

PART V--FINAL PLAT AND CONSTRUCTION PLANS

Section 25. General

- 25.1 No subdivision of land shall be permitted without proper submittal, approval and adoption of a final plat prepared by a Surveyor and approval of construction plans and specifications for improvements prepared by an Engineer in accordance with this Ordinance.
- 25.2 All final plats must first be preceded by properly prepared and approved Preliminary Plats.

Section 26. Application and Copies Required

- 26.1 Twenty (20) blueline prints of the final plat (on 18-inch by 24-inch sheets), and three (3) sets of construction plans and specifications (on 24-inch by 36-inch sheets), and other required data, shall be submitted to the Town Engineer at least 20 consecutive calendar days prior to the meeting of the Planning and Zoning Commission at which such plat is to be considered. No plat will be considered by the Town until the prescribed filing fees have been paid.
- 26.2 If requested by the Subdivider and approved by the Commission, a final plat may be only a portion (or phase) of the approved Preliminary Plat. Such a portion or phase shall conform to all the requirements of this Ordinance. If final plats are submitted for approval by phase or section of the overall subdivision, each phase or section shall carry the name of the entire subdivision, but shall bear a distinguishing phase, number or subtitle. Block letters shall run consecutively throughout the entire subdivision, even though such subdivision might be finally approved in sections.

Section 27. Filing Fee, Tax Certificates, Impact Fees and Pro-Rata

- 27.1 When the final plat is filed with the Town Engineer for consideration and approval, it shall be accompanied by a filing fee as established by the Town Council. The payment of the final plat fee shall constitute formal request for final plat approval.
- 27.2 The final plat shall be accompanied by certificates from the Town, School District and County Tax Offices showing that all Town, School District and County taxes on the land being subdivided have been paid to the current year. All impact fees, assessments and applicable pro-rata charges will be paid to the Town Engineer prior to authorization to commence construction.

Section 28. Engineering and Inspection Fees

- 28.1 A fee of five (5%) percent of the estimated construction costs for all public improvements (streets, drainage, water and sewerage) shall be assessed for review of engineering plans and inspection fees. These estimated construction costs shall be approved by the Town Engineer. This five (5%) percent fee shall be composed of a two (2%) percent engineering plan review fee and a three (3%) percent inspection fee. The engineering plan review fee shall be paid upon

submittal of the engineering plans and specifications. The inspection fee shall be paid prior to authorization to proceed with construction.

The initial testing of materials or construction items (as required) is the responsibility and obligation of the developer's contractor. When additional tests of material or construction items are ordered by the Town beyond those designated in the technical specifications to be furnished by the contractor, the first of such additional tests will be paid for by the Town. Should that test indicate that the material or construction does not satisfy the minimum requirements of the Town, then the costs of all additional tests on the same or replaced or corrected materials or construction shall be paid for by the subdivider. All tests shall be performed by an independent engineer or laboratory approved by the Town.

- 28.2 No Subdivision will be approved for construction to begin until all fees have been paid to the Town. No building permits will be issued by the Town until all cost for additional tests have been paid to the Town.

Section 29. Form and Content of Final Plat

- 29.1 The final plat shall conform to the Preliminary Plat as conditionally approved by the Town Council incorporating any and all changes, modifications, alterations, corrections and conditions imposed by the Commission and Council.

- 29.2 The final plat shall be drawn in permanent ink on quality reproducible sheets not larger than 18 inches by 24 inches and a margin not less than one and one-half (1 ½) inches on the left side of the sheet, and one-half (1/2) inch on other sides. The plat shall be drawn at a scale of not more than 100 feet to one inch, unless otherwise approved by the Town Engineer. Where more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision at appropriate scale shall be attached to the plat.

- 29.3 The final plat shall comply in all respects with the approved Preliminary Plat. The applicant shall submit the Final Plat drawn by a licensed surveyor and shall include the following:

1. A blank 3-inch by 3-inch block shall be provided at the lower right hand corner of each sheet for the recording stamp by the Denton County Clerk.
2. Name and address of the subdivider, owner of record, and surveyor.
3. The signature of the owner on the final plat, or a notarized statement from the owner, authorizing the applicant to submit a final plat on the property.
4. Proposed name under which the subdivision is to be recorded. All subdivisions shall be named and the name approved by the Town before the Final Plat is submitted. No name shall be a duplication, either in part or in whole or be similar in spelling or pronunciation to the name of any other subdivision with the Town or within any distance outside the Town, which might result in confusion to operators of emergency vehicles. The name of the subdivider may be incorporated in the subdivision names. Whenever possible the name shall be in keeping with the geographical

location, the natural features, and/or the historical significance of the area. Final acceptance and approval of the subdivision name shall be by the Town Council.

5. Name of contiguous subdivisions, location of contiguous lots, and indication of whether contiguous properties are platted and filed of record.
6. The tract designation and other description according to the real estate records of the county.
7. 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. Elevation data shall show at least two (2) benchmarks. Such primary control points shall be either a Town recorded monument or a USGS monument, if such monument is within 2,000 feet of the proposed subdivision. The point of beginning for land in a subdivision described by metes and bounds should be clearly defined on the plat, and any plat shall be clearly related to the survey, tract, or subdivision of which it is a part. All distances shown on the final plat shall be horizontal ground lengths.
8. A location map of the proposed subdivision showing existing and proposed streets and thoroughfares covering an area of at least one (1) mile outside the proposed subdivision.
9. Subdivision boundary lines of the total area proposed for subdivision and the computed acreage of the total area.
10. Bearing and length of each boundary line shall be shown and description by metes and bounds of the subdivision perimeter shall be placed on the plat.
11. The location, dimensions, and name (if applicable) of all existing or recorded streets, alleys, reservations, public or private 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 residential lots, parks, public areas, permanent structures within or contiguous with the proposed subdivision shall be shown.
12. The location, dimensions, rights-of-way, and names, of all proposed streets according to current adopted Town policies. When curved streets are proposed, the radius of the curve shall be shown.
13. Each proposed street, within the subdivision area, shall be named and shall conform with names of any existing street of which they may be or become extensions. Extensions of existing streets or roads shall use the name already established. All streets shall be named and the name approved by the Town before the Final Plat is submitted. No name shall be a duplication, either in part or in whole, or be similar in spelling or pronunciation to, the name of any other street within the Town or within any distance outside the Town, which might result in confusion to

emergency vehicles. No street shall be named for a living person, but may be named for a person of historical significance, especially within the immediate area. Whenever possible the name shall be in keeping with the geographical location, the natural features, and/or the historical significance of the area. Final acceptance and approval of street names shall be by the Town Council.

14. The location of existing and proposed public utilities and utility easements.
15. The location of existing and proposed drainage structures, storm drainage easements and improvements.
16. The location of proposed blocks, lots, and other sites within the proposed subdivision.
17. A number shall be used to identify each lot, site or block.
18. The specific size of each lot, in acres, and outside dimensions, in feet.
19. Front building setback lines on all lots and sites. Second front yard building setback lines at street intersection. For lots facing on curved streets the chord width of the lot at the front building setback line shall be shown.
20. Location of Town limits line and the outer border of the Town's extraterritorial jurisdiction, if they traverse the subdivision, form part of the boundary of the subdivision, or are contiguous to such boundary.
21. The date of preparation, and date of latest revision.
22. The location of all existing pipeline easements and information concerning the size of the pipe, type of product being transported.
23. The name of the registered Surveyor or Engineer responsible for preparing the plat.
24. A list of the proposed restrictive covenants, conditions, and limitations to govern the nature and use of the property being subdivided. Deed restriction for the subdivision may be shown on the plat or on 8 ½ x 11-inch paper attached as a supplement of the plat.
25. A North Point arrow.
26. Data specifying the gross area of the subdivision, the proposed number of residential lots and area thereof, and the area in parks and in other non-residential uses.
27. All land intended to be dedicated for public use or reserved in the deeds for the use of purchasers or owners of lots in the proposed subdivision,

together with the purpose of conditions or limitations of such dedications, if any.

28. Owner's acknowledgement and dedications. (See sample below.)

(SAMPLE OWNER'S ACKNOWLEDGEMENT AND DEDICATION)

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|-------------------------|----------|--|
| STATE OF TEXAS | § | OWNER'S ACKNOWLEDGMENT AND DEDICATION |
| | § | |
| COUNTY OF DENTON | § | |

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 the _____ subdivision to the Town of Ponder, Texas, and whose name is subscribed hereto, hereby dedicate in fee simple 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 DENTON | § |

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 purpose and considerations therein stated.

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

Notary Public

County

BY: _____
TOWN SECRETARY

32. "FINAL PLAT" Designation listed on face of all copies.
33. Metes and bounds description including total acreage according to County Deed Records.
34. For a phased development the dedication shall be only for the section approved.
35. Public open space easements (P.O.S.E.) shall be indicated on all lots adjoining two (2) intersecting public streets and shall have a minimum dimension of thirty-five feet (35') along each portion adjacent to a public street right-of-way. Public open space easements (P.O.S.E.) shall be indicated on all lots adjoining one (1) public street and an alley and/or an approved private street and shall have a minimum dimension of twenty feet (20') along the portion adjacent to a public street right-of-way and twenty feet (20') along the portion adjacent to an alley and/or approved private street.

The following full statement of restrictions shall be placed in the dedication instrument or on the face of the plat.

“Public Open Space Restriction:

No structure, object, or plant of any type may obstruct vision from a height of twenty-four (24) inches to a height of eleven (11) feet above the top of the curb, including, but not limited to buildings, fences, walks, signs, trees, shrubs, cars, trucks, etc., in the public open space easement as shown on this plat. These open space easements will remain in effect until vacated by ordinance adopted by the Town Council of Ponder and the property replatted.

36. The following full statement of restrictions shall be placed in the dedication instrument:

“Utility Easements

Any public utility, including the Town of Ponder, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growth or improvements which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of the easement shown on the plat; and any public utility, including the Town of Ponder, 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 receptive systems without the necessity of at any time of procuring the permission of anyone.”

37. The following full statement of restrictions shall be placed in the dedication instrument of the subdivision plat:

“Floodplain Restriction

No construction, without the written approval of the Town of Ponder shall be allowed within a floodplain 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; and subject to all owners of the property affected by such construction becoming a party to the request. These engineering studies shall be done in compliance with FEMA (Federal Emergency Management Agency) guidelines which address acceptable studies, methods and limits of work done inside the 100-year floodplain. Where construction is permitted, all finished floor elevations shall be a minimum of one (1) foot above the 100-year flood elevation.

The existing creeks, lakes, reservoirs, or drainage channel traversing along or across portions of this addition, will remain as an open channel at all times 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. The Town of Ponder will not be responsible for the maintenance and operation of said drainageways or for the control of erosion. Each property owner shall keep the natural drainage channels traversing adjacent to his property clean and free of debris, silt, or any substance which would result in unsanitary conditions and the Town 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. The natural drainage channel, as in the case of all natural drainage channels, are subject to storm water overflow and natural bank erosion to an extent that cannot be definitely defined. The Town of Ponder shall not be 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 shown by the floodplain easement line as shown on the plat.”

Section 30. Form and Content of Construction Plans and Calculations

- 30.1 All improvements shall be designed in accordance with the specific “Design Provisions” detailed in this Ordinance.
- 30.2 Two (2) copies of complete plans, specifications, engineering calculations, and detailed cost estimates, for streets, drainage, sanitary sewers, water distribution, and any other improvements to be performed, with the Engineer's seal affixed, are required for submission with the final filing plat. Before the final filing plat can be approved by the Town Council, and filed for record by the Town, the information must be submitted to the Town Engineer and approved by the Planning & Zoning Commission and Town Council.

- 30.3 Each plan shall show the seal and signature of the registered professional Engineer who prepared the plan. The subdivider shall retain a registered civil Engineer, licensed to practice in the State of Texas, for all design in new subdivisions or developments, including streets, storm drains, water and sanitary sewers.
- 30.4 Upon approval of the plans, the Developer shall furnish two (2) sets of final approved plans to the Town Secretary or designee for use in preparing the Subdivider's Agreement.
- 30.5 The Developer's Engineer shall provide a projection of probable cost for all required public improvements to the Town Engineer for approval.

30.7 Paving Plans

1. A plan and profile of each street showing the existing ground line, the centerline and the top of curb grade line and proposed ground line at the right and left right-of-way line. Each sheet shall include north point, scale, and date and benchmark description to sea level datum. Scales shall be 1 inch equal 40 or 50 feet horizontally and 1 inch equal 4, 5, or 10 feet vertically unless otherwise approved by the Town Engineer. The typical cross-section of proposed streets showing the width of roadways and type of pavement and location and width of sidewalk shall be shown. The Town Engineer may require cross-sections at 50-foot intervals along the centerline to assist in evaluating the roadway design. Each plan shall show the seal and signature of the registered professional civil engineer who prepared the plans.
2. Construction details of all structures and appurtenances including dimensions, reinforcing, and components such as grate and manhole covers shall be shown or referenced in the case where they are standard Town of Ponder Construction Details. The proposed curb and gutter type and location in relation to the center line and right-of-way, the proposed sidewalk dimension and the proposed parkway grading shall be shown on street plans. This information shall be given for each of the different types of streets and alleys in the subdivision. Soils test by an approved soil testing laboratory shall be submitted with the plans to determine the limits and amount of lime or cement stabilization required.
3. The plans shall include the alignment of each street, alley, crosswalk and drainage and any other easement, and a beginning and end station of the point of intersection of each curve. The station and angle of each intersection with another street, alley, or drainage easement, the station and radius of each curb return, the location of all monuments and the length, width, thickness of base, subgrade and surface material of each street.
4. The plans shall also include the location, description and elevation of all benchmarks, the direction of storm drainage flow at each intersection, the flow line elevation of each drainage structure, the flow line elevation of each storm sewer at each point of change of grade and each end and the

intervening gradient, the profiles of streets, alleys, and drainage structures shall show the natural ground at adjacent property lines and the proposed center line.

5. The applicant shall also submit an Engineering Report that includes all calculations and assumptions used in the design of the proposed improvements.
6. Cost projections shall be prepared using quantities shown on the construction plans and recent unit prices from bids on similar projects. Reasonable contingencies should be included to cover uncertainty in the projection. Actual bids supported by bid and performance bonds may be used in lieu of projections of probable cost.
7. Upon approval of the construction plans, specifications and projections of probable cost by the Town Engineer; approval of the contract documents, bonds and financial assurance; acquisition of all necessary off-site easements, and upon receipt of the inspection fees, the Town shall issue a written notice to proceed for the construction of public works improvements.

30.5 Sanitary Sewer and Water Plans

1. A plan and profile of proposed sanitary sewers, with grades and pipe sizes indicated and showing locations of manholes, cleanouts, etc., in conformance with the criteria as shown in the part of the Ordinance listed as "Design Provisions". Each plan shall show the seal and signature of the registered professional civil engineer who prepared the plans. Each sheet shall include north point, scale, date and benchmark description to sea level datum.
2. 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, grades, and locations indicated.
3. Each sheet shall indicate the direction and distance to, and size of the nearest water mains and sewers in the event they are not on or adjacent to the tract, showing invert elevation of sewers, if any.
4. A plan and profile of the proposed water distribution system showing pipe sizes and location of valves, fire hydrants, and fittings and other facilities. A profile is required for all water lines twelve (12) inches in diameter and larger. Each sheet shall include north point, scale, date, and benchmark description to sea level datum.

30.9 Storm Drainage Plans

Upon approval of the preliminary drainage study, the Developer shall submit detailed plans, specifications and cost projections prepared by a registered Professional Engineer registered in the State of Texas and experienced in

municipal drainage work. Existing and proposed flow lines of all improvements shall be shown. Unless otherwise specified herein, drainage requirements shall be based on the Denton County Drainage Design Criteria. The Hydraulic Manual prepared and compiled by the Texas Department of Transportation Bridge Division, with current revisions, may be used in cases not covered by the Denton County Drainage Design Criteria. Plans shall include:

1. A plan and profile of proposed storm sewers or channels, showing hydraulic grade line, pipe grades and sizes, manholes, inlets, pipe connections, outlet structures, etc., in conformance with the criteria as shown in the part of the Ordinance listed as "Design Provisions". Each plan shall show the seal and signature of the registered professional civil engineer who prepared the plans. Each sheet shall include north arrow, scale, date, and benchmark description to sea level datum.
2. A general location map of the subdivision showing the entire watershed (a 7-1/2 minute U.S.G.S. quadrangle is satisfactory).
3. Calculations showing the anticipated storm water flow, including watershed area, runoff factor, rainfall intensity and time of concentrations shall be submitted showing basis for design.
4. Detailed plans showing plan and profile shall be submitted for any bridges, culverts, catch basins, any other drainage structures, or any other improvements to be made.
5. All street width and grades shall be indicated on the plan, and run-off figures shall be indicated on the outlet and inlet side of all drainage ditches and storm sewers, and at all points in the street at changes of grade or where the water enters another street or storm sewer or drainage ditch. Drainage easements shall be indicated.
6. When a drainage ditch, culvert, channel or storm sewer is proposed, hydraulic calculations including flow routes and rates for the design storm shall be submitted showing the basis for design.
7. When a drainage channel or storm sewer is proposed, complete plans, profiles and specifications shall be submitted showing complete construction details. Scales shall be 1 inch equal to 40 or 50 feet horizontally and 1 inch equal 4, 5, or 10 feet vertically or other as approved by the Town Engineer.
8. A site grading plan shall be submitted depicting the final grading contour elevations, earthwork, slopes, retaining walls, minimum finished floor elevations of all structures, and any other information considered necessary by the Engineer for the Town at a scale of 1" = 100' minimum.
10. Prior to construction, a copy of the developer's Stormwater Pollution Prevention Plan and erosion control plan shall be submitted for review.

30.10 Traffic Safety Plan

The Developer's Engineer shall submit traffic safety plan for use during construction in accordance with the Texas Manual on Uniform Traffic Control Devices or Texas Department of Transportation standards.

30.11 Other Utilities

The Subdivider must furnish a written statement to the Town designating that the subdivision will be served with gas or will be totally electric service. If a gas distribution system is to be installed, then all distribution mains and service lines shall be installed before street construction is complete.

30.12 Design Summary

A separate document or report entitled Engineering Design Summary shall be submitted with final plans and specifications if requested by the Town Engineer and shall summarize calculations and such other engineering information pertaining to the major items of design significance as may be necessary in the Town Engineer's review of the plans and specifications to determine whether the facilities proposed for construction have been designed in accordance with the intent of the "Design Provisions" of this Ordinance. Calculations should include drainage facilities, water demand, sewage flows, and any others that are considered necessary by the Town.

Section 31. Form and Content of Contract Specifications

31.1 Standard Specifications for Public Works Construction

The Town of Ponder, Texas, herein has adopted the Standard Specifications for Public Works Construction (Third Edition, 1998, as amended) as published by the North Central Texas Council of Governments (NCTCOG), the Town of Ponder Public Works Installation Guide and Construction Details, plus any local amendments adopted by the Town of Ponder, for use in public works or facilities construction within the Town of Ponder and its extraterritorial jurisdiction. These specifications are adopted in their entirety except as amended in the local amendments that are included in the Ponder Public Works Installation Guide. Where there is a conflict, the Public Works Installation Guide shall govern. All builders, developers, and contractors are to utilize said specifications in the construction of any public facilities or projects which are anticipated to be dedicated to, accepted by, or utilized by the public within the Town of Ponder and its extraterritorial jurisdiction. To the extent that any of the provisions of these standard specifications are in conflict with any other Town ordinances, the most restrictive or exacting standard shall apply.

31.2 Standard Details

Standard details do not need to be included in the drawings. All plans should reference applicable details when and where they are used and should be called out on the drawing. If a detail used for construction varies from the City's Public Works Construction Details, the revised detail shall be included in the construction plans.

