THE HEART OF BRAZORIA COUNTY NGLETON

CITY OF ANGLETON

PLANNING AND ZONING COMMISSION AGENDA 120 S. CHENANGO STREET, ANGLETON, TEXAS 77515 THURSDAY, JANUARY 05, 2023 AT 12:00 PM

NOTICE IS HEREBY GIVEN PURSUANT TO V.T.C.A., GOVERNMENT CODE, CHAPTER 551, THAT THE PLANNING AND ZONING COMMISSION FOR CITY OF ANGLETON WILL CONDUCT A MEETING, OPEN TO THE PUBLIC, ON THURSDAY, JANUARY 5, 2023, AT 12:00 P.M., AT THE CITY OF ANGLETON COUNCIL CHAMBERS LOCATED AT 120 S. CHENANGO STREET ANGLETON, TEXAS 77515.

DECLARATION OF A QUORUM AND CALL TO ORDER

- 1. Take action on the approval of the P&Z Commission Meeting Minutes for December 1, 2022.
- 2. Discussion and possible action to approve the P&Z 2023 Meeting Calendar; an optional date for March 2023 is requested of the Planning and Zoning Commission, due to a City Holiday.

PUBLIC HEARINGS AND ACTION ITEMS

- 3. Conduct a public hearing, discussion, and take possible action on a request for approval of an ordinance rezoning 15.895 acres from the Planned District to the Light Industrial (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX.
- 4. Conduct a public hearing, discussion, and take possible action on a request for approval of an ordinance rezoning 0.4213 acres from Commercial Office-Retail District (C-OR) to 2F, Two-Family Residential District (duplex homes), for property located at 425 N. Walker St. at the SW corner of W. Live Oak St., Tract 163A20 Jose De Jesus Valderas Survey, A-380, City of Angleton, TX, Brazoria County.
- 5. Conduct a public hearing, discussion, and take possible action on a request for approval of an ordinance amending the PD Planned Development Overlay District Three (3), ORD_20220222-016 for Austin Colony Subdivision, rezoning 164.50 acres, for property located on the northside of Anchor Rd, East of Carr Rd., West of the terminus of Tigner St.
- 6. Conduct a public hearing, discussion, and take possible action on a request by R.B. Stewart Petroleum on an ordinance rezoning approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4, for property located within the city block bound by W. Peach St. to the South, S. Velasco St. to the East, W. Orange St. to the North and S. Front Street to the West, R.B. Stewart.
- 7. Conduct a public hearing, discussion, and take possible action on a request for approval of an ordinance rezoning approximately 10.12 acres from the Planned Development District (PD) to Agricultural District (AG), for property located on the west side of Shanks Road, north of CR220, Angleton, TX, Brazoria County.

REGULAR AGENDA

- 8. Discussion and possible action on a Final Plat for De La Garza Subdivision, 3.996 Acres, 2- Lots, 1 Block, located on the south side of Kiber Rd., just west of Sims Drive
- 9. Discussion and possible action on a proposed Concept Plan for Whispering Oaks Subdivision, for 49 lots, 2 Blocks, on 28.203 acres located north of Western Avenue and east of Heritage Oaks Drive.
- 10. Discussion and possible action on a Preliminary Plat for Ashland Development Wastewater Treatment Plant, for 14.44 acres of land, containing four reserves in three blocks out of the George Robinson League, A-126, Brazoria County, Texas as submitted by Ashton Gray Development.
- 11. Discussion and possible action on a Preliminary Plat for Ashland Development Water Treatment Plant, for 2.09 acres of land, containing one reserve in one block, Shubael Marsh Surveys A-81 & A-82, Brazoria County, Texas as submitted by Ashton Gray Development.
- <u>12.</u> Discussion and possible action on a Final replat for PT Patrick Thomas Estate, for a 7.732 -acre subdivision, 1-Block, 2 Lots, 1 Reserve.
- 13. Discussion the Short Term Text Amendment Changes to the City's Land Development Code, Zoning Ordinance and other development regulations. No action required.

ADJOURNMENT

CERTIFICATION

I, Otis Spriggs, Development Services Director, do hereby certify that this Notice of a Meeting was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times and to the City's website, www.angleton.tx.us, in compliance with Chapter 551, Texas Government Code. The said Notice was posted on the following date and time: Monday, January 2, 2023, by 12:00 p.m. and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting.

/S/ Otis T. Spriggs, AICP Otis T. Spriggs, AICP Development Services Director

Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability, or family status. In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodation to participate in this proceeding, or those requiring language assistance (free of charge) should contact the City of Angleton ADA Coordinator, Colleen Martin, no later than seventy-two (72) hours prior to the meeting, at (979) 849-4364 ext. 2132, email: cmartin@angleton.tx.us.





CITY OF ANGLETON
PLANNING AND ZONING
COMMISSION
120 S. CHENANGO STREET,
ANGLETON, TEXAS 77515
THURSDAY, DECEMBER 1, 2022 AT
12:00 PM

MINUTES

THE FOLLOWING REPRESENTS THE ACTIONS TAKEN BY THE ANGLETON PLANNING AND ZONING COMMISSION IN THE ORDER THEY OCCURRED DURING THE MEETING. THE PLANNING AND ZONING COMMISSION OF ANGLETON, TEXAS CONVENED IN A REGULAR MEETING ON THURSDAY, DECEMBER 1, 2022, AT 12:00 PM, IN THE ANGLETON CITY HALL COUNCIL CHAMBERS, 120 S. CHENANGO, ANGLETON, TEXAS.

DECLARATION OF A QUORUM AND CALL TO ORDER

With a quorum present, Chair Garwood called the Commission Meeting to order at 12:00 P.M.

PRESENT

Chair William Garwood
Commission Member Henry Munson
Commission Member Ellen Eby
Commission Member Deborah Spoor
Commission Member Michelle Townsend (Entered meeting later)
Commission Member Regina Bieri

ABSENT

Commission Member Bonnie McDaniel

1. Approval of Meeting Minutes for November 3, 2022

Motion was made by Commission Member Henry Munson to approve the minutes; Motion was seconded by Commission Member Regina Bieri.

Commission Action: Approved. Motion carried unanimously, 5-0 vote.

PUBLIC HEARINGS AND ACTION ITEMS

2. Conduct a public hearing, discussion, and possible action on a request for approval of an ordinance rezoning 0.3937 acres from the Commercial General District to the Central Business District, for property located at the Southeast corner of E. Peach St. at S. Velasco St., Hwy 288B, Angleton, TX; situated on Lot(s) One (1), Two (2), Three (3), and the west ½ of Lot (4) in Block Twenty (20), of the City of Angleton, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 1, Page 12, of the Plat Records of Brazoria County, Texas.

Staff Presentation: Mr. Otis Spriggs introduced the case and presented the staff report findings. He noted that the downtown region covers this tract. The Land Use Plan was shown illustrating consistency. The area is typically recommended for governmental, entertainment districts, housing, public spaces and gathering areas.

The applicants are proposing to work within the recommendations of some our prepared plans such as the Comprehensive Plan and the Land Use Plan. The Angleton Livable City Centers Plan was also referenced which also promotes some of the recommendations just described.

Staff is recommending approval of the rezoning from Commercial General which is typically catered to big box retailing; however, some of the restrictions will not fit into our typical downtown areas. This request would be more in keeping and in the spirit and intent of the mentioned adopted plans. Photographs of the surrounding areas were shown.

Chair Garwood opened the Public Hearing, with no objection.

Applicant Ms. Megan Mainer appeared before the Commission and stated that she and her husband live in Angleton and are asking the Commission to consider the rezoning of the property because it is in line with the Comprehensive Plan and the Livable City Centers Study. It will hopefully bring some additional businesses to the area, if developed in this way. The current zoning does provide some restrictions like parking, for this is a small lot. In the CBD, this allows for offsite parking in agreement with other properties that could provide parking in that area. It will open this up to be developed and contribute to the downtown district.

Public Hearing was closed with no objections.

Commission Member Bieri commented that her questions were answered, and the difference is this would be more pedestrian oriented than the other district.

Commission Action:

Motion was made by Commission Member Ellen Eby to approve the request of an ordinance rezoning 0.3937 acres of land from the Commercial General District to the Central Business District, and to forward it to City Council for adoption. Motion was seconded by Commission Member Deborah Spoor.

Roll Call Vote:

Commission Member Henry Munson- Aye; Commission Member Ellen Eby- Aye; Commission Member Deborah Spoor- Aye; Commission Member Regina Bieri - Aye; Chair William Garwood- Aye. Motion carried unanimously, 5-0 vote.

3. Discussion and possible action on an Ordinance amending the Code of Ordinances of the City of Angleton, Texas, by amending and revising Chapter 8.5 Food and Food Establishments Article I. In General, Section 8.5-2. Definitions, Article II. Permit, Section 8.5-10. Required,

Section 8.5-11. Duration, Article III. Inspections, Section 8.5-20. Annual Inspections, Reinspections, and New Inspections, Article V. Temporary and Mobile Food Establishments, Section 8.5-62. Mobile Food Establishments; Generally, and Sec.8.5-63. Unrestricted And Restricted Mobile Food Unit Regulations as contained in "Exhibit A"; Adopting Sec 8.5-66. Mobile Food Courts as contained in "Exhibit B"; providing for the regulation of food and food establishments; providing a penalty; providing for severability; providing for repeal; and providing an effective date.

Staff Presentation: Mr. Otis Spriggs introduced the case and presented the summary of the staff report. He presented the redlined changes in Exhibits A&B, which includes the following noted areas:

- Defined: Food Courts involving food trucks.
- Allowance for flexibility in business hours.
- Roadside food vendor was defined.
- Section 8.5-10: A permit is not required for a beverage stand for a child age 17 or under.
- Operating on (M-S); Sundays was considered and added.
- Restroom written agreement if business is within 150 ft., during hours of operation.
- New regulations for Mobile Food Courts are proposed.
- Hookups for electricity and potable water.
- Restroom provision.
- Units are not allowed on blocks.
- Subject to the Noise Requirements.
- Trash/Waste disposal.
- Parking lots must be concrete or asphalt.
- Unit separation by 10 Feet including seating areas.
- Food Court use has to be within allowable restaurant zoning district
- Site Plan requirements.
- MFU will be inspected and permitted. (6 months)
- Alcohol sales within a permit building per TABC requirements.

The surface parking requirements were discussed. City Manager Chris Whitaker appeared and noted that the need exists for the option of compacted crushed stone or pervious pavers, with the requirement of the apron within the public right of way being paved. Staff noted that the additional option "a.": Allowance for a waiver will be added in the text.

Commission Member Ellen Eby asked what the impact of the new regulations would have on the farmers markets. Mr. Spriggs explained that the farmers markets are typically processed as a special event, or in the case of the Peach Street Market, the process was a Specific Use Permit.

Mr. Spriggs noted that staff sent out invitation emails to a number of food truck business owners of the hearing and will continue to do so for the Council hearing as well. Staff is recommending approval by the Planning and Zoning Commission, and forwarding it to City Council for final consideration.

Chair Garwood opened the Public Hearing with no objection.

No public comment.

Chair Garwood closed the Public Hearing with no objection.

Commission Member Henry Munson asked about the 1-year permit versus the 6 month expiration date. Mr. Spriggs clarified that the 1-year option is available; however, there is a twice per year inspection required.

Commission Action:

Motion was made by Commission Member Bieri to approve the proposed Mobile Food amendments and the recommended changes, seconded by Commission Member Ellen Eby.

Roll Call Vote:

Commission Member Henry Munson- Aye; Commission Member Ellen Eby- Aye; Commission Member Deborah Spoor- Aye; Commission Member Regina Bieri - Aye; Chair William Garwood- Aye. Motion carried unanimously, 5-0 vote.

REGULAR AGENDA

4. Consideration of approval of a final plat for Smart Storage, for a 12.390-acre subdivision.

Mr. Spriggs presented the final plat subject to the requested variances to be satisfied during the construction stage:

- 1. Variance is requested to allow the utility plan to be submitted at the time the first tract is considered for development.
- 2. Variance is requested to provide utility and drainage plans, heritage tree preservation and the geotechnical report at the time each tract is developed.

Mr. Spriggs presented the staff summary noting the Engineering comments per the review including the A.D.D. drainage coordination.

Commission Action:

Motion was made by Commission Member Henry Munson-to approve the proposed Final Plat for Smart Storage, seconded by Commission Member Deborah Spoor.

Roll Call Vote:

Commission Member Henry Munson- Aye; Commission Member Ellen Eby- Aye; Commission Member Deborah Spoor- Aye; Commission Member Regina Bieri - Aye; Chair William Garwood- Aye; Commission Member Michelle Townsend- Aye. Motion carried unanimously, 6-0 vote.

5. Presentation, discussion, and possible comment on a Site plan, for Angleton Park Place Sections 4-6; Presentation of Site plan, 70.838 acre tract in the southeast area of Angleton, Texas (60 ft. Lot option). No action is required.

Public Input:

"Chip" James Gayle, Shanks Rd.: Abutting neighbor to the south, appeared before the Commission voicing opposition to the proposal, he cited water sewer drainage, traffic, road frontage and crime statistics on the prior mobile home parks in the area. Chair recognized others in the audience that voiced the same concerns.

Applicant: Michael Morgan appeared and explaining Plan A; 60 ft. lots on both sides of the road. He plans to develop both sides of the existing Angleton Park Place.

Lots will be self-owned for-sale/no rentals. Manufactured home subdivision with the homes on slabs.

Chair Bill Garwood asked if this would require a rezoning. Mr. Spriggs noted that it would have to be annexed and rezoned. One (1) side is within the City Limits/PD holding zoning district.

Commission Member Henry Munson asked if Mr. Morgan proposes to have an HOA. Mr. Morgan replied yes. He advised Mr. Morgan that it will be tough to get this concept approved. Commission Member Ellen Eby asked about pricing: Mr. Morgan added that the price range would be \$165k to \$195 per lot.

Commission Member Deborah Spoor asked what the lot depths were: Mr. Morgan stated 125 ft. She also commented on the capacity of water/sewer taps. Can the City handle that? Mr. Spriggs stated that the capacity analysis would be done if an official request is submitted. She added that her concern is regarding high density in that area.

6. Presentation, discussion, and possible comment on a potential Rezoning Request, for a potential industrial development site located on 15.482 vacant acres on the North side of Hwy. 220, east of Shanks Road, for property currently zoned PD District. No action is required.

Mr. Robert Campbell, the applicant, appeared before the Commission. He noted that he owns a metal fabrication business that is purchasing the property; he wants to rezone it to Light Industrial. They are a metal fabrication (small parts, custom railings for home owners and contractors) business now in Clute, Tx. He is wanting to build a 50'x150' shop near CR 220/SW of the property with 10 employees with a desire to double. He noted that 400 ft. is the distance to the back property line.

Chair Garwood asked if this requires a lot of water. Mr. Campbell stated he wants to put in well and septic; they have a small kitchen with a couple of bathrooms. Operating hours are: 7:30 to 3:30 pm, M-F. Chair Garwood stated that it is a favorable proposal. Commission Member Deborah Spoor stated that this is fitting for that corridor.

ADJOURNMENT

Planning and Zoning Commission Chair Bill Garwood adj	ourned the meeting at 12:57 P.M.
These minutes were approved by Angleton Planningday of2022, upon a motion by by Commission Member XX. The motion passed on X-	Commission Member XX, seconded
CITY OF ANGLETON, TEXAS	
William Garwood Chair	
Otis T. Spriggs, AICP Director of Development Services	

2023 PLANNING AND ZONING MEETING SCHEDULE

All Meetings are scheduled at 12:00 p.m. at City of Angleton City Hall Council Chambers.

JANUARY

Thursday, January 5,2023

<u>July</u>

Thursday, July 06, 2023

Thursday, August 03,2023

FEBRUARY

Thursday, February 2,2023

Wednesday Mar. 1, 2023 Monday, March 6, 2023 Thursday, March 9, 2023

AUGUST

MARCH Texas Independence Day
Thursday, March 02,2023

Thursday, September 7, 2023

Thursday, March 02,2023
City Holiday Offices Closed

APRIL

Thursday, April 06, 2023

OCTOBER

Thursday, October 05, 2023

MAY

<u>Thur</u>sday, May 04, 2023

NOVEMBER

Thursday, November 02, 2023

JUNE

Thursday, June 01, 2023

DECEMBER

Thursday, December 07, 2023



AGENDA ITEM SUMMARY REPORT

MEETING DATE: January 5, 2023

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Conduct a public hearing, discussion, and take possible action on a

request for approval of an ordinance rezoning 15.895 acres from the Planned District to the Light Industrial (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks

Rd., Angleton, TX.

AGENDA ITEM SECTION: Public Hearing and Action Item

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

Mr. Robert Campbell, the applicant is requesting approval of an ordinance rezoning 15.895 acres from the PD, Planned District to the Light Industrial (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX. Driveway tie-in with CR220 will have to coordinated with Brazoria County for approval.

Mr. Campbell owns a business and is purchasing the subject property; he wants to rezone it to Light Industrial to accommodate his metal fabrication (small parts, custom railings for home owners and contractors) business now located in Clute, Tx. He plans to build a $50^{\circ}x150^{\circ}$ shop near CR 220/SW portion of the property, a distance of 400 ft. from the back property line. He has 10 employees with a desire to double that amount.

The use does not require a large amount of water. Mr. Campbell plans to put in well and septic with the minor plumbing needs of a small kitchen with a couple of bathrooms. Operating hours will be between 7:30 to 3:30 M-F.

Review Criteria and Findings of Fact:

In making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council shall consider the following factors:

a. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole. (Staff concurs the property is appropriate as light industrial alone a major arterial and on the edge of the city limits).

- **b.** Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area; (There will be no negative impact on said capacity of public improvements; he is willing to put in a private system).
- c. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of such vacant land unavailable for development; (Opportunities for commercial infill development are adequate in the surrounding area; developing the property as light industrial for a small metal fabrication is feasible and would have little impact on public services and infrastructure).
- d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change (Area is at the most southern boundary next to the ETJ, compatible businesses are situated along the major arterials including BUS 288).
- e. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. (This rezoning will provide for good commercial infill reinvestment, and pose no negative impact on the surrounding area).
- f. Any other factors that will substantially affect the public health, safety, morals, or general welfare. (No factors will negatively affect the public health, safety, morals or general welfare if developed as proposed).

Surrounding Conditions:

Existing Land Use and Zoning

North: Manufactured Homes (MH) District. **East:** PD, Planned District, Holding Zone

West: Light Industrial District and PD, Planned District, Holding Zone

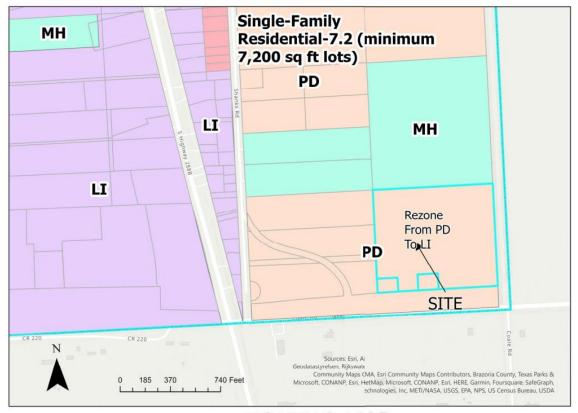
South: City Limits Line, CR 220, ETJ Rural Residential area



Future Land Use Map

The Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property as Manufactured Housing **Category.** The general vicinity of Shanks Road has primarily single-family housing, with a number of Manufactured Housing units situated adjacent to the project site. Staff supports that a change to the future Land Use Map is advisable due to the impact on utility and infrastructure, if the site were utilized as

Manufactured Housing. Note that most of the commercial uses abut the major arterials.



ZONING MAP



SITE PHOTOS-2



VIEW LOOKING NORTH AT SITE FROM CR220



VIEW LOOKING NORTH AT SITE FROM







STAFF RECOMMENDATION:

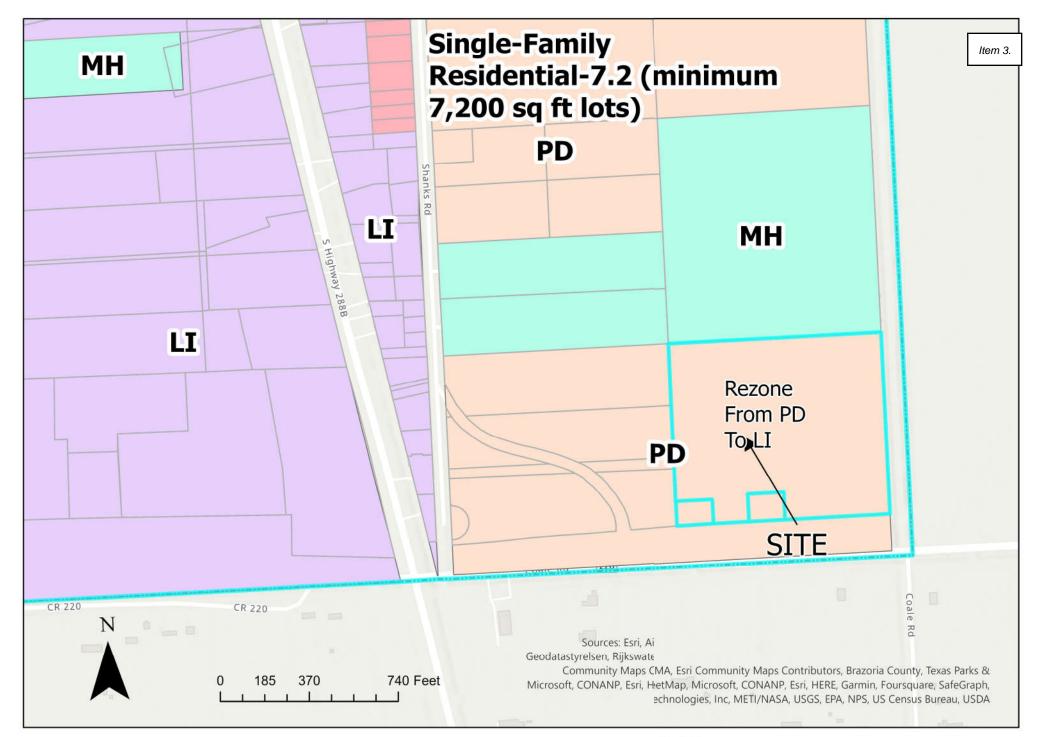
The Planning and Zoning Commission should adopt this as its final report and recommend approval of the rezoning of 15.895 acres from the Planned District to the Light Industrial District (LI).

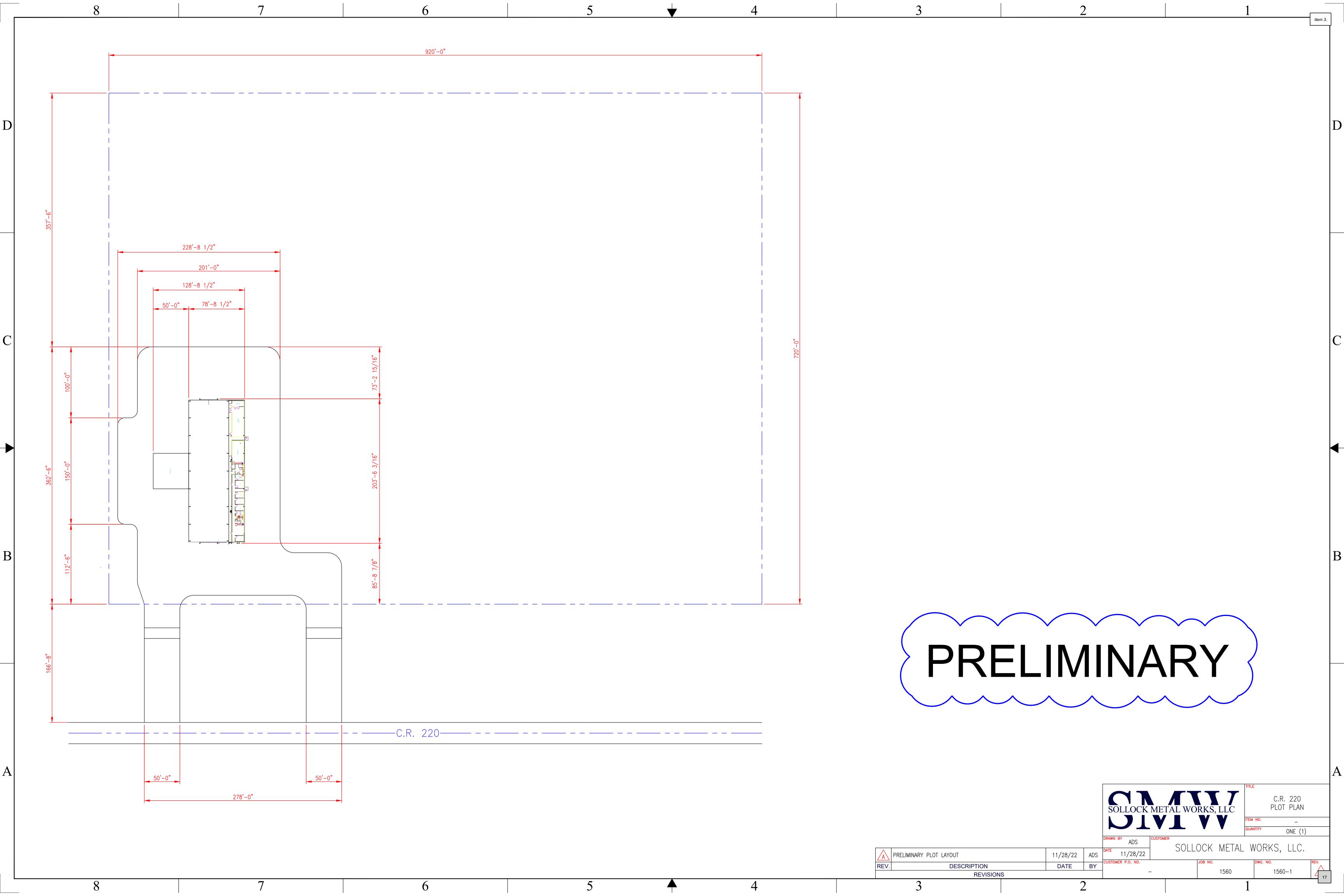
SUGGESTED MOTION:

I move we approve the ordinance adopting this as the final report and recommend approval of rezoning 15.895 acres from the Planned District to the Light Industrial District (LI), to the City Council for final consideration and approval.

02189050 11/29/2022 1:52 PM		Item 3.
MAB TERM: 105	OFFICE USE ONLY Date received: 1129 22 Fee: \$ 150.	00
200.1190 ZONING VAR/PLATTING	P&Z Public Hearing date:	
VING/VARIANCE/PLA 150.00CR	Date to send cert. letters:	
DERED: 150.00 CHECK _IED: 150.00-	Date to publish: date verified:	
IGE: 0.00	ANGLETON	
	PPLICATION	
Warren SBRU	ISCH	
	CE \$ JOHN MACEK \$ ELAING AKERS (10:	16169
Current Address: COUNTY ROAD 220		
•	tate: Texas Zip: 77515	
Home Phone: 979 · 292 · 4706 Business Phone	e: 979 . 503 · 2260 Cell:	
ATTACH PROOF THAT ALL TAXES, FEES TO THE CITY OF ANGLETON.	S AND OBLIGATIONS HAVE BEEN PAID	
Name of Applicants BOOGRE SUNDING		
Name of Applicant: BRAZOS FUNDING (If d	ifferent than Property Owner)	
	· · · · · · · · · · · · · · · · · · ·	
	Email: RHONDA @ SOLLOCKME	IALWOR
City: FREEPORT St		
Home Phone: Business Phone		
Address/Location of Property to be Re-zoned:	COUNTY ROAD 220 (SEE ATTACHED)
BCAP DESCRIPTION)	· · · · · · · · · · · · · · · · · · ·	
	6-6A1 5 E/2	
Metes & Bounds	Lot(s) Block Subdivision	
ATTACH MAP/SURVEY OF PROPERTY		
Has the property been platted? YES	NO	
Current Zoning: 11 - 20 - 17 CH Current Use: L	INDEVELOPED VACANT LAND	
Proposed Zoning: Light Industria Proposed Use:	metal Fabrication Business	

Application Fee: \$150.00 (must be submitted with application)







CITY OF ANGLETON APPOINTMENT OF AGENT

As owner of the property described as COUNTY ROAD 220, ANGLETON TEXAS 77515 (ID 161699 & 161,700) I hereby appoint the person designated below to act for me, as my agent in this request.

Name of	Agent: Brazos Fu	inding, LLC.			
Mailing A	ddress: 4702 Bra	zos River Rd		Ema	rhonda@sollockmetalworks.com
City: Fre	eport	State: Texas		Zip: <u>77541</u>	
Home Ph	one: (<u>979</u>) <u>292</u>	2-4146	_ Busin	ess Phone: (979	9) 583-2260
I verify tha bound by t	t I am the legal own he words and acts o	er of the subject prop f my agent, and by m	erty and y signate	l acknowledge ar ire below, I fully a	nd affirm that I will be legally uthorize my agent to:
re bii co	presentations of fa nding waivers of ri nsent to legally bir	ntact between mys ct and commitment ghts and releases c nding modifications, ments on my behalf	s of eve of liabilit , conditi	ry kind on my bo ies of every kind ons, and excepti	ehalf; grant legally d on my behalf; to ions on my behalf;
that my ag personally this applica statements Angleton, words and my propert legal autho	ent has less than ful participate in the dis ation are part of an made by my ager its officers, agents actions from all dy is owned by a corprity to make this bin a reference to the	Il authority to act, thei position of the applic official proceeding ont. Therefore, I agris, employees, and tamages, attorney fectoration, partnership, ding appointment on	n the appation. It is of City gree to hird pares, inteventure,	plication may be solinderstand that all overnment and, old harmless all ties who act in rest and costs a or other legal enternial or other legal enternial and costs.	at any time it should appear uspended and I will have to il communications related to that the City will rely upon and indemnify the City of reliance upon my agent's rising from this matter. If tity, then I certify that I have every reference herein to 'I',
Printed/Typ	ed Name of owner	John Macek			Date 11-28-2022
*Application corporation of	must be signed by the rassociation.	he individual applicant,	, by each	partner of a partr	nership, or by an officer of a
Before me,	Brayor as	ghes, on this	day pers		John Macek
person whos	e name is subscribed se and consideration to	to the foregoing instrur	ment and	acknowledged to n	ne that he executed the same
Given under	AI) II 製企業 Cor	LAUREN HUGHES ary Public, State of Texas mm. Expires 06-07-2025 Notary ID 131162542	day of	Notary Public Sign	
	William, b	1010/7/10 101/02042	16	Commission Expi	res



CITY OF ANGLETON APPOINTMENT OF AGENT

As owner of the property described as <u>COUNTY ROAD 220, ANGLETON TEXAS 77515 (ID 161699 & 161,700)</u>
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Brazos Funding, LLC.
Mailing Address: 4702 Brazos River Rd Email;rhonda@sollockmetalworks.com
City: Freeport State: Texas Zip: 77541 -
Home Phone: (979) 292-4146 Business Phone: (979) 583-2260
I verify that I am the legal owner of the subject property and I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:
be the point of contact between myself and the City: make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.
I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Angleton, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity. Signature of owner Title
Printed/Typed Name of owner Warren Lane Sbrusch Date 11-28 - 2022
*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.
STATE OF TEXAS §
COUNTY OF TATAS (S)
Before me,
Given under my hand and seal of office this 28 day of Nov., 2022
(SEAL) LAUREN HUGHES Notary Public, State of Texas Comm. Expires 06-07-2025 Notary ID 131162542 Commission Expires

2022 TAX STATEMENT



KRISTIN R. BULANEK **BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR** 111 E. LOCUST **ANGLETON, TEXAS 77515**

Certified Owner:

SBRUSCH JOYCE JEAN & JOHN MACEK & ELAINE 3399 COUNTY ROAD 352 BRAZORIA, TX 77422-7301

Legal Description:

A0134 E WALLER BLOCK 5 TRACT 6-6A1 (SD

E/2) ACRES 15.482 (ANGLETON)

Account No: 0134-0354-110

Appr. Dist. No.: 161699

Legal Acres: 15.4820

Parcel Address: COUNTY ROAD 220

As of Date: 11/28/2022]	Print Date: 11/2	8/2022	
Market Value		Appraised	Assessed	Capped	Homesite	Agricultural	Non-Qualifying
Land Impro	vement	Value	Value	Value	Value	Market Value	Value
\$253,540	\$1,820	\$255,3	\$255,360	\$0	\$0	\$253,540	\$1,820
Taxing		Assessed	Exem	ptions	Taxable	Tax	Т
Unit	Va	lue (100%)	Code	Amount	Value	Rate	Tax
RAZORIA COUNTY		\$255,360	OSP	\$252,610.00	\$2,7	750 0.2911060	\$8.01

Taxing	Assessed	Exempt	ions	Taxable Value	Tax Rate	Tax
Unit	Value (100%)	Code	Amount			
BRAZORIA COUNTY	\$255,360	OSP	\$252,610.00	\$2,750	0.2911060	\$8.01
Amount saved by additional sales to	ax revenue \$2.29					-
SPECIAL ROAD & BRIDGE	\$255,360	OSP	\$252,610.00	\$2,750	0.0500000	\$1.38
ANGLETON ISD	\$255,360	OSP	\$252,610.00	\$2,750	1.2296000	\$33.81
ANGLETON - DANBURY HOSPIT	\$255,360	OSP	\$252,610.00	\$2,750	0.1609430	\$4.43
PORT FREEPORT	\$255,360	OSP	\$252,610.00	\$2,750	0.0350000	\$0.96
ANGLETON DRAINAGE DIST. N	\$255,360	OSP	\$252,610.00	\$2,750	0.0700000	\$1.93
CITY OF ANGLETON	\$255,360	OSP	\$252,610.00	\$2,750	0.6187600	\$17.02

Total Tax:

Total Tax Paid to date: \$0.00 Total Tax Remaining: \$67.54

\$67.54

Exemptions:

OPEN SPACE 1-D-1

AMOUNT DUE IF PAID BY:

11/30/2022 0%	01/02/2023 0%	01/31/2023 0%	02/28/2023 7%	03/31/2023 9%	05/01/2023 11%
\$67.54	\$67.54	\$67.54	\$72.28	\$73.61	\$74.97
05/31/2023 13%	06/30/2023 15%	07/31/2023 18 + up to 20%	08/31/2023 19 + up to 20%	10/02/2023 20 + up to 20%	10/31/2023 21 + up to 20%
\$76.32	\$77.66	\$95.66	\$96.44	\$97.24	\$98.06

School Information:

ANGLETON ISD 2022 M&O .85460000 I&S .37500000 Total 1.2296000 2021 M&O .87200000 I&S .39500000 Total 1.2670000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.74

Print Date: 11/28/2022

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

KRISTIN R. BULANEK BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR 111 E. LOCUST ANGLETON, TEXAS 77515 (979) 864-1320, (979) 388-1320, (281) 756-1320

0134-0354-110 SBRUSCH JOYCE JEAN & JOHN MACEK & ELAINE 3399 COUNTY ROAD 352 BRAZORIA, TX 77422-7301

AMOUNT PAID:

ORDINANCE NO. 2023xxxx-xxx

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, TO AMEND THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING MAP DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE OF 15.895 ACRES FROM THE PLANNED DISTRICT (PD) TO THE LIGHT INDUSTRIAL (LI), FOR PROPERTY LOCATED ON THE NORTH SIDE OF CR220, 237 FT. EAST OF THE INTERSECTION OF SHANKS RD., ANGLETON, TX.; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission conducted a public hearing on January 5, 2023; and

WHEREAS, the City Council conducted a public hearing on January 10, 2023; and

WHEREAS, notice of the public hearings was published in *The Facts* and mailed to property owners within 200 feet of the zoning request; and

WHEREAS, the Planning and Zoning Commission, on January 5, 2023, made findings of fact that rezoning 15.895 acres from the Planned District to the Light Industrial District (LI), for property located on the north side of CR220, 237 ft. East of the intersection of Shanks Rd., Angleton, TX would be consistent with the adjacent property in the area, and the spirit and intent of recommendations of the Comprehensive Plan, and with generally accepted urban planning principals; and

WHEREAS, the City Council, on January 10, 2023, adopted by reference the findings of fact made by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1. That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 2. The Property is more fully described in Exhibit "B,", and depicted on the Rezoning Plat, Exhibit "A", attached hereto and made a part hereof for all purposes be rezoned from the Planned District to the Light Industrial District (LI).

SECTION 3. That the Official Zoning Map of the City of Angleton is hereby amended in accordance with the provisions of this Ordinance to show the change in zoning district

classification.

SECTION 4. That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

SECTION 5. That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 6. That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code - Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 7. That this Ordinance shall be effective and in full force immediately upon its adoption.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY 10, 2023.

	CITY OF ANGLETON, TE	XAS
	Jason Perez	
ATTEST:	Mayor	
1111251.		
Michelle Perez, TRMC		
City Secretary		

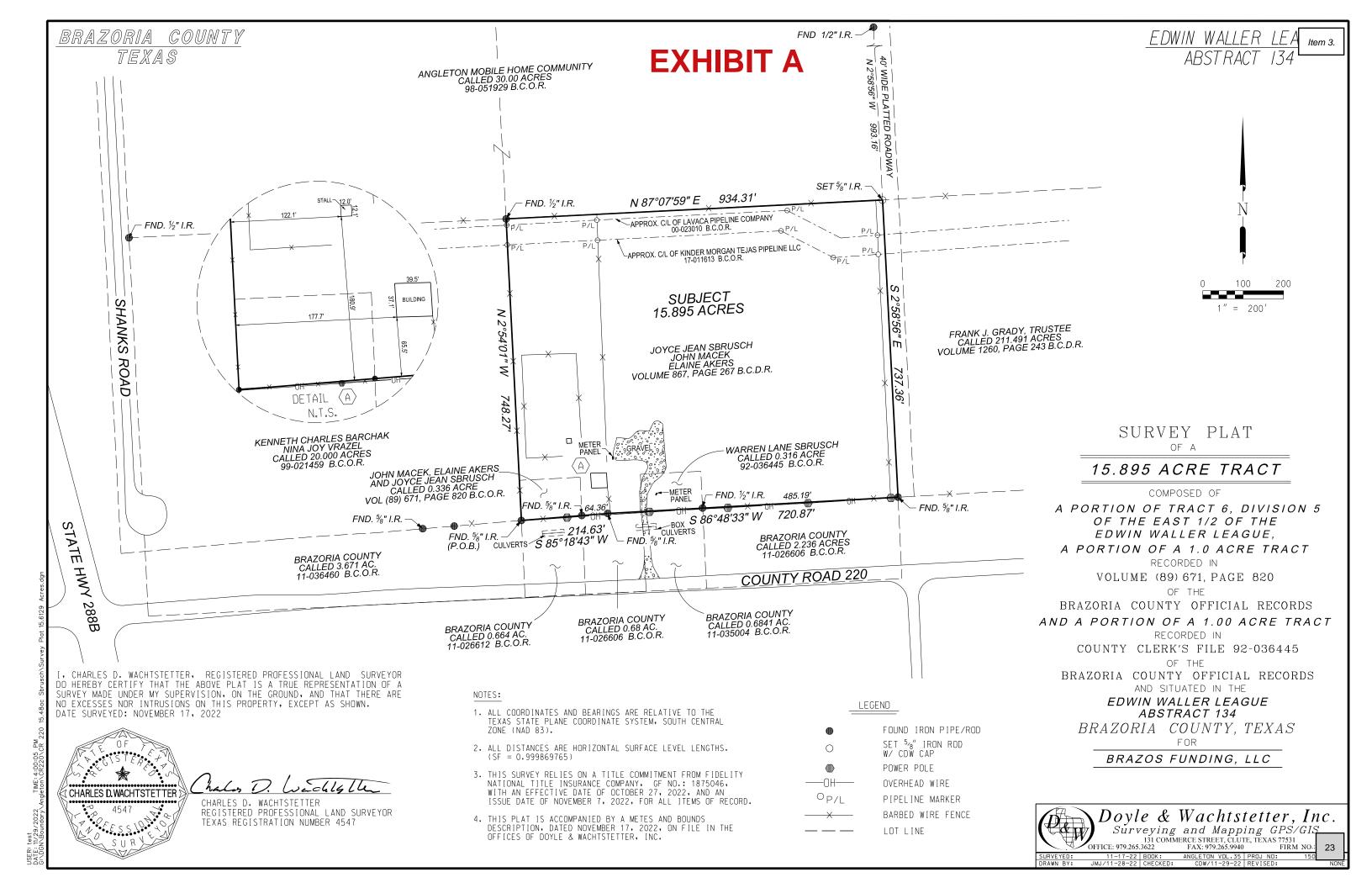


EXHIBIT B



15.895 ACRES EDWIN WALLER LEAGUE, ABSTRACT 134 BRAZORIA COUNTY, TEXAS PAGE 1 OF 2

ALL THAT CERTAIN 15.895 ACRES of land composed of a portion of Tract 6 of Division 5 of the subdivision of the east half of the Edwin Waller League recorded in Volume 26, Page 210 of the Brazoria County Deed Records, a portion of a called 1.0 acre tract recorded in Volume (89) 671, Page 820 of the Brazoria County Official Records and a portion of a called 1.00 acre tract recorded in County Clerk's File 92-036445 of the Brazoria County Official Records, all situated in the Edwin Waller League, Abstract 134, Brazoria County, Texas, and more particularly described by metes and bounds using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone, NAD 83 in which the directions are Lambert grid bearings and the distances are horizontal surface level lengths as follows:

BEGINNING at a found 5/8" iron rod marking the intersection of the north right-of-way line of County Road 220 (Coale Road) with the west line of said Tract 6, same being the northeast corner of a called 3.671 acre tract conveyed to Brazoria County in County Clerk's File 11-036460 of the Brazoria County Official Records, same being the northwest corner of a called 0.664 acre tract conveyed to Brazoria County in County Clerk's File 11-026612 of the Brazoria County Official Records, same being in the west line of a called 1.0 acre tract conveyed to Albina Frances McKibben in Volume (89) 671, Page 820 of the Brazoria County Deed Records;

THENCE North 2°54'01" West, coincident with the east line of a called 20.00 acre tract conveyed to Kenneth Charles Barchak and Nina Joy Vrazel described in County Clerk's File 99-021459 of the Brazoria County Official Records, same being the west line of said Tract 6, a distance of 748.27 feet to a found ½" iron rod marking the northeast corner of the said Barchak and Vrazel tract, same being set in the south line of a called 30.00 acre tract conveyed to Angleton Mobile Home Community in County Clerk's File 98-051929 of the Brazoria County Official Records;

THENCE North 87°07'59" East, coincident with the south line of the said Angleton Mobile Home Community 30.00 acre tract, a distance of 934.31 feet to a set 5/8" iron rod being set in the west right-of-way line of a 40' wide platted roadway (undeveloped), same being in the west line of a called 211.491 acre tract conveyed to Frank J. Grady, Trustee, recorded in Volume 1260, Page 243 of the Brazoria County Deed Records;

THENCE South 2°58'56" East, coincident with west right-of-way line of said platted roadway, same being the west line of the Grady 211.491 acre tract, a distance of 737.36 feet to a found 5/8" iron rod for corner in the north right-of-way line of County Road 220, same being the northeast corner of a called 2.236 acre tract conveyed to Brazoria County in County Clerk's File 11-026606 of the Brazoria County Official Records;

15.895 ACRES EDWIN WALLER LEAGUE, ABSTRACT 134 BRAZORIA COUNTY, TEXAS PAGE 2 OF 2

THENCE South 86°48'33" West, coincident with the north right-of-way line of County Road 220, same being the north line of said 2.236 acre tract, at a distance of 485.19 feet pass a found 1/2" iron rod, marking the east line of a called 1.00 acre tract conveyed to Warren Lane Sbrusch in County Clerk's File 92-036445 of the Brazoria County Official Records and continue to a total distance of 720.87 feet to a found 1/2" iron rod for angle point;

THENCE South 85°18'43" West, continuing coincident with the north right-of-way line of County Road 220, at a distance of 64.36 feet pass a found 5/8" iron rod marking the northwest corner of the aforementioned McKibben 1.0 acre tract and continue to a total distance of 214.63 feet to the **POINT OF BEGINNING**, containing 15.895 acres of land, more or less.

Charles D. Wachtstetter

Registered Professional Land Surveyor

Texas Registration Number 4547

November 17, 2022

This description is based on a survey, a plat of which, dated November 17, 2022 is on file in the office of Doyle & Wachtstetter, Inc.



AGENDA ITEM SUMMARY REPORT

MEETING DATE: January 5, 2023

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Discussion and take possible action on a request for approval of an

ordinance rezoning 0.4213 acres from Commercial Office-Retail District to C-OR to 2F, Two-Family Residential District (duplex

homes), for property located at 425 N. Walker St. at the SW corner of W. Live Oak St., Tract 163A20 Jose De Jesus Valderas Survey, A-380,

City of Angleton, TX, Brazoria County.

AGENDA ITEM SECTION: Public Hearing and Action Item

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

This is a request from Cory Morris to rezone 0.4213 acres of land from Commercial Office-Retail District (C-OR) to 2F, Two-Family Residential District (duplex home). The applicant's primary purpose is to convert the existing structure which was previously zoned to commercial, having one side unit formerly used for storage; the building is said to be completely gutted internally. The structure at one time is said to have been a laundry washeteria. The applicant hopes to add covered parking to the structure and utilize it as a duplex.

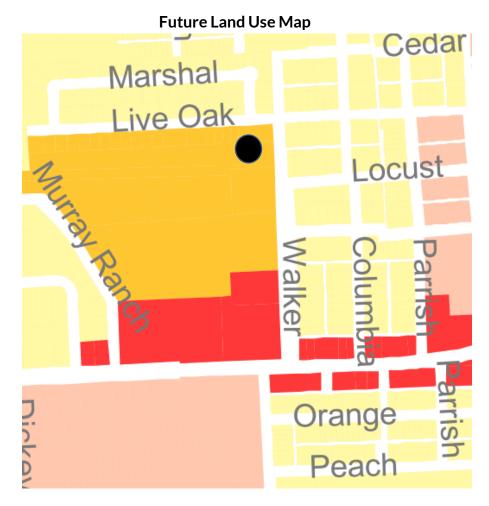
Property Description: Lot 163A20, 380 J DE VALDERAS, City of Angleton, Texas, as filed in Volume 1718, Page 9 of the Deed Records of Brazoria County, Texas.

Review Criteria and Findings of Fact:

In making a determination regarding a requested zoning change, the planning and zoning commission and the city council shall consider the following factors:

- a. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole. (Staff concurs the property is more appropriate as residential as opposed to the existing commercial zoning which results in spot zoning).
- b. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area; (There will be no negative impact on said capacity of public improvements).

- c. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of such vacant land unavailable for development; (Opportunities for infill development are adequate in the surrounding area; developing the property as commercial is not feasible and would not provide adequate commercial parking).
- d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change (Area is a stable residential neighborhood (approximately 40 yrs. old); this will provide a buffer next to the Broad Reach Power BRP utility power plant to the south).
- e. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. (This rezoning will provide for infill reinvestment, and a positive façade improvement to the neighborhood).
- f. Any other factors that will substantially affect the public health, safety, morals, or general welfare. (No factors will negatively affect the public health, safety, morals or general welfare).



The Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property as multi-family residential and consistency is achieved. The general vicinity has primarily single-family housing, the Washington Terrace Subdivision, originally platted in 1977-1978.

Existing Land Use and Zoning

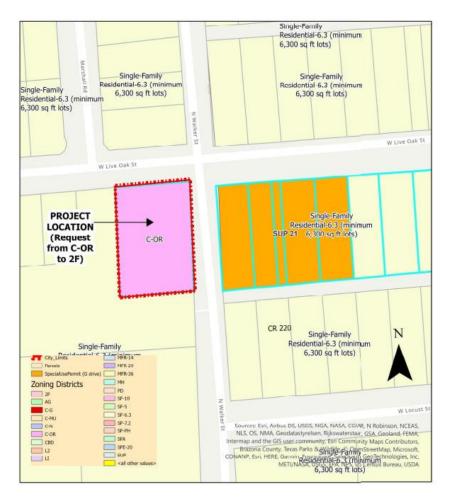
North: Single Family Home, SF Residential 6.3

East: SUP 21; Single Fam. Home (Now); Daycare Center, Approved 2006; ORD 2006-O-

6B.

West: Single Family Home, SF Residential 6.3

South: Broad Reach Power BRP utility power plant; zoned SF Residential 6.3



Property Location Map



Staff Analysis:

The Zoning Ordinance Sec. 28-49. - 2F for Two-family residential district (Duplex homes) outlines the requirements that must be met by this request.

General purpose and description: The 2F—Two-Family Residential District is intended to promote stable, quality multiple-occupancy residential development at slightly increased densities. Individual ownership of each of the two-family or duplex units is encouraged.

- Minimum lot area: 10,000 square feet per pair of dwelling units; 5,000 square feet per dwelling unit. This proposal would comply with the maximum density threshold.
- Parking regulations: A minimum of two parking spaces for each dwelling unit on the same lot as the main structure and on a paved driveway having a minimum length of 25 feet as measured from the street right-of-way line.
- Off-street parking and loading regulations shall remain in compliance with Section 28-101.
- Minimum floor area per dwelling unit for two-family/duplex homes: None.
- Maximum impervious surface coverage: shall not exceed 60 percent.
- Setback requirements for the structure shall remain in compliance with Sec. 28-49. 2F. As noted, the applicant proposes to add a carport to the existing structure that must meet the setback requirements. No further setback encroachment shall be permitted along the rear property line.
- The existing vegetation screen in the rear should be manicured and shall remain as a permanent natural screen to the adjacent residential.

SITE PHOTOS



VIEW LOOKING WEST AT PROJECT SITE



VIEW LOOKING SOUTH AT PROJECT SITE



VIEW LOOKING NORTHWEST AT SITE



VIEW LOOKING NORTHEAST AT ADJACENT HOME



VIEW LOOKING NORTH ON WALKER ST.



VIEW OF RESIDENTIAL NEAR THE SITE



P&Z RECOMMENDATION:

The Planning and Zoning Commission should adopt this as its final report and recommend approval of the rezoning of 0.4213 acres from Commercial Office-Retail District to C-OR to 2F, Two-Family Residential District (duplex homes), for property located at 425 N. Walker St..

SUGGESTED MOTION:

I move we accept staff recommendation adopting this as the final report and recommend approval of the ordinance rezoning of 0.4213 acres from Commercial Office-Retail District (C-OR) to 2F, Two-Family Residential District (duplex homes), for property located at 425 N. Walker St. and forward it to the City Council for final consideration and approval.

ORDINANCE NO. 2023xxxx-xxx

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, TO AMEND THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING MAP DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE TO A TRACT OF LAND CONTAINING 0.4213 ACRE, LOCATED AT 425 N. WALKER ST., ANGLETON, TEXAS; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission conducted a public hearing on January 5, 2023; and

WHEREAS, the City Council conducted a public hearing on January 24, 2023; and

WHEREAS, notice of the public hearings was published in *The Facts* and mailed to property owners within 200 feet of the zoning request; and

WHEREAS, the Planning and Zoning Commission, on January 5, 2023, made findings of fact that rezoning of the property from the Commercial- Office Retail (C-OR) District to the 2F, Two-Family Residential District (Duplex) be approved.

WHEREAS, the City Council, on January 24, 2023, adopted the final report by reference the findings of fact made by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1. That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 2. That the tract of land containing 0.4213 Acre, being Lot 163A20 in the Jose De Jesus Valderas Survey, Abstract 380 in the City of Angleton, Brazoria County, Texas. being the same tract recorded in the name of Kevin Manzano under Brazoria County Clerk's File (B.C.C.F.) No. 2016041486 of the Official Records of Brazoria County, Texas (O.R.B.C.T.), being further described in Volume 1718, Page 9 of the Brazoria County Deed records (B.C.D.R.), and being more particularly described by metes and bounds in Exhibit A, be rezoned from the Commercial- Office Retail (C-OR) District to the 2F, Two-Family Residential District (Duplex).

SECTION 3. That the Official Zoning Map of the City of Angleton is hereby amended in

accordance with the provisions of this Ordinance to show the change in zoning district classification.

SECTION 4. That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

SECTION 5. That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 6. That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code - Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 7. That this Ordinance shall be effective and in full force immediately upon its adoption.

PASSED AND APPROVED THIS 24TH DAY OF JANUARY, 2023.

	CITY OF ANGLETON, TEXAS
	Jason Perez
ATTEST:	Mayor
Michelle Perez, TRMC	
City Secretary	

Exhibit A Legal Description

A tract of land containing 0.4213 Acre, being Lot 163A20 in the Jose De Jesus Valderas Survey, Abstract 380 in the City of Angleton, Brazoria County, Texas. being the same tract recorded in the name of Kevin Manzano under Brazoria County Clerk's File (B.C.C.F.) No. 2016041486 of the Official Records of Brazoria County, Texas (O.R.B.C.T.), being further described in Volume 1718, Page 9 of the Brazoria County Deed records (B.C.D.R.), and being more particularly described by metes and bounds as follows: (Bearings based on Volume 1718, Page 9 of the B.C.D.R.)

BEGINNING at a ½ inch iron rod with a "Precision" cap set at the intersection of the south right-of-way line of West Live Oak Street (60 Feet wide), and the west right-of-way of North Walker Street, being the southeast corner of Washington Terrace Subdivision. Section 1 as recorded in Volume 8, Page 15 of the Brazoria County Plat Records, being the northeast corner of this tract;

THENCE, SOUTH 02° 32' 57" EAST, with said west right-of-way line, a distance of 166.10 Feet to a 5/8 Inch iron rod found at the southeast corner of this tract;

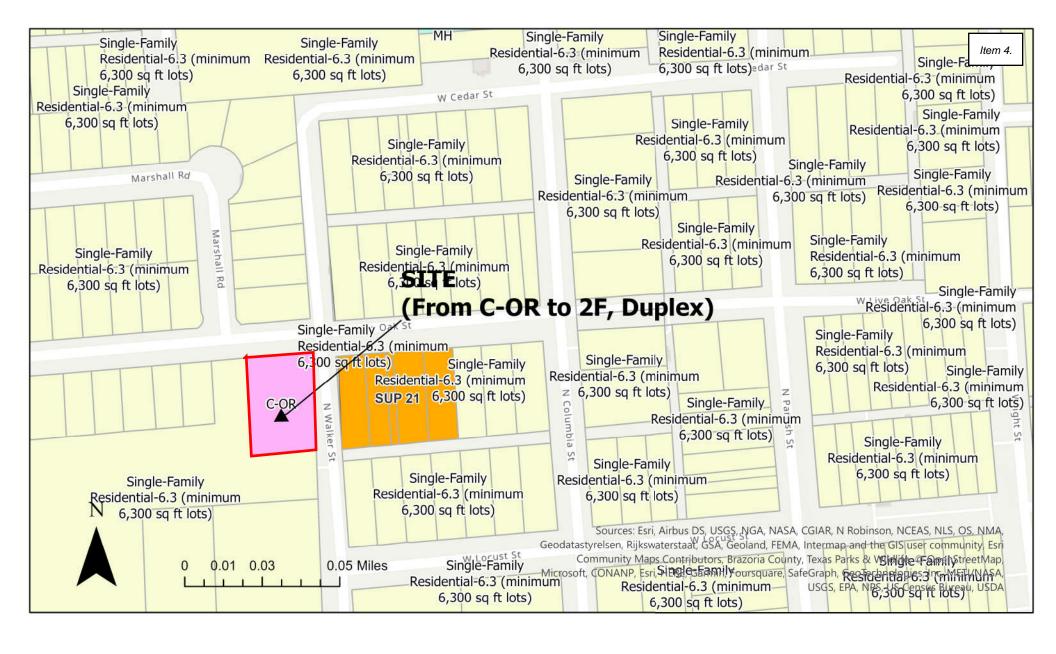
THENCE, with lines of a tract recorded in the name of Community Service Company in Volume 1467, Page 234 of the B.C.D.R., the following two (2) courses:

- 1. SOUTH 86° 53' 17" WEST, a distance of 110.49 Feet to a point at the southwest corner of this corner of this tract (from which a fence post bears South 30° 56' 06" East, a distance of 2.14 Feet);
- 2. NORTH 02° 32' 57" WEST, a distance of 166.10 Feet to a ½ Inch rod with a "Precision" cap set on the aforementioned south right-of-way line of West Live Oak Street at the northwest corner of this tract (from which a ½ Inch rod found bears South 86° 53' 17" West, a distance of 58.34 Feet, from said a 1/2 Inch rod found a 3/8 Iron rod found bears South 86° 53' 17" West, a distance of 101.92 Feet, From said 3/8 Inch iron found a second ½ Inch iron rod found bears South 86° 30' 46" West, a distance of 287.37 Feet, from said second 1/2 Inch Iron rod found a third 1/2 Inch Iron rod found bears South 86° 30' 46" West, A distance of 60.37 Feet, from said third 1/2 Inch iron rod found a fourth 1/2 Inch iron rod found bears South 86° 30' 46" West, a distance of 54.91 Feet);

THENCE, NORTH 86° 53' 17" East, with said south right-of-

way line, being the south line of the aforementioned Washington Terrace Subdivision, Section 1, a distance of 110.49 Feet to the POINT OF BEGINNING and containing 0.4213 Acre of land, more or less.

Property commonly known as: 425 N. Walker, Angleton, TX 77515



ZONING MAP 425 N. Walker St.

12190504 12/09/2022 9:17 AM	
1024 TERM: 105	OFFICE USE ONLY Date received: 12/1/22 Fee: \$ 150.00
300.1190 ZONING VAR/PLATTING VING/VARIANCE/PLA 150.00CR	P&Z Public Hearing date: Date to send cert. letters:
ENDERED: 150.00 CHECK .ap_led: 150.00-	Date to publish: date verified:
44 NGE: 0.00	TY OF ANGLETON -ZONE APPLICATION
	With StEmail: _
	State: MD Zip: 2001 siness Phone: 240-515-38891: 281-7287521
Home Phone:Bu	siness Phone: 240-515-58 (61): 281-128 1521
TO THE CITY OF ANGLETON.	XXES, FEES AND OBLIGATIONS HAVE BEEN PAID
Name of Applicant:	(If different than Property Owner)
	Email: Cralco 979@ Gmail
	State: Zip:
Home Phone: Bus	Siness Phone: Cell: 269-647-4929
Address/Location of Property to be	Re-zoned: 475. N Walker St. Angleton TX 77515
Legal Description: See OHACh Metes & Bound	ed 163A20
ATTACH MAP/SURVEY OF PRO	PERTY
Has the property been platted? Current Zoning: C.OR Cu Current Yacan Proposed Zoning: MFR-14 Pr	oposed Use: Use as malti-family
	DECEIVED

Application Fee: \$150.00 (must be submitted with application)

37



CITY OF ANGLETON APPOINTMENT OF AGENT

As owner of the p	roperty described as 425 the person designated below	N Walker	St, A	Anglet	ton, 7	X 77515	
Name of Agent: _	Cory Morris	V to act for	me, a	as my	ageni	in this request.	
Mailing Address:	3710 County Rd 36			Fr	nail:	armyof178@aol.co	m
City: Angleton	State:	TX	Zip: _ ⁷				
Home Phone: (_2	69 . 547-4020	_ Busines					
	legal owner of the subject prop and acts of my agent, and by n	perty and I a	acknov belov	wledge v, I fully	and a	offirm that I will be orize my agent to	legally
be the police the police terms of the police t	int of contact between my ions of fact and commitment wers of rights and releases degally binding modifications are documents on my behalf	self and (is of every of liabilities , condition f which are	the C kind s of e s, and legal	ity: m on my very ki i exce ly bind	ake l behai ind or ptions ing or	egally binding if; grant legally n my behalf; to on my behalf; n me.	
personally participate this application are p statements made by Angleton, its office words and actions t my property is owned	ne City will deal only with a test than full authority to act, the in the disposition of the applicant of an official proceeding my agent. Therefore, I aging, agents, employees, and the trom all damages, attorney for by a corporation, partnership, the this binding appointment on ence to the entity. THIS A	ation. I und of City goveree to hold hird partieses, interest venture, or behalf of the	derstar ernme d harr s who it and other ie enti	nd that and miess act in costs legal e	all con all con that and in relia arisin ntity, to	ended and I will hamunications relations relations. The City will rely indemnify the Conce upon my age from this matternations.	ave to ted to upon ity of gent's ter. If have
Signature of owner	m					ritle President	
Printed/Typed Name of	of owner Allen Karsnia	X				Date 12/06/202	2
*Application must be sly corporation or association	gned by the individual applicant, n.	by each pa	rtner c	of a pai	rtnersh	ip, or by an office	rofa
STATE OF TEXAS §							
COUNTY OF Houri	5_\$						
Before me, <u>Angelen</u> known to me (or proved to person whose name is suffer the purpose and consider	o me on the oath of hoscribed to the foregoing instrum deration therein expressed.	day persona o lent and ack	illy app or throu nowled	peared igh (<u>T</u> Iged to	Alla X DL me tha	en Kargnia to be the executed the	e the
Given under my hand and	seal of office this d	ay of Dice	unbe	r. 20	22		
MY MY	NGELENA L BOND NOTARY PUBLIC STATE OF TEXAS COMM. EXP. 05/19/26 DTARY ID 13075121-1	No	Mary Pi	dollo Sig	z J. gnature	Bond	





TAX CERTIFICATE

Issue Date : 11/21/2022 Certificate Fee : \$88.00

Customer: Patten Title Company

Branch: Main

Closer : System Integration
GF # : 9994-22-32628CM

Version: 1

ny Remit Certificate Fee To :
CERTSIMPLE, INC

CERTSIMPLE, INC P.O. Box 340787 Austin, TX 78734 (800) 806-3639

taxcerts@certsimpleusa.com

Buyer(s): Criss Maynard, Albert Maynard Owner(s) / Seller(s): MidAtlantic IRA, LLC FBO Allen

ivines diameter of the first

Karsnia IRA

Address: 425 North Walker Street, Angleton, TX

Account # : 171481

Total Taxes Summary for CAD Account(s): 171481

Due By Due By Collector Tax Year **Base Tax Base Due** 11/30/2022 12/31/2022 **Brazoria County** 2022 \$3,868.75 \$3,868.75 \$3,868.75 \$3,868.75 Collector Total: \$3,868.75 Acct #: 171481 \$3,868.75 \$3,868,75 \$3.868.75

Payable to: Brazoria County

111 E. Locust St. Angleton, TX 77515 (979) 849-5711

Total Taxes: \$3,868.75 \$3,868.75 \$3,868.75

IMPORTANT CERTIFICATE COMMENTS

Please Verify Legal Description(s) being reported on the Tax Cert matches the Legal Description(s) reported on the Title Commitment. If any discrepancies are found, please request an update for validation prior to closing.



TAX CERTIFICATE

Parcel 1 of 1		Assessment	Data	
Geographic ID	: 0380-0233-110		2021 Values	2022 Values
Property ID	: 171481	Land	: \$10,980	\$14,270
Situs Address	: 425 N WALKER ST	Improvement	: \$139,020	\$143,290
	: ANGLETON , TX 77515	Agricultural	: \$0	\$0
		Appraised	: \$150,000	\$157,560
Assessed Owner(s): MIDATLANTIC IRA (100%)	10% Cap	: \$0	\$0
Mailing Address(e	es): FBO ALLEN KARSNIA IRA, 118 W CHURCH ST, FREDERICK, MD 21701	Assessed	: \$150,000	\$157,560
Deed Reference Subdivision	: N: V: 2022 P: 021712 D: 04062022 : A0380	Est Taxes w/o Exemptions	: \$3,683	\$3,869
Acreage	: 0.42	Exemptions	: Homestead	No Exemptions

Legal Description

A0380 J DE J VALDERAS TRACT 163A20 (ANGLETON) ACRES 0.42

Tax Bill Summary					
Collector	Tax Year	Base Tax	Base Due	Due By 11/30/2022	Due By 12/31/2022
Brazoria County	2022	\$3,868.75	\$3,868.75	\$3,868.75	\$3,868.75
Acct #: 171481	Collector Total:	\$3,868.75	\$3,868.75	\$3,868.75	\$3,868.75
Payable to: Brazoria County 111 E. Locust St. Angleton, TX 77515 (979) 849-5711					
	Total Taxes :	\$3,868.75	\$3,868.75	\$3,868.75	\$3,868.75

This Section is for Information Purposes Only - Tax Bill Payment Status is Not reflected Below

Taxing Jurisdiction	ons - Total Tax Rate: 2.4554090	0000				
Collector	Taxing Jurisdiction	Rate Year	Tax Rate	Est Taxes	Bill Year	Base Amount
Brazoria County	Angleton Drainage District	2022	0.0700000000	\$110	2022	\$110.29
Brazoria County	Angleton ISD	2022	1.2296000000	\$1,937	2022	\$1,937.36
Brazoria County	Angleton-Danbury Hospital District	2022	0.1609430000	\$254	2022	\$253.58
Brazoria County	Brazoria County	2022	0.2911060000	\$459	2022	\$458.67
Brazoria County	City of Angleton	2022	0.6187600000	\$975	2022	\$974.92
Brazoria County	Port Freeport	2022	0.0350000000	\$55	2022	\$55.15
Brazoria County	Road & Bridge	2022	0.0500000000	\$79	2022	\$78.78

Bond Information			
Name	Bonds Approved	Bonds Issued	Standby Fees
Angleton Drainage District	\$0	\$0	\$0



HOA CERTIFICATE

Page 4 of 4

Item 4.

HOA Certificate

HOA Completed: 11/21/2022

Property Address: 425 N WALKER ST, ANGLETON, TX 77515

Owner Name: MIDATLANTIC IRA

Mailing Address: FBO ALLEN KARSNIA IRA, 118 W CHURCH ST, FREDERICK, MD 21701 Legal Description: A0380 J DE J VALDERAS TRACT 163A20 (ANGLETON) ACRES 0.42

Tax Account Number:

 Parcel ID:
 171481

 Acreage:
 0.42

 Subcode:
 A0380

HOA: HOA NOT FOUND - VERIFY HOA ADDENDUM DOCUMENT

Date Verified: Collection Cycle:

HOA Notes:

RESEARCH CONDUCTED THROUGH VARIOUS RESOURCES SUCH AS DEED RESTRICTIONS, ONLINE INFORMATION, ETC.. HAS INDICATED THIS SUBDIVISION MAY NOT BE PART OF A HOMEOWNERS ASSOCIATION

*** IF ADDITIONAL INFORMATION IS AVAILABLE IN THE HOA ADDENDUM, OR FROM THE SELLER OR REALTOR/AGENT, PLEASE CONTACT US SO WE MAY REVIEW AND UPDATE OUR DATABASE *****

HOA Certificate Disclaimer:



I-800-LANDSURVEY
www.precisionsurveyors.com

AMANDA CHAPA 713-966-4050

201—496—1585 FAX 281—496—1867 210—829—4941 FAX 210—829—1555 930 THREOMEDILE STREET SUITE 150 HOUSTON, TEMS 77079 1777 NE LOOP 410 SUITE 600 SM MITOMO, TEMS 77217 FRAM NO. 10/063700

BANN BY: AB

42

CITY OF ANGLETON, TEXAS
OF BRAZORIA COUNTY, TEXAS
(SEE ATTACHED METES AND BOUNDS DESCRIPTION)

LOT 163A20 DE JESUS VALDERAS SURVEY, A-380

0.4213 ACRE



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 5, 2023

PREPARED BY: Otis T. Spriggs, AICP, Development Services Director

AGENDA CONTENT: Conduct a public hearing, discussion and possible action on an

ordinance to amend previously approved Planned Development (PD) District No. 3., on an approximate 164.50 acres of land located on the north side of Anchor Road (CR 44) approximately 2,000 feet northwest

of W. Wilkens Street.

AGENDA ITEM SECTION: Public Hearing and possible action

BUDGETED AMOUNT: None FUNDS REQUESTED: None

FUND: None

EXECUTIVE SUMMARY:

This is a request from the owner/developer of the Austin Colony Development, PD No. 3, regarding modifications to ordinance on an approximate 164.50 acres of land.

A request to rezone the property from the AG Zoning District originates as earlier as March of 2021. After a number of renditions of the plan it was adopted as PD No. 3 on August 10, 2021 and amended on February 22, 2022 by City Council. The owner/developer has provided a revised phasing plan (Exhibit C) that further explains the components of the attached Land Plan (Exhibit B). The owner/developer would like to keep the same number of 50 ft. lots. The additional 26 lots were moved to the 60 ft. lot width category.

Current Approved Land Plan: Ordinance No. 20220222-016

LOT SIZE	NUMBER	PERCENTAGE OF TOTAL
Minimum 50 ft wide	100	18.52%
Minimum 55 ft wide	219	40.56%
Minimum 60 ft. wide	221	40.92%
TOTAL	540	100%

Proposed Amended Land Plan

LOT SIZE	NUMBER	PERCENTAGE OF TOTAL
Minimum 50 ft wide	100	17.67%
Minimum 55 ft wide	215	37.99%
Minimum 60 ft. wide	251	44.34%
TOTAL	566	100%

The applicant's primary purpose for this amendment is to make minor adjustments to the laha plan, redesigning Austin Colony Boulevard to be a local interior street with single family homes fronting on both sides. The four-lane Boulevard-Tigner St. will remain as approved: Austin Colony Boulevard was originally designed the same with no houses fronting on the corridor. This modification was made to avoid safety issues for children, as well as cost increases.

The timing of Tigner Street, full connection of Tigner St. to CR 44 will be contingent upon the Commercial area developing at Anchor Rd.

All amenities of the original PD No. 3 remain, such as the proposed entry monument and private open space within the project. Tigner Road will be extended east/west across the property with 25 ft. of paving in each direction and a six-foot median. Landscaping and "premium" fencing are proposed along Tigner Street, the revised fencing plan has been updated. Private open space is also proposed that will be developed as playgrounds although no details have been provided on how those will be developed. The developer has chosen parks fee-in-lieu of dedication of parkland.

The Future Land Use Plan from the Angleton Comprehensive Plan Update designates the subject property as being appropriate for single family residential use and office/retail/multi-family residential use. The proposed rezoning is further supported by Goals 1 & 2 of Chapter 3 Land Use as well as Goals 1 & 2 of Chapter 8 Housing of the Comprehensive Plan.

Chapter 3 - Land Use

Goal One: High quality development that promotes sensible growth patterns and respects the small-town atmosphere and image of the community.

Goal Two: A pattern of development that promotes livable neighborhoods, viable commercial centers, and economic prosperity.

Chapter 8 - Housing

Goal One: A community in which quality housing is attractive available and affordable to all residents.

Goal Two: A variety of housing options that meets the needs of an increasingly diverse population.

Existing Land Use and Zoning

North: Undeveloped land in the ETJ and further north largely undeveloped land in the Commercial General District (C-G).

East: Undeveloped land in the Commercial General District (C-G) and the Planned Development District (PD) and developed land in the Single Family 7.2 District (SF 7.2), and undeveloped Multifamily Residential 29 (MFR-29) district for apartments having a maximum density of 29 dwelling units per acre.

South: Anchor Road (CR 44), Agricultural (AG) district with a church, single family residential development in the SF-7. 2 district and Lakeside Park.

West: Some development the ETJ across Carr Road and then some development in the Planned Development District (PD) and Commercial General (C-G) districts along SH 288.

Item 5.

Anchor Road is designated as a Minor Collector on the Mobility Plan in this area. Carr Road is designated as a Minor Collector. Cannan/Tigner Drive is designated to extend into the property. Karankawa Lane (along the eastern property line) is designated in part as an existing Minor Collector and in-part as a proposed Minor Collector.

The proposed request is consistent with the Future Land Use Plan and is supported by several goals of the Comprehensive Plan.

Staff Summary/Comments:

The planned development district shall be developed in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance, specifically, all regulations governing the Land Plan (Exhibit "B") attached hereto and made a part hereof for all purposes, and is subject to the following regulations and restrictions:

Use regulations. In the planned development district, no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance. The uses may only be located in the locations indicated for such uses in Exhibit "C":

Signage, Fencing, Heritage Tree Preservation, and Parkland regulations. All amenities of the original PD No. Three (3) shall remain including the proposed entry monument and private open space within the project. Tigner Street will be extended east/west across the property with 25 ft. of paving in each direction and a six-foot median. Landscaping and "premium" fencing shall be installed along Tigner Street, per the revised fencing plan (Exhibit "D"). The parkland dedication requirements shall be satisfied by the applicant/owner for the chosen option of parks fee-in-lieu of dedication of parkland.

Development Schedule. The property shall be developed in accordance with the development schedule attached hereto as Exhibit "C".

RECOMMENDATION:

Staff recommends approval of the proposed amendment to PD#3, Planned Development (PD) District.

SUGGESTED MOTION:

I move we recommend approval of the amendment to PD#3, Planned Development (PD) District and forward it to City Council for final consideration and approval.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS. AMENDINGREGULATIONS IN PD PLANNED DEVELOPMENT DISTRICT NO. THREE (3), AUSTIN COLONY; AMENDING THE LAND PLAN **AUTHORIZED WITHIN** SUCH PD **PLANNED** DEVELOPMENT DISTRICT TO ALLOW STREET CONNECTIVITY; AMENDING THE LAND PLAN AND DEVELOPMENT SCHEDULE: DESCRIBING 164.5 ACRES OF LAND; AMENDING THE ZONING DISTRICT MAP OF THE CITY OF ANGLETON; PROVIDING FOR REPEAL; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

WHEREAS, Tejas-Angleton Development LLC, are the owner/applicant of approximately 164.5 acres of land within the corporate limits of the City of Angleton, Texas (the "Property"); and

WHEREAS, said the Property presently has a zoning classification of PD Planned Development District No. 3 pursuant to Ordinance No. 20210810-008 and 20220222-016, adopted on August 10, 221 and February 22, 2022 consecutively; and

WHEREAS, the owner/applicant has made application to the City of Angleton to amend PD Plan Development District No. Three (3); and

WHEREAS, pursuant to Sec. 28-24 of the City of Angleton LDC and Zoning Ordinance, said application was submitted to the City of Angleton with proof of unified ownership or control of the Property; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City of Angleton have each conducted, in the time and manner and after the notice required and the City of Angleton LDC and Zoning Ordinance, a public hearing proposed change in zoning regulations; and

WHEREAS, the City of Angleton Planning and Zoning Commission has issued its final report and the City Council of the City of Angleton now deems it appropriate to grant such requested amendments; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. As required by law, the City Council of the City of Angleton conducted the public hearing on the request and closed the public hearing prior to the final adoption of this Ordinance.

Section 3. The Property is more fully described in Exhibit "A," attached hereto and made a part hereof for all purposes.

Section 4. The planned development district shall be developed in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance, specifically, all regulations governing the Land Plan (Exhibit "B") attached hereto and made a part hereof for all purposes, and is subject to the following regulations and restrictions:

- **A. Use regulations.** In the planned development district, no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered or enlarged except as provided in this Ordinance. The uses may only be located in the locations indicated for such uses in Exhibit "C":
- **B.** Signage, Fencing, Heritage Tree Preservation, and Parkland regulations. All amenities of the original PD No. Three (3) shall remain including the proposed entry monument and private open space within the project. Tigner Street will be extended east/west across the property with 25 ft. of paving in each direction and a six-foot median. Landscaping and "premium" fencing shall be installed along Tigner Street, per the revised fencing plan (Exhibit "D"). The parkland dedication requirements shall be satisfied by the applicant/owner for the chosen option of parks fee-in-lieu of dedication of parkland.
- **C. Development Schedule.** The property shall be developed in accordance with the development schedule attached hereto as Exhibit "C".

Section 5. The Zoning District Map of the City of Angleton shall be revised and amended to show the zoning classification of said 164.5-acre tract of land with the appropriate references thereon to the number and effective date of this Ordinance and a brief description of the nature of these changes.

Section 6. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City of Angleton, save and except the changes and the imposition of the findings, regulations, restrictions and conditions contained herein.

Section 7. *Repeal*. Ordinance Number 20220222-016, adopted by the City Council of the City of Angleton on February 22, 2022, is hereby repealed only to the extent of conflict with this Ordinance. Any ordinance or any other part of any other ordinance in conflict here with shall be and is hereby repealed only to the extent of such conflict.

Section 8. Penalty. Any person, firm, partnership, association, corporation, company, or organization of any kind who or which violates any provision of this zoning ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not to exceed Five Hundred Dollars (\$500.00). Each day during which said violation shall exist or occur shall constitute a separate offense. The owner or owners of any property or of premises where any violation of this zoning ordinance shall occur, and any agent, contractor, builder, architect, person, or corporation who shall assist in the commission of such offense

shall be guilty of a separate offense unless otherwise prohibited by law and, upon conviction thereof, shall be punished as above provided.

Section 9. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the Angleton, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED and APPROVED this 10 day of January, 2023.

Jason Perez, Mayor

ATTEST:

Michelle Perez, City Secretary

Exhibit A
The Property

GALLED TO ACRES STRUMEN F, GRAY BLGCF, No. 2008070678 CALLED TO ACRES DESCRIPTION F, SHAP BECCE, No. TRANSCOTTES BECTY No TORNORALI BECTY NO TORNORALI BECTY NO TORNORALI 84 73 83 CHARGE STOCK STOCK, SEC. AND STOCKS S The Property Exhibit A DELEG HARRY AURES ASSETS BAD CHIEN BADGE, No. 16080002394 63 81 LAND TITLE SURVEY 164.50 ACRES BEING 168.97 ACRES, SAVE AND EXCEPT 2.472 ACRES LOTS 74, 80, 81, 82 AND 83 AND A PORTION OF LOTS 73, 75, 76, 77 AND 84 OF NEW YORK AND TEXAS LAND COMPANY SUBDIVISION VOL. 28, Pg. 140 B.C.D.R. J. DEL J. VALDERAS SURVEY, ABSTRACT No. 380 BRAZORIA COUNTY, TEXAS 300 EAST CEDAR ST. ANGLETON, TEXAS 77515 OFFICE: (979) 849-8681 TEPLS No. 10052500 REG. NO. F-825 TOT Object St. DE

Exhibit A



County:

Brazoria

Project:

150 Acres Anchor Rd

Job No .: 14257

FIELD NOTES FOR 164.50 ACRE

Being a tract of land containing 164.50 acres (7,165,737 square feet), located within J. De J Valderas Survey, Abstract Number (No.) 380, in Brazoria County, Texas; Said 164.50 acre tract being all of Lots 74, 80, 81, 82 and 83 and a portion of Lots 73, 75, 76, 77 and 84 of the New York and Texas Land Company Subdivision recorded under Volume (Vol.) 26, Page 140 of the Brazoria County Deed Records (B.C.D.R.), being a 166.97 acre tract save and except a 2.472 acre tract recorded in the name of Thomas H. Journeay and Elizabeth Journeay under Brazoria County Clerk's File (B.C.C.F.) No. 2014047617; Said 164.50 acres being more particularly described by metes and bounds as follows (bearings are based on the Texas Coordinate System of 1983, (NAD83) South Central Zone, per GPS observations):

Overall 166.97 acre tract:

BEGINNING at a 1/2-inch iron rod with cap found on the northeast right-of-way (R.O.W.) line of Anchor Road (AKA County Road 44, one hundred ten feet wide), on the south line of said Lot 77, at the northwest corner of Lot 1 of the Angleton Meadows Business Park recorded under Plat No. 2005019895 of the Brazoria County Plat Records (B.C.P.R.), for the southwest corner of the herein described tract;

THENCE, with the northeast R.O.W. line of said Anchor Road, North 47 degrees 10 minutes 56 seconds West, a distance of 853.57 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the south corner of a called 1.50 acre tract recorded in the name of Williams M. Tigner, II under B.C.C.F. No. 2019055977, for an angle point of the herein described tract;

THENCE, with the easterly lines of said 1.50 acre tract the following four (4) courses:

- 1. North 43 degrees 09 minutes 58 seconds East, at a distance of 1.35 feet pass a 1/2-inch iron rod with cap found for reference, continue in all a distance of 122.66 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set for an interior corner of the herein described tract:
- 2. North 49 degrees 37 minutes 04 seconds West, a distance of 128.89 feet to a 1/2-inch iron rod with cap found for an angle point;
- 3. North 42 degrees 06 minutes 44 seconds East, a distance of 126.66 feet to a 1/2-inch iron rod with cap found for an interior corner of the herein described tract;
- 4. North 49 degrees 03 minutes 29 seconds West, a distance of 208.32 feet to a 1/2-inch iron rod with cap found at the north corner of said 1.50 acre tract, for an interior corner of the herein described tract;

300 E Cedar St, Angleton, Texas 77515 * Phone: (979) 849-6681 Texas Firm Registration No. 10052500

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Exhibit A The Property pg.3



THENCE, with the northwest line of said 1.50 acre tract, South 43 degrees 14 minutes 22 seconds West, at a distance of 235.10 feet pass a 1/2-inch iron rod with cap found for reference, continue in all a distance of 237.02 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set on the northeast R.O.W. line of said Anchor Road, at the west corner of said 1.50 acre tract, for an angle point;

THENCE, with the northeast R.O.W. line of said Anchor Road, North 47 degrees 10 minutes 56 seconds West, a distance of 329.32 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set on the east line of an undeveloped road (sixty feet wide per Vol. 26, Page 140 B.C.D.R.) on the west line of said Lot 76, for the southwest corner of the herein described tract;

THENCE, with the east line of said undeveloped road and the west lines of said Lots 76, 75, 74 and 73, North 02 degrees 57 minutes 24 seconds West, a distance of 1,941.54 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the southwest corner of a called 10 acre tract recorded in the name of Benjamin F. Gray under B.C.C.F. No. 1999047350, for the northwest corner of the herein described tract;

THENCE, with the south line of said 10 acre tract, North 87 degrees 11 minutes 18 seconds East, a distance of 1,320.08 feet to a 5/8-inch iron rod found at southwest corner of a called 10 acre tract recorded in the name of Benjamin F. Gray under B.C.C.F. No. 2006070636, at the southeast corner of said 10 acre tract recorded in B.C.C.F. No. 1999047350, fort the northwest corner of a 60' X 1,320' strip recorded in the name of Benjamin F. Gray under B.C.C.F. No. 2003054771, for an angle point;

THENCE, with the west line of said a 60' X 1,320' strip, South 02 degrees 52 minutes 02 seconds East, a distance of 60.00 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set a the southwest corner of said a 60' X 1,320' strip, for an interior corner of the herein described tract;

THENCE, with the south line of said a 60' X 1,320' strip, North 87 degrees 07 minutes 58 seconds East, a distance of 1,321.11 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set on the west line of Karankawa Road (undeveloped sixty feet wide per Vol. 26, page 140 B.C.D.R.), at the southeast corner of said a 60' X 1,320' strip, for the northeast corner of the herein described tract;

THENCE, with the west R.O.W. line of said Karankawa Road, being the east line of Lots 84, 83, 82, 81 and 80, South 02 degrees 52 minutes 54 seconds East, a distance of 2,970.25 feet to a 5/8-inch iron rod with cap stamped "Baker & Lawson" set at the northeast corner of a twenty-foot drainage easement dedicated by the Second Replat of Angleton Meadows Subdivision recorded under Vol. 17, Page 263 of the B.C.P.R., for the southeast corner of said Lot 80 and the herein described tract:

THENCE, with the north line of said Angleton Meadows Subdivision and Angleton Meadows Business Park, and the south lines of said Lots 80 and 77, South 87 degrees 09 minutes 29 seconds West, a distance of 1,575.33 feet to the **POINT OF BEGINNING** and containing 166.97 acres of land.

300 E Cedar St, Angleton, Texas 77515 • Phone: (979) 849-6681 Texas Firm Registration No. 10052500

Item 5.

Exhibit A The Property pg.4



SAVE AND EXCEPT 2.47 ACRES:

COMMENCING at a 1/2-inch iron rod with cap found on the northeast right-of-way (R.O.W.) line of Anchor Road (AKA County Road 44, one hundred ten feet wide), on the south line of said Lot 77, at the northwest corner of Lot 1 of the Angleton Meadows Business Park recorded under Plat No. 2005019895 of the Brazoria County Plat Records (B.C.P.R.);

THENCE, with the northeast R.O.W. line of said Anchor Road, North 47 degrees 10 minutes 56 seconds West, a distance of 1,245.66 feet to an angle point;

THENCE, through and across said Lot 76 the following five (5) courses:

- 1. North 42 degrees 49 minutes 04 seconds East, a distance of 284.35 feet to a 5/8-inch iron rod found for the south corner and POINT OF BEGINNING of the herein described tract;
- 2. North 18 degrees 16 minutes 53 seconds West, a distance of 571.37 feet to a 5/8-inch iron rod found at the northwest corner of the herein described tract;
- 3. North 88 degrees 50 minutes 27 seconds East, a distance of 299.56 feet to a 5/8-inch iron rod found at the northeast corner of the herein described tract;
- 4. South 00 degrees 07 minutes 27 seconds West, a distance of 434.88 feet to a 5/8-inch iron rod found at the southeast corner of the herein described tract;
- 5. South 46 degrees 22 minutes 47 seconds West, a distance of 164.83 feet to the POINT OF BEGINNING and containing 2.47 acres of land.

OVERALL: 166.97 ACRES

SAVE AND EXCEPT: 2.47 ACRES

TOTAL: 164.50 ACRES

A land title survey of the herein described tract has been prepared by Baker & Lawson Inc. and accompanies this metes and bounds description.

Devin R. Royal

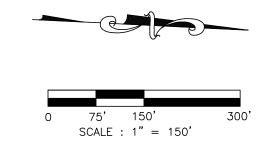
Registered Professional Land Surveyor

Texas Registration No. 6667



300 E Cedar St, Angleton, Texas 77515 • Phone: (979) 849-6681 Texas Firm Registration No. 10052500

EXHIBIT B LAND PLAN



LOT SUMMARY



SECTION 1A 50 LOTS 30-50', 20-55'



SECTION 1B
50 LOTS
50-55'



SECTION 2A 53 LOTS 24-50', 29-55'



SECTION 2B 47 LOTS 46-50', 1-55'



SECTION 3 52 LOTS 43-55', 9-60'



SECTION 4 63 LOTS 46-55', 17-60'



• 50' LOTS







SECTION 6 41 LOTS 41-60'



SECTION 7 50 LOTS 50-60'





SECTION 9 COMMERCIAL RESERVE OR 55-60' LOTS

TOTAL LOTS 566

100 - 50' LOTS 215 - 55' LOTS 251 - 60' LOTS

Austin Colony Subdivision

164.50 ACRES OF LAND



Exhibit CDevelopment Standards and District Regulations

All regulations of the Code of Ordinances of the City of Angleton shall apply in this Planned Development PD Three (3) unless otherwise modified in this Exhibit or the PD Planned Development Overlay District Three (3) Ordinance.

REGULATIONS for Phases 1A, 1B, 2A, 2B, 3, 4, 5, 6, 7, 8 and 9. as identified in Exhibit "B":

- **1. Base District.** The provisions of Section 28-47 SF-5 Single Family Residential 5 District of the City of Angleton Code of Ordinances, as adopted upon the effective date of this ordinance shall apply to Phases 1A, 1B, 2A, 2B, 3, 4, 5, 6, 7, 8 and 9, except as otherwise modified herein.
- **2.** Uses. Those uses described for the SF-5 district in Section 28-81 Use Regulations (Charts) shall be permitted for Phases 1A, 1B, 2A, 2B, 3, 4, 5, 6, 7, 8 and 9.
- **3.** Lot Dimensions and Development. The lots shall be the size depicted in Exhibit "B" and shall be approximately 120 feet in length, with the front width of each lot as set forth in this Sections and Lot Summary Chart.

	SECTIONS AN	ND LOT SUMMA	ARY CHART	
Section	Lot Width 50 Feet	Lot Width 55 Feet	Lot Width 60 Feet	Section Lot Total
1A	30 Lots	20 Lots		50 Lots
1B		50 Lots		50 Lots
Section 2A	24 Lots	29 Lots		53 Lots
Section 2B	46 Lots	1 Lots		47 Lots
Section 3		43 Lots	9 Lots	52 Lots
Section 4		46 Lots	17 Lots	63 Lots
Section 5		26 Lots	35 Lots	61 Lots
Section 6			41 Lots	41 Lots
Section 7			50 Lots	50 Lots
Section 8			44 Lots	44 Lots
Section 9 Commercial reserve or 55-60 Lots			55 Lots	
Lot Size Total	100 Lots	215 Lots	251 Lots	566 Lots
Size%	17.67%	37.99%	44.34%	100%

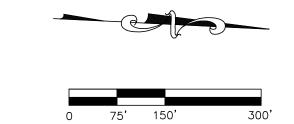
- **4. Entry Monument.** An Entry Monument shall be placed at the corner of Austin Colony Boulevard and County Road 44, which is the entry to the Project off County Road 44. The Entry Monument shall be either brick or stone with landscaping, planted grass, shrubs, an irrigation system and lighting.
- 5. **Fencing.** Developer agrees to install perimeter fencing as depicted in **Exhibit "D"** attached hereto. Developer agrees to install premium, stained, crowned fencing along the

rear Property lines of all lots at the intersection of the Austin Colony Boulevard entrance at CR 44 (Anchor Road) and along both sides of the extension of Tigner Street. All perimeter fencing shall be maintained by the Homeowners' Association. Perimeter fencing shall not be installed within any street intersection sight triangles. All fencing for each proposed development phase shall be installed prior to the occupancy of any residence in that phase. All wood fencing will have a top cap.

REGULATIONS for Phase 9 as identified by Exhibit "B":

- **1. Base District.** The provisions of Section 28-58 C-O/R Commercial-Office/Retail District of the City of Angleton Code of Ordinances, as adopted upon the effective date of this ordinance, shall apply to Phase 9 of the Property subject to the provisions of this Exhibit and the PD Planned Development Overlay District Three (3) Ordinance.
- 2. In the event the then current owner of the property depicted as Phase 9 of Exhibit "B" hereof has not applied for a building permit for an office or retail use permitted by Section 28-81 of the City of Angleton Code of Ordinances (C-O/R Commercial office-Retail District) within six (6) years of the issuance of the first building permit in the project, the then current owner shall be automatically, and with no additional legislative action, be permitted to take all necessary steps to construct single family residential product consistent with the requirements of Section 28-47 SF-5 Single Family Residential District and Exhibit "B.".

EXHIBIT D FENCING PLAN



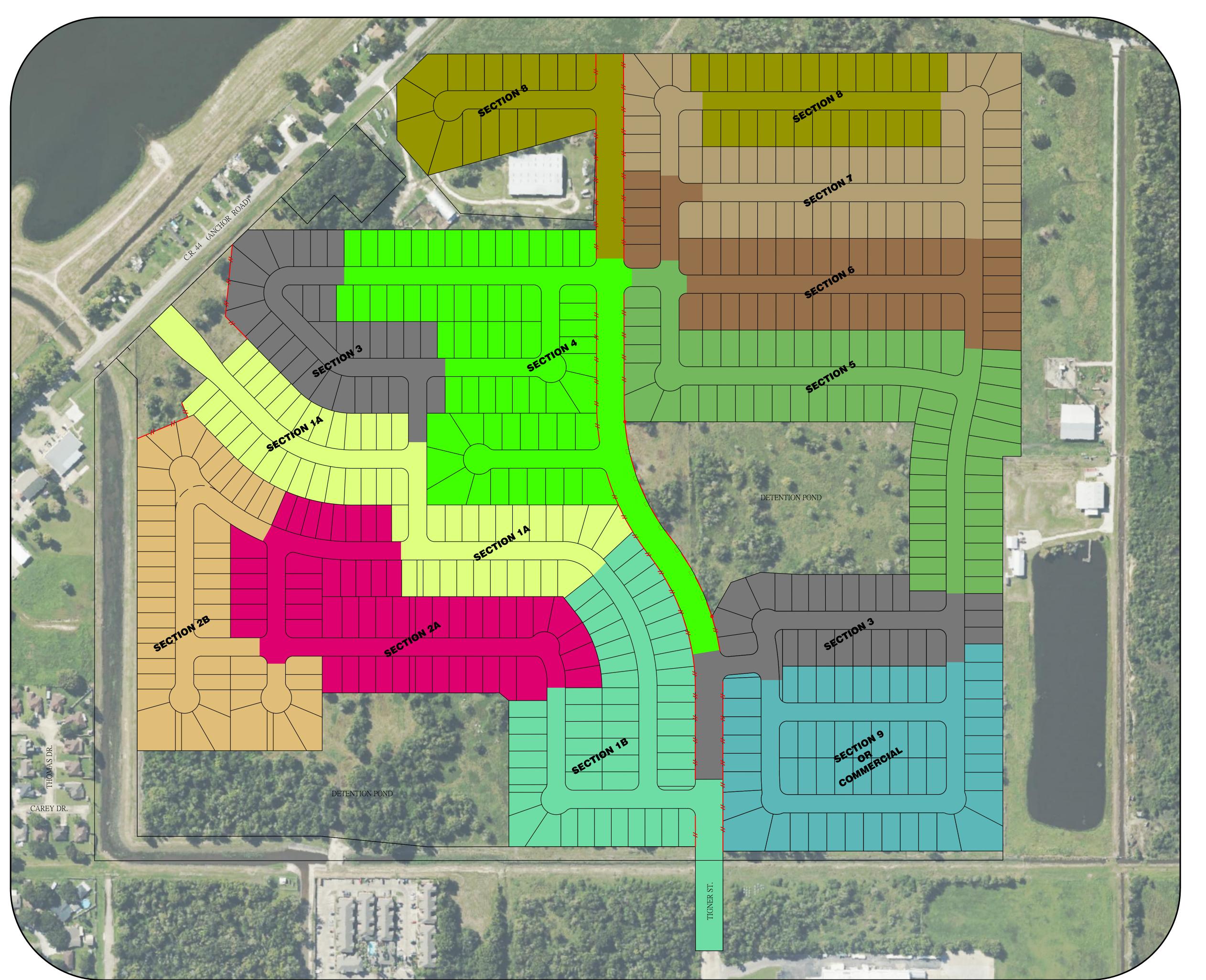


WROUGHT IRON FENCE W/BRICK COLUMNS FOR VISUAL TO DETENTION POND



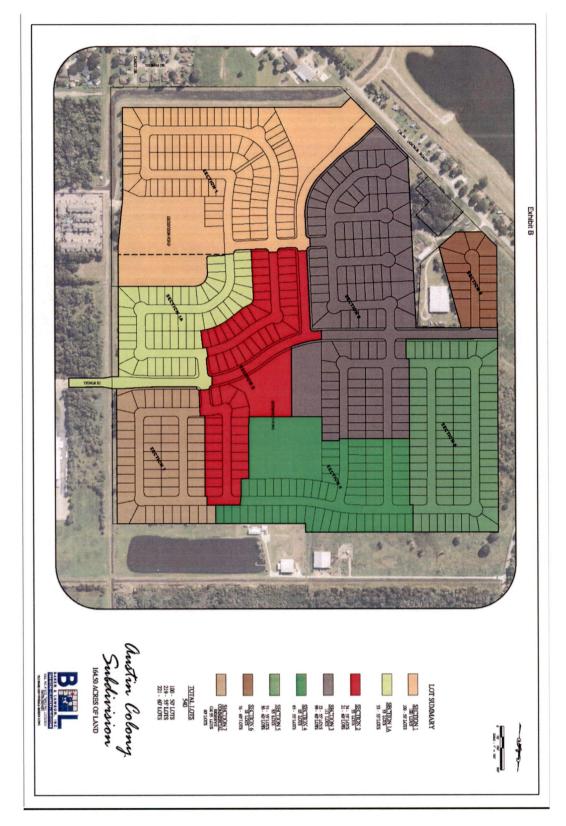
Austin Colony Subdivision 164.50 ACRES OF LAND

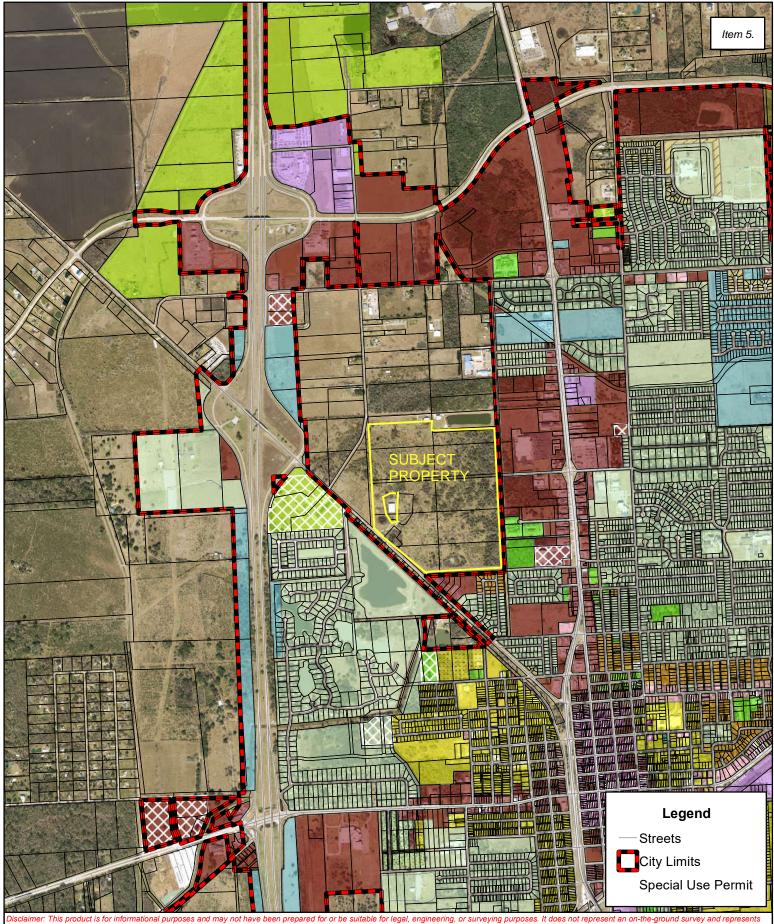




Original Land Plan

Exhibit B Property Phases/Sections





formational purposes and may not have been prepared for or be suitable for legal, enginee cation of property boundaries. Gov. C. §2501.102. The user is encouraged to independently



City of Angleton 121 S. Velasco St. Angleton, TX 77515 979-849-4364





AGENDA ITEM SUMMARY REPORT

MEETING DATE: January 5, 2023

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Discussion and possible action on a request for approval of an

ordinance rezoning approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4, for property located within the city block bound by W. Peach St. to the South, S. Velasco St. to the East, W. Orange St. to the North

and S. Front Street to the West, R.B. Stewart.

AGENDA ITEM SECTION: Public Hearing and Action Item

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

This is a request by Pete Petrosky, Jr. on behalf of RB Stewart Petroleum Products to rezone approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4.

The applicant's primary purpose of this request to rezone the subject property is to promote conformity to the spirit and intent of the Comprehensive and Land Use Plan as well as cause a nonconforming use within the CBD to be brought into land use conformance with the Zoning Ordinance.

Review Criteria and Findings of Fact:

In making a determination regarding a requested zoning change, the planning and zoning commission and the city council shall consider the following factors:

- a. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole. (Staff concurs appropriateness is achieved, the corporate enterprise has maintained contributing headquarter business to the area for many years under a legal non-conforming use for their fleet services).
- b. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area; (There will be no negative impact or any negative impacts to capacity of public improvements).

- c. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of such vacant land unavailable for development; (Opportunities for infill development are adequate in the surrounding area; the nonconforming status limits any needed code or upgrade improvements to only 10% expansion of the existing uses).
- d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change (*Positive and consistent downtown growth and promotion is occurring*).
- e. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. (This rezoning will be a catalyst for other downtown reinvestment and for other users to contribute to the promotion of downtown economic development advances).
- f. Any other factors that will substantially affect the public health, safety, morals, or general welfare. (No factors will negatively affect the public health, safety, morals or general welfare).



Future Land Use Map

The Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property requested to be zoned for downtown activity. The downtown category is described in the plan as:

The downtown land use category represents a substantial blend of uses found only in the central core of a community including residential, office/retail and public/institutional. The category is recognition that a myriad of uses are both appropriate and necessary for success of the Downtown District. The appropriate mix of uses may include government facilities and offices, retail, office and low to medium density residential activity. Places of worship, meeting halls and other public/semi-public facilities are equally appropriate to this particular category. The dynamic mix of uses will continue to provide downtown Angleton a character that is unique in comparison to other areas of the community.

The subject site is also part of the footprint highlighted as part of the Angleton Livable City Center Study which was adopted as part of the Comprehensive Plan by City Council. Action item 13 of the Economic Recommendations facilitates downtown commercial and redevelopment opportunities in this area of downtown Angleton. The employee parking lends for additional overflow parking for the downtown area if approved by the ownership.

Existing Land Use and Zoning

North: Southwestern Bell Building, Old Prosperity Bank/zoned CBD, Central Business District

West: Business 288/.SF 6.3 Residential across the major arterial.

South: Attorney offices; Converted and vacant Single Fam./Commercial-General (C-G) **East:** Bareskin Spa, zoned Commercial-General, Office/(C-G)/CBD Central Business District.





Property location Map

Staff Analysis:

In reviewing the application and after meeting with the applicants during the D.A.W.G. predevelopment meeting, Staff concluded that the initial request to rezoned the property to Light Industrial would have not be in good compatibility with the CBD, Central Business District vicinity. Having the PD, planned district overlay zoning designation would afford the Planning and Zoning Commission and City Council, an opportunity to limit future uses on the property to which the initial intent of corporate headquarters for fleet services has been for a number of years. Any further uses to more intensive commercial activity would require an amendment to an ordinance establishing the PD District.

RB Stewart Petroleum hopes to remain in the area and would like to bring some of their buildings up to current standards in terms of fleet servicing, professional offices, storage and related uses. This change would facilitate their needs in compliance with the LDC and Zoning Ordinance.

The planned development district if approved shall be continuously used in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance, specifically, all regulations and restrictions as follows:

A. Use regulations. In the planned development district, no building, structure, or land shall be used, and no building or structure shall be hereafter erected, reconstructed, altered, or enlarged except as provided in this CBD District regulations. The following uses may only be located within the approved PD District No. 4 boundaries including: 1. Fleet servicing, 2. Professional offices, and 3. Storage and related uses.

1. All on-site parking is provided, all parking areas shall conform to the requirements of subsection 28-101(c).

SITE PHOTOS



VIEW LOOKING WEST AT PROJECT SITE



VIEW LOOKING WEST AT PROJECT SITE



VIEW LOOKING NORTH ON S. VELASCO



VIEW LOOKING WEST TOWARD SITE





P&Z RECOMMENDATION:

The Planning and Zoning Commission should adopt this as its final report and recommend approval of the ordinance rezoning approximately 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4.

SUGGESTED MOTION:

I move that we accept staff's recommendation and approve the ordinance adopting this as the final report and recommend forwarding the rezoning of 1.925 acres from the Central Business District (CBD) to Planned Development Overlay District No. 4 to the City Council for final approval.



OFFICE USE ONLY
Date received: Fee: \$
P&Z Public Hearing date:
Date to send cert. letters:
Date to publish:
Proof of taxes paid: date verified:

CITY OF ANGLETON RE-ZONE APPLICATION

Name(s) of Propert	y Owner: <u> </u>	B. STEWARZT F	ETROLEUM T	PRODUCTS INC.
Current Address:	215 S FRO	NT STREET	Email: pe	re@rbsfuel.com
				Zip: 77515
				:(979) 848-6686
ATTACH PROOF TO THE CITY OF		AXES, FEES AND C	BLIGATIONS	HAVE BEEN PAID
Name of Applicant		(If different t	han Property Ow	ner)
Address:			Email:	
				Zip:
Home Phone:	Bu	siness Phone:	Cell	:
Address/Location o	f Property to b	e Re-zoned: 215	S FRONT STRE	ET
		ANGLETON	, TX 7761	5
Legal Description: _	Metes & Bour			
ATTACH MAP/SU	RVEY OF PRO	OPERTY		
Has the property bee Current Zoning:	n platted?	urrent Use: 78	NO	LIGHT MAINT
Proposed Zoning:	L. I. P.	roposed Use:SA	mE	

Application Fee: \$150.00 (must be submitted with application)

DEDICATION: STATE OF TEXAS

COUNTY OF BRAZORIA

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

DULY AUTHORIZED AGENT:

PETE PETROSKY - PRESIDENT OF R.B. STEWART PETROLEUM PRODUCTS, INC

STATE OF TEXAS COUNTY OF BRAZORIA

BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED PETE PETROSKY, PRESIDENT OF R.B. STEWART PETROLEUM PRODUCTS, INC., KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND, IN THE CAPACITY, THEREIN STATED. GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _

NOTARY PUBLIC STATE OF TEXAS

MY COMMISSION EXPIRES

FIELD NOTES OF A 0.79 ACRE TRACT COMPOSED OF LOTS 5,6,7,8,15,16, AND 17, BLOCK 2 OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 2" iron pipe found at the intersection of the North right-of-way line of Peach Street (70' Wide) with the East right—of—way of Front Street (40' Wide), in the City of Angleton; said pipe marking the Southwest corner of Lot 8, Block 2 of Angleton Townsite;

THENCE; N 87° 48' 00" E 244.54 feet, along the North right-of-way line of Peach Street (70' Wide), to a ½" iron rod found for corner at the Southwest corner of Lot 18, Block 2, Angleton Townsite;

THENCE; N 2° 12' 00" W 140.00 feet, along the West line of said Lot 18, Block 2, to a $\frac{1}{2}$ " iron rod found for corner at the Northwest corner of said Lot 18, Block 2 in the South line of a 20 foot alley;

THENCE; S 87° 48' 00" W 244.54 feet, along the South line of said 20 foot alley, to a 1-1/2" iron pipe found for corner in the East right—of—way line of Front Street (40' Wide) at the Northwest corner of Lot 5, Block 2, Angleton Townsite;

THENCE; S 2° 12' 00" E (REFERENCE BEARING) 140.00 feet, along the East right-of-way line of Front Street (40' Wide), to the place of beginning.

Said tract therein containing 0.79 acres of land.

FIELD NOTES OF A 1.12 ACRE TRACT COMPOSED OF LOTS 1-4 AND 9-14, BLOCK 2 OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found at the intersection of the South right-of-way line of Orange Street (70' Wide) with the East right-of-way of Front Street (40' Wide), in the City of Angleton; said iron rod marking the Northwest corner of Lot 1, Block 2 of Angleton Townsite;

THENCE; S 2° 12' 00" E 140.00 feet (Reference Bearing), along the East right-of-way line of Front Street (40' Wide), to a "X" in concrete for corner at the Southwest corner of Lot 4, Block 2, Angleton Townsite;

THENCE: N 87 48' 00" E 349.29 feet, along the South line of said Lot 4, and Lots 9-14. Block 2, also being the North right-of-way line of 20' alley, to a 1" iron rod found for corner at the Southeast corner of said Lot 14, Block 2 in the West line of South Velasco Street (70' Wide);

THENCE; N 2° 16' 30" W 140.13 feet, along the West right-of-way line of South Velasco Street (70' Wide), to a "X" in concrete found for corner in the South right-of-way line of Orange Street (70' Wide) at the Northeast corner of Lot 14, Block 2, Angleton Townsite;

THENCE; S 87° 46' 44" W 349.11 feet, along the South right-of-way line of Orange Street (70' Wide), to the place of

Said tract therein containing 1.12 acres of land.

APPROVED THIS	DAY OF			, 20			
CITY MANAGER		_					
CITY SECRETARY		_					
STATE OF TEXAS COUNTY OF BRAZORIA							
THIS INSTRUMENT WAS	ACKNOWLEDGED	BEFORE ME (ON THE	DAY OF		, 20	,
	,	CITY SECRETA	RY, CITY OF	ANGLETON, ON	BEHALF OF THE	CITY.	

NOTARY PUBLIC

STATE OF TEXAS

FROM THE OFFICE OF: RANDY L. STROUD, P.E. FIRM NO. 10020500 201 SOUTH VELASCO ANGLETON, TEXAS 77515 979-849-3141

SURVEYOR'S CERTIFICATION

RANDY

STATE OF TEXAS - COUNTY OF BRAZORIA KNOW ALL MEN BY THESE PRESENTS:

THAT I, RANDY L. STROUD, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY FOUND UNDER MY SUPERVISION.

RANDY L. STROUD, RPLS 2112

12-11-22 DATE

OWNER: R.B. STEWART PETROLEUM PRODUCTS, INC. PETE PETROSKY - PRESIDENT 215 S FRONT STREET ANGLETON, TEXAS 77515 979-849-7471

SURVEYOR: RANDY L. STROUD, P.E. 201 SOUTH VELASCO ANGLETON, TEXAS 77515

979-849-3141

EXHIBIT B

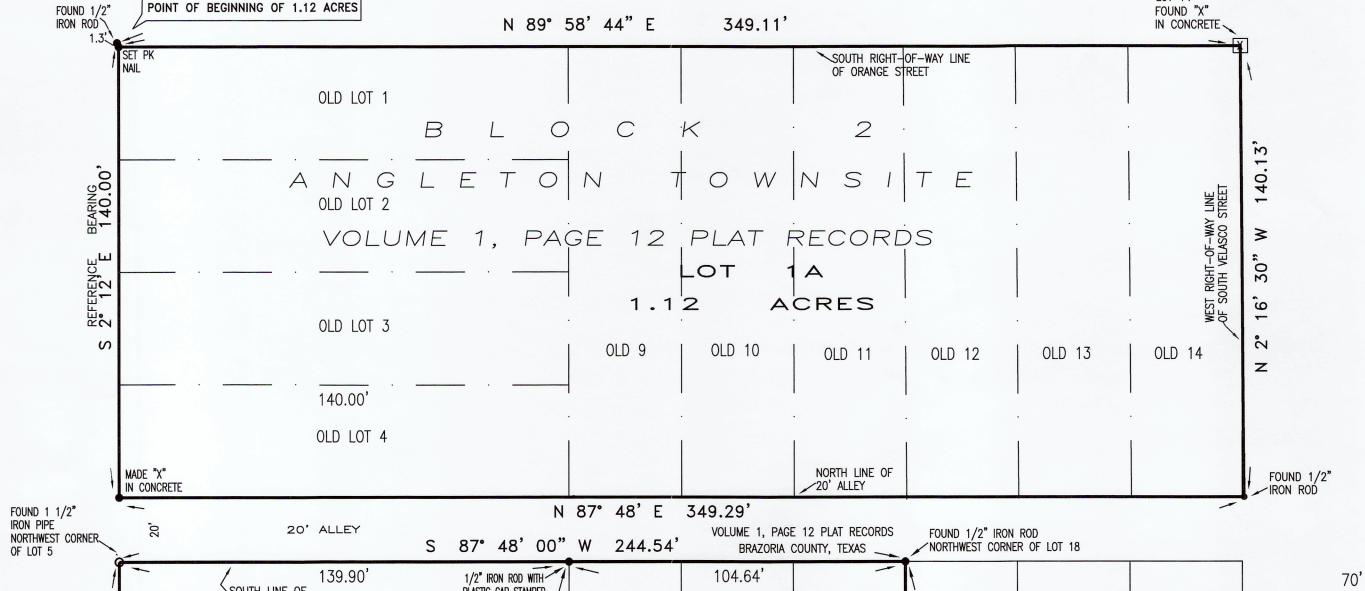
N.E. COR. OF LOT 14

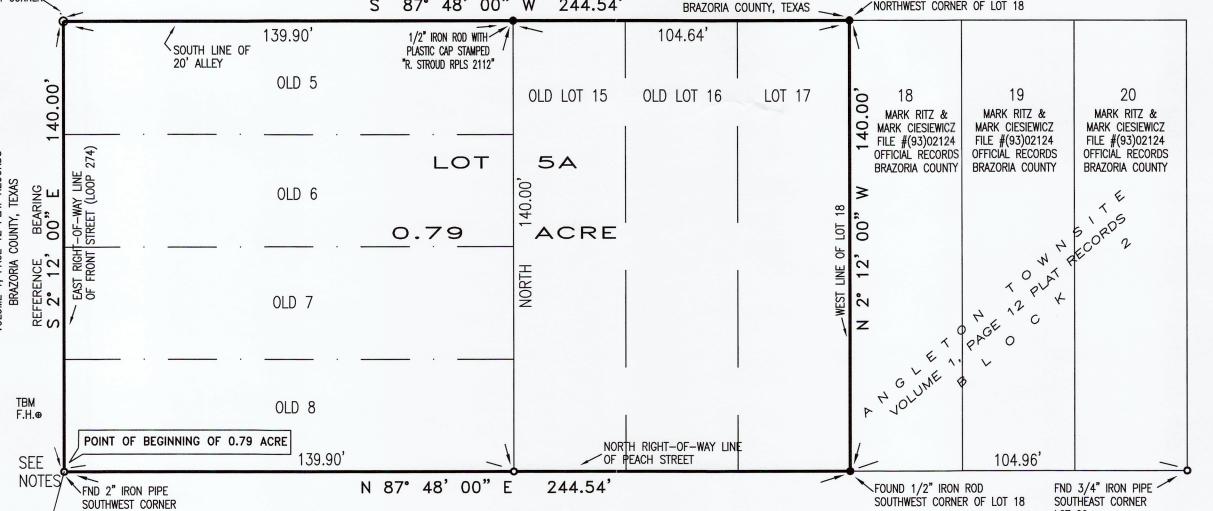
STREE

UTH

ORANGE STREET (70' RIGHT-OF-WAY) VOLUME 1, PAGE 12 PLAT RECORDS

BRAZORIA COUNTY, TEXAS

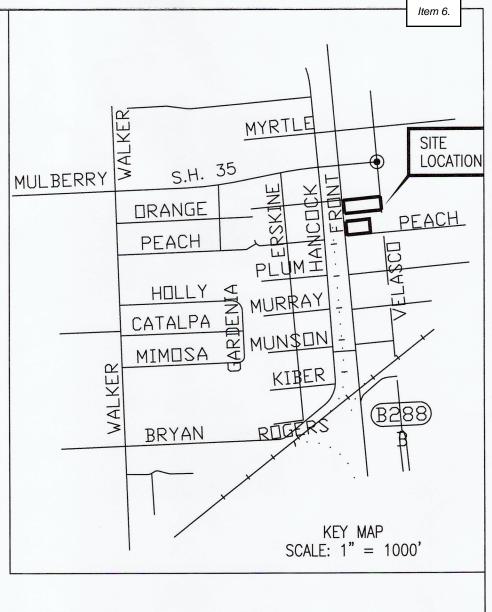




PEACH STREET (70' RIGHT-OF-WAY) VOLUME 1, PAGE 12 PLAT RECORDS BRAZORIA COUNTY, TEXAS

TBM DESCRIPTION: "NN" ON TOP FLANGE OF FIRE HYDRANT LOCATED AT THE NORTHEAST CORNER OF PEACH STREET AND FRONT STREET. ELEVATION=28.72 FEET

REFERENCE BENCHMARK: NGS BENCHMARK "A-693" ELEVATION=29.11 FEET - DISC IN BASE OF FLAGPOLE AT BRAZORIA COUNTY COURTHOUSE



1. THE ADDRESS FOR THE 0.79 ACRE TRACT IS 215 S FRONT STREET - ANGLETON, TEXAS 77515 AND THE ADDRESS FOR THE 1.12 ACRE TRACT IS 200 SOUTH VELASCO - ANGLETON, TEXAS 77515.

2. THE PURPOSE OF THIS PLAT IS TO CONSOLIDATE LOTS 5-8, AND 15-17, BLOCK 2, ANGLETON TOWNSITE, CITY OF ANGLETON, INTO ONE LOT BEING A 0.79 ACRE TRACT AND TO CONSOLIDATE LOTS 1-4, AND 9-14, BLOCK 2, ANGLETON TOWNSITE, CITY OF ANGLETON, INTO ONE LOT BEING A 1.12 ACRE TRACT.

3. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

4. NOTICE: PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES. 5. NOTICE: THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT. 6. NOTICE: APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT, THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS

THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER. 7. NOTICE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.

SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT

8. THIS PROPERTY APPEARS TO BE LOCATED IN ZONE "X" AND IS NOT IN THE 100 YEAR FLOOD PLAIN, ACCORDING PANEL# 0440 TO THE FLOOD HAZARD MAP FOR THE CITY OF ANGLETON SUFFIX: K

IN BRAZORIA COUNTY, TEXAS.

COMMUNITY# 480064 DATE: 12-30-20 ZONE: "X"

9. THE PROPERTY IS LOCATED WITHIN THE "ORIGINAL TOWN DETENTION FREE AREA" ESTABLISHED BY CITY OF ANGLETON ORDINANCE NO. 2013-0-7B AND ANGLETON DRAINAGE DISTRICT RESOLUTION #2013-08-0001.

ANGLETON DRAINAGE DISTRICT

ACCEPTED THIS THE _____ DAY OF __ BY THE ANGLETON DRAINAGE DISTRICT.

THE BOARD OF SUPERVISORS OF THE ANGLETON DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT OR GUARANTEE:

1. THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THE SUBDIVISION ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED IN THIS PLAT.

2. THAT DRAINAGE FACILITIES DESCRIBED IN THIS PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGLETON DRAINAGE DISTRICT MINIMUM REQUIREMENTS.

3. THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGLETON DRAINAGE DISTRICT.

4. THAT THE DISTRICT ASSUMES ANY RESPONSIBILITY FOR CONSTRUCTION, OPERATION, OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES.

THE DISTRICT'S REVIEW IS BASED SOLELY ON THE DOCUMENTATION SUBMITTED FOR REVIEW, AND ON THE RELIANCE OF THE REPORT SUBMITTED BY THE TEXAS REGISTERED PROFESSIONAL ENGINEER. THE DISTRICT'S REVIEW IS NOT INTENDED NOR WILL SERVE AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THE PART SUBMITTING THE PLAT OR PLAN HEREIN, THEIR OR ITS PRINCIPALS OR AGENTS.

DAVID SPOOR-CHAIRMAN

RONNIE SLATE - MEMBER

TERRY NOVAK - MEMBER

R.B. STEWART PETROLEUM PRODUCTS AMENDED PLAT

2 LOTS - 1 BLOCK 0.79 ACRE & 1.12 ACRES

AN AMENDED PLAT OF LOTS 5,6,7,8,15,16, AND 17, BLOCK 2 BEING 0.79 ACRE AND LOTS 1-4 AND 9-14 BEING 1.12 ACRES, ALL OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE RECORDED MAP OF PLAT THEREOF IN VOLUME 1, PAGE 12 BRAZORIA COUNTY, TEXAS.

SCALE 1"= 30' 12-19-22 GRAPHIC SCALE



ORDINANCE NO. 2023xxxx-xxx

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, TO AMEND THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING MAP DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE TO 1.925 ACRES FROM THE CENTRAL BUSINESS DISTRICT (CBD) TO THE PLANNED DEVELOPMENT DISTRICT (PD) NO. 4; PROVIDING FOR A PENALTY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission conducted a public hearing on January 5, 2023; and

WHEREAS, the City Council conducted a public hearing on January 10, 2023; and

WHEREAS, notice of the public hearings was published in *The Facts* and mailed to property owners within 200 feet of the zoning request; and

WHEREAS, the Planning and Zoning Commission, on January 5, 2023, made findings of fact that rezoning of the property from the Central Business District (CBD) zoning district to the Planned Development District (PD) #4 would be consistent with the zoning adjacent property, the recommendations of the Comprehensive Plan, and with generally accepted urban planning principals; and

WHEREAS, the City Council, on January 10, 2023, adopted by reference the findings of fact made by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1. That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 2. The Property is more fully described in Exhibit "A,", and depicted on the Rezoning Plat, Exhibit "B", attached hereto and made a part hereof for all purposes be rezoned from the Central Business District (CBD) to the Planned Development District No. Four (4).

SECTION 3. The Planned Development District No. Four (4) shall be developed in accordance with the Angleton Code, including the City of Angleton LDC and Zoning Ordinance regarding an uses and structures in that no building, structure, or land shall be used,

and no building or structure shall be hereafter erected, reconstructed, altered, or enlarged except as provided in this Ordinance. The uses may only be located within the approved Planned Development District No. Four (4) boundaries including: 1. Fleet servicing, 2. Professional offices, and 3. Storage and related uses.

A. All on-site parking is provided, all parking areas shall conform to the requirements of subsection 28-101(c).

SECTION 4. That the Official Zoning Map of the City of Angleton is hereby amended in accordance with the provisions of this Ordinance to show the change in zoning district classification.

SECTION 5. That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

SECTION 6. That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 7. That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code - Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 8. That this Ordinance shall be effective and in full force immediately upon its adoption.

PASSED AND APPROVED THIS 13TH DAY OF JANUARY 10, 2023.

	CITY OF ANGLETON, TEXAS
	Jason Perez
	Mayor
ATTEST:	
Michelle Perez, TRMC	
City Secretary	

Exhibit A

Legal Description

FIELD NOTES OF A 0.79 ACRE TRACT COMPOSED OF LOTS 5,6,7,8,15,16, AND 17, BLOCK 2 OF THE ANGLETON TOWNSITE IN THE CITY OF ANGLETON, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 12 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 2" iron pipe found at the intersection of the North right-of-way line of Peach Street (70' Wide) with the East right-of-way of Front Street (40' Wide), in the City of Angleton; said pipe marking the Southwest corner of Lot 8, Block 2 of Angleton Townsite;

THENCE; N 87° 48′ 00″ E 244.54 feet, along the North right-of-way line of Peach Street (70′ Wide), to a ½" iron rod found for corner at the Southwest corner of Lot 18, Block 2, Angleton Townsite;

THENCE; N 2° 12′ 00″ W 140.00 feet, along the West line of said Lot 18, Block 2, to a ½" iron rod found for corner at the Northwest corner of said Lot 18, Block 2 in the South line of a 20 foot alley;

THENCE; S 87° 48' 00" W 244.54 feet, along the South line of said 20 foot alley, to a 1-1/2" iron pipe found for corner in the East right-of-way line of Front Street (40' Wide) at the Northwest corner of Lot 5, Block 2, Angleton Townsite;

THENCE; S 2° 12' 00" E (REFERENCE BEARING) 140.00 feet, along the East right-of-way line of Front Street (40' Wide), to the place of beginning.

Said tract therein containing 0.79 acres of land.

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THENCE; S 2° 12' 00" E 140.00 feet (Reference Bearing). along the East right-of-way line of Front Street (40' Wide), to a "X" in concrete for corner at the Southwest corner of Lot 4, Block 2, Angleton Townsite;

THENCE; N 87° 48′ 00″ E 349.29 feet, along the South line of said Lot 4, and Lots 9-14, Block 2, also being the North right-of-way line of 20′ alley, to a f iron rod found for corner at the Southeast corner of said Lot 14, Block 2 in the West line of South Velasco Street (70′ Wide);

THENCE; N 2' 16' 30" W 140.13 feet, along the West right-of-way line of South Velasco Street (70' Wide), to a "X" in concrete found for corner in the South right-of-way line of Orange Street (70' Wide) at the Northeast corner of Lot 14, Block 2, Angleton Townsite;

THENCE; S 87° 46' 44" W 349.11 feet, along the South right-of-way line of Orange Street (70' Wide), to the place of beginning.

Said tract therein containing 1.12 acres of land.



AGENDA ITEM SUMMARY REPORT

MEETING DATE: January 5, 2023

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Conduct a public hearing, discussion, and take possible action on a

request for approval of an ordinance rezoning approximately 10.12 acres from the Planned Development District (PD) to Agricultural District (AG), for property located on the west side of Shanks Road,

north of CR220, Angleton, TX, Brazoria County.

AGENDA ITEM SECTION: Public Hearing and Action Item

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

This is a request from Rodrick Williams to rezone 10.12 acres from PD District to the Agricultural Zoning District (AG). The applicant's primary purpose is to develop the vacant property for a single family estate, having an accessory barn building and an area set aside for the keeping of farm animals.

Property Location/Legal Description: Being a 10.12 acres tract, being out of the Edwin Waller League, Abstract 134, Brazoria County, Texas being out of the Subdivision of the East One-Half of the Edwin Waller League, Abstract 134 as recorded in Volume 26, Page 211 of the Brazoria County Deed Records, being out of a 20.162 acre (calculated) tract of land described in a Deed of Gift dated 04-26-1999 from Alice Cico Barchak, to Kenneth Charles Barchak and Nina Joy Vrazel, filed in the Official Records of Brazoria County under Clerks File No. 1999-021459, Brazoria County, Texas and being more particularly described by meets and bounds on Exhibit "A" attached here to and made part hereof.

Review Criteria and Findings of Fact:

In making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council shall consider the following factors:

a. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the city as a whole. (Staff concurs the property is more appropriate as single residential as opposed to manufactured housing use on the Land Use Plan).

- **b.** Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area; (There will be no negative impact on said capacity of public improvements).
- c. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of such vacant land unavailable for development; (Opportunities for infill development are adequate in the surrounding Shanks Rd. area; developing the property as manufactured housing is not feasible and would have an impact on public services and infrastructure).
- d. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change (Area is at the most southern boundary next to the ETJ, other agriculture and estate sites exist in the area).
- e. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved. (This rezoning will provide for infill reinvestment, and pose no negative impact on the surrounding area).
- f. Any other factors that will substantially affect the public health, safety, morals, or general welfare. (No factors will negatively affect the public health, safety, morals or general welfare if developed as proposed).

Surrounding Conditions:

Existing Land Use and Zoning

North: Manufactured Homes (MH) District. East: PD, Planned District, Holding Zone

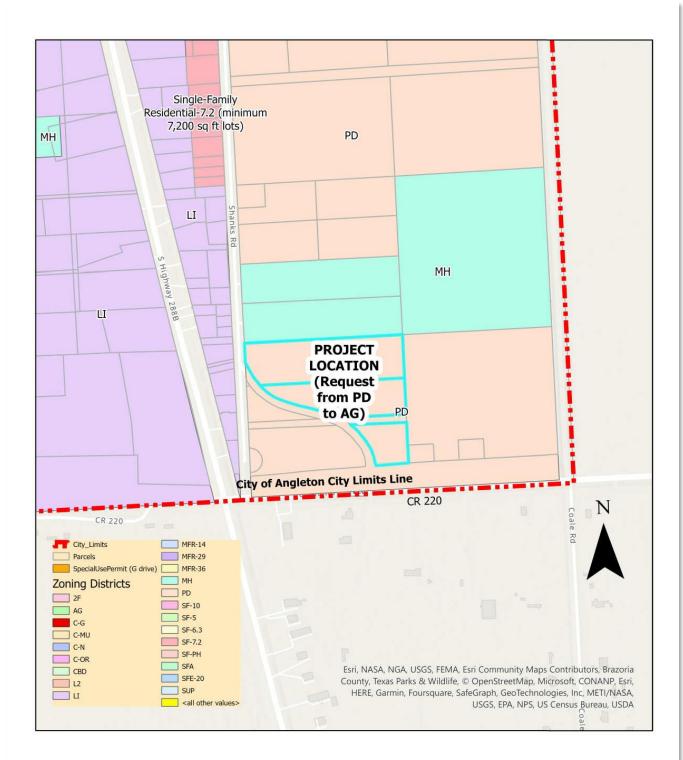
West: Light Industrial District and PD, Planned District, Holding Zone

South: City Limits Line, CR 220, ETJ Rural Residential area

Future Land Use Map



The Future Land Use Plan from the City of Angleton Comprehensive Plan Update designates the subject property as Manufactured Housing Category. The general vicinity of Shanks Road has primarily singlefamily housing, with a number of Manufactured Housing units situated adjacent to the project site. Staff supports that a change to the future Land Use Map is advisable due to the impact on utility and infrastructure, if the site were utilized as Manufactured Housing. Note that most of the commercial uses abut the major arterials.



Property Location Map



SITE PHOTOS



View from Shanks RD. looking East



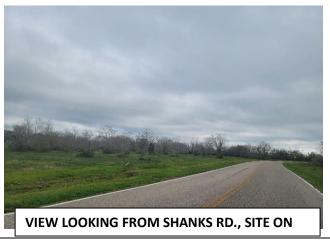
View from Shanks looking East



VIEW LOOKING SOUTH ON SHANKS RD.







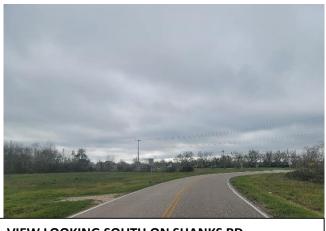
SITE PHOTOS-2





VIEW LOOKING SOUTH ON SHANKS RD.







VIEW LOOKING SOUTH ON SHANKS RD.

P&Z RECOMMENDATION:

The Planning and Zoning Commission should adopt this as its final report and recommend approval of the ordinance rezoning 10.12 acres from PD District to Agricultural Zoning District.

SUGGESTED MOTION:

I move we approve the ordinance adopting this as the final report and recommend approval of an ordinance rezoning 10.12 acres from PD District to Agricultural Zoning District to the City Council for final consideration and approval.

Item 7.

02189278 12/01/2022 9:58 AM MAB TERM: 105

1048 rollin wheels

300.1190 ZONING VAR/PLATTING OVING/VARIANCE/PLA 150.00CR

INDERED:

150.00 CHECK

PLIED:

150.00-

: IANGE:

0.00

OFFICE U	USE ONLY
Date received: 1130 11	Fee: \$ 150.00
P&Z Public Hearing date:	
Date to send cert. letters:	
Date to publish:	
Proof of taxes paid:	date verified:

CITY OF ANGLETON RE-ZONE APPLICATION

Name(s) of Property Owner:Ko_				
Current Address: 100 E P	lum	_ Email: Rw@	rollin R Feeds.	com
City: Angleton	State:	Zip:	77515	
Home Phone: Busine	ess Phone: <u>979-70</u>	<u> 5- 7763</u> Cell:		
ATTACH PROOF THAT ALL TAXITO THE CITY OF ANGLETON.	ES, FEES AND OB	LIGATIONS HAV	E BEEN PAID	
Name of Applicant:	(If different tha	n Property Owner)		
Address:				
City:				
Home Phone: Busine	ess Phone:	Cell:		
Address/Location of Property to be R	e-zoned:			
Legal Description: <u>A0134 & Well</u> Metes & Bounds	ler Block 5 Lot(s)	ract 5-SAS Block	<u>-5 段 -5 C 3</u> Subdivision	(SD E/2
ATTACH MAP/SURVEY OF PROPI				
Has the property been platted? Current Zoning: 3/9/2020 Current	YESL	NO		
Current Zoning: 3/9/2020 Curre	ent Use:			
Proposed Zoning: Ag / Home Prop	osed Use: Hom	c		

Application Fee: \$150.00 (must be submitted with application)

ORDINANCE NO. 2023xxxx-xxx

AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, TO AMEND THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING MAP DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE OF 10.12 ACRES FROM **PLANNED** THE **DEVELOPMENT DISTRICT** (PD) AGRICULTURAL DISTRICT (AG), FOR PROPERTY LOCATED ON THE WEST **SIDE OF SHANKS** ROAD, \mathbf{AT} INTERSECTION **OF** CR220, ANGLETON, TX, **BRAZORIA** COUNTY: PROVIDING FOR A PENALTY: PROVIDING **SEVERABILITY** CLAUSE; **PROVIDING FOR** AN**OPEN** MEETINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission conducted a public hearing on January 5, 2023; and

WHEREAS, the City Council conducted a public hearing on January 24, 2023; and

WHEREAS, notice of the public hearings was published in *The Facts* and mailed to property owners within 200 feet of the zoning request; and

WHEREAS, the Planning and Zoning Commission, on January 5, 2023, made findings of fact that rezoning 10.12 acres from PD District to Agricultural Zoning District, for property located on the west side of Shanks Road, at the intersection of CR220 would be consistent with the adjacent property in the area with generally accepted urban planning principals; and

WHEREAS, the City Council, on January 24, 2023, adopted by reference the findings of fact made by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS:

SECTION 1. That the foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes as findings of fact.

SECTION 2. The Property is more fully described in Exhibit "A,", and depicted on the Rezoning Plat, Exhibit "B", attached hereto and made a part hereof for all purposes be rezoned from the Planned District to the Light Industrial District (LI).

SECTION 3. That the Official Zoning Map of the City of Angleton is hereby amended in accordance with the provisions of this Ordinance to show the change in zoning district classification.

SECTION 4. That any person or corporation violating any of the provisions of this Ordinance shall upon conviction be fined any sum not exceeding \$2,000 and each and every day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense.

SECTION 5. That should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity of such section, or part shall in no way affect, impair or invalidate the remaining portion thereof, but as to such remaining portion, the same shall remain in full force and effect.

SECTION 6. That it is hereby found and determined that the meetings at which this Ordinance is considered are open to the public and that notice of the time, place and purpose thereof was given in accordance with the provisions of the Texas Government Code - Chapter 551, as amended, and that a quorum of the City Council was present.

SECTION 7. That this Ordinance shall be effective and in full force immediately upon its adoption.

CITY OF ANCIETON TEXAS

PASSED AND APPROVED THIS 24th DAY OF JANUARY, 2023.

	CITT OF ANGLETON, TEXAS
	Jason Perez
	Mayor
ATTEST:	
Michelle Perez, TRMC	
City Secretary	

LEGAL DESCRIPTION

FIELD NOTES OF A 10.12 ACRE TRACT OUT OF TRACT 5, BLOCK 5 OF THE SUBDIVISION OF THE EAST ONE-HALF OF THE EDWIN WALLER LEAGUE, ABSTRACT 134, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found marking the Northeast corner of said Tract 5, Block 5 of the Subdivision of the East one-half of the Edwin Waller League, Abstract 134, Brazoria County, Texas;

THENCE; South 0 degrees 02' 41" East 748.52 feet, along the East line of said Tract 5, Block 5, to a 1/2" iron rod found for corner in the North right-of-way line of County Road 220;

THENCE; South 88 degrees 06' 13" West 167.23 feet, along the North right-of-way line of County Road 220, to a 5/8" iron rod found for corner in the Northeast right-of- way line of Shanks Road extension;

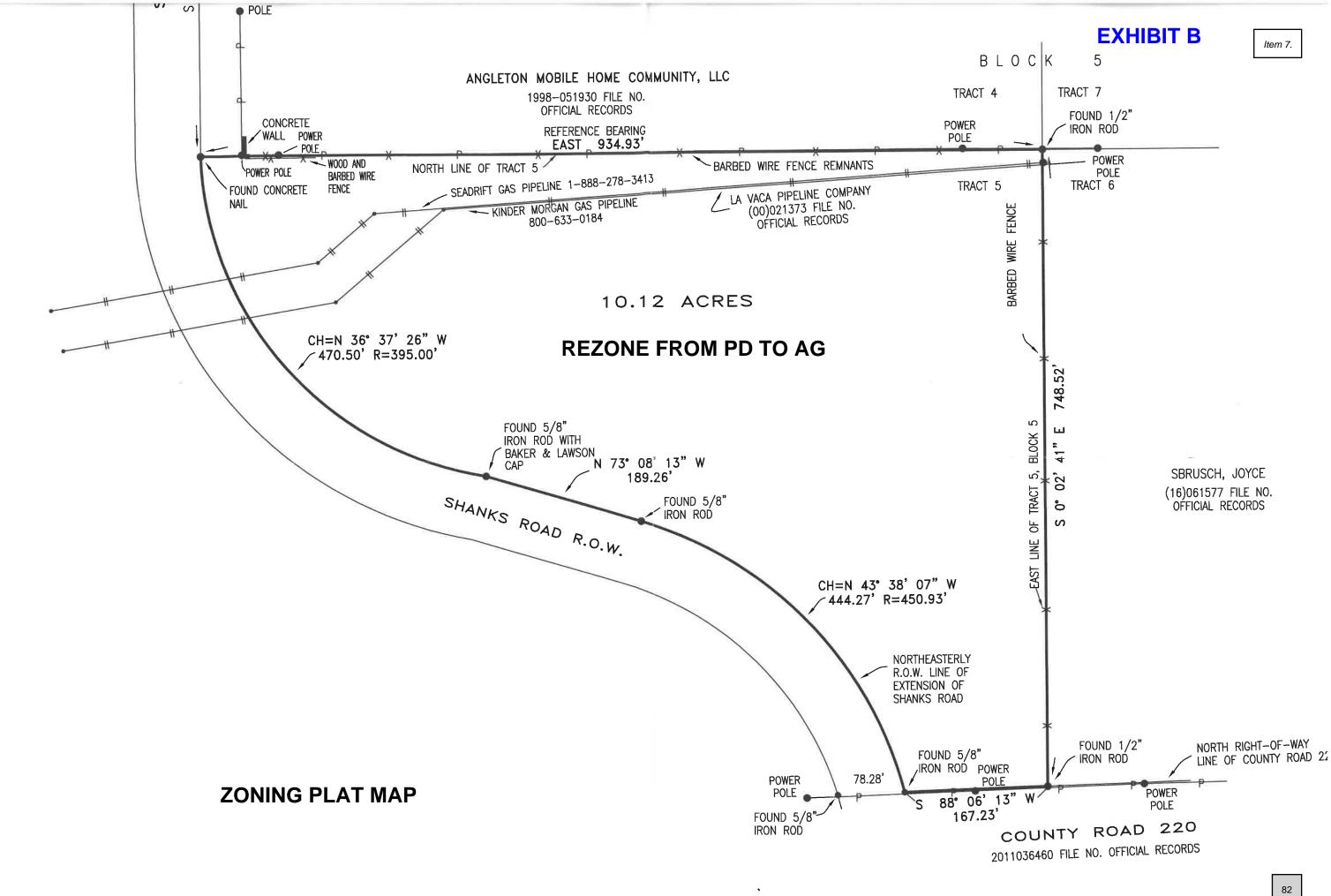
THENCE; In a Northwesterly direction, along the Northeasterly right-of-way line of the extension of Shanks Road, around a non-tangent curve to the left having a radius of 450.93 feet, through a chord which bears North 43 degrees 38' 07" West 444.27 feet to a 5/8" iron rod, with Baker and Lawson cap, found at the end of said curve;

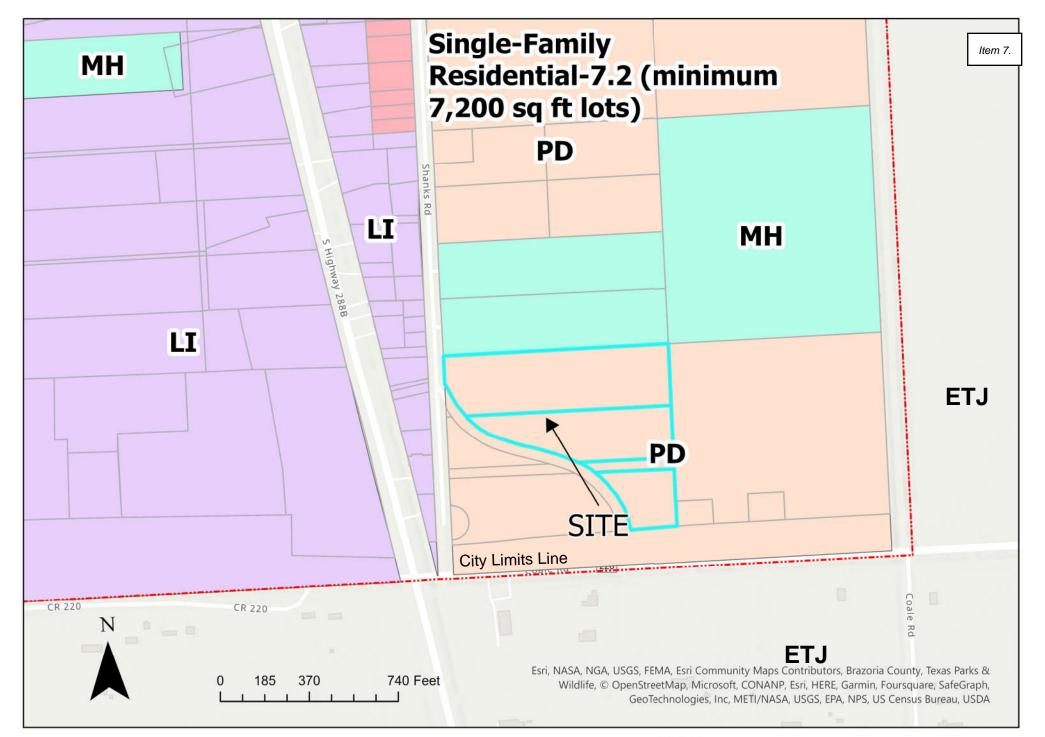
THENCE; North 73 degrees 08' 13" West 189.26 feet, along the Northeast right-of-way line of the extension of Shanks Road, to a 5/8" iron rod, with Baker and Lawson cap, found at the beginning of a non-tangent curve to the right having a radius of 395.00 feet;

THENCE; Along the Northeast right-of-way line of the extension of Shanks Road, around said curve to the right through a chord which bears North 36 degrees 37' 26" West 470.50 feet to a concrete nail found for corner at the intersection of the East right- of-way line of Shanks Road proper with the North line of said Tract 5, Block 5;

THENCE; East (Reference Bearing) 934.93 feet, along the North line of said Tract 5, Block 5 to the place of beginning.

Said tract therein containing 10.12 acres of land.







KRISTIN R. BULANEK **BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR** 111 E. LOCUST **ANGLETON, TEXAS 77515**

Certified Owner: ROLLIN WHEELS LLC 100 E PLUM ST ANGLETON, TX 77515 **Legal Description:**

A0134 E WALLER BLOCK 5 TRACT 5-5A5-5B3-5C3 (SD E/2) ACRES 10.12

Legal Acres:

10.1200

Parcel Address: SHANKS RD

Print Date: 12/09/2022

Account No: 0134-0353-005 Appr. Dist. No.: 705814 As of Date: 12/09/2022

Marke	et Value	Appraised	Assessed	Capped	Homesite	Agricultural	Non-Qualifying
Land	Improvement	Value	Value	Value	Value	Market Value	Value
\$275,630	\$0	\$275,63	0 \$275,630	\$0	\$0	\$0	\$275,630
Taxing		Assessed	Exemptions		Taxable	e Tax	Tax
I Init	T.	(alma (1009/)	Codo	A	unt Value	Doto	1 ax

\$273,030	\$0 \$273,0	30 \$273,030	40	Ψ0	\$0	\$273,030
Taxing Assessed		Exemptions		Taxable	Tax	Tax
Unit	Value (100%)	Code	Amount	Value	Rate	Tax
BRAZORIA COUNTY	\$275,630		\$0.00	\$275,630	0.2911060	\$802.38
Amount saved by additional sales to	x revenue \$229.47		1	ı	'	
SPECIAL ROAD & BRIDGE	\$275,630		\$0.00	\$275,630	0.0500000	\$137.82
ANGLETON ISD	\$275,630		\$0.00	\$275,630	1.2296000	\$3,389.15
ANGLETON - DANBURY HOSPIT	\$275,630		\$0.00	\$275,630	0.1609430	\$443.61
PORT FREEPORT	\$275,630		\$0.00	\$275,630	0.0350000	\$96.47
ANGLETON DRAINAGE DIST. N	\$275,630		\$0.00	\$275,630	0.0700000	\$192.94
CITY OF ANGLETON	\$275,630		\$0.00	\$275,630	0.6187600	\$1,705.49

Total Tax:

\$6,767.86

Total Tax Paid to date: Total Tax Remaining:

\$0.00 \$6,767.86

Exemptions:

AMOUNT DUE IF PAID BY:

AMOUNT DUE IT TAI	<i>D</i> D 1.				
01/02/2023 0%	01/31/2023 0%	02/28/2023 7%	03/31/2023 9%	05/01/2023 11%	05/31/2023 13%
\$6,767.86	\$6,767.86	\$7,241.61	\$7,376.94	\$7,512.32	\$7,647.68
06/30/2023 15%	07/31/2023 18 + up to 20%	08/31/2023 19 + up to 20%	10/02/2023 20 + up to 20%	10/31/2023 21 + up to 20%	11/30/2023 22 + up to 20%
\$7,783.03	\$9,583.30	\$9,664.52	\$9,745.73	\$9,826.93	\$9,908.14

School Information:

ANGLETON ISD

2022 M&O .85460000 I&S .37500000 Total 1,2296000 2021 M&O .87200000 I&S .39500000 Total 1,2670000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.74

Print Date: 12/09/2022

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

KRISTIN R. BULANEK **BRAZORIA COUNTY TAX ASSESSOR - COLLECTOR** 111 E. LOCUST **ANGLETON, TEXAS 77515** (979) 864-1320, (979) 388-1320, (281) 756-1320



0134-0353-005 ROLLIN WHEELS LLC 100 E PLUM ST ANGLETON, TX 77515

AMOUNT PAID:



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 5, 2023

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Discussion and possible action on a **Final Plat for De La Garza**

Subdivision, 3.996 Acres, 2- Lots, 1 Block, located on the south side of

Kiber Rd., just west of Sims Drive

AGENDA ITEM

SECTION:

Regular Agenda Item

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY AND HISTORY:

The owner/agent request approval of the Preliminary/Final Plat for De La Garza Subdivision, 3.996 Acres, 2- Lots, 1 Block, located on the south side of Kiber Rd., just west of Sims Drive.

<u>Action taken by the City Council on September 27, 2022</u>. The Council voted unanimously to grant the requested variance voted to allow an on-site sewage system.

A variance was granted of Section 23-15.C to allow use of on-site sewerage facilities (OSSF) pursuant to Section 23-15.D.2. The proposed OSSF are septic systems. The subject property consists of 3.996 acres and is in the Single-Family Estate Residential – 20 (SFE-20) zoning district. The proposal is to subdivide the property into two lots (See attached plat). The property was annexed into the City (Ord. #2011-O-6C); the Annexation Services Plan, requires that prior to the City providing sanitary sewer service to the area the property owner, at his/her own expense, must install a grinder pump or small lift station in accordance with applicable codes and departmental policies and maintain the lift station or install a gravity. The variance request (Attachment 4) outlined the reasons for the variance, and Mr. Javier Vasquez, PE with HDR provided a timeline detailing effort to meet Chapter 23 requirements.

The applicant has been unable to find a way to connect to the City's sewer system, and while a solution could certainly be found if enough money is spent, that solution would not be consistent with the Section 23-32 Rough Proportionality requirement and pursuant to Section 23-33 the City Council can grant relief. After discussion with the City Attorney, it was determined that the controlling regulations in this instance are Sections 23-32 and 23-33 and not Ordinance #2011-O-6C.

DEVELOPMENT SERVICES/PLANNING COMMENTS:

1. Please revise plat with noted corrections including references to approved variance of onsite sewerage facilities (OSSF) pursuant to Section 23-15.D.2.

<u>Recommendation.</u> The Planning and Zoning Commission should forward the Final Plat to City Council with a positive recommendation of approval and consideration.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT JACOBO DE LA GARZA, owner, acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as De La Garza Subdivision, a subdivision in the jurisdiction of the City of Angleton, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys and public parkland shown thereon. The streets, alleys and parkland are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Angleton. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Angleton's use thereof. The City of Angleton and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Angleton and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone. Drainage Easements Maintained by a Homeowners' Association. STATE OF TEXAS § COUNTY OF BRAZORIA \$ This plat is hereby adopted by the owners (called "Owners") and approved by the City of Angleton, ("City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successor, and assigns: "Drainage Easements" shown on the plat are reserved for drainage purposes forever, and the maintenance of the drainage easements shall be provided by all of the owners of lots in the subdivision by and through a lawfully created homeowners association to be created by the Owners. The Owners covenant and agree that such a homeowners' association (called "Association") shall be created prior to the final acceptance of the City. All Association documents shall be subject to the approval of the City and shall specifically contain covenants binding the Association to continuously maintain all Drainage Easements. Such covenants shall not relieve the individual lot owners of the responsibility to maintain the Drainage Easements should the Association default in the performance of its maintenance responsibility. The Association documents shall also contain provisions that they may not be amended with regard to the Drainage Easement maintenance responsibilities without the approval of the City. The fee simple title to all Drainage Easements shall always remain in the Association. The City and Angleton Drainage District are not responsible for the maintenance and operation of said easements or for any damage or injury to private property or person that results from the flow of water along said easement or for the control of erosion, but reserves the right to use enforcement powers to ensure that drainage easements are properly functioning in the manner in which they were designed and approved. The City and Angleton Drainage District reserves the right, but not the obligation, to enter upon any Drainage Easement at any point, or points, with all rights of ingress and egress, to investigate, survey, erect, construct, or maintain any drainage facility deemed necessary by the City for drainage and safety purposes. The Owners shall keep all Drainage Easements clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City of Angleton or Angleton Drainage District shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the Owners to alleviate any public health or safety issues. The Association hereby agrees to indemnify and hold harmless the City from any such damages and injuries. DRAINAGE AND DETENTION EASEMENT. STATE OF TEXAS § COUNTY OF BRAZORIA § This plat is hereby adopted by the owners (called "Owners") and approved by the City of Angleton, ("City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors, and assigns: "Drainage Easements" shown on the plat are reserved for drainage purposes forever, and the maintenance of the drainage easements shall be provided by all of the owners of lots in the subdivision. All Owner documents shall specify, confirm and bind the Owner(s) to continuously maintain all Drainage Easements and shall relieve the City of Angleton of the responsibility to maintain any Drainage Easement. The fee simple title to the Drainage and Floodway Easement shall always remain in the Owner(s). The City and Angleton Drainage District will not be responsible for the maintenance and operation of easement or for any damage or injury to private property or person that results from the flow of water along said easement or for the control of erosion. but reserves the right to use enforcement powers to ensure that drainage easements are properly functioning in the manner in which they were designed and approved. unsanitary conditions or obstruct the flow of water, and the City of Angleton or Angleton Drainage District shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the Owners to alleviate any public health or safety issues. OWNER'S ACKNOWLEDGEMENT:

The Owners shall keep all Drainage Easements clean and free of debris, silt, and any substance which would result in

STATE OF TEXAS § COUNTY OF BRAZORIA §

The owner of land shown on this plat, in person or through a duly authorized agent, dedicates to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

Jacobo De La Garza, Owner

STATE OF TEXAS § COUNTY OF BRAZORIA §

Before me, the undersigned, personally appeared JACOBO DE LA GARZA known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and, in the capacity, therein stated. Given under my hand and seal of office this ____ day of _____, ____,

Notary Public State of Texas

PLANNING AND ZONING COMMISSION AND CITY COUNCIL:

APPROVED this _____ day of _____, 20____, by the Planning and Zoning Commission, City of Angleton,

BILL GARWOOD, Chairman, Planning and Zoning Commission **MICHELLE PEREZ** Me City Council, City of Angleton, Texas JASON PEREZ, Mayor FRANCES AGUILAR, City Secretary STATE OF TEXAS § COUNTY OF BRAZORIA This instrument was acknowledged before me on the ____ day of ___. FRANCES AGUILAR, City Secretary, City of Angleton, on behalf of the City.

Notary Public State of Texas

KNOW ALL MEN BY THESE PRESENTS: That I, Miguelangel A. Sauceda, do hereby certify that proper engineering consideration has been provided in this plat. To the best of my knowledge, this plat conforms to all requirements of the Angleton LDC, except for any variances that were expressly granted by the City Council.

> Miguelangel A. Sauceda PROFESSIONAL ENGINEER TEXAS REGISTRATION NO. 121992

THEIR OR ITS PRINCIPALS OR AGENTS. BOARD MEMBER

SURVEY A-380 12+50.00 11+00.00 10+50.00 8+50.00 **EAST 妖順原限**0 **STREET** 9+50.00 FND. 1/2" C.I.R. (STROUD) FND. 1/2" C.I.R. (PINPOINT) BEARS 7+50.00 N87°03'42'E 1.31' (VOL. 29, Pg. 75 B.C.D.R.) N87° 04' 34"E 528.00 FND. 1/2" C.I.R. ¬ FND. 3/4" I.P. (STROUD) 30.0' ROW TAKING-15,840 SF. AREA IS HEREBY **DEDICATED TO THE PUBLIC** FOR R.O.W. PURPOSES CALLED 1.00 ACRE JERRY ALAN ODOM B.C.C.F. No. 2011046678 PROPOSED LOT 79,121 SF BRAZORIA COUNTY B.C.C.F. No. 2010048403 22.5 S87° 11' 02"W 528.23' BRAZORIA COUNTY B.C.C.F. No. 2010048403 ANGLETON DRAINAGE DISTRICT

ANGLETON DRAINAGE DISTRICT ACCEPTED, THIS THE _____ DAY OF ______, 20_____.
THE BOARD OF SUPERVISORS OF THE ANGLETON DRAINAGE DISTRICT DOES NOT WARRANT, REPRESENT

1. THAT DRAINAGE FACILITIES OUTSIDE THE BOUNDARIES OF THE SUBDIVISION PLAT ARE AVAILABLE TO RECEIVE RUNOFF FROM THE FACILITIES DESCRIBED IN THIS PLAT.

2. THAT DRAINAGE FACILITIES DESCRIBED IN THIS PLAT ARE ADEQUATE FOR RAINFALL IN EXCESS OF ANGLETON DRAINAGE DISTRICT MINIMUM REQUIREMENTS.

3. THAT BUILDING ELEVATION REQUIREMENTS HAVE BEEN DETERMINED BY THE ANGLETON DRAINAGE

4. THAT THE DISTRICT ASSUMES ANY RESPONSIBILITY FOR CONSTRUCTION. OPERATION OR MAINTENANCE OF SUBDIVISION DRAINAGE FACILITIES.

THE DISTRICT'S REVIEW IS BASED SOLELY ON THE DOCUMENTATION SUBMITTED FOR REVIEW, AND ON THE RELIANCE ON THE REPORT SUBMITTED BY THE TEXAS REGISTERED PROFESSIONAL ENGINEER. THE DISTRICT'S REVIEW IS NOT INTENDED NOR WILL SERVE AS A SUBSTITUTION OF THE OVERALL RESPONSIBILITY AND/OR DECISION MAKING POWER OF THE PARTY SUBMITTING THE PLAT OR PLAN HEREIN,

CHAIRMAN, BOARD OF BOARD MEMBER SUPERVISORS

ADD VERBAGE:

THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE CITY OF ANGLETON LDC, EXCEPT FOR THE VARIANCE THAT WAS EXPRESSLY GRANTED B THE CITY COUNCIL ALLOWING FOR ON-SITE SEWERAGE FACILITIES (OSSF) PURSUANT TO SECTION 23-15.D.2.

I CERTIFY THAT THE HEREIN PLAT AND THE SURVEY ON WHICH IT WAS BASED MEET THE MINIMUM REQUIREMENTS OF X CATEGORY 1A, CONDITION II SURVEY, AS DESCRIBED IN THE TEXAS SOCIETY OF PROFESSIONAL LAND SURVEYORS -MANUAL OF PRACTICE. FIELDWORK WAS COMPLETED IN FEBRUARY, 2021.

PHIL HAMMONS REGISTERED PROFESSIONAL LAND SURVEYOR کی 5840 <u>-</u>

NOTES:

- 1. ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH
- 2. FLOOD ZONE STATEMENT: ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY, MAP NUMBER 48039C0445K, WITH EFFECTIVE DATE OF DECEMBER 30, 2021, THE PROPERTY SURVEYED LIES FULLY WITHIN ZONE "X" (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN. WARNING: THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.
- 3. REFERENCE BENCHMARK:

CENTRAL ZONE, NAD-83, U.S. SURVEY FEET.

- NGS MONUMENT R1182 (PID AW1171) A BRASS DISK STAMPED R1182. ON THE NORTH LINE OF CR 171, ON THE CURB OF A BRIDGE, APPROXIMATELY 275 SOUTHWEST OF INTERSECTION WITH CR 428. ELEVATION = 26.31 FEET NGVD29
- 4. THE POSSIBLE EXISTENCE OF UNDERGROUND FACILITIES OR SUBSURFACE CONDITIONS OTHER THAN THOSE SHOWN MAY AFFECT THE USE AND DEVELOPMENT OF THE SUBJECT PROPERTY SHOWN
- 5. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATTING STATUTES AND IS
- 6. NOTICE: PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR

SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.

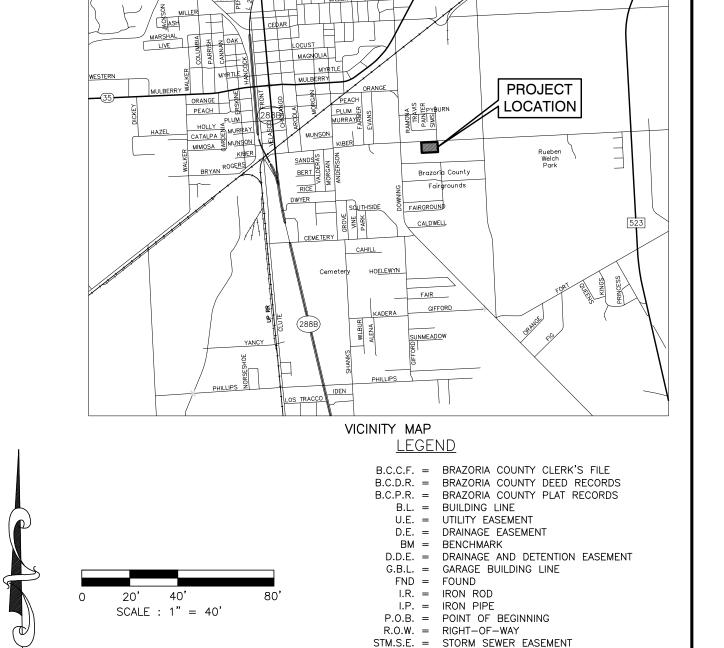
- 7. NOTICE: THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL
- 8. NOTICE: APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER.

NOTICE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.

- 10. SIDEWALKS SHALL BE REQUIRED PER ANGLETON LDC SEC. 23.14 SIDEWALKS AND ACCESSIBILITY.
- 11. A MINIMUM OF TWO PARKING SPACES ON THE SAME LOT AS THE MAIN STRUCTURE AND ON A PAVED DRIVEWAY HAVING A MINIMUM LENGTH OF 20 FEET AS MEASURED FROM THE STREET RIGHT-OF-WAY LINE.
- 12. ALL REAR BUILDING LINES SHALL BE 25 FEET FROM PROPERTY LINE. SIDE BUILDING LINES SHALL BE 10 FEET FOR INTERIOR SIDE LOTS. THE FRONT BUILDING LINE SHALL BE 30 FEET.

13. THE PURPOSE OF THIS REPLAT IS TO SUBDIVIDE THE TRACT INTO TWO LOTS.

JACOBO DE LA GARZA 1236 KIBER STREET ANGLETON TEXAS 77515 832-630-4975



VOL., Pg. = VOLUME, PAGE

O = SET 5/8" I.R. W/CAP "BAKER & LAWSON"

FOUND MONUMENT (AS NOTED)

= (TBM) TEMPORARY BENCHMARK

MEADOW

ANGLETON

FIELD NOTES FOR 3.996 ACRE TRACT

BEING A TRACT OF LAND CONTAINING 3.996 ACRES (174,082 FEET) OF LAND, LOCATED IN THE I.T. TINSLEY SURVEY, ABSTRACT NUMBER (NO.) 375, IN BRAZORIA COUNTY, TEXAS, BEING A PORTION OF TRACT 74 OF THE BRYAN AND KIBER SUBDIVISION RECORDED UNDER VOLUME (VOL.) 29, PAGE (PG.) 75 OF THE BRAZORIA COUNTY DEED RECORDS (B.C.D.R.), BEING ALL OF A CALLED 4 ACRE TRACT RECORDED IN THE NAME OF JOCOBO H. DELAGARZA UNDER BRAZORIA COUNTY CLERK'S FILE (B.C.C.F.) NO. 2017023710; SAID 3.996 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, (NAD83) CENTRAL ZONE, PER GPS OBSERVATIONS):

BEGINNING AT A 3/4-INCH IRON ROD FOUND ON THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF EAST KIBER STREET (SIXTY FEET WIDE PER VOL. 29, PG. 75 B.C.D.R.) AT THE NORTHEAST CORNER OF LOT 73 OF SAID BRYAN AND KIBER SUBDIVISION, AT THE NORTHWEST CORNER OF SAID LOT 74 AND THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE SOUTH R.O.W. LINE OF SAID EAST KIBER STREET, BEING THE NORTH LINE OF SAID LOT 74, NORTH 87 DEGREES 04 MINUTES 34 SECONDS EAST, A DISTANCE OF 528.00 FEET TO A 1/2-INCH IRON ROD WITH CAP (STROUD) FOUND AT THE NORTHWEST CORNER OF A CALLED 1.00 ACRE TRACT RECORDED IN THE NAME OF JERRY ALAN ODOM UNDER B.C.C.F. NO. 2011046678, FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

EAST, A DISTANCE OF 330.13 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "BAKER & LAWSON" SET ON THE NORTH LINE OF A TRACT RECORDED IN THE NAME OF BRAZORIA COUNTY UNDER B.C.C.F. NO. 2010048403, AT THE SOUTHWEST CORNER OF SAID 1.00 ACRE TRACT, FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WITH THE WEST LINE OF SAID 1.00 ACRE TRACT, SOUTH 03 DEGREES 05 MINUTES 30 SECONDS

THENCE, WITH THE NORTH LINE OF SAID BRAZORIA COUNTY TRACT, SOUTH 87 DEGREES 11 MINUTES 02 SECONDS WEST, A DISTANCE OF 528.23 FEET TO A 5/8-INCH IRON ROD WITH CAP STAMPED "BAKER & LAWSON" SET ON THE COMMON LINE OF LOTS 73 AND 74, FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT:

THENCE, WITH THE COMMON LINE OF SAID LOTS 73 AND 74, NORTH 03 DEGREES 03 MINUTES 06 SECONDS WEST, A DISTANCE OF 329.17 FEET TO THE POINT OF BEGINNING, CONTAINING 3.996 ACRES OF LAND, MORE OR LESS.

PRELIMINARY/FINAL REPLAT

DE LA GARZA SUBDIVISION A 3.996 ACRE, 2-LOT, 1 BLOCK SUBDIVISION

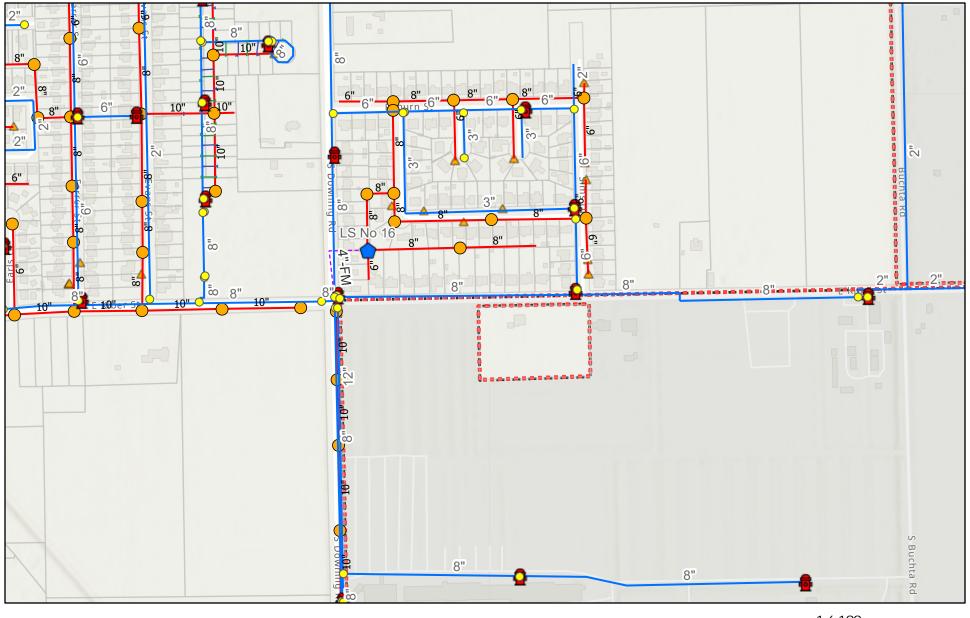
PORTION OF OF TRACT 74 OF THE BRYAN AND KIBER SUBDIVISION, VOL. 29, Pg. 75 B.C.D.R. LOCATED IN THE I. T. TINSLEY SURVEY, ABSTRACT No. 375 BRAZORIA COUNTY, TEXAS



300 EAST CEDAR ST. ANGLETON, TEXAS 77515 OFFICE: (979) 849-6681 TBPLS No. 10052500 REG. NO. F-825

PROJECT NO.: 14526 1" = 40'DRAWING NO.: 14526 PLAT DATE: 04/01/2020

DRAWN BY: MAS CHECKED BY: DRR



8/12/2022

1:6,199 0 0.04 0.09 0.18 mi 0 0.05 0.1 0.2 km

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NC NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, Fl



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 5, 2022

PREPARED BY: Otis T. Spriggs, AICP, Director of Development Services

AGENDA CONTENT: Discussion and possible action on a proposed Concept Plan for

Whispering Oaks Subdivision, for 49 lots, 2 Blocks, on 28.203 acres located north of Western Avenue and east of Heritage Oaks Drive.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

The developer of property located north of Western Avenue and east of Heritage Oaks Drive (Attachment 1) submitted the concept plan consideration for Whispering Oaks Subdivision.

The proposed land plan (Attached) consists of 49 single family residential lots having typical lot dimensions of 100 feet of width and 130 ft. of depth, a central detention pond and two areas designated as "park areas." The subject property is in the Single Family Residential 7.2 zoning district which has minimum lot dimension of 60 feet of width, 100 feet of depth and 7,200 square feet of lot area. The proposed land plan exceeds those minimum requirements, and the density is 1.73 dwelling units per acre.

Section 23-11.I requires the following: 1. All subdivisions containing 30 or more lots must have at least two points of 100-year storm compliant public access constructed to ACM standards, that connect to paved public streets. 2. The city council may approve subdivisions that have more than 30 lots, but fewer than 50 lots, with a single entrance to a paved public street provided that such connection to an existing paved public street is designed as a boulevard with a width sufficient on each driving lane for fire truck access, with an unbroken median length of 100 feet, unless left-turn lanes and median breaks designed to ACM standards, are installed at any crossing streets. 3. The city council may approve subdivisions that have more than 50 lots, with a single entrance to a paved street subject to the entrance to the development being designated as a boulevard with a width sufficient on each driving lane for fire truck access, with an unbroken median length of 150 feet, unless left-turn lanes and median breaks, designed to ACM standards, are installed at any crossings, subject to a phasing plan that stipulates when the second access will be provided and the developer or subdivider posts surety for the second access point. The council may defer plat recordation until adequate access is provided.

To meet the boulevard entrance requirement the developer proposed a revised cross-section (Attachment 4) for the existing stub street that is the proposed entrance into the Whispering Pines project. After input from Fire Chief Scott Meyers, EMS Director Lucille Maes, and Police Chief Guadalupe Valdez, the consensus staff direction to the developer in regard to the proposed entrance cross-section was the following: 1. Widen the pavement to 48 feet in width and remove the median due to the property owner to the south taking driveway access to the existing stub street. 2. Post "No Parking" signs along the entrance into the Whispering Pines project. 3. The curbs be rollover curbs.

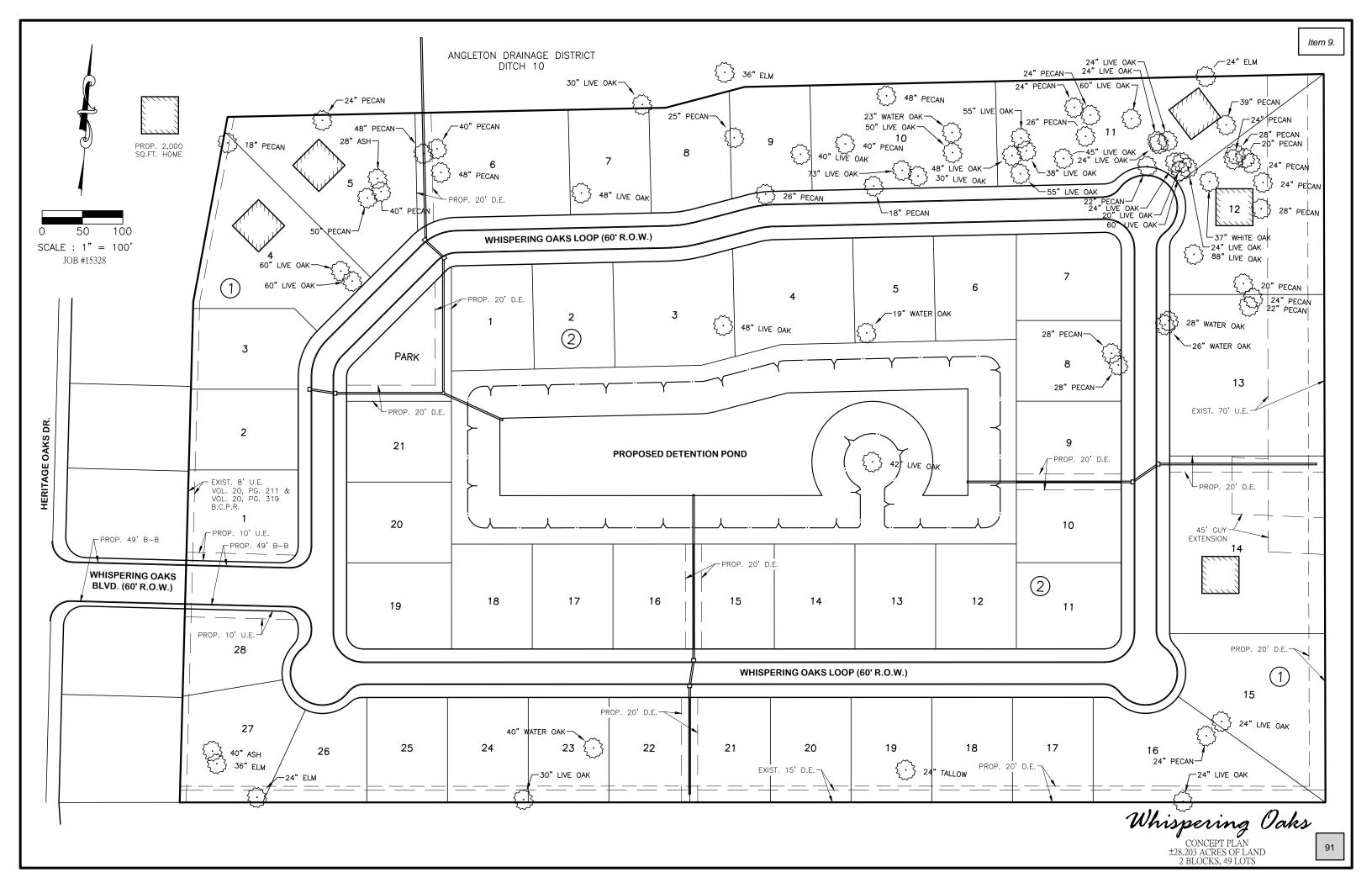
No proposal was made on the provision of secondary access with the original 80 lot preliminary plat, although several options were discussed.

Pursuant to Section 23-104 D.3. applicants are encouraged as part of the plan submittal contents to "Cite any design deviations that are contemplated. Without such declarations it is assumed that the project will comply with all applicable development requirements." While no design deviations have been cited, the boulevard entrance requirement has been a topic of discussion with the applicant. Unfortunately, even if a design deviation as proposed by the previous 80 lot development were specifically requested for the boulevard entrance, staff would advise that the Commission not address that deviation. Such a deviation is a variance of the requirement of Section 23-11.I.2 and variances requested as part of a residential replat (which this proposal would be) must comply with the requirements of the Texas Local Government Code (LGC). LGC Section 212.015.(a).(1) requires conformance with LGC Section 212.015 if during the preceding five years, any lot in the preceding plat was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot. The subject property is in the (SF-7.2) district which limits the number of residential units per lot to one.

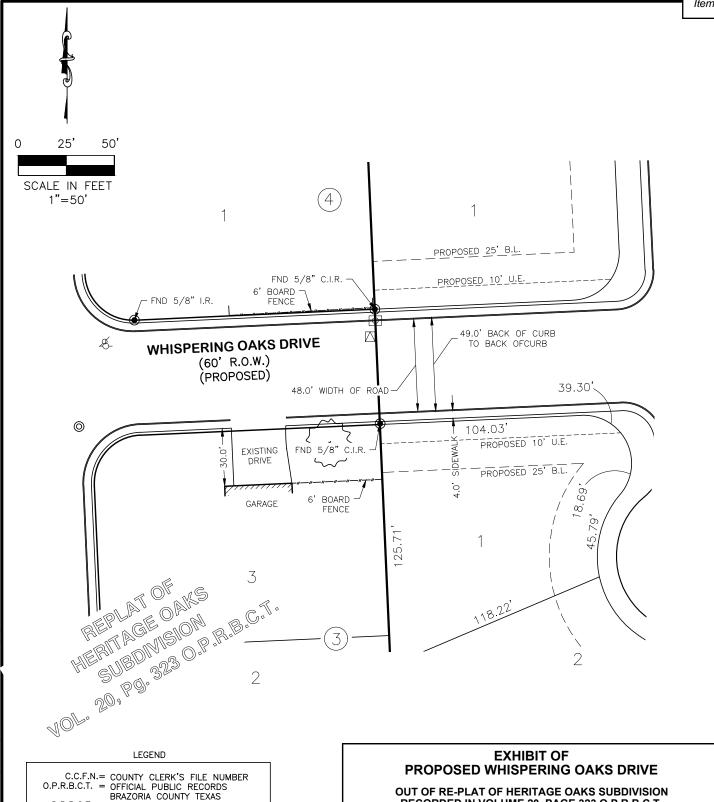
Staff Comments/Conditions:

- 1. That the applicant shall submit a preliminary plat for the subject property prior to any construction plans being submitted for consideration.
- 2. The applicant shall satisfy the requirements of the Heritage Tree Ordinance and the Parkland Dedication Regulations.
- 3. The Boulevard Style Entrance deviation should be approved as to concept and form, subject to formal procedures being completed with the Preliminary Plat Submittal.

Recommendation: Approve the Concept Plan and forward this application to the city council for final consideration and appropriate action.







D.R.B.C.T. = DEED RECORDS BRAZORIA

COUNTY TEXAS

P.O.B. = POINT OF BEGINNING P.O.C. = POINT OF COMMENCEMENT

C.I.R. = CAPPED IRON ROD

I.R. = IRON ROD I.P. = IRON PIPE FND. = FOUND

R.O.W. = RIGHT-OF-WAY

VOL. = VOLUME

PG. = PAGE

= FOUND MONUMENT AS NOTED

<u>©</u> = SET 5/8" CIR "BAKER&LAWSON" **OUT OF RE-PLAT OF HERITAGE OAKS SUBDIVISION** RECORDED IN VOLUME 20, PAGE 323 O.P.R.B.C.T.

IN THE J. DE. J. VALDERAS SURVEY, A-30 BRAZORIA COUNTY, TEXAS



Baker & Lawson Inc. 4005 Technology Dr., Suite 1530 Angleton, TX 77515

Phone # 979-849-6681 · www.bakerlawson.com Licensed Surveying Firm No. 10052500

JOB NO.: 15328 SCALE: 1"= 50' DATE: 08/29/2022 DWG. NO.: 15328 EXHIBIT DRAWN BY: NWO CHK. BY: AH



October 26, 2022

Mr. Otis Spriggs
Director of Development and Planning
City of Angleton
121 S. Velasco
Angleton, Texas 77515

Re:

Public Access to Subdivisions Whispering Oaks Subdivision

Dear Mr. Spriggs,

We are requesting a waiver for the following Section of the City of Angleton Land Development Code (LDC):

Section 23-12. Streets and Driveways, Subsection I. Public Access to Subdivisions to allow 80 lots with only one access to public roadway.

I. Public Access to Subdivisions.

- 1. Subdivisions containing 30 or more lots, or multi-family developments with 50 or more units, shall have a minimum of two points of vehicular access to an existing public right-of-way separated as far apart as practical; or
- 2. The City Council may consider a boulevard style entrance with the following design elements:
 - a. A boulevard entrance with a median that has a minimum width of six feet;
 - b. Extension of the median into the subdivision an unbroken distance of at least 75 feet to the first intersecting interior street; and
- c. Boulevard lanes with an adequate pavement for emergency access into the development.

The preliminary layout for Whispering Oaks Subdivision currently shows a development of 49 lots with a single 60 feet wide right of way access connection to Heritage Oaks Drive on the west side of the subdivision. There is no other available path to another access point because of Western Avenue subdivision to the south Heritage Oaks Subdivision to the west, Angleton Drainage District Ditch 10 to the north and Gambit Energy Battery facility and Private property to the east. A previously platted 60' right of way road through the private property owned now by Richard Willy was allowed to be abandoned a few years ago by the City. The City's abandonment of the right of way prevents a second access point.

Staff met with the original developer on June 9, 2021 and discussed the requirements of Section 23-11.I. To meet the boulevard entrance requirement the developer proposed a revised cross-section (Attachment 4) for the existing stub street that is the proposed entrance into the Whispering Pines project. After input from Fire Chief Scott Meyers, EMS Director Lucille Maes, and Police Chief Guadalupe Valdez, the consensus staff direction to the developer in regard to the proposed entrance cross-section was the following:

consensus staff direction to the developer in regard to the proposed entrance cross-section was the following:

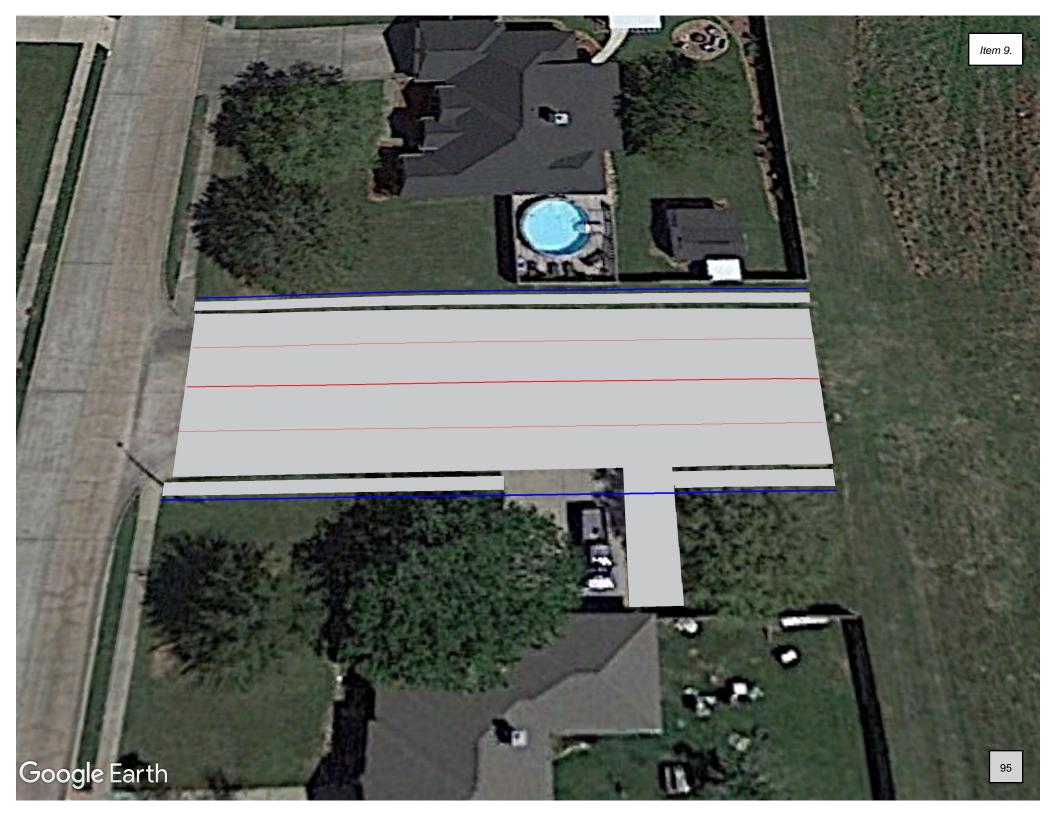
- 1. Widen the pavement to 48 feet in width and remove the median due to the property owner to the south taking driveway access to the existing stub street.
- 2. Post "No Parking" signs along the entrance into the Whispering Pines project.
- 3. The curbs be rollover curbs

If you have any questions or require further information concerning this waiver request, please contact Baker & Lawson, Inc.

Sincerely,

Douglas B. Roesler, P.E. President, Principal Engineer

(File: 15328/Single Access Waiver)





AGENDA ITEM SUMMARY FORM

MEETING DATE: January 5, 2023

PREPARED BY: Kyle Reynolds, Assistant Director of Development Services

AGENDA CONTENT: Consideration of approval of a Preliminary Plat for Ashland

Development Wastewater Treatment Plant, for 14.44 acres of land, containing four reserves in three blocks out of the George Robinson League, A-126, Brazoria County, Texas as submitted by Ashton Gray

Development.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

Consideration of approval of a Preliminary Plat for Ashland Development Wastewater Treatment Plant, for 14.44 acres of land, containing four reserves in three blocks out of the George Robinson League, A-126, Brazoria County, Texas as submitted by META Planning and Design LLC on behalf of Ashton Gray Development. The proposed uses of the 4 reserves include Drainage and detention, open space, a wastewater treatment plant.

The property is currently within the ETJ, Extraterritorial Jurisdiction within Brazoria County. The City Council has approved the following associated plats for Ashland Development subject to the final approval of the development agreement: Preliminary Plats for Sections 1 and Section 2; Street Dedication Plats 1 &2; Ashland Model Home Park; Detention; and mass grading plans have been submitted to City.

City Engineer Comments: Pending

Planning Comments:

- 1. Development Services has no objections to the submitted plat. Utility, TIA, Mass Drainage Plans, and the Geotechnical Report have all been submitted as required.
- **2.** For utility or public infrastructure plants staff recommends that notes be provided satisfying any fence and screening requirements by the LDC or required by TCEQ for areas visible to residential properties.

RECOMMENDATION: The planning commission should approve the Preliminary Plat for Ashland Development Wastewater Treatment Plant, 14.44 acres of land, containing four

reserves in three blocks, subject to staff comments and subject to City Engineer's review comments and the final approval of the Development Agreement by City Council.



APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 11/18/2022						
TYPE OF PLAT APPLICATION						
ADMINISTRATIVE PRELIMINARY FINAL MINOR						
Address of property:						
Name of Applicant: Caitlin King Phone: 281-810-7228						
Name of Company: META Planning + Design Phone: 281-810-1442						
E-mail: cking@meta-pd.com						
Name of Owner of Property: Ashton Gray Development						
Address: 101 Parklane Blvd, Suite 102, Sugar Land, Texas, 77478						
Phone: 281-810-7228 E-mail: cking@meta-pd.com						
I HEREBY REQUEST approval of the preliminary and final plat of the subject property according to the plans which are submitted as a part of this application. I HEREBY AUTHORIZE the staff of the City of Angleton to inspect the premises of the subject property. I HEREBY SWEAR AND AFFIRM that all statements contained herein and attached hereto are true and correct to the best of my knowledge and belief. Signature of Owner or Agent for Owner (Applicant) NOTARIAL STATEMENT FOR APPLICANT:						
Sworn to and subscribed before me this 18 day of NOVEMBEY, 2022.						
(SEAL) Jayti Freeman My Commission Expires 01/18/2025 Notary Public for the State of Texas Commission Expires: 01/18/2025						

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT ANCHOR HOLDINGS MP, LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as ___, a subdivision in the jurisdiction of the City of Angleton, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys and public parkland shown thereon. The streets, alleys and parkland are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Angleton. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Angleton's use thereof. The City of Angleton and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Analeton and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

STATE OF TEXAS § COUNTY OF BRAZORIA §

This plat is hereby adopted by the owners (called "Owners") and approved by the City of Angleton, ("City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees,

"Drainage Easements" shown on the plat are reserved for drainage purposes forever, and the maintenance of the drainage easements shall be provided by all of the owners of lots in the subdivision. All Owner documents shall specify, confirm and bind the Owner(s) to continuously maintain all Drainage Easements and shall relieve the City of Angleton of the responsibility to maintain any Drainage Easement. The fee simple title to the Drainage and Floodway Easement shall always remain in the Owner(s).

The City and Angleton Drainage District will not be responsible for the maintenance and operation of easement or for any damage or injury to private property or person that results from the flow of water along said easement or for the control of erosion. but reserves the right to use enforcement powers to ensure that drainage easements are properly functioning in the manner in which they were designed and

The Owners shall keep all Drainage Easements clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City of Angleton or Angleton Drainage District shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the Owners to alleviate any public health or safety issues. The Association hereby agrees to indemnify and hold harmless the City from any such damages and injuries.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed gerial gasements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21' 6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' 0") for ten feet (10' 0") back—to—back ground easements, or eight feet (8' 0") for fourteen feet (14' 0") back—to—back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back—to—back ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' 0") in width.

STATE OF TEXAS § COUNTY OF BRAZORIA §

The owner of land shown on this plat, in person or through a duly authorized agent, dedicates to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

Duly Authorized Agent

STATE OF TEXAS § COUNTY OF BRAZORIA §

Before me, the undersigned, personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and, in the capacity, therein stated. Given under my hand and seal of office this ___ day of ____, ___.

Notary Public State of Texas

STATE OF TEXAS § COUNTY OF BRAZORIA §

KNOW ALL MEN BY THESE PRESENTS:

I, Steve Jares, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that META Planning + Design LLC has prepared this preliminary plat based on information furnished by Costello, Inc.

_____ Steve Jares Registered Professional Land Surveyor No. 5317

STATE OF TEXAS §

COUNTY OF BRAZORIA §

KNOW ALL MEN BY THESE PRESENTS:

That I, William A.C. McAshan, do hereby certify that proper engineering consideration has been provided in this plat. To the best of my knowledge, this plat conforms to all requirements of the Angleton LDC, except for any variances that were expressly granted by the City Council.

_____ William A.C. McAshan, P.E. Professional Engineer

DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ANGLETON SUBDIVISION ORDINANCES IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE CITY OF ANGLETON PLANNING & ZONING COMMISSION AND/OR CITY-COUNCIL. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER META PLANNING + DESIGN LLC NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT

APPROVED this _____ day of ____, 20___, by the Planning and Zoning Commission, City of Angleton, Texas.

_____ Chairman, Planning and Zoning Commission

City Secretary

Mayor

APPROVED this _____ day of ____, 20__, by the City Council, City of Angleton,

City Secretary

STATE OF TEXAS §

COUNTY OF BRAZORIA §

This instrument was acknowledged before me on the ____ day of _____, 20___, by _____, City Secretary, City of Angleton, on behalf of the City.

Notary Public

State of Texas

GENERAL NOTE:

1.) "U.E." INDICATES UTILITY EASEMENT.

2.) "1' RES." INDICATES ONE FOOT RESERVE.

dedicated to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent acreage tracts, the condition of such dedication being that when the adjacent property is subdivided in a recorded plat, the one foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and revest in the dedicator, his heirs assigns, or successors.

- 3.) ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
- 4.) NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- 5.) NOTICE: PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
- 6.) NOTICE: THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
- 7.) NOTICE: APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE
- 8.) NOTICE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
- 9.) ALL RESERVES SHALL BE OWNED AND MAINTAINED BY HOMEOWNER'S ASSOCIATION OR MUD.

APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER.

ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), SOUTH CENTRAL ZONE.

VERTICAL DATUM:

ALL ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88),

- GEOID 12B, BASED ON ALLTERRA'S RTK NETWORK, STATIONS HAGS_1012 AND HCOG_14012. THESE TRACTS LIE WITHIN ZONE "X" AND ZONE "X-SHADED" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY NO. 485458, MAP NUMBER 48039C0430K, PANEL 430, SUFFIX "K" DATED DECEMBER 30, 2020, FOR BRAZORIA COUNTY, TEXAS AND INCORPORATED AREAS.
- 12.) THIS PRELIMINARY PLAT HAS BEEN PREPARED BY META PLANNING + DESIGN LLC. WITH THE AID OF INFORMATION PROVIDED BY QUIDDITY ENGINEERING, LLC.
- 13.) QUIDDITY ENGINEERING, LLC, TBPE FIRM REGISTRATION No. F-23290, TBPLS FIRM REGISTRATION No. 10046100, IS A SUBCONSULTANT ONLY
- AND HAS NOT PREPARED THIS PRELIMINARY PLAT. 14.) • PROPOSED MONUMENTS TO BE SET BY QUIDDITY ENGINEERING, LLC., UPON RECORDATION OF A FINAL PLAT.
- LOTS WITHIN THIS SUBDIVISION SHALL BE SERVICED BY THE FOLLOWING PROVIDERS: BRAZORIA COUNTY MUD #82. CENTERPOINT, TEXAS NEW MEXICO POWER, AND CENTRIC GAS & FIBER.

LEGEND:

1.) "B.L." INDICATES BUILDING LINE.

2.) "AC." INDICATES ACREAGE.

3.) "R.O.W." INDICATES RIGHT-OF-WAY.

4.) "P.O.B." INDICATES POINT OF BEGINNING.

5.) "FND" INDICATES FOUND. 6.) "IP" INDICATES IRON PIPE.

7.) "IR" INDICATES IRON ROD.

8.) "VOL." INDICATES VOLUME.

9.) "PG." INDICATES PAGE.

10.) "D.R.B.C." INDICATES DEED RECORDS BRAZORIA COUNTY.

11.) "NO." INDICATES NUMBER.

12.) "CT." INDICATES COURT. 13.) "DR." INDICATES DRIVE.

14.) "O.P.R.B.C." INDICATES OFFICIAL PUBLIC RECORDS BRAZORIA COUNTY.

15.) " INDICATES STREET NAME CHANGE.

16.) " [2] " INDICATES BLOCK NUMBER.

17.) "A" INDICATES RESERVE NUMBER.

STATE OF TEXAS §

COUNTY OF BRAZORIA§

A METES & BOUNDS description of a certain 14.44-acres tract of land situated in the George Robinson League, Abstract No. 126 in Brazoria County, Texas, being partially out of a called 61.20-acres tract of land and a 166.74-acres tract of land, both of which are conveyed to 1485 Holdings LLC by Special Warranty Deed, recorded in Clerk's File No. 202185074 of the official public records of Brazoria County; said 14.44-acres tract being more particularly described as follows with all bearings being based on the Texas Coordinate System of 1983, South

COMMENCING at a found 5/8 inch iron rod with cap stamped "TRS RPLS 4808" at the southeast corner of a said 61.20-acre tract, the northeast corner of a called 116.155-acres tract to Charlies B. Robertson III, et al, recorded in Clerk's File No. 2018029439 of the Officially County Court of Brazoria County, Texas, and along the west line of a called 91.87-acres tract to Robert Lloyd Carr, et al recorded in County Clerk's File No. 2015014625 of the Official County Court of Brazoria County, Texas;

THENCE, South 86°53'29" West, along the south line of said 61.20-acres tract common with the north line of said 116.155-acres tract, 100.00 feet to the **POINT OF BEGINNING**;

THENCE, South 86°53'29" West, along said common line, 1323.65 feet to a point for corner;

THENCE, North 43°03'25" East, passing the north line of aforementioned 61.20-acres tract, common with the south line of aforementioned 166.74-acres tract at 951.26 feet, for a total distance of 1202.20 feet to a point for corner;

THENCE, South 43°19'59" East, passing said common line at 229.72 feet, for a total distance of 248.98 feet to a point for corner;

THENCE. South 43°48'03" East, 126.07 feet to a point for corner:

THENCE, South 58°22'21" East, 79.90 feet to a point for corner;

THENCE, South 58°28'19" East, 112.87 feet to a point for corner;

THENCE, South 46°41'05" East, 33.57 feet to a point for corner;

THENCE, South 42°06'09" East, 53.32 feet to a point for corner;

THENCE, South 02°50'23" East, 371.50 feet to the **POINT OF BEGINNING, CONTAINING** 14.4437-acres of land in Brazoria County, Texas.

This metes and bounds description is to be used to initiate title research and shall not be used for transfer of title to the property herein described.

LINE	DISTANCE	BEARING
L1	79.88'	N 58°22'21" W
L2	112.86'	N 58°28'19" W
L3	33.57'	N 46°41'05" W
L4	53.31'	N 42°06'09" W

ASHLAND WASTE WATER TREATMENT PLANT & **RESERVES**

BEING 14.44 ACRES OF LAND CONTAINING FOUR RESERVES IN THREE BLOCKS. OUT of THE

GEORGE ROBINSON LEAGUE, A-126 BRAZORIA COUNTY, TEXAS

ANCHOR HOLDINGS MP LLC 101 PARKLANE BOULEVARD. SUITE 102 **SUGAR LAND, TEXAS 77478**

ENGINEER: QUIDDITY ENGINEERING, LLC 3100 ALVIN DEVANE BLVD #150 **AUSTIN, TEXAS 78741** (512) 441-9493

SURVEYOR **QUIDDITY ENGINEERING, LLC** 6330 W LOOP S, SUITE 150 BELLAIRE, TEXAS 77401 TBPE Firm Registration No. TBPELS Firm Registration No. 10046104

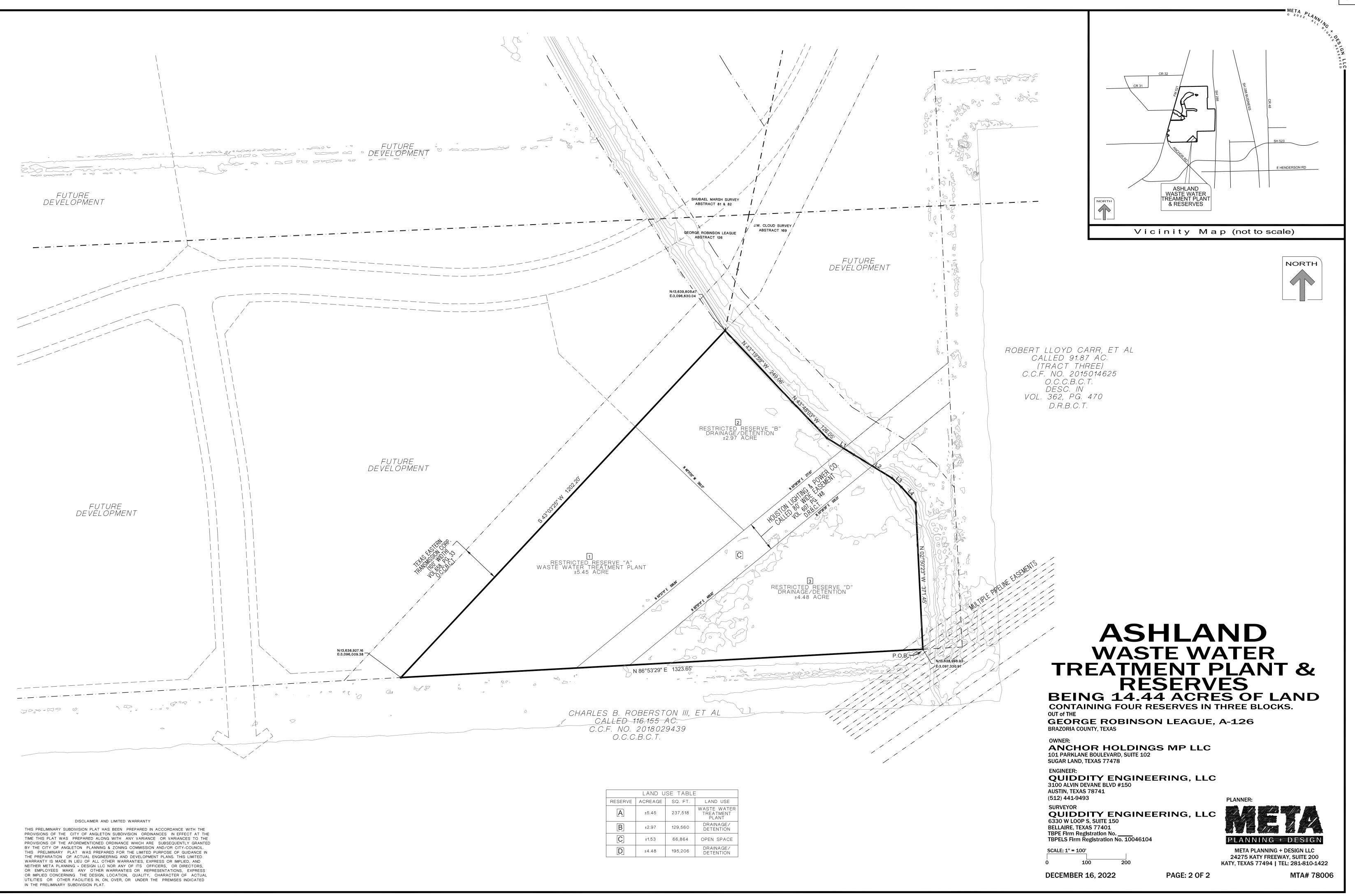
SCALE: 1" = 100'

DECEMBER 16. 2022

PLANNING + DESIGN META PLANNING + DESIGN LLC 24275 KATY FREEWAY, SUITE 200 KATY, TEXAS 77494 | TEL: 281-810-1422

PAGE: 1 OF 2

MTA# 78006





December 14, 2022

Otis Spriggs
Director of Development Services
City of Angleton
121 S. Velasco Street,
Angleton, Texas, 77515

Re: ASHLAND WASTEWATER TREATMENT PLANT PRELIMINARY PLAT SUBMISSION

Dear Otis,

On behalf of Ashton Gray Development, we META Planning + Design LLC respectfully submit the preliminary plat application for the above listed plat. See the below list of submittal requirements and our response:

- 1) Preliminary plat application
 - a. Has been provided
- 2) Preliminary plat submittal fee
 - a. Has been provided
- 3) One (1) 24" x 36" paper prints of preliminary plat
 - a. Has been provided
- 4) Electronic format of preliminary plat drawing
 - a. Has been provided
- 5) Utility one-lines
 - a. Has been provided
- 6) TIA
 - a. Has been provided with previous submission and is provided digitally.
- 7) Utility and drainage report
 - a. Has been provided with previous submission and is provided digitally.
- 8) Geotechnical report
 - a. Has been provided with previous submission and is provided digitally.
- 9) Heritage tree survey
 - a. N/A

Please contact me if you need any additional information.

Sincerely,

Caitlin King Enclosure

Caitlin King

APPLICATION AND ALL REQUIRED DOCUMENTATION MUST BE SUBMITTED FOR REVIEW A MINIMUM OF 35 DAYS PRIOR TO THE NEXT PLANNING & ZONING COMMISSION MEETING. INCOMPLETE FORMS MAY BE DELAYED, DENIED, RETURNED TO THE APPLICANT; PLANNING & ZONING COMMISSION MEETS ON THE FIRST THURSDAY OF THE MONTH.

AFFIDAVIT OF AUTHORIZATION BY PROPERTY OWNER

I swear that I am the owner of (indicate address and/or legal descriptions	cription)
which is the subject of the attached application for land platting and is shown in the records of Brazoria County, Texas.	
I authorize the person named below to act as my agent in the pursuit of this application for the platting of the subject property.	
NAME OF APPLICANT: Caitlin King	
ADDRESS: 24275 Katy Freeway, Suite 200, Katy, Texas, 77494	
APPLICANT PHONE # 281-810-7228 E-MAIL: cking@meta-pd.com	
PRINTED NAME OF OWNER: Sudharshan Vembutty	
SIGNATURE OF OWNER: DATE: 7/19/20	777
NOTARIAL STATEMENT FOR PROPERTY OWNER:	
Sworn to and subscribed before me this \(\text{\text{\$\sigma}} \) day of \(\text{\text{\$\sigma}} \), 20 \(\text{\text{\$\cdot\$}} \).	
Alex Phillippe Staten My Commission Expires 5/16/2026 Notary ID Notary ID Commission Expires: Sittle / Co. 700	



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 5, 2023

PREPARED BY: Kyle Reynolds, Assistant Director of Development Services

AGENDA CONTENT: Consideration of approval of a Preliminary Plat for Ashland

Development Water Treatment Plant, for 2.09 acres of land,

containing one reserve in one block, Shubael Marsh Surveys A-81 &

A-82, Brazoria County, Texas as submitted by Ashton Gray

Development.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

Consideration of approval of a Preliminary Ashland Development Wastewater Treatment Plant, for 2.09 acres of land, containing one reserve in one block, Shubael Marsh Surveys A-81 & A-82, Brazoria County, Texas as submitted by Ashton Gray Development.

The proposed use of the reserve is for public and infrastructural (Water Treatment) purposes only.

The property is currently within the ETJ, Extraterritorial Jurisdiction within Brazoria County. The City Council has approved the following associated plats for Ashland Development subject to the final approval of the development agreement: Preliminary Plats for Sections 1 and Section 2; Street Dedication Plats 1 &2; Ashland Model Home Park; Detention; and, mass grading plans have been submitted to City.

City Engineer Comments: Pending

Planning Comments:

1. Development Services has no objections to the submitted plat. Utility, TIA, Mass Drainage Plans, and the Geotechnical Report have all been submitted as required.

RECOMMENDATION: The planning commission should approve the Preliminary Plat for Ashland Development Water Treatment Plant, for 2.09 acres of land, containing one reserve in one block subject to staff comments and subject to City Engineer's review comments and the final approval of the Development Agreement by City Council.



APPLICATION FOR PLAT REVIEW/APPROVAL

Date: 11/18/2022						
TYPE OF PLAT APPLICATION						
ADMINISTRATIVE PRELIMINARY FINAL MINOR						
Address of property:						
Name of Applicant: Caitlin King Phone: 281-810-7228						
Name of Company: META Planning + Design Phone: 281-810-1442						
E-mail: cking@meta-pd.com						
Name of Owner of Property: Ashton Gray Development						
Address: 101 Parklane Blvd, Suite 102, Sugar Land, Texas, 77478						
Phone: 281-810-7228 E-mail: cking@meta-pd.com						
I HEREBY REQUEST approval of the preliminary and final plat of the subject property according to the plans which are submitted as a part of this application. I HEREBY AUTHORIZE the staff of the City of Angleton to inspect the premises of the subject property. I HEREBY SWEAR AND AFFIRM that all statements contained herein and attached hereto are true and correct to the best of my knowledge and belief. Signature of Owner or Agent for Owner (Applicant) NOTARIAL STATEMENT FOR APPLICANT:						
Sworn to and subscribed before me this 18 day of NOVEMBEY, 2022.						
(SEAL) Jayti Freeman My Commission Expires 01/18/2025 Notary Public for the State of Texas Commission Expires: 01/18/2025						

APPLICATION AND ALL REQUIRED DOCUMENTATION MUST BE SUBMITTED FOR REVIEW A MINIMUM OF 35 DAYS PRIOR TO THE NEXT PLANNING & ZONING COMMISSION MEETING. INCOMPLETE FORMS MAY BE DELAYED, DENIED, RETURNED TO THE APPLICANT; PLANNING & ZONING COMMISSION MEETS ON THE FIRST THURSDAY OF THE MONTH.

AFFIDAVIT OF AUTHORIZATION BY PROPERTY OWNER

I swear that I am the owner of (indicate address and/or legal descriptions	otion) -
which is the subject of the attached application for land platting and is shown in the records of Brazoria County, Texas.	-
I authorize the person named below to act as my agent in the pursuit of this application for the platting of the subject property.	_
NAME OF APPLICANT: Caitlin King	
ADDRESS: 24275 Katy Freeway, Suite 200, Katy, Texas, 77494	_
APPLICANT PHONE # 281-810-7228 E-MAIL: cking@meta-pd.com	_
PRINTED NAME OF OWNER: Sudharshan Vembutty	
SIGNATURE OF OWNER: DATE: 7/19/207	<u>l</u>
NOTARIAL STATEMENT FOR PROPERTY OWNER:	
Sworn to and subscribed before me this day of July , 2077.	
Alex Phillippe Staten My Commission Expires 5/16/2026 Notary ID Notary Public for the State of Texas Commission Expires: 5/16/2026	

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT ANCHOR HOLDINGS MP, LLC acting herein by and through its duly authorized officers, does hereby adopt this plat designating the hereinabove described property as _______, a subdivision in the jurisdiction of the City of Angleton, Texas, and does hereby dedicate, in fee simple, to the public use forever, the streets, alleys and public parkland shown thereon. The streets, alleys and parkland are dedicated for street purposes. The easements and public use areas, as shown, are dedicated for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Angleton. In addition, utility easements may also be used for the mutual use and accommodation of all public utilities desiring to use or using the same unless the easement limits the use to particular utilities, said use by public utilities being subordinate to the public's and City of Angleton's use thereof. The City of Angleton and public utility entities shall have the right to remove and keep removed all or parts of any buildings, fences, trees, shrubs, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Angleton and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity at any time of procuring permission from anyone.

STATE OF TEXAS §
COUNTY OF BRAZORIA §

This plat is hereby adopted by the owners (called "Owners") and approved by the City of Angleton, ("City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors, and assigns:

"Drainage Easements" shown on the plat are reserved for drainage purposes forever, and the maintenance of the drainage easements shall be provided by all of the owners of lots in the subdivision. All Owner documents shall specify, confirm and bind the Owner(s) to continuously maintain all Drainage Easements and shall relieve the City of Angleton of the responsibility to maintain any Drainage Easement. The fee simple title to the Drainage and Floodway Easement shall always remain in the Owner(s).

The City and Angleton Drainage District will not be responsible for the maintenance and operation of easement or for any damage or injury to private property or person that results from the flow of water along said easement or for the control of erosion. but reserves the right to use enforcement powers to ensure that drainage easements are properly functioning in the manner in which they were designed and approved.

The Owners shall keep all Drainage Easements clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City of Angleton or Angleton Drainage District shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the Owners to alleviate any public health or safety issues.

The Association hereby agrees to indemnify and hold harmless the City from any such damages and injuries.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11' 6") for ten feet (10' 0") perimeter ground easements or seven feet, six inches (7' 6") for fourteen feet (14' 0") perimeter ground easements or five feet, six inches (5' 6") for sixteen feet (16' 0") perimeter ground easements, from a plane sixteen feet (16' 0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty one feet, six inches (21' 6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10' 0") for ten feet (10' 0") back—to—back ground easements, or eight feet (8' 0") for fourteen feet (14' 0") back—to—back ground easements or seven feet (7' 0") for sixteen feet (16' 0") back—to—back ground easements, from a plane sixteen feet (16' 0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30' 0") in width.

STATE OF TEXAS §
COUNTY OF BRAZORIA §

The owner of land shown on this plat, in person or through a duly authorized agent, dedicates to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

0....

______ Duly Authorized Agent

STATE OF TEXAS §
COUNTY OF BRAZORIA §

Before me, the undersigned, personally appeared ______ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed and, in the capacity, therein stated. Given under my hand and seal of office this ___ day of _____, ___.

Notary Public State of Texas

No. 5317

STATE OF TEXAS §
COUNTY OF BRAZORIA §

KNOW ALL MEN BY THESE PRESENTS:

I, Steve Jares, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that META Planning + Design LLC has prepared this preliminary plat based on information furnished by Costello, Inc.

Steve Jares
Registered Professional Land Surveyor

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

That I, William A.C. McAshan, do hereby certify that proper engineering consideration has been provided in this plat. To the best of my knowledge, this plat conforms to all requirements of the Angleton LDC, except for any variances that were expressly granted by the City Council.

William A.C. McAshan, P.E. Professional Engineer

COUNTY OF BRAZORIA §

DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF ANGLETON SUBDIVISION ORDINANCES IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE CITY OF ANGLETON PLANNING & ZONING COMMISSION AND/OR CITY-COUNCIL. THIS PRELIMINARY PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER META PLANNING + DESIGN LLC NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT.

APPROVED this _____ day of ____, 20___, by the Planning and Zoning Commission, City of Angleton, Texas.

Chairman, Planning and Zoning Commission

City Secretary

APPROVED this _____ day of ____, 20__, by the City Council, City of Angleton,

STATE OF TEXAS §
COUNTY OF BRAZORIA §

City Secretary

This instrument was acknowledged before me on the ____ day of _____, 20___, by

_____, City Secretary, City of Angleton, on behalf of the City.

Notary Public

State of Texas

GENERAL NOTE:

1.) "U.E." INDICATES UTILITY EASEMENT.

2.) "1' RES." INDICATES ONE FOOT RESERVE.

dedicated to the public in fee as a buffer separation between the side or end of streets where such streets abut adjacent acreage tracts, the condition of such dedication being that when the adjacent property is subdivided in a recorded plat, the one foot reserve shall thereupon become vested in the public for street right—of—way purposes and the fee title thereto shall revert to and revest in the dedicator, his heirs assigns, or successors.

- 3.) ALL PROPERTY LINE DIMENSIONS ARE APPROXIMATE.
- 4.) NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- 5.) NOTICE: PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE,
 NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
- 6.) NOTICE: THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
- 7.) NOTICE: APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER.
- 8.) NOTICE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
- 9.) ALL RESERVES SHALL BE OWNED AND MAINTAINED BY HOMEOWNER'S ASSOCIATION OR MUD.
- 10.) HORIZONTAL DATUM:

 ALL BEARINGS ARE REFEREN

ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD83), SOUTH CENTRAL ZONE.

1983 (NAD83), SOUTH

VERTICAL DATUM:

ALL ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88),

- GEOID 12B, BASED ON ALLTERRA'S RTK NETWORK, STATIONS HAGS_1012 AND HCOG_14012.

 THESE TRACTS LIE WITHIN ZONE "X" AND ZONE "X—SHADED" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY NO. 485458, MAP NUMBER 48039C0430K, PANEL 430, SUFFIX "K" DATED DECEMBER 30, 2020, FOR BRAZORIA COUNTY, TEXAS AND INCORPORATED AREAS.
- 12.) THIS PRELIMINARY PLAT HAS BEEN PREPARED BY META PLANNING + DESIGN LLC. WITH THE AID OF INFORMATION PROVIDED BY QUIDDITY ENGINEERING, LLC.
- 13.) QUIDDITY ENGINEERING, LLC, TBPE FIRM REGISTRATION No. F-23290, TBPLS FIRM REGISTRATION No. 10046100,. IS A SUBCONSULTANT ONLY
- AND HAS NOT PREPARED THIS PRELIMINARY PLAT.
- PROPOSED MONUMENTS TO BE SET BY QUIDDITY ENGINEERING, LLC., UPON RECORDATION OF A FINAL PLAT.
 LOTS WITHIN THIS SUBDIVISION SHALL BE SERVICED BY THE FOLLOWING PROVIDERS: BRAZORIA COUNTY MUD #82.

1.) "B.L." INDICATES BUILDING LINE.

CENTERPOINT, TEXAS NEW MEXICO POWER, AND CENTRIC GAS & FIBER.

2.) "AC." INDICATES ACREAGE.

3.) "R.O.W." INDICATES RIGHT-OF-WAY.

4.) "P.O.B." INDICATES POINT OF BEGINNING.

5.) "FND" INDICATES FOUND.

6.) "IP" INDICATES IRON PIPE.

7.) "IR" INDICATES IRON ROD.

8.) "VOL." INDICATES VOLUME.

9.) "PG." INDICATES PAGE.

10.) "D.R.B.C." INDICATES DEED RECORDS BRAZORIA COUNTY.

11.) "NO." INDICATES NUMBER.

12.) "CT." INDICATES COURT.

13.) "DR." INDICATES DRIVE.14.) "O.P.R.B.C." INDICATES OFFICIAL PUBLIC RECORDS BRAZORIA COUNTY.

15.) " " INDICATES STREET NAME CHANGE.

16.) " [2] " INDICATES BLOCK NUMBER.

17.) "A" INDICATES RESERVE NUMBER.

ASHLAND WATER PLANT

BEING 2.09 ACRES OF LAND CONTAINING ONE RESERVE IN ONE BLOCK.

SHUBAEL MARSH SURVEYS, A-81 & A-82
BRAZORIA COUNTY, TEXAS

ANCHOR HOLDINGS MP LLC
101 PARKLANE BOULEVARD, SUITE 102
SUGAR LAND, TEXAS 77478

ENGINEER:
QUIDDITY ENGINEERING, LLC
3100 ALVIN DEVANE BLVD #150
AUSTIN, TEXAS 78741
(512) 441-9493
SURVEYOR

SURVEYOR
QUIDDITY ENGINEERING, LLC
6330 W LOOP S, SUITE 150
BELLAIRE, TEXAS 77401
TBPE Firm Registration No. ____
TBPELS Firm Registration No. 10046104

SCALE: 1" = 100'
100 200

DECEMBER 16, 2022

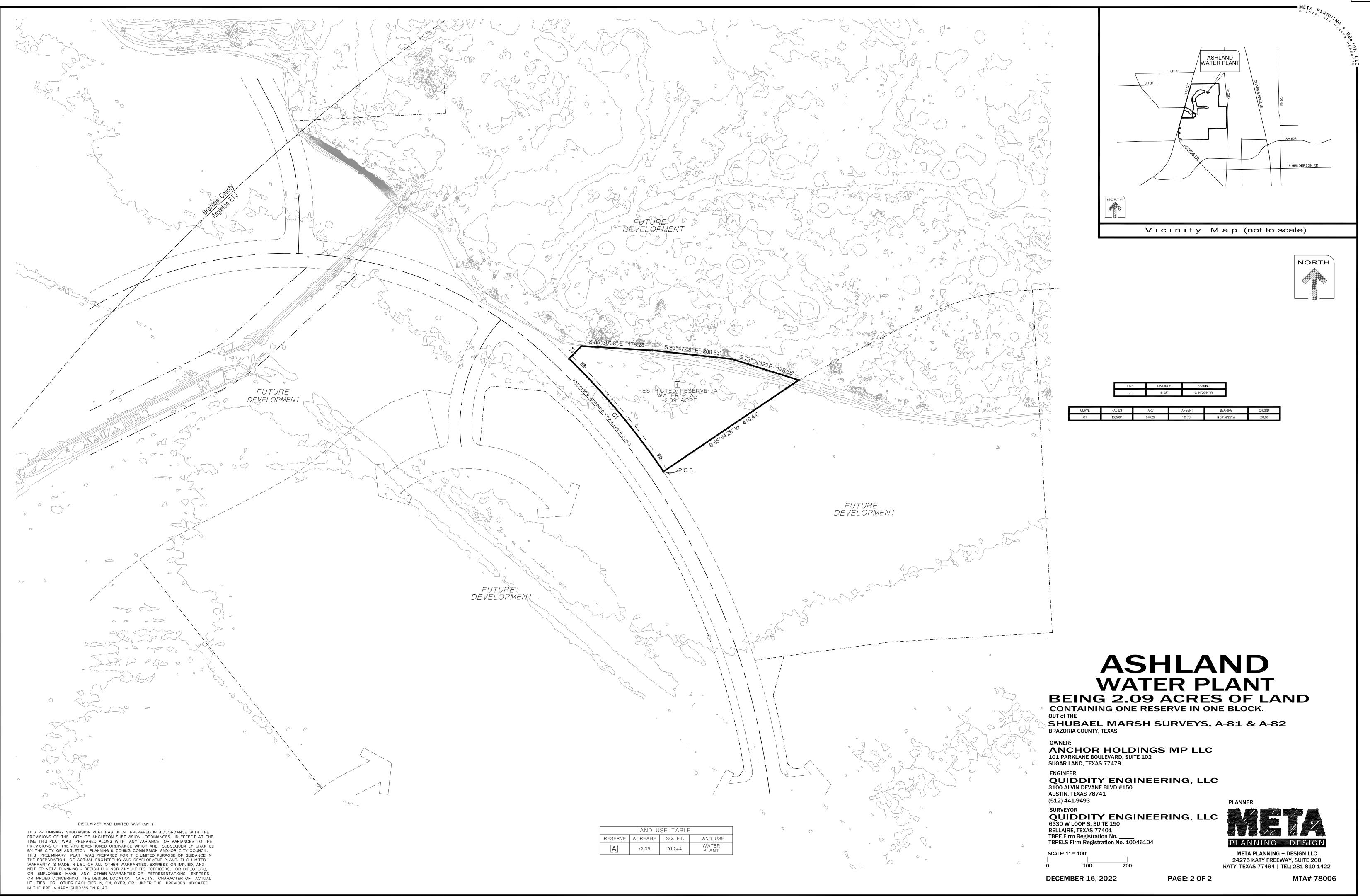
PAGE: 1 OF 2

META PLANNING + DESIGN LLC 24275 KATY FREEWAY, SUITE 200 KATY, TEXAS 77494 | TEL: 281-810-1422

PLANNER:

MTA# 78006







December 14, 2022

Otis Spriggs
Director of Development Services
City of Angleton
121 S. Velasco Street,
Angleton, Texas, 77515

Re: ASHLAND WATER PLANT PRELIMINARY PLAT SUBMISSION

Dear Otis,

On behalf of Ashton Gray Development, we META Planning + Design LLC respectfully submit the preliminary plat application for the above listed plat. See the below list of submittal requirements and our response:

- 1) Preliminary plat application
 - a. Has been provided
- 2) Preliminary plat submittal fee
 - a. Has been provided
- 3) One (1) 24" x 36" paper prints of preliminary plat
 - a. Has been provided
- 4) Electronic format of preliminary plat drawing
 - a. Has been provided
- 5) Utility one-lines
 - a. Has been provided
- 6) TIA
 - a. Has been provided with previous submission and is provided digitally.
- 7) Utility and drainage report
 - a. Has been provided with previous submission and is provided digitally.
- 8) Geotechnical report
 - a. Has been provided with previous submission and is provided digitally.
- 9) Heritage tree survey
 - a. N/A

Please contact me if you need any additional information.

Sincerely,

Caitlin King Enclosure

Caitlin King



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 5, 2023

PREPARED BY: Otis T. Spriggs, AICP

AGENDA CONTENT: Consideration of approval of a Final replat for PT Patrick Thomas

Estate, for a 7.732 -acre subdivision, 1-Block, 2 Lots, 1 Reserve.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

The 7.732 acre tract is in the north central area of Angleton and is bound by Angleton Metroplex Subdivision (north), Aaron's Rental Subdivision (west), commercial tracts (south), and North Valderas Street (east). For surrounding developments, the tract is adjacent to residential tract (SF-7.2) to the south and east, commercial development (C-G) to the south and west, and undeveloped commercial tracts (C-G) to the north.

The 7.732 acre tract will be subdivided into 2 lots and 1 detention reserve. Lot 1 and the detention reserve are currently zoned as commercial (C-G). Lot 1 and the detention reserve are currently undeveloped. The proposed use for Lot 1 is to develop a self service storage facility. Lot 2 is zoned as residential (SF-7.2) (*Rezoned May of 2022*, *ORD_20220524-024*). Lot 2 is currently under residential use. There are no proposed improvement for Lot 1. A summary of the lot layout is shown on the Plat (PT Estates Subdivision).

Parkland Dedication Statement

There is no land dedication on the property for parks. The owner requests parkland fees in lieu of parkland dedication.

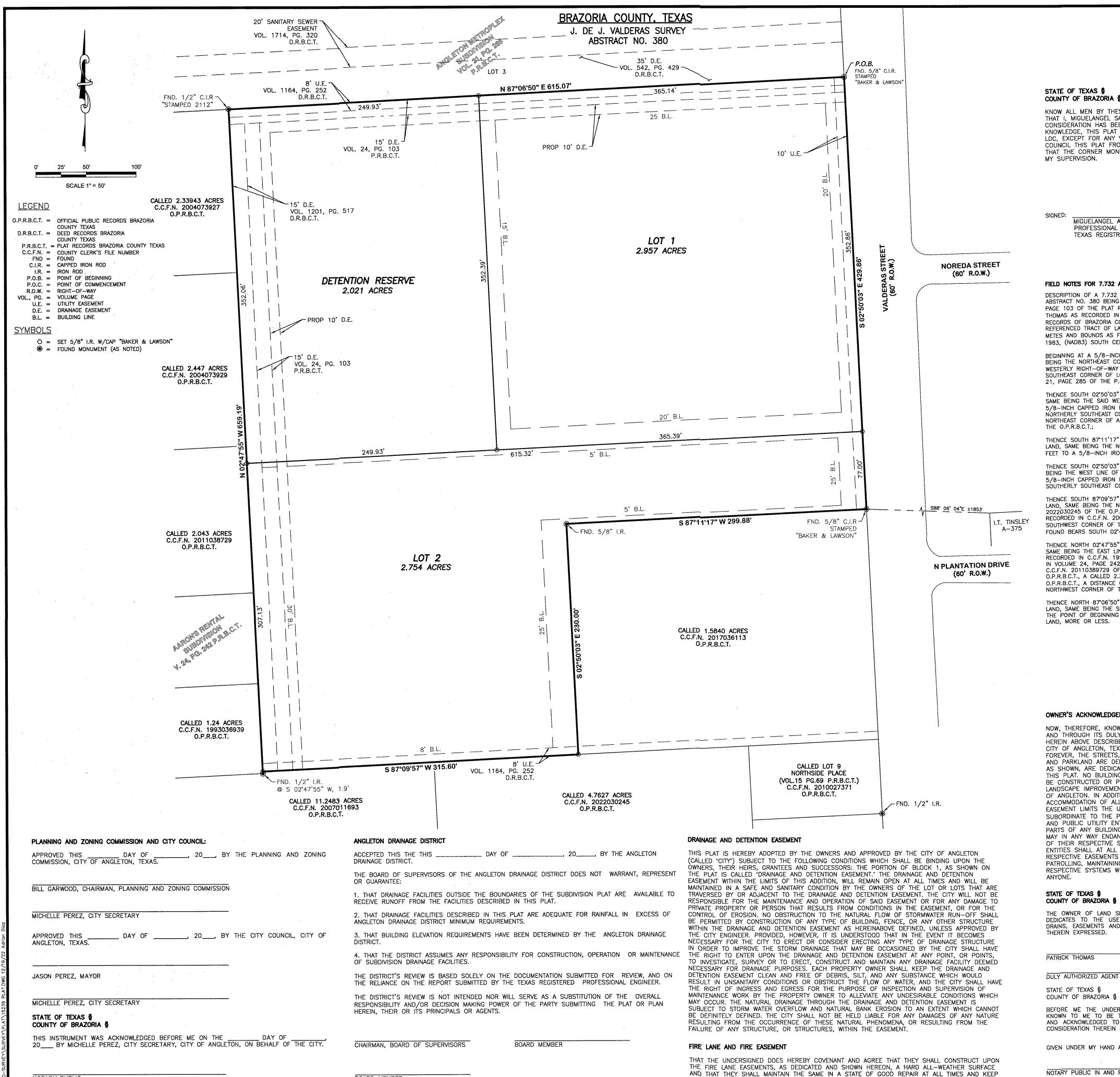
Planning Comments:

- 1. Correct minor typographical error(s) on plat.
- 2. Provide review and approval correspondence from Angleton Drainage District (A.D.D). If no approval letter is to be provided by A.D.D., provide correspondence from their office that states the plat/plan was received and that no comments.
- 3. Properly label reserve and provide "Drainage and Detention" Reserve Table with symbol, description, use and acreage (coordinate all other references in notes).

- 4. Provide Sidewalk requirement note per LDC Sec. 23.14 Sidewalks and Accessibility.
- 5. Owner shall satisfy Parkland Dedication requirements and fees.
- 6. Geotechnical report shall be required to be submitted.
- 7. The owner shall fully satisfy the Heritage Tree Ordinance.

Staff/Engineers Review: PENDING

RECOMMENDATION: The planning commission should approve the final replat subject to the staff comments and subject to City Engineer's review comments.



BOARD MEMBER

NOTARY PUBLIC

STATE OF TEXAS

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS: THAT I, MIGUELANGEL SAUCEDA, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN PROVIDED IN THIS PLAT. TO THE BEST OF MY KNOWLEDGE, THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE ANGLETON LDC. EXCEPT FOR ANY VARIANCES THAT WERE EXPRESSLY GRANTED BY THE CITY COUNCIL THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER

* MIGUELANGEL A SAUCEDA 121992 PROFESSIONAL ENGINEER TEXAS REGISTRATION NO. 121992

FIELD NOTES FOR 7.732 ACRE

DESCRIPTION OF A 7.732 ACRE TRACT OF LAND, LOCATED WITHIN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO. 380 BEING ALL OF LOT 1 OF THE VERA SUBDIVISION, AS RECORDED IN VOLUME 24 PAGE 103 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS (P.R.B.C.T.), IN THE NAME OF PATRICK THOMAS AS RECORDED IN COUNTY CLERKS FILE NO. (C.C.F.N.) 2018064937 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY TEXAS (O.P.R.B.C.T.), REFERRED TO HEREINAFTER AT THE ABOVE REFERENCED TRACT OF LAND, SAID 7.732 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, (NAD83) SOUTH CENTRAL ZONE, PER GPS OBSERVATIONS):

REGINNING AT A 5/8-INCH CAPPED IRON ROD. STAMPED "BAKER & LAWSON". FOUND FOR CORNER. BEING THE NORTHEAST CORNER OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING ON THE WESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF VALDERAS STREET (60-FEET WIDE), SAME BEING THE SOUTHEAST CORNER OF LOT 3 OF THE ANGLETON METROPLEX SUBDIVISION AS RECORDED IN VOLUME 21, PAGE 285 OF THE P.R.B.C.T.;

THENCE SOUTH 02°50'03" EAST, ALONG THE EAST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE SAID WEST R.O.W. LINE OF VALDERAS STREET, A DISTANCE OF 429.86 FEET TO A 5/8-INCH CAPPED IRON ROD. STAMPED "BAKER & LAWSON", FOUND FOR CORNER, BEING THE NORTHERLY SOUTHEAST CORNER OF THE ABOVE REFERENCED TRACT OF LAND. SAME BEING THE NORTHEAST CORNER OF A CALLED 1.5840 ACRE TRACT AS RECORDED IN C.C.F.N. 2017036113 OF

THENCE SOUTH 87'11'17" WEST, ALONG THE SOUTH LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE NORTH LINE OF SAID CALLED 1.5840 ACRE TRACT, A DISTANCE OF 299.88 FEET TO A 5/8-INCH IRON ROD FOUND FOR CORNER;

THENCE SOUTH 02°50'03" EAST, EAST LINE OF THE ABOVE REFERENCED TRACT OF LAND. SAME BEING THE WEST LINE OF SAID CALLED 1.5840 ACRE TRACT, A DISTANCE OF 230.00 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", SET FOR CORNER, BEING THE SOUTHERLY SOUTHEAST CORNER OF THE ABOVE REFERENCED TRACT OF LAND;

THENCE SOUTH 87°09'57" WEST, ALONG THE SOUTH LINE OF THE ABOVE REFERENCED TRACT OF LAND. SAME BEING THE NORTH LINE OF A CALLED 4.7627 ACRE TRACT, AS RECORDED IN C.C.F.N. 2022030245 OF THE O.P.R.B.C.T., AND THE NORTH LINE OF A CALLED 11.2483 ACRE TRACT, AS RECORDED IN C.C.F.N. 2007011693 OF THE O.P.R.B.C.T., A DISTANCE OF 315.60 FEET TO THE SOUTHWEST CORNER OF THE ABOVE REFERENCED TRACT, FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS SOUTH 02'47'55" WEST, A DISTANCE OF 1.9 FEET;

THENCE NORTH 02'47'55" WEST, ALONG THE WEST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE EAST LINES OF THE FOLLOWING TRACTS, A CALLED 1.24 ACRE TRACT, AS RECORDED IN C.C.F.N. 1993036939 OF THE O.P.R.B.C.T., AARONS RENTAL SUBDIVISION, AS RECORDED IN VOLUME 24, PAGE 242 OF THE P.R.B.C.T., A CALLED 2.043 ACRE TRACT, AS RECORDED IN C.C.F.N. 20110389729 OF THE O.P.R.B.C.T., A CALLED 2.447 ACRE TRACT, AS RECORDED IN O.P.R.B.C.T., A CALLED 2.33943 ACRE TRACT, AS RECORDED IN C.C.F.N. 2004073927 OF THE O.P.R.B.C.T.. A DISTANCE OF 659.19 FEET TO A 1/2-INCH IRON ROD FOR CORNER, BEING THE NORTHWEST CORNER OF THE ABOVE REFERENCED TRACT;

THENCE NORTH 87'06'50" EAST. ALONG THE NORTH LINE OF THE ABOVE REFERENCED TRACT OF LAND. SAME BEING THE SOUTH LINE SAID ANGLETON METROPLEX. A DISTANCE OF 615.07 FEE THE POINT OF BEGINNING OF THE ABOVE REFERENCED TRACT OF LAND, CONTAINING 7.732 ACRES OF

OWNER'S ACKNOWLEDGEMENT:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT PATRICK THOMAS ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS. DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS PT ESTATES, A SUBDIVISION IN THE JURISDICTION OF THE CITY OF ANGLETON, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS, ALLEYS AND PUBLIC PARKLAND SHOWN THEREON. THE STREETS, ALLEYS AND PARKLAND ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY OF ANGLETON. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF ANGLETON'S USE THEREOF. THE CITY OF ANGLETON AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF ANGLETON AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING PERMISSION FROM

STATE OF TEXAS § COUNTY OF BRAZORIA §

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

PATRICK THOMAS DULY AUTHORIZED AGENT STATE OF TEXAS §

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED PATRICK THOMAS KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACTING OWNER FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 20___

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES

THE SAME FREE AND CLEAR OF ANY STRUCTURES, FENCES, TREES, SHRUBS, OR OTHER

IMPROVEMENTS OR OBSTRUCTION, INCLUDING BUT NOT LIMITED TO THE PARKING OF MOTOR VEHICLES, TRAILERS, BOATS, OR OTHER IMPEDIMENTS TO THE ACCESS OF FIRE APPARATUS. THE

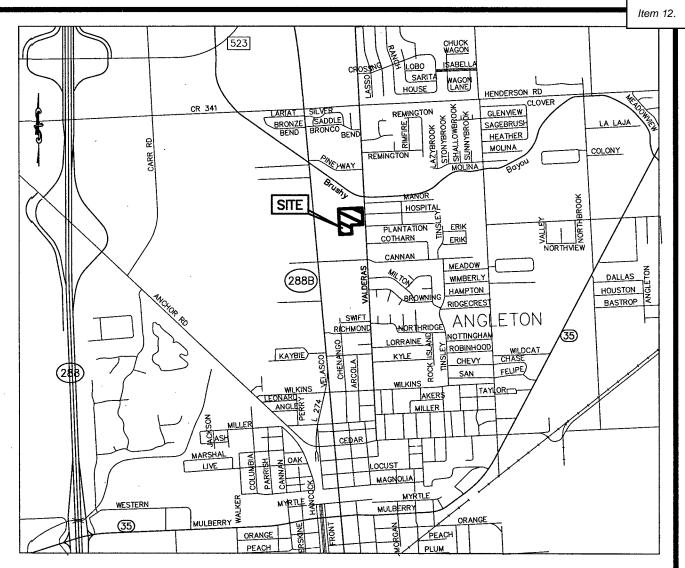
MAINTENANCE OF PAVING ON THE FIRE LANE EASEMENTS IS THE RESPONSIBILITY OF THE OWNER.

AND THE OWNER SHALL POST AND MAINTAIN APPROPRIATE SIGNS IN CONSPICUOUS PLACES ALONG SUCH FIRE LANES, STATING "FIRE LANE, NO PARKING." THE POLICE OR HIS DULY AUTHORIZED

REPRESENTATIVE IS HEREBY AUTHORIZED TO CAUSE SUCH FIRE LANES AND UTILITY FASEMENTS TO

BE MAINTAINED FREE AND UNOBSTRUCTED AT ALL TIMES FOR FIRE DEPARTMENT AND EMERGENCY

PATRICK THOMAS (979)799-7016 DRPPT70@GMAIL.COM

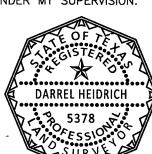


VICINITY MAP SCALE 1"=2500'

- 1. THE PURPOSE OF THIS PLAT IS TO REPLAT LOT 1 OF THE VERA SUBDIVISION AS RECORDED IN VOLUME 24, PAGE 103 OF THE BRAZORIA COUNTY PLAT RECORDS, INTO A SUBDIVISION WITH 1 BLCOK, 2 LOTS AND A
- 2. ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83, U.S. SURVEY FEET.
- 3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE, WITH REGARD TO ANY RECORDED EASEMENTS, RIGHTS-OF-WAY OR SETBACKS AFFECTING THE SURVEYED PROPERTY. NO ADDITIONAL RESEARCH REGARDING THE EXISTENCE OF EASEMENTS, RESTRICTIONS, OR OTHER MATTERS OF RECORD HAS BEEN PERFORMED BY THE SURVEYOR.
- 4. FLOOD ZONE STATEMENT: THE SURVEYOR NAMED HERON HAS EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY: MAP NUMBER 48039C0440K, WITH EFFECTIVE DATE OF DECEMBER 30, 2020, AND THAT MAP INDICATES THAT THE PROPERTY SURVEYED IS WITHIN ZONE "X" (UNSHADED). AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN. WARNING: THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR. 5. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- 6. NOTICE: PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
- 7. NOTICE: THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.
- . NOTICE: APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER.
- 9. NOTICE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.
- 10. THE OWNER OF LOT 1 WILL BE RESPONSIBLE FOR MAINTENANCE AND MAINTAIN OWNERSHIP OF THE DETENTION
- 11. NO DETENTION IS REQUIRED FOR LOT 2 WHICH IS UNDER RESIDENTIAL USE AND ZONED AS SF-7.2. ANY OTHER USE OF THE PROPERTY OR SUBDIVISION WILL REQUIRE DRAINAGE REVIEW BY THE ANGLETON DRAINAGE DISTRICT AND THE CITY OF ANGLETON.

STATE OF TEXAS § COUNTY OF BRAZORIA §

KNOW ALL MEN BY THESE PRESENTS: THAT I, DARREL HEIDRICH, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.



REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 5378

REVISION NO.	REVISION DESCRIPTION	REVISION DATE

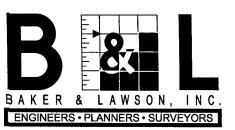
PRELIMINARY REPLAT PT ESTATES

A REPLAT OF VERA SUBDIVISION **AS RECORDED IN** VOL. 24, PG. 103 P.R.B.C.T

INTO A 7.732 ACRE, 1-BLOCK, 2-LOT, 1 RESERVE

BEING THE SAME PROPERTY DESCRIBED AS LOT 1 RECORDED IN C.C.F.N. 2018064937 O.P.R.B.C.T.

LOCATED IN THE J. DE J. VALDERAS SURVEY **ABSTRACT NO. 380** CITY OF ANGLETON IN BRAZORIA COUNTY, TEXAS



4005 TECHNOLOGY DR., SUITE 1530 ANGLETON, TEXAS 77515 OFFICE: (979) 849-6681 TBPELS No. 10052500 REG. NO. F-825

DRAWN B

PROJECT NO: 15239 DRAWING NO: 15239 PLAT

SCALE: 1" = 50'DRAWN BY: AD DATE: 12/19/2022 CHECKED BY: DH



CITY OF ANGLETON APPOINTMENT OF AGENT

As owner of the property described as 1.736 hereby appoint the person designated below to act for me, as my agent in this request.
Name of Agent: Misuel Saucada P.E.
Mailing Address: 4005 Technology Dr. Suit 157 Email: Maucedae baker lawson.com
City: Angleton State: To Zip: 77515
Home Phone: () Business Phone: (471_) 849-468
I verify that I am the legal owner of the subject property and I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:
be the point of contact between myself and the City: make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.
I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Angleton, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.
Printed/Typed Name of owner A714CK P. THOMAS Date 9-16.207)
Printed/Typed Name of owner VA714CK P. THOMAS Date 9-16-2071
*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.
STATE OF TEXAS §
COUNTY OF Brazoria §
Before me, Angelina Moreno, on this day personally appeared Patrick P. Thomas, known to me (or proved to me on the oath of TXDL or through (work) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.
Given under my hand and seal of office this 16th day of September 2022
(SEAL) ANGELINA MORENO NOTARY PUBLIC STATE OF TEXAS MY COMM. EXP. 01/28/24 NOTARY ID 12639051-0 ANGELINA MORENO Notary Public Signature 1-28-24 Commission Expires



APPLICATION FOR PLAT REVIEW/APPROVAL

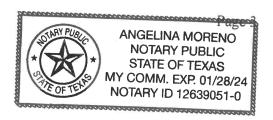
Date: 12/19/2022						
TYPE OF PLAT APPLICATION						
ADMINISTRATIVE PRELIMINARY FINAL MINOR RESIDENTIAL RESIDENTIAL AMENDING/REPLAT COMMERCIAL COMMERCIAL						
Address of property: 7.736 Acres, Vera Subdivision, Tract 1, Valderas Street						
Name of Applicant: Miguel Sauceda, P.E. Phone: 979-849-6681						
Name of Company: Baker & Lawson, Inc. Phone:						
E-mail: msauceda@bakerlawson.com						
Name of Owner of Property: Patrick Thomas Address: 913 Cannan, Angleton, Texas 77515						
Phone: 979-849-6681 E-mail: msauceda@bakerlawson.com						
I HEREBY REQUEST approval of the preliminary and final plat of the subject property according to the plans which are submitted as a part of this application. I HEREBY AUTHORIZE the staff of the City of Angleton to inspect the premises of the subject property. I HEREBY SWEAR AND AFFIRM that all statements contained herein and attached hereto are true and correct to the best of my knowledge and belief. Signature of Owner or Agent for Owner (Applicant) NOTARIAL STATEMENT FOR APPLICANT:						
Sworn to and subscribed before me this Ath day of December , 2022. Robin Ruth Crouch Notary Public, State of Texas Comm. Expires 01-11-23 Notary ID 422233-5 Notary Public for the State of Texas Commission Expires:						



REQUEST FOR RE-PLATTING

AFFIDAVIT AUTHORIZATION BY PROPERTY OWNER

I swear that I am the owner of 1.736 Acres Tract 1 Vera S/D (indicate address and / or legal description)
which is the subject of the attached application
for land re-platting, and is shown in the records of Brazoria County, Texas.
I authorize the person named below to act as my agent in the pursuit of this application for the re-platting of the subject property.
NAME OF APPLICANT: Patrick P. Thomas
ADDRESS OF APPLICANT: 913 Cannan Dr.
Angleton, TX 77515
APPLICANT PHONE # 979-799-7016 E-MAIL: drppt@sbcglobalinet
NAME OF OWNER: Patrick P. Thomas
SIGNATURE OF OWNER: DATE: 9-16.72
NOTARIAL STATEMENT FOR PROPERTY OWNER
Sworn to and subscribed before me this 16 day of September, 2022
Notary Public SEAL Commission Expires: 1-28-24



PROJECT SUMMARY FORM

Address of property O Valderas Street near Noveda Street						
The subject property fronts 506.9' feet on the west side of Valderas Depth: 615.3' Area: 7.732 Acres: 7.332 336, 806 square feet						
INDICATE THE PURPOSE OF THE REQUESTED PLAT APPROVAL (BE SPECIFIC):						
The purpose of the plat is to separate the tract to match the zoning use. Tract is residential SF-7.2 & commercial (C-G)						
Is this platting a requirement for obtaining a building permit?YESNO						
INDICATE ADDITIONAL INFORMATION THAT WILL ASSIST WITH THE REVIEW OF THIS APPLICATION.						
Name: Miguel Savceda Date: 12/19/27						

SUBMITTAL REQUIREMENTS

Land Development Code, Chapter 23 §117 - Preliminary Plats

https://library.municode.com/tx/angleton/codes/code_of_ordinances?nodeId=PTIICOOR_CH23LADECO_APXAPLLASULI_SUBAPPEN
DIX_A-1PLCE_S23-117PRPL

SUBMITTAL REQUIREMENTS. THE FOLLOWING INFORMATION SHALL BE FILED:

- 1. A completed application form and application fee;
- 2. One full size, 24-inch × 36-inch, paper copy of the plat (prepared consistent with §117.B) and a .pdf file of the same and one paper copy and electronic copy of all items submitted in support of the plat;
- 3. A preliminary utility plan showing all existing and proposed utilities;
- 4. A TIA, if the development meets the threshold requirements set out in section 23-24, Traffic impact analysis (TIA). If a TIA is required, the applicant shall meet with the city engineer and a TXDOT representative (if applicable) in advance of the submittal to define the TIA parameters. An incomplete or deficient TIA shall constitute grounds to find a plat to be incomplete, or to deny the plat;
- 5. Utility and drainage reports with adequate information to determine conformity with the utility and drainage requirements of this LDC. Physical features, including the location and size of watercourses, 100-year floodplains per FIRM maps, proposed CLOMR boundaries, regulated wetlands and areas where water drains into and out of the subdivision;
- 6. A drainage report, as set out in section 23-15, Drainage and utilities;
- 7. A soil suitability report (geotechnical report), as set out in section 23-25, Drainage and utilities, subsection G., Soil suitability report;
- 8. A current tax certificate(s);
- 9. Construction plans may be submitted at the option of the applicant;
- 10. A certification of approval of the plat by planning and zoning commission and city council, as shown in section 23-118, Final plats, subsection C;
- 11. A statement if parkland will be dedicated or fees-in-lieu of parkland dedication will be paid;
- 12. Heritage tree survey and a tree preservation plan;
- 13. All other information necessary to demonstrate compliance with all requirements of the LDC and all other development codes of the city; and
- 14. Construction plans for any required public improvements may be submitted with the plat or after the approval of the plat but shall be filed and approved prior to the filing of a final plat.

PLAT FEES:

ADMINISTRATIVE PLAT

\$250.00 Plus Review Expense

REGULAR PLAT SUBMITTAL:

*RESIDENTIAL (Preliminary and Final Plat Fees are separate and calculated as detailed herein)

200 Lots or less

\$800.00 plus \$6.00 per lot

More than 200 Lots

\$4.00 per additional lot over 200

Plan Review Fee by City Engineer

\$1,000.00

deposit (If cost of review exceeds deposit amount,

balance of cost will be billed at a later time).

*COMMERCIAL (Preliminary and Final Plat Fees are separate and calculated as detailed herein)

Less than two acres

\$1,000.00

More than Two Acres

\$1,000.00 plus 25.00/additional acre

Plan Review Fee by City Engineer

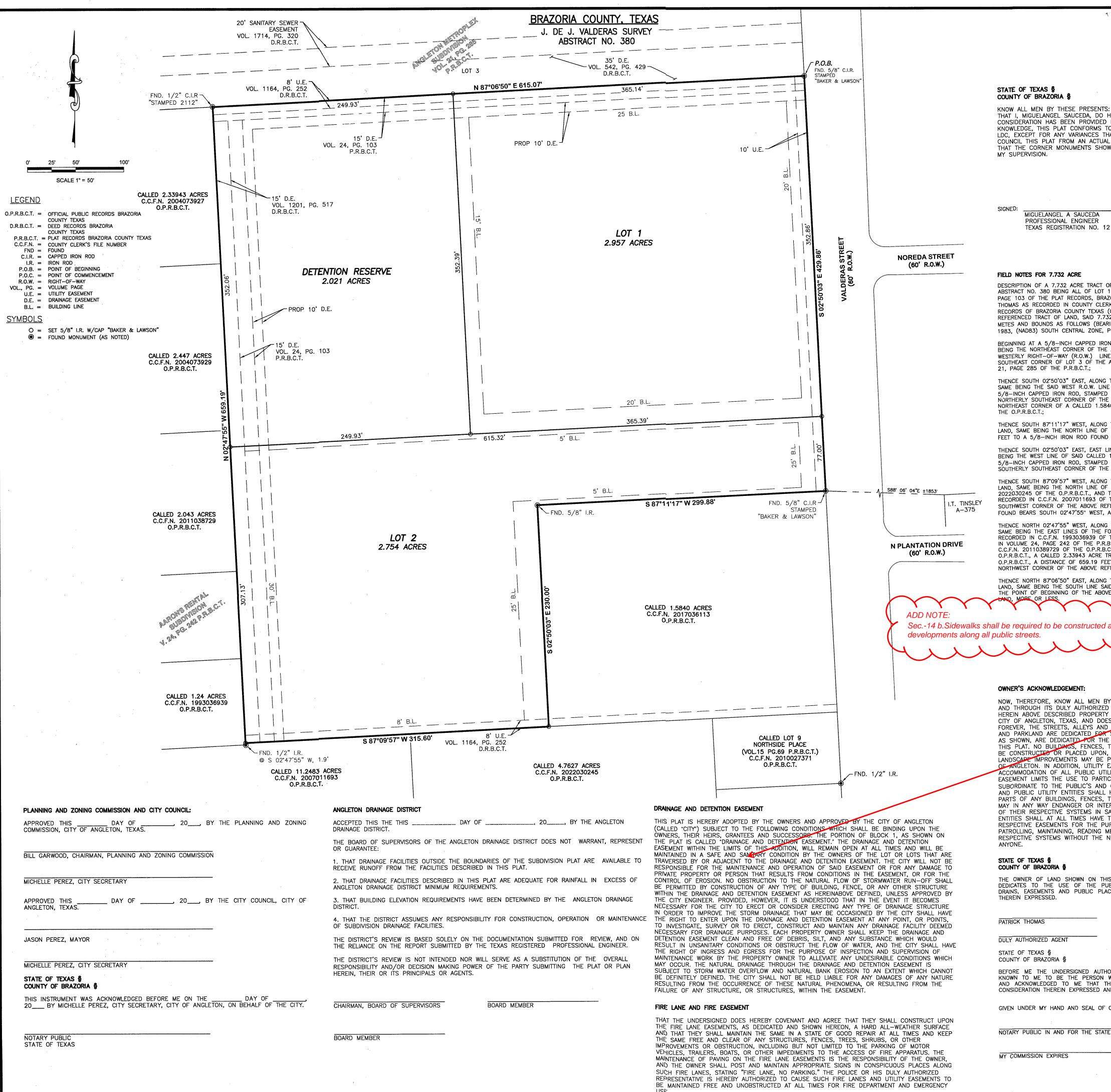
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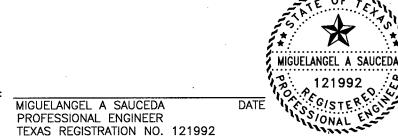
OFFICE USE ONLY:

Date received:	_By:
Type of Plat:	
Description of individual charges:	
Total Fee Received:	_By:
Proof of taxes received:Yes If no, explain:	
PRELIMINARY PLAT MEETINGS:	
Pre-submission conference/meeting date:	
Received Preliminary Plat on:	by
Preliminary plat staff meeting date:	
Planning & Zoning meeting date:	
City Council meeting date:	
FINAL PLAT MEETINGS:	
Received final plat onby	
Reviewed by Staff onby	
Planning & Zoning meeting date:	
City Council meeting date:	
Filed with County Clerk on:	
File-stamped copy to owner/developer on:	



STATE OF TEXAS §

THAT I, MIGUELANGEL SAUCEDA, DO HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN PROVIDED IN THIS PLAT. TO THE BEST OF MY KNOWLEDGE, THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE ANGLETON LDC. EXCEPT FOR ANY VARIANCES THAT WERE EXPRESSLY GRANTED BY THE CITY COUNCIL THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER



FIELD NOTES FOR 7.732 ACRE

DESCRIPTION OF A 7.732 ACRE TRACT OF LAND, LOCATED WITHIN THE J. DE J. VALDERAS SURVEY, ABSTRACT NO. 380 BEING ALL OF LOT 1 OF THE VERA SUBDIVISION, AS RECORDED IN VOLUME 24 PAGE 103 OF THE PLAT RECORDS, BRAZORIA COUNTY, TEXAS (P.R.B.C.T.), IN THE NAME OF PATRICK THOMAS AS RECORDED IN COUNTY CLERKS FILE NO. (C.C.F.N.) 2018064937 OF THE OFFICIAL PUBLIC RECORDS OF BRAZORIA COUNTY TEXAS (O.P.R.B.C.T.), REFERRED TO HEREINAFTER AT THE ABOVE REFERENCED TRACT OF LAND, SAID 7.732 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983. (NAD83) SOUTH CENTRAL ZONE, PER GPS OBSERVATIONS):

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THENCE SOUTH 02'50'03" EAST, EAST LINE OF THE ABOVE REFERENCED TRACT OF LAND. SAME BEING THE WEST LINE OF SAID CALLED 1.5840 ACRE TRACT, A DISTANCE OF 230.00 FEET TO A 5/8-INCH CAPPED IRON ROD, STAMPED "BAKER & LAWSON", SET FOR CORNER, BEING THE SOUTHERLY SOUTHEAST CORNER OF THE ABOVE REFERENCED TRACT OF LAND;

THENCE SOUTH 87°09'57" WEST, ALONG THE SOUTH LINE OF THE ABOVE REFERENCED TRACT OF LAND. SAME BEING THE NORTH LINE OF A CALLED 4.7627 ACRE TRACT, AS RECORDED IN C.C.F.N. 2022030245 OF THE O.P.R.B.C.T., AND THE NORTH LINE OF A CALLED 11.2483 ACRE TRACT, AS RECORDED IN C.C.F.N. 2007011693 OF THE O.P.R.B.C.T., A DISTANCE OF 315.60 FEET TO THE SOUTHWEST CORNER OF THE ABOVE REFERENCED TRACT, FROM WHICH A 1/2-INCH IRON ROD FOUND BEARS SOUTH 02'47'55" WEST, A DISTANCE OF 1.9 FEET;

THENCE NORTH 02°47'55" WEST, ALONG THE WEST LINE OF THE ABOVE REFERENCED TRACT OF LAND, SAME BEING THE EAST LINES OF THE FOLLOWING TRACTS, A CALLED 1.24 ACRE TRACT, AS RECORDED IN C.C.F.N. 1993036939 OF THE O.P.R.B.C.T., AARONS RENTAL SUBDIVISION, AS RECORDED IN VOLUME 24, PAGE 242 OF THE P.R.B.C.T., A CALLED 2.043 ACRE TRACT, AS RECORDED IN C.C.F.N. 20110389729 OF THE O.P.R.B.C.T., A CALLED 2.447 ACRE TRACT, AS RECORDED IN O.P.R.B.C.T., A CALLED 2.33943 ACRE TRACT, AS RECORDED IN C.C.F.N. 2004073927 OF THE O.P.R.B.C.T.. A DISTANCE OF 659.19 FEET TO A 1/2-INCH IRON ROD FOR CORNER, BEING THE NORTHWEST CORNER OF THE ABOVE REFERENCED TRACT;

THENCE NORTH 87°06'50" EAST, ALONG THE NORTH LINE OF THE ABOVE REFERENCED TRAM OF LAND, SAME BEING THE SOUTH LINE SAID ANGLETON METROPLEX, A DISTANCE OF 615.07/F THE POINT OF BEGINNING OF THE ABOVE REFERENCED TRACT OF LAND, CONTAINING 7/32 ACRES OF

OWNER'S ACKNOWLEDGEMENT:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: THAT PATRICK THOMAS ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS PT ESTATES, A SUBDIVISION IN THE JURISDICTION OF THE CITY OF ANGLETON, TEXAS, AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS, ALLEYS AND PUBLIC PARKLAND SHOWN THEREON. THE STREETS, ALLEYS AND PARKLAND ARE DEDICATED FOR STREET PURPOSES. THE EASEMENTS AND PUBLIC USE AREAS, AS SHOWN, ARE DEDICATED FOR THE PUBLIC USE FOREVER, FOR THE PURPOSES INDICATED ON THIS PLAT. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS AS SHOWN, EXCEPT THAT LANDSCAPE IMPROVEMENTS MAY BE PLACED IN LANDSCAPE EASEMENTS, IF APPROVED BY THE CITY IE ANGLETON. IN ADDITION, UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO PARTICULAR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF ANGLETON'S USE THEREOF. THE CITY OF ANGLETON AND PUBLIC UTILITY ENTITIES SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PARTS OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH MAY IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF THEIR RESPECTIVE SYSTEMS IN SAID EASEMENTS. THE CITY OF ANGLETON AND PUBLIC UTILITY ENTITIES SHALL AT ALL TIMES HAVE THE FULL RIGHT OF INGRESS AND EGRESS TO OR FROM THEIR RESPECTIVE EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, READING METERS, AND ADDING TO OR REMOVING ALL OR PARTS OF THEIR RESPECTIVE SYSTEMS WITHOUT THE NECESSITY AT ANY TIME OF PROCURING PERMISSION FROM

COUNTY OF BRAZORIA §

THE OWNER OF LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

DULY AUTHORIZED AGENT

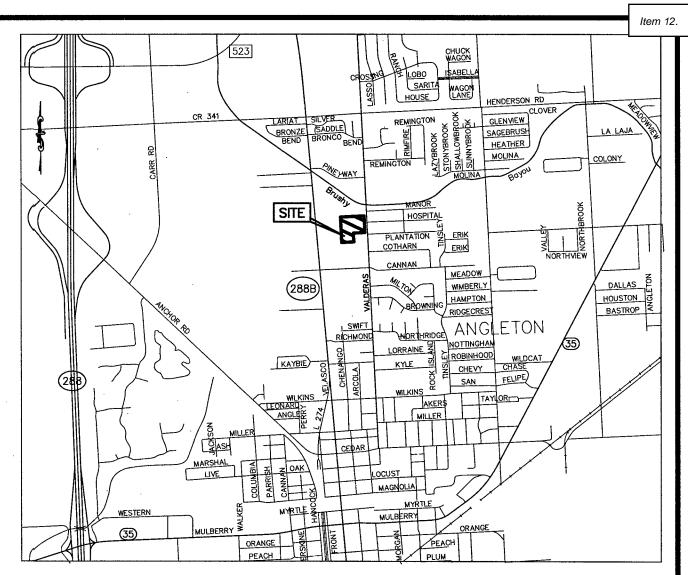
BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED PATRICK THOMAS KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACTING OWNER FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 20___

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES

PATRICK THOMAS (979)799-7016 DRPPT70@GMAIL.COM



VICINITY MAP SCALE 1"=2500'

Correct spelling

1. THE PURPOSE OF THIS PLAT IS TO REPLAT LOT 1 OF THE VERA SUBDIVISION AS RECORDED IN VOLUME 24, PAGE 103 OF THE BRAZORIA COUNTY PLAT RECORDS, INTO A SUBDIVISION WITH 1 BLCOK, 2 LOTS AND A

- 2. ALL BEARINGS AND DISTANCES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD-83, U.S. SURVEY FEET.
- 3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE, WITH REGARD TO ANY RECORDED EASEMENTS, RIGHTS-OF-WAY OR SETBACKS AFFECTING THE SURVEYED PROPERTY. NO ADDITIONAL RESEARCH REGARDING THE EXISTENCE OF EASEMENTS, RESTRICTIONS, OR OTHER MATTERS OF RECORD HAS BEEN PERFORMED BY THE SURVEYOR.
- 4. FLOOD ZONE STATEMENT: THE SURVEYOR NAMED HERON HAS EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR BRAZORIA COUNTY: MAP NUMBER 48039C0440K, WITH EFFECTIVE DATE OF DECEMBER 30, 2020, AND THAT MAP INDICATES THAT THE PROPERTY SURVEYED IS WITHIN ZONE "X" (UNSHADED). AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD-PLAIN. WARNING: THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES WILL BE FREE FROM FLOODING OR FLOOD DAMAGE, AND WILL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR. 5. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ANGLETON AND STATE PLATTING STATUTES AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.
- 6. NOTICE: PLAT APPROVAL SHALL NOT BE DEEMED TO OR PRESUMED TO GIVE AUTHORITY TO VIOLATE, NULLIFY, VOID, OR CANCEL ANY PROVISIONS OF LOCAL, STATE, OR FEDERAL LAWS, ORDINANCES, OR CODES.
- 7. NOTICE: THE APPLICANT IS RESPONSIBLE FOR SECURING ANY FEDERAL PERMITS THAT MAY BE NECESSARY AS THE RESULT OF PROPOSED DEVELOPMENT ACTIVITY. THE CITY OF ANGLETON IS NOT RESPONSIBLE FOR DETERMINING THE NEED FOR, OR ENSURING COMPLIANCE WITH ANY FEDERAL PERMIT.

NOTICE: APPROVAL OF THIS PLAT DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD OR REGISTERED PUBLIC LAND SURVEYOR IS SOLELY RESPONSIBLE FOR THE COMPLETENESS. ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY THE CITY ENGINEER.

9. NOTICE: ALL RESPONSIBILITY FOR THE ADEQUACY OF THIS PLAT REMAINS WITH THE ENGINEER OR SURVEYOR WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF ANGLETON MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER AND/OR SURVEYOR OF RECORD.

10. THE OWNER OF LOT 1 WILL BE RESPONSIBLE FOR MAINTENANCE AND MAINTAIN OWNERSHIP OF THE DETENTION

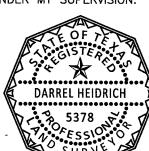
IS REQUIRED FOR LOT 2 WHICH IS UNDER RESIDENTIAL USE AND ZONED AS SF-7.2. ANY OTHER USE OF THE PROPERTY OR SUBDIVISION WILL REQUIRE DRAINAGE REVIEW BY THE ANGLETON DRAINAGE DISTRICT AND THE CITY OF ANGLETON. coordinate Note 10 with Drainage Easement maintenance

STATE OF TEXAS § COUNTY OF BRAZORIA §

REVISION NO.

KNOW ALL MEN BY THESE PRESENTS: THAT I, DARREL HEIDRICH, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION.

responsibility below.



REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 5378

NO.	REVISION DESCRIPTION	REVISION DATE

REVISION DESCRIPTION

PRELIMINARY REPLAT PT ESTATES

A REPLAT OF VERA SUBDIVISION **AS RECORDED IN** VOL. 24, PG. 103 P.R.B.C.T

INTO A 7.732 ACRE, 1-BLOCK, 2-LOT, 1 RESERVE

BEING THE SAME PROPERTY DESCRIBED AS LOT 1 RECORDED IN C.C.F.N. 2018064937 O.P.R.B.C.T.

> LOCATED IN THE J. DE J. VALDERAS SURVEY **ABSTRACT NO. 380** CITY OF ANGLETON IN BRAZORIA COUNTY, TEXAS

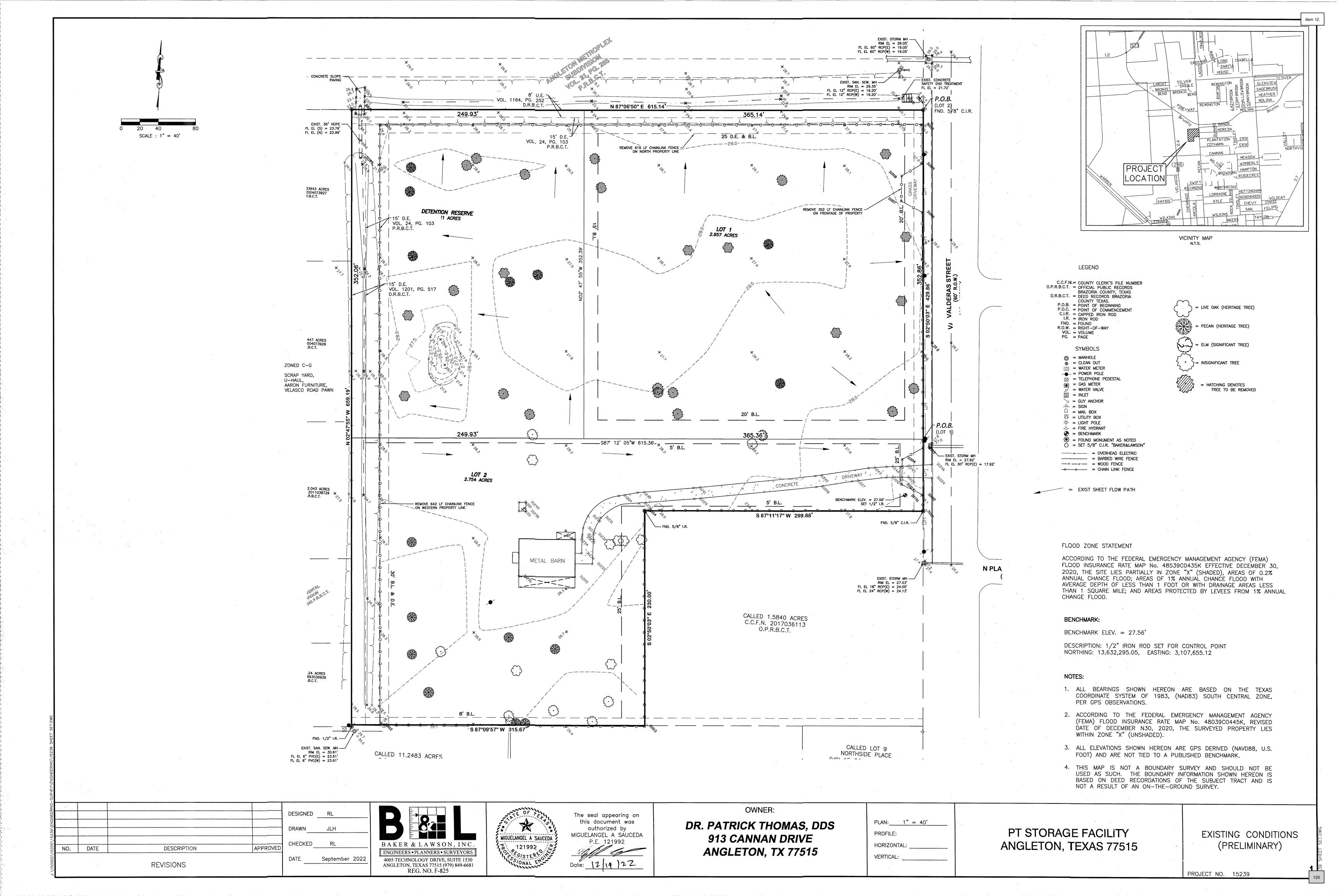


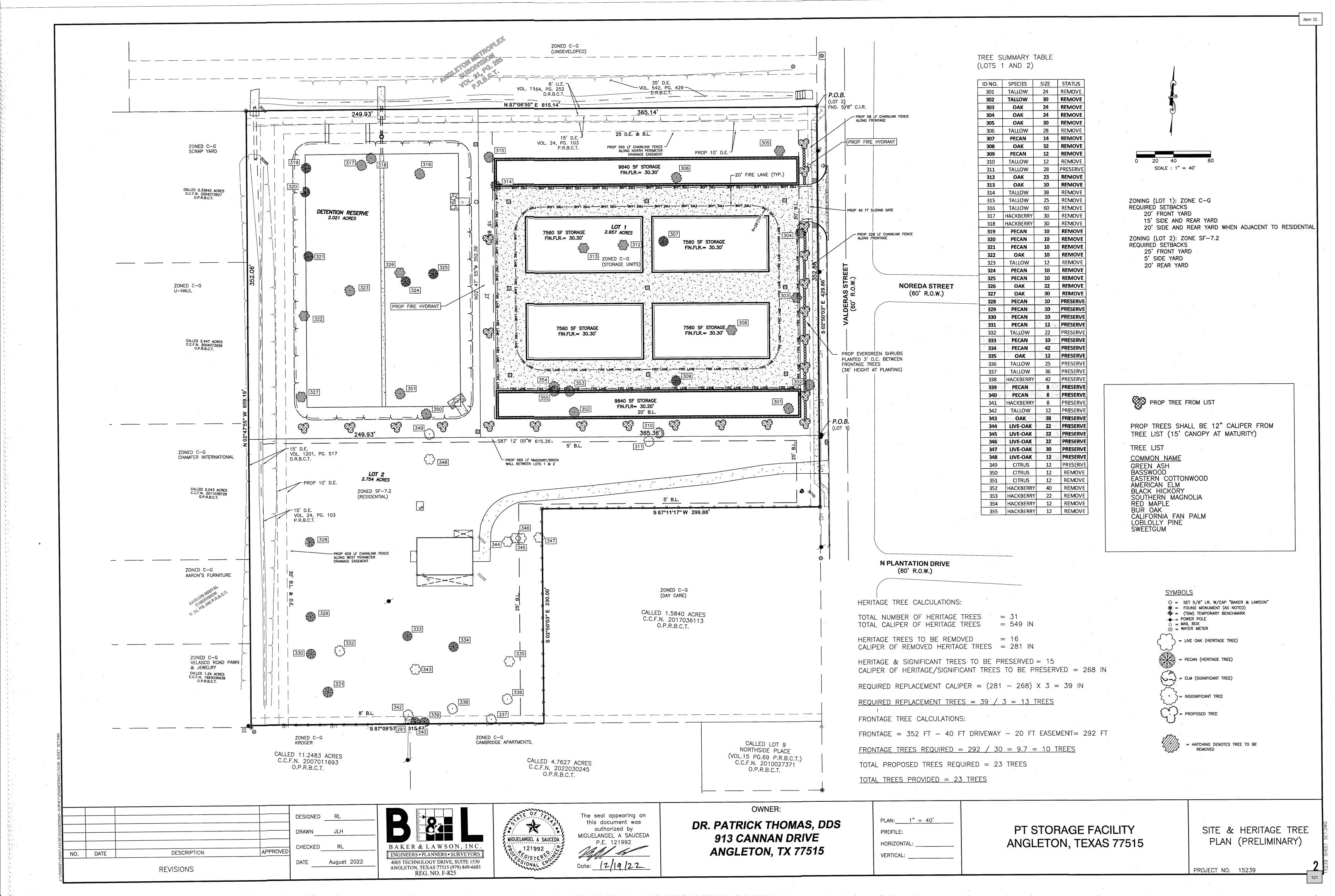
4005 TECHNOLOGY DR., SUITE 1530 ANGLETON, TEXAS 77515 OFFICE: (979) 849-6681 TBPELS No. 10052500 REG. NO. F-825

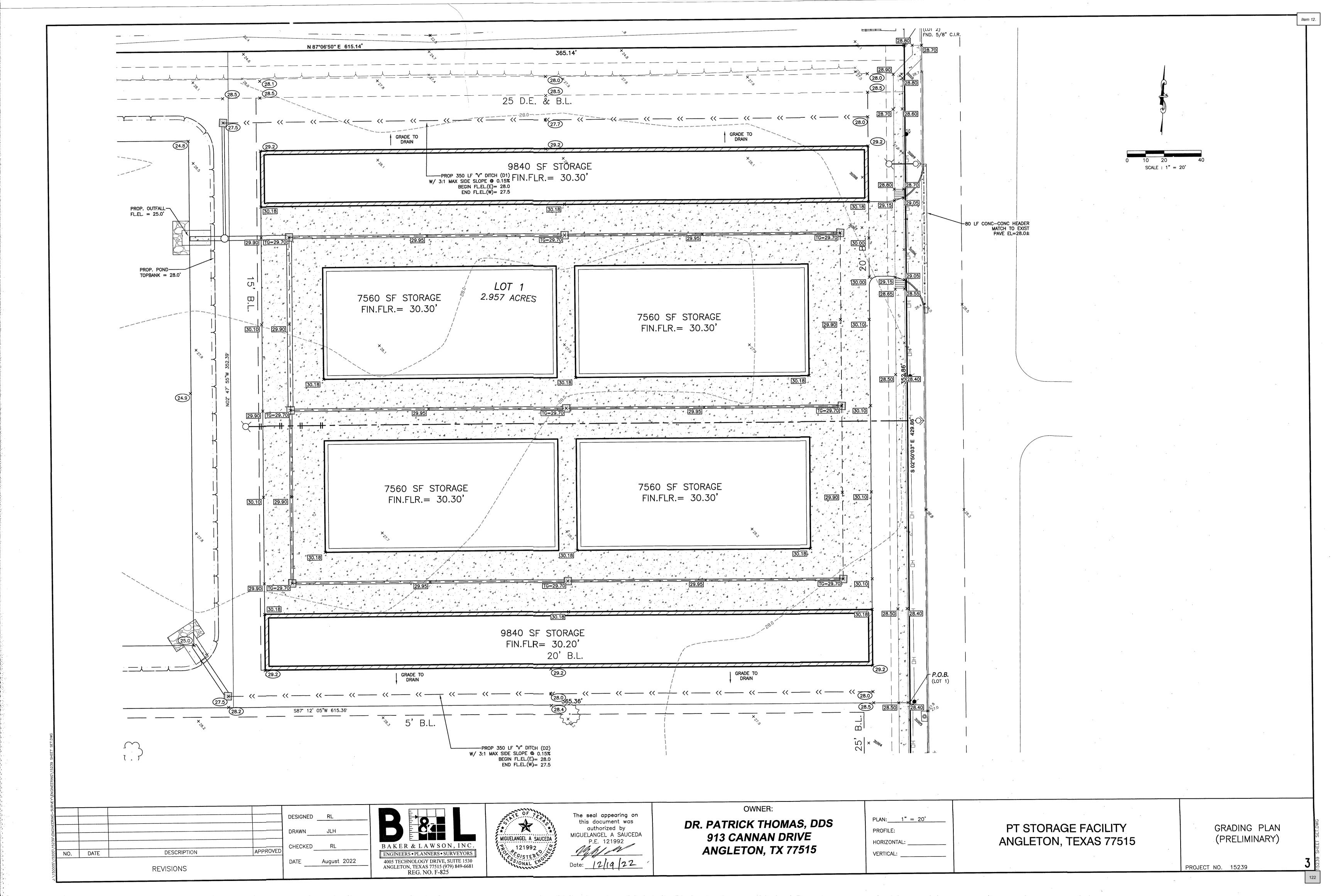
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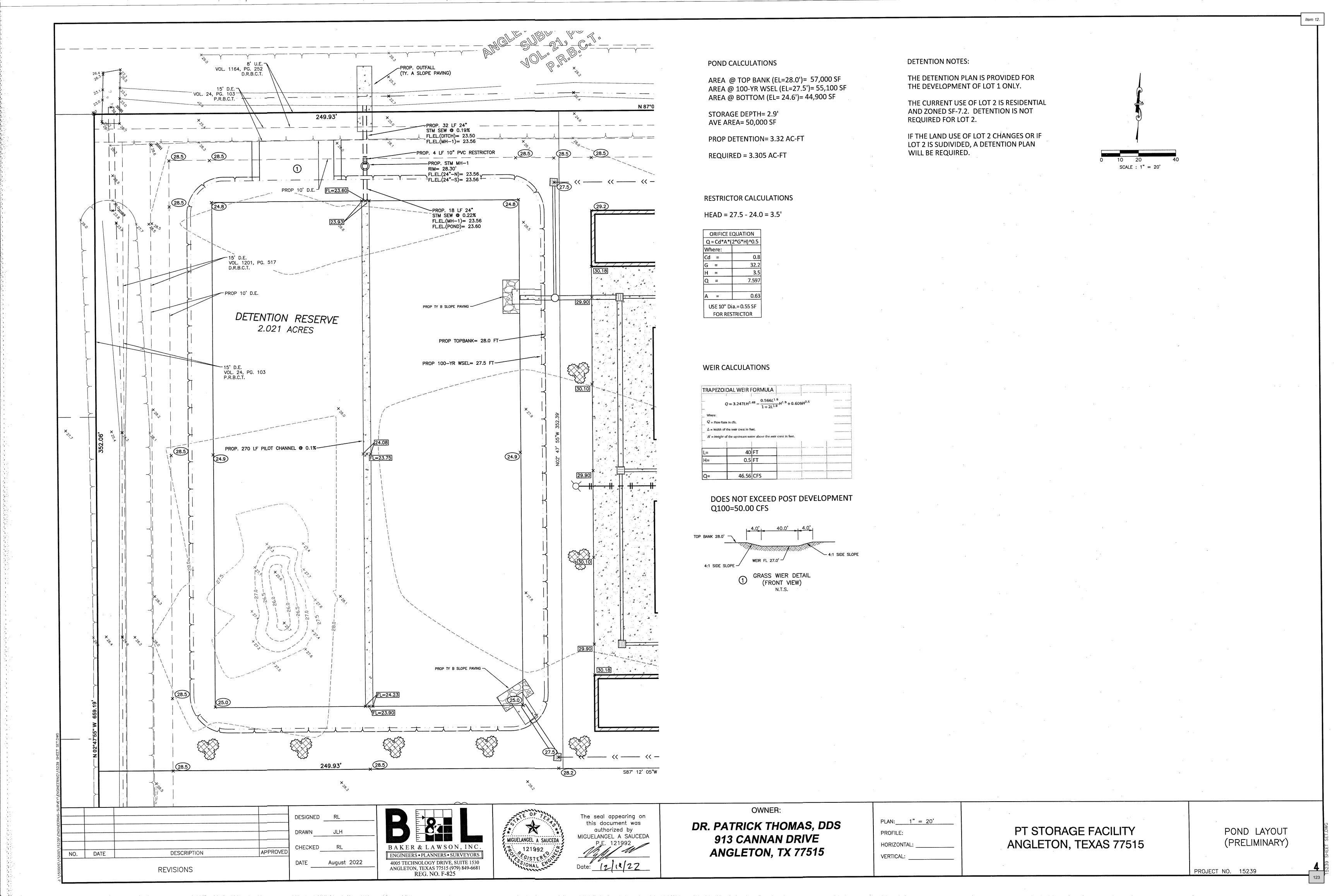
PROJECT NO: 15239 SCALE: 1" = 50'DRAWN BY: AD DRAWING NO: 15239 PLAT DATE: 12/19/2022

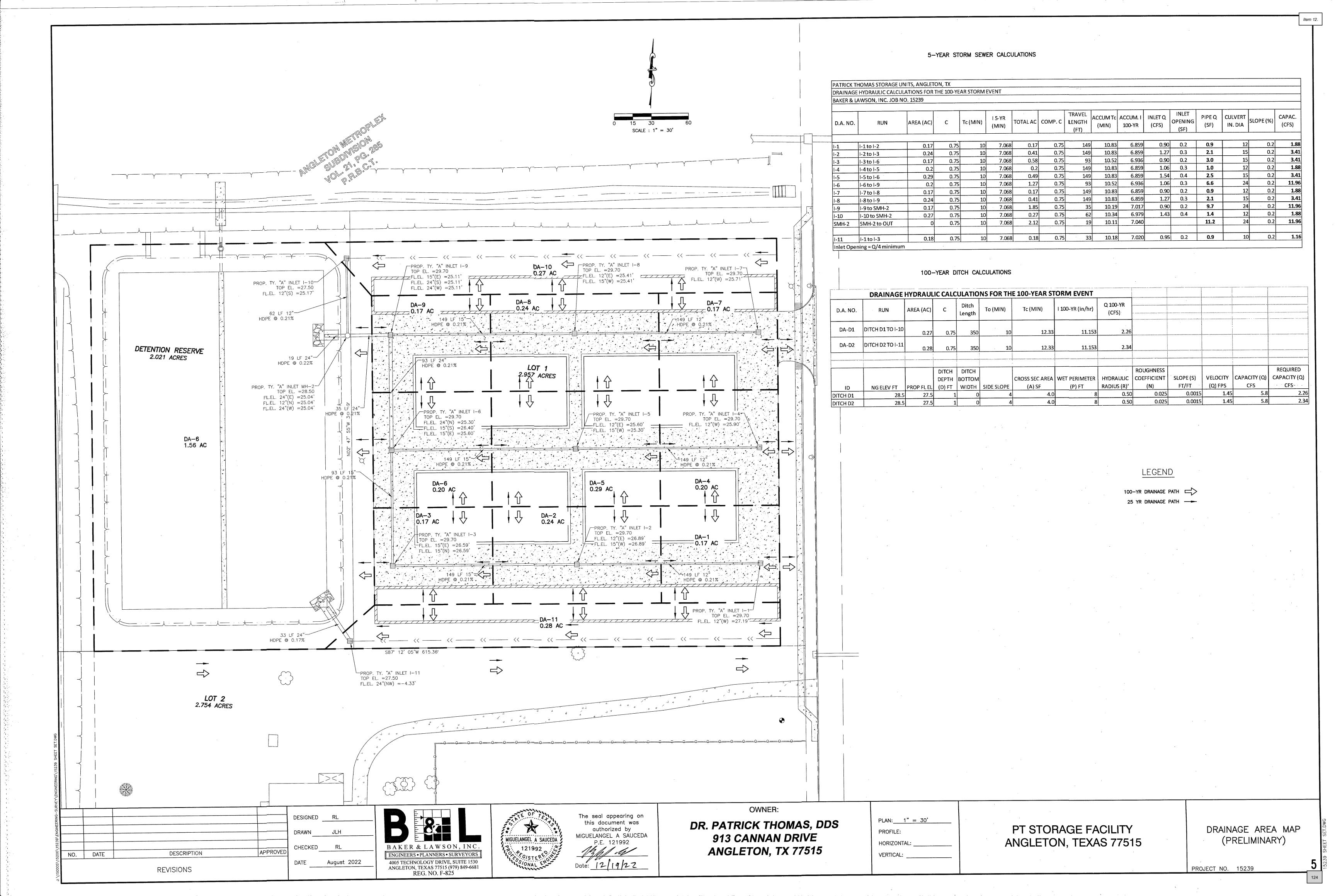
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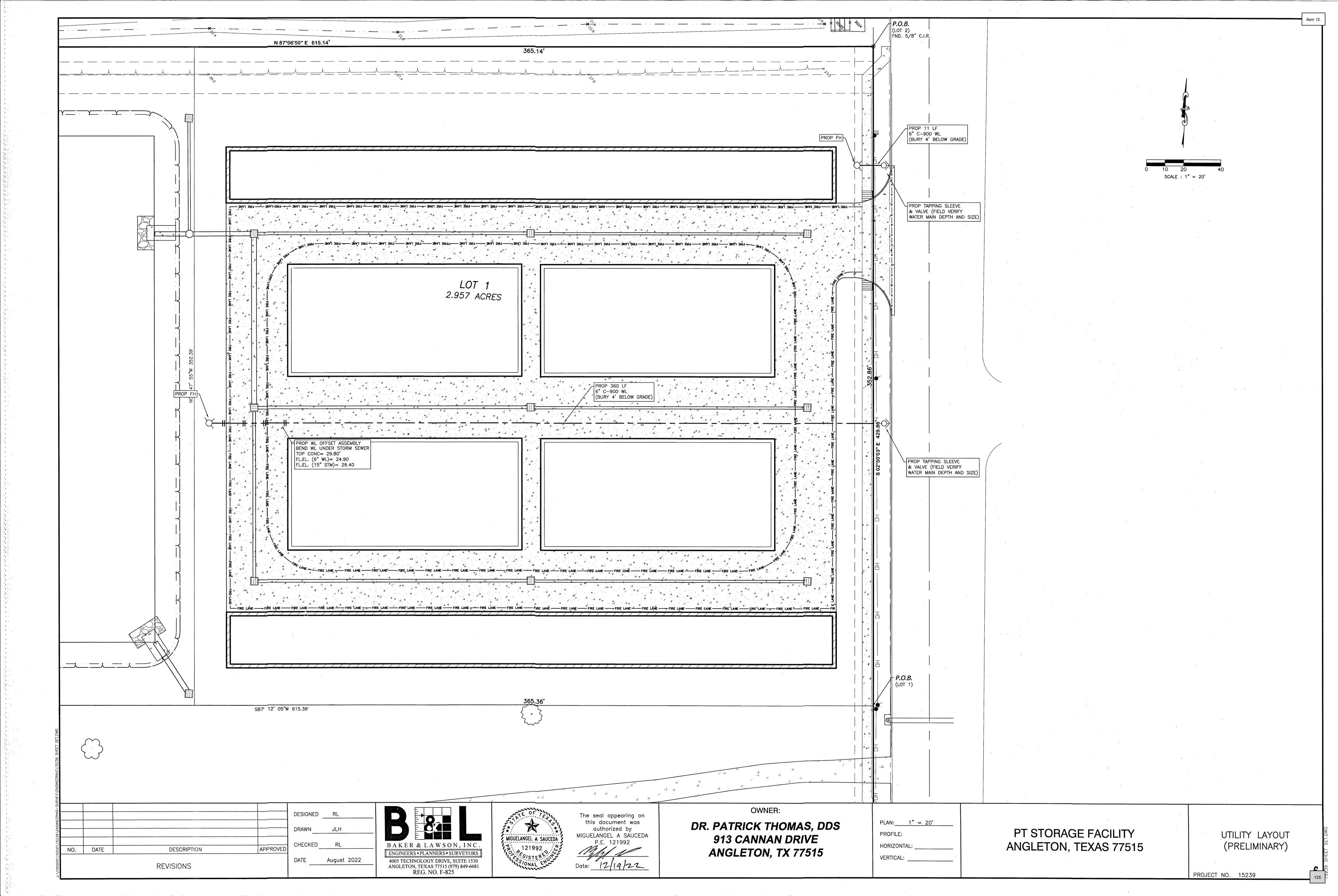


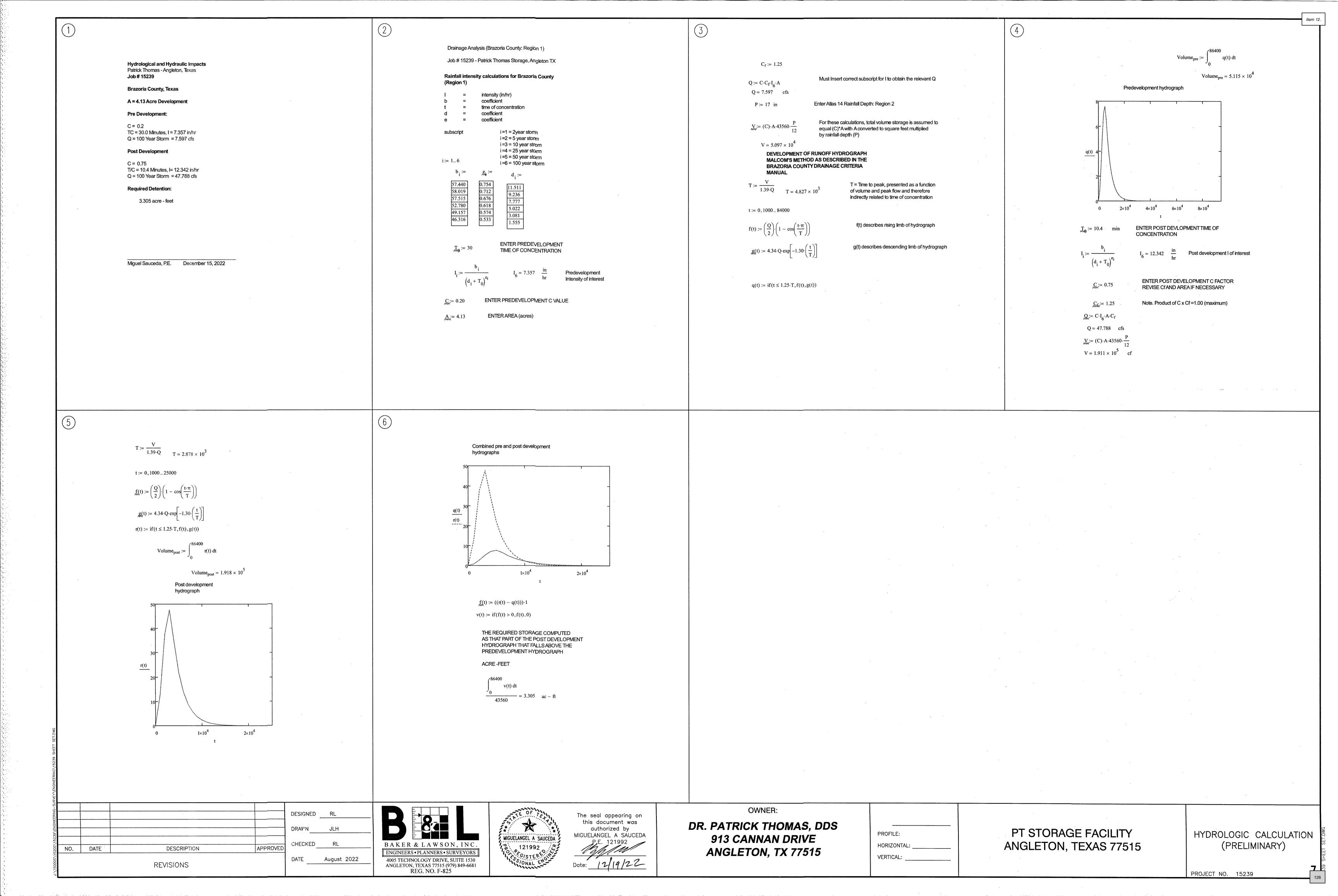












City of Angleton Traffic Impact Analysis (TIA) Threshold Worksheet

information. licensed professional engineer using the latest editions of the ITE Trip Generation Manual or more accurate project specific Complete this form as an aid to determine if your project requires a Traffic Impact Analysis. This form shall be completed by a

Applicant's Signature:	Project Description (include description of daily operations from a traffic standpoint): $ \frac{t_{o+1}}{t_{o+1}} \frac{d_{o+1}}{d_{o+1}} = 86 + r_{o+2} s $ $ \frac{t_{o+1}}{t_{o+2}} = 11 + r_{o+2} s $		Residential, single family 1 210 9.44/9.44 0.76 10.76 1/1	Warehouse (Mini) 1000 = 49.92 151 1.51 176 0.2 19.98 0.2 19.98	its* Code Daily Total AM Peak Hour PM Peak Hour		Zoning (CUP/PD) Site Plan Plat Other:	Application Type (check one):	Explicant/Contact: Miguel Sauceda Contact Email: M3queda @ bakerlawson; com	Date of the same
2/19/2		/	/)	86.9	ak Hour	renerated			raws	
		/	/	H-51 /	Weekend Pea Hour				SA: COM	



December 19, 2022

Mr. Otis Spriggs City of Angleton 121 S. Velasco Angleton, TX 77515

Subject:

Engineer's Summary Letter

PT Estates Subdivision - 7.732 Acres

Dear Mr. Spriggs:

We are pleased to prepare this Engineer's Summary report for the subject tract of land for Patrick Thomas. The 7.732 acre tract is in the north central area of Angleton and is bound by Angleton Metroplex Subdivision (north), Aaron's Rental Subdivision (west), commercial tracts (south), and North Valderas Street (east). For surrounding developments, the tract is adjacent to residential tract (SF-7.2) to the south and east, commercial development (C-G) to the south and west, and undeveloped commercial tracts (C-G) to the north. A summary of this description is provided on the preliminary Site and Heritage Tree Plan (Sheet 2 of the Preliminary Plans).

Subdivision Summary

The 7.732 acre tract will be subdivided into 2 lots and 1 detention reserve. Lot 1 and the detention reserve are currently zoned as commercial (C-G). Lot 1 and the detention reserve are currently undeveloped. The proposed use for Lot 1 is to develop a self service storage facility. Lot 2 is zoned as residential (SF-7.2). Lot 2 is currently under residential use. There are no proposed improvement for Lot 1. A summary of the lot layout is shown on the Plat (PT Estates Subdivision).

Parkland Dedication Statement

There is no land dedication on the property for parks. The owner requests parkland fees in lieu of parkland dedication.

Lot 1 Drainage Summary

Storm water from Lot 1 will be conveyed in the detention pond via grading, type "A" inlets, and storm sewer. The detention design meets the requirements of Brazoria County Drainage Criteria Manual, effective May 2022. Based on this information, the project will require 3.305 ac-ft of detention. The owner of lot 1 will maintain sole ownership of the detention reserve. The design

layout and calculations for the pond are provided on sheets 4 and 7 of the preliminary plans. This stormwater plan is pending review by the Angleton Drainage District.

Lot 2 Drainage Summary

There are no improvements planned for Lot 2, which is currently used as a residence. No detention will be required for Lot 2. Lot 2 has access to the drainage on the west and east side of the property.

Outfall Ditch

There is an outfall ditch on the west and north side of the tract. The outfall ditch is encompassed by an easement of various widths. The current easement are aligned with the current top bank of the ditch. An additional 10' drainage easement will be provided on the north and west side of the property for maintenance needs.

The detention pond will be required to have a 20' berm width, per requirements of the Brazoria County Drainage District Manual. The 20' berm width will be shared with the outfall ditch (sheet 4 of the Preliminary Plans)

Geotechnical Summary

This design set is preliminary. We ask the city to start the review of the job without a geotechnical report. We are not proposing pump or wet detention facilities, therefore the need for a geotechnical report is not critical. The proposed pond depth is between 3.0-4.0 feet, and does not exceed the depth of the outfall ditch.

Heritage Tree Plan

A Heritage Tree plan is provided on sheet 2 of the Preliminary Plans. The owner intends to preserve 15 of the 31 heritage trees on the tract. The proposed plan will require the addition of 23 trees on the commercial tract.

Traffic Impact Threshold Study.

The Traffic Impact Threshold form is included with this submittal. The proposed development will not trigger any of the defined criteria in the Land Development Codes

- 1. Development that generates more than 100 Peak Hour Trips (PHT).
- 2. Development that generates more than 5,000 vehicle trips per day (VTD).
- 3. Development where more than 25.0 acres of property are involved. Minor subdivisions or low intensity development on larger parcels do not require a TIA.
- 4. Development that involve special traffic design considerations, such as oversized or slow-moving vehicles, that require special traffic geometry and traffic control needs.

- 5. Development that would result in an amendment to the Angleton FTP.
- 6. In-fill developments on properties greater than 10 acres in area or where proposed streets will connect to and extend existing or proposed stub streets to ensure that the in-fill development will not adversely affect existing adjoining development.

A TIA will not be required for the project.

Conclusion

Please contact me if you have any questions or need to discuss any aspect of this Engineer's Summary Letter.

Respectfully submitted,

Miguel Sauceda, P.E. Project Engineer

ORDINANCE NO. 20220524-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS REZONING AN APPROXIMATE 2.748 ACRES IN THE J. DE J. VALDERES SURVEY, ABSTRACT NO. 380, CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS, FROM CHAPTER 28, ZONING, ARTICLE III ZONING DISTRICTS SECTION 28-57 C-G COMMERCIAL-GENERAL DISTRICT TO CHAPTER 28 ZONING, ARTICLE III ZONING DISTRICTS SECTION 28-45 SF-7.2 SINGLE-FAMILY RESIDENTIAL-7.2 DISTRICT OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR REPEAL AND AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Chapter 211 of the Texas Local Government Code to promulgate rules and regulations governing regulation of land use, structures, businesses, and related activities; and

WHEREAS, the City Council further finds that the rules and regulations governing land use, structures, and related activities within the territorial limits of the City promote the safe, orderly, and healthful development of the City; and

WHEREAS, on May 5, 2022 the Angleton Planning and Zoning Commission conducted a public hearing regarding a request by Patrick and Gail Thomas to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District of the Code of Ordinances City of Angleton, Texas following lawful publication of the notice of said public hearing; and

WHEREAS, on May 5, 2022 after considering the public testimony received at such hearing, if any, the Planning and Zoning Commission has recommended that the request by Patrick and Gail Thomas to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G — Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District be approved; and

WHEREAS, on May 24, 2022 the City Council of the City of Angleton conducted a public hearing regarding a request by Patrick and Gail Thomas to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G — Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District of the Code of Ordinances City of Angleton, Texas; and

WHEREAS, on May 24, 2022 the City Council of the City of Angleton, Texas approved the request by Patrick and Gail Thomas to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G — Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District of the Code of Ordinances City of Angleton, Texas; and

WHEREAS, each and every applicable requirement set forth in Chapter 211, Subchapter A, Texas Local Government Code and the Code of Ordinance of the City of Angleton, Texas, concerning public notices, hearings and other procedural matters have been fully met; and

WHEREAS, the City Council desires to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G — Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District of the Code of Ordinances, City of Angleton, Texas;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS;

SECTION 1. All of the facts recited in the preamble to this Ordinance are hereby found by the City Council to be true and correct and are incorporated herein by this reference and expressly made a part hereof as if copied herein verbatim.

SECTION 2. The request by Patrick and Gail Thomas to rezone an approximate 2.748 acres from Chapter 28 Zoning, Article III Zoning Districts Section 28-57 C-G – Commercial General District to the Chapter 28 Zoning, Article III Zoning Districts Section 28-45 SF-7.2 Single-Family Residential-7.2 District of the Code of Ordinances, City of Angleton, Texas be approved.

SECTION 3. Any person who violates or causes, allows, or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than Two Thousand and No/100 Dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of the Ordinance occurs shall constitute a separate offense.

SECTION 4. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 5. In the event any clause, phrase provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Angleton, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be on or more parts.

SECTION 6. This ordinance shall be effective and in full force immediately upon its adoption.

SECTION 7. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said

meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code

PASSED AND APPROVED THIS THE 24TH DAY OF MAY 2022.

CITY OF ANGLETON, TEXAS

Jason Perez

Mayo

ATTEST:

Frances Aguilar, TRMC, MMC

Sity Secretary

EXHIBIT A



County: Project: Brazona County 2.748 Acre N Tract

Job No.:

15239

FIELD NOTES FOR 2.748 ACRES

Being a tract of land containing 2.748 acres, located within the I De J. Valderes Survey, Abstract No. 380, Brazoria County, Texas; Said 2.748 acre tract, being a portion of the tract conveyed to Theresa Gail and Patrick Thomas, as recorded in Brazoria County Clerk's File No. (B.C.C.F.N.) 2018064937, said 2.748 acre tract being more particularly described by metes and bounds as follows (bearings are based on the Texas Coordinate System of 1983, (NAD83) Central Zone, per GPS observations):

HEGINNING at a point in the west right-of-way (RO.W.) line of N. Valderas Street; for the northeast comer of the herein described mact;

THENCE South 00,00 25" East, along the west R.O.W. line of said N. Valderas Road and the east line of the herein described tract, a distance of 77,00 feet to a point for the most southerly northeast corner of the herein described tract.

THENCE North 89°59'48" West, along the south line of the herein described tract, a distance of 289.90 feet to a point for an interior corner of the herein described tract;

THENCE South 00°01°54" East, along a southeasterly line of the herein described tract, a distance of 229.83 feet to a point for the southeast corner of the herein described tract;

THENCE South 89°59'41" West, along the south line of the herein described tract, a distance of 315.81 feet to a point for the southwest comes of the herein described tract;

THENCE North 00°50'10". West, along the west line of the herein described tract, a distance of 306.25 feet to a point for the northwest corner of the herein described tract;

THENCE North 89°56'28" East, along the north line of the herein described tract, a distance of 610.04 feet to the POINT OF REGINNING, containing 2.748 acres of land, more or less.

This document was prepared under 22 TAC \$063.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



AGENDA ITEM SUMMARY FORM

MEETING DATE: January 5, 2023

PREPARED BY: Otis T. Spriggs, AICP, Development Services Director

AGENDA CONTENT: Discussion the Short Term Text Amendment Changes to the City's

Land Development Code, Zoning Ordinance and other development

regulations. No action required.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: N/A FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

Staff requests that the Planning and Zoning Commission hold a brief workshop to introduce pending short term amendments to the City's Land Development Code, Zoning Ordinance and other development regulations as recommended by the Gunda Corporation.

Future hearings and formal possible actions will be taken a future meetings, subject to Commission, Legal review, as well as Leadership Staff input.

RECOMMENDATION: Staff recommends that the Planning and Zoning hold the requested brief workshop.

Appendix C

Part II - CODE OF ORDINANCES Chapter 23 LAND DEVELOPMENT CODE

Chapter 23 LAND DEVELOPMENT CODE¹

ARTICLE I. IN GENERAL

Sec. 23-1. Title.

Chapter 23 of the Code of Ordinances of the City of Angleton, shall be known and may be cited as the Land Development Code, the LDC, or "this code".

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)

Sec. 23-5. Applicability.

A. Generally. No land shall be developed, redeveloped, or substantially improved, except in accordance with this Code. The following actions are considered to be "development" and subject to the LDC: 12/22/22 with planning staff comments incorporated

General notes:

Will be finalized after all ongoing reviews.

To be reviewed by the Parks Director and HDR

<u>Legal review of the final draft prior to</u> adoption.

<u>Update the revision date for each section</u> <u>prior to adoption.</u>

Remove the Appendix and move that to the Administrative Procedures Manual. Add this reference in the LDC.

Adopt standards relevant to the City of Angleton, as indicated. E.g. require green street signs with white lettering, not blue like Sugarland.FUTURE.

Commented [LK1]: Needs legal review on the jurisdiction and powers in the ETJ

Cross reference(s)—Alcoholic beverages, Ch. 3Cross reference(s)—; location of alcoholic beverage establishments restricted, § 3-5Cross reference(s)—; limitation on the number of livestock per dwelling, § 4-5Cross reference(s)—; buildings and building regulations, Ch. 5Cross reference(s)—; fire limits established, § 5-46Cross reference(s)—; code for the elimination or repair of unsafe buildings adopted, § 5-511Cross reference(s)—et seq.; fire marshal authorized to order repair, etc., of dilapidated and unsafe buildings or other property, § 7-44Cross reference(s)—; housing, Ch. 11Cross reference(s)—; junked, abandoned, wrecked property, Ch. 12Cross reference(s)—; manufactured homes and manufactured home parks, Ch. 14Cross reference(s)—; parks and recreation, Ch. 17Cross reference(s)—; peddlers, itinerant merchants and solicitors, Ch. 18Cross reference(s)—; public amusements, Ch. 21Cross reference(s)—; streets, sidewalks and other public places, Ch. 22Cross reference(s)—; permit required for excavation in streets, § 22-2Cross reference(s)— et seq.; utilities, Ch. 26Cross reference(s)—; traffic and motor vehicles, Ch. 25Cross reference(s)—; zoning, Ch. 28Cross reference(s)—; zoning district regulations, § 28-61Cross reference(s)— et seq.;

State law reference(s)—Regulation of subdivisions, V.T.C.A., Local Government Code § 212.001 et seq; authority to adopted subdivision regulations, V.T.C.A., Local Government Code § 212.002.

Angleton, Texas, Code of Ordinances (Supp. No. 19)

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¹Editor's note(s)—Ord. No. 1-12-2018, § 1(Exh. A), adopted Dec. 11, 2018, repealed the former Ch. 23Editor's note(s)—, §§ 23-1Editor's note(s)——23-43, and enacted a new Ch. 23Editor's note(s)— as set out herein. The former Ch. 23Editor's note(s)— was entitled "Subdivisions," and derived from: Ord. No. 2325, § 1, adopted Apr. 19, 1994; Ord. No. 2457, §§ 1—3, adopted Dec. 21, 1999; Ord. No. 1-02-2018, § 2(Exh. A), adopted Feb. 13, 2018; and Ord. No. 1-06-2018, § 2(Exh. A), adopted June 12, 2018.

- Use of land. The use of any building, structure, or land, including new uses, expansion, and material substantial changes to the operational characteristics of existing uses within the city;
- Grading of land. Any nonagricultural disturbance of land, soil, vegetation, or drainage ways, excluding landscaping, shall conform to the LDC for all properties in the city and the ETJ; and
- 3. Subdivision. Any division of land within the City limits and the ETJ for development, sale, or lease, whether by metes and bounds, subdivision, or other technique, shall comply with the LDC. Deed divisions of land that result in parcels where all resulting tracts have a lot area of five acres or more are exempt from the subdivision requirements of the LDC, but may be required to file a development plat, as set out in section 23-87, Administrative plats.
- Site development. Site development, excluding all land use requirements in the ETJ, is subject to all
 requirements of the Angleton Code of Ordinances to the full extent allowed by V.T.C.A., Local
 Government Code Ch. 212.
- ETJ development. The city reserves the right to require the approval of a development plat and site
 plan for property in the ETJ to ensure that development complies with all applicable LDC requirements
 and any other ordinances whereas allowed by TLGC Ch. 212-42. is cited as an "authority".
- B. Applicability to publicly owned property. The LDC is applicable to all public agencies and organizations to the full extent allowed under the U.S. and Texas Constitutions, and the laws of each.
- C. Pending applications. Development applications shall be governed by the laws and regulations in effect when they were submitted deemed as complete submittals.
- D. Creation of a building site and issuance of a permit permitting.
 - 1. Construction or building permits may not be issued unless the parcel, lot, or tract:
 - a. Is part of a plat of record, approved by the city council, or Brazoria County, and is filed in the plat records of Brazoria County, Texas;
 - b. Was created prior to the adoption of Ordinance No. 333 on February 11, 1964;
 - Was created by a deed division prior to being subject to requirements that required subdivision approval:
 - d. Was lawfully created prior to being annexed into the city or added to city's ETJ;
 - Was lawfully created by the action by a court of competent jurisdiction or by the dedication of easements or right-of-way; or
 - f. Was created through a lawful deed division that created parcels that were each five acres in area, or larger.

g. Is a result of a change in ownership of a property through inheritance or the probate of an estate.

h. Is used as a cemetery complying with all state and local laws and regulations.

Is exempted as per LGC §212.004.

If any of the conditions for the creation of a building site exists and changes are not proposed to the
property configuration, the property is a legal building site and a building permit may be issued
without additional platting being required, unless a development plat is required, as set out in section
23-87, Administrative plats.

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E. Nonconforming lots.

- 1. Standards. Existing nonconforming lots may be combined to increase conformity as follows:
 - a. Where a landowner owns several abutting lots that do not conform to the LDC, they may be consolidated or replatted as a conforming lot₇ or lots, or to a design that reduces the degree of the nonconformity.
 - A proposed combination or replat of nonconforming lots may not: meets all the requirements of the LDC.
 - Materially disrupt the lotting pattern of the street, for example, by creating a through lot or a lot with an inconsistent orientation to a street;
 - ii. Result in regularly shaped lots being combined into a single lot with an irregular shape; or
 - iii. Result in a lot that does not have direct access to a public right-of-way or access to utility services, unless such a lot is intended to be used for a purpose where public access and utility service is not required.

Prohibited actions.

- Nonconforming lots, or interest therein, may not be transferred, conveyed, sold, or subdivided to create a new nonconforming lot, to avoid, circumvent or subvert any provision of this LDC, or to leave remaining lots in violation of the LDC;
- b. No lot, or portion of a lot, required as a building site by this LDC, may be used as a portion of a lot for another structure without adhering to all platting requirements of the LDC;
- No building permit may be issued for any lot or parcel of land which has been illegally <u>created</u>, conveyed, sold, or subdivided in violation of the LDC______ and
- d. Any transferee who acquires a lot in violation of this section, without knowledge of such violation, and any subsequent transferee, may have the right pursuant to Texas law to rescind and/or receive damages from any transferor who violates the provisions of the LDC, and the city may take appropriate actions as set out in this chapter.
- Construction on substandard lots. A legal lot, defined as a lot that meets the requirements of Section 23-5,D, that does not meet zoning district requirements with respect to lot area or lot width may be built upon if:
 - a. The use is permitted in the zoning district in which the lot is located;
 - The lot has sufficient frontage on a public street to provide access that is appropriate for the proposed use as required by the zoning designation; and
 - c. The proposed development will comply with all applicable development standards of the LDC_____
- F. Vested rights "issuance of local permits". Property owners who have filed a completed application or have obtained approval of any project or permit prior to the effective date of this LDC that has not expired, shall be considered in compliance with TLGC Ch. 245.
- G. Applicability of certain chapter of the Angleton Code of Ordinances in the ETJ. Under the authority of TLGC Ch. 212, Municipal Authority of Subdivision and Property Development, the following chapters of the City of Angleton Code of Ordinances are expressly incorporated by reference into the LDC and are in full force and effect in the ETJ and shall be regulated by the city by the submittal of construction plans, a site plan, design drawings, development plat, or plat; as is determined to be appropriate, by the type of development that being requested:
 - 1. Chapter 14: Manufactured Homes and Manufactured Home Parks (design standards only);

Commented [LK2]: This language is confusing, see recommended addition of "created" below.

Commented [LK3]: Not needed.

Commented [LK4]: Added a definition of legal lot.

Commented [LK5R4]: Added reference.

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- 2. Chapter 16: Oil, Gas, and Minerals;
- 3. Chapter 21.5: Signs;
- 4. Chapter 30: Special Districts; and
- 5. All environmental management requirements set out in article V of this LDC.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018, , xxxx)

Sec. 23-6. Consistency with plans, Reserved

The LDC implements the following existing plans and all additional plans that will be formally adopted by the city council after the adoption date of this Code:

- 2018 Angleton Strategic Plan;
- 2007 Angleton Comprehensive Plan;
- 2011 Downtown District Vision;
- Brazoria County Stormwater Quality Coalition MS4 Construction Guidance Document, as amended;
- 2007 TXDOT State Highway 35 Major Corridor Feasibility Study Final Report;
- 2015 SH 288 Development and Land Use Assumption Study;
- 2016 CR 220 Development Capital Improvements and Land Use Assumptions Study;
- 2008 Master Drainage Plan;
- 2008 Angleton Drainage District Flood Protection Plan;
- 2001 Parks and Recreation Comprehensive Master Plan and Open Space Plan, as amended;
- The Angleton Capital Improvement Program, as amended; and
- Applicable Houston Galveston Area Council of Governments and TXDOT Regional Mobility Plans.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018, xxxx)

Sec. 23-7. Enactment, repeal, and effective date.

- A. Enactment and effective date. The enactment of this ordinance shall repeal Ordinance No. 1-06-2018, adopted on June 12, 2018; and shall repeal chapter 8, "Flood Damage Prevention" of the Code of Ordinances of the City of Angleton, in its entirety, replaced by Ordinance No. 1-12-2018, hereafter titled the Land Development Code (LDC), adopted by the city council on the effective date of December 11, 2018 and amended subsequently; incorporated into the Code of Ordinances of the City of Angleton as chapter 23, "Land Development Code".
- B. Existing ordinances and regulations. Any other ordinance, resolution, or regulations not expressly cited in this section that are inconsistent with the LDC shall be considered to be superseded by the adoption of the LDC. Specific regulations of any such ordinance that were not affected by this LDC shall remain in full force and effect.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018, xxxx)

Commented [LK6]: List all the relevant standards and plans in the appendix.

Commented [LK7]: Needs to be updated, prior to adoption of any amendments

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Sec. 23-8. Abrogation and greater restrictions.

- A. The LDC establishes minimum standards necessary to accomplish the purposes set out in section 23-2, Purpose.
- B. It is not the intent of the LDC to interfere with, abrogate, or annul any easement, covenant, deed restriction, or other executed agreement between private parties, including development agreements.
- C. When the provisions of this LDC impose a greater restriction than those restrictions imposed by private agreements, the provisions of the LDC shall control.
- D. When private agreements impose a greater restriction than the restrictions imposed by the LDC, the private agreements shall control. The city has no duty to search for the existence of private restrictions, or to administer, or enforce, any private restriction.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018, xxxx)

Sec. 23-9. Severability.

All sections, paragraphs, sentences, clauses, and phrases of the LDC are severable, and if any such section, paragraph, sentence, clause or phrase is declared unconstitutional or otherwise invalid in any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not cause any remaining section, paragraph, sentence, clause, or phrase of the LDC to fail or become invalid.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)

ARTICLE II. SUBDIVISION AND DEVELOPMENT DESIGN

Sec. 23-10. General design principals and requirements.

- A. Generally. The purpose of this article is to establish minimum design requirements to create a quality development design that relates to existing and future surrounding development.
- B. Design principles. The following design principles shall be implemented into plat design:
 - 1. Compatibility and connectivity. Proposed developments shall be designed to:
 - a. Provide appropriate buffers and transitions between different land uses;
 - b. Improve mobility across the city and the ETJ; and
 - c. Provide vehicle and pedestrian connections to neighboring properties.
 - 2. Neighborhoods. Neighborhoods will be designed:
 - a. In a context sensitive manner to ensure long-term neighborhood viability;
 - b. In a manner that will conserve wetlands, bayous, and other natural features;
 - With well-managed stormwater runoff that is conveyed in storm sewers, streets, and other methods to phase out the use of steep slope deep bar ditches, where practical;
 - With usable open space to provide recreation, use buffers, safe distances from natural hazards, and to maintain mature tree stands, water quality, and environmental integrity;

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- e. With drainage improvements that serve additional purposes, such as recreation, usable open space, wetland and habitat preservation, or as buffer or amenity; and
- f. In a manner that is compatible with adjoining uses and neighborhoods.
- 3. Aesthetic and environmental considerations. Development will be:
 - a. Shaped and guided by natural contours and drainage patterns to avoid natural hazards and blend into natural environmental elements:
 - b. Context sensitive, without compromising public health or safety;
 - Open to design options that may result in the need for variances from rigid design standards to
 preserve wetlands, floodplains, heritageprotected trees, or mature habitat areas; and
 - d. Encouraged to use lot clustering to maintain environmental assets as common space amenities, linear parks, use buffers, and other purposes that create community character.
- 4. Transportation and mobility.
 - a. ADA compliant sidewalks will shall be provided on all streets and into all parks;
 - b. Sidewalks will-shall be required to provide access to all building sites and amenities;
 - Street type, location, and functional classification will be guided by the Angleton Future Thoroughfare Plan (FTP);
 - Neighborhoods shall have multiple means of access to public streets and surrounding development to minimize congestion and maximize public safety;
 - e. Streets are a primary element of the drainage conveyance system and shall be designed to maximize their full drainage conveyance capacity to enhance public safety; and
 - f. Streets shall not be "forced" into locations where they are not cost-effective, practical, result in public capital expenditures that are not warranted, or where an acceptable design alternative is available.
- 5. Floodplains, wetlands, and drainage.
 - a. Regulatory floodplains shall be protected from development by:
 - 1. Maintaining floodplains as open space, passive recreation, and drainage;
 - Implementing all best management practices set out by the Texas Commission on Environmental Quality (TCEQ) and incorporated by reference into the City's Code of Ordinances Angleton Construction Manual (ACM);
 - Adhering to all drainage requirements of the <u>City's Code of Ordinances Angleton</u> <u>Construction Manual (ACM)</u> to help ensure that the amount of property located in a <u>floodplain is not increased; and</u>
 - Pursuing all opportunities for regional detention on projects of all sizes and where appropriate, and in coordination with the Angleton Drainage District.
 - b. Drainage easements shall have a minimum width as determined to be necessary by the City of Angleton, and the Angleton Drainage District, and other appropriate entities, and shall be:
 - 1. Retained as right-of-way where they cross existing or proposed public roads; and
 - 2. Platted in common ownershipM maintained by a property owners' association or when appropriate under the authority of the city or Angleton Drainage Districtother entities; and

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- 3. Shall be designed in a manner that allows routine maintenance and are "green" to the greatest extent practicable and feasible.
- Easement alignment shall follow the approximate line of the channel on maximum 50-foot chords and when possible shall be located on lot or property lines; and
- Existing steep sloped roadside ditches should be eliminated when adjoining properties are developed and redeveloped and in conjunction with capital improvement projects because
 - The lack of curbs and gutters does not maximize the ability of streets to be used for drainage conveyance;
 - Such ditches are a traffic hazard, prevent sidewalks and street parking, impede trash pickup and delivery services, often result in heavy sheet flow from the street to the opposite side of the street directly toward homes and other buildings, and results in road, utility, and ditch maintenance issues.

Utilities.

- Utilities will be extended in a conservation-minded and efficient manner to provide for the expansion utility service in a manner that is environmentally and economically sound; and
- Utility improvements will be coordinated with the recommendations of the comprehensive plan most recent version of the Comprehensive Plan and all other utility plans of the city and its utility franchises.

7. Public safety.

- a. The city and the ETJ include potential natural and man-made threats to public health and safety.
 Among these are railroads, regional pipelines, floodplains, and protected wetlands. It is essential that these areas are identified and projects designed in a manner to maximize public safety to the greatest extent practical;
- b. Infrastructure should be designed to maximize public safety and mitigate existing public safety issues, such as, but not limited to, bar ditches. Standards should be updated, within a reasonable time, to adopt as soon as new technologies are proven to improve public health and safety. The use of fire hydrants with fittings that allow universal connectivity is an example;
- Projects shall be developed to provide as much separation as practicable between potential threats and vulnerable uses; and
- d. City codes should be proactively updated to address threats to public safety as soon as threats, and potential solutions, are identified.
- C. Consistency with <u>subdivision</u> and <u>development regulations</u> as <u>contained in the City's Code of Ordinances</u>: Angleton Construction Manual (ACM). Public improvements shall be designed in accordance with the following specifications and criteria, which collectively are the ACM. The ACM shall automatically be amended without formal action required to amend the LDC or the ACM when any criteria set out below are updated by the jurisdiction cited for each:
 - 1. City of Sugar LandAngleton Construction specifications, as amended;
 - 2. <u>City of Sugar Land Angleton</u> Design standards and appendices, as amended;
 - 3. City of Sugar Land Angleton Construction details, as amended;
 - 4. City of Sugar LandAngleton Approved products list and product application, as amended; and
 - 5. City of Sugar Land Angleton Traffic impact analysis guidelines and worksheet, as amended

Commented [LK8]: Needs a definition of what "green" entails.

Commented [LK9]: Update the manual to be tailored to Angleton and refer to the latest version.

Commented [KR10R9]: Replaced ACM with City's Code of Ordinances as proposed by staff. To be verified with HDR.

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- 6. City of McKinney Angleton Sediment and Erosion Control Manual, as amended;
- 7. Brazoria County Stormwater Quality Coalition MS4 Construction Guidance Document, as amended;
- 8. 2008 Angleton Drainage District rules, regulations, and guidelines, as amended; and
- 9. Brazoria County Drainage Manual, as amended.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)

Sec. 24-11. Lots and blocks.

A. Lots generally.

- New lots will shall comply with applicable requirements set out in Code of Ordinances Chapter 28 -Zoning;
- 2. Lot size, area, shape, and orientation shall be appropriate to the location and the use;
- No parcel or lot shall be created that does not meet the minimum requirements of the LDC and the zoning requirements; and
- Undevelopable remnant properties that do not conform to the LDC or the zoning requirements shall not be created through the subdivision process.

B. Lot shape.

- 1. Side lot lines shall generally be at approximate right angles, or radial to, street lines right of way; and
- Alternative configurations may be approved <u>as variances during the platting process by the City Council upon recommendation from the Planning and Zoning Commission</u> to accomplish the purposes of the LDC, such as preserving natural resources or dedicating right-of-way.

C. Lot frontage.

- Required frontage. Each lot or building tract shall front on a public street, in accordance with applicable lot width requirements.
- Residential lots.
 - New residential lots shall only front on local and minor collector streets, and shall not front on major collector, -or arterial streets, or highways;
 - b. The development-City Council upon recommendation from the Planning and Zoning Commission administrator may administratively approve minor deviations from the lot design requirements during the platting process when terrain or property constraints limit design alternatives or when such deviations result in the preservation of a heritage protected tree, as set out in section 23-60, Heritage Protected Tree Protection; and
 - c. Lots shall be platted in a manner that does not result in landlocked properties or without any means providing public access to properties that currently do not have frontage.
- Nonresidential lots. Nonresidential lots shall be designed in manner that allows development designed in manner that complies with all applicable requirements.
- D. Through lots. Through lots, or double frontage lots, shall be avoided, except:
 - Where a development is sufficiently large, with a lot area that equals twice the minimum lot area required for the zone that the lot is located in, to require two frontages;
 - 2. When necessary to overcome topographic or environmental issues; or

Commented [LK11]: This sentence is not needed since the City has zoning requirements.

Commented [LK12]: Added language to clarify that any deviations or variances will need approval.

Commented [LK13]: Approving authority

Add specifications for double frontage lots.

Commented [LK14]: Specify min. lot area = twice the required lot area for the zone.

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- Where deemed to be appropriate by the city engineer in accordance with generally accepted engineering practices.
- E. Corner lots. Corner lots intended for residential use shall have additional width_to allow appropriate building setback and orientation to both streets, a driveway, and provide adequate corner visibility.
- F. Lot orientation to T intersections. The building envelope of lots at the terminal end of a "T" intersection shall be offset from the centerline of the terminated street in order to mitigate the impacts of oncoming traffic on the use of the lots.
- G. Width of irregular lots. Cul-de-sac lots or irregular shaped lots shall have sufficient the required width at the front building line to meet minimum lot frontage requirements.
- H. Drainage ways.
 - 1. Buildable lots shall not encroach into a regulatory floodplain or floodway.
 - Floodplains may be platted as open space, common area, a drainage easement, and for essential services that are required to be located in close proximity to regulatory floodplains.
- Adequate and safe access -

Refer to Section 24-12.I.

- 1. All subdivisions containing 30 or more lots must have at least two points of 100-year storm compliant public access constructed to ACM standards, that connect to payed public streets.
- The city council may approve subdivisions that have more than 30 lots, but fewer than 50 lots, with a single
 entrance to a paved public street provided that such a connection to an existing paved public street is
 designed as a boulevard with a width sufficient on each driving lane for fire truck access, with an unbroken
 median length of 100 feet, unless left turn lanes and median breaks, designed to ACM standards, are
 installed at any crossing streets.
- 3. The city council may approve subdivisions that have more than 50 lots, with a single entrance to a paved public street subject to the entrance to the development being designed as a boulevard with a width sufficient on each driving lane for fire truck access, with an unbroken median length of 150 feet, unless left-turn lanes and median breaks, designed to ACM standards, are installed at any crossing streets, subject to a phasing plan that stipulates when the second access will be provided and the developer or subdivider posts surety for the second access point. The council may defer plat recordation until adequate access is provided.
- 4. Where more than one street connection to paved public streets are required, both connections, when located in close proximity to creeks, bayous, and flooding hazards shall be designed so that each street is accessible in a 100 year storm to prevent water from over topping each road. Only one street may not be located over a potential hazard, such as a high-pressure pipeline, unless such a connection is required by the FTP and the utility provider consents to such a crossing.
- When more than one connection is required, the city may consider an all weather remote emergency access where development phasing or land constraints will delay the provision of an additional access ways.
- 6. When a required second access to a paved public street is required, the paved public street to be accessed shall be considered a boundary street. As such, the subdivider or developer shall be required to provide improvements to the boundary street to improve such road to current ACM standards in accordance with article III division 1, Transportation Responsibilities.
- Blocks generally.
 - 1. Length. Block length shall be provided based on the following guidelines:

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Not required

Specify the width required

Commented [LK15]: Repeated under subdivision requirements. Sec. 23-12. I. Streets and driveways

Commented [LK16]: Safety issue. Not supported by Fire Marshal

Commented [LK17R16]:

Commented [LK18]: Issues with connectivity and ingress/access issues for residents if the one access is blocked.

Commented [LK19]: Repeated under subdivision requirements.

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- a. Block shall generally have sufficient width and depth for to provide two tiers of lots with required lots depths. Exceptions may be made when property is adjacent to arterial streets, railways, waterways, wetlands, or other elements;
- b. Blocks shall generally not exceed a length of 1,000 feet, unless density is in length nor be less than 300 feet in length unless an alternative length as approved as a variance variation by the City Councill upon recommendation from the Planning and Zoning Commission unless an alternative length will not result in public health or safety issue, connect streets, is necessary for drainage or environmental considerations, or based on site constraints;
- c. The provision of adequate building sites suitable to the special needs of the type of use;
- d. The required lot widths and lot areas of the applicable zoning district; and
- e. The need for convenient access, circulation, traffic control, and safety of street traffic.
- Shape.
 - Blocks shall be generally rectangular but may have curves or bends that correspond with the natural terrain.
 - Irregularly shaped blocks which contain interior parks or playgrounds, parking areas, wetlands, or drainage improvements shall be permitted.
 - Blocks shall be shaped in a manner that will provide safe pedestrian and vehicular circulation;
 efficient utility delivery; and adequate access for emergency service providers.
- 3. Relationship of blocks to streets.
 - a. Intersecting streets shall be used to determine block length, width, and shape;
 - Streets shall be provided at intervals that adequately serve cross traffic, conform to existing street patterns, and customary subdivision practices; and
 - Block and street design can vary to facilitate development and street connections and adjust to natural and man-made barriers, property lines, adjacent development, or other unique conditions provided that safe pedestrian and vehicular circulation is the end result.
- K. Relationship to major streets. New residential lots shall not back up to highways, arterials, and major collector streets and shall take access from local or minor collector streets.

Sec. 23-12. Streets and driveways.

- A. Conformity to the future thoroughfare plan. The general location, alignment, and functional classification of all streets and roads shall conform to the <u>most recently adopted</u>. Angleton Future Thoroughfares Plan (FTP)-Mobility Plan dated XXXX.
- B. Street classifications. Streets shall be classified according to the following functional classifications, as set out on the Mobility Plan dated XXXX. Angleton FTP:

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- 1. Highway
- . M/major arterial;
- 23. ____Minor arterial
- M/major collector

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Commented [KR20]: Changed to variation. To be verified by legal.

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M; and

Minor collector;

6. Llocal street and

Ceul-de-sacs.

- C. Coordination with Texas Department of Transportation (TXDOT) and Brazoria County required.
 - For projects adjoining, or accessing TXDOT right-of-way, the engineer applicant will shall contact the TXDOT to determine all TXDOT requirements and copy the city on all correspondence.
 - For plats in the ETJ, the engineer applicant shall contact the Brazoria County engineer to determine the requirements of Brazoria County and copy the city on all correspondence.
- D. Acceptance of streets. Required city street improvements shall be dedicated to the city, as set out in article III, division 4, Public Acceptance and Permitting.
- E. General location standards.
 - Minimum design standards. Required city street improvements shall be designed and constructed in accordance with the City's Code of Ordinances the ACM and the design principles set out in article II, Subdivision and Development Design.
 - 2. Layout and connectivity. Streets and alleys shall:
 - Be extended and located in accordance with the FTP in terms of street classification, right-ofway, and pavement width, and alignment; and
 - b. Bear a logical relationship to existing topography and existing or proposed street locations, and the development of adjacent developed and undeveloped properties
 - c. Any deviation from the FTP shall be approved by the City Council with a recommendation from the Planning and Zoning Commission. and shall not be forced by the strict adherence to the FTP into locations that are not suitable for road construction, the extension of roads, are not practical for development, may result in the need for long term improvements that are cost prohibitive, such as the building of a bridge, or result in undesirable environmental impacts.
 - c. Where not shown on the FTP, street layout will:
 - Provide continuity and connectivity between existing and proposed streets;
 - ii. Conform to generally accepted transportation planning principals for street hierarchy, spacing, and location, with due consideration to topography, environmental considerations, and natural hazard avoidance; and
 - iii. Provide connections to existing streets in a manner that will not change the functional classification of existing streets and will provide safe access to all lots.
 - 3. Excess right-of-way. Right-of-way in excess of the standards of the LDC may be required where topography results in the need for additional right-of-way to provide slopes that do not exceed a ratio of three to one or in order to provide street connectivity.
- E. Design standards. Streets shall be designed per the City's Code of Ordinances the ACM and the following standards:
 - 1. Street grade and curves.
 - a. Streets may have a maximum grade of seven percent; and

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- b. Centerline grade changes shall be designed in accordance with all AASHTO standards. Where there is a difference of more than two percent, the vertical curves shall be connected with a curve of sufficient length to provide a minimum 200 feet of sight distance.
- Street intersections. Streets shall be designed to intersect as close as possible to right angles. The city
 engineer may consider an angle not less than 80 degrees where necessary to connect streets or avoid
 natural or man-made impediments.
- 3. Intersections.
 - a. All arterial and collector street intersections shall be at 90 degrees, or within five degrees of that standard.
 - The curb radius at street intersections shall conform to the specifications in the-<u>City's Code of OrdinancesACM</u>.
 - c. Deviations from these requirements can be considered when streets are realigned to comply with the FTP or to avoid natural, or man-made features, such as, but not limited to, protected wetlands, bogs, floodplains, a stand of herritageprotected trees, artifact areas, historic buildings or sites, pipelines, easements or existing development.
- 4. Street jogs (off-sets). Street off-sets less than 150 feet, measured centerline to centerline, are prohibited. A jog of not less than 100 feet may be approved only when necessary to connect streets in adjoining developments where both streets are local streets.
- Off-site improvements. Off-site traffic improvements, as determined by the recommendations of a
 traffic impact analysis, as set out in section 23-25, Traffic impact analysis, or by TXDOT, may be
 required to mitigate the impact of development on existing transportation networks.
- 6. Design. City streets shall be designed as set out in Table 23-12.1, Street Design Standards.

Table 23-12.1 Street Dimension Standards					
Design Features	Road Classifications				
	Major Arterial	Minor Arterial	Major Collector	Minor Collector	Local Street
Right-of-Way Width	100'—120'	80'—100'	70'—80'	60'—70'	60'
Pavement Width	48' to 60'	36' to 48'	36'	32'	28'
Number of Lanes	4—6	3 or 4	2 or 3	2	2
Lane Width (ft.)	12'-14'	12'	12'	12'	12'
Design Speed	45—55+ mph	35—45 mph	30—35 mph	30 mph	30 mph
Width of Sidewalks	Min. 6'	<u>Min. 6'</u>	Min. 6'	Min. 6'	Min. 5'

- G. Partial streets, cul-de-sacs, and dead-end streets.
 - 1. Cul-de-sacs. Cul-de-sacs shall not exceed a length of:
 - a. Four hundred fifty feet in office and general commercial developments;
 - b. Six hundred feet in business park and industrial developments;

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Add width of sidewalk.

- One thousand feet for suburban residential developments with densities greater than three dwelling units per acre; and
- d. One thousand five hundred feet for rural and estate developments with densities less than three d.u. per acre.
- e. All cul-de-sac streets shall have a turnaround, with a <u>paved</u> surface diameter of no less than 110 feet and a right-of-way diameter of no less than 130 feet. A greater diameter pavement and right-of-way may be required by the city to accommodate oversized vehicle traffic and to provide adequate fire protection.
- 2. Partial streets. The use of a partial, or half street, is generally prohibited unless:
 - a. A half street is proposed to increase the width of an inadequate existing right-of-way or where the construction of a half-street results in a fully functional two-way road. The construction of two lanes of a proposed four-lane arterial street; where a half street would be a fair share improvement is permitted:
 - b. A street stub is provided to facilitate the connection of a street to a future phase of development or a future adjoining development. In these circumstances, the city engineer and fire department may require a temporary cul-de-sac, or an alternative turnaround design, or a maintenance bond; or
 - c. An existing half street exists adjacent to an area to be subdivided, in which case the subdivider must dedicate the remaining right-of-way and construct the half street as a fair share improvement or may defer the construction of the half-street in accordance with the requirements of article V, division 1, Transportation Responsibilities.
- Dead end streets are prohibited unless they are designed as a short stub, or as a temporary all-weather turnaround, with a length not to exceed 100 feet.
- H. New boundary streets. For new boundary streets that will form part of a subdivision boundary, the following standards shall apply:
 - Local streets.
 - a. Where a local street forms part of a development or subdivision boundary, the developer or subdivider shall dedicate right-of-way sufficient to make such street conform to requirements of the city.
 - b. The developer or subdivider shall also improve such street in conformance with all standards and specifications of the City of Angleton, including installation of curbs on both sides of the street and enter into a reimbursement agreement with the city or enter into a deferral agreement with the city, as set out in section 23-38, Deferral and Permitting.
 - Collector and arterial streets.
 - a. Where a proposed collector or arterial street forms part of a development or subdivision boundary, the subdivider shall dedicate a minimum of one-half of the additional right-of-way necessary to comprise the full street width.
 - b. Dedication of more than half this additional increment may be required, to maximize the use of existing streets, to provide access and connectively, to meet the requirements of the traffic impact study, and or to ensure consistent street alignment or curvature.
 - c. The developer or subdivider shall either:

i.

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Commented [LK23]: Not needed, as ALL requirements would need to be met.

Construct the required street or pave one half of the required street in accordance with the traffic study or the- City's Code of OrdinancesACM; or

Pave one halfconstruct of the proposed required street in accordance with the ACM; or

- i. If approved by the city, cContribute to the city an amount of money equal to 125% of amount that necessary to complete the design and construction of the street, curb, and sidewalk required by the LDC and the-City's Code of Ordinances ACM.
- Public access to subdivisions.
 - Subdivisions containing 30 or more lots, or multi-family developments with 50 or more units, shall have
 a minimum of two points of public vehicular access, 100-year storm compliant, and constructed to
 standards outlined in the City's Code of OrdinancesACM standards, vehicular access to an existing
 public right-of-way separated as far apart as practical in accordance with the fire code; or
 - The city council may approve subdivisions that have more than 30 lots, but fewer than 50 lots, with a single entrance to an existing paved public street consider a boulevard-style entrance with the following design elements:
 - a. A boulevard entrance with a median that has a minimum width of six feet;
 - b. Extension of the median into the subdivision an unbroken distance of at least with an unbroken median length of 100 feet, unless left-turn lanes and median breaks, designed to ACM-standards outlined in the City's Code of Ordinances, are installed at any crossing streets; 75 feet to the first intersecting interior street; and
 - c. Boulevard lanes with an adequate pavement for emergency access into the development.
 - 3. The city may approve a phasing plan, as set out in section 23-18, Development Phasing, specifying where and how many lots may be platted before a second access shall be provided and may require a performance bond equal to the cost of proving a second access point.
 - The city council may approve a variation to allow subdivisions that have more than 50 lots, with a single entrance to a paved public street as part of subdivisions approval process, subject to:
 - the entrance to the development being designed as a boulevard with a width sufficient on each driving lane for fire truck access;
 - with an unbroken median length of 150 feet, unless left-turn lanes and median breaks, designed to ACM-standards outlined in the City's Code of Ordinances, are installed at any crossing streets.
 - subject to a phasing plan that stipulates when the second access will be provided and the developer or subdivider posts surety for the second access point.
 - The council may defer plat recordation until adequate access is provided.
 - 4. An emergency access easement may be considered as a temporary second access point until a permanent second access is provided, or may be considered as a permanent solution in any instance that additional options for a second access point are not available.
 - 4. 5.—A one-foot, non-access easement shall be provided along the rear property lines of residential lots that back up to arterial streets and TXDOT highways to prevent access.

Commented [LK24]: This is typically 110 to 150%. City policy is 125%.

Commented [LK25]: Conflicts with 24 11 I

Commented [LK26]: Is IFC adopted? An appeal process through IFC is different than City Council

Commented [LK27]: Safety, connectivity, and access

Commented [KR28]: Changed to variation. To be verified by legal.

Commented [LK29]: Safety issue. Not supported by Fire Marshal

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- 5. Where more than one street connection to paved public streets are required, both connections, when located in close proximity to creeks, bayous, and flooding hazards shall be designed so that each street is accessible in a 100-year storm to prevent water from over-topping each road. Only one street may not be located over a potential hazard, such as a high-pressure pipeline, unless such a connection is required by the FTP and the utility provider consents to such a crossing.
- 6. For subdivisions containing 30 or more lots, or multi-family developments with 50 or more units, when units, when more than one connection is required, the city may consider an all-weather remote emergency access where development phasing or land constraints will delay the provision of an additional access ways.
- 7. When a required second access to a paved public street is required, the paved public street to be accessed shall be considered a boundary street. As such, the subdivider or developer shall be required to provide improvements to the boundary street to improve such road to current ACM-standards in accordance with article III division 1, Transportation Responsibilities.

J. Street drainage.

- The storm drainage for all local streets shall be designed to a 10 year storm capacity curb face to curb
 face and to a 25 year flood frequency within the rights of way of each local street.
- All arterial and collector streets designated as such on the FTP shall be designed to a 20-year storm
 event curb face to curb face and to a 25-year flood frequency within right of way of each collector and
 arterial street.
- Runoff rates shall be computed on the basis of ultimate development of the entire watershed
 contributing runoff water to the proposed subdivision or development based on the design of the
 channels and streets that convey stormwater in to, and out of, the contributing area.
- 4. The creation of a new bar ditch for street drainage shall be prohibited, except for all <u>residential</u> minor plats and residential development where the proposed density<u>minimum lot size</u> will be equals to one acre, or less than, 1.0 dwelling unit per acre. The City may require additional ten foot wide right of way for such streets to accommodate drainage ditches.
- 5. In locations where bar ditches exist, when adjoining properties are developed, or redeveloped, the existing bar ditches shall be replaced with stormwater management facilities; such as, but limited to a storm sewer or a stormwater detention facility, that will convey the stormwater to City of Angleton or Angleton Drainage District drainage infrastructure, in which case, subsection K below, Curb and gutter, shall not bebe applicable.

K. Curb and gutter.

- Curb and gutter shall be installed by the developer or subdivider on both sides of all streets within or forming part of the boundary of the subdivision in accordance with the ACM.
- The city engineer may vary the curb and gutter requirements, or approve an alternative design if
 legitimate professional engineering standards and practices, local conditions, environmental, or factors
 related to stormwater management warrant a deviation.
- The use of laydown curbs shall be prohibited unless some practical, site specific, or engineering consideration may necessitate the use of laydown curbing.
- The only exceptions to these requirements are all minor plats and developments where the proposed density minimum lot size is equal, or less than one acre, 1.0 dwelling unit per acre.
- .. Existing bar ditches and roughly proportional responsibility.

Commented [LK30]: Issues with connectivity and ingress/access issues for residents if the one access is blocked

Commented [LK31]: Repeated under subdivision requirements.

Commented [LK32]: Density calculations are confusing and one acre lot density may not equate to minimum lot size of one acre.

Commented [LK33]: May want to reconsider as it limits pavement cuts and repairs. The driveways tie directly into the curb with no curb cuts.

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- Except for <u>residential</u> minor plats and residential development that will <u>shall</u> have a density <u>minimum</u> <u>lot size</u> equal to, or lower<u>of</u> than<u>of one acre</u>, 1.0 dwelling unit per acre, and TXDOT system highways, the continued use of existing bar ditches is prohibited.
- When new development, or redevelopment, is proposed along a street that has an existing bar ditch;
 the subdivider or developer may not continue to use the existing bar ditch unless the existing bar ditch:
 - a. Has a slope of 3:1 or less:
 - b. Will allow the installation of a sidewalk if one doesn't exist;
 - c. Allow adequate area for the installation of required utilities and drainage easements; or
 - d. Can be relocated or redesigned to satisfy all of the above design criteria.
- 3. If an existing bar ditch does not, or cannot, satisfy all of the above criteria, the existing bar ditch shall be replaced with underground drainage infrastructure covered withinby a drainage easement to convey stormwater a detention facility maintained by a property owners' association and/or to stormwater management facilities that have adequate capacity that are maintained by either the City of Angleton, Brazoria County, or Angleton Drainage District.
- 4. The roughly proportional share of the developer or subdivider to make drainage improvements upstream, or downstream, to convey stormwater through, across, or adjoining the subject development, is the total cost of all required improvements; designed in accordance with the ACM and subject to the approval of the city and the drainage authority that would be accepting stormwater conveyance from the development.
- 5. When a proposed subdivision or development backs up to, or sides on an existing street right of way with an existing bar ditch that cannot satisfy the above criteria, the fair share responsibility of the subdivider or developer shall also include a street design with curb and gutter, and sidewalk, each designed in accordance with the ACM.
- M. Street names, addresses, posts, signs, and markers.
 - 1. Street names shall not duplicate the names of existing streets in the city or the city ETJ;
 - Address numbers shall be assigned and displayed, in accordance with city, and in the ETJ, Brazoria County, standards in the size, color, contrast, to ensure right-of-way number visibility;
 - The developer shall be required to install all required signage and markers, consistent with city standards, and when applicable TXDOT and Brazoria County standards; and
 - Signs shall be installed per AASHTO standards, the Uniform Traffic Code, and the <u>City's Code of Ordinances ACM</u>.
 - Steet signs shall have white lettering on green background in conformance with the requirements of the City's Code of OrdinancesACM.

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Sec. 23-14. Sidewalks and accessibility.

- A. Sidewalks.
 - Required.

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proof? It should be clarified in the submittal checklist?

What is an acceptable

Commented [LK34]: Require green street signs with white lettering, not blue like Sugarland.

- Sidewalks shall be required in all locations that adjoin public and private streets on both sides of streets in all new plats, excluding minor plats, in the city and the ETJas part of the development.
- Sidewalks shall be required to be constructed as a requirement of site plan approval for new developments along all public streets.
- be. For an existing development that does not have sidewalks along adjoining public streets and is proposed to be expanded, sidewalks shall only be required for the entire length of the property along the street, portion of the property where the expansion is proposed. The city council may consider a variance when there are significant engineering constraints that result in practical difficulties from locating or extending a sidewalk or when a sidewalk should not be extended for other practical considerations.

2. Construction standards.

- a. The construction specification of sidewalks shall conform to ACM-specifications for sidewalks and all accessibility standards <u>outlined in the City's Code of Ordinances</u>.
- Residential sidewalks shall have a minimum width of five feet and shall be setback two feet from the back of the curb.
- c. Sidewalks for non-residential uses shall have a minimum width of six feet.
- d. If a required sidewalk will connect to a substandard sidewalk, the city engineer may allow the tapering of the required sidewalk to provide a seamless connection.

3. Sidewalk obstructions.

- a. When existing or required development improvements, such as a fire hydrant or a group mailbox, are in path of a sidewalk, the sidewalk shall be offset around the obstacle at its full required width.
- b. If the right-of-way is insufficient to off-set the sidewalk around an obstruction, the city engineer may approve an alternative solution, in the form of requiring additional right-of-way or dedication of a "pedestrian or sidewalk easement".
- c. In avoiding an obstruction, the sidewalk shall comply with all ADA-TAS requirements.
- Corner lots. Where sidewalks are required on corner lots, they shall be installed along both frontages
 and extended to the curb with handicapped access ramps in accordance with the-<u>City's Code of</u>
 <u>OrdinancesACM</u> and all TAS requirements.
- 5. Timing of construction. Sidewalks shall be constructed as set out below:
 - Sidewalks shall be installed concurrent with the construction of the adjoining street or concurrent with site development along existing streets.
 - Where a sidewalk will adjoin a common area or a designated open space, the sidewalk will be constructed concurrent with the adjoining street.
 - All public sidewalks proposed to be dedicated to the city shall obtain TDLR certification of compliance with Texas Accessibility Standards prior to city acceptance.
- 6. Waivers, deferrals, and variances from sidewalk installation.
 - a. During platting, the city engineer may recommend that the installation of certain sidewalk sections be deferred to a future date when a unique condition exists that may preclude the immediate construction of a sidewalk.

Commented [LK35]: Clarification that sidewalks are required for all developments.

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- b. If the city council accepts the city engineer's recommendation, council may stipulate conditions and the timing when sidewalks must be completed and may require that the subdivider enter into an agreement guaranteeing the installation of sidewalks as each residential lot is constructed and may preclude additional platting or public improvement acceptance until sidewalks required in earlier phases of a project are installed.
- c. During platting, the city engineer may recommend that the sidewalk requirement be waived, or reduced, where it is not practical due to specific circumstances, such as soil suitability, or the extension of a sidewalk into, or beyond, a floodplain, bayou, or ditch or that pose a significant safety risk that cannot be mitigated.
- d. Concurrent with the site plan process, the city council, after receiving a recommendation from the planning and zoning commission, may approve a variance from the sidewalk requirements when engineering constraints or local conditions result in practical difficulties in the construction or extension of a sidewalk.

B. Curb ramps.

- Curb ramps are required at all street intersections at the time of construction or reconstruction per all ADA/TAS requirements and the- City's Code of OrdinancesACM.
- ADA/TAS compliant curb ramp providing access to sidewalks, parking spaces shall be provided, including access to common open space and any required public improvements, such as parks, greenways, and recreation areas, where public access is permitted.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)

DIVISION 3. GENERAL ENVIRONMENTAL STANDARDS

Sec. 23-60. Heritage Protected tree protection.

- A. Authority. Based on the authority of TLGC Ch. 212, the requirements of this section shall apply to all plats and site plans proposing new development in the corporate limits of the city and the ETJ.
- B. Purpose and intent. The purpose of this section is to require subdividers and developers identify and document the location of heritageprotected trees on properties where development for the following purposes:
 - Promote responsible design decisions that will preserve as many heritageprotected trees as possible;
 - Prohibit the indiscriminate clearing of property;
 - Preserve protected trees during construction;
 - Protect and increase the value of properties by preserving those trees that help to define the character
 of the city and region;
 - Maintain a positive image of the city as a place to live and locate a business;
 - Protect the natural ecological environmental and aesthetic qualities of the city; and
 - Provide shade to provide relief from the heat by reducing the ambient temperature.
- C. Heritage trees classified

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Commented [KR36]: To be reviewed by the Parks

- Type of trees and Mitigation Requirement. -following The following type of trees are considered as protected trees-:
 - Standard Tree A Standard Tree is defined as a tree that belongs to the Significant tree species listed in Section 23-60. D, with minimum TCD (total caliper diameter) of eight (8) inches and a maximum TCD of 11.9 inches.
 - Significant Tree A Significant Tree is defined as a tree that belongs to the protected tree species listed in Section 23-60. D, with minimum TCD (total caliper diameter) of 12 inches and a maximum TCD of 23.9 inches.
 - Heritage Tree A Heritage Tree is defined as a tree that belongs to the Significant tree species
 listed in Section 23-60. D, ith minimum TCD (total caliper diameter) of 24 inches and a
 maximum TCD of 47.9 inches.
 - Trees listed in Section 23-60. D, with a TCD of 48 inches, or larger shall not be removed. Live oak—Quercus virginiana;
- Pecan Carya illinoinensis.
- D. Removal and Mitigation Criteria
 - a. Replacement Criteria.

<u>Developers of land are encouraged to preserve protected trees whenever possible. An applicant may remove Standard, Significant, and Heritage Trees if approved mitigation is provided.</u>

The mitigation required shall be required at the following ratios:

- Standard Trees- 1:1 ratio for TCD (total caliper diameter) inches to be removed
- Significant Trees 1.5:1 ratio for TCD (total caliper diameter) inches to be removed
- Heritage Trees 3:1 ratio for TCD (total caliper diameter) inches to be removed
- b. Removal and Mitigation of Standard and Significant Trees.
 - i. The applicant may plant smaller trees to replace protected Trees, provided that no tree smaller than TCD 2.5 inches is planted. In cases where soil, slope, lot size, or other natural constraints make replacing the required number of TCD inches unfeasible, the City Manager (or his designee), may, at their sole discretion, allow some or all of the mitigation to take place on a separate, public site within the City, or on lands owned by an association that operates and maintains trails, open space, or parkland within the City and that are usable by residents of the general area where the applicant's land is located. In addition, the City Manager (or designee) may allow mitigation by payment of fee for some or all of the Standard and Significant Trees to be moved, if the City's fee schedule includes a provision for Fee In Lieu of Replacement Trees. Unless otherwise specified in the fee schedule, the fees for Standard and Significant mitigation shall be the same.
 - ii. Replacement trees shall not include more than 50% of the same species.
- c. Removal and Mitigation of Heritage Trees.
 - Heritage Trees may not be removed during construction, except under certain specific circumstances:
 - 1. If the tree is sick or diseased and meets the criteria laid out in Section 23-60.E; or
 - 2. If the tree is within the footprint as described in Section 23-60.E; or

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- if the removal is approved by the City Council after consideration by the P&Z, with a formal recommendation from the P&Z to the City Council
- ii. If any Heritage Trees are planned for removal, they must be identified and clearly marked on the Heritage Tree Plan. The Heritage Plan must also identify any Heritage Trees that are likely to be endangered by construction activity which might sever or compress the root zone, or otherwise threaten the health and life of the tree, as determined by a reasonable person. The City Council may grant removals under Section 7.8(7)c.i-3 (above) at its sole discretion. In considering whether to allow the removal of Heritage Trees, the City Council shall consider whether removal is absolutely necessary to allow the applicant to meet reasonable, investment-backed expectations for use of the property, and whether such use can be accomplished while preserving Heritage Trees.
- iii. If any Heritage Tree removals are granted, the applicant shall meet all the mitigation and replacement conditions outlined in 7.8(6)a. (above), except that any decisions delegated to the City Manager in that paragraph shall be made by the City Council.
- iv. Replacement trees shall not include more than 50% of the same species.
- The applicant may plant smaller trees to replace Heritage Trees, provided that no tree smaller than TCD 2.5 inches is planted.
- D. Significant-Protected tree species classified. In the event that all heritage trees cannot be preserved, ten following tree species, if present on a property, may shall be preserved as be preserved and credits awarded, as specified in this section, to mitigate the loss of any heritage such trees:
 - Shumard Red Oak Quercus shumardii;
 - Burr Oak Quercus macrocarpa;
 - Chinquapin Oak Quercus muehlenbergii;
 - Post Oak Quercus stellata;
 - Water Oak Quercus nigra;
 - Willow Oak Quercus phellos;
 - · Bald Cypress Taxodium distichum;
 - Tulip Tree (Yellow Poplar) Liriodendron tulipifera;
 - American Elm Ulmus americana;
 - Redbud Cercis canadensis;
 - Dogwood Cornus florida.
 - Trees listed in the large tree section of "Recommended Ornamental Plants for Southeast Texas
 Including Houston and Beaumont", by the Texas A&M Agri-Life Extension Service, with the
 exception of Hackberry and Arizona ash trees.
- E. Exceptions. The requirements of this section shall not be applicable when:
 - Plans or plats <u>were</u> approved prior to the adoption of the LDC;

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- 2. Property is zoned or used for agricultural purposes, which includes the harvesting of timber;
- 3. The owner of any residence used as a homestead and there are existing trees in properties is properties being used for single or two family dwelling, less than total caliper diameter ("TCD") of 10 inches, as per LGC Sec. 212.905.
- 4. Damaged or diseased trees that are beyond the point of recovery, in danger of falling, or endangering public health, welfare, property, or safety, as <u>determined by a certified arborist</u>;
- Trees damaged from an act of nature that interrupts utility service. Removal shall be limited, if possible, to the portion of the tree reasonably necessary to re-establish utility service;
- 6. Easements. Trees located within any public utility easement; and
- 7. Existing protected trees proposed to be removed due to current and/or potential damage to a structure located within ten feet (10') of the structure's footprint.

and

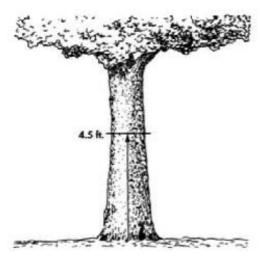
6. Golf courses to the extent necessary to accommodate the golf course improvements.

- F. Deferral. The planning and zoning commission mayThe development administratordesignated City staff city manager of designee, or upon appeal the planning and zoning commission, may:
 - Consider a deferral request to maintain aremove a heritageprotected tree that would otherwise require mitigation under this section, when the literal enforcement of this requirement would result in the creation of an unnecessary hardship on impractical application of the plan considering the physical characteristics of the lot or parcel of land in question; and
 - Consider a waiver or a deviation from any other development requirements in order to preserve a protected heritage tree.
- G. Tree trunk measurement. When documenting existing heritage trees, or existing protected protected trees that may be used to mitigate the loss of heritage treesfor mitigation purposes, the following criteria shall be applied:
 - Straight trunk: Trees with fairly straight, upright trunks shall be measured 4.5 feet above the ground, as shown below:

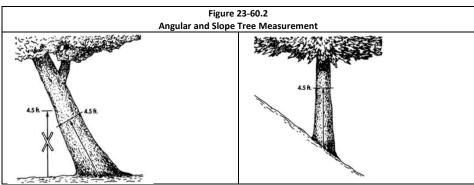
Figure 23-60.1 Straight Tree Trunk Measurement

Commented [LK37]: Reconsider, unless it is statutory, especially for large lots. The owner get the land cleared when it is a homestead, prior to zone change or plat to circumvent the mitigation.

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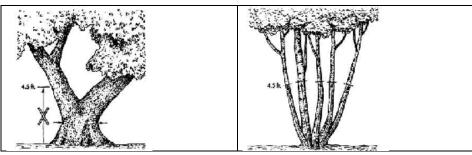
Trunk on an angle or slope: The trunk is measured at a right angle to the trunk 4.5 feet along the center of the trunk axis, so the height is the average of the shortest and the longest sides of the trunk, as shown below:



3. Multi-trunk trees. To determine the diameter of a multi-trunk tree, measure each tree trunk larger than one inch. Determine the diameter of the largest tree trunk. The diameter of the multi-trunk tree is then computed as the diameter of the largest tree trunk plus one-half of the composite diameters of each smaller tree trunk greater than one inch. A multi-trunked tree is differentiated from individual trees growing from a common root stock if there is a visible connection between the trunks above ground.

Figure 23-60.3 Multi-Trunk Tree Measurement

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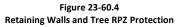


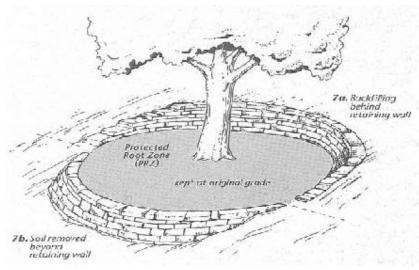
- H. Replacement and protection of heritage protected trees.
 - Developers and subdividers shall submit a tree preservation plan with plats and site plans that
 identifies the name, location, DBH at 4.5 feet above the natural grade of heritage-protected trees, and
 any significant tree species that will be preserved for credits against lost heritage-protected trees.
 - The developer or subdivider must identify the heritage protected trees to be preserved or removed, and which existing significant tree species will be retained for credit for removed heritage protected trees
 - 3. When a heritage protected tree is proposed to be removed, the City Council Planning and Zoning Commission may staff may up on recommendation by Planning and Zoning Commission relax any development requirement to preserve the tree, upon staff recommendation. Staff reserves the right to refer a relaxed design solution to the planning and zoning commission for approval. Relaxed design solutions may only be approved by staff or the commission upon finding that the preservation of the tree is in the public interest and that the relaxed standard would not result in any health or safety issues.
 - 4. If design solutions are not available to preserve heritage trees, the developer shall be required to determine the collective caliper of the heritage trees proposed to be removed and multiply that figure by three, to determine the aggregate amount of tree caliper that must be provided to replace removed heritage trees. Heritage trees may be replaced with another heritage tree or a tree on the significant tree species classified list. This requirement can be satisfied with the planting of many trees, a few trees, or one tree; provided that the aggregate replacement caliper is equal the existing aggregate proposed to be replaced times three.
 - 54. In lieu of planting young trees to mitigate lost heritage trees, the applicant may also propose to preserve existing mature healthy trees not listed in significant protected tree species classified list, but that are listed in the large tree section of "Recommended Ornamental Plants for Southeast Texas Including Houston and Beaumont", by the Texas A&M Agri-Life Extension Service, with the exception of hackberry and Arizona ash trees.
 - 56. For site plans, the aggregate caliper for replacement trees shall be in addition to the normal landscaping requirements of the zoning ordinance.
 - 67. For residential subdivisions, the aggregate caliper of replacement protected trees shall be in addition to the normal requirement of this ordinance, which is two trees per residential lot. The locations of where replacement trees will be planted shall be identified in a tree replacement plan filed with the preliminary plat, final plat or site plan, with trees identified as an existing heritage protected/significant tee species.

Commented [KR38]: Changed to CC

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- 78. No person, directly or indirectly, shall cut down, destroy, remove or move, or effectively destroy through damaging, any <u>protectedheritage</u> tree located on property regulated by this section unless such removal is expressly "excepted" by this section.
- 98. When using a retaining wall where the natural grade must be raised or lowered, the tree well shall be designed in accordance with the design concepts depicted in Figure 23-60.4, Retaining Wall and Tree RPZ Protection.
- Tree preservation plan required. When heritage protected trees are located on a property for
 which development is proposed, which shall include site clearing, grubbing, earth movement, or the removal
 of any vegetation, a tree preservation plan shall be submitted that demonstrates compliance with the all of
 the requirements set out in this section.
- J. Tree protection and planting.
 - Tree protection will be installed before any site work is initiated and maintained for the duration of the construction work. Tree protection will consist of the following:
 - a. It will consist of fencing (orange mesh or chain link) placed around the RPZ.
 - b. No vehicles or construction materials/debris will be allowed in the RPZ.
 - No equipment shall be cleaned or other liquids deposited within the limits of the dripline of any
 protected tree. This includes, but is not limited to, paint, oil, solvents, asphalt, concrete, mortar,
 or other materials;
 - d. No signs, wires, or other attachments, other than those of a protective nature, which have been approved in the tree disposition plan, shall be attached to any protected tree;
 - e. Trespassing or throwing trash into a protective fence area is prohibited.





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- f. Any damage done to tree crowns or roots will be repaired immediately and any wounds on live oaks will be painted with pruning paint within 60 minutes to prevent oak wilt.
- g. Wells or retaining walls around the RPZ will be used if proposed finished grades will raise or lower the natural RPZ grade by more than six inches.
- h. The finished RPZ will be pervious.
- For commercial, multifamily and other developments; a minimum of 25 percent of the total DBH must be preserved.
- j. For single-family residential development of single or contiguous lots; contiguous lots include three or more lots, a minimum of 50 percent of total DBH must be preserved.
- k. For individual lots, 45 percent of total DBH must be preserved.
- Li. Utility and flatwork per the original builder's plan are exempt for up to 45 percent of the RPZ.
- 2. New single-family residential lots shall have two trees per lot. These trees may be:
 - A preserved heritage tree;
 - ab. A tree on the specific trees species protected tree species list in list Section 23-60. Dthat is replacing a heritage tree that was removed; or
 - De. A tree listed in the "Recommended Ornamental Plants for Southeast Texas Including Houston and Beaumont", by the Texas A&M Agri-Life Extension Service, with the exception of hackberry and Arizona ash trees, provided that the tree, when mature, will have an average crown greater than 15 feet in diameter, have a three-inch DBH and height of ten feet at the time of planting;
 - cd. If an existing heritage tree or a specific protected trees species that was preserved to comply with this section is located on a residential building lot, it shall be designated on the plat, or another suitable document, to ensure that it is properly protected during construction and is not removed by the property owner, unless an exception listed in the section becomes applicable.
 - e. Existing heritage trees preserved specific trees species may be located in the public right of way and may not be removed by the property owner.
- 3. New single-family residential lots shall have two trees per lot. These trees may be:
- A preserved heritage tree;
- b. A tree on the specific trees species List that is replacing a heritage tree that was removed; or
- c. A tree listed in the "Recommended Ornamental Plants for Southeast Texas Including Houston and Beaumont", by the Texas A&M Agri Life Extension Service, with the exception of hackberry and Arizona ash trees, provided that the tree, when mature, will have an average crown greater than 15 feet in diameter, have a three inch DBH and height of ten feet at the time of planting;
- d. If an existing heritage tree or a specific trees species that was preserved to comply with this section is located on a residential building lot. It shall be designated as such to ensure that it is properly protected during construction and is not removed by the property owner, unless one of the exceptions listed in the section should become applicable.
- Existing heritage trees preserved specific trees species may be located in the public right of way and may not be removed by the property owner.

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Sec. 23-75. Administrative permits and procedures.

- A. Generally. Administrative permits are those that are issued by the designated city staff without the requirement for a public meeting or hearing.
- B. *Administrative permits and procedures established*. Applications requiring administrative approval are set out in Table 23.75, Administrative Permits and Procedures, below.
- C. Administrative rules authorized. The city may establish administrative rules that stipulate administrative policies and guidelines, create filing schedules and deadlines and similar information to administer the LDC. The administrative rules may be amended, as necessary.

Table 23.75				
Administrative Permits and Procedures				
Process	Purpose	Timing	Exceptions	Issued By
Administrative	Minor Plats	Prior to sale or	All other plats	City Manager or
Plats	Amending Plats Development Plats	construction		Designated City staff Development
	<u>Development Plats</u>			Administrator
Site Plans	Determine Code	Prior to permit	None	City Manager or
	Compliance	issuance		<u>Designated City</u>
				<u>staff</u> Development
	= · · · · · · · · · · · · · ·		10 11 11	Administrator
Extensions	Extend the life of	Prior to expiration	As specified in the LDC	City Manager or Designated City
	an approval		LDC	staff Development
				Administrator
Sketch Plans	Determine LDC	Prior to plan	Optional	City Manager or
	Compliance	submittal		Designated City
				<u>staff</u> Development
				Administrator
Permits,	Authorization to	Prior to	None	Building Official
Certificates and	build or to operate	construction or		
Licenses	Challenge an	development Within 30 days of	Danied appeals son	City Managar ar
Appeals	administrative	an administrative	Denied appeals can be appealed to City	City Manager or Designated City
	decision	decision	Council	staff Development
				Administrator
Interpretations	LDC interpretations	Within 14 days of	None	City Manager or
		receipt of a		<u>Designated City</u>
		complete		<u>staff</u> Development
Floodplain	Development in a	application Prior to beginning	None	Administrator
Development	regulatory	improvements in a	None	Floodplain Administrator
Permit	floodplain	floodplain		Administrator
Construction of	Prior to site work	After approval of	<u>None</u>	City Manager or
<u>Public</u>		construction plans		Designated City staff
<u>Improvements</u>				

Commented [LK40]: As currently written. Recommending changes to permit administrivia approval of certain plats.

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Table 23.75 Administrative Permits and Procedures				
Process	Purpose	Timing	Exceptions	Issued By
Development Permit	Prior to site work	One week prior to the beginning site work	None	Building Official

Sec. 23-76. Approvals and permits requiring public meetings.

- Generally. Applications requiring a public hearing or meetings are summarized in Table 23.76, Public Meetings: Permits and Procedures, below.
- B. Public meetings and public hearings decisions.
 - A public hearing determination is issued by either the planning and zoning commission or city council during a public meeting.
 - The planning and zoning commission, during a public meeting or public hearing, shall make a recommendation of approval, conditional approval, or denial to the city council, continue the application, or approve or deny those applications where it has final decision power.
 - 3. The city council, after concluding testimony, discussion, and deliberations, closing a public hearing, will approve, conditionally approve, continue, or deny the application.

Table 23.76 Public Meetings: Permits and Procedures				
Process	Purpose	Timing	Exceptions	Issued By
Public Improvement Acceptance	Public improvement acceptance	Prior to Final Plat recordation and building permit issuance	None	City Council
Appeals	Appeals from a staff determination	Within 30 days of the action being appealed	Administrative Appeals	City Council
Preliminary Plat	All major plats	Prior to Final Plat	Minor Plats	Council, upon Planning & Commission recommendation
Final Plat	All major plats and any related platting variances	Prior to recordation and starting development	Minor Plats and Stale Plats	Council, upon Commission recommendation
Replat	Make changes to recorded plats	Prior to recordation and starting	As per TXLGC XXXXX	Council, upon Commission recommendation

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Table 23.76				
Public Meetings: Permits and Procedures				
Process	Purpose	Timing	Exceptions	Issued By
Vacation/Dedication of Easements	Easement dedicated or vacation	Prior to easement abandonment or conveyance	None	Council, upon Commission recommendation, if by plat, or by ordinance by Council
Floodplain Hazard Variance	Floodplain variances	Prior to permit issuance of a permit	Only pertains to Article V, Divisions 1 and 2	Council, upon City Engineer_staff recommendation
LDC Variance	Variance from an LDC requirement	Prior to permit issuance	Flood Hazard Variances	Council, upon Commission recommendation
Text Amendment	Amendments to LDC text	Prior to amending the LDC	None	Council, upon Commission recommendation
Special Agreements	As set out in Article III, Division 3	Prior, or concurrent with, platting	None	City Council
Interpretations	Application of an LDC requirement	Prior to final action on a request	Development Administrator Designated City staff Interpretations	City Council
Site Plan Referral	Plans referred by the Development Administrator Designated City staff	Prior to site plan approval	Site plans approved by the Development Administrator Designated City staff	Planning and Zoning Commission
Concept Plan, Master Plan, or Land Study	"Conceptual" Project Direction and Approval	Prior to filing a plat or another development application	Voluntary for smaller projects, encouraged for large projects	Council, upon Commission recommendation
Vested Rights Petition	Expired Development Approval	Upon expiration of any Development Approval	None	City Council

DIVISION 3. ADMINISTRATIVE PLATS: PERMITS AND PROCEDURES

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Is there an option to combine all types of

replats?

Sec. 23-87.

A. Generally. Subdivision-related procedures are necessary to establish how individual lots or projects may be developed. Subdivision and property development related activities and projects must be in compliance with this Code. Plats are classified under two types – Administrative Plats and Non-Administrative plats.

B. Administrative Plats

Amending Plat. A plat that involves minor changes to a recorded plat. An amending plat will be filed in accordance with the procedures and requirements set forth in the Local Government Code (LGC) §212.045. The City Manager or designee may approve and issue an amending plat, which may be recorded and control over the preceding plat without vacation of that plat and without notice and hearing.

Minor Plat. A subdivision involving four (4) or fewer lots fronting on an existing street and not requiring the extension of municipal facilities;

Development Plat. Required for any person proposing the development of previously unsubdivided or unplatted land that is not being divided into separate parcels, or land that was exempted from platting by TXLGC; and

C. Non-administrative Plats

- a. Preliminary Plat. A map or drawing of a proposed subdivision plan that, upon approval, establishes the approved layout. This approval includes the location and width of proposed streets, lots, blocks, floodplains, easements (utility, drainage, franchise utility, etc.), amenities, and other features required to ensure compliance with the requirements of this Code. . A Preliminary Plat approval is required prior to Final Plat approval, except under certain conditions described herein in Section xxx.
- b. Final Plat. A subdivision map or drawing intended for recordation in the plat records of the county in which the subdivision is located. A Final Plat requires approval of Preliminary Plat, construction plans for streets and infrastructure, , and other items from the Preliminary Plat in accordance with this Code.
- c. Re-plat. A new plat that changes the restrictions of a previously adopted Final Plat or results in a change in lot sizing that would affect water well or on-site sewage facility regulations, or that would affect compatibility with the City's zoning code or Future Land Use Map.

D. Other Plat Related Approvals

- a. Concept Plan. A map or plat designed to illustrate the general design features and street layout of a proposed subdivision development and platted in sections. A Concept Plan will be valid for one (1) year and will expire if a plat or a permit has not been approved or issued within the one (1) year time period. Subsequent approvals will automatically extend the approval of the Concept Plan for one (1) year following the last approval. (Refer to Table 3.2).
- b. Construction Plans. The maps, drawings, and specifications indicating the proposed location and design of improvements to be installed in a subdivision/Site Plan.

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<u>E. <u>E</u> Administrative <u>P</u>plats.</u>

A. General. Administrative plats include the following:

Consolidation plat or replat, minor;

2. Amending plat, minor;

3. Minor plat; and

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4. Development plat.

- a. Applicability. Minor Plats, Amending Plats, and Development Plats may be approved by the City
 Manager (or designee) following an evaluation for plan compliance and technical compliance with this Code.
- i. Minor Plat. A Minor Plat is any plat involving four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.
- ii. Amending Plat. A plat that complies with LGC §212.016, as amended, which is generally submitted to correct errors and omissions, or make minor changes if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:
- 1. Correct an error in a course or distance shown on the preceding plat;
- 2. Add a course or distance that was omitted on the preceding plat;
- 3. Correct an error in a real property description shown on the preceding plat;
- Indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
- Show the location or character of a monument which has been changed in location or character or that
 is shown incorrectly as to location or character on the preceding plat;
- 6. Correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
- 7. Correct an error in courses and distances of lot lines between two (2) adjacent lots if:
- Both lot owners join in the application for amending the plat;
- Neither lot is abolished;
- The amendment does not attempt to remove recorded covenants or restrictions; and
- The amendment does not have a materially adverse effect on the property rights of the other owners in the subdivision:
- Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
- Relocate one or more lot lines between one or more adjacent lots if:
- The owners of all those lots join in the application for amending the plat;
- The amendment does not attempt to remove recorded covenants or restrictions; and
- The amendment does not increase the number of lots;
- The amendment does not render any resulting lot substandard for a required well, on- site sewage facility, or below minimum lot size requirements in existing deed restrictions on in the City's Future Land Use Mao: or
- 10. Make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
- The changes do not affect applicable zoning and other regulations of the municipality, including water and on-site sewage facility regulations;

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- The changes do not attempt to amend or remove any covenants or restrictions; and
- The area covered by the changes is located in an area that the Commission or City Council has approved, after a public hearing, as a residential improvement area; or
- 11. Replat one or more lots fronting on an existing street if:
- The owners of all those lots join in the application for amending the plat:
- The amendment does not attempt to remove recorded covenants or restrictions;
- The amendment does not increase the number of lots; and
- The amendment does not create or require the creation of a new street or make necessary the
 extension of municipal facilities, or require a variance for water well lot sizing and setbacks or on-site
 sewage facility regulations.
- iii. Development Plat:
- Development Plats are required for previously unsubdivided or unplatted land that is not being divided into separate parcels, as described in LGC §212.045.
- Any person who proposes the development of a tract of land within the City limits or the
 extraterritorial jurisdiction of the City must have a Development Plat of the tract prepared in
 accordance with this Section.
- No development will begin, nor any building permit, utility connection permit, or similar permit be issued until a development plat has been reviewed and approved.
- When an applicant is required to file a Preliminary Plat or Final Subdivision Plat by other requirements
 of this Section, a Development Pat is not required.
- iv. City Manager Endorsement. It will be unlawful to offer and cause to be filed any plan, plat, or replat of land within the City limits or ETJ of City of record with the appropriate County Clerk unless the plan, plat or replat bears the endorsement and approval of the City Manager (or designee).
- b. Approval Criteria (Administrative Plat). All subdivisions and plats of land will be reviewed using the criteria in this Code. Infrastructure construction plans must be filed and be consistent with Chapter 8 Environmental Protection, if needed. Subdivisions, plats and construction plans must be reviewed and approved before any final action may be taken by the City Manager (or designee) or the developer. All plats shall be signed by all affected property owners prior to approval.
- c. Responsibility for Final Action. The City Manager (or designee) is responsible for final action on Administrative Plat Reviews. If the City Manager (or designee) determines the Administrative Plat does not meet the approval criteria, the City Manager shall forward the application to the to the Planning and Zoning Commission for its review and for its recommendation to City Council, which will take final action. The City Council, upon recommendation by Planning and Zoning Commission is responsible for final action on Administrative Plat Reviews.
- d. Action Following Plat Approval. After approval of an Administrative Plat, the Developer will notify the City Engineer within ten (10) days which of the following construction procedure(s) the Developer proposes to follow:
- i. The Developer may file a Construction Plan, and upon approval of the Construction Plan by the City Manager (or designee), proceed with construction of streets, alleys, sidewalks, and utilities that the Developer is required to install. The City will inspect the work as it progresses, and upon completion

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- and final acceptance by the City, and upon written request of the Developer, the approved plat may be filed of record with the appropriate County Clerk; or
- ii. The Developer may elect to post fiscal surety and assurance of construction, if required, as provided in Chapter xxxx, in which case the surety of assurance will be filed with the City, together with a request that the plat be filed for record. In this case, the plat will be filed with the appropriate County Clerk.

 The City will inspect the construction work as it progresses and will make the final inspection to assure compliance with City requirements; and upon completion of construction, the Developer will deliver to the City a two (2) year guarantee of workmanship and materials as provided in Chapter xxxxxxxx.
- iii. The City Engineer shall issue letter accepting documents, providing the requisite authority for the Subdivider to proceed with the construction of streets and utilities.
- e. Recordation. After the City Manager (or designee) or City Council has approved the plat, the City
 Engineer has approved the Construction Plan and the Subdivider has either posted fiscal surety and
 assurance of construction (see Chapter xxxxxxxx) or completed required provision of infrastructure and
 public improvements, the plat will be recorded in the Office of the appropriate County Clerk. The
 Developer will pay the record filing fee as provided for in the City's fee schedule..
- B. Submittal requirements. All administrative plats (minor consolidation plats, minor amending plats, minor subdivision plats, and development plats) shall require the submittal requirements as set out in section 23-A.1., Submittal requirements checklists.
- C. Consolidation plat or replat, minor.
- Purpose. A consolidation plat, minor may be filed to combine six or fewer recorded lots or unplatted parcels into a lesser number of platted lots that conform to the LDC to create buildable lots.
- 2. Prohibited actions. A consolidation plats, minor, may not:
- a. Remove or modify a recorded covenant, restriction, general plat note, or easement;
- b. Have a material adverse effect on the property rights of other owners in the subdivision;
- Relocate one or more lot lines between one or more adjacent lots unless all owners affected by the change join in the application for the consolidation plat;
- d. Result in an increase in the number of buildable lots;
- e. Result in the extension of public utility service lines;
- f. Result in the creation of a new street or the abandonment of an easement containing existing utility service without the consent of all utility providers;
- g. Create a lot, or lots, that do not comply with applicable zoning requirements; or
- Involve more than ten acres of property or six lots (parcels). Consolidated plats that exceed those
 parameters are subject to section 23-97, Replats and consolidated plats, major.
- 3. Rights-of-way and easements. A consolidation plat, minor allows the following actions:
- The dedication of additional right-of-way to an existing street right-of-way;
- c. The dedication of new easements and the relocation of existing easements; and
- The abandonment or relocation of utility easements subject to the consent of all affected utility providers.
- D. Amending plats, minor.
 - .. Purpose. An amending plat, minor, may be filed for the following purposes:
 - a. Correct an error in a course or distance shown on the preceding plat;

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- b. Add a course or distance that was omitted on the preceding plat;
- c. Correct an error in a real property description shown on the preceding plat;
- Indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
- e. Identify the changed location, changed character, or incorrect location of a monument on the preceding plat:
- Correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
- g. Correct an error in courses or distances of lot lines between two adjacent lots if:
 - i. Both lot owners join in the application for amending the plat;
 - ii. Neither lot is abolished: and
 - ii. Any affected utility providers consent to proposed amendment.
- h. Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement into a required setback or easement only if:
 - i. The owners of all affected lots join in the application for the amending plat, minor; and
 - ii. If an easement would be affected, all affected utility providers shall consent to the proposed amendment in writing.

2 Limitations

- a. An amending plat, minor may be filed if:
 - i. A parcel of land is subdivided into no more than four parcels;
 - ii. No new streets, roads, extensions or access easements are proposed to be developed;
 - No utilities, other than individual service lines, need to be extended to serve the parcels and the necessary utilities are in place immediately adjacent to the parcels;
 - iv. The resulting lots will be in compliance with all LDC provisions; and
 - v. There are no other problems of public concern.
- Amending plats that exceed the limitations in subsection a, are considered to be major and shall
 meet all final plat requirements, as set out in section 23.95, Final plats.
- 3. Submittal requirements. Amending plat, minor submittals are subject to the submittal requirements set out in subsection B above.
- E. Minor subdivision plats. Minor subdivision plats or replats may be filed if:
 - 1. Property is proposed to be subdivided into no more than four lots;
 - 2. The resulting lots comply with all LDC and applicable zoning requirements;
 - No utilities, other than service lines, are required to be extended to serve the lots and utilities are
 available on or immediately adjacent to the parcel; and
 - 4. The resulting lots would all front on a public street and not require the creation of a new street.
- F. Development plats.

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Are 23.116 submittal requirements for

https://library.municode.com/tx/anglet on/codes/code_of_ordinances?nodeld=

administrative plats applicable?

- Applicability. As provided by V.T.C.A., Local Government Code Ch. 212, Subch. B, the city shall require
 the filing of a development plat to establish any non-residential and non-agricultural uses to ensure
 that the proposed use will be compliant with:
 - All adopted, and future, plans and studies of the city, and those plans of any other state or regional entity with jurisdiction, as set out in section 23-6, Consistency with plans;
 - b. The LDC for non-residential and non-agricultural development in the ETJ only when a site plan and development plat are required to ensure compliance with the LDC, public health and safety, and the dedication of right of way and easements for:
 - Non-residential construction on a property that was not lawfully subdivided prior to the effective date of the LDC;
 - ii. Property that is not subject to the preliminary and final plat requirements of the LDC;
 - ii. Development where the only access is a private easement or private street; and
 - iv. Developments where easements or right of way must be provided.
- 2. Exceptions. A development plat may not be filed when:
 - A tract has received final plat approval or was lawfully created prior to the effective date of the LDC; or
 - Public improvements are required to be constructed by the developer or subdivider.
- Issuance of permits and utility service. No development may commence and no permits or utility
 connections issued until the development plat has been recorded and the associated site plan
 approved.
- **GG**. Administrative plat review procedures.
 - All administrative plats set out above, or that are provided for in TLGC Ch. 212, are subject to development administrator designated City staff review and approval.
 - 2. The development administrator designated City staff shall:
 - a. Determine if the proposed plat complies with the criteria of this section;
 - b. Confirm that:
 - The administrative plat, if approved, will control over the preceding recorded final plat without the vacation of that plat; and
 - ii. That the administrative plat is signed by all affected property owners.
- H. Approval by the city manager. Upon the completion of <u>review by the development administratordesignated</u> <u>City staff-review</u>, the plat is referred to the city manager. The city manager shall:
 - 1. Approve the administrative plat if all requirements of the LDC are satisfied; or
 - Refer the plat to the commission and city council, as set out in section 23-95xxxx, Final plats, if all
 requirements for administrative plat approval are not satisfied and the plat is not approved
 administratively...
- Subdivisions outside the corporate limits of the city. The City of Angleton has final authority on development plats in the ETJ.
- J. Action following approval.

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Minor Plat?

- Certification of approval and surveyor certification. City manager approval of the administrative plat shall be evidenced by the execution of a certificate of approval and a P.E. or R.P.L.S. seal on the plat, as set out in section 23-A-2, Standardized city forms and certification language.
- Recordation of plat. The plat shall be recorded in the plat records of Brazoria County, with all recording fees and any other applicable fees paid by the owner/applicant.
- Expiration. If for any reason the plat has not been recorded within six months of approval, the approving actions shall be deemed void.

Sec. 23-89. Non- Administrative plats.

- A. Non-administrative plats include the following
- Preliminary plat,;
- 23. Final platFinal plat; and
- 34. Replat plat.
 - a. Applicability. Preliminary plat, Final. plat, and Replat plats require approval by the City Council, upon a recommendation from the Planning and Zoning Commission, following an evaluation for plan compliance and technical compliance with this Code. Except for certain types of replats, as per TXLGC XXXX, a public hearing is not required for approval of these plats.

<u>See Sections xxxxxx</u>, for additional details on non-administrative plats.

Table XX Review Authority and Expiration of Plats

Type of Plat	Applicability	Approving	<u>Expiration</u>
		Body/Official	
Minor Plat	Creation of four (4) or fewer lots fronting	Designated City	Must be filed with the county
	on an existing street and not requiring the	<u>Staff</u>	clerk within 12 months following
	creation of any new street or the	(Administrative)	the date of approval
	extension of municipal facilities.		
Amending Plat	A plat that complies with LGC §212.016	Designated City	Must be filed with the county
	and generally submitted to correct errors	<u>Staff</u>	clerk within 12 months following
	and omissions or make minor changes.	(Administrative)	the date of approval
<u>Development Plat</u>	Required for previously unsubdivided or	Designated City	Must be filed with the county
	unplatted land that is not being divided	<u>Staff</u>	clerk within 12 months following
	into separate parcels, as described in LGC	(Administrative)	the date of approval
	§212.045.		
Preliminary Plat	Required for land being divided into	City Council	Must submit a Final Plat within 6
	separate parcels, plats with five or more		12 months following the date of
	lots, and any plats that require public		approval
	improvements that will be dedicated to		
	the City.		

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Final Plat	Required for land being divided into separate parcels, plats with five or more lots, and any plats that require public improvements that will be dedicated to the City. Required to ensure that a final recorded plat conforms to the Preliminary Plat as approved by the City Council and to the Construction Plans as approved by the Mayor or designee.	City Council	Must be filed with the county clerk within 12 months following the date of approval
Replat	To replat a subdivision or part of a subdivision without vacation of the original plat. Applies to certain type of replats as per TXLGC XXX	City Council	Must be filed with the county clerk within 12 months following the date of approval
Extension of All Plat Approvals	To extend expiration date of a plat approval and extend the recordation time.	Approving body	If no development has occurred within 12 months following the date of approval, the expiration date may be extended by an additional 12 months

Sec. 23-94. Preliminary plats.

- A. *Pre-application conference*. The applicant or their duly authorized agent, is required to schedule a preapplication conference, as set out in section 23-77, Pre-application conference.
- B. Preliminary plat and plat submittal contents. Preliminary plats shall include all relevant information set out in appendix A, subappendix 2, for preliminary plats and any other submittal checklists that are applicable.
- C. Application review process.
 - Complete application required. The submittal will be considered filed when all requirements set out in section 23-79, Complete applications required are provided. The date in which the application is determined to be "complete" is the official filing date.
 - Thirty-day filing deadline. Applications shall be acted on within 30 days after the plat filing date, as set out in section 23-80, Application review.
 - 3. *Incomplete applications*. If an applicant chooses to proceed to the commission and council with an incomplete application, as set out in subsection 23-79.B.
 - Written report.
 - a. The recommendations from each referral agency, official, and department shall be provided to the applicant; and
 - A written report from the designated City staff, distributed to the commission and council, will
 provide a staff recommendation.
- D. Planning and zoning commission action.
 - 1. Review criteria. The commission shall utilize the following criteria:
 - a. Consistency with any approved concept plan, master plan, or land study, as set out in section 23-104, Concept plans, master plans, and land studies.

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- b. Physical arrangement of the subdivision;
- c. Adequacy of street rights-of-way, alignment, and connectivity;
- d. Compliance with the LDC;
- e. Compliance with the Angleton Future Thoroughfare Plan;
- f. Compliance with and the master drainage plan and all other city plans; and
- g. Adequacy of proposed utility services.
- 2. Commission action.
 - a. The commission will recommend approval, approval subject to conditions, or denial.
 - b. The commission shall adopt findings of fact for a recommendation to deny the plat.
- City council action.
 - 1. Review criteria. The city council shall follow all processes set out in subsection G, above.
 - Council action.
 - a. The council will approve, approve subject to conditions, or deny the application.
 - b. The commission shall adopt findings of fact and rationale for any plat denial.
- F. Subdivisions outside the corporate limits of the city. Final action on all preliminary plats, regardless of the location of a plat in the ETJ, is the city council, following review and a recommendation by the planning and zoning commission.
- G. Effect of preliminary plat approval.
 - 1. Approval of a preliminary plat shall not constitute approval of the final plat.
 - 2. Approval of the preliminary plat should be deemed an expression of approval to the proposed layout submitted on the preliminary plat as a guide to the preparation of the final plat.
 - 3. The final plat shall be subject to fulfilling all requirements of this LDC, the master drainage plan.
- H. Lapse of approval.
 - Preliminary plat approval shall be valid for 12 months from the date of council approval, during which time all general terms and conditions under which the preliminary plat was approved shall not be changed;
 - The council approval of the preliminary plat shall be deemed void unless a final plat is submitted within the 12-month period, or unless the 12-month period is extended by the council for a term not to exceed 12 months at the request of the subdivider; and
 - As a condition of granting an extension of the preliminary plat, the council may require the plat to comply with any new development requirements adopted after the plat was approved.
- Combination plat. A combined preliminary/final plat may be filed for a development where no public improvements are required and four or fewer lots are proposed.
- Applicants are responsible for demonstrating compliance with all preliminary and final plat requirements and the application fee for a both the preliminary and final plat.
- 2. A site plan may be submitted concurrently to facilitate plat review.

Commented [LK46]: This would be a minor plat.

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- A combined plat would be submitted in the form of a final plat, as set out in section 23-95, Final plat; and be labeled "Preliminary/Final Plat", subject to the payment of all application fees for a preliminary plat and a final plat.
- 4. The commission and council will each make a single motion for action on the combined plat.
- 5. The mylar for recordation will be labeled as "Final Plat".

Sec. 23-95. Final plats.

- A. General. A final plat may not be recorded until a preliminary plat and final plat have been approved, as set out in section 23-94, Preliminary plat, and this section.
- B. Final plat and plat submittal contents. Final plats shall include all relevant information set out in appendix A, subappendix 2, for final plats and any other submittal checklists that are applicable.
- C. Application review process. A final plats shall be filed within 12 months of the approval of a preliminary plat, and shall be reviewed as set out in section 23-94, Preliminary plat, subsection C, Application review, and the additional requirements set out below:
 - Final plat conformance with the approved preliminary plat. The final plat shall conform substantially to the approved preliminary plat and phasing plan and any conditions imposed.
 - Approval of construction plans and construction of public improvements. The final plat shall be filed for review and approval upon acceptance of all public improvements or after provision of surety as required.
- D. *Plat action*. Action on the final plat will be taken by the planning and zoning commission and city council as set out in section 23-94, Preliminary plat, subsection G., Planning and zoning commission action, and subsection H., City council action.
- E. Subdivisions outside corporate limits of the city. Final action on all final plats, regardless of the location of a plat in the ETJ, is the city council, following review and a recommendation by the planning and zoning commission.

F.

Actions following final plat approval.

- Certification of approval. City council approval shall authorize the planning and zoning commission chairman and mayor to execute the certificates of approval on the final plat.
- Final plat modifications. In no case shall additions, corrections, or modifications of any kind be made to the final plat administratively, other than signatures required after the final plat has been approved by the city council, except those set out in section 23-87, xxxxxxxxxxx.
- Recordation of plats. The recordation of all subdivisions inside the corporate limits of the city and the ETJ shall then be filed and recorded in the plat records of Brazoria County after:
 - a. City Manager or designee has approved the Construction Plan.
 - The city council has officially acted upon the final plat with respect to public improvements, dedications and utilities, as set out in article III, division 4, Public Acceptance and Permitting
 - The final plat has been fully certified and executed by all property owners comprising the plat and agencies with plat certification jurisdiction; and

Commented [LK47]: Confirm new procedures

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- c. All fees, including recording, application, staff review fees, fees in lieu of parkland dedication, if applicable, have been paid in full.
- The Subdivider has either posted fiscal surety and assurance of construction (see Chapter xxxxxxxx) or completed required provision of infrastructure and public improvements.

Actions following final plat approval.

- Certification of approval. City council approval shall authorize the planning and zoning commission chairman
 and mayor to execute the certificates of approval on the final plat.
- 2. Final plat modifications. In no case shall additions, corrections, or modifications of any kind be made to the final plat administratively, other than signatures required after the final plat has been approved by the city council, except those set out in section 23-87, Administrative plats, subsection D, Amended plats, minor. Any other amendment to the final plat shall only be permitted as set out in section 23-96, Amended plats, major.
- Recordation of plats. The recordation of all subdivisions inside the corporate limits of the city and the ETJ shall then be filed and recorded in the plat records of Brazoria County after:
- The city council has officially acted upon the final plat with respect to public improvements, dedications and utilities, as set out in article III, division 4, Public Acceptance and Permitting;
- b. The final plat has been fully certified and executed by all property owners comprising the plat and agencies with plat certification jurisdiction; and
- c. All fees, including recording, application, staff review fees, fees in lieu of parkland dedication, if applicable, have been paid in full.
- G. Review in phases.
 - 1. An owner or subdivider may pursue final plat approval of a portion or a section of a development included in an approved preliminary plat, as set out in section 23-18, Development phasing;
 - 2. The final plat of each phase, shall carry the name of the entire subdivision and a unique phase number;
 - 3. Block numbers within the entire development shall run consecutively throughout the entire subdivision; and
 - 4. By completing a development in phases, the original preliminary plat shall not lapse or expire.
- Lapse of approval.
 - Final plat approval is valid for 12 months from the date of approval by the city council or Brazoria
 County, during which time all general terms and conditions under which the final plat was approved
 will not be changed;
 - City council approval of the final plat shall be voided if a final plat is not submitted recorded within the
 12-month period, or unless the council approves an extension not to exceed six months at the request
 of the subdivider; and
 - 3. The council, as a condition of granting an extension, may require the plat to comply with any new development requirements adopted after the plat was approved.
- Standardized surveyor, planning and zoning commission, and city council certificate language. Final plats shall include required certifications, as set out in section 23-A.2, Standardized city forms and certification language.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)

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Commented [LK49]: Construction plans?

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Sec. 23-88. Site plan.

- A. Generally. Site plans are required to ensure that
 - 1. Adequate public services and facilities are available;
 - 2. Public health and safety precautions from natural and man-made hazards are provided; and
 - 3. The project will comply with the LDC and Code of Ordinances, chapter 28, Zoning.
- B. Applicability.
 - 1. A site plan is required for:
 - a. All new development, redevelopment, and substantial improvement or expansion of:
 - Multi-family residential;
 - ii. Manufactured home parks;
 - iii. Non-residential; and
 - iv. Mixed-use developments.
 - b. Proposed variances;
 - c. The expansion of a building or the intensification of a use; and
 - d. Where necessary to demonstrate compliance with the requirements of the LDC.
 - 2. Non-residential and mixed-use development requires site plan review and approval prior to the issuance of permits that allow land clearing, site grading, and construction.
 - The term "site plan" shall by synonymous with any and all plans required by the LDC and any other
 development requirements of the city, such as, but not limited to, landscape plans, grading plans, tree
 preservation plans, and drainage plans.
- C. Site plan preparation. Site plans may only be prepared, signed, and sealed by a State of Texas licensed engineer, architect, or a registered professional land surveyor.
- D. Review authority. Site plans are subject to review and approval by the development administrator<u>designated</u> <u>City staff, and when required, by the DRC, as set out in section 23-69, Development review committee.</u>
- E. Submittal requirements. Site plans shall be prepared as set out in section 23 A.1, Submittal requirement checklists.
- F. Public improvements may be required. Public improvements, as set out in article II, division 1, Transportation Responsibilities, and division 1, Utility Responsibilities, may be required as a condition of site plan approval.
- G. Administrative approval process.
 - Upon submitting a complete application, city staff and referral agencies shall have 20 working days to
 provide the development administrator designated City staff with review comments;
 - The development administratordesignated City staff shall provide the applicant a copy of all review comments and may convene a DRC meeting; and
 - 3. The process shall be completed when all review comments have been addressed.
- Referral of site plan to planning and zoning commission. The site plan may be referred to the planning and zoning commission by the development administrator designated City staff | |
- Review is required to determine if the application appropriately conforms to the LDC;

23-A.2 is Site Plans https://library.municod e.com/tx/angleton/cod

Commented [LK50]: Consider removing the need for referral of a site plan to the Planning and Zoning Commission. This is not required.

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- 2. An applicant proposes an alternative method to comply with the LDC; or
- The applicant appeals a decision to deny the site plan; in which case the matter shall be heard by the commission.
- I. Planning and zoning commission action. Upon referral of a site plan application, the commission shall:
 - Seek input and recommendations from city staff and all referral agencies;
- Base decisions in the interest of promoting the public health, safety, order, convenience, prosperity and general welfare; and
- 3. Approve, conditionally approve, or deny the application.
- J. Prohibited actions.
 - A site plan may not be approved if platting is required to create a legal building site. A final, or minor
 plat, may be submitted simultaneously with a site plan; at the applicant's risk, and approved
 conditionally upon the approval and recordation of the plat.
 - A building permit or land development permit may not be issued for development without first obtaining site plan approval.
 - No lot grading, drainage work, or other site improvements may commence without obtaining site plan approval.
 - 4. A certificate of occupancy may not be issued until all improvements depicted with the approved site

DIVISION 4. PUBLIC MEETINGS: PERMITS AND PROCEDURES

Sec. 23-96. Amended plats, major.

- A. General. Any amended plat that does not qualify as amended plat, minor, under section 23-87,

 Administrative plats, subsection D, shall be classified as an amended plat, major.
- B. Pre application conference. Prior to filing of an application, the applicant is required to schedule a pre-application conference, as set out in section 23-77, Pre-application conference, to determine if the proposed amendments are major or minor or result in any prohibited action set out in subsection C., below.
- C. Prohibited actions. Amending plats, major, may not:
 - 1. Remove or modify a recorded covenant, restriction, general plat note, right of way, or easement;
 - 2. Have a material adverse effect on the property rights of the owners in the plat;
 - Relocate one or more lot lines between one or more adjacent lots unless all of the owners affected by the change join in the application for the amending plat, major;
 - 4. Result in the increase in the number of lots;
 - Result in a lots or improvements that would not conform to all requirements of this LDC or any other regulations of the city; or

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- 6. Create or modify street right-of-way or any other municipal or private facilities.
- D. Submittal requirements. The amended plats, major, shall;
 - 1. Be labeled as an amended plat, major;
 - Include a "purpose" statement for the amendment and describe exactly what has been changed on the
 plat since the original, or previous, plat was approved by the city and filed at the county;
 - 3. State the specific lots affected as a result of the amended plat and include the original subdivision plat boundary; and
 - Meet all submittal requirements set out in appendix A, subappendix 2, for preliminary plats, and any
 other submittal checklists that are applicable.
- E. Submittal at applicant's risk. An applicant, at risk, may file a combined preliminary/final amended plat, major. The commission and council may only act on the final plat if the preliminary amending plat, major, is approved. The commission and council are not obligated to take favorable action on the final plat if there are issues with the preliminary amended plat, major.
- F. Process and decision. Amended plats, major, shall follow all procedural requirements set out in section 23-94, Preliminary plats and section 23-95, Final plats, respectively, depending on the plat type proposed to be amended.
- G. Approval criteria. Amended plats, major, shall be approved if the amendments:
 - 1. Do not include a prohibited action, as listed in subsection C., above;
 - 2. Would not result in any nonconforming lot, block, structure, or other improvements;
 - 3. Are agreeable to all affected property owners, as attested to by their signatures on the plat;
 - Are agreeable to the affected utility provider(s); and
 - 5. Would comply with the LDC and not reverse any conditions imposed by the city council.
- H. Actions following plat approval. Upon approval of the amended plat, major, the plat shall follow all procedural requirements set out in section 23-94, Preliminary plats and section 23-95, Final plats, respectively, depending on the plat type proposed to be amended.
- Lapse of approval. Amending plats, major shall have the same life span as the plat which was amended, which shall be 12 months from the date in which amending plat, major is approved. An extension may be granted as set out in section 23-94, Preliminary plats and section 23-95, Final plats, respectively.

Sec. 23-97. Replats and consolidation plats, major.

A. Replats.

- A replat may be filed to initiate, a change to a previously recorded plat, without vacating an existing recorded plat, for any of the following purposes:
 - a. Correct an error in any course or distance shown on the prior recorded plat;
 - b. Add any course or distance that was omitted on the prior recorded plat;
 - c. Correct an error in the description of the real property shown on the prior recorded plat;
 - Indicate monuments set after death, disability, or retirement from practice of the engineer responsible for setting the monuments;

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- Indicate the proper location or character of any monument that has been changed in location or character or that originally was shown at the wrong location or incorrect character on the prior recorded plat;
- f. Correct any other type of clerical error, scriveners' error, or omission in the previously approved recorded plat;
- g. Correct an error in courses and distances of lot lines between two adjacent lots where both lot owners join in the plat application and neither recorded lot is abolished, provided that:
 - Such amendment does not have a material adverse effect on the property rights of the owners in the plat;
 - Such an amendment is acceptable to any utility providers that may be affected by the amendment; and
 - iii. Each resulting lot complies with all requirements of the LDC.
- h. Relocate a lot line in order to cure an inadvertent encroachment of a building or improvement on a lot line or on an easement; or to
- i. Relocate or vacate one or more lot lines, easements, or rights-of-way between, or along, one or more adjacent platted lots where the owner or owners of all such property join in the application for the plat amendment; provided that easement or right-of-way vacation is agreeable to all utility providers and jurisdictions that may have services and easements/right-of-way on the affected properties.
- A replat may be recorded and is controlling over the preceding plat without vacating the original plat if the replat is:
 - a. Signed and acknowledged by only the owners of the property being replatted;
 - b. Approved after a public hearing; and
 - c. Does not attempt to amend or remove any covenants or restrictions of the original plat.
- 3. Public hearing required. In the event that a replat requires a public hearing, notice of the public hearing shall be provided as set out in TLGC § 212.014 and § 212.015, with notice of the public hearing being mailed, published, and posted at the City Hall, as set out in section 23-82, Public notice.
- B. Consolidation plats, major
- Section 23-87, Administrative plats, subsection C, establishes criteria for consolidated plats, minor. Any
 consolidated plat that does not meet the criteria for a consolidated plat, minor, shall automatically be
 considered to be a consolidated plat, major.
- 2. Consolidated plats, major may be filed to relocate or vacate one or more lot lines between one or more adjacent platted lots where the owner or owners of all such property join in the application for the plat amendment; provided that such vacations are agreeable to all utility providers that may have services and/or easements on the affected lots that track with existing lot lines.
- Consolidation plats, major that propose to allow a use of the effected property not allowed by the original
 plat, or a use other than those uses allowed by the zoning of property, shall be subject to a public hearing, as
 set out in subsection A.3, above.
- CB. Nonconforming lots. If the lots proposed to be consolidated exist as legal nonconforming lots, the-new lots consolidation plat process-should comply with the criteria set out in section 23-5, Applicability, subsection E, Nonconforming lots.

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Clarify who will hold this public hearing.

- D. Processes and procedures. Replats and consolidation plats, major, shall be subject to all LDC processes and procedures set out in subsection 23-95.C, Final plats. The applicant is also required to schedule a preapplication conference, as set out in section 23-77, Pre-application conference.
- E. Action following approval. Replats and consolidation plats, major shall be subject to the "action following approval" requirements set out in subsection 23-95.F, Final plats.
- F. Lapse of approval. Replats and consolidated plats, major shall be subject to the "lapse of approval" requirements set out in subsection 23-95.H, Final plats.

Sec. 23-89. Site plan.

- A. Generally. Site plans are required to ensure that:
 - 1. Adequate public services and facilities are available;
 - 2. Public health and safety precautions from natural and man-made hazards are provided; and
 - 3. The project will comply with the LDC and Code of Ordinances, chapter 28, Zoning.
- 3. Applicability.
 - 1. A site plan is required for:
 - a. All new development, redevelopment, and substantial improvement or expansion of:
 - i. Multi-family residential;
 - ii. Manufactured home parks;
 - iii. Non-residential; and
 - iv. Mixed-use developments.
 - b. Proposed variances;
 - c. The expansion of a building or the intensification of a use; and
 - d. Where necessary to demonstrate compliance with the requirements of the LDC.
 - Non-residential and mixed-use development requires site plan review and approval prior to the issuance of permits that allow land clearing, site grading, and construction.
 - 3. The term "site plan" shall by synonymous with any and all plans required by the LDC and any other development requirements of the city, such as, but not limited to, landscape plans, grading plans, tree preservation plans, and drainage plans.
- C. Site plan preparation. Site plans may only be prepared, signed, and sealed by a State of Texas licensed engineer, architect, or a registered professional land surveyor.
- D. Review authority. Site plans are subject to review and approval by the designated City staff, and when required, by the DRC, as set out in section 23-69, Development review committee.
- E. Submittal requirements. Site plans shall be prepared as set out in section 23-A.1, Submittal requirement checklists.

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- F. Public improvements may be required. Public improvements, as set out in article II, division 1, Transportation Responsibilities, and division 4, Utility Responsibilities, may be required as a condition of site plan approval.
- G. Administrative approval process.
 - Upon submitting a complete application, city staff and referral agencies shall have 20 working days to
 provide the designated City staff with review comments;
 - The designated City staff shall provide the applicant a copy of all review comments and may convene a
 <u>DRC meeting; and</u>
 - 3. The process shall be completed when all review comments have been addressed.
- H. Ddesignated City staff
- I.J. Prohibited actions.
 - A site plan may not be approved if platting is required to create a legal building site. A final, or minor
 plat, may be submitted simultaneously with a site plan; at the applicant's risk, and approved
 conditionally upon the approval and recordation of the plat.
 - A building permit or land development permit may not be issued for development without first obtaining site plan approval.
 - 3. No lot grading, drainage work, or other site improvements may commence without obtaining site plan approval.
 - A certificate of occupancy may not be issued until all improvements depicted with the approved site plan are completed.

Sec. 23-113. Definitions.

City manager: The Chief Administrative Official of the City of Angleton, as designated by the city council.

City engineer: The administrative official of the City of Angleton, as designated by the city manager.

Commissioners: The Angleton Planning and Zoning Commission.

Common open space: A parcel of land designated for the private use residents, occupants and owners of within a development.

Comprehensive plan 2007 Comprehensive Plan: The comprehensive plan of the City of Angleton, including all amendments.

Connector: A party seeking to connect to the city infrastructure who would benefit from infrastructure constructed by an initial developer eligible for fair share reimbursement.

Council: The Angleton City Council.

County: Brazoria County.

D

Density: The maximum number of dwelling units per gross acre of land permitted in a zone district.

Developer: Any public or private person, partnership, association or agency that prepares raw land for development.

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Commented [LS51]: recommend leaving the year off, so you don't have to continually update.

Development: The physical extension or construction of urban land uses and infrastructure.

Development administrator Designated City staff: The duly-authorized representative designated by the city manager to administer the LDC.

Lot lines: Refers to the property lines that bound each lot or parcel to a defined legal space.

Lot of record: A lot that is part of a subdivision recorded in the office of the County Recorder of Brazoria County, or a parcel of land with a deed recorded in the office of the County Recorder of Brazoria County, and that complied with the subdivision requirements at the time they were created.

APPENDIX C. ANGLETON CONSTRUCTION MANUAL (ACM)

Sec. 23-129. Design guidelines.

Consistency with Angleton Construction Manual (ACM) required. Public improvements shall be designed in accordance with the following specifications and criteria, which collectively are the ACM. The ACM shall automatically be amended in this LDC without formal action required to amend the LDC when any criteria set out below are updated by the jurisdiction cited:

- 1. City of Sugar Land Construction Specifications, as amended;
- 2. City of Sugar Land Design Standards and Appendices, as amended;
- 3. City of Sugar Land Construction Details, as amended;
- 4. City of Sugar Land Approved Products List and Product Application, as amended;
- 5. City of Sugar Land Traffic Impact Analysis Guidelines and Worksheet, as amended;
- 6. City of McKinney Sediment and Erosion Control Manual, as amended;
- 7. Brazoria County Stormwater Quality Coalition MS4 Construction Guidance Document, as amended;
- City of Phoenix Knox Box, Key Switch, Automatic Gate, Manual Vehicle Gate/Pedestrian Gate Criteria, as amended;

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- 9. 2008 Angleton Drainage District Rules, Regulations, and Guidelines, as amended; and
- 10. Brazoria County Drainage Manual, as amended.

(Ord. No. 1 12 2018, § 1(Exh. A), 12 11 2018)

Commented [LS52]: Considering developing standard details and specifications for the City.A

Commented [KR53R52]: Removed Appendix C

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Part II - CODE OF ORDINANCES Chapter 23 LAND DEVELOPMENT CODE

Chapter 23 LAND DEVELOPMENT CODE¹

ARTICLE I. IN GENERAL

Sec. 23-1. Title.

Chapter 23 of the Code of Ordinances of the City of Angleton, shall be known and may be cited as the Land Development Code, the LDC, or "this code".

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)

Sec. 23-5. Applicability.

A. Generally. No land shall be developed, redeveloped, or substantially improved, except in accordance with this Code. The following actions are considered to be "development" and subject to the LDC: 12/22/22 with planning staff comments incorporated

General notes:

Will be finalized after all ongoing reviews.

To be reviewed by the Parks Director and

Legal review of the final draft prior to adoption.

Update the revision date for each section prior to adoption.

Remove the Appendix and move that to the Administrative Procedures Manual. Add this reference in the LDC.

Adopt standards relevant to the City of Angleton, as indicated. E.g. require green street signs with white lettering, not blue like Sugarland.FUTURE.

Commented [LK1]: Needs legal review on the jurisdiction and powers in the ETJ

Cross reference(s)—Alcoholic beverages, Ch. 3Cross reference(s)—; location of alcoholic beverage establishments restricted, § 3-5Cross reference(s)—; limitation on the number of livestock per dwelling, § 4-5Cross reference(s)—; buildings and building regulations, Ch. 5Cross reference(s)—; fire limits established, § 5-46Cross reference(s)—; code for the elimination or repair of unsafe buildings adopted, § 5-511Cross reference(s)—et seq.; fire marshal authorized to order repair, etc., of dilapidated and unsafe buildings or other property, § 7-44Cross reference(s)—; housing, Ch. 11Cross reference(s)—; junked, abandoned, wrecked property, Ch. 12Cross reference(s)—; manufactured homes and manufactured home parks, Ch. 14Cross reference(s)—; parks and recreation, Ch. 17Cross reference(s)—; peddlers, itinerant merchants and solicitors, Ch. 18Cross reference(s)—; public amusements, Ch. 21Cross reference(s)—; streets, sidewalks and other public places, Ch. 22Cross reference(s)—; permit required for excavation in streets, § 22-2Cross reference(s)— et seq.; utilities, Ch. 26Cross reference(s)—; traffic and motor vehicles, Ch. 25Cross reference(s)—; zoning, Ch. 28Cross reference(s)—; zoning district regulations, § 28-61Cross reference(s)— et seq.;

State law reference(s)—Regulation of subdivisions, V.T.C.A., Local Government Code § 212.001 et seq; authority to adopted subdivision regulations, V.T.C.A., Local Government Code § 212.002.

Angleton, Texas, Code of Ordinances (Supp. No. 19)

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¹Editor's note(s)—Ord. No. 1-12-2018, § 1(Exh. A), adopted Dec. 11, 2018, repealed the former Ch. 23Editor's note(s)—, §§ 23-1Editor's note(s)——23-43, and enacted a new Ch. 23Editor's note(s)— as set out herein. The former Ch. 23Editor's note(s)— was entitled "Subdivisions," and derived from: Ord. No. 2325, § 1, adopted Apr. 19, 1994; Ord. No. 2457, §§ 1—3, adopted Dec. 21, 1999; Ord. No. 1-02-2018, § 2(Exh. A), adopted Feb. 13, 2018; and Ord. No. 1-06-2018, § 2(Exh. A), adopted June 12, 2018.

- Use of land. The use of any building, structure, or land, including new uses, expansion, and substantial changes to the existing uses within the city;
- Grading of land. Any disturbance of land, soil, vegetation, or drainage ways, , shall conform to the LDC for all properties in the city and the ETJ; and
- 3. Subdivision. Any division of land within the City limits and the ETJ for development, sale, or lease, whether by metes and bounds, subdivision, or other technique, shall comply with the LDC. Deed divisions of land that result in parcels where all resulting tracts have a lot area of five acres or more are exempt from the subdivision requirements of the LDC, but may be required to file a development plat, as set out in section 23-87, Administrative plats.
- 4. Site development. Site development, is subject to all requirements of the Angleton Code of Ordinances to the full extent allowed by V.T.C.A., Local Government Code Ch. 212.
- 5. *ETJ development*. The city reserves the right to require the approval of a plat and site plan for property in the ETJ as allowed by TLGC Ch. 42.
- B. Applicability to publicly owned property. The LDC is applicable to all public agencies and organizations to the full extent allowed under the U.S. and Texas Constitutions, and the laws of each.
- C. Pending applications. Development applications shall be governed by the laws and regulations in effect when they were deemed as complete submittals.
- D. Creation of a building site and issuance of a permit.
 - 1. Construction or building permits may not be issued unless the parcel, lot, or tract:
 - Is part of a plat of record, approved by the city council, or Brazoria County, and is filed in the plat records of Brazoria County, Texas;
 - b. Was created prior to the adoption of Ordinance No. 333 on February 11, 1964;
 - Was created by a deed division prior to being subject to requirements that required subdivision approval;
 - d. Was lawfully created prior to being annexed into the city or added to city's ETJ;
 - Was lawfully created by the action by a court of competent jurisdiction or by the dedication of easements or right-of-way; or
 - f. Was created through a lawful deed division that created parcels that were each five acres in area, or larger.
- g. Is a result of a change in ownership of a property through inheritance or the probate of an estate.

h. Is used as a cemetery complying with all state and local laws and regulations.

- i. Is exempted as per LGC §212.004.
 - If any of the conditions for the creation of a building site exists and changes are not proposed to the
 property configuration, the property is a legal building site and a building permit may be issued without
 additional platting being required, unless a development plat is required, as set out in section 23-87,
 Administrative plats.
- E. Nonconforming lots.
 - 1. Standards. Existing nonconforming lots may be combined to increase conformity as follows:

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- a. Where a landowner owns several abutting lots that do not conform to the LDC, they may be consolidated or platted as a conforming lot or lots, or to a design that reduces the degree of the nonconformity.
- b. A proposed combination or plat of nonconforming lots meets all the requirements of the LDC.
- Prohibited actions.
 - Nonconforming lots, or interest therein, may not be transferred, conveyed, sold, or subdivided to create a new nonconforming lot, to avoid, circumvent or subvert any provision of this LDC, or to leave remaining lots in violation of the LDC;
 - No building permit may be issued for any lot or parcel of land which has been illegally created, conveyed, sold, or subdivided in violation of the LDC.
- Construction on substandard lots. A legal lot, defined as a lot that meets the requirements of Section 23-5,D, that does not meet zoning district requirements with respect to lot area or lot width may be built upon if:
 - a. The use is permitted in the zoning district in which the lot is located;
 - The lot has sufficient frontage on a public street to provide access that is appropriate for the proposed use as required by the zoning designation; and
 - c. The proposed development will comply with all applicable development standards of the LDC.
- F. Vested rights "issuance of local permits". Property owners who have filed a completed application or have obtained approval of any project or permit prior to the effective date of this LDC that has not expired, shall be considered in compliance with TLGC Ch. 245.
- G. Applicability of certain chapter of the Angleton Code of Ordinances in the ETJ. Under the authority of TLGC Ch. 212, Municipal Authority of Subdivision and Property Development, the following chapters of the City of Angleton Code of Ordinances are expressly incorporated by reference into the LDC and are in full force and effect in the ETJ and shall be regulated by the city by the submittal of construction plans, a site plan, design drawings, development plat, or plat; as is determined to be appropriate, by the type of development that being requested:
 - 1. Chapter 14: Manufactured Homes and Manufactured Home Parks (design standards only);
 - 2. Chapter 16: Oil, Gas, and Minerals;
 - 3. Chapter 21.5: Signs;
 - 4. Chapter 30: Special Districts; and
 - 5. All environmental management requirements set out in article V of this LDC.

Sec. 23-6. Reserved(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018, xxxx)

Sec. 23-7. Enactment, repeal, and effective date.

A. Enactment and effective date. The enactment of this ordinance shall repeal Ordinance No. 1-06-2018, adopted on June 12, 2018, and shall repeal chapter 8, "Flood Damage Prevention" of the Code of Ordinances of the City of Angleton, in its entirety, replaced by Ordinance No. 1-12-2018, hereafter titled the Land Development Code (LDC), adopted by the city council on the effective date of December 11, 2018 and

Commented [LK4]: Added a definition of legal lot.

Commented [LK5R4]: Added reference.

Commented [LK7]: Needs to be updated, prior to adoption of any amendments

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- amended subsequently; incorporated into the Code of Ordinances of the City of Angleton as chapter 23, "Land Development Code".
- B. Existing ordinances and regulations. Any other ordinance, resolution, or regulations not expressly cited in this section that are inconsistent with the LDC shall be considered to be superseded by the adoption of the LDC. Specific regulations of any such ordinance that were not affected by this LDC shall remain in full force and effect.

Sec. 23-8. Abrogation and greater restrictions.

- A. The LDC establishes minimum standards necessary to accomplish the purposes set out in section 23-2, Purpose.
- B. It is not the intent of the LDC to interfere with, abrogate, or annul any easement, covenant, deed restriction, or other executed agreement between private parties, including development agreements.
- C. When the provisions of this LDC impose a greater restriction than those restrictions imposed by private agreements, the provisions of the LDC shall control.
- D. The city has no duty to search for the existence of private restrictions, or to administer, or enforce, any private restriction.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018, xxxx)

Sec. 23-9. Severability.

All sections, paragraphs, sentences, clauses, and phrases of the LDC are severable, and if any such section, paragraph, sentence, clause or phrase is declared unconstitutional or otherwise invalid in any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not cause any remaining section, paragraph, sentence, clause, or phrase of the LDC to fail or become invalid.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)

ARTICLE II. SUBDIVISION AND DEVELOPMENT DESIGN

Sec. 23-10. General design principals and requirements.

- A. Generally. The purpose of this article is to establish minimum design requirements to create a quality development design that relates to existing and future surrounding development.
- 3. Design principles. The following design principles shall be implemented into plat design:
 - 1. Compatibility and connectivity. Proposed developments shall be designed to:
 - a. Provide appropriate buffers and transitions between different land uses;
 - b. Improve mobility across the city and the ETJ; and
 - . Provide vehicle and pedestrian connections to neighboring properties.
 - 2. Neighborhoods. Neighborhoods will be designed:
 - a. In a context sensitive manner to ensure long-term neighborhood viability;

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- b. In a manner that will conserve wetlands, bayous, and other natural features;
- With well-managed stormwater runoff that is conveyed in storm sewers, streets, and other methods to phase out the use of steep slope deep bar ditches, where practical;
- With usable open space to provide recreation, use buffers, safe distances from natural hazards, and to maintain mature tree stands, water quality, and environmental integrity;
- With drainage improvements that serve additional purposes, such as recreation, usable open space, wetland and habitat preservation, or as buffer or amenity; and
- f. In a manner that is compatible with adjoining uses and neighborhoods.
- 3. Aesthetic and environmental considerations. Development will be:
 - Shaped and guided by natural contours and drainage patterns to avoid natural hazards and blend into natural environmental elements;
 - b. Context sensitive, without compromising public health or safety;
 - c. Open to design options that may result in the need for variances from rigid design standards to preserve wetlands, floodplains, protected trees, or mature habitat areas; and
 - d. Encouraged to use lot clustering to maintain environmental assets as common space amenities, linear parks, use buffers, and other purposes that create community character.
- 4. Transportation and mobility.
 - a. ADA compliant sidewalks shall be provided on all streets and into all parks;
 - b. Sidewalks shall be required to provide access to all building sites and amenities;
 - Street type, location, and functional classification will be guided by the Angleton Future Thoroughfare Plan (FTP);
 - Neighborhoods shall have multiple means of access to public streets and surrounding development to minimize congestion and maximize public safety;
 - e. Streets are a primary element of the drainage conveyance system and shall be designed to maximize their full drainage conveyance capacity to enhance public safety; and
 - f. Streets shall not be "forced" into locations where they are not cost-effective, practical, result in public capital expenditures that are not warranted, or where an acceptable design alternative is available.
- 5. Floodplains, wetlands, and drainage.
 - a. Regulatory floodplains shall be protected from development by:
 - 1. Maintaining floodplains as open space, passive recreation, and drainage;
 - Implementing all best management practices set out by the Texas Commission on Environmental Quality (TCEQ) and City's Code of Ordinances;
 - 3. Adhering to all drainage requirements of the City's Code of Ordinances
 - Pursuing all opportunities for regional detention on projects of all sizes and where appropriate, and in coordination with the Angleton Drainage District.
 - Drainage easements shall have a minimum width as determined to be necessary by the City of Angleton, Angleton Drainage District, and other appropriate entities, and shall be:
 - 1. Retained as right-of-way where they cross existing or proposed public roads; and

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- Maintained by a property owners' association or when appropriate under the authority of the city or other entities; and
- Shall be designed in a manner that allows routine maintenance to the greatest extent practicable and feasible.
- Easement alignment shall follow the approximate line of the channel on maximum 50-foot chords and when possible shall be located on lot or property lines; and
- Existing steep sloped roadside ditches should be eliminated when adjoining properties are developed and redeveloped:
 - The lack of curbs and gutters does not maximize the ability of streets to be used for drainage conveyance;
 - Such ditches are a traffic hazard, prevent sidewalks and street parking, impede trash pickup and delivery services, often result in heavy sheet flow from the street to the opposite side of the street directly toward homes and other buildings, and results in road, utility, and ditch maintenance issues.

6. Utilities.

- Utilities will be extended in a conservation-minded and efficient manner to provide for the expansion utility service in a manner that is environmentally and economically sound; and
- b. Utility improvements will be coordinated with the recommendations of the most recent version of the Comprehensive Plan and all other utility plans of the city and its utility franchises.

Public safety.

- a. The city and the ETJ include potential natural and man-made threats to public health and safety. Among these are railroads, regional pipelines, floodplains, and protected wetlands. It is essential that these areas are identified and projects designed in a manner to maximize public safety to the greatest extent practical;
- b. Infrastructure should be designed to maximize public safety and mitigate existing public safety issues,. Standards should be updated, within a reasonable time, to adopt new technologies proven to improve public health and safety.
- Projects shall be developed to provide as much separation as practicable between potential threats and vulnerable uses; and
- d. City codes should be proactively updated to address threats to public safety as threats, and potential solutions, are identified.
- C. Consistency with subdivision and development regulations as contained in the City's Code of Ordinances:
 - Construction specifications, as amended;
 - 2. Design standards and appendices, as amended;
 - 3. Construction details, as amended;
 - 4. Approved products list and product application, as amended; and
 - 5. Traffic impact analysis guidelines and worksheet, as amended
 - 6. Sediment and Erosion Control Manual, as amended;
 - 7. Brazoria County Stormwater Quality Coalition MS4 Construction Guidance Document, as amended;
 - 8. 2008 Angleton Drainage District rules, regulations, and guidelines, as amended; and

 $\begin{tabular}{ll} \textbf{Commented [LK9]:} Update the manual to be tailored to Angleton and refer to the latest version. \end{tabular}$

Commented [KR10R9]: Replaced ACM with City's Code of Ordinances as proposed by staff. To be verified with HDR.

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9. Brazoria County Drainage Manual, as amended.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)

Sec. 24-11. Lots and blocks.

- Lots generally.
 - 1. New lots shall comply with applicable requirements set out in Code of Ordinances Chapter 28 Zoning;
 - No parcel or lot shall be created that does not meet the minimum requirements of the LDC and the zoning requirements; and
 - Undevelopable remnant properties that do not conform to the LDC or the zoning requirements shall not be created through the subdivision process.
- B. Lot shape.
 - 1. Side lot lines shall generally be at approximate right angles, or radial to, right of way; and
 - Alternative configurations may be approved as variances during the platting process by the City Council
 upon recommendation from the Planning and Zoning Commission to accomplish the purposes of the
 LDC, such as preserving natural resources or dedicating right-of-way.
- C. Lot frontage.
 - Required frontage. Each lot or building tract shall front on a public street, in accordance with applicable lot width requirements.
 - 2. Residential lots.
 - a. New residential lots shall only front on local and minor collector streets, and shall not front on major collector. arterial streets. or highways:
 - b. The City Council upon recommendation from the Planning and Zoning Commission may approve minor deviations from the lot design requirements during the platting process when terrain or property constraints limit design alternatives or when such deviations result in the preservation of a protected tree, as set out in section 23-60, Protected Tree Protection; and
 - c. Lots shall be platted in a manner that does not result in landlocked properties or without any means providing public access to properties that currently do not have frontage.
 - Nonresidential lots. Nonresidential lots shall be designed in manner that allows development designed in manner that complies with all applicable requirements.
- D. Through lots. Through lots, or double frontage lots, shall be avoided, except:
 - Where a development is sufficiently large, with a lot area that equals twice the minimum lot area required for the zone that the lot is located in, to require two frontages;
 - 2. When necessary to overcome topographic or environmental issues; or
 - Where deemed to be appropriate by the city engineer in accordance with generally accepted engineering practices.
- E. Corner lots. Corner lots intended for residential use shall have additional width to allow appropriate building setback and orientation to both streets, a driveway, and provide adequate corner visibility.
- F. Width of irregular lots. Cul-de-sac lots or irregular shaped lots shall have the required width at the front building line to meet minimum lot frontage requirements.

Commented [LK12]: Added language to clarify that any deviations or variances will need approval.

Commented [LK13]: Approving authority

Commented [LK14]: Specify min. lot area = twice the required lot area for the zone.

Specify the width required

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- Drainage ways.
 - Buildable lots shall not encroach into a regulatory floodplain or floodway. 1.
 - Floodplains may be platted as open space, common area, a drainage easement, and for essential services that are required to be located in close proximity to regulatory floodplains.
- Adequate and safe access. Refer to Section 24-12.I.
- Blocks generally.
 - Length. Block length shall be provided based on the following guidelines:
 - Block shall generally have sufficient width and depth to provide two tiers of lots with required lots depths. Exceptions may be made when property is adjacent to arterial streets, railways, waterways, wetlands, or other elements:
 - Blocks shall generally not exceed a length of 1,000 feet, unless an alternative length as approved as a variation by the City Councill upon recommendation from the Planning and Zoning Commission will not result in public health or safety issue, connect streets, is necessary for drainage or environmental considerations, or based on site constraints;
 - The provision of adequate building sites suitable to the special needs of the type of use; c.
 - The required lot widths and lot areas of the applicable zoning district; and d.
 - The need for convenient access, circulation, traffic control, and safety of street traffic. e.
 - Shape.
 - Blocks shall be generally rectangular but may have curves or bends that correspond with the a. natural terrain.
 - Irregularly shaped blocks which contain interior parks or playgrounds, parking areas, wetlands, or b. drainage improvements shall be permitted.
 - Blocks shall be shaped in a manner that will provide safe pedestrian and vehicular circulation; efficient utility delivery; and adequate access for emergency service providers.
 - Relationship of blocks to streets. 3.
 - Intersecting streets shall be used to determine block length, width, and shape;
 - Block and street design can vary to facilitate development and street connections and adjust to natural and man-made barriers, property lines, adjacent development, or other unique conditions provided that safe pedestrian and vehicular circulation is the end result.
- Relationship to major streets. New residential lots shall not back up to highways, arterials, and major collector streets and shall take access from local or minor collector streets.

Sec. 23-12. Streets and driveways.

- Conformity to the future thoroughfare plan. The general location, alignment, and functional classification of all streets and roads shall conform to the most recently adopted Angleton Mobility Plan dated XXXX.
- Street classifications. Streets shall be classified according to the following functional classifications, as set out on the Mobility Plan dated XXXX.:
 - **Highway**

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Commented [LK15]: Repeated under subdivision requirements. Sec. 23-12. I. Streets and driveways

Commented [KR20]: Changed to variation. To be verified

Commented [KR21]: Year to be added

Commented [KR22]: Year to be added

- Mmajor arterial;
- Minor arterial
- Major collector
- Minor collector;
- 6. Local street and
- Cul-de-sacs.
- C. Coordination with Texas Department of Transportation (TXDOT) and Brazoria County required.
 - For projects adjoining, or accessing TXDOT right-of-way, the applicant shall contact the TXDOT to determine all TXDOT requirements and copy the city on all correspondence.
 - For plats in the ETJ, the applicant shall contact the Brazoria County engineer to determine the requirements of Brazoria County and copy the city on all correspondence.
- D. Acceptance of streets. Required city street improvements shall be dedicated to the city, as set out in article III, division 4, Public Acceptance and Permitting.
- E. General location standards.
 - Minimum design standards. Required city street improvements shall be designed and constructed in accordance with the City's Code of Ordinances and the design principles set out in article II, Subdivision and Development Design.
 - 2. Layout and connectivity. Streets and alleys shall:
 - Be extended and located in accordance with the FTP in terms of street classification, right-ofway, pavement width, and alignment; and
 - Bear a logical relationship to existing topography and existing or proposed street locations, and the development of adjacent developed and undeveloped properties
 - c. Any deviation from the FTP shall be approved by the City Council with a recommendation from the Planning and Zoning Commission. .
 - c. Where not shown on the FTP, street layout will:
 - $i. \qquad \hbox{Provide continuity and connectivity between existing and proposed streets};$
 - Conform to generally accepted transportation planning principals for street hierarchy, spacing, and location, with due consideration to topography, environmental considerations, and natural hazard avoidance; and
 - iii. Provide connections to existing streets in a manner that will not change the functional classification of existing streets and will provide safe access to all lots.
 - 3. Excess right-of-way. Right-of-way in excess of the standards of the LDC may be required where topography results in the need for additional right-of-way to provide slopes that do not exceed a ratio of three to one or in order to provide street connectivity.
- F. Design standards. Streets shall be designed per the City's Code of Ordinances and the following standards:
 - Street grade and curves.
 - a. Streets may have a maximum grade of seven percent; and

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- b. Centerline grade changes shall be designed in accordance with all AASHTO standards. Where there is a difference of more than two percent, the vertical curves shall be connected with a curve of sufficient length to provide a minimum 200 feet of sight distance.
- Street intersections. Streets shall be designed to intersect as close as possible to right angles. The city
 engineer may consider an angle not less than 80 degrees where necessary to connect streets or avoid
 natural or man-made impediments.
- 3. Intersections.
 - a. All arterial and collector street intersections shall be at 90 degrees, or within five degrees of that
 - The curb radius at street intersections shall conform to the specifications in the City's Code of Ordinances
 - c. Deviations from these requirements can be considered when streets are realigned to comply with the FTP or to avoid natural, or man-made features, such as, but not limited to, protected wetlands, bogs, floodplains, a stand of protected trees, artifact areas, historic buildings or sites, pipelines, easements or existing development.
- 4. Street jogs (off-sets). Street off-sets less than 150 feet, measured centerline to centerline, are prohibited. A jog of not less than 100 feet may be approved only when necessary to connect streets in adjoining developments where both streets are local streets.
- Off-site improvements. Off-site traffic improvements, as determined by the recommendations of a traffic impact analysis, as set out in section 23-25, or by TXDOT, may be required to mitigate the impact of development on existing transportation networks.
- 6. Design. City streets shall be designed as set out in Table 23-12.1, Street Design Standards.

Table 23-12.1 Street Dimension Standards						
Design Features		Road Classifications				
	Major Arterial	Minor Arterial	Major	Minor	Local Street	
			Collector	Collector		
Right-of-Way Width	100'—120'	80'—100'	70'—80'	60'—70'	60'	
Pavement Width	48' to 60'	36' to 48'	36'	32'	28'	
Number of Lanes	4-6	3 or 4	2 or 3	2	2	
Lane Width (ft.)	12'-14'	12'	12'	12'	12'	
Design Speed	45—55+ mph	35—45 mph	30—35 mph	30 mph	30 mph	
Width of Sidewalks	Min. 6'	Min. 6'	Min. 6'	Min. 6'	Min. 5'	

- G. Partial streets, cul-de-sacs, and dead-end streets.
 - 1. Cul-de-sacs. Cul-de-sacs shall not exceed a length of:
 - a. Four hundred fifty feet in office and general commercial developments;
 - b. Six hundred feet in business park and industrial developments;

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- c. One thousand feet for suburban residential developments with densities greater than three dwelling units per acre; and
- d. One thousand five hundred feet for rural and estate developments with densities less than three d.u. per acre.
- e. All cul-de-sac streets shall have a turnaround, with a paved surface diameter of no less than 110 feet and a right-of-way diameter of no less than 130 feet. A greater diameter pavement and right-of-way may be required by the city to accommodate oversized vehicle traffic and to provide adequate fire protection.
- 2. Partial streets. The use of a partial, or half street, is generally prohibited unless:
 - A half street is proposed to increase the width of an inadequate existing right-of-way or where
 the construction of a half-street results in a fully functional two-way road. The construction of
 two lanes of a proposed four-lane arterial street; where a half street would be a fair share
 improvement is permitted;
 - b. A street stub is provided to facilitate the connection of a street to a future phase of development or a future adjoining development. In these circumstances, the city may require a temporary culde-sac, or an alternative turnaround design, or a maintenance bond; or
 - c. An existing half street exists adjacent to an area to be subdivided, in which case the subdivider must dedicate the remaining right-of-way and construct the half street as a fair share improvement or may defer the construction of the half-street in accordance with the requirements of article V, division 1, Transportation Responsibilities.
- Dead end streets are prohibited unless they are designed as a short stub, or as a temporary all-weather turnaround, with a length not to exceed 100 feet.
- H. New boundary streets. For new boundary streets that will form part of a subdivision boundary, the following standards shall apply:
 - 1. Local streets.
 - a. Where a local street forms part of a development or subdivision boundary, the developer or subdivider shall dedicate right-of-way sufficient to make such street conform to requirements of the city.
 - b. The developer or subdivider shall also improve such street in conformance with all standards and specifications of the City of Angleton, and enter into a reimbursement agreement with the city or enter into a deferral agreement with the city, as set out in section 23-38, Deferral and Permitting.
 - 2. Collector and arterial streets.
 - a. Where a proposed collector or arterial street forms part of a development or subdivision boundary, the subdivider shall dedicate a minimum of one-half of the additional right-of-way necessary to comprise the full street width.
 - b. Dedication of more than half this additional increment may be required, to maximize the use of existing streets, to provide access and connectively, to meet the requirements of the traffic impact study, and to ensure consistent street alignment or curvature.
 - c. The developer or subdivider shall either:
 - Construct the required street or pave one half of the required street in accordance with the traffic study or the City's Code of Ordinances; or

Commented [LK23]: Not needed, as ALL requirements would need to be met.

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ii. If approved by the city, contribute to the city an amount of money equal to 125% of amount necessary to complete the design and construction of the street, curb, and sidewalk required by the LDC and the City's Code of Ordinances.

Commented [LK24]: This is typically 110 to 150%. City policy is 125%.

Public access to subdivisions.

h.

Commented [LK25]: Conflicts with 24 11 I

Subdivisions containing 30 or more lots, or multi-family developments with 50 or more units, shall have
a minimum of two points of public vehicular access, 100-year storm compliant, and constructed to
standards outlined in the City's Code of Ordinances to an existing public right-of-way separated as far
apart as practical in accordance with the fire code; or

Commented [LK26]: Is IFC adopted? An appeal process through IFC is different than City Council

The city council may approve subdivisions that have more than 30 lots, but fewer than 50 lots, with a single entrance to an existing paved public street with the following design elements:

Extension of the median into the subdivision with an unbroken median length of 100 feet, unless

a. A boulevard entrance with a median that has a minimum width of six feet;

Ordinances, are installed at any crossing streets; and

c. Boulevard lanes with an adequate pavement for emergency access into the development.

left-turn lanes and median breaks, designed to standards outlined in the City's Code of

Commented [KR28]: Changed to variation. To be verified by legal.

Commented [LK29]: Safety issue. Not supported by Fire

- The city council may approve a variation to allow subdivisions that have more than 50 lots, with a single entrance to a paved public street as part of subdivisions approval process, subject to:
 - driving lane for fire truck access;

 b. with an unbroken median length of 150 feet, unless left-turn lanes and median breaks, designed

the entrance to the development being designed as a boulevard with a width sufficient on each

- with an unbroken median length of 150 feet, unless left-turn lanes and median breaks, designed to standards outlined in the City's Code of Ordinances, are installed at any crossing streets,
- subject to a phasing plan that stipulates when the second access will be provided and the developer or subdivider posts surety for the second access point.
- d. The council may defer plat recordation until adequate access is provided.
- A one-foot, non-access easement shall be provided along the rear property lines of residential lots that back up to arterial streets and TXDOT highways to prevent access.
- 5. Where more than one street connection to paved public streets are required, both connections, when located in close proximity to creeks, bayous, and flooding hazards shall be designed so that each street is accessible in a 100-year storm to prevent water from over-topping each road. Only one street may not be located over a potential hazard, such as a high-pressure pipeline, unless such a connection is required by the
- FTP and the utility provider consents to such a crossing.
 For subdivisions containing 30 or more lots, or multi-family developments with 50 or more units, when more than one connection is required, the city may consider an all-weather remote emergency access where development phasing or land constraints will delay the provision of an additional access ways.
- 7. When a required second access to a paved public street is required, the paved public street to be accessed shall be considered a boundary street. As such, the subdivider or developer shall be required to provide improvements to the boundary street to improve such road to current standards in accordance with article III division 1, Transportation Responsibilities.
- **Commented [LK30]:** Issues with connectivity and ingress/access issues for residents if the one access is

Commented [LK31]: Repeated under subdivision

J. Street names, addresses, posts, signs, and markers.

blocked.

requirements

- 1. Street names shall not duplicate the names of existing streets in the city or the city ETJ;
- Address numbers shall be assigned and displayed, in accordance with city, and in the ETJ, Brazoria County, standards in the size, color, contrast, to ensure right-of-way number visibility;

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- The developer shall be required to install all required signage and markers, consistent with city standards, and when applicable TXDOT and Brazoria County standards; and
- Signs shall be installed per AASHTO standards, the Uniform Traffic Code, and the City's Code of Ordinances
- 5. Steet signs shall have white lettering on green background in conformance with the requirements of the City's Code of Ordinances.

Commented [LK34]: Require green street signs with white lettering, not blue like Sugarland.

Sec. 23-14. Sidewalks and accessibility.

A. Sidewalks.

- 1. Required.
 - Sidewalks shall be required in all locations that adjoin public and private streets on both sides of streets as part of the development.
 - b. For an existing development that does not have sidewalks along adjoining public streets and is proposed to be expanded, sidewalks shall be required for the entire length of the property along the street. The city council may consider a variance when there are significant engineering constraints that result in practical difficulties from locating or extending a sidewalk or when a sidewalk should not be extended for other practical considerations.
- 2. Construction standards.
 - The construction specification of sidewalks shall conform to specifications for sidewalks and all
 accessibility standards outlined in the City's Code of Ordinances.
 - Residential sidewalks shall have a minimum width of five feet and shall be setback two feet from the back of the curb.
 - c. Sidewalks for non-residential uses shall have a minimum width of six feet.
 - d. If a required sidewalk will connect to a substandard sidewalk, the city engineer may allow the tapering of the required sidewalk to provide a seamless connection.
- 3. Sidewalk obstructions.
 - a. When existing or required development improvements, such as a fire hydrant or a group mailbox, are in path of a sidewalk, the sidewalk shall be offset around the obstacle at its full required width.
 - b. If the right-of-way is insufficient to off-set the sidewalk around an obstruction, the city engineer may approve an alternative solution, in the form of requiring additional right-of-way or dedication of a "pedestrian or sidewalk easement".
 - c. In avoiding an obstruction, the sidewalk shall comply with all TAS requirements.
- Corner lots. Where sidewalks are required on corner lots, they shall be installed along both frontages
 and extended to the curb with handicapped access ramps in accordance with the City's Code of
 Ordinances and all TAS requirements.
- 5. Timing of construction. Sidewalks shall be constructed as set out below:
 - Sidewalks shall be installed concurrent with the construction of the adjoining street or concurrent with site development along existing streets.

Commented [LK35]: Clarification that sidewalks are required for all developments.

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- b. Where a sidewalk will adjoin a common area or a designated open space, the sidewalk will be constructed concurrent with the adjoining street.
- All public sidewalks proposed to be dedicated to the city shall obtain TDLR certification of compliance with Texas Accessibility Standards prior to city acceptance.
- 6. Waivers, deferrals, and variances from sidewalk installation.
 - a. During platting, the city engineer may recommend that the installation of certain sidewalk sections be deferred to a future date when a unique condition exists that may preclude the immediate construction of a sidewalk.
 - b. If the city council accepts the city engineer's recommendation, council may stipulate conditions and the timing when sidewalks must be completed and may require that the subdivider enter into an agreement guaranteeing the installation of sidewalks as each residential lot is constructed and may preclude additional platting or public improvement acceptance until sidewalks required in earlier phases of a project are installed.
 - c. During platting, the city engineer may recommend that the sidewalk requirement be waived, or reduced, where it is not practical due to specific circumstances, such as soil suitability, or the extension of a sidewalk into, or beyond, a floodplain, bayou, or ditch or that pose a significant safety risk that cannot be mitigated.
 - d. Concurrent with the site plan process, the city council, after receiving a recommendation from the planning and zoning commission, may approve a variance from the sidewalk requirements when engineering constraints or local conditions result in practical difficulties in the construction or extension of a sidewalk.

B. Curb ramps.

- Curb ramps are required at all street intersections at the time of construction or reconstruction per all ADA/TAS requirements and the City's Code of Ordinances.
- ADA/TAS compliant curb ramp providing access to sidewalks, parking spaces shall be provided, including access to common open space and any required public improvements, such as parks, greenways, and recreation areas, where public access is permitted.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)

DIVISION 3. GENERAL ENVIRONMENTAL STANDARDS

Sec. 23-60. Protected tree protection.

- A. Authority. Based on the authority of TLGC Ch. 212, the requirements of this section shall apply to all plats and site plans proposing new development in the corporate limits of the city and the ETJ.
- B. Purpose and intent. The purpose of this section is to require subdividers and developers identify and document the location of protected trees on properties where development for the following purposes:
 - Promote responsible design decisions that will preserve as many protected trees as possible;
 - Prohibit the indiscriminate clearing of property;
 - Preserve protected trees during construction;

Commented [KR36]: To be reviewed by the Parks Director.

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- Protect and increase the value of properties by preserving those trees that help to define the character
 of the city and region;
- Maintain a positive image of the city as a place to live and locate a business;
- Protect the natural ecological environmental and aesthetic qualities of the city; and
- Provide shade to provide relief from the heat by reducing the ambient temperature.

C.

- 1. Type of trees and Mitigation Requirement. The following type of trees are considered as protected trees:
 - Standard Tree A Standard Tree is defined as a tree that belongs to the Significant tree species listed in Section 23-60. D, with minimum TCD (total caliper diameter) of eight (8) inches and a maximum TCD of 11.9 inches.
 - Significant Tree A Significant Tree is defined as a tree that belongs to the protected tree species listed in Section 23-60. D, with minimum TCD (total caliper diameter) of 12 inches and a maximum TCD of 23.9 inches.
 - Heritage Tree A Heritage Tree is defined as a tree that belongs to the Significant tree species listed in Section 23-60. D, ith minimum TCD (total caliper diameter) of 24 inches and a maximum TCD of 47.9 inches

Trees listed in Section 23-60. D, with a TCD of 48 inches, or larger shall not be removed.

D. Removal and Mitigation Criteria

a. Replacement Criteria.

Developers of land are encouraged to preserve protected trees whenever possible. An applicant may remove Standard, Significant, and Heritage Trees if approved mitigation is provided.

The mitigation required shall be required at the following ratios:

- Standard Trees- 1:1 ratio for TCD (total caliper diameter) inches to be removed
- Significant Trees 1.5:1 ratio for TCD (total caliper diameter) inches to be removed
- Heritage Trees 3:1 ratio for TCD (total caliper diameter) inches to be removed
- b. Removal and Mitigation of Standard and Significant Trees.
 - i. The applicant may plant smaller trees to replace protected Trees, provided that no tree smaller than TCD 2.5 inches is planted. In cases where soil, slope, lot size, or other natural constraints make replacing the required number of TCD inches unfeasible, the City Manager (or his designee), may, at their sole discretion, allow some or all of the mitigation to take place on a separate, public site within the City, or on lands owned by an association that operates and maintains trails, open space, or parkland within the City and that are usable by residents of the general area where the applicant's land is located. In addition, the City Manager (or designee) may allow mitigation by payment of fee for some or all of the Standard and Significant Trees to be moved, if the City's fee schedule includes a provision for Fee In Lieu of Replacement Trees. Unless otherwise specified in the fee schedule, the fees for Standard and Significant mitigation shall be the same.
 - ii. Replacement trees shall not include more than 50% of the same species.
- c. Removal and Mitigation of Heritage Trees.

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- Heritage Trees may not be removed during construction, except under certain specific circumstances:
 - 1. If the tree is sick or diseased and meets the criteria laid out in Section 23-60.E; or
 - 2. If the tree is within the footprint as described in Section 23-60.E; or
 - 3. if the removal is approved by the City Council after consideration by the P&Z, with a formal recommendation from the P&Z to the City Council
- ii. If any Heritage Trees are planned for removal, they must be identified and clearly marked on the Heritage Tree Plan. The Heritage Plan must also identify any Heritage Trees that are likely to be endangered by construction activity which might sever or compress the root zone, or otherwise threaten the health and life of the tree, as determined by a reasonable person. The City Council may grant removals under Section 7.8(7)c.i-3 (above) at its sole discretion. In considering whether to allow the removal of Heritage Trees, the City Council shall consider whether removal is absolutely necessary to allow the applicant to meet reasonable, investment-backed expectations for use of the property, and whether such use can be accomplished while preserving Heritage Trees.
- iii. If any Heritage Tree removals are granted, the applicant shall meet all the mitigation and replacement conditions outlined in 7.8(6)a. (above), except that any decisions delegated to the City Manager in that paragraph shall be made by the City Council.
- iv. Replacement trees shall not include more than 50% of the same species.
- v. The applicant may plant smaller trees to replace Heritage Trees, provided that no tree smaller than TCD 2.5 inches is planted.
- D. *Protected tree species classified.* The following tree species, if present on a property, shall be preserved as specified in this section, to mitigate the loss of any such trees:
 - Shumard Red Oak Quercus shumardii;
 - Burr Oak Quercus macrocarpa;
 - Chinquapin Oak Quercus muehlenbergii;
 - Post Oak Quercus stellata;
 - Water Oak Quercus nigra;
 - Willow Oak Quercus phellos;
 - Bald Cypress Taxodium distichum;
 - Tulip Tree (Yellow Poplar) Liriodendron tulipifera;
 - American Elm Ulmus americana;
 - Redbud Cercis canadensis;
 - Dogwood Cornus florida.
 - Trees listed in the large tree section of "Recommended Ornamental Plants for Southeast Texas Including Houston and Beaumont", by the Texas A&M Agri-Life Extension Service, with the exception of Hackberry and Arizona ash trees.
- E. Exceptions. The requirements of this section shall not be applicable when:

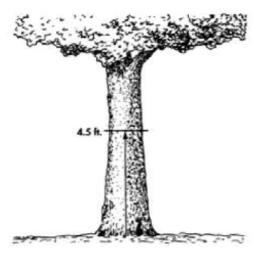
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- 1. Plans or plats were approved prior to the adoption of the LDC;
- 2. Property is zoned or used for agricultural purposes, which includes the harvesting of timber;
- 3. The owner of any residence used as a homestead and there are existing trees in properties is properties being used for single or two family dwelling, less than total caliper diameter ("TCD") of 10 inches, as per LGC Sec.212.905.
- 4. Damaged or diseased trees that are beyond the point of recovery, in danger of falling, or endangering public health, welfare, property, or safety, as determined by a certified arborist;
- Trees damaged from an act of nature that interrupts utility service. Removal shall be limited, if possible, to the portion of the tree reasonably necessary to re-establish utility service;
- 6. Easements. Trees located within any public utility easement; and
- 7. Existing protected trees proposed to be removed due to current and/or potential damage to a structure located within ten feet (10') of the structure's footprint.
- F. Deferral. The planning and zoning commission may, may:
 - Consider a request to remove a protected tree that would otherwise require mitigation under this
 section, when the literal enforcement of this requirement would result in the creation of an
 unnecessary hardship on impractical application of the plan considering the physical characteristics of
 the lot or parcel of land in question; and
 - Consider a waiver or a deviation from any other development requirements in order to preserve a protected tree.
- G. Tree trunk measurement. When documenting existing protected trees for mitigation purposes, the following criteria shall be applied:
 - Straight trunk: Trees with fairly straight, upright trunks shall be measured 4.5 feet above the ground, as shown below:

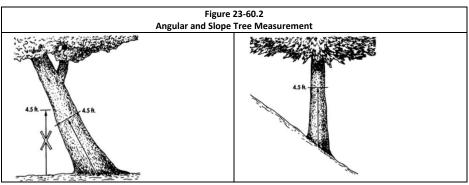
Figure 23-60.1 Straight Tree Trunk Measurement

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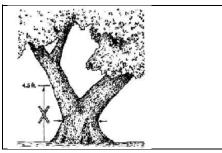
Trunk on an angle or slope: The trunk is measured at a right angle to the trunk 4.5 feet along the center of the trunk axis, so the height is the average of the shortest and the longest sides of the trunk, as shown below:

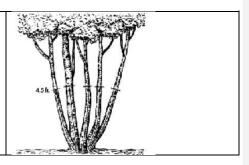


3. Multi-trunk trees. To determine the diameter of a multi-trunk tree, measure each tree trunk larger than one inch. Determine the diameter of the largest tree trunk. The diameter of the multi-trunk tree is then computed as the diameter of the largest tree trunk plus one-half of the composite diameters of each smaller tree trunk greater than one inch. A multi-trunked tree is differentiated from individual trees growing from a common root stock if there is a visible connection between the trunks above ground.

Figure 23-60.3 Multi-Trunk Tree Measurement

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- H. Replacement and protection of protected trees.
 - Developers and subdividers shall submit a tree preservation plan with plats and site plans that identifies the name, location, DBH at 4.5 feet above the natural grade of protected trees, and any significant tree species that will be preserved for credits against lost protected trees.
 - 2. The developer or subdivider must identify the protected trees to be preserved or removed, and which existing significant tree species will be retained for credit for removed protected trees.
 - 3. When a protected tree is proposed to be removed, the City Council may up on recommendation by Planning and Zoning Commission relax any development requirement to preserve the tree, upon staff recommendation. Relaxed design solutions may only be approved the commission upon finding that the preservation of the tree is in the public interest and that the relaxed standard would not result in any health or safety issues.
 - 4. In lieu of planting young trees to mitigate lost heritage trees, the applicant may also propose to preserve existing mature healthy trees not listed in protected tree species classified list, but that are listed in the large tree section of "Recommended Ornamental Plants for Southeast Texas Including Houston and Beaumont", by the Texas A&M Agri-Life Extension Service, with the exception of hackberry and Arizona ash trees.
 - 5. For site plans, the aggregate caliper for replacement trees shall be in addition to the normal landscaping requirements of the zoning ordinance.
 - 6. For residential subdivisions, the aggregate caliper of replacement trees shall be in addition to the normal requirement of this ordinance, which is two trees per residential lot. The locations of where replacement trees will be planted shall be identified in a tree replacement plan filed with the preliminary plat, final plat or site plan, with trees identified as an existing protected/significant tee species.
 - No person, directly or indirectly, shall cut down, destroy, remove or move, or effectively destroy
 through damaging, any protected tree located on property regulated by this section unless such
 removal is expressly "excepted" by this section.
 - When using a retaining wall where the natural grade must be raised or lowered, the tree well shall be
 designed in accordance with the design concepts depicted in Figure 23-60.4, Retaining Wall and Tree
 RPZ Protection.
- Tree preservation plan required. When protected trees are located on a property for which development is
 proposed, which shall include site clearing, grubbing, earth movement, or the removal of any vegetation, a
 tree preservation plan shall be submitted that demonstrates compliance with the all of the requirements set
 out in this section.
- J. Tree protection and planting.

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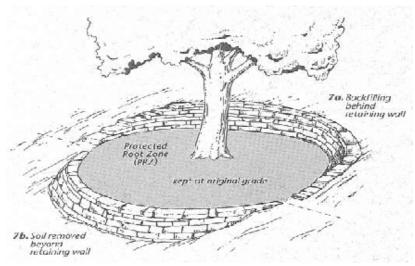
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- Tree protection will be installed before any site work is initiated and maintained for the duration of the construction work. Tree protection will consist of the following:
 - a. It will consist of fencing (orange mesh or chain link) placed around the RPZ.
 - b. No vehicles or construction materials/debris will be allowed in the RPZ.
 - c. No equipment shall be cleaned or other liquids deposited within the limits of the dripline of any protected tree. This includes, but is not limited to, paint, oil, solvents, asphalt, concrete, mortar, or other materials:
 - No signs, wires, or other attachments, other than those of a protective nature, which have been approved in the tree disposition plan, shall be attached to any protected tree;
 - e. Trespassing or throwing trash into a protective fence area is prohibited.

Figure 23-60.4
Retaining Walls and Tree RPZ Protection



- f. Any damage done to tree crowns or roots will be repaired immediately and any wounds on live oaks will be painted with pruning paint within 60 minutes to prevent oak wilt.
- g. Wells or retaining walls around the RPZ will be used if proposed finished grades will raise or lower the natural RPZ grade by more than six inches.
- h. The finished RPZ will be pervious.
- i. Utility and flatwork per the original builder's plan are exempt for up to 45 percent of the RPZ.
- 2. New single-family residential lots shall have two trees per lot. These trees may be:
 - a. A tree on the protected tree species list in Section 23-60. D; or
 - A tree listed in the "Recommended Ornamental Plants for Southeast Texas Including Houston and Beaumont", by the Texas A&M Agri-Life Extension Service, with the exception of hackberry and

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- Arizona ash trees, provided that the tree, when mature, will have an average crown greater than 15 feet in diameter, have a three-inch DBH and height of ten feet at the time of planting;
- c. If an existing protected trees species that was preserved to comply with this section is located on a residential building lot, it shall be designated on the plat, or another suitable document, to ensure that it is properly protected during construction and is not removed by the property owner, unless an exception listed in the section becomes applicable.

Sec. 23-75. Administrative permits and procedures.

- A. Generally. Administrative permits are those that are issued by the designated city staff without the requirement for a public meeting or hearing.
- B. Administrative permits and procedures established. Applications requiring administrative approval are set out in Table 23.75, Administrative Permits and Procedures, below.
- C. Administrative rules authorized. The city may establish administrative rules that stipulate administrative policies and guidelines, create filing schedules and deadlines and similar information to administer the LDC. The administrative rules may be amended, as necessary.

Table 23.75						
Administrative Permits and Procedures						
Process	Purpose	Timing	Exceptions	Issued By		
Administrative	Minor Plats	Prior to sale or	All other plats	City Manager or		
Plats	Amending Plats	construction		Designated City staff		
	Development Plats					
Site Plans	Determine Code	Prior to permit	None	City Manager or		
	Compliance	issuance		Designated City staff		
Extensions	Extend the life of	Prior to expiration	As specified in the	City Manager or		
	an approval		LDC	Designated City staff		
Sketch Plans	Determine LDC	Prior to plan	Optional	City Manager or		
	Compliance	submittal		Designated City staff		
Permits,	Authorization to	Prior to	None	Building Official		
Certificates and	build or to operate	construction or				
Licenses		development				
Appeals	Challenge an	Within 30 days of	Denied appeals can	City Manager or		
	administrative	an administrative	be appealed to City	Designated City staff		
	decision	decision	Council			
Interpretations	LDC interpretations	Within 14 days of	None	City Manager or		
		receipt of a		Designated City staff		
		complete				
		application				
Floodplain	Development in a	Prior to beginning	None	Floodplain		
Development	regulatory	improvements in a		Administrator		
Permit	floodplain	floodplain				
Construction of	Prior to site work	After approval of	None	City Manager or		
Public		construction plans		Designated City staff		
Improvements						

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Table 23.75 Administrative Permits and Procedures						
Process	Process Purpose Timing Exceptions Issued By					
Development Permit	Prior to site work	One week prior to the beginning site work	None	Building Official		

Sec. 23-76. Approvals and permits requiring public meetings.

- A. Generally. Applications requiring a public hearing or meetings are summarized in Table 23.76, Public Meetings: Permits and Procedures, below.
- B. Public meetings and public hearings decisions.
 - A public hearing determination is issued by either the planning and zoning commission or city council during a public meeting.
 - The planning and zoning commission, during a public meeting or public hearing, shall make a recommendation of approval, conditional approval, or denial to the city council, continue the application, or approve or deny those applications where it has final decision power.
 - The city council, after concluding testimony, discussion, and deliberations, closing a public hearing, will approve, conditionally approve, continue, or deny the application.

	Table 23.76					
Public Meetings: Permits and Procedures						
Process	Purpose	Timing	Exceptions	Issued By		
Public Improvement Acceptance	Public improvement acceptance	Prior to Final Plat recordation and building permit issuance	None	City Council		
Appeals	Appeals from a staff determination	Within 30 days of the action being appealed	Administrative Appeals	City Council		
Preliminary Plat	All major plats	Prior to Final Plat	Minor Plats	Council, upon Planning & Commission recommendation		
Final Plat	All major plats and any related platting variances	Prior to recordation and starting development	_Minor Plats and Stale Plats	Council, upon Commission recommendation		
Replat	Make changes to recorded plats	Prior to recordation and starting development	As per TXLGC XXXXX	Council, upon Commission recommendation		

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	Table 23.76					
Public Meetings: Permits and Procedures						
Process	Purpose	Timing	Exceptions	Issued By		
Vacation/Dedication of Easements	Easement dedicated or vacation	Prior to easement abandonment or conveyance	None	Council, upon Commission recommendation, if by plat, or by ordinance by Council		
Floodplain Hazard Variance	Floodplain variances	Prior to permit issuance	Only pertains to Article V, Divisions 1 and 2	Council, upon City staff recommendation		
LDC Variance	Variance from an LDC requirement	Prior to permit issuance	Flood Hazard Variances	Council, upon Commission recommendation		
Text Amendment	Amendments to LDC text	Prior to amending the LDC	None	Council, upon Commission recommendation		
Special Agreements	As set out in Article III, Division 3	Prior, or concurrent with, platting	None	City Council		
Interpretations	Application of an LDC requirement	Prior to final action on a request	Designated City staff Interpretations	City Council		
Site Plan Referral	Plans referred by the Designated City staff	Prior to site plan approval	Site plans approved by the Designated City staff	Planning and Zoning Commission		
Concept Plan, Master Plan, or Land Study	"Conceptual" Project Direction and Approval	Prior to filing a plat or another development application	Voluntary for smaller projects, encouraged for large projects	Council, upon Commission recommendation		
Vested Rights Petition	Expired Development Approval	Upon expiration of any Development Approval	None	City Council		

DIVISION 3. PLATS AND PROCEDURES

Sec. 23-87.

A. Generally. Subdivision-related procedures are necessary to establish how individual lots or projects may be developed. Subdivision and property development related activities and projects must be in compliance with this Code. Plats are classified under two types – Administrative Plats and Non-Administrative plats.

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Is there an option to combine all types of replats?

B. Administrative Plats

Amending Plat. A plat that involves minor changes to a recorded plat. An amending plat will be filed in accordance with the procedures and requirements set forth in the Local Government Code (LGC) §212.045. The City Manager or designee may approve and issue an amending plat, which may be recorded and control over the preceding plat without vacation of that plat and without notice and hearing.

Minor Plat. A subdivision involving four (4) or fewer lots fronting on an existing street and not requiring the extension of municipal facilities;

Development Plat. Required for any person proposing the development of previously unsubdivided or unplatted land that is not being divided into separate parcels, or land that was exempted from platting by TXLGC; and

C. Non-administrative Plats

- a. Preliminary Plat. A map or drawing of a proposed subdivision plan that, upon approval, establishes the approved layout. This approval includes the location and width of proposed streets, lots, blocks, floodplains, easements (utility, drainage, franchise utility, etc.), amenities, and other features required to ensure compliance with the requirements of this Code. A Preliminary Plat approval is required prior to Final Plat approval, except under certain conditions described herein in Section xxx.
- b. Final Plat. A subdivision map or drawing intended for recordation in the plat records of the county in which the subdivision is located. A Final Plat requires approval of Preliminary Plat, construction plans for streets and infrastructure, , and other items from the Preliminary Plat in accordance with this Code.
- c. Re-plat. A new plat that changes the restrictions of a previously adopted Final Plat or results in a change in lot sizing that would affect water well or on-site sewage facility regulations, or that would affect compatibility with the City's zoning code or Future Land Use Map.

D. Other Plat Related Approvals

- a. Concept Plan. A map or plat designed to illustrate the general design features and street layout of a proposed subdivision development and platted in sections. A Concept Plan will be valid for one (1) year and will expire if a plat or a permit has not been approved or issued within the one (1) year time period. Subsequent approvals will automatically extend the approval of the Concept Plan for one (1) year following the last approval. (Refer to Table 3.2).
- Construction Plans. The maps, drawings, and specifications indicating the proposed location and design
 of improvements to be installed in a subdivision/Site Plan.

E. Administrative Plats.

- a. Applicability. Minor Plats, Amending Plats, and Development Plats may be approved by the City Manager (or designee) following an evaluation for plan compliance and technical compliance with this Code.
- Minor Plat. A Minor Plat is any plat involving four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.
- ii. Amending Plat. A plat that complies with LGC §212.016, as amended, which is generally submitted to correct errors and omissions, or make minor changes if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:
- 1. Correct an error in a course or distance shown on the preceding plat;
- 2. Add a course or distance that was omitted on the preceding plat;
- 3. Correct an error in a real property description shown on the preceding plat;

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- Indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
- 5. Show the location or character of a monument which has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
- Correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
- 7. Correct an error in courses and distances of lot lines between two (2) adjacent lots if:
- Both lot owners join in the application for amending the plat;
- Neither lot is abolished;
- The amendment does not attempt to remove recorded covenants or restrictions; and
- The amendment does not have a materially adverse effect on the property rights of the other owners in the subdivision;
- 8. Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
- 9. Relocate one or more lot lines between one or more adjacent lots if:
- The owners of all those lots join in the application for amending the plat;
- The amendment does not attempt to remove recorded covenants or restrictions; and
- The amendment does not increase the number of lots;
- The amendment does not render any resulting lot substandard for a required well, on- site sewage facility, or below minimum lot size requirements in existing deed restrictions on in the City's Future Land Use Map; or
- 10. Make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
- The changes do not affect applicable zoning and other regulations of the municipality, including water and on-site sewage facility regulations;
- The changes do not attempt to amend or remove any covenants or restrictions; and
- The area covered by the changes is located in an area that the Commission or City Council has approved, after a public hearing, as a residential improvement area; or
- 11. Replat one or more lots fronting on an existing street if:
- The owners of all those lots join in the application for amending the plat;
- The amendment does not attempt to remove recorded covenants or restrictions;
- The amendment does not increase the number of lots; and
- The amendment does not create or require the creation of a new street or make necessary the
 extension of municipal facilities, or require a variance for water well lot sizing and setbacks or on-site
 sewage facility regulations.
- iii. Development Plat:
- Development Plats are required for previously unsubdivided or unplatted land that is not being divided into separate parcels, as described in LGC §212.045.

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- Any person who proposes the development of a tract of land within the City limits or the extraterritorial jurisdiction of the City must have a Development Plat of the tract prepared in accordance with this Section.
- 3. No development will begin, nor any building permit, utility connection permit, or similar permit be issued until a development plat has been reviewed and approved.
- 4. When an applicant is required to file a Preliminary Plat or Final Subdivision Plat by other requirements of this Section, a Development Pat is not required.
- City Manager Endorsement. It will be unlawful to offer and cause to be filed any plan, plat, or replat of land within the City limits or ETJ of City of record with the appropriate County Clerk unless the plan, plat or replat bears the endorsement and approval of the City Manager (or designee).
- Approval Criteria (Administrative Plat). All subdivisions and plats of land will be reviewed using the criteria in this Code. Infrastructure construction plans must be filed and be consistent with Chapter 8 Environmental Protection, if needed. Subdivisions, plats and construction plans must be reviewed and approved before any final action may be taken by the City Manager (or designee) or the developer. All plats shall be signed by all affected property owners prior to approval.
- Responsibility for Final Action. The City Manager (or designee) is responsible for final action on Administrative Plat Reviews. If the City Manager (or designee) determines the Administrative Plat does not meet the approval criteria, the City Manager shall forward the application to the to the Planning and Zoning Commission for its review and for its recommendation to City Council, which will take final action. The City Council, upon recommendation by Planning and Zoning Commission is responsible for final action on Administrative Plat Reviews.
- Action Following Plat Approval. After approval of an Administrative Plat, the Developer will notify the City Engineer within ten (10) days which of the following construction procedure(s) the Developer proposes to follow:
- The Developer may file a Construction Plan, and upon approval of the Construction Plan by the City Manager (or designee), proceed with construction of streets, alleys, sidewalks, and utilities that the Developer is required to install. The City will inspect the work as it progresses, and upon completion and final acceptance by the City, and upon written request of the Developer, the approved plat may be filed of record with the appropriate County Clerk; or
- The Developer may elect to post fiscal surety and assurance of construction, if required, as provided in Chapter xxxx, in which case the surety of assurance will be filed with the City, together with a request that the plat be filed for record. In this case, the plat will be filed with the appropriate County Clerk. The City will inspect the construction work as it progresses and will make the final inspection to assure compliance with City requirements; and upon completion of construction, the Developer will deliver to the City a two (2) year guarantee of workmanship and materials as provided in Chapter xxxxxxxx.
- The City Engineer shall issue letter accepting documents, providing the requisite authority for the Subdivider to proceed with the construction of streets and utilities.
- Recordation. After the City Manager (or designee) or City Council has approved the plat, the City Engineer has approved the Construction Plan and the Subdivider has either posted fiscal surety and assurance of construction (see Chapter xxxxxxxx) or completed required provision of infrastructure and public improvements, the plat will be recorded in the Office of the appropriate County Clerk. The Developer will pay the record filing fee as provided for in the City's fee schedule..
- Submittal requirements. All administrative plats shall require the submittal requirements as set out in section 23-A.1., Submittal requirements checklists.
- Administrative plat review procedures.

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- 1. All administrative plats set out above, or that are provided for in TLGC Ch. 212, are subject to designated City staff review and approval.
- 2. The designated City staff shall:
 - a. Determine if the proposed plat complies with the criteria of this section;
 - b. Confirm that:
 - The administrative plat, if approved, will control over the preceding recorded final plat without the vacation of that plat; and
 - ii. That the administrative plat is signed by all affected property owners.
- H. Approval by the city manager. Upon the completion of review by the designated City staff, the plat is referred to the city manager. The city manager shall:
 - 1. Approve the administrative plat if all requirements of the LDC are satisfied; or
 - Refer the plat to the commission and city council, as set out in section xxxx, Final plats, if all requirements for administrative plat approval are not satisfied and the plat is not approved administratively.
- Subdivisions outside the corporate limits of the city. The City of Angleton has final authority on development plats in the ETJ.
- J. Action following approval.
 - Certification of approval and surveyor certification. City manager approval of the administrative plat shall be evidenced by the execution of a certificate of approval and a P.E. or R.P.L.S. seal on the plat, as set out in section 23-A-2, Standardized city forms and certification language.
 - Recordation of plat. The plat shall be recorded in the plat records of Brazoria County, with all recording fees and any other applicable fees paid by the owner/applicant.
 - 3. Expiration. If for any reason the plat has not been recorded within six months of approval, the approving actions shall be deemed void.

Sec. 23-89. Non- Administrative plats.

- A. Non-administrative plats include the following
- 1. Preliminary plat,;
- 2. Final plat; and
- Replat plat.
 - a. Applicability. Preliminary plat, Final plat, and Replat plat Plats require approval by the City Council, upon a recommendation from the Planning and Zoning Commission, following an evaluation for plan compliance and technical compliance with this Code. Except for certain types of replats, as per TXLGC XXXX, a public hearing is not required for approval of these plats.

See Sections xxxxxx, for additional details on non-administrative plats.

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Table XX Review Authority and Expiration of Plats

Type of Plat	Applicability	Approving Body/Official	Expiration
Minor Plat	Creation of four (4) or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.	Designated City Staff (Administrative)	Must be filed with the county clerk within 12 months following the date of approval
Amending Plat	A plat that complies with LGC §212.016 and generally submitted to correct errors and omissions or make minor changes.	Designated City Staff (Administrative)	Must be filed with the county clerk within 12 months following the date of approval
Development Plat	Required for previously unsubdivided or unplatted land that is not being divided into separate parcels, as described in LGC §212.045.	Designated City Staff (Administrative)	Must be filed with the county clerk within 12 months following the date of approval
Preliminary Plat	Required for land being divided into separate parcels, plats with five or more lots, and any plats that require public improvements that will be dedicated to the City.	City Council	Must submit a Final Plat within 6 12 months following the date of approval
Final Plat	Required for land being divided into separate parcels, plats with five or more lots, and any plats that require public improvements that will be dedicated to the City. Required to ensure that a final recorded plat conforms to the Preliminary Plat as approved by the City Council and to the Construction Plans as approved by the Mayor or designee.	City Council	Must be filed with the county clerk within 12 months following the date of approval
Replat	To replat a subdivision or part of a subdivision without vacation of the original plat. Applies to certain type of replats as per TXLGC XXX	City Council	Must be filed with the county clerk within 12 months following the date of approval
Extension of All Plat Approvals	To extend expiration date of a plat approval and extend the recordation time.	Approving body	If no development has occurred within 12 months following the date of approval, the expiration date may be extended by an additional 12 months

Sec. 23-94. Preliminary plats.

- A. Pre-application conference. The applicant or their duly authorized agent, is required to schedule a pre-application conference, as set out in section 23-77, Pre-application conference.
- B. *Preliminary plat and plat submittal contents*. Preliminary plats shall include all relevant information set out in appendix A, subappendix 2, for preliminary plats and any other submittal checklists that are applicable.
- C. Application review process.

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- Complete application required. The submittal will be considered filed when all requirements set out in section 23-79, Complete applications required are provided. The date in which the application is determined to be "complete" is the official filing date.
- 2. Thirty-day filing deadline. Applications shall be acted on within 30 days after the plat filing date, as set out in section 23-80, Application review.
- 3. *Incomplete applications*. If an applicant chooses to proceed to the commission and council with an incomplete application, as set out in subsection 23-79.B.
- 4. Written report.
 - The recommendations from each referral agency, official, and department shall be provided to the applicant; and
 - A written report from the designated City staff, distributed to the commission and council, will
 provide a staff recommendation.
- D. Planning and zoning commission action.
 - 1. Review criteria. The commission shall utilize the following criteria:
 - a. Consistency with any approved concept plan, master plan, or land study, as set out in section 23-104, Concept plans, master plans, and land studies.
 - b. Physical arrangement of the subdivision;
 - c. Adequacy of street rights-of-way, alignment, and connectivity;
 - d. Compliance with the LDC;
 - e. Compliance with the Angleton Future Thoroughfare Plan;
 - f. Compliance with and the master drainage plan and all other city plans; and
 - g. Adequacy of proposed utility services.
 - 2. Commission action.
 - a. The commission will recommend approval, approval subject to conditions, or denial.
 - b. The commission shall adopt findings of fact for a recommendation to deny the plat.
- E. City council action.
 - 1. Review criteria. The city council shall follow all processes set out in subsection G, above.
 - Council action.
 - a. The council will approve, approve subject to conditions, or deny the application.
 - b. The commission shall adopt findings of fact and rationale for any plat denial.
- F. Subdivisions outside the corporate limits of the city. Final action on all preliminary plats, regardless of the location of a plat in the ETJ, is the city council, following review and a recommendation by the planning and zoning commission.
- G. Effect of preliminary plat approval.
 - 1. Approval of a preliminary plat shall not constitute approval of the final plat.
 - Approval of the preliminary plat should be deemed an expression of approval to the proposed layout submitted on the preliminary plat as a guide to the preparation of the final plat.

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- 3. The final plat shall be subject to fulfilling all requirements of this LDC, the master drainage plan.
- H. Lapse of approval.
 - Preliminary plat approval shall be valid for 12 months from the date of council approval, during which time all general terms and conditions under which the preliminary plat was approved shall not be changed:
 - The council approval of the preliminary plat shall be deemed void unless a final plat is submitted within
 the 12-month period, or unless the 12-month period is extended by the council for a term not to
 exceed 12 months at the request of the subdivider; and
 - 3. As a condition of granting an extension of the preliminary plat, the council may require the plat to comply with any new development requirements adopted after the plat was approved.

Sec. 23-95. Final plats.

- A. General. A final plat may not be recorded until a preliminary plat and final plat have been approved, as set out in section 23-94, Preliminary plat, and this section.
- B. Final plat and plat submittal contents. Final plats shall include all relevant information set out in appendix A, subappendix 2, for final plats and any other submittal checklists that are applicable.
- C. Application review process. A final plats shall be filed within 12 months of the approval of a preliminary plat, and shall be reviewed as set out in section 23-94, Preliminary plat, subsection C, Application review, and the additional requirements set out below:
 - Final plat conformance with the approved preliminary plat. The final plat shall conform substantially to the approved preliminary plat and phasing plan and any conditions imposed.
 - 2. Approval of construction plans and construction of public improvements. The final plat shall be filed for review and approval upon acceptance of all public improvements or after provision of surety as
- D. Plat action. Action on the final plat will be taken by the planning and zoning commission and city council as set out in section 23-94, Preliminary plat, subsection G., Planning and zoning commission action, and subsection H., City council action.
- E. Subdivisions outside corporate limits of the city. Final action on all final plats, regardless of the location of a plat in the ETJ, is the city council, following review and a recommendation by the planning and zoning commission
- F. Actions following final plat approval.
 - Certification of approval. City council approval shall authorize the planning and zoning commission chairman and mayor to execute the certificates of approval on the final plat.
 - Final plat modifications. In no case shall additions, corrections, or modifications of any kind be made to
 the final plat administratively, other than signatures required after the final plat has been approved by
 the city council, except those set out in section 23-87, xxxxxxxxxx.
 - Recordation of plats. The recordation of all subdivisions inside the corporate limits of the city and the ETJ shall then be filed and recorded in the plat records of Brazoria County after:
 - a. City Manager or designee has approved the Construction Plan.

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- B. The city council has officially acted upon the final plat with respect to public improvements, dedications and utilities, as set out in article III, division 4, Public Acceptance and Permitting;
- b. The final plat has been fully certified and executed by all property owners comprising the plat and agencies with plat certification jurisdiction; and
- All fees, including recording, application, staff review fees, fees in lieu of parkland dedication, if applicable, have been paid in full.
- The Subdivider has either posted fiscal surety and assurance of construction (see Chapter xxxxxxxx) or completed required provision of infrastructure and public improvements.

G. Review in phases.

- 1. An owner or subdivider may pursue final plat approval of a portion or a section of a development included in an approved preliminary plat, as set out in section 23-18, Development phasing;
- 2. The final plat of each phase, shall carry the name of the entire subdivision and a unique phase number;
- 3. Block numbers within the entire development shall run consecutively throughout the entire subdivision; and
- 4. By completing a development in phases, the original preliminary plat shall not lapse or expire.

H. Lapse of approval.

- Final plat approval is valid for 12 months from the date of approval by the city council or Brazoria
 County, during which time all general terms and conditions under which the final plat was approved
 will not be changed;
- City council approval of the final plat shall be voided if a final plat is not recorded within the 12-month
 period, or unless the council approves an extension not to exceed six months at the request of the
 subdivider; and
- The council, as a condition of granting an extension, may require the plat to comply with any new development requirements adopted after the plat was approved.
- Standardized surveyor, planning and zoning commission, and city council certificate language. Final plats shall include required certifications, as set out in section 23-A.2, Standardized city forms and certification language.

(Ord. No. 1-12-2018, § 1(Exh. A), 12-11-2018)

Sec. 23-97. Replats.

A. Replats.

- A replat may be filed to initiate, a change to a previously recorded plat, without vacating an existing recorded plat, for any of the following purposes:
 - a. Correct an error in any course or distance shown on the prior recorded plat;
 - b. Add any course or distance that was omitted on the prior recorded plat;
 - c. Correct an error in the description of the real property shown on the prior recorded plat;
 - Indicate monuments set after death, disability, or retirement from practice of the engineer responsible for setting the monuments;

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Commented [LK47]: Confirm new procedures

Commented [LK49]: Construction plans?

- Indicate the proper location or character of any monument that has been changed in location or character or that originally was shown at the wrong location or incorrect character on the prior recorded plat;
- Correct any other type of clerical error, scriveners' error, or omission in the previously approved recorded plat;
- g. Correct an error in courses and distances of lot lines between two adjacent lots where both lot owners join in the plat application and neither recorded lot is abolished, provided that:
 - Such amendment does not have a material adverse effect on the property rights of the owners in the plat;
 - Such an amendment is acceptable to any utility providers that may be affected by the amendment; and
 - iii. Each resulting lot complies with all requirements of the LDC.
- h. Relocate a lot line in order to cure an inadvertent encroachment of a building or improvement on a lot line or on an easement; or to
- i. Relocate or vacate one or more lot lines, easements, or rights-of-way between, or along, one or more adjacent platted lots where the owner or owners of all such property join in the application for the plat amendment; provided that easement or right-of-way vacation is agreeable to all utility providers and jurisdictions that may have services and easements/right-of-way on the affected properties.
- 2. A replat may be recorded and is controlling over the preceding plat without vacating the original plat if the replat is:
 - a. Signed and acknowledged by only the owners of the property being replatted;
 - b. Approved after a public hearing; and
 - c. Does not attempt to amend or remove any covenants or restrictions of the original plat.
- 3. Public hearing required. In the event that a replat requires a public hearing, notice of the public hearing shall be provided as set out in TLGC § 212.014 and § 212.015, with notice of the public hearing being mailed, published, and posted at the City Hall, as set out in section 23-82, Public notice.
- B. Nonconforming lots. If the lots proposed to be consolidated exist as legal nonconforming lots, the new lots should comply with the criteria set out in section 23-5, Applicability, subsection E, Nonconforming lots.
- D. Processes and procedures. Replats shall be subject to all LDC processes and procedures set out in subsection 23-95.C, Final plats. The applicant is also required to schedule a pre-application conference, as set out in section 23-77, Pre-application conference.
- E. Action following approval. Replats shall be subject to the "action following approval" requirements set out in subsection 23-95.F, Final plats.
- F. Lapse of approval. Replats shall be subject to the "lapse of approval" requirements set out in subsection 23-95.H, Final plats.

Sec. 23-89. Site plan.

A. Generally. Site plans are required to ensure that:

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- 1. Adequate public services and facilities are available;
- 2. Public health and safety precautions from natural and man-made hazards are provided; and
- 3. The project will comply with the LDC and Code of Ordinances, chapter 28, Zoning.
- Applicability.
 - 1. A site plan is required for:
 - a. All new development, redevelopment, and substantial improvement or expansion of:
 - i. Multi-family residential;
 - ii. Manufactured home parks;
 - iii. Non-residential; and
 - iv. Mixed-use developments.
 - b. Proposed variances;
 - c. The expansion of a building or the intensification of a use; and
 - d. Where necessary to demonstrate compliance with the requirements of the LDC.
 - Non-residential and mixed-use development requires site plan review and approval prior to the issuance of permits that allow land clearing, site grading, and construction.
 - The term "site plan" shall by synonymous with any and all plans required by the LDC and any other development requirements of the city, such as, but not limited to, landscape plans, grading plans, tree preservation plans, and drainage plans.
- C. Site plan preparation. Site plans may only be prepared, signed, and sealed by a State of Texas licensed engineer, architect, or a registered professional land surveyor.
- D. Review authority. Site plans are subject to review and approval by the designated City staff, and when required, by the DRC, as set out in section 23-69, Development review committee.
- E. Submittal requirements. Site plans shall be prepared as set out in section 23-A.1, Submittal requirement checklists.
- F. Public improvements may be required. Public improvements, as set out in article II, division 1, Transportation Responsibilities, and division 4, Utility Responsibilities, may be required as a condition of site plan approval.
- G. Administrative approval process.
 - Upon submitting a complete application, city staff and referral agencies shall have 20 working days to provide the designated City staff with review comments;
 - The designated City staff shall provide the applicant a copy of all review comments and may convene a DRC meeting; and
 - ${\it 3.} \qquad {\it The process shall be completed when all review comments have been addressed.}$
- Designated City staff
- Prohibited actions.
 - A site plan may not be approved if platting is required to create a legal building site. A final, or minor
 plat, may be submitted simultaneously with a site plan; at the applicant's risk, and approved
 conditionally upon the approval and recordation of the plat.

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- A building permit or land development permit may not be issued for development without first obtaining site plan approval.
- No lot grading, drainage work, or other site improvements may commence without obtaining site plan approval.
- 4. A certificate of occupancy may not be issued until all improvements depicted with the approved site plan are completed.

Sec. 23-113. Definitions.

City manager: The Chief Administrative Official of the City of Angleton, as designated by the city council.

City engineer: The administrative official of the City of Angleton, as designated by the city manager.

Commissioners: The Angleton Planning and Zoning Commission.

Common open space: A parcel of land designated for the private use residents, occupants and owners of within a development.

2007 Comprehensive Plan: The comprehensive plan of the City of Angleton, including all amendments.

Connector: A party seeking to connect to the city infrastructure who would benefit from infrastructure constructed by an initial developer eligible for fair share reimbursement.

Council: The Angleton City Council.

County: Brazoria County.

Density: The maximum number of dwelling units per gross acre of land permitted in a zone district.

Developer: Any public or private person, partnership, association or agency that prepares raw land for development.

Development: The physical extension or construction of urban land uses and infrastructure.

Designated City staff: The duly-authorized representative designated by the city manager to administer the LDC.

Lot lines: Refers to the property lines that bound each lot or parcel to a defined legal space.

Lot of record: A lot that is part of a subdivision recorded in the office of the County Recorder of Brazoria County, or a parcel of land with a deed recorded in the office of the County Recorder of Brazoria County, and that complied with the subdivision requirements at the time they were created.

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Proposed Code Amendments Update

January 5, 2023



Conformance to Texas Local Government Code

Application Process Improvement

User-Friendly Format

Improvements to Code Content

Creation and Adoption of Standards Specific to Angleton

Conformance to Comprehensive Plan Objectives

Consistency of all Development Related Codes - LDC, Zoning Codes, Others

CONSIDERATIONS



Prioritized recommendations

Short term
Future/long term

Short term

Work sessions to review and get input from all the stakeholders Prepare a draft of final amendments.

Assist with adoption at public hearing and meetings as directed by staff and finalize the document after adoption.

Future/long term recommendations

Future review and implementation

Recommendations



- * Consolidation of type of plats, clarify sequencing, public improvements construction, expiration
- * Performance bond and surety amount
- * Acceptance of public improvements and maintenance bond
- * Public improvements color of street signs; provision of fiber in new subdivisions, etc.
- * Heritage Tree Revision

Proposed Amendments

Short term (LDC)



Current

- i. Administrative Approval:
 - Minor Consolidation Plat or Replat
 - 2. Administrative Plats
 - 3. Amending Plat
 - 4. Minor Plat
 - 5. Development Plat
- ii. Planning & Zoning Commission and City Council Approval:
 - 1. Preliminary Plat
 - Final Plat
 - 3. Major Amending Plat
 - 4. Major Consolidation Plat or Replat

b. Proposed

- i. Administrative Approval:
 - 1. Minor Plat
 - 2. Amending Plat
 - 3. Development Plat
- ii. Planning & Zoning Commission and City Council Approval:
 - 1. Preliminary Plat
 - 2. Final Plat
 - 3. Replat

Proposed Amendments

Short term Consolidation of type of plats



Subdivision Process

Step 1 – Preliminary Plat approval

Step 2 – Approval of Construction Plans for public improvements

Step 3 – Construction and acceptance of public improvements OR

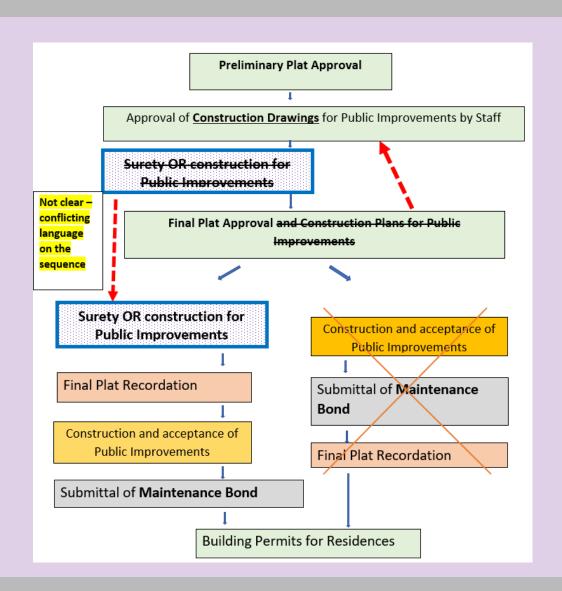
Performance Bond

Step 4 – Final Plat approval

Step 6 – Construction and acceptance of public improvements (with Performance Bond)

Step 7 – Plat recordation

Step 8 – Building permit issuance



Proposed Amendments

Short term

Clarify sequencing, public improvements construction, acceptance of public improvements, and maintenance bond



<u>Performance bond</u> (% of cost of pending public improvements)

Current - 100%

Proposed - 125% (city policy)

Maintenance bond (% of cost of pending public improvements)

Current - 25%

Proposed - 125%

Proposed Amendments

Short term
Performance bond
and surety amount



All plats except Final Plat - 1 yr. with an additional 1 yr. of extension.

Final Plat - 1 yr. with an additional 6 months of extension.

Construction Drawings - 1 yr. with an additional 6 months of extension.

Completion of public improvements and acceptance - 1 yr. with an additional 1 yr. of extension.

Proposed Amendments

Short term
Expiration Dates



Create and adopt <u>public improvement standards specific for</u>
<u>Angleton -</u> color of street signs; provision of fiber in new subdivisions.

(Sec. 23-10.C). To be developed.

Proposed Amendments

Short term Public improvements



Issues:

No limit on minimum diameter; heritage tree not defined; mitigation too stringent (3:1 for all trees currently, tree replacement lacks diversity of species; protection of significant trees not required

Recommendations:

- * 2 classifications Heritage and Significant (protected species)
- *Mitigation proportionate to the classification
- * Diversity on replacement trees

Protected Species List (Combined):

Live Oak, Pecan, Shumard Red Oak, Burr Oak, Chinquapin Oak, Post Oak, Water Oak, Willow Oak, Bald Cypress, Tulip Tree (Yellow Poplar), American Elm, Redbud, Dogwood.

Exemptions: Land being used for harvesting of timber and orchards; damaged and diseased trees

Determination on damaged and diseased treesCertified arborist

PROPOSED	<u>HeritageTrees</u>	<u>SignificantTrees</u>
<u>Size</u>	Greater than 24"*	10"-23.9"*
% of total caliper	50%	35%
inchesto be		
preserved on site		
(removal not		
allowed)		
Mitigation	3:1*	1.5:1
Replacement	Min. 2.5 caliper inch tree	Min. 2.5 caliper inch
planting	from the Protected	tree from the
	Species List	Protected Species
		List
Species	Protected Species List	
Fee in lieu (for	\$200 per caliperinch	\$100 percaliperinch
50% removal)	removed	removed

Proposed Amendments

Short term Heritage Tree Revision



	New Braunfels	Helotes	Alvin	Lake Jackson
Tree Plan	Required if non-exempt species are removed; one or two family and agricultural zones exempt	Required; exempt for non contiguous single family lots of less than three acres in the residential zone	Required for all trees greater than 6" caliper listed	If removing one or more
Types of Protected Trees	Not found	Protected (6"-24") Heritage (>24")		> 6" -developed property >12" undeveloped property
Tree Planting Requirements (Replacement)	Heritage or Protected Trees- 1.5:1 Caliper Inches	Heritage - 3:1 Caliper Inches Protected Trees-1:1 Caliper Inches	1:1 Caliper Inches	1:1 Caliper Inches
Minimum Preservation Required. These cannot be removed.	No preservation	Protected Tree-40% Heritage-60% 100 year floodplain- all Protected and Heritage	None	None
Mitigation Onsite replacement minimum caliper reqd. and species	1.5 inch diameter; not more than 25% of the same species	2 inch; no more than 35% of the same species		6"-12"- min. 3" caliper 12"-29"-min. 4" caliper >30" - min. 6" caliper No more than 35% of the same species
Offsite Replacement minimum caliper reqd. and amount	Not allowed; planning director may reduce the requirement			6"-12"- min. 3" caliper 12"-29"-min. 4" caliper >30" - min. 6" caliper Not more than 35% of the same species
Fee in lieu of	Not found	\$150.00 per caliper inch (For a maximum of 50% of the replacement)	\$250 per tree. \$2,500.00) per acre (or fraction thereof) with a maximum total payment of One hundred thousand dollars (\$100,000.00) per development	Not found
Credit towards required landscaping	Yes. Based on the diameter, tree preservation credit is calculated	Yes	•	Yes

Proposed Amendments

Short Term Comparison of Tree Ordinances



	Recommendation	Sections of the Code to be amended	Chapter of the ADPM	Comments
Consolidation	Consolidation of all development codes in one chapter	Sec. 23-1 to Sec. 23-122 (Chapter 23)		Refer to the Diagnostic Report (Appendix). New format.
Applicability	Clarify the applicability of the LDC in the ETJ and private development, in conformance to TXLGC	Sec. 23-5 (Chapter 23)	ADPM - Appendices D and E	
Standards & Requirements	Create and adopt standards and design criteria specific for Angleton.	Sec. 23.10.C (Chapter 23)		
Standards &	Clarify ALL current applicable standards and requirements adopted by the City, county, and other pertinent agencies and prepare a comprehensive list	Sec. 23.6 (Chapter 23)	ADPM - Appendices D and E	

Proposed Amendments

Future

