

Sec. 125-42 Building Permit

Sections:

- 125-42.A. Creation of Building Site
- 125-42.B. Construction
- 125-42.C. Significant Alterations, Reconstruction or Conversions

Sec. 125-42.A. Creation of Building Site

No permit for the construction of a building upon any tract or plot shall be issued until a building site or lot has been created by compliance with the following conditions:

1. The lot or tract is part of a plat of record, properly approved and recorded in accordance with state law, City ordinances and other applicable laws and regulations.
2. ~~The site plot or tract is all or part of a site development plan officially approved by the City Planner or designee or Planning and Zoning Commission, which site development plan provides a~~ All utility and drainage easements, alleys, streets and other public improvements necessary to meet the normal requirements for platting shall be provided, including the designation of building areas and easements, alleys and streets that have been properly dedicated, and the necessary public improvements.

Sec. 125-42.B. Construction

1. No permit for the erection, alteration, reconstruction, conversion or use of any building shall be issued by the Building Official unless there shall first be filed in his office by the applicant therefore a plan in duplicate, drawn to scale, correctly showing the location and actual dimensions of such building and accessory buildings, with measurements from all lot lines to all foundation lines of buildings.
2. In addition, the applicant shall provide a true statement, in writing, signed by the applicant, showing the use for which such buildings are intended.
3. No permit shall be issued by the Building Official unless such plan shall show in every detail that such building is to be erected and used in conformity with all the provisions of this Article.
4. A record of such application and plans shall be kept in the office of the Building Official. An approved ~~site development plan~~ set of building plans, including a site plan, shall ~~be~~ remain on the job site at all times and shall be available to the inspector upon his or her request. Failure of any applicant or of his agents or employees to erect, alter, move or maintain any buildings in conformance with such plans on which such permit is issued, shall render such permit void. The Building Official is hereby authorized and directed to revoke any such permit by giving written notice to the applicant or his agents or employees, and all work upon such building shall be immediately discontinued on the serving of such

notice until such buildings shall be changed so as to comply with such plans and permits.

Sec. 125-42.C. Significant Alterations, Reconstruction or Conversions

If any of the following conditions apply, the Building Department shall refer the applicant to the City Planner or designee for review of the project by the City staff:

1. The value of the building is increased more than 50 percent;
2. The footprint of the building is changed;
3. The usable square footage increases by 10 percent or more;
4. The use changes from a commercial, industrial, residential or public service category to another category;
5. The alteration, reconstruction, or conversion impacts traffic, drainage, utilities, or parking as determined by City staff.

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Sec. 125-45 Site Development Plan Review

Sections:

- 125-45.A. Master Development Plan
- 125-45.B. Site Development Plan
- 125-45.C. Delegation of Approval Responsibility
- 125-45.D. Processing Fees

Sec. 125-45.A. Master Development Plan

A master development plan must be provided for all business and commercial projects to be developed in phases or sections.

1. *Filing Procedures.*

- a. The master plan shall be approved by the Planning and Zoning Commission in concept only. This master plan shall be submitted and approved prior to or with the first section of development of the site and shall accompany submission of all sections thereafter. All properties within a single site must be contiguous and immediately adjacent to one another or be the subject of additional development plans and filing fees.
- b. One reproducible polyester film of the signed master development plan will be filed with the City Planner or designee and shall remain on file for the use of any person who may be interested in the plan.

2. *Graphic Requirements.* The master plan shall include the following graphic requirements:

- a. Plans shall be standard sheet size, 24 inches by 36 inches in overall dimensions.
- b. An overall map of the total property showing blocks, reserves, street layout, etc., shall be included.
- c. A storm water drainage overlay or plan view with existing topographic contours, areas to be filled, if any, and drainage areas, including major drainage ways, outlined shall be included.
- d. A wastewater overlay or plan view shall be included.
- e. A water main overlay or plan view shall be included.

- f. Locations of any known geological fault lines shall be indicated in plan view or in a geological report from a professional engineer.
- g. Original boundary and topographic data must be certified by a registered public surveyor. Also, any area to be filled must be shown, with appropriate proposed elevations.
- h. A description of all proposed land uses with approximate acreage devoted to each type of use.
- i. A general development plan showing the approximate location of buildings, parking lots, building heights and setbacks from all property boundaries.
- j. A description of the maximum densities for residential uses and the maximum floor area for nonresidential uses.
- k. A description of significant environmental features including watercourses and flood plains.
- l. Show all areas devoted to open space on a general landscape plan.
- m. Lighting plan

3. ***Changes to Master Development Plans.*** The City Planner or designee may approve changes to the master development plans that are not substantial or significant. Changes that are found to be substantial and significant would require approval of the Planning and Zoning Commission. Substantial or significant changes would include:

- a. Increases the density and/or intensity of residential uses of more than five percent;
- b. Increases in total floor area of all nonresidential buildings covered by the plan of more than five percent;
- c. Increases of floor area for any one nonresidential building covered by the plan of more than five percent;
- d. Increases of lot coverage of more than five percent;
- e. Increases in the height of any building of more than ten percent;
- f. Changes in ownership patterns or stages of construction that will lead to a different development concept;
- g. Decreases of any peripheral setback of more than ten percent;

- h. Decreases of area devoted to open space of more than five percent or the substantial location of such areas;
or,
- i. Changes to traffic circulation patterns that will affect traffic outside of the projects boundaries.

Sec. 125-45.B. Site Development Plan

A site development plan must be provided for all new business and commercial development and all existing commercial development where significant alterations are planned. The site development plan shall consist of a graphic and informative description of a specific design for a development meeting the requirements in this section. The site development plan shall be prepared with careful regard to the location of the parking facilities in relation to adjoining and neighborhood commercial, industrial, multifamily and other residential improvements, and all shall be devised to have the least adverse effects on such adjoining or neighboring properties. The development plan shall ~~become~~ be submitted as part of the ~~approved~~ building permit application. City staff will inform the applicant of the required number of ~~reproducible polyester film and~~ paper copies. The following items shall be required at the time of submittal to the Planning Department for mandatory staff review.

1. Accompanying Documents

a. Cover Sheet with Signature Block

b. General and Construction Notes

c. Survey/Plat

~~a.d.~~ d. Site plan

~~b.e.~~ e. Civil plan

~~e.f.~~ f. Drainage/paving plan

i. Flood impact analysis

ii. Permits from the Army Corps of Engineers and Texas Department of Transportation, as applicable

g. Landscape plan

h. Utility Plan

i. Photometric Plan

j. Storm Water Pollution Prevention Plan (SWPPP)

k. Building Elevations

~~d.~~ 1. **Fire Management Plan**

~~e.~~ Application

~~f.~~ Appropriate fee

2. ***Filing Procedures.***

At the discretion of the City Planner or designee, the applicant shall provide an introductory presentation of the proposed project to the Planning and Zoning Commission. No formal action to finally approve or disapprove the proposed project will take place at the introductory meeting.

- a. To the extent practical, t~~The **City Planner**~~Building Official or designee will provide written comments to the applicant within 15 working days of official receipt of the site development plan.

~~a. If variances from this Zoning Ordinance are requested, following City staff review and resolution of their written comments, the applicant may request that the site development plan be placed on a regular Zoning Board of Adjustment meeting agenda for action. Staff may recommend approval or disapproval of the variance request to the Zoning Board of Adjustment.~~

~~b. Approval by the City Planner or designee or Planning and Zoning Commission will be for a period of 1 year; a new development plan will be required unless an extension is granted by the Planning and Zoning Commission.~~

- b. When the work provided for in the approved plans and specifications has been satisfactorily completed, reproducible as-built plans shall be submitted by the applicant prior to occupancy approval to replace the approved plans that are on file at the engineering office. These plans shall be labeled "as built" and certified and dated by a Registered Professional Land Surveyor or Registered Professional Engineer.

- c. Submitted prints and drawings are not returnable to the applicant.

3. ***Graphic Requirements.***

- a. Plans shall be standard sheet size, 24 inches by 36 inches in overall dimensions.

- b. Location and length of boundary lines shall be shown. A heavy-lined plan perimeter shall be shown, which will be the result of an accurate boundary survey of the property by a Registered Professional Land Surveyor, with bearings and distances referenced to section/original survey comers, and showing the lines of adjacent lands and lines of adjacent streets and their names and widths (dashed lines). The correct geographic legal description of the property, including metes and bounds description, if necessary, shall be included on the face of the plan.

- c. An inset map showing orientation of the area being developed in relation to adjacent areas and principal streets shall be included.
- d. The proposed name of the commercial establishment shall be indicated.
- e. The location, right-of-way width, driving surface width and names of existing and proposed streets within the development and immediately adjacent to it, and the proposed method of street surfacing, shall be indicated. The width of street paving, measured at right angles, or radially when curved, shall be

indicated. Street design dimensions or references to the minimum standards for tangents, arcs, radii, etc., shall be indicated.

- f. The alignment of proposed streets with existing City streets shall be shown. Depending upon the location and design of the development, the Planning and Zoning Commission may require that one or more streets be designated arterials, and that stub-outs for arterial streets be platted to provide for ingress and egress to present or future developments.
- g. The appropriate width, depth and location of all existing or proposed building sites or facilities shall be indicated.
- h. The location of building setback lines shall be indicated.
- i. The name, location, width and purpose of all existing and proposed easements shall be indicated.
- j. Existing and proposed utilities on and adjacent to the site shall be indicated. Sizes of existing utilities, and the location of proposed junctions with the existing system, shall be shown.
- k. The north point, scale and date (month and year) shall be indicated.
- l. The scale shall be a maximum of 100 feet to the inch.
- m. Names of owners of adjacent property, names of streets, watercourses, pipelines and easements up to a distance of 200 feet shall be indicated.
- n. One-foot elevation contours extending to 25 feet beyond the development boundary, based upon the latest United States Coast and Geodetic Survey shall be shown. A topographic map not more than 18 months old, prepared by a Registered Professional Land Surveyor, shall be included. Additionally, the location and elevation of the highest and lowest points within the development will be shown. A statement shall be included on the face of the plat that the property does or does not lie within the defined 100-year floodplain. Location of the 100-year floodplain boundary contour, floodway contour and Federal Emergency Management Agency flood zone shall be indicated on the face of the plat when such contour or zone divides the development area.
- o. Land adjacent to the development in which any party to the development has a legal or financial interest shall be shown.
- p. Location of fire hydrants, proposed and existing storm drainage system, security lighting and streetlights, and type of poles, shall be shown.

- q. The location and identification of lots, streets, public highways, sidewalks, alleys, parks and other features, with accurate dimensions, in feet and decimals of feet, with the length of radii, tangents and arcs to all curves, and with all other information necessary to reproduce the development on the ground, will be set out within the perimeter lines.
- r. City-approved numbering is to be added to all lots or units, preferably by an overlay document.
- s. Traverse lines along streams and easements shall be shown adjacent to the high bank of streams and waterways.
- t. A parking and housing unit table shall be included if applicable.
- u. Itemized landscaping and screening plans shall be included.

Sec. 125-45.C. Delegation of Approval Responsibility

Following City staff review and resolution of their written comments, properly filed site development plans may be approved by the City Engineer or designee. The Planning Manager or designee may, for any reason, elect to present the site development plans to the Planning and Zoning Commission for their action.

Sec. 125-45.D. Processing Fees

1. *Plan Review Fees*, ~~based on Schedule 125-45.D: Plan Review Fee Table below.~~ Fees shall be established by resolution as approved by the City Council. The fees shall be payable to the City, ~~and must shall~~ be presented at the time the site development plan building permit application is submitted to the ~~Planning Building~~ Department for staff review. Fees are not refundable.

~~Schedule 125-45.D: Plan Review Fee Table~~

| <i>Project Size in Acres</i> | <i>Fee</i> |
|------------------------------|------------|
| < 1.00 | \$250.00 |
| 1.01 — 2.50 | \$375.00 |
| 2.51 — 5.00 | \$500.00 |
| 5.01 — 10.00 | \$625.00 |
| > 10.01 | \$750.00 |

2. The City reserves the right to assess fees based upon actual cost incurred by the City for multiple iteration of reviews of construction plans and specifications, and for the review of offsite plans of infrastructure improvements needed to service the development. Fees charged shall be based on rates posted and made available by the Planning Department for inspection by the applicant.

3. ***Capital Recovery Fees.*** Capital recovery fees (CRF) established by the City Council must be paid before the issuance of any building permit.

~~***Variance Requests.*** A non-refundable variance request fee established by the City Administrator must be paid with the written request to be placed on Zoning Board of Adjustment agenda for each variance item.~~