

ARTICLE V. DEVELOPMENT PROCEDURES

Sec. 71. REQUIRED DEVELOPMENT PROCEDURES

(a) *General Provisions.* This section deals with all construction on all lots in the Old Town Design District and Old Town Center Design District.

ALL OLD TOWN DEVELOPMENT PLAN, PLAT, GRADING, CONSTRUCTION PLAN AND GRADING AND FILL PLAN REVIEW FEES AND TAX CERTIFICATES ARE DUE AT TIME OF INITIAL SUBMITTAL.

(b) *Non-single Family Old Town Development Plan Criteria.* An Old Town Development Plan, signed and sealed by a Texas Licensed Professional Engineer and/or a Texas Registered Architect, must be submitted in accordance with City of Lewisville regulations and policies. Information on specific City regulations, policies and standards is contained elsewhere in this ordinance. Development may be phased by establishing phase lines and/or lot lines. Each phase shall be capable of standing alone and not dependant on future construction associated with separate phases to meet city standards or requirements.

Construction must be underway with 180 days from the date of formal approval and the building substantially completed with 18 months of the date of formal approval. That portion, which is not substantially complete within 18 months, may be resubmitted in accordance with the most current City standards and regulations.

The following is a checklist for items, which shall be included, as applicable, on each Old Town Development Plan submitted for review. The Old Town Development Plan shall include a cover sheet, a copy of the final plat or tract and applicable construction drawings. When an Old Town Development Plan is submitted on several sheets an overall site layout shall be included showing general information such as building location, zoning, setbacks, etc. for reference purposes.

- (1) A title block located at the bottom right hand side of the page to include project's name, addition's name, lot, block and phase designations, total acreage, zoning classification and address if available (see appendix for title block).
- (2) A summary table for building square footage and total number of parking spaces required for each proposed classification and R.O.W. square footage or acreage (if applicable).
- (3) Staff and utility companies signature block (see Appendix).
- (4) Tax certificate showing all tax payments to the City of Lewisville are current. Taxes must be current as of the date of formal City approval of the Site Plan.
- (5) North point arrow (oriented to the top or right of the sheet) and date. Dates of revisions are also to be added with each modified set of plans.
- (6) Location map 1"=1,000' (Must use City base map).
- (7) Sheet size of 22" X 34".
- (8) Scale of 1" = 20' maximum for lots up to 3 acres, and 1" = 40' maximum for lots exceeding 3 acres. For site plans requiring extensive grading, drainage, other site related improvements, or unusual lot configuration the office of the City Engineer shall be consulted for designating scale.
- (9) Name, address and phone number of contact person of developer, owner or builder, engineer or surveyor.

- (10) Distances and bearings of the lot including total land area, subdivision lot & block designation and phase lines. The entire platted lot or tract shall be shown on the Old Town Development Plan.
- (11) Iron rods shall be set or found and shown on site plan.
- (12) Contours with intervals of two feet (2') or less or spot elevations, referred to sea level datum, including City of Lewisville benchmark. Information can be obtained from the City Engineer's Office.
- (13) Building setback lines including required setback from all water, sanitary sewer and drainage easements.
- (14) Zoning of subject lot and adjoining property.
- (15) Easements, deed restrictions or encumbrances which impact development of the lot.
- (16) Control of access lines, corner clips and clear vision areas.
- (17) Traffic control signals, devices, striping and traffic control plan, if applicable, in conformance with the latest edition of the Texas Manual on Uniform Traffic Control Devices.
- (18) Streets, alleys and easements adjacent to the site showing right-of-way and limits of paving.
- (19) Driveways, sidewalks, water and sanitary sewer services, grading and drainage.
- (20) Parking layout, including maneuvering as well as loading and unloading service areas.
- (21) Screening devices, if applicable.
- (22) Landscaping plan, including a summary table showing number, size and type of trees and percentage of landscaping for parking areas, if applicable. Irrigation plans illustrating connection to main water line through a separate irrigation meter or off of main water meter. Irrigation systems shall be designed to prevent off-site drainage nuisance.
- (23) Construction details for all site improvements as defined in definitions section and as applicable.
- (24) Fire protection including fire hydrants, fire lanes, fire lines and related devices, if applicable.
- (25) Dumpster location, if applicable.
- (26) Other utilities, if applicable.
- (27) Finished floor elevation. The builder is responsible for furnishing an engineering or surveyor certification of the foundation elevation and building setbacks prior to construction of a foundation.
- (28) Variances from this ordinance, which may be requested, shall be listed on the face of the site plan.
- (29) Tree survey and mitigation plans.
- (30) Note stating required exterior finish.
- (31) The contractor shall establish erosion control devices in accordance with the current Texas Pollution Discharge Elimination System (TPDES) requirements.

- (32) Traffic Control Plan, shall be submitted for all proposed construction within a street right-of-way. The traffic control plan shall incorporate all applicable Texas Department of Transportation traffic control plan sheets.
- (33) Show location of all proposed free standing signage. Refer to the City of Lewisville Sign Ordinance for requirements and limitations.
- (34) Date of approval from the Old Town Design Review Committee.

(c) *Single Family Old Town Development Plan Criteria.* An Old Town Development Plan must be submitted in accordance with City of Lewisville regulations and policies. An Old Town Development Plan is not required for Single Family Detached Dwellings, although all Single Family Developments must submit engineering plans for review to ensure right of way dedication and escrow/construction of public improvements. Information on specific City regulations, policies and standards is contained elsewhere in this ordinance.

The section applies to individual single family construction projects involving infill development. Single family construction projects which involve multiple lots for more than one residential structure shall comply with Non-Single Family Development Plan criteria found elsewhere in this Section.

Construction must be underway with 180 days from the date of formal approval and substantially completed with 18 months of the date of formal approval. That portion, which is not substantially complete within 18 months, must be resubmitted in accordance with the most current City standards and regulations.

The following is a checklist for items, which shall be included, as applicable, on each Single Family Old Town Development Plan submitted for review. A Single Family Old Town Development Plan may be submitted on a single sheet or on several sheets as necessary. When a Single Family Old Town Development Plan is submitted on several sheets an overall site layout shall be included showing general information such as building location, zoning, setbacks, etc. for reference purposes.

- (1) A title block located at the bottom right hand side of the page to include project's name, addition's name, lot, block and phase designations, total acreage, zoning classification and address if available (see appendix for title block).
- (2) A summary table for building square footage.
- (3) Staff signature block (see Appendix).
- (4) Tax certificate showing all tax payments to the City of Lewisville are current. Taxes must be current as of the date of formal City approval of the Site Plan.
- (5) North point arrow (oriented to the top or right of the sheet) and date. Dates of revisions are also to be added with each modified set of plans.
- (6) Sheet size of 22" X 34".
- (7) Scale of 1" = 20' maximum.
- (8) Name, address and phone number of contact person of developer, owner or builder, engineer or surveyor.
- (9) Distances and bearings of the lot including total land area, subdivision lot & block designation.
- (10) Iron rods shall be set or found and shown on site plan.
- (11) Building setback lines including required setback from all water, sanitary sewer and drainage easements.

- (12) Zoning of subject lot and adjoining property.
- (13) Easements, deed restrictions or encumbrances which impact development of the lot.
- (14) Streets, alleys and easements adjacent to the site showing right-of-way and limits of paving. Exception: right-of-way dedication may be required to meet minimum street right-of-way widths, however, individual single family projects will not require payment for paving or public water and sewer line upgrades.
- (15) Driveways, sidewalks, water and sewer services, grading, drainage, and erosion control plans.
- (16) Screening devices, if applicable.
- (17) Landscaping plan, including a summary table showing number, size and type of trees and percentage of landscaping for parking areas, if applicable. Irrigation plans illustrating connection to main water line through a separate irrigation meter or off of main water meter. Irrigation systems shall be designed to prevent off-site drainage nuisance.
- (18) Fire protection including fire hydrants.
- (19) Other utilities, if applicable.
- (20) Finished floor elevation. The builder is responsible for furnishing an engineering or surveyor certification of the foundation elevation and building setbacks prior to construction of a foundation.
- (21) Tree survey and mitigation plans.
- (22) Note stating required exterior finish.

(d) *Minor Plat*. The final approval of minor plats is delegated to the City Manager, or designee. Minor plats are those that involve four or fewer lots that front on an existing street do not require the creation of any new street or the extension of municipal facilities and is not a replat. The City Manager or designee may, for any reason, elect to present the plat to the Planning and Zoning Commission for approval. The City Manager or designee shall not disapprove a plat and shall be required to refer any plat that is not approved to the Planning and Zoning Commission.

The following is a checklist for items that shall be included, as applicable, on each Minor Plat submitted for review:

- (1) Title Block - same as final plat (see appendix).
- (2) For all residential subdivisions, a plan summary table, to include total acreage per phase, total number of lots and number of lots per phase and zoning classification, minimum lot size, minimum dwelling size and density per acre. A summary table of each lot area (esq.) and a tree schedule in accordance with the landscaping section shall also be included.
- (3) North point arrow (oriented to the top or right of the sheet) and date. Dates of revisions are also to be added with each modified set of plans.
- (4) Name, address and phone number of contact person of developer, owner or builder, engineer or surveyor.
- (5) Sheet size of 22" X 34" for review copies.
- (6) Location map 1" = 1,000' (Must use City base map).

- (7) Maximum scale of 1" = 100', (maximum scale of 1" = 200', one sheet for addressing purposes).
- (8) Boundary line, accurate in scale and with exact distances and bearings, of the subject tract and each lot within the subdivision including exact acreage per lot for all non-single family developments. Location of corner pins and monuments, including description and whether found or set.
- (9) Metes and bounds description of the subdivision, with exact acreage, in reference to the deed records of the County, including the volume and page of the deed for the land being platted.
- (10) Lot number and Block letter designations. Building setback lines shall be shown or noted including setback lines from all water, sanitary sewer and drainage easements.
- (11) Zoning of subject lot and adjacent property.
- (12) The names of adjacent subdivisions and/or the names of record owners of adjoining parcels of unsubdivided land.
- (13) Lines or limits designating boundaries of municipalities, counties and special districts such as Municipal Utility Districts, Road Utility Districts, Levee Districts, etc.
- (14) Existing streets, alleys and access easements including street names, with all curve data and widths of rights-of-way.
- (15) Easements, deed restrictions or encumbrances which impact development of the lot.
- (16) Control of access lines, corner clips and clear vision areas.
- (17) For all residential development, the park dedication agreement shall be finalized at the time of approval of the final plat including all dedications and/or fees to be paid at this time. The agreement, including the approval date, must be noted on the face of the plat.
- (18) All land proposed for public use dedication or to be reserved for the common use of all property owners, together with conditions or limitations of such use. Such reservations and dedications must be identified with a lot and block designation except street and alley rights-of-way.
- (19) The 100-year flood plain per current FEMA Flood Insurance Rate Map (FIRM), if applicable, shall be delineated. If the floodplain is not mapped, the developer is responsible for making this determination using a FEMA approved method.
- (20) Flowage easements, if any, pertaining to drainage including a note regarding responsibility for maintenance.
- (21) Other features which impact the subject property including, but not limited to, buildings, cemeteries, parks, landfills and monuments.
- (22) Right-of-way and public property to be abandoned should be identified on the plat, but information is to be provided separately as required for creation of an abandonment ordinance.
- (23) Certification by a licensed land surveyor, registered in the State of Texas, to the effect that the plan represents a survey made by him or under his direct supervision and that all the monuments and corner pins shown exist and are correctly described.
- (24) A certification of ownership and dedication of all streets, alleys, parks, easements and other public ways, signed and acknowledged before a notary public by the owner,

trustee(s) or person(s) duly authorized to sign the plat. This will include any lien holder(s) on the property (see appendix).

- (25) City of Lewisville signature block (See appendix).
- (26) Tree survey and mitigation plans.

(e) *Preliminary Plat.* A Preliminary Plat and Final Plat may not be submitted for simultaneous review. Substantial changes in a subdivision may require submission and formal approval of a revised preliminary plat.

A Preliminary Plat will be required on all unplatted tracts which do not conform with tract dimensions shown in current Central Appraisal District records, or which involve dedication or construction of City streets, drainage ways or utilities. The approval of the Preliminary Plat by the City shall be effective for a period of 180 days after the date of formal approval and a final plat may be submitted consistent with the approved preliminary plat. Following the 180-day period the preliminary plat will be valid for a period up to eighteen (18) months from preliminary plat approval date if it complies with all updated city standards and regulations. Following an eighteen (18) month period after the approval of a preliminary plat, the plat or any portion of the plat which has not had final plat approval by the Planning and Zoning Commission, will be considered invalid and removed from the files.

For tracts over 100 acres, prior to the expiration of the eighteen-(18) month period, a request for one year extension may be submitted for approval to the City Council if there are no changes to the preliminary plat and/or city standards and regulations.

The following is a checklist for items that shall be included, as applicable, on each Preliminary Plat submitted for review:

- (1) Title Block (see appendix)
- (2) For all residential subdivisions, a plan summary table, to include total acreage per phase, total number of lots and number of lots per phase and zoning classification, minimum lot size, minimum dwelling size and density per acre.
- (3) North point arrow (oriented to the top or right of the sheet) and date. Dates of revisions are also to be added with each modified set of plans.
- (4) Name, address and phone number of contact person of developer, owner or builder, engineer or surveyor.
- (5) Sheet size shall be 22" X 34".
- (6) Location map 1" = 1,000' (Must use City base map).
- (7) The maximum scale on preliminary plats shall be 1" = 100', except that non-residential tracts over 100 acres may be drawn to a maximum scale of 1" = 200'.
- (8) Abstract(s) and Survey(s) of subject tract.
- (9) Abstract and Survey lines.
- (10) Boundary line, accurate in scale, of the subject tract.
- (11) The layout, building setback lines including setbacks from water, sanitary sewer and drainage easements and approximate dimensions of proposed lots, blocks, etc.
- (12) Lot number, Block letter designations and acreage of each lot.

- (13) Zoning of subject lot and adjoining property.
- (14) Contours with intervals of two feet (2') or less, referred to sea level datum, including benchmark.
- (15) The names of adjacent subdivisions and/or the names of record owners of adjoining parcels of unplatted land.
- (16) Lines or limits designating boundaries of municipalities, counties, and special districts such as Municipal Utility Districts, Road Utility Districts, Levee Districts, etc.
- (17) Existing and proposed sanitary sewer and water system shown for a distance that impacts the subject property.
- (18) Other utility systems, proposed and existing, including private transmission lines.
- (19) A drainage plan of the proposed and existing drainage systems shall be submitted for review and comment. The drainage plan shall include: all drainage areas (on-site and off-site) that affect the area being preliminary or final platted...both in its natural state and in the ultimate development, location of lines, inlets, existing and proposed easements, proposed drainage rights-of-way, all required drainage calculations in accordance with City of Lewisville Drainage Criteria Manual. In addition, the 100 year floodplain, if applicable, shall be designated.
- (20) Existing and proposed streets and alleys, including widths of right-of-way and pavement. Street names shall provide continuity with existing streets. Where a development abuts or contains a street shown on the City's Thoroughfare Plan, the preliminary plat shall include a proposed dedication of right-of-way in accordance with the requirements of the Thoroughfare Plan.
- (21) Cross-section of proposed streets and alleys showing the width of pavement, type of pavement and location and width of sidewalks.
- (22) Easements, deed restrictions or encumbrances which impact development of the lot.
- (23) Control of access lines, corner clips and clear vision areas.
- (24) Traffic control signals, devices and striping.
- (25) Median openings, turning lanes, acceleration and deceleration lanes.
- (26) For residential developments, park dedication provisions are to be addressed by the Park Board prior to approval of the preliminary plat. The park dedication agreement shall be noted on the face of the plat with the approval date.
- (27) All land proposed for public use dedication or to be reserved for the common use of all property owners, together with conditions or limitations of such use, and must be identified with a lot and block designation except street and alley rights-of-way.
- (28) Other features which impact the subject property including, but not limited to, buildings, cemeteries, parks, landfills and monuments.
- (29) Phase lines must be clearly delineated, with improvements capable of standing alone as development occurs and not depending on future construction to meet City standards or requirements.
- (30) Variances from this ordinance that may be requested shall be listed on the face of the plat.
- (31) City of Lewisville signature block. (See appendix)

(32) Tree survey and mitigation plan.

(f) *Final Plat*. A Final Plat will be required upon final City approval of a Preliminary Plat. Final plats shall substantially conform with approved Preliminary Plats, or a revised Preliminary Plat must be submitted for formal approval. On a tract which conforms with tract dimensions shown in current Denton County Appraisal District records but which has not been formally platted, a Final Plat will be required prior to or at the time of submission of an Old Town Development Plan.

ALL REVIEW FEES AND TAX CERTIFICATES ARE DUE AT TIME OF INITIAL SUBMITTAL.

Review copies of the Final Plat, plus final construction plans for construction of public improvements associated with the plat, shall be submitted simultaneously in accordance with this Old Town Development Ordinance and policies of the City of Lewisville. The construction plans are an integral part of the final plat. A tree survey shall be required to accompany a final plat if construction plans are required to be submitted.

The following is a checklist for items, which shall be included, as applicable, on each Final Plat submitted for review:

- (1) Title Block (see appendix).
- (2) For all residential subdivisions, a plan summary table, to include total acreage per phase, total number of lots and number of lots per phase and zoning classification, minimum lot size, minimum dwelling size and density per acre. A summary table of each lot area (esq.) and a tree schedule in accordance with the landscaping section shall also be included.
- (3) North point arrow (oriented to the top or right of the sheet) and date. Dates of revisions are also to be added with each modified set of plans.
- (4) Name, address and phone number of contact person of developer, owner or builder, engineer or surveyor.
- (5) Sheet size of 22" X 34" for review copies.
- (6) Location map 1" = 1,000' (Must use City base map).
- (7) Maximum scale of 1" = 100', (maximum scale of 1" = 200', one sheet for addressing purposes).
- (8) Boundary line, accurate in scale and with exact distances and bearings, of the subject tract and each lot within the subdivision including exact acreage per lot for all non-single family developments. Location of corner pins and monuments, including description and whether found or set.
- (9) Metes and bounds description of the subdivision, with exact acreage, in reference to the deed records of the County, including the volume and page of the deed for the land being platted.
- (10) Lot number and Block letter designations. Building setback lines shall be shown or noted including setback lines from all water, sanitary sewer, and drainage easements.
- (11) Zoning of subject lot and adjacent property.
- (12) The names of adjacent subdivisions and/or the names of record owners of adjoining parcels of unsubdivided land.
- (13) Lines or limits designating boundaries of municipalities, counties, and special districts such as Municipal Utility Districts, Road Utility Districts, Levee Districts, etc.
- (14) Existing and proposed streets, alleys and access easements, including street names, with all curve data and widths of rights-of-way. Street names shall provide continuity

with existing streets. Where a development abuts or contains a street shown on the City's Thoroughfare Plan, the final plat shall include the dedication of right-of-way and construction of said streets in accordance with the requirements of the Thoroughfare Plan. Where it is determined by City staff to be impractical to construct one half (1/2) of the street, the developer shall escrow the full monetary value of these improvements prior to the approval of the final plat/replat.

- (15) Easements, deed restrictions or encumbrances which impact development of the lot.
- (16) Control of access lines, corner clips and clear vision areas.
- (17) For all residential development, the park dedication agreement shall be finalized at the time of approval of the final plat including all dedications and/or fees to be paid at this time. The agreement, including the approval date, must be noted on the face of the plat.
- (18) All land proposed for public use dedication or to be reserved for the common use of all property owners, together with conditions or limitations of such use. Such reservations and dedications must be identified with a lot and block designation except street and alley rights-of-way. R.O.W. dedication square footage and acreage must be listed on the plan.
- (19) The 100-year flood plain per current FEMA Flood Insurance Rate Map (FIRM), if applicable, shall be delineated. If the floodplain is not mapped, the developer is responsible for making this determination using a FEMA approved method.
- (20) Flowage easements, if any, pertaining to drainage including a note regarding responsibility for maintenance.
- (21) Other features which impact the subject property including, but not limited to, buildings, cemeteries, parks, landfills and monuments.
- (22) Right-of-way and public property to be abandoned should be identified on the plat, but information being provided separately as required for the creation of an abandonment ordinance.
- (23) Certification by a licensed land surveyor, registered in the State of Texas, to the effect that the plan represents a survey made by him or under his direct supervision and that all the monuments and corner pins shown exist and are correctly described.
- (24) A certification of ownership and dedication of all streets, alleys, parks, easements and other public ways, signed and acknowledged before a notary public by the owner, trustee(s) or person(s) duly authorized to sign the plat. This will include any lien holder(s) on the property (see appendix).
- (25) City of Lewisville signature block (See appendix).
- (26) Variances from this ordinance shall be listed on the face of the plat.
- (27) Tree survey (Single Family) (Construction plans are also required to be submitted)

(g) *Construction Plans.* Three (3) sets of construction plans shall accompany submittal of any final plat. The construction plans shall be considered as an integral part of the final plat and will be reviewed accordingly. Plans shall contain engineering data for the construction of all public improvements (water, sanitary sewer, storm sewer and paving) consistent with current city development standards and master plans. Construction must be underway within 180 days from the date of formal approval and substantially completed within 18 months from the date of formal approval. That portion, which is not substantially complete within 18 months, must be resubmitted in accordance with the most current City standards and regulations.

- (1) Plans and profiles shall be drawn on sheets measuring 22" x 34" overall dimensions.
- (2) Maximum scale for all construction plans shall be 1" = 40' horizontal and 1" = 5' vertical. (e.g. 1" = 50' horizontal & 6' vertical are not acceptable) Construction plans for street reconstruction shall be drawn to a 1" = 20' scale.
- (3) North point arrow oriented to top or right of the sheet.
- (4) Date: (Dates of revisions to be added with each modified set of plans).
- (5) Benchmark description to sea level datum (to be obtained from City Engineer's office). In the event a benchmark is not available near the project site, a temporary benchmark shall be established based on the City's benchmark.
- (6) Typical cross-sections of proposed streets and alleys drawn to a maximum scale of 1" = 10' horizontal and 1" = 2' vertical, and drawn from beyond right-of-way to beyond right-of-way.
- (7) Proposed street and alley pavement sections shall include: thickness of pavement, base course, subgrade, pavement cross-slope, parkway cross-slope, location and width of sidewalks, typical location of underground utilities.
- (8) Plan and profile of each street and alley with top of curb grades for streets and centerlines for alleys. The plan view shall show all existing features and the profile view shall include the existing ground. The profile gradelines and cross-sections of intersecting streets should be adjusted to provide a smooth junction and proper drainage.
- (9) A drainage area map to a maximum scale 1" = 200', (1" = 1000' if over 500 acres) of all areas contributing storm water runoff or drainage within and surrounding the proposed subdivision. The drainage area map shall include size of areas, storm frequency, duration data, amounts of runoff, points of concentration and any additional data necessary for the proper design of drainage facilities.
- (10) A plan and profile of proposed storm sewer showing hydraulic gradient and hydraulic data, pipe grades and sizes, manholes, inlets, pipe connections, culverts, outfall structures, bridges, ditches.
- (11) A plan and profile of the proposed water distribution system showing pipe sizes, location of valves, fire hydrants, fittings and other appurtenances, including installation and backfill details.
- (12) A plan and profile of the proposed sanitary sewer system with pipe grades and sizes, manholes, cleanouts and other appurtenances, including installation and backfill details.
- (13) All profiles shall include the elevation of other utility crossings.
- (14) Each plan and profile sheet shall be signed and sealed by a Texas Licensed Professional Engineer.

- (15) Trench Safety Plan, prepared by a Texas registered professional engineer, and soil analysis shall be provided with all construction plans when required by State or Federal law.
- (16) The City of Lewisville reserves the right to require corrections to plans based on actual field conditions that are found to be contrary to the information shown on the plans.
- (17) The Engineer certifying the plans is responsible for the accuracy and completeness of plans submitted for review and construction.
- (18) Finished floor elevation, proposed grading and drainage for all single-family lots. The builder is responsible for furnishing a certification of the foundation elevation and building setbacks prior to construction of a foundation.
- (19) Tree survey.
- (20) Traffic Control Plan, shall be submitted for all proposed construction within a street right-of-way. The traffic control plan shall incorporate all applicable Texas Department of Transportation traffic control plan sheets.
- (21) The developer is responsible for submitting a street lighting plan in accordance with this ordinance. The City will coordinate the installation of the street lighting system with the electrical service provider.
- (22) *External Agency Permit Submittals.* Submittals for floodplain development to F.E.M.A., and the U.S. Corps of Engineers (C.D.C. applications), can be processed concurrently with City staff approval. Submittals for TXDOT permits will be processed through City initiation (per TXDOT policy) only upon completion of City staff review. Permits are granted only to the City of Lewisville by TXDOT and not to private developers.
- (23) The contractor shall establish erosion control devices in accordance with the current Texas Pollution Discharge Elimination System (TPDES) requirements.

(h) *Grading and Filling Plan Requirements.* This section covers the requirements and procedures prerequisite to obtaining a grading permit. Grading or on-site preparations for grading are prohibited prior to the issuance by the City of a grading permit. Grading permits that involve tree removal will only be issued when accompanied by an approved final plat with construction plans and/or an approved Old Town Development Plan. All activities associated with this plan shall be completed within eighteen (18) months of the date of formal approval. A six month extension may be granted on a case by case basis when requested in writing.

Construction plans are required to be submitted and approved prior to the issuance of a grading permit. The following is a list of items and requirements that shall be addressed and complied with on the construction plans.

- (1) A title block located on the bottom right hand corner of the sheet, to include project name; lot, block and subdivision if appropriate; zoning classification and physical address, if available.
- (2) Construction plans shall be furnished on 22" x 34" mylar sheets. Review plans shall be submitted on 22" x 34" prints.
- (3) The plan layout shall be orientated with the north arrow up or to the right on the sheet.
- (4) Location map drawn to 1" = 1000'. The City base map shall be used.
- (5) The plan scale shall be suitable to show clearly the proposed grading. In no case shall the plans be drawn smaller than 1" = 100'.

- (6) Name, address and telephone number of the property owner, developer and engineer. The engineer shall also stamp, sign and date the drawings. The engineer must be a Texas Licensed Professional Civil Engineer.
- (7) Contours, with intervals of two feet or less, of the existing site. The City's topographic information may be used for this purpose.
- (8) Streets, alleys, sidewalks, rights-of-way, easements, utilities, and drainage on or near the site. Excessive fill or cut on existing or proposed utilities will not be allowed.
- (9) A detailed erosion control plan, for both during construction and post construction.
- (10) A detailed traffic control plan, where applicable. The traffic control plan shall conform to TMUTCD and shall include truck routes.
- (11) All trees shall be shown.
- (12) Construction entrance details including locations, materials and cross section, along with specifications for maintaining clean streets.
- (13) Fences and other physical features.
- (14) Grading plan including finished contours and/or grades.
- (15) Any other items stipulated by City staff which may be considered site specific and needed to fully review the proposed construction and protect surrounding properties and the traveling public.
- (16) Any other appropriate items cited in this Old Town Development Ordinance.
- (17) Hauling/trucking from or to the site will not be allowed during rainy conditions or when muddy conditions exist. Grading, loading and unloading will not be allowed during windy conditions such that dust could cause a problem to anyone.
- (18) Prior to commencement of work, the contractor shall attend a preconstruction meeting with City staff at a time and place approved by City staff.
- (19) A grading permit will not be issued for mining operations.
- (20) The contractor shall establish erosion control devices in accordance with the current Texas Pollution Discharge Elimination System (TPDES) requirements.

Sec. 72. IMPROVEMENTS ON LAND THAT IS SERVED BY SUBSTANDARD PUBLIC IMPROVEMENTS

(a) *General Provisions.* This section deals with lots or tracts that are served by one or more existing substandard public improvements including water, sanitary sewer, streets, sidewalks or storm drainage. Such developments must meet these required minimum standards in order to obtain a building permit for a new building or if an addition is being made to an existing building. In reviewing the required Old Town Development Plan, the City staff will note areas that fail to meet minimum standards. If in the opinion of the City staff, on a case-by-case basis, these minimums are not adequate, more extensive improvements may be required as necessary. Additionally, each of the lots or tracts must follow all City master plans for streets, utilities, parks and other public improvements. Where it is determined by City staff to be impractical to construct one half (½) of the street, the developer shall escrow the full monetary value of these improvements prior to the approval of the final plat/replat in accordance with the following schedule.

<ul style="list-style-type: none"> • Enforce street standards per the Old Town Design District Master Street Plan. • Dedicate the necessary right-of-way in accordance with the Old Town Design District Master Street Plan 		
PAVING COSTS (ESCROW) – PHASED PROGRAM		
2004 – 2010: \$0 cost	2011 – 2015: ¼ cost of abutting streets	2016 and beyond: ½ cost of abutting streets
Exception: \$0 costs – single lot owner-occupied residential development		

(b) *Paving.* Minimum street right-of-way as determined by the adopted Old Town Design District Master Street Plan shall be required.

(c) *Water Lines.* If development is to occur on land which is currently served by sub-standard water utilities, the owner, developer or applicant may be required to improve the existing system to current requirements. The standard for improvement shall be based on the following criteria:

- (1) Existing line sizes vs. current required line sizes.
- (2) Existing materials vs. current required materials.
- (3) The ability to service both potable and fire protection needs.

All projects will be considered on a case-by-case basis.

(d) *Fire protection.* Inadequate or substandard water line size may require additional fire hydrants or other measures in order to provide adequate fire protection on a case-by-case basis.

(e) *Sanitary Sewers.* If improvement is to occur on land that is served by a sub-standard sanitary sewer utilities, the owner, developer, or applicant may be required to improve the existing system to current requirements. The standard for improvement shall be based on the following criteria:

- (1) Existing line vs. current line sizes requirements.
- (2) Existing materials vs. current material requirements.

- (3) The ability to service the sanitary sewer requirements of the development and existing service areas. Inflow and infiltration studies may be required for the area as determined by the City of Lewisville.

All projects will be considered on a case-by-case basis.

(f) *Septic Systems.* Application for construction of a septic system must be submitted to the Texas Commission on Environmental Quality (TCEQ). Application, fees, tests, design and on-site inspections must be submitted and coordinated with the TCEQ. The tract of land must consist of one (1) acre or more. Prior to issuance of a Certificate of Occupancy by the City of Lewisville, the City must be in receipt of: (1) Approved septic system permit by the TCEQ, (2) Approved design by the TCEQ, (3) Approved final inspection by the TCEQ. Septic systems will not be permitted within the City limits of Lewisville where any part of the platted lot or tract is within 100 feet of an existing City sanitary sewer line. The requirements to connect to the City's sewer system shall be enforced even if the improvements must include a lift station, force main or both. This requirement will not be enforced in instances where City staff determines that the connection is impractical.

(g) *Drainage.* Development(s) adjacent to an existing ditch, within street right-of-way, shall provide for an enclosed storm sewer system on-site and discharge into the ditch by means of a pipe system. If an adequate outfall condition is unavailable (whether a ditch or storm sewer system) developments may be allowed to discharge into street rights-of-way; runoff not to exceed the original amount. Drainage easements shall be provided by plat or by separate instrument for all storm drainage facilities up to an adequate outfall condition (if on-site), capable of containing the 100-year flood event.

(h) *Open Space Requirements.* Standards for parks and open space must be provided in accordance with the City of Lewisville Park Dedication Ordinance and other applicable ordinances or policies.

Sec. 73. CERTIFICATE OF CORRECTIONS.

When an amending plat is proposed for the correction of a plat which has been filed of record, and when the sole purpose of the amending plat is for one or more of the following, then a certificate of correction may be filed of record (see appendix). This section shall apply only if the sole purpose of the amending plat is:

- (1) To correct an error in any course or distance shown on the prior plat.
- (2) To add any course or distance that was omitted on the prior plat.
- (3) To correct an error in the description of the real property shown on the prior plat.
- (4) To indicate monuments set after death, disability or retirement from practice of the engineer or surveyor charged with responsibilities for setting monuments.
- (5) To show the proper location or character of any monument which has been changed in location or character or which originally was shown at the wrong location or incorrectly as to its character on the prior plat.
- (6) To correct any other type of scrivener or clerical error or omission as previously approved by the City Planning and Zoning Commission or the Lewisville City Council; such errors and omissions may include, but are not limited to, lot numbers, acreage, street names, and identification of adjacent recorded plats.
- (7) To relocate one or more lot lines or to correct an error in courses and distances of lot lines between one or more adjacent lots where the owner or owners thereof join in the application for plat amendment and where the number of lots remains unchanged and provided that such amendment does not attempt to remove recorded covenants or

restrictions and does not have a material adverse affect on the property rights of the other owners in the plat.

Sec. 74. ABANDONMENT OF REAL PROPERTY

(a) *General Provisions.* An Abandonment Ordinance is required for abandonment of any public right-of-way. Any easement may be abandoned with a Certificate of Abandonment (see appendix) in accordance with paragraph (c) below (Ordinance 1947-8-94). Requests for abandonment shall be made in writing to the Community Development Department. The City will file with the County all documents that are required to record the transaction. A \$150 application fee must accompany all requests and the Denton County filing fees shall be submitted with a separate check. If applicable, fair market value will be established by the City based on information, acceptable to the City. Should appraisals be required, the cost shall be paid in advance by the applicant. Any relocation, adjustment or other construction shall be the financial responsibility of the applicant.

The following information must be attached:

- (1) Metes and bounds description of the property to be abandoned.
- (2) Exhibit showing the subject abandonment.
- (3) Letters of Release from utility companies, if applicable.
- (4) Application fee made payable to City of Lewisville.
- (5) Filing fee made payable to Denton County Clerk.

(b) *Additional Requirements For Certain Abandonment's.*

- (1) *Abandonment of an improved street or alley:*
 - a. Fair market value of the real property and the improvements that are to be removed or converted to private use.
 - b. Dedication of easements for any facilities that are to remain.
- (2) *Abandonment of street or alley right-of-way (unimproved):*
 - a. Fair market value of the real property.
 - b. Dedication of easements for any facilities that are to remain.
 - c. Compensation for detriment to the remainder.
- (3) *Abandonment of a part of an occupied easement where the reduction in easement will adversely affect the operation and maintenance of the facility:*
 - a. Fair market value of the released area.
 - b. Compensation for detriment to the remainder.
- (4) *Abandonment of an occupied easement in exchange for another easement at the request of the property owner:*
 - a. Fair market value of the difference in value if the abandoned easement is greater than that received.
 - b. Reserved.

(c) To abandon an easement(s) in exchange for an equivalent easement(s) or when it is determined that an easement(s) is no longer necessary and an adequate easement(s) is provided to serve the property, a Certificate of Abandonment (see appendix), or such other documents as may be legally required, will be filed of record. This certificate will be filed after all information for abandonment of an easement on real property has been submitted and a final determination for abandonment has been made by the Director of Community Development.

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