

**CITY OF UHLAND**

**Subdivision  
Ordinance**

*#44*

**Adopted** *3-6-2002*

## **CHAPTER 1**

### **Article 1**

#### **Subdivision Ordinance**

- A. The City of Uhland acting through the City Council of Uhland has developed the following ordinances for the proper development of subdivisions within its City Limits and Extra-Territorial Jurisdiction.**

**ARTICLE II**  
**REGULATIONS AND GUIDELINES**

**A. AUTHORITY**

These rules are adopted by the order of the Uhland City Council acting in its capacity as the governing body of the City of Uhland, Texas pursuant to appropriate statutes and regulations.

**B. VARIANCES**

A Developer, or any owner of property affected by these rules, may make written application for a variance from compliance with any specific rule set forth herein. Any such application for a variance shall be submitted and presented with the original application for plat of a subdivision. The Council shall endeavor to respond, in final writing to each variance requested. It is incumbent upon any Developer to obtain a written response from the Council to any variance requested.

**C. PURPOSE AND PRIORITIES**

The purpose of these rules is to regulate the filing for record of subdivision plats and to establish construction standards and other requirements pertinent thereto for all subdivisions within the boundaries of the City Limits or Extraterritorial Jurisdiction Limits of the City, for the promotion of health, safety and general welfare of the community.

1. If any conflict exists between these ordinances and the Texas State Statutes and applicable regulations or Federal Statutes and their applicable regulations, the Texas State Statutes, Federal Statutes and regulations shall take precedence.
2. In the event of invalidation of any of the provisions of these Subdivision Ordinances by a court of competent jurisdiction, all other provisions of these Subdivision Ordinances shall remain in full force and effect.

## ARTICLE III

### GENERAL SUBDIVISION REQUIREMENTS

#### A. GENERAL REQUIREMENTS

Any Owner who subdivides a tract of land shall:

1. Comply in all respects with these ordinances; and
2. Prepare and submit to the Council an application for approval of the proposed Subdivision in accordance with the terms and procedures set forth in these ordinances.

#### B. SUBDIVISION APPROVAL PROCESS

No Subdivision shall be permitted until the Owner has satisfied each of the following steps in the order indicated:

1. ***Approval of Preliminary Plat*** by the Council.
2. ***Approval of Final Plat*** by the Council with appropriate bonds shall be completed within 180 days of Preliminary approval.
3. ***Filing of Record Plat*** that was approved by the Council with the County Clerk, to be recorded in the Plat Records of the County within 10 working days.

#### C. TRANSMITTAL MATERIALS.

All submissions to the Council pursuant to these Ordinances, including amendments or supplemental materials, shall be delivered to the City and shall be accompanied by a letter of transmittal indicating:

1. The name, address and phone number of the Owner and, if different, the Developer or applicant.
2. The name, address and phone number of any person submitting the materials on behalf of the Owner.

3. The name of the proposed Subdivision.
4. The size and location of the Original Tract.
5. A detailed description of the requested actions.

**D. APPLICATION MATERIALS.** Each application for Preliminary Plat or Final Plat shall include the following:

1. Ten (10) 24" x 36" blueline copies of the Preliminary Plat or ten (10) 18" x 24" blueline copies of the Final Plat.
2. A tax certificate showing that all taxes currently due with respect to the Original Tract have been paid.
3. All other documents or reports required pursuant to this Ordinance and any associated bonds or letters of credit.
5. Letters from utility providers, Volunteer Fire Departments, EMS, and Law Enforcement.

**E. Record Plat.** Two (2) duplicate 18" x 24" photographic mylars shall be presented to the County Clerk for recording as the Record Plat. All writing and drawings on the Record Plat must be large enough to be easily legible following recording, and legible at 50% photocopy reduction.

**F. Application Review Periods.** The City review period for an application for a Preliminary Plat or Final Plat shall begin 15 business days before the next meeting.

1. An application for a Preliminary Plat or Final Plat shall be deemed to be complete for this Section when all of the material required under Article III.E are delivered to the City in accordance with Article III.C together with:
  - a. For Preliminary Plats, those items required in Article V.
  - b. For Final Plats, those items required in Article VI.

**G. Technical Review Procedure.** Upon receipt of a completed application, the City Engineer shall conduct a technical review of the Application and make recommendations to the Council as to whether the application is in compliance with these Ordinances.

1. In the event the City Engineer determines that the Application is not complete, he/she shall provide the Applicant with written comments detailing the outstanding or deficient items, not later than the 5<sup>th</sup> business day prior to the Council Meeting.
2. Upon receipt of the City's written comments, the Applicant shall submit prior to council additional information or a revision to the Application, together with a written response to each comment by the City Engineer.
3. In the event the Applicant fails to respond to the City Engineer, the Applicant will be required to re-file as an original for further consideration of the Application.
4. The City Engineer shall forward the results of its technical review and its recommendations with respect to the Application to the City Council.

**H. Wastewater and Development Permits.** The City shall issue no On-Site Sewerage or Development permits on any parcel of land unless that property is in compliance with the requirements of these Ordinances and City On-Site Sewerage Ordinance(s).

**I. Subdivision that Fronts on Any State Highway.** The Developer will comply with state requirements concerning driveways, drainage and other applicable requirements. Prior to approval of new subdivisions fronting on a state highway or farm to market roads, the developer will review with the Texas Department of Transportation (TxDOT) any changes or improvements that are being planned for that particular road. If such changes are planned, TxDOT can project the new right-of-way widths required for the road improvements and the Developer shall comply with any requirements by TxDOT to implement such plans. This will enable the Developer to provide the necessary easement or dedication of right-of-way on the preliminary plat to reflect the projected new right-of-way when presenting the plat to the Council. This easement or dedication of right-of-way will be necessary for court approval. This additional right-of-way is in addition to any public utility easements required under these rules. Provide approved Letter from TxDOT.

- J. No lots are to be occupied until all roads, water, sewer, electricity, etc. are constructed to City standards as found in Article VIII. and initiated.
- K. All lots shall have a 25 foot front building set-back, 25 foot side street building setback, 25 foot rear building setback, 10 foot side building setback, 20 foot front, side street, and rear public utility and drainage easement, 10 foot side public utility and drainage easement.
- L. All lots must be one acre minimum with at least 100 feet of roadway frontage. Cul-de-sac lots must have 40 feet of roadway frontage.
- M. Commercial lots must have a minimum of 150 feet of roadway frontage.
- N. Shared driveways shall be limited to two lots.
- O. Planned Unit Development will be required for any development that does not substantially meet this Ordinance. Any Planned Unit Development would require separately approved Ordinances.
- P. All roadways should be extended to adjoining properties where feasible.



## ARTICLE IV

### EXEMPTIONS

- A. The subdivision of a tract of land shall be exempt from the platting requirements of these Ordinances if;
  - 1. The Owner of the tract divides the tract into two or more parts and all of the lots of the subdivision are more than 5 acres and have more than 100 feet of frontage on a public road. Also, no additional roadway would be allowed in this exemption.

## ARTICLE V

### REQUIREMENTS FOR PRELIMINARY PLAT APPROVAL

#### A. General Information

1. Name of the proposed Subdivision, which shall not be the same or deceptively similar to any other subdivision within the City unless the subdivision is an extension of a pre-existing contiguous subdivision.
2. Boundary lines and total acreage of the Original Tract and the Subdivision.
3. A listing of lots and respective acreage within the proposed subdivision.
4. Total acreage of subdivision, and acreage and dimensions of each lot.
5. Location and acreage of any proposed parks, squares, greenbelts, schools, or other public use facilities and acreage of roads, private or public.
6. Names of adjoining subdivisions or owners of property contiguous to the proposed subdivision.
7. Name and address of the Surveyor and/or Engineer.
8. Name and address of the Owner, and Developer or Applicant if not the Owner.
9. Area map showing general location of subdivision in relation to major roads, topographic features, etc.
10. North arrow, scale and date. The scale shall not exceed 1" = 200'. If more than one sheet is required, an index should be provided.
11. Boundary lines of the incorporated city and the limit of the extraterritorial jurisdiction of the City, where applicable.

12. Indicate the School District in which the Subdivision is located. In the event any lot lies within more than one school district, then the plat shall clearly state the number of acres within the lot(s) that lie(s) within each school district.
13. Indicate location of any existing structures (wells, cemeteries, etc.) in the subdivision, on the plat.
14. Designation of proposed land use.
15. Name of parent survey and acreages.

**B. Floodplain Information**

1. Elevation contours of no greater than ten foot intervals shall be shown on the plat.
2. All special Flood Hazard areas identified by the most current Flood Insurance Rate maps published by the Federal Emergency Management Agency.
3. Each lot in the 100-year flood plain shall have marked on the plat sufficient additional contours to identify and delineate the 100 year flood plain and regulatory floodway, if any. If base flood elevations have not been established, they shall be established by a method satisfactory to the City.
4. Any subdivision containing the 100 year flood plain shall have marked on the plat the flood datum affixed at or near the 100 year flood elevation.
5. A drainage plan depicting the anticipated flow of all drainage onto and from the subdivision and showing all major topographic features on or adjacent to the property including all water courses, 100 year flood plain boundaries, ravines, bridges and culverts.
6. The location and size of all proposed drainage structures, including on-site retention or detention ponds and easements and the impact of lot and street layouts on drainage for 100 year flood plain.

7. Depiction of all streams, rivers, ponds, lakes, other surface water features or any Sensitive Features, (as defined by the Texas Natural Resource Conservation Commission in 30 Texas Administrative Code 213.3) and a statement certified by the Surveyor or Engineer under his or her professional seal that, to the best of his, or her knowledge, the plat accurately reflects the general location (or absence) of all such features in accordance with the terms of these Regulations.
8. All drainage facilities including ditches, drainage pipes, street curbs, gutter inlets, driveways, road culverts, and storm sewers shall be designed to intercept and transport runoff from 25 year frequency.

**C. Street and Right-of-Way Information**

1. Location, length and right-of-way widths of all proposed streets and depiction of how all proposed streets shall connect with previously dedicated, platted or planned streets within the vicinity of the subdivision.
2. Location, size and proposed uses of all proposed access easements, or shared access driveways, if any.
3. A statement indicating whether the Applicant shall seek City maintenance of the roads or approval of a Homeowner's Association for road maintenance or designation of roads as private roads.
4. A proposed Preliminary Plat shall satisfy the requirements herein relating to alignment of streets and shall contain a written certification from a Registered Professional Engineer that the location and dimensions of streets as set forth and laid out on the Preliminary Plat are in accordance with these Regulations.

**D. Sewage**

1. If a State approved disposal sewage system is not provided, the Owner of the proposed subdivision shall make site evaluations (location of the site evaluations shall be shown on the plat) in accordance with the City of Umland and State regulations in effect for installation of on-site sewage facilities. Representative soil sample of the proposed tracts or lots will be tested and results approved by the City Sanitarian. If the tests are not acceptable, corrective measures, as specified by the City Sanitarian are required.
2. An appropriate statement will be placed on the plat indicating the types of septic system required for the subdivision.

**E. Utilities Information**

1. A signed statement of each entity supplying utilities shall be displayed on the plat. Plats must have the approval of utility companies (water, electric, telephone, etc.) as to proper location of public easements and that utilities' intent to serve the subdivision.
2. The location of all proposed utility easements and/or infrastructure, including water well sanitary easements, if applicable.
3. All utilities must meet the requirements of Article IX.

**F. Approval of Preliminary Plat**

The City Council shall approve a Preliminary Plat if it satisfies each of the requirements set forth in Article V and all other provisions of these Ordinances.

## ARTICLE VI

### REQUIREMENTS FOR FINAL PLAT APPROVAL

#### A. General Information

1. A proposed final plat shall comply with the requirements of the approved preliminary plat and be approved within 180 days of preliminary approval. If it has not been approved within said time and the City has not granted an extension, the preliminary plat will be considered void.
2. Bearings and dimensions of the boundary of the Subdivision and all lots, parks, green belts, easements, reserves, etc. Dimensions shall be shown to the nearest one-hundredth of a foot (0.01') and bearings shall be shown to the nearest one second of angle (01"). The length of the radius and arc of all curves, with bearings and distances of all chords, shall be clearly indicated.
3. A description of monument used to mark all boundary, lot and block corners, and all points of curvature and the tangent on street rights-of-way.
4. Location of original survey line. The subdivision shall be located with respect to an original corner of the original survey of which it is a part.
5. Lot and block numbers for each Lot.
6. Acreage of all lots, calculated to the nearest one-hundredth of an acre.
7. A Surety Bond or Letter of Credit shall be posted in an amount determined by the City Council to insure proper construction of roads, streets, drainage and utility improvement.
8. Utility providers (such as water district, electrical, sewer, etc.) must sign off on final plat, and indicate by a letter their intent or agreement to serve the subdivision.
9. A Letter of Approval must also show sign off by the Fire Marshall and Appraisal District.

10. Approval of street names and addresses.
11. Location of all building lines and easements.
12. All certifications.

**B. Floodplain and Drainage Information**

1. For subdivisions containing 100 year floodplain, benchmarks and finished floor elevations of each lot shall be shown.

**C. Street and Right-of-Way Information**

1. Total length of all streets, to the nearest one-tenth mile.
2. Total acreage of all streets public or private.
3. Total area of all common areas to be dedicated to the public.
4. If any lots face a County maintained road the following statement shall appear prominently on the Final Plat: "In order to promote safe use of roadways and preserve the conditions of public roadways, no driveway constructed on any lot within this subdivision shall be permitted access onto a publicly dedicated county roadway unless a **Driveway Permit** has been issued by the appropriate County Road and Bridge Department.
5. In some cases the Developer may be required to design and construct driveways to conform to County standards.
6. The following statement shall appear prominently on the Final Plat: "No lots are to be occupied until OSSF Permitted or public sewer, water and electricity and roads have been provided and construction is completed and approved".

## **ARTICLE VII**

### **REVISION/CANCELLATION OF A SUBDIVISION PLAT**

- A. A person who has subdivided land that is subject to the subdivision ordinances of the City in which the land is located may apply to revise the subdivision plat filed for record with the County Clerk.
- B. The applicant shall be required to notify by certified or registered mail, return receipt requested, owners of property adjacent to the area to be re-platted.
- C. The Council shall adopt and order to permit the revision of the subdivision if it is shown to the Council.
  - 1. The revision will not interfere with the established rights of any owner of a part of the subdivided land, or
  - 2. Each owner whose rights may be interfered with has agreed to the revision.



## ARTICLE VIII

### ROAD CONSTRUCTION AND DRAINAGE REQUIREMENTS

#### A. General Requirements

1. Roads and streets to be constructed shall meet the minimum requirements in Table #1.
2. All roads and streets should intersect at 90 degree angles when possible, and 25' radii will be provided at all corners.
3. No roads or streets shall have any abrupt offset(s), where avoidable.
4. In the event a subdivision is being developed as a continuation of and at the end of a public or city road, and such road will be the sole entrance and exit to the proposed subdivision, and the present county road right-of-way is less than requirements for arterial streets, the Developer will be responsible for purchasing the needed right-of-way, in order for the right-of-way to be established throughout and so noted on the original plat.
5. Driveways will be provided by the Developer during project construction. A permit for the driveway must be obtained for access to roads if driveway intersects a County maintained road. In the event culverts are necessary, culverts will be provided and installed by the Developer or Owner in strict compliance with specifications. Driveways shall not be less than 16 feet in width and extend from the paved portion of the road to the Owner's property. Minimum size for driveway culverts shall normally be 18 inches in diameter with sufficient length. Note: In some cases developers may be required to install driveways prior to final acceptance. Pavement shall continue from County or City pavement to Owner's property line. Driveway shall have minimum of 10' radii.
6. All roads shall be constructed with a minimum of 18" of ribbon curb.
7. All drainage features, including channels, ponds, shall be revegetated with bermuda or approved equal seeding. All bed areas within road right-of-way shall be revegetated equally.

TABLE 1  
SUMMARY OF HAYS COUNTY ROAD STANDARDS\*

Average Daily Traffic (one-way trips)** Functional Classification	Not More Than				Major Collector	Minor Arterial	Major Arterial	More Than 15000
	1000	1001-2500	2501-5000	5001-15000				
Design Speed	25 mph	35 mph	45 mph	55 mph				
Number of Lanes	2	2	2	4				
ROW Width	60 feet	60 feet	70 feet	100 feet				
Width of Traveled Way	24 feet	30 feet	36 feet	48 feet				
Minimum Centerline Radius	175 feet	375 feet	675 feet	975 feet				
Minimum Tangent Length Between Reverse Curves or Compound Curves								
Minimum Radius for Edge of Pavement at Intersections	75 feet	150 feet	300 feet	500 feet				
Minimum Radius for Edge of Pavement at Intersections	25 feet	25 feet	25 feet	25 feet				
Intersection Street Angle	80-100	80-100	80-100	80-100				
Maximum Grade	11%	10%	9%	8%				
Minimum Street Centerline Offset at Adjacent Intersections	125 feet	125 feet	125 feet	125 feet				
Minimum Stopping Sight Distance	175 feet	250 feet	350 feet	550 feet				
Minimum Intersection Sight Distance	250 feet	350 feet	450 feet	550 feet				
Steepat Ditch Florealope Grade***	3:01	4:01	4:01	5:01				
Minimum Cul-De-Sac ROW Radius	60 feet	60 feet	60 feet	60 feet				
Minimum Cul-De-Sac Pavement Radius	45 feet	45 feet	45 feet	45 feet				

\*Any deviation from these standards must be subject of an approved variance.

\*\*Lots that are restricted by plat note to one single-family residence shall be presumed to generate 10 one-way trips per day.

Average daily traffic for all other lots shall be determined on a case-by-case basis by the Road Director.

\*\*\*The entire side ditch shall be totally contained within the road right-of-way or a dedicated drainage easement. Guardrails will be required wherever ditch depth exceeds 8'-0" from edge of shoulder to bottom of ditch on country lanes and local streets, 6'-0" from edge of shoulder to bottom of ditch on minor collectors, and 4'-0" from edge of shoulder to bottom of ditch on major collectors and minor arterials.

\*\*\*\*No cul-de-sac shall have a cross slope that exceeds 6 percent.

\*\*\*\*\*Revegetation of disturbed areas within new road rights-of-way is required.

\*All roads to have 18" ribbon curb with base material from back of curb to back of curb.

\*\*All drainage features including ditches, ponds, etc. should be revegetated with bermuda or approved equal seeding.

- a. In accordance with a plan which has been presented to and approved, in writing, by the City. Developer will comply with all City, State, local and Federal regulations.
  - b. Under the direction of the City or its representative.
  - c. Performed by a person or firm qualified to produce and furnish accurate results.
5. The City shall perform visual inspection and testing, as set forth in these rules, to assure compliance. However, it is intended that the burden of testing, and responsibility for compliance, shall rest with the Developer.
6. Developer shall give the City at least 1 working day notice of any requested inspections.
7. Geotechnical soil testing shall be taken at least every 500 feet to determine that the roadway meets City standards. All testing shall be by a licensed professional.

#### **C. Minimum Requirements**

When utility lines extend across a roadway, they shall be installed prior to the placement of base so that the road bed is not disturbed subsequent to road construction.

#### **D. Drainage**

1. All drains, drainage structures, and appurtenances shall be designed by a person authorized to practice the profession of engineering under the provisions of the Texas Engineering Act and amendments thereto.
2. Drainage calculations shall be made using Rational Method or by other accepted methods. Drainage for streets and roads shall be designed for a 25 year frequency, and shall be subject to the approval of the City Engineer.

**B. Compliance, Inspection and Testing**

All subdivision roads and drainage improvements constructed by the Developer must be designed by a person authorized to practice the profession of engineering under the provision of the Texas Engineering Act and in accordance with the following requirements and subject to the variance procedure set forth in Article II, B above. A complete set of engineered plans will be submitted to the City Engineer for review and approval prior to approval of a final plat. Prior to construction a set of cut sheets shall be supplied to the City.

1. It shall be the responsibility of the Developer to pay a City set inspection fee to the City to inspect work as it is being performed to assure compliance with these rules.
2. Failure to comply with any testing required or failure to obtain the tests and inspections required before proceeding with the next phase of the work shall automatically cause a determination of non-compliance with the Subdivision Ordinances by default.
3. Determination of non-compliance caused by failure to obtain the tests and inspection may only be corrected by:
  - a. Complete removal of the work and reconstruction in conformance with the Subdivision Ordinances requirements; or
  - b. Testing or representative samples taken by core drilling or by removal of specified sections to reach the areas to be tested; or
  - c. Any reasonable method approved in writing, by the City, that will prove complete compliance with the Subdivision Ordinances.
4. All cost of work, repairs, or testing shall be solely at the expense of the Developer, and all such work, repairs or testing shall be as follows:

3. Minimum pipe diameter under streets is 18". Drainage structures shall be backfilled in accordance with Item 400.5 of the TxDOT Standard Specifications. Concrete slabs may be required as directed by the City Engineer. Pipe ends will be protected by safety end treatments. Rip rap or other concrete structures shall be approved by the City Engineer.
4. All required drainage easements shall be represented to scale on the final plat.
5. All data and calculations shall be presented to the City Engineer upon submission of engineering plans.
6. Before final acceptance for a subdivision is given by the City for street and drainage work, the Engineer responsible for the design of said work shall issue a letter to the City stating that he has made an inspection of such improvements and recommends their acceptance by the City. Attached to his letter shall be one set of "As-Built" Drawings showing the work to be accepted for use by the City.
7. Detention and retention ponds shall be designed and constructed to hold the 100 year storm. In no case shall there be a greater runoff from the property after the development than there was prior to development.
8. All developments must complete an erosion and sedimentation control plan, a storm water pollution prevention plan, and/or any other related Federal or State required design regarding stormwater.

**E. Subgrade**

1. Subgrade preparation shall consist of scarifying, blading and rolling the subgrade to obtain a uniform texture and provide as nearly as practicable a uniform density for the subgrade.

2. All preparation of the right-of-way and clearing and grubbing shall be completed before starting the subgrade preparation. The subgrade shall be scarified and shaped in conformity with the Typical Sections and the lines and grades indicated or as established by the Developer's Engineer by the removal of existing material or additional or approved material. All unsuitable material shall be removed and replaced with approved material. All foundations, walls or other objectionable material shall be removed to a minimum depth of 18 inches under all structures and 12 inches under areas to be vegetated. All holes, ruts and depressions shall be filled with approved material. The surface of the subgrade shall be finished to the lines and grades established and be in conformity with the Typical Sections indicated. Any deviation in excess of  $\frac{1}{2}$  inch cross section and in a length of 10 feet measured longitudinally shall be corrected by loosening, adding or moving material, and reshaping and compacting by sprinkling and rolling. Sufficient subgrade shall be prepared in advance to insure satisfactory progression of the work. The Developer's contractor will be required to set blue tops for the subgrade crown and on centerline at intervals not exceeding 100 feet.
3. All suitable material moved may be utilized in the subgrade with the approval of the Developer's Engineer. All other material required for completion of the subgrade shall also be subject to approval by the City Engineer.
4. Subgrade material shall be compacted by approved equipment to a dry density of the total material of not less than 95% of the maximum dry density as determined in accordance with TxDOT Test Method Tex-114-E. Tests for density will be made as soon as possible after compacting operations are complete. If the material fails to meet the density specified it shall be reworked as necessary to obtain the density required. Just prior to placing any base materials, density and moisture content of the compacted subgrade shall be checked and if tests show the density to be more than 2% below the specified minimum or the moisture content to be more than 3% above or below the optimum, the subgrade shall be reworked as necessary to obtain the specified compaction and moisture content.
5. When a fill is required to achieve the prescribed subgrade elevation, such fill shall be placed in uniform lifts covering the entire width of the cross section. Prior to compaction, the layers shall not exceed a six inch depth. Each lift shall be compacted to the required density before succeeding lifts are placed and tested by a certified laboratory.

5. The subgrade shall be inspected and approved by the City or its representative, prior to density tests being taken. Approved and tested subgrade will be covered with base material within 24 hours or will be retested just prior to placing base material. Should subgrade for any reason lose the required density or finish before it is covered with base, the Developer's Contractor shall rework the subgrade in accordance herewith.

**F. Base Material**

1. All roads and streets shall receive base material in the minimum amounts as shown in Article VIII, C.
2. Subgrade shall be approved before the placement of any base material.
3. Roadway base material shall conform to the requirements of the TxDOT Standard Specification for Construction and Maintenance of Highways, dated 1995, Item 247 (Flex Base, Type A). Caliche or other material is strictly forbidden.
4. The quantity of base material shall be ascertained in a manner acceptable to the City Council or its representative. The following methods are suggested:
  - a. Certified truck tickets.
  - b. Core samples at selected intervals.
  - c. Pick and shovel samples at selected locations.

**G. Construction Methods for Base Application**

1. **Base Material.** "Flexible Base" shall not be placed until the Developer's Contractor has certified that the subgrade has been prepared and compacted in conformity with Item E4.

Blue tops shall be set by the Developer's Contractor for base on centerline and base crown, at intervals not exceeding 100 feet.

2. **First Course** Immediately before placing the base material, the subgrade shall be checked as to conformity with grade and section. The thickness of each base course shall not exceed 6 inches, loose measure, and will be equal increments of the total depth.

The material shall be delivered in approved vehicles at legal weight limits. It shall be the responsibility of the Developer's Contractor that the required amount of specified material shall be delivered.

Material deposited upon the subgrade shall be spread and shaped the same day unless otherwise approved by the Developer's Engineer or City Inspector. In the event inclement weather or other unforeseen circumstances render impractical spreading of the material during the first 24-hour period, the material shall be spread as soon as conditions allow. The material shall be sprinkled, if required, and shall then be bladed, dragged and shaped to conform to typical sections as indicated. All areas and "nests" of segregated course or fine material shall be corrected or removed and replaced with well-graded material. If additional binder is considered desirable or necessary after the material is spread and shaped, it shall be furnished and applied as required. Such binder material shall be carefully and evenly incorporated with the material in place by scarifying, harrowing, brooming or by other approved methods.

The course shall be sprinkled as required to bring it to optimum moisture content and compacted to the extent necessary to provide not less than the percent density as hereinafter specified under "Density". In no case shall the base be worked at more than 2 percent above or below the optimum moisture. In addition to the requirements specified for density, the full depth of flexible base indicated shall be compacted to the extent necessary to remain firm and stable under construction equipment. After each section of flexible base is completed, tests as necessary will be made by the Developer's Engineer. If the material fails to meet the density requirements, it shall be reworked as necessary to meet these requirements. Throughout this operation the shape of the base course shall be maintained by blading and the surface, upon completion, shall be smooth and in conformity with the Typical Section indicated and to the established lines and grades. In that area on which pavement is to be placed, any deviation in excess of 1/4 inch in cross section and in length of 16 feet measured longitudinally shall be corrected by loosening, adding or removing material, reshaping and recompacting by sprinkling and rolling.



All irregularities, depressions or weak spots which develop shall be corrected immediately by scarifying the areas affected, adding suitable material as required, reshaping and recompacting. Should the surface lose the required stability, density and finish before the surfacing is complete, it shall be recompact and refinished in accordance herewith.

3. ***Succeeding Courses.*** Construction methods shall be the same as prescribed for the first course. Blue tops shall be set by the Developers Contractor for finished grade on the last course of base, at a minimum of 100 foot intervals. Approved and tested final course of base shall be primed within 24 hours, or will be retested prior to applying prime coat.
4. ***Density Course.*** Each course of flexible base shall be compacted to not less than 98% density when tested in accordance with TxDOT Test Method Tex-113-E. Field density determination shall be made in accordance with approved methods. The completed Flexible Base will be tested by proof rolling in conformity with Item No. 216 "Rolling (Proof)".
5. Completed Base shall be inspected and approved, in writing by the City or its representative, prior to replacement of any pavement.

#### **H. Pavement**

##### **ALL ROADS AND STREET SHALL BE PAVED TO THE REQUIREMENTS AS FOLLOWS:**

1. Prime Coat/Tack Coat
  - a. The asphalt material for Prime Coat shall meet the requirements for Prime Coat, Item 310, TxDOT Specifications dated 1995. Prime Coat shall be applied as directed by the City Inspector, with an approved sprayer, at a rate not to exceed 0.35 gallons per yard of surface.

- b. The asphalt material for Tack Coat shall meet the requirements for Coat Item 340.6 Paragraph 2 THDS dated 1995. Tack Coat shall be applied when and as directed by the City Inspector, with an approved sprayer, at a rate not to exceed 0.10 gallon per yard of surface.

2. Hot-Mix Asphaltic Concrete Pavement

- a. The compacted surface course shall be applied at the minimum of one hundred sixty five pounds (165 lbs.) per square yard to 1½ inch thickness.

- (1) For industrial roads it shall be applied at one hundred ninety pounds (190 lbs.) per square equal to 1¾ inch thickness.

- (2) Measurement by weight shall be truck scales approved by the City Inspector.

- (3) Records shall be kept on the tare load, total load, and net load of the mixture for each load of same.

- 3. The paving mixture and construction methods shall conform to Item 340, "Hot Mix Asphaltic Concrete, Type "D" of the Standard Specifications by TxDOT dated March 1, 1995.

**I. Construction Methods for Pavement**

- 1. It shall be the responsibility of the Developer's Contractor to produce, transport, place and compact the specified paving mixture in accordance with these specifications and provide a safe environment to enable inspection forces to take samples and check the plant.

Prior to placing HMAC, the base shall be proof-rolled and any soft spots repaired and the area proof rolled again.

All asphaltic mixtures shall be placed with a spreading and finishing machine. If, after being removed from the mixer and prior to placing, the temperature of the asphaltic mixture is 50 degrees F. or more below the temperature established, all or any part of the load may be rejected. Any material placed which is too cool to compact properly shall be removed and replaced with material that meets the specifications.

Adjacent to flush curbs, gutters, liners and structures, the asphalt surface shall be finished so that when compacted it will be slightly above the edge of the curb. The compacted thickness of the asphaltic concrete courses shall be as indicated. Where the thickness of the surface course is specified to be more than 2 inches, the work shall be accomplished in equal lifts, unless otherwise indicated. When the surface is to be accomplished in equal lifts, unless otherwise indicated. When the surface is to be in stages and traffic is permitted on the initial layer, each layer shall be not less than 1 inch.

2. Compacting. The mix shall be compressed thoroughly compacted to the required density immediately after placing. All compaction rolling shall be complete before the material cools below 175 degrees F. Minor polishing rolling may be undertaken on the material below the above temperature.

All rollers must be in good mechanical condition. Necessary precautions shall be taken to prevent the dropping of gasoline, oil, grease, or other foreign matter on the pavement, either when the rollers are in operation or when standing.

3. Surface Tests. The surface of the pavement, after compaction, shall be smooth and true to the established, line, grade and cross section, and when tested with a 10 foot straightedge placed parallel to the centerline of the roadway or tested by other equivalent and acceptable means, except as provided herein, the maximum deviation shall not exceed 1/6 inch in 10 feet at any point. The completed surface shall meet the approval of the Developer's Engineer for riding surface, finish and appearance.

4. Density. HMAC shall be compacted as specified in Item 340 TxDOT Standard Specifications dated 1995. Tests will be taken as directed by the City Inspector or his representative.

**J. Two Course Surface Treatment Pavement**

1. All construction methods, materials and workmanship shall conform to Item 316
  - a. First Course
  - b. Second Course
2. The minimum rate of application for the AC-5 shall be 0.25-0.35 gallon per square yard for the first course and 0.20 – 0.25 gallon per square yard for the second course. The rate of application for HFRS-2P shall be 0.35 - 0.40 gallon per square yard for the first course and 0.30 – 0.35 gallon per square yard for the second course.
3. Rock will be applied at the minimum rate of one (1) cubic yard per ninety (90) square yards for the first course and one (1) cubic yard per one hundred (100) square yards for the second course.
4. Rolling is required to achieve a uniform embedment and the Developers Contractor shall broom off loose aggregate remaining. If bleeding occurs, the Contractor shall apply sand to the finished surface for whatever period is required to absorb the excess asphalt.
5. The type and grade of all asphaltic material and aggregate shall be approved by the City Inspector prior to application. Variations in asphaltic material must receive prior approval by the City Inspector.

**K. Traffic Sign and Guard Posts**

1. Signs and guard posts shall be installed by the Developer in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways and as directed by the City Inspector.
2. The Developer shall consult with the City Inspector prior to the placement of any traffic signs or guard rails.

**L. Traffic Sign Requirements**

1. Engineer Grade Reflective Sheeting on 0.080 Aluminum as follows:

a.	Octagon	(Stop)	30" x 30"
b.	Triangle	(Yield)	30" x 30"
c.	Square	(Regulatory Signs)	24" x 24"
d.	Rectangle	(Speed Limit)	24" x 18"
e.	Rectangle	(Large Arrows)	48" x 24"
f.	Chevrons		18" x 24"

**M. Street Name Signs**

1. Engineer Grade Reflective Sheeting on Flat Blade Aluminum

- a. White lettering on Green Background for County Roads.
- b. White lettering on Red Background for Private Roads.
- c. Use 4" Series C (or B) upper case letters on 6" street name sign blank (flat blade).
- d. Use 2" Series C (or B) upper case letters for street, lane, road, etc.

**N. Street Sign Requirements**

1. Reflecting street signs shall be installed by the Developer at all intersections and at other points where appropriate within or abutting the subdivision.

2. Street signs shall be placed in a uniform manner throughout the subdivision.
3. Signs shall be placed on approved metal posts 7' above the pavement in accordance with the TxDOT Standards and at the expense of the Developer.

**O. Speed Limit Signs**

1. Speed limits shall be posted as needed throughout the subdivision.
  - a. Normal speed limits in subdivisions will range from 25 to 35 M.P.H. Prior to placing speed limit signs, the City shall be contacted to ascertain proper speed.
  - b. Speed limit signs shall be 18" x 24" engineering grade reflective sheeting on aluminum, installed on "U" channel posts or other TxDOT approved posts.

**P. "U" Channel Posts**

1. Length: 10' - 2 pounds per foot weight.
2. Color: Green.

**Q. Guard Post Requirements**

1. 4" square reflective yellow delineator on "U" channel post.
2. 6' - 1.12 pounds per foot, galvanized.

**R. Final Inspection and Acceptance**

1. The Developer, upon completion of drainage, roads, streets and other facilities intended for the use of the public, shall request, in writing, that the City Inspector conduct a final inspection.

2. The City Inspector shall, within 15 days, inspect the complete work for compliance.
3. The Developer will be notified in writing of any work not found in compliance with the Subdivision Ordinances. The City Inspector will establish a reasonable time for correction of the defective work and the Developer shall make the necessary corrections within the time set or such corrections will be made by action taken upon the performance bond or financial guarantee.
4. If all work is found to be in compliance, and the 2 year maintenance bond is provided, the City Inspector's written recommendation to accept the construction will institute the process to accept the roads into the City. It is the responsibility of the Developer/Sub-Divider to obtain the City Inspector's written recommendation and forward it to the City.
5. Upon final approval, title to all streets and roads shall be conveyed to the City for their maintenance by a warranty deed acceptable to the City Council. Accompanying such deed shall be an adequate description plat or field note description prepared by a registered professional engineer or a registered surveyor from a survey made on the ground.

**S. Guarantee Against Defective Work**

1. The Owner shall warranty the work for a period of 2 years from the date of acceptance of the work by the City.
2. Said warranty shall bind the Owner to correct any defects in:
  - a. Materials.
  - b. Workmanship (including utility backfills) or;
  - c. Design inadequacies, which may be discovered within the said 2 year period.

3. The Owner shall correct or cause his Contractor to correct at his own expense, such defects within 30 days after receiving written notice of such defects from the City. Should the Owner fail or refuse to correct such defects within the said 30 day period or to provide acceptable assurances that such work will be completed within a reasonable time thereafter, the City may correct or cause to be corrected any such defects at the expense of the Owner or his bond.

**T. Maintenance Bonds**

1. The Owner shall execute or require his Contractor to execute a maintenance bond or bonds in the total sum of 10% of road and drainage construction cost guaranteeing the work and the warranties. The subdivision or development will not be accepted by the City until such bonds are furnished and approved by the City Council.
2. The Surety company underwriting the bonds shall be acceptable if on the latest list of companies holding certification of authority from the Secretary of the Treasury of the United States and shall be licensed to write such bonds in the State of Texas.

**U. 2 Year Maintenance Bond Release**

1. After the final Acceptance Letter is issued, the City Council or Representative will monitor the construction.
  - a. If failures appear, the Owner will be notified for corrections.
2. On the completion of the 2 year warranty with no outstanding warranty claims, the Owner and his Bond Company will be given a letter of bond release.

**V. Private Roads and Streets in a Subdivision**

1. In accordance with the variance procedure under Article II.B above, a Developer can request that the roads and streets in a subdivision not be dedicated to the use and benefit of the public.



2. If such roads and streets are not to be so dedicated, the plat must clearly state that such roads and streets are not to become public roads and will not be maintained by the City until:
  - a. The roads and streets are constructed in accordance with the requirements and specifications of the City concerning subdivision road construction;
  - b. A certificate of final inspection has been issued by the City Inspector.
  - c. If so approved, such roads and streets are conveyed to the City by the rightful Owner thereof by a warranty deed in form and substance acceptable to the City.
3. Roads and streets that are platted to remain private shall be constructed in the same manner as required in the Road Construction and Drainage Requirement. The City shall require the Developer to post the bond required in Article VI.A.7 hereof or the financial guarantee in lieu thereof.

## ARTICLE IX

### UTILITIES

- A. All underground water, telephone, gas, cable, and electric lines shall be buried to a minimum depth of 24 inches or to the requirements of provider.
- B. If a Developer contracts with a Public Water Provider to provide water the subdivision water distribution system will be engineered to meet the requirements of the Texas Natural Resource Conservation Commission.
- C. All water lines within and water line extensions to the subdivision must be designed and constructed to supply adequate fire flow to all proposed homes within the subdivision. The size of water lines shall be determined by all applicable Federal, State and local requirements regarding fire protection. If the water provider has adequate water for fire protection adjacent to the subdivision, the Developer shall install fire hydrants spaced at least every 500 feet within the subdivision.
- D. All utilities shall be designed and constructed to meet minimum standards of utility provider or City whichever is greater.

## ARTICLE X

### SEWAGE

- A. If a state approved disposal system is available within 300 feet of the proposed subdivision, then the Developer shall cause the system to be extended to serve the subdivision.
- B. If a state approved disposal sewage system is not provided, the Owner of the proposed subdivision will make site evaluations in accordance with the City and State regulations in effect for installation of on site sewage facilities. A representative sample of the proposed tracts or lots will be tested and results approved by the City Sanitarian. If the tests are not acceptable, corrective measures, as specified by the City Sanitarian are required.

## **ARTICLE XI**

### **FLOODPLAIN**

- A. Any subdivision within or adjoining the Floodplain will require the Owner/Developer to erect a permanent monument with the flood datum affixed at or near the 100 year flood elevation.
- B. Building in the Floodway is restricted to engineering design that will give evidence that it will not increase the 100-year flood elevation. An Engineer must verify this fact ("No-Rise Certification").

## **ARTICLE XII**

### **DEFINITIONS**

Certain terms used in these Subdivision Ordinances are defined as follows:

1. **Building Set-Back Lines.** The lines within a property defining the minimum horizontal distance between a building and the adjacent property line.
2. **Contour Lines.** Elevation lines drawn upon the plat illustrating general topography and drainage flow.
3. **City.** City of Uhland.
4. **Dedicate or Dedication.** The express, written transfer of property from private to public ownership.
5. **Developer or Applicant.** The Owner of lands presenting a subdivision plat to the City for consideration under these rules and responsible for compliance therewith.
6. **Extraterritorial Jurisdiction (ETJ).** Authority granted to City to exercise development regulations for a specific distance outside its boundaries in unincorporated areas.
7. **Lot or Tract.** An undivided tract or parcel of land having frontage on a public or private street and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distance and separate tract and/or which is identified by a tract or lot number or symbol on a duly approved subdivision plat which has been properly filed.
8. **Manufactured Home Rental Community.** A tract of land that is separate into two or more spaces or lots that are rented, leased, or offered for rent or lease, without a purchase option, for the installation of manufactured homes for use and occupancy as residences.
9. **Manufactured Home Community.** A tract of land separated into two or more spaces or lots that are sold, rented for terms in excess of 60 months or rented with a purchase option.

10. 100 Year Floodplain (Zone). That are subject to inundation by a flood having a one percent probability of occurrence in any given year based on existing conditions of development in the watershed area, as determined by the Federal Emergency Management Agency and approved by the Floodplain Administrator of the City. A flood having a one-percent probability of occurrence on the average would occur once every hundred years.
11. Pavement Width. The paved portion of a street available for vehicular traffic.
12. Plat. A (re-plated) subdivision plan submitted for preliminary or final approval to the City in conformity with the provisions of these rules and which, if given final approval, will be submitted to the County Clerk for recording. A (amended) re-plat or re-subdivision will be considered a plat as defined herein.
13. Public Sewage System. Any publicly or privately owned system for the collection, treatment and disposal of sewage that is operated in accordance with the terms and conditions of a valid waste discharge permit issued by the Texas Natural Resource Conservation Commission.
14. Public or Private Owned Water System. A system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves an average of at least twenty five individuals daily at least 60 days out of the year. Such term includes (1) any collection, treatment, storage and distribution facilities under control of the operator of such system and used primarily in connection with such system, and (2) any collection of pre-treatment storage facilities not under such control, which are used primarily in connection with such system. A public water system is either a "Community Water System" or a "Non-Community Water System". Without excluding other meanings of "Individual" or "Served", an individual shall be deemed to be served by a water system if he resides in, uses as his place of employment, or works in, a place to which drinking water is supplied from the system.
15. Public Utility Easement. Easement dedicated by the Owner/Developer of the proposed subdivision in perpetuity for the installation and maintenance of utilities and all the necessary appurtenances thereto installed above, on, or below the surface of the ground.

16. **Residential Use.** The term "residential use" shall be construed to include single-family residential uses, two-family uses, and multi-family residential, i.e. apartments, townhouses, or condominiums.
17. **Right-of-Way.** That portion of the subdivision dedicated to public use for streets and roads.
18. **Shall and May.** The word "shall" is mandatory and the word "may" is permissive.
19. **Should and Will.** The word "should" is a recommendation and is not mandatory; the word "will" is mandatory.
20. **Street (Road).** A public or private thoroughfare, which provides vehicular access to adjacent land.
  - A. **Arterial Streets.** Serve high volume through traffic from collector and secondary streets with considerable route continuity usually at higher constant speeds.
  - B. **Connector Streets.** Intermediate streets that serve to connect secondary streets with arterial streets.
  - C. **Secondary Streets.** Serve primarily to provide access to property abutting the public right-of-way so designed as to minimize or prevent through traffic.
21. **Subdivision.** An area of land that has been subdivided into lots for sale or lease.
22. **Surveyor.** A Registered Professional Land Surveyor as authorized by the State of Texas Statutes to practice the profession of surveying.

## CHAPTER 2

### MANUFACTURED HOMES, MOBILE HOMES, RECREATIONAL VEHICLES AND PARKS\*

#### Article 1. In General

Reserved.

#### Article 2. Mobile Home Parks

##### Division 1. Generally

- Sec. 1. Definitions.
- Sec. 2. Conflict with other ordinances.
- Sec. 3. Applicability.
- Sec. 4. Reserved.

##### Division 2. Administration

- Sec. 1. Approval.
- Sec. 2. Inspection.
- Sec. 3. Notices, hearings and orders.
- Sec. 4. Variances.
- Sec. 5. Reserved.

##### Division 3. Regulations and Requirements.

- Sec. 1. Site plan.
- Sec. 2. Site requirements.
- Sec. 3. Access and traffic circulation and parking.
- Sec. 4. Street lighting.
- Sec. 5. Fire safety standards.
- Sec. 6. Recreational area.
- Sec. 7. Water supply.
- Sec. 8. Sewage disposal.
- Sec. 9. Electrical and telephone distribution system.
- Sec. 10. Service buildings and other community service facilities.
- Sec. 11. Fuel supply and storage.
- Sec. 12. Register of occupancy.
- Sec. 13. Skirting required; maintenance of additions.
- Sec. 14. Reserved.

#### Article 3. Recreational Vehicle Parks

- Sec. 1. Definitions.
- Sec. 2. Size and marking of units or sizes.
- Sec. 3. Location.
- Sec. 4. Drainage.
- Sec. 5. Water supply.
- Sec. 6. Collection and removal of waste and garbage; sewer system.
- Sec. 7. Sanitary facilities.
- Sec. 8. Registration of guests.



## ARTICLE 1. IN GENERAL

Secs. 1-25. Reserved.

## ARTICLE 2. MOBILE HOME PARKS

### Division 1. Generally

#### Sec. 1. Definitions.

In this article:

*Agent* means any person authorized by the owner of a mobile home or manufacturing housing park to operate or maintain any park under this article.

*Blocking* means the foundation for leveling and supporting the mobile home or manufactured home, as required by V.A.C.S. Article 5221f.

*Certificate of occupancy* means a certificate issued by the department for the use of a building, structure and/or land, when the building, structure and/or land complies with all applicable city codes and regulations.

*Common access route* means a private way which affords the principal means of access to individual mobile home or manufactured home lots or auxiliary buildings.

*Driveway* means a minor entranceway off the common access route within the park, into an off-street parking area serving one or more mobile home.

*HUD-code manufactured home* means a structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems.

The term does not include a recreational vehicle as that term is defined by 24 CFR 3282.8(g).

*Internal street* means the same as common access route.

*Manufactured housing or manufactured home* means a HUD-code manufactured home or a mobile home and collectively means and refers to both.

*Mobile home* means a structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems.

*Mobile home or manufactured home park* means a development of three or more mobile homes or manufactured home spaces arranged on a tract of land in which the tenants of the mobile homes or manufactured homes are not the owners of the land. If the tenant of the mobile home or manufactured home is the owner of the mobile home or manufactured home itself and the owner of the land on which this respective mobile home or manufactured home is located, it will be exempt from being classified as a mobile home or manufactured home park.

*Parking space, off-street* means a minimum space, 8½ feet in width by 20 feet in length, located within the boundary of a mobile home or manufactured home space or in a common parking and storage area having unobstructed access to an internal street.

*Replacement* means the act of moving one mobile home or manufactured home from its existing stand and replacing it with another mobile home or manufactured home.

*Service building* means a structure housing toilet, lavatory and any other facilities that may be required by this article for the general use of the tenants of the mobile home or manufactured home park.

*Sewer connection* means the connection consisting of all pipes, fittings and appurtenances from the drain outlet of a mobile home or manufactured home to the inlet of the corresponding sewer service riser pipe of the sewer system serving the mobile home or manufactured housing.

*Space* means a plot of ground within a mobile home or manufactured housing park designed for the accommodation of one mobile home or manufactured home, together with the open space as required by this article. This term also includes the terms "lot", "stand" and "site".

*Stand* means the area of a mobile home or manufactured home lot which has been reserved for placement of a mobile home or manufactured home.

*Tiedown* means any device designed for the purpose of anchoring a mobile home or manufactured home to ground anchors, as required by Vernon's Ann. Civ. St. Article 5221f.

*Water connection* means the connection consisting of all pipes and appurtenances from the water riser pipe to the water inlet pipe of the distribution system within a mobile home or manufactured home.

## **Sec. 2. Conflict with Other Ordinances.**

Whenever the standards and specifications in this article conflict with those contained in another chapter of this Code, the most stringent or restrictive shall govern.

## **Sec. 3. Applicability.**

This article is applicable in the city limits and in the extraterritorial jurisdiction of the city.

## **Sec. 4. Reserved.**

# **DIVISION 2. ADMINISTRATION**

## **Sec. 1. Approval.**

(a.) *Required.* Any person who intends to construct, alter or extend any mobile home or manufactured housing park shall obtain approval issued by the City in the name of the person for the specific construction, alteration or extension proposed in conformation with requirements and procedures of the City.

(b.) *Application requirements.* All applications for approval shall contain the following:

1. Name and address of the applicant.
2. Location and legal description of the mobile home or manufactured housing park.

To this application shall be attached five copies of a site plan, at a minimum scale of one inch to 100 feet for sites of 30 acres or more and at a minimum scale of one inch to 50 feet for sites under 30 acres. The site plan shall include all data required under this Ordinance.

(c.) *Fee.* All applications to the City shall be accompanied by a fee established by the city council.

(d.) *Issuance.* When, upon review of the application, the proposed plan meets the requirements of this article, approval shall be issued by the City to construct a mobile home or manufactured housing park.

(e.) *Denial.* Any person whose application for approval under this section has been denied may request a hearing on the matter under the procedure provided by this Ordinance.

## **Sec. 2. Inspection.**

(a.) *Required.* The City, City Engineer, and City Sanitarian are authorized and directed to make inspections as are necessary to determine compliance with this article.

(b.) *Entry on premises.* The City, City Engineer, and City Sanitarian shall have the power to enter at reasonable times, upon any private or public property, for the purpose of inspecting and investigating conditions relating to the enforcement of this article.

(c.) *Certificate; inspection standards.*

1. *Mobile home or manufactured homeowner inspection fee.* The mobile home or manufactured home owner's inspection certificate will be issued for a fee established by the city council for the initial hookup. A certificate of inspection will be issued provided the mobile home or manufactured home meets the standards and specifications of this article.

2. *Standards for inspection.* The inspection shall consist of the following:

a. *Gas system.* Pressure test all exterior and interior piping with 5# air. Check water heater and central heating vents, check sources of combustion air for heating system. Gas lines shall be buried a minimum of eighteen (18) inches underground from the park supply to the mobile home or manufactured home piping.

b. *Electrical system.* Check grounding, entrance cord, breaker box. All wiring shall meet requirements of National Electrical Code and city electrical code adopted in Section 14.291.

c. *Water supply.* Hookup shall be made with Schedule #40 PVC or equivalent piping.

d. *Sewer system.* Check mobile home or manufactured home vents. Only rigid pipes shall be used to connect the mobile home or manufactured home to the park sewer. Piping shall be protected against damage. All joints and connections in sewer lines shall be gas and liquid tight.

e. *Mobile home or manufactured home stand.* The area beneath the mobile home or manufactured home shall be graded so that water will not stand under the mobile home or manufactured home. The stand shall provide a stable area for placing of tiedown anchors and blocking.

f. *Storage* The area beneath the mobile home or manufactured home shall not be used to store lumber, gasoline or any flammable materials.

g. *Grass.* The mobile home or manufactured home owner shall not allow grass or weeds to become a fire or health hazard.

h. *Tiedowns.* The mobile home or manufactured home shall be tied down as required by state, federal and local standards.

i. *Blocking.* The mobile home or manufactured home shall be blocked as required by state, federal and local standards.

j. *Inspection responsibility.* The mobile home or manufactured home owner shall arrange for an inspection date with the City and may accompany him on his inspection if he so desires. No mobile home or manufactured home shall be connected to the park gas line until an inspection has been made by a city inspector. A fee established by the city council will be charged for each reinspection.

3. *Mobile home or manufactured housing park inspection fee.*

a. The mobile home or manufactured housing park will be issued approval for a base fee established by the city council. An additional fee established by the city council per mobile home or manufactured home space shall be computed and added to the base fee. The mobile home or manufactured housing park approval will certify park compliance with the article. The mobile home or manufactured housing park inspection shall consist of the following:

1. Placement of the mobile home or manufactured home on a space.

2. Parking facilities per mobile home or manufactured home space.

3. Condition of internal streets, accessways.

4. Condition of road signs.

5. Condition of service buildings.

6. Condition and proper functioning of drainage system.

7. Condition of ground and soil cover.

8. Condition of premises of unoccupied spaces.

9. Condition of park sewer system.

b. The mobile home or manufactured housing park owner shall arrange for an inspection date with the inspector for the inspection of the park. The mobile home or manufactured housing park owner shall accompany the inspector if he so desires. All mobile home or manufactured housing parks shall be inspected annually or more often upon tenant complaint. If violations are found, there shall be a reinspection fee for each inspection.

(d.) *Inspection of register.* The City shall have the power and authority in discharge their official duties to inspect the register containing a record of all residents of the mobile home or manufactured housing park.

(e.) *Duty of occupants.* Every occupant of a mobile home or manufactured housing park shall give the park owner, his agent or his authorized employee access to any part of the park at reasonable times for the purpose of making repairs or alterations as are necessary to effect compliance with this article.

(f.) *Recreational vehicles.* Recreational vehicles, as defined in Article 3 of this chapter, are prohibited in mobile home parks and manufactured housing parks.

### Section 3. Notices, Hearing and Orders.

(a.) Whenever it is determined that there are ground to believe that there has been a violation of this article, the city shall give notice of the alleged violation to the park owner or agent, as provided in this section. The notice shall:

1. Be in writing;

2. Include a statement of the reasons for it issuance;

3. Allow a reasonable time for the performance of the act it requires.

4. Be served upon the park owner or the owner's agent, provided that the notice or order shall be deemed to have been properly served upon the park owner or agent when a copy thereof has been sent by mail to the owner's or agent's last known address or when the owner or agent has been served with the notice by any method authorized or required by state law; and

5. Contain an outline of remedial action which, if taken, will effect compliance with this article.

(b.) *Appeal from notice issued by city.* Any person affected by any notice issued in connection with the enforcement of any section of this article applicable to a park by the city may request and shall be granted a hearing on the matter before the municipal court judge, provided that the person shall file within ten days after the day the notice was served, in the offices of the municipal court, a written petition requesting the hearing and setting forth a brief statement of the grounds therefor. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension, except for an order issued under Division 3, Section 5. Upon receipt of the petition, the municipal court judge will set a time and place for the hearing and give the petitioner written notice hereof. At the hearing, the petitioner will be given an opportunity to be heard and to show why the notice should be modified or withdrawn.

(c.) *Hearing; order.* After the hearing, the judge shall issue an order in writing sustaining, modifying or withdrawing the notice, which will be served as provided in Subsection (a) of this section. Upon failure to comply with an order of the judge sustaining or modifying a decision thereof, the department will take whatever action necessary to enforce this article.

(d.) *Order without notice.* Whenever the municipal court judge finds that an emergency exists which requires immediate action to protect the public health or safety, the judge may, without notice or hearing issue an order reciting the existence of the emergency. Notwithstanding any other section of the article, this order shall be effective immediately. Any person to whom the order is directly shall comply therewith immediately, but upon written petition to the city shall be afforded a hearing as soon as possible. Subsections (b) and (c) of this section shall be applicable to the hearing and the order issued thereafter.

#### **Sec. 4. Variances.**

(a.) The City may authorize a variance from the standards for mobile home parks in this article. In granting a variance, the City may prescribe conditions that it deems necessary or desirable to the public interest. In making the findings required in this subsection, the City will take into account the nature of the land involved, existing uses of land in the vicinity, alternatives to the standards that will achieve the purpose and intent of this article, the size and density of the proposed park, and the probable effect of the variance upon adjacent property, traffic patterns, and the public health, safety, convenience and welfare in the vicinity. No variance shall be granted unless the City makes findings based upon evidence presented to it that:

1. There are unique conditions affecting the proposed mobile home park that are not present or applicable to other property generally, and these conditions cause extraordinary hardship in achieving strict compliance with the standards in this article;
2. The granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area;
3. Pecuniary hardship is not the sole or primary basis for the variance request; and

4. The variance is in harmony with the purpose and intent of this article and will not have the effect of nullifying the purpose and intent of this article.

5. If the City grants a variance, these findings and any conditions prescribed by the City will be incorporated into the official minutes of the City meeting.

#### **Sec. 5. Reserved.**

### **DIVISION 3. REGULATIONS AND REQUIREMENTS**

#### **Sec. 1. Site Plan.**

(a.) The site plan for a mobile home or manufactured home park shall be filed as required by Division 2, Section 1 and shall show the following:

1. The area and dimensions of the tract of land, with identification of location and boundaries.
2. The number, location, size and address of all mobile home and manufactured home spaces.
3. The location, width, grade and specifications of driveways, roadways and walkways.
4. The location, grade and specifications of water and sewer lines and riser pipes.
5. The locations and details of lighting, electrical and gas systems.
6. The location and specifications of all buildings constructed or to be constructed within the park.
7. Existing and proposed topography of the mobile home or manufactured housing park.
8. The location of fire mains, including the size, the hydrants and any other fire-related equipment which may be provided.
9. Other information as city reviewing officials may reasonably require.

10. Approval letter of the site plan by the City based on the specifications and standards in this article.

11. Approval or disapproval shall be based on the specifications and standards of this article, and shall be given by the City within 60 days after the submission of the site plan to the City. If approval or disapproval is not granted within 60 days, the site plan shall be automatically approved.

## **Sec. 2. Site Requirements.**

Any mobile home or manufactured housing parks constructed after the effective date of the ordinance from which this section derives and for any extension or addition to any existing mobile home or manufactured housing park shall be done in compliance with the following site requirements:

1. *Location.* A mobile home or manufactured housing park within the city limits not included in the city's extraterritorial jurisdiction shall be located only on sites having the applicable zoning classification.

### **2. Minimum requirements.**

a. *Space requirements.* Each mobile home and manufactured home space shall provide a minimum area of 3,200 square feet; however, no mobile home or manufactured home space shall have dimensions less than 40 feet on the narrow dimension or 80 feet on the long dimension.

#### **b. Open space requirements.**

1. The minimum front yard set-back shall be ten feet from the nearest corner of the mobile home or manufactured home to the front line of the mobile home or manufactured home.
2. No mobile home or manufactured home shall be closer than five feet to any end lot line nor closer than 25 feet to the lot line adjoining a public street.

3. For other structures on each space, the minimum front yard setback shall be at least ten feet.

4. The minimum distance between mobile homes shall be ten feet end-to-end and 20 feet side-to-side.

### **c. Height regulations.**

1. The height limit for any structure intended for occupancy in the mobile home or manufactured housing park shall be 25 feet

2. The average height of the mobile home or manufactured home frame above the ground elevation will conform to Section 5.a of the state mobile home or manufactured home tiedown standards.

d. *Soil and ground cover.* Exposed ground surfaces in all parts of every mobile home or manufactured housing shall be paved, covered with stone screening or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating dust.

e. *Drainage.* The ground surface in all parts of a park shall be grade and equipped to drain all surface water.

f. *Accessory buildings.* An accessory building is a subordinate building, detached from the main building, without separate utilities and not used for commercial purposes or rented. In a residential district, it may be used as a washroom, a storage room for domestic storage belonging to the owner or tenant only or a space for one or more automobiles owned by the owner, tenant or guests. In districts other than residential, an accessory building is a subordinate building, the use of which is incidental to and used only in conjunction with the main building.

### Section 3. Access and Traffic Circulation and Parking.

- a. Internal streets, no-parking area signs, and street name signs in a mobile home or manufactured home park shall be privately owned, built and maintained. Streets shall be designed for safe and convenient access to all spaces and to facilities for common use of park residents. Internal streets shall be kept open and free of obstruction in order that police and fire vehicles may have access to any areas of the mobile home or manufactured housing park.
- b. On all sections of internal streets on which parking is prohibited under this article, the owner or agent shall erect metal signs; type, size, height and location shall be approved by the City prior to installation.
- c. All internal streets shall be constructed and maintained by the owner or agent. All internal streets shall be free of cracks, holes and other hazards. Internal streets shall be free of cracks, holes and other hazards. Internal streets shall be constructed on hard-surfaced, all-weather material and shall be approved by the City.
- d. An internal street or common access route shall be provided to each mobile home or manufactured home space. This street shall have a minimum width of 30 feet if off-street parking is provided in the ratio of two parking spaces for each mobile home or manufactured home space. The internal street shall be continuous and connect with other internal streets or with a public street or shall be provided with a cul-de-sac having a minimum diameter of 95 feet.
- e. Two spaces per mobile home or manufactured home space shall be provided for parking, and each parking space shall be hard-surfaced with all-weather material, located to eliminate interference with access to parking areas provided for other mobile homes or manufactured homes and for public parking in the park.
- f. Internal streets shall permit unobstructed access to within at least 200 feet of any portion of each mobile home or manufactured home. Speed bumps constructed to maintain safe speed of

vehicles moving within the park shall not be considered as obstructions. Speed bumps are to be constructed at 4 to 1 inclination, not to exceed 4 inches in height. Speed bumps shall be painted with fluorescent paint.

- g. Interior streets shall intersect adjoining public streets at approximately 90° with a curbline radius of 20 feet at a location which will eliminate or minimize interference with traffic on those public streets.
- h. A minimum parking area of 150 square feet per mobile home or manufactured home space shall be provided in a common area for storage of boats or vehicles in excess of two per mobile home or manufactured home space and for visitors' vehicles to minimize on-street parking and to facilitate movement of emergency vehicles into and through the park.

### Section 4. Street Lighting.

Street lighting within the mobile home or manufactured housing park shall be provided by the developer along internal streets. Light standards shall have a height and spacing to ensure that an average illumination level of not less than two-tenths footcandles shall be maintained.

### Sec. 5. Fire Safety Standards.

a. *Storage and handling of liquefied petroleum gases.* In mobile home or manufactured housing parks in which liquefied petroleum gases are stored and dispensed, their handling and storage shall comply with requirements of the federal, state and local plumbing and fire codes as applicable.

b. *Storage and handling of flammable liquids.* In parks in which gasoline, fuel, oil or other flammable liquids are stored and/or dispensed, their handling and storage shall comply with the federal, state and local fire code.

c. *Access for fire fighting.* Approaches to all mobile homes shall be kept clear for fire fighting.

d. *Fire fighting instruction.* The mobile home or manufactured housing park owner or agent shall be responsible for instructing his staff in the use of the park fire protection equipment and in their specific duties if a fire occurs.

e. *Water supply facilities for fire department operation.* The park owner shall provide standard city fire hydrants located within 500 feet of all mobile home or manufactured home spaces, measured along the driveways or streets.

f. *Rubbish disposal.* The mobile home or manufactured housing park owner or agent shall provide an adequate systems of collection and safe disposal of rubbish, approved by the City.

g. *Removal of dry brush, leaves and weeds.* The mobile home or manufactured housing park owner or agent shall be responsible for maintaining the entire area of the park free of dry brush, leaves and weeds.

#### **Sec. 6. Recreational Area.**

All mobile home or manufactured housing parks shall have a recreational area amounting to five percent total area of the park.

#### **Sec. 7. Water Supply.**

(a.) *Required.* An accessible, adequate, safe and potable supply of water shall be provided in each mobile home or manufactured housing park. Connection shall be made to the public supply of water. The public supply shall be adequate both for domestic requirements and for fire fighting requirements established by the city.

(b.) *Water distribution system.*

(1.) The water supply system of the mobile home or manufactured housing park shall be connected by pipes to all mobile homes, buildings and other facilities requiring water.

(2.) All water piping, fixtures and other equipment shall be constructed and maintained in accordance with federal, state and local regulations and requirements.

(c.) *Individual connections.* Individual connections shall be in accordance with requirements of the plumbing code, as applicable.

#### **Sec. 8. Sewage Disposal.**

For sewage disposal in a mobile home or manufactured housing park, the following shall apply:

(1.) *Approval required.* All proposed sewage disposal facilities shall be approved by the City.

(2.) *Sewer Lines.* All sewer lines shall be in accordance with the plumbing code, as applicable.

(3.) *Individual sewer and water connections.*

a. All materials used for sewer connections shall be in accordance with plumbing code, as applicable.

b. Provision shall be made for plugging the sewer riser when no mobile home or manufactured home occupies the space. Surface drainage shall be diverted away from the riser.

#### **Sec. 9. Electrical and Telephone Distribution System.**

All electrical wiring in the mobile home or manufactured housing park shall be in accordance with the electrical code and the requirements of the electric utility provider. All telephone lines in the park shall be installed underground.

#### **Sec. 10. Service Buildings and Other Community Service Facilities.**

(a.) *Applicability.* This section shall apply to service buildings, recreational buildings and other community service facilities in a mobile home or manufactured housing park, such as:

1.) Management offices, repair shops and storage areas;

2.) Sanitary facilities;

3.) Laundry facilities;



4.) Indoor recreation areas; and

5.) Commercial uses supplying essential goods or services for the benefit and convenience of park occupancy.

(b.) *Barbecue pits, fireplaces, stoves and incinerators.* Cooking shelters, barbecue pits, fire places, wood-burning stoves and incinerators shall be located, constructed, maintained and used so as to minimize fire hazards and smoke nuisance, both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used and no material burned which emits dense smoke or objectionable odors.

#### **Sec. 11. Fuel Supply and Storage.**

Liquefied petroleum gas systems shall be installed only if an available natural gas system is more than 1,000 feet from the mobile home or manufactured housing park. The liquefied petroleum gas systems shall be maintained in accordance with applicable codes and regulations of the state railroad commission pertaining thereto.

#### **Sec. 12. Register of Occupancy.**

The owner or agent of a mobile home or manufactured housing park shall maintain a register of park occupancy which shall contain the following information:

- (1.) Name and park address of park residents.
- (2.) Dates of arrival and departure.

#### **Sec. 13. Skirting Required; Maintenance of Additions.**

Skirting shall be required for each mobile home or manufactured home in a mobile home or manufactured housing park. Skirting and other additions, when installed, shall be maintained in good repair.

#### **Sec. 14. Reserved.**

### **ARTICLE 3. RECREATIONAL VEHICLE PARKS**

#### **Sec. 1. Definitions.**

In this article:

*Recreational vehicle park* means any lot, tract or parcel of land upon which accommodation is provided for two more recreational vehicles used as living or sleeping quarters by the day, week or month where a charge is or is not made.

*Space* means any plot or parcel of ground upon which is erected any accommodation for any recreational vehicle or structures of a temporary nature for living and sleeping purposes.

#### **Sec. 2. Size and Marking of Units or Sites.**

Each unit or site reserved for the accommodation of any recreational vehicle shall have an area of not less than 576 square feet, exclusive of driveways, and shall be at least 24 feet wide. It shall be defined clearly by proper markers at each corner, shall be level, free from rocks and weeds and well drained.

#### **Sec. 3. Location.**

No recreational vehicle shall be placed or erected closer than five feet from the property line separating the recreational vehicle park from adjoining property, measuring from the nearest point of the recreational vehicle.

#### **Sec. 4. Drainage.**

All land used as a recreational vehicle park shall be located on well-drained sites of ample size, free from heavy or dense growth or brush or weeds. The land shall be free from marsh and shall be graded or storm sewered to ensure rapid drainage during and following rain.

### **Sec. 5. Water Supply.**

Each site used as a recreational vehicle park shall be provided with a connection and an adequate supply of water of safe, sanitary quality, approved by the City. Where water from other sources of the municipal supply is proposed to be used, the source of the supply shall first be approved by the City.

### **Sec. 6. Collection and Removal of Waste and Garbage; Sewer System.**

Each recreational vehicle park shall be provided with safe and adequate facilities for the collection and removal of waste and garbage and shall provide a proper and acceptable sewer system, either by connection to the public sewer system where it is available or to a septic tank, all of which shall comply with all laws and regulations prescribed by the City.

### **Sec. 7. Sanitary Facilities.**

(a.) Each recreational vehicle park upon which two or more recreational vehicles are erected or placed and where private conveniences for each site are not provided shall provide, at locations described in this section, toilets, urinals, washbasins, slop basins, showers or baths, water faucets or spigots in accordance with the following:

1. One toilet or stool for the female sex for every ten units or fractions thereof.
2. One toilet or stool and one urinal stall for the male sex for every 20 units or fractions thereof.
3. Each toilet room having three toilets or fractions thereof shall be provided with one lavatory or washbasin.
4. One shower or bathtub shall be provided for each sex for each ten units or fractions thereof.
5. All toilets, basins and showers shall be placed in properly constructed buildings located not more than 300 feet from any recreational vehicle unit service.

6. Buildings shall be well lighted at all times, day or night, well ventilated with screened openings, and constructed of moisture-proof material to permit rapid and satisfactory cleaning, scouring and washing.

7. The floors shall be of concrete or other impervious material, elevated not less than four inches above grade, and each room shall be provided with floor drains.

8. Slop sinks or basins with water supply shall be provided to serve each four units and shall be constructed in accordance with design, size and material approved by the health officers.

(b.) Toilet and bathing facilities shall be in separate rooms or partitioned apart in any manner as to provide privacy and promote cleanliness. Each toilet provided in a community toilet house shall be partitioned apart from any other toilet in the same room. The floor surface around the commode shall not drain onto the shower floor.

(c.) Toilet floors and walls shall be of impervious material, painted white or a light color and kept clean at all times. Shower stalls shall be of tile, plaster, cement or some other impervious material and shall be kept clean at all times. If a shower stall is of some impervious material other than tile, cement or plaster, it shall be painted white or some light color and kept clean at all times. The floor of any bathroom, other than the shower stall, shall be of some impervious material, and the walls of the bathroom, other than the shower stall, shall be papered with canvas and wallpaper and kept clean at all times.

### **Sec. 8. Registration of guests.**

Each person engaging accommodations for any recreational vehicle shall register and give the following information to the manager, operator or person in charge thereof:

1. Name.
2. Residence.
3. Automobile and recreational vehicle license plate number and the state in which each is registered.



MINUTES OF A MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF UHLAND, TEXAS, HELD  
ON WEDNESDAY, MARCH 6, 2002.

Mayor Sorrells called the meeting to order at 7:30 p.m., a quorum being present, to-wit: Daniel Heideman, Gordon Sassman, Mike Clifford, and Albert Busse. Copies of the minutes of the preceding meeting were distributed for review, and, after review, approved.

Appointment of a road inspector was discussed, Mr. Sassman suggested we consider John Allen Anderson, who had expressed interest in the appointment. Mr. Sassman said he would talk to Mr. Anderson, and report back at a future meeting.

The final plat of Laidley Acres, Section II, was called up for discussion. After discussion, Mr. Heideman moved for approval of the final plat, contingent on compliance with some minor changes required by the City's engineers, and that Willie Thomas will pay the required fee. Seconded by Mr. Busse, the motion passed unanimously.

There was presented to the Board a proposed Subdivision Ordinance with Subdivision regulations and standards for road construction, compiled by John Littlefield after work shops with the members of the Council and consideration of the regulations and standards of Hays, Caldwell, and Guadalupe Counties, Texas. Mr. Heideman moved approval of the ordinance, seconded by Mr. Sassman, the motion passed unanimously, and the ordinance was declared adopted.

Community Center repairs were discussed. It was decided to purchase a full stove, a micro wave, widen doors on rest rooms, and replace door knobs. Unanimous approval was given for these items.

There being no further business, the meeting adjourned.

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Mayor

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Attest: City Secretary

CITY OF UHLAND

17 Cotton Gin Road

(512) 398-6700

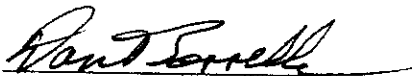
Uhland, Texas 78640

PUBLIC NOTICE

The regularly scheduled meeting of the Board of Aldermen of the City of Uhland, Texas, will be held on Wednesday, March 6, 2002, at 7:30 p.m., in the Uhland Community Center, 15 North Old Spanish Trail. The agenda follows:

AGENDA

1. Call to order and approval of minutes of preceding meeting.
2. Consider appointment of a road inspector or superintendent, receive and act on nominations.
3. Consideration and action on Final Subdivision Plat of Laidley Acres, Section II.
4. Consider proposed new subdivision regulations and standards for road construction, and acceptance by the city.
5. Report on Community Center repairs and improvements.
6. Departmental reports.
7. Citizen input.
8. Adjourn.

  
Mayor