

APPENDIX B SUBDIVISIONS ⁽¹⁾

ORDINANCE NO. 390

SUBDIVISION AND EXTRATERRITORIAL REGULATIONS

A NEW ORDINANCE SUPPLANTING PREVIOUS ORDINANCES SETTING FORTH THE REQUIREMENTS AND PROCEDURES IN SUBMITTING SUBDIVISION PLATS WITHIN AND ADJACENT TO THE CITY OF ALPINE FOR APPROVAL AND RECORDING; AND PRESCRIBING IMPROVEMENTS TO BE MADE IN SUCH SUBDIVISIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALPINE THAT:

SECTION I. - PRELIMINARY APPROVAL

SECTION II. - FINAL APPROVAL

SECTION III. - UTILITY CONSTRUCTION

SECTION IV. - INTERPRETATION AND PURPOSE

SECTION V. - VALIDITY

FOOTNOTE(S):

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Editor's note— Printed herein is Ordinance No. 390, as adopted by the city council on December 10, 1963. Amendments to the ordinance are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original ordinance. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, headings and catchlines have been made uniform and the same system of capitalization, citation to state statutes, and expression of numbers in text as appears in the Code of Ordinances has been used. Additions made for clarity are indicated by brackets. ([Back](#))

Cross reference— The subdivision ordinance and amendments thereto saved from repeal, § 1-6(10); any ordinance accepting any plat or subdivision or any dedication to public use saved from repeal, § 1-6(11); buildings and building regulations, ch. 18; floods, ch. 50; signs, ch. 78; streets, sidewalks and other public places, ch. 86; utilities, ch. 98; zoning, app. C. ([Back](#))

State Law reference— Platting and recording subdivisions or additions, V.T.C.A., Local Government Code ch. 212; extension of rules to extraterritorial jurisdiction, V.T.C.A., Local Government Code § 212.003. ([Back](#))

SECTION I. PRELIMINARY APPROVAL

Item 1. Proposed subdivisions within and without the city limits shall be submitted to the Planning and Zoning Commission of the City of Alpine through the city secretary for preliminary approval. Information submitted shall be in the following form and contain the following information:

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- (a) A plat of the proposed subdivision should be submitted, drawn to scale of one inch equals 100 feet, showing proposed lots, blocks, streets, alleys, sidewalks, utility easements. This plat shall show all existing utility lines, water mains, sewer mains, roads and installations and that provided for same.
- (b) Topographical contours shall be shown on the plat agreeable to the city engineer.
- (c) Boundaries of tract being subdivided shall be shown with sufficient legal information to permit calculation of closure and acreage.
- (d) Adjoining, existing subdivisions and dedicated streets, alleys, roads and easements, if any, shall be shown and tied in with proposed subdivision by measurement.
- (e) No lot intended for residential construction shall have less than 7,000 square feet of area. Lot dimensions shall conform to zoning ordinance requirements for front building-line set backs and side and rear lot line clearances.
- (f) Streets within the existing city limits shall have a minimum width of 55.56 feet, and outside the existing city limits, 60 feet. Proposed streets shall conform to existing streets at intersections.
- (g) Alleys are required in all blocks with a minimum width of 20 feet. Utility easements, where necessary, shall have a minimum width of 20 feet.
- (h) Small, irregular tracts, designated as "public parks" will not be acceptable unless such tracts are deeded to and accepted by the City of Alpine for park purposes.
- (i) The name of the proposed subdivision, and names of streets, shall be on the plat, and where proposed streets are or are generally interpreted as being a continuation of an existing street, the name of the existing street shall be used.
- (j) Water mains not less than eight inches in diameter, meeting all requirements of the state health department, and providing standard fire protection according to the rules of the state commission on fire protection, shall be provided. Areas for collection containers for garbage and trash disposal shall be provided.
- (k) Three blue-print copies of the proposed subdivision shall be submitted to the city secretary, who will call a meeting of the planning and zoning commission within ten days after plans are submitted, at the city hall. The person sponsoring the proposed subdivision, or his authorized agent, shall be present at this meeting.
- (l) The planning and zoning commission shall approve or disapprove, within 30 days, any preliminary plat submitted to it.
- (m) If a developer elects so to do, he may submit a master preliminary plat of the entire area he proposes to subdivide over a period of time, such plat to have an accurate boundary survey showing closure within permissible limits and all topography. After approval of this master preliminary plat, he may proceed to submit final plats in accordance with the master preliminary plat, by units as the development proceeds. Each unit must be adjacent to the preceding unit, and any unit must contain two or more acres of land.

SECTION II. FINAL APPROVAL

- Item 1.* (a) The proposed subdivision shall be established on the ground by detailed field survey with the concerns of each lot located and identified by [an] iron pipe three-quarter inch in diameter, 18 inches in length, driven in the ground. No plat will be considered before this work has been done.
- (b) Full and complete dimensions shall be shown on the plat for all lots, streets, alleys and easements with exact ties to adjoining subdivisions. If property lines are curved, all curve data will be shown. All lots and blocks shall be numbered, and all streets named.

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(c) Locations and descriptions shall be shown for all utility lines, water and sewer mains, storm sewers, culverts, bridges and other structures.

Item 2. (a) A certificate of survey shall appear on the plat, signed by the person or firm who made the field survey and prepared the plat, and this person or firm shall be either a licensed land surveyor or a registered professional engineer, and an impression of his seal of authority shall appear on the plat.

Item 3. (a) A title shall appear on the plat, naming the subdivisions and giving other pertinent information. A dedication shall be made by the owner and developer giving a description of the property being subdivided, either by deed reference, or field note description, stating the purpose of the subdivision, including anticipated zoning regulations and stating any requested variations to the zoning ordinance of the City of Alpine. All streets, alleys and easements shall be dedicated. The dedication shall be notarized on the plat and filed of record in Brewster County.

(b) Provision shall be made on the plat for certification of action taken by the city council and/or by the county commissioners as may need to appear, and the plat duly recorded in the records of Brewster County.

Item 4. (a) A fee of \$150.00 to cover costs of recording and furnishing prints shall be paid when the submission for final approval of a subdivision plat is made.

SECTION III. UTILITY CONSTRUCTION

Item 1. (a) The developer of a subdivision shall be required to pay for the construction of all streets, alleys, storm sewers, bridges, culverts, water mains, sanitary sewers, fire hydrants and other appurtenances necessary to adequately serve the area to be subdivided.

(b) All such construction will be done in accord with plans and specifications acceptable to the City of Alpine, and all such construction shall be done under supervision by the City of Alpine.

(c) Water mains, fire hydrants and sanitary sewer mains will be installed by the City of Alpine after an amount of money acceptable to the city council covering the total cost of such construction (including engineering, materials and labor) has been placed in escrow at the First National Bank in Alpine, and when installed, such mains and hydrants become the property of the City of Alpine, subject to connection to the city systems with operation and maintenance henceforth by the City of Alpine. When mains are installed, escrow funds will be turned over to the City of Alpine.

Item 2. (a) There is hereby established a participating plan for the extension of water mains and sewer mains within or without the city limits. This plan is available to individual property owners. It is not available to subdivision developers. In each instance, the application of this plan must be submitted to the city council. The city council will approve or disapprove each proposal, depending on the circumstances prevailing at the time. There shall be a determination by the council as to whether or not the proposal is in the best interest of the city, and that the city, at that time, has available funds and manpower to prosecute the project, and that the project fits properly into the existing and planned development of the sewer and water system.

(b) When an individual owner petitions the City of Alpine for the extension of a water main or sewer main, either within the city limits or outside the city limits, the city council may, at its option, install such water and sewer mains after the individual has deposited with the City of Alpine a sum of money acceptable to the city council and based on the linear footage of the extension. The amount of the deposit shall be set by the council for each project after considering the circumstances involved. The individual owner will be granted a credit for future water and/or sewer service at that location equal to the amount of money deposited, but such credit shall not be transferable or applied at any other location.

Item 3. (a) The attention of each subdivider is directed to V.T.C.A., Property Code § 12.002(b), which states: "A person may not file for record or have recorded in the county clerk's office a plat or replat of a subdivision of real property unless it is approved as provided by law by the appropriate authority

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and unless the plat or replat has attached to it the documents required by V.T.C.A., Local Government Code § 212.0105 or 232.0035, if applicable."

SECTION IV. INTERPRETATION AND PURPOSE

Item 1. (a) In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of public safety, health, convenience, comfort and general welfare of the City of Alpine.

Item 2. (a) The foregoing requirements and procedures in this ordinance have heretofore been approved by the planning and zoning commission of the City of Alpine under date of December 10, 1963, and shall in its application for subdivisions and annexation of any subdivision be in accord with V.T.C.A., Local Government Code chs. 43 and 212.

SECTION V. VALIDITY

If any part of this ordinance shall be adjudged invalid from any cause, all other parts shall not be affected thereby.

This ordinance supersedes and replaces Ordinance Nos. 376 and 388 and any other ordinances, or parts of ordinances, heretofore enacted that conflict with this ordinance, and such ordinances are hereby repealed.

This ordinance shall be read and approved at three regular meetings of the city council.

Passed and approved this tenth day of December, A.D., 1963.