

ARTICLE II. GENERAL PROVISIONS

Sec. 6-21. PURPOSE.

The purpose of this ordinance is to provide for the orderly, safe and healthful development within the City of Lewisville, Texas, and to promote the health, safety and general welfare of the community.

Sec. 6-22. AUTHORITY.

This ordinance is adopted under the authority of the Constitution and laws of the State of Texas, and the City Charter of the City of Lewisville, Texas.

Sec. 6-23. JURISDICTION.

Provisions of this ordinance shall apply to the City Limits of the City of Lewisville, Texas, and any applicable Extra-Territorial Jurisdiction (ETJ) of the City of Lewisville, Texas.

Sec. 6-24. EXTRA-TERRITORIAL JURISDICTION (ETJ).

The General Development Ordinance of the City of Lewisville, Texas, as it now exists or may hereafter be amended, is hereby extended to all areas lying within the Extra-Territorial Jurisdiction of the City of Lewisville, and the rules and regulations within this ordinance governing plats and subdivision of land shall be applicable to such area within the Extra-Territorial Jurisdiction from and after the date of final passage of this ordinance. No person shall subdivide or plat any tract of land within the Extra-Territorial Jurisdiction of the City of Lewisville, except in conformity with the provisions of the General Development Ordinance.

Sec. 6-25. SPECIAL DISTRICTS.

Special districts, such as utility districts, road districts, etc., will be allowed only after approval of the City of Lewisville.

Sec. 6-26. SUBMITTAL PROCEDURE.

The submittal of plats, either preliminary or final, engineering site plans, and building permit applications shall be directed to the Department of Community Development, Central Permitting section, of the City of Lewisville. Such submittals will be processed in accordance with procedures as outlined within this General Development Ordinance and policies adopted in conjunction therewith.

Sec. 6-27. TITLE OPINION.

To provide evidence that the owner has adequate title and authority to convey dedication, a Title Opinion must be submitted for all plats or actions which include dedication of land or easements to the City. Said Title Opinion must be deemed to be satisfactory by the City Attorney of the City of Lewisville and will be at the sole expense of the owner. In the event there is one or more lien holder(s), written approval by the lien holder(s) must be provided to show agreement of the plat or dedication. Dedication along state routes shall be by warranty deed.

Sec. 6-28. TAX CERTIFICATE.

An Original Tax Certificate must be submitted as required with all Plats, Engineering Site Plans, requests for permits for construction of public or semi-public improvements, or requests for permits for construction of private buildings. All taxes due to the City of Lewisville must be current at the time of approval of plats or site plans and at the time of issuance of said construction permits.

Sec. 6-29. DESIGN STANDARDS.

Standards for design of public improvements and of private improvements which directly interface with public improvements shall be as outlined in the City of Lewisville Standard Specifications and Standard Specifications For Public Works Construction of the North Central Texas Council of Governments as adopted by the City of Lewisville, except as otherwise noted.

Sec. 6-30. PLAT REQUIRED.

(a) In accordance with the Local Government Code, Section 212.004, the owner of a tract of land, located within the limits or in the extra-territorial jurisdiction of a municipality, who divides the tract in two or more parts for the purpose of sale, or to lay out a subdivision or building lots or any lots, or streets, alleys, parks or other portions intended for public use or the use of purchasers or owners of lots, shall cause a final plat to be made in accordance with this ordinance and with the Local Government Code.

(b) Every structure hereafter erected or altered shall be located on a lot of record as identified on a final plat for the property. This provision shall not apply when a new building or addition is no more than 10 percent of the size of the existing building or buildings on the tract, provided there are one or more buildings already located on the tract. This provision shall apply up to a maximum addition or new building of 5,000 square feet in size when there are no significant impacts to the property as determined by a current survey. If there are changes in drainage, city utilities or required parking a plat will still be required.

(c) For all unplatted tracts, a master development plan, called a preliminary plat in this ordinance, may be required prior to preparation of any final plat. For the purpose of subdividing a large tract which includes an extensive amount of public improvements, a preliminary plat shall be submitted identifying lots, blocks and phases to be final platted in time, as development occurs, and on the condition that all building lots and phases can stand alone in terms of public and semi-public improvements.

(d) In further subdividing a final platted lot, the lot of record must be replatted in its entirety. In addition, all replats of commercially zoned land and all replats of single and two family residential zoned land of more than six lots must be considered in a public hearing in accordance with the Local Government Code.

(e) No plat or replat shall create a non-conforming use and/or condition for parking, signs or other such City regulations. If a lot or tract is being subdivided, an engineering site plan may be required if determined by staff to insure that the subdivision of property is not creating a non-conforming use and/or condition according to this ordinance and other City regulations.

Sec. 6-31. VARIANCES AND EXCEPTIONS.

(a) Where the City Council finds that hardship or practical difficulties may result from strict compliance with these regulations and /or the purpose of these regulations may be served to a greater extent by an alternative proposal, it may approve exceptions to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that such exception shall not

have the effect of nullifying the intent and purpose of these regulations. In approving exceptions, the City Council may require such conditions and stipulations that will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.

A petition for any such exception shall be submitted in writing by the owner/agent, four weeks prior to any council meeting, to the Community Development Department. The request shall state fully the grounds for the application and all facts relied upon by the applicant. All supporting exhibits, fees and documents must be included with the application. Incomplete applications will not be processed until all necessary documents are received by staff.

(b) Variances requested on the face of a plat or engineering site plan, will be scheduled for the appropriate board after staff's review. Variances requested on engineering site plans will be placed on the City Council agenda and variances on preliminary and final plats will go before the Planning and Zoning Commission first with a recommendation to the City Council.

(c) An administrative fee for processing variance requests is applicable for all requests.

CITY OF LEWISVILLE ORGANIZATIONAL CHART

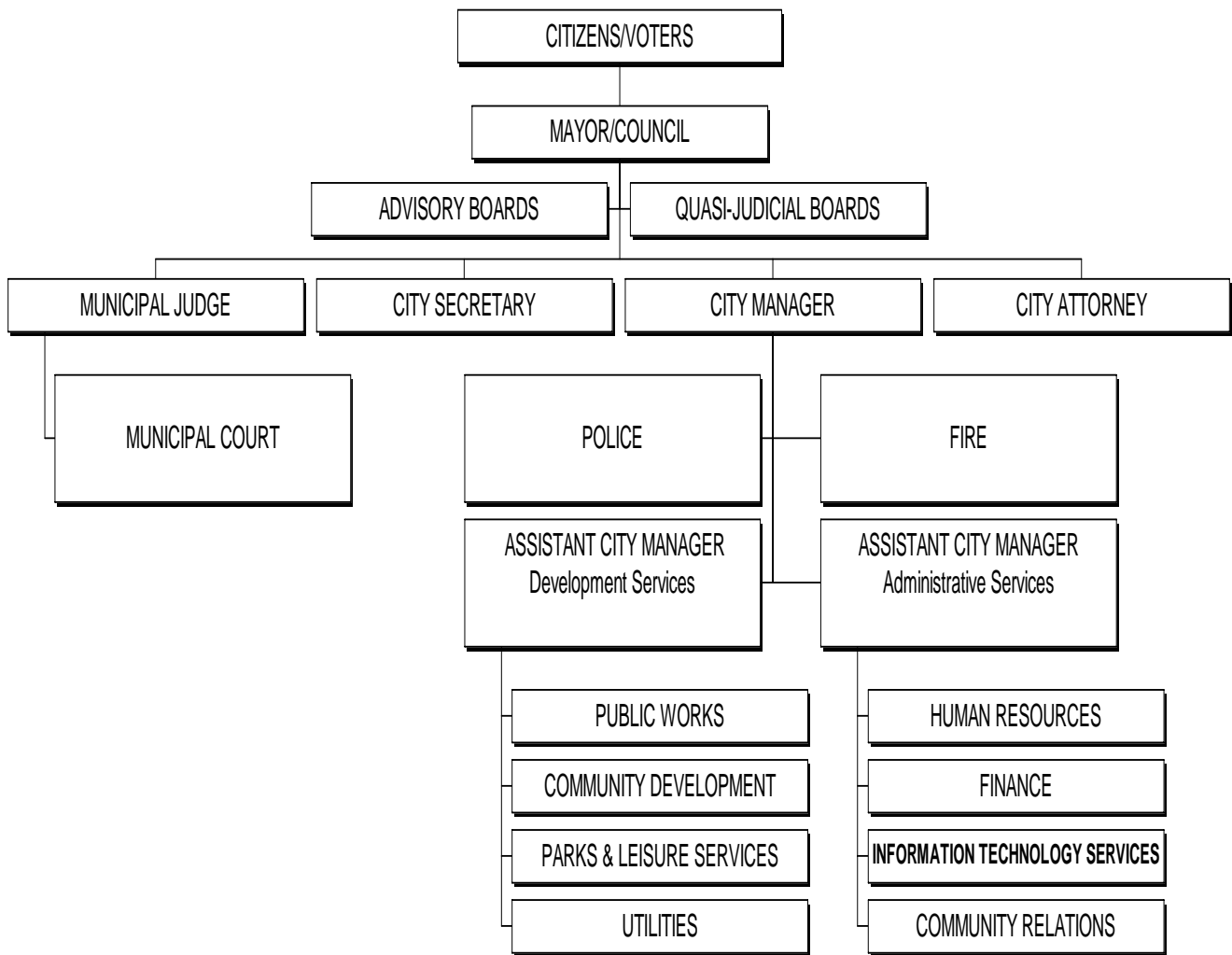


FIGURE 1

COMMUNITY DEVELOPMENT ORGANIZATIONAL CHART

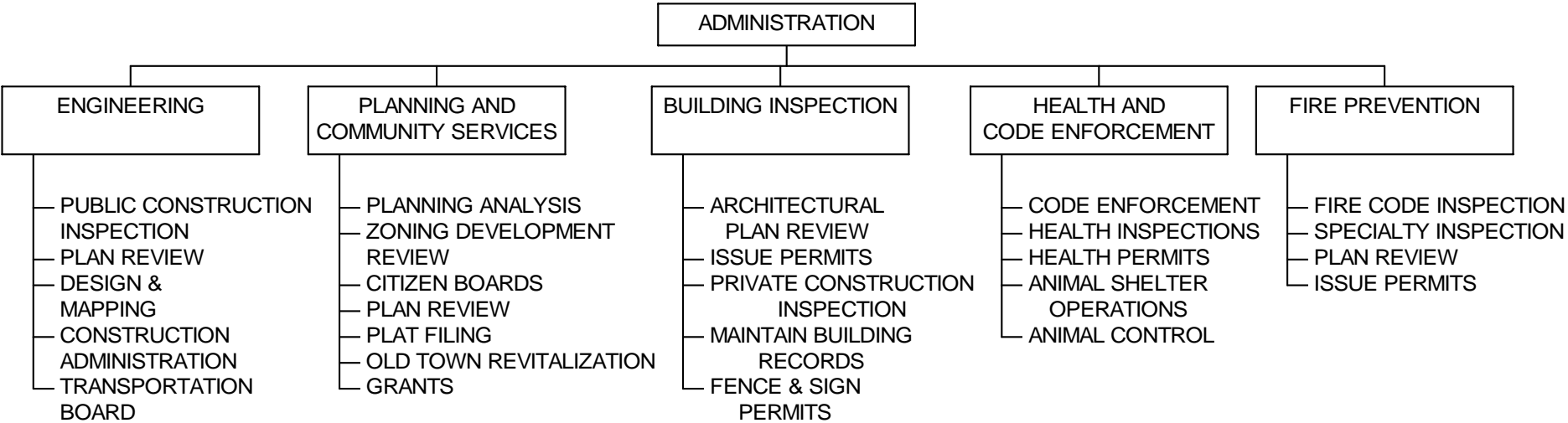


FIGURE 2