



Monday, April 22, 2019
Planning and Zoning Commission Meeting

Council Chambers
3815 Sachse Road, Building B
6:00 p.m.

To address the Commission for any public hearing item, please sign a speaker's sheet located on the tables by the front entry and submit to the acting Secretary. You will have three (3) minutes to address the Commission. In accordance to the Open Meetings Act, the Commission may not discuss or take any action on any item which has not been posted on the agenda.

A. Regular Meeting - 6:00 PM

1. Call to Order: The Planning and Zoning Commission of the City of Sachse will hold a Regular Meeting on Monday, April 22, 2019 at 6:00 p.m. at Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:
2. Invocation and Pledge of Allegiance to the U.S. and Texas Flags.
3. Consider approval of the April 8, 2019 meeting minutes.
4. Conduct a public hearing to consider and make a recommendation on an ordinance amending the Code of Ordinances by amending Chapter 8 titled "Subdivisions".
5. Discussion of future agenda items, update on Council actions, training topics, and requests for new business consideration.
6. Adjournment.

I, the undersigned authority, do hereby certify that this notice of meeting was posted in accordance with the regulations of the Texas Open Meetings Act and on the bulletin board, an accessible location at Sachse City Hall.

Michelle Lewis Sirianni, City Secretary

Accommodation requests for persons with disabilities should be made at least 48 hours prior to the meeting by contacting Lauren Rose, ADA Coordinator, via phone at 972.429.4770, via email at lrose@cityofsachse.com, or by appointment at 3815 Sachse Road, Building B, Sachse, Texas 75048.

**Agenda Item Details**

Meeting	Apr 22, 2019 - Planning and Zoning Commission Meeting
Category	A. Regular Meeting - 6:00 PM
Subject	3. Consider approval of the April 8, 2019 meeting minutes.
Access	Public
Type	Action, Minutes
Recommended Action	Approve as presented.
Minutes	View Minutes for Apr 8, 2019 - Planning and Zoning Commission Meeting

Public Content

Planning and Zoning Commission Meeting (Monday, April 8, 2019)

Generated by Charlotte Youngblood on Tuesday, April 9, 2019

Members present

Scott Ohman, Chance Lindsey, Jeanie Marten, Bill Thrash, Teddy Kinzer

Meeting called to order at 6:00 PM

1. Call to Order: The Planning and Zoning Commission of the City of Sachse will hold a Regular Meeting on Monday, April 8, 2019 at 6:00 p.m. at Sachse City Hall, 3815 Sachse Road, Building B, Sachse, Texas to consider the following items of business:

Chairman Lindsey opened the meeting of the Planning and Zoning Commission at 6:00 PM.

2. Invocation and Pledge of the Allegiance to the U.S. and Texas Flags.

Commissioner Marten offered the invocation. Commissioner Kinzer led the pledges.

3. Consider approval of the March 11, 2019 meeting minutes.

Approved as presented.

Motion by Jeanie Marten, second by Bill Thrash.

Final Resolution: Motion Carries

Yes: Scott Ohman, Chance Lindsey, Jeanie Marten, Bill Thrash, Teddy Kinzer

4. Consider and make a recommendation on a preliminary plat application for Hudson Hills subdivision, generally located along Rosewood Lane and Hudson Drive, within Sachse City limits.

Matt Robinson, Development Services Director, made a presentation. He stated the preliminary plat for Hudson Hills has 67 single family lots and is on approximately 17.72 acres of land. He stated that the proposed plat is in conformance with the subdivision regulations and staff recommends approval.

Approve the preliminary plat as submitted

Motion by Jeanie Marten, second by Scott Ohman.

Final Resolution: Motion Carries

Yes: Scott Ohman, Chance Lindsey, Jeanie Marten, Bill Thrash, Teddy Kinzer

5. Discussion of future agenda items, update on Council actions, training topics, and requests for new business consideration.

Robinson updated the commission on future agenda items.

6. Adjournment.

The meeting was adjourned at 6:09 PM

Secretary

Chairman



Agenda Item Details

Meeting	Apr 22, 2019 - Planning and Zoning Commission Meeting
Category	A. Regular Meeting - 6:00 PM
Subject	4. Conduct a public hearing to consider and make a recommendation on an ordinance amending the Code of Ordinances by amending Chapter 8 titled "Subdivisions".
Access	Public
Type	Action, Discussion, Information
Fiscal Impact	No
Budgeted	No
Recommended Action	Staff recommends approval of the proposed amendment to the Subdivision Regulations. The recommendation of the Planning & Zoning Commission will be forwarded to the City Council for final action at their May 6, 2019 meeting.

Public Content

BACKGROUND

- The maintenance of existing ordinances is considered routine in order to provide a healthy and functioning regulatory framework that meets the needs of the community.
- Proposed revisions are intended to:
 - Update regulations to implement standards adopted by the PGBT and Old Town zoning districts;
 - Streamline processes to facilitate development; and
 - Clean up outdated references and provisions.

OVERVIEW

- The Subdivision Regulations provide for the safe, efficient, and orderly development of the city by facilitating the adequate provision of transportation, water, sewage, parkland, and other public requirements.
- The Subdivision Regulations are one of the tools used to implement the City's Comprehensive Plan.
- As part of the City's 2017 Comprehensive Plan implementation strategy, the ongoing maintenance of regulations and the streamlining of processes and provisions are identified tasks.

POLICY

- Facilitating development within the PGBT and Old Town zoning districts by enacting standards that align with the existing zoning regulations for those areas.
- The creation of a separate Engineering Design Manual to house all specifications and standards for all infrastructure and other related improvements.
- Streamlining the processing of plats to have final approval authority take place at the Planning & Zoning Commission unless a waiver or variance is requested.

RECOMMENDATION

Staff recommends approval of the proposed amendments to the Subdivision Regulations. The recommendation of the Planning & Zoning Commission will be forwarded to the City Council for final action at their May 6, 2019 meeting.

Staff Presentation Subdivision Ordinance Amendments.pdf (1,760 KB)

Chapter 8 Subdivisions - Redline.pdf (265 KB)

Subdivision Ordinance Amendment

PLANNING & ZONING COMMISSION

APRIL 22, 2019



Request

Conduct a public hearing to consider and make a recommendation on an ordinance amending the Code of Ordinances by amending Chapter 8 “Subdivisions”.



Overview

Proposed revisions are intended to:

- Update regulations to implement standards established by the PGBT and Old Town zoning districts;
- Streamline processes to facilitate development; and
- Clean up outdated references and provisions.



Notable Proposed Changes

• Plat approval authority

☐ Planning & Zoning Commission would act as final approval board for Preliminary Plats

- Plats are ministerial and State law requires that a plat must be approved if meeting the City's Subdivision Regulations; streamlines the process
- While plats are ministerial, waiver requests are discretionary and the proposed amendment would have Council retain final approval authority on plats with waiver requests.

☐ Allows for 90-day filing extension to be approved by the Director of Development Services

- Preliminary plats expire after two (2) years and currently require any extensions to be approved by the Planning & Zoning Commission.

☐ Addition of administratively complete section

- The 30-day window for action on a plat is no longer triggered at submittal, but at the point the application is deemed complete (i.e. meets all requirements of the subdivision regulations).

Notable Proposed Changes (cont'd.)

•Block requirements

- ☐ Update requirements to align with block length and block perimeter requirements established under the PG&T Zoning District.

•Lot requirements

- ☐ Within the PG&T Zoning District, allow residential lots to front directly onto a park, open space, or common area on a case-by-case basis. Adequate provisions for access and fire safety would be required.
 - All lots are currently required to abut a public street; this provision would allow for lots to front on common areas, parks, or open spaces on a limited basis with adequate access, safety and parking provisions.
- ☐ Update requirements to align with requirements established under the PG&T Zoning District
 - Allow for single family detached lots to be no less than 90 feet in depth and townhome lots to be no less than 80' in depth in the PG&T zoning district.
- ☐ Allow lots within the R-E Single-Family Dwelling District to be served by private drives as currently permitted under the existing zoning regulations.
 - Current procedure requires a variance to the subdivision regulations, despite being permitted by right under the zoning standards.

Residential Lot Frontage – Park/Muse/Open Space lots



Notable Proposed Changes (cont'd.)

- Creation and update of Engineering Design Manual

- ☐ Consolidates and replaces the design requirements for Water & Wastewater Design, Drainage and Stormwater Pollution Prevention Design, and Paving Design – places them in a single easy to follow document.
- ☐ Removes design criteria from the Subdivision Regulations into a separate document adopted by the Council.
- ☐ Updates street and alley design guidelines to facilitate development within the PGBT Zoning District and in estate residential areas – incorporates street/alley cross-sections adopted with the PGBT Zoning District and those previously adopted in Pleasant Valley Estates for rural residential (1+ acre lots).

Engineering Design Manual

- Current design standards are located within multiple sections of the City Code of Ordinances, including Building Regulations, the Subdivision Ordinance, and the Zoning Ordinance.
- This situation can make it difficult and confusing for developers and engineers to locate the appropriate design standards.
- A complete Engineering Design Manual will place all of these standards/requirements in a simple, easy to follow document, which will be posted to the City Website in the Engineering Department.

Engineering Design Manual (cont'd.)

- The PG&T zoning includes new street cross-sections with different street and alley standards from those utilized in the rest of the City.

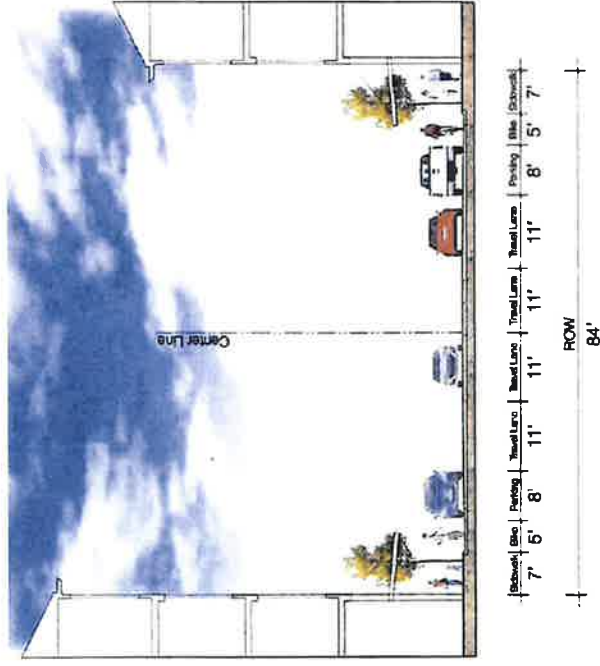
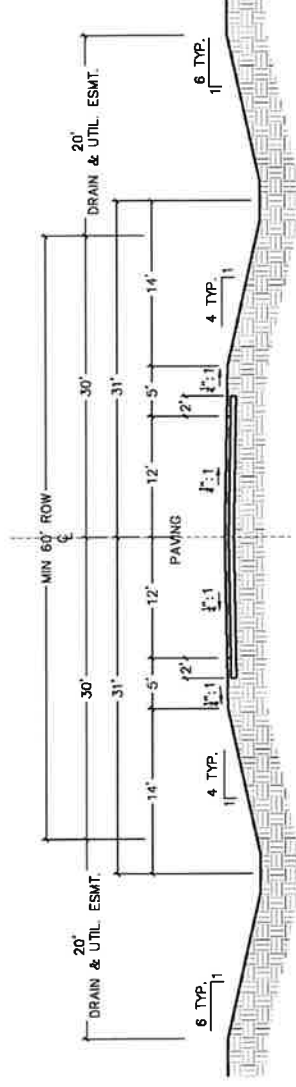


TABLE 14.8.1 STREET CLASSIFICATIONS

Street Type	ROW (Recommended Min.)		Number of Lanes	Number of Bike Lanes	Vehicle Lane Widths	Bike Lane Width	On-Street Parking	Parkway/Tree Well
	Paved Area	Ped. Realm						
A	72 FT (Angled or Parallel)	12 FT	4	2	11 FT	5 FT	Yes	5 x 5 FT (Min.)
B	42 FT	12 FT	2	N/A	12 FT	N/A	Yes, Parallel	5 x 5 FT (Min.)
General	40 FT	12 FT	2	N/A	11 FT	N/A	Yes, Parallel	5 x 5 FT (Min.)
Alley	32 FT (Garage to Garage)	None	N/A	None	N/A	N/A	None	None

Engineering Design Manual (cont'd.)

- In estate residential areas (1+ acre lots), the design needs for streets and drainage systems is different than what is needed in standard suburban residential areas.



TYPICAL PAVEMENT SECTION
ESTATE RESIDENTIAL (CONCRETE) STREET
N.T.S.



Recommendation & Next Steps

- Staff recommends approval of the proposed ordinance amendment.
- The recommendation of the Planning & Zoning Commission will be forwarded onto the City Council for final action.

Next Steps:

5-6-19: City Council Regular Meeting

Sec. 8-1. Title.

This chapter shall be known and may be cited as “The City of Sachse Subdivision Ordinance.” (~~Ordinance 3401, sec. 1, adopted 7/2/12~~)

Sec. 8-2. Authority.

This chapter is adopted under the authority of the City Charter, the Constitution and Laws of the State of Texas, including Chapter 212 of the Texas Local Government Code, as amended. (~~Ordinance 3401, sec. 1, adopted 7/2/12~~)

Sec. 8-3. Intent and purpose.

A. Intent. In the interpretation and application of the provisions of these regulations, it is the intention of the city council that the principles, standards and requirements provided for herein shall be minimum requirements for the platting and developing of subdivisions in the City of Sachse and, where other ordinances of the city are more restrictive in their requirements, such other ordinances shall control.

B. Purpose.

- (1) Promote and develop the utilization of land in a manner to assure the best possible community environment in accordance with the adopted plans and regulations of the City of Sachse;
- (2) Guide and assist the developers in the correct procedures to be followed and to inform them of the standards which shall be required;
- (3) Protect the public interest by supervising the location, design, class and type of streets, sidewalks, utilities and essential areas and services required; and
- (4) Protect and promote the public health, safety and general welfare.

C. Every owner of any tract of land situated within the corporate limits of the city who divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to the city, to lay out a building lot or other lots, or to lay out streets, alleys, squares, parks or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts must have a plat of the subdivision prepared and approved according to this chapter. A division of a tract under this chapter includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executing contract, or by using any other method. A division of land does not include a division of land into parts greater than five acres, where each part has access and no public improvement is dedicated.

D. The procedure for approving a plat requires a preliminary plat and final plat. The requirement for a preliminary plat may be omitted with the approval of the city manager. Except as otherwise permitted, the approval of a preliminary plat by the planning and zoning commission and city council is required for the construction of public improvements on the property. The preliminary plat and the associated engineering plans for the property may be amended during construction, with only major changes requiring re-approval by the planning and zoning commission. Upon completion of the required public improvements, or the provision of an improvement agreement, the owner may submit a corrected final plat for the subdivision. Lots may be sold and building permits obtained after approval of the final plat by the planning and zoning commission, and the recording thereof.

(~~Ordinance 3401, sec. 1, adopted 7/2/12~~)

Sec. 8-4. Applicability.

This chapter shall apply to all Subdivisions of land within the corporate limits and within the extra territorial jurisdiction of the City of Sachse, Texas, and for other areas as may be authorized by Chapter 212 of Local Government Code. (~~Ordinance 3401, sec. 1, adopted 7/2/12~~)

Sec. 8-5. Definitions.

City council. The governing body of the City of Sachse, Texas.

City engineer. Person employed by the city as the ~~city engineer~~director of public works and engineering or their designee.

City manager. Person employed by the city as city manager.

City staff. The director of ~~community~~ development services or designee and other officials of the city designated by the city manager.

Comprehensive plan. The comprehensive plan of the city adopted by the city council, as amended from time to time. The comprehensive plan indicates the general locations recommended for various land uses, transportation routes, streets, parks and other public and private developments and improvements.

Comprehensive zoning ordinance. The city comprehensive zoning ordinance, as amended.

~~Design standards. Collectively means the Drainage and Stormwater Pollution Prevention Design Manual, Paving Design Manual, and Water and Wastewater Design Manual adopted by resolution or ordinance from time to time, as amended.~~

Development. The subdivision of land and/or the construction or reconstruction of one or more buildings or the structural alteration, relocation or enlargement of any buildings or structures on a lot, tract, or tracts of land.

Developer. The owner of property or the person authorized by the owner to develop the property.

Director of ~~community~~ development services. Person employed by the city as director of ~~community~~ development services.

~~Drainage and Stormwater Pollution Prevention Design Manual. The City of Sachse Drainage Standards adopted by ordinance from time to time, as amended.~~

Easement. One or more of the property rights granted by the owner to and/or for the use by the public or another person or entity.

Engineer. A person licensed as a professional engineer duly authorized under the provisions of the Texas Engineering Practice Act, as amended, to practice the profession of engineering.

~~Engineering design manual or City of Sachse engineering design manual. The current engineering design manual adopted by the City, and as such engineering design manual is thereafter amended.~~

Engineering plans. The drawings and specifications prepared by a registered professional engineer submitted to the city and required for plat approval.

Improvement agreement. A contract entered into by the developer and the city by which the developer promises to complete the required public improvements within the subdivision within a specific time period following final plat approval in accordance with this chapter. An improvement agreement may be entitled as a facilities agreement, developer's agreement or other similar contract title as entered into by the developer and the city.

Lot. An undivided tract or parcel of land under one ownership having frontage on a public street, and either occupied or intended to be occupied by one main building and the required parking, or a group of main buildings, and accessory buildings, which parcel of land is designated as a separate and distinct tract and building site.

~~May. The word "may" is permissive.~~

Owner. Fee simple title owner of the land comprising a subdivision or the owner's authorized representative.

~~Paving Design Manual. The City of Sachse Paving Standards adopted by ordinance from time to time, as amended.~~

Plat. The graphic representation of a subdivision, resubdivision, combination of lots or tracts, or recombination of lots or tracts. Plat includes, a replat, minor plat and amending plat.

Plat, amending. A plat as described by the Texas Local Government Code Section 212.016, as amended.

~~Plat, final. The final plat of a subdivision, resubdivision, and replat that is approved by the city council and is not subject to further amendment.~~

Plat, minor. A plat which contains four or fewer lots fronting on an existing street and not requiring the creation of any new street or extension of municipal facilities as described by the Texas Local Government Code Section 212.0065, as amended.

Plat, preliminary. The initial plat or working draft map or plan of a proposed development submitted to the planning and zoning commission and the city council for approval.

Planning and zoning commission. The Planning and Zoning Commission of the City of Sachse, Texas.

Property owner. ~~The record title holder of the lot or tract.~~

Shall. The word “shall” is always mandatory and nondiscretionary.

~~**Standard construction details.** Means the city's standard construction details, as adopted by the city, and amended from time to time.~~

Storm drainage master plan. The Master Plan for the City of Sachse for storm drainage facilities adopted by ordinance from time-to-time, as amended.

Street. A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, private place or however otherwise designated, other than an alley or driveway.

Structure. Anything constructed or erected, the use of which requires location on the ground, or which is attached to something having a location on the ground.

Subdivision. The division of any tract of land situated within the corporate limits, or within the city's extraterritorial jurisdiction, in two or more parts, or the identification of a single tract, for the purpose of laying out any subdivision of any tract of land or any addition to the city, or for laying out suburban lots or building lots, or any lots, streets, alleys, squares, parks or other parts intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts for the purpose, whether immediate or future, of creating building sites. A division of a tract includes a division regardless of whether it is made by using metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. Subdivision includes re-subdivision, but it does not include the division of land into parts greater than five acres, where each part has access and no public improvement is dedicated.

Substantial completion. Shall mean that stage in the progression of the work when the work is sufficiently complete in accordance with the approved construction plans that the city can enjoy beneficial use or occupancy of the public improvement and can utilize the public improvement for its intended purpose, even though minor miscellaneous work and/or adjustment may be required.

Substantial completion letter. A letter prepared by the city engineer to the developer certifying that the public improvements are substantially complete and allowing the developer to submit the final plat to the city for staff review.

Surveyor. A registered professional land surveyor as authorized by state law to practice the profession of surveying as authorized by the Land Survey Practices Act, as amended.

Temporary improvement. Improvements built and maintained by an owner during construction of the development of the subdivision or addition and prior to the acceptance of the performance bond or improvements required for the short term use of the property.

Thoroughfare. ~~Means any planned or existing roadway within the city.~~

Thoroughfare plan. The thoroughfare plan of the city and area traffic circulation plans included in the comprehensive plan, as it may be amended from time to time.

Vicinity location map. A small vicinity location map which shows sufficient streets, collector and arterial street names, and major features of the surrounding area to locate the area being subdivided.

Wastewater master plan. The Master Plan for the City of Sachse for wastewater facilities adopted by ordinance from time-to-time, as amended.

~~**Water and Wastewater Design Manual.** The City of Sachse Water and Wastewater Standards adopted~~

time to time, as amended.

~~(Ordinance 3401, sec. 1, adopted 7/2/12; Ordinance 3594, sec. 1, adopted 6/2/14)~~

Sec. 8-6. Filing fees.

A. Preliminary and final plats.

(1) Filing fees for plats as shown in the master fee schedule established by resolution of the city council from time-to-time shall be paid by the developer at time of application.

(2) Plat recordation fees which are charged by Dallas County and/or Collin County shall be paid by the developer directly to the appropriate county when the developer records the plat with that county.

~~(Ordinance 3401, sec. 1, adopted 7/2/12)~~

~~Sec. 8-7. Previously filed applications.~~

~~A. Where an application was filed for review prior to July 2, 2012, the city regulations in effect prior to that date shall apply but the developer may elect to develop the property under this subdivision ordinance. This election shall be made in writing at the time of application and shall be binding for the life of the project. The developer shall not be allowed to select provisions from both the regulations and the developer shall not be granted any waiver to this elective requirement. (Ordinance 3401, sec. 1, adopted 7/2/12)~~

Sec. 8-87. Waivers.

A. Authorization. The city council may authorize a waiver from these regulations when in its opinion undue hardship will result from requiring strict compliance. In granting waiver, the city council shall prescribe only conditions that it deems necessary or desirable to the public interest and making the findings herein below required. The city council shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such waiver upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No waiver will be granted unless the city council finds:

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

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

(3) That the granting of the waiver will not have the effect of preventing the orderly Subdivision of other lands in the area in accordance with the provisions of this chapter. Such finding of the city council together with the specific facts on which such findings are based shall be incorporated under the official minutes of the city council meeting at which such waiver is granted. Waivers may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice done. Pecuniary hardship to the sub-divider, standing alone, shall not be deemed to constitute undue hardship.

~~(Ordinance 3401, sec. 1, adopted 7/2/12)~~

Sec. 8-98. Penalty and enforcement.

A. Any individual (including any officer, agent or employee acting in behalf of any individual, firm, association or corporation) who shall violate any provision of this chapter within the corporate limits or within the extra territorial jurisdiction of the city, shall be guilty of a misdemeanor and, upon conviction shall be subject to a fine not to exceed \$2,000.00, and each day that such violation continues shall constitute a separate offense. ~~(Ordinance 3401, sec. 1, adopted 7/2/12)~~

Sec. 8-109. Preliminary platting procedures.

A. Pre-development meeting. A pre-development meeting shall be held between the applicant and city staff prior to submission of a preliminary plat application for the purpose of advising the applicant as

B. Generally.

~~_(1) Prior to the filing of a preliminary plat, the developer shall meet with the city staff for a pre-development meeting.~~

(21) ~~After the pre-development meeting,~~ The developer shall ~~file~~ submit the required number of copies of the preliminary plat of the proposed subdivision with the city for submission to the planning and zoning commission, and include the required filing fees and tax certificates showing all taxes have been paid on the property being platted.

(32) The following notice shall be stamped on the face of each preliminary plat: "Preliminary Plat - for inspection purposes only and in no way official or approved for record purposes."

(43) Preliminary plats shall be distributed by city staff to city departments. The owner shall be provided an opportunity to attend a developer/city staff meeting for the purpose of notifying the developer of necessary corrections.

(54) The community development department shall accumulate the comments of the city departments, and conduct a developer/city staff meeting to report the comments and requested corrections to the developer. The developer shall be allowed to make comment or make required corrections and submit the corrected preliminary plat to the community development department for submission to the planning and zoning commission. The corrected preliminary plat shall be submitted within 30 days of the date the original preliminary plat was officially filed and prior to the meeting of the planning and zoning commission at which such preliminary plat is scheduled for consideration. Upon timely receipt, the director of community development shall submit the corrected preliminary plat to the planning and zoning commission.

(65) A written report shall be prepared by city staff and submitted to the planning and zoning commission stating the review comments of the preliminary plat noting any unresolved issues.

(76) Following review of the preliminary plat and other materials submitted in conformity with this chapter, the planning and zoning commission shall act on a preliminary plat, within 30 days after the date the preliminary plat is officially filed. The planning and zoning commission may either:

- (a) Approve the preliminary plat as presented;
- (b) Approve the preliminary plat with conditions; or
- (c) Disapprove the preliminary plat. If disapproved, the planning and zoning commission upon written request, shall state the reasons for disapproval. A conditional approval shall be considered a disapproval until the conditions have been satisfied.

(87) The actions of the planning and zoning commission shall be noted on two copies of the preliminary plat. One copy shall be returned to the developer and the other retained in the files of the ~~community~~ development services department.

~~_(9) The planning and zoning commission shall, in its action on the preliminary plat, consider the physical arrangement of the subdivision and determine the adequacy of the street and thoroughfare rights-of-way and alignment and the compliance of the streets and thoroughfares with the major thoroughfare plan, the existing street pattern in the area and with any other applicable provisions of the zoning ordinance and comprehensive plan. The planning and zoning commission, based on city staff recommendations, shall also ascertain that adequate easements for proposed or future utility service and surface drainage are provided, and that the lot sizes and area comply with the zoning ordinance and are adequate to comply with the minimum requirements for the type of sanitary sewage disposal proposed. All on-site sewage disposal systems shall meet the minimum standards required by the City Code of Ordinances and the regulations of Dallas or Collin Counties and of the Texas Commission on Environmental Quality, or their successors.~~

~~_(10) After approval of a preliminary plat by the planning and zoning commission, the community development department shall forward the preliminary plat to the city council for consideration at the next available city council meeting.~~

~~_(11) The city council shall act on the preliminary plat within 30 days after the date the preliminary plat is approved by the planning and zoning commission or is considered approved by the expiration of the~~

(428) Approval of a preliminary plat by the planning and zoning commission and/or the city council is not approval of the final plat but is an expression of approval of the layout shown subject to satisfaction of specified conditions. The preliminary plat serves as a guide in the preparation of a final plat.

C. Standards for approval. No preliminary plat shall be approved unless the following standards have been met:

(1) The preliminary plat conforms to the applicable zoning and all other requirements of this chapter and the City Code of Ordinances; and

(2) A tree management plan has been approved in accordance with the regulations in the City Code of Ordinances.

D. Data requirement. All preliminary plat applications shall include the following at the time of submittal:

(1) ~~An approved~~A preliminary drainage plan and study, including the 100-year floodplain, and any existing or proposed drainage easements affecting the plan;

(2) Preliminary water extension and layout plan;

(3) Preliminary sanitary sewer extension and layout plan;

(4) The number of copies, page sizes and specific data requirements shall be in accordance with application guidelines provided by the ~~community~~-development services department.

(5) A preliminary plat shall not be determined to be complete if it does not conform to the requirements of this Code. A preliminary plat shall be considered filed on the date the application is considered complete.

E. Effect of approval. Approval of a preliminary plat by the planning and zoning commission ~~and/or~~ city council constitutes authorization for the property owner to submit engineering plans for review by the city engineer.

F. Changes or alterations to approved preliminary plat. No previously approved preliminary plat may be changed or altered, except to bring the plat in conformance with the conditions and requirements stipulated by the planning and zoning commission and/or city council. Minor changes as outlined below shall be permitted at the discretion of the director of ~~community~~-development services:

(1) The proposed internal street and/or circulation system and alignments may be altered if minor in nature. Changes to street classifications, connections to perimeter streets, or extensions to the subdivision's perimeter to un-subdivided property shall not be considered minor alterations.

(2) A net increase, not to exceed three percent of the total residential lots (rounded to the nearest whole number) in the overall lot yield of the approved preliminary plat may be made, except as elsewhere prohibited by these regulations.

(3) If the director of ~~community~~-development services determines that the proposed changes are minor, a revised preliminary plat may be approved administratively. A revised preliminary plat shall include all property within the boundary of the original preliminary plat. A revision to a preliminary plat shall not affect the expiration date of the plat and shall carry the same expiration as outlined below.

G. Expiration of preliminary plat approval.

(1) The approval of a preliminary plat expires 24 months after the date of ~~city council~~-approval unless a final plat is submitted and has received approval by the planning and zoning commission for the property within such period, or the period is extended by the ~~planning and zoning commission~~director of development services in accordance with the extension and reinstatement guidelines contained herein.

(2) If the time period is not extended, or a final plat is not submitted and approved by the planning and zoning commission within the 24-month-period, the preliminary plat approval shall be null and void and the owner shall be required to submit a new plat for the property subject to the then existing zoning, subdivision and other regulations.

H. Extension and reinstatement of expired preliminary plat.

(1) ~~Sixty days prior to or following the lapse of approval for a preliminary plat as provided in these~~

final plat may be extended at the written request of the subdivider. The first filing extension (not to exceed 90 days) may be granted by the director of development services. Any further requests for extension shall be considered by the planning and zoning commission.

(2) In determining whether to grant such request, the planning and zoning commission shall take into account the reasons for lapse, the ability of the owner to comply with any conditions attached to the original approval and the extent to which newly adopted zoning and subdivision regulations shall apply to the preliminary plat. The planning and zoning commission may extend or reinstate the preliminary plat or deny the request, in which instance the owner must submit a new preliminary plat application for approval.

~~(3) The planning and zoning commission may extend or reinstate the approval subject to additional conditions based upon newly enacted regulations such as are necessary to issue compliance with the original conditions of approval. The planning and zoning commission may also specify a shorter time for lapse of the extended or reinstated preliminary plat than is applicable to original preliminary plat approval.~~

I. Waiver of requirement for preliminary plat. A preliminary plat is not required when a minor plat or conveyance plat is submitted in accordance with the requirements of this chapter.

~~(Ordinance 3401, sec. 1, adopted 7/2/12)~~

Sec. 8-~~1110~~. Final platting procedures.

A. Generally.

(1) After approval of the preliminary plat by the planning and zoning commission ~~and the city council~~ and, upon substantial completion of the required public improvements and issuance of a substantial completion letter from the city engineer to the developer or the provision of an improvement agreement as allowed herein, the owner shall submit a final plat for the property for approval.

(2) The final plat shall conform substantially to the approved preliminary plat and, if desired by the developer, may cover only a phase of the approved preliminary plat; provided, however, such phase conforms to all the requirements of this chapter and the approved preliminary plat indicated the phasing of such development.

(3) The final plat shall be distributed to the city departments and other agencies for review and comment in the same manner as a preliminary plat.

(4) The ~~community~~-development services department shall accumulate the comments of the city departments and agencies and conduct a developer/city staff conference to report the comments and requested corrections to the developer. The developer shall make comments or make the required corrections and submit the corrected final plat to the ~~community~~-development services department for submission to the planning and zoning commission. ~~The corrected final plat shall be submitted within 30 days of the date the original final plat was officially filed and prior to the meeting of the planning and zoning commission at which the original final plat is scheduled for consideration.~~

(5) The final plat shall be submitted to the planning and zoning commission at the next available meeting with any appropriate comments and recommendations by the ~~community~~-development services department. The planning and zoning commission shall act on the final plat within 30 days after the official filing date. If no action is taken by the planning and zoning commission within such period, the final plat shall be deemed approved. A certificate showing the filing date and failure to take action thereon within the 30-day period shall on request be issued by the planning and zoning commission, which shall be sufficient in lieu of a written endorsement of approval. The planning and zoning commission shall be the final approval authority for final plats. The denial of approval of a final plat shall not be appealable to the city council.

(6) The planning and zoning commission shall consider the final plat, including all proposals by the owner with respect to the dedication of right-of-way for public use, the construction of utilities, streets, drainage and other improvements.

(7) The approval of the final plat by the planning and zoning commission shall authorize the planning and zoning commission chairperson to execute the certificate of approval on the final plat.

(9) Final plats disapproved by the planning and zoning commission shall be returned to the developer by the ~~community development~~ services department.

(10) In the event a final plat is approved by the planning and zoning commission for a subdivision in phases, the final plat of each phase shall carry the same name throughout the entire subdivision, but bear a distinguishing letter, number or subtitle. Lot and block numbers shall run consecutively throughout the entire subdivision, even though such subdivision may be finally approved in phases.

B. Standards for approval. No final plat shall be approved unless the following standards have been met:

- (1) The final plat substantially conforms to the preliminary plat;
- (2) The city engineer has issued a substantial completion letter indicating required public improvements have been substantially constructed, and/or an improvement agreement has been approved by the city for the subsequent completion of the public improvements;
- (3) The final plat conforms to the applicable zoning and all other requirements of this chapter;
- (4) Provisions have been made for adequate public facilities under the terms of this chapter; and
- (5) All required fees have been paid.

C. Data requirement.

(1) The subdivider shall submit to the ~~community development~~ services department the necessary copies of the final plat and required supporting data prepared in accordance with the requirements set forth in the application guidelines provided by the ~~community development~~ services department. All documents shall be signed and dated by the applicant or person preparing the plans.

(2) The final plat shall be prepared and signed by a registered professional land surveyor.

(3) A final plat shall not be determined to be complete if it does not conform to the requirements of this Code. A final plat shall be considered filed on the date the application is considered complete.

D. Execution and recordation.

(1) When an improvement agreement and security are required, the chairperson of the planning and zoning commission shall endorse approval on the final plat after the improvement agreement and security have been approved by the city attorney and all the conditions pertaining to the final plat have been satisfied. A final plat for which an improvement agreement has been approved shall contain the following notation on the final plat:

“This Subdivision is subject to an Improvement Agreement pursuant to the City of Sachse, Texas Subdivision Ordinance. All or some of the public infrastructure were not constructed and accepted by the City of Sachse, Texas prior to approval of this Final Plat.”

(2) When substantial completion of the public improvements is required prior to recordation of the Final Plat, the Chairperson of the Planning and Zoning Commission shall endorse approval on the Final Plat after all conditions of approval have been satisfied and all public improvements are substantially completed as provided for a written substantial completion letter by the City Engineer. There shall be written evidence that the required public improvements have been substantially completed and have been completed in a manner satisfactory to the City as shown by a letter signed by the City Engineer stating that the necessary dedication of public lands and substantial completion of public improvements have been accomplished.

(3) The property owner shall be responsible for filing the final plat with the appropriate county clerk. Simultaneously with the filing of the final plat, the property owner shall record such other agreements of dedication and legal documents as shall be required to be recorded by the planning and zoning commission and the city attorney. The final plat, bearing all required signatures, shall be recorded after final approval and within five working days of its receipt. One copy of the recorded final plat, with street addresses assigned, will be forwarded to the owner by the city staff.

(4) Approval of a final plat shall certify compliance with the regulations of the City of Sachse pertaining to the subdivision. An approved and signed final plat may be filed with the appropriate county

(1) If public improvements for a subdivision have not been constructed and accepted by the city and the corresponding final plat for said subdivision has not been filed in the appropriate county plat records within two years after the date of final plat approval by the planning and zoning commission, said final plat shall be null and void and shall conclusively be deemed to be withdrawn without further action by the city. This provision shall not apply to final plats approved by the city prior to the effective date of this section.

~~(2) Final plats approved prior to the effective date of this section shall become null and void and shall be conclusively deemed to be withdrawn without further action by the city on July 3, 2014, if the public improvements for the subdivision have not been constructed and accepted by the city and the corresponding final plat for said subdivision filed in the appropriate county plat records.~~

(32) An approved, unexpired final plat may upon written request by the subdivider be extended once by the director of development services for a period not to exceed 90 days. ~~once by T~~ the planning and zoning commission upon written request, may extend approval once for a period not to exceed 12 months provided:

- (a) Good cause is shown by the developer; and
- (b) There has been no significant change in development conditions affecting the subdivision; and
- (c) The final plat continues to comply with all applicable, regulations, standards and this chapter.

~~(Ordinance 3401, sec. 1, adopted 7/2/12; Ordinance 3594, sec. 1, adopted 6/2/14)~~

Sec. 8-4211. Vacating plats, replats and amending plats.

A. Vacating plats.

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

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

(3) The planning and zoning commission and city council shall disapprove any vacating instrument which abridges or destroys public rights in any of the public uses, improvements, streets or alleys.

(4) Upon approval and recording with the appropriate county clerk, the vacated plat has no effect.

B. Re-platting without vacating preceding plat.

(1) A re-plat of a subdivision or part of a subdivision may be recorded and is controlled over the preceding plat without vacation of that plat if the replat:

- (a) Is signed and acknowledged by only the owners of the property being platted;
 - (b) Does not attempt to amend or remove any covenants or restrictions; and
 - (c) Is approved, after a public hearing on the matter, by the planning and zoning commission.
- (2) An application for a replat shall follow the same procedure required for preliminary and final plats.

C. Additional requirements for certain replats.

(1) In addition to compliance with section 8-11 B., a replat without vacation of the preceding plat must conform to the requirements of this section if:

- (a) During the preceding five years any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or
- (b) Any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.

(2) Notice of the public hearing as required in section 8-11 B. shall be given before the 15th day before the date of the public hearing by:

- (a) Publication in the official newspaper; and

replat is requested.

(3) If the proposed re-plat requires a waiver and is protested in accordance with this subsection, the proposed re-plat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present at the meeting of the planning and zoning commission. For a legal protest, written instruments signed by owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed re-plat and extending 200 feet from that area, but within the original subdivision, must be filed with the planning and zoning commission prior to the close of the public hearing.

(4) In computing the percentage of land area under section 8-11 C.(3) above, the area of streets and alleys shall be included.

(5) Compliance with section 8-11 C.(3) and (4) is not required for approval of a replat of part of a preceding plat if the area to be re-platted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

D. Administrative approval of certain amending plats, minor plats and re-plats.

(1) The director of ~~community~~ development services is authorized to approve the following:

- (a) Amending plats described by Section 212.016 Texas Local Government Code;
- (b) Minor plats involving four or fewer lots fronting an existing street and not requiring the creation of any new street or extension of municipal facilities; and
- (c) A replat under Section 212.0145 Tex. Loc. Gov't Code that does not require the creation of any new street or the extension of municipal facilities.

(2) The director of ~~community~~ development services may for any reason elect to present an amending plat, minor plat or re-plat meeting the requirements of section 8-11 D.(1) above to the planning and zoning commission for approval.

(3) Any amending plat, minor plat or re-plat meeting the requirements of this section which the director of ~~community~~ development services fails or refuses to approve shall be submitted to the planning and zoning commission for approval.

~~(Ordinance 3401, sec. 1, adopted 7/2/12)~~

Sec. 8-4312. Conveyance plats.

A. Generally. A conveyance plat is a boundary survey drawn as a plat. Easements, dedications and reservations may be recorded on a conveyance plat. Engineering plans are not required to process a conveyance plat, unless the developer plans to construct limited improvements on the property. Development fees are not collected at the time of conveyance plat approval.

B. Purpose. The purpose of a conveyance plat is to subdivide land and to provide for recordation of same, for the purpose of conveying (i.e., selling) the property without developing it. A conveyance plat may be used to convey the property or interests therein; however, a conveyance plat does not constitute approval for any type of development on the property. A Conveyance Plat is an interim step in the subdivision and development of land.

C. Applicability. A conveyance plat may be used in lieu of a final plat to record the subdivision of property in the following instances:

(1) To record the remainder of a parent tract that is larger than five acres, and that is created by the record platting of a portion of the parent tract, provided that the remainder is not intended for immediate development; or

(2) To record the subdivision of a property into parcels, five acres or smaller in area, that are not intended for immediate development, provided that each parcel has direct access to all required public improvements (water, sanitary sewer, storm sewer) via dedicated easements or direct adjacency to existing infrastructure, each parcel has frontage on an existing public right-of-way, and each parcel has frontage on an existing public right-of-way, and the proposed lot meets the minimum lot dimension

"This Conveyance Plat shall not convey any rights to Development or guarantee of public utilities, public or private access, or issuance of addressing and permits, without compliance with all Subdivision rules and regulations and the approval and recording of a Final Plat. A Conveyance Plat is filed for record in the appropriate County Clerk office upon administrative approval by the Director of Community Development."

~~(Ordinance 3401, sec. 1, adopted 7/2/12)~~

Sec. 8-~~44~~13. Public sites and open spaces.

A. Location of public sites. The sub-divider shall give consideration to suitable sites for schools, parks, playgrounds and other areas for public use so as to conform with the recommendations of the city council. Any provision for schools, parks, etc. shall be indicated on the preliminary plat.

B. Development adjacent to public sites. In cases where a subdivision contains or abuts a school, park or playground, the subdivider shall dedicate one-half plus five feet of a normal street but not less than 30 feet, and provide for one-half the cost of paving and the full cost of all the utilities necessary. The interested agency shall provide the necessary right-of-way for the remainder of the street.

~~(Ordinance 3401, sec. 1, adopted 7/2/12)~~

Sec. 8-~~45~~14. Completion and maintenance of public improvements.

A. Construction plan procedure.

(1) General application requirement. Construction plans shall be prepared by or under the supervision of a professional engineer or architect registered in the State of Texas as required by state law governing such professions. Plans submitted for review by the city shall be dated and bear the responsible engineer's or architect's name, serial number and the designation of "engineer," "professional engineer" or "P.E." or "architect" and an appropriate stamp or statement near the engineer's or architect's identification, stating that the documents are for preliminary review and are not intended for construction. Final plans acceptable to the city shall bear the seal and signature of the engineer or architect and the date signed on all sheets of the plans. Public works construction in streets, alleys or easements which will be maintained by the city shall be designed by a professional engineer registered in the State of Texas.

(2) Construction plan review procedure. Copies of the construction plans, including a copy of the approved preliminary plat and payment for the construction plan review fee shall be submitted to the city engineer for final approval. The plans shall contain all necessary information for construction of the project, including screening walls and other special features. The design of all public improvements shall be in accordance with the engineering design manual. All materials specified shall conform to the standard specifications and standard construction details of the city. Each sheet of the plans shall contain a title block including space for the notation of revisions. This space is to be completed with each revision to the plan sheet and shall clearly note the nature of the revision and the date the revision was made. The city engineer will release the plans for construction, after payment of all inspection fees and a pre-construction conference is held. Upon such release, each contractor shall maintain one set of plans stamped with city release at the project site at all times during construction.

(3) Failure to commence construction. If commencement of construction has not occurred within one year after approval of the plans, resubmittal of plans may be required by the City engineer for meeting current standards and engineering requirements. For purposes of this section "Commencement of Construction" shall mean:

- (a) Issuance of construction permit(s); and
- (b) Grading of the land.

B. Improvement agreements.

(1) Substantial completion of improvements. Except as provided below, before the final plat is approved by the planning and zoning commission or the director of ~~community development~~ services, all applicants shall be required to make substantially complete, in accordance with the city's direction and to the satisfaction of the city engineer, all street, sanitary and other public improvements, including ~~but not limited to, the following:~~

prevention of soil erosion.

(2) Agreement. The city council, considering the recommendation of the planning and zoning commission, may waive the requirement that the applicant complete and dedicate all public improvements prior to approval of the final plat, and may permit the owner to enter into an improvement agreement by which the owner covenants to complete all required public improvements no later than two years following the date on which the final plat is signed. The city council may also require the owner to complete and dedicate some required public improvements prior to approval of the final plat and to enter into an improvement agreement for completion of the remainder of the required improvements during such two-year period. The improvement agreement shall contain such other terms and conditions as are agreed to by the owner and the city.

(3) Improvement agreement required for oversize reimbursement. The city shall require an improvement agreement pertaining to any public improvement for which the developer shall request reimbursement from the city for oversize costs.

(4) Security. The improvement agreement shall require the owner to provide sufficient security covering the completion of the public improvements. The security shall be in the form of cash escrow or, where authorized by the city, a letter of credit or other security acceptable to the city attorney. Security shall be in an amount equal to 100 percent of the city's estimated cost of completion of the required public improvements and lot improvements. In addition to all other security, for completion of those public improvements where the city participates in the cost, the owner shall provide a performance bond from the contractor, with the city as a co-obligee. The issuer of any surety bond and letter of credit shall be subject to the approval of the city attorney.

(5) Letter of credit. If the planning and zoning commission authorizes the owner to post a letter of credit as security for its promises contained in the improvement agreement, the letter of credit shall:

- (a) Be irrevocable;
- (b) Be for a term sufficient to cover the completion, maintenance and warranty periods but in no event less than two years; and
- (c) Require only that the city present the issuer with a sight draft and a certificate signed by an authorized representative of the city certifying to the city's right to draw funds under the letter of credit.

(6) Letter of credit reductions. As portions of the public improvements are completed, the developer may make application to the city engineer to reduce the amount of the original letter of credit.

(a) The city engineer, if satisfied that such portion of the improvements has been completed in accordance with city construction standards, may cause the amount of the letter of credit to be reduced by such amount deemed appropriate, so that the remaining amount of the letter of credit adequately insures the completion of the remaining public improvements.

(b) Upon the dedication of and acceptance by the city of all required public improvements, the city shall authorize a reduction in the security to ten percent of the original amount of the security if the owner is not in breach of the improvement agreement. The remaining security shall be security for the owner's covenant to maintain the required public improvements and the warrant that the improvements are free from defect for two years thereafter.

(7) Temporary improvements. The owner shall build and pay for all costs of temporary improvements required by the planning and zoning commission and shall maintain those temporary improvements for the period specified by the planning and zoning commission. Prior to construction of any temporary improvement, the owner shall file with the city a separate improvement agreement and escrow, or where authorized, a letter of credit, in an appropriate amount for such temporary improvements, which improvement agreement and escrow or letter of credit shall ensure that the temporary improvements will be properly constructed, maintained, and removed.

(8) Units of government. Governmental units may file, in lieu of the contract and security, a certified resolution or ordinance agreeing to comply with the provisions of this section.

(9) Failure to complete improvements. For plats for which no improvement agreement has been executed and no security has been posted, if the public improvements are not completed within the

required public improvements have not been installed within the terms of the agreement, the city may:

- (a) Declare the agreement to be in default and require that all the public improvements be installed regardless of the extent of completion of the development at the time the improvement agreement is declared to be in default;
- (b) Suspend final plat approval until the public improvements are completed and record a document to that effect for the purpose of public notice;
- (c) Obtain funds under the security and complete or cause the public improvements to be completed;
- (d) Assign its right to receive funds under the security to any third party, including a subsequent owner of the subdivision for which public improvements were not constructed, in whole or in part, in exchange for that subsequent owner's promise to complete the public improvements in the subdivision; and
- (e) Exercise any other rights available under the law.

(10) Acceptance of dedication offers. Acceptance of formal offers of dedication of street, public areas, easements, and parks shall be by authorization of the city engineer. The approval by the planning and zoning commission of a plat, whether preliminary or final, shall not in and of itself be deemed to constitute or imply the acceptance by the city of any street, easement, or park shown on plat. The planning and zoning commission may require the plat to be endorsed with appropriate notes to this effect.

(11) Maintenance of public improvements. The owner shall maintain all required public improvements for a period of two years following the acceptance by the city and shall provide a warranty that all public improvements shall be free from defect for a period of two years following such acceptance by the city.

C. Construction procedures.

(1) Permit required. A permit is required from the city prior to commencement of any subdivision development work in the city which affects erosion control, vegetation or tree removal or a floodplain.

(2) Preconstruction conference. The city engineer may require that all contractors participating in the construction meet for a preconstruction conference to discuss the project prior to release of a permit.

(3) Conditions prior to authorization. Prior to authorizing release of a construction permit, the city engineer shall be satisfied that the following conditions have been met:

- (a) The preliminary plat shall be approved by the planning and zoning commission;
- (b) All required contract documents shall be completed and filed with the city engineer;
- (c) All necessary off-site easements or dedications required for city infrastructure and not shown on the final plat must be conveyed solely to the city, with proper signatures affixed. The original of the documents shall be returned to the engineering department prior to approval and release of the engineering plans and issuance of a permit;
- (d) All contractors participating in the construction shall be provided, at the developer's cost, with a set of approved plans bearing the stamp of release of the engineering department. One set of these plans shall remain on the job site at all times;
- (e) A complete list of the contractors, their representatives on the site, and telephone numbers where a responsible party may be reached at all times must be submitted to the City Engineer at least 24 hours prior to the preconstruction meeting; and
- (f) All applicable fees must be paid to the city.

D. Inspection of public improvements.

(1) General procedure. Construction inspection shall be supervised by the city engineer. Construction shall be in accordance with the approved plans and the engineering design manual, ~~the standard specifications, and the standard construction details~~ of the city. Any change in design required during construction should be made by the engineer whose seal and signature are shown on the plans. Another engineer may make revisions to the original engineering plans if so authorized by the owner of the plans and if these revisions are noted on the plans or documents, provided such revisions are

constructed in accordance with the city's ~~standard construction details and standard specifications~~engineering design manual, the owner shall be responsible for completing and/or correcting the public improvements.

(2) Certificate of satisfactory completion. The city will not accept dedication of required public improvements until the applicant's engineer or surveyor has certified to the city engineer, through submission of record drawings, indicating location, dimensions, materials, and other information required by the planning and zoning commission or city engineer that all required public improvements have been completed. The record drawings shall also include a complete set of drawings of the paving, drainage, water, sanitary sewer or other public improvements, showing that the layout of the line and grade of all public improvements is in accordance with construction plans for the plat, and all changes made in the plans during construction and containing on each sheet a record drawing stamp bearing the signature of the engineer and the date. The engineer or surveyor shall also furnish a paper copy of the final plat and engineering plans along with digital copies of the plans in Portable Document Format ("PDF") and Computer Assisted Design Drawings ("CADD"), in such a format that is compatible with the city's CADD system. The developer shall provide a maintenance bond executed by a corporate surety duly authorized to do business in the State of Texas, payable to the city and approved by the city as to form, to guarantee the maintenance of the construction for a period of two years after its completion and acceptance by the city. In lieu of a maintenance bond the developer may submit either an irrevocable letter of credit payable to the city and approved by the city as to form, or a cash bond payable to the city and approved as to form. The amount of the maintenance bond, letter of credit or cash bond shall be at least ten percent of the full cost of the infrastructure in the subdivision, as determined by the construction costs. When such requirements have been met the city engineer shall thereafter accept the public improvements.

(3) Acceptance of the development shall mean that the developer has transferred all rights to all the public improvements to the city for use and maintenance.

(4) Upon acceptance of the required public improvements, the city engineer shall submit a certificate to the developer stating that all required public improvements have been satisfactorily completed.

E. Deferral of required improvements.

(1) The planning and zoning commission may upon petition of the owner defer at the time of final approval, subject to appropriate conditions, the provision of any or all public improvements are not required in the interests of the public health, safety and general welfare.

(2) Whenever a petition to defer the construction of any public improvement required under these regulations is granted by the planning and zoning commission, the owner shall deposit in escrow the developer's share of the costs of the future public improvements with the city prior to approval of the final plat, or the owner may execute a separate improvement agreement secured by a cash escrow or, where authorized, a letter of credit guaranteeing completion of the deferred public improvements upon demand of the city.

F. Issuance of building permits and certificates of occupancy. No building permit shall be issued for a lot or building site unless the lot or site has been officially recorded by a final plat approved by the City of Sachse, and all public improvements as required for Final Plat approval have been completed, except as permitted below:

(1) Building permits may be issued for nonresidential and multi-family (apartments) development provided that a preliminary plat is approved by the city and civil construction plans have been released by the city engineer. Building construction will not be allowed to surpass the construction of fire protection improvements.

(2) The city engineer may authorize residential building permits for a portion of a subdivision, provided that a preliminary plat has been approved and all public improvements have been completed for that portion of the development, including but not limited to those required for fire and emergency protection. Notwithstanding, no lot may be sold or title conveyed until a final plat approved by the city has been recorded.

(3) No certificate of occupancy shall be issued for a building or the use of property unless all

is approved by the city for the completion of all remaining public improvements.

G. Utility connections. Utility connections for individual lots are not authorized until a final plat has been approved in accordance with this chapter.

H. Withholding improvements.

(1) The city hereby defines its policy to be that the city will withhold all city improvements of whatsoever nature, including the maintenance of streets and the furnishing of sewage facilities and water service from all additions which have not been constructed and approved in accordance with this chapter.

(2) The City of Sachse may withhold the issuing of a street number or building permit for the erection of any building in the City of Sachse on a newly subdivided parcel of land until all the requirements of these subdivision regulations have been complied with, including installation of and acceptance by the city of all water works, sewage and paving improvements for the area designated.

I. As-built plans.

(1) The developer or his engineer shall present the city with one reproducible (sepia) and three blue line or black line complete "AS BUILT" sets of plans for all paving, drainage structures, water mains and sewer mains within 60 days after completion of each contract and before final acceptance of the new developments.

~~(Ordinance 3401, sec. 1, adopted 7/2/12; Ordinance 3594, sec. 1, adopted 6/2/14)~~

Sec. 8-165. General requirements and design standards.

A. ~~Streets.~~Improvements

~~The improvements referenced herein must be constructed per the engineering design manual and accepted by the city engineer prior to filing an associated plat for record with the county clerk, unless otherwise specified in an approved improvement agreement.~~

~~(1) The arrangement, character, extent, width, grade, and location of all streets shall conform to the City of Sachse thoroughfare plan when available, shall conform to the standard specifications and standard construction details of the City of Sachse, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public safety and in their appropriate relation to the proposed uses of the land to be served by such streets.~~

~~(2) When such street is not on the master thoroughfare plan, when available, the arrangement of streets in a subdivision shall either:~~

~~(a) Provide for the continuation or appropriate projection of existing streets in surrounding areas; or~~

~~(b) Conform to a plan for the neighborhood approved or adopted by the council to meet a particular situation where topographical or other conditions make continuance or conformity to existing streets impracticable.~~

~~(3) Minor streets shall be so laid out that their use by through traffic will be discouraged.~~

~~(4) Where a subdivision abuts or contains an existing or proposed arterial street, the council may require marginal access streets, reverse frontage, deep lots with rear service alleys, or such treatment as may be necessary for adequate protection to residential properties and to afford separation of through and local traffic.~~

~~(5) Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed in the city under conditions approved by the council.~~

~~(6) Street center line offsets of less than 150 feet shall be avoided, unless approved by the city engineer.~~

~~(7) Arterial street intersections shall be at least 90° angles. Other street intersections shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect at less than 75°.~~

~~(8) Sight distance triangles will be required where driveways intersect streets to allow sufficient drive sight distance for proper decision making on entering or crossing the roadway. No landscaping, grading,~~

TABLE 1 SIGHT DISTANCES

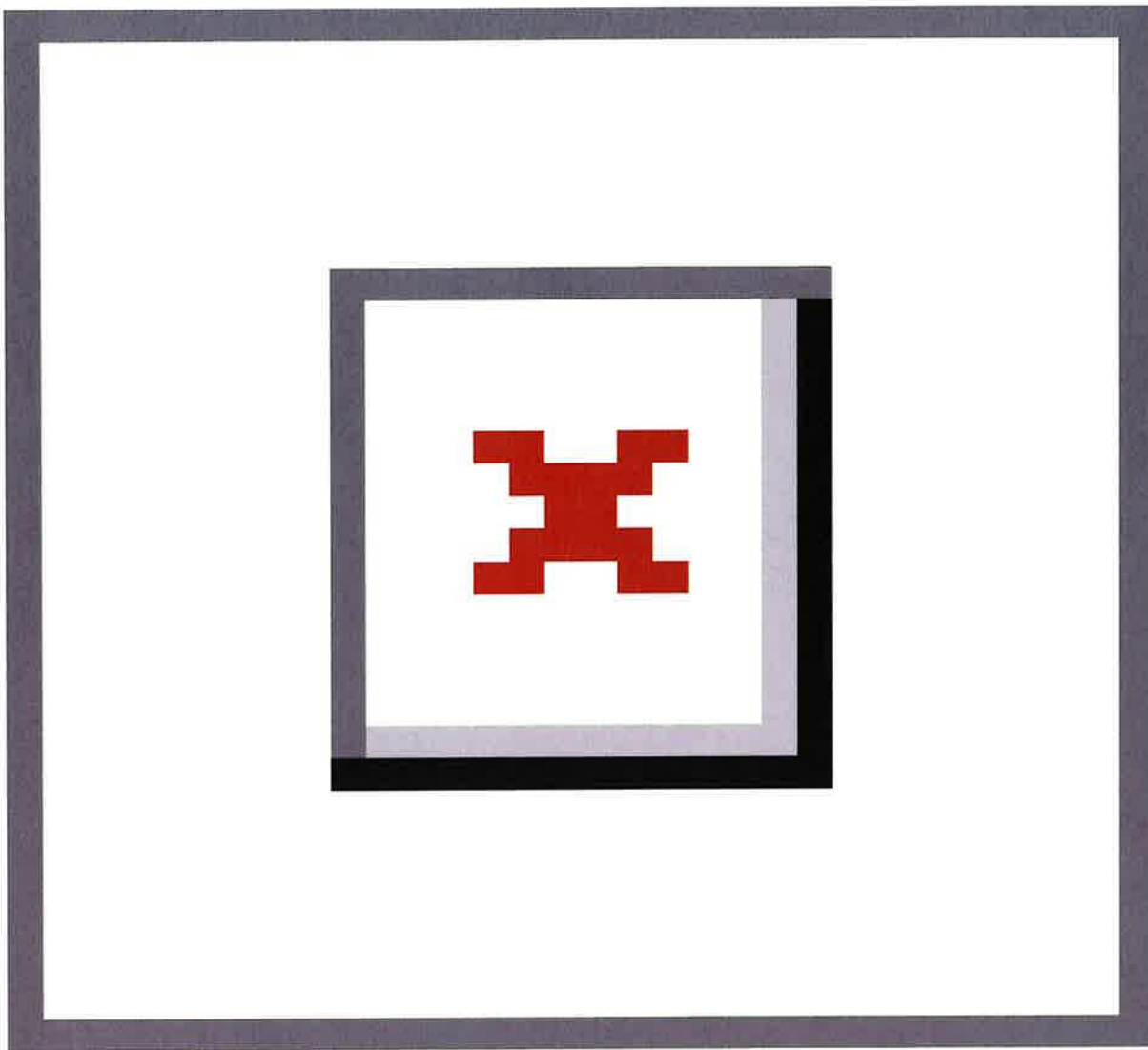
(SEE FIGURE 1)

TYPE OF INTERSECTION	DESIGN SPEED (MILES PER HOUR)	STOPPING SIGHT DISTANCE (FEET)		PAVEMENT WIDTH (FEET)	INTERSECTION SIGHT DISTANCE (FEET)			
		NEAR SIDE	FAR SIDE		MINIMUM	DESIRABLE	MINIMUM	DESIRABLE
RURAL	25	150	200	26'	150	220	150	260
	30	200	200	26'	200	260	200	300
	-	-	-	30'	200	270	210	305
URBAN	35	240	250	36'	200	275	220	310
SUBURBAN	35	240	250	44'	240	330	275	375
	-	-	-	2-22'	240	330	305	410
	40	275	300	44'	275	350	305	425
HIGWAY	-	-	-	2-33'	280	400	400	520
	45	315	375	2-33'	320	450	450	580

FOR DISTANCE ADJUSTMENTS DUE TO GRADE OR STREET USE TABLE 2

TABLE 2 SIGHT DISTANCE ADJUSTMENTS DUE TO GRADE

DESIGN SPEED	UPGRADES (DECREASE)			DOWNGRADES (INCREASE)		
	3	6	10	3	6	10
25	5	10	15	5	15	25
30	10	15	20	10	20	30
35	15	20	-	15	25	-
40	20	25	-	20	35	-
45	25	30	-	25	50	-



~~(9) — Street right-of-way widths shall be as shown on the master thoroughfare plan, when available, and where not shown therein shall be not less than as follows:~~

~~(a) — Principal and minor arterials: Minimum 90 feet; maximum 140 feet, depending upon the location and the city street plan with which the major thoroughfare is to be connected, unless otherwise authorized by the city engineer.~~

~~(b) — Collector streets: 60 feet (min.).~~

~~(c) — Local streets in residential areas: 50 feet.~~

~~(d) — Access or service road: 40 feet.~~

~~(e) — Local streets in apartment, commercial or industrial areas: 60 feet~~

~~(10) — Local residential streets shall be paved 31 feet wide from back of curb to back of curb. Local streets in apartment, commercial, and industrial areas, and collector streets shall be paved 37 feet wide from back of curb to back of curb.~~

~~(11) — Half streets shall be prohibited, except when essential to the reasonable development of the subdivision in conforming with the other requirements of these regulations, and where the council finds it will be practical to require the dedication of the other one-half when the adjoining property is subdivided. Whenever a partial street exists along a common property line, the other portion of the street shall be dedicated. Where part of a street is being dedicated along a common property line and the ultimate planned width is 60 feet, the first dedication will be 35 feet; where the ultimate planned width is 70 feet, the first dedication will be 40 feet.~~

~~(12) — A cul-de-sac shall not be longer than 600 feet and at the closed end shall have a turn-around provided for, having an outside roadway diameter of at least 80 feet and a street property line diameter of at least 100 feet.~~

~~be confused with the names of existing streets. Street names shall be subject to the approval of the council.~~

~~(14) All new streets dedicated within a subdivision shall be constructed in accordance with Standard Specifications of the NCTCOG for Public Works and the Standard Construction Details of the City of Sachse.~~

~~(15) Where traffic conditions require, traffic engineering studies may be required by the council from the developer to provide technical data.~~

~~(16) Within the corporate limits of the City of Sachse, street signs shall be furnished and installed by the subdivider at each intersection and shall be of a type approved by the City of Sachse and shall be installed in accordance with the standards of the City of Sachse. In subdivisions lying beyond the corporate limits of the said city, the same requirements shall apply.~~

B. Utilities.

(1) The sanitary sewers, storm sewers, water mains, street improvements, with all appurtenances pertaining to the above and facilities of other agencies as may be required, shall be constructed and installed in each new subdivision in accordance with the ~~standard specifications and standard construction details~~engineering design manual of the City of Sachse.

(2) Water.

(a) All subdivisions shall be provided with an approved water system designed and constructed in accordance with the master plan when available and in accordance with the ~~standard specifications and standard construction details~~engineering design manual of the City of Sachse. In the corporate limits of the City of Sachse all subdivisions shall be connected with the City of Sachse water supply distribution system.

(3) Sewer improvements.

(a) ~~Sanitary sewer facilities shall be provided per the engineering design manual to adequately service the subdivision and conform to the city wastewater master plan. All subdivisions shall be provided with an approved sewage disposal system and where the subdivision is inside the city limits of the City of Sachse, shall be connected to the City of Sachse Sanitary Sewer System.~~

~~(b) The developer shall furnish and install the complete sewage system, including the mains, manholes, cleanouts, Y-branches and service laterals for all lots, lift stations and appurtenances. The sewage system shall be designed and constructed in accordance with the master plan when available and in accordance with the standard specifications and standard construction details of the City of Sachse.~~

~~(c) In locations where sanitary sewers are not available and where there is no immediate prospect for installation of sanitary sewers, then septic tanks of approved type may be installed in conformity with the rules, regulations and ordinances of the City of Sachse pertaining to public health, provided however that in no case shall septic tanks be installed without the express approval and inspection of the City of Sachse.~~

(4) All public or privately owned underground utilities shall stub out all services from mains in all directions to the property lines in streets; and in alleys the services shall be stubbed out 18 inches inside the rear property line of platted lots and to the property line of unplatted property prior to commencing paving operations.

(5) Electric utilities to be underground.

(a) No subdivision plat or site plan filed with or submitted to the city shall be approved unless such plan or plat requires all electric utility lateral and service lines to be constructed underground. In special or unique circumstances or to avoid undue hardship, the city council may authorize variances and exceptions from this requirement and permit the construction and maintenance of overhead electric utility lateral or service lines and may approve any plat with such approved variances or exceptions. It is the intent of this section that no overhead electric utility lateral or service lines be constructed without a variance or exception having been obtained for the subdivision plat or site plan.

support equipment, such as transformers, amplifiers, switching devices, etc., necessary for or used in connection with underground installations shall be deemed to be placed underground if actually constructed underground or if pad-mounted on the surface.

(c) Anything in this ordinance to the contrary notwithstanding, temporary construction service may be provided by overhead electric lines and facilities without obtaining a variance or exception.

(d) That nothing herein set forth shall prohibit or restrict any utility company from recovering the difference between the cost of overhead facilities and underground facilities. Each utility whose facilities are subject to the provisions of this ordinance shall develop policies and cost reimbursement procedures with respect to the installation and extension of underground service.

(e) As used in this chapter the terms "Utility service[s]", "feeder lines", "lateral lines", and "service lines" shall have the following meanings:

(i) "Utility services" shall mean the facilities of any person, firm or corporation providing electrical, telephone, TV cable or any other such item or service for public use which services are not normally or already required to be placed underground and are within the present or future city limits of the City of Sachse, Texas.

(ii) "Feeder lines" shall mean those high voltage supply electric lines that emanate from substations used to distribute power throughout an area.

(iii) "Lateral lines" shall mean those electric lines used to distribute power from a feeder line to an end user. These electric lines are normally connected to a feeder line through a sectionalizing device such as a fuse.

(iv) "Service lines" shall mean those electric lines used to connect between the utilities' supply system and the end user's service entrance.

C. Drainage.

(1) An adequate storm sewer system consisting of inlets, pipes and other underground drainage structures with approved outlets shall ~~at a minimum,~~ be designed and constructed to the ~~standard specifications and standard construction details of the City of Sachse~~ where runoff of storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities. Areas subject to flood conditions as established by the city will not be considered for development until adequate drainage has been provided. Storm drainage facilities shall be designed in accordance with the engineering design manual.

(2) No individual, partnership, firm or corporation shall deepen, widen, fill, re-route or change the course or location of any existing ditch, channel, stream or drainage way, without first obtaining written permission of the City of Sachse or other agency having jurisdiction.

~~(3) Stormwater detention facilities shall be constructed as required by the City of Sachse Code of Ordinances.~~

D. Streets and Alleys.

~~(1) Alleys shall be provided in commercial and industrial districts, except that the commission may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading and parking consistent with and adequate for the use proposed. Service alleys in commercial and industrial districts shall be a minimum 25 feet in right-of-way width. The planning, design, construction and standards of all streets, alleys, right-of-way improvements and any other related roadway improvements by an person, firm, public utility, corporation, or business in the city shall conform to the requirements of the engineering design manual, as it may now exist or may hereafter be amended.~~

~~(2) In residential districts, alleys may be provided parallel, or approximately parallel, to the frontage of the street. Alleys in residential districts, where provided, shall be a minimum of 15 feet in right-of-way width, and paved ten feet in width. The engineering design manual shall be utilized by all persons designing streets, right-of-way improvements, and any other related roadway improvements in the city, whether said person is subdividing property or constructing without a subdivision.~~

~~(4) Alleys, where provided, shall be paved in accordance with the standard construction details of the City of Sachse.~~

~~(5) Where the deflection of alley alignment exceeds 30°, a cutback of a minimum 15 feet or of such greater distance to provide safe vehicular movement shall be established on the inside property line and the paving of the alley shall be cut back in the same manner as shown in the city standard construction details.~~

~~(6) Dead-end alleys shall be avoided where possible, but, if unavoidable, shall be provided with adequate turn-around facilities at the dead end as determined by the council.~~

~~(7) Access to residential property may be permitted from the alley. Access from the alley shall not exclude another means of access from the front or side. No alley lot access to residential property shall be allowed from any arterial street, unless expressly waived by the council upon approval by the city engineer.~~

E. Easements.

(1) Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be of such widths as may be reasonably necessary for the utility or utilities using same, with minimum width of 15 feet. Any easements so established shall be maintained by the property owner.

(2) Where a subdivision is traversed by a water course, drainage way, channel or street, there shall be provided a storm easement or drainage right-of-way conforming substantially with such course and of such additional width as may be designated by the city administrative official that will be reasonably adequate for the purpose. Parallel streets or parkways may be required in connection with this. The drainage shall be designed to eliminate erosion of adjoining property and to facilitate routine maintenance.

(3) All easements may be included in the computation of lot sizes, with the exception of drainage easements, which will be in addition to the specified lot size.

(4) Where adequate access for firefighting purposes may not otherwise be provided, easements for fire lanes shall be required. Fire lane easements shall be maintained by the property owner, shall be marked as such on the ground, and shall be kept free and clear at all times.

F. Blocks.

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

- (a) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
- (b) Zoning requirements as to lot sizes and dimensions.
- (c) Needs for convenient access, circulation, control and safety of street traffic.

(2) In general intersecting streets, determining the blocks, lengths and widths shall be provided at such intervals as to serve cross traffic adequately, and to meet exiting streets or customary subdivision practices. Block length and block perimeter shall meet the minimum requirements of the established zoning district. Where no existing subdivision controls and no block length or block perimeter is established for the zoning district, blocks shall not be less than 500 feet in length and the block lengths should not exceed 1,000 feet, with a maximum of 1,200 feet in length. ~~Where no existing subdivision controls, the blocks shall not be less than 500 feet in length; h~~ However, in cases where physical barriers or property ownership creates conditions where it is appropriate that these standards be varied, the length may be increased or decreased to meet the existing conditions having due regard for connecting streets, circulation of traffic and public safety.

(3) Where blocks in the vicinity of a school, park or shopping center are platted 1,000 feet or longer the council may require a walkway near the middle of the block or at a street that terminates between the streets at the ends of the block. The walkway shall not be less than four feet or more than eight feet in width, shall have a four foot concrete walk through the block from sidewalk to sidewalk, or the rear property line.

~~(4) Where no existing subdivision controls the block length shall be platted to give lots with a length to~~

215 feet. When possible, the block depth and length shall be such to allow two tiers of lots back to back to an alley.

(5) Pedestrian walks not less than four feet wide shall be provided around the perimeter of all blocks. If the pedestrian walks are part of the current master hike and bike trail plan, a walkway not less than eight feet wide shall be provided.

G. Lots.

(1) Lots shall conform to the minimum requirements of the established zoning district.

(2) Each lot shall be provided with adequate access to an existing or proposed street by frontage on such street, or as provided for by an approved plat reflecting a series of mutual access easements connecting lots with no street frontage to a public street, abut on a public street.

(a) For all single-family and two-family (duplex) lots the following shall also apply:

(i) Lots shall abut a public street. On a case-by-case basis, residential lots located within the PGBT Zoning District may be permitted to front onto a park, open space or common area provided that provisions are in place for fire accessibility and parking.

(ii) Lots within the R-E single-family dwelling district may be served by private drives as permitted within the R-E single family dwelling zoning district.

(3) Where corner lots are key lots, that is where lots face the frontage street and also other lots face the side street, the corner lot shall have a front building line on both streets, unless said key lot is separated from other lots by a dedicated street or alley.

(4) Key lots or irregular shaped lots shall have sufficient width at the building line to meet frontage requirements of the appropriate zoning district. Also, the rear width shall be sufficient to provide access for all utilities including garbage collection, but not less than ten feet.

(5) Except for lots located within the PGBT Zoning District, No no lot shall be platted less than 100 feet in depth except in cases where an irregular shaped tract is platted into lots and remnant piece of property is of sufficient area to plat one or more lots, the council may waive the depth requirement to prevent a hardship on the developer. Single-family detached residential lots located within the PGBT Zoning District may not be less than 90' in depth and townhome lots shall not be less than 80' in depth.

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

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

~~(8) It shall be lawful to increase the size of lots from that originally platted, provided, however, that there is no remaining portion of a lot, or lots, smaller than the original lot and provided further that final plat is submitted in accordance with the requirements of a final plat as contained hereinabove; provided that chapter 212 of Local Government Code is complied with.~~

(9) In areas where city sewer is not immediately available, a lot shall be platted of such area as to meet the minimum requirements of Dallas and/or Collin Counties and the guide lines of the Texas State Department of Health pertaining to septic tank construction and operation.

~~(10) No lot shall be replatted to reduce the size of the lots originally platted by a common dedicater, unless the consent of at least 66 2/3 percent of the property owners in the same subdivision has been obtained. Such required consent may be implied where another lot or lots in the subdivision as recorded have already been subdivided and built upon in the manner prescribed above. No lot will be reduced in width below a 60-foot frontage with an area of 7,200 square feet, except for property having a local retail, commercial or manufacturing zoning classification and not for residential use.~~

(11) When an applicant exhibits a duly executed and recorded deed covering a lot having dimensions of 50 feet by 120 feet or more has been sold by metes and bounds prior to passage of this chapter and such lot is being assessed for city taxes and conforms to the established lot pattern and zoning classification in the block where located, then a building permit may be issued provided the requested

~~will be required. Site plans shall be filed with the City of Sachse for approval by the council.~~

(13) All lots developed under this chapter shall be shaped, graded, and finished by the developer to a finished grade elevation conforming with the lot grading plan and/or standard building code requirements providing for positive drainage and access.

H. Building lines. ~~The building line is a line beyond which buildings must be set back from a street right-of-way line or property line. Building lines shall be determined by the appropriate zoning classification. along all streets shall be shown on the final plat on all lots intended for business and residential use and shall provide the minimum set back as required by the zoning ordinance.~~

~~H.~~ Monuments. In all subdivisions and additions corners shall be established at the corner of each block in the subdivision consisting of an iron rod or pipe not less than three-quarter inch in diameter and 24 inches deep flush with the top of the sidewalk. Lot corner monuments shall be placed at all lot corners except corners which are also block corners, consisting of iron rods or pipes of a diameter of not less than one-half inch and 18 inches deep set flush with the top of the sidewalk.

~~(Ordinance 3401, sec. 1, adopted 7/2/12; Ordinance 3594, sec. 1, adopted 6/2/14)~~

Sec. 8-~~17~~16. Water and sewer main extensions.

A. Definitions. The following terms shall have the meanings herein ascribed:

Consumer. The actual user of water from a city water connection.

Property owner. The record title holder of premises served with water from a connection by the city.

Pro rata. A charge made against the consumer or property owner to pay for installation of water and sanitary sewer mains as provided in this section.

Standard size water main. A water main eight inches or greater in diameter. No water main less than six inches shall be constructed unless approved by the city engineer.

Substandard size water main. A water main less than eight inches in diameter, unless approved by the city engineer.

B. Pro rata charges.

(1) Existing main exempt. All existing subdivisions which have existing internal water mains four inches in diameter and larger, and all customers connected to the Sachse water system at the time of passage of this section, shall be exempt from the water portion of the pro rata charges specified in this section. In unsubdivided areas with an existing water connection, the area to be exempt from the water pro rata portion of this section shall be actual frontage, or 150 feet, whichever is less.

(2) Existing mains adjacent to property other than subdivisions.

(a) Where an area, lot or tract of land abuts any existing water or sanitary sewer main, and when said water or sanitary sewer main spans the complete frontage of the area, lot or tract of land, then the following charges, known as "Pro Rata" shall be made against the owner of the area, lot or tract of land seeking a connection to the water or sanitary sewer main. A \$5.00 permit fee shall be charged for each connection.

(i) Two dollars and fifty cents per front foot for the area, lot or tract of land seeking a connection to an existing water main.

(ii) One dollar and fifty cents per front foot for the area, lot or tract of land seeking a connection to an existing sanitary sewer.

(iii) Three dollars per foot front footage for the area, lot or tract of land seeking a connection to new construction of water main with a 250-foot maximum.

(iv) Three dollars per foot front footage for the area, lot or tract of land seeking a connection to a new construction of the sanitary sewer with a 250-foot maximum.

(b) All single-family residential lots, area or tracts of land located at a standard right angle street intersection shall only be charged a pro rata on the shortest street frontage, regardless of the locations of the water main or sanitary sewer.

shall be paid on the frontage for all streets which the property may abut minus 150 feet frontage for each corner of the property abutting a street intersection. Should said property be re-subdivided, whereby water or sewer main extensions are required to serve the same, the terms of this section shall apply and additional pro rata charges shall be made based on such additional street frontage.

(d) On lots, areas or tracts of land which extend through from one street to another, with frontage on both streets, and when the average distance of the property lines connecting the street lines is 255 feet or more, than a pro rata shall be charged on both frontages when the owner seeks a connection to an existing water main or sanitary sewer.

(e) Where lots, areas or tracts of land are irregular in size or shape, then the pro rata charges shall be based upon the equivalent rectangular lots or tracts using one front foot for each 120 square feet of area, or the pro rata charges provided by this section on the average frontage of such tracts, whichever is least.

C. Main extensions for individual property owners.

(1) Single-family residential.

(a) Upon request of the owner, or his agent, also referred to in this section as the applicant of a given lot or tract of land, the city shall extend, lay or construct all necessary water mains and sanitary sewers and their appurtenances, a maximum distance of 100 feet, plus the distance across the frontage necessary to provide the service for which the application is made, providing the necessary funds are available. The property owner to be served shall be required to pay the charges provided for in subsection B.(2)(a), at such time as their property is connected to such mains. Where an applicant for service secures an extension and service under this particular option for main extension, he shall pay the pro rata charges on all property owned by him and which is served by the extension requested. In applying the 100-foot rule, the required extension of main shall be figured in such manner as to leave out of the calculations that portion of any main adjacent to property already having other than a temporary water service and for which the pro rata charges thereon have been paid, credited or exempt under the terms of this section.

(b) In the event that the property seeking a water or sewer connection is outside the limits of the 100-foot rule, then the applicant shall extend the said water main or sanitary sewer from the nearest standard size existing water main or sanitary sewer as determined by the utility department. The extension, less the cost of 100 feet per applicant as provided in subsection C.(1)(a), shall be constructed by the city at the owner's expense and shall be extended across the complete frontage of said lot, area or tract of land seeking the connection when said main extension is located in a street right-of-way, alley or existing easement. If an additional easement is necessary to extend the water main or sanitary sewer across the said lot, area or tract of land, then the owner of the property seeking a connection shall provide the city with an easement, as required by the utility department. The owners of all intervening property served by the given main extension shall be required to pay the pro rata charges as established in subsection B.(2)(a), at such time as their property is connected to such main, and the pro rata charges collected by the city in accordance with this subsection, shall be refunded to the original investor, up to a period of ten years from the date of the total cost of the installation.

(2) Business, industrial, commercial, apartment and property other than single-family residential.

(a) When the owner of an area, lot or tract of land zoned other than single-family residential, seeks a water or sewer connection and no standard size water mains or sanitary sewers are adjacent to, upon or span the complete frontage or distance required across the front of said area, lot or tract of land, the owner shall extend the said water main or sanitary sewer from the nearest standard size existing main, as determined by the city engineer. The extension shall be constructed either by the city, or by the owner's contractor at the owner's expense and shall be extended across the complete frontage of said area, lot or tract of land when said main extension is located in a street right-of-way, alley, or an existing easement. If an additional easement is necessary to extend the water main or sanitary sewer across the said area, lot or tract of land, then the owner of the property seeking a connection shall provide the city with an easement, as required by the utility department.

(b) The city engineer shall determine the size of the required main extension in accordance with the

(c) All proposed water and sanitary sewer installations to be installed by the applicant's contractor shall be designed by a registered professional engineer in the State of Texas in accordance with the ~~standard specifications and standard construction details~~engineering design manual of the City of Sachse, and the said engineer shall submit to the city, three copies of the complete engineering plans for said water or sewer improvements. The city engineer shall review the plans and specifications and, if approved, shall mark them approved and return one set to the applicant's engineer. If not approved, two sets of the engineering plans shall be marked with the objections noted and returned to the applicant's engineer for correction. The same procedure shall be followed until the engineering plans are approved. After approval of the engineering plans and specifications, the applicant shall schedule a pre-construction meeting with the city. Once the pre-construction meeting has been held and approved construction plans stamped by the City of Sachse have been provided to the applicant, the applicant shall cause his contractor to install the water or sewer facilities in accordance with the approved engineering plans and specifications and these regulations. The applicant shall require his engineer to design, stake and supervise the construction of such improvements and shall require his contractor to construct the said improvements in accordance with these regulations and obtain the city inspection of the installation of the improvements. When found to be installed in accordance with the plans and specifications, and after the improvements have been completed and upon receipt by the city of a two-year maintenance bond in the amount of ten percent of the contract price, along with one set of "as-built" plans and digital files in accordance with these regulations, and upon receipt of a letter of the contractor's compliance with these regulations, then the city engineer shall receive and approve for the City of Sachse the title, use and normal maintenance of the improvements.

(d) When said main installations have been accepted by the city in accordance with the aforementioned criteria, the city will agree to refund to the applicant any pro rata collected from other parties, firms or corporations seeking a connection to the said water main or sanitary sewer installed by said applicant. The pro rata shall be collected at the rates established in subsection B.(2)(a) of this section and the city will only be responsible for refunding the collected pro rata funds for a period not to exceed ten years from the date of acceptance of the said water and sewer installation. All refunds shall be made on a semi-annual basis on the last day of June and December.

(e) Where extension is requested by an ~~industry~~industrial or commercial ~~concern using large quantities of water~~user, such extension may be made at the discretion of the city council, provided 40 percent of the estimated annual revenue for such customer will support interest and principal payments on the total cost of the extension required to serve.

D. Main extension for developers and subdivisions.

(1) On-site extensions-Totally within property to be developed. A developer shall defray the entire cost of water and sewer mains and all appurtenances that lie totally within a subdivision, except that the city will refund the oversize cost as established in subsection E. of any main larger than eight inches in diameter, unless such larger size is necessary to serve the developer's property in question. Size of mains necessary for adequate service shall be determined by the utility department in accordance with the city's master water and sewer plan. Refunds for oversize cost will be made upon final acceptance of the system by the city providing the funds are available.

(2) Along-site mains-Lying along one or more sides of a subdivision divided tract and serving property other than the subdivision for which the extensions are made.

(a) For all water and sanitary sewer mains, the developer will be refunded any collected pro rata in accordance with subsection B.(2)(a) of this section, as adjacent property develops and said refunds shall only be made for a period not to exceed ten years from the date of acceptance of the said water and sewer installation.

(b) For water and sanitary sewer mains, larger than eight inches in diameter, the developer will be refunded the oversize cost as established in subsection G. and as adjacent property develops, the developer will be refunded any collected pro rata as established in subsection B.(2)(a) of this section.

(c) Where along-site mains exist, the developer shall pay to the city a pro rata in the amount as established in subsection B.(2)(a) of this section, and said pro rata payments shall be paid before any building permits are issued for any lot, area or parcel of land situated inside the boundaries of said

(a) Where water and/or sanitary sewer facilities are not available to a tract to be developed, mains may be extended by the city to the nearest subdivision property line at the expense of the developer requiring such extension or the developer shall cause his contractor to install said water or sewer facilities in accordance with subsection C.(2) of this section.

(b) Pro rata collections and refunds shall be made in the following manner:

(i) Water mains- As property adjacent to said water mains installation develops and pays all due pro rata in accordance with subsection B.(2)(a) of this section, then all pro rata collected by the city shall be refunded to the developer or investor who caused such water main to be installed. Refunds shall not exceed the actual cost of said water main installation and said refunds shall only be made for a period of ten years from the date of city's acceptance of said water main installation.

On all unplatted property which may connect to said water mains, a water main pro rata charge in the amount of \$100.00 per acre shall be collected from said property by the city and shall be refunded to the developer or investor who caused such water main installation to be installed.

(ii) Sanitary sewers- As property adjacent to the sanitary sewer develops and connects to said sanitary sewer installation and pays all due pro rata in accordance with subsection B.(2)(a) of this section, then all pro rata collected by the city shall be refunded to the developer or investor who caused said sanitary sewer installation to be installed.

As other property not adjacent to said sanitary sewer installation develops and connects to or produces a flow of sewage, either directly or indirectly, through the said sanitary sewer installation, the sanitary sewer acreage pro rata in the amount of \$100.00 per acre shall be collected from said property by the city and shall be refunded to the developer or investor who caused such sanitary sewer installation to be installed.

In the event where a single sanitary sewer line has been developed and constructed in more than one section and where more than one developer or investor is involved, then all acreage pro rata collected from property not adjacent to said sanitary sewer installation shall be refunded to the developer or investor who caused the initial section of said sanitary sewer facilities to be installed. As such time when the initial installation has been retired, then all collected pro rata shall be refunded to the developer or investor who caused the installation of said second section. This same procedure shall be followed with any number of developers or investors who cause said sanitary sewer line to be installed. Refunds shall not exceed the actual cost of said sanitary sewer main installation and said refunds shall only be made for a period of ten years from the date of city's acceptance of said sanitary sewer main installation.

(4) Mains in place within the property to be developed. Should an existing water main or sanitary sewer lie in a street, alley or easement within a tract of land to be subdivided and developed for resale, before extensions from or connections to such line shall be made by a developer, he shall pay to the city the following pro rata:

(a) Five dollars per front foot for the area, lot or tract of land seeking a connection to an existing water main.

(b) Three dollars per front foot for the area, lot or tract of land seeking a connection to any existing sanitary sewer.

(c) Should such mains lie along the subdivision and serve one side only, one-half of the above costs shall be paid.

(5) Methods by which water and sewer mains can be extended for subdivisions or developments.

(a) On-site facilities. On-site water and sewer facilities shall be constructed by private contract at the developer's expense in accordance with the city subdivision regulations, ~~standard specifications~~ and ~~standard construction details~~ engineering design manual of the City of Sachse.

(b) Off-site facilities.

(i) Private contract. Off-site water and sewer facilities shall be constructed by private contract at the developer's expense in accordance with the city subdivision regulations, ~~standard specifications~~ and ~~standard construction details~~ engineering design manual of the City of Sachse.

fronting property not owned by the developer. The estimated cost of these extensions shall be prepared by a professional engineer licensed to practice in the State of Texas and shall be approved by the city engineer. Upon receipt of the required amount of money, the city will construct such mains and upon the determination of final completion cost will refund any excess amount deposited, or require from developer additional funds to defray the entire cost of the project. Refundable amounts for off-site costs or oversize costs will be determined by the utility department as established in subsection D.(3) and subsection E. of this section.

(6) Temporary lines. When temporary lines are constructed as an expediency to develop a particular area, such as across easements within a subdivision of which no frontage can be connected, or where lines are constructed which are not required by the final plan of development, the developer will bear the total cost without refund.

E. Establishing refunding procedure. All refunds provided for in this section shall be made at six-month intervals (June 31 and December 31) of each year, and shall include funds then accrued to the credit of any developers and others. A refund contract entered into by any property owner and the city under the provisions of this section, shall be effective only for a period of ten years after the date of said contract. No refunds will be made by the city to any applicant or contracting party after this ten-year period has expired, nor shall the city ever be liable for payment of interest on any deposits or refunds provided herein. This section shall not affect or change any agreement or contract for providing water and sewer services which was entered into by the city on or before the effective date of this section.

F. Water and sewer connections.

(1) Water service connection.

(a) The city shall install and maintain all water service connections in the streets, alleys and easements and shall charge for the installation and maintenance of all such connections a sum sufficient to cover the cost thereof; such sum is to be determined by using the most current market cost of materials and labor. An updated list of these costs shall be kept in the water department billing office and made available upon request.

(b) The cost for the installation of service lines which require the boring of paved streets or alleys shall be estimated by the utility department, and a deposit of the estimated amount will be required before work is started on the installation of such connection. Should the final cost of the work be less than the amount of the deposit, a refund of over-payment will be immediately made to the person from whom the deposit was received.

(c) No streets or alleys shall be open-cut for the installation of water lines without written permission from the city engineer. The cost of extending water service lines under paved streets or alleys shall be paid by the owner of the property.

(d) Where service lines have been installed by developers, the water service connection charge shall be reduced by the amount of the tap charge as shown on current list kept in the water department billing office.

(e) All water service for construction purposes shall be subject to a standard deposit as determined by the City of Sachse and metered and subject to the same regulations and billings as permanent water accounts.

(2) Sanitary sewer service connections.

(a) The city shall install all sanitary sewer service connections in the streets, alleys and easement both inside and outside the city limits. Said service connections shall be installed from the main to the property line when the sewer main is located in an alley or a street right-of-way; if the sewer main is in an easement, the service connection shall be installed from the sewer main to the easement boundary line. The city shall charge for each sewer lateral connection an amount whose sum is equal to the most current market cost for materials and labor. An updated cost of these materials and labor shall be kept in the water department billing office and made available upon request.

(b) The property owner shall install a service line at his expense to the city's lateral, in accordance with city regulations and subject to the inspection of the city; and shall thereafter be responsible for

from the city engineer.

(d) The property owner shall install a service line at his expense to the city's lateral, in accordance with city regulations and subject to the inspection of the city; and shall thereafter be responsible for normal maintenance of said service line from the house to the property line.

(e) Each house or building within the city shall be served by a separate and independent water and sanitary sewer connection. Where the service laterals have been installed by a developer to serve a lot or tract of land, said lot or tract of land shall be exempt from a connection charge.

G. Evaluated prices for determination of oversize costs and off-site facilities. All costs for oversized water mains and appurtenances and sanitary sewer mains and appurtenances shall be determined by using the most current market cost for materials and labor, and approved by the city engineer prior to construction.

H. Purpose of section; where front foot rule inequitable. The intent and purpose of this section is to provide an equitable charge for water and sanitary sewer connections as a proportionate distribution of the cost of water and sanitary sewer main extensions to serve property in the city on a front foot basis. In case property or a tract of land is so situated or shaped that the front foot rule creates an inequitable basis as between it and other tracts of land in the city, then in that event, the city council shall determine the proper charge in accordance with the intent and purpose of this section.

I. Method of enforcing payment. Nothing herein shall be deemed in anyway to be an exclusive methods of enforcing the payment of the pro rata charges against the consumer and property owners, nor shall be deemed in any manner to be a waiver of the city's right to validly assess the property owners and/or consumers concerned for cost of the installation of standard size water and sewer mains, and to fix and enforce liens against said property. The method of enforcing payment of charges imposed by this section shall be in the manner prescribed by law.

J. Crediting of collections. Any and all sums of money collected as a pro rata and/or service connection charge, as established by this section, shall be credited to the water and sewer system funds of the city.

K. If no funds available. In no event may the city be required to install water or sewer main extensions under the provisions of this section if there are no funds available for that purpose.

L. Sewage lift stations and other special installations. In the event a lift station or other special installations are required, the same shall be installed under separate agreements between the city and the developer.

M. Procedure for variance. The city council may authorize a variance from the water and sewer line regulations when, in its opinion, undue hardships will result from the requiring of strict compliance. In granting variance, the council shall prescribe only conditions that it deems necessary or desirable to the public interest and making the findings herein below required. Pecuniary hardship to the applicant, standing alone, shall not be deemed to constitute undue hardship. No variance will be granted unless the council finds:

- (1) There are special circumstances or conditions such that the strict application of the provisions of this subsection would deprive the applicant of the reasonable use of his property; and
- (2) The variances are necessary for the preservation and enjoyment of a substantial property right of the applicant; and
- (3) The granting of the variance will not be detrimental to the public health, safety, or welfare or injurious to other property in the area and substantial justice done; and
- (4) The variance be granted only in harmony with the general purpose and intent of water and sewer line extension ordinance.

~~(Ordinance 3401, sec. 1, adopted 7/2/12; Ordinance 3594, sec. 1, adopted 6/2/14)~~

Sec. 8-1817. Street extensions and pro rata charges.

A. Definitions. The following terms shall have the meanings herein ascribed:

(3) Pro rata. A charge or fee to be collected from property owners other than the developer or contractor to defray the cost of the street construction which serves such property owner.

(4) On-site street. A street which is totally within or adjacent to a tract of land which has been or is to be subdivided and developed for resale.

(5) Off-site street. A street totally outside the tract of land which has been or is to be subdivided and developed for resale.

(6) Property owner. The record title holder of the lot or tract served by the street for which pro rata collections are applicable.

B. Authority to make extensions. The city may extend or authorize extension of streets or alleys within the city limits in order to provide connections to lots or tracts which have no frontage street and/or alley.

C. Pro rata charge established. A charge, which shall be known as pro rata, shall be made against each lot or tract of land and the owner thereof whose property is served by the street and/or alley subject to pro rata collection as determined by the city.

(1) Charges will be one-half the average lineal foot cost of the construction of the street as determined by the city engineer.

(2) Average actual costs will be revised semi-annually on April 1 and October 1 and filed with the city secretary.

The above front foot rates shall apply to property fronting on streets in areas platted into the usual rectangular lots or tracts of land with a depth of not to exceed 150 feet. Where the lots or tracts have depths greater than 150 feet from the front street line and are occupied or are to be occupied exclusively as dwelling places, then the additional depth shall not be assessed. If the property is later subdivided, requiring an extension of streets to serve the same, then the terms of this section shall govern. On lots or tracts of land which extend through from one street to another with frontage on both streets and where the distance between the street lines is greater than 260 feet, then the pro rata charge herein provided for shall be paid on both frontages as applicable. Where lots or tracts are irregular in size or shape, the pro rata charges shall be based upon equivalent rectangular lots or tracts, using one foot for each 150 square feet of area or the pro rata charge provided herein on the average frontage of the development, whichever is least.

D. Purpose. The intent and purpose of this section is to provide an equitable charge for street construction as a proportionate distribution of the cost of street or alley extensions to serve property in the city on which is owned by persons or firms other than the developer or contractor which incurred the cost of the construction of the street or alley on a front foot basis. In case property or a tract of land is so situated or shaped that the front foot rule creates an inequitable basis as between it and other tracts of land in the city, then in that event, the city engineer shall determine the proper charges in accordance with the intent and purpose of this section.

E. Extensions for property subdivided or platted for development basis.

(1) Generally. Where the extensions of the streets are required to serve property which has been subdivided or platted for development for resale, streets may be extended to the properties on the following basis and in accordance with minimum standards and procedures described in this section. It shall be unlawful to improve any previously unimproved lot, tract or plot of land or any part thereof which fronts a street or alley for which pro rata charges are applicable even if such lot, tract or plot was originally purchased before construction and assessment of pro rata was accomplished.

(2) Extensions within property to be developed.

(a) Developers of such property will defray the entire cost of streets within their subdivision. The size and construction of such streets and alleys shall be in conformance with this subdivision regulation and in accordance with the ~~standard specifications and standard construction details~~ engineering design manual of the City of Sachse.

(b) Streets lying along one or more sides of a subdivided tract which serve property other than the subdivision for which the extensions are made:

(3) Where streets are in place in or adjacent to the property to be developed.

(a) Should an existing street or alley in or along an area or tract of land to be subdivided and developed for resale before extensions from or connections to such street will be made by the developer, he shall pay the city the current average actual cost per lineal foot of his property along said street. Should such street lie along the subdivision on one side only, one-half these costs shall be paid unless such streets serve the subdivision in question exclusively. Such money shall be paid to the city pro rata fund and will constitute a charge for the use of such street in place.

(b) An exception to the normal pro rata charge for streets or alleys may be made on any existing street which runs along one or more sides of a five-acre tract or larger, which has not been subdivided. Before any building permit for a primary structure shall be given, the applicant shall pay a charge based on 100 feet of frontage and in accordance with the above rates. This in no way will exempt the remainder of the property from being charged pro rata charges under this section as such time as it is platted or developed.

(4) Off-site extensions required to serve property development. Where street facilities are not available to a tract to be developed, the developer or contractor shall extend such facilities, his expense, to an existing street, as approved by the city engineer.

F. Methods of construction.

(1) By private contract. The construction of streets may be awarded on a private contract in accordance with provisions of the City of Sachse ~~standard specifications and standard construction detail~~engineering design manual. Such streets or alleys, when constructed and dedicated, shall become the property of the city free and clear of all encumbrances. The city specifically reserves the option to advertise for bids and install any or all portions of the extensions.

(2) By city contract. Upon approval of the city, the developer or contractor of an addition or plat may design and prepare construction plans of streets or alleys to serve the subdivision, including any access or off-site facility that may be required. The developer of an addition or plat shall deposit with the city the total cost of such extensions required to serve, including the cost of approach or off-site streets fronting property not owned by the developer if required by the provisions of this section not covering off-site streets. The city will construct such streets, upon determination of final completion costs, will refund any excess amount deposited, or require such developer additional funds to defray the entire cost of the project on-site and of off-site facilities for which the developer or contractor is responsible.

G. City not obligated to make extensions. In no event shall the city be obligated to proceed under the terms of this section if funds are not available or if, at the discretion of the city, the extension may not be practical.

~~(Ordinance 3401, sec. 1, adopted 7/2/12; Ordinance 3594, sec. 1, adopted 6/2/14)~~

Sec. 8-~~49~~18. Street design and construction costs.

A. Definitions. The following terms shall have the meanings herein ascribed:

(1) Development shall mean any activity that requires the filing of a final subdivision plat, or first increment thereof, or one lot plat.

(2) Escrow shall mean money placed in the possession of the city to accomplish the purposes set out in this section including, but not limited to, the following: Purchase of right-of-way, design and construction of drainage facilities, curb, gutter and pavement.

(3) Street, unimproved shall mean any street proposed to be constructed as part of a development or an existing street without concrete curb and gutter, but not including state or federal highways.

(4) Street, internal shall mean any street whose entire width is contained within a development.

(5) Street, perimeter shall mean any street which abuts a development or one whose width lies partly within a development and partly without.

B. Street, design construction costs and escrow requirement.

(1) The owner shall be responsible for the design and construction of all streets within his

(a) When developing land zoned residential or "F", the owner shall be responsible for the construction of one-half of a 37-foot collector street.

(b) When developing land zoned "C-1," "C-2," or "PD," the owner shall be responsible for construction of one-half of a 45-foot concrete street or one-half of the actual width of the proposed street, whichever is less.

(c) When developing land zoned "I-1," "I-2," the owner shall be responsible for the construction of one-half of the street actually proposed for construction, pursuant to the thoroughfare plan, ~~standard specifications, and standard construction details~~ and engineering design manual of the City of Sachse.

(3) The owner shall construct all internal and perimeter streets at the time of development unless, from an engineering standpoint, it is not feasible to do so. Upon such determination, the owner shall be required to place an amount equal to his share of the construction costs plus six percent of such sum for future engineering costs in escrow with the city.

(4) The owner shall be responsible for all of the engineering and design costs of all internal streets and also of all perimeter streets which are constructed either entirely by the owner or through participation.

(5) The responsibilities of the owner relative to perimeter streets, shall not exceed a linear footage requirement equal to the square root of the area of the property expressed in feet. In the event the property is bound by more than one unimproved perimeter street, such formula shall apply to each such street. A total waiver of perimeter street responsibility is not within the contemplation of these rules and regulations.

(6) However, in any event, perimeter street escrow responsibility shall not exceed the factor of 0.0035 times the current street cost per linear foot (one-half of the applicable street width, based on zoning) times the square footage of the plat, plus six percent of such sum for future engineering costs.

C. Participation and escrow.

(1) If the owner chooses to construct a wider street than required by the city or these regulations, the owner shall pay the entire cost for the street. However, in the event the city is required to participate in the construction costs as provided in this chapter, the city shall reimburse its proportionate share to the owner upon completion and acceptance of the streets and drainage improvements.

(2) The obligations and responsibilities delegated to the owner herein shall become those of the owner's transferees, successors and assigns; and the liability therefore, shall be joint and several.

(3) For the purpose of this section, the first step of developing is the submission of a preliminary plat or the submission of a final plat, as the requirements thereof may be.

(4) Payment of funds required to be placed in escrow shall be made after the preliminary plat is approved by the planning and zoning commission and prior to the approval of the final plat.

(5) Escrows which have been placed with the city under this section which have been held for a period of ten years from the date of such agreement, in the event that council has not authorized the preparation of plans and specifications for construction of such street which the escrow was made, shall be returned to the owner, with such interest as it has earned.

~~(Ordinance 3401, sec. 1, adopted 7/2/12; Ordinance 3594, sec. 1, adopted 6/2/14)~~

Sec. 8-1920. Park land dedication by developers.

A. Assessment for park development. An owner shall pay to the City of Sachse the sum of \$1,100.00 for each lot contained within a residential subdivision and \$600.00 per multifamily dwelling unit. Such payment shall be made prior to recording the approved final subdivision plat. Such fund shall be deposited by the city into an account designated exclusively for park assessment fees, and used thereafter by the City of Sachse only for the purchase of land to be used for park purposes, or for the development, re-development or maintenance of existing parks within the City of Sachse.

B. Dedication of land in lieu of cash assessment. In lieu of the cash assessment provided in subsection A. of this section, an owner may dedicate land for public park purposes to the City of Sachse calculated at the rate of not less than one acre of parkland for each 100 proposed dwelling units. Such

required, and should be made by payment of money in lieu of land as provided in subsection A. of this section or by fee simple dedication of land to the city by separate instrument in the form of a warranty deed approved by the city. The city deems that the development of an area where the buildable area of public park is smaller than one acre in size is impracticable. Therefore, if fewer than 100 units are proposed by a plat filed for approval, the developer may be required to pay the applicable cash in lieu of park land dedication as provided in subsection A. of this section. Prior to such dedication, the owner shall submit his or her proposal for dedication to the city manager, along with a comprehensive narrative appraisal of the fair market value of such property prepared by an MAI appraiser. Acceptance of such policy in lieu of the cash assessment provided in subsection A. of this section shall be at the sole discretion of the city council. Should the city council agree to accept such offer of dedication, and should the fair market value of the property (as determined by the city council) be less than the amount the owner would be required to pay pursuant to the provisions of subsection A. of this section, then the owner shall pay to the city the difference in cash pursuant to the provisions of subsection A. of this section.

C. Recommendation from the parks and recreation commission. In all instances, the city council shall have the right to accept the dedication for approval on the final plat or accept the fee in lieu of land dedication. That determination shall be based upon existing circumstances at the time, and upon recommendation from the parks and recreation commission, and in accordance with the parks, recreation, and open space plan adopted by the city. Details of proposed dedication property may be submitted to the parks board for review and consideration prior to the preliminary plat process.

D. Park dedication fund. The park dedication fund will be administered by the city council to best benefit the development, provided that the establishment of a park site shall be within the discretion of the city council. The money paid by the applicant will be expended on such park site. All sums deposited to the fund shall be accounted for by the city and expended for such purposes as land acquisition, construction of improvements, and purchase of equipment (at the city's discretion).

~~(Ordinance 3401, sec. 1, adopted 7/2/12)~~

Sec. 8-2420. Impact fees.

A. Purpose. This section is intended to assure the provision of adequate public facilities to serve new development in the city by requiring each such development to pay its share of the costs of such improvements necessitated by and attributable to such new development.

B. Definitions. For purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this subsection:

Advisory committee. The members of the planning and zoning commission, and the representatives appointed by the city council as required by the state law.

Assessment. The determination of the amount of the maximum impact fee which can be imposed on new development pursuant to this section.

Capital improvement. Any of the following facilities that have a life expectancy of three or more years and are owned and operated by or on behalf of the city:

(1) Water supply, treatment, and distribution facilities; wastewater collection and treatment facilities; and storm water, drainage, flood control facilities as they relate to the construction of roadway facilities, whether or not they are located within the service area; and

(2) Roadway facilities.

Capital improvements plan. A plan contemplated by this section that identifies capital improvements or facility expansions for which impact fee may be assessed, adopted by the city from time to time, and on file in the city secretary's office.

City. The City of Sachse, Texas.

Credit. The amount of the reduction of an impact fee for fees, payments, or charges for or construction of the same type of facility.

Facility expansion. The expansion of the capacity of an existing facility that serves the same function as

Final plat approval or approval of a final plat. The point at which the applicant has complied with all conditions of approval and the plat has been released for filing with the county clerk.

Impact fee. A charge or assessment imposed as set forth in this section against new development. The term does not include:

- (1) Required dedications of land for public parks or payments in lieu thereof;
- (2) Dedication of rights-of-way or easements or construction or dedication of on-site or off-site water distribution, wastewater collection or drainage facilities, or streets, sidewalks, or curbs, if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development;
- (3) Lot or acreage fees, or pro rata fees, to be placed in trust funds for the purpose of reimbursing developers for over-sizing or constructing water or wastewater mains or lines; or
- (4) Other pro rata fees for reimbursement of water or wastewater mains or lines extended by the city.

Land use assumptions. A description of the service area and projections of changes in land uses, densities, intensities, and population and employment growth in the service area over at least a ten-year period, and adopted by the city, as may be amended from time to time, upon which the capital improvements plans are based, adopted by the city from time to time, and on file in the city secretary's office.

New development. A project involving the construction, reconstruction, redevelopment, conversion, structural alteration, relocation or enlargement of any structure, or any use or extension of the use of land, any of which has the effect of increasing the requirements for capital improvements or facility expansions, measured by the number of service units to be generated by such activity, and which requires either the approval of a plat pursuant to the city's subdivision regulations, the issuance of a building permit or connection to the city's water or wastewater system, and which has not been exempted from these regulations by provisions of this section. Installation of a larger water meter will constitute new development.

Off-site. A facility or expansion that is not a site-related facility, as defined herein. Located entirely on property which is not included within the bounds of the plat being considered for impact fee assessment.

On-site. An improvement or facility which is for the primary use or benefit of a new development and/or which is for the primary purpose of safe and adequate provision of water and wastewater facilities to serve the new development and which is not included in the impact fee capital improvements plan and for which the developer or property owner is solely responsible under Subdivision and other applicable regulations.

Roadway facilities. Arterial or collector streets or roads that have been designated on the city's officially adopted roadway plan, together with all necessary appurtenances. The term includes, but is not limited to, the city's share of costs for roadways and associated improvements designated on the Federal or Texas Highway System, including, but not limited to, local matching funds and costs related to utility line relocation and the establishment of curbs, gutters, sidewalks and drainage appurtenances. The term also includes but is not limited to interests in land, traffic lanes, curbs, gutters, intersection improvements, traffic control devices, turn lanes, drainage facilities associated with the roadway or street lighting.

Service area. The area within the city and/or the city's extraterritorial jurisdiction, as identified in the land use assumptions, to be served by the capital improvements or facilities expansions specified in the capital improvements plan, for roadway facilities service area means any one of the individual services areas within the city's corporate boundaries as identified in the land use assumptions and the capital improvements plan.

Service unit. The standardized measure of consumption, use, generation or discharge attributable to an individual unit of development, that had been calculated in accordance with generally accepted engineering and/or planning standards, as indicated in the land use equivalency tables located in the "2011-2021 Capital Improvements Plan and Impact Fee Analysis for Water, Sanitary Sewer and Thoroughfares", which is attached hereto as Exhibit "D" and incorporated by reference herein, as may be amended from time to time.

Sanitary sewer facility. An improvement for providing wastewater collection, including, but not limited to,

subdivisions as a condition of connection to or use of such facility.

Site-related facility or on-site. An improvement or facility which is for the primary use or benefit of a new development and/or which is for the primary purpose of safe and adequate provision of water and wastewater facilities to serve the new development and which is not included in the impact fee capital improvements plan and for which the property owner is solely responsible under subdivision and other applicable regulations, or which is located at least partially on the plat which is being considered for impact fee assessment. Site-related facility includes that portion of an off-site water or wastewater main, equivalent to a standard size water or wastewater main, which is necessary to connect any new development with the city's water or wastewater system, the cost of which has not been included in the city's impact fee capital improvements plan.

Water facility. A water interceptor or main, pump station, storage tank or other facility or improvement used for providing water supply, treatment and distribution service included within the city's water storage or distribution system. Water facility includes, but is not limited to, land, easements or structures associated with such facilities. Water facility excludes a site-related facility.

Utility connection. A connection of an individual meter to the city's water or wastewater system, or an increase in the size of an existing meter.

Wastewater facility. A wastewater interceptor or main, lift station or other facility or improvement used for providing wastewater collection and treatment included within the city's collection system for wastewater. Wastewater facility includes, but is not limited to, land, easements or structures associated with such facilities. Wastewater facility excludes a site-related facility.

Water meter. A device for measuring the flow of water to a development, whether for domestic or for irrigation purposes.

C. **Advisory committee.**

(1) The advisory committee shall consist of the planning and zoning commission. If the committee does not include at least one representative of the real estate, development or building industry who is not an employee or official of a political Subdivision or governmental entity, the city council shall appoint at least one such representative as an ad hoc voting member of the advisory committee. If any impact fee is to be applied in the extraterritorial jurisdiction of the city, a representative from that area shall be appointed by the city council.

(2) The advisory committee serves in an advisory capacity and is established to:

- (a) Advise and assist the adoption of land use assumptions;
- (b) Review the capital improvements plan and file written comments;
- (c) Monitor and evaluate implementation of the capital improvements plan;
- (d) File semi-annual reports with respect to the progress of the capital improvements plan and report to the city council any perceived inequities in implementing the plan or imposing the impact fee; and
- (e) Advise the city staff and council of the need to update or revise the land use assumptions, capital improvements plan, and impact fee.

(3) All professional reports concerning the development and implementation of the capital improvements plan shall be made available to the advisory committee.

(4) The advisory committee shall elect a chairperson to preside at its meetings and a vice-chairperson to serve in his or her absence. All meetings of the committee shall be open to the public and posted at least 72 hours in advance. A majority of the membership of the committee shall constitute a quorum.

(5) In the event of any conflict between this subsection 8-620(c) and applicable state law, state law shall control.

D. **Periodic updates required.**

(1) The city shall update the land use assumptions and capital improvements plan upon which impact fees are based at least every five years, beginning with the date of adoption of such plans, and shall

(2) The city may review its land use assumptions, impact fees, capital improvements plans and other factors, such as market conditions, more frequently than provided in subsection (1) above to determine whether the land use assumptions and capital improvements plan should be updated and the impact fee recalculated accordingly.

(3) If, at the time an update is required pursuant to subsection (1) above, the city council determines that no change to the land use assumptions, capital improvements plan or impact fee is needed, it may dispense with such update by following the procedures in Local Government Code, Section 395.0575, or its successor statute.

E. Impact fee as a condition of development approval/permit issuance. No final plat for new development shall be released for filing with the appropriate county, nor may any new development be connected to the city's water or wastewater system, nor may an application of a utility connection be approved, without assessment of an impact fee pursuant to this section. No building permit shall be issued or utility connection made for new development until the property owner has paid the impact fee imposed herein.

F. Assessment of impact fees.

(1) For land which is un-platted at the time of application for a building permit or utility connection, or for a new development which received final plat approval prior to the effective date of this article, and for which no re-platting is necessary pursuant to the city's subdivision regulations prior to development, assessment of impact fees shall occur at the time application is made for the building permit or utility connection, whichever first occurs, and shall be the amount of the maximum impact fee per service unit in effect, as set forth in Exhibits A, B and C, attached hereto and made part hereof for all purposes. [Exhibits A-C are located at the end of this chapter.]

(2) For a new development which is submitted for approval pursuant to the city's subdivision regulations on or after the effective date of this section, or for which re-platting results in an increase in the number of service units after such date, assessment of impact fees shall be at the time of final plat recordation, and shall be the amount of the maximum impact fee per service unit in effect as set forth in Exhibits A, B and C.

(3) Following the initial assessment of impact fees for new development pursuant to subsection (1) above, the amount of impact fee assessment per service unit for that development cannot be increased, unless the owner proposes to change the approved development by the submission of a new application for final plat approval or other development application that results in approval of additional service units, in which case the impact fee will be reassessed for the increased meter size or additional meters or service units at the impact fee rate then in effect.

(4) Following the vacating of any plat or approval of any re-plat, a new assessment must be made in accordance with subsection (1) above.

(5) An application for an amending plat made pursuant to V.T.C.A. Texas Local Government Code, sec. 212.016 and the City Subdivision Ordinance, and for which no new development is proposed, is not subject to reassessment for an impact fee.

(6) Except for roadway facilities, impact fees may be assessed but not collected for property where service is not available unless:

(a) The city commits to commence construction of necessary facilities identified in the capital improvements plan within two years and have service available in a reasonable time not exceeding five years; or

(b) The city agrees in writing to permit the owner of the property to construct or finance the required capital improvement or facility expansion and agrees that the costs incurred or funds advanced will either:

(i) Be credited against the impact fees otherwise due from the new development;

(ii) Reimburse the owner for such costs from impact fees paid from other new developments that will use such capital improvements or facility expansions in which case fees shall be reimbursed to the owner at the time collected as other new development plats are recorded: or

(7) Church facilities for the worship of a Supreme Being, and related religious training shall be exempt from the assessment of impact fees. These facilities shall include auditorium type buildings where worship services are conducted and class room type buildings in which the primary purpose of the room is for religious instruction. The definition of church facility shall exclude church-related schools, day care/child care functions, gymnasium, and other recreational facilities.

(8) Assessment of water or wastewater impact fees may be deferred for developments in the city which are not planned to connect to the city's water system or wastewater system due to the unavailability of the water or wastewater lines. These impact fees will be imposed on the property owner at the prevailing rates in the event of a subsequent connection to the city services.

G. Calculation of impact fees.

(1) Impact fees shall be determined by multiplying the number of service unit equivalents in the proposed development by the amount per service unit equivalent due under Exhibits A, B and C.

(2) The determination of impact fees shall be reduced by any allowable credits for the category of capital improvements as provided in this section.

(3) The total amount of unpaid impact fees shall be attached to the development application, or if to be paid at some later date, to the request for other permit or connection.

(4) Re-platting shall not require recalculation of impact fees unless the number of service units is increased or land uses change. If a proposed development increases the number of service units, the impact fee shall be recalculated as provided in this section.

H. Calculation and collection of impact fees.

(1) Impact fees for new development shall be collected at the time the city issues a building permit, or if a building permit is not required, at the time an application is filed for a new connection, to the city's water or wastewater system, or for an increase in water meter size, unless an agreement between the property owner and the city has been executed providing for a different time of payment.

(2) At the time of final plat approval, or the request for a utility connection for an area in the city's extraterritorial jurisdiction for which a final plat was not submitted to the city, for all new developments, the city shall compute the impact fees due for the new development in the following manner:

(a) The amount of each type of impact fee due (roadway, water, and/or wastewater) shall be determined by multiplying the number of each type of service units generated by the new development by the impact fee due for each type of service unit as set forth in Exhibits A, B and C respectively.

(b) The amount of each impact fee due shall be reduced by any allowable credits for that category of capital improvements in the manner provided by this section.

(3) Whenever a property owner proposes to increase the number of service units for a new development, the additional impact fees collected for such new service units shall be determined by using the amount of impact fee per service unit in Exhibits A, B and C, then in effect, and such additional fee shall be collected at the time of issuance of a new building permit, or for an area in the city's extraterritorial jurisdiction for which a final plat was not required to be submitted to the city, prior to or at the time of enlargement of the connection to the city's water or wastewater system.

I. Credits.

(1) Any construction of, contributions to, or dedications of any facility appearing in the capital improvements plan that is required by the city to be constructed by the owner as a condition of development shall be credited against the impact fees otherwise due from the same category (roadway, water or wastewater) of impact fees assessed on the development.

(2) The amount of each credit for required construction of a facility in the capital improvements plan shall be calculated by multiplying the value of the facility assessed for the capital improvements plan by a fraction, the numerator of which is the impact fee per service unit equivalent due for the new development computed using the denominator of which is the maximum impact fee per service unit computed using the capital improvements plan.

(3) All credits against impact fees shall be subject to the following limitations and shall be granted

(b) No credit shall exceed an amount equal to the assessed impact fee.

(c) If a credit applicable to a final plat has not been exhausted within ten years, from the acquisition of the first building permit issued or utility connection made, after the effective date of the adoption of the applicable impact fees, or within such period as may otherwise be designated by contract, such credit shall lapse.

(d) In no event will the city reimburse the property owner or developer for a credit when impact fees for the new development can be collected pursuant to this section or for any amount exceeding the total impact fees collected or due for the new development for the category of capital improvement, unless otherwise agreed to by the city.

(4) The available credit associated with new development shall be applied against an impact fee in the following manner:

(a) For single-family residential lots in a new development consisting only of single-family residential development, such credit shall be prorated equally among such lots, to be applied at the time of application of a building permit for each lot, against impact fees to be collected at the time the building permit is issued.

(b) For all other types of new development, including those involving mixed uses, the credit applicable to the new development shall be applied to the impact fee due at the time of approval.

(c) At its sole discretion, the city may authorize alternative credit agreements upon written agreement with the property owner in accordance with the city's administrative guidelines.

J. Establishment of accounts.

(1) All impact fees collected shall be deposited in interest bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee is collected.

(2) Interest earned on the account into which the impact fees are deposited, shall be considered funds of the account and shall be used only in the same manner as which the underlying funds may be used.

(3) Impact fees and the interest earned thereon may be spent only for the purposes for which such fees were imposed as shown in the capital improvements plan.

(4) The records of the accounts into which impact fees are deposited shall be open for public inspection and copying during ordinary business hours.

K. Use of proceeds of impact fee accounts.

(1) The impact fees collected for each service area may be used to finance or to recoup the costs of any capital improvements or facility expansion identified in the capital improvements plan for the service area, including but not limited to the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorney's fees and expert witness fees). Impact fees may also be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the city to finance such capital improvements or facility expansion.

(2) Impact fees collected pursuant to this section shall not be used to pay for any of the following expenses:

(a) Construction, acquisition or expansion of public facilities or assets other than capital improvements or facility expansions identified in the capital improvements plan;

(b) Repair, operation or maintenance of existing or new capital improvements or facility expansions;

(c) Upgrade, update, expansion or replacement of existing capital improvements to provide better service to existing development; or

(d) Administrative and operating costs of the city.

L. Refunds.

collecting the impact fee when service was not available, failed to commence construction within two years or service is not available within a reasonable period considering the type of improvement or expansion, but in no event later than five years from the date of payment, shall be refunded to the record owner of the property for which the impact fee was paid or, if the impact fee was paid by another governmental entity, to such governmental entity, together with interest calculated from the date of payment to the date of refund at the statutory rate set forth in the Texas Finance Code, sec. 302.002, or its successor statute. The application for refund pursuant to this section shall be submitted within 60 days after the expiration of the ten-year period for expenditure of the fee. An impact fee shall be considered expended on a first-in, first-out basis.

(2) An impact fee collected pursuant to this section shall also be considered expended if the total expenditures for capital improvements or facilities expansion within the service area within ten years following the date of payment exceed the total fees collected within the service area for such improvements or facilities expansion during such period.

(3) If a refund is due pursuant to subsection (1) above, the city shall divide the difference between the amount of expenditures and the amount of the fees collected by the total number of service units assumed within the service area for the period to determine the refund due per service unit. The refund to the record owner shall be calculated by multiplying the refund due per service unit by the number of service units for the development for which the fee was paid, and interest due shall be calculated upon that amount.

(4) Upon completion of all the capital improvements or facility expansions identified in the capital improvements plan for the service area, the city shall recalculate the impact fee per service unit using the actual costs for the improvements or facilities expansions. If the impact fee per service unit based on actual cost is less than the impact fee per service unit paid, the city shall refund the difference, if such difference exceeds the impact fee paid by more than ten percent. If the difference is less than ten percent, no refund shall be due. The refund to the record owner shall be calculated by multiplying such difference by the number of service units for the development for which the fee was paid, and interest due shall be calculated upon that amount.

M. Appeals.

(1) The property owner or applicant for new development may appeal the following decisions to the city council: (a) the applicability of an impact fee to the new development; (b) the method of calculating the amount of the impact fee due; (c) the availability or the amount of an offset, credit or rebate; (d) the application of an offset or credit against an impact fee due; or (e) the amount of a refund due, if any.

(2) The burden of proof shall be on the appellant to demonstrate that the amount of the fee or the amount of the offset credit or rebate was not calculated according to the provisions of this article.

(3) The appellant must file a notice of appeal with the city secretary within 30 days following the determination of the amount of the impact fees to be paid by the development. If the notice of appeal is accompanied by a bond or other sufficient surety satisfactory to the city attorney in an amount equal to the original determination of the impact fee due, the development application may be processed while the appeal is pending.

N. Use of other financing mechanisms.

(1) The city may finance capital improvements or facilities expansions designated in the capital improvements plan through the issuance of bonds, through the formation of public utility districts or other assessment districts, or through any other authorized mechanism, in such manner and subject to such limitations as may be provided by law, in addition to the use of impact fees.

(2) Except as herein otherwise provided, the assessment and collection of an impact fee shall be additional and supplemental to, and not in substitution of, any other tax, fee, charge or assessment which is lawfully imposed on and due against the property.

O. Impact fees as additional and supplemental regulations. Impact fees established by this section are additional and supplemental to, and not in substitution of, any other requirements imposed by the city on the development of land or the issuance of building permits or certificates of occupancy. Such fees are intended to be consistent with and to further the policies of the city's comprehensive land use

public facilities in conjunction with the development of land.

Exhibit "A"

Maximum Roadway Impact Fees

LAND USE CATEGORY	DEVELOPMENT UNIT	MAXIMUM IMPACT FEE	% OF MAXIMUM FEE	ADOPTED IMPACT FEE
Port and Terminal				
Truck Terminal	Acre	\$15,880.78	100%	\$15,880.78
Industrial				
General Light Industrial	1,000 SF GFA	\$2,356.57	100%	\$2,356.57
General Heavy Industrial	1,000 SF GFA	\$458.80	100%	\$458.80
Industrial Park	1,000 SF GFA	\$2,085.46	100%	\$2,085.46
Warehousing	1,000 SF GFA	\$771.62	100%	\$771.62
Mini-Warehouse	1,000 SF GFA	\$625.64	100%	\$625.64
Residential				
Single-Family Detached Housing	Dwelling Unit	\$2,450.42	100%	\$2,450.42
Apartment/Multi-Family	Dwelling Unit	\$1,501.53	100%	\$1,501.53
Residential Condominium/Townhome	Dwelling Unit	\$1,261.70	100%	\$1,261.70
Mobile Home Park/Manufactured Housing	Dwelling Unit	\$1,428.54	100%	\$1,428.54
Senior Adult Housing-Detached	Dwelling Unit	\$656.92	100%	\$656.92
Senior Adult Housing-Attached	Dwelling Unit	\$385.81	100%	\$385.81
Assisted Living	Beds	\$531.79	100%	\$531.79

Hotel	Room	\$1,428.54	53.31%	\$761.55
Motel/Other Lodging Facilities	Room	\$1,136.58	67.00%	\$761.51
Recreational				
Golf Driving Range	Tee	\$3,034.34	100.00%	\$3,034.34
Golf Course	Acre	\$729.91	100.00%	\$729.91
Recreational Community Center	1,000 SF GFA	\$3,514.00	58.72%	\$2,063.42
Ice Skating Rink	Seats	\$291.96	100.00%	\$291.96
Miniature Golf Course	Hole	\$802.90	100.00%	\$802.90
Multiplex Movie Theater	Screens	\$33,064.97	48.62%	\$16,076.19
Racquet/Tennis Club	Court	\$8,122.87	100.00%	\$8,122.87
Institutional				
Church	1,000 SF GFA	\$1,334.69	0.00%	\$0
Day Care Center	1,000 SF GFA	\$24,170.48	10.50%	\$2,537.90
Primary /Middle School(1-8)	Students	\$385.81	100.00%	\$385.81
High School	Students	\$312.82	100.00%	\$312.82
Junior/Community College	Students	\$291.96	100.00%	\$291.96
University/College	Students	\$510.94	100.00%	\$510.94
Medical				
Clinic	1,000 SF GFA	\$12,554.47	50.00%	\$6,277.74
Hospital	Beds	\$3,180.33	69.18%	\$2,200.15
Nursing Home	Beds	\$531.79	100.00%	\$531.79
Animal Hospital/Veterinary	1,000 SF GFA	\$9,155.17	50.00%	\$4,577.59

Office				
Corporate Headquarters Building	1,000 SF GFA	\$3,399.30	75.00%	\$2,549.48
General Office Building	1,000 SF GFA	\$3,607.85	75.00%	\$2,705.89
Medical-Dental Office Building	1,000 SF GFA	\$8,383.55	75.00%	\$6,287.66
Single Tenant Office Building	1,000 SF GFA	\$4,191.77	75.00%	\$3,143.83
Office Park	1,000 SF GFA	\$3,586.99	75.00%	\$2,690.24
Commercial-Automobile Related				
Automobile Care Center	1,000 SF Occ. GFA	\$4,921.69	100.00%	\$4,921.69
Automobile Parts Sales	1,000 SF GFA	\$8,258.42	100.00%	\$8,258.42
Gasoline/Service Station	Vehicle Fueling Position	\$19,373.92	100.00%	\$19,373.92
Gasoline/Service Station w/Conv Market	Vehicle Fueling Position	\$14,274.97	100.00%	\$14,274.97
Gasoline/Service Station w/Conv Market and Car Wash	Vehicle Fueling Position	\$14,869.33	100.00%	\$14,869.33
New Car Sales	1,000 SF GFA	\$5,025.96	100.00%	\$5,025.96
Quick Lubrication Vehicle Shop	Servicing Bays	\$6,287.66	100.00%	\$6,287.66
Self-Service Car Wash	Stall	\$6,715.18	100.00%	\$6,715.18
Tire Store	1,000 SF GFA	\$7,246.97	100.00%	\$7,246.97
Commercial-Dining				
Fast Food Restaurant with Drive-Thru	1,000 SF GFA	\$40,583.05	29.71%	\$12,057.22

Fast Food Restaurant without Drive-Thru Window	1,000 SF GFA	\$31,698.99	14.01%	\$4,441.03
High Turnover (Sit-Down) Restaurant	1,000 SF GFA	\$15,411.55	12.35%	\$1,903.33
Quality Restaurant	1,000 SF GFA	\$10,166.62	12.48%	\$1,268.79
Coffee/Donut Shop with Drive-Thru Window	1,000 SF GFA	\$52,042.65	20.73%	\$10,788.44
Commercial-Other Retail				
Free-Standing Retail Store	1,000 SF GFA	\$8,727.65	50.00%	\$4,363.83
Nursery (Garden Center)	1,000 SF GFA	\$7,372.10	50.00%	\$3,686.05
Home Improvement Superstore	1,000 SF GFA	\$2,992.64	50.00%	\$1,496.32
Pharmacy/Drugstore w/o Drive-Thru Window	1,000 SF GFA	\$9,593.12	50.00%	\$4,796.56
Pharmacy/Drugstore w/Drive-Thru Window	1,000 SF GFA	\$12,794.30	50.00%	\$6,397.15
Shopping Center	1,000 SF GFA	\$5,964.42	50.00%	\$2,982.21
Supermarket	1,000 SF GFA	\$16,287.44	50.00%	\$8,143.72
Toy/Children's Superstore	1,000 SF GFA	\$8,466.97	50.00%	\$4,233.49
Department Store	1,000 SF GFA	\$3,023.92	50.00%	\$1,511.96
Video Rental Store	1,000 SF GFA	\$16,485.56	100.00%	\$16,485.56
Services				
Walk-In Bank	1,000 SF GFA	\$17,642.99	100.00%	\$17,642.99
Drive-In Bank	Drive-In Lanes	\$33,179.67	100.00%	\$33,179.67
Hair Salon	1,000 SF GFA	\$2,815.37	100.00%	\$2,815.37

Meter Type	Meter Size	Ratio to 5/8" Meter (Equiv # of EDU's)	Maximum Impact Fee	Adopted Impact Fee (70%)
Simple	5/8" × 3/4"	1.0	\$3,602.42	\$2,521.69
Simple-Residential	3/4"	1.0	\$3,602.42	\$2,521.69
Simple-Commercial	3/4"	1.5	\$5,403.63	\$3,782.54
Simple	1"	2.5	\$9,006.06	\$6,304.24
Simple	1-1/2"	5.0	\$18,012.11	\$12,608.48
Simple	2"	8.0	\$28,819.38	\$20,173.57
Compound	2"	8.0	\$28,819.38	\$20,173.57
Turbine	2"	10.0	\$36,024.22	\$25,216.95
Compound	3"	16.0	\$57,638.76	\$40,347.13
Turbine	3"	24.0	\$86,458.14	\$60,520.70
Compound	4"	25.0	\$90,060.56	\$63,042.39
Turbine	4"	42.0	\$151,301.74	\$105,911.22
Compound	6"	50.0	\$180,121.12	\$126,084.78
Turbine	6"	92.0	\$331,422.85	\$231,996.00
Compound	8"	80.0	\$288,193.79	\$201,735.65
Turbine	8"	160.0	\$576,387.57	\$403,471.30
Compound	10"	115.0	\$414,278.57	\$289,995.00
Turbine	10"	250.0	\$900,605.58	\$630,423.91
Turbine	12"	330.0	\$1,188,799.37	\$832,159.56

Exhibit "C"

Maximum Impact Fee per 5/8 Inch Meter Equivalent - Wastewater

Meter Type	Meter Size	Ratio to 5/8" Meter (Equiv #	Maximum Impact Fee	Adopted Impact Fee
-------------------	-------------------	-------------------------------------	---------------------------	---------------------------

Simple	5/8" × 3/4"	1.0	\$1,857.68	\$1,857.68
Simple-Residential	3/4"	1.0	\$1,857.68	\$1,857.68
Simple-Commercial	3/4"	1.5	\$2,786.53	\$2,786.53
Simple	1"	2.5	\$4,644.21	\$4,644.21
Simple	1-1/2"	5.0	\$9,288.42	\$9,288.42
Simple	2"	8.0	\$14,861.47	\$14,861.47
Compound	2"	8.0	\$14,861.47	\$14,861.47
Turbine	2"	10.0	\$18,576.83	\$18,576.83
Compound	3"	16.0	\$29,722.94	\$29,722.94
Turbine	3"	24.0	\$44,584.40	\$44,584.40
Compound	4"	25.0	\$46,442.09	\$46,442.09
Turbine	4"	42.0	\$78,022.71	\$78,022.71
Compound	6"	50.0	\$92,884.17	\$92,884.17
Turbine	6"	92.0	\$170,906.88	\$170,906.88
Compound	8"	80.0	\$148,614.68	\$148,614.68
Turbine	8"	160.0	\$297,229.36	\$297,229.36
Compound	10"	115.0	\$213,633.60	\$213,633.60
Turbine	10"	250.0	\$464,420.87	\$464,420.87
Turbine	12"	330.0	\$613,035.55	\$613,035.55

(Ordinance 3401, sec. 1, adopted 7/2/12; Ordinance 3443, sec. 1, adopted 12/3/12)

Sec. 8-2221. Inspection fees.

A. Each plat applicant shall pay to the city an inspection fee equal to set proportion of the estimated cost of public improvements in and adjacent to the requested plat. The inspection fee shall be in accordance with the City of Sachse Master Fee Schedule established by resolution of the city council. Public improvements include, but are not limited to, water, sewer, streets, and drainage. The determination of the inspection fee shall be based upon contracts provided by the applicant to estimate the construction costs of public improvements. The fee shall be paid before the release of engineering plans and/or site plans. (Ordinance 3401, sec. 1, adopted 7/2/12; Ordinance 3443, sec. 2, adopted