **Administrative** ~~Minor~~ Plat

(1) The same submittal requirements for a Final Plat approval apply to an Administrative Plat.

(2) Administrative Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Director. The Director shall review the plat and take one of the following actions:

a. Approve the Preliminary Plat as filed.

b. Disapprove the Preliminary Plat as filed, provided, the reason for such disapproval is stated in writing. Disapproval may also include conditions for resubmittal. If said plat is disapproved, the applicant may elect to refer the plat to the Commission for consideration.

(3) The Director may, for any reason, elect to present the plat to the ~~Planning and Zoning~~ Commission for approval of the plat.

(4) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Director to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

(e) Replat of recorded subdivision plats

(1) A replat or re-subdivision of a recorded Subdivision Plat, or a portion thereof, but without vacation of the immediate previous plat, is hereby expressly authorized to be recorded and shall deemed valid and controlling when:

a. It has been signed and acknowledged by only the owners of the particular property which is being replatted or re-subdivided on the acknowledgement shown in Enclosure 1 to Appendix D;

b. It does not attempt to alter, amend or remove any covenants and restrictions;

c. There is compliance, when applicable, ~~with Subsection (e) and (d) of Section 5, Article 974a, V.T.C.S;~~ 212.014 and 212.0145 of the Texas Local Government Code;

d. It has been approved by the Commission after being prepared and filed as though it were an original plat as specified in ~~Section 404~~ subparagraph "c" of this section ~~Ordinance chapter~~; and

e. All expenses incurred by the City or the subdivider in the Replat process shall be borne by the subdivider, including costs of notice at public hearing.

(f) Amending Plat (of recorded subdivision plats)

(1) An Amending Plat may be filed for record in the County map records to correct dimensional errors, notational errors or other erroneous information, to add to or delete monuments, or to relocate a lot line between adjacent lots, as allowed in Section 212.016 of the Texas Local Government Code, provided:

- a. The signed Amending Plat Certificate shown on Enclosure 4 to Appendix D is placed on the face of the Amending Plat;
- b. The Planning and Zoning Commission Certificate shown on Enclosure 4 to Appendix D is placed on the face of the Amending Plat and;
- c. Commission approval of said Amending Plat is reflected by Commission execution of said certificate.

(2) The Planning Director of the City of La Porte may approve Amending Plats and execute Certification of same as set forth above in lieu of the Planning Commission, as allowed in Section 212.0065 of the Texas Local Government Code. The Director of Planning may, for any reason, elect to present the Amending Plat to the Commission for approval. The Director of Planning shall not disapprove the Amending Plat and shall refer any plats which are refused to the Planning Commission within the time parameters as delineated in Section 212.009 of the Texas Local Government Code.

(g) Vacating Plat (of recorded subdivision plats)

(1) The vacation of Subdivision Plats, which is authorized and regulated by Section 212.013 of the Texas Local Government Code, shall be permitted, provided:

- a. All owners of all property contained within the previous plat sign the Vacation of Subdivision Declaration shown on Enclosure 5 to Appendix D;
- b. Approval of the Commission is obtained and reflected by Commission execution of the certificate shown on Enclosure 5 to Appendix D; and
- c. Said owners declaration and Commission approval certificate is recorded as a single instrument in the county records as required by Section 212.013 of the Texas Local Government Code Article 974a, VTCS Section 5(a).

Sec. 86-15. General standards for subdivision and developments.

(a) Streets and alleys.

(1) Street classification system. The street pattern of the city should provide adequate circulation ~~within the city~~ while discouraging through traffic within local neighborhoods. This may be accomplished by providing thoroughfares spaced at approximately one-mile intervals and

collector streets within neighborhoods spaced at about half-mile intervals to link local streets to the thoroughfare network.

(2) Street width. Public or private streets shall have a minimum pavement width of 28 feet. Public or private alleys shall have a minimum pavement width of 20 feet.

(3) Thoroughfare extension. Right of way widths for thoroughfare extensions shall be as indicated in the PICM along the entire frontage of the tract being developed. Where the existing dedicated right of way width fronting the adjacent property is less than shown in the PICM, a transition zone of 300 feet of frontage of the new development shall be provided between the existing and new right of ways.

(4) Continuation of adjoining streets. The arrangement of streets in new developments shall make provisions for the appropriate continuation of existing streets from adjoining properties.

(5) Future projections of streets. Where adjoining areas are not developed, but may be developed, the arrangement of streets in a new development shall make provisions for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new development at appropriate locations. All such streets shall be designed in accordance with the PICM.

(6) Provisional one-foot reserve. Required along the side or end of streets that abut acreage tracts. The note shown in Enclosure 8 to Appendix D is to appear **shall be notated on** the Final Plats and Street Dedication Plats, where appropriate

~~(7) Harris County road law. All subdivisions within the City's extraterritorial jurisdiction shall comply with the current Harris County Road Law. The statement to be found in Enclosure 1 to Appendix D is to appear in Final Plats.~~

(7) Street names. Street names shall be the same as existing street names, if they are continuations of existing streets. Otherwise, no street name shall be permitted that is a duplicate of an existing or proposed street name within the City. Proposed new names must be submitted to the Department for checking prior to the submittal of first plat or plan. The developer shall provide street name signs in accordance with the **PICM** ~~approved City Public Improvements Criteria Manual.~~

(8) Alleys. Alleys may be provided within any subdivision or development to provide secondary vehicular access to building sites which otherwise have their primary access from an adjacent public street. Alleys shall not be used or designed to provide principal access to any tract of land and shall not provide access to property outside the development boundaries in which the alleys are located. Dead end alleys are not permitted.

(9) Private streets and alleys. Streets and alleys in which the developer proposes to privately maintain in perpetuity through a community association or other approved means are to be designated as "private" on the plat. Design and construction of such streets and alleys will be identical to design and construction standards for public streets. Right of way lines may be coterminous with the edge of pavement.

(b) Engineering data. Please see the PICM.

(c) Lots. The following standards shall apply to all lots:

(1) The lot design of a Subdivision or Development should provide for lots of adequate width and depth to provide open area and to eliminate overcrowding.

(2) Lots should be rectangular so far as practicable and should have the side lot lines at right angles to streets on which the lot faces or radial to curved street lines.

(3) Lots with double frontage are prohibited except when backing on major thoroughfares and upon approval by the Planning Commission.

(4) All lots shown on the plat will be for residential purposes unless otherwise noted.

(5) Side lot lines should be perpendicular or radial to street frontage and the following note may be in lieu of bearings. "All side lot lines are either perpendicular or radial to street frontage unless otherwise noted."

(6) Driveway access to thoroughfares shall be prohibited.

(7) Double front lots are prohibited except when backing on major thoroughfares **or on corner lots.**

(7) Lots shall be sized in accordance with the requirements of Chapter 106, Zoning.

(d) Drainage easements. The following standards shall apply to all drainage easements:

(1) The location and width of all easements shall be determined by the Director ~~of Planning and Development Department~~ for all plats or plans within the cities jurisdiction, and by the Director in conjunction with Harris County Flood Control District (HCFCFCD) for all easements that HCFCFCD may have an interest in.

(2) Easements for drainage adjacent to lots, tracts, or reserves shall be recited on the Final Plat, in accordance with ~~the language in Enclosure 1 to Appendix D.~~ **language approved by the Director.**

(e) Utility easements. The developer shall coordinate all public and private utility easements with the applicable entity as required in this Chapter. ~~All utility easements shall be worked out with the public and private utility companies pursuant to the requirements established herein, including but not limited to the requirements of subsection 4.04 above.~~

(f) Platting of public streets or easements across private easements or fee strips. The following shall apply when platting of public streets or easements across private easements or fee strips:

(1) A copy of the instrument establishing any private easement shall be submitted with the Development Site Plan or the Preliminary Plat as reflected by the Title Certificate submitted.

(2) Easement boundaries must be tied by dimensions to adjacent lot and tract corners. Where the private easement has no defined location or width, an effort shall be made to reach agreement on

a defined easement. Where no agreement can be reached, then existing facilities shall be accurately located and tied to lot lines, and building setback lines shall be established as specified in Section 5.04.

(3) Prior to approval of the Final Plat or Development Site Plan, the developer or dedicator of any Subdivision Plat or Development Site Plan, wherein public streets or easements are shown crossing private easements or fee strips, shall by letter to the ~~City Planning~~ Commission assume responsibility for seeing that any adjustments and protection of existing pipelines, electrical transmission lines, or other facilities shall be planned and provided for to the satisfaction of the holder of the private easements or fee strips and the Director prior to the filing of the plat or plan for record.

(4) Prior to filing of the Final Plat or Development Site Plan for record, the following requirements must be met:

a. The developer or dedicator of any plat or plan shall obtain from the holder of any private easement or fee strip within the plat or plan crossed by proposed streets or other public easements an instrument granting to the public the use of said public streets or easements over and across said private easements or fee strips for construction, operation, and maintenance of those public facilities normally using the type of public streets and easements indicated. This instrument shall be delivered to the ~~City Planning~~ Commission to be filed for record along with plat or plan.

b. The developer shall furnish the ~~Planning~~ Commission with a letter from the holder of the private easements or fee strips in questions stating that arrangements for any required adjustments in pipelines, electrical transmission lines, or other similar facilities have been made to the satisfaction of the holder of the easements.

(g) Monumentation requirements. The following are requirements for monumentation for subdivisions and developments:

(1) Subdivisions

a. Permanent control monuments, one for each five acres of property or fraction thereof, shall be placed along streets centerlines or at subdivision corners. The location of control monuments shall be approved by the Department at the Preliminary Plat stage and shown on the Final Plat. The construction of permanent control requirements shall be in accordance with the PICM.

b. At least one control monument shall be accurately tied, by angle and distance to an approved City of La Porte monument. Elevation shall be established for each control monument installed. Datum shall be supplied or approved by the Department.

c. Elevations and coordinate values for each control monument shall be submitted in accordance with ~~Appendix D (Subdivision Plats)~~ language approved by the Director and approval by the Department prior to execution of the Final Plat.

d. All corners of the subdivision, all angle points and points of curvature in the subdivision boundary, all block corners, all angle points and points of curvature in each street right of way shall be marked with iron rod not less than three fourths (3/4) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation.

e. All lot corners shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation.

f. All required monumentation shall be completed prior to final acceptance of the subdivision and execution of the Plat.

(2) Major developments

a. Permanent control monuments, one for each five acres of property or fraction thereof, shall be placed along street centerlines or at corners of the development. The location of control monuments shall be approved by the Department and shown on the Development Site Plan. The construction of permanent control monuments shall be in accordance with the PICM.

b. At least one control monument shall be accurately tied, by angle and distance to an approved City of La Porte monument. Elevations shall be established for each control monument installed. Datum shall be supplied or approved by the Department.

c. Elevation and coordinate values for each control monument shall be submitted and approved by the Department prior to or concurrent with acceptance of all public improvements.

d. All lot corners within the Development shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation prior to commencement of any building construction.

(3) Minor developments

a. All lot corners of Minor Developments shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation. Lot corners shall be established and placed prior to commencement of any building construction.

(h) Public improvements

(1) The developer shall pay all costs for providing the development with streets, water mains, sanitary sewers, and storm sewers in accordance with plane and specifications for such improvement approved by the Director of Planning Development and in the manner set out in the adopted Utility Extension Policy. The subdivider shall pay all costs associated with street lighting as set out in the PICM.

(2) The subdivider or developer shall guarantee construction of all approved public improvements as provided in this section and in conformance with the adopted PICM.

(3) The installation of the approved improvements shall be under the inspection of the Director or his representative and the Director shall certify the installation as being in accordance with the approved plans and specifications before the Planning Commission will execute a Subdivision Plat for recordation, or before the City will accept said public improvements for maintenance.

(i) Reimbursement for oversizing

(1) All improvements required in a Subdivision or Development will be installed at the developer's cost, unless otherwise provided. The cost of utilities and streets which are required by the City to be larger than would be normally needed to serve the proposed addition will be partially reimbursed. The reimbursable amount will be the difference between the cost of the facilities that would be adequate to serve the addition and the cost of the facilities required by the City. A reimbursement contract will be negotiated between the City Council and the Developer.

(j) Record drawings

(1) The engineer representing the developer must present to the Director [project information electronically to the City], reproducible complete "record drawings" for all paving, drainage structures, water lines and sewer lines within thirty (30) days after completion of each contract. The Director will not certify approval of public improvements construction until record [all] drawings have been submitted.

(k) Fees. The following schedule of fees and charges shall be paid into the general fund of the City of La Porte when any map or plat is tendered to the Director, and each of the fees and charges provided herein shall be paid in advance, and the department shall take no action until the fee shall have been paid.

Development Type	Major/Minor	Fees
Site Plan	Major (Greater than 10 acres)	\$300.00 \$150.00 up to for 10 acres; each additional acre \$5.00
	Minor (Less than 10 acres)	\$200.00 \$100.00 up to 1 acre; each additional acre \$5.00
General Plan		\$250.00 \$100.00
Preliminary Plat		Residential: \$200.00 for 0-50 lots; each additional lot \$5.00 Other: \$350.00 \$200.00 for up to 10 acres; each additional acre \$10.00
Final Plat	Major (Greater than 10 acres)	Residential: \$150.00 for 0-50 lots; each additional lot \$5.00 Other: \$350.00 \$200.00 for up to 10 acres; each additional acre \$10.00

	Minor (Less than 10 acres)	Residential: \$150.00 Other: \$250.00
Amending Plat		Residential: \$100.00 Other: \$250.00
Replat		Residential: \$150.00 plus \$5.00 per lot Other: \$250.00
Vacating Plat		\$250.00 \$100.00
Variance (Development Regulation)		\$250.00 \$150.00

(l) Plat/Plan Graphic Symbols. The following line symbols are established for all plans and plats:

- (1) Boundaries: Show perimeter boundaries, right of ways and boundary lines between development phases in bold solid lines (**_____**). Use solid lines (_____) for block and lot boundaries.
- (2) Building lines: Indicate by long dashes separated by short dashes (**__ _ __ _**).
- (3) Easements: Indicate by short dashes (**_ _ _ _**).
- (4) Stream and depression high banks: indicate by long dashes separated by three short dashes (**_____ - - - -**).
- (5) Edge of flood hazard area: Indicate by long dashes separated by circles (**_____ o _____ o _____ o _____**).
- (6) Adjacent properties: Indicate lines outside boundaries of proposed development by long dashes (**_____ - - - -**).

(m) Plat/Plan Geometric Standards. The following table outlines geometric standards for plans and plats:

Item Description	General Plan	Preliminary Subdivision Plat	Final Subdivision Plat	Development Site Plan
<i>Dimensional Accuracy Standards</i>				
Exact: Angles to the nearest second, distances to the nearest hundredth of a foot.			X	X
Approximate: Angles to the nearest degree, distances to the nearest foot.	X	X		
<i>Line Definition: For all lines required to be defined on a line between two points is considered as "defined" if the following information is provided:</i>				
Bearing (in degree) for tangent (straight) lines	X	X	X	X
Distance (in feet) for tangent (straight	X	X	X	X

lines				
Radius of curve (R, in feet) for curvilinear lines	X	X	X	X
Central delta angle (Δ , in degrees) for curvilinear lines			X	X
Arc length (L, in feet) for curvilinear lines	X	X	X	X
Cord length (C, in feet) for curvilinear lines			X	X
Chord bearing (CB, in degrees) for curvilinear lines			X	X
<i>Lines to be defined for street rights-of-way (centerline and both edges), perimeter boundaries, lots, blocks, reserves and easements, all lines between any combination of the following points:</i>				
Points of beginning or ending	X	X	X	X
Lots, block, or reserve corners	X	X	X	X
Angle points	X	X	X	X
Points of tangency or curvature	X	X	X	X
Points of inflection (reverse curvature)	X	X	X	X
Points of intersection with crossing lines for lots, blocks, reserves, rights-of-way, easements, stream or depression high banks, and flood hazard area boundaries			X	X
<i>Lines to be defined for high banks of stream or depression (no right-of-way or easement), lines between:</i>				
Points defining the limits of the high bank		X	X	X
Points of intersection with crossing lines for lots, reserves, easements and rights-of-way			X	X
<i>Lines to be defined for flood hazard area, lines between:</i>				
Points of defining the limits of the flood hazard area (Consult City Flood Zone Administrator for required elevations)		X	X	X
Points of intersection with crossing lines for lots, reserves, easements and rights-of-way			X	X

(n) Title certificate information. A planning letter, certificate, abstract, or other instrument from a title guaranty company or attorney authorized to render title opinions in the State of Texas, which certifies that a search of the appropriate records was performed within thirty (30) days of the filing date and which letter provides the following information:

- (1) The date of the examination of the records.
- (2) A legal description of the property proposed to be developed including a metes and bounds description of the boundaries of said land.
- (3) The name of the recorded owner of fee simple title as of the date of the examination of the records, together with the recording information or the instruments whereby such owner acquired fee simple title.

- (4) The names of all lienholders together with the recording information and date of the instruments by which such lienholders acquire their interests.
- (5) A description of the type and boundaries of all easements and fee strips not owned by the developer of the property in question together with the recording information and date of the instruments whereby the owner of such easements or fee strips acquired their title.
- (6) A statement certifying that no delinquent city or county taxes are due on the property being platted.

Sec. 86-16. Engineering and construction standards for subdivisions.

(a) Streets and alleys.

- (1) All streets shall be reinforced concrete pavement on a compacted subgrade. Concrete pavement shall be provided with either an integral curb poured with the pavement or a separate curb constructed on top as required by the PICM and subject to the approval of the Director.
- (2) Pavement design shall conform to the PICM.
- (3) Curb and combination curb shall be constructed of reinforced concrete. Cross section and slopes shall conform to the PICM.
- (4) All concrete shall be designed and controlled by a competent laboratory as required by the PICM.

(b) Drainage and storm sewer.

- (1) Adequate drainage shall be provided within the limits of the subdivision **as to reduce the community's exposure to flood hazards with respect to adjacent, upstream and downstream developments. (See also Chapter 94 "Floods" of the Code of Ordinances of the City of La Porte for additional requirements.) Adequate drainage shall be provided within the limits of the subdivision and/or development.** The protection of adjoining property shall be accounted for in design of the system **in conformance with the PICM, and shall be subject to the approval of the Director.** The design and sizing of the system shall be in conformance with the PICM, and subject to the approval of the Harris County Flood Control District and the Director of ~~Community Development~~.
- (2) Any person or persons that alters or changes the elevation of property shall be responsible for applying for and obtaining, prior to said change or alteration of the elevation of the property, a development authorization from the ~~City Planning~~ Department. Any change or alteration in the elevation of property requires submission of a site plan prior to the change or alteration of property, which said site plan shall delineate the proposed change or elevation of property. Said certified site plan shall be subject to approval by the City Engineer.

(3) Fill dirt permit shall be required by the City. Exhibits show fill dirt regulations, grading standards, and swale standards; requiring sketch plans and approval prior to the introduction of fill material; and providing silt prevention and revegetation standards. Said fee shall be \$25.00 for the first 49 loads of permitted fill dirt, and \$2.00 for each additional load. Any person who places fill dirt on their property without first applying for and obtaining a fill dirt permit shall be guilty of a misdemeanor.

(4) A stormwater quality permit may be required in accordance with city, state and federal law.

(c) Water and sewer system.

(1) The design and construction of all water and sewer systems shall be in conformance with the PICM, and subject to approval by the Director of ~~Community Development~~. The developer or owner shall provide the necessary certificates from all other governmental agencies certifying compliance with their regulations.

(d) Street lighting.

(1) All ~~residential~~ public streets and non-residential parking lots where intended for use by the general public in the City must be served adequately by lights. Lighting must be located and installed in accordance with the specifications of the PICM.

Sec. 86-25 Open space within subdivisions and developments.

(a) Purpose.

(1) ~~This ordinance is amended with the express purpose to~~ It is the policy of the City to provide recreational areas and amenities in the form of neighborhood and community parks as a function of residential development in the City ~~of~~ La Porte. This ~~ordinance amendment~~ Section is enacted in accordance with the home rule powers of the City of La Porte granted under the Texas Constitution and statutes of the State of Texas, including, without limitation, Texas Local Government Code, § 51.071 *et seq.* and § 212.001 *et seq.* It is hereby declared that by the City Council of the City of La Porte that recreational areas, in the form of neighborhood parks and related amenities and improvements, are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such requirement into the procedure for planning and development of property of a residential subdivision in the City of La Porte, whether such development consists of new construction on previously vacant land or rebuilding and redeveloping existing residential areas.

Neighborhood and community parks are those parks providing for a variety of outdoor recreational opportunities and within convenient distances from a majority of the residences to be served thereby, the standards for which are set forth in the La Porte Parks, Recreation and Open Space Master Plan, or neighborhood and community areas. The park zones established by the La Porte Parks and Recreation Department and shown on the official La Porte Parks, Recreation and Open Space Master Plan, or neighborhood area, shall be *prima facie* evidence that any park located therein is within such a convenient distance from the majority of residences to be served thereby. The cost of the neighborhood parks should be borne by the ultimate residential property

owners who by reason of the proximity of their property to such parks shall be the primary beneficiaries of such facilities. Therefore, the following requirements are adopted to effect such purposes.

In order to provide an equitable method of determination of the requirements for future development of residential areas of the City of La Porte, the following formula is hereby adopted: The population of the City based on the latest United States Census data, adjusted on an annual basis based on the predicted growth of the City as found in the Parks and Open Space Master Plan for the year in which the adjustment is made, is identified. The resultant number is divided by the number of acres of available neighborhood and community parkland inventory in the City of La Porte, resulting in the number of persons per neighborhood or community park acre in the City of La Porte. This result is then divided by the number of La Porte persons per dwelling unit as identified in the latest United States Census data, giving the number of dwelling units per acre of neighborhood or community parkland. This number is then divided into the total acquisition cost for land at the average appraisal value, and development cost per acre for development of the land into a typical park as identified in the Parks and Open Space Master Plan of the City.

This formula provides a baseline for determining the number of dwelling units per acre rate for future development within the City, the parkland dedication or in lieu acquisition costs for parkland, and the cost of future park development. This formula shall be applied and reviewed periodically to assure that the process for future development remains fair and equitable as established herein. In the event that the periodic review results in a determination of inequity, an amendment to the Ordinance to correct the inequity will be presented to Council for consideration.

(b) General requirement for dedication of land and payment of park development fee.

(1) Whenever a Final Plat is filed of record with the County Clerk of Harris County, Texas or a development site plan, or a property survey is submitted and filed with the approving authority of the City in accordance with the provisions of this ordinance and other planning and development ordinances that may be contained within the Code of Ordinances of the City of La Porte, for a development of a residential area within the City of La Porte that contains one or more residential dwelling units, such plat, or site plan, or property survey shall contain a clear fee simple dedication of one acre of land for each 93 proposed dwelling units. As used in this Ordinance Section, a “dwelling unit” means each individual residence, including individual residences in a multi-family structure, designed and/or intended for inhabitation by a single family. Residential structures that are moved from one area of the City to another area of the City are specifically excluded from the park development fee requirements of this ordinance.

Any proposed plat or site plan, or property survey submitted to the City of La Porte for approval shall show the area proposed to be dedicated under this section. The required land dedication of this section may be met by a payment in lieu of land where permitted by the City of La Porte or required by other provisions in this ordinance.

In the event a plat is not required and a development site plan or property survey is filed, the dedication of land or payment in lieu of land required under this section shall be met prior to the issuance of a building permit by the approving authority of the City.

(2) The City Council of the City of La Porte declares that development of an area less than one acre for neighborhood park purposes is impractical. Therefore, if fewer than 93 dwelling units are proposed by a plat filed for approval, the approving authority may require the developer to pay the applicable cash in lieu of land amount, as provided in ~~Section 12.02~~ subsection “c” below hereto.

(3) In addition to the required dedication of land, as set forth above, there shall also be a park development fee paid to the City of La Porte as a condition to subdivision plat approval or issuance of a building permit. Such park development fee shall be set from time to time by ordinance of the City Council of the City of La Porte sufficient to provide for the development of amenities and improvements on the dedicated land to meet the standards for a neighborhood park to serve the area in which the subdivision is located. Unless and until changed by ordinance of the City Council of the City of La Porte, the park development fee shall be calculated on the basis of \$318 per dwelling unit.

(4) In lieu of payment of the required park development fee, a developer shall have the option to construct the neighborhood park amenities and improvements. All plans and specifications for the construction of such amenities and improvements must be reviewed and approved by the approving authority. The developer shall financially guarantee the construction of the amenities and improvements, and the City of La Porte must approve same, prior to the filing of a plat in the case of platted subdivisions. Once the amenities and improvements are constructed, and after the approving authority has accepted such amenities and improvements, the developer shall deed and convey such amenities and improvements to the City of La Porte or to the applicable Homeowner’s Association.

(5) In instances where land is required to be dedicated, the approving authority shall have the right to accept or reject the dedication after consideration of the recommendation of the Parks and Recreation Director or the Planning and Zoning Commission, and to require a cash payment in lieu of land in the amount provided under ~~Section 12.02 hereto~~ subsection “c” below, if the approving authority determines that sufficient park area is already in the public domain for the area of the proposed development or if the recreation potential for that area would be better served by expanding or improving existing neighborhood parks.

(6) When two or more developments will be necessary to create a neighborhood park of sufficient size in the same area, the Parks and Recreation Department, at the time of preliminary plat approval, will work with the developer to define the optimum location of the required dedication within the respective plats. Once a park site has been determined, adjacent property owners who develop around the park site shall dedicate land and (or) cash to the existing site unless otherwise determined by the approving authority, as provided ~~in section 12.02~~ herein.

(c) Cash payment in lieu of land.

(1) A developer responsible for land dedication under this ~~Ordinance~~ **Section** shall be required, at the approving authority's option, to meet the dedication requirements in whole or in part by a cash payment in lieu of land, in the amount set forth below. Such payment in lieu of land shall be made prior to filing the final plat for record, or prior to the issuance of a building permit where a plat is not required.

(2) The cash payment in lieu of land dedication shall be met by the payment of a fee set from time to time by ordinance of the City Council sufficient to acquire neighborhood parkland. Unless and until changed by the City Council, such fee shall be computed on the basis of \$490 per dwelling unit. A cash payment in lieu of land dedication, as set forth in this section, does not relieve the developer of its obligation to pay the park development fee of \$318 set forth in ~~section 12.01 above~~ **subsection (b)(3) above**. The cash payment in lieu of land dedication is in addition to the required park development fee.

(3) The general requirements for dedication of land and payment of park development fees and the cash payment in lieu of land are set forth graphically in Table 1, attached hereto.

(4) The City of La Porte may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the City does purchase park land in a park zone, subsequent park land dedications for that zone shall be in cash only, the calculation of which is set forth **as provided herein** ~~in section 12.01 above~~. Such cash payments are in addition to the payment of the required park development fee.

(d) Special fund.

(1) All funds collected by this dedication process will be deposited in the City of La Porte's Park Development Fund and used for the purchase or leasing of park land and the development and maintenance of same. All expenditures from the said fund will be reviewed and approved by the ~~Assistant~~ **Office of the** City Manager for the City of La Porte.

(2) The City of La Porte shall account for all sums paid into the Parks Development Fund with reference to the individual plats involved.

(e) Prior dedication, absence of prior dedication.

(1) If a dedication requirement arose prior to the passage of this ~~Ordinance~~ **Chapter**, that dedication requirement shall be controlled by the ordinance in effect at the time such obligation arose, except that additional dedication shall be required if the actual number of dwelling units constructed upon property is greater than the former assumed or planned number of dwelling units. Additional dedication shall be required only for the increase in the number of dwelling units and shall be based upon the land dedication and park development fee requirements set forth herein above.

(2) At the discretion of the City, any former gift of land to the City may be credited on a per acre basis toward eventual land dedication requirements imposed on the donor of such lands. The approving authority shall consider the recommendations of the Parks and Recreation Department and the Planning and Zoning Commission in exercising its discretion under this subsection.

(f) Additional requirements, definitions.

(1) Any land dedicated to the City under this ~~Ordinance~~ **Chapter** must be suitable for park and recreation uses. The following characteristics of a proposed area are generally unsuitable and may be ground for refusal of any plat:

- a. Any area primarily located in the 100-year floodway as determined by the Harris County Flood Control District.
- b. Any areas of unusual topography or slope which renders same unusable for organized recreational activities.

(2) Drainage areas may be accepted as part of a park if the channel is constructed in accordance with City engineering standards as found in Section 5.5.3 of the Public Improvement Criteria Manual of the City of La Porte, if no significant area of the park is cut off from access by such channel, if not less than five (5) acres of the site is above the 100-year flood plain, or if the dedication is in excess of ten (10) acres, not less than fifty percent (50%) of the site should be included in the 100-year flood plain.

(3) Each park must have ready access to a public street.

(4) Unless provided otherwise herein, an action by the City shall be by the approving authority, after consideration of the recommendations of the ~~Planning and Zoning~~ Commission and/or the Director of Parks and Recreation Department.

(5) Any preliminary plat approved prior to the effective date of this ordinance shall be exempt from these requirements set forth herein; however, however when such preliminary approval expires, any resubmission of such plat shall meet the requirements of this ordinance.

(g) Instruments of dedication.

(1) The park land dedication required ~~by the Ordinance~~ **Section** shall be made in the case of Subdivision by a reservation on the Final Plat as filed in the map records of Harris County, Texas, unless additional dedication is required subsequent to the filing of the Final Plat. In the case of a Development Site Plan, the dedication required by the ordinance shall be made by filing of a deed to the deed records of Harris County.

In either event, if the actual number of completed dwelling units exceeds the figure upon which the original dedication was based, such additional dedication shall be required, and shall be made by payment by the cash in lieu of land amount provided **herein** ~~by Section 12.02 of this Ordinance.~~

Sec. 86-26. Variances **Waivers.**

(a) In those instances where, in the opinion of the Commission, strict compliance with the terms, rules, conditions, policies, and standards ~~of the Commission~~ provided in this ~~Ordinance~~ Chapter would create an undue hardship by depriving the applicant or subdivider of the reasonable use of the land or, where, in the opinion of the Commission, there are unusual physical characteristics which

affect the property in question and which would make strict compliance with the terms and conditions of this Ordinance Chapter or any rule promulgated under this Ordinance Chapter not feasible, the Commission may grant the applicant or subdivider a variance waiver as to one or more requirements as long as the general purpose of this Ordinance Chapter is maintained. Economic hardship shall not constitute the sole basis for granting a variance waiver under this section.

(b) A variance waiver granted under the provisions of this Ordinance Chapter shall only to the specific property upon which the Commission was requested to approve a plat and that such variance waiver shall not constitute a change of this Ordinance Chapter, or any part thereof, or establish any policy, rule or regulation contrary to the provisions of this Ordinance Chapter.

(c) Any variance waiver on a recorded plat granted before the date of adoption of this Ordinance Chapter is hereby recognized as continuing to be valid and compliance with the provisions of this Section shall not be required.

(d) Any person desiring to secure a variance waiver as to the provisions of this Ordinance Chapter must submit a written request with the other materials pursuant to Section 4.00 et seq. herein (4.00 is Sketch Plans). Any request for a variance waiver must cite the specific rule, policy or standard contained in this Ordinance Chapter from which a variance waiver is desired. Additionally, the request must state the extent of the variance waiver sought and the specific facts or reasons why such variance waiver is needed

(e) No variances waiver may be granted by the Commission unless approved by a majority vote of the members present at the meeting of the Commission at which the variances waiver request is presented and that where the Commission affirmatively finds:

(1) That the variances waiver would not be contrary to the general purpose and goals stated in this Ordinance Chapter.

(2) That the variance waiver would not be detrimental to the public health, safety or welfare, to be injurious to adjacent property, or prevent the subdivisions or development of other land in the area in accordance with the provisions of this Ordinance Chapter.

(f) Such finding of the Commission, together with the specific facts upon which such findings are based shall be incorporated into the official minutes of the Commission meeting at which such variance waiver was granted.”

Section 2. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be

Section 3. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said

provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 4. Ordinance No. 1444, together with all amendments to Ordinance No. 1444, is expressly repealed. Furthermore, all other ordinances or parts of ordinances in conflict herewith are hereby repealed, but to the extent of such conflict only.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 6. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the _____ day of _____, 2016.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney

facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

When private streets and utilities are established within the site plan:

FURTHER, Owners agree that those streets and utilities located within the boundaries of this site plan specifically noted as private, shall be maintained as private streets and utilities by the owners, heirs, successors and assigns and, further, that said private streets shall always be available for the general use of the public for fireman, firefighting equipment, police and other emergency vehicles of whatever nature at all times.

When owner is an individual or individuals

WITNESS my (or our) hand in the City of _____, _____, this _____ day of _____, 20____.

(Name of Owner/s)

When owner is a company of corporation

In TESTIMONY WHEREOF, the (Name of company) has caused these presents to be signed by (Name of President), its President thereunto authorized, attested by its Secretary (or authorized trust officer), (Name of Secretary of authorized trust officer), and its common seal hereunto affixed by this _____ day of _____, 20____.

By: _____
(Name – President of Authorized Agent)
(Name of Company)
(Title)

ATTEST:

By: _____
Name – Secretary or Authorized Trust Officer)
(Title)

(Affix Corporate Seal)

❖ ***Flood Statement:***

This tract is in Flood Zone _____ and [is/is not] within the 100-year Flood Plain according to FEMA Map # _____, Dated _____.

❖ **Amendment Table:**

All site plans shall include the following table:

AMENDMENT TABLE		
<i>Description of Proposed Modification/s:</i>	<i>Date of Approval:</i>	<i>Approval Authority Signature:</i>

❖ **Landscape Table:**

All site plans shall include the following table:

LANDSCAPE TABLE				
<i>Planting strip requirements per Section 106-800(c.1.b&c)</i>				
<i>Symbol:</i>	<i>Common Name:</i>	<i>Scientific Name:</i>	<i>Amount Required:</i>	<i>Quantity Proposed:</i>
<i>Parking lot requirements per Section 106-800(c.1.e)</i>				
Number of Parking Spaces Provided:				
Number of Trees required (ratio 1 tree per 10 parking spaces):				
Species of Shade Trees Provided as Parking Lot Landscaping:				
Planters Required (ratio of 135 sq. ft. per 10 parking spaces):				

❖ **Parking Table:**

All site plans shall include the following table:

Parking Table	
Parking Spaces Required (Include parking ratio from Section 106-839):	
Parking Spaces Provided:	
Accessible Parking Spaces Required:	
Accessible Parking Spaces Provided:	

❖ *City Approving Authority Certificate:*

Minor Development Site Plan:

This is to certify that on _____ day of _____, 20__ the city of La Porte, Texas, has approved this site plan and development of (Name of Development) in conformance with the ordinances of the City of La Porte.

By: _____
Director, Planning and Development

City Planner

City Engineer

Major Development Site Plan:

This is to certify that on _____ day of _____, 20__ the City Planning and Zoning Commission of the City of La Porte, Texas has approved this site plan and development of (Name of Development) in conformance with the laws of the State of Texas and the ordinances of the City of La Porte.

By: _____
Chair, Planning and Zoning Commission

ATTEST:

By: _____
Secretary, Planning and Zoning Commission

By: _____
Director, Planning and Development

City Planner

City Engineer

Subdivision Plats

❖ *Owners Acknowledgement:*

STATE OF TEXAS

COUNTY OF HARRIS

I [or we], (name of owner or owners) acting by and through (name and title of officer) being officers of (name of company or corporation, owner (or owners) hereinafter referred to as Owners whether one or more of the (number of acres) tract described in the above and foregoing map of (Name of subdivision) do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself (or ourselves), my (or our) heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all common use public utility easements shown hereon.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of _____ thereon and shall be restricted for same under the terms and conditions of such restrictions filed separately.

ADDITIONAL PARAGRAPHS TO BE ADDED AS APPROPRIATE

When plat contains natural drainage ways such as bayous, creeks, gullies, ravines, draw or drainage ditches:

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the high bank of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located and depicted upon in said plat, as easements for drainage purposes, giving the City of La Porte, Harris, County or any other governmental agency, the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, drainage ways and easements clear of fences, buildings, and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

When plat indicated building setback lines and public utility easements are to be established in adjacent acreage owner by the subdivider:

FURTHER, Owners do hereby certify that I am (or we) the owners of the property immediately adjacent to the boundaries of the above foregoing plat of (name and subdivision) where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing plat and do hereby make and establish all building setback lines and dedicate to the use of the public forever all public utility easements shown in said adjacent acreage.

When private streets are established within the plat:

FURTHER, Owners do hereby covenant and agree that those streets located within the boundaries of this plat specifically noted as private streets, shall be hereby established and maintained as private streets, by the owner, heirs, successors and assigns to property located within the boundaries of this plat and always available for the general use of said owners and to the public for fireman, firefighting equipment, police and the other emergency vehicles of whatever nature at all times and do hereby bind myself (or ourselves), my (or our), heirs (or successors and assigns to warrant and forever defend the title to the land so designated and established as private streets.

To be used when the subdivision is within the Extraterritorial Jurisdiction of the City of La Porte:

FURTHER, Owners certify and covenant that they have complied with or will comply with the existing Harris County Road Law, Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature and all other regulations heretofore on file with the Harris County Engineer and adopted by the Commissioner’s Court of Harris County.

When replatted under the provisions of Section 212.014 Texas Local Government Code:

FURTHER, the Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions; I, (we) further certify that no portion of the proposed area to be replatted is limited by deed restriction to residential use for not more than two (2) residential units per lot.

When replatted under the provisions of Section 212.014, Texas Local Government Code:

FURTHER, the Owners certify that this replat does not attempt to alter, amend or remove any covenants or restrictions.

When owner is an individual or individuals

WITNESS my (or our) hand in the City of _____, _____, this _____ day of _____, 20_____.

(Name of Owner/s)

When owner is a company of corporation

In TESTIMONY WHEREOF, the (Name of company) has caused these presents to be signed by (Name of President), its President thereunto authorized, attested by its Secretary (or authorized trust officer), (Name of Secretary of authorized trust officer), and its common seal hereunto affixed by this _____ day of _____, 20____.

By: _____
(Name – President of Authorized Agent)
(Name of Company)
(Title)

ATTEST:

By: _____
Name – Secretary or Authorized Trust Officer)
(Title)

(Affix Corporate Seal)

(Include Notary Acknowledgement)

❖ **Harris County Clerk Filing Statement:**

I, (name of County Clerk), Clerk of County of Harris, do hereby certify that the within instrument with the certificate of authentication was filed for registration in my office on _____, 20__, at _____ o'clock __M., and duly recorded on _____, 20__, at _____ o'clock __M., and in Film Code No. _____ of the map records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

(Name of County Clerk)
County Clerk
Of Harris County, Texas

By: _____
Deputy

❖ **Plat Accuracy Certificate:**

I, (name of engineer or surveyor), am registered under the laws of the State of Texas to practice the profession of engineering (or surveying) and hereby certify that the above plat is true and correct; and that all bearings, distances, angles, curve radius, and central angles are accurately shown on the plat.

By: _____
(Name of Engineer or Surveyor)

Texas Registration No. _____

(Affix Seal)

❖ **Plat Final Survey Certificate:**

I _____ (name of surveyor) _____, registered under the laws of the State of Texas to practice the profession of land surveying, do hereby certify that this plat accurately represents the results of a survey performed under my supervision and that all boundary corners, single points and points of curve have been, or will be, marked with five- eighths inch iron rods not less than thirty (30) inches in length and that this plat (site plan) complies with the requirements as specified in the City of La Porte Development Ordinance.

By: _____

(Name of Engineer or Surveyor)

Texas Registration No. _____

(Affix Seal)

❖ **Notary Acknowledgement:**

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared (Names of persons signing the plat, owners, and corporation officers), (corporation titles if appropriate, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed (add for corporations, “and in the capacity therein and herein stated, and as the act and deed of said corporation.”).

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 20____.

My Commission Expires _____

(Signature of Notary Public) _____

Notary Public in and for the State of _____

(Affix Notary Seal)

❖ **Special plat statements to appear when appropriate on subdivision plats:**

When any portion of land within the plat boundary lies inside a Flood Hazard Zone Area:

“Some land within this subdivision lies in a Flood Hazard Area. Such lands are subject to an increased chance of flooding and the City of La Porte places stricter requirements on

development therein through the La Porte Flood Hazard Prevention Ordinance. Flood Hazard Area on this plat are shown as shaded.”

When the plat contains public street right of ways bordering on unrestricted reserves or unplatted acreage:

“A one foot reserve is hereby established within the street right of way adjacent to all unrestricted reserves or unplatted acreage. Said one foot reserve shall be dedicated to the public and shall be removed and thereafter be vested in the public for street right-of-way purposes only upon proper platting of the adjacent unrestricted reserve or acreage.”

❖ **City Approving Authority Certificate:**

Administrative Plat:

This is to certify that the city of La Porte, Texas, has approved this plat and subdivision of _____ (Name of Subdivision Plat) _____ in conformance with the laws of the State of Texas and the ordinances of the City of La Porte and authorized the recording of this plat on _____ day of _____, 20____.

By: _____
Director, Planning and Development

City Planner

City Engineer

Major Subdivision Plat:

This is to certify that the Planning and Zoning Commission of the city of La Porte, Texas, has approved this plat and subdivision of _____ (Name of Subdivision Plat) _____ in conformance with the laws of the State of Texas and the ordinances of the City of La Porte and authorized the recording of this plat on _____ day of _____, 20____.

By: _____
Chair, Planning and Zoning Commission

ATTEST:

By: _____
Secretary, Planning and Zoning Commission

By: _____
Director, Planning and Development

City Planner

City Engineer

❖ **Amending Plat Certificates:**

I _____ (name of surveyor) _____, hereby certify that the following corrections were necessary to eliminate errors which appear on the plat of _____ (name of subdivision) _____, recorded on _____ (date and month) _____, _____ (year) _____, in Volume _____ (number) _____, page _____ (number) _____ (or where applicable film code numbers) of the map records of Harris County, Texas:

(Provide a brief explanation of corrections required.)

By: _____
(Name of Engineer or Surveyor)

Texas Registration No. _____

(Affix Seal)

I (we), _____ (names(s) or owner(s)) _____, owner(s) of the property directly affected by this amending plat, being lot(s) _____ (number) _____ out of the block(s) _____ (number) _____ as indicated hereon, do hereby consent to this amending plat for the purposes herein expressed.

(Name of Owner)

(Repeat as necessary.)

❖ **Vacating Plat Certificates:**

STATE OF TEXAS

COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

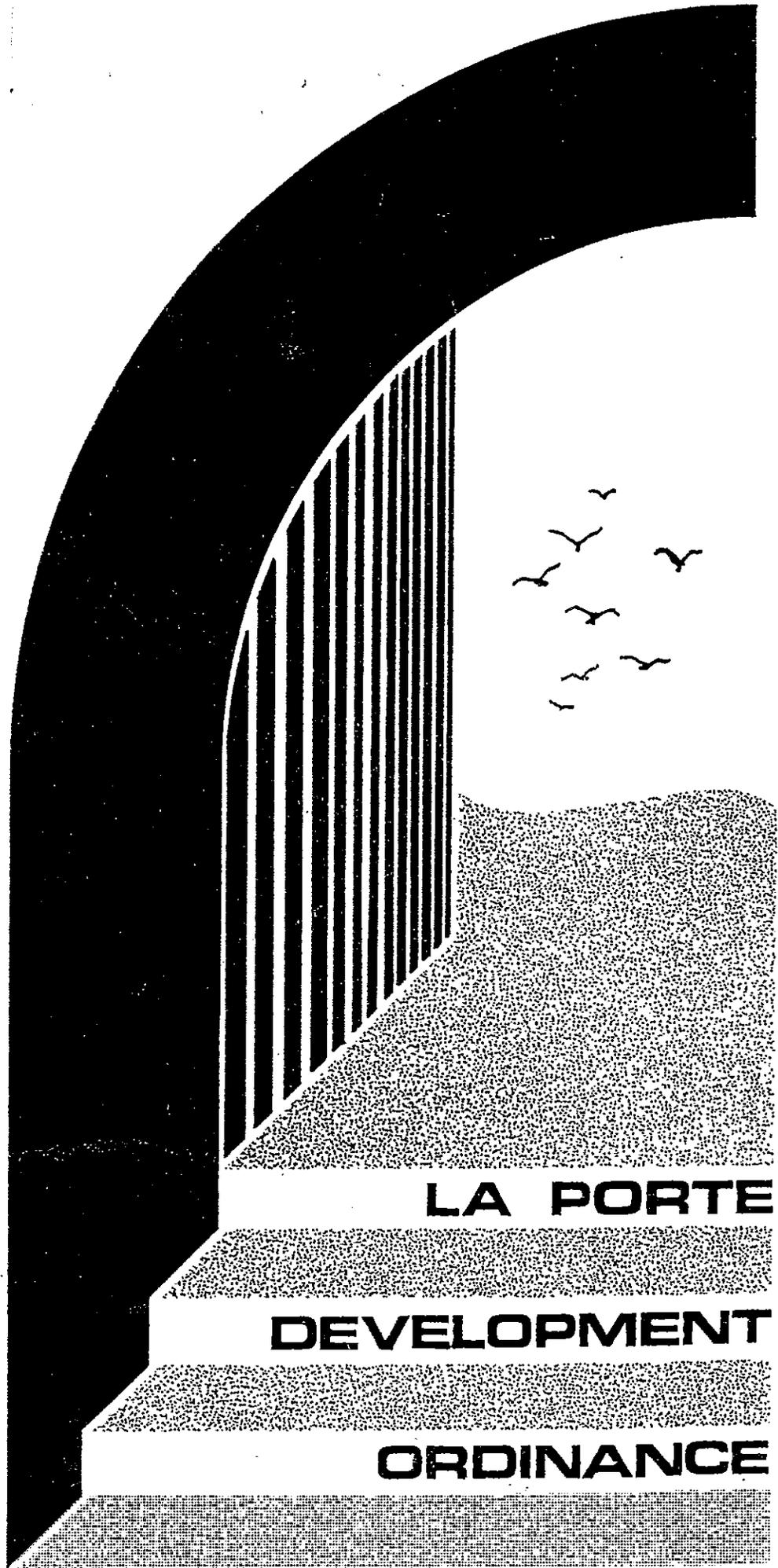
I (we), _____ (names(s) or owner(s)) _____ or _____ (name of president and secretary or authorized trust officer of a company or corporation) _____, being the sole owner (owners) and

proprietor of the following described property in the City of La Porte, Harris County, Texas, to-wit:

(Provide legal description of the property including, but not limited to, the acreage, the name of the recorded subdivision, the name of the Survey and Abstract Number, and recording references.)

Do hereby desire and declare that said plat, subdivision and dedication thereon be vacated and cancelled so as to convert all of said platted property to acreage tracts as same existed before such property was platted, subdivided and recorded.

(At this point any rights-of-way, easements or any other feature established in the subdivision being vacated which will not be cancelled as a result of this vacation action should be described.)



LA PORTE

DEVELOPMENT

ORDINANCE

May 6, 1985

Mayor Malone and Councilpersons
City of La Porte
P.O. Box 1115
La Porte, Texas 77571

RE: Proposed Development Ordinance

Dear Mayor Malone and Councilpersons:

The La Porte Planning and Zoning Commission is pleased to forward with this letter the final draft of the proposed City Development Ordinance for your consideration and adoption. The Commission formally approved this document April 25.

The Commission began review of this ordinance last October and was careful to make sure that the Ordinance

- A. provides the appropriate level of development regulation to permit the City to maintain the integrity of its new Comprehensive Plan;
- B. modernizes development regulation in the City by replacing the 1964 Subdivision Ordinance with an ordinance which updates the subdivision regulations and incorporates the Site Plan requirements used by the City for several years;
- C. clearly guides developers through the City's process for review and approval of proposed developments.

The Commission reviewed the ordinance over a dozen or more open meetings and solicited detailed comment from a number of citizens from the local development community, as well as from our consultants. Their comments have been carefully considered and are reflected in the draft you now have before you.

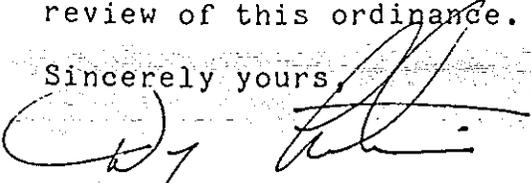
Page Two

May 6, 1985

RE: Proposed Development Ordinance

Please study the ordinance carefully, and schedule a workshop meeting to review the ordinance at your earliest convenience. If Council so desires, I will gladly attend the meeting devoted to review of this ordinance.

Sincerely yours,



Douglas F. Latimer, Jr.
Chairman, Planning & Zoning Commission

DL/tla

xc: Planning & Zoning Commission
Jack Owen, City Manager
John Joerns, Director of Community Development
Bob Speake, City Engineer
David Paulissen, Chief Building Official
John Armstrong, Assistant City Attorney

July 3, 1985

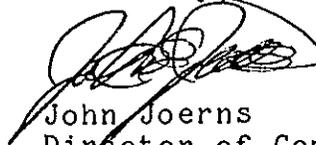
At the meeting of June 10, 1985, the La Porte City Council approved Ordinance No. 1444, commonly referred to as the City of La Porte Development Ordinance. The Development Ordinance establishes a modern review process for proposed subdivisions and other developments within La Porte's jurisdiction. The passage of Ordinance No. 1444 further signals a commitment by the Planning Zoning Commission and City Council to long-range planning and reflects the City's desire to better serve the community by updating ordinances and policies that are no longer responsive to the citizens needs.

Purchase of the Development Ordinance from the City of La Porte will result in the delivery of a registered copy of the Ordinance. Owners of registered copies will automatically receive subsequent amendments to the Ordinance at a nominal charge.

Copies of the Development Ordinance may be purchased from the City of La Porte, Department of Community Development. The price for a registered copy of Ordinance No. 1444 has been set at \$25.00 per copy.

We feel that the Development Ordinance is a significant step in our efforts to furnish quality services for our community as well as providing guidance for coordinated and harmonious development which best promotes health, safety, order, convenience, a better quality of life, and the general welfare of the citizens of La Porte.

Sincerely,



John Joerns
Director of Community Development

JJ/tla

ORDINANCE NO. 1444

AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING THE PLATTING OR REPLATTING OF LAND INTO SUBDIVISIONS IN THE CITY OF LA PORTE AND WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA PORTE; RETAINING THE RIGHT AND POWER OF THE CITY OF LA PORTE TO EXCLUDE LAND IN INDUSTRIAL DISTRICTS FROM THE TERMS, CONDITIONS, AND AFFECTS OF THIS ORDINANCE, AND REQUIRING PLATS AND REPLATS TO CONFORM TO SUCH RULES AND REGULATIONS IN ORDER TO PROCURE THE APPROVAL OF THE CITY PLANNING AND ZONING COMMISSION OF THE CITY OF LA PORTE; FURTHER PROVIDING THAT EVERY PERSON, FIRM, ASSOCIATION, OR CORPORATION OWNING ANY TRACT OF LAND WITHIN THE CITY LIMITS OF THE CITY OF LA PORTE WHO MAY HEREAFTER ENGAGE IN DEVELOPMENT AS DEFINED IN SAID ORDINANCE OF ANY TRACT OF LAND OF ANY ADDITION TO SAID CITY SHALL DEVELOP SAID LAND ONLY ACCORDING TO THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; REPEALING CITY OF LA PORTE ORDINANCE NO. 705, TOGETHER WITH AMENDMENT TO SAID CITY OF LA PORTE ORDINANCE NO. 705-A THROUGH 705-K, INCLUSIVE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200.00, WITH EACH DAY ANY VIOLATION OF THIS ORDINANCE SHALL CONTINUE CONSTITUTING A SEPARATE VIOLATION; PROVIDING AN EFFECTIVE DATE HEREOF; AND FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:

Section 1. The Development Ordinance of the City of La Porte, together with the Appendices and Enclosures thereto, which are attached to this Ordinance as Exhibit "A", and are fully incorporated by reference herein, is hereby adopted.

Section 2. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, and it is hereby declared to be the intention of this City Council to have passed each section, sentence, phrase or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase or clause, or part thereof, may be declared invalid.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of conflict only. Specifically, Ordinance No. 705, together with Amendments to Ordinance No. 705 A through K, inclusive, of said Ordinance is expressly repealed.

Section 4. Any person, as defined in Section 1.07(27), Texas Penal Code, who shall violate any provision of this ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00). Each day any violation of this ordinance shall continue shall constitute a separate violation.

Section 5. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper in the City of La Porte at least twice within ten (10) days after the passage of this ordinance.

Section 6. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Article 6252-17, Texas Revised Civil Statutes Annotated; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

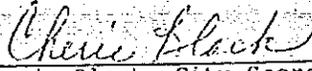
PASSED AND APPROVED this the 16th day of June, 1985.

CITY OF LA PORTE

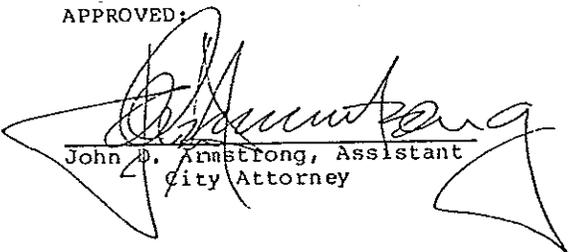
By Norman Malone
Norman Malone, Mayor

ORDINANCE NO. 1444
Page 3

ATTEST:


Cherie Black, City Secretary

APPROVED:


John P. Armstrong, Assistant
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LA PORTE DEVELOPMENT ORDINANCE

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LA PORTE DEVELOPMENT ORDINANCE

1.00 GENERAL

These regulations shall govern every person, firm, association or corporation owning any tract of land within the City limits of the City of La Porte and within its extra-territorial jurisdiction who may hereafter subdivide or engage in development as hereinafter defined any tract of land or any addition to said City provided, however, that the City of La Porte hereby excludes from the terms, conditions and effects of this Ordinance and all amendments hereto, land included within the boundaries of any Industrial District or Districts within the Extra-territorial Jurisdiction of the City of La Porte that currently exist or may be hereafter created by the City of La Porte under the terms of Article 970a and amendments thereto of the Revised Civil Statutes of the State of Texas.

2.00 DEFINITIONS

For the purpose of this Ordinance the following various terms, phrases and words, will have the meaning ascribed to them herein. When not inconsistent with the context, words used in the present tense include the future; words used in the singular include the plural; words used in the plural include the singular; "shall" is mandatory; and "may" is permissive. Any office referred to herein by title will include the person employed or appointed for that position or his duly authorized deputy or representative.

Terms, phrases or words not expressly defined herein are to be considered in accordance with customary usage.

- 2.01 AGRICULTURAL USE: Any activity related to the cultivation of the soil, the producing of crops to human food, animal feed or planting seed or for the production of fibers; floriculture, viticulture or horticulture, raising or keeping of livestock; and planting cover crops or leaving land idle for the purpose of participating in any governmental program or recognized, normal crop or livestock rotation procedure. A residential unit and related out-buildings located solely for one or more of the purposes described in the preceding sentence shall be deemed an agricultural use.
- 2.02 ALLEY: A public right-of-way which is used for utility installation or for secondary access to individual properties which have their primary access from an adjacent public street or an approved common or compensating open space or court yard which has direct access to a public street.
- 2.03 APPROVING AUTHORITY: The City official or commission having authority to sign plats or plans signifying City approval of said plats or plans. For Minor Developments, the Approving Authority is the Director. For all other developments or subdivisions, the Approving Authority is the Planning and Zoning Commission.
- 2.04 ARTICLE 970a: A general law of the State of Texas found

at Acts 1963 General Laws Ch. 160, as it may be from time to time amended.

2.05 ARTICLE 974a: A general law of the State of Texas found at Acts 1927 General Laws, Ch. 231, as it may be from time to time amended.

2.06 BUILDING SETBACK LINE: That line that is the required minimum distance from the street right-of-way line or easement line or any other lot line that establishes the area within which any structure must be erected or placed.

2.07 BLOCK: An identified tract or parcel of land established within a subdivision surrounded by a street or a combination of streets and other physical features and which may be further subdivided into individual lots or reserves.

2.08 BUILDING PERMIT: A permit for improvements granted by the Chief Building Official under the provisions of the City Building Code, currently in force and effect; save and except improvements of less than \$100.00 valuation. As used herein, improvement shall include the construction, enlargement, alteration, repair, removal, or conversion of a building or structure.

2.09 CHIEF BUILDING OFFICIAL: The City officer or other designated authority charged with the administration and enforcement of the City Building Code, or his authorized representative.

2.10 CITY: The City of La Porte, Texas.

2.11 CITY COUNCIL: The City Council of the City.

- 2.12 CITY SECRETARY: That person holding the office of City Secretary under the terms of the La Porte Charter, or her/his designated representative.
- 2.13 COMMISSION: The Planning and Zoning Commission of the City.
- 2.14 COMPENSATING OPEN SPACE: Those areas designated on a plat or plan which are restricted from development, except for landscaping and recreational uses and which all owners of residential properties within the plat have a common legal interest or which are retained in private ownership and restricted from development, except for landscaping and recreational uses, for the exclusive use of all owners of residential property within the plat, and such designation shall remain in effect until the plat is vacated or the tract is replatted. The terms compensating open space, common open space, common property and common area may be used interchangeably and may be considered as similar.
- 2.15 COMPREHENSIVE PLAN: A long-range plan, adopted by the Council, which is intended to guide the development of the City that includes analysis, recommendations and proposals for the community's population, economy, housing, transportation, community facilities and infrastructure.
- 2.16 COUNTY: Harris County, Texas
- 2.17 DEPARTMENT: The Community Development Department of the City of La Porte.

- 2.18 DEVELOPER: The legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option or contract to purchase, or other persons having property interests in such land.
- 2.19 DEVELOPMENT: The process of converting land within the City's jurisdiction from its natural state, or its existing usage to residential, commercial or industrial uses. This definition encompasses any and all physical changes to the land not regulated through the City Building Code inherent in such conversions. The term development includes subdivisions as defined herein.
- 2.20 DEVELOPMENT AUTHORIZATION: A document issued by the Department for the development of land within the City jurisdiction. A Development Authorization is issued after final approval of a Subdivision Plat or Development Site Plan by the City Approving Authority, and authorizes the construction of improvements not regulated by the City Building Code.
- 2.21 DEVELOPMENT, MAJOR: Any development not a Minor Development.
- 2.22 DEVELOPMENT, MINOR: Any project or development that involves no more than ten (10) acres of land and the total square footage of all buildings on the site does not exceed 150,000 square feet and requires no change to the City's Comprehensive Plan.
- 2.23 DIRECTOR: The City Director of Community Development or his designated representative.

- 2.24 DWELLING UNIT: A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- 2.25 EASEMENT: A right given by the owner of a parcel of land to another person, public agent or private corporation for specific and limited use of that parcel.
- 2.26 EXTRATERRITORIAL JURISDICTION: The unincorporated territory beyond the City limits of the City established by the authority of Article 970a and 974a.
- 2.27 FILING DATE: The date when a Development Site Plan, General Plan, or a Subdivision Plat is formally presented to the Approving Authority for its approval and registered as a part of the Approving Authority official records.
- 2.28 FLOOD HAZARD AREA: Those areas of the City designated as having a greater chance of flooding from natural disaster such as rainstorms or hurricanes. Such areas are shown on the official flood insurance rate maps (FIRM), adopted by Council.
- 2.29 FLOOD HAZARD PREVENTION ORDINANCE: The City Ordinance, adopted by the Council, which defines the flood hazard areas of the City, and regulates land development more restrictively within such areas, by means of issuance of

a special Flood Plain Development permit.

- 2.30 GENERAL PLAN: A map or plat designated to illustrate the general design features and street layout of a proposed development which is proposed to be platted and developed in phases. This plan, when approved by the Commission, constitutes a guide which the Commission should refer to in the subsequent review of Subdivision Plats or Development Site Plans that cover portions of the land contained within the General Plan and adjacent property.
- 2.31 HARRIS COUNTY ROAD LAW: A special law of the State of Texas found in Acts 1913, Special Laws, Chapter 17, as may be from time to time amended.
- 2.32 INDUSTRIAL DISTRICTS: That land within the extraterritorial jurisdiction of the City of La Porte, and either:
- a. Being designated as the "Battleground Industrial District of La Porte, Texas" in Ordinance 729, passed by the City Council of the City of La Porte; or
 - b. Being designated as the "Bay Port Industrial District of La Porte", in Ordinance 842, passed by the City Council of the City of La Porte.
- 2.33 LOT: An undivided tract or parcel of land contained within a block or designated on a Subdivision Plat by numerical identification.
- 2.34 MOBILE HOME PARK: An unsubdivided development divided into mobile home sites for rent and for the installation of mobile homes thereon.
- 2.35 MOBILE HOME SUBDIVISION: A subdivision divided into mobile

home lots for sale.

- 2.36 MOMUMENT: A fixed reference point or object located convenient to proposed developments in La Porte for which the City or another governmental agency has determined the elevation above mean sea level and the geographic location within the Texas Plane Coordinate System.
- 2.37 MONUMENT SYSTEM: A monument system established by the City to provide horizontal and vertical survey control for land development in La Porte within a common frame of reference. A document describing the City Monument System is published separately.
- 2.38 ONE-FOOT RESERVE: A strip of land one foot wide and within public street right of ways and adjacent to subdivision reserves or adjacent acreage to prevent access to said public street until the reserve or adjacent acreage has been platted in accordance with this Ordinance.
- 2.39 PLAN, DEVELOPMENT SITE: A site plan for unsubdivided developments certified by the land owner and by a Professional Engineer or Registered Public Surveyor, executed by the City Approving Authority and prepared as specified in Section 4.08 et seq. of this Ordinance.
- 2.40 PLANNED UNIT DEVELOPMENT: A land area characterized by a unified site design which: (1) has individual building sites and provides common open spaces; and (2) is designed to be capable of satisfactory use and operation as a separate entity without necessarily having the

participation of other building sites or other common property. The ownership of the common property may be either public or private. A Planned Unit Development may include subdivisions. It may be a single Planned Unit Development as initially designed; or as expanded by annexation of additional land area; or a group of contiguous Planned Unit Developments, as separate entities or merged into a single consolidated entity.

- 2.41 PLANNING CONSULTANT: A certified land planner, Texas registered professional engineer, Texas registered land surveyor, Texas registered architect, or other qualified consultant, who performs land planning services to subdividers or developers for a fee.
- 2.42 PLAN, SKETCH: A rough sketch map of a proposed subdivision or other development of sufficient accuracy to be used for the purpose of discussion and preliminary decision making, prepared in conformance with Section 4.00 et seq. of this Ordinance.
- 2.43 PLAT, AMENDING: A plat, previously approved by the Commission and duly recorded, which is resubmitted to the Commission for reapproval and recording which contains dimensional or notational corrections or erroneous information contained on the originally approved and recorded plat. An amending plat is not to be considered as a replat or re-subdivision and may not contain any changes or additions to the physical characteristics of the original subdivision, but is intended only to correct errors or mis-

calculations as allowed under the provisions of Art. 974a, Section 5(d).

- 2.44 PLAT, FINAL: A map or drawing of a proposed subdivision prepared in a manner suitable for recording in the appropriate County records and prepared in conformance with Section 4.04 et seq. of this Ordinance.
- 2.45 PLAT, PRELIMINARY: A map or drawing of a proposed subdivision illustrating its development features for review, prepared as specified in Section 4.03 et seq. of this Ordinance.
- 2.46 PLAT, STREET DEDICATION: A map or drawing suitable for recording in the appropriate county records illustrating the location of a public street within a specific tract of land.
- 2.47 PUBLIC IMPROVEMENTS CRITERIA MANUAL (PICM): The set of standards set forth by the Director of Community Development and approved by the City Council to determine the specific technical requirements for construction of public improvements. The manual may be acquired from the Community Development Department, and is on file in the City Secretary's Office.
- 2.48 RESERVE: A parcel of land within a Subdivision Plat or Development Site Plan reserved from current development. A reserve may be restricted to a special use such as drainage, recreation or common area. Reserves within subdivisions

not restricted in use may be shown as "unrestricted".

- 2.49 RESUBDIVISION OR REPLAT: The relocation or removal of existing streets or lots by replatting as allowed under the provisions of Art. 974a. V.T.C.S. Section 5 as amended.
- 2.50 RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, prescription or condemnation and used or intended to be used as a road, utility installation, crosswalk, railroad, electric transmission lines, or other similar use.
- 2.51 SPECIAL USE SITES: A location shown on the Comprehensive Plan where a proposed school, park, public building or other public facility is to be located.
- 2.52 STREETS, COLLECTOR: A street designed to serve equally the functions of access and movement. Collector streets serve as links between local streets and arterials.
- 2.53 STREET, CUL-DE-SAC: A local street having one end open to vehicular traffic and having one closed end terminated by a turnaround.
- 2.54 STREET, LOCAL: A neighborhood or minor street whose primary purpose is to provide access to abutting properties.
- 2.55 STREET, PRIMARY ARTERIAL: An expressway, freeway, or primary thoroughfare whose primary function is the movement of traffic.
- 2.56 STREET, PRIVATE: A vehicular access way, under private ownership and maintenance, providing access to buildings containing residential dwelling units without direct access

to an approved public street right-of-way. Parking lots and private driveways within shopping centers, commercial areas and industrial developments shall not be considered as private streets.

2.57 STREET, PUBLIC: A public right-of-way, however designated, dedicated or acquired, which provides vehicular access to adjacent properties.

2.58 STREET, SECONDARY ARTERIAL: A primary thoroughfare whose predominant function is the movement of traffic but which provides more access than normally associated with a primary arterial.

2.59 STREET, STUB: A public street not terminated by a permanent circular turnaround, ending adjacent to undeveloped property or acreage and intended to be extended at such time as the adjacent undeveloped property or acreage is subdivided or developed.

2.60 STREET, THOROUGHFARE: A public street designed for heavy traffic and intended to serve as a traffic artery of considerable length and continuity throughout the community and so designated on the latest edition of the City Thoroughfare Plan.

2.61 SUBDIVIDER: Any owner or authorized agent thereof, proposing to divide, or dividing, land so as to constitute a subdivision according to the terms and provisions of this Ordinance. A subdivider is further defined to be a developer.

- 2.62 SUBDIVISION: A division of any tract of land into two (2) or more parts for the purpose of laying out any subdivision or any tract of land or any addition to the City, or for laying out suburban lots or building lots, or any lots, and streets, alleys or parts or other portions intended for public use or the use of the purchasers or owners of lots fronting thereon or adjacent thereto. A subdivision includes re-subdivision (replat) but it does not include the division of land for agricultural purposes in parcels or tracts of five (5) acres or more and not involving any new streets, alleys or easements of access. A subdivision is further defined to be a development.
- 2.63 SUBDIVISION, MAJOR: Any subdivision not classified as a minor subdivision.
- 2.64 SUBDIVISION, MINOR: A subdivision involving less than ten (10) acres of land, which has no common area or reserves, has no adjacent stub street right of ways, and requires no change to the City's Comprehensive Plan.
- 2.65 SUBMITTAL DATE: The date and time specified in this Ordinance when plans, plats, related materials and fees must be received by the City prior to the next regular meeting of the commission in order to be considered at such meeting. The "submittal date" is not to be considered as the "filing date" as herein defined.
- 2.66 TITLE CERTIFICATE (ABTRACTOR'S CERTIFICATE, PLANNING LETTER): A certificate prepared and executed by a title company

authorized to do business in the State of Texas or an attorney licensed in the State of Texas describing all encumbrances of record which affect the property together with all deeds recorded from and after the effective date of this Ordinance which shall include any part of the property included in a subdivision plat or development site plan.

- 2.67 VARIANCE: Permission granted in writing by the Commission to depart from the literal requirements of this Ordinance.
- 2.68 ZONING ORDINANCE: The Zoning Ordinance of the City of La Porte, together with any amendments thereto.

3.00 PURPOSE, AUTHORITY AND JURISDICTION

Under the authority of Article 974a of the Revised Civil Statutes of the State of Texas, which article is hereby made part of these regulations, the City Council of the City of La Porte does hereby adopt the following regulations to hereafter control the development of land within the corporate limits of the City of La Porte and in the unincorporated areas lying within the extraterritorial jurisdiction of the City of La Porte in order to provide for the orderly development of the areas and to secure adequate provision for traffic, light, air, recreation, transportation, water, drainage, sewage, and other facilities; provided, however, that the City of La Porte excludes from the terms, conditions and effects of

this Ordinance and all amendments hereto, unsubdivided development in the extraterritorial jurisdiction of the City, and land included within the boundaries of any Industrial District or Districts that may be hereafter created by the City of La Porte under the terms of Article 970a and amendments thereto of the Revised Civil Statutes of the State of Texas. It shall be unlawful for any owner or agent of any owner of land to layout, subdivide, re-subdivide, plat, or replat any land within the City of La Porte or its extraterritorial jurisdiction without an approved City Development Authorization. In addition, it shall be unlawful for any owner or agent of any owner of land to cause the development of any land within the corporate limits of the City of La Porte, without an approved City Development Authorization. It shall be unlawful for any such owner or agent to offer for sale or sell property therein or thereby, which has not been laid out, subdivided, re-subdivided, platted, replatted or developed without the approvals required in this Ordinance, subsequent to the passage of this Ordinance.

3.01 The City shall withhold all City improvements of whatsoever nature, including the maintenance of streets and the furnishing of utilities from all subdivisions or developments not in conformance with the provisions of this Ordinance.

3.02 No Building Permit shall be issued for the erection or

improvements of any building in the City's jurisdiction not located within an approved and recorded subdivision plat or within an approved Development Site Plan as defined herein.

3.03 CONFORMANCE WITH THE COMPREHENSIVE PLAN

The City shall, under the provisions of Article XI Section 5 of the Texas Constitution and the provisions of Article 970a and 974a, require that all plans or plats conform to the:

- A. Comprehensive Plan of the City, its streets, alleys and public utility facilities which have been laid out; and,
- B. The Comprehensive Plan for the extension of the City, its roads, streets, public highways, water and sewer mains and other instrumentalities of public utilities within the City and its extraterritorial jurisdiction.

3.04 CONFORMANCE WITH ORDINANCES AND POLICIES OF THE CITY OF LA PORTE

The Approving Authority shall review all plans, plats, and all accompanying documentation required in this Ordinance, and require developer and subdivider compliance with applicable State Law, this Ordinance, the Zoning Ordinance of the City of La Porte, other applicable ordinances of the City of La Porte, and approved written policies and procedures of the City of La Porte.

4.00 SKETCH PLANS

The developer or owner of the land may choose to submit a Sketch Plan to the Director of Community Development for his formal review. The applicant should discuss with the Director the procedure for submittal and approval of Subdivision Plats or of Development Site Plans and the requirements as to the general layout of streets, reservations of land, street improvements, drainage, sewage, fire protection, and similar matters, as well as the availability of existing services. The Director shall also advise the applicant, where appropriate, to discuss the proposed development or subdivision with those officials who must eventually approve these aspects of the Subdivision Plat or Development Site Plan coming within their jurisdiction.

A. SKETCH PLANS: REQUIREMENTS AND CONTENTS
(SEE APPENDIX B)

For Major Subdivisions or Developments, the developer may prepare several different schematic land plans for the same property during the Sketch Plan stage. Complete instructions for preparing Sketch Plans for all Developments or Subdivisions are contained in Appendix B.

B. SKETCH PLANS: SUBMISSION

The City encourages the subdivider or developer to submit one (1) copy of each Sketch Plan and one (1) copy of the completed development checklist (available at the Department) to the Director at least two (2) weeks

prior to the date he intends to submit his first formal plan or plat.

C. SKETCH PLANS: EFFECT OF SKETCH PLAN REVIEW

Sketch Plan review is optional and informational in nature and no city approval or disapproval results from its review. The developer may file a formal plan or plat, regardless of the outcome of Sketch Plan review.

4.01 GENERAL PLANS

General Plans are required for all phased projects involving Major Subdivisions or Major Developments. The General Plan is to be designed to illustrate the general design features of a subdivision or development which is proposed to be developed or platted in phases or sections. This plan, when approved by the Commission, constitutes a guide which the Commission will refer to in the subsequent review of plans or plats that cover portions of the land contained within the general overall plan and adjacent properties. Should the developer's future plans change, such changes are to be disclosed to the Department by filing a new General Plan.

A. GENERAL PLANS REQUIREMENTS AND SUBMISSION
(SEE APPENDIX C)

Five (5) copies of the General Plan, certified by the developer and planning consultants, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date at which Commission review is requested. Complete

instruction for preparing General Plans are contained in Appendix C.

B. GENERAL PLANS: ACTION BY THE APPROVING AUTHORITY

All General Plans require final approval from the Commission. Following review of the General Plan, the Commission shall, within thirty (30) calendar days of the filing date, take one of the following actions;

1. Approve the General Plan as filed;
2. Conditionally approve the General Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Chairman of the Planning Commission.
3. Disapprove the General Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Planning Commission.

Commission action shall be noted on three (3) copies of the General Plan, which shall be distributed to the developer, Department, and official files of the Commission. Unless stipulation for additional time is agreed to by the developer, the failure of the Planning Commission to act within thirty (30) days from the date of the filing of the plan by the developer will cause the plan to be deemed approved.

C. GENERAL PLANS: EFFECT OF APPROVING AUTHORITY ACTION

1. Approval: Commission approval of the General Plan authorizes the developer to file a Preliminary Subdivision Plat or a Development Site Plan.
2. Conditional Approval: Commission conditional approval requires submission of an amended General Plan and additional documentation as specified by the Planning Commission for final Commission approval; which may be filed concurrently with the next Preliminary Plat or Development Site Plan, as the case may be.
3. Disapproval: Commission disapproval of a General Plan requires submission of a new General Plan.

D. OFFICIAL GENERAL PLAN

The original approved mylar of the General Plan, signed by the developer and planning consultant, shall be retained by the Department in the official files of the Commission. No subsequent plan or plat will be approved until the original mylar has been delivered to the department. In the event the developer or subdivider fails to file a Preliminary Plat or Development Site Plan within one year of Commission approval of the General Plan, approval of said General Plan shall terminate upon written notice to the subdivider, developer, or owner. The developer, subdivider, or owner may request in writing a one year extension specifying the reason why a Preliminary Plat or Development Site Plan has not been filed.

4.02 SUBDIVISION PLATS

The following sections of the Ordinance outline procedures for preparing and obtaining Commission approval of Subdivision Plats for residential, commercial, or industrial properties. All Final Subdivision Plats must be recorded in the County map records.

4.03 PRELIMINARY PLATS

Preliminary Plats are required for all Major Subdivisions, and shall be consistent with the approved General Plan, if applicable.

A. PRELIMINARY PLATS: REQUIREMENTS AND SUBMISSION
SEE APPENDIX D

Five (5) copies of the Preliminary Plat, certified by the developer and planning consultant, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date at which Commission review is requested. Preliminary Plats shall be drawn accurately to scale with exact dimensions for street centerlines and approximate dimensions for other lines. Complete instructions for preparing Preliminary Plats and required accompanying documentation are contained in Appendix D.

B. PRELIMINARY PLAT: ACTION BY THE APPROVING AUTHORITY
All Preliminary Plats require final approval from the Commission. Following review of the Preliminary Plat, the Commission shall, within thirty (30) calendar days of the filing date, take one of the following actions:

1. Approve the Preliminary Plat as filed;
2. Conditionally approve the Preliminary Plat as filed, provided, the reasons are stated in writing and a copy of the statement is signed by the Chairman of the Planning Commission.
3. Disapprove the Preliminary Plat as filed, provided, the reason for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Planning Commission.

Commission action shall be noted on three (3) copies of the Preliminary Plat, which shall be distributed to the developer, Department, and official files of the Commission. Unless stipulation for additional time is agreed to by the subdivider, the failure of the Planning Commission to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

C. PRELIMINARY PLATS: EFFECT OF APPROVING AUTHORITY ACTION

1. Approval: Commission approval of the Preliminary Plat authorizes the subdivider to file a Final Plat.
2. Conditional Approval: Commission conditional approval requires submission of an amended Preliminary Plat and additional documentation as specified by the Planning Commission for final commission approval.
3. Disapproval: Commission disapproval of a Preliminary Plat requires submission of a new Preliminary Plat.

In the event the subdivider fails to file a Final Plat within one year of Approving Authority approval of the Preliminary Plat, approval of said Preliminary Plat shall terminate upon written notice to the subdivider or owner. The subdivider or owner may request in writing a one year extension specifying the reasons why a Final Plat has not been filed.

4.04 FINAL PLATS: REQUIREMENTS AND CONTENTS; DEED RESTRICTIONS

Final plats are required for all subdivisions, and shall be consistent with the Preliminary Plat if applicable. Final Plats of subdivisions are drawn accurately to scale with exact dimensions. Complete instructions for preparing Final Plats are contained in Appendix D.

In conjunction with the filing of the Final Plat, the subdivider or developer shall file a proposed set of covenants, restrictions, conditions, and reservations, affecting the property enclosed within the Final Plat. The covenants and restrictions shall include provisions creating an association of lot owners charged with the responsibility of promoting the recreation, health, safety, and welfare of the members of the association, and for the improvement and maintenance of any common areas, compensating open space, private streets, alleys, or parking areas included within the Final Plat. The association shall be empowered to levy assessments to be used exclusively in the enforcement of the covenants, restrictions, conditions, and reservations affecting the property enclosed in the Final Plat, and for the furtherance of its responsibility of improving and maintaining any common areas, compensating open space, private streets, alleys, parking areas or other private improvements included within the Final Plat. The assessments levied shall be a charge on the land and shall be a continuing lien on the property against which each such assessment is made.

The proposed set of covenants, restrictions, conditions, and reservations filed shall be submitted to the City Attorney of the City of La Porte, who shall review the documents and insure that the form of the documents complies with this Ordinance.

A. FINAL PLATS : SUBMISSION

Five (5) copies of the Final Plat certified by the owners, lienholders, and engineer or surveyor, and one (1) copy of all required documentation and one (1) copy of the proposed deed restrictions outlined above, shall be submitted to the Department for review at least two (2) weeks before the date at which the Final Plat is filed with the Commission.

B. FINAL PLATS: ACTION BY THE APPROVING AUTHORITY

All Final Plats require final approval from the Commission. Following review of the Final Plat, the Commission shall, within thirty (30) calendar days of the filing date, take one of the following actions:

1. Approve the Final Plat as filed;
2. Disapprove the Final Plat as filed, provided the reasons for such disapproval are stated in writing and a copy of the statements is signed by the Chairman of the Planning Commission.

Commission action shall be noted on three (3) copies of the Final Plat, which shall be distributed to the developer, Department, and official files of the Commission.

C. FINAL PLATS: EFFECT OF APPROVAL

1. Approval of a Final Plat as filed and all accompanying documentation by the Commission, together with approval of Public Improvement Construction Documents by the Director shall result in issuance of a Development Authorization by the Department which permits the developer to begin construction of subdivision improvements.
2. Disapproval of a Final Plat requires filing of a new Final Plat.

D. FINAL PLATS: RECORDATION AND CONSTRUCTION OF PUBLIC IMPROVEMENTS

A Final Plat shall not be recorded until executed by the Director and by the Commission. Before the Final Plat is executed, the developer shall follow the procedure provided for in Section 4.04, and construct the proposed improvements according to the approved plans and specifications. In the event the developer or owner fails to commence construction of such improvements within one year of Development Authorization, approval of the Final Plat shall terminate upon written notice from the Commission to the developer or owner. The developer or owner may request in writing a one year extension specifying the reasons why construction has not commenced.

The Planning Commission shall not sign and deliver a copy of the plat to be recorded, nor shall such Final Plat be recorded, if such proposed improvements are not completed within two years of commencement of construction, and approved by the Director of Community Development. In the event the developer or owner fails to complete construction of such improvements within two years of commencement of construction, approval of the Final Plat shall terminate upon written notice from the Commission to the developer or owner. The developer or owner may request a one year extension in writing from the Director specifying the reasons why construction has not been completed.

The Final Plat shall not be recorded unless the deed restrictions called for herein are recorded simultaneously with the recordation of the Final Plat.

E. OFFICIAL FINAL PLAT

The original recorded mylar film of the Final Plat shall be retained in the official files of the Commission. The owner shall sign the Return Map Agreement shown in Enclosure 7 to Appendix D which authorizes the County Clerk to return said mylar to the Department after recordation.

4.05 VACATION OR RECORDED SUBDIVISION PLATS

The vacation of Subdivision Plats, which is authorized and regulated by Article 974a, V.T.C.S. Section 5 (a), shall be permitted, provided:

- A. All owners of all property contained within the previous plat sign the Vacation of Subdivision Declaration shown on Enclosure 5 to Appendix D;
- B. Approval of the Commission is obtained and reflected by Commission execution of the certificate shown on Enclosure 5 to Appendix D; and
- C. Said owners declaration and Commission approval certificate is recorded as a single instrument in the county records as required by Article 974a, V.T.C.S. Section 5 (a).

4.06 AMENDING RECORDED SUBDIVISION PLATS

An Amending Plat may be filed for record in the County map records to correct dimensional errors, notational errors or other erroneous information as defined and provided for under Article 974a V.T.C.S. Section 5 (d) provided:

- A. The signed Amending Plat certificate shown on Enclosure 4 to Appendix D is placed upon the face of the Amending Plat;
- B. The Planning and Zoning Commission certificate shown on

Enclosure 4 to Appendix D is placed upon the face of the Amending Plat and;

- C. Commission approval of said Amending Plat is reflected by Commission execution of said certificate.

4.07 REPLATTING RECORDED SUBDIVISION PLATS

A replat or re-subdivision of a recorded Subdivision Plat, or a portion thereof, but without vacation of the immediate previous plat, is hereby expressly authorized to be recorded and shall be deemed valid and controlling when:

- A. It has been signed and acknowledged by only the owners of the particular property which is being replatted or re-subdivided on the acknowledgment shown in Enclosure 1 to Appendix D;
- B. It does not attempt to alter, amend or remove any covenants and restrictions;
- C. There is compliance, when applicable, with Subsection (c) and (d) of Section 5, Article 974a, V.T.C.S.;
- D. It has been approved by the Commission after being prepared and filed as though it were an original plat as specified in Section 4.04 of this Ordinance; and
- E. All expenses incurred by the City or the subdivider in the Replat process shall be borne by the subdivider, including costs of notice at public hearing.

4.08 DEVELOPMENT SITE PLANS: GENERAL

The following sections of this Ordinance outline procedures for preparing and obtaining approval for developments not defined herein as subdivisions. Except as noted in Section 4.08 (A) below, it shall be a violation of this Ordinance for any person to develop property within the City of La Porte without first:

- a. Filing a Development Site Plan and required documentation for approval;
- b. Having said Development Site Plan approved according to the procedures set forth herein; and
- c. Obtaining a Development Authorization.

A. DEVELOPMENT SITE PLANS: EXCEPTIONS TO FILING REQUIREMENTS

1. No Development Site Plan filing shall be required as provided for herein in the case of a development which is strictly agricultural in character and use.
2. No Development Site Plan filing shall be required as provided for herein in the case of a development that is solely and strictly a Subdivision, as that term is defined herein, and the requirements of Section 4.04 of this Ordinance have been satisfied for such Subdivision.
3. No Development Site Plan filing shall be required as provided for herein in the case of a development that is strictly residential in character and use, and occurs in

the form of a single family house, regardless of whether said house is constructed inside or outside of a Sub-division.

B. MAJOR AND MINOR DEVELOPMENT SITE PLANS: REQUIREMENTS AND CONTENTS
(SEE APPENDIX E)

For both Major and Minor Developments, the Development Site Plan is drawn accurately to scale with exact dimensions. When accompanied by all other required documentation, Development Site Plans contain sufficient detail for evaluation of the proposed development. Complete instructions for preparing Development Site Plans are contained on Appendix E.

4.09 MAJOR DEVELOPMENT SITE PLANS

A. SUBMISSION

Five (5) copies of the Major Development Site Plan, certified by the developer and engineer or surveyor, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date at which Commission review is requested.

B. MAJOR DEVELOPMENT SITE PLANS: ACTION BY THE APPROVING AUTHORITY

The Commission is the Approving Authority for all Major

Development Plans. Following review of the Major Development Site Plan, the Commission shall, within thirty (30) days of the filing date, take one of the following actions:

1. Approve the Major Development Site Plan as filed;
2. Conditionally approve the Major Development Site Plan as filed; provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Chairman of the Planning Commission.
3. Disapprove the Major Development Site Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Planning Commission.

Commission action shall be noted on four (4) copies of the Major Development Site Plan, which shall be distributed to the developer, Department, City Code Enforcement Division, and official Commission files. Unless stipulation for additional time is agreed to by the developer, the failure of the Planning Commission to act within thirty (30) days from the date of the filing of the plan by the developer will cause the plan to be deemed approved.

C. MAJOR DEVELOPMENT SITE PLANS: EFFECT OF APPROVING
AUTHORITY ACTION

1. Approval of a Major Development Site Plan and all ac-

companying documentation by the Commission, together with approval of Public Improvements Construction Documents by the Director, results in issuance of a Development Authorization by the Department.

2. Conditional approval of a Major Development Site Plan requires that the developer satisfy the conditions established by the Commission. Once the stated conditions have been satisfied, the Major Development Site Plan and accompanying documentation may be refiled for Commission approval.
3. Disapproval of a Major Development Site Plan requires filing of a new Major Development Site Plan.

4.10 MINOR DEVELOPMENT SITE PLANS

A. MINOR DEVELOPMENT SITE PLANS: SUBMISSION

Five (5) copies of the Minor Development Site Plan, certified by the owner and engineer or surveyor, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date at which Director review is requested.

B. MINOR DEVELOPMENT SITE PLANS: ACTION BY THE APPROVING AUTHORITY

The Director is the Approving Authority for all Minor De-

velopments Site Plans. Following review of the Minor Development Site Plan, the Director shall, within two (2) weeks of the filing date, take one of the following actions:

1. Approve the Minor Development Site Plan as filed;
2. Conditionally approve the Minor Development Site Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Director.
3. Disapprove the Minor Development Site Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Director.

Department action shall be noted on three (3) copies of the Minor Development Site Plan, which shall be distributed to the developer, Department, and the City Code Enforcement Division. Unless stipulation for additional time is agreed to by the Developer, the failure of the Director to act within two (2) weeks from the date of the Plan by the Developer will cause the Plan to be deemed approved.

C. MINOR DEVELOPMENT SITE PLANS: EFFECT OF APPROVING
AUTHORITY ACTION

1. Approval of a Minor Development Site Plan and all accompanying documentation by the Director, together with approval of Public Improvement Construction Documents by

the Director, results in issuance of a Development Authorization by the Department.

2. Conditional approval of a Minor Development Site Plan requires that the developer satisfy the conditions established by the Department. Once the stated conditions have been satisfied, the Minor Development Site Plan and accompanying documentation may be resubmitted for Department approval.
3. Disapproval of a Minor Development Site Plan requires filing of a new Minor Development Site Plan.

D. MINOR DEVELOPMENT SITE PLANS: APPEALS

Director disapproval of a Minor Development Site Plan may be appealed to the Commission within twenty (20) days of the mailing of a written notice of disapproval. The following materials must be filed with the City Secretary:

1. A copy of the Director's disapproval letter;
2. A letter stating the basis of appeal;

Once the appeal has been filed, the Minor Development Site Plan will be presented to the Commission for its ruling as specified for Major Development Site Plans in Section 4.09 (B) above.

E. MAJOR AND MINOR DEVELOPMENT SITE PLANS: OFFICIAL
DEVELOPMENT SITE PLAN

The official approved mylar film of the Development Site Plan shall be retained in the official files of the Department or Commission as the case may be. A Development Authorization will not be issued until said mylar film has been delivered to the Department.

5.00 GENERAL STANDARDS FOR SUBDIVISIONS AND DEVELOPMENTS

A. La Porte Street Classification System

1. General: The street pattern of a city should provide adequate circulation within the city while discouraging through traffic within local neighborhoods. This may be accomplished by providing thoroughfares spaced at approximately one-mile intervals and collector streets within neighborhoods spaced at about half-mile intervals to link local streets to the thoroughfare network.
2. The La Porte Street Classification System may be found in Table 5-1.

TABLE 5-1
LA PORTE STREET CLASSIFICATION SYSTEM

CLASSIFICATION	TRAFFIC LANES	R.O.W. WIDTH (Feet)	PAVEMENT WIDTH (CURB TO CURB) (Feet)
MAJOR THOROUGHFARES			
Controlled Access Highway (SH 146/225)	4-10	(Determined by TSDHPT) *	
Semi-Controlled Access Highway (Fairmont Pkwy)	4-8	(Determined by Harris County Commissioners Court)	
Primary Arterial	4-6	120	Dual 37' sections with 26' median
OTHER THOROUGHFARES			
Secondary Arterial Class 100/50	4	100	Dual 25' sections with 30' median
Secondary Arterial Class 80/50	4	80	Dual 25' sections w/ center turn lane
COLLECTOR STREETS			
Class 70/40	2	70	40' w/ curb parking
Class 60/36	2	60	36' w/ ctr. turn lane
Class 60/32	2	60	32'
NEIGHBORHOOD STREETS AND ALLEYS			
Local Streets	2	50	28
Private Streets	2	28	28
Public and Private Alleys and Private Drives	2	20	20

* Texas State Department of Highways and Public Transportation

5.01 GENERAL STREET STANDARDS

- A. HORIZONTAL GEOMETRIC DESIGN STANDARDS may be found in Table 5-2.
- B. MINIMUM WIDTHS: Public or private streets shall have a minimum pavement width of 28 feet. Public or private alleys shall have a minimum pavement width of 20 feet.
- C. THOROUGHFARE EXTENSIONS: Right of way widths for thoroughfare extensions shall be as indicated in Table 5-1 along the entire frontage of the tract being developed. Where the existing dedicated right of way width fronting the adjacent property is less than shown on Table 5-1, a transition zone of 300 feet of frontage of the new development shall be provided between the existing and new right of ways.
- D. CONTINUATION OF ADJOINING STREETS: The arrangement of streets in new developments shall make provisions for the appropriate continuation of existing streets from adjoining properties.

TABLE 5-2
LA PORTE STREET SYSTEM HORIZONTAL GEOMETRIC DESIGN STANDARDS

STANDARD (Minimum unless noted)	THOROUGHFARES		STREETS		ALLEYS
	MAJOR	OTHER	COLLECTOR	LOCAL	
CURVES					
Maximum block length (1)	2000	1800	1600	1400	NA
Centerline curve radius (1)	2000	800	400	50	35
Reverse curve radius (1)	2000	800	400	300	200
Tangent between reverse curves (1)	100	100	100	50	30
INTERSECTIONS					
Tangent length approaching intersections	100	70	70	50	30
Offset distance (1)	200	150	125	125	100
Intersecting streets angle of intersection (2)	90 +/- 5	90 +/- 5	90 +/- 10	90 +/- 10	90 +/- 15
Edge of right of way curve radius at normal intersection (1)	25	25	20	20	15
Edge of right of way curve radius at acute angle intersection (1)	30	30	25	25	20
DEAD END STREETS AND ALLEYS					
Maximum length (1)	(3)	(3)	(3)	600	300
Cul-de-sac radius (1)	NA	NA	NA	50 60 (4)	(3)

NOTES

- (1) Feet
- (2) Degrees
- (3) Dead end streets and alleys not permitted
- (4) Non-residential streets

5.01 GENERAL STREET STANDARDS (continued)

E. FUTURE PROJECTIONS OF STREETS: Where adjoining areas are not developed, but may be developed, the arrangement of streets in a new development shall make provisions for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new development at appropriate locations. All such streets shall be designed in accordance with Tables 5-1 and 5-2 and the PICM.

F. PARTIAL OR HALF-STREETS: Partial or half-streets may be provided where the Commission feels that a street should be located on a property line. Inside the City limits, the partial street may be dedicated, with a one-foot reserve in fee along the property line. Outside the City limits, the following note shall be used on such partial streets: "This _____ foot strip is dedicated as an easement for all utility purposes including storm and sanitary sewers and shall automatically become dedicated for street purposes when and insofar as a _____ foot strip adjacent to it is so dedicated."

G. PROVISIONAL ONE FOOT RESERVE to be used along the side or end of streets that abut acreage tracts. The note shown in Enclosure 8 to Appendix D is to appear on the Final Plats and Street Dedication Plats, where appropriate.

H. HARRIS COUNTY ROAD LAW

All subdivisions within the City's extraterritorial jurisdiction shall comply with the current Harris County Road Law. The statement to be found in Enclosure 1 to Appendix D is to appear in Final Plats.

I. STREET NAMES

1. Street names shall be the same as existing street names, if they are continuations of existing streets. Otherwise, no street name shall be permitted that is a duplicate of an existing or proposed street name within the City.
2. Proposed new names must be submitted to the Department for checking prior to the submittal of first plat or plan.
3. The developer shall provide street name signs in accordance with the approved City Public Improvements Criteria Manual.

J. ALLEYS: Alleys may be provided within any subdivision or development to provide secondary vehicular access to building sites which otherwise have their primary access from an adjacent public street. Alleys shall not be used or designed to provide principal access to any tract of land and shall not provide access to property outside the development boundaries in which the alleys are located. Dead end alleys are not permitted.

K. PRIVATE STREETS AND ALLEYS: Streets and alleys which the developer proposes to privately maintain in perpetuity through a community association or other approved means are to be designated as "private" on the plat. Design and construction of such streets and alleys will be identical to design and construction standards for public streets. Right of way lines may be coterminous with the edge of pavement.

L. ENGINEERING DATA (See Appendices A through F)

5.02 SIDEWALKS

All sidewalks, where required by the Comprehensive Plan or by the Commission shall be constructed in accordance with the PICM.

5.03 LOTS

General: The lot design of a Subdivision or Development should provide for lots of adequate width and depth to provide open area and to eliminate overcrowding. Lots should be rectangular so far as practicable and should have the side lot lines at right angles to the streets on which the lot faces or radial to curved street lines. Lots with double frontage are prohibited except when

backing on major thoroughfares and upon approval by the Planning Commission.

- A. All lots shown on the plat will be for residential purposes unless otherwise noted.
- B. Side lot lines should be perpendicular or radial to street frontage and the following note may be in lieu of bearings. "All side lot lines are either perpendicular or radial to street frontage unless otherwise noted".
- C. Driveway access to thoroughfares shall be prohibited. (See City Thoroughfare Plan).
- D. Double front lots are prohibited except when backing on major thoroughfares.
- E. MINIMUM LOT SIZES:
 - 1. Lot width and area requirements established by the City Zoning Ordinance shall govern.
 - 2. All lots must have at minimum of twenty feet (20) of frontage on a public street.
 - 3. All lots within the City's extraterritorial jurisdiction shall meet the minimum width and area requirements established in the R-1, low density residential district of the Zoning Ordinance.

5.04 BUILDING LINES (NUMBERS REPRESENT FEET)

LOT LINE	THOROUGHFARES	COLLECTOR STREET	LOCAL STREET
RESIDENTIAL			
FRONT	25	25	20
REAR	20	20	20
EXTERIOR SIDE	15	15	15
INTERIOR SIDE	5	5	5
NON-RESIDENTIAL			
FRONT	25	25	20
REAR (ADJOINING RESIDENTIAL)	20	20	20
(ELSEWHERE)	10	10	10
EXTERIOR SIDE	15	15	15
INTERIOR SIDE (ADJOINING RESIDENTIAL)	10	10	10
(ELSEWHERE)	5	5	5

A. EXTRATERRITORIAL JURSDICTION: All building lines shall meet the minimum setback established in the R-1, low density residential district of the City Zoning Ordinance, except in the case of non-single family residential development which shall require a 20 foot minimum side yard building line adjacent to a public street.

- B. TRANSITION BUILDING LINES having a minimum angle of 45 degrees are to be provided where an offset in building lines is greater than 5 feet.

5.05 EASEMENTS

A. DRAINAGE EASEMENTS

1. The location and width of all easements shall be determined by the Director of Community Development for all plats or plans within the cities jurisdiction, and by the Director in conjunction with Harris County Flood Control District (HCFCD) for all easements that HCFCD may have an interest in.
2. Easements for drainage adjacent to lots, tracts, or reserves shall be recited on the Final Plat, in accordance with the language in Enclosure 1 to Appendix D.

- B. UTILITY EASEMENTS to be worked out with the public and private utility companies pursuant to the requirements established herein, including but not limited to the requirements of subsection 4.04 above.

- C. PLATTING OF PUBLIC STREETS OR EASEMENTS ACROSS PRIVATE EASEMENTS OR FEE STRIPS.
1. A copy of the instrument establishing any private easement shall be submitted with the Development Site Plan or the Preliminary Plat as reflected by the Title Certificate submitted.
 2. Easement boundaries must be tied by dimensions to adjacent lot and tract corners. Where the private easement has no defined location or width, an effort shall be made to reach agreement on a defined easement. Where no agreement can be reached, then existing facilities shall be accurately located and tied to lot lines, and building setback lines shall be established as specified in Section 5.04.
 3. Prior to approval of the Final Plat or Development Site Plan, the developer or dedicator of any Subdivision Plat or Development Site Plan, wherein public streets or easements are shown crossing private easements or fee strips, shall by letter to the City Planning Commission assume responsibility for seeing that any adjustments and protection of existing pipelines, electrical transmission lines, or other facilities shall be planned and provided for to the satisfaction of the holder of the private easements or fee strips and the Director prior to the filing of the plat or plan for record.

4. Prior to filing of the Final Plat or Development Site Plan for record, the following requirements must be met:
 - a. The developer or dedicator of any plat or plan shall obtain from the holder of any private easement or fee strip within the plat or plan crossed by proposed streets or other public easements an instrument granting to the public the use of said public streets or easements over and across said private easements or fee strips for construction, operation, and maintenance of those public facilities normally using the type of public streets and easements indicated. This instrument shall be delivered to the City Planning Commission to be filed for record along with the plat or plan.
 - b. The developer shall furnish the Planning Commission with a letter from the holder of the private easements or fee strips in questions stating that arrangements for any required adjustments in pipelines, electrical transmission lines, or other similar facilities have been made to the satisfaction of the holder of the easements.

6.00 MONUMENTATION REQUIREMENTS FOR SUBDIVISIONS AND DEVELOPMENTS

6.01 SUBDIVISIONS

A. Permanent control monuments, one for each five acres of property or fraction thereof, shall be placed along street centerlines or at subdivision corners. The location of control monuments shall be approved by the Department at the Preliminary Plat stage and shown on the Final Plat. The construction of permanent control requirements shall be in accordance with the P.I.C.M.

At least one control monument shall be accurately tied, by angle and distance to an approved City of La Porte monument. Elevations shall be established for each control monument installed. Datum shall be supplied or approved by the Department.

Elevations and coordinate values for each control monument shall be submitted in accordance with Appendix D (Subdivision Plats) and approved by the Department prior to execution of the Final Plat.

B. All corners of the subdivision, all angle points and points of curvature in the subdivision boundary, all block corners, all angle points and points of curvature in each street right of way shall be marked with iron rods not less than three fourths (3/4) of an inch in

diameter and thirty (30) inches in length, placed flush with the finished ground elevation.

- C. All lot corners shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation.

All required monumentation shall be completed prior to final acceptance of the subdivision and execution of the Plat.

6.02 MAJOR DEVELOPMENTS:

Permanent control monuments, one for each five acres of property or fraction thereof, shall be placed along street centerlines or at corners of the development. The location of control monuments shall be approved by the Department and shown on the Development Site Plan. The construction of permanent control monuments shall be in accordance with the P.I.C.M.

At least one control monument shall be accurately tied, by angle and distance to an approved City of La Porte monument. Elevations shall be established for each control monument installed. Datum shall be supplied or approved by the Department.

Elevation and coordinate values for each control monument shall be submitted and approved by the Department prior to or concurrent with acceptance of all Public Improvements.

All lot corners within the Development shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation prior to commencement of any building construction.

6.03 MINOR DEVELOPMENTS

All lot corners of Minor Developments shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation. Lot corners shall be established and placed prior to commencement of any building construction.

7.00 PUBLIC IMPROVEMENTS

7.01 DEVELOPMENT COSTS

The developer shall pay all costs for providing the

development with streets, water mains, sanitary sewers, and storm sewers in accordance with plans and specifications for such improvement approved by the Director of Community Development and in the manner set out in the adopted Utility Extension Policy. The subdivider shall pay all costs associated with street lighting as set out in the PICM.

7.02 DEVELOPER GUARANTEE

The subdivider or developer shall guarantee construction of all approved public improvements as provided in this Ordinance and in conformance with the adopted PICM.

7.03 APPROVAL OF PUBLIC IMPROVEMENTS

The installation of the approved improvements shall be under the inspection of the Director or his representative and the Director shall certify the installation as being in accordance with the approved plans and specifications before the Planning Commission will execute a Subdivision Plat for recordation, or before the City will accept said public improvements for maintenance.

8.00 REIMBURSEMENT FOR OVERSIZING

All improvements required in a Subdivision or Development will be installed at developer's cost, unless otherwise

provided. The cost of utilities and streets which are required by the City to be larger than would normally be needed to serve the proposed addition will be partially reimbursed. The reimbursable amount will be the difference between the cost of the facilities that would be adequate to serve the addition and the cost of the facilities required by the City. A reimbursement contract will be negotiated between the City Council and the Developer.

9.00 RECORD DRAWINGS

The engineer representing the developer must present to the Director, reproducible complete "record drawings" for all paving, drainage structures, water lines and sewer lines within thirty (30) days after completion of each contract. The Director will not certify approval of public improvements construction until record drawings have been submitted.

10.00 FEES AND CHARGES

The following schedule of fees and charges shall be paid into the general fund of the City of La Porte when any map or plat is tendered to the Director, and each of the fees and charges provided herein shall be paid in advance, and the City Planning Commission shall take no action until the fee shall have been paid.

TABLE 10-1

DEVELOPMENT ORDINANCE PLAT FEES
CITY OF LA PORTE

TYPE PLAT	BASE FEE (\$)	BASE COVERS	ADDITIONAL ACRE (\$)	FEE PER LOT (\$)
Sketch Plan	None	N/A	None	None
General Plan	\$25.00	1st 10 acres	\$2.50	N/A
<u>Major Subdivisions</u>				
Preliminary Plats ¹	\$50.00	1st 50 lots	N/A	\$1.00
Preliminary Plats ²	\$50.00	1st 10 acres	\$5.00	N/A
Final Plats	\$50.00	Entire sub- division	N/A	N/A
<u>Minor Subdivisions</u>				
Final Plats ¹	\$50.00	1st 50 lots	N/A	\$1.00
Final Plats ²	\$50.00	1st 10 acres	\$5.00	N/A
<u>Major Development</u>	\$50.00	1st 10 acres	\$5.00	N/A
Site Plans				
Minor Development	\$15.00	1st 5 acres	\$5.00	N/A
Site Plans				

Note 1: Residential

Note 2: Other

11.00 ENGINEERING AND CONSTRUCTION STANDARDS FOR SUBDIVISION

11.01 STREETS AND ALLEYS

All streets shall be reinforced concrete pavement on a compacted subgrade. Concrete pavement shall be provided with either an integral curb poured with the pavement or a separate curb constructed on top as required by the PICM and subject to the approval of the Director of Community Development.

- a. Pavement Design: Pavement design shall conform to the PICM.
- b. Curb and Gutter: Curb and combination curb shall be constructed of reinforced concrete. Cross section and slopes shall conform to the PICM.
- c. Laboratory Control: All concrete shall be designed and controlled by a competent laboratory as required by the PICM.

11.02 DRAINAGE AND STORM SEWER

Adequate drainage shall be provided within the limits of the subdivision. The protection of adjoining property shall be accounted for in the design of the system.

The design and sizing of the system shall be in conformance with the PICM, and subject to the approval of the Harris County Flood Control District and the Director of Community Development.

11.03 WATER AND SEWER SYSTEM

The design and construction of all water and sewer systems shall be in conformance with the PICM, and subject to approval by the Director of Community Development. The developer or owner shall provide the necessary certificates from all other governmental agencies certifying compliance with their regulations.

11.04 STREET LIGHTING

All residential streets and non-residential parking lots in La Porte must be served adequately by lights.

Lighting must be located and installed in accordance with the specifications of the PICM.

12.00 OPEN SPACE WITHIN SUBDIVISIONS AND DEVELOPMENTS.
PARKS AND PARKLAND DEDICATION. SPECIAL USE SITES.

12.01 GENERAL

Subdividers and developers shall provide for adequate open space and recreational space in accordance with the Comprehensive Plan of the City, and pursuant to the requirements of this Ordinance.

12.02 DEDICATION OF PARKLAND REQUIRED

Whenever a Final Plat is filed of record with the County Clerk of Harris County in accordance with the provisions of this Ordinance, and whenever a Development Site Plan is submitted and filed with the Approving Authority of the City in accordance with the provisions of this Ordinance for each development that contains more than one residential dwelling unit, such plat or plan shall contain a clear fee simple dedication of an area of land to the City for park purposes, which area shall equal one acre for each 160 proposed dwelling units. Any proposed Sketch Plan, General Plan, Preliminary Plat, Final Plat, or Development Site Plan shall show the area proposed to

be dedicated for park land under this Ordinance. Credit shall be given for land dedicated within a development or subdivision for Compensating Open Space on an acre per acre basis.

12.03 DEDICATION OF PARK LAND LESS THAN ONE ACRE IN SIZE PROHIBITED.

Notwithstanding Section 12.02 above, the City Council hereby declares and finds that dedication and development of an area smaller than one acre for public park purposes is impractical, and not in furtherance of the objectives established for open space and parks in the City's Comprehensive Plan. Therefore, for Development Site Plans or Final Plats that are filed for approval by the Approving Authority in accordance with the provisions of this Ordinance and include 160 proposed dwelling units or less, the developer or subdivider shall be required to pay the applicable cash in lieu of land amount set forth in Section 12.05 B. rather than dedicate any land area to the City. No subdivision Final Plat or Development Site Plan containing a dedication of land for parks or open space to the City less than one acre in size shall be approved.

12.04 DEDICATION OF PARK LAND LESS THAN 5 ACRES IN SIZE

Notwithstanding Section 12.02 above, in the case of Development Site Plans or Final Plats that are filed for approval by the Approving Authority that include 800 proposed dwelling units or less, the Approving Authority shall have the right to accept the dedication for approval of the Development Site Plan or Final Plat, or to refuse same, after consideration of the recommendation of the Department regarding said proposed park land dedication, and to require the payment of cash in lieu of land in the amount set forth in Section 12.05 B, if the Approving Authority determines that sufficient park area is already in the public domain (in accordance with the objectives established for open space and parks set forth in the City's Comprehensive Plan) in the area of the proposed Development or Subdivision, or if the objectives of the Comprehensive Plan regarding parks and open space would be better served by expanding or improving existing parks or open space areas.

12.05 MONEY IN LIEU OF LAND

Subject to veto of the Approving Authority, a subdivider or developer responsible for park land dedication according to the terms of this Ordinance may elect to meet the require-

ments for park land dedication set forth above in whole or in part by a cash payment to the City in lieu of land, in an amount set forth in Section 12.05 B. below. Such payment in lieu of land shall be made at or prior to the time of Final Plat or Development Site Plan approval by the Approving Authority.

A. The City may from time to time decide to purchase land for parks in or near the area of actual or potential development or subdivision activity. If the City does purchase park land in a park zone (defined below) subsequent park land dedications for that zone shall be in cash only and calculated to reimburse the City's actual cost of acquisition and development of such land for parks. The cash amount shall be equal to the sum of the average price per acre of such land, and the actual cost of adjacent streets and on-site utilities. Once the City has been reimbursed entirely for all such park lands within a park zone, this Section shall cease to apply and the other Sections of this Ordinance shall again be applicable.

B. To the extent that Section A. above is not applicable, the dedication requirement shall

be met by a payment in lieu of land at a per acre price sufficient to acquire land and provide for adjacent streets and utilities for a park to serve the Park Zone in which such Development is located. Such per acre price shall be computed on the basis of \$175.00 per dwelling unit. Cash payment may be used only for acquisition or improvement of a park located within the same zone as the Development or Subdivision to be served by said park.

12.06 SPECIAL FUND, RIGHT TO REFUND

There is hereby established a special fund for the deposit of all sums paid in lieu of land dedication under this Ordinance or any preceding ordinance, which funds shall be known as the Park Land Dedication Fund. The City shall account for all sums paid in lieu of land dedication under this Ordinance with reference to the individual plats or plans involved. Any funds paid for such purposes must be expended by the City within two years of the date received by the City for acquisition or development of a park. Such funds shall be considered to be spent on a first in, first out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a pro rata refund of such sum, computed on a square

footage of area basis. The owners of such property must request such refund within one year of entitlement, in writing, or such right shall be barred.

12.07 SPECIAL USE SITES. COMPREHENSIVE PLAN CONSIDERATIONS

Land shown on the Comprehensive Plan as being suitable for development of the City for a major recreational center, school site, park, or other public use, shall be reserved for a period of one year after the Preliminary Plat or Development Site Plan is approved by the City if within thirty days after such approval the City Council advises the subdivider or developer of its intent to acquire the land or of the intent of another governmental unit to acquire the land, for purchase by the interested governmental authority at the land's appraised value at the time of purchase. A failure by the City Council to so notify the Subdivider or Developer shall constitute a waiver of the right to reserve the land. Any waiver of the right to reserve the land shall no longer be effective if the Preliminary Plat shall expire without adoption of a Final Plat.

12.08 PARK ZONES

For purposes of this Ordinance, the Planning Commission, upon recommendation of the Director and the Parks and

Recreation Department of the City, and in accordance with the Comprehensive Plan of the City, shall promulgate an official parks and recreation map for the City. The map shall create Park Zones, specifically designed to service a majority of the residences within a convenient distance of any park located or to be located within the zone. Establishment of said zones shall be prima facie proof that any park located therein is within a convenient distance from any residence located within said zone.

12.09 CHARACTERISTICS OF PARK LAND DEDICATED

Any land dedicated to the City under this Ordinance must be suitable for park and recreational use. Any areas of unusual topography or slope which render said areas unusable for organized recreational activities is generally unsuitable. Drainage areas may be accepted as part of a park if the channel is constructed in accordance with City engineering standards, and if no significant area of the park is cut off from access from such channel. Each park must have access to a public street.

12.10 INSTRUMENTS OF DEDICATION

The park land dedication required by this Ordinance shall

be made in the case of a Subdivision by a reservation on the Final Plat as filed in the map records of Harris County, Texas, unless additional dedication is required subsequent to the filing of the Final Plat. In the case of a Development Site Plan, the dedication required by this Ordinance shall be made by filing of a deed to the deed records of Harris County.

In either event, if the actual number of completed dwelling units exceed the figure upon which the original dedication was based, such additional dedication shall be required, and shall be made by payment by the cash in lieu of land amount provided by Section 5 of this Ordinance.

13.00 VARIANCES

In those instances where, in the opinion of the Commission, strict compliance with the terms, rules, conditions, policies and standards of the Commission provided in this Ordinance would create an undue hardship by depriving the applicant or subdivider of the reasonable use of the land or, where, in the opinion of the Commission, there are unusual physical characteristics which affect

the property in question and which would make strict compliance with the terms and conditions of this Ordinance or any rule promulgated under this Ordinance not feasible, the Commission may grant the applicant or subdivider a variance as to one or more requirements as long as the general purpose of this Ordinance is maintained. Economic hardship shall not constitute the sole basis for granting a variance under this section.

- A. A variance granted under the provisions of this Ordinance shall apply only to the specific property upon which the Commission was requested to approve a plat and that such variance shall not constitute a change of this Ordinance, or any part thereof, or establish any policy, rule or regulation contrary to the provisions of this Ordinance.
- B. Any variance on a recorded plat granted before the date of adoption of this Ordinance is hereby recognized as continuing to be valid and compliance with the provisions of this Section shall not be required.
- C. Any person desiring to secure a variance as to the provisions of this Ordinance must submit a written request with the other materials pursuant to Section 4.00 et seq. herein. Any request for a variance must cite the specific rule, policy or standard contained in this Ordinance from which a variance is desired. Additionally, the request must state the extent of

the variance sought and the specific facts or reasons why such variance is needed.

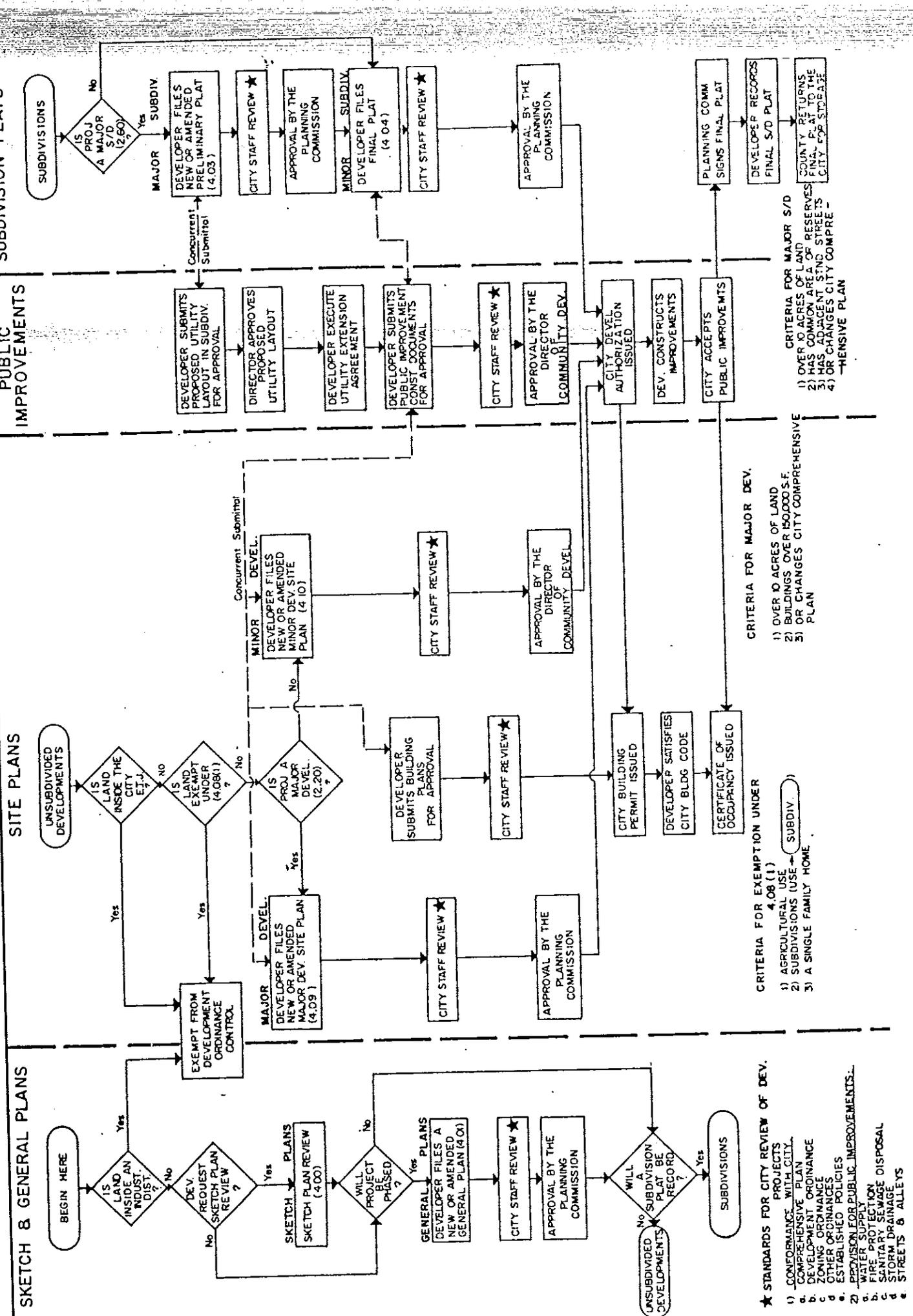
- D. No variance may be granted by the Commission unless approved by a majority vote of the members present at the meeting of the Commission at which the variance request is presented and that the commission affirmatively finds:
1. That the variance would not be contrary to the general purpose and goals stated in this Ordinance.
 2. That the variance would not be detrimental to the public health, safety or welfare, to be injurious to adjacent property, or prevent the subdivision or development of other land in the area in accordance with the provisions of this Ordinance.
- E. Such finding of the Commission, together with the specific facts upon which such findings are based shall be incorporated into the official minutes of the Commission meeting at which such variance was granted.

APPENDIX A, LA PORTE DEVELOPMENT PROJECT APPROVAL PROCESS

1. GENERAL. This appendix is written to assist applicants in preparing development proposals for City approval.
2. PROJECT APPROVAL PROCESS. The flowchart at Enclosure 1 graphic depicts the City Development Project Approval Process.
3. DEVELOPMENT PROPOSAL SUBMITTALS. The following appendices describe the City standards for preparing plans or plats and the documents which must be submitted therewith:

APPENDIX	TITLE
B	Sketch Plans
C	General Plans
D	Subdivision Plats
E	Development Site Plans
F	Additional Documentation, Standards, Certificates and Instructions

ENCLOSURE 1, APPENDIX "A" LA PORTE DEVELOPMENT FLOWCHART



SKETCH & GENERAL PLANS

SITE PLANS

PUBLIC IMPROVEMENTS

SUBDIVISION PLATS

- ★ STANDARDS FOR CITY REVIEW OF DEV. PROJECTS WITH CITY COMPLIANCE PLAN**
- CONFORMANCE WITH CITY DEVELOPMENT ORDINANCE
 - ZONING ORDINANCE
 - OTHER ORDINANCES
 - ESTABLISHED POLICIES
- 2) PROVISION FOR PUBLIC IMPROVEMENTS:**
- FILE PROTECTION
 - SANITARY SEWAGE DISPOSAL
 - STORM DRAINAGE
 - STREETS & ALLEYS

- CRITERIA FOR EXEMPTION UNDER 4.08 (1)**
- AGRICULTURAL USE
 - SUBDIVISIONS (USE SUBDIV.)
 - A SINGLE FAMILY HOME

- CRITERIA FOR MAJOR DEV.**
- OVER 10 ACRES OF LAND
 - BUILDINGS OVER 150,000 S.F.
 - OR CHANGES CITY COMPREHENSIVE PLAN

- CRITERIA FOR MAJOR S/D**
- OVER 10 ACRES OF LAND
 - HAS COMMON AREA OF RESERVES
 - HAS ADJACENT STND. STREETS
 - OR CHANGES CITY COMPREHENSIVE PLAN

LA PORTE DEVELOPMENT ORDINANCE

APPENDIX B, SKETCH PLANS

A developer may choose to submit a sketch plan to the department for informal review. The sketch plan should be drawn to approximate scale and dimensional accuracy. It is suggested, especially for major developments and subdivisions, that the sketch plan be prepared on the City's standard 1:100 scale topographic maps, which may be acquired from the Department. A sketch plan should contain the following information.

1. Name of Proposed Development, if known (cannot be a duplicate of any other name used within the City's jurisdiction) and the names of owners of property adjoining the tract as disclosed by the most recent ad valorem tax record.
2. Location or Vicinity Map to show location of the tract within the City.
3. North Arrow: (pointing to the top of sheet if practical)
4. Date: (each revision to bear a new date)
5. Approximate Scale: if practical, 1" = 100' is preferred.
6. Boundaries and Size: Show property boundaries to scale.
7. Existing Structures: The approximate location of all existing structures within the tract.
8. Other Existing Features: All existing streets, parking areas, easements, public utilities, storm drainage outfalls, high banks of water courses, ravines and other significant physical features or developments both within the tract and within 500 feet of it.
9. Proposed Features: The approximate location of proposed streets, parking areas, easements, public utilities, storm drainage outfalls, high banks of water courses, ravines.
10. Other Information: If known and where applicable, show location of proposed lines, blocks and lots, reserves, foot prints of buildings, number of stories and proposed usage.

APPENDIX C, GENERAL PLANS (Page 1)

This appendix to the La Porte Development Ordinance prescribes criteria for the preparation of General Plans and the information which must be submitted therewith .

A. GRAPHIC CONTENTS (see Appendix F)

1. Names of Development and each development Phase (Cannot be duplicates of any other names used within the City's jurisdiction)
2. Type of Development (See La Porte Development Checklist).
3. Description of land within proposed development: "_____ acres out of the _____ Survey, Abstract Number _____, Harris, County, Texas". Identify owners of each tract, if separate ownership.
4. Phases: Total number of Subdivisions and number of each type (unsubdivided) Development planned
5. Name of Developer
6. Name of registered surveyor or engineer preparing the plat
7. Filing date (Each revision to bear new date)
8. Scale (1" = 100' unless another scale is approved by the Department): Exact
9. North Arrow (Pointing toward top of sheet if practicable)
10. Key Map (to show relation of development to surrounding streets, railroads, and water courses.
11. Perimeter boundaries: Draw perimeter boundary of property.
12. Adjacent property: Indicate name and locations for adjacent subdivisions, streets, easements, water courses, acreage tracts, and other natural and manmade features.
13. Physical features: Show high banks of water courses and ravines and other natural or man-made physical development obstacles.

APPENDIX C, GENERAL PLANS (Page 2)

14. Contour lines: Show land contours at one foot intervals, as taken from City topographic maps or from a ground survey.
15. Building lines: Indicate required building lines adjacent to all existing or proposed public and private streets and alleys
16. Subdivisions: Show proposed layout of blocks and number of lots within each block. Show lot layout within typical blocks.
17. Condominiums: If building locations are known, draw the footprint of each building, indicating the building type, number of stories and the number of each type unit contained therein. For each type unit, indicate floor area. Indicate desired density for the entire complex.
18. Reserves: Draw boundaries of and designate location, approximate area (in square feet and acres) and proposed usage of any sites intended for restricted or unrestricted reserves (within subdivisions) or for developments other than subdivisions. Indicate existing and proposed zoning of each site.
19. Unsubdivided developments (See Appendix E): If known, draw site plans for unsubdivided developments and identify each building planned and its size, number of stories and proposed usage.
20. Streets: Show right of ways for all streets and alleys, either existing or proposed, within the plat boundaries and immediately adjacent thereto. Indicate right-of-way width of all streets. (See PICM for street design criteria.)
21. Street names: Provide names of all existing streets located within the plat boundaries and immediately adjacent thereto.
22. Utility Easements: Indicate location, widths, and types (common use, waterline, sanitary sewer, drainage, power, etc.) for all easements, either existing or proposed, within the plat boundaries and immediately adjacent thereto. (See PICM for easement criteria.)

APPENDIX C, GENERAL PLANS (Page 3)

23. Existing public utilities: Indicate the location and size of adjacent City water and sanitary sewer mains and storm drainage outfalls. Indicate depth of adjacent sanitary sewer manholes and storm drainage outfalls, if known.

24. Flood hazard area: Show approximate boundary of flood hazard area, as taken from City topographic maps or other sources.

B. DOCUMENTATION. The following documents are to be furnished with General Plans.

1. La Porte Development Checklist (available at Department)
2. Location or Vicinity Map, marked to show location of property.

APPENDIX D, SUBDIVISION PLATS (Page 2)

13. Physical features: Show high banks of water courses and ravines and other natural or man-made physical development obstacles.
14. Contour lines: Show land contours at one foot contour intervals, as taken from City topographic maps or from a ground survey.
15. Building lines: Indicate building lines adjacent to all existing or proposed street right of ways, easements, side or rear lot lines, or other locations required by City Ordinances.
16. Layout and identification: Show proposed layout of blocks and lots within blocks. Wherever possible, side lot lines should be perpendicular or radial to street right of ways. Number blocks consecutively and encircle block numbers. Number lots consecutively within blocks. If compensating open space is required, indicate size of each lot or building site.
17. Condominiums: Draw the footprint of each building site and show overall dimensions and building type for each building. Show shortest distances from each building to nearest building and property line. For each building type, draw to larger scale the plan of each building type, showing all perimeter wall dimensions and the dimensions and location of walls between units. Designate each unit type and floor area in square feet.
18. Reserves: Draw boundaries for and designate area (in square feet and acres) for unrestricted reserves and those dedicated for restricted usages, such as those for drainage, recreation, parkland, or other uses (indicate intended usage and existing zoning).
19. Streets: Show right of ways of all streets and alleys, either existing or proposed, within the plat boundaries and immediately adjacent thereto. Indicate right-of-way width between points of curvature and tangency and at changes in width (See PICM for street design criteria.)
20. Street names: Provide names of all existing and proposed streets located within the plat boundaries and immediately adjacent thereto. (Cannot be duplicates of any street names in current use, unless continuations of existing streets).

APPENDIX D, SUBDIVISION PLATS (Page 3)

21. Utility Easements: Indicate location, widths, and types (common use, waterline, sanitary sewer, drainage, power, etc.) for all easements, either existing or proposed, within the plat boundaries and immediately adjacent thereto. (See PICM for easement criteria.) Indicate recording information for existing easements.
22. Flood hazard area: Show boundary of flood hazard area as taken from City topographic maps or other sources. (See La Porte Flood Hazard Prevention Ordinance)
23. Survey monument tie-in: Show nearest City-approved survey monument and exact bearing (nearest second) and distance (nearest hundredth of a foot) to a defined point on the perimeter boundary of the property (See Section 6.01 of the Ordinance).
24. Survey control monuments: Show location of all proposed survey control monuments to be installed by the developer pursuant to Section 6.01 of the Ordinance.

B. DOCUMENTATION: PRELIMINARY PLATS

The following documents are to be furnished with Preliminary Plats:

1. La Porte Development Checklist available at the Department.
2. A Title Certificate, Abstract, or Planning Letter (See Appendix F)
3. Utility Schematics: Show schematically the layout of proposed storm drainage, sanitary sewers, and water lines, each utility on a separate print. Use symbols, colored pencils or markers. (See PICM for utility design criteria.)

APPENDIX D, SUBDIVISION PLATS (Page 4)

FINAL PLATS
(ALL SUBDIVISIONS)

A. GRAPHIC CONTENTS: FINAL PLATS. Same as for Preliminary Plats, plus:

1. Name of owner (If a company or corporation, list name and title of authorized representative).
2. Name of registered engineer or surveyor who prepared Final Plat.
3. Legal boundary description of subdivision, consisting of a metes and bounds description of each line between each boundary point. This description may be in written or tabular form.
4. Legal and special statements, where appropriate:
 - a. Owners' Acknowledgement
(Enclosure 1)
 - b. Lienholders' Subordination Agreement
(Enclosure 2)
 - c. Plat Accuracy Certificate
(See Appendix F)
 - d. Final Survey Certificate
(See Appendix F)
 - e. Approving Authority Certificate
(Enclosure 3)
 - f. Amending Plat Certificate
(Enclosure 4)
 - g. Vacation of Subdivision Plat
(Enclosure 5)
 - h. Harris County Clerk Filing Statement
(Enclosure 6)
 - i. Return Map Agreement
(Enclosure 7)
 - j. Special Statements
(Enclosure 8)

APPENDIX D, SUBDIVISION PLATS (Page 5)

- B. DOCUMENTATION: FINAL PLATS. Same as for Preliminary Plats, plus:
1. Proposed Streets: Submit complete public street construction drawings for approval by the Director of Community Development. (See PICM for criteria for street construction documents.)
 2. Proposed Utilities: Submit complete public utility construction drawings for approval by the Director (See PICM for criteria for utility construction documents.)
 3. Coordinate listing: A complete list of coordinates for each point to be marked in the final field survey. Each point on the list is to be assigned a unique number code. A copy of the Final Plat, marked with the locations of each number code, is to be submitted as well.
 4. Utility Company Letters: Letters from servicing utility companies approving the easements shown on the plat for their use.
 5. Private Easements: A copy of the instrument(s) establishing private easement(s) within the subdivision.
 6. Private Easement Holders Consent: A letter, statement or instrument from the holder of any privately owned easement or fee strip within the subdivision boundaries approving any crossings of said existing easement or fee strip by proposed streets, utilities, or easements shown on the plat. If adjustment of existing utilities is required, said letter shall specify the nature of the adjustments and the approval of the owner for such adjustment.
 7. Residential Parkland: Receipt for payment in lieu of required dedication of parkland, pursuant to Section 12.05 of the Ordinance or instrument of dedication pursuant to Section 12.10 of the Ordinance.
 8. Conditional Approval Documents: Any documents specified by the City Planning Commission in conditionally approving the Preliminary Plat.

APPENDIX D, SUBDIVISION PLATS (Page 6)

ENCLOSURE 1

OWNERS ACKNOWLEDGEMENT

(FINAL PLATS OF NEW SUBDIVISIONS)

STATE OF TEXAS

COUNTY OF HARRIS

I (or we), (name of owner or owners) acting by and through (name and title of officer) being officers of (name of company or corporation), owner (or owners) hereinafter referred to as Owners (whether one or more) of the (number of acres) tract described in the above and foregoing map of (Name of subdivision) do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself (or ourselves), my (or our) heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all common use public utility easements shown hereon.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of _____ thereon and shall be restricted for same under the terms and conditions of such restrictions filed separately.

APPENDIX D, SUBDIVISION PLATS (Page 7)

ENCLOSURE 1 (Continued)

ADDITIONAL PARAGRAPHS TO BE ADDED (AS APPROPRIATE)

When plat contains natural drainage ways such as bayous, creeks, gullies, ravines, draws or drainage ditches:

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the high bank of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located and depicted upon in said plat, as easements for drainage purposes, giving the City of La Porte, Harris, County or any other governmental agency, the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

When plat indicates building setback lines and public utility easements are to be established in adjacent acreage owned by the subdivider:

FURTHER, Owners do hereby certify that I am (or we) the owners of all property immediately adjacent to the boundaries of the above the foregoing plat of (name of subdivision) where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing plat and do hereby make and establish all building setback lines and dedicate to the use of the public forever all public utility easements shown in said adjacent acreage.

APPENDIX D, SUBDIVISION PLATS (Page 8)

ENCLOSURE 1 (CONTINUED)

ADDITIONAL PARAGRAPHS TO BE ADDED (AS APPROPRIATE)

When private streets are established within the plat:

FURTHER, Owners do hereby covenant and agree that those streets located within the boundaries of this plat specifically noted as private streets, shall be hereby established and maintained as private streets by the owners, heirs, successors and assigns to property located within the boundaries of this plat and always available for the general use of said owners and to the public for firemen, firefighting equipment, police and other emergency vehicles of whatever nature at all times and do hereby bind myself (or ourselves), my (or our) heirs, (or) successors and assigns to warrant and forever defend the title to the land so designated and established as private streets.

To be used when the subdivision is within the Extraterritorial Jurisdiction of the City of La Porte:

FURTHER, Owners certify and covenant that they have complied with or will comply with the existing Harris County Road Law, Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature and all other regulations heretofore on file with the Harris County Engineer and adopted by the Commissioner's Court of Harris County.

When replatted under the provisions of Art. 974a, Section 5(b) and (c)(3):

FURTHER, the Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions; I, (we) further certify that no portion of the proposed area to be replatted is limited by deed restriction to residential use for not more than two (2) residential units per lot.

When replatted under the provisions of Art. 974a, Section 5(c)(1), (2) & (d)(7):

FURTHER, the Owners certify that this replat does not attempt to alter, amend or remove any covenants or restrictions.

APPENDIX D, SUBDIVISION PLATS (Page 9)

ENCLOSURE 1 (Continued)

ACKNOWLEDGEMENT EXECUTION

(when owner is an individual or individuals)

WITNESS my (or our) hand in the City of _____,
_____, this (number) day of (month), (year).

(signature of owner or owners)
(names to be printed)

(When owner is a company or corporation)

IN TESTIMONY WHEREOF, the (Name of company) has caused these presents to be signed by (Name of President), its President, thereunto authorized, attested by its Secretary (or authorized trust officer), (Name of Secretary of authorized trust officer), and its common seal hereunto affixed this (number) day of (month), (year).

(Name of Company)

by: (Signature of President)
President

(Signature of Secretary or
Attest: authorized trust officer)
Title

(affix corporate seal)

NOTARY ACKNOWLEDGEMENT

(See Appendix F)

APPENDIX D, SUBDIVISION PLATS (Page 10)

ENCLOSURE 2

LIENHOLDERS SUBORDINATION AGREEMENT

(Note: Holders of all liens against the property being platted must execute the final plat or separate instruments which shall be filed for record with the plat.)

I (or we), (Name of mortgagee or names of mortgagees), owner and holder (or owners and holders) of a lien (or liens) against the property described in the plat known as (name of plat), said lien (or liens) being evidenced by instrument of record in Volume _____, page _____, (or Film Code No. _____) of the Mortgage Records of Harris County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said plat and I (or we) hereby confirm that I am (or we are) the present owner (or owners) of said lien (or liens) and have not assigned the same nor any part thereof.

By: (Signature of Lienholder)
(Name to be printed)

NOTARY ACKNOWLEDGEMENT
(See Appendix F)

APPENDIX D, SUBDIVISION PLATS (Page 11)

ENCLOSURE 3

CITY APPROVING AUTHORITY CERTIFICATE

TO APPEAR ON SUBDIVISION PLATS, REPLATS,
RESUBDIVISIONS, PLAT VACATIONS, AND AMENDING PLATS

This is to certify that the City Planning and Zoning Commission of the City of La Porte, Texas has approved this plat (or instrument when appropriate) and subdivision of (name of subdivision) in conformance with the laws of the State of Texas and the ordinances of the City of La Porte and authorized the recording of this plat (or instrument when appropriate) this (number), day of (month), (year).

By: (Signature of Director)
Director, La Porte Community
Development Department

ATTEST:

By: (Signature of City Engineer)
La Porte City Engineer

By: (Signature of the Chairman)
Chairman, La Porte Planning
and Zoning Commission

ATTEST:

By: (Signature of Secretary)
Secretary, La Porte
Planning and Zoning
Commission

(Affix Commission Seal)

APPENDIX D, SUBDIVISION PLATS (Page 12)

ENCLOSURE 4

AMENDING PLAT CERTIFICATES

NOTE: The following certificates and acknowledgements are required to be placed upon the face of all amending plats.

I, (name of engineer or surveyor), hereby certify that the following corrections were necessary to eliminate errors which appear on the plat of (name of subdivision), recorded on (date and month), (year), in Volume (number), page (number) (or when applicable film code numbers) of the map records of (name of county) County, Texas:

(Provide brief explanation of corrections required)

(Signature of Engineer
or Surveyor)

(Print name)

Texas Registration No. _____
(Affix seal)

I (we), (name(s) or owner(s)), owner(s) of the property directly affected by this amending plat, being lot(s) out of the block(s) _____ as indicated hereon, do hereby consent to this amending plat for the purposes herein expressed.

(Signature of Owner(s))

(Print name)

NOTARY ACKNOWLEDGEMENT
(See Appendix F)

APPROVED BY THE CITY OF LA PORTE PLANNING AND ZONING COMMISSION on date, month and year.

Signature of Director of
Community Development
Director, Community Development

Signature of Chairman
Chairman, Planning and Zoning

APPENDIX D, SUBDIVISION PLATS (Page 13)

ENCLOSURE 5

VACATION OF SUBDIVISION PLAT

STATE OF TEXAS

COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

I (or we), (Name of owner or owners if individuals) or (Name of President and Secretary or authorized trust officer of a company or corporation), being the sole owner (owners) and proprietor of the following described property in the City of La Porte, Harris County, Texas, to-wit:

(Provide legal description of the property including, but not limited to, the acreage, the name of the recorded subdivision, the name of the Survey and Abstract Number, and recording references.)

Do hereby desire and declare that said plat, subdivision and dedication thereon be vacated and cancelled so as to convert all of said platted property to acreage tracts as same existed before such property was platted, subdivided and recorded.

(At this point any rights-of-way, easements or any other feature established in the subdivision being vacated which will not be cancelled as a result of this vacation action should be described.)

APPENDIX D, SUBDIVISION PLATS (Page 14)

ENCLOSURE 5 (Continued)

ACKNOWLEDGEMENT EXECUTION

(When owner is an individual or individuals)

WITNESS my (or our) hand in the City of _____,
_____ this (number) day of (month), (year).

(signature of owner or owners)
(Names to be printed)

(When owner is a company or corporation)

IN TESTIMONY WHEREOF, the (Name of company) has caused these presents to be signed by (Name of President), its President, thereunto authorized, attested by its Secretary (or authorized trust officer), (Name of Secretary of authorized trust officer), and its common seal hereunto affixed this (number) day of (month), (year).

(Name of Company)

By: (Signature of President)
President

(Signature of Secretary
Attest: or authorized trust officer)

(affix corporate seal)

NOTARY ACKNOWLEDGEMENT

(See Appendix F)

APPENDIX D, SUBDIVISION PLATS (Page 15)

ENCLOSURE 6

HARRIS COUNTY CLERK FILING STATEMENT

(TO APPEAR ON ALL INSTRUMENTS FILED)

I, (name of County Clerk), Clerk of the Commissioners' Court of Harris, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on (date and month), (year), at (time) o'clock (A.M. OR P.M.), and in Volume (number), page (number) or when applicable Film Code numbers) of the map records of (name of county) for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

Ex Officio Clerk of the Commissioners'
Court of Harris County, Texas

By: _____
Deputy

APPENDIX D, SUBDIVISION PLATS (Page 16)

ENCLOSURE 7

RECORDED MAP RETURN AGREEMENT CERTIFICATE

This is to certify that _____, owner or authorized agent of the owner of land being platted or subdivided known as _____, approved by the La Porte City Planning and Zoning Commission, authorized _____, County Clerk of Harris, County or his authorized Deputy to return the original recorded map or plat of said subdivision only to the Director of the City of La Porte's Community Development Department or to his authorized representative, who shall file such original recorded map or plat in the permanent records of that Department.

Signature
Director, Community
Development Department

Signature
Owner or Authorized Agent
(of owner of land being
subdivided or platted)

APPENDIX D, SUBDIVISION PLATS (Page 17)

ENCLOSURE 8

SPECIAL PLAT STATEMENTS

(TO APPEAR WHEN APPROPRIATE ON SUBDIVISION PLATS)

When any portion of land within the plat boundary lies inside a Flood Hazard Area:

"Some land within this subdivision lies in a Flood Hazard Area. Such lands are subject to an increased chance of flooding and the City of La Porte places stricter requirements on development therein through the La Porte Flood Hazard Prevention Ordinance. Flood Hazard Areas on this plat are shown as shaded."

When the plat contains public street right of ways bordering on unrestricted reserves or unplatted acreage:

"A one foot reserve is hereby established within the street right of way adjacent to all unrestricted reserves or unplatted acreage. Said one foot reserve shall be dedicated to the public and shall be removed and thereafter be vested in the public for street right-of-way purposes only upon proper platting of the adjacent unrestricted reserve or acreage."

LA PORTE DEVELOPMENT ORDINANCE

APPENDIX E, DEVELOPMENT SITE PLANS (Page 1)

This appendix to the La Porte Development Ordinance prescribes criteria for the preparation of Development Site Plans and the information which must be submitted therewith. Development Plats may be prepared by any qualified planning consultant but must be certified by the owner and by a Texas-registered engineer or land surveyor.

A. GRAPHIC CONTENTS (See Appendix F)

1. Name of Development (Cannot be a duplicate of any other name used within the City's jurisdiction)
2. Type of development (See La Porte Development Checklist)
3. Description of land within proposed development: "____.____ acres out of the _____ Survey, Abstract Number _____, Harris County, Texas."
4. Name of owner (If a company or corporation, list name and title of authorized representative).
5. Name of developer (If a company or corporation, list name and title of authorized representative).
6. Name of planning consultant
7. Filing date (date of City Planning and Zoning Commission Review Meeting)
8. Scale of Plat
9. Legal description of development: Subdivision recording information and section, block, and lot number or reserve designation or metes and bounds description of property boundary.
10. North arrow (Pointing to top of sheet)
11. Key map (to show relation of development to surrounding streets, railroads, and water courses.
12. Boundaries: Draw perimeter boundaries of development..

APPENDIX E, DEVELOPMENT SITE PLANS (Page 2)

13. Adjacent property: Indicate name, location and recording information for adjacent developments, streets, easements, water courses, acreage tracts, and other natural or manmade features.
14. Topography: Define high banks and flow lines of water courses. Define post-development limits of other natural or man-made physical development obstacles.
15. Building lines: Indicate building lines adjacent to all street right of ways.
16. Mobile home parks: Show proposed layout of mobile home sites and reserves. Number sites and blocks consecutively. Draw boundaries of sites the same way as for subdivision lots (See Appendix D). Indicate size of each site in square feet. Designate usage of each reserve, such as recreation, laundry drying, and dead storage. Detail site plan as described below.
17. Reserves: Draw boundaries for and designate area (in square feet and acres) for reserves dedicated for restricted usages, such as those for drainage, recreation, parkland, or other uses (indicate usage). Unrestricted reserves are not permitted within the boundaries of Development Site Plans.
18. Building Footprints: Draw the footprint of each building site and show overall dimensions and building type for each building. Show shortest distances from each building to nearest building and property line.
19. Proposed Topographic Changes Including cut and fill changes to the site.
20. Other site improvements: Draw perimeter of, dimension, and identify type and usage of each additional structure or site improvement, including parking lots, security lighting, driveways, curb cuts, culverts, water lines, fire hydrants, sanitary sewers, storm drains, natural gas lines, electrical lines, telephone lines, walkways, landscaping and other site improvements.

LA PORTE DEVELOPMENT ORDINANCE

APPENDIX E, DEVELOPMENT SITE PLANS (Page 3)

21. Streets: Show right of ways of all streets and alleys, either existing or proposed, within the plat boundaries and immediately adjacent thereto. Show right of way width at points of curvature or tangency, at one point within tangent segments, and at changes in width.
22. Street names: Provide names of all existing and proposed streets located within the plat boundaries and immediately adjacent thereto. (Cannot be duplicates of any street names in current use, unless continuations of existing streets.)
23. Utility Easements: Indicate location, widths and types (utility, water line, sanitary sewer, drainage, power, etc.) for all existing and proposed easements. Indicate recording information for existing easements. (See PICM for easement criteria.)
24. Flood Hazard Area: Show boundary of flood hazard area and shade areas within plat boundaries inside flood hazard area. (See La Porte Flood Hazard Prevention Ordinance). Show finished floor elevation of buildings inside flood hazard area.
25. Survey monument tie-in: For Major Developments, show nearest City-approved survey monument (as the Point of Commencement) and bearing and distance to a defined corner on the perimeter boundary of the property.
26. Survey Control Monuments: For Major Developments, show location of all proposed survey control monuments to be installed by the developer pursuant to Sections 6.02 of the Ordinance.
27. Dedication Statements and Certificates. The following, where appropriate, must appear on Development Site Plans filed in La Porte:
 - a. Owner's Certificate (Enclosure 1)
 - b. Final Survey Certificate (Appendix F)
 - c. Approving authority certificate (Enclosure 2)
 - d. Special statements (Enclosure 3)

APPENDIX E, DEVELOPMENT SITE PLANS (Page 4)

- B. DOCUMENTATION. The following documents are to be submitted with Development Site Plans.
1. La Porte Development Checklist (Available at the Department.)
 2. Title Certificate (Major Developments only)
(See Appendix F)
 3. Mobile Home Park (MHP) Master Plan Developers of mobile home parks must submit a MHP Master Plan which includes the following additional information:
 - a. An explanation of the program of development for the park, which includes architectural concept drawings for buildings, other structures, and landscaping, and a timetable for development.
 - b. A detailed description of the post-development maintenance program for the buildings, site improvements, and grounds within the park.
 - c. A description of the garbage and refuse disposal program for the park.
 4. Residential Parkland: Receipt for payment in lieu of required parkland dedication, pursuant to Section 12.05 of the Ordinance or Instrument of Dedication pursuant to Section 12.10 of the Ordinance.
 5. OTHER DOCUMENTS: Any other documents specified by the City Staff at the Sketch Plan review.

APPENDIX E, DEVELOPMENT SITE PLANS (Page 5)

ENCLOSURE 1

OWNERS CERTIFICATE

(MAJOR DEVELOPMENT SITE PLANS)

I (or we), (name of owners), as Owners (whether one or more) of the (number of acres) tract described in the above and foregoing site plan of (Name of development) do hereby establish said development of said property according to all lines, dedications, restrictions and notations on said site plan. I (We) further certify that all improvements shown on said site plan shall be constructed in the locations shown.

ADDITIONAL PARAGRAPHS TO BE ADDED (AS APPROPRIATE)

When development contains natural drainage ways such as bayous, creeks, gullies, ravines, draws or drainage ditches:

FURTHER, Owners agree to keep all of the property within the boundaries of this site plan and adjacent to any drainage easement, ditch, drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

When private streets and utilities are established within the site plan:

FURTHER, Owners agree that those streets and utilities located within the boundaries of this site plan specifically noted as private, shall be maintained as private streets and utilities by the owners, heirs, successors and assigns and, further, that said private streets shall always be available for the general use of the public for firemen, firefighting equipment, police and other emergency vehicles of whatever nature at all times.

LA PORTE DEVELOPMENT ORDINANCE

APPENDIX E, DEVELOPMENT SITE PLANS (Page 6)

ENCLOSURE 1 (Continued)

ACKNOWLEDGEMENT EXECUTION

(when owner is an individual or individuals)

WITNESS my (or our) hand in the City of _____,
_____, this (number) day of (month), (year).

(signature of owner or owners)
(names to be printed)

(When owner is a company or corporation)

IN TESTIMONY WHEREOF, the (Name of company) has caused these presents to be signed by (Name of President), its President, thereunto authorized, attested by its Secretary (or authorized trust officer), (Name of Secretary or authorized trust officer), and its common seal hereunto affixed this (number) day of (month), (year).

(Name of Company)

by: (Signature of President)
President

(Signature of Secretary or
Attest: authorized trust officer)
Title

(affix corporate seal)

APPENDIX E, DEVELOPMENT SITE PLANS (Page 7)

ENCLOSURE 2

CITY APPROVING AUTHORITY CERTIFICATE

TO APPEAR ON MINOR DEVELOPMENT SITE PLANS

This is to certify that the City of La Porte, Texas has approved this site plan and development of (name of development) in conformance with the laws of the State of Texas and the ordinances of the City of La Porte.

By: (Signature of Director)
Director, La Porte Community
Development Department

ATTEST:

By: (Signature of City Engineer)
La Porte City Engineer

TO APPEAR ON MAJOR DEVELOPMENT SITE PLANS

This is to certify that the City Planning and Zoning Commission of the City of La Porte, Texas has approved this site plan and development of (name of development) in conformance with the laws of the State of Texas and the ordinances of the City of La Porte.

By: (Signature of Director)
Director, La Porte Community
Development Department

ATTEST:

By: (Signature of City Engineer)
La Porte City Engineer

By: (Signature of the Chairman)
Chairman, La Porte Planning
and Zoning Commission

ATTEST:

By: (Signature of Secretary)
Secretary, La Porte
Planning and Zoning
Commission

(Affix Commission Seal)

LA PORTE DEVELOPMENT ORDINANCE

APPENDIX E, DEVELOPMENT SITE PLANS (Page 8)

ENCLOSURE 3

SPECIAL PLAT STATEMENTS

(TO APPEAR WHEN APPROPRIATE ON MAJOR DEVELOPMENT SITE PLANS)

When any portion of land within the site plan boundary lies inside a Flood Hazard Area:

"Some land within this development lies in a Flood Hazard Area. Such lands are subject to an increased chance of flooding and the City of La Porte places stricter requirements on development therein through the La Porte Flood Hazard Prevention Ordinance. Flood Hazard Areas on this site plan are shown as shaded."

APPENDIX F, ADDITIONAL DOCUMENTATION,
STANDARDS, CERTIFICATES, AND INSTRUCTIONS

This appendix contains additional instructions common to more than one kind of plan or plat.

ENCLOSURE	TITLE
1	Title Certificate Information
2	Notary Public Acknowledgement
3	Plat/Plan Accuracy Certificate
4	Plat/Plan Final Survey Certificate
5	Plat/Plan Graphic Symbols
6	Plat/Plan Geometric Standards

APPENDIX F, ADDITIONAL DOCUMENTATION,
STANDARDS, CERTIFICATES, AND INSTRUCTIONS

ENCLOSURE 1

TITLE CERTIFICATE INFORMATION

A planning letter, certificate, abstract, or other instrument from a title guaranty company or attorney authorized to render title opinions in the State of Texas, which certifies that a search of the appropriate records was performed within thirty (30) days of the filing date and which letter provides the following information:

1. The date of the examination of the records.
2. A legal description of the property proposed to be developed including a metes and bounds description of the boundaries of said land.
3. The name of the recorded owner of fee simple title as of the date of the examination of the records, together with the recording information or the instruments whereby such owner acquired fee simple title.
4. The names of all lienholders together with the recording information and date of the instruments by which such lienholders acquired their interests.
5. A description of the type and boundaries of all easements and fee strips not owned by the developer of the property in questions together with the recording information and date of the instruments whereby the owner of such easements or fee strips acquired their title.
6. A statement certifying that no delinquent city or county taxes are due on the property being platted.

APPENDIX F, ADDITIONAL DOCUMENTATION,
STANDARDS, CERTIFICATES, AND INSTRUCTIONS

ENCLOSURE 2

NOTARY PUBLIC ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared (Names of persons signing the plat, owners, and corporation officers), (corporation titles if appropriate, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed (add for corporations, "and in the capacity therein and herein stated, and as the act and deed of said corporation.")

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this (number) day of (month), (year):

My Commission Expires _____

(Signature of Notary Public)
Notary Public in and for the
State of _____

(affix notary seal)

APPENDIX F, ADDITIONAL DOCUMENTATION,
STANDARDS, CERTIFICATES, AND INSTRUCTIONS

ENCLOSURE 3

PLAT (SITE PLAN) ACCURACY CERTIFICATE

I, (name of engineer or surveyor), am registered under the laws of the State of Texas to practice the profession of engineering (or surveying) and hereby certify that the above plat (site plan) is true and correct; and that all bearings, distances, angles, curve radiuses, and central angles are accurately shown on the plat.

(Signature of Engineer or Surveyor)
(print name)

Texas Registration No. _____

(Affix seal)

APPENDIX F, ADDITIONAL DOCUMENTATION,
STANDARDS, CERTIFICATES, AND INSTRUCTIONS

ENCLOSURE 4

PLAT (SITE PLAN) FINAL SURVEY CERTIFICATE

I _____(name)_____, registered under the laws of the State of Texas to practice the profession of land surveying, do hereby certify that this plat (site plan) accurately represents the results of a survey performed under my supervision and that all boundary corners, single points and points of curve have been, or will be, marked with five-eighths inch iron rods not less than thirty (30) inches in length and that this plat (site plan) complies with the requirements as specified in the City of La Porte Development Ordinance.

(Signature of Surveyor)
(Print Name)

Texas Registration No. _____

(Affix Seal)

APPENDIX F, ADDITIONAL DOCUMENTATION,
STANDARDS, CERTIFICATES, AND INSTRUCTIONS

ENCLOSURE 5

PLAT/PLAN GRAPHIC SYMBOLS

The following line symbols are established for all plans and plats:

1. Boundaries: Show perimeter boundaries, right of ways and boundary lines between development phases in bold solid lines (____). Use solid lines (____) for block and lot boundaries.
2. Building lines: Indicate by long dashes separated by short dashes (____ _ ____ _).
3. Easements: Indicate by short dashes (_ _ _ _).
4. Stream and depression high banks: Indicate by long dashes separated by three short dashes (____ _ _ _ ____ _ _ _ ____ _).
5. Edge of flood hazard area: Indicate by bold long dashes separated by circles (____ o ____ o ____ o ____).
6. Adjacent properties: Indicate lines outside boundaries of proposed development by long dashes (____ ____ ____ ____).

APPENDIX F, ADDITIONAL DOCUMENTATION,
STANDARDS, CERTIFICATES, AND INSTRUCTIONS

ENCLOSURE 6

PLAT/PLAN GEOMETRIC STANDARDS

ITEM DESCRIPTION	A	B	C	D
<u>DIMENSIONAL ACCURACY STANDARDS</u>				
A. <u>Exact</u> : Angles to the nearest second, distances to the nearest hundredth of a foot.			X	X
B. <u>Approximate</u> : Angles to the nearest degree, distances to the nearest foot.	X	X		
<u>LINE DEFINITION</u> : For all lines required to be defined on a line between two points is considered as "defined" if the following information is provided:				
A. <u>For tangent (straight) lines</u> :				
1. Bearing (in degrees)	X	X	X	X
2. Distance (in feet)	X	X	X	X
B. <u>For curvilinear (semi-circular) lines</u> :				
1. Radius of curve (R, in feet)	X	X	X	X
2. Central (delta) angle (Δ , in degrees)			X	X
3. Arc length (L, in feet)	X	X	X	X
4. Chord length (C, in feet)			X	X
5. Chord bearing (CB, in degrees)			X	X

A = GENERAL PLAN

C = FINAL SUBDIVISION PLAT

B = PRELIMINARY SUBDIVISION PLAT

D = DEVELOPMENT SITE PLAN

X = YES

APPENDIX F, ADDITIONAL DOCUMENTATION,
STANDARDS, CERTIFICATES, AND INSTRUCTIONS

ENCLOSURE 6

PLAT/PLAN GEOMETRIC STANDARDS (CONTINUED)

ITEM DESCRIPTION	A	B	C	D
<u>LINES TO BE DEFINED for street right of ways (centerline and both edges), perimeter boundaries, lots, blocks, reserve and easements, all lines between any combination of the following points:</u>				
A. Points of beginning or ending	X	X	X	X
B. Lot, block, or reserve corners	X	X	X	X
C. Angle points	X	X	X	X
D. Points of tangency or curvature	X	X	X	X
E. Points of inflection (reserve curvature)	X	X	X	X
F. Points of intersection with crossing lines for lots, blocks, reserves, right of ways, easements, stream or depression high banks, and flood hazard area boundaries.			X	X
<u>Lines to be defined for high banks of stream or depression (no right of way or easement), lines between:</u>				
Points defining the limits of the high bank.		X	X	X
Points of intersection with crossing lines for lots, reserves, easements and right of ways.			X	X
<u>Lines to be defined for flood hazard area, lines between:</u>				
Points defining the limits of the flood hazard area. (Consult City Flood Zone Administrator for required elevations)		X	X	X
Points of intersection with crossing lines for lots, reserves, easements and right of ways.			X	X

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ORDINANCE NO. 1444-A

AN ORDINANCE AMENDING SECTION 2.19 DEVELOPMENT, SECTION 4.08 DEVELOPMENT SITE PLANS: GENERAL AND SECTION 11.02, DRAINAGE AND STORM SEWER, OF CITY OF LA PORTE ORDINANCE NO. 1444 REGULATING THE PLATTING OR REPLATTING OF LAND INTO SUBDIVISIONS IN THE CITY OF LA PORTE AND WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA PORTE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND SHALL UPON CONVICTION BE FINED A SUM OF NOT MORE THAN TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF LA PORTE:

Section 1. The City Council of the City of La Porte hereby finds, determines and declares that all prerequisites of law have been satisfied, and hereby determines and declares that the amendments to Section 2.19, Development, Section 4.08 Development Site Plans: General, and Section 11.02, Drainage And Storm Sewer, of City of La Porte Ordinance No. 1444, are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

Section 2. Section 2.19, DEVELOPMENT, of City of La Porte Ordinance 1444, is hereby amended to read as follows, to-wit:

"2.19 DEVELOPMENT: The process of converting land within the City's jurisdiction from its natural state, or altering the elevation of property, or converting its existing usage to residential, commercial, or industrial uses. This definition encompasses any and all physical changes to the land not regulated through the City Building Code

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inherent in such conversions. The term development includes subdivisions as defined herein.”

Section 3. Section 4.08 DEVELOPMENT SITE PLANS: GENERAL, of City of La Porte Ordinance 1444, is hereby amended to read as follows, to-wit:

“4.08 DEVELOPMENT SITE PLANS: GENERAL

The following sections of this Ordinance outline procedures for preparing and obtaining approval for developments not defined herein as subdivisions. Except as noted in Section 4.08 (A) below, it shall be a violation of this Ordinance for any person to develop property within the City of La Porte without first:

- a. Filing a Development Site Plan and required documentation for approval.
- b. Having said Development Site Plan approved according to the procedures set forth herein; and
- c. Obtaining a Development Authorization.

A. DEVELOPMENT SITE PLANS: EXCEPTIONS TO FILING REQUIREMENTS

- ~~1. No Development Site Plan filing shall be required as provided for herein in the case of a development which is strictly agricultural in character and use.~~
2. No Development Site Plan filing shall be required as provided for herein in the case of a development that is solely and strictly a

Subdivision, as that term is defined herein, and the requirements of Section 4.04 of this Ordinance have been satisfied for such Subdivision.

~~3. No Development Site Plan filing shall be required as provided for herein in the case of a development that is strictly residential in character and use, and occurs in the form of a single family house, regardless of whether said house is constructed inside or outside of a Subdivision.~~

B. MAJOR AND MINOR DEVELOPMENT SITE PLANS:
REQUIREMENTS AND CONTENTS
(SEE APPENDIX E)

For both Major and Minor Developments, the Development Site Plan is drawn accurately to scale with exact dimensions. When accompanied by all other required documentation, Development Site Plans contain sufficient detail for evaluation of the proposed development. Complete instructions for preparing Development Site Plans are contained on Appendix E."

Section 4. Section 11.02, Drainage and Storm Sewers, of City of La Porte Ordinance No. 1444 is hereby amended by adding language pertaining to the alteration of the elevation of property. Section 11.02, Drainage and Storm Sewers, shall hereafter read as indicated below:

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"11.02 DRAINAGE AND STORM SEWER

Adequate drainage shall be provided as to reduce the community's exposure to flood hazards with respect to adjacent, upstream and downstream developments. (See also Chapter 94, Floods, of the Code of Ordinances of the City of La Porte for additional requirements.) Adequate drainage shall be provided within the limits of the subdivision and/or development. The protection of adjoining property shall be accounted for in the design of the drainage system, and shall be subject to the approval of the Director of Planning or his designated representatives.

Any person or persons that alter or change the elevation of property shall be responsible for applying for and obtaining, prior to said change or alteration of the elevation of property, a development authorization from the City Planning Department. Any change or alteration in the elevation of property requires submission of a Site Plan prior to the change or alteration of property, which said Site Plan shall delineate the proposed change or elevation of property. Said certified site plan shall be subject to approval by the City Engineer."

Section 5. Any person, as defined in Section 1.02(27) Texas Penal Code, who shall violate any provision of this Ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars

(\$2,000.00). Each day a violation of this ordinance shall continue shall constitute a separate violation.

Section 6. All rights or remedies of the City of La Porte, Texas, are expressly saved as to any and all violations of any Zoning Ordinance or amendments thereto, of said City of La Porte, that have accrued at the time of the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and that all existing violations of previous zoning ordinances which would otherwise become non-conforming uses under this Ordinance but shall be considered as violations of this Ordinance in the same manner that they were violations of prior zoning ordinances of said City of La Porte.

Section 7. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, it is hereby declared to be the intention of the City of Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

Section 8. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public

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as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 9. This Ordinance shall become effective fourteen (14) days after its passage and approval, however, implementation of this ordinance will not take place until 180 days after its passage. The City Secretary shall give notice to the passage of the notice by causing the caption to be published in the official newspaper of the City of La Porte at least twice within ten (10) days after the passage of the Ordinance.

PASSED AND APPROVED THIS THE 23 DAY OF March, 1998.

CITY OF LA PORTE

By: Norman Malone
NORMAN MALONE, Mayor

ATTESTATION:

By: Martha Gillett
MARTHA GILLETT,
City Secretary

APPROVED:

By: John D. Armstrong
JOHN D. ARMSTRONG,
Assistant City Attorney

ORDINANCE NO. 1444- B

AN ORDINANCE AMENDING ORDINANCE NO. 1444 REGULATING THE PLATTING OR REPLATTING OF LAND INTO SUBDIVISIONS IN THE CITY OF LA PORTE AND WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA PORTE BY ADDING NEW SECTION 4.021 MINOR PLATS, AND FURTHER BY AMENDING SECTION 4.06 AMENDING RECORDED SUBDIVISION PLATS; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF LA PORTE:

Section 1. The City Council of the City of La Porte hereby finds, determines and declares that all prerequisites of law have been satisfied, and hereby determines and declares that the amendments to Ordinance No. 1444, the Development Ordinance of the City of La Porte, adding new Section 4.021, MINOR PLATS, and amending Section 4.06 AMENDING RECORDED SUBDIVISION PLATS, are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan, and are in accordance with the authority granted to the City of La Porte in Chapter 212 of the Texas Local Govt. Code.

Section 2. Section 4.02, DEVELOPMENT, of City of La Porte Ordinance 1444, is hereby amended by adding a new Section 4.021, MINOR PLATS to read as follows, to-wit:

"4.021 MINOR PLATS

Minor plats of 10 (ten) acres or less, and involving four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities may be approved by the Director of Planning. The Director of Planning

may, for any reason, elect to present the plat to the Planning Commission for approval of the plat. The Director of Planning shall not disapprove the plat and shall refer any plats which are refused to the Planning Commission within the time parameters as delineated in Section 212.009 of the Local Govt. Code.”

Section 3. Section 4.06 AMENDING RECORDED SUBDIVISION PLATS, is hereby amended to read as follows, to-wit:

Section 4.06 AMENDING RECORDED SUBDIVISION PLATS An Amending Plat may be filed for record in the County map records to correct dimensional errors, notational errors, other erroneous information, to add to or delete monuments, or to relocate a lot line between adjacent lots, as allowed in Section 212.016 of the Texas Local Government Code, provided:

- A. The signed Amending Plat Certificate shown on Enclosure 4 to Appendix D is placed on the face of the Amending Plat;
- B. The Planning and Zoning Commission Certificate shown on Enclosure 4 to Appendix D is placed on the face of the Amending Plat; and
- C. Commission approval of said Amending Plat is reflected by Commission execution of said certificate.

The Planning Director of the City of La Porte may approve Amending Plats, and execute Certification of same as set forth above in lieu of the Planning Commission, as allowed in Section

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212.0065 of the Texas Local Government Code. The Director of Planning may, for any reason, elect to present the Amending Plat to the Planning Commission for approval. The Director of Planning shall not disapprove the Amending Plat and shall refer any plats which are refused to the Planning Commission within the time parameters as delineated in Section 212.009 of the Local Govt. Code.”

Section 4. All rights or remedies of the City of La Porte, Texas, are expressly saved as to any and all violations of the Development Ordinance or amendments thereto, of said City of La Porte, that have accrued at the time of the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and that all existing violations of previous zoning ordinances which would otherwise become non-conforming uses under this Ordinance but shall be considered as violations of this Ordinance in the same manner that they were violations of prior zoning ordinances of said City of La Porte.

Section 5. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, it is hereby declared to be the intention of the City of Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

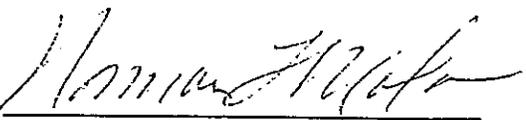
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Section 6. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 7. This Ordinance shall become effective fourteen (14) days after its passage and approval. The City Secretary shall give notice to the passage of the notice by causing the caption to be published in the official newspaper of the City of La Porte at least twice within ten (10) days after the passage of the Ordinance.

PASSED AND APPROVED THIS THE 14th DAY OF DECEMBER, 1998.

CITY OF LA PORTE

By: 
NORMAN MALONE, Mayor

7

ATTESTATION:

By: Martha Gillett
MARTHA GILLETT,
City Secretary

APPROVED:

By: John D. Armstrong
JOHN D. ARMSTRONG,
Assistant City Attorney

ORDINANCE NO. 1444-C

AN ORDINANCE AMENDING SECTION 5.04 "BUILDING LINES" OF CITY OF LA PORTE ORDINANCE NO. 1444 REGULATING THE PLATTING OR REPLATTING OF LAND INTO SUBDIVISIONS IN THE CITY OF LA PORTE AND WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA PORTE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND SHALL UPON CONVICTION BE FINED A SUM OF NOT MORE THAN TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS the City Council of the City of La Porte notes that the Sens Road right-of-way is on the City of La Porte Thoroughfare Plan, which is an integral part of the Comprehensive Plan of the City of La Porte, as a primary arterial thoroughfare; and

WHEREAS the City Council of the City of La Porte takes note that Harris County has plans to expand and improve the Sens Road right-of-way as said primary arterial; and

WHEREAS the City of La Porte in conjunction with Harris County seek to facilitate the expansion and improvement plans of Harris County in connection with the Sens Road thoroughfare, within the ambit of the City's Comprehensive Plan and Development Ordinance; and

WHEREAS the City of La Porte finds that the Development Ordinance states that all plans or plats should conform to the Comprehensive Plan for the extension of City thoroughfares; and

WHEREAS the final dimensions of the planned expansion of the Sens Road right-of-way are yet to be determined; and

WHEREAS development setbacks along the Sens Road right-of-way are found to be necessary to accommodate the expansion and improvement of the Sens Road right-of-way; and

WHEREAS the City of La Porte finds the implementation of development setbacks to facilitate the expansion and improvement of the Sens Road right-of-way is in harmony with the requirements of the Comprehensive Plan, the Development Ordinance, and the Zoning Ordinance, within the Code of Ordinances of the City of La Porte; and

WHEREAS it is the intention of the City to promote the orderly development of the City of La Porte, establish guidelines for the expansion of public thoroughfares, lessen traffic congestion, and promote and protect the public health, safety, and welfare;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF LA PORTE:**

Section 1. The City Council of the City of La Porte hereby finds, determines and declares that all prerequisites of law have been satisfied, that the foregoing findings of fact are true, and the City Council hereby determines and declares that the amendments to Section 5.04, "Building Lines" of City of La Porte Ordinance No. 1444, are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

Section 2. Section 5.04 "Building Lines" of City of La Porte Ordinance 1444, is hereby amended to read as follows, to-wit:

"5.04 BUILDING LINES

- A. EXTRATERRITORIAL JURISDICTION: All building lines shall meet the minimum setback established in the R-1, low density residential district of the City Zoning Ordinance, except in the case of non-single family residential development which shall require a 20 foot minimum side yard building line adjacent to a public street.
- B. TRANSITION BUILDING LINES having a minimum angle of 45 degrees are to be provided where an offset in building lines is greater than 5 feet.
- C. The following development setback restrictions are established for the Sens Road right-of-way extending from West Main Street to Avenue D, and from Avenue D to the north right-of-way line of North P Street.
 - 1. West Main Street to Avenue D

Properties adjacent to the Sens Road right-of-way extending from West Main Street to Avenue D, are subject to a development setback of 20 feet, from either side of the right-of-way. This restriction applies to any improvements, additions, or construction of any character on property abutting the Sens Road right-of-way, and regardless of zoning classification under this Code.

The building setback restrictions contained in Chapter 106 of the Code of Ordinances of the City of La Porte are subject to the restrictions contained in this section and shall commence from the 20-foot development setback restrictions promulgated herein.

2. Avenue D to the north line of North P Street

Properties adjacent to the Sens Road right-of-way extending from Avenue D to the north line of North P Street, are subject to a development setback of 40 feet, from either side of the right-of-way. This restriction applies to any improvements, additions, or construction of any character on property abutting the Sens Road right-of-way, and regardless of zoning classification under this Code.

The building setback restrictions contained in Chapter 106 of the Code of Ordinances of the City of La Porte are subject to the restrictions contained in this section and shall commence from the 40-foot development setback restrictions promulgated herein.

Section 3. Any person, as defined in Section 1.02(27) Texas Penal Code, who shall violate any provision of this Ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00). Each day a violation of this ordinance shall continue shall constitute a separate violation.

Section 4. All rights or remedies of the City of La Porte, Texas, are expressly saved as to any and all violations of any Zoning Ordinance, Development Ordinance, or amendments thereto, of said City of La Porte, that have accrued at the time of the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and that all existing violations of previous zoning ordinances which would otherwise become non-conforming uses under this Ordinance but shall be considered as violations of this Ordinance in the same manner that they were violations of prior zoning ordinances of said City of La Porte.

Section 5. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, it is hereby declared to be the intention of the City of Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

Section 6. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City

Council was posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 7. This Ordinance shall become effective fourteen (14) days after its passage and approval. The City Secretary shall give notice to the passage of the notice by causing the caption to be published in the official newspaper of the City of La Porte at least twice within ten (10) days after the passage of the Ordinance.

PASSED AND APPROVED THIS THE 9th DAY OF December, 2002.

CITY OF LA PORTE

By: Norman Malone
NORMAN MALONE, Mayor

ATTESTATION:

By: Martha Gillett
MARTHA GILLETT,
City Secretary

APPROVED:

By: John D. Armstrong
JOHN D. ARMSTRONG,
Assistant City Attorney

ORDINANCE NO. 1444-D

AN ORDINANCE AMENDING SECTION 11.02, DRAINAGE AND STORM SEWERS, OF CITY OF LA PORTE ORDINANCE NO. 1444-A REGULATING THE PLATTING OR REPLATTING OF LAND INTO SUBDIVISIONS IN THE CITY OF LA PORTE AND WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA PORTE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND SHALL UPON CONVICTION BE FINED A SUM OF NOT MORE THAN TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF LA PORTE:

Section 1. The City Council of the City of La Porte hereby finds, determines and declares that all prerequisites of law have been satisfied, and hereby determines and declares that the amendments to **Section 11.02, Drainage And Storm Sewers**, of City of La Porte Ordinance No. 1444-A, are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

Section 2. Section 11.02, Drainage and Storm Sewers, of City of La Porte Ordinance No. 1444-A is hereby amended by adding Exhibits "A" and "B", pertaining to the addition of a Fill Dirt Permit, adding Fill Dirt regulations, grading standards, and swale standards; requiring sketch plans and approval prior to the introduction of fill material; and providing for silt prevention and revegetation standards. Said Exhibits "A" and "B" are attached to this Ordinance, and are incorporated by reference herein as if set forth verbatim."

Section 3. Section 11.02, Drainage and Storm Sewers, of City of La Porte Ordinance No. 1444-A is hereby amended by adding a fill dirt permit fee. Said fee shall be \$25.00 for the first 49 loads of permitted fill dirt, and \$2.00/load for each additional load. Any person who places fill dirt on their property without first applying for and obtaining a fill dirt permit shall be guilty of a misdemeanor.

Section 4. Any person, as defined in Section 1.02(27) Texas Penal Code, who shall violate any provision of this Ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00). Each day a violation of this ordinance shall continue shall constitute a separate violation.

Section 5. All rights or remedies of the City of La Porte, Texas, are expressly saved as to any and all violations of any Zoning Ordinance or amendments thereto, of said City of La Porte, that have accrued at the time of the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and that all existing violations of previous zoning ordinances which would otherwise become non-conforming uses under this Ordinance but shall be considered as violations of this Ordinance in the same manner that they were violations of prior zoning ordinances of said City of La Porte.

Section 6. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, it is hereby declared to be the intention of the City of Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

Section 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during

which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 8. This Ordinance shall become effective fourteen (14) days after its passage and approval, however, implementation of this ordinance will not take place until 180 days after its passage. The City Secretary shall give notice to the passage of the notice by causing the caption to be published in the official newspaper of the City of La Porte at least twice within ten (10) days after the passage of the Ordinance.

PASSED AND APPROVED THIS THE 14th DAY OF AUGUST, 2003.

CITY OF LA PORTE

By: 
NORMAN MALONE, Mayor

ATTESTATION:

By: 
MARTHA GILLETT,
City Secretary

APPROVED:

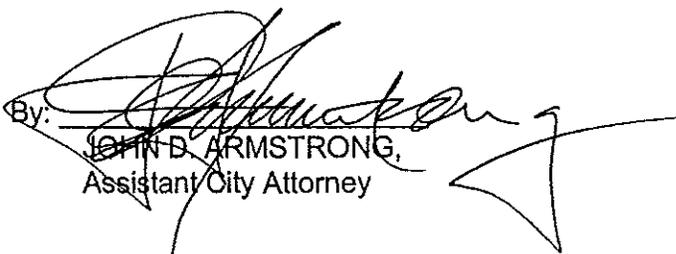
By: 
JOHN D. ARMSTRONG,
Assistant City Attorney

EXHIBIT A
TO
ORDINANCE 1444-A

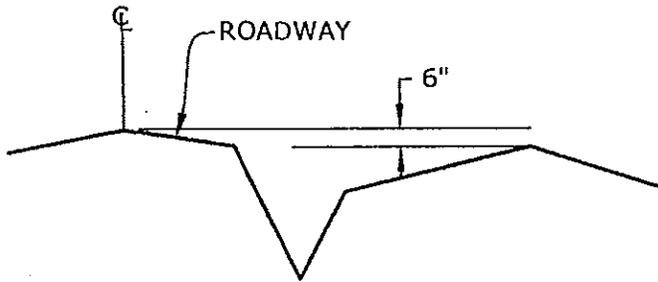
PERMIT REQUIREMENTS AND CONDITIONS	All Lots		Small Lots (1 acre or less)		Large Lots (1 acre or more)	
	1-5 Loads	6-49 Loads	6-49 Loads	50 and more Loads	6-49 Loads	50 and more Loads
1 Permit Required		*	*	*	*	*
2 Permit Fee Assessed		*	*	*	*	*
3 180 Day Permit for Project Completion		*	*	*	*	*
4 Spreading of Delivered Fill Must Begin within 30 Days	*	*	*	*	*	*
5 For Open Ditch Roadways Maximum Fill to be 6 inches below top of adjacent crown of road		*	*	*	*	*
6 Recommended overlaid slope for lot grading to be 0.2%-0.75%		*	*	*	*	*
6A For Curb & Gutter Streets, Grade Fill at 0.2%-0.75% toward street		*				
7 For Lots Abutting an Alley Way, Match the Grade of the Alley and Grade to Drain Toward Street		*			*	
8 Grading & Drainage Plan submitted signed and sealed by Professional Engineer licensed in the State of Texas			*	*		*
8A Storm Water Pollution Prevention Plan and Revegetation Plan submitted			*	*		*
8B Demonstration that Watershed is Not Being Adversely Impacted			*	*		*
8C Grade of swales to be customized/engineered for each site			*	*		*
9 Sketch, Survey or Site Plan Showing Proposed Fill Placement and Location of Proposed Drainage drawn to scale			*	*See Item 8	*	*See Item 8
10 Silt Prevention and Revegetation plan required			*See Notes 3&4	*See Item 8A	*See Notes 3&4	*See Item 8A
11 1 ft Top of Bank Swale Offset from Property Line			*	*	*	*
12 5 ft Top of Bank Swale Offset from Property Line					*	*
13 No Fill Unloaded within 15 ft of Property Line			*	*	*	*
14 No Fill Unloaded within 5 ft of Property Line			*	*	*	*
15 Address for Site Required And Fill Must be Delivered to this address			*	*	*	*
16 Any deviation from these permit requirements Shall be Review and Approved By the City			*	*	*	*

* = Required Information, Activity or Regulation

Note:

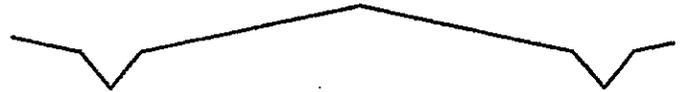
- 1 No dump trucks larger than 12 CY dump trucks shall be allowed for use in deliver to addresses off truck routes.
- 2 Only one Fill Dirt Permit will be issued for any one property or address over a 180 day span.
- 3 Silt prevention plan shall at a minimum consist of silt fencing and/or block sodding two rows of sod wide along the leading edge of the filled area.
- 4 Revegetation shall consist of seeding, sprigging, sodding, turf establishment (or combination thereof) that produces an effective vegetative cover of 75% within 90 days.

EXHIBIT "B"

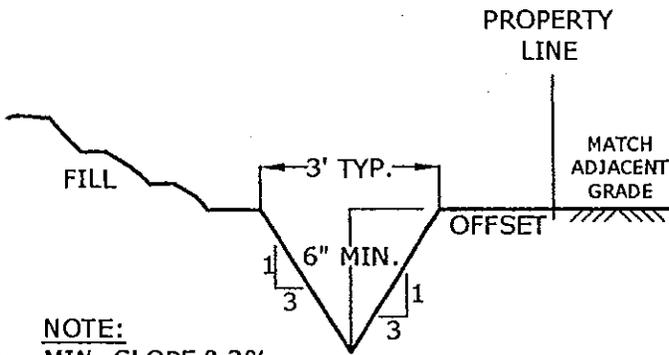


MAX HEIGHT OF FILL
6" BELOW CROWN OF ROAD

NOTE: CROWNED AT SECTION A-A

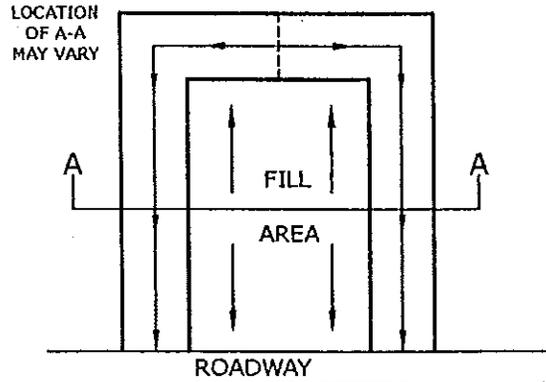


SECTION A-A
LOT GRADING

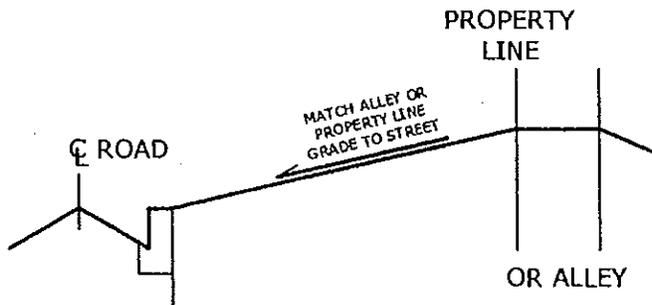


NOTE:
MIN. SLOPE 0.2%

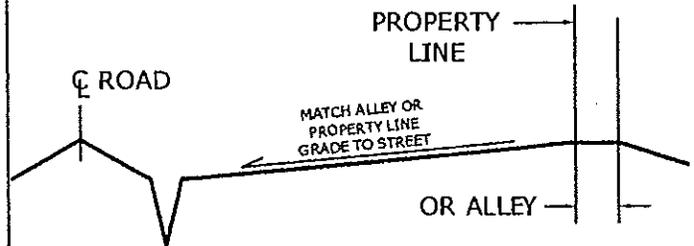
MINIMUM SWALE



LARGE LOT GRADING



SMALL LOT / SMALL PROJECT
IN CURB & GUTTER AREAS



SMALL LOT/SMALL PROJECT
IN OPEN CHANNEL AREAS

FILL PERMIT DETAILS

CITY OF LA PORTE

604 W. Fairmont Parkway
Planning Dept./Engineering Div.
La Porte, Texas 77571
281-471-5020



ORDINANCE NO. 1444-E

AN ORDINANCE AMENDING SECTION 10.00, FEES AND CHARGES, OF CITY OF LA PORTE ORDINANCE NO. 1444; ALTERING FEES FOR SITE PLANS, GENERAL PLANS, PRELIMINARY PLATS AND FINAL PLATS; ADDING NEW FEES FOR AMENDING PLATS, REPLATS, VACATING PLATS, AND DEVELOPMENT ORDINANCE VARIANCES; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF LA PORTE:

Section 1. The City Council of the City of La Porte hereby finds, determines and declares that all prerequisites of law have been satisfied, and hereby determines and declares that the amendments to **Section 10.00, Fees and Charges**, of City of La Porte Ordinance No. 1444, are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

Section 2. Section 10.00, Fees and Charges, of City of La Porte Ordinance No. 1444 is hereby amended by replacing current Table 10-1 with new Table 10-1, attached to this Ordinance as Exhibit "A". Said Exhibit "A" is incorporated by reference herein as if set forth verbatim.

Section 3. All rights or remedies of the City of La Porte, Texas, are expressly saved as to any and all violations of any Zoning Ordinance or amendments thereto, of said City of La Porte, that have accrued at the time of the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and that all existing violations of previous zoning ordinances which would otherwise become non-conforming uses under this Ordinance but shall be considered as violations of this Ordinance in the same manner that they were violations of prior zoning ordinances of said City of La Porte.

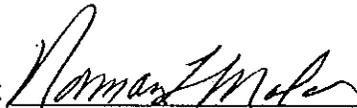
Section 4. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, it is hereby declared to be the intention of the City of Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

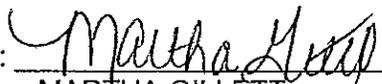
Section 6. This Ordinance shall become effective upon its passage and approval.

PASSED AND APPROVED THIS THE 13th DAY OF OCTOBER, 2003.

CITY OF LA PORTE

By: 
NORMAN MALONE, Mayor

ATTESTATION:

By: 
MARTHA GILLETT,
City Secretary

APPROVED:

By: 
JOHN D. ARMSTRONG,
Assistant City Attorney

**Table 10-1
Development Ordinance 1444 Fees**

Site plan	Major (> 10 acres)	up to 10 ac. 150.00; each additional ac. 5.00
	Minor (< 10 acres)	up to 5 ac. 100.00; each additional ac. 5.00
General plan		100.00
Preliminary plat		residential: 0-50 lots 200.00; each additional lot 5.00. Other: 0-10 ac-200.00; each additional ac. 10.00
Final plat	Major subdivision (> 10 acres)	150.00
	Minor subdivision (< 10 acres)	residential: up to 50 lots 150.00; each additional lot 5.00 other: up to 10 acres 150.00; each additional acre 10.00
Amending Plat		100.00
Replat		150.00 plus 5.00 per lot
Vacating Plat		100.00
Variance (Development Ordinance)		150.00

ORDINANCE NO. 1444-~~F~~

AN ORDINANCE REPEALING ORDINANCES NO. 1444-C AND AMENDING SECTION 5.04 "BUILDING LINES" OF CITY OF LA PORTE ORDINANCE NO. 1444 REGULATING THE PLATTING OR REPLATTING OF LAND INTO SUBDIVISIONS IN THE CITY OF LA PORTE AND WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA PORTE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND SHALL UPON CONVICTION BE FINED A SUM OF NOT MORE THAN TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH VIOLATION; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS the City Council of the City of La Porte notes that the Sens Road right-of-way is on the City of La Porte Thoroughfare Plan, which is an integral part of the Comprehensive Plan of the City of La Porte, as a primary arterial thoroughfare; and

WHEREAS the City Council of the City of La Porte takes note that Harris County has plans to expand and improve the Sens Road right-of-way as said primary arterial; and

WHEREAS the City of La Porte in conjunction with Harris County seek to facilitate the expansion and improvement plans of Harris County in connection with the Sens Road thoroughfare, within the ambit of the City's Comprehensive Plan and Development Ordinance; and

WHEREAS the City of La Porte finds that the Development Ordinance states that all plans or plats should conform to the Comprehensive Plan for the extension of City thoroughfares; and

WHEREAS the final dimensions of the planned expansion of the Sens Road right-of-way are yet to be determined; and

WHEREAS development setbacks along the Sens Road right-of-way are found to be necessary to accommodate the expansion and improvement of the Sens Road right-of-way; and

WHEREAS the City of La Porte finds the implementation of development setbacks to facilitate the expansion and improvement of the Sens Road right-of-way is in harmony with the requirements of the Comprehensive Plan, the Development Ordinance, and the Zoning Ordinance, within the Code of Ordinances of the City of La Porte; and

WHEREAS it is the intention of the City to promote the orderly development of the City of La Porte, establish guidelines for the expansion of public thoroughfares, lessen traffic congestion, and promote and protect the public health, safety, and welfare;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF LA PORTE:**

Section 1. The City Council of the City of La Porte hereby finds, determines and declares that all prerequisites of law have been satisfied, that the foregoing findings of fact are true, and the City Council hereby declares that Ordinances No. 1444-C are repealed, and the City Council further determines and declares that amendments to Section 5.04, "Building Lines" of City of La Porte Ordinance No. 1444, are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

Section 2. Section 5.04, "Building Lines" of City of La Porte Ordinance 1444, is hereby amended to read as follows, to-wit:

"5.04 BUILDING LINES

- A. EXTRATERRITORIAL JURISDICTION: All building lines shall meet the minimum setback established in the R-1, low density residential district of the City Zoning Ordinance, except in the case of non-single family residential development which shall require a 20 foot minimum side yard building line adjacent to a public street.
- B. TRANSITION BUILDING LINES having a minimum angle of 45 degrees are to be provided where an offset in building lines is greater than 5 feet.
- C. The following development setback restrictions are established for the Sens Road right-of-way extending from West Main Street to the north right-of-way line of North P Street. Properties adjacent to the Sens Road right-of-way extending from West Main Street to the north right-of-way line of North P

Street are subject to a development setback of 50 feet, from either side of the centerline of Sens Road, said centerline having been established on Exhibit "A" through "E", attached hereto and incorporated by reference herein, and made part hereof for all purposes.

This restriction applies to any improvements, additions, or construction of any character on property abutting the Sens Road right-of-way, and regardless of zoning classification under this Code.

The building setback restrictions contained in Chapter 106 of the Code of Ordinances of the City of La Porte are subject to the restrictions contained in this section and shall commence from the 50-foot development setback restrictions promulgated herein.

Section 3. Any person, as defined in Section 1.02(27) Texas Penal Code, who shall violate any provision of this Ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00). Each day a violation of this ordinance shall continue shall constitute a separate violation.

Section 4. All rights or remedies of the City of La Porte, Texas, are expressly saved as to any and all violations of any Zoning Ordinance, Development Ordinance, or amendments thereto, of said City of La Porte, that have accrued at the time of the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this Ordinance; and as to such accrued violation, the court shall have all the powers that existed prior to the effective date of this

Ordinance; and that all existing violations of previous zoning ordinances which would otherwise become non-conforming uses under this Ordinance but shall be considered as violations of this Ordinance in the same manner that they were violations of prior zoning ordinances of said City of La Porte.

Section 5. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, it is hereby declared to be the intention of the City of Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

Section 6. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

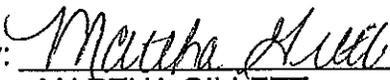
Section 7. This Ordinance shall become effective fourteen (14) days after its passage and approval. The City Secretary shall give notice to the passage of the notice by causing the caption to be published in the official newspaper of the City of La Porte at least twice within ten (10) days after the passage of the Ordinance.

PASSED AND APPROVED THIS THE 31st DAY OF DECEMBER, 2003.

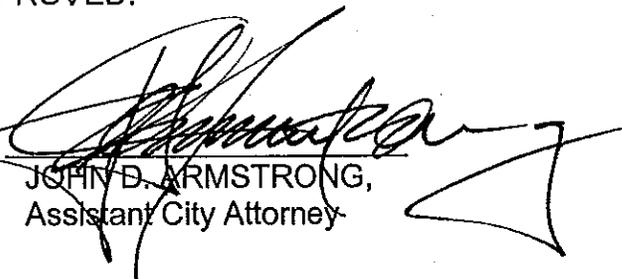
CITY OF LA PORTE

By: 
NORMAN MALONE, Mayor

ATTESTATION:

By: 
MARTHA GILLETT,
City Secretary

APPROVED:

By: 
JOHN D. ARMSTRONG,
Assistant City Attorney

ENERGY 4" IP STL

NORTH "C" STREET

TR #40

PROPOSED SENS ROAD C/L

OUTLOT 41

TR #3
BLK 671

SCALE: 1" = 100'

CENTERPOINT ENERGY 4" IP STL

TR #39
OUTLOT 60

BLK 698

PROPOSED SENS ROAD C/L

PROPOSED SENS ROAD (100' R.O.W.)

TR #1
BLK 707

TR #38
OUTLOT 61

10' S.B.C. ESMT

12" WATER LINE

6-4" "C" PVC

CENTERPOINT ENERGY 4" IP STL

EXHIBIT "A"

CENTERPOINT

TR #43

PROPOSED
SENS ROAD CA

CENTERPOINT
4" IP STL

TR #42
OUTLOT 20

OUTLOT 21

TR #41

6" SAN SEWER

6" SAN SEWER

OUTLOT 40

CENTERPOINT
ENERGY 4" STL

TR #40

PROPOSED ROW

PROPOSED ROW

TR 6
BLK 626

12" WATER LINE

6" 4" C-PVC

PT 32 800 24

PC 31 26 62

PT 32 00 24

PC 31 26 62

TR #5
BLK 635

PT 26 06 24

PT 26 12 24

TR #4
BLK 662

PT 27 01 10



SCALE: 1" = 100'

EXHIBIT "B"



PROPOSED SENS ROAD C/L

PROPOSED ROW

PROPOSED ROW



SCALE: 1" = 100'

TR 18

TR 17

TR 16

TR 15

TR 14

TR 13

PT 47+08.46

TR 12

TR 11

TR 11

PT 43+04.51

PC 43+04.51

TR 10

TR 9

6-4" "C" PVC

PT 49+39.84

PC 49+39.84

6-4"

TR #47

SWR

CENTERPOINT ENERGY 1/2" STL
8" SAN SWR

6" WATER LINE

TR #46

TR #45

TR #44

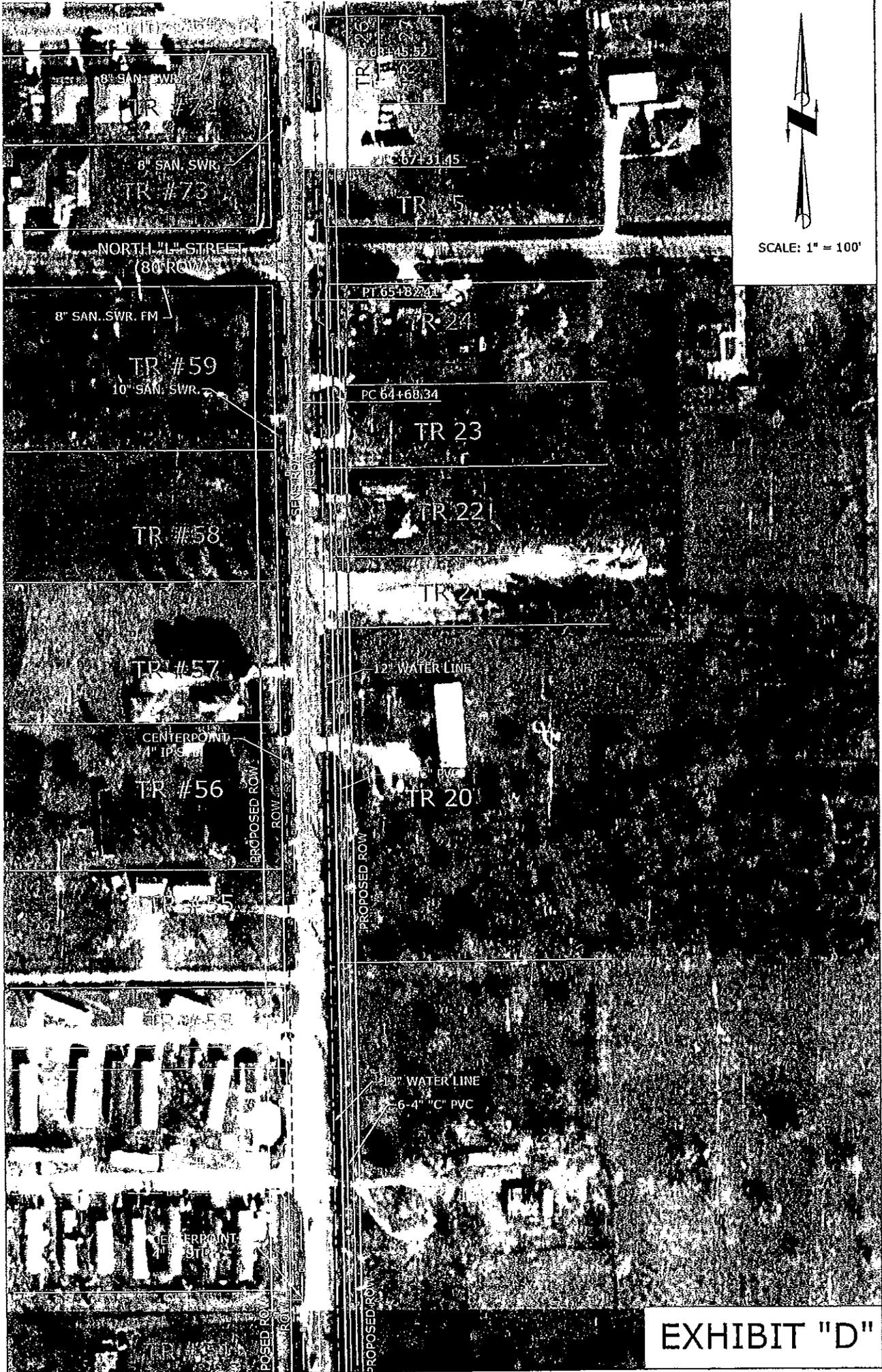
CENTERPOINT 4" IP STL

12" WATER LINE

TR #43

PROPOSED ROW

EXHIBIT "C"



SCALE: 1" = 100'

EXHIBIT "D"

TR #69

CENTERPOINT
4" IP STL.

TR #68

PROPOSED ROW

10" S.B.C. ESM

TR #33

12" WATER LINE

PC 82+63.70

6-4" "C" PVC

PT 81+63.40



SCALE: 1" = 100'

PC 80+33.19

PROPOSED SENS ROAD
(100' R.O.W.)

TR #67

8" SAN SWR

PROPOSED ROW

TR #32

TR #66

TR #65

PROPOSED
SENS ROAD C/L

TR #31

PROPOSED ROW

12" WATER LINE

6-4" "C" PVC

8" SWR

TR #63

PROPOSED ROW

TR #29

8" SAN SWR

TR #62

8" SAN SWR

TR #61

TR #28

TR #60

8" SAN SWR

TR #59

TR #26
PC 76+45.52

EXHIBIT "E"



SCALE: 1" = 100'

CENTERPOINT ENERGY
3" IP STL

CENTERPOINT ENERGY
1/2" PLA

CENTERPOINT ENERGY
1/2" PLA

NORTH IP STREET
(80 ROW)

10" SAN SWR

PROPOSED
SEWER

TR #69

CENTERPOINT
4" IP STL

TR #68

PROPOSED ROW

8" SAN SWR

3-4" "C" PVC

PC 83+93.91

10" S.B.C. ESMT

TR #33

12" WATER LINE

PC 82+63.70

6-4" "C" PVC

PT 81+63.40

EXHIBIT "F"