

City of Godley Rules for Platting and Land Subdivision

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ARTICLE 1. GENERAL PROVISIONS

Section 1.01 Short Title

This document may be known and cited as the "City of Godley Development Guidelines."

Section 1.02 Authority

This document is adopted under the authority of the Constitution and laws of the State of Texas, including particularly Chapter 212, Texas Local Government Code, as heretofore or hereafter amended.

Section 1.03 Purpose

The purpose for which these Development Guidelines have been created is to provide for the orderly, safe and healthful development of the City of Godley and developments within its extra-territorial jurisdiction and to promote the health, safety and general welfare of the community; to establish orderly policies and procedures to guide development of the City; to provide for establishment of minimum specifications for construction and engineering design criteria to maintain land values, reduce inconveniences to residents of the area, and to reduce related unnecessary costs to the city for the correction of inadequate environmental conditions; to ensure that the development of land and subdivisions shall be of such nature, shape and location that utilization will not impair the general welfare and to ensure against the dangers of fires, floods, erosion, landslides, or other such menaces; to provide proper utilities and services for adequate drainage, water supply, and disposal of sanitary and industrial waste; to provide roads that ensure safe, convenient and functional systems for vehicular circulation.

Section 1.04 Jurisdiction

The procedures and standards for the development, layout and design of plats and subdivisions of land shall apply within the corporate limits and within the extra-territorial jurisdiction of the City.

Section 1.05 Interpretation

In the interpretation and application of the provisions of these regulations, it is the intention of the City of Godley's City Council that the principles, standards, and requirements provided for herein shall be the minimum requirements for the platting and developing of subdivisions inside the city limits and inside its extraterritorial jurisdiction, and, where other Ordinances of the City of Godley are more restrictive in their requirements, such other ordinances shall control.

Section 1.06 Definitions

- A. For the purposes of this document, certain terms or words herein shall be interpreted or defined as follows: words used in the present tense include the future tense; the singular includes the plural; the word "person" includes a corporation as well as an individual; the term "shall" is always mandatory; the term "may" is directory.
- B. Words and terms not expressly defined herein are to be construed according to the normally accepted meaning of such words or terms or, where no definition appears,

then according to their customary usage in the practice of municipal planning and engineering.

1. **100-year Flood:** See Base Flood.
2. **Abandonment:** The legal process by which land dedicated to public use may revert to private use.
3. **Administrative Officers:** Any office referred to in this document by title, e.g., Mayor, City Councilmember, City Attorney, City Engineer, etc., shall be the person so retained in this position by the City, or their duly authorized representative.
4. **Alley:** A minor public right-of-way, not intended to provide the primary means of access to abutting lots, which is used primarily for vehicular service access to the back or sides of properties otherwise abutting on a street.
5. **Amending Plat:** A plat solely for the purpose of correcting an error, omission, descriptions, relocations of lot lines, or clerical errors. The amending plat must be approved by City Council, after which it may be recorded and is controlling over the preceding plat without vacation of that plat.
6. **Area of Special Flood Hazard:** The land in the flood plain within a community subject to one (1) percent or greater chance of flooding in any given year.
7. **Base Flood:** The flood having a one (1) percent chance of being equaled or exceeded in any given year, determined based upon FEMA (Federal Emergency Management Agency) guidelines, and as shown in the current effective Flood Insurance Study. Also known as the 100-year flood.
8. **Block:** A tract or parcel of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, highway, stream, or corporate boundary lines.
9. **Bridge Class Drainage Culverts:** Culverts having an opening (i.e., distance) of more than 20 feet between the extreme inside faces as measured along the road centerline.
10. **Building:** Any structure built for support, shelter, or enclosure of persons, animals, or movable property of any kind.
11. **Building Setback Line:** The line within a property defining the minimum horizontal distance between a building or other structure and the adjacent street line.
12. **Business Day:** A day other than a Saturday, Sunday, or a Holiday as recognized by the City of Godley.
13. **City Administrator:** City Administrator or his designee.
14. **City Attorney:** "City Attorney" shall apply only to such individual or firm qualified to represent clients in a court of law and to advise clients on legal matters and having been specifically designated by the City Council.

15. **City Council:** The duly elected governing body of the City of Godley, Texas.
16. **City Councilmember:** The officially elected, appointed, or authorized City Councilmember of the City of Godley, Texas.
17. **City Engineer:** A Licensed Professional Engineer or firm of Licensed Professional Consulting Engineers that have been specifically designated by the City Council to provide development review and consulting engineering services to the City.
18. **City Street:** A public road or street which has been either: (a) dedicated to public use and accepted for maintenance by the City; or (b) acquired by the City through prescription; or (c) is a road or street that was constructed by and is maintained by the City.
19. **Commercial or Institutional Facility:** Any building that is not used as a single-family dwelling or duplex.
20. **Construction Plans:** See Engineering Plans.
21. **Cul-de-sac:** A street having but one outlet to another street and terminated on the opposite end by a vehicular turnaround.
22. **Dead-End Street:** A street, other than a cul-de-sac, with only one outlet.
23. **Developer:** See Owner.
24. **Double Frontage Lot:** A lot which fronts onto one street and backs onto another street.
25. **Easement:** An area for restricted use on a private property upon which any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements. Any public utility shall, always, have the right of ingress and egress upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.
26. **Engineer:** A person duly authorized under the provisions of the Texas Engineering Practice Act, as heretofore or hereafter amended, to practice the profession of engineering and who is specifically qualified to design and prepare Construction Plans and Specifications for subdivision development.
27. **Engineering Plans:** A set of drawing and/or specifications, including paving, water, wastewater, drainage, or other required plans, submitted to the City for review in conjunction with a subdivision or a development that bear the seal and signature of a Licensed Professional Engineer in the State of Texas. This person shall be designated as the Engineer of Record.
28. **Extraterritorial Jurisdiction:** The unincorporated area of the County that is contiguous to the corporate boundaries of a municipality, more specifically

described in Section 42.021 of the Texas Local Government Code, as same may exist or be amended in the future.

29. **Eyebrow:** A widening of the roadway section to allow additional space for turning movements which is not located at a dead end. Eyebrows are typically located at a change in the roadway to provide additional lot access. An eyebrow allows for a turning radius equal to or greater than 60 feet.

30. **Final Acceptance:** Acceptance by the City Council of all public infrastructure improvements constructed by the Owner in conjunction with the development of land.

31. **Final Plat:** The one official and authentic map of any given subdivision of land prepared from actual field measurement and staking of all identifiable points by a Surveyor with the subdivision location referenced to a survey corner and all boundaries, corners and curves of the land division sufficiently described so that they can be reproduced without additional references. Angular measurements and bearings shall be accurate to the nearest minute. Distances shall be accurate to the nearest tenth of a foot. The Final Plat of any lot, tract, or parcel of land shall be recorded in the Deed Records of Johnson County, Texas.

32. **Final Plat Package:** Consists of a Final Plat, Construction Plans and a Drainage Plan plus all other supporting documentation as detailed in Article 5 – Final Plat & Construction Documents, that must be submitted to the City Engineer to review.

33. **FIA:** Federal Insurance Administrator

34. **Flood Hazard Boundary Map (FHBM):** An official map of a community issued by the Federal Insurance Administrator (FIA) where the boundaries of the flood, mudslide related erosion areas having special hazards have been designated as Zones A, M and/or E.

35. **Flood Insurance Rate Map (FIRM):** An official map of a community on which the FIA has delineated both the special hazard areas and the risk premium zones applicable to the community.

36. **Flood Insurance Study:** An examination, evaluation, and determination of the flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide and/or flood-related erosion hazards.

37. **Flood Plain:** Any land area susceptible to being inundated by flood waters from any source, as defined by the Federal Emergency Management Agency (FEMA).

38. **Floodway:** See Regulatory Floodway.

39. **Floodway Easement:** A drainage area dedicated to the city for control and maintenance of a flood plain.

40. **Flowage Easement:** A drainage area reserved for the flooding of a body of water, such as a lake or reservoir.

41. **Freeboard:** The vertical distance between the designated water surface level and the top of an open conduit, or low chord elevation, left to allow for wave action, floating debris or any other condition or emergency without overtopping the structure.

42. **Homeowners (Property Owners) Association:** A formal nonprofit organization operating under recorded land agreements through which (a) each lot and/or homeowner in a specific residential area is automatically a member and (b) each lot or property interest is automatically subject to a charge for a proportionate share of the expense for the organization's activities, such as the maintenance of common property, and (c) the charge, if unpaid, becomes a lien against the nonpaying member's property.

43. **Infrastructure:** All roads, alleys, storm drainage, water, and wastewater facilities, utilities, and other facilities as required by the City of Godley.

44. **Installer:** An individual who holds a valid certificate and is compensated by another to perform services, construct, install, alter, or repair an OSSF.

45. **Large Construction Activity:** Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than five (5) acres of land. Large construction activities also include the disturbance of less than five (5) acres of total land area that is part of a larger common development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of a ditch, channel, or other similar storm water conveyance. Large construction activity does not include the routine grading of existing dirt roads, asphalt overlays or existing roads, the routine cleaning of existing rights-of-way, and similar maintenance activities.

46. **Licensed Professional Engineer:** See Engineer.

47. **Lines, Building:** See Building Setback Lines

48. **Lot:** An undivided tract or parcel of land having frontage on a public road, and which is, or in the future may be offered, for sale, conveyance, transfer or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

49. **Manufactured Home:** Any manufactured home assembled off-site and greater than 9 feet in width.

50. **Master Thoroughfare Plan:** Official long-rang planning document that establishes a future roadway network system that will accommodate projected growth and development.

51. **Multi-Unit Residential Development:** Any area developed or used for a structure or combination of structures designed to lease or rent space to house two or more families.

52. **Non-Residential Development:** Any area developed for a use other than

single-family or multi-unit residential.

53. **Notice of Intent (NOI):** A written submission to the executive director from an applicant requesting coverage under a general permit.

54. **Off-site:** Located outside the boundary of a development.

55. **On-site:** Located within the boundary of a development.

56. **On-site Sewage Facility (OSSF):** One or more systems of treatment devices and disposal facilities that process not more than 5,000 gallons of waste each day; and are used only for disposal of sewage produced on the site where the system is located as permitted by Johnson County and/or the Texas Commission on Environmental Quality.

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

58. **Pavement Width:** The portion of a road available for vehicular traffic. Where curbs are laid, it is the portion between the face of the curbs. Otherwise, it is the portion between the edges of pavement.

59. **Planner:** Persons other than Licensed Professional Engineers or Registered Professional Land Surveyors who are proficient in the planning of residential, commercial, industrial, and other related developments as demonstrated by membership in the American Institute of Certified Planners (AICP).

60. **Planning Materials:** Plans, applications, site evaluations, and other supporting materials submitted to the permitting authority for the purpose of obtaining a permit in accordance with TCEQ Title 30 TAC Chapter 285.

61. **Plat:** See Final Plat.

62. **Plat Amendment:** See Amended Plat.

63. **Potable Water:** All water distributed by any agency or individual, public, or private, for the purpose of human consumption or which may be used in the preparation of foods or beverages or for the cleaning of any utensil or article used in the course of preparation or consumption of food or beverages for human beings. The term shall also include all water supplied for human consumption or used by any institution catering to the public.

64. **Preliminary Plat:** The graphic expression of the proposed overall plan for subdividing, improving, and developing a tract shown by superimposing a scale drawing of the proposed land division on a topographic map and showing in plan existing and proposed drainage features and facilities, road layout and direction of curb flow, and other pertinent features with notations sufficient to substantially identify the general scope and detail of the proposed development.

65. **Preliminary Plat Package:** Consists of the Preliminary Plat, Preliminary Drainage Plan plus all other supporting documentation as described in Article 3 – Preliminary Plat, which must be submitted to the City Engineer for review.
66. **Private Road:** Any road that does not fall under the definition of a “City Street” above and (a) is not designated as a County Road, (b) is not designated as a State Highway, or (c) is not designated as an Interstate Highway.
67. **Private Sewage Facility:** See On-Site Sewage Facility.
68. **Private Water Supply:** A drinking water supply that is not a public source of drinking water.
69. **Public Water Supply:** A public water system which provides the public piped water for human consumption, which includes all uses described under the Definition of drinking water. Such a system must have a potential for at least 15 service connections or serve at least 25 individuals at least 60 days out of the year, or in accordance with the most recent TCEQ guidelines.
70. **Registered Professional Land Surveyor:** A person duly authorized under the provisions and statutes of the Professional Land Surveying Practices Act to practice the profession of surveying.
71. **Regulatory Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.
72. **Replat:** Any change to an approved plat to reflect any change in any street layout or any other public improvement, lot line, amount of land reserved for public use or the common use of lot owners, or easements shown.
73. **Replatting:** The re-subdivision of any part, or all, of any block or blocks of a previously platted subdivision, addition, lot, or tract.
74. **Right-of-Way:** That portion of the subdivision dedicated for public roads with the adjacent lot lines being the boundaries of the right-of-way.
75. **Sewage Disposal Plan:** A technical report prepared by either a Licensed Professional Engineer, a Registered Sanitarian, or a person who is certified to prepare a sewage disposal plan in accordance with TCEQ requirements. The Plan shall describe the circumstances involved with sewage disposal on a land or tract that has been or proposed to be subdivided.
76. **Single Family Residence:** A structure maintained and used as a single dwelling unit. A dwelling unit may share one or more walls with another unit if it has direct access to a street or thoroughfare and does not share heating facilities, hot water equipment, nor any other essential facility or service with any other dwelling unit.
77. **Site Evaluator:** An individual who holds a valid certificate and visits a site and conducts a pre-construction site evaluation which includes performing soil analysis, a site survey, and other criteria necessary to determine the suitability of a site for a specific OSSF.

78. **Small Construction Activity:** Construction activities including clearing, grading, and excavating that result in land disturbance of one (1) or more acres but less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, and original purpose of a ditch, channel, or other similar storm water conveyance. Small construction activity does not include routine grading of existing dirt roads, asphalt overlays of existing roads, the clearing of existing rights-of-ways, and similar maintenance activities.

79. **Special Flood Hazard Area (SFHA):** See Area of Special Flood Hazard.

80. **Subdivider:** See Owner.

81. **Subdivision:** Defined by Chapter 212 of the Texas Local Government Code, as "The division of a tract of land into two or more parts to lay out: (a) a subdivision of the tract, including an addition; (b) lots; or (c) streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.

82. **Surveyor:** See Registered Professional Land Surveyor.

83. **TCEQ:** Texas Commission on Environmental Quality.

84. **TxDOT:** Texas Department of Transportation.

85. **Utility Easement:** See Easement.

86. **Variance:** A permit that allows for a departure from the required standards of these Development Guidelines. Variances are intended to resolve practical difficulties or unnecessary physical hardships that may result from the size, shape or dimensions of a site, location of existing structures on the site, or geographic, topographic, or other physical conditions on the site or in the immediate vicinity. Financial and/or economic hardships are insufficient grounds for the granting of a variance.

Section 1.07 Severability and Validity

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this document are severable and, if any phrase, clause, sentence, paragraph or section of this document shall be declared invalid by the valid judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this document, since the same would have been enacted by the City Council without the incorporation in this document of any such invalid phrase, clause, sentence, paragraph or section.

Section 1.08 Effective Date

These rules and regulations shall be in full force and effect immediately upon passage by the City Council. Any subdivision for which the City Council has received a Preliminary Plat

prior to the effective date of this document shall be governed by the regulations in effect at the time the plat was submitted for review.

Section 1.09 Compliance Required

Any Owner intending to subdivide a tract of land into two or more parts to lay out a subdivision of the tract, including an addition, lots, streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts, shall prepare and submit a plat for approval by the City Council in accordance with Section 3.01 of Article 3.

A division of a tract shall include any division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

Section 1.10 Penalty for Violation

At the request of the City Council, the City Attorney or other prosecuting attorney for the City may file an action in a court of competent jurisdiction to:

A. Enjoin the violation or threatened violation of these rules and regulations established by or adopted by the City Council; or

B. Recover damages in an amount adequate for the City to undertake any construction or other activity necessary to bring about compliance with these rules and regulations established, or adopted, by the City Council.

Further, a person commits a criminal offense if the person knowingly or intentionally violates a requirement of these guidelines established by or adopted by the City Council. An offense under this subsection is a Class B misdemeanor. This Section is in accordance with Chapter 212 of the Texas Local Government Code.

Section 1.11 Variances

A. The purpose of a subdivision variance is to allow a property owner to deviate from the requirements of this Chapter when a request arises due to a condition which is unique to the property in question, which is not ordinarily shared by others in the vicinity and is not created by an action of the property owner.

B. An Owner may request, and the City Council may authorize (by majority consent), a variance from the requirements of this Chapter when, in their opinion, extraordinary hardship will result from requiring strict compliance.

C. Financial hardship to the applicant shall not be deemed sufficient reason to constitute the recommendation of a variance.

D. In granting a variance, the City Council shall prescribe only conditions that it deems necessary to or desirable in the public interest. In making the findings herein below required, the City Council shall consider the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed development, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience, and welfare in the

vicinity. No variance shall be granted unless the City Council finds that **all** the following conditions exist:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of these rules and regulations would deprive the applicant of the reasonable use of the land,
2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant,
3. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, and
4. That the granting of the variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of this Chapter.

E. Any variances requested by the Owner shall be submitted in writing to the City and a copy shall be sent to the City Engineer. The letter shall contain written findings of facts supporting the request for the variance. The City Engineer shall review all variance requests and provide the City Council with a staff analysis of the request. Written notice of all City Council hearings on proposed variances shall be sent to all owners of property located within two hundred (200) feet of the subject property seeking a variance. All notices shall be mailed via the U.S. Post Office within not less than ten (10) days before any such hearing is held. Property owner information shall be based on appraisal district records of the County.

F. The City reserves the right to require the applicant to pay a fee for mailing notices for requested variances.

G. Variances shall not have the effect of nullifying the intent and purpose of these rules and regulations.

H. Such findings of the City Council, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the City Council meeting at which such variance is granted.

I. The Owner's variance request letter and any supporting documents shall be entered into the official minutes of the City Council meeting.

Council determination on variances shall be final.

Section 1.12 Special Provisions for Enforcement

A. A subdivision Final Plat shall not be filed of record until it has been approved by the City Council and all public and private improvements associated with the Final Plat are constructed and accepted in accordance with these rules and regulations and any such actual recording shall be void unless such approval shall be endorsed on the face of the Final Plat as hereinafter provided. Preliminary Plats shall never be filed of record.

B. No construction work shall begin on the proposed public improvements in the

the proposed subdivision prior to Final Plat approval by the City.

C. No changes, erasures, modifications, or revisions shall be made to any Plat of a development after approval has been given by the City Council and endorsed on the Plat in writing, unless said changes, revisions or modifications are first submitted to and approved by the City Council.

D. The City shall not authorize any other person nor shall the City itself repair, maintain, install, or provide any roads or public utility services in any subdivision for which the standards contained herein or referred to herein have not been complied with in full.

E. Disapproval of a Plat by the City Council shall be deemed a refusal by the City to accept the offered dedications shown thereon. Approval of a Plat shall not impose any duty upon the City concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the City have appropriated the same by entry, use, or improvement. Any such dedication, before or after actual appropriation may be vacated by the City in any manner provided by law.

F. On behalf of the City, the City Attorney shall, when directed by the City Council, institute appropriate action in a court of competent jurisdiction to enforce the provisions of these guidelines or the standards referred to herein with respect to any violation thereof which occurs within any area subject to all or a part of the provisions of this document.

G. In addition, thereto, any abutting owner or lessee or other person prejudicially affected by the violation of the terms of these guidelines may resort to any court of competent jurisdiction for any writ or writs, or to obtain such relief, either in law or equity, as may be deemed advisable in these premises.

Section 1.13 Amendment

The City Council may from time to time amend these guidelines, in accordance with appropriate procedures provided by law. It is the responsibility of the Owner to obtain the most current Development Guidelines as adopted by the City of Godley's City Council.

Section 1.14 Improvements Required

A. The Owner shall furnish, install and/or construct any public water and sewer systems and the road and drainage facilities necessary for the proper development of the subdivision. All such facilities shall be designed and constructed in accordance with Article 10 - Design Criteria referenced as part of this document, and other standards, specifications, and drawings as may be hereafter adopted, approved by the City Council and placed on file in the office of the City Secretary.

B. Where considered necessary by the City Engineer and/or as recommended by the City Council, the facilities shall be sized in excess of that dictated by Article 10 - Design Criteria to provide for future growth and expansion. The City Council may establish policies whereby the City would participate in the difference in cost of the facility as sized and the cost of the facility as sized per the requirements of Article 10 – Design Criteria.

Section 1.15 Apportionment of Infrastructure Costs – Rough Proportionality Determination

- A. If the City requires, as a condition of approval for a property development project, that the developer bear the costs of municipal infrastructure improvements by the making of dedications, the payment of fees, or the payment of construction costs, the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development, as approved by the City Engineer.
- B. The municipality's determination of rough proportionality shall be completed within thirty days following the submission of the developer's application for the determination.
- C. A developer who disputes the determination may appeal to the City Council. At the appeal, the developer may present evidence and testimony under procedures adopted by the City. After hearing any testimony and reviewing the evidence, the City Council shall make the applicable determination within 30 days following the final submission of any testimony or evidence by the developer.
- D. A developer may appeal the determination of the City Council to a county or district court of Johnson County within 30 days of the final determination by the governing body.
- E. The City may not require a developer to waive the right of appeal authorized by this section as a condition of approval for a development project.

Section 1.16 Categories of Plats

- A. Subdivision Plat. A subdivision plat is a plat for any property that is to be divided into two or more properties.
- B. Minor Plat (Short Form Final Plat). A minor plat is a plat that will create four (4) or fewer lots that have not been previously platted and recorded, and where no public improvements are required.
- C. Development Plat. A development plat is a plat for the development of land within the corporate limits or extra-territorial jurisdiction of the City of Godley where a subdivision plat is not required, and the development does not require public improvements as defined in Section 7.
- D. Replat. A replat is a plat for all or part of any previously recorded plat, which does not require the vacation of the entire preceding plat, other than an amending plat.
- E. Amending Plat. A plat of record that is amended in accordance with the requirements of this Chapter and 212.016 of the Texas Local Government Code.
- F. Conveyance Plat. A conveyance plat is a plat used solely to transfer ownership of a parcel or portion of a parcel of land, to record the transfer of ownership. A conveyance plat does not constitute approval or authorization of development of the property.

ARTICLE 2. PLATTING PROCEDURE

Section 2.01 Plat Required

The owner or proprietor of any tract of land within the corporate limits of the City or within its extraterritorial jurisdiction who desires to develop or subdivide that land shall submit a plat application in accordance with this chapter.

Section 2.02 Submitting a Plat Application

Plat applications shall be submitted to the City of Godley on the approved plat application submittal dates, as maintained on the official City Calendar. Plat application submittal dates shall be no more than 30 days before the meeting at which the plat shall be decided.

For all plat applications, an electronic copy and a hard copy (printed document) shall be submitted to the City, conforming to the application requirements of this Chapter. The content of a particular application will depend on the type of application that is being submitted.

Section 2.03 Application Completeness

A. A plat application shall not be reviewed until it is determined to be complete. The City Administrator shall determine if the application includes all the required information, in the format prescribed by the City. Additionally, an application shall not be complete until all applicable fees have been paid.

B. Completeness signifies that the application is found to comply with the application submittal requirements for a plat. A determination of completeness is not a determination regarding the content of the application, nor is it an approval of the plat.

C. The City Administrator shall notify the applicant by mail or by e-mail within 10 days as to whether the application is determined to be complete.

D. Incomplete Applications

1. Applications that do not include all required information or which are not formatted in accordance with the requirement of this Chapter are incomplete. Incomplete applications are not reviewed and shall not be decided. The City Administrator shall notify the applicant in writing of the completeness determination and shall provide a written explanation of missing or incomplete items that are necessary to complete the application.

2. The City Administrator, may elect to extend the time period for determination of completeness, to allow the applicant to submit missing or incomplete information. If the time frame is extended to allow for corrections, the City Administrator shall provide, in writing, a specified time frame to the applicant for incomplete items to be resubmitted. If the items are not resubmitted by the time indicated, the application is incomplete and will not be filed. It shall be returned to the applicant.

3. If an application is incomplete, a new application and fee shall be required for any future application submittals.

Section 2.04 Standards for Approval

A plat shall be approved if:

- A. A complete application has been submitted;
- B. The plat conforms to the general plan of the City regarding current and future streets, parks, and public utility facilities;
- C. The plat conforms to the general plan for the extension of the City and its streets and highways, within the City and its extraterritorial jurisdiction, considering access to and extension of sewer and water mains and the instrumentalities of public utilities; and
- D. The plat conforms to the requirements of this document.

Section 2.05 Decision

- A. All plat applications shall be decided within 30 days of the submission of a complete application.
- B. The Subdivision Plat shall be approved, approved with conditions, or disapproved based on its compliance with this Chapter.
- C. A subdivision plat is deemed approved unless it is approved with conditions or disapproved within 30 days of the submission of a complete application.
- D. The 30-day period may be extended for an additional period, not to exceed 30 days, upon written request of the applicant, if the City approves the extension request.
- E. Applicant Response to Conditions or Disapproval
 - 1. If an application is approved with conditions or disapproved, the applicant may submit a response to the decision.
 - 2. An applicant may submit a response on the dates that are approved for application responses, as maintained on the official City Calendar. Dates for submittal of responses to conditional approvals or disapprovals shall be no more than 15 days before any scheduled City Council meeting.
 - 3. Upon receipt of an applicant response to a plat application decision, the City Administrator, shall:
 - a) determine if the applicant response meets the following requirements:
 - 1) the response adequately addresses each condition of approval or reason for disapproval
 - 2) the response includes only those changes necessary to address the condition of approval or reason for disapproval
 - 3) the response does not include changes that are unrelated to the condition of approval or reason for disapproval

b) schedule the application for consideration by the City Council.

4. No later than the 15th day after the applicant response is submitted, City Council shall review the response and either approve or disapprove the plat. If the response adequately addresses each condition of approval or reason for disapproval, the plat shall be approved. If the response does not adequately address each condition of approval or reason for disapproval, the plat shall be disapproved.

5. If the submitted applicant response complies with the provisions of this Section, and the City Council fails to act within 15 days, the plat is approved.

6. If the City Council or their designee fails to take final action on the plat as required, the City Council shall refund the greater of the unexpended portion of any plat application fee/deposit or 50 percent of a plat application fee/deposit that has been paid and the applicant may apply to a District Court in Johnson County for a writ of mandamus to compel the City Council to issue documents recognizing the plat approval.

Section 2.06 Contacts

A. All correspondence relating to a plat application shall be submitted to the City.

B. All correspondence relating to construction documents shall be submitted to the City Engineer.

C. Fees for subdivision review and inspection shall be paid to the City Secretary.

D. Printed copies of these Platting and Land Subdivision Requirements can be purchased from the City Secretary.

E. Information regarding on-site sewage facilities may be obtained from the Johnson County Public Works department.

F. Information regarding 911 addresses may be obtained from the Johnson County 911 Administrator.

Section 2.07 Fees

A. Prior to the consideration and/or the approval of any Plat submitted to the City Council, all applicable fees shall be paid by the Owner to the City and a receipt or receipts shall be included with the submittal. The following fees have been established by the City of Godley to defray all costs associated with but not limited to the review, inspection, and maintenance of all plats and documents associated with the development of a subdivision or any part thereof. These fees shall become effective with the passage of these guidelines and will affect all subdivisions not finally approved by the City Council prior to such passage. When a Plat is filed, a separate filing fee will be assessed at the time of filing.

B. Developments submitted for approval in portions or phases shall pay fees for each portion or phase as each phase is submitted for review.

C. Fees associated with Construction Observation must be paid prior to acceptance of the Construction Plans for review and certification. Additional Final Construction Observation fees must be paid prior to filing of the Plat.

Section 2.08 Subdivision or Development Name

The proposed name of a subdivision or development shall not use a name that is the same as, similar to, or pronounced the same as a name of any other subdivision or development in the City or its ETJ , unless the land being platted is part of an approved master development plan or is contiguous to and platted by the same applicant who platted the existing subdivision bearing the name, or the applicant has obtained the written consent of the party who platted the subdivision bearing that name, or the City Administrator requires the use of the same name for purposes of clear identification.

Section 2.09 Procedure Summary

A. General Steps in the Platting Process

The following sequence applies for the platting of all land, except where the application is for a minor plat, replat or amending plat.

1. Pre-Application Conference (recommended, not required)
2. Preliminary Plat
3. Certification of construction documents for infrastructure
4. Final Plat
5. Plat Recorded with the County

B. Platting and Public Improvements

1. If a Performance Guarantee for public improvements is provided to and accepted by the City prior to action on the final plat application, then the plat shall be eligible for recording once the application is certified.
2. If a Performance Guarantee is not provided to and accepted by the City prior to action on the final plat application, then the plat may be conditionally approved. Upon construction of public improvements, and their acceptance by the City, the final plat shall be certified and is eligible to be recorded with the County.

C. A process graphic indicating the sequence of the steps involved in obtaining approval for plat applications is in Appendix B.

ARTICLE 3. PRELIMINARY PLATS

Section 3.01 General

A. Preliminary Plat Required

The Owner of a tract of land located within the city limits or extraterritorial jurisdiction must prepare a preliminary plat of the subdivision if it is the intention to divide the tract into two or more parts to layout:

1. a subdivision of the tract, including an addition;
2. lots; or
3. streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.

A division of a tract includes a division regardless of whether it is made by using metes and bounds descriptions in a deed of conveyance or in a contract for a deed, by using contract of sale or other executory contract to convey, or by using any other method.

B. Extraterritorial Jurisdiction

If the development, or any part thereof, lies within the extraterritorial jurisdiction (ETJ) of the City of Godley, a Preliminary Plat shall be submitted for approval to the City of Godley.

Where Johnson County has OSSF permitting authority in the ETJ, prior to obtaining an OSSF permit, a letter from the City of Godley must be sent to the Johnson County Public Works Department stating that the plat is in accordance with the City's most stringent platting requirements relating to lot size.

C. Exceptions to Preliminary Plat Requirements

1. A Preliminary Plat is not required if the development has 10 lots or less, the Owner does not layout a part of the tract described by Section 3.01.A.3, and no portion is located within the 100-year floodplain. Such a development is required to prepare a Final Plat in accordance with Article 4.
2. A Preliminary Plat is not required when a smaller tract is surveyed out of the parent tract solely for the purposes of obtaining financing for purchase or improvement of that part of the property, provided that possession and primary beneficial ownership of the entire parent tract are intended to remain unified, as provided that each tract has 50 feet of frontage on a City maintained road and that each tract conforms to lot size criteria set forth in Chapter 154 of the City of Godley's Code of Ordinances.

Section 3.02 Purpose

The purpose of the Preliminary Plat is:

- A. to allow the City to review the overall layout of the development with respect to lots, blocks, and subdivision design;
- B. to review preliminary plans for streets, water, sewer, OSSF, drainage and parks; and
- C. to review a concept plan and supporting project-scale plans for multi-phase projects

Section 3.03 Application Copies

The Owner shall provide two (2) hard copies of the Preliminary Plat submittal to the City Administrator and one (1) hard copy plus one (1) digital copy of the submittal to the City Engineer.

Section 3.04 Preliminary Plat Form

- A. The Preliminary Plat shall carry the legend **“PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY”**.
- B. The Preliminary Plat shall be submitted on black line paper that is 18”x24” or 24”x36” and drawn to a scale no less than 1” = 100’.
- C. Include the date of preparation and any revision dates.
- D. Scale, north arrow, date, and other pertinent data shall be oriented to the top or left side of the sheet.
- E. Contours are required for subdivisions of three (3) lots or more lots, unless otherwise specified by the City Administrator. Contours shall be at intervals of two feet (2) or less for the area with all elevations on the contour map.
- F. Include primary control points or descriptions, and ties to such control points to which all dimensions, angles, bearings, block numbers and similar data shall be referred.
- G. Include subdivision boundary lines, accurate in scale and indicated by heavy lines, of the total area proposed for subdivision. Bearing and length of each boundary line shall be shown on the plat. A description by metes and bounds of the subdivision perimeter shall be shown on the plat.
- H. Include the following information in the Title Block:
 - 1. The total number of acres per phase (if applicable) and for the entire development;
 - 2. The total number of residential lots per phase (if applicable) and for the entire development;
 - 3. The total number of dwelling units;
 - 4. The gross residential density, expressed as development units per acre,

organized by housing type: single family detached, single family attached and multifamily.

I. Include the location and dimensions of all existing and proposed rights-of-way, alleys, reservations, easements, or other public rights-of-way within the proposed subdivision, intersecting or contiguous with its boundaries or forming such boundaries. All existing, or recorded, and proposed residential lots, parks, public areas, permanent structures within or contiguous with the proposed subdivision shall be shown.

J. Areas contributing drainage to the proposed subdivision shall be shown on the preliminary plat. This includes: any watercourses, water bodies, 100-year floodplain, floodways, flood hazard areas, ravines, bridges, culverts, existing structures, drainage area (in acres) or area draining into subdivisions, and Corps of Engineers flowage easement requirements.

K. Include the location of city limit lines, the outer border of any extraterritorial jurisdiction, and zoning district boundaries, if they traverse the subdivision, form part of the boundary of the subdivision, or are contiguous to such boundary.

L. A number or letter shall be used to identify each lot and block.

M. Principal dimensions and all significant information relative to the property, within 100 feet on all sides of the subject property.

N. The following certificate shall be placed on the Preliminary Plat:

The City Council of the City of Godley, Texas on this (date), 20_____ voted affirmatively to approve this Preliminary Plat, subject to any conditions enumerated in the Minutes of this Meeting.

By: _____
Mayor

O. A declaration, confirmed by engineering analysis (unless exempted in writing by the City Engineer) and prepared by an engineer professionally licensed in the State of Texas, stating that the existing facilities serving a proposed subdivision are adequate.

Section 3.05 Property Information

A. Ownership and Representation

1. The name and address of the record owner of the property, with the volume and page of the record ownership
2. The name of the developer, if different than the owner
3. The name of the planner, engineer, or registered public surveyor preparing the drawing.

B. The Preliminary Plat shall name the responsible entity for the operation and maintenance of any road, building, park, equipment, pools, plantings, lawns, or other legal interests, if it is proposed that they are to be shared by owners of the real property within the subdivision.

C. Development Name

1. Include the name of the proposed development, under which it is to be recorded.
2. The proposed name under which the development is to be recorded shall not have the same spelling as, or be pronounced like, the name of any other development located within the City or its extraterritorial jurisdiction, including developments within five miles of the City limits.
3. If the property is part of an existing subdivision, the existing subdivision name shall be used.
4. The City shall determine if the proposed development name will conflict with existing plats.

D. Property Location

A vicinity or location map that delineates the location of the proposed preliminary plat in the City, including:

1. Boundary lines, abstract lines, survey lines, corporate boundaries, existing or proposed highways and streets, bearings, and distances sufficient to locate the exact area proposed for the subdivision;
2. The name and location of all adjoining subdivisions or property owners shall be shown in dotted lines adjacent to the tract proposed for subdivision in sufficient detail to show accurately the existing street and alleys and other features that may influence the layout of development of the proposed subdivision;
3. Adjacent unplatted land shall show property lines and owners of record.

E. Existing Conditions

1. The location and width of all streets and alleys, rights-of-ways, and easements, existing or proposed, within the subdivision limits.
2. The location of all existing development, including existing property lines, existing lot and block numbers and date recorded, buildings/building lines, existing sewer or water mains, gas mains or other underground structures, easements of record or other existing features within the area proposed for the subdivision.
3. Provide any existing tract designations or other descriptions according to the real estate records of Johnson County or County Assessor and Recorder.
4. Water courses, ravines, bridges, culverts, present structures, and any pertinent natural features in the area affected.
5. The location of all existing or abandoned oil or gas wells, oil or gas pipelines and other appurtenances associated with the extraction, storage, production and distribution of natural gas or petroleum products, and all related easements on the site or on immediately adjacent property.

6. The location and dimension of any existing structures, fences, paved areas, cemeteries, or other existing features within the proposed subdivision.

Section 3.06 Overview of Proposed Development

A. For land lying in the corporate limits of the City, describe the project and show the proposed use for each of the proposed lots along with general site design elements (building location, parking layout, landscaping, setback information, etc.).

B. If any part of the plat is not located within the corporate limits of the City, the plat shall contain a notice that the subdivision, in whole or in part, is located within the extraterritorial jurisdiction of the City of Godley.

C. The plat shall show the proposed use designation of the land within the subdivision whether for single family residential (or duplex), commercial, multi-unit residential, industrial, or public use.

D. Proposed arrangement and square footage of lots (including lot and block numbers) and proposed use of same.

E. Include front building setback lines on all lots and include side yard building setback lines at street intersections. All setback lines shall conform to Article 6 entitled Design Criteria.

F. Include the location and dimensions of all proposed lots and blocks with bearings, distances, and all relevant curve data.

G. The approximate dimension, location, and area of all parcels of land to be set aside for public or private parks, playgrounds, or other common use of property, including area set aside for common use by the homeowners' association in the proposed subdivision. Parkland dedication shall be shown on the plat.

Section 3.07 Streets/Roads

A. Indicate all existing and proposed streets within and abutting the proposed subdivision.

B. Proposed Street names are required to be shown on all new streets. Approved street names are required at the time the final plat is submitted. A letter so stating is required from the Johnson County 911 Addressing Department.

C. Include cross-sections of proposed street improvements.

D. The dedication of rights-of-way for streets and street improvements, whether on-site or off-site, intended to serve each proposed phase of the subdivision shall be shown along with the proposed roadway improvements for each section.

E. All pavement widths shall be dimensioned perpendicular to the direction of travel and clearly shown on the Preliminary Plat.

F. When the Preliminary Plat includes curved roads, all relevant curve data shall be clearly shown.

G. If entrances or driveways are proposed fronting Texas Department of Transportation (TxDOT) controlled highways, farm-to-market roads, or others, copies of correspondence with TxDOT are required to be submitted with the Preliminary Plat stating that the general entrance or driveway configuration is within TxDOT's guidelines. Formal approval of the layout from TxDOT is required prior to approval of Final Plat.

H. Any proposed supplemental transportation systems shall include layout and dimensions of walkways, sidewalks, bike trails, and other related improvements.

I. Traffic Studies

1. The purpose of this Section shall be to establish policies governing traffic flow and safety on street facilities within the city limits. The purpose of these policies is to protect the general health, safety, and welfare of the public by reducing traffic congestion, improving traffic safety and flow, and ensuring that traffic to be generated from the proposed development can be adequately and safely served by the existing and future street system.

2. All proposed single-family (100 lots or greater), multi-unit residential, or non-residential developments are required to submit a Trip Generation Threshold Analysis Worksheet (see *Appendix D*), prepared by a Licensed Professional Engineer in the State of Texas, with experience in Transportation Engineering, to determine if the development is expected to generate:

a. 1,000 or more vehicle trips per day; or

b. 100 or more vehicle trips in the peak direction (i.e., inbound or outbound) during the site's peak traffic hour (typically AM, PM or Saturday peak); or

c. 100 parking spaces per driveway.

3. Three (3) copies of the Trip Generation Threshold Analysis Worksheet and/or Traffic Impact Analysis (TIA) shall be submitted for review concurrently with the submittal of the Preliminary Plat.

4. If required by criteria determined through completion of Threshold Analysis, a TIA shall be prepared and sealed by a Licensed Professional Engineer in the State of Texas with experience in Transportation Engineering.

5. Prior to Preliminary Plat approval, revisions to the TIA shall be made, as required by the City.

6. The City Council shall determine whether the proposed streets and street improvements are adequate, pursuant to standards herein established, and may require that a traffic impact analysis be submitted for the entire project or such phases as the Council determines to be necessary to adjudge whether the subdivision will be served by adequate streets and thoroughfares.

J. Private Roads

1. Private roads will only be allowed in subdivisions where the roads will be

owned and maintained by the owner in the subdivision (Homeowners Association, or the equivalent).

2. All roads must meet city standards, except where specific variance has been granted by the City Council for adequate cause in each case.

a. Where specific variance has been granted from city standards, at the discretion of the City Council, there may be no further subdivision of lots.

3. The Plat and Subdivision Restrictions must contain a statement that the City of Godley will never accept or maintain the roads unless they meet city standards in effect on the date of acceptance.

4. The Plat and Subdivision Restrictions must contain a statement that the roads will be maintained in perpetuity by the owners in the subdivision (Homeowners Association, or the equivalent) and must contain a mechanism for assessing the owners to produce adequate revenue for perpetual maintenance. The provisions for perpetual maintenance shall be submitted with the Plat for review.

5. The Plat must contain a requirement that every deed contain a notice to the grantee that all roads and streets are private, that the owners will be perpetually liable for the maintenance, that the City has no intent to accept it for maintenance, and that the quality of the roads and streets affect access by public services such as police, fire, and EMS.

6. The Owner will place a sign at the entrance of the subdivision clearly stating that the roads are private roads and that "City Maintenance Ends".

7. The Owner is required to form a homeowner's association with assessment authority. Membership in the association will be mandatory for each lot owner of the private subdivision. The association will be responsible for the maintenance of the roads in the subdivision.

8. Any Owner that gates the entrances to the subdivision shall provide either a crash gate or a lock box and a letter of approval from all affected emergency response agencies stating their approval of full-time access to the subdivision.

9. No private roads may be constructed connecting to existing private roads. Proposed private roads must have access to a City, County, or State maintained road.

Section 3.08 Drainage

A. The Preliminary Plat submittal shall include a Drainage Area Map showing topographical information, including contour lines on a basis of five (5) foot intervals or less. All elevations shall be on National Geodetic Vertical Datum (NGVD) or referenced to a benchmark on the same datum. The datum used shall be specified on the drawing.

B. Any proposed changes in topography shall be shown by contour lines on a basis of five (5) foot intervals.

C. Include a description of contributing drainage to the proposed subdivision. The

submittal shall include the area, slope, and type of development in the contributing area.

D. All drainage calculations must be prepared and sealed by a Licensed Professional Engineer in the State of Texas.

E. Include the locations of discharge for drainage from the proposed development, including contributing areas. All drainage must be planned and constructed in the best interests of the immediate and adjacent properties.

F. Indicate the location, dimension, description, and flow line of existing and proposed drainage structures and the location, flow line and the 100-year flood plain and floodway boundaries of existing water courses within the subdivision or contiguous tracts.

G. Areas contributing drainage to the proposed subdivision shall be shown on the drainage plan. This includes: any watercourses, water bodies, 100-year floodplain, floodways, flood hazard areas, ravines, bridges, culverts, existing structures, drainage area (in acres) or area draining into subdivisions, and Corps of Engineers flowage easement requirements.

H. Natural features, including significant tree masses, slopes, the outline of major wooded areas, the location of major or important individual trees or other natural features within the area to be subdivided, or any similar natural feature located outside the area, but which contributes to the assessment of the drainage plan submitted by the applicant, shall also be indicated.

I. Locations proposed for drainage discharge from the site shall be shown by directional arrows.

J. Location and size shall be indicated for all watercourses.

K. Include the width of drainage and other easements.

L. Drainage Study

The purpose of this section shall be to establish the policies governing drainage flow and safety from flooding. The purpose of these policies is to protect the general health, safety, and welfare of the public by reducing the risk of flooding private property and public rights-of-way. This section is to ensure that the proposed development can be adequately served by existing and proposed drainage facilities.

1. A Drainage Study is required for any property which lies partially or wholly within a flood hazard area, as delineated by the current Flood Insurance Rate Maps, as provided by FEMA, and shall be submitted with the Preliminary Plat.

2. The Drainage Study shall be prepared and sealed by a Licensed Professional Engineer in the State of Texas.

3. If any portion of the floodway is proposed to be modified, the Owner shall prepare a submittal to FEMA for a formal map revision. The Owner shall provide a copy of the submittal to the City.

4. Prior to Preliminary Plat approval, revisions to the Drainage Study shall be

made as required by the City. If a FEMA submittal is required, then approval must be received from FEMA prior to Preliminary Plat approval.

5. Building shall not be permitted within the breach inundation limits of a flood control structure, as determined by a breach analysis performed to evaluate a Natural Resources Conservation Service (NRCS) regulated flood control structure or a dam as defined by Texas Commission on Environmental Quality (TCEQ). A breach analysis must be signed and sealed by a Licensed Professional Engineer in the State of Texas.

Section 3.09 Public and Private Utilities

A. The Preliminary Plat shall include all existing sewers, water mains, gas mains, electric and telephone lines, culverts, or other underground structures or utilities within the tract and immediately adjacent thereto with pipe sizes and locations indicated.

B. Clearly indicate the source of the proposed water supply such as, but not limited to, municipal water, water supply corporation, private water system including the size and location of all proposed water distribution mains, including any necessary meters, valves, and fire hydrants. If a public water purveyor is the intended source of water supply, documentation confirming that the development lies within the intended Certificate of Convenience and Necessity (CCN) must be provided. If the development is outside the intended purveyor's CCN, an application for acceptance into the CCN must be submitted prior to acceptance of the Preliminary Plat and a letter of acceptance from the purveyor shall be provided prior to submitting the Final Plat.

C. Clearly indicate the method of sanitary sewage treatment and/or disposal such as, but not limited to, municipal sewer service, private sewage disposal system and on-site sewage facilities including the size and location of all proposed sewer mains and manholes. Preliminary grades for each main between manholes and the depth at each manhole shall also be shown.

D. In the case of an on-site sewage facility, the Owner shall be responsible for providing a Development Plan, as performed by a Registered Sanitarian, a Licensed Professional Engineer, or person certified as required by TCEQ Title 30 TAC Chapter 285. The sewage disposal plan shall be performed according to rules and regulations established by the Johnson County On-Site Sewage Facility Order and TCEQ Title 30 TAC Chapter 285.

E. Where Johnson County has OSSF permitting authority in the ETJ, prior to obtaining an OSSF permit, a letter from the City of Godley must be sent to Johnson County Public Works stating that the plat is in accordance with the most stringent platting requirements relating to lot size.

Section 3.10 Concept Plan

A. A Concept Plan is required when:

1. The total land area of contiguous parcels under the same ownership and control is greater than one square mile (640 acres); and
2. The area is located wholly or partially within the City of Godley or is proposed

for annexation by the City.

B. A Concept Plan shall include the following information:

1. A site inventory analysis including a scale drawing showing natural features including:
 - a. Water courses, creeks, or bodies of water
 - b. An analysis of planned changes in such natural features as a result of the proposed development
 - c. A delineation of any flood prone areas
2. A scaled drawing showing:
 - a. Any proposed public or private streets and/or alleys
 - b. Building sites or lots
 - c. Areas reserved as parks, parkways, playgrounds
 - d. Utility easements
 - e. School sites
 - f. Street widening and street changes
 - g. Points of ingress and egress from existing streets
 - h. General location and description of existing and proposed utility services, including size of water and sewer lines
 - i. The location and width of all curb cuts on existing streets
 - j. The land area of all abutting sites and an accurate survey of the tract with a topographical contour interval of not more than five feet (5')
3. A site plan for proposed building complexes showing:
 - a. The location of separate buildings
 - b. The minimum distance between buildings
 - c. The minimum distance between building and property lines
 - d. Street and alley lines
 - e. The arrangement and provision of off-street parking
 - f. The size and location for ingress and egress to any nonresidential uses
4. A landscape plan showing:
 - a. Turf areas
 - b. Screening walls
 - c. Ornamental plantings
 - d. Any wooded areas
 - e. Trees to be planted
5. An architectural plan showing building elevation and signage style to be used throughout the development.
6. Any supplemental data describing standards, regulation, or other data pertinent to the development.

Section 3.11 Phasing

Where a subdivision is proposed to occur in phases, the subdivider, in conjunction with submission of the preliminary plat, shall provide a schedule of development.

Section 3.12 Owner's Statement

The Owner shall submit, along with the Preliminary Plat, a statement regarding the plan for providing water, sewer, electric, telephone, and any other necessary utilities to the individual lots located within the subdivision.

In addition, the Owner shall also submit a signed statement including, but not limited to, the following:

A. The source of water to be provided to the lots located within the subdivision should be submitted including the results of research performed by the Owner to ensure the proposed water supply will meet and exceed the anticipated demands based on projected population number and density. If water service is to be provided by a public or private water purveyor, a letter of agreement from the purveyor to provide water service to the proposed subdivision shall accompany the Preliminary Plat submittal. The letter shall provide the name, address, and telephone number of the public or private water purveyor. Should the source of water supply intended for the subdivision be groundwater, the plat application shall have attached to it a statement in accordance with TCEQ Title 30 TAC Chapter 230, that is prepared by a Licensed Professional Engineer in the State of Texas, certifying that adequate groundwater resources are available for the proposed subdivision in accordance with the criteria set forth by the Texas Commission on Environmental Quality. Groundwater certification, in accordance with TCEQ Title 30 TAC Chapter 230, is not required to be submitted for developments with 10 lots or fewer. However, developments with 10 lots or fewer are required to provide a letter agreement from the water purveyor with the Plat submittal. Regardless of the number of lots proposed, all developments proposed to be served by groundwater must comply with the requirements set forth by the Prairielands Groundwater Conservation District (PGCD). This includes, but is not limited to, proper registration applications, tract sizes, spacing, fees, metering, etc. PGCD may require a water model/study be prepared. At a minimum, the Plat shall contain a statement notifying potential lot owners that the development lies within the PGCD and all registration and permitting requirements must be adhered to.

B. The type of sewage collection and disposal system that will be used to accommodate the subdivision should be submitted whether public sewage collection and/or disposal system, a private sewage collection and/or disposal system, or on-site sewage facilities. If a public or private sewage collection and/or disposal system is to be provided, a letter of agreement from the provider to supply a sewage collection and/or disposal system shall accompany the Preliminary Plat submittal. The letter shall provide the name, address, and telephone number of the sewage collection and/or disposal system provider.

C. Provide a document that clearly and completely defines all restrictions that will affect any lot within the subdivision when offered for sale or conveyed at any time. The document shall also indicate that each purchase contract made between an Owner and a purchaser of land in the subdivision shall contain a statement describing the extent to which water will be made available to the subdivision and, if it will be made available, how, and when.

Section 3.13 Expiration

A. A Preliminary Plat shall expire one (1) year from the date that it is approved if no complete final plat application has been submitted for any phase or portion of the property for which the Preliminary Plat was approved.

B. The City Council may grant an extension or extensions for the Preliminary Plat for periods not to exceed 12 months each if the delay is due to the required approval of other governmental agencies or legal proceedings related to the proposed subdivision, and the following conditions apply:

1. if agreed to in writing by the applicant and approved by the City Council,
2. if Chapter 2007 of the Texas Local Government Code requires the City to perform a takings impact assessment in connection with the Plat application, and
3. if it applies only to a decision wholly within the control of the City Council. It is to be understood that recommending approval of the Preliminary Plat by the City Council does not constitute official acceptance of the proposed subdivision by the City. There shall be no work done in the field on the proposed subdivision until the Final Plat has been approved (preliminary site grading will be considered on a case-by-case basis, but only after submittal, approval, and installation of an erosion control plan).

C. The City Council will make the determination of whether an extension will be granted no later than the 20th business day after the date the completed Preliminary Plat application has been received.

ARTICLE 4. CERTIFICATION OF CONSTRUCTION DOCUMENTS

Section 4.01 Expiration

A Letter of Certification of Construction Documents is required in the final plat application. A Final Plat Application is not complete if a Letter of Certification of Construction Documents is not included in the application.

Section 4.02 Certification Process

A. The developer shall submit the construction documents identified in this section to the City Engineer, in the prescribed format.

B. The City Engineer will review the documents and, once the documents comply with the City's standards, the City Engineer will issue a Letter of Certification.

C. Once the developer receives the Letter of Certification of Construction Documents, the Final Plat Application can be submitted. The Letter of Certification shall be included in the Final Plat Application.

D. A Letter of Certification shall be valid for one (1) year. If the Letter of Certification expires, a new application for a Letter of Certification will be required. The City may grant an extension before expiration of an existing Letter of Certification, if petitioned by the developer and:

1. Authorized construction has begun but is not completed; or
2. A performance guarantee for public improvements has already been accepted by the City and the plat has been approved.

Section 4.03 Content

A. Provisions shall be made throughout construction to preserve and protect mature trees on site. A note must be included on the Construction Plans to this effect.

B. All improvements shall be designed in accordance with Article 6 entitled Design Criteria referenced as part of these Guidelines.

C. Copies of complete construction plans, specifications, engineering calculations, and detailed cost projections, for streets, drainage, sanitary sewers, water distribution, and any other improvements to be constructed, shall be required to be submitted with the Final Plat. Construction plans must be 100% complete at the time of submittal. Any incomplete sets of Construction Plans shall be returned unreviewed.

D. The Construction Plans shall be submitted on standard 24" x 36" sheets.

E. Each sheet of the Construction Plans shall contain a title block, including space for the notation of revisions. This revision block is to be completed with each revision to the plan sheet and shall clearly note the nature of the revision and the date that the revision was made.

F. Each sheet of the Construction Plans shall include a north arrow, scale, date, and

benchmark description to a NGVD datum. Scales shall be no less than 1- inch equals 40 feet horizontally and 1-inch equals 4 feet vertically.

G. Each sheet shall bear the seal and signature of the Licensed Professional Engineer in the State of Texas who is responsible for the preparation of the plans.

H. The cover page of the Construction Plans shall bear a signature block for approval for construction as follows:

These Construction Plans have been approved by the City of Godley. They have been reviewed for general conformance with the Rules for Platting and Land Subdivision. This approval does not relieve the Design Engineer nor the Contractor from their responsibilities for the accuracy or correctness of the Plans and Specifications. Construction not commenced within one (1) year of the signature date below shall expire.

City Engineer: _____

Date: _____

Section 4.04 Paving Plans

A. The Construction Plans shall include a plan and profile of each street with stationing, top of curb grades, if applicable, or street center line, borrow ditch flow line and existing and proposed ground lines. A typical cross-section of proposed streets shall show the width of roadway, pavement type, and roadway ditch dimensions as detailed in Article 8 – Construction Details. Plans and Specifications shall conform to Article 10 entitled Design Criteria referenced by these Guidelines.

B. A Geotechnical Report which includes recommendations for pavement thickness and subgrade design shall be submitted with the Construction Plans. Two (2) copies of the geotechnical report shall be submitted with the Construction Plans.

C. The Construction Plans shall clearly show the street grades, elevations, and vertical curve information.

Section 4.05 Onsite Sewage Facility Plans

At the discretion of the City Engineer, there may be special circumstances when on-site sewage facilities are proposed to be used, where the construction plans shall clearly show that such systems are not in conflict with any existing or proposed wells or that such systems will not be situated within a flood plain.

Section 4.06 Storm Drainage Plans

A. The construction plans shall include a plan and profile of proposed storm sewers or channels, showing stationing, hydraulic data, pipe grades and sizes, manholes, inlets, pipe connections, outlet structures, etc., in conformance with Article 10.1

B. The construction plans shall include a drainage area map of the subdivision showing the entire watershed (a U.S.G.S. quadrangle is satisfactory) and the limits of all on-site

and off-site runoff draining to the project.

C. The construction plans shall include calculations showing the anticipated storm water flow, including watershed area, percent runoff, runoff coefficients, storm intensity and time of concentrations showing basis for design.

D. The construction plans shall include a detailed plan for any bridges, culverts, catch basins, any other drainage structures, or any other improvements to be made and shall include all the following:

1. The open channel or storm drain grades, design flow of water, design depth of water and design velocity of water and capacity.
2. A plan and profile of all culverts and bridge class drainage culverts under any street with the design flow of water, headwater and tailwater depth, freeboard, and tailwater velocity.
3. The size of all driveway culverts to carry the design flow of water at each point of installation, including design flow and velocity data.
4. A grading plan is required for the inlet and outlet of all bridge class drainage culverts, box culverts, multiple barrel culverts, and culverts 36-inches and larger.
5. Typical borrow ditch sections and the width of any right-of-way or easement needed.
6. A summary sheet of all drainage facilities.
7. The seal and signature, prominently displayed on each sheet, of the Licensed Professional Engineer responsible for the design.

Section 4.07 Water Line Plans

When water lines are planned to serve the subdivision, the construction plans are required to include a water line layout showing proposed locations of water lines, valves, fire hydrants, fittings, water services, etc., in conformance with Article 10 – Design Criteria.

Water line profiles should be shown for water lines 12-inches in diameter and larger, detailing proposed pipe depths. The seal and signature of the Licensed Professional Engineer responsible for the design shall be prominently displayed on each sheet.

Section 4.08 Sanitary Sewer Plans

When sanitary sewers are planned to serve the subdivision, the construction plans are required to include a sanitary sewer plan and profile with proposed grades and pipe sizes indicated and showing locations of sanitary sewer manholes, sewer services etc., in conformance with Article 10 – Design Criteria. The seal and signature of the Licensed Professional Engineer responsible for the design shall be prominently displayed on each sheet.

Section 4.09 Erosion Control Plan

The Owner must submit an erosion control plan that complies with Article 10 entitled Design Criteria.

Section 4.10 Traffic Control Plan

The Owner must submit a traffic control plan, in accordance with the latest edition of the Texas Manual on Uniform Traffic Control Devices (TxMUTCD), that will be employed during the period of construction of the development.

ARTICLE 5. FINAL PLATS

Section 5.01 General

A. No subdivision of land shall be allowed without proper submittal, approval and adoption of a Final Plat prepared by a Registered Professional Land Surveyor and Construction Plans prepared by a Licensed Professional Engineer unless statutorily exempt from platting.

B. A Final Plat shall not be considered unless it is preceded by an approved Preliminary Plat, if required.

C. There shall be no work done in the field on the proposed development until the Final Plat has been approved (preliminary site grading will be considered on a case-by-case basis, but only after the submittal, approval, and installation of an erosion control plan).

Section 5.02 Application

A. When the Owner is ready to submit the Final Plat Package to the City Council, the Owner shall provide two (2) mylar copies of the Final Plat, four (4) paper copies of the Final Plat, along with three (3) copies of complete Construction Plans, and original tax certificates from the Johnson County Appraisal District and Johnson County Tax Assessor/Collector. The Plat must contain the following: Owner's signature, Notary acknowledgement of Owner's signature including notary seal, and the Registered Professional Land Surveyor's signature and seal.

For review purposes, one (1) additional copy of the Final Plat Package and one (1) additional set of Construction Plans shall be provided for the City Engineer by the Owner. The submittal shall include payment of the required Review fees and submittal of a Subdivision Review Application. No Final Plat will be considered for review by the City until all the prescribed review fees have been paid in full.

B. Upon receipt of the Final Plat Package, Construction Plans, and the required filing fees, the City Engineer and Mayor shall check for conformity with applicable engineering standards and specifications set forth herein, as well as with generally accepted engineering principles when not covered specifically herein. In addition, the City Engineer shall check the Final Plat as to its conformity with the City's lot size requirements, subdivision and street name requirements and other applicable standards. The City Engineer shall return the documents to the City Council with suggestions as to modifications, additions, alterations, or other matters pertinent to the Final Plat and the Construction Plans.

C. If desired by the Owner and approved by the City Council, the Final Plat may constitute only that portion or phase of the approved Preliminary Plat which the Owner proposes to record and develop; however, such portion or phase shall conform to all the requirements of these Guidelines.

D. If Final Plats are submitted for approval by portions or phases of the proposed subdivision, each portion or phase shall carry the name of the entire subdivision and shall bear a distinguishing letter, number, or subtitle. Block letters shall run consecutively throughout the entire subdivision, even though such subdivision might be approved in

phases. If submitted in portions or phases, any Final Plat submitted more than 12 months after approval of the Preliminary Plat shall be subject to all requirements and standards of the then existing Development Guidelines.

Section 5.03 Review Fee

When the Final Plat is submitted to the City Council for consideration and adoption, it shall be accompanied by the appropriate fees as specified by the City's fee schedule.

Section 5.04 Final Plat Form and Content

The Final Plat shall include the following information:

- A. The Final Plat shall carry the legend "Final Plat."
- B. The Final Plat shall be drawn to a scale no less than 1" = 200' on an 18" x 24" or a 24"x36" sheet.
- C. Include the name of the proposed Development, the name, address, telephone, and fax (if applicable) numbers of the Owner (shall include the name of designated representative for development groups) and the Engineer or Surveyor responsible for the design or survey, tract designation, and other descriptions according to the abstract and survey records of Johnson County, Texas.
- D. If a public water purveyor is the intended source of water supply, documentation confirming that the development lies within service area of the Certificate of Convenience and Necessity (CCN) of the public water purveyor, a copy of the CCN must be provided. If the development is outside the intended purveyor's CCN, a letter of acceptance from the purveyor shall be provided prior to submitting the Final Plat.
- E. If the intended source of water is groundwater, then regardless of the number of lots proposed, all developments proposed to be served by groundwater must comply with the requirements set forth by the Prairielands Groundwater Conservation District (PGCD). This includes, but is not limited to, proper registration applications, tract sizes, spacing, fees, metering, etc. At a minimum, the Final Plat shall contain a statement notifying potential lot owners that the development lies within the PGCD and all registration and permitting requirements must be adhered to.
- F. The Final Plat shall include the boundary lines with accurate distances and bearings and the exact location and width of all existing or recorded streets intersecting the boundary of the tract.
- G. The Final Plat shall include an accurate location of the subdivision with reference to the abstract and survey records of Johnson County, Texas.
- H. The Final Plat shall include the location of city limit lines, the outer border of any extraterritorial jurisdiction, and zoning district boundaries, if they traverse the subdivision, form part of the boundary of the subdivision, or are contiguous to such boundary.

Otherwise, the Final Plat shall contain a notice that the subdivision or any part thereof is not located within the extraterritorial jurisdiction of any municipality. Where Johnson

County has OSSF permitting authority in the ETJ, prior to obtaining an OSSF permit a letter from the City must be sent to Johnson County Public Works stating that the plat is in accordance with the City's most stringent platting requirements relating to lot size.

I. The Final Plat shall include the exact layout including, but not limited to:

1. Street names.
2. Length of all arcs, radii, internal angles, points of curvature, length and bearing of the tangents.
3. All easements or rights-of-way provided for public services or utilities and any limitations of the easements including the following statements (if applicable):

Utility Easements:

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

Public Open Space Restriction:

No structure, object, or plant of any type may obstruct vision from a height of thirty (30) inches to a height of ten (10) feet above the crown of the road, including, but not limited to buildings, fences, walks, signs, trees, shrubs, cars, trucks, etc., in the public open space easement as shown on the plat. These open space easements will remain in effect until vacated by an Ordinance issued by the City Council and the property replatted.

Drainage Easement Restriction:

No construction or filling without the written approval of the City Council, shall be allowed within a drainage easement. No obstruction to the natural flow of water shall occur.

Floodway Easement Restriction:

No construction, without the written approval of the City Council, shall be allowed within a floodway easement, and then only after detailed engineering plans and studies show that no flooding will result, that no obstruction to the natural flow of water will result. Where construction is permitted, all finished floor elevations shall be a minimum of three (3) feet above the 100-year flood elevation.

4. All lot numbers and lines with accurate dimensions in feet and hundredths of feet with bearings and angles to street and alley center lines.
5. Accurate location, material, and approximate size of all monuments, including the location of a minimum of two permanent benchmarks on or referenced to NGVD datum used to establish the 100-year flood plain and minimum finished floor elevations.
6. Accurate outline of all property which is offered for dedication for public use with the purpose indicated thereon, and of all property that may be reserved by deed covenant for the common use or maintenance of the property owners in the subdivision.
7. Building front, rear, and side setback lines shall be in conformance with Article 10 – Design Criteria. Lot widths shall be provided on the front building setback line where the lot width of the setback line differs from the width at the lot frontage.
8. North arrow, drawing scale, date of preparation and a vicinity map.
9. Certification by a Registered Professional Land Surveyor to the effect that the plat represents a survey made by the surveyor and that all the monuments shown thereon actually exist, and that their location, size and material description are correctly shown.

**STATE OF TEXAS §
 § *CERTIFICATE OF SURVEYOR*
COUNTY OF JOHNSON §**

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

(Surveyor's Seal)

Registered Professional Land Surveyor

Date

10. A certificate of ownership and dedication of all public streets, alleys, and easements (as applicable) to public use forever, signed and acknowledged before a Notary Public by all owners and Lien Holders of the land, along with a complete and accurate metes and bounds description of the land subdivided and the streets dedicated. For private subdivisions, the entity responsible for maintenance should be named.

STATE OF TEXAS §
 § OWNER'S ACKNOWLEDGMENT &
 § DEDICATION
COUNTY OF JOHNSON §

I (we), the undersigned, owner(s) of the land shown on this plat within the area described by metes and bounds as follows:

(Metes and Bounds Description of Boundary)

and designated herein as a subdivision to Johnson County, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, water courses, drains, easements, rights-of-way and public places thereon shown for the purpose and consideration therein expressed.

Owner

Date

STATE OF TEXAS §
 §
COUNTY OF JOHNSON §

BEFORE ME, the undersigned authority, on this day personally appeared _____, 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 stated.

Given under my hand and seal of office this ____ day of _____, 20____.

NOTARY PUBLIC

_____ **County, Texas**

11. Signature block, as shown below, to be completed by the City Council.

The City Council of the City of Godley, Texas on _____, 20____,

Voted affirmatively to adopt this plat and approve it for filing of record.

By: _____
Mayor

Attest: _____
City Secretary

12. Lots located within or adjacent to the 100-year flood plain shall be clearly labeled with the minimum recommended finished floor elevation which shall be

no less than three (3) feet above the 100-year flood plain elevation. In addition, the plat shall contain a notice which states that no house shall be built in a 100-year flood plain unless it is in compliance with the minimum finished floor elevation requirements.

13. The Final Plat shall contain a notice that due to unknown locations of underground utilities, in particular gas and oil facilities, the Owner is to make known all locations of existing pipeline and/or easements, including blanket easements, across the property.

14. Private Roads

See Section 3.07 J, Private Roads, for requirements.

Section 5.05 Supporting Documentation

A. Letter of Certification of Construction Documents

1. Before filing a final plat application, the developer shall apply for a Letter of Certification of Construction Documents, in accordance with Article 4: Certification of Construction Documents.

2. The Letter of Certification shall be included as supporting documentation in the Final Plat Application.

3. The City Engineer issues all Letters of Certification of Construction Documents.

4. For multi-phase projects, the infrastructure documents are only required for the phase for which the final plat will be submitted.

B. Performance Guarantee for Public Improvements

1. Applicability

A performance guarantee shall be required of a developer whenever public infrastructure, other than gas and electric lines, are required for a plat. Such surety shall be for the faithful performance, installation, and completion of the improvements.

2. Deadline for Submittal

The developer shall submit the performance guarantee at least 10 days prior to the date that the final plat is to be decided.

3. Approval of City Attorney Required

The performance guarantee shall require approval by the City Attorney prior to action by the City Council on the plat.

4. Cost Estimate for Improvements

- a. The project engineer shall prepare, and the City Engineer shall review, an estimation of probable construction costs for all improvements to be made in the development by the developer.
- b. The cost estimate shall be for all improvements required by the City, other than gas and electric lines.
- c. The cost estimate must be approved by the City Engineer prior to the City's acceptance of the performance guarantee.
- d. All site improvement estimates submitted to the City Engineer shall detail the specific improvements needed and shall bear the seal and signature of the project engineer, who shall be a Licensed Professional Engineer, attesting to the accuracy of the dollar amounts contained in the estimate.

5. Amount

The amount of the Performance Guarantee shall equal 110 percent of the cost estimate, as approved by the City Engineer, with the condition that the developer shall complete such improvements and have them pass a final inspection by the City Engineer within two (2) years from the date of final plat approval or shall have received an approved extension at least thirty (30) days prior to the expiration of the performance bond.

6. Types of Guarantees Accepted by the City

Either of the following may be accepted as a performance guarantee, provided that the conditions herein are met.

a. Performance Bond

A single performance bond shall be executed by a surety company licensed in the State of Texas and listed at the time of bond submission on the Texas Department of Treasury's Listing of Approved Sureties. A performance bond must be claimable through a Texas office designated on the bond. The City Administrator is authorized to sign the bond instrument on behalf of the City, and the City Attorney shall approve the same as to form prior to acceptance of the performance bond.

b. Letter of Credit

The developer shall provide a single, irrevocable letter of credit issued by a bank that is licensed to do business in the State of Texas. The letter of credit must be drawable through a Texas office and must state that the issuer will honor drafts or other demands for payment upon compliance with the conditions specified in the letter of credit. The City Administrator is authorized to sign the agreement on behalf of the City, and the City Attorney shall approve the same as to form prior to acceptance of the letter of credit.

7. Inspection and Approvals

- a. All infrastructure construction may be periodically inspected by the City while in progress.
- b. All infrastructure construction must be approved by the City Engineer.

8. Expiration of the Guarantee

- a. The financial guarantee shall bear an expiration date. The City Administrator shall set the expiration date based on the nature of the project and anticipated timeline for completion of the public improvements. The performance guarantee shall be retained by the City Administrator until all improvements have been completed and accepted by the City.
- b. If all improvements have not been completed and accepted by the City 30 days prior to the expiration of the performance guarantee, the City Administrator may either present the performance guarantee for immediate payment or allow for an extension up to six (6) months.

9. Return of the Guarantee to the developer

- a. Upon final inspection and acceptance of improvements by the City, the performance guarantee will be returned to the developer.
- b. The release of any performance guarantee is conditioned upon acceptance of a maintenance bond, when applicable.
- c. If the plat is withdrawn prior to consideration by City Council, or if the plat is disapproved by City Council, the financial guarantee will be returned to the issuer within 30 days.

10. Partial Return and Replacement of the Guarantee

- a. As portions of the public improvements are completed, in accordance with the approved engineering plans, the developer may make written application to the City to replace the original performance guarantee with a new guarantee of a reduced amount.
- b. When 50 percent of the required site improvements have been completed and approved in writing by the City Engineer, the developer may replace the original guarantee with a new single guarantee in the amount equal to the cost of the required improvements that are remaining.
- c. A developer may request one additional replacement of the performance guarantee with a new single guarantee for an amount equal to the cost of the required improvements that are remaining. No replacement guarantee may be for an amount less than 20 percent of the total amount of the original guarantee.

d. Any replacement guarantee must be approved in writing by the City Administrator.

e. In no event shall the substitution of one guarantee for another in any way change or modify the terms and conditions of the performance agreement or the obligations of the developer as specified in the performance agreement.

f. A lot must have permanent street access installed to it prior to any release, replacement, or return, whether whole or in part.

11. Optional Alternative for Conditional Plat Approval and Deferred Recordation

The applicant may opt to construct the public improvements in lieu of providing a performance guarantee. In such cases, the approval of a compliant final plat would be conditional, deferring certification of the plat and subsequent recordation until the infrastructure was complete, accepted by the City and appropriately warrantied, in accordance with this Chapter.

After the conditional approval of the final plat, the developer is authorized to construct the required public infrastructure, in accordance with the construction documents that were certified by the City Engineer. Once all required public infrastructure has been built, inspected, and accepted by the City, and once the required warranty agreement for the infrastructure has been accepted by the City, the plat will be certified and may be recorded.

C. Letters of approval for acceptance by the following entities and/or utilities as affected by the property being platted.

1. Electric
2. Natural Gas
3. Telephone
4. School District (for proposed developments of 25 lots or more)
5. Texas Department of Transportation
6. Any other holder of dedicated easements or rights-of-way within or immediately adjacent to property.

D. A letter of approval from the County 911 Service Administrator is required for street names and street address numbering of all houses or other buildings contemplated to be erected within the subdivision as developed.

E. If on-site sewage facilities are to be used, the OSSF application (including required planning materials) shall be submitted with the Final Plat in accordance with TCEQ guidelines and the Johnson County On-Site Sewage Facility Order.

F. If entrances or driveways are proposed for the development fronting TxDOT controlled highways, farm-to-market roads, or other roads, copies of appropriate

correspondence (including traffic studies) with TxDOT showing approval for construction is required to be submitted with the Final Plat.

G. A Drainage Plan of the property being platted.

See Section 3.08, Drainage, for requirements.

H. Subdivision Restrictions

The Final Plat Package shall include a copy of the subdivision's restrictions, or the restrictions can be included on the plat, and shall include but not be limited to the following:

1. If sewage disposal is by means of on-site sewage facilities, a permit must be obtained for each lot.
2. Statement that aerobic treatment system performance cannot be guaranteed, even though all provisions of the Johnson County rules for private sewage facilities are complied with.
3. Inspection and/or acceptance of a private sewage facility by Johnson County shall indicate only that the facility meets the minimum requirements and does not relieve the property owner of the responsibility to comply with County, State and Federal regulations.
4. On-site sewage facilities, although approved of meeting minimum standards, must be upgraded by the property owner at the property owner's expense if the normal operation of the facility results in objectionable odors, if unsanitary conditions are created or if the facility, at any time, does not comply with governmental regulations.
5. A properly designed and constructed on-site sewage facility, situated in suitable soil, may malfunction if the facility is not properly maintained and controlled. Therefore, it shall be the property owner's responsibility to maintain and operate the on-site sewage facility in a satisfactory manner.
6. On-site sewage facilities must be designed in accordance with the rules established by Johnson County and the TCEQ. Design shall be based on the results of a site evaluation performed on each lot.
7. Only one single-family residence or duplex shall be located on a lot when an on-site sewage facility is used and only one single-family residence or duplex shall be connected to said facility.
8. Buildings to be built on lots which are lower than the road or roads on which they front and/or abut shall be built such that the minimum finished floor elevation is at least 1-foot above the proposed grade of the yard adjacent to the building. This is to reduce the risk of damage to building that may be caused by storm water drainage.
9. No building shall be built in a 100-year flood plain unless the minimum recommended finished floor elevation is complied with. In no case shall the

minimum finished floor elevation be less than three (3) feet above the 100-year flood plain elevation.

10. Any filling or obstruction of the floodway or drainage easements is prohibited.

11. Any driveway culverts, if necessary, are to be installed by the property owner and in accordance with the policies of the City and shall be sufficiently sized to pass the 10-year storm. In no case shall a driveway culvert be less than 18-inches in diameter.

12. The driveway above a culvert should be constructed such that the driveway is at least six (6") inches below the outside edge of the main roadway. This will reduce the risk of water, which exceeds the capacity of the culvert, flowing over the culvert and entering the roadway.

13. Any underground utility company shall be contacted to verify depth and locations of utilities prior to any excavation occurring on the lot.

14. The City of Godley will not accept nor maintain private roads.

15. Private roads will be maintained in perpetuity by the owners in the subdivision, and a mechanism must be in place for assessing the owners to produce adequate revenue for perpetual maintenance.

For special situations such as commercial, multi-unit residential, and subdivisions with large lots, the restrictions may require revisions, and will be reviewed on a case-by-case basis.

I. The Final Plat submittal shall include certificates from the County, School District and County Tax Assessor/Collector showing that all School District and County taxes, including all outstanding or delinquent taxes, on the land being subdivided have been paid to the current year.

J. If the Owner should choose to vacate the Final Plat, the City Council may deny said vacation of the Final Plat under Section 212.013 of the Texas Local Government Code if the City Council determines the cancellation will prevent the proposed interconnection of infrastructure to a pending or existing development.

K. Where construction plans have been required, they shall bear all required signatures before use by the contractor. The contractor shall maintain one set of the plans, stamped with City approval, on the project during construction.

L. If construction has not commenced within one year after a certification of the construction plans, the plans shall be resubmitted to the City Engineer for review, and a new Letter of Certification will be required, and fees charged accordingly.

M. If no portion of the land subdivided under a plat approved under this section is sold or transferred before January 1 of the 51st year after the year in which the plat was approved, the approval of the plat expires, and the owner must resubmit a plat of the subdivision for approval. A plat resubmitted for approval under this subsection is subject to the requirements of this Chapter at the time the plat is resubmitted.

Section 5.06 Recording the Final Plat

After all the following criteria are met, the Final Plat shall be recorded with Johnson County.

- A. The Final Plat is approved by the City Council and certified by the Mayor.
- B. All conditions of the approval, if the plat was conditionally approved, have been satisfied.
- C. All lot and block monumentation is set by a Registered Professional Land Surveyor.
- D. The owner has provided written consent to have the plat recorded.
- E. The owner has provided the City with two (2) mylars and four (4) copies of the Final Plat.
- F. All required fees have been paid in full.
- G. Any rough proportionality payment identified in the Traffic Impact Assessment has been paid in full.
 - 1. All required assessments have been paid, and all dedications have been made and accepted by the City.
 - 2. Any and all liens imposed by the City have been resolved.
 - 3. Either a performance guarantee has been accepted by the City, or all infrastructure improvements, as indicated in the Final Plat approved by the City Council, have been completed, warrantied and, if applicable, accepted by the City.

ARTICLE 6. MINOR PLATS

Section 6.01 Criteria for Eligibility as a Minor Plat

If a development does not meet these criteria, it shall not be eligible for consideration as a Minor Plat.

- A. The plat results in four or fewer lots.
- B. The plat does not create any new street and does not necessitate the extension of any municipal facilities, except sidewalks, to serve any lot within the platted area.
- C. All lots have direct access to and front or abut an existing public street.
- D. All lots meet the lot size requirements of the zoning district in which they are located, if the land is within the City Limits.

Section 6.02 Processing a Minor Plat

A Minor Plat only shall be processed as a final plat. A Preliminary Plat is not required.

Section 6.03 Content

A Minor Plat Application shall include:

- A. A Letter of Certification of Construction Documents for the Minor Plat.
- B. A boundary survey establishing the limits of the parcel.
- C. Any improvements, existing or proposed, that are not shown on the boundary survey, which impact impervious cover, shall be indicated on the plat.
- D. Payment of all fees associated with the Minor Plat at the time of submittal.
- E. Existing zoning of the property, if applicable.
- F. Indication of all streets that are adjacent to the property.

Section 6.04 Decision

The approval procedure for a Minor Plat shall be the same as that of a Subdivision Plat, as established in Article 2. Platting Procedure, except that:

- A. The City delegates to the City Administrator the authority to approve Minor Plats.
- B. The City Administrator may, for any reason, elect to present the plat to the City Council for approval.
- C. The City Administrator shall either approve a Minor Plat or refer the Minor Plat to City Council within 30 days of receipt of a complete plat application.
- D. If the City Administrator refers the Minor Plat to City Council for a decision, Council shall have 30 days to render a decision on the plat, from the date that the City Engineer

refers the plat to Council.

ARTICLE 7. DEVELOPMENT PLATS

A. The City hereby chooses by ordinance to be covered by Subchapter B of Chapter 212 of the Texas Local Government Code.

B. A development plat shall be required for the development of land within the corporate limits or extra-territorial jurisdiction of the City unless:

1. A subdivision plat is required.
2. The tract is five acres or larger, has access, and requires no public improvement dedication is required.
3. Development activity consists only of the following activities:
 - a. Alteration of an existing building, where no drainage, street, utility extension or improvement, additional parking, or street access changes are required to support the alteration.
 - b. Construction of accessory structures or fences.
 - c. Dedication of an easement or right-of-way by a conveyance plat.
 - d. Cemeteries complying with all State and local laws and regulations
 - e. Divisions of land created by court order.
 - f. Construction or reconstruction of a single-family residential structure in the extraterritorial jurisdiction, provided that no utility extensions or right-of-way dedications are necessary.
 - g. Restoration of any building or structure, other than a single-family residential structure in the extra-territorial jurisdiction, that was previously destroyed by fire, explosion, or any other casualty or act of God, where the extent of the destruction is not more than 50% of the reasonable market value.
 - h. Development of an agricultural use.

C. A preliminary plat shall not be required for a development plat.

D. If any public improvements or public dedications are required for the site, the developer shall submit a Final Plat Application, in conformance with the requirements of Article 5: Final Plats. A Letter of Certification of Construction Documents will be required, prior to submittal of the Final Plat Application.

E. If no public improvements or public dedications are required for the tract, the developer shall submit a minor plat application, in conformance with the requirements of Article 6: Minor Plats.

ARTICLE 8. AMENDING PLATS, REPLATS, CONVEYANCE PLATS AND VACATING A PLAT

Section 8.01 Amending Plats

A. Applicability

The City may approve and issue an Amending Plat, which may be recorded and is controlling over the preceding plat without vacation of that plat, if the Amending Plat is signed by the applicants only and is solely for one or more of the following purposes:

1. to correct an error in a course or distance shown on the preceding plat.
2. to add a course or distance that was omitted on the preceding plat.
3. to correct an error in a real property description shown on the preceding plat.
4. to indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments.
5. to show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat.
6. to 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. to correct an error in courses and distances of lot lines between two adjacent lots if:
 - a. both lot owners join in the application for amending the plat;
 - b. neither lot is abolished;
 - c. the amendment does not attempt to remove recorded covenants or restrictions; and
 - d. the amendment does not have a material adverse effect on the property rights of the other owners in the plat.
8. to relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement.
9. to relocate one or more lot lines between one or more adjacent lots if:
 - a. the owners of all those lots join in the application for amending the plat;
 - b. the amendment does not attempt to remove recorded covenants or restrictions; and
 - c. the amendment does not increase the number of lots.

10. to make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:

- a. the changes do not affect applicable zoning and other regulations of the municipality;
- b. the changes do not attempt to amend or remove any covenants or restrictions; and
- c. the area covered by the changes is located in an area that the City Council has approved, after a public hearing, as a residential improvement area; or

11. to replat one or more lots fronting on an existing street if:

- a. the owners of all those lots join in the application for amending the plat;
- b. the amendment does not attempt to remove recorded covenants or restrictions;
- c. the amendment does not increase the number of lots; and
- d. the amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

B. Procedure

An Amending Plat shall be processed as a Final Plat. A Preliminary Plat is not required.

Notice, a hearing, and the approval of other lot owners are not required for the approval and issuance of an Amending Plat.

C. An application for an Amending Plat shall include:

1. Completed Plat Amendment Application;
2. A tax certificate that verifies ownership, and that all taxes are paid and up to date, shall be submitted with the required amendment. Should the amendment require verification of another party, or of the validity of the requested correction, such documentation shall be included as a part of the submittal.; and
3. The applicant shall pay all associated fees for the application to be complete.

D. Decision

1. The City Engineer may approve an Amending Plat.
2. An amending plat cannot be disapproved by the City Engineer. If the City Engineer cannot approve an amending plat, the amending plat shall be decided by the City Council.
3. The City Engineer shall either approve an amending plat or refer the amending

plat to City Council within 30 days of receipt of a complete plat application.

4. If the City Engineer refers the amending plat to City Council for a decision, Council shall have 30 days to render a decision on the plat, from the date that the City Engineer refers the plat to Council.

E. Recording a Plat Amendment

1. If the plat being amended has been previously recorded, the Amending Plat shall be clearly marked as follows:

This plat amends the plat previously recorded in the plat records of Johnson County, Volume _____, Page _____, Document Number _____.

2. The amending plat shall then be recorded if all requirements have been met, in accordance with the requirements for recording a plat.

3. If the plat being amended has not been previously recorded, the approved replat shall be annotated with the following statement:

“This plat includes amendments approved by the City Engineer.”

Section 8.02 Replats

A. Applicability

1. A replat is required when a property is already platted, and the intent is to alter or create new lot lines, to remove a restriction or covenant, or to make changes to the layout of the lots or reserves.

2. A replat is not required when the City or another governmental entity acquires part of a developed property for right-of-way expansion.

B. Application for a Replat

1. The developer shall submit an application to the City for approval of a replat in compliance with the Texas Local Government Code, as amended.

2. An application for a replat shall be processed as a Final Plat. A Preliminary Plat is not required.

C. Replatting Without Vacation of the Preceding Plat

1. A replat of all or a portion of a recorded plat, without vacation of the recorded plat, may be approved in accordance with State Law if the replat:

a. Is signed and acknowledged by only the owners of the property being replatted;

b. Does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded plat.

2. A replat without vacation of the preceding plat must conform to the requirements of this section if:
 - a. During the preceding five years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or
 - b. Any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.

3. If the replat described in C.2 above requires a variance or exception, in keeping with 212.015 of the Texas Local Government Code, a public hearing must be held by the City Council prior to approval of the replat.

4. Notice of the required public hearing shall be given 15 days before the day of the hearing by:

- a. Publication in the City's officially designated newspaper; and
- b. By written notice, with a copy of the specific language contained in the following subsection (b) attached thereto, forwarded by the City Council to the owners of property in the original subdivision located within 200 feet of the property upon which the replat is requested, as such owners are indicated on the most recently approved city tax roll or, in the case of a subdivision within the extraterritorial jurisdiction of the City, the most recently approved county tax roll. The written notice may be delivered by depositing the notice, properly addressed with the postage prepaid, in a post office or postal depository within the municipal boundaries of the City.

5. If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members of the City Council present and voting. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the City Council prior to the close of the public hearing.

6. In computing the percentage of land area for this requirement, the area of streets and alleys shall be included.

7. Compliance with subsections 4.b. and 4.c. of this section is not required for approval of a replat of part of a preceding plat if the area to be replatted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

8. If a proposed replat described by subsection 2. above does not require a variance or exception, not later than the 15th day after the date the replat is approved, written notice by mail of the approval of the replat will be provided to each owner of a lot in the original subdivision that is within 200 feet of the lots to

be replatted according to the most recent city or county tax roll. This subsection does not apply to a proposed replat if the City Council holds a public hearing and gives notice of the hearing in the manner provided by subsection 4.

9. The notice of replat approval required by subsection 5. above must include:
 - a. The zoning designation of the property after the replat; and
 - b. A telephone number and e-mail address that an owner of a lot may use to contact the City about the replat.

Section 8.03 Conveyance Plats

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

B. Requirements for approval of a conveyance plat

1. The property must have access to a private or public street.
2. The conveyance plat shall contain a certification note on the plat face, as follows:

“This Conveyance Plat shall not convey any rights to development or guarantee of public utilities, public or private access, or issuance of addressing and permits, without compliance with all subdivision rules and regulations and the approval and recording of a Final Plat.”

C. A conveyance plat shall be filed for record in the county upon administrative approval by the City Engineer.

Section 8.04 Vacating a Plat

A. The proprietors of the tract covered by a plat may vacate the plat at any time before any lot in the plat is sold. The plat is vacated when a signed, acknowledged instrument declaring the plat vacated is approved and recorded in the manner prescribed for the original plat.

B. If lots in the plat have been sold, the plat, or any part of the plat, may be vacated on the application of all the owners of lots in the plat with approval obtained in the manner prescribed for the original plat.

C. The County Clerk shall write legibly on the vacated plat the word "vacated" and shall enter on the plat a reference to the volume and page at which the vacating instrument is recorded.

D. On the execution and recording of the vacating instrument, the vacated plat has no effect.

ARTICLE 9. CONSTRUCTION

Section 9.01 General

- A. A preconstruction meeting is required prior to the start of any construction. The meeting shall include the Contractor, City Engineer, Owner's Engineer, and the City Administrator.
- B. If the Owner has divided the construction of the public or private improvements among more than one Contractor, the Owner shall designate one person to represent all the construction for the development.
- C. Before construction of any improvements, the owner will be responsible for providing a copy of the certified construction documents to each: the City Engineer, City Secretary, and Contractor.
- D. All required safety plans and barricade plans shall be submitted for approval to the City Engineer prior to the start of any construction.
- E. The Owner shall post a sign at the entrance to the subdivision which states that said subdivision has been approved for construction. The sign shall be clearly visible and shall be posted prior to construction. The Owner shall be responsible for maintaining the sign until the Maintenance Bond expires.
- F. During construction of roadway infrastructure improvements, any utility lines which are required to be bored shall be installed prior to application of the flexible base material. All utility line bores shall be encased with a minimum of one-quarter inch wall steel casing pipe and the casing ends shall be sealed with end caps.
- G. If platting is not required, a development plan, in accordance with TCEQ Title 30 TAC Chapter 285, shall be submitted to the City Engineer for review. A development plan must be submitted and approved prior to processing individual OSSF permits within the development.
- H. If platting and OSSF permits are not required, then a Driveway Permit, including approval from the County 911 Service Administrator for street address numbering, is required.
- I. Driveway Permits shall meet the requirements set forth in TCEQ Title 30 TAC Chapter 285 if on-site sewage facilities (OSSF) are to be installed.

Section 9.02 Construction Observation

- A. All construction, such as road grading, road paving, drainage structures, curb and gutter, and storm drains, may be subject to construction observation and/or inspection during the construction period by the proper authorities of the City or Johnson County, and shall be constructed in accordance with the approved construction plans and the Design Criteria of this Chapter.
- B. Periodic construction observations and/or inspections may be performed by the City Engineer during construction of both proposed County maintained improvements and private maintained improvements. The Owner and his contractor shall be responsible for

daily inspections. The construction observations conducted by the City Engineer will be done only for the purpose of confirming that the work being done is in general conformance with the approved construction plans and specifications. The City shall not perform inspection tasks – those are the responsibility of the Owner and/or his contractor. Copies of all daily inspection reports shall be made available to the City upon request. Construction observations to be conducted by the City Engineer should be scheduled by the Contractor at the following intervals:

1. Subgrade when:
 - a. All tests for subgrade have passed.
 - b. The subgrade conforms to the construction plans.
 - c. Grading of ditches, including erosion control, is complete.
 - d. All culverts, headwalls, and safety end treatments are installed; for cast-in-place concrete structures, observation of placement of reinforcing bars shall be performed prior to pouring of concrete.
2. Base when:
 - a. All tests for base have passed.
 - b. The base conforms to the construction plans.
3. Other periodic observations during testing; and
4. Final construction observation when:
 - a. All tests for pavement have passed.
 - b. All improvements are complete and record drawings are revised as per construction.

A request for construction observation must be received by the City Engineer in writing via mail or electronic mail and must include the subdivision name, current date, observation requested (subgrade, base etc.) and desired date and time.

Subgrade and base observations must be scheduled at least two (2) business days in advance of date requested. For observation during geotechnical testing, at least one (1) business days' notice is required in advance of date requested. At least five (5) business days' notice is required in advance of date requested for final construction observation.

The reinforcing steel in cast-in-place concrete structures must be observed prior to pouring of concrete. The observation should be scheduled at least two (2) business days in advance of date requested. All cast in place structures should meet TxDOT Standards. Cast in place concrete structures with unobserved reinforcing steel will be considered defective and must be removed and replaced at the Owner's expense.

C. The Owner will be required to have an independent testing laboratory, acceptable to

the City, perform testing of the subgrade and/or base at the Owner's expense. Such testing may include core samples or additional density tests at 50-foot intervals measured longitudinally along the roadway. If the road surface is concrete, X-ray tests will be required for density tests. During the progress of the work, all materials, equipment and workmanship may be subjected to such inspections and tests as will assure conformance with the City requirements. All testing shall be done by an independent testing laboratory acceptable to the City and at the Owner's expense. All final test reports submitted to the City Engineer must be sealed by a Licensed Professional Engineer registered in the State of Texas. The City shall approve the location of all testing. Testing locations shall be selected at varying distances from the centerline of the road. The Owner's Contractor is solely responsible for coordination with the testing laboratory, for scheduling of the tests, and for timely delivery of the results to the City Engineer. Additional testing may be required, at the Owner's expense, at the discretion of the City Engineer.

D. Minimum Testing Requirements

1. Subgrade

a. Raw Subgrade (when lime or cement stabilized subgrade is not required for pavement design)

i. Soil characteristics including liquid limit, plastic limit, plasticity index, and sieve analysis.

ii. Density tests are required at a minimum of every 300 feet (measured longitudinally along the roadway) with three tests required in each cul-de-sac and eyebrow.

iii. Standard Proctor tests are required for each existing soil type.

b. Lime or Cement Stabilized Subgrade

i. Soil characteristics including liquid limit, plastic limit, plasticity index, and sieve analysis.

ii. Density tests are required at a minimum of every 300 feet (measured longitudinally along the roadway) with three tests required in each cul-de-sac and eyebrow.

iii. Standard Proctor tests are required for each existing soil type.

iv. Pulverization Gradation tests are required at a minimum of every 300 feet (measured longitudinally along the roadway) with three tests required in each cul-de-sac and eyebrow.

v. Core or probe tests are required to show thickness of the subgrade every 500 feet (measured longitudinally along the roadway) with one test required in each cul-de-sac and eyebrow.

2. Base

- a. Wet Ball Mill, Sieve Analysis, and P.I. tests shall be performed in accordance with TxDOT Standards.
- b. Density tests are required at a minimum of every 300 feet (measured longitudinally along the roadway) with three tests required in each cul-de-sac and eyebrow.
- c. Core or Probe tests are required to show thickness of the base every 500 feet (measured longitudinally along the roadway) with three tests required in each cul-de-sac and eyebrow.

3. Hot Mix Asphaltic Concrete

- a. A mix design is required to be submitted for the HMAC.
- b. Density tests are required at a minimum of every 500 feet (measured longitudinally along the roadway) with three tests required in each cul-de-sac and eyebrow.
- c. Core tests are required to show thickness of the HMAC every 500 feet (measured longitudinally along the roadway) with three tests required in each cul-de-sac and eyebrow.

4. Portland Cement Concrete

- a. A mix design is required to be submitted for the concrete.
- b. Concrete shall be tested for slump, air content, and compression strength in accordance with ACI 318.

5. Three (3) Course Surface Treatment

- a. Asphalt application will be after April 15 and prior to October 15 of each calendar year.

Section 9.03 Storm Water Discharge Permit

Under current TCEQ regulations, construction activities including clearing, grading and excavation, must be permitted for storm water discharge unless the operations result in the disturbance of less than one (1) acre total land area which is not part of a larger common plan of development.

For large construction activities disturbing five (5) acres or more of land, the Owner must complete and post a site notice in conformance with TCEQ, and complete and submit a Notice of Intent (NOI) for storm water discharges associated with construction activity under the National Pollution Discharge Elimination System (NPDES) General Permit. The NOI shall be submitted to TCEQ by the Owner at least seven (7) days prior to commencement of construction.

For small construction activities, disturbing one (1) acre to less than five (5) acres of land, including the larger common plan of development, the Owner must complete and post a site notice in conformance with TCEQ, and complete and submit a Low Rainfall Erosivity Waiver Form. If the site is not eligible for a waiver, the Owner must submit a Notice of Intent (NOI) to TCEQ under the NPDES General Permit and comply with its requirements.

A Storm Water Pollution Prevention Plan (SWPPP) must be developed and implemented in accordance with TCEQ requirements for all construction activities disturbing one (1) acre or more of land, including the larger common plan of development. During construction, a copy of the SWPPP shall be available on site. All construction activities shall maintain the erosion control measures as stated in the SWPPP throughout the entirety of the project. TCEQ may be contacted if it appears that any activity is not in compliance with the SWPPP.

Section 9.04 Final Construction Observation

A. The City Engineer and a Contractor's representative shall perform a final construction observation walk-thru. If the Owner has divided the construction of the improvements among more than one contractor, the Owner shall designate one person to represent all the construction for the development. There will be only one final construction observation walk-thru of the development.

B. The City Engineer shall prepare a list of items that need to be completed prior to the final acceptance of the project.

C. If improvements to existing TxDOT controlled roadways are required, construction of such improvements shall be complete and copies of correspondence from TxDOT stating such acceptance of improvements shall be submitted to the City Engineer and City Secretary prior to requesting a final construction observation by the City.

Section 9.05 Record Drawings

The Owner shall provide one (1) set of record drawings electronically in pdf format to the City Engineer. The record drawings must be revised by the Owner to reflect construction records, including utilities, prior to the final inspection. The record drawings must be approved by the City Engineer prior to the final acceptance of the subdivision. The record drawings shall include a copy of the approved Final Plat.

Section 9.06 Maintenance Bond

All persons desiring to subdivide or re-subdivide a tract of land within the limits or extraterritorial jurisdiction of the City of Godley shall be required to maintain all improvements proposed to be City-maintained in such new subdivision at their own cost, and without cost to the City, for a period of two (2) years. A Maintenance Bond shall be furnished to guarantee maintenance of the improvements. The Maintenance Bond shall be an amount equal to the total cost of said improvements and guaranteeing their maintenance for a period of two (2) years. The bond shall be made payable to the City of Godley. The commencement date of the Maintenance Bond must be within 30 days of City Council's acceptance of the improvements and Final Plat. In lieu of a bond, the Owner may obtain an Irrevocable Letter of Credit issued by a federally insured financial institution in an amount equal to the total cost of said improvements and guaranteeing their maintenance for a period of two (2) years. The Irrevocable Letter of Credit must list the City of Godley as the sole beneficiary.

The Maintenance Bond, or Irrevocable Letter of Credit, shall also require that the bonding company, or financial institution, notify the City Secretary and the City Engineer, in writing, 120 days prior to the expiration date of the bond or Irrevocable Letter of Credit. Upon notice, the City Engineer will schedule and conduct an inspection of the improvements. The bonds or other acceptable surety shall be in accordance with Chapter 212 of the Texas Local Government Code.

Section 9.07 Acceptance by the City

A. Once all the requirements of the City have been met, the City Engineer shall recommend acceptance of the subdivision in the form of a letter to the City Council.

B. Acceptance by the City shall be in the form of a letter from the City Council. The letter shall state that construction observations were conducted, and the facilities were completed in general conformance with the specifications and standards provided for herein or approved by the City Council at the time the Final Plat was approved for said subdivision.

ARTICLE 10. DESIGN CRITERIA

Section 10.01 General

A. This Article serves as part of the Development Guidelines. The following Design Criteria are primarily intended for use by the Owner's Engineer. There may be special circumstances which would dictate requirements in excess of those outlined; however, in most cases, these exceptions will be apparent to the Owner's Engineer while preparing the Construction Plans and Specifications for the development.

B. The "Standard Specifications for Public Works Construction North Central Texas" of the North Central Texas Council of Governments, with all amendments thereto, shall govern and shall constitute the technical specifications, except as amended by this document, and is made a part hereof, but is not physically bound within this document.

C. No Final Plat shall be approved by the City Council, and no completed improvements shall be accepted by the City, unless and until such improvements conform to these Design Criteria and all other applicable standards as prescribed by the City of Godley. All roads, alleys, drainage ways, water and sewer systems and improvements shall be designed, placed, and constructed in accordance with the following design criteria.

D. Where a specific topographic or other condition makes variance from these standards necessary in order to achieve the best overall design, these standards may be modified by the City Council and subject to the provisions of Article 1, Section 11 of these Guidelines.

Section 10.02 Lots

Chapter 154 of the City of Godley Code of Ordinances establishes Yard Regulations and Lot Area Regulations for developments that are within, or are planning to annex into, the Godley city limits. For developments within the City of Godley extraterritorial jurisdiction the following criteria shall apply.

A. Lot design shall provide adequate width, depth, and shape to provide open area, to eliminate overcrowding, and to be appropriate for the location of the subdivision for the type of development and use contemplated.

B. Within the corporate limits of the City, lot dimensions shall comply with the base zoning of the property. In the extraterritorial jurisdiction, lots shall have a minimum road frontage of 60 feet, as measured at the property line, except in cul-de-sacs and along street eyebrows where the minimum road frontage shall be 30 feet as measured at the property line.

C. Every lot shall have frontage on, or access to, a public road.

D. All lots shall have a minimum area as determined by the following criteria:

1. In all cases, the minimum lot size shall conform to the Texas Commission on Environmental Quality's most current regulations governing on-site sewage facilities.

2. All lots shall have a minimum area of two (2) acres when on-site sewage facilities are used in conjunction with a private water well.

3. All lots shall have a minimum area of one-half (1/2) acre when on-site sewage facilities are used in conjunction with a public water supply.

E. Lot markers shall be iron pins not less than one half inch (1/2") in diameter and no less than eighteen inches (18") long and shall be set flush with the ground at each lot corner. All lot corners shall be set prior to the acceptance of the public improvements.

F. All side lot lines shall be approximately perpendicular to roads and radial to curved roads. The City Engineer may approve a variation to this rule if the result is a better road and/or lot layout.

G. Double frontage and reverse frontage lots should be avoided except where essential to provide separation of residential development from arterial roadways or to overcome specific disadvantages of topography and orientation.

H. Building setback lines shall be shown on all lots in the subdivision but not less restrictive than the following minimum requirements.

1. There shall be a 25-foot front setback for lots situated on existing and proposed city streets or private roads, and a 50-foot front setback for lots situated on county roads, farm-to-market roads, state highways and all other roads.

2. There shall be a 10' side and rear lot line setback on all lots.

3. There shall be a 25-foot side yard setback for all lots with side yard frontage on existing or proposed city streets or private roads, and 50-foot side yard setback for all lots with side yard frontage on county roads, farm-to-market roads, state highways, and all other roads.

I. Any land which, in its natural state, is subject to a 100-year flood or which cannot be properly drained shall not be subdivided, re-subdivided or developed until receipt of evidence that the construction of specific improvements proposed by the Owner can be expected to yield a usable building site. Thereafter, the City Council may recommend approval of the plat; however, construction upon such land shall be prohibited until the specific improvements have been planned and construction completed.

Section 10.03 Easements

Easements shall be provided on subdivision plats when the following criteria indicate that an easement is required.

A. Drainage and Utility Easements

1. Easements for storm drainage facilities and/or utilities shall be provided at locations containing proposed or existing drainageways and/or utilities and shall be centered on said utility improvements and drainage systems.

2. Where adjacent to a public right-of-way, easements at least ten (10) feet wide for drainage, utility construction, service, and maintenance shall be provided.
3. Easements at least ten (10) feet wide for drainage, utility construction, service, and maintenance shall be provided adjacent to city streets for lots which have frontage along all city streets.
4. Easements at least ten (10) feet wide for drainage, utility construction, service, and maintenance shall be provided adjacent to private roads for lots which have frontage along all private roads.
5. Easements at least twenty (20) feet wide for drainage, utility construction, service, and maintenance shall be provided adjacent to state highways for lots which have frontage along state highways.
6. A drainage and utility easement of at least ten (10) feet in width shall be provided on all rear lot lines and along all side lot lines.
7. Easements having greater width dimensions or special configurations may also be required along or across lots where utility access, engineering design, drainage considerations or special conditions make it necessary for the installation of utilities or to accommodate drainage outside public rights-of-way.
8. Storm drainage easements of sufficient width shall be provided for all drainageways to contain the 100-year frequency storm within the drainage easement.

B. Public Open Space Easement

A 20' x 20' triangular public "open space" easement is required on corner lots at the intersection of two streets in a residential area and a 45' x 45' triangular public open space easement is required in non-residential areas or at an intersection with a county road or state highway. A 15' x 15' triangular public open space easement is required on corner lots at the intersection of an alley and a street.

C. Floodway Easements

1. Floodway easements shall be provided along natural drainageways and lakes or reservoirs. Floodway easements shall encompass all areas beneath the water surface elevation of the base flood, plus such additional width as may be required to provide ingress and egress to allow maintenance of the banks and for the protection of adjacent property, as determined and required by the City Engineer.
2. Any existing creek, lake, reservoir, or drainage channel traversing along or across portions of a subdivision will always remain as an open channel and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
3. The City shall not be responsible for the maintenance and operation of drainageways or for the control of erosion.

4. Each property owner shall keep the natural drainage channels traversing or adjacent to his property clean and free of debris, silt, or any substance which would result in unsanitary conditions and the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur.

5. The natural drainage channel, as in the case of all-natural drainage channels, is subject to storm water overflow and natural bank erosion to an extent that cannot be clearly defined. Therefore, the City shall not be held liable for damages of any nature resulting from the occurrence of these natural phenomena, nor resulting from a failure of any structure(s) within the natural drainage channels. The natural drainage channel crossing each lot is identified by the floodway easement line as shown on the plat.

D. Flowage Easements

Flowage easements are areas designated by an entity, such as a water district, for flooding of a body of water, such as a lake or reservoir. No construction, placement or operation of any structure, improvement of facility of any type, or excavation or placement of fill materials within a flowage easement is permissible without a valid permit from the affected entity.

Construction within a flowage easement must be in conformance with all rules, regulations and/or ordinances of the affected entity.

Section 10.04 Storm Water Discharge Permit

In accordance with the Federal Water Pollution Control Act, 33 U.S.C. Para. 1251-1387 (2002), also known as the Clean Water Act, as amended in 1999 and codified as 40 C.F.R. Part 122, the development shall be required to obtain a storm water discharge permit for construction activity from the Texas Commission on Environmental Quality (TCEQ).

A Storm Water Pollution Prevention Plan (SWPPP) must be developed and implemented in accordance with TCEQ requirements for all construction activities disturbing one (1) acre or more of land, including the larger common plan of development. During construction, a copy of the SWPPP shall be available on site.

Section 10.05 Alleys

A. Alleys serving single family residential and duplex areas shall have a minimum right-of-way width of 20 feet. Alley turnouts shall be paved to the property line and shall be 12 feet wide at that point. Alleys shall be paved in accordance with these design criteria for a minimum width of 12 feet exclusive of any curbs which may be provided. A uniform transition in alley pavement widths shall be made in a distance of not less than 20 feet.

B. Alleys shall intersect streets at right angles or radially to curved roads.

C. The minimum distance between an alley/street intersection and a street/street intersection shall be the width of at least one (1) lot.

D. Private alleys are prohibited.

E. Maximum alley length between access points to a road shall be six hundred (600) feet. A length greater than six hundred (600) feet may be approved by the City Council in the form of a variance if it finds unusual conditions or limiting factors.

F. Dead-end alleys are prohibited.

G. In cases where two alleys intersect or turn a sharp angle, lot corners shall be platted so that a triangular area of 25' x 25' or greater is dedicated as part of the alley for the purpose of providing a minimum radius of 30 feet to the inside edge of the alley paving.

H. Alley paving shall conform to the paving requirements for streets as detailed in the next section.

Section 10.06 Streets/Roads

A. Street/Road Classification Functions

Local	Distributes traffic to and from residences. Low-density multi-purpose traffic leading to collectors.
Collector	Carries traffic from local roads to arterials. Uses served would include medium and high density residential, limited commercial facilities, elementary schools, some small offices, and as direct access within industrial parks. Collectors also carry heavy traffic to major commercial and industrial facilities from arterials. Uses would include office parks, industrial parks, and community level commercial facilities.
Arterial	The main function of the arterials is to carry traffic from one urban area to another. The arterial system serves the major activity centers of urbanized areas. Arterials are used for longer urban trips and carry a high portion of the total traffic with a minimum of mileage.

B. General Requirements

1. Adequate streets shall be provided by the Owner. The arrangement, character, extent, pavement width, right-of-way width, grade and location of each shall be considered in its relation to existing and planned streets, topographical conditions, significant natural features such as mature trees or water courses, public safety and convenience, and its relationship to the proposed uses of land to be served by such street.

All developments must consider the Godley Master Thoroughfare Plan (GMTP), if, and when, adopted, and all amendments thereto, as part of platting and incorporate the GMTP into platting, unless variance is granted by the City Council.

2. All local streets shall be dedicated to the City in the form of a public right-of-way and shall conform to the minimum width requirements found herein.

Additional right-of-way may be required along an existing city street. Under no circumstances shall any local street be dedicated or defined by an easement.

3. Any streets which are not dedicated to the City or are designated as private must be designed and constructed to the City standards. Right-of-way must be dedicated to the entity designated for maintenance. Surety for long term maintenance of the streets and right-of-way shall be provided to the satisfaction of the City Council.

4. Additional right-of-way dedication shall not be required from a previously platted property where:

a. The plat of such property is being modified by an amending plat.

b. The plat of such property is being modified by a replat.

i. The property is occupied by a building or buildings; and

ii. The sole purpose of the replat is to remove previously platted fire lanes, easements, mutual access easements, or delineate the legal boundaries of ownership of the property; and

iii. No additional development rights will be conveyed to the property as a result of the replat.

5. All streets shall be designed to coordinate with existing streets in adjoining subdivisions. When conditions permit, the distance between roadway intersections shall be at least one hundred thirty-five (135) feet. Greater distances may be required by the City Engineer and shall be planned where necessary for traffic safety.

6. Streets shall be named to provide continuity with existing streets and in no case shall streets be numbered.

7. Names of new streets shall not duplicate or cause confusion with the names of existing streets situated within the City of Godley or Johnson County. All street names shall be subject to approval by the City Council and the County's 911 Administrator.

8. Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper future projection of streets into such un-subdivided area.

9. Streets should be designed to allow two tiers of lots between streets when possible.

10. The reservation in private ownership of strips of land at the end of proposed or existing streets and intended solely or primarily for the purpose of controlling access to property not included in the subdivision shall be prohibited.

C. Cul-de-sacs

1. Streets designated to be dead ended permanently shall be platted and constructed with a paved cul-de-sac. Any dead-end road of a temporary nature, if longer than two hundred (200) feet, shall have a surfaced turning area one hundred twenty (120) feet in diameter for a cul-de-sac, with a one hundred sixty (160) feet in diameter right-of-way. Temporary dead-end streets shall have provisions for future extension of the street and utilities and, if the temporary cul-de-sac is utilized, a reversionary right to the land abutting the turnaround for excess right-of-way shall be provided. Temporary dead-end streets and cul-de-sacs shall be paved in accordance with this Section.

2. A street ending permanently in a cul-de-sac shall not serve more than 25 lots and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least one hundred twenty (120) feet, and a road property line diameter of at least one hundred sixty (160) feet.

3. A street that ends in a cul-de-sac that is longer than six hundred (600) feet shall be provided with intermittent roundabouts to slow traffic on the street. The City Engineer shall advise the Design Engineer where roundabouts shall be located along the length of the proposed street. Roundabouts shall have an outer pavement diameter of one hundred twenty (120) feet with an inner pavement diameter of eighty (80) feet when used for this purpose.

D. Eyebrow

An eyebrow shall allow for a turning radius equal to or greater than 60 feet with a radius of right-of-way dedication of 80 feet, measured from the centerline of the proposed road.

E. Road Design Criteria General Provisions

1. All dedicated roads shall conform to the following:

Street Classification	Designation	Minimum Right-of-Way	Minimum Pavement Width	No. of Lanes and Width	Shoulder	Median Width
Arterial	M4D	100'	2-26'	4-13'	None	28'
	M4U	68'	48'	4-12'	None	None
	M5U	80'	60'	5-12'	None	None
Collector	C	60'	40'	2-12' & 2-8'	2-8'	None
Local	L	60'	30'	2-15'	4'	None

- a. M4D – Minor arterial street with four lanes divided by a median
- b. M4U – Minor arterial street with four lanes undivided (no median)
- c. M5U – Minor arterial street with five lanes undivided (no median)
- d. C – Collector Street (Re: Section 6.06.A)
- e. L – Local Street (Re: Section 6.06.A)

2. Additional right-of-way may be required at intersections and at high-volume driveways to provide left and right turn lanes to maintain traffic volume capacities through the intersections. Also, additional utility easements may be required beyond the right-of-way.

3. The dedicated streets shall conform to the following minimal parameters:

Street Classification	Minimum Design Speed (MPH)	Maximum Percent Grade	Minimum Percent Grade	Area Free from Storm Water Using a Five-Year Frequency Storm
Arterial	45	6	0.5	One lane each direction
Collector	30	8	0.5	N/A
Local	30	10	0.5	N/A

4. All streets shall be designed in accordance with the most recent edition of Texas Department of Transportation's Roadway Design Manual.

5. No street intersecting a Local Street, County Road or a State Highway shall vary from a 90° angle of intersection by more than 5°.

6. All right-of-way adjacent to the road surface shall be designed in accordance with the most recent edition of the American Association of State Highway and Transportation Officials (AASHTO), Roadside Design Guide.

7. Where the appropriate use of the neighboring property will not be substantially injured, the City Council, after consultation with the City Engineer, may in specific cases, and subject to appropriate conditions and safeguards, authorize special exceptions to these design criteria items in order to permit reasonable development and improvement of property where literal enforcement of these values would result in an unnecessary hardship.

F. Pavement Types

The roadway subgrade, base and driving surface shall be as designed by the Engineer of Record. The following are minimum design parameters:

1. Subgrade

The subgrade shall be scarified to a depth of at least six (6) inches and compacted to 95 percent standard proctor density.

2. Base

After preparation of the subgrade, it shall be covered with at least eight (8) inches of Type A, Grade 1, flexible base material meeting the Texas Department of Transportation's standard specifications and compacted to 95 percent standard proctor density.

3. Driving Surface

a. Concrete

Local and Collector streets shall have a minimum pavement section of six (6) inches of reinforced concrete on a stabilized subgrade. The

concrete design shall achieve a 28-day compressive strength of at least 3600 psi.

Arterial streets shall have a minimum pavement section of eight (8) inches of reinforced concrete on a stabilized subgrade. The concrete design shall achieve a 28-day compressive strength of at least 3600 psi.

b. Hot Mix Asphaltic Concrete (HMAC)

The driving surface must be two (2) inches of hot mix asphaltic concrete. The finished flexible base roadway shall be primed for hot mix asphaltic concrete with an approved asphaltic material at the manufacturer's approved rate and curing period between the oil primer and first course of asphalt.

Two inches of Type D hot mix asphaltic concrete shall be applied and compacted to 91% to 95% of the maximum theoretical specific gravity. Application shall conform to the Texas Department of Transportation's standard specifications.

c. Three (3) Course Surface Treatment (Bituminous Surface Treatment)

The finished flexible base roadway shall be primed for one-course surface treatment in accordance with the manufacturer's recommendations and as approved by the City Engineer. The one-course treatment shall be AC-10 asphalt and shall be applied at a minimum rate of 0.45 gallons per square yard. The crushed aggregate shall be Type B, Grade 3 at a rate of 96 square yards per cubic yard. Application and gradations shall conform to the Texas Department of Transportation's standard specifications.

A single surface treatment in which the bituminous material is sprayed and the aggregate placed uniformly over the applied bitumen mineral. The thickness of such layer shall be approximately the nominal size of the aggregate used.

Multiple layer surface treatments are done by repeating the above process for each layer.

G. Street Sign Panels and Signposts

Street sign panels and signposts shall be furnished and installed by the Owner for all intersections within or abutting the subdivision prior to final acceptance of the development. Such signs shall conform to the following criteria:

1. Signs for city streets shall be of green aluminum six inches high, 24 inches long and 0.08 of an inch-thick, minimum. Signs for private roads shall be blue aluminum six inches high, 24 inches long and 0.08 of an inch-thick, minimum.
2. Lettering for city streets shall be four inches high, reflective white letters permanently applied to the green aluminum sign.

3. Signs shall be at least (7) seven feet tall, measured from the bottom of the sign to the nearest edge of pavement and shall be free from any bushes, limbs, et cetera, which may inhibit the clear view of the sign. Lateral locations for signs shall be furnished in accordance with the most recent edition of the Texas Manual on Uniform Traffic Control Devices (TxMUTCD). All signs shall be installed on posts and bases in accordance with TxDOT and TxMUTCD requirements.

4. Traffic signs shall be furnished in accordance with the most recent edition of the TxMUTCD and TxDOT requirements.

5. One additional speed limit sign shall be placed at each entrance of the subdivision. Speed limits shall be posted as 30 MPH as required by State Law unless a speed study, prepared by a Licensed Professional Engineer in the State of Texas, has been submitted to the City Council for approval.

6. If streets are private, a sign should be placed at every transition from public to private stating that "City of Godley Maintenance Ends" in accordance with the most recent edition of the TxMUTCD.

7. All street signs shall be placed prior to the filing of the Final Plat.

H. Mailboxes

The use of cluster boxes approved by the U.S. Postal Service is required inside the subdivision.

I. Metal Beam Guard Rail

Metal beam guard rails shall conform to The TxDOT Roadway Design Manual Requirements.

J. Traffic Turning Lanes

1. Traffic turning lanes shall be required at entrances to subdivisions of twenty-five (25) lots or more.

Section 10.07 Shared Access Driveways

A. General

Up to one (1) lot without independent access to a city street may obtain access to a city street by means of a shared access driveway if approved by the City Council. An additional two (2) lots having independent access to a city street may also share the use of the shared access driveway. Shared access driveways are intended to provide flexibility in the development process, preserve the rural character of the land and avoid excessive infrastructure costs when such costs would provide little or no social benefit. Excessive use of shared access driveways will not be permitted.

B. Additional Requirements

1. A note must be conspicuously displayed on the plat stating:

a. All lots served by a shared access driveway are restricted to one single family residence per lot and if any other development of a dwelling unit occurs on any of the lots obtaining access through the shared access driveway, then such new dwelling unit must be constructed on a separately platted lot with direct frontage onto, and physical access to, a city street prior to construction of the dwelling unit. A duplex will not be considered a single-family residence for purposes of this subparagraph.

b. The homeowners of the single-family residences obtaining access through the shared access driveway shall be solely responsible for all maintenance of the driveway, including maintaining any drainage structures associated with the driveway. The driveway must be maintained in a condition that will permit unencumbered vehicular access by emergency vehicles.

2. Each of the lots sharing the use of the shared access driveway shall hold equal, indivisible and unrestricted rights in the shared access driveway, which rights shall be established by recorded easement and the easement shall run with the land of each of the benefited lots. The easement instrument shall clearly state each lot's pro rata responsibility with respect to future maintenance or repairs of the shared access driveway.

3. The shared access driveway shall be no longer than one quarter (1/4) mile in length; shall have adequate width for access by emergency vehicles, shall convey all necessary drainage, accommodate necessary utility easements; and must have a minimum centerline to centerline distance of:

a. 200 feet from any other driveway entering onto a city street; and

b. 500 feet from any other shared access driveway.

4. The postal address of each of the lots shall be based on the city street on which the shared access driveway gains access.

5. Up to three (3) lots not having independent access to a city street may share a shared access driveway with up to two (2) lots having independent access to a city street if all other requirements of this section are met and all lots using or adjacent to the driveway are larger than five (5) acres in size and restricted by Plat note limiting development to one single family residence per lot.

Section 10.08 Drainage and Storm Sewer

A. General

Drainage facilities shall be provided and constructed by the Owner in accordance with the NCTCOG *integrated* Storm Water Management (iSWM) Design Manual for Site Development (latest edition) and the following basic requirements.

B. Goals and objectives of the City of Godley Storm Water Management Program:

1. Establish and implement drainage policy and criteria so that new development

does not create or increase flooding problems, cause erosion or pollute downstream water bodies.

2. Facilitate the continuation of comprehensive watershed planning that promotes orderly growth and results in an integrated system of public and private storm water infrastructure.
3. Minimize flood risks to citizens and properties and stabilize or decrease streambank and channel erosion on creeks, channels, and streams.
4. Improve storm water quality in creeks, rivers, and other water bodies, remove pollutants, enhance the environment, and mimic the natural drainage system to the extent practicable in conformance with the Texas Pollutant Discharge Elimination System (TPDES) permit requirements.
5. Support multi-use functions of storm water facilities for trails, green space, parks, greenways or corridors, storm water quality treatment, and other recreational natural features, provided they are compatible with the primary functions of the storm water facility.
6. Encourage a more standardized, integrated land development process by bringing storm water planning into the conceptual stages of land development.

C. Storm Water Policy Statements

1. All development within the City of Godley city limits or extra-territorial jurisdiction (ETJ) shall include planning, design, and construction of storm drainage systems in accordance with the NCTCOG *integrated* Storm Water Management Design Manual.
2. Conceptual, preliminary, and final drainage studies and plans may be required for proposed developments in conformance with the NCTCOG *integrated* Storm Water Management Design Manual. Specific submittal requirements depend on the complexity of the project and requirements of these Development Guidelines.
3. All drainage related plans and studies shall be prepared and sealed by a Licensed Professional Engineer with a valid license from the State of Texas. The Engineer shall attest that the design was conducted in accordance with the NCTCOG *integrated* Storm Water Management Design Manual.
4. For currently developed areas within the City of Godley with planned re-development, storm water discharges and velocities from the project should not exceed discharges established by procedures presented in the NCTCOG *integrated* Storm Water Management Design Manual but also shall not exceed discharges and velocities from current (existing) developed conditions, unless the downstream storm drainage system is designed (or adequate) to convey the future (increased) discharges and velocities.
5. All drainage studies and design plans shall be formulated and based upon ultimate, fully developed watershed or drainage area runoff conditions. In certain circumstances where regional detention is in place or a master plan has been adopted, a development may plan to receive less than ultimate developed flow

from upstream areas with the approval of the City Council. The rainfall frequency criteria for storm water facilities, as enumerated within the NCTCOG *integrated* Storm Water Management Design Manual shall be utilized for all drainage studies and design plans.

6. Proposed storm water discharge rates and velocities from a development shall not exceed the runoff from existing, pre-development conditions, unless a detailed study is prepared that demonstrates that no unacceptable adverse impacts will be created. Adverse impacts include, but are not limited to, new or increased flooding of existing structures; significant increases in flood elevations over existing roadways; unacceptable rises in base flood elevations or velocities; and new or increased stream bank erosion or increased occurrence of nuisance flows.

7. If a proposed development drains into an improved channel or storm water drainage system designed under a previous City of Godley drainage policy, then the hydraulic capacities of downstream facilities must be checked to verify that increased flows, caused by the new development, will not exceed the capacity of the existing system or cause increased downstream flooding, then detention or other acceptable measures must be adopted to accommodate the increase in runoff due to the proposed development.

8. Storm water runoff may be stored in detention and retention basins to mitigate potential downstream problems caused by a proposed development. Proposed detention or retention basins shall be analyzed both individually and as a part of the watershed system, to assure compatibility with one another and with the city's storm water management master plans for that watershed (if available). Storage of storm water runoff, near points of rainfall occurrence, such as the use of parking lots, ball fields, property line swales, parks, road embankments, borrow pits and on-site ponds is desirable and encouraged.

9. Alternatives to detention or retention for mitigation of potential downstream problems caused by proposed development include: acquisition of expanded drainage easements, ROW, or property owner agreements; downstream channel and/or roadway bridge/culvert improvements or stream bank erosion protection; and financial contributions for future improvements. These alternatives will be considered by the City Council on a case-by-case basis.

10. All proposed developments within the city limits or ETJ shall comply with all local, county, state, and federal regulations. All required permits or approvals shall be obtained by the Owner.

11. The policy of the City is to avoid substantial or significant transfer of storm water runoff from one basin to another and to maintain historical drainage paths whenever possible. However, the transfer of storm water from basin to basin may be necessary in certain instances and will be reviewed and a variance can be made by the City Council in accordance with established variance procedures. TCEQ approval may be required for significant transfer of storm water.

12. City Maintenance – the City will provide for perpetual maintenance, in accordance with adopted maintenance standards, of all public drainage facilities (those facilities located within dedicated easements, rights-of-way and

constructed to city standards). Access shall be provided and dedicated by the Owner to all public storm water facilities in developments for maintenance and inspection by the city.

13. Private Maintenance - Private drainage facilities (those facilities entirely on private property) include those drainage improvements which are located on private property, and which handle only private water. Private drainage facilities may also include detention or retention ponds, dams, and other storm water controls which collect public water, as well as drainage ways not constructed to city standards, but which convey public water. Such facilities must be designed in accordance with sound engineering practices and reviewed and inspected by the City. An agreement for perpetual maintenance of private drainage facilities serving public water shall be executed with the City prior to acceptance of the final plat. This agreement shall run with the land and can be tied to commercial property or to an owner's association, but not to individual residential lots. Access shall be provided by the Owner to all private drainage facilities where there may be a public safety concern for inspection by the City.

D. Finished Floor Elevations

Positive drainage shall be provided away from all residential and other structures with finished floor elevations based on the following criteria:

1. The minimum finished floor elevation shall be one (1) foot above the edge of pavement and/or drainage easement elevation.
2. In the case of curbed streets, the minimum finished floor elevation shall be one (1) foot above the top of the street, curb elevation or the alley invert.
3. Positive overflow sections shall provide a minimum of one (1) foot of freeboard from the overflow invert adjacent to structures and the corresponding first floor elevation of all residential and other structures.
4. Lots that are lower than the road or roads on which they abut shall have a finished floor elevation of no less than one (1) foot above the finished grade of the uphill side of the proposed structure.

E. Pipe Design Standards

1. Storm water conduit shall be sized to flow full. Manning's Equation shall be used to determine the conduit size.
2. Minimum and maximum velocities in pipes:
 - a. The minimum velocities in full flowing conduits shall be three (3) feet per second.
 - b. The maximum discharge velocities in the pipe shall also not exceed the permitted velocity of the receiving channel or conduit at the outfall to prevent erosive conditions. The maximum outfall velocity of a conduit in partial flow shall be computed for partial depth and shall not exceed the maximum permissible velocity of the receiving channel unless controlled

by an appropriate energy dissipater (e.g., stilling basins, impact basins, riprap protection).

c. In general, stormwater shall be carried in concrete or HDPE pipe conduit, but other types of conduits can be used to carry stormwater. However, prior permission to use other conduit materials must be obtained from the City Engineer.

F. Culvert Design

Culverts shall be designed to the 100-year frequency with one (1) foot of freeboard. In addition, the following criteria shall be met:

1. All roadway culverts 36-inches and greater in diameter shall be reinforced concrete pipe (RCP). Roadway Culverts less than 36-inches in diameter and driveway culverts are either RCP or HDPE.
2. Safety End Treatments (SET) or headwalls must be designed for all culverts. The slope for SET shall not exceed four (4) feet horizontal to one (1) foot vertical.
3. Culverts and headwalls shall be designed in accordance with the most current edition of the Texas Department of Transportation Hydraulic Manual, Chapter 8 – Culverts.
4. The calculation of hydraulic grade lines shall consider both inlet and outlet control for the culvert.
5. The use of multi-barrel culverts shall be limited and reviewed on a case-by-case basis by the City Engineer.
6. Decorative or other non-standard headwalls will be reviewed by the City Engineer on a case-by-case basis. Headwall designs must be signed and sealed by a Licensed Professional Engineer in the State of Texas.

G. Bridge Class Drainage Culverts

Bridge Class Culverts shall be designed in accordance with the most current edition of Texas Department of Transportation Hydraulic Design Manual.

H. Channels

1. Channels may be left in their natural state if both of the following conditions are met:
 - a. The channel velocities are less than eight (8) feet per second based on the 100-year design flood.
 - b. The flow from the 100-year design flood is contained within the natural channel while allowing one (1) foot of freeboard.
2. If the natural channel is to be replaced by an improved channel, the flow from the 100-year design flood must be contained within the improved channel while

allowing for one (1) foot of freeboard.

3. Improved channels shall include a lined section if the design velocity is greater than six (6) feet per second. Lined sections shall be designed in accordance with the most current edition of the Texas Department of Transportation Hydraulic Manual, Chapter 7 – Channels. Lining types such as concrete, rock walls, and gabions, may be used upon approval of the City Engineer.

a. All channels that are roadside (borrow) ditches and proposed to carry the 100-year design storm, shall be designed with a minimum roadway shoulder width of two (2) feet.

4. For lined channels, all the channel bottom and at least the first three (3) feet (vertical height) of the side slopes up from the channel bottom shall be lined, unless otherwise approved by the City Engineer.

5. Earthen sides above the lined section or totally earthen channels shall be on at least four (4) horizontal to one (1) vertical slope and shall have approved ground cover to prevent erosion.

6. Unless shown to be feasible in a soils report sealed by a Licensed Professional Engineer in the State of Texas, and approved by the City Engineer, improved channels shall have minimum side slopes of:

a. four (4) feet horizontal to one (1) foot vertical for earthen, grassed-lined side slopes.

b. two (2) feet horizontal to one (1) foot vertical for concrete-lined side slopes.

7. The Owner shall use low maintenance vegetation for vegetative cover, as approved by the City Engineer prior to planting. The selection of materials shall comply with the current ground cover listing for North Central Texas furnished through the Texas Agricultural Extension Service.

I. Detention Rates

Should the result of a downstream assessment and/or the NCTCOG *integrated* Storm Water Management Design Manual determine that on-site detention will be required, specific detention criteria will be determined on a case-by-case basis by the City Engineer. Detention criteria will be dependent upon the significance of downstream impacts. Runoff rates for all land uses shall be limited to the rates that would be produced from single family residential areas. Detention/retention facilities shall be designed for the 100-year design flood and may be subject to the following criteria:

1. The minimum amount of storage volume of the detention basin shall be that volume required to reduce runoff rate to a single-family rate. Dedicated detention/retention basins shall also include an additional one (1) foot of freeboard and two (2) feet of sediment storage. Additional freeboard may be required at the discretion of the City Engineer.

K. Flumes

The use of flumes is not recommended for widespread use. Flumes shall not be permitted when the purpose of a permanent flume is to carry runoff down the sides of earthen channels. A flume may be used to direct overflow runoff along property lines until the runoff can be intercepted by roads or conduits.

Section 10.09 Public and Private Water and Wastewater Facility Design

A. All new subdivisions shall be connected to the city's water system, shall install a reduced pressure zone (RPZ) backflow prevention and shall be capable of providing water for health and emergency purposes, including fire protection. Private, onsite water wells will be evaluated on a case-by-case basis by the City Engineer and only where lot sizes are three acres or greater and are in the city's extraterritorial jurisdiction. Should private water wells be allowed, the Owner will be responsible for providing a groundwater availability certification in accordance with current TCEQ regulations. Submission of a groundwater availability certification in no way guarantees approval for use of private individual waste wells. In no case will a private water well be allowed to serve more than one lot. All private water wells are subject to city approval and provided that all appropriate permits are procured from the city, the Prairielands Groundwater Conservation District, the TCEQ, and any other applicable agency(s). The design and construction of water system improvements and private water wells shall comply with the following standards:

1. Design and construction of a water source on the site shall be in accordance with applicable regulations of the TCEQ.
2. Design and construction of water service from the city shall be in accordance with the standards in the city's design guidelines and in accordance with TCEQ standards.
3. Design and construction of a fire protection and suppression system shall be in accordance with the standards in the city's design guidelines and in accordance with the city's fire department and fire code.

B. All new subdivisions shall be served by the city's wastewater collection and treatment system. The design and construction of the wastewater system improvements shall be in accordance with the city's standards and in accordance with the TCEQ. Private onsite wastewater treatment units will be evaluated on a case-by-case basis by the City Engineer and only where the city's collection system cannot serve the subdivision. In no case will an onsite wastewater treatment unit be allowed to serve more than one lot. All private onsite wastewater treatment units are subject to city approval and provided that all appropriate permits are procured from the city, the county health department, the TCEQ, and any other applicable agency(s). The design and construction of an onsite wastewater treatment unit shall comply with applicable regulations of the TCEQ.

C. The Owner shall be responsible for:

1. Phasing of development or improvements in order to maintain adequate water and wastewater services.

2. Extensions of utility lines to connect to existing utility services.
3. Providing and/or procuring all necessary easements for the utilities (whether onsite or offsite).
4. Providing proof to the city of adequate water and wastewater service.
5. Providing provisions for future expansion of the utilities if such will be needed to serve future developments, subject to the city's oversize participation policies, if applicable.
6. Providing all operations and maintenance of the utilities or providing proof that a separate entity will be responsible for the operations and maintenance of the utilities.
7. Providing all fiscal security required for the construction of the utilities.
8. Obtaining approvals from the applicable utility providers if other than the city.
9. Complying with all requirements of the utility providers, including the city.
10. Record drawings.
11. Replacing lines in order to comply with the utility master plans.

D. Extensions of water and wastewater mains

Unless approved in writing by the City Council, all developments shall be required to extend water and wastewater mains across the entire frontage of the subdivision in such an alignment that it can be extended to the next property in accordance with the master water and sewer plans for the city. Properties already served by water and sewer shall not be required to install additional facilities unless the current lines are not of adequate capacity to serve the proposed development, in which case the Owner will be required to install adequate facilities.

E. Oversized water and wastewater infrastructure

The City may participate in the cost of oversized water and sewer mains, lift stations and other facilities necessary to serve a proposed development. "Oversized mains" are defined as mains with pipe sizes larger than ten inches in diameter for water and 12 inches in diameter for sewer, which are required by the City for future expansion of the water and wastewater systems in conformance with the city's master water and sewer plans and are not required to provide adequate service to the proposed development.

"Oversized lift stations and other facilities" is defined as capacity in excess of that required to provide adequate service to the proposed development and is in conformance with the city's master water and sewer plans. Prior to beginning construction of any facility for which the city is to participate in the cost thereof, the Owner and the city shall enter into a written agreement. In addition to any such other terms as may be necessary to carry out the provisions of this section, the agreement shall provide that if construction of the facility does not commence within one year of the

date of the agreement, it shall terminate, unless written extension thereof is approved by both the Owner and the City.

F. Installation, operations, and maintenance of utilities not specifically referenced herein shall comply with regulations of the TCEQ, and with any other applicable state rules and regulations, whichever is the most stringent requirement.

Section 10.10 Fire Code

A. All developments served by a centralized water system, shall provide fire hydrants with fire flow, spacing such that all structures may be accessed by a 500-foot hose lay length, and separation in accordance with the adopted fire code.

B. The following is a summary of the fire code requirements as outlined in Section 214 of the *Texas Local Government Code*. This summary is included only for reference. The Owner is responsible for obtaining the current version of Section 342 of the *Texas Local Government Code*.

1. The fire code applies to the following buildings constructed in the extraterritorial jurisdiction of the city:
 - a. a commercial establishment;
 - b. a public building; and
 - c. A multifamily residential dwelling consisting of four (4) or more units.
 2. The fire code does not apply to an industrial facility having a fire brigade that conforms to requirements of the Occupational Health and Safety Administration.
 3. The fire code must:
 - a. Conform to:
 - i. the 2018 International Fire Code, as published by the International Code Council, or
 - ii. the 2015 Uniform Fire Code, as published by the National Fire Protection Association; or
 - b. Establish protective measures that exceed the standards of the codes. The City Council may adopt later editions of a fire code.
- C. In a subdivision with individual wells, that is not served by fire hydrants, the City Council may require a limited fire suppression system that requires the Owner to construct:
1. for a subdivision of fewer than 50 houses, 50,000 gallons of storage; or
 2. for a subdivision of 50 or more houses, 75,000 gallons of storage.

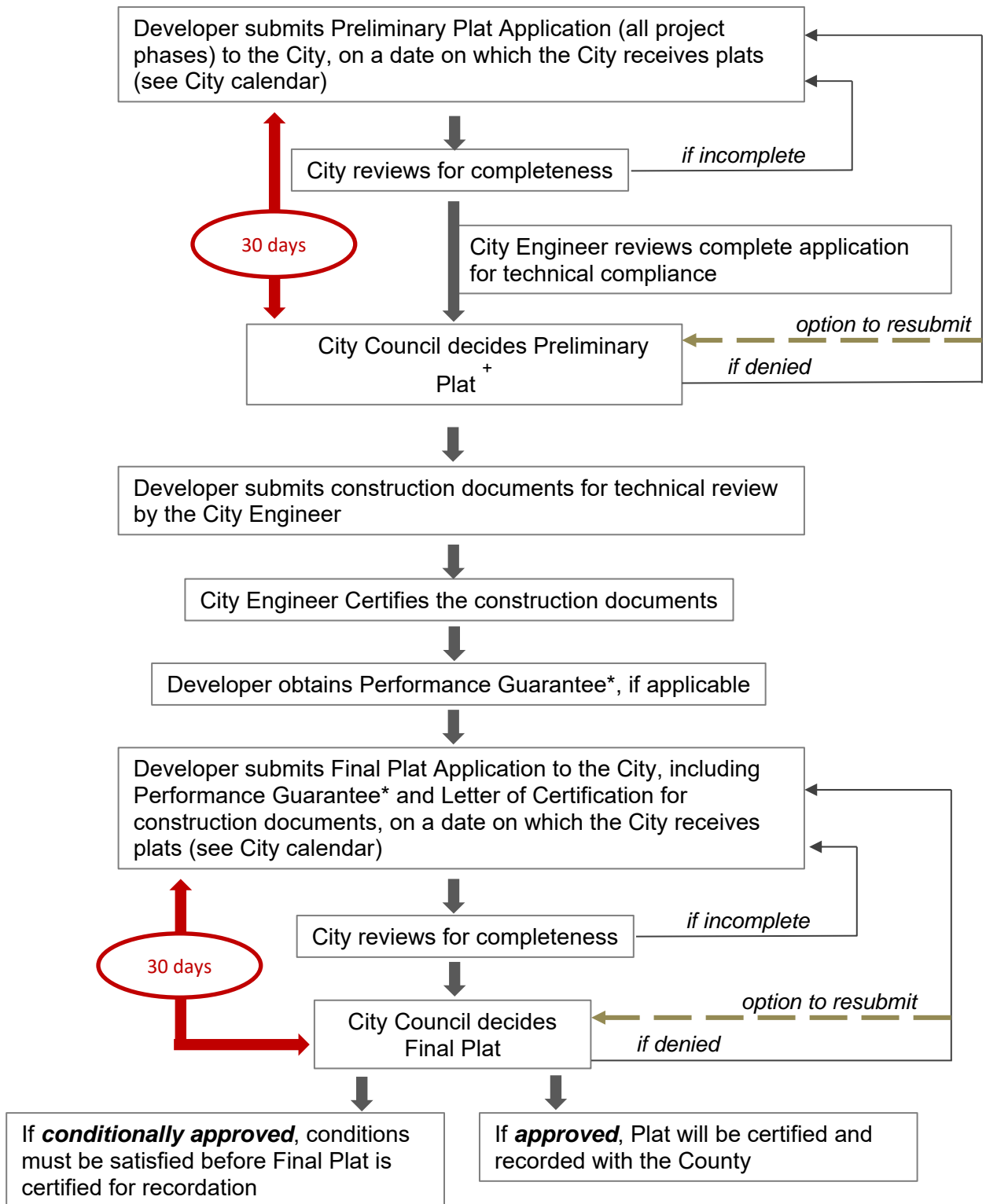
D. Applicability of limited fire suppression systems for subdivisions served by individual wells will be reviewed by the City Council on a case-by-case basis.

APPENDICES

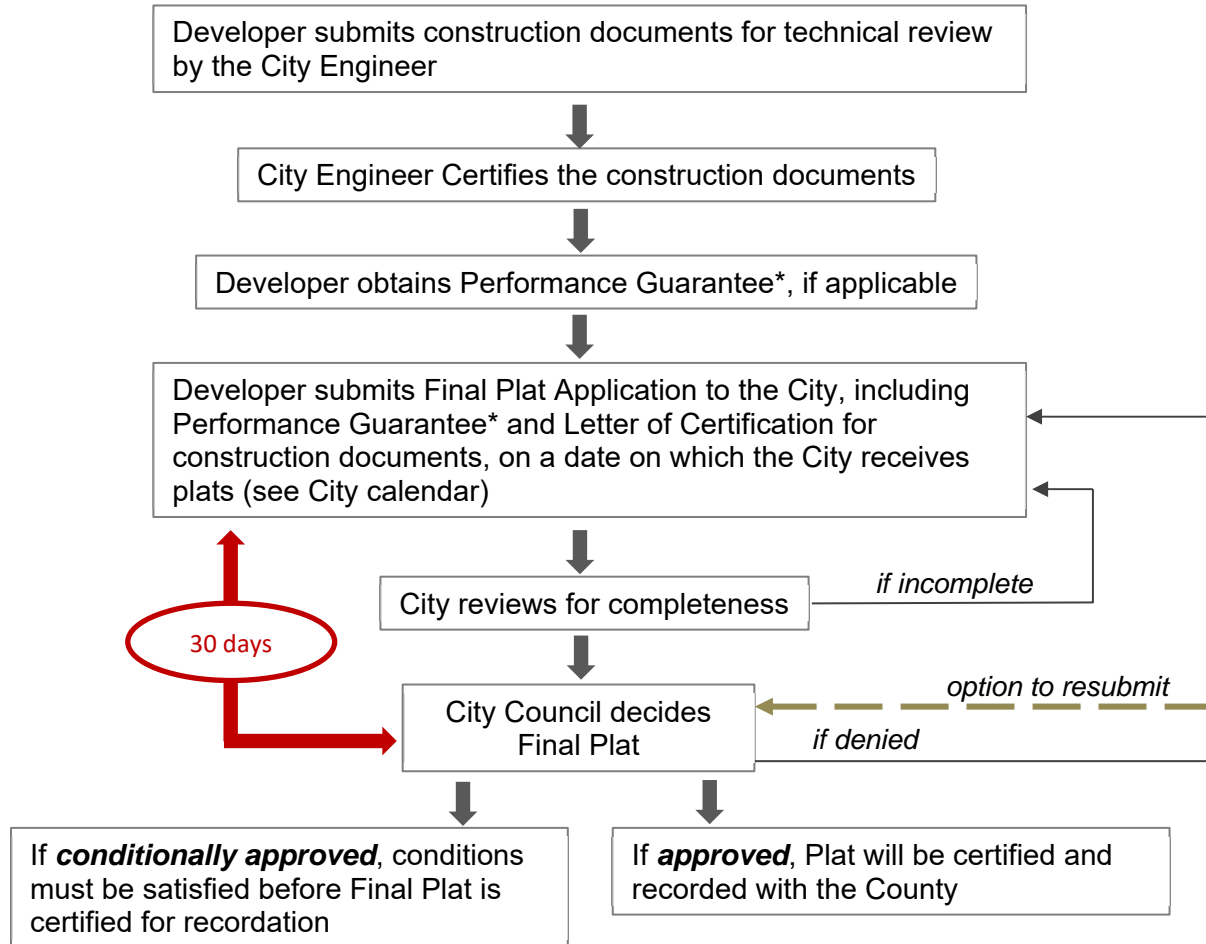
- Appendix A. Subdivision Development Procedure Charts
- Appendix B. Trip Generation Threshold Analysis Worksheet
- Appendix C. Construction Standards

Appendix A – Subdivision Development Procedure Charts

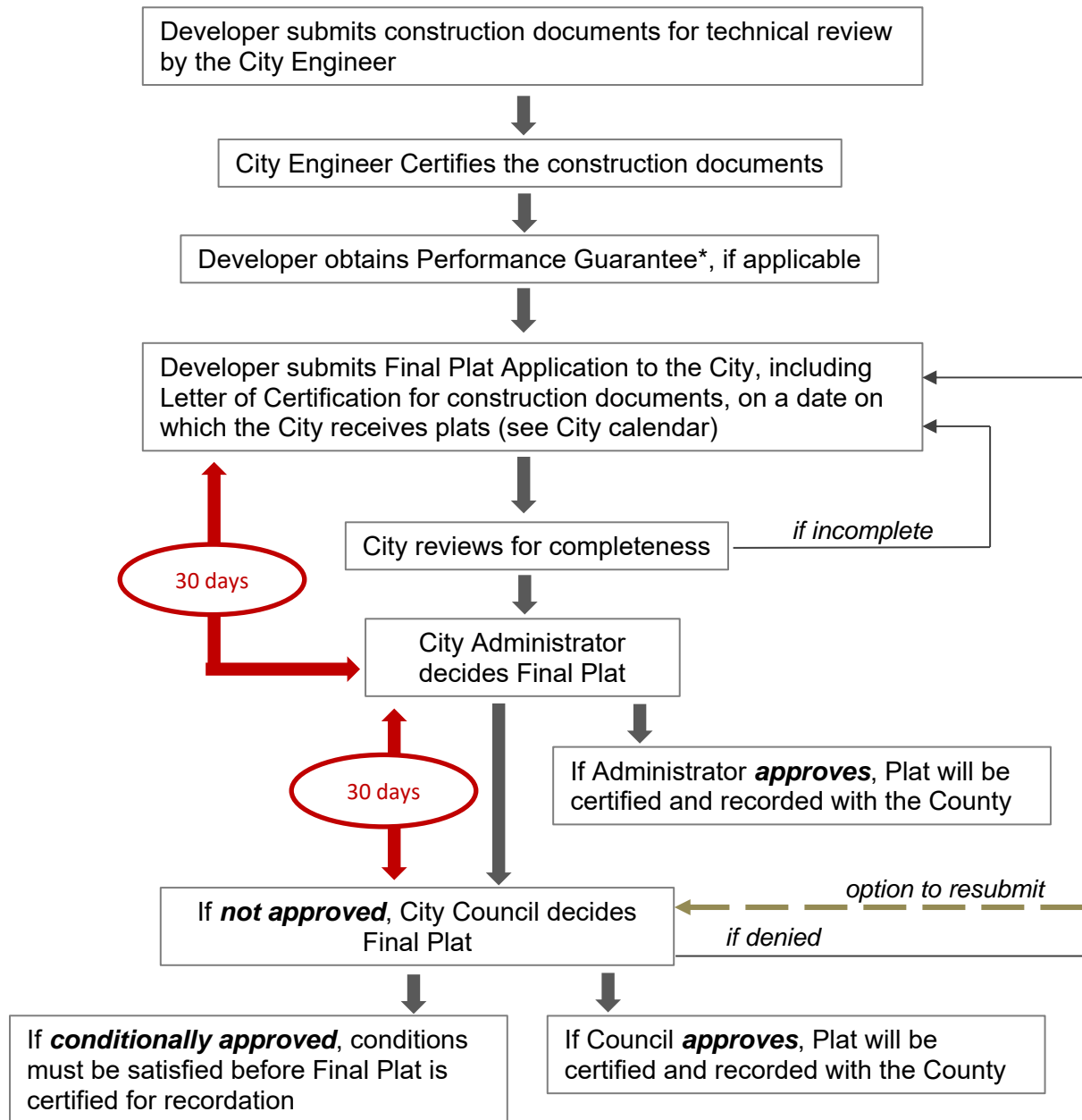
Subdivision Plats (>4 lots, or subdividing and improvements required)



Development Plats (no subdivision, but improvements required)



Minor Plats (subdivided, up to 4 lots, no improvements)



Appendix B - Traffic Analysis Threshold Worksheet

Submittal Date: _____
 Development Name: _____
 Approximate Location: _____

Proposed Land Use and Trip Generation Data for Build-out of Development

Land use Type	Intensity	Units	ITE Code	Trip Generation Rate (or Equation)	Daily Total (Weekday)	AM Peak Hour			PM Peak Hour			Saturday Peak Hour		
						In	Out	Total	In	Out	Total	On	Out	Total
Totals:														

Notes:

A Traffic Impact Analysis (TIA) will be required when the development is expected to generate 1,000 or more vehicles per day OR 100 or more vehicle trips in the peak direction (i.e., inbound or outbound) during the site's peak traffic hour.

The City Council may require a TIA at any stage of a development whether it meets these criteria or not if the Council finds that special circumstances exist requiring a TIA.

If a TIA is needed based on this Threshold Worksheet, the developer shall contact the Public Works Department to determine the actual study requirements regarding time periods, study area intersections, etc.

The use of internal capture trip reduction rates shall not be permitted without the prior approval of the City.

Threshold Worksheet Completed By:

Name: _____
 Address: _____

 Phone: _____

Seal / Signature / Date

Trip Generation Threshold Analysis Worksheet shall be completed by a Licensed Professional Engineer in the State of Texas with experience in Transportation Engineering.

THIS SECTION FOR CITY USE ONLY: Based on this submittal, a TIA is hereby REQUIRED or WAIVED (circle one)

Name: _____ Title: _____ Date: _____

**CITY OF GODLEY
TRIP GENERATION THRESHOLD ANALYSIS WORKSHEET**

The City of Godley's Design Guidelines requires that a Traffic Impact Analysis (TIA) be required if the proposed development exceeds one (1) or more of the two (2) threshold criteria listed below. The applicant for rezoning, preliminary plat and final plat is required to submit the Trip Generation Threshold Analysis Worksheet completed by a licensed professional engineer with experience in Transportation Engineering.

The only applicants who will not be required to submit the Traffic Impact Analysis Threshold Worksheet will be Single-Family Residential developments of ten (10) lots or less and Duplex Residential developments of five (5) duplex units or less.

The Trip Generation Threshold Analysis Worksheet must be submitted with the initial application forms. The City Engineer will review the form and will decide if a Traffic Impact Analysis will be required. This determination should be accomplished within five (5) working days of the completed form being submitted to the City. The City Council may require a TIA at any stage of a development whether it meets these criteria or not if the Council finds that special circumstances exist requiring a TIA.

Please describe in detail your evaluation of each criteria listed below. Additional sheets may be attached if necessary.

Criteria #1: The development is protected to serve 1,000 vehicle trips or more per day. *

Criteria #2: The development is projected to serve 100 vehicle trips or more in peak direction (inbound or outbound) during the peak traffic hour of the adjacent street traffic. *

* Unless otherwise approved, trip generation rates should be based on the most recent edition of the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*.

I hereby certify that the above information is correct and is in accordance with the City of Godley Design Guidelines.

Name: _____ Registration No: _____ Date: _____
Firm: _____ Phone: _____ Fax: _____