

ORDINANCE NO. 107

AN ORDINANCE PRESCRIBING RULES AND REGULATIONS GOVERNING PLATS AND SUBDIVISIONS OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF GOLINDA, PROVIDING FOR FEES TO BE CHARGED, PROHIBITING THE EXPENDITURE OF PUBLIC FUNDS IN SUBDIVISIONS NOT APPROVED BY THE CITY COUNCIL, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING A SAVINGS CLAUSE.

WHEREAS, under the laws of the State of Texas every owner of a tract of land situated within the Corporate limits and/or within five (5) miles of the corporate limits of a City, who may subdivide, plat, or replat such tract of land is required to submit plats of said subdivision to the City Council for approval; and

WHEREAS, the City Council is empowered to adopt and promulgate Rules and Regulations governing plats and subdivision of land within said area; now

THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF GOLINDA, MCLENNAN AND FALLS COUNTIES, TEXAS:

SECTION I

From and after the passage of this ordinance all plats and subdivisions of land within the corporate limits of the City of Golinda, and all plats and subdivisions of land outside the corporate limits of the City of Golinda that the City Council may include within the corporate limits, shall conform to the following Rules and Regulations:

SEC. 1 (A) DEFINITIONS

For the purpose of interrupting this ordinance, certain words used herein are defined as follows:

(1) SHALL. The word shall wherever used in this ordinance will be interpreted in its mandatory sense.

(2) COUNCIL. The City Council of the City of Golinda.

(3) BUILDING LINE. A line beyond which buildings must be set back from the street property line.

(4) SUBDIVISION. A subdivision is the division of any lt, tract or parcel of land into two (2) or more lots or sites for the purpose, whether

immediate or future, of sale or building development. It also includes re-subdivision of land or lots. Division of land for agricultural purposes, in parcels of five (5) acres or more shall not be included within this definition of subdivision, unless any such division of five (5) acres or more includes the planning or development of a new street or access easement.

(5) RE-PLATTING. Re-platting is the re-subdivision of any part of a block or a previously platted subdivision, or addition.

#### SEC. 1 (B) PLATTING

A final plat of the proposed sub-division will be submitted to the Council for its review and approval. Such plat shall be drawn to scale of 1" = 100' in ink from an accurate survey and shall be neat and in full respects proper for filing for record in the office of the County Clerk. All figures and lettering shall be neat and easily legible. The plat shall show or be accompanied by the following information:

(1) The name or names of the owner and/or subdivider and of the licensed land surveyor or registered professional engineer responsible for the plat.

(2) The name of the proposed subdivision and adjacent subdivisions, the names of streets (to conform whenever possible to existing street names) and numbers of lots and blocks, in accordance with a systematic arrangement.

(3) North point, date, acreage being subdivided, and scale.

(4) An accurate boundary survey of the property, with bearings and distances referenced to survey lines and established subdivisions, with complete and accurate field notes of said boundaries. The lines, with dimensions, of all adjacent lands and the lines, with dimensions, of adjacent streets, alleys, easements, parks, building set back lines (both front and side streets) and other features shall be shown.

(5) Location of proposed lots, streets, alleys and easements, parks, building set back lines and other features shall be shown.

(6) A certificate of dedication of all streets, public highways, alleys, easements, parks and other land intended for public use, signed by the owner or owners.

(7) If the subdivision is not to be served immediately by a water utility, a restriction prohibiting occupancy of any lot until the water satisfactory for human consumption is available from a source on the land, a community source, or a public source, in adequate and sufficient supply for family use and operation of a septic tank and system.

(8) If the subdivision is not to be served immediately by a sewage collecting system connected to a community septic tank or treatment plant or to a public sewer system, a restriction prohibiting occupancy of any lot unless:

(A) The individual sewage disposal system shall conform to the Rules, Regulations and standards prepared by Waco-McLennan County Health Unit governing the installation, maintenance and operation of private sewage disposal systems. If the lot is in Falls County, Texas, then the standards adopted by such county shall be followed.

(B) The complete design and installation of the individual sewage disposal system is inspected and approved by the Waco-McLennan County Health Unit or by the equivalent authority of Falls County.

(9) Certification by a Registered Professional Engineer, or Public Surveyor, licensed by the State of Texas, to the effect that the plan or plat represents a survey made by him, and that all necessary survey monuments referred to are correctly shown thereon.

(10) The following certificate shall be placed on the plat, in a manner that will allow the filling in of the certificate by the proper party.

I hereby certify that the above and foregoing plat  
of \_\_\_\_\_ addition  
to the City of Golinda, Texas was approved by the  
City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
City Secretary

(11) The final plat shall be recorded by the City Secretary in the office of the County Clerk of the County in which the land is located. Should the plat cover land in both Falls and McLennan Counties, then the plat shall be filed in both Counties. Said plat must be filed within six months from the date of final approval by the Council. If the subdivider has not submitted the proper documents to the City Secretary within six months after Council approval, then the plat shall become null and void as if no plat had been submitted.

## SECTION II

### SEC. 2 (A) STREET ARRANGEMENTS.

Unless otherwise approved by the Council, provision shall be made for the extension of existing streets. Streets shall be adequate to provide necessary access to all property in the subdivision.

Off-Center street intersections with streets in adjacent subdivisions should be avoided. All streets shall be continuous or in alignment with existing streets.

More than two(2) streets intersecting at one point shall be avoided, except where it is impractical to secure a proper street system otherwise.

Dead end streets may be platted where the Council deems desirable and where the land adjoins property not subdivided, in which case the streets shall be carried to the boundaries thereof.

The system of streets designated for the subdivision, except in unusual cases, must connect with streets already dedicated in adjacent subdivisions; and where adjacent connections are not platted, must in general be the reasonable projection of streets in the nearest subdivided tracts, and must be continued to the boundaries of the tract subdivided, so that other subdividers may connect therewith. Reserve strips of land controlling access to or egress from other property or to or from any street or alley or having the effect of restricting or damaging the adjoining property for subdivision purposes or which will not be taxable or accessible for special improvements shall not be permitted in any subdivision unless such reserve strips are conveyed to the City in fee simple.

### SEC. 2 (B) BLOCK LENGTH AND WIDTH.

In general, intersecting streets, determining the block lengths and widths shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets or customary subdivision practices in the Neighborhood. Where no existing plats control, the blocks shall not exceed eight hundred (800) feet nor be less than three hundred (300) feet in length, unless approved by Council. Where no existing plats control, the block width shall not exceed three hundred and fifty (350) feet nor be less than two hundred and twenty (220) feet. In general, the block widths and lengths shall be such as

to allow two (2) tiers of lots, back to back. Exceptions, however, may be made where topography would work hardships on the subdividers.

#### SEC. 2 (C) STREET WIDTHS

Within the city limits the streets shall have fifty (50) feet of Right-of-Way with twenty eight (28) feet of improved road service. Streets outside of the City shall be required to meet the width and construction standards of McLennan and Falls Counties.

#### SEC. 2 (D) STREET NAMES

New streets shall be named so as to provide continuity of names with existing streets. Similar or identical street names to streets already existing in other parts of the City shall be avoided.

#### SEC. 2 (E) EASEMENTS

Easements of not less than seven and one-half ( $7\frac{1}{2}$ ) feet in width shall be retained on each side of the rear lot lines and each side of side lot lines, if necessary. The easements are to be used for poles, wires, conduits, storm sewer, sanitary sewers, water lines, open drains, gas lines, heat lines or other public utilities. Such easements may be required across parts of lots or other than as described above upon recommendation of Council.

#### SEC. 2 (F) LOT ARRANGEMENTS

In general the side lines of lots shall be approximately at right angles to the street lines. If possible, the placing of adjacent lots at right angles to each other shall be avoided.

#### SEC. 2 (G) ACCESS TO LOTS

Each lot shall be provided with adequate access to an existing public

street by frontage along such street or through connection of a new street or a permanent easement to an existing street.

#### SEC. 2 (H) MISCELLANEOUS REQUIREMENTS.

The description and location of all lot and block corners and permanent survey monuments shall be shown on the plat. Such corners and monuments shall meet the following standards:

(1) Lot corners shall be one-half ( $\frac{1}{2}$ ) inch rods, with a minimum depth of twenty-four (24) inches.

(2) Block corners shall be one-half ( $\frac{1}{2}$ ) inch rods embedded flush with concrete in six (6) inch diameter cylinders of concrete extending from ground surface into the ground a minimum distance of eighteen (18) inches.

All survey work around the boundary area as well within the subdivision shall have an error of closure of one in seven thousand five hundred.

#### SEC. 2. (I) LAND DRAINAGE.

Lots in any proposed subdivision subject to flooding by rainfall, as determined by computations approved by the Council, will not be approved until drainage facilities adequate to carry off such rainfall have been installed.

Storm sewers, bridges, culverts, and inlets or catch basins of permanent design adequate to carry off such rainfall shall be installed by the subdivider throughout the entire length of the drainage area where the surface drainage traverses the subdivision.

#### SCHEDULE III

The following schedule of fees and charges shall be collected by the City Council when any map or plat of a proposed subdivision is submitted for its approval. Each of the fees and charges provided for herein shall be paid in advance, and no action of the Council shall be valid until the fee, herein provided, shall have been paid.

(1) Subdivision plat or map-----\$10.00

(2) Replats-----\$10.00

A certificate shall be made by the City Secretary showing that the fees provided for herein have been paid prior to the submission of the map or plat to the Council.

In the event the plat or map is rejected and a new plat must be submitted the original fees will not be refunded.

#### SECTION IV

Notwithstanding any of the requirements of this ordinance, if it be shown to the satisfaction of the Council that any of the requirements, if complied with, would work an undue hardship on the subdivider and that such requirement or requirements would not be for the best interest and general welfare of the citizens affected by this ordinance, the Council may waive such requirement or requirements.

#### SECTION V

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, unconstitutional, or void, the validity of the remaining portions of this ordinance shall not be affected thereby, it being the intent of the City Council in adopting the ordinance, that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reasons of the unconstitutionality or invalidity of any section, subsection, sentence, clause or phrase or provision of this ordinance.

#### SECTION VI

The City of Golinda hereby defines its policy to be that the City will withhold all City improvements of whatsoever nature, including the maintenance, recognition and acceptance of streets and the furnishing of utilities from all additions, the plat of which has not been approved by the Council.

PASSED AND APPROVED this the 7 day of MAY, 1987.

George Zinn  
Mayor, City of Golinda

ATTEST:

Velma Spicak  
City Secretary