



## **Subdivision Ordinance**

*Planning and Development Department*

**City of Fort Worth, Texas**

Adopted: September 12, 2006  
Revised: G-15482 Ord. #17275 November 7, 2006  
Revised: G-15882 Ord. #17794 September 25, 2007  
Recodified: G-15944 Ord. #17851 October 30, 2007  
Revised: G-16001 Ord. #17924 December 18, 2007  
Revised: G-16622 Ord. #18705 July 14, 2009  
Revised: G-16927 Ord. #19156 May 18, 2010  
Revised: PZ-2910 Ord. #19336 September 14, 2010  
Revised: PZ-2987 Ord. #20382 September 11, 2012  
Revised: L-15852 Ord. #22051-01-2015 1/12/2016  
Revised: L-15920 Ord. #22274-06-2016 6/14/2016

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# **ARTICLE I: PLAN COMMISSION**

## **Sec. 31-1. RESPONSIBILITY.**

The city plan commission, referred to as “commission”, shall exercise all of the powers of approval, disapproval, and vacation of plats, as provided by state statutes and the City Charter and ordinances.

## **Sec. 31-2. ESTABLISHMENT AND PURPOSE.**

(a) The city plan commission is created to assist Fort Worth in becoming and maintaining the stature as the most livable city in Texas. The mission is to serve the public and advise the City in the orderly growth and development of the community. This mission is accomplished through the formulation and maintenance of a comprehensive plan, recommendations of proposals for annexations, the processing of plats, and other tasks as defined by City Council and applicable law.

(b) Incorporated within the duties of the plan commission are the responsibilities for the following:

(1) Study and recommend on all proposals for the zoning classification of land submitted for voluntary annexation or limited purpose annexation and submit all proposals in the name of the city plan commission;

(2) Exercise all the powers of a Commission as to the approval or disapproval of plans, plats or replats and vacations of plans, plats or replats as set out in Tex. Local Government Code Chapter 212;

(3) Keep informed with reference to the progress of city planning in Fort Worth and other cities and counties and recommend improvements to the adopted plans of the city;

(4) Study and recommend on the planning, design, location, vacation, closing, or termination of public rights-of-way, bridges, public buildings, parks, and other capital improvement projects, considering the design of streets and blocks that promote viable, safe and sustainable neighborhoods with regard for traffic control and safety, convenient access, and traffic and pedestrian circulation and internal sub-neighborhood area connection and circulation both within the subdivision and between adjacent subdivisions, without the need for utilizing the perimeter arterial streets system for such purpose;

(5) Inspect the property and premises where required in the discharge of the responsibilities of the commission as allowed by the laws of the state and ordinances of the city; and

(6) Advise the city zoning commission with respect to zoning districts and development standards and to provide zoning recommendations on applicable subdivision proposals.

## **Sec. 31-3. APPOINTMENT.**

(a) The city plan commission shall be composed of qualified electors of the city. The city council shall consider for appointment to the commission only those persons who have demonstrated their civic interest; general knowledge of the community; independent judgment; understanding of zoning and planning; availability to prepare for and attend meetings; and who, by reason of diversity of their occupations, constitute a commission which is broadly representative of the community.

(b) The city council shall appoint the city plan commission, which shall consist of nine members, who shall serve in places numbered one through nine, and two alternate members to serve in the absence of one or more regular members. Preference will be given, where feasible, to prior plan commission members as appointees to serve as alternate members to the commission. After the expiration of the initial members' terms, members shall serve two-year terms. No regular member shall serve more than three consecutive two-year terms and the terms of current members of the commission shall be counted toward the limit of terms to be served, for purposes of this section. At the expiration of three consecutive two-year terms of service as a regular member, the member may be appointed to serve as an alternate member at the discretion of the city council.

## **Sec. 31-4. ORGANIZATION.**

(a) The commission shall hold an organizational meeting in November of each year and shall elect a chairperson and vice-chairperson from among its members before proceeding to any other matters of business. The commission shall meet regularly and shall designate the time and place of its meetings. The commission shall adopt a set of rules of procedure and keep a record of its proceedings in accordance with the provisions of this article and the City Charter. Newly appointed members shall be installed at the first regular meeting after their appointment.

(b) Six members of the commission shall constitute a quorum for the conduct of business. The members of the commission shall regularly attend meetings and public hearings of the commission and shall serve without compensation, except for reimbursement for authorized and approved expenses attendant to the performance of their duties.

(c) There is hereby created the position of executive secretary to the commission. The director of the planning and development department, or his or her designated representative, shall serve as the executive secretary.

(d) The executive secretary shall have full care, custody, and control of the minutes and official records; shall attend to the correspondence of the commission; and shall give such notices as are required and in the manner prescribed by statute, ordinance, these rules or vote of the commission.

## Sec. 31-5. DECISIONS.

(a) *Continuance.* An applicant may request a continuance if received in writing prior to publication of public notice, generally ten days prior to a public hearing. Any request received after public notice is served shall be at the discretion of the commission.

(b) *Approval.* The Commission shall approve any plan or plat that conforms to this chapter, the comprehensive plan as it applies within the city limits (except where it conflicts with existing zoning); master thoroughfare plan; parks and recreation policies; Meacham, Alliance, and Spinks Airport controls; and other city codes, ordinances, policies, rules or regulations.

(c) *Conditional approval.*

(1) The Commission may conditionally approve a plan or plat where there is a master thoroughfare plan amendment, or a rezoning application is pending. The commission shall not deny or place conditions of approval based upon unregulated issues, public protest, private deed covenants and agreements, or allegations that the plat is not in keeping with the character of the neighborhood.

(2) Conditional approval shall constitute disapproval until all the conditions are met. The revised plan or plat is subject to review and approval by the executive secretary for conformance with the conditions of approval.

(3) Conditional approval by the Commission shall not extend beyond two calendar years from the date of conditional approval unless the Commission grants an additional extension.

(d) *Approval with Waivers.*

(1) The applicant may request a waiver of the provisions of this Ordinance by filing a written request with the executive secretary at the time of plat application submittal.

(2) The commission may authorize a waiver when, in the commission's opinion, reasonable difficulty will result from strict compliance. The commission shall consider the general purpose and intent of this chapter, the nature of the proposed use of the land involved relative to the need for changes in infrastructure and municipal services, existing zoning and uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of the variance upon traffic conditions.

(3) a. No waiver shall be granted unless the commission finds:

1. That the effect of granting the waiver will be neither detrimental to the public health, safety, or welfare nor injurious to other property; and
2. That the effect of granting the wavier will not prevent the use or orderly development of other tracts of land.

b. The findings, together with the specific facts upon which these findings are based, shall be entered as part of the official minutes of the commission meeting.

(e) **Denial.** The commission may deny any plan or plat or that does not conform to this chapter, the comprehensive plan as it applies within the city limits (except where it conflicts with existing zoning), master thoroughfare plan, parks and recreation policies, Meacham, Alliance and Spinks Airport controls, and other city codes, ordinances, policies, rules or regulations.

(f) **Reconsideration.** Decisions of the commission shall be final, subject to reconsideration as follows:

- (1) Any proposal, which has received final action, may be reconsidered by the Commission upon a request initiated by the applicant. The request shall be filed in writing with the executive secretary within ten days after the date of the commission's decision; and
- (2) The executive secretary shall place the request for reconsideration on the next regularly scheduled commission meeting agenda.

(g) **Recommendations to city council.**

(1) The plan commission shall make a recommendation for street closures/vacations to city council for final consideration and action.

(2) The plan commission will make a recommendation to city council for final consideration and action for comprehensive plans, annexations, and other tasks as defined by city council.

(h) **Changes following commission approval.**

(1) a. Plans or plats previously approved at the Commission's public hearing may not be changed or altered without a re-hearing, except to bring the plan/plat in conformance with the conditions and requirements stipulated by the commission.

b. Changes in land use, zoning, street classifications, the configuration of street patterns, connections to perimeter streets, an increase in development intensity or extensions to the perimeter boundary of the subdivision to un-subdivided properties require a public hearing. Changes to street classifications, connections to perimeter streets or extensions to the perimeter boundary of the subdivision to un-subdivided properties shall also require the written consent of the adjacent property owner.

(2) The executive secretary may administratively review and approve the following without plan commission approval:

- a. Minor alterations to internal streets and/or circulation system and alignments; and



- b. A net increase in the overall dwelling unit yield of the plan. The net increase may not exceed 3% of the total residential lots rounded to the nearest whole number.
- (i) ***Other matters of business (OMB).***
- (1) Requests that are minor in nature may be placed on the commission agenda for review and consideration by the commission under the heading “other matters of business.” No public notice shall be required. All such requests shall be posted on the commission’s agenda prior to public hearing in the manner prescribed by state law.
  - (2) Requests eligible as “other matters of business” include the following:
    - a. Change the subdivision name of a preliminary, short form, or final plat;
    - b. Increase in lot yield of an approved preliminary plat that does not exceed 5% of the total residential lots, rounded to the nearest whole number. In granting a request, the commission shall consider that the increase is the result of a final adjustment in the plan design; adjustment in the size or configuration of public park, other open space or community facility parcels; or the elimination of oil/gas drill sites which would reasonably incur an increase in lot yield;
    - c. A one-year extension of the expiration date of an approved concept plan, preliminary plat, final or short form plat;
    - d. Vacation of a final recorded plat, where an agreed petition signed by all affected property owners has been submitted; and
    - e. Revisions to the subdivision ordinance or commission’s rules of procedures.

**Secs. 31-6—31-20. – RESERVED.**

# ARTICLE II: DEVELOPMENT REVIEW COMMITTEE

## Sec. 31-21. ESTABLISHMENT.

The development review committee (DRC) is established to assist the city plan and zoning commissions in their review of plans and plats; rights-of-way vacations and closures; master thoroughfare plan changes; and zoning changes and site plans.

## Sec. 31-22. COMPOSITION

(a) The DRC is composed of both ‘regular’ and ‘associate’ members of various city departments and related agencies having an interest in the work and activities of the respective commissions. ‘Regular’ members shall represent those directly involved in the review of the technical evaluation of the commission cases. ‘Associate’ members represent those departments and agencies involved in limited aspects of commission cases.

(b) The executive secretary to the plan commission, or his or her appointed representative, shall serve as the chairperson of the DRC. The following shall constitute membership in the DRC:

Plan Commission	Zoning Commission	Department /Agency Member
R	R	Planning and development department
R	R	Transportation and public works department
R	A	Parks & community services dept.
R	A	Water department
A	A	Environmental management dept.
R	R	Fire department
R	A	Police department
R	A	Tarrant County Health Department
R	A	Tarrant County Transp. & Eng. Dept.
A	A	Housing department

(R- Regular Member; A- Associate Member)

## **Sec. 31-23. ROLE AND RESPONSIBILITY.**

The DRC shall advise the commissions on the following:

- (a) The compliance and completion of applications for commission consideration as to adopted rules, regulations, and ordinances;
- (b) The appropriate cases for plan commission 'consent agenda' items;
- (c) Waivers and reconsiderations;
- (d) Appropriate zoning of land requested for voluntary or limited purpose annexation;
- (e) Street and alley vacations; and
- (f) Amendments to the respective zoning and subdivision ordinances.

## **Sec. 31-24. MEETINGS AND REPORTS.**

The DRC shall hold a monthly meeting to review cases with representatives of cases and compile reports for the next scheduled meeting of the plan commission and zoning commission.

## **Secs. 31-25—31-40. - RESERVED.**

## **ARTICLE III. PLATTING**

### **Sec. 31-41 PLAT REQUIREMENTS.**

(a) ***Platting required.***

(1) Any owner of a tract of land within the city or its extra-territorial jurisdiction (ETJ), which is to be divided into two or more parts for the purposes of laying out a subdivision of the tract or parcel; laying out lots for building or other land uses; or laying out streets, alleys, parks, public squares, or other parcels and lots intended to be dedicated to the public use or for the use of the purchasers or owners of such lots fronting on or adjacent to the public use must prepare a subdivision plat for the review, approval, and recording by the city.

(2) The entire original tract must be platted if any remainder or proposed lot is less than five acres.

(b) ***Platting exempt.***

(1) A division of land within the city or the ETJ shall be exempt from the platting regulations where the division of land is into parts all greater than five acres each, each part has access to a public street, and no public improvement is being dedicated. Any parcel requiring a city permit must first be platted and recorded in accordance with this chapter, provided however said platting requirement may be waived in accordance with the procedures in Article VIII of this chapter.

(2) No division of land, regardless of size, may be left in a configuration that would prevent it from being platted in compliance with the adopted subdivision ordinance.

(c) ***Multiple Plat Filing Prohibited.*** Multiple preliminary plats may not be filed on the same property for the purpose of simultaneous consideration by the city plan commission.

### **Sec. 31-42. TYPES OF PLANS AND PLATS.**

(a) ***Concept plan (not recorded).*** A concept plan is required when:

- (1) Preliminary plats are proposed to be presented in stages;
- (2) The total land area of contiguous parcels under the same ownership and control is greater than one square mile (640 acres); and
- (3) The area is located wholly or partially within the City of Fort Worth or proposed for annexation to the city.

(b) ***Preliminary plat (not recorded).***

(1) A preliminary plat shall conform to the approved concept plan if a concept plan was required.

(2) A preliminary plat is required to be processed by the planning and development department and approved by the city plan commission prior to the applicant submitting a final plat for city approval and recording with the respective county clerk.

(3) A preliminary plat is not required if there is no dedication or construction of public or private streets required for access and if four or fewer lots are to be platted. See subsection (d), minor plat, below.

(4) A preliminary plat is required if there is:

- a. Dedication or construction of public or private streets;
- b. If five or more lots are to be platted (see subsection (d), minor plat, below); or
- c. If development of the property is to be platted in phases.

(c) ***Final plat.***

(1) The final plat shall conform to the approved preliminary plat and meet all of the requirements of the plan commission.

(2) The final plat may include all or any portion of the area included in the approved preliminary plat.

(3) A final plat does not require a public hearing and is administratively approved by the plan commission's executive secretary preceding the filing of the plat for record.

(d) ***Minor plat (short form final plat).***

(1) A minor plat is permitted for four or fewer lots that have not been previously platted and recorded.

(2) All lots on the minor plat must have direct access to and front or abut an existing public street.

(3) All lots must meet the lot size requirements of the zoning district in which they are located.

(4) A minor plat does not require a public hearing and is administratively approved by the plan commission's executive secretary preceding the filing of the plat for record.

(e) ***Replat.***

(1) A replat does not vacate the previous plat of record governing the remainder of the subdivision. A replat shall contain a note on the plat face attesting that the replat does not amend or remove any covenants or restrictions.

(2) A public hearing is required if additional single-family or two-family zoned lots are created or if the location or width of interior streets and pedestrian circulation routes are significantly altered.

(3) A replat may be administratively approved if no additional single-family or

two-family lots are created and only minor street adjustments that do not alter the previously approved plat or require a vacation of the altered street right-of-way.

**(f) *Amending plat.***

(1) A plat of record may be amended without public notice, a public hearing, or approval of other lot owners and is controlling over the preceding plat without vacation for one or more of the following purposes:

- a. To correct errors in course or distance;
- b. To add any course or distance that was omitted;
- c. To correct an error in the description of the real property;
- d. To indicate monuments set after death, disability, or retirement from practice of the engineer or surveyor charged with responsibility for setting monuments;
- e. To show the location or character of any monument that has been changed or was incorrectly shown;
- f. To correct any other type of scrivener or clerical error or omission including lot numbers, acreage, street names, and identification of adjacent recorded plats;
- g. To correct an error in courses and distances of lot lines between two adjacent lots if both lot owners join in the application for amending the plat; neither lot is abolished; the amendment does not attempt to remove recorded covenants or restrictions; and the amendment does not have a material adverse affect on the property rights of the other owners in the plat;
- h. To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
- i. To relocate one or more lot lines between one or more adjacent lots if the owners of all those lots join in the application for amending the plat; the amendment does not attempt to remove recorded covenants and restrictions; and the amendment does not increase the number of lots;
- j. To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if the changes do not affect applicable zoning and other regulations of the city; the changes do not attempt to amend or remove any covenants or restrictions; and the area covered by the changes is located in an area that the city has approved, after a public hearing, as a residential improvement area;
- k. To replat one or more lots fronting on an existing street if the owners of all those lots join in the application for amending the plat; the amendment does not remove any covenants or restrictions; the amendment does not increase the number of lots; and the amendment does not create or require the creation of a new streets or make necessary the extension of municipal facilities.

(2) An amending plat is filed for record in the county of jurisdiction upon administrative approval by the plan commission's executive secretary.

(g) ***Correction plat.***

(1) A plat may be corrected without public notice, a public hearing or approval of other lot owners and is controlling over the preceding plat without vacation for one or more of the purposes listed in subsection (f)(1)a. through (f)(1)g. above, Amending plat.

(2) A correction plat is filed for record in the county of jurisdiction upon administrative approval by the plan commission's executive secretary.

(h) ***Conveyance plat.***

(1) A conveyance plat may be used to transfer ownership of a parcel or portion of a parcel of land in order to record the transfer of ownership without requiring construction or design of public improvements or collection of development fees.

(2) The property must have access to private or public street.

(3) Utility easements may be recorded on the conveyance plat.

(4) a. The conveyance plat shall contain a certification note on the plat face, as follows:

"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."

b. A conveyance plat is filed for record in the county of jurisdiction upon administrative approval by the plan commission's executive secretary.

(i) ***Vacated Plat.*** A recorded plat may only be vacated per the provisions of Tex. Local Government Code Section 212.013. A vacated plat must meet the following requirements:

(1) If any lot has been sold to an individual property owner, the vacation application shall include the signatures of 100% of all property owners within the recorded subdivision;

(2) No partial plat may be vacated without the consent of all property owners encompassed by the prevailing recorded plat;

(3) No plat may be vacated unless access is provided to individual platted lots and public street and alley rights of way, parks, public sites and facilities, and utility and drainage easements and improvements are provided in the accompanying replat; and

(4) No vacated plat may be recorded in the county of jurisdiction without a public hearing and approval of the city plan commission.

## **Sec. 31-43. APPLICATION OF REGULATIONS.**

Where an application was filed for review prior to October 24, 2006, the city plan commission rules and 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 commission shall not grant any waiver to this elective requirement.

## **Sec. 31-44—31-60. - RESERVED.**



## **ARTICLE IV: SUBMISSION AND REVIEW PROCESS**

### **Sec. 31-61. PRESUBMISSION; PRE-DEVELOPMENT CONFERENCE.**

A pre-development conference may be held between the applicant, his or her consultant, and the DRC staff prior to submission of a preliminary plat or concept plan application for the purpose of advising the applicant as to the general restrictions, requirements, and other planning and engineering matters applicable to the plat. If an issue arises during the pre-development meeting that directly concerns a city department not represented, the appropriate staff will be contacted.

### **Sec. 31-62. II SUBMISSION PROCESS.**

The following standards and procedures shall be followed regarding application submission:

(a) ***Written request.*** Every proposal shall be submitted in writing in a format and on application forms provided by the planning and development department. All applications and any required supplemental documents shall be submitted to the executive secretary. No plat application will be accepted for filing and processing by the executive secretary until all fees are paid, the application is complete, and the property is properly zoned for the anticipated use or an application has been submitted for rezoning.

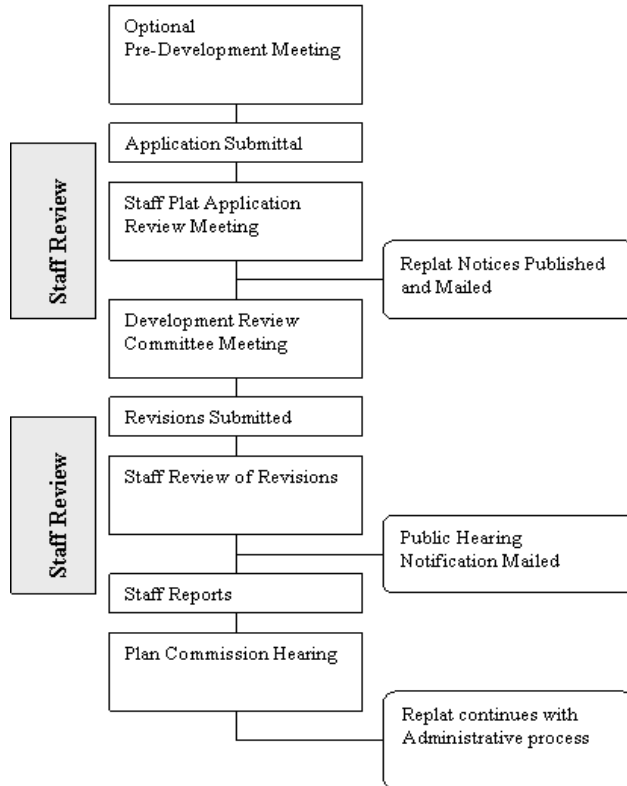
(b) ***Submission deadline.*** The submission deadline for applications submitted for plan commission action is 30 days prior to the next scheduled commission meeting date. If the filing deadline falls on a city holiday, the following workday shall be observed as the submission deadline. The deadline shall be the official submission date for all applications. Any application filed prior to the submission deadline shall be deemed submitted on the official deadline date.

(c) ***Public notices.*** Required notice of the public hearing shall be sent to the applicant or his or her agent; to the owners of all properties lying within 300 feet of the property (as ownership appears on the last approved county tax roll); and to all community or neighborhood organizations registered with the city that represent property within a quarter mile (1,320 feet) of the subject property encompassed in the application. Notice shall also be sent to the owners of all

abutting properties located outside the city limits and to other persons as the executive secretary determines may be affected by the proposal. Notice shall be given in writing, deposited in the United States mail, postage prepaid, not less than ten days prior to the date of commission hearing. The notice shall advise that a specific proposal has been submitted for consideration and is available for review in the planning and development department.

(d) **Withdrawal of Application.** Any application may be withdrawn by submitting a request to the executive secretary. The request shall be effective upon the date of receipt by the executive secretary. A request to withdraw the application after public notices have been mailed shall be heard by the plan commission.

## Sec. 31-63 REVIEW, APPROVAL & EXPIRATION



**Figure 1**

(a) **Concept plan.**

(1) **Review.** The DRC shall review the concept plan to determine the relationship of proposed traffic-ways to existing neighborhood circulation patterns; compliance with this chapter; the master thoroughfare plan; the

comprehensive plan; parks and recreation policies; Meacham, Alliance, and Spinks Airport controls; and other city codes, ordinances, policies, rules, or regulations; and the need for other public facilities.

(2) ***Approval.***

a. The plan commission shall review all concept plans. The decision of the plan commission is final.

b. Approval by the plan commission shall permit the submission of preliminary plats in stages that are in conformity with the approved concept plan and City of Fort Worth development policies. Approval of a concept plan shall not prevent the plan commission from approving concept plans and plats on adjacent properties that are not consistent with the concept plan, or from disapproving future preliminary plats that do not comply with the approved concept plan. Before any inconsistent concept plan or plat is approved on adjacent property, the plan commission shall give written notice to the current property owner and to the applicant who filed the previously approved concept plan.

(3) ***Conditional approval.*** Revisions and corrections required by any plan commission "conditionally approved" concept plan shall be submitted in a form prescribed by the planning and development department within seven calendar days from the date of the commission's conditional approval. The plan shall be verified and stamped "approved" with the signature of the executive secretary for distribution.

(4) ***Withdrawal of approval by plan commission.*** Approval or conditional approval of a concept plan is voidable or subject to amendment at any time, after a public hearing by the plan commission, if the applicant causes a material change in the approved concept plan.

(5) ***Expiration.*** A concept plan shall expire on the fifth anniversary of the date the plan was approved by the plan commission if no progress has been made towards the completion of the project. Progress towards the completion of the project shall include any one of the following:

- a. An application for a final plat or plan is submitted;
- b. A good-faith attempt is made to file with the city or other regulatory agency for a permit necessary to begin or continue towards completion of the project;
- c. Costs have been incurred for developing the project, including costs associated with roadway, utility, and other infrastructure facilities designed to serve the project in the aggregate amount of 5% of the most recent appraised market value of the real property of the project;
- d. Fiscal security is posted; or
- e. Utility connection fees or impact fees for the project have been paid.

(b) ***Preliminary plat.***

(1) ***Applications and engineering documents.*** All preliminary plat applications shall include the following at the time of submittal:

- a. An approved drainage plan and study, including the 100-year floodplain, and any existing or proposed drainage easements affecting the plan;
- b. General water extension and layout plan;
- c. General sanitary sewer extension and layout plan;
- d. Preliminary location of water wells serving the site, if not served by a public domestic water supply and distribution system. Subdivisions with three or more lots may show a typical location detail on the plat, with dimensions to the nearest proposed sanitary waste disposal field or facility. The county health department and city transportation and public works department shall each receive a copy of planned locations. Documentation of approved well sites and on-site waste disposal acres shall be provided from the county health department; and
- e. Copies of the preliminary plat and the documents listed above shall be submitted to the planning and development department at the time of preliminary plat submission.

(2) ***Review.*** The DRC shall review the preliminary plat to determine the relationship of proposed traffic-ways to existing neighborhood circulation patterns; compliance with this chapter; the master thoroughfare plan; the comprehensive plan; parks and recreation policies; Meacham, Alliance, and Spinks Airport controls; and other city codes, ordinances, policies, rules or regulations; and the need for other public facilities.

(3) ***Approval.***

- a. The plan commission shall review all preliminary plats. The decision of the plan commission is final.
- b. The plan commission shall determine that the plat meets the following city requirements prior to preliminary plat approval:
  1. City's subdivision regulations;
  2. Conformance with the zoning ordinance and district regulations governing the plat, including proper zoning of the plat to be in place prior to final plat approval;
  3. Conformance with the latest adopted comprehensive plan of the City of Fort Worth, with regards to current and future streets, alleys, parks, playgrounds and public utility facilities;
  4. Conformance with the latest adopted master thoroughfare plan and related street standards as determined by the city traffic engineer;
  5. Conformance with city adopted park dedication policies;
  6. Conformance with the city and/or county regulations (whichever is applicable) for the safe and adequate provision of water supply and sanitary waste collection and disposal;
  7. Conformance with adopted federal, state, county, and city stormwater management regulations;

8. Conformance with the city's latest adopted airport controls and master plans for Spinks, Alliance, and Meacham Airports; and compliance with related Federal Aviation Regulations (FAA) to mitigate potential adverse safety impacts to other nearby surrounding regional satellite airports; and with the U.S.

Government Naval Air Station/Joint Reserve Base (aka Carswell AFB); and

9. Conformance with a previously approved concept plan.

(4) ***Conditional approval.*** Revisions and corrections required by any plan commission "conditionally approved" preliminary plat shall be submitted in a form prescribed by the planning and development department within seven calendar days from the date of the commission's conditional approval. The plat shall be verified and stamped "approved" with the signature of the executive secretary for distribution.

(5) ***Changes or alterations to approved plat.***

a. No previously approved plat may be changed or altered, except to bring the plat in conformance with the conditions and requirements stipulated by the commission. Minor changes as outlined below shall be permitted at the discretion of the executive secretary.

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 3% 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.

b. If the executive secretary 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 revised preliminary plat shall not affect the expiration date of the plat and shall carry the same expirations as outlined below.

(6) ***Expiration.***

a. A preliminary plat shall expire two years from the date the plat was approved by the city plan commission unless progress towards completion of the project has been demonstrated prior to that expiration date, or a request for an extension has been made in accordance with subsection (b)(7) below.

b. Progress must be demonstrated by the applicant in writing 30 calendar days prior to preliminary plat expiration. Progress towards the completion of the project shall include any one of the following:

1. An application for a final plat or plan or a portion thereof is submitted;

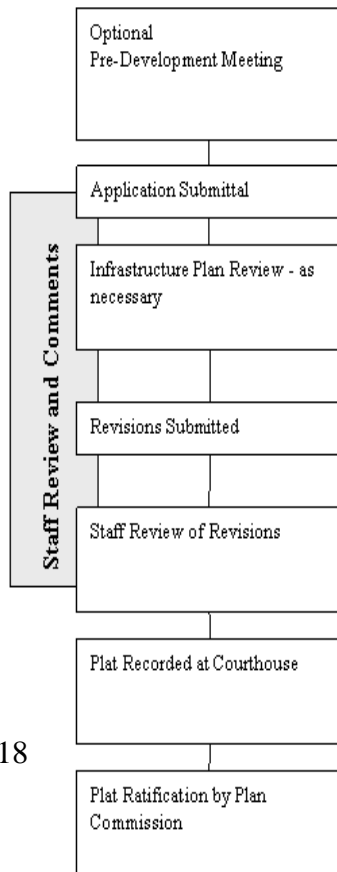
2. A good-faith attempt is made to file with the city or other regulatory agency for a permit necessary to begin or continue towards completion of the project;

3. Costs have been incurred for developing the project, including costs associated with roadway, utility, and other infrastructure facilities designed to

- serve the project in the aggregate amount of 5% of the most recent appraised market value of the real property of the project;
4. Fiscal security is posted; or
  5. Utility connection fees or impact fees for the project have been paid.
- c. A final plat that is not recorded in accordance with paragraph (c)(2) of this section will not constitute progress.
- d. An acceptable demonstration of progress, as determined by the executive secretary, will result in the project being extended five-years from the point of progress.
- e. Subsequent progress made towards completion of the project, if documented prior to plat expiration, will extend the life of the project for an additional five-years from the point of progress.
- f. If a new preliminary plat is submitted, a new application and fees will be required and a new maximum two-year period shall begin upon the commission's approval of the newly submitted preliminary plat.

(7) **Extension.** The applicant may, within 30-calendar days prior to the preliminary plat expiration date, request commission approval for an extension up to a maximum one-year period, provided no plat changes have been made from the original approved plat. Such written request shall be placed on the commission's regular monthly agenda as an "other matters of business" item and no additional application shall be required. If approved, the Commission shall set the expiration date of the requested extension for a period of time up to, but not exceeding, one calendar year. Extensions shall not exceed five years total from date of original approval.

**Figure 2 - Administrative Review Process-Final, Minor & Amended Plats**



***(c) Final plats (final plats, short form final plats, replats, vacated plats, conveyance plats, and amended plats).***

***(1) Approval.***

a. All final plats shall be administratively approved by the executive secretary, except that a public hearing and plan commission action shall be required for a vacated plat and for any replat that creates additional single-family or two-family zoned lots or if the location or width of interior streets and pedestrian circulation routes are significantly altered.

b. No final plat shall be deemed approved until:

1. All conditions required by these regulations and the commission have been met;

2. Compliance with the community facilities agreements or other acceptable financial guarantee as approved by the city, or any financial guarantee required by the county having jurisdiction in the ETJ per an interlocal agreement under State Senate Bill No. 1445 for the installation of public infrastructure;

3. The dedication instrument is completed and signed;

4. Any related documents are reviewed and approved; and

5. The commission chairperson's and commission executive secretary's attesting signatures have been placed on the face of the plat.

***(2) Expiration/extension.***

a. Except as provided in subsection (c), an application for a final plat that is not recorded in the county of jurisdiction by the second anniversary of the date the application was submitted shall expire and be deemed withdrawn, unless the applicant demonstrates to the department of planning and development that progress has been made towards completion of the project as defined below.

b. The applicant shall have 30 days prior to the expiration of the application to submit proof of progress toward completion of the project. If the department of planning and development determines that the applicant has demonstrated that progress has been made toward completion of the project, the expiration date for the final plat shall be extended for two years. If the department determines that the applicant has not demonstrated that progress has been made toward completion of the project, the applicant may appeal such determination to the plan commission by filing a written appeal within 30 days after receiving the department's decision. The final plat application shall not expire pending a decision by the plan commission on such appeal. The department of planning and development and the applicant shall follow the process set out in this section every two years until the final plat is recorded in the county or the final plat application expires and is deemed withdrawn.

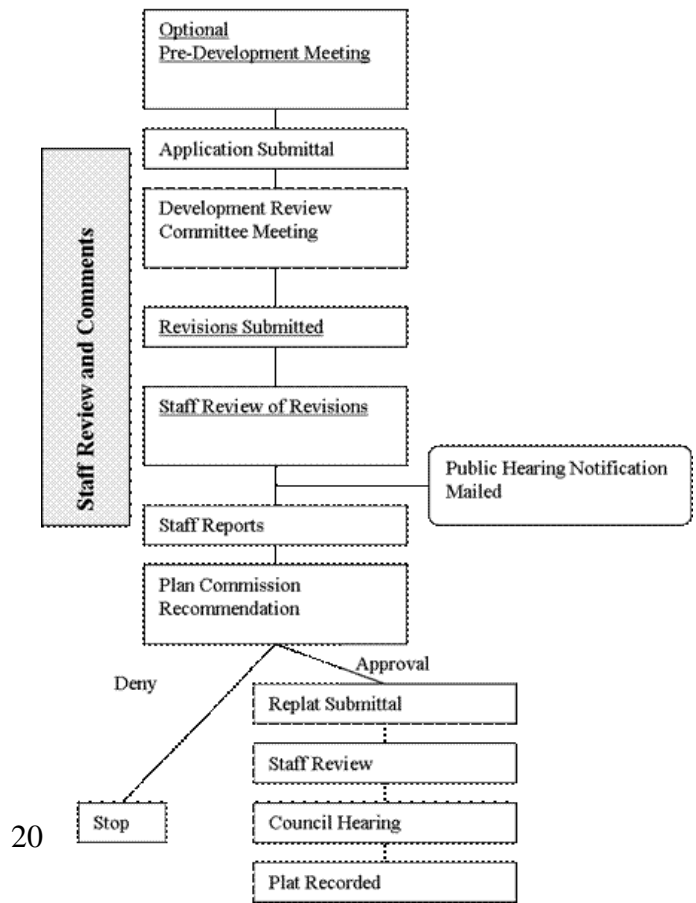
c. An application for a final plat submitted to the department of planning and development prior to June 1, 2010, that is not recorded in the county of jurisdiction by the later of the fifth anniversary of the date the application was submitted or June 1, 2012, shall expire and be deemed withdrawn, unless the applicant demonstrates that progress has been made towards completion of the project as defined below. The department of planning and development and the applicant shall follow the process set out in subsection (b) above.

d. A plat that is not recorded in the county of jurisdiction within 90 days of signature by the plan commission chairperson and executive secretary shall become null and void unless extended by the executive secretary.

e. Progress towards completion of the project shall be defined as, but shall not be limited to:

1. Costs have been incurred for developing the project, including costs associated with roadway, utility, and other infrastructure facilities designed to serve, in whole or in part, the project in the aggregate amount of 5% of the most recent appraised market value of the real property of the project;
2. Fiscal security is posted with a regulatory agency to ensure performance of an obligation required by the regulatory agency; or
3. Utility connection fees or impact fees for the project have been paid.

**Figure 3 - Review Process for Closure or Vacation of Streets and Alleys**





**(d) Closure or vacation of public or private streets, alleys, and access easements.**

(1) **Eligibility.** Applications must conform to the requirements of the city for vacating public or private streets and alley rights of way or public access easements serving more than one property.

(2) **Traffic study.**

a. As a condition for vacation or closure approval and prior to the commission's public hearing, the director of transportation and public works may require the applicant to submit a traffic study prepared by a professional civil engineer to determine whether or not the requested closure or vacation would have an adverse impact on nearby or neighborhood through traffic and circulation.

b. The study shall be performed and completed in a format as required by the transportation and public works department. The study shall be submitted not less than two calendar weeks prior to the commission's scheduled public hearing. Copies of an executive summary of the traffic study shall also be simultaneously transmitted to the planning and development department for distribution to applicable city departments and the plan commission.

(3) **Review.** The DRC shall review and make a recommendation to the plan commission on all applications for closure or vacation.

(4) **Plan commission approval.** After approval by the city plan commission and upon receipt of the required purchase payment for the rights-of-way or access easement established by the property management department, and an acceptable replat has been submitted, the findings and actions shall be certified by the executive secretary and transmitted to the city council for final consideration and action.

(5) **Plan commission denial and appeal.** If the plan commission recommends denial, the applicant may appeal the decision to the city council by filing a written appeal with the executive secretary of the commission within 12 days after the commission's action. If no appeal is filed, the recommendation of the plan commission shall be final.

(6) **Expiration/extension.**

a. If a replat application that incorporates the area to be vacated is not submitted within 180 days of the city plan commission recommendation, the commission's recommendation shall expire and be deemed withdrawn.

b. Any city plan commission's recommendation to city council to vacate a public or private street, alley right-of-way or public access easement made prior to June 1, 2010 must be incorporated into a replat recorded by December 31, 2012 or the recommendation of the commission shall expire and be deemed withdrawn.

c. For the expiration of the replat that incorporates the land area to be vacated, see subsection (c) final plats, above.

(e) ***Vacation and abandonment of public utility, public open space and drainage easements.*** An application to vacate a public utility, public open space or drainage easement may be vacated by one of the following actions:

(1) ***Vacation by plat.*** Unless created by separate instrument, a drainage, public open space or utility easement may be vacated by submitting a plat.

(2) ***Vacation by separate instrument.*** Drainage, public open space and/or utility easements may be vacated or abandoned by separate deed instrument approved and executed by the city and recorded in the applicable deed records of the county. The procedures shall be as follows:

a. ***Application.*** A completed application shall be submitted to the property management department for review.

b. ***Accompanying Exhibits.*** Proper exhibits as required by the property management department shall be provided.

c. ***Abandonment concurrence.*** All adjacent contiguous property owners that may be affected by the vacation or abandonment of the easement shall provide evidence of concurrence with the vacation.

d. ***Processing and investigation.*** The property management department shall notify and provide a copy of the application and exhibits to any affected department, agency, or franchised public utility company. After all affected parties have been notified and endorsements received from reviewing city departments and franchised utility companies, the division administrator shall initiate approval by the city council.

e. ***Recording of instrument.*** Upon approval, the property management department shall record the abandonment document in the county deed records.

**Secs. 31-64—31-80. - RESERVED.**

# ARTICLE V: SUBDIVISION GENERAL STANDARDS

## Sec. 31-81 GENERALLY.

(a) Plats, plans, and proposed public improvements shall conform to this chapter, the comprehensive plan as it applies within the city limits (except where it conflicts with existing zoning); master thoroughfare plan; parks and recreation policies; Meacham, Alliance and Spinks Airport controls; and other city codes, ordinances, policies, rules or regulations.

(b) These Subdivision Regulations shall be administered in accordance with the following:

(1) **Sites and access.** Appropriately sized sites per the comprehensive zoning ordinance and access to public schools, parks, playgrounds, and other community facilities shall be provided in conformance with rules and regulations of the City. Subdivisions shall provide an adequate system of streets with multiple routes and connections serving the same origins and destinations.

(2) **Adequate public facilities and infrastructure.**

a. Each subdivision of land shall provide adequate public facilities including water, wastewater collection and disposal, drainage facilities, parks and recreation facilities, and transportation facilities necessary to properly serve the proposed development, including related off-site facilities.

b. The adequacy of public facilities shall be determined by evaluating their conformance with the minimum levels of service, as established in this chapter or any other applicable city development standards.

1. **Street access.** All final platted lots shall have a paved direct access to an all weather paved hard surfaced public or private street or an access easement approved by the public safety departments and the city engineer.

2. **Water.** All final platted lots must be connected to a domestic public water system or served by a non-contaminated private water well, when public water service is not available in accordance with adopted city water department policy for water service. The public water system shall not cross property lines, parallel side or rear property lot lines, nor encroach into natural areas or wetlands, without written approval from the city water department.

3. **Wastewater.** All final platted lots shall be connected to a public wastewater collection and treatment system or served by a county health department approved aerobic or septic sanitary waste disposal system, when a public wastewater system is not available in accordance with City of Fort Worth water department policy for wastewater service. The projected wastewater discharge of a proposed development shall not exceed the capacity of the public wastewater system. The public wastewater collection system shall not cross

property lines, or parallel side or rear property lot lines, without written approval from the city water department.

4. ***Stormwater management.*** Stormwater management shall conform to the adopted stormwater management policies and ordinances adopted by the city.

5. ***Parks and Recreation.*** Park and recreation facilities and features shall be deemed adequate when all required park fees have been paid and/or all required agreements for land dedication or participation have been approved and accepted by the department of park and recreation and the city council.

6. ***Public Utilities.*** All final platted lots must have access to public and franchise public utilities.

(3) ***Drainage and natural land features.*** Subdivisions shall be designed and platted in conformance with the tree preservation ordinance and the stormwater management policy and ordinances. Floodplain and floodway conservation, wetland protection, and the preservation of historic and archaeological sites and natural features including steep slopes and protected wildlife habitats shall conform to federal and state laws.

(4) ***Urban forestry plan.***

a. Subdivision plats are subject to the tree preservation and planting requirements of the zoning ordinance of the City of Fort Worth in effect at the time of vesting. Prior to the submission of any plat for review and approval by the city, the applicant shall apply for an urban forestry permit or a waiver from such permit from the planning and development department.

b. Should compliance with the urban forestry permit require a provision for the planting of one or more trees per residential lot, a note shall be placed on the final plat stating: "In accordance with City of Fort Worth tree ordinance, construction shall require the provision of one tree per 5,000 square feet of lot area prior to final building inspection."

(5) ***Incorporation of adopted design standards and policy manuals.***

a. ***Design Manuals.*** The city's most current *Technical Design Standards* and *Standard Specifications for Construction* as published by TPW, are hereby incorporated by reference as if fully set forth in these regulations.

b. ***Policy for the installation of community facilities.*** The city's *Policy for the Installation of Community Facilities* is incorporated by reference, as if fully set forth in these regulations.

c. ***Chapter 212 of the State of Texas Local Government Code.*** Tex. Local Government Code Chapter 212, governing: Municipal Regulation of Subdivisions and Property Development is incorporated by reference as if fully set forth in these regulations.

d. City Council adopted form based codes and/or design overlay zoning districts containing a regulating plan, street cross sections, or streetscape standards are hereby incorporated by reference as if fully set forth in these regulations and shall apply to those areas zoned with the appropriate zoning suffix.

## **Secs. 31-82—31-100. - RESERVED.**

## **Article VI. SUBDIVISION DESIGN STANDARDS**

### **Sec. 31-101 ACCESS.**

(a) ***Roadway Network.*** Prior to plat approval the city shall determine whether the roadway network serving the development to be platted has adequate capacity to accommodate existing traffic, traffic reasonably anticipated from the development, and traffic reasonably anticipated from other developments approved or for which a formal application has been submitted. Adequate connectivity will address internal connectivity as well as external connectivity. This determination shall be based on information provided by the developer in the plat application and supporting studies, unless the study is waived.

(b) ***Vehicular paved access to subdivisions.***

(1) Vehicular access to subdivisions within the city shall be by means of a public street having an all weather reinforced concrete or HMAC asphalt paved surface, constructed to city standards, and of appropriate design, traffic capacity and service level rating to accommodate the present and anticipated traffic volumes and wheel loads of passenger, sanitation, moving vans, delivery services, and emergency vehicles and equipment. Failure to meet, or provide satisfactory proof of meeting these requirements, by the developer, prior to the construction of on-site buildings, shall be basis for denial of any required building or related permit.

(2) Vehicular access to subdivisions within the ETJ area of the city shall be by an approved paved all weather hard-surfaced street, meeting the design standards of the city or as depicted in an adopted city/county inter-local agreement.

(c) ***Secondary ingress and egress to subdivisions.***

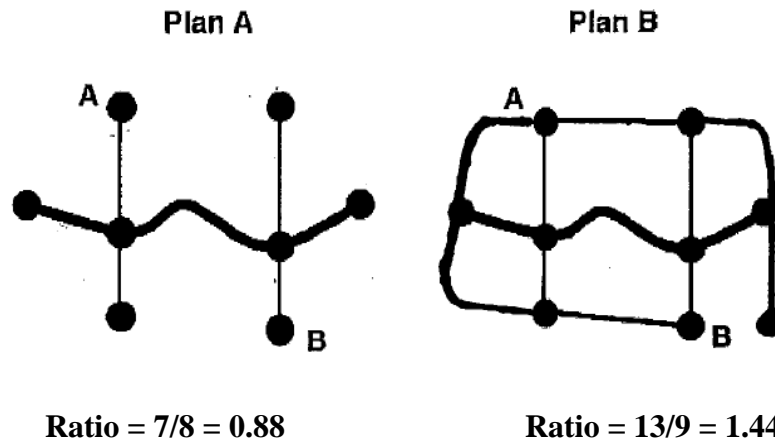
(1) Subdivisions containing more than 30 one-family or two-family dwelling units shall have a platted and constructed secondary ingress and egress to a public street. Multi-family developments of 100 dwelling units or more shall have a platted and constructed secondary ingress and egress to a public street.

(2) Development phasing of any subdivision shall ensure that all such residential units have a platted and constructed secondary entrance when more than 30 residential units are proposed.

(3) Subdivisions with up to 40 one-family or two-family dwelling units may be permitted with one access point if a platted and constructed secondary entrance will connect to future development.

(d) **Internal roadway network connectivity.** All proposed developments shall have a connectivity index of 1.4 or greater. The connectivity index shall be calculated by dividing the total number of links (streets including stub-out streets) by the total number of nodes (intersections, culs-de-sac, no outlets, dead-ends). Stub outs to adjacent properties are worth 1/2 credit each toward the number of links. Residential road connections to collector streets and larger are worth one full credit each. Standard public access easements count as links. Culs-de-sac count as links. Street elbows do not count as nodes. Standard alley intersections do not count as nodes. Intersections on collector streets and larger do not count as nodes. The termination of culs-de-sac count as nodes. The termination of culs-de-sac count as nodes.

**Link-to-Node Connectivity Index**



The plan commission may grant waivers to these requirements only upon finding that the development is constrained by topographic features, existing development or other impassible features.

(e) **External roadway network connectivity.** Subdivisions shall be phased in such a way to ensure effective traffic management. Applications for subdivisions including five or more lots shall include a traffic management plan, which shall include at a minimum: the estimated number of phases; the necessary improvements to ensure adequate access; the trigger point(s) for providing the improvements; and the number of lots that will be included in the corresponding phases.

(f) Secondary ingress and egress shall be in conformance with Section 31-101(c). Above the second access point, the accumulated estimated peak hour traffic volumes for each public street connection shall not exceed the following:

Street Classification	Peak Hour Traffic Volumes
Local	350 vehicles per hour per lane (vphpl) (each direction)
Collector	750 vphpl (each direction)
Industrial	750 vphpl (each direction)

## **Sec. 31-102 STREETS AND BLOCKS ARRANGEMENTS.**

(a) Streets and blocks shall be designed and configured in accordance with the Table of Geometric Street Design Standards of Article V and shall provide for the following:

(b) Arterial streets shall be intersected only by collector streets or other arterial streets, unless the means of ingress and egress to a subdivision is from such an arterial street. The city traffic engineer may approve exceptions based on adopted traffic engineering standards.

(1) **Roadway Design.** Roadway design should take advantage of natural site features such as topography and drainage to reduce speeds through neighborhoods and discourage through traffic intrusions.

(2) **Interconnectivity of Neighborhoods.** Local streets shall be extended to the tract boundary to provide future connection with adjoining un-platted lands. In instances where the street stub-out would traverse an adjacent 100-year floodplain, the spacing of the street crossings shall not exceed one-half mile. Where the street crossing is in a public park, the design of the crossing shall provide for pedestrian/bicycle access under the street, unless the depth of the creek below the roadway makes such a grade separation infeasible. Subdivisions shall be designed to connect to adjacent existing stub-out streets as provided on an approved preliminary or final plat.

(3) **School location standards.** For reasons of student and pedestrian safety and vehicular access, circulation and control, development around proposed school sites shall be guided by the following standards.

a. **Elementary and middle schools.** New elementary and middle school sites shall have adjacent perimeter streets on at least two sides of the site. These streets shall have at least 36 feet of roadway paving within a 60-foot ROW, and one street shall function and be classified as a collector street. Elementary and middle school sites shall not be located adjacent to, or at the intersection, one or more arterial streets.

b. **Senior high schools.** New senior high school sites shall have direct access to an adjacent arterial street. Said schools shall have 'boundary' streets on at least

three sides of the site. Two of which shall have at least 60-foot ROW's with paving widths of not less than 36 feet to 40 feet, as determined by TPW, with one such street classified as a major collector street. The third boundary street shall be an arterial street having ROW and paving widths commensurate with the city's master thoroughfare plan standards.

c. **Colleges and universities.** When new two- and four-year institutions of higher learning are platted, they shall be sited and platted as to the type and nature of perimeter street service necessary to ensure adequate and safe circulation, mobility and access to the school facility, and to minimize any adverse impact on the city's street and transportation system. Following recommendation from TPW Department, and after review and approval of a traffic impact study embracing the proposed school site and surrounding environs, such plat shall be presented to the plan commission for approval.

## **Sec. 31-103 LOT TYPES AND DESIGN.**

### **(a) *Minimum residential lot widths.***

(1) **Within Zoning Districts.** No residential lot shall be of less width, at the building line, nor less total lot area than required by the zoning district regulations governing the plat.

(2) **Within ETJ Areas.** Where no zoning regulations apply, lots less than 10,000 square feet in area shall not be less than 50 feet in width; nor less than 100 feet in width when greater than 10,000 square feet in area, unless a waiver is granted for a panhandle or flag type lot. No waiver will be granted for a lot less than 40 feet in width, measured at the lot access connection with the adjacent street right-of-way.

a. Lots 150 feet in width or more, fronting onto an arterial street, shall have a front building setback line of not less than 30 feet and shall be provided with a circular drive if accessing such street.

b. Lots 100 feet in width or more, not fronting onto or accessing an arterial street, shall have a front building set-back line of not less than 30 feet.

### **(b) *Residential lot arrangements.***

(1) **Lot Configuration.** No residential lot shall be configured in such a manner that it does not meet the minimum standards of the zoning ordinance.

(2) **Lot lines.** Lot lines shall be perpendicular with street centerline or street centerline radii.

(3) **Lot platting arrangement.** Residential subdivisions shall be platted to provide two-tiers of residential lots between opposite parallel public or private residential streets. All single-family and two-family residential lots shall be platted with a front and a rear yard, with the front yard designed to face a residential street. The rear yards of such lots may abut another adjacent rear or side yard, open space, institutional lot or un-platted property.



(4) **Alternative lot platting arrangements: double frontage residential lots (a.k.a. reverse frontage lots).** Double frontage residential lots may only be platted providing such lots have their primary frontage onto a residential street or collector street and their opposite (secondary non-access) frontage abutting an arterial street. Such lots shall be platted, screened and landscaped in accordance with the following requirements.

a. **Collector street (secondary) lot frontage.** Lots that are less than 100 feet in width at the front building line and face a residential street with the opposite end of the lots backing onto a collector street, shall have the collector street of the lot also considered as a “front yard” for zoning purposes. The collector street frontage shall be subject to the provisions of the front yard setback and fencing restrictions, designated in Section 6.101 of the zoning ordinance for the type of zoning district in which the lots are located, except where the following conditions are present:

1. Where residential lots back onto both sides of the collector street for a distance not to exceed 250 feet; or
2. The lot on the opposite side of the collector street forms the rear or side yard of a nonresidential use or dedicated public or private open space use.

b. **Arterial street (secondary) lot frontage.** Subdivisions with three lots or more, having less than 100 feet in width at the front building line and facing a residential street with the opposite end of the lots backing onto an arterial street, shall have the arterial street frontage considered as the rear of the lots. See Section 6.101 of the zoning ordinance. Such lots shall have:

1. A minimum six-foot high solid masonry screen wall or solid wood cedar fence with brick masonry columns at intervals not greater than ten feet on center in accordance with Section 5.305, Fences, of the comprehensive zoning ordinance;
2. Street trees, not less than three-inch diameter caliper and of a type and species acceptable to the city forester, shall be provided along or within the arterial parkway at a minimum ratio of one tree per 50 lineal feet of parallel parkway. Required trees may be clustered as necessary to avoid obstructions to safe traffic visibility, pedestrian access and circulation, drainage or utility service lines and facilities or to provide enhancement to related aesthetic landscape features; and
3. Failure to comply with these requirements will cause withholding of building permits on the lots affected.

c. **Arterial street (primary) lot frontage.** Residential lots may front arterial streets provided such lots are a minimum of 150 feet in width or greater at the building setback line and contain a circular access drive with head-out egress per TPW design requirements.

(c) ***Flag lots ('panhandle lots')***.

(1) Flag lots, known as 'panhandle lots,' are defined as lot configurations where the perimeter lot geometry reflects the shape of a 'flag' or 'panhandle' where the narrow or elongated part of the lot abuts a public or private street and widens at the building set back line to accommodate a buildable development site.

(2) Flag lots are expressly prohibited, unless:

- a. The proposed lot configuration is needed to abate an unusual property accessibility constraint, not created by the applicant;
- b. The property has acute topographical conditions and constraints; or
- c. The unusual adjacent property boundary configuration constrains the arrangement of an otherwise standard lot configuration.

(3) Where any of the above items are present, the commission may grant a waiver to allow such configuration, provided the following conditions are met:

- a. The waiver does not circumvent the normal platting of streets for public and emergency access;
- b. The waiver does not prevent the extensions of streets to adjacent un-subdivided property;
- c. The lot width is not less than 40 feet in width at its frontage connection with the adjacent public or approved private street; and
- d. The narrow or elongated part of the lot 'panhandle' does not exceed 100 feet in length, measured from the connecting street frontage to where the lot widens into a 'flag' shape to receive a suitable building area where a building setback line shall be established; nor shall more than two adjacent panhandle/neck lots be connected.

(d) ***Lots served by conventional septic or aerobic sanitary disposal systems.***

(1) Lots served by on-site wastewater septic disposal systems shall have a contiguous land area not less than one acre (net) in size, exclusive of 100-year floodplain, drainage easements and features, access easements and street right-of-way. Contiguous gross and net lot area calculations shall be shown on and for each lot on the plat.

(2) Developments to be served by a public wastewater system but having individual water wells shall have a 'dry line' public water system, conforming to city standards, to allow future connections to the public water supply system for domestic use and fire protection purposes.

(e) ***Pedestrian access way lots or easements.***

(1) When a school, park, or open space recreation site has only one point of street access, a mid-block access way shall be provided. Such access ways shall not be less than 15 feet wide for pedestrian restricted walkways, bicycle paths, and hiking / jogging paths.

(2) a. All access ways shall be paved to city sidewalk standards, shall contain city approved lighting illumination arranged so as not to shine directly on adjacent residential properties, and shall be contained within a designated lot or easement of common ownership. An all weather paved hard access way surface shall be provided therein, as follows:

1. Eight-foot paved surface for 12-foot wide access way easement or lot; and
2. Twelve-foot paved surface for 15-foot wide access way easement or lot.

b. Access ways may be platted as an easement, adjacent to a lot line, or as a separate designated lot owned and maintained by a property owner's association within the subdivision.

## **Sec. 31-104 EASEMENTS.**

(a) ***Utility Easements.*** Utility easements shall be provided on subdivision plats sufficient in width and location as defined by the city or approved franchised utility provider. Where utility easements are required, the following full statement of restriction shall be placed on the plat face of the subdivision plat:

Utility easements:

Any public utility, including the City of Fort Worth, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on any of the easements shown on the plat; and any public utility, including the City of Fort Worth, shall have the right at all times of ingress and egress upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

(b) ***Emergency access and fire lane easements.***

Emergency access and fire lane easements shall be provided in locations required by the "Fort Worth Fire Lane Ord. 6722." The roadway surface shall be constructed to city design standards and emergency access and fire lane easements must meet all requirements of Ord. 6722. No such easement shall be encroached upon by any obstruction or parking.

(c) ***Intersections of streets and alleys with emergency access easement.***

At the intersection of an emergency access easement driveway or turnout section with a dedicated street or alley, a ten-foot by ten foot triangular public open space easement (P.O.S.E.) shall be provided on each side at the driveway or turnout at the time the driveway and/or alley is constructed. In all such cases, the following full statement of restriction shall be placed on the face of the plat:

PUBLIC OPEN SPACE RESTRICTION:

No structure, object or plant of any type may obstruct vision from a height of 24-inches to a height of 11-feet above the top of the curb, including, but not limited to buildings, fences, walks, signs, trees, shrubs, cars, trucks, etc., in the public open space easement as shown on this plat.

**Sec. 31-105. STORMWATER MANAGEMENT.**

(a) **General.** All plats must conform to the stormwater management policy. Any plat for property within or affected by a Federal Emergency Management Agency (FEMA) designated floodplain must show the limits of the FEMA floodplain effective on the date the plat is filed. The FEMA floodplain limits must be geometrically and spatially correct, with a note indicated the Flood Insurance Rate Maps (FIRM) panel, community number and effective date of the map or the most recent revision for the area.

(b) **Storm drainage easements.** Easements for storm drainage facilities shall be provided at locations containing proposed or existing drainage ways. The width of the easements shall be substantiated by a drainage study and drainage calculations or other criteria submitted to and approved by the city engineer.

(1) Storm drainage easements of 15 feet minimum width shall be provided for existing and proposed enclosed drainage systems. When the underground system exceeds 36 inches or when the depth of the system or the soil conditions dictate additional width, additional easement width shall be provided.

(2) Storm drainage easements along proposed or existing open channels shall provide sufficient width for the required channel and such additional width as may be required to provide ingress and egress of maintenance equipment; to provide clearance from fences and space for utility poles; to allow maintenance of the channel bank; and to provide adequate slopes necessary along the bank. Such width shall conform with those specifications in the city storm drain policy and/or as determined and required by the city engineer.

(3) Storm drainage easements shall be provided for emergency overflow drainage ways of sufficient width to contain within the easement stormwater resulting from a 100-year frequency storm, less the amount of stormwater carried in an enclosed system of a capacity required by the city storm drain policy, and/or as determined and required by the city engineer.

(c) (1) **Floodplain easements.** Except as provided for in subsection (d) below, floodplain easements shall be provided along natural or improved drainage ways and lakes or reservoirs. Floodplain easements shall encompass all areas beneath the water surface elevation resulting from a storm whose design frequency is 100

years, plus such additional width as may be required to provide ingress and egress to allow for maintenance of the banks and for the protection of adjacent property, as determined and required by the city engineer. If a floodplain drainage way is proposed, the following full statement of restrictions shall be placed in the dedication instrument on the subdivision plat unless the city council agrees to waive this requirement, or the city engineer agrees to assume maintenance of the floodplain/drainage way.

(2) ***Floodplain restriction.*** No construction shall be allowed within the floodplain easement without written approval of the director of transportation and public works. In order to secure approval, detailed engineering plans and/or studies for the improvements, satisfactory to the director, will be prepared and submitted by the party(ies) wishing to construct within the floodplain. Where construction is permitted, all finished floor elevations shall be a minimum of two feet above the floodplain base flood elevation resulting from ultimate development of the watershed.

(3) ***Floodplain/drainageway maintenance.*** The existing creek, stream, river or drainage channel traversing along or across portions of this addition, will remain unobstructed at all times and will be maintained by the individual lot owners whose lots are traversed by, or adjacent to, the drainage ways. The City of Fort Worth will not be responsible for the maintenance, erosion control, and/or operation of said drainage ways. Property owners shall keep the adjacent drainage ways traversing their property clean and free of debris, silt or other substances, which would result in unsanitary conditions, and the city shall have the right of entry for the purpose of inspecting the maintenance work by the property owners. The drainage ways are occasionally subject to stormwater overflow and/or bank erosion that cannot be defined. The City of Fort Worth shall not be liable for any damages resulting from the occurrence of those phenomena, nor the failure of any structure(s) within the drainage ways. The drainage way crossing each lot is contained within the floodplain easement line as shown on the plat.

(d) ***Federal floodway project.*** Floodplain easements shall not be required from the Tarrant Regional Water District performing any activity in the federal floodway project (however, a note shall be included on plat documents stating that all requirements associated with development in the floodplain will apply to any future owners of the property). The federal floodway project shall mean the flood control levees and channel improvements constructed on the Clear Fork and West Fork Trinity River by the U.S. Army Corps of Engineers (USACE) after the severe flood of 1949, with subsequent additions through the 1980's. The project shall extend along the West Fork Trinity River from Beach Street westward to Meandering Road; and on the Clear Fork Trinity River southwesterly from the confluence with the West Fork Trinity River at North Main Street to State Highway 183; or as otherwise determined by the USACE.

(e) ***Stormwater storage easements.***

(1) Storm water storage easements shall be provided adjacent to a levee's drainage control structure to provide for the storage of the 100-year frequency storm runoff while the drainage control structure is closed due to high floodwater in the river.

(2) If a storm water storage easement is proposed, the following full statement of restriction shall be placed on the face of the plat:

Stormwater storage easement: Lot(s) \_\_\_\_\_ of block(s) \_\_\_\_\_ is (are) within a designated sump (stormwater storage area) of the \_\_\_\_\_ levee system, and may be subject to flooding whenever the sump's drainage control structure is closed.

(3) ***Stormwater storage area restriction.*** Construction will not be allowed within a stormwater storage easement without the written approval of the director of transportation and public works. Approval will only be given when engineering studies show that the stormwater's storage capacity is maintained and the finished floor elevations, of all buildings, will be a minimum of two feet above the floodplain base flood elevation resulting from ultimate development of the watershed. The City of Fort Worth is not responsible for the maintenance or operation of said storm water storage area and shall not be deemed liable for any flood damages occurring in said area.

(f) ***Dam and lake easements.***

(1) A dam and lake easement shall be provided to encompass the proposed dam and the area of the 100-year frequency impounded lake. No construction, without the written approval of the director of transportation and public works, shall be allowed within the dam and/or lake easement, and then only with approved engineering plans and/or studies for the improvements.

(2) If a dam and lake easement is proposed, the following full statement of restriction shall be placed on the face of the plat:

*Dam and Lake Easement:* The owner of any dam or spillway shall comply with all federal, state and local statutes, ordinances, rules and regulations relating to the construction, maintenance, use and location of dams, spillways, and the impounding of water caused by said dams. Owner shall be solely responsible for all costs, liability, maintenance and repair of said dam, the spillway, the bed and banks of the lake created thereby, and all appurtenances related thereto, and same shall not be the responsibility or liability of the City of Fort Worth, its officers, agents, employees, contractors or subcontractors. In this connection, owner shall indemnify, hold harmless and defend the City of Fort Worth, its officers, agents, servants and employees, from and against any and all claims or suits for property damage or loss and/or personal injury, including death, arising out of or in connection with the design, construction, maintenance, use or location of said

dam or dams, the spillways, the impoundment of waters resulting there from, and the failure of said dam or dams to retain said waters; and owner hereby assumes all liability and responsibility for same.

(3) In addition to the above statement, a separate dam maintenance agreement acceptable to the City of Fort Worth shall be provided by the owner.

(g) ***A levee easement.***

(1) A levee easement shall be provided to encompass the proposed levee with a minimum of 20-feet of additional width from the landside toe of the levee to allow for the operation and maintenance of the levees. No construction, alteration, or modification may be made to the levee or its water control structure without the written consent of the director of transportation and public works. A stormwater storage easement may be needed adjacent to the levee's water control structure (see subsection (e) above).

(2) If a levee easement is proposed, the following full statement of restriction shall be placed on the face of the plat:

*Levee easement:* The owner of any levee shall comply with all federal, state and local statutes, ordinances, rules, and regulations relating to the construction, maintenance, use and location of levees, and the impounding of water caused by said levees. Owner shall be solely responsible for all costs, liability, maintenance and repair of said levee, and all appurtenances related thereto, and same shall not be the responsibility or liability of the City of Fort Worth, its officers, agents, employees, contractors or subcontractors. In this connection, owner shall indemnify, hold harmless and defend the City of Fort Worth, its officers, agents, servants and employees, from and against any and all claims or suits for property damage or loss and/or personal injury, including death, arising out of or in connection with the design, construction, maintenance, use or location of said levee, the impoundment of waters resulting there from, and the failure of said levee to retain said waters; and owner hereby assumes all liability and responsibility for same.

(3) In addition to the above statement, a separate levee maintenance agreement acceptable to the City of Fort Worth shall be provided by the owner.

## **Sec.31-106 STREET DESIGN STANDARDS**

(a) ***Street Types.*** The primary categorization for thoroughfares is the street type. Rather than categorizing thoroughfares solely on the basis of traffic volumes and speeds, the Master Thoroughfare Plan categorizations are designed to reflect streets' respective land-use contexts, and a balanced approach to the various

transportation modes needing to use each street type. The Master Thoroughfare Plan includes five street types: activity street, commercial mixed-use street, neighborhood connector, commercial connector, and system link as follows:

(1) **Activity street.** Activity streets are "destination streets." They are typically retail-oriented, with generous parkway widths and room for sidewalk cafes and other such features. Automobile speeds are slow, and lanes are slightly narrower than typical. Parking is typically on-street, and building facades front the street. Buildings are typically one to three stories high. Streets are typically in a grid pattern, diffusing traffic. Bicycles may share the street depending on speeds, but bike lanes are also used.

(2) **Commercial/mixed-use street.** Commercial/mixed-use streets have a business flavor and can often be found downtown. Buildings are typically multi-storied and are often office/commercial-oriented, but may have residential uses on the upper floors. Buildings front on the street and on-street parking is common, but parking garages are also common - meaning automobiles are often turning to and from the street. Wide sidewalks are prevalent and are especially busy during rush hours and the lunch hour. Streets are typically in a grid pattern, diffusing traffic. Commuter transit is prevalent, and traffic speeds are fairly slow. Lanes are slightly narrower than typical. Bicycles are often accommodated by bike lanes.

(3) **Neighborhood connector.** Neighborhood connectors provide access from neighborhoods to services. They are often run at the peripheries of residential areas, and landscaped medians are fairly common. Sidewalks or multi-use paths are typically separated from the street by a landscape buffer. Buildings (or residential fences) are generally set well back from the street. This street type is especially suited for on-street bicycle travel due to relatively infrequent driveways and cross-streets. Automobile speeds are moderate.

(4) **Commercial connector.** Commercial connectors typically serve retail portions of the city. Many driveways may be present, and a mixture of medians and center turn lanes help to regulate movements to and from sites. Retail stores are generally separated from the street by surface parking lots. Automobile speeds are moderate to high. Bicycle facilities must be carefully designed due to the amount of driveways. Sidewalks are generally buffered from the street by landscaping.

(5) **System link.** System links tend to emphasize longer-distance automobile traffic, often providing connections to freeways. Automobile speeds are moderate to high. Pedestrians and bicyclists are buffered from traffic as much as possible; multi-use off-street paths are common. System links always include raised medians to separate traffic directions and facilitate left turns. Most left turns occur at signalized intersections; access to driveways is typically via right turns.



(6) **Industrial Street.**

a. **Service.** Industrial streets are established for industrial areas to recognize different types of vehicles, i.e. with larger turning radii, heavier industrial type traffic, and wheel loads. These streets are minor arterials that route industrial traffic to and from the arterial system with industrial districts.

b. **Average daily traffic volumes.** Traffic volumes vary from 5,000 vehicles per day to 20,000 vehicles per day or more.

c. **Right-of-way and roadway design standards.** ROW and paving widths shall conform to those identified in the current Master Thoroughfare Plan. Sidewalks are required on each side of the street.

(7) **Collector Street (C).**

a. **Service.**

1. The collector street system differs from the arterial systems in that facilities on the collector system may penetrate neighborhoods, distributing trips from the arterials through the neighborhood area to the ultimate destination such as a park, elementary, or middle school, which may be on a residential street or a collector street. Conversely, the collector Street also collects traffic from residential streets in the neighborhood and channels it into the arterial systems. In some cases, due to the design of the overall street system, a minor amount of through traffic may be carried on some collector streets.

2. The collector provides for both land access service and local traffic movements within residential neighborhoods, commercial areas and industrial areas.

3. Street layout shall provide for collector streets in areas between arterial streets. Where collectors are more than ½ mile in length, variation shall be provided by roundabout(s), street curvature, and/or street centerline offset(s) in compliance with this ordinance. Such facilities may contain the collector portion of some bus routes.

b. **Average daily traffic volumes.** Average traffic volumes on collector streets should not exceed 5,000 vehicles per day in residential areas, and 8,000 vehicles per day in commercial or industrial areas.

c. **Right-of-Way and Roadway Design Standards.**

1. *Residential Collectors (C).* See table of geometric street design standards.

2. *Commercial collectors.* See table of geometric street design standards.

(8) **Urban local (residential street) (UL).**

a. **Service.** Urban local residential streets are residential streets, which carry traffic to and from collector and other residential streets. They are likewise comprised of culs-de-sac and loop streets, which serve low-density residential areas and very limited public facilities, often in conjunction with collector streets.

Urban local residential streets are usually of limited length and non-continuous in nature to discourage through traffic.

b. ***Average daily traffic volumes.*** Average traffic volumes on urban local residential streets should not exceed 2,500 vehicles per day and are normally in the range of 1,000 vehicles per day.

(9) ***Limited local (residential street) (LL).***

a. ***Service.*** Limited local streets are residential streets, which serve only cluster or zero lot line housing and have several limiting restrictions and conditions which prohibit their use in other types of developments, except in very specific instances. These restrictions and conditions are detailed elsewhere in these regulations.

b. ***Average daily traffic volumes.*** Traffic volumes in these types of developments approximate 1,000 or less vehicles per day.

a. **Table of Geometric Street Design Standards**

Item	Design Standard	Where also found	Cul de Sac & Ltd. Local (CS & LL)	Urban Local (UL)	Collector-Standard Undivided (C)	Collector Standard-TWLTL	Industrial
1.	<b>Right-of-Way</b> (minimum width)	MTP	50 ft. (CS) 40ft. (LL)	50 ft.	60 ft.	66 ft.	80 ft.
2.	<b>Parkway Width</b> (each side of street)	MTP	10.5ft (CS) 7.5ft. (LL)	10.5 ft.	See MTP	See MTP	See MTP
3.	<b>Sidewalk Width</b> (each side of street)	MTP	5 ft.	5 ft.	6-10 ft.	6-10 ft.	10 ft.
4.	<b>Paved Surface</b> (F-F of Curb)	MTP	28 ft. (CS) 24 ft. (LL)	28 ft.	See MTP	See MTP	See MTP
5.	<b>Roadway Width</b> (B-B of Curb)	MTP	29 ft. (CS) 25 ft. (LL)	29 ft.	See MTP	See MTP	See MTP
6.	<b>Traffic Lanes</b> (No. and Width)	MTP	2@10'(CS) 2@ 12'(LL)	2 @ 10 ft.	See MTP	See MTP	2 @ 12 ft. & TWLTL @ 11 ft.
7.	<b>Median Width</b> (B -B of curb)	MTP	n/a	n/a	n/a		
8.	<b>Parking Lanes</b> (No. and Width)	MTP	Staggered	Staggered	See MTP	See MTP	See MTP
9.	<b>Horizontal Centerline Radius</b> (normal x-section)	Brown Book (BB)	150 ft.	150 ft.	460 ft.		
10.	<b>Target Speed</b> (mph)	MTP	20-25	25	25	25	25
11.	<b>Minimum Street Spacing</b> (CL-CL)	BB/Sub Code	135 ft.	135 ft.	250 ft.		
12.	<b>Minimum Tangent</b>	BB	50 ft.	50 ft.	100 ft.		

	<b>Between Curves</b>						
13.	<b>Tangent at Intersections:</b> (ROW to ROW)	BB					
			-	-	-		
	b) Collector/Arterial	BB	-	-	150 ft.		
	c) Collector/Collector	BB	-	-	100 ft.		
	d) Local/Collector	BB	50 ft.	50 ft.	-		
	e) Local/Local	BB	50 ft.	50 ft.	-		
	f) Ltd Loc/Ltd Loc	BB	40 ft.	-	-		
14.	<b>Vertical Clearance</b> (From Rdwy. Surface)	BB/AASHTO	14 ft.	14 ft.	14 ft.		
15.	<b>Intersection Safe Site Distance</b>	BB/AASHTO	350 ft.	350 ft.	525 ft.		
16.	<b>Median Openings</b> (Spacing)	BB	n/a	n/a	n/a		
17.	<b>Max. Intersection Deviation Angle Allowed -from 90°</b>	BB/Sub Code	5°	5°	5°		
18.	<b>Mid-Block horizontal street change / departure angle shall not be less than:</b>	BB/Sub Code	60°	60°	60°		
19.	<b>Percent Gradient of Streets &amp; Alleys:</b>						
	a. Minimum %	BB	0.5	0.5	0.5		
	b. Maximum %	BB	10.0	10.0	8.0		
20.	<b>Reverse Curve:</b> Minimum Tangent Separation Distance	BB/Sub Code	50 ft.	50 ft.	150 ft.		

21.	<b>Minimum Cul-de-Sac Turn-Around Dimensions</b> (Public & Private Streets)						
	a. <u>S/F and 2/F Districts:</u>						
	1) ROW Radius	BB	50 ft.	50 ft.			
	2) Paving -Radius (F-F)	BB	40 ft.	40 ft.			
	b. <u>Other Zoned Districts:</u>						
	1) ROW Radius	BB	60 ft.	60 ft.			
	2) Paving Radius (B/B)	BB	50 ft.	50 ft.			
22.	<b>No. of Left Turn Lanes per Arterial Street Intersection Leg</b>	MTP/BB	-	-	-		
23.	<b>Maximum ADT Traffic Design Volume</b>	MTP/BB	1,000 to 2,000	2,500	8,000		
24.	<b>Design Trip Length</b>	MTP/BB/AASHTO	Under ¼ mile	Under ½ mile	Under One mile		
25.	<b>Access Control</b>	BB	None	None	None		
<p><b>Legend:</b> Referenced abbreviations include: F-F – Face to Face; B-B- Back to Back; ADT- Average Daily Traffic Volume; ft. – feet; X<sup>0</sup> – degrees; @ - at.</p>							

(c) **General street design standards.**

(1) **Conformance with MTP and development considerations.** The arrangement, classification, character, extent, and location of streets shall conform to the master thoroughfare plan and shall be considered in relation to existing and planned streets, to topographical conditions, to drainage in and through the proposed and adjacent subdivisions, to public convenience and safety, and to the proposed uses of land to be served by such streets.

(2) **Conformance with general design standards.** All dedicated streets shall conform to the subdivision design standards provided and the characteristics of street classification and function, given in subsection (a) of this section. All proposed streets shall be planned, designed and constructed based on their anticipated function, traffic volumes, adjacent land use, system continuity, etc., as elsewhere described. Where there is a question as to the type of street classification required, the higher classification shall prevail.

(3) **Streets to conform with city design standards.** All dedicated streets shall conform to the city's technical design standards and criteria and in accordance with sound engineering practices. Internal ETJ area residential streets that serve lots of one acre or more (net) in size shall be a minimum of 60 feet in ROW width and of concrete or stabilized HMAC.

(4) **Variance to technical design criteria standards.** Where in the judgment of TPW the appropriate use of the neighboring property will not be substantially injured, TPW may, in specific cases, recommend that the plan commission authorize a variance to the technical design criteria provisions, in order to permit reasonable development and improvement of property.

(5) **Additional ROW Requirements at High Volume Intersections.** Additional right-of-way (ROW), other than the minimums shown in the table of geometric street design may be required at high volume driveways for turning lanes, etc., as determined by TPW during the design phase of the street system and prior to submitting the final plat.

(6) **Alignment with Adjoining Subdivisions.** All streets shall be aligned with existing streets in adjoining subdivisions.

(7) **Street extension and continuation.**

a. Urban local streets shall be extended to the subdivision boundary to connect with adjoining streets or, where no adjacent streets are available for such connection, to allow for the future connection with adjoining un-platted property.

b. For regulations on the extension of private streets, see Section 31-108, "Gated subdivisions and developments."

(8) **Street naming and addressing.** Streets shall be named to provide continuity with existing streets, and shall be named so as to avoid confusion to postal or

emergency response agencies. The city fire department shall approve all street names and provide addressing of lots within the city. No building permit shall be issued without a valid fire department approved platted lot address.

(9) ***Street/alley intersection corner clips.*** A triangular right-of-way dedication (corner clip) measuring ten feet by ten feet, measured at the property line, is required on corner lots at the intersection of two streets or intersection of a street and an alley. Exceptions to this requirement are noted below in zoning districts “H” central business district, “MU-1” low intensity mixed use district, and “MU-2” high intensity mixed use district:

a. A triangular dedication measuring five feet by five feet is required at the intersection of two streets or the intersection of a street and an alley in which there are no traffic signals or all-way stop signs; and

b. No corner clip dedication is required at all-way stop signs and signalized intersections where there is a required stop in at least two directions.

(10) ***Street centerline offsets.*** Centerline offsets for all types of local public and private streets shall be at least 135 feet. Collector street off-set centerlines shall not be less than 250 feet. Greater centerline offsets, as may be required by TPW, shall be provided when necessary for traffic safety.

(11) ***Street and lot platting arrangement.*** Local, limited local, cul-de-sac, loop and collector streets shall be platted to allow for two tiers of lots between such streets.

(12) ***Lot arrangements abutting arterial streets.*** Where single-family or duplex lots abut an existing or proposed arterial street, the lot platting layout shall provide that:

a. Lots shall side to the arterial street and have a non-access driveway restriction to the arterial street;

b. Reverse frontage lots shall contain a non-access driveway restriction along the property line adjacent to and facing the arterial street;

c. Lots shall have screening along rear alleys; and

d. Other treatment as may be necessary or required for adequate protection of adjoining properties, as approved by the commission, after receiving recommendations from DRC taking into consideration the proposed method of off-street parking and maneuvering which will prevent the necessity of backing onto the adjacent arterial street.

(13) ***Residential driveway access limitation.*** Driveway access from an adjacent urban local residential, limited local residential, cul-de-sac, loop or collector street to a residential lot less than 50 feet in width at the building line shall be by one of the following means:

a. Rear entry access shall be provided from an abutting side or rear alley; or

b. A common shared driveway, centered over the common lot lines between the adjacent dwelling units, shall be provided within an appropriate access easement.

(14) **Reservation of land strips along and at the terminal ends of streets.** A land reservation in private or common property ownership association along and/or at the ends of proposed or existing public streets, intended solely or primarily for the purpose of controlling access to similarly zoned property not included in the subdivision, shall be prohibited.

(15) **Sidewalk requirement.** Concrete sidewalks shall be required adjacent to both sides of all public and private streets except as provided for in the city sidewalk policy under development design standards referenced in these regulations.

(16) **Curved street intersection design limitation.** In order to provide an adequate and safe street intersection site distance, without the need for the establishment of supplemental site protection easements, perpendicular street intersecting with the interior (concaved) curved side of another street shall be prohibited, unless the centerline curvature of the street being intersected has a radius of not less than 1000 feet, where intersected.

(17) **Horizontal residential street alignment standards.**

a. **Ninety-degree directional alignment change.** A 90-degree (+/- five degrees) bend or elbow in a horizontal alignment change of an urban local residential street shall have an interior acute angle right-of-way radius of not less than 25 feet.

b. **Sixty to 89-degree directional alignment change.** A continuous street with a horizontal alignment bend having an acute angle between 60 and 89 degrees, measured at the centerline intersection of the bend, shall have a centerline radius of not less than 50 feet. For reasons of safe traffic flow and safe site distances, horizontal alignment changes less than 60 degrees are prohibited.

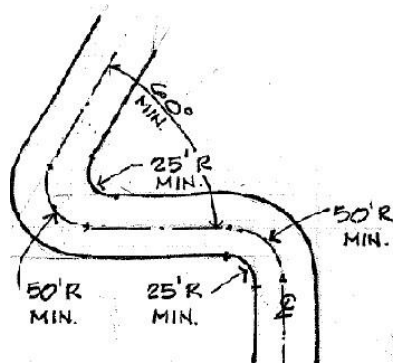


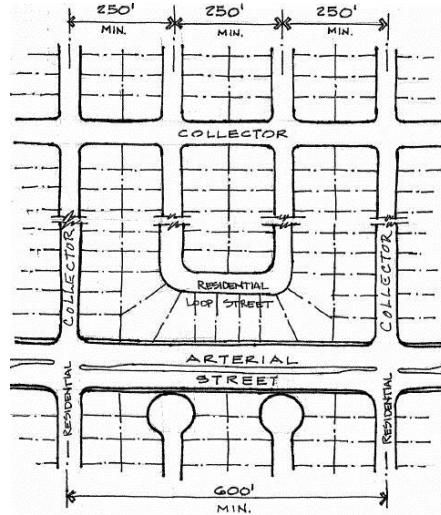
Figure 8

(18) **Limited local residential and urban local residential and collector street intersection spacing intervals with higher order streets.** Public and private local streets and collector streets shall be designed to connect perpendicular to arterial



and collector streets and shall not intersect such streets at centerline intervals less than the following:

- a. Six hundred-foot intervals with arterials;
- b. Two hundred fifty-foot intervals with collectors



**Figure 9**

(19) **Median spacing and location.** Proposed median openings along arterial streets may only be shown on preliminary plats where collector and arterial streets intersect. Proposed median openings shall not be allowed where urban local residential streets intersect with an arterial street. The final spacing and location of all median openings shall be determined by TPW, based on projected traffic flow and circulation characteristics of the development and the standards contained herein, prior to the developer's submission of subdivision development construction drawings.

(20) **Cut-through streets.** Proposed cut-through street layouts, which circumvent traffic-controlled intersections, are expressly prohibited.

(d) **Street and block face design standards.** Street and block face lengths and the maximum number of residential units served shall conform to the standards below.

(1) **Cul-de-sac length and lot yield.** The following standards apply to both public and private streets:

- a. **Cul-de-sac streets.**

	<b>Maximum Street Length (feet)</b>	<b>Maximum Number of Lots or Dwelling Units</b>
2,500 sf. to 4,999 sf. lot size	650	30
5,000 sf. to 7,999 sf. lot size	850	30
8,000 sf. to less than 1 acre lot size	950	30
One (1) acre or greater	1,350	30
Adjacent roadway side slopes exceed 15%	2,000	30
“Eyebrow” or “Bulb” (ROW to Center Point)	n/a	5

b. **Measurement technique.** Cul-de-Sac street lengths shall be measured along the street centerline from the nearest intersecting street ROW line to the radius point of the cul-de-sac turnaround. No residential street, or series of interconnecting streets, forming a closed circle cul-de-sac(s) in which only one outlet to a collector or higher order street is provided, shall serve more lots than indicated in the street/block length design standards section.

(2) **Block face length.**

a. Standard public and private local streets that serve large lots, 150 feet in width and greater, shall have a maximum of 1,950 foot block face. Standard public and private local streets that serve urban lots, less than 150 feet in width, shall have a maximum block face of 1,320 feet. Limited local streets shall not have a block face that exceeds 800 feet.

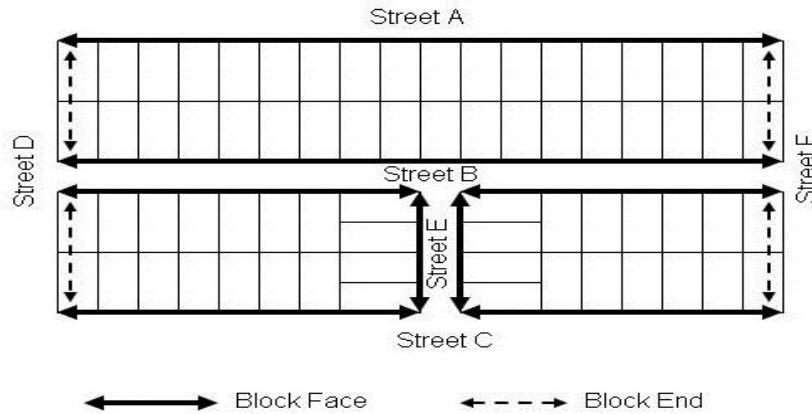
b. There is no minimum block face dimension.

1. *[Reserved.]*

2. **Regulations for areas zoned UR, MU or H.** Areas zoned for "UR" urban residential district, "MU-1", "MU-2", "MU-1G", and "MU-2G" mixed-use districts or, "H" central business district shall conform to the following block restrictions. To ensure efficient circulation, the maximum distance between publicly accessible streets shall be 1,000 feet. No block may have a perimeter greater than 1,600 feet, with a maximum block face of 500 feet. Private streets with adjacent sidewalks that are accessible through a public use easement, or a private walkway, which is accessible thru such public use easement, may serve as a block boundary.

3. **Measurement technique.** The length of a block face shall be the distance between intersecting street rights-of-way, regardless of directional changes. Block width is the block end without lots facing onto it. The perimeter of a block is the cumulative length of all block faces and block ends. (See Figure 10.)

**Figure 10**



(3) **Variance/waiver considerations to street and block face length standards.** Proposed streets and blocks that are longer than the allowed maximum lengths described in these regulations shall require a re-design or a waiver issued by the city plan commission. In reviewing a waiver request, the commission shall consider any or all of the following issues relevant to the subdivision.

- a. Alternative design considerations that would mitigate the street length issue and provide conformance with the subdivision regulation requirements.
- b. The effect of the over length street(s) on traffic and pedestrian safety and circulation, land access, traffic congestion, construction and municipal maintenance costs, and the efficient delivery of emergency and support services, both to and within the neighborhood.
- c. 1. Feasibility of potential mitigation measures, which might be employed to lessen traffic impacts, such as the following:
  - i. Mid-block turnarounds;
  - ii. Limitation on the number of dwelling units or land intensity to be served;
  - iii. Temporary access points;
  - iv. Identification of additional fire protection measures, which might be employed, such as obstruction clearance easements, etc.;
  - v. Mid-block pedestrian access easements; and
  - vi. Context sensitive street designs.

2. Applicant proposals for the placement of traffic ‘speed reduction humps’ in public or private roadway travel lanes as a speed reduction method is not an acceptable or allowable mitigation solution.

(e) ***Cul-de-sac street design standards.***

(1) ***Permanent street termination.***

a. Streets designated to be permanently dead-ended shall be platted and constructed with an approved standard paved cul-de-sac. Any dead-end street of a permanent or a temporary nature, if longer than 150 feet, shall have a surfaced cul-de-sac turnaround area of 80 feet in diameter. Said cul-de-sac must be constructed prior to the expiration of the community facilities contract, or earlier if required by TPW.

b. A street ending permanently in a cul-de-sac shall not be longer than allowed in the street/block length design standards section and shall be provided with a closed end turn-around having an outside roadway diameter of at least 80 feet, and a street property line (ROW) diameter of at least 100 feet.

c. In cases where physical constraints, property ownership, different land use, or other circumstances create conditions where it is appropriate that the length of the cul-de-sac street be longer than allowed, the plan commission may, following recommendation from the development review committee, increase the cul-de-sac length standards referenced herein in order to meet existing conditions of layout or topography, having due regard for connecting streets, traffic circulation, convenience and public safety.

(2) ***Temporary dead-end streets.*** Streets temporarily dead-ended shall have provisions for future extension of the street and utilities and, if a temporary cul-de-sac is required, for a “reversionary right” to the land abutting the turn-around for excess right-of-way. Where adjacent property contains an existing dead-end street over 200 feet in length without a cul-de-sac which abuts the proposed development, the applicant shall extend the street into the proposed development or construct a cul-de-sac as provided above.

(f) ***Limited local residential street design standards.*** Limited local residential streets shall be designed according to the standards of this article, and the following supplemental conditions/criteria:

(1) The street section shall not be less than 24 feet of paving width (face-of-curb to face-of-curb) centered within a 40-foot public or private right-of-way;

(2) Cul-de-sac turn around provisions and design shall be as stipulated in subsection (e)(1) of this section;

(3) Where any limited local residential street is allowed to intersect any arterial or collector street by a variance granted by the plan commission, the street

spacing, width and right-of-way requirements for a local street, as defined elsewhere in this article, must be met for a depth of at least 50 feet from the right-of-way line of the intersected arterial or collector street;

(4) Standard intersection corner clips, as specified elsewhere, are required for street-to-street and street-to-alley intersections;

(5) Raised curbs and gutters shall be designed and constructed in accordance with the provisions of the *Standard Specifications for Construction Manual* published by the transportation and public works department;

(6) The design and cross section of the paving of roadways shall be in accordance with the provisions of the *Standard Specifications for Construction Manual* published by the transportation and public works department;

(7) A limited local loop-type street shall not exceed 800 feet in length, serve a maximum of 30 dwelling units, and have at least one 90-degree bend;

(8) A limited local street must intersect with a higher order street; must have no other public or private streets dependent upon it for access; and must serve no other traffic except that associated with the single-family or cluster dwelling units having direct driveway access to it;

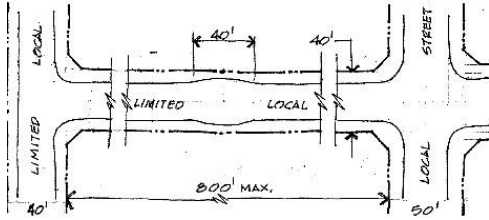
(9) Four off-street parking spaces, as required per Section 6.201(b), of the zoning ordinance, shall be provided for all front or rear entry lots;

(10) All of the land along both sides of a proposed limited local street must be divided into lots for single-family or cluster dwelling units. Final approval of street construction plans and final plats shall be contingent upon obtaining single-family or two-family zoning;

(11) Where any lot adjoining a limited local street also adjoins a higher order street, the frontage along the higher order street must comply with the setback and driveway access characteristics required by the zoning ordinance, subdivision ordinance, and other related city policies;

(12) At least one length of curb not less than 20 feet in length (excluding driveways) for every two dwelling units must be available along a limited local street for over-flow parking. Lots, which only have frontage on the turn-around portion of a cul-de-sac street, are excluded from this protrusion; and

(13) A paving flare-out of 28 feet wide by 40 feet long, within the prescribed ROW, shall be provided at the approximate mid-block location, not exceeding 500 feet from the nearest intersecting cross street. (See Figure 11.)



**Figure 11**

**(g) Alley design standards.**

(1) **Length.** Alleys shall be of a similar length as their associated opposite and parallel primary service streets, except for any additional length required for turnout returns to the primary service street. Dead-end alleys are prohibited. An alley with only one outlet shall be provided with an approved turn-around.

(2) **Width.**

Minimum Width	Single Family & Two Family Subdivisions	Multi-Family & Non-Residential Subdivisions
a. Right of Way	16 ft	20 ft.
b. Roadway Paving (F-F)	12 ft.	20 ft.
c. ROW Radius @ Street/Alley	25 ft.	25 ft.
d. ROW Radius @ Property Line	25 ft.	25 ft.

(3) **Paving.** Alleys shall be paved with concrete in accordance with city design standards and specifications. Alley paving shall have a minimum grade of 0.5% and a maximum grade of 10%.

(4) **Intersection with streets.** Alleys shall intersect streets at right angles or radial to curved streets. The intersection of a street and an alley shall be constructed as a standard driveway approach. Entrance widths to alleys shall be constructed 12 feet wide for one-family and two-family residential areas and 20 feet wide for other areas, with a uniform transition in alley pavement width not to exceed one foot of transition per 20 feet in alley length.

(5) **Alleyway Turnouts.** Alley turnouts shall be paved to the property line with turnouts to be not less than 20 feet wide. At alleyway turnouts, the distance from the alley right-of-way to any gate, building or garage opening shall be at least 25 feet. In cases where two alleys intersect or turn at a sharp angle, lot corners shall

be platted so that a triangular area of 25 feet by 25 feet or greater is dedicated as part of the alley for the purpose of providing a minimum required radius of 30 feet to the inside edge of the alley paving.

(h) ***Fire lane design standards (emergency access easements).***

(1) ***Easement Width.*** Fire lanes shall not be less than 24 feet wide at the outer easement lines and clear of all lateral obstructions.

(2) ***Vertical Obstructions.*** There shall be no vertical obstruction of a fire lane within the area between the top of the paving surface to a vertical height of 14 feet.

(3) ***Roadway paving surface.*** An all weather hard paving surface, meeting city standards and comprised of either reinforced concrete or HMA asphalt concrete over an approved base, shall comprise the fire lane roadway. The roadway shall be centered within the fire lane easement at a width of not less than 24 feet, face to face of curbs if constructed, and capable of supporting a 12,500 pound wheel load.

(4) ***Turnouts.*** Fire Lane turnouts shall not be less than a 25-foot inside turning radius, and a minimum outside turning radius of 50 feet, measured at both the easement line and roadway paving surface edge.

(5) ***Dead-end turnarounds.*** All dead-end fire lanes in excess of 150 feet in length shall be provided with a turnaround meeting the city's geometric and surfacing standards for a standard cul-de-sac design, or other such configuration and design as approved by the fire department.

(6) ***Grade.*** Grade incline of fire lanes shall not exceed 10%.

(7) ***Markings.*** Fire lane markings and striping shall comply with fire code requirements and fire department policy.

(i) ***Access easement design standards (public access easements, reciprocal access easements, private drives or ways).***

(1) ***Definition.***

a. An ***ACCESS EASEMENT*** is an officially approved and privately maintained 'drive' or 'way,' with the roadway constructed to city street standards that is open to unrestricted and irrevocable public access and serves two or more lots, each having a minimum of 100 feet of frontage each, as their primary means of access.

b. ***ACCESS EASEMENTS*** are designed to provide access from adjoining lots, such as within a 'conventional' or 'strip' shopping center, to an adjacent arterial street, usually in conjunction with a median break. They may also provide

an alternate access to a collector or arterial street where unusual topography may otherwise impede a safe entry connection to the lots served.

(2) **Easement Width.** The unobstructed easement width shall not be less than 24 feet.

(3) **Roadway width and paving surface.** The easement paving width shall not be less than 20 feet, and centered within the unobstructed access easement. An all weather-paved surface capable of supporting a 12,500-pound wheel load shall be provided as the roadway travel surface.

(4) **Turnouts.** Turnouts shall not have less than a 25-foot interior radius measured at the vertex of the easement lines and an outside radius of 50 feet.

(5) **Vertical Obstructions.** No vertical obstruction shall be allowed within the area between the top of the pavement surface to a vertical height of 14 feet.

(j) **Private street and alley design standards.**

(1) **Definition. PRIVATE STREETS AND ALLEYS** are private vehicular access ways shared by and serving three or more lots, which are not otherwise dedicated to the public nor publicly maintained.

(2) **Plat identification.** Private streets and alleys shall be identified by separate lot and block numbers on the plat and accompanied by a standard plat note stating that the maintenance and upkeep shall be by a property owners association or other such legal entity empowered by deed restrictions to own and maintain such streets or alleys. No lot or block shall be platted to the centerline of any private street or alley. The City shall have no ownership or maintenance responsibilities associated with private streets or alleys. The City shall, however, review the property owners association documents prior to recording to ensure that adequate provisions of private perpetual ownership, maintenance and upkeep are provided for in the association documents and to ensure that there is no liability to the city.

(3) **Standards.** Private streets and alleys shall be designed, platted and constructed in conformance with the standards for limited local residential or urban local residential streets and alleys based on the type, density, and intensity of development to be served.

(4) **Transfer of Ownership.** No private street or alley shall be transferred to the city by a property owners association nor shall the city accept a transfer, unless the city has first determined that such streets and/or alleys meet or exceed the city's requirements for right-of-way, roadway paving and drainage standards in effect at time of transfer or dedication.



(k) **Supplemental provisions; traffic studies.** Traffic studies may be required by the city in order to adequately assess the impacts of a development plan or plat proposal on the existing and/or planned street system. The primary responsibility for assessing traffic impacts associated with a proposed development will rest with the developer, with the city serving in a report review and evaluation capacity. All traffic studies submitted with respect to a development plat proposal shall be approved by TPW prior to approval of the plat by the plan commission.

(1) **Preparation.**

a. Traffic studies shall be prepared under the direction and supervision of a licensed professional engineer of the State of Texas, with reputable expertise and experience in professional traffic and transportation engineering, with which to analyze and assess traffic impacts.

b. To this end, two types of Traffic Studies shall be considered. Based upon the project size, development intensity, land use mix and estimated traffic generation, TPW shall advise the applicant/developer as to the type and detail level of traffic study required at the time a pre-plat conference is held. In general, traffic studies shall be prepared using trip generation calculations from the most recent version of the Institute of Traffic Engineer's (ITE) *Trip Generation Manual*.

(2) **Submission.** The final traffic study shall be submitted by the applicant/developer to the planning and development department at the time the plan or plat is submitted for review and approval. Three copies of the full report and 15 copies of the 'executive summary report' shall be transmitted. The planning and development department shall promptly transmit two copies of the full report to TPW for review, report and place one full copy in the permanent case file. One copy of TPW's review copy shall be returned to the developer/applicant with any remarks or issues duly noted no later than at the time of DRC plat conference with the developer/applicant. The planning and development department shall transmit copies of the 'executive summary report' to the commission along with a written copy prior to the commission's scheduled public hearing.

(3) **Types of studies.** In general, the types and nature of traffic studies which may be required are as follows.

a. **Traffic assessment study (TAS).** A TAS study is required when more than 500 but less than 5,000 daily vehicle trips are anticipated to be generated by the development or when only certain intersections may have a capacity problem affecting turning movements, etc.

b. **Traffic impact study (TIS).** A TIS study is required when 5,000 or more daily vehicle trips are anticipated to be generated by the development or if the development is anticipated to cause severe impacts on either the roadway system, nearby neighborhoods, evaluation for collector streets, internal neighborhood circulation and connectivity assessment, or other such system capacities and evaluations.

(4) **Preparation.** The traffic studies shall be prepared in concert with the city's traffic study procedures, traffic circulation analysis guidelines, traffic impact analysis guidelines, current available traffic counts and zoning and subdivision regulations

## **Sec. 31-107. GATED SUBDIVISIONS AND DEVELOPMENTS.**

(a) **Definitions.**

**GATED SUBDIVISION OR DEVELOPMENT.** A subdivision or other approved development served by private streets, drives or alleys in which restricted access is controlled by a security gate.

**OTHER TERMS AND PHRASES.** The definition of other terms and phrases, including the design, construction, and installation thereof, as used in these regulations, shall be the same as for those described in the city's zoning and subdivision regulations.

**PRIVATE STREET.** A private vehicular access way, shared by and serving three or more lots or dwelling units, which is not dedicated to the public nor publicly maintained. **PRIVATE STREETS** and private alleys, as established in compliance with the subdivision and zoning regulations, may provide access to a "gated" subdivision or other development, from a public street or way.

**SECURITY GATE.** A single or paired gate which is designed, installed, and electronically and/or manually operated to provide limited controlled vehicular and/or pedestrian access restriction to a subdivision or development. The word **GATE** shall mean the same as **SECURITY GATE**.

(b) **Requirements.** Gated subdivisions and related developments shall meet the following requirements.

(1) **Conformance with city regulations.** The general provisions of all city codes will apply to these regulations. All development plans concerning private streets or gated subdivisions are subject to review and approval by the fire marshal, and director of transportation and public works.

(2) **Excluded Streets.** Streets shown on the city's master thoroughfare plan shall not be regarded as private streets. The private street may not impact public traffic circulation or impair access to property either on-site or off-site to the subdivision or development; or impair access to or from public facilities, including schools, parks and libraries; or otherwise impair the response time of emergency vehicles.

(3) **Design and construction standards: private streets.** Private streets shall conform to the same standards as those regulating the design and construction of public streets.

(4) **Design and Installation: Security Gate.** Any security gate design and installation shall conform to the following requirements:

a. Gate designs may incorporate one- or two-vehicular access gate sections to meet the required minimum overall gate width of 24 feet. If the entrance incorporates a median, guard house or similar structure that necessitates a divided gate arrangement, each respective gate width may be reduced to not less than 18 feet each, or as approved by the director of transportation and public works. A pedestrian access gate shall also be provided, having direct access to a public street or alley.

1. Each security gate designed and installed shall be approved by and subject to a performance test by the director of transportation and public works.

2. If a gate design incorporates an overhead feature or obstruction, the vertical clearance shall be a minimum of 14 feet measured above the crown of the finished road surface.

b. Approach and departure areas on both sides of a gated entrance shall provide free and unimpeded passage of emergency vehicles through the entrance area as required by TPW and public safety departments.

c. Secondary emergency access to a public street or alley shall be provided for all gated one- or two-family subdivisions/developments containing more than 30 lots or dwelling units. Said gate access and related mechanical or manual security appurtenances shall be as approved by the city's transportation and public works director and fire marshal.

(5) ***Maintenance and operations.*** All components of the gate system must be maintained in a normal operating condition, and serviced on a regular basis, as needed, to insure proper gate operation. An appropriate power supply shall be provided and maintained to all electrical and electronic components at all times. Manual operated override provisions shall be incorporated therein, in the event of power failure or during repair and maintenance operations.

a. ***Periodic inspection.*** The city shall have the right to enter the subdivision or development, to periodically inspect the installed security gate and related appurtenances and equipment, at any and all reasonable times, to assess their proper maintenance and working condition. When in the city's opinion such gate or related appurtenance and/or equipment is faulty or unduly impedes or adversely affects vehicular/pedestrian access, the city may cause and/or order the appropriate and prompt repair or removal of the gate, or device in question.

b. ***Responsibility for the cost of repairs/removal.*** The cost of such repairs or removal shall be borne by, and may be assessed to, the appropriate homeowner's association or developer/owner of the property in question. Such action taken by the city shall include, but not necessarily be limited to, entry features and related amenities such as gate, related devices, guardhouses, mechanical/electrical equipment, landscaping and walls/fences/hedges in association therewith.

*c. Owner/developer responsibilities and liabilities.* The appropriate subdivision owner, developer or property owner's association, including its officers and assigns, shall be held mutually responsible and liable for any violation of these regulations. Further, if the development is controlled and operated by a homeowner's association, provisions shall be contained in the respective deed restrictions and association's by-laws, referencing and incorporating these regulations therein. No homeowner's association thus incorporating these regulations, shall amend, change or modify such without the written consent of the city.

*d. Hold harmless.*

1. On the subdivision "final plat", or planned development "site plan", shall be placed language whereby the owner, developer, or property owner's association (as owner of the private streets, gates, and appurtenance) agrees to release, indemnify, and hold harmless the city or any other governmental entity or public utility, for damages or injury (including death) arising out of the use or operation by said entities, of any restricted security gate/entrance or related feature.

2. The indemnification applies regardless of whether or not such damages or injury (including death) are caused by the negligent act or omission of the city or governmental entity or public utility, including their officers, employees, agents or assigns.

*(c) Special variance/waiver considerations for street extensions in gated subdivisions.* Gated subdivisions with private streets or drives, that are designed to provide internal circulation within the subdivision and that provide adequate drainage and emergency access and egress connections to existing adjacent perimeter public streets, may be granted a waiver from extending private streets to the perimeter of the subdivision for purposes of future connections with unplatted property.

## **Sec. 31-108. OIL AND GAS PIPELINES.**

Oil and gas pipelines are regulated by the railroad commission of Texas, safety division, pipeline safety section, by authority of the Office of Pipeline Safety within the U.S. Department of Transportation. All known oil and gas pipelines and pipeline easements must be indicated on a plat.

## **Sec. 31-109. OIL AND GAS WELLS.**

*(a) Plat statement.*

(1) When an existing oil or gas well is located on the subject property to be platted, all plats must contain a statement that no building, not necessary to the operation of an oil or gas well, shall be constructed within the setbacks required by the current gas well ordinance and adopted fire code. If, upon appeal to the

city council, a variance for a lesser distance is approved, the statement shall reflect the distance granted by the council.

(2) The plat statement note shall read as follows:

**BUILDING CONSTRUCTION DISTANCE LIMITATION TO AN OIL OR GAS WELL BORE**

Pursuant to the Fort Worth city code, no building(s) not necessary to the operation of an oil or gas well shall be constructed within the setbacks required by the current gas well ordinance and adopted fire code from any existing or permitted oil or gas well bore. The distance shall be measured in a straight line from the well bore to the closest exterior point of the building, without regards to intervening structures or objects.

(b) *[Reserved.]*

(c) *[Reserved.]*

**Secs. 31-110—31-130. - RESERVED.**

**ARTICLE VII: PUBLIC IMPROVEMENTS**

**Sec. 31-131. CONSTRUCTION PLANS PREPARATION AND APPROVAL.**

(a) Construction plans for public improvements to be installed shall be prepared by a registered professional engineer approved by the city and submitted in accordance with the requirements and specifications of the officials having jurisdiction as defined in the policy for installation of community facilities. No public improvements shall be installed until and unless said plans shall have been received and approved by said officials. Construction plans shall include, but are not limited to, those items specified by the city.

(b) The review process of engineering plans shall be as follows.

(1) Preliminary conference between consultant and municipal engineering personnel responsible for the respective engineering project.

(2) One or more conferences should be held between consultant and municipal engineering representative to discuss the preliminary engineering plans and proposed specifications.

(3) Final plans and specifications prepared in accordance with good engineering practice are submitted for detail check for errors, adequacy and conformity with

standard specifications for construction published by the transportation and public works department. Review of plans and specifications shall be conducted as soon as possible and not later than 20 working days from date of submission.

(4) The information should be conveyed to the applicant, or his or her engineer, by written comments on a copy of the plans and specifications, letter or other acceptable written form, a copy of which may be retained by the official until the completion of the project.

(5) The consulting engineer shall submit final plans and specifications for approval when all comments, changes or corrections are made. The final plans shall be signed and dated by the city engineer, water department director and city traffic engineer, or their authorized representatives upon approval. Final approved plans will be transmitted to the consultant by letter stating approval subject to any additional minor changes or comments.

## **Sec. 31-132. CONSTRUCTION DESIGN STANDARDS AND SPECIFICATIONS.**

City of Fort Worth standard specifications for construction are hereby adopted by reference and made a part of these regulations which shall be controlling in design, construction and installation of street paving, curbs and gutters, sidewalks, utilities and other public improvements required herein. All reference to city design standards and specifications shall mean and include those standards and specifications contained in the *Fort Worth Standard Specifications for Construction Manual*, together with all exhibits, charts, drawings and diagrams pertaining thereto, which have been approved by the officials having jurisdiction and placed on file in the offices of said officials.

## **Sec. 31-133. PAVING AND DRAINAGE FACILITIES.**

(a) All streets and alleys shall be paved and shall be designed and constructed in accordance with city design standards and specifications.

(b) The right-of-way shall be graded to provide suitable finish grades for pavement, sidewalks and planting strips with adequate surface drainage and convenient access to the lots.

(c) All sidewalks or bicycle/pedestrian ways and driveways shall be constructed in accordance with city design standards and specifications.

(d) All drainage facilities shall be designed and constructed in accordance with city design standards and specifications.

(e) Where a subdivision abuts an existing road or street, which is not constructed to line and grade approved by the city, the developer shall be required to improve the existing road or street to bring same to a line and grade and type of construction meeting city standards, or to replace it with a standard city street, at no cost to the city, other than as set out in the cost sharing policy of the city in effect at the time of approval of the final plat. Where the proposed subdivision is located along only one side of said street or road, then the street will be improved by means of the assessment basis with the developer paying his or her proportionate share as required and set forth in the cost sharing policy of the city in effect at the time of approval of the final plat.

(f) Where a subdivision is platted so that lots back up to an existing street, or a street to be dedicated, said street shall be improved in accordance with city standards and specifications by the developer. In the case of an existing road or street which is not constructed to line and grade approved by the city engineer, the requirements in subsection (e) above shall apply.

## **Sec. 31-134. STREET LIGHTING.**

Street lighting shall be provided on all streets, shall conform to all applicable city policies concerning street lighting, and shall be approved by the city. All necessary easements for street light installation and maintenance shall be shown on both the preliminary and final plats.

## **Sec. 31-135. SITE IMPROVEMENT DATA.**

The following site improvement data, including all plans and specifications and engineering calculations, shall be submitted, bearing the seal and signature of an engineer, proficient in civil engineering, and registered in the State of Texas. The number of copies and a reproducible shall be furnished as required by the using department.

(a) ***Roadways and sidewalks.*** Plans and profiles of all streets, alleys, sidewalks, crosswalk ways and detailed cost estimates.

(b) ***Sanitary sewers.*** The location and dimensions of existing sanitary sewer lines; plans and profiles of proposed sewer lines, indicating depths and grades of lines; detailed design information; and cost estimates.

(c) ***Treatment plant system.*** When a separate sewer system or treatment plant is proposed, proposed plans and specifications shall be submitted.

(d) ***Water lines and hydrants.*** The location and size of existing water lines and fire hydrants; plans and proposed water lines and fire hydrants, showing depths and grades of the lines; detailed design information; and cost estimates.

(e) ***Streets and drainage.*** All street widths and grades shall be indicated; runoff figures shall be indicated on the outlet and inlet side of all drainage ditches and storm sewers, and at all points in the street at changes of grade or where the water enters another street or storm sewer or drainage ditch. Drainage easements shall be indicated.

(f) ***Drainage design.*** Calculations and map showing the anticipate stormwater flow, including watershed area, percent runoff and time of concentration. When a drainage ditch or storm sewer is proposed, calculations shall be submitted showing the basis for design.

(g) ***Channels and storm drainage.*** When a drainage channel or storm sewer is proposed, completed plans, profiles and specifications shall be submitted, showing complete construction details and detailed cost estimate.

(h) ***Off-site drainage: upstream.*** When conditions upstream from a proposed channel or storm drain outside the limits of the ownership of the developer do not permit maximum design flow, the drainage facilities shall be designed based on potential and fully developed conditions.

(i) ***Off-site drainage: downstream.*** When conditions downstream from a proposed channel or storm drain outside the limits of the ownership of the developer do not permit maximum design flow, water surface elevations for a one hundred-year design frequency shall be indicated considering the downstream condition in order to define the potential flood hazards. Solutions to protect the property shall be developed.

(j) ***Drainage outfall.*** All drainage improvements shall be designed to an acceptable outfall.

## **Sec. 31-136. - RESERVED.**

## **Secs. 31-137—31-149. - RESERVED.**

# **ARTICLE VIII: ENFORCEMENT**

## **Sec. 31-150. GENERALLY.**

(a) ***Permits withheld.***

(1) No building permits for any construction activity shall be issued by the city until a final plat is approved and filed and recorded with the county clerk of the county in which the tract is located; provided however the planning and



development director or designee may administratively waive the platting requirement for building permits that meet the following criteria:

a. The permit is for a structure located off site on an adjoining parcel of land that is temporary in nature and associated with an approved, permitted construction project and will obtain a certificate of occupancy issued for a maximum of 24 months with no extensions granted;

b. The permit is for a structure that is not occupiable including but not limited to a retaining wall, fence over eight feet in height, sign, sound barrier, equipment cabinet or weight scale; and

c. In addition to the above, the following conditions must be met:

1. The proposed structure does not negatively impact any floodplain, floodway, utility easement, existing or proposed right-of-way, or protected tree;
2. The proposed project is not within the boundary of an approved preliminary plat; and
3. Any proposed utility service complies with Texas Local Government Code section 212.012.

(2) No building permit shall be issued nor public utility service provided for land that has received approval and filed as a conveyance plat.

(b) **Public services.** The city shall be under no obligation to furnish, and may withhold any or all public services, unless and until all rules, regulations and requirements of this chapter have been met or duly waived by the plan commission, or as otherwise waived by TPW, as authorized by these regulations.

(c) **Plat addressing.** The city shall not cause the addressing of any lot or parcel within a subdivision unless and until the final plat thereof has been approved and filed for record in the county courthouse of jurisdiction.

## **Secs. 31-152—31-170. - RESERVED.**

## **ARTICLE IX: GLOSSARY OF TERMS**

### **Sec. 31-171. GLOSSARY OF TERMS.**

**ACCESS.** Adequate access is defined as having frontage on a paved road meeting the right-of-way and pavement dimensions set forth in the master thoroughfare plan.

**ACCESS CONTROLLER.** The facility controlling vehicular access to private street developments that may be a mechanism or a manned structure.

**ACREAGE, GROSS.** The total acreage.

**ACREAGE, NET.** The total acreage less those areas dedicated to public use such as street alley rights-of-way and all easements.

**ADMINISTRATIVE APPROVAL.** Approval by the executive secretary to the plan commission.

**ALLEY.** A minor right-of-way, not intended to provide the primary means of access to abutting lots, which is primarily for vehicular service access to the back or sides of lots or properties otherwise abutting on a street.

**APPLICANT.** The owner of land proposed to be subdivided, or his or her representative when written consent is obtained from the legal owner of the premises. The terms **APPLICANT**, **DEVELOPER** and **SUBDIVIDER** are used interchangeably in this chapter.

**ARTERIAL.** See **STREET, ARTERIAL.**

**AUTHORIZED AGENT.** A person empowered by another to represent, act for, and transact business with the city.

**BENCHMARK, ELEVATION.** A permanent benchmark that identifies the vertical elevation above mean sea level or other approved level.

**BLOCK.** An area enclosed by streets and occupied by or intended for buildings; or if used as a term for measurement, it shall mean the distance along both sides of a street between the nearest two streets which intersect said street. When necessary, the City shall determine the outline of the **BLOCK** in cases where platting is incomplete or disconnected.

**BOND.** Any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the city. All **BONDS** shall be approved by the city council wherever a bond is required by the subdivision ordinance or adopted rules, regulations, and procedures.

**BUILDING.** Any structure built for the support, shelter and/or enclosure of persons, animals, chattels or moveable property of any kind. When subdivided in a manner sufficient to prevent the spread of fire, each portion so subdivided may be deemed a separate **BUILDING**.

***BUILDING SETBACK LINE.*** A line parallel or approximately parallel to the street right-of-way line at a specific distance therefrom marking the minimum distance from the street right-of-way line that a building may be erected.

***BUILDING SITE.*** Land occupied or to be occupied by a building and its accessory building, including such open spaces as are required under this chapter and having direct access to a public street.

***CAPITAL IMPROVEMENTS.*** Facilities of a permanent nature, such as streets, drainage, sanitary sewer, etc.

***CITY ENGINEER.*** The person designated by the city council to review engineering aspects of projects located within the city.

***COLLECTOR STREET.*** See ***STREET, COLLECTOR.***

***COMMON AREA.*** An area or facility that is owned jointly by the owners within the subdivision and/or members of the property owners association. ***COMMON AREAS*** include, but are not limited to private parks, community buildings, and screening walls.

***COMMUNITY FACILITIES AGREEMENT (CFA).*** A contract between the city and developer for the construction and cost sharing of public infrastructure improvement.

***COMPREHENSIVE PLAN.*** For purposes of this chapter, the comprehensive plan shall include current and future streets, alleys, parks, playgrounds and public facilities as delineated by the master thoroughfare plan; parks and recreation policies; Meacham, Alliance, and Spinks Airport controls; and other city codes, ordinances, or regulations.

***COVENANT.*** An agreement to do or refrain from doing certain acts.

***CROSS STREET INTERSECTION.*** Situation in which two perpendicular streets fully intersect, or cross one another from one side to the other at or near a 90-degree angle.

***CUL-DE-SAC.*** A street having but one outlet to another street and terminated on the opposite end by a vehicular turn-around.

***DRC.*** Abbreviation for ***DEVELOPMENT REVIEW COMMITTEE.***

***DEAD-END STREET.*** A street, other than a cul-de-sac, with only one outlet.

***DEDICATION.*** A gift or donation of property or interest in property by the owner to the public.

**DENSITY.** The number of dwelling units per gross acre of subdivision, excluding any areas that are non-residential in use.

**DETENTION POND.** A pond or impoundment designed to store stormwater runoff for controlled release during or immediately following the storm event.

**DEVELOPER.** An individual, partnership, corporation or governmental entity undertaking the subdivision or improvement of land and other activities covered by this chapter including the preparation of a subdivision plat showing the layout of the land and the public improvements involved. The term **DEVELOPER** is intended to include the term **SUBDIVIDER** even though personnel in successive stages of a project may vary.

**DOUBLE FRONTAGE LOTS.** A lot, other than a corner lot, with frontage on more than one street.

**DRAINAGE PLAN.** An engineering study evaluating stormwater runoff and flows that recommends drainage improvements necessary to comply with design standards adopted by the city.

**DWELLING.** Any building or portion thereof, which is designed for or used for residential purposes.

**EASEMENT.** An interest in land granted to the city, to the public generally, a private individual and/or to a private or public utility corporation.

**EASEMENT, ACCESS.** An easement created for the purpose of providing vehicular or pedestrian access to a property.

**EASEMENT, DRAINAGE.** An easement created for the purpose of conveying stormwater across property either on the surface or in an underground system.

**EASEMENT, EMERGENCY ACCESS.** An easement on private property created for the purpose of providing access for emergency vehicles to a property.

**EMERGENCY.** Response by the appropriate city department to an alarm or call requiring immediate action in the interest of the public health and safety.

**ENGINEER.** A person duly authorized under the provisions of the Texas Engineering Registration Act, as heretofore or hereafter amended, to practice the profession of engineering.

**ENTRY TURNAROUND.** An opening or other accommodation provided at the entrance to a private street development in order to allow vehicles denied access to re-enter the public street with a forward motion without unduly disturbing other vehicles at the entrance.

***EROSION CONTROL.*** Structural and nonstructural techniques to prevent the erosion and sedimentation of soil from rainfall and/or runoff.

***E.T.J. - EXTRA TERRITORIAL JURISDICTION.*** That property which lies within the jurisdiction of the City of Fort Worth for enforcing subdivision plat regulations.

***EXECUTIVE SECRETARY.*** The director of the planning and development department or his or her designated representative who serves as the executive secretary to the plan commission.

***FPUC.*** Abbreviation for franchised public utility companies.

***FINAL PLAT.*** The one official and authentic map of any given subdivision of land prepared from actual field measurement and staking of all identifiable points by a surveyor with the subdivision location references to a survey corner or other established reference and all boundaries, corners and curves of the land division sufficiently described so that they can be reproduced without additional references. Angular measurements and bearings shall be accurate to the nearest tenth of a foot. The final plat of any lot, tract, or parcel of land shall be recorded in the plat records of the appropriate county.

***FLOODPLAIN.*** An area identified by the Federal Emergency Management Agency as possibly being flood prone at or below the intermediate flood line (100-year floodplain). The issuance of building permits for construction of any structure within such floodplain is regulated by a separate specific ordinance governing the safeguards, preventing actions against flooding, types of uses permitted in flood prone areas, etc.

***FLOODWAY.*** The channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood as defined by the Federal Emergency Management Agency without cumulatively increasing the water surface elevation more than one foot.

***HOA and POA.*** Abbreviations for ***HOME OWNERS ASSOCIATION*** and ***PROPERTY OWNERS ASSOCIATION*** respectively, both mean the same and are used interchangeably.

***INFRASTRUCTURE.*** Facilities needed to sustain manufacturing, residential, commercial and all other land use activities. ***INFRASTRUCTURE*** includes water lines, sewer lines, and other utilities; streets and roads; communications; and public facilities, such as fire stations, parks, schools and other similar type uses.

***LAND USE PLAN.*** Part of comprehensive plan showing future land use.

**LOT.** An undivided tract or parcel of land having frontage on a public street, or upon an approved access easement having direct public street access, and which is, or in the future may be, offered for sale, conveyance, transfer or improvement; which is designated as a distinct and separate tract; and which is identified by a tract or lot number of symbol in a duly approved subdivision plat properly approved by the city and filed on record with the county clerk.

(1) **AREA, LOT.** The area of the lot shall be the net area of the lot and shall not include portions of streets and alleys.

(2) **LOT DEPTH.** The distance between midpoints of straight lines connecting the foremost points of the side lot line in front and the rearmost points of the side lot lines in the rear (the mean horizontal distance between the front and rear lot line).

(3) **LOT, DOUBLE FRONTAGE OR THROUGH.** A lot, other than a corner lot, with frontage on more than one street.

(4) **LOT, FRONTAGE.** The length of street frontage between property lines.

(5) **LOT, IRREGULAR.** Any lot not having equal front or rear lot lines, or equal side lot lines (the opposite lot lines vary in dimension), or having corners with an angle of either more or less than 90 degrees.

(6) **LOT ORIENTATION.** The compass reading for a line, drawn from a point midway between the side lot lines at the required front yard setback to a point midway between the side lot lines at the required rear yard setback.

(7) **LOT WIDTH.** The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided, however, that the width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80% percent of the required lot width except in the case of lots on the turning circle of cul-de-sacs, where the 80% percent requirement shall not apply.

**OPEN SPACE, PRIVATE.** Within a subdivision, private open space is private property under common ownership and for use by property owners within the subdivision designated for recreational area, private park, play lot area, plaza area, building setbacks (other than those normally required), and ornamental areas open to the general view within the subdivision. **PRIVATE OPEN SPACE** does not include streets, alleys, utility easements, public parks or required setbacks.

**OPEN SPACE, PUBLIC.** Within a subdivision, **PUBLIC OPEN SPACE** is property which has been designated for park land, recreation or wildlife conservation areas which have been dedicated to, and accepted by, the city or other federal, state, or municipal governmental entity.

**OWNER OF RECORD.** Legal owner or owners of the property.

**PARK.** Land dedicated to, or purchased by, the city or other federal, state, or municipal governmental entity for the purpose of providing public recreation or open space areas.

**PARK, NEIGHBORHOOD.** A public park intended to serve the recreation needs of people living or working within a one-half mile radius of the park.

**PARK, PRIVATE.** A tract of land presently owned or controlled and used by private or semi-public persons, entities or groups for active or passive recreational purposes.

**PAVEMENT WIDTH.** The portion of a street available for vehicular traffic; where curbs are laid, it is the portion from the face of a standard six-inch curb to the face of the opposite curb.

**PERMIT.** A license, certificate, approval, registration, consent, permit, contract or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order or ordinance that a person must obtain to perform an action or initiate, continue or complete a project for which the permit is sought.

**PERSON.** Any individual, association, firm corporation, governmental agency or political subdivision.

**PETITION.** A written request.

**PHASED DEVELOPMENT.** A plat presented by the developer proposing that only part of the tract is to be developed with the remainder of the tract to be developed at a later date.

**PID.** Abbreviation for **PUBLIC IMPROVEMENT DISTRICT** which is created by the city.

**PLAN COMMISSION.** Same as **COMMISSION**.

**PLAT.** A map of a specific land area such as a subdivision, showing the location and boundaries of individual parcels of land subdivided into lots with streets, alleys, easements, etc. drawn to scale.

**POLICY.** A statement, or document, which has been enacted by the governing body of the city that forms the basis for enacting legislation or making decisions.

**PRELIMINARY PLAT.** A formal document showing the detailed concept of the subdivision, presented with the required accompanying material to the plan commission for approval.

**PRIVATE STREETS.** Private vehicular access ways shared by and serving three or more lots, which are not otherwise dedicated to the public nor publicly maintained.

**PRIVATE STREET LOT.** A separate lot owned by the property owners association, whereupon a private street is constructed.

**PROPERTY OWNERS ASSOCIATION.** An organization established for the ownership, care and maintenance of private streets and other private facilities.

**PUBLIC FACILITIES.** Any facilities for the public welfare, usually including public utilities, governmental buildings and public schools.

**PUBLIC IMPROVEMENTS.** Facilities such as streets or drainage systems, which are dedicated for public use.

**PUBLIC OPEN SPACE EASEMENT.** An easement that restricts construction or plantings so that open space and/or sight visibility is maintained.

**REAL PROPERTY.** Land and anything attached to, or erected on it, excluding anything that may be severed without injury to the land.

**REPLATTING.** The resubdivision of any part or all of any block or blocks of a previously platted subdivision, addition, lot or tract.

**RESERVE STRIP.** A privately owned strip of land, normally one foot in depth, adjacent to a public right-of-way which may be used by the city and franchised utilities for locating facilities to serve the public.

**RESIDENTIAL STREET.** Limited local, local, or collector street (public or private) built to city standards.

**RETENTION POND.** A pond or other impoundment designed to store stormwater runoff permanently.

**RIGHT-OF-WAY.** Lands dedicated to the public for use as a street, alley, or crosswalk.

**SCREENING, WALL OR FENCE.** An opaque wall or barrier or fence at least six feet high made of masonry, cedar, or similarly approved fence material per the zoning ordinance.

**SHALL, MAY.** The word **SHALL** is always mandatory. The word **MAY** is merely permissive.

**SIDEWALK.** A paved pedestrian way generally located within public street right-of-way, but outside of the roadway, and built in accordance with city specifications.



**SKETCH PLAN.** A sketch drawing of initial development ideas superimposed on a topographic map to indicate generally the plan of development and to serve as a working base for noting and incorporating suggestions of the staff, city engineer, utilities or others who are consulted prior to the preparation of the preliminary plat.

**STACKING AREA.** A setback measured from the public street right-of-way to the access controller.

**STEEP SLOPE.** Areas that contain slopes over 15% grade and are characterized by increased run-off and erosion hazards.

**STREET.** A public right-of-way, however designated on the city's comprehensive plan, which provides vehicular access to adjacent land.

(1) **ARTERIAL STREET.** Designed to efficiently carry large volumes of traffic through the city.

(2) **COLLECTOR STREET.**

a. Primarily provides circulation within neighborhoods, to carry traffic from local streets to arterials, or to carry traffic through or adjacent to commercial or industrial areas.

b. A **COLLECTOR STREET** in a residential zoning district shall also be identified as a residential street.

(3) **LOCAL OR LIMITED LOCAL STREET.** One used primarily for access to abutting residential property.

(4) **PRIVATE STREET.** A vehicular access way under private ownership and maintenance that has not been dedicated to the city or accepted by the city.

(5) **STREET, INTERNAL.** Generally any street whose entire width is contained within a development.

(6) **STREET, PERIMETER.** Any street, which abuts a development or one whose width lies partly within a development and partly without, unless, otherwise defined by the city engineer.

(7) **STREET WIDTH.** The shortest distance between the lines, which delineate the rights-of-way of a street.

**STRUCTURE.** Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, **STRUCTURES** include buildings, mobile homes, billboards and poster panels.

**SUBDIVIDER.** Any person or agent thereof, dividing or proposing to divide land so as to constitute a subdivision as that term is defined herein. In any event, the term **SUBDIVIDER** shall be restricted to include only the owner or equitable owner, of land sought to be subdivided.

***SUBDIVISION.*** A division of any tract of land situated within the corporate limits, or extraterritorial limits, in two or more parts for the purpose of laying out any subdivision of any tract of land or any addition of any town or city, or for laying out suburban lots or building lots, or any lots and streets, alleys, or parts or other portions intended for public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto. ***SUBDIVISION*** includes re-subdivision.

***SURVEYOR.*** A Texas registered public surveyor, as authorized by the state statutes to practice the profession of surveying.

***T-STREET INTERSECTION.*** Situation where one street intersects with that of another, in a perpendicular configuration at or near a 90-degree angle, and the intersecting street does not penetrate through to the other side of the intersected street, thereby forming a T-configuration.

***THOROUGHFARE.*** The public vehicular infrastructure composed of arterials, collectors, and local streets. See ***STREETS***.

***THOROUGHFARE PLAN.*** The officially adopted plan, a part of the comprehensive plan that identifies and classifies the existing and proposed thoroughfares in the city.

***TPW.*** Abbreviation for ***DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS***.

***TRAFFIC ASSESSMENT STUDY (TAS)*** and ***TRAFFIC IMPACT STUDY (TIS)***. Each has its own definitions of standards of submission requirements, as administered by TPW. A ***TAS*** study is of less complexity and detail than is a ***TIS*** study.

***TRAFFIC ENGINEER.*** The person designated by the city council to review traffic aspects of projects located within the city.

***URBAN LOCAL STREET.*** Term meaning the same as ***RESIDENTIAL STREET, LOCAL STREET, CUL-DE-SAC*** and ***LOOP STREET***.

***UTILITY EASEMENT.*** An interest in land granted to the city, to the public generally, and/or to a private utility corporation or public utility district, for installing, maintaining, repairing or enlarging utilities across, over or under private land, together with the right to enter thereon with machinery and vehicles necessary for the installation, maintenance, replacement or enlargement of said utilities at any time.

***VACATION (CLOSURE).*** To cancel, rescind or render an act that has the effect of voiding a subdivision plat or a portion thereof as public easement, right-of-way, or other dedication.