

**LAND SUBDIVISION
REGULATIONS**

**TOWN OF
BEASLEY, TEXAS**

ORDINANCE #63

LAND SUBDIVISION

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This pamphlet is a reprint of Appendix A, Land Subdivision Regulations, of the Code of Ordinances, Town of Beasley, published by order of the Town Council.

APPENDIX A
LAND SUBDIVISION

ORDINANCE NO. 63

AN ORDINANCE PROVIDING RULES AND REGULATIONS COVERING THE PLATTING OR REPLATTING OF LAND SUBDIVISIONS IN THE CORPORATE LIMITS OF THE TOWN OF BEASLEY, TEXAS, AND WITHIN ITS EXTRATERRITORIAL JURISDICTION AND REQUIRING PLATS AND REPLATS TO CONFORM TO SUCH RULES AND REGULATIONS IN ORDER TO PROCURE THE APPROVAL OF THE TOWN COUNCIL OF THE TOWN OF BEASLEY AND PROVIDING A PENALTY AND SAVINGS CLAUSE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF BEASLEY, TEXAS AS FOLLOWS:

SECTION 1: No person, firm or corporation shall, after the effective date of this ordinance, divide any tract of land into two (2) or more parts, construct, reconstruct, build (or) erect any residence multifamily dwelling, warehouse, plant or commercial building within the corporate limits of the Town of Beasley, Fort Bend County, Texas, except as herein provided.

SECTION 2: Every person, firm or corporation shall, before engaging in the subdivision of any tract of land into two (2) or more parts (or) the construction, reconstruction, building, erection or fabrication of any residence, multifamily dwelling, warehouse, plant or commercial building or other structure, make plans, specifications and provisions for and shall comply with all of the rules, regulations, installation, construction and building standards of the "Land Subdivision Code of the Town of Beasley, August 16, 1983, Edition" as such "code" is hereinafter amended; such code being cited and referred to as the "Land Subdivision Code of the Town of Beasley, August 16, 1983, Edition."

SECTION 3: The "Land Subdivision Code of the Town of Beasley, August 16, 1983, Edition" hereinafter particularly referred to, (which) is in all things adopted and incorporated herein by reference and made a part hereof, and identified as "Exhibit A" shall be fully effective and a part and parcel of this ordinance, as though herein fully written; save and except, only as same is or may be altered, changed or amended by this ordinance or subsequent ordinance of and by the town council of the Town of Beasley, Texas.

SECTION 4: The particular copy and volume of the "Land Subdivision Code of the Town of Beasley, August 16, 1983, Edition" are appropriately marked and identified as a part and parcel of this ordinance, and are hereby placed in the official care and custody of the town secretary of the Town of Beasley for general use and reference by all persons, firms, or corporations having an interest therein.

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SECTION 5:

(a) Any person, firm or corporation violating this ordinance, or any provisions of the "Land Subdivision Code," as herein amended and hereby adopted, shall be deemed guilty of a misdemeanor, and each violation shall be punishable by a fine not to exceed two hundred dollars (\$200.00).

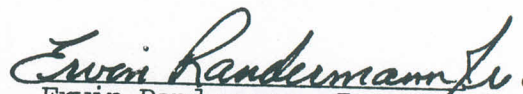
(b) Each person, firm or corporation shall be deemed guilty of a separate offense for each and every day, or portion thereof, during which any violation of any of the provisions of this ordinance is committed or continued; and upon conviction of any such violation such person shall be punished by a fine within the limits and amount, as herein provided.

SECTION 6: If any clause, section, sentence or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional by the courts, such decision or decisions shall not affect the validity or constitutionality of the remaining portions of this ordinance, and the town council of the Town of Beasley hereby declares that it would have passed this ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more of the other sections, sentences, clauses or phrases by declared invalid or unconstitutional.

SECTION 7: Nothing herein contained shall be construed to apply to or affect subdivision of land by act or operation of law.

SECTION 8: The town secretary of the Town of Beasley is hereby ordered to cause to be published a legal notice of the final passage of this ordinance, as required by law.

The foregoing ordinance passed and approved, this 16th day of August, 1983.


Ervin Randermann, Jr., Mayor
Town of Beasley, Fort Bend
County, Texas

(Seal)

Attest:


Clinton Conrad, Town Secretary

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CHAPTER 1. PURPOSE AND SCOPE OF THE ORDINANCE

The Town of Beasley exists as an independent and incorporated entity within Fort Bend County, Texas.

In an effort to update and refine previous ordinances and rules governing development in the town, to preserve the identity, tastes and desires of the residents, while making an effort to be a homogenous member of the metropolitan community, this ordinance is adopted.

CHAPTER 2. ADMINISTRATIVE PROCEDURES, REQUIREMENTS

This section is intended to outline the various administrative procedures and requirements established by the town council, which are necessary for the staff of the town in order to formulate recommendations relative to each item submitted to it for approval, to maintain adequate records and files in this regard and to facilitate the recording of finally approved plats in the appropriate county records.

SECTION 201: Plat submittal requirements.

All persons desiring to submit a plat to the town are required to furnish the town clerk the following materials at the time and date stated below; and these materials must be received at Town Hall, 214 South Third Street, Beasley, Texas 77417.

- 201.1 Submittal date. All recorded materials, including appropriate fees, must be received no later than 4:00 p.m. on the Monday one week in advance of the regular meeting of the town council.
- 201.2 Application form. An application form, published by and available from the town clerk upon request, must be completed in full and provided along with other materials required.
- 201.3 Encumbrances information. Initial plat submittals must be accompanied with a title opinion, a statement or certificate, either in separate writing or on the face of the plat, executed by the applicant or the person who prepared the plat, which certifies that all existing encumbrances, such as various types of easements, fee strips or significant topographical features on the land being platted are fully shown and accurately identified on the face of the plat, and further stating whether the plat being submitted includes all of the contiguous land which the subdivider owns or has legal interest in or whether the subdivider owns or has a legal interest in any adjacent property. If the subdivider owns or has a legal interest in any adjacent property, the extent of such ownership and a boundary description of the land involved must also be provided. (See Appendix D (of these regulations) for example certificate)

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- 201.4 Plat reproductions. Three (3) paper prints from the original drawing of the plat reproduced on white paper with blue or black lines, folded to eight and one-half (8½) inches by fourteen (14) inches, must be provided.
- 201.5 Schedule of fees. Plats submitted to the town council for approval must be accompanied by a check payable to the Town of Beasley for the amount herein specified.
- All applications to the town council for approval shall be accompanied by filing fee of twenty-five dollars (\$25.00).
- 201.6 Engineering data.
- (1) Preliminary plats:
 - (a) Preliminary layouts of water, sanitary sewer and drainage systems.
 - (b) Drainage calculations showing areas, inlet locations, line sizes, capacities, velocities and outfall plan. Drainage plans must be approved by Fort Bend County Drainage District for outfall scheme.
 - (2) Final plats: Complete construction drawings of all improvements proposed.
- 201.7 Title report. A current certified title report, statement or opinion title policy or certificate or letter from a title guaranty company authorized to do business in the State of Texas or an attorney licensed as such in the State of Texas must be provided, certifying that a search of the appropriate records was performed within the past thirty (30) days covering the land proposed to be platted and providing the following information concerning the title to said land with each submittal:
- (a) The date of the examination of the records.
 - (b) A legal description of the property proposed to be subdivided including a metes-and-bounds description of the boundaries of said land.
 - (c) The name of the recorded owner of the fee simple title as of the date of the examination of the records, together with the recording information of the instruments whereby such owner acquired the fee simple title.
 - (d) The names of all lienholders together with the recording information and date of the instruments by which such lienholders acquired their interests.

- (e) A description of the type and boundaries of all easements and fee strips not owned by the subdivider of the property in question, together with the recording information and date of the instruments whereby the owner of such easements or fee strips acquired their title.
- (f) A statement certifying that no delinquent city, school, water district or county taxes are due on the property being platted.

201.8 Processing procedure. The developer or his engineer or plat applicant must attend the town council meeting and make a brief oral presentation.

Upon preliminary town council approval, the plat will be placed on the next scheduled council meeting agenda for review and formal approval. A representative must again be present.

After town council approval of the final plat and plans with all items in order, the mayor and the town secretary will then sign the plat. The plat is thereby released by the Town of Beasley.

Plats wholly within the town limits of Beasley, after signature, may be taken directly to the Fort Bend County Court House in Richmond, Texas, for recording as appropriate. Plats either wholly in Fort Bend County or partially in the town and partially in the county must be submitted to the Fort Bend County engineer and commissioner's court before recording.

After recording, the developer or his agent will prepare for the town records three (3) prints of the recorded plat and submit the same to the town.

201.9 Utility company approval. Letters of approval from the local gas, telephone and electric companies must accompany the final plat submittal, if applicable.

201.10 Prior to final plat approval, all sewer capacity fees as established by Resolution of May 26, 1983, shall be paid and received by the town.

SECTION 202: Meetings.

202.1 Town council meetings are held normally on the third Tuesday of the month at 7:30 p.m. at Beasley Town Hall. Special meetings or varying dates will be posted at Town Hall, Beasley, Texas.

SECTION 203: Types of council action.

The town council desires to review each plat submitted to them on a preliminary basis and then upon a final basis. On some occasions, they

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will consider a plat on a preliminary and final basis; however, special circumstances are required for this type of action. The usual type and sequence of actions is as follows:

- 203.1 Preliminary approval or preliminary approval with conditions, or
- 203.2 Defer preliminary action until next regular meeting (not to exceed thirty (30) days) if necessary.
- 203.3 Final approval, if in conformance with the conditions of preliminary approval or final approval subject to additional conditions, or
- 203.4 Defer final action until next meeting (not to exceed thirty (30) days) if necessary.
- 203.5 Disapprove any plat, either preliminary or final, when it has been determined that the policies and standards of this ordinance have not been complied with.
- 203.6 Simultaneous preliminary and final approval may be granted only when the council has previously reviewed a plat on the land involved and under the following conditions:
 - (a) When previously granted approval has expired and when such resubmitted plat is prepared in final form in full compliance with the previous approval conditions and where no changes are proposed within the original plat boundary.
 - (b) When the plat is prepared in final form and covers a singular tract or unrestricted reserve contained within a general overall plan, or street dedication plat previously approved and where no new or additional streets or lots are proposed to be created and established.
 - (c) When an application is received containing an instrument for the vacation of a subdivision designed to convert such subdivision to acreage rather than replat or resubdivide the property in question.
 - (d) When the plat submitted is a correction plat, as that term is defined herein.

SECTION 204: Expiration of plat approval.

All approvals granted by the town and the conditions therein, if any, are for a period of six (6) months. The town may, upon receipt of a written request from the subdivider or his authorized agent prior to the expiration date of the plat approval, extend this term of approval for any time period not to exceed an additional six (6) months. The maximum term for the approval of any plat granted by the town council which has

not been duly recorded must not exceed a total of one (1) year from the date on which approval was granted by the town council.

SECTION 205: Variances.

Variance requests are discouraged. Variances must be requested in writing at the time of plat submittal.

When, in the opinion of the town council, there are unusual physical characteristics which affect the property in question and which would make strict compliance with the established policies as provided for herein unfeasible, the town council may grant the applicant or subdivider a variance to these policies so long as the general purposes of these policies are maintained. The town council must approve all variances.

SECTION 206: Performance bond.

The Town of Beasley, in an effort to ensure proper and adequate installation of physical features designed to serve the people of the community, will require any and all developers constructing facilities totally or partially within the town to file security with the town secretary in the form of a performance bond (see Appendix B (of these regulations)). The amount of the bond shall be based upon a cost estimate of a duly licensed professional engineer of the State of Texas for all costs associated with paving and drainage improvements proposed to serve the proposed development.

Said bond will be presented to the town secretary after approval of the final plat as a condition of town signature.

CHAPTER 3. GENERAL REQUIREMENTS

This chapter contains those requirements of the Town of Beasley that are general in nature.

Section 301: Application of the ordinance.

All persons proposing to subdivide or take any action in which the ultimate intent would result in subdivision (as defined in Appendix A (of these regulations)) of any tract of land which is located within the Beasley town limits or its extraterritorial jurisdiction must do so in conformity with the provisions of this ordinance.

Section 302: Acceptance of subdivision improvements.

Upon completion of subdivision improvements, the developer or his agent shall submit to the Town of Beasley "certified as-built drawings" and certified laboratory reports indicating that all drainage and street improvements conform to the approved plans. In addition, a maintenance bond (Appendix C (of these regulations)) is required. The town will then issue a letter indicating the one-year developer-maintenance period

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has begun. One year from the date of the letter, the town council will inspect the project for formal acceptance into the town's system for maintenance and make a recommendation to town council.

Should the project have deficiencies, the developer must correct the same. If this is not accomplished, the town will call on the developer's surety to accomplish the same in accordance with the maintenance bond.

SECTION 303: Reserved.

SECTION 304: Screening walls.

A solid screening wall or fence not less than eight (8) feet in height shall be erected along the boundary line between all single-family development and any adjoining multifamily or commercial property. The same will be required between all multifamily development and any commercial property.

SECTION 305: Street signs.

Street signs shall be provided at each intersection, one (1) at a "T" intersection and two (2) where streets cross. The letters shall be a minimum height of four (4) inches, numbers shall be a minimum height of two (2) inches, and they shall be of a reflective material. Supports shall be of two-inch metal pipe set in concrete. The total height of the sign shall not be less than seven (7) feet, six (6) inches and not greater than nine (9) feet. Letters and numbers are to be white on green.

SECTION 306: Temporary turnaround.

- 306.1 Temporary turnarounds are to be used where curb-and-gutter is not installed at the end of a street more than four hundred (400) feet long that will be extended in the future.
- 306.2 Note for temporary turnaround: "Cross-hatched area is temporary easement for turnaround until street is extended (direction) in a recorded plat".
- 306.3 Temporary right-of-way (applies only if outside Beasley town limits): Temporary right-of-way is to be used to comply with Fort Bend County road standards requiring minimum street width of sixty (60) feet as follows: "Cross-hatched strip _____ feet wide to be temporarily dedicated for street purposes and will revert to the adjacent landowners upon and to the extend of the acquisition of _____ feet for street purposes on the opposite side of the street".

SECTION 307: Improvement design standards.

All sanitary sewer and water service shall be designed in accordance with standards and approved by town council and town engineer.

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All paving and drainage facilities shall be designed in accordance with Town of Beasley standards.

SECTION 308: Living area requirements for apartment houses.

(1) Height and area regulations:

- (a) Height: No limitation.
- (b) Building areas: No building used as a multifamily residence shall contain less than six hundred (600) square feet of floor area per family unit.
- (c) The lot size shall not be less than sixty (60) feet wide and not less than one hundred twenty (120) feet deep.
- (d) Each lot shall contain not less than one thousand five hundred (1,500) square feet per family unit.
- (e) The front yard shall not be less than twenty-five (25) feet. When units face each other, the front yard shall not be less than forty (40) feet.
- (f) Side yards shall not be less than twenty (20) feet.
- (g) Rear yards shall not be less than twenty (20) feet unless the apartment structure is adjacent to a parking area.
- (h) Minimum distance between buildings shall be fifteen (15) feet.

(2) General requirements:

- (a) Lighting: All outside lights shall be directional or hooded so that their rays are directed toward the ground, and all other lights shall be so designed that there will be no direct illumination impinging upon surrounding residential property.
- (b) Sidewalks: The property owner shall construct and maintain concrete sidewalks at least four (4) feet in width abutting all public streets.
- (c) Trash Disposal: Trash and garbage disposal and storage shall be entirely outside the main buildings in closed containers. All containers are to be kept in a clean and sanitary condition.
- (d) Landscaping and planting: Any portion of lots not required for building entrances or parking areas shall be landscaped and planted, and so maintained in a neat and orderly manner.

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- (e) Screening walls: A solid screening wall or fence not less than eight (8) feet in height shall be erected along the boundary line between said property and any adjoining residential or commercial property. The wall or fence shall be maintained in a good condition at all times by the owner.
- (3) Parking: For every multifamily residence hereafter erected, moved or altered, the owner shall pave and maintain on the same property two (2) parking spaces of the minimum size of nine (9) by eighteen (18) feet for each family unit in such building.

CHAPTER 4. PLAT GRAPHIC REQUIREMENTS

All plats, maps or drawings illustrating the proposed subdivision or development of land which are to be submitted to the town must be drawn in the form and contain the information specified for preliminary and final plats as follows.

SECTION 401: Preliminary plats.

- 401.1 Proposed name of the subdivision or development, which must not be a duplicate of any subdivision or development of record within the Town of Beasley or within its extraterritorial jurisdiction.
- 401.2 Legal description of the property proposed to be subdivided listing the name of the county, survey and abstract number, together with a survey reference to the nearest survey corner or street right-of-way intersection in the same general area.
- 401.3 Total acreage and total number of lots, blocks and reserves.
- 401.4 Name of owner of the property or subdivider. If the subdivider is a company or corporation, the name of the principal officer of the company or corporation responsible for the subdivision must be provided.
- 401.5 Name of the person or firm who prepared the plat.
- 401.6 Date on which the plat was drawn.
- 401.7 North point. The drawing of the subdivision must be oriented with north to the top of the drawing.
- 401.8 Scale must be drawn numerically and a graphic scale must be provided. The scales acceptable for a preliminary plat should be either one inch equals one hundred (100), two hundred (200), three hundred (300), or four hundred (400) feet, or for small projects (less than ten (10) acres) one inch equals twenty (20), thirty (30), forty (40), fifty (50) or sixty (60) feet.

- 401.9 A scale vicinity map (sometimes known as a key map) must be provided and made a part of the plat indicating the general location of the subdivision and its relationship with well known streets, railroads, watercourses and similar features in all directions from the subdivision to a distance not less than one mile. The scale of the vicinity may be one inch equals one mile and should be oriented with north to the top of the drawing and in the same direction as the detailed subdivision drawing.
- 401.10 Plat boundaries must be drawn with heavy lines to indicate the subdivided area with overall survey dimensions and bearings. Lines outside the plat boundary should be drawn as dashed lines.
- 401.11 Adjacent areas outside the plat boundaries must be identified indicating the name of adjacent subdivisions, churches, schools, parks, bayous and drainageways, acreage and all existing streets, easements, pipelines or other restricted uses.
- 401.12 The location and approximate width of existing and proposed watercourses, ravines and drainage easements.
- 401.13 The location and identification of all tracts not (to) be designated as lots within the boundaries of the plat.
- 401.14 The location of all streets, roads, alleys and easements, either existing or proposed, within the plat boundaries or immediately adjacent thereto.
- 401.15 The names of all existing and proposed streets located within the plat boundaries or immediately adjacent thereto.
- 401.16 The location of all lots, blocks, building setback lines and other features within the plat boundaries with approximate dimensions.
- 401.17 Approximate engineering data may be provided for curves along the center line of streets and for interior lot, reserve and other features within the plat boundaries.

SECTION 402: Reserved

SECTION 403: Final plats

The final plat must be drawn incorporating all of the provisions relating to form and content specified for preliminary plats as provided for in sections 401 and 402 herein and where appropriate, must reflect the conditions and requirements of final approval previously granted by the town council, together with the following additional requirements:

- 403.1 The final plat must be drawn on linen tracing cloth or stable plastic film or positive photographic film with black lines

and image and suitable for the reproduction of direct positive prints and reproductions.

- 403.2 Scale for a final plat drawing may be any of the following, being one inch equals one hundred (100), sixty (60), fifty (50), forty (40), thirty (30) or twenty (20) feet.
- 403.3 All engineering and surveying data must be shown on the final plat sufficient to locate all of the features of the plat on the ground. This data must include, but not be limited to, full dimensions along all boundaries of the plat, street and alley rights-of-way, easements and drainageways, gullies, creeks and bayous together with the location of the high bank of such drainageways and watercourses, lots, blocks, reserves, outtracts or any other tracts designated separately within the plat boundaries, fee strips, pipelines or any other physical or topographical feature necessary to be accurately located by surveying methods. Such information must include line dimensions, bearings of deflecting angles, radii, central angles and degree of curvature, length of curves and tangent distances, all of which are to be shown in feet and decimal fractions thereof.
- Every subdivision map tendered to the Town of Beasley for its approval, prerequisite to being recorded with the county clerk, shall be based upon a survey upon the ground which must be tied to a major survey corner.
- 403.4 The intended use of all lots and reserves designated and established within the plat boundaries must be identified and noted within the reserve. In those instances where the intended use has not been determined, such lots and reserves should be identified as unrestricted and so noted within the lot, tract or reserve.
- 403.5 All dedication statements and certificates must be made a part of the final plat drawing and must include, but not be limited to, the statements, the general form and content of which are provided as examples in Appendix D of this ordinance. These dedication statements and certificates and various notations are as follows (as set out in Appendix D).

CHAPTER 5. DESIGN STANDARDS

The purpose of this section is to reflect the character and quality of development envisioned by the Town of Beasley to be in the best interests of the citizens of this town, both present and future, and to ensure that the long term effects of development which takes place in current times will not become a burden upon the general public in the future. The standards expressed in this section are established to provide streets of adequate right-of-way width, alignment and traffic capacity to prevent or at least minimize traffic hazards and congestion, to provide adequate space for the installation of necessary utility and

collection and disposal of storm waters and to establish adequately sized lots, tracts or parcels of land where residential and other types of building structures may be constructed without creating hazards to the health, safety and well being of the occupants of such structures.

Obviously, each parcel of land within the Town of Beasley and its extraterritorial jurisdiction may have unique physical or topographical features which may make an absolute application of the design standards contained herein unfeasible; and if those conditions exist and can be substantiated, the town has provided, under section 205 herein, procedures necessary to secure a variance from these standards.

SECTION 501: Streets, general intent.

The street system of any town accounts for about one-third of the land within the town and is the only system through which access and most of the services required in the use of private property must flow. The design of the street network of any town is, therefore, very important to the success and viability of the community; and it is the intention of the town through the application of its policies and standards, that the continued expansion of the street system of this community will not impede access or the flow of services to private property, create hazards or cause unnecessary traffic congestion.

SECTION 502: Public streets.

502.1 General arrangement and layout. The public street system pattern proposed within any subdivision plat or development should be based upon the following design concepts:

- (a) Provide for adequate vehicular access to all properties within the subdivision plat boundaries.
- (b) Provide adequate street connections to adjacent properties to ensure adequate traffic circulation within the general area.
- (c) Provide a local street system serving properties to be developed for residential purposes which discourages through traffic while maintaining sufficient access and traffic movement for convenient circulation within the subdivision and access by firemen, police and other emergency services.
- (d) Provide a sufficient number of continuous streets and major thoroughfares, particularly in those areas designed for the development of single-family, high density multifamily residential, commercial, and industrial land uses, to accommodate the increased traffic demands generated by these land uses.

502.2 Major thoroughfares.

- (a) Location and alignment. The location and alignment of

designated major thoroughfares must be in general conformance with the latest edition of the major thoroughfare plan adopted by the town. Proposals which constitute a change in the location or alignment of any designated major thoroughfare or freeway illustrated on this plat may be approved by the town after the holding of a public hearing.

- (b) Right-of-way, widening, transitions. The minimum width of the right-of-way to be dedicated for any designated major thoroughfare should not be less than one hundred (100) feet. In those instances where the plat is located adjacent to an existing designated major thoroughfare having a right-of-way less than one hundred (100) feet, sufficient additional right-of-way must be dedicated to accommodate the ultimate development of the major thoroughfare in question on the basis of a total right-of-way width of one hundred (100) feet. Where the construction of concrete pavement with curbs, gutters and storm sewers is not feasible and open ditch drainage is planned, the minimum right-of-way width required for the development of a designated major thoroughfare must be more than one hundred (100) feet and of sufficient width to accommodate the approved roadway pavement and attendant drainage facilities. In those instances where it is proposed to extend an existing major thoroughfare having a right-of-way width of eighty (80) feet, the right-of-way to be dedicated for the extension of this major thoroughfare should be increased through a transitional area from eighty (80) feet in width to one hundred (100) feet in width over a distance of two hundred (200) feet.
- (c) Curves and intersections. Curves proposed for the right-of-way designated major thoroughfares must have a center line radius of two thousand (2,000) feet or more. Reverse curves should be separated by a tangent distance of not less than one hundred (100) feet. Intersections with other public and private streets should be at right angles and may not vary more than five (5) degrees. Where acute angle intersections are used, a radius of at least twenty-five (25) feet in the right-of-way line at the acute corner must be provided.

502.3 Local streets.

- (a) Location and alignment. The location and alignment of local public streets proposed to be dedicated and established within a subdivision or development plat should be designed in conformance with the concepts listed in section 502.1 herein.
- (b) Right-of-way width, widening. The width of the right-of-way to be dedicated for any public street not

designated as a major thoroughfare or freeway must be sixty (60) feet except as provided below. In those instances where a subdivision plat is located adjacent to an existing public street, said street not being designated as a major thoroughfare, having a right-of-way width less than sixty (60) feet, sufficient additional right-of-way must be dedicated within the subdivision plat boundary to accommodate the ultimate development of the subject street to a total right-of-way width of not less than sixty (60) feet:

- (1) A right-of-way width of fifty-five (55) feet may be provided when the street is not designed to be extended into properties outside the plat boundaries, has an ultimate length not to exceed eight hundred (800) feet as a cul-de-sac or when in the configuration of a loop having an internal block length of less than one thousand (1,000) feet, where storm sewers are to be provided into lots, designed for residential purposes, having a lot width at the right-of-way line of less than forty (40) feet.
- (c) Curves and intersections. Curves along local streets may have any center line radius, except that the center line radius on a reverse curve may not be less than three hundred (300) feet. Reverse curves should be separated by a tangent distance of not less than fifty (50) feet. Intersections with designated major thoroughfares should be as per paragraph 502.2(c). The angle of local street intersections may not vary more than ten (10) degrees from perpendicular. Where acute angle intersections are approved, a radius of at least twenty-five (25) feet in the right-of-way line at the acute corner must be provided.
- (d) Cul-de-sac right-of-way radii. The radii of the right-of-way at the end of local streets terminated with a circular cul-de-sac turnaround must be fifty (50) feet except in those instances where storm sewers are not planned to be installed and storm drainage is proposed to be accommodated within the street right-of-way. A right-of-way radius of sixty (60) feet must then be provided.
- (e) Dead-end streets. Dead-end streets will not be approved except in those instances where the street is terminated by a circular cul-de-sac turnaround or where the street is designed to be extended into adjacent property. Such streets will be signed "dead-end street" at the entrance to said street.

SECTION 503: Public alleys.

- 503.1 General arrangement and layout. Public alleys may be provided within any subdivision plat to provide secondary vehicular access to lots which otherwise have their primary access from an adjacent public street or approved common or compensating open space or courtyard which is adjacent to a public street. Public alleys may not be used or designed to provide the principal access to any tract of land and may not provide any access to property outside the subdivision plat boundaries in which the alleys are dedicated.
- 503.2 Right-of-way width, intersections, curves. Public alleys must have a right-of-way width of not less than twenty (20) feet. Intersections with public alleys or public streets must be in accordance with paragraph 502.3(c). The commission may not grant a variance indicating the angle of any alley intersection with a public street or another alley to be more than five (5) degrees. All corners at the intersection of alley right-of-way with public streets or other alleys must have at least a twenty-five-foot radius or fifteen-foot angular cutbacks provided. Curves in alleys should be kept to a minimum and should have a center line radius of not less than three hundred (300) feet. Reverse curves in alleys should be separated by a tangent distance not less than fifty (50) feet.
- 503.3 Dead-end alleys. No dead-end or cul-de-sac alleys will be permitted.

SECTION 504. Public street and alley paving.

- 504.1 Major thoroughfares--One hundred-foot right-of-way. Dual twenty-four-foot wide roadways with curbs and storm sewers separated by a thirty-foot wide esplanade or dual thirty-three-foot wide roadways with curbs and storm sewers separated by a twelve-foot wide esplanade.
- 504.2 Major thoroughfares--Eighty-foot right-of-way. Dual twenty-four-foot wide roadways with curbs and storm sewers separated by a twelve-foot wide esplanade.
- 504.3 Local streets--Fifty-five-foot right-of-way. A thirty-foot wide roadway with curbs and storm sewers. Adjacent property must be single-family residential use with lot widths at the right-of-way line of less than forty (40) feet.
- 504.4 Local streets--Sixty-foot right-of-way. A thirty-five-foot wide roadway with curbs and storm sewers is required when adjacent property is single-family residential use. A forty-foot wide roadway with curbs and storm sewers is required when adjacent property is other than single-family residential use. When open ditch drainage is to be used, a

twenty-foot wide roadway with five-foot wide shoulders is to be provided.

504.5 All streets, alleys and drainage improvements are to be constructed as per requirements as set out in Appendix "E" of this ordinance.

504.6 Alleys--Twenty-foot right-of-way minimum. A twenty-foot wide roadway with storm sewer drainage is required. Open ditch drainage in public alleys will require additional right-of-way or easement as determined by the city.

504.7 Variances--Under special conditions, the street and alley widths and the construction thereof may be modified, if specifically approved by the town council.

SECTION 505. Reserved

SECTION 506. Street names.

506.1 Public streets. All public streets contained in any subdivision plat or development plan approved by the town must be named in conformance with the following considerations:

- a. New street names, not extensions of existing names, must not be duplicates of any existing street name located within the Town of Beasley or its exclusive extraterritorial jurisdiction.
- b. Existing street names must be used in those instances where a new street is a direct extension of an existing street or a logical extension (when the streets in question are not and cannot be physically continuous) thereof except in those instances where the existing street name is a duplicate street name.
- c. Street name suffixes such as court, circle and loop should be designated on streets which are cul-de-sacs or in a configuration of a loop street. Suffixes such as boulevard, speedway, parkway, expressway and drive should be confined to designated major thoroughfares or local streets designed to handle traffic volumes in excess of normal neighborhood traffic generation. Suffixes such as highway or freeway must be used only to designate highways or freeways falling under the jurisdiction of the state department of highways and public transportation.
- d. Street name prefixes such as north, south, east and west may be used to clarify the general location of the street; however, such prefixes must be consistent with the existing and established street naming and address numbering system of the general area in which the street is located.

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- e. Alphabetical and numerical street names must not be designated on any subdivision plat or development plan except in those instances where such street is a direct extension of an existing street with such a name and is not a duplicate street name.

506.2 Reserved.

506.3 Street name change. No street name once designated may be changed except by town ordinance.

SECTION 507. Block lengths.

507.1 Measurement criteria. Block lengths are to be determined by the measurement along the face of a block (being the adjacent street right-of-way line) from one street intersection to another street intersection where such streets provide cross-traffic circulation (not cul-de-sac streets). In those instances where a loop street configuration is involved, the interior block formed by the loop streets is measured through the center of said block and between adjacent street right-of-way lines. Variations in the block lengths herein specified may be considered by the town upon receipt of a request from the subdivider for a variance, in those situations where a block may be adjacent to a major topographical feature, such as a river, canal, bayou, gully or ravine; a major drainage ditch, lake, pit or mine excavation; a major right-of-way or easement for high-voltage electrical transmission lines, underground pipelines, railroad rights-of-way and facilities; designated freeways; a public park or other public-owned and operated facilities such as dams, reservoirs, schools, airports or golf courses; and privately owned golf courses and lakes when such golf courses and lakes are an integral part of the layout and subdivision design of the overall tract being developed. In no instance, however, will the town council grant a variance indicating that a block adjacent to the conditions and features mentioned above (is) to be more than two thousand six hundred forty (2,640) feet (one-half mile) in length measured along the block face.

507.2 Major thoroughfares. The maximum length for blocks adjacent to designated major thoroughfares must not be more than one thousand eight hundred (1,800) feet.

507.3 Local streets. The maximum length for blocks adjacent to local streets must not be more than one thousand four hundred (1,400) feet, except under the following circumstances:

- a. Loop streets may have an internal block length of not more than one thousand (1,000) feet.

- b. Culs-de-sac may have a block length of not more than eight hundred (800) feet, measured from the intersection with the right-of-way of a cross-street along the center line of the cul-de-sac street to the center of the circular turnaround at the end of the cul-de-sac.
- c. Stub streets or dead-ends may have a block length of not more than eight hundred (800) feet unless terminated with a circular turnaround suitably modified to accommodate future extension of the street into adjacent property.

507.4 Reserved.

SECTION 508. One-foot reserves.

In those instances where any public street is established in a plat submitted to the town and where such public street forms a sub street into adjacent acreage or where such public street lies along and parallel with the plat boundary and adjacent to acreage, a one-foot wide reserve must be established within the street right-of-way to form a buffer strip, dedicated to the public, between the public street right-of-way and the adjacent unsubdivided acreage to prevent access to this public street from the adjacent unsubdivided acreage unless and until the town has had an opportunity to review the development proposals for such adjacent acreage, and a plat of the adjacent property is duly recorded. The conditions associated with the establishment of a one-foot reserve on a plat are contained in the following notation which must be placed upon the face of any plat where a one-foot reserve is to be established:

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

SECTION 509. Partial or half streets.

Partial or half streets may be dedicated in those instances where the town concurs that it is necessary for the proper development of the land and in the public interest to locate a public street right-of-way centered on a property line. The town will not approve a partial or half street dedication within a subdivision dedicating less than a fifty-foot right-of-way width on a designated major thoroughfare or less than a thirty-foot right-of-way width on any other type public street. Appropriate notations and one-foot reserve must be placed upon the plat restricting access from any partial or half streets so dedicated to adjacent acreage tracts until the adjacent property is subdivided in a recorded plat and the additional adjacent right-of-way is acquired providing the full right-of-way as specified in this ordinance.

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SECTION 510. Easements.

510.1 Public utility easements. Public utility easements are those easements established within a plat which are designed to accommodate public owned or controlled utility facilities necessary to provide various types of utility services to the individual properties within the plat boundaries. Public utility easements may be used for, but not limited to, facilities necessary to provide water, electrical power, natural gas, telephone, telegraph and sanitary sewer services. Storm sewers or open drainageways must not be constructed within public utility easements unless specifically approved by the town council and where additional easement width is provided to conform to the standards established herein for drainage easement.

a. Location. Public utility easements must be provided along the rear of all lots designed for the development of a structure containing residential dwelling units and in such other locations as determined to be necessary by the town council and worked out with the individual private utility companies involved. Public utility easements located along the outer boundaries of a plat must contain the full width required for such easement except in those instances where the adjacent property is within a portion of a previously approved plan and under the same ownership as the property being platted or where additional easement width is dedicated by separate instrument by the owner of said adjacent tract. In such cases one-half of the required easement width may be dedicated within the plat boundary with the other half provided outside the plat boundary by separate instrument or through notation on the plat certifying the ownership and dedication of said easement.

b. Public utility easement widths, dead-ends. All public utility easements established within any subdivision plat must not be less than ten (10) feet in width. In those instances where underground electrical facilities are to be installed within the public utility easement, said easement width must not be less than sixteen (16) feet in width. No dead-end public utility easements will be permitted by the town.

510.2 Drainage easements. All drainage easements must be located and dedicated to accommodate the drainage requirements required for the proper development of the property within the subdivision boundaries and within its natural watershed and in conformance with the requirements of the town council and other governmental agencies charged with the responsibility of storm drainage or flood control within the area (in which) the subdivision is located. A suitable note on the plat must restrict all properties within the subdivision ensuring that drainage easements within the plat boundaries shall be kept

clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility, and abutting property shall not be permitted to drain directly into this easement except by means of a drainage structure approved by the town engineer or other authorized public drainage or flood control official. (See Appendix D (of these regulations), Owner's Acknowledgment).

510.3 Federal flood insurance program. As of the date of this ordinance, the Town of Beasley has not been identified formally as being in a flood hazard area as designated by the F.I.A. Currently all of Fort Bend County is under study, the results of which are not available at this time. At the time of publication of the F.I.A. detailed floodplain study, the town will consider floodplain management programs if appropriate.

As of the date of this ordinance, all building slabs must be a minimum of eighteen (18) inches above natural ground.

510.4 Private easements, fee strips.

- a. Existing easements, fee strips. All easements or fee strips created prior to the subdivision of any tract of land must be shown on the subdivision plat of said land with appropriate notations indicating the name of the holder of such easement or fee strip, the purpose of the easement and generally the facilities contained therein, the dimensions of the easement or fee strip tied to all adjacent lot lines, street rights-of-way and plat boundary lines and the recording reference of the instruments creating and establishing said easement or fee strip. In those instances where easements have not been defined by accurate survey dimensions such as "over and across" type easements, the subdivider should request the holder of such easement to accurately define the limits and location of his easement through the property within the plat boundaries. If the holder of such undefined easement does not define the easement involved and certifies his refusal to define such easement to the town council, the subdivision plat must provide accurate information as to the center line location of all existing pipelines or other utility facilities placed in conformance with the easement holder's rights, and building setback lines must be established fifteen (15) feet from and parallel with both sides of the center line of all underground pipelines or pole lines involved.
- b. Establishment of special use easements. The establishment of special use utility easements may be provided on a subdivision plat when such easement is for the purpose of accommodating a utility facility owned, operated and maintained by a unit of government and is restricted to either water mains, sanitary sewers, storm

sewers or drainage purposes and where it has been determined by the town council that these facilities cannot or should not be accommodated within a general purpose public utility easement or public street right-of-way. Easements proposed to be established for any private utility company or private organization providing utility services and restricted for their exclusive use cannot be shown on or established by a subdivision plat; however, such private utility facilities can be accommodated and placed within the general purpose public utility easements, public streets and alleys established within the plat boundary. Nothing herein, however, may prevent such private companies or the subdivider from granting and establishing special or exclusive use easements by separate instrument if such arrangements are deemed necessary to properly serve the properties within the plat boundaries.

SECTION 511. Building setback restrictions.

Building setback restrictions have traditionally been required by the town in various degrees dependent upon the type and design characteristics of the streets which such restrictions parallel. These restrictions are designed and applied to ensure that occupied buildings, particularly residential and commercial buildings where a concentration of people is involved, are located a sufficient distance away from the adjacent street to avoid damage to the structure and occupants by errant vehicles; to lessen or minimize the effect of noise and pollutants generated by traffic on the occupants of adjacent buildings; to ensure that the location of buildings does not create any traffic hazard by blocking or restricting lines of sight, particularly at intersections and along curves; to provide some additional open space in addition to the space within the street right-of-way for the free movement of police, firemen and others in emergency situations and when appropriate, sufficient yard space and open space separating building structures which may enhance the visual character and value of a particular development.

Therefore, the following building setback restrictions are based upon the design characteristics of the adjacent street, its right-of-way width, and the type of use proposed for the land adjacent to such streets:

511.1 Major thoroughfares.

- a. Properties adjacent to designated major thoroughfares which are divided into lots restricted to the construction of detached residential dwellings appropriate for individual ownership must have a front building setback from the adjacent major thoroughfare right-of-way of not less than twenty-five (25) feet. When such lot sides on a major thoroughfare, a side building setback of at least twenty (20) feet must be provided. In those instances where such a lot backs on a

major thoroughfare, a rear building setback of not less than ten (10) feet will be required.

- b. Building setback restrictions for properties adjacent to major thoroughfares designed for uses other than specified in item (a) above are the same as those building setback restrictions specified for properties adjacent to local streets and as provided herein.

511.2 Local streets.

- a. Properties adjacent to local streets which are divided into lots restricted to the construction of residential dwellings suitable for individual ownership must have a front building setback from the adjacent street right-of-way of not less than twenty (20) feet. When such lots side on a local street, a side building setback of ten (10) feet must be provided. When such lots back on a local street, a rear building setback of ten (10) feet must be provided.
- b. Properties adjacent to local streets which are planned to be developed for residential apartments with multiple dwelling units under a single ownership or management where the principal entrances to such units front on the adjacent street, a front building setback restriction of twenty-five (25) feet must be provided. If, however, such units side or back on the adjacent street and have no entrances from such street, a side or rear building setback of ten (10) feet must be provided.
- c. All other properties not divided into lots or designed for the development of residential dwelling units which are adjacent to local streets (or major thoroughfares) must have a twenty-five-foot front building setback and a ten-foot side building setback restriction provided along all adjacent streets. If, however, such properties are located directly across a street from residential lots or properties having a building setback restriction on such properties in excess of ten (10) feet, the building setback restriction required on the nonresidential property must be equal to or exceed the building setback restrictions established on the opposite residential properties.
- d. All properties adjacent to an access street, as that term is defined herein, must contain building setback restrictions in conformance with the standards set out in section 511 as applicable.

511.3 Reserved.

511.4 Building setback line offsets and transitions. In those instances where the required building setback restriction line

changes from one tract to another, a transitional building setback line must be provided having a minimum angle of forty-five (45) degrees. Such transition must take place on the lot or tract having the lesser building setback restriction requirement.

- 511.5 Pipelines, railroad rights-of-way and high voltage transmission tower easements. Where underground pipelines (are) carrying flammable products under pressure through properties within a plat boundary or where properties within the plat back or side along a railroad right-of-way, a fifteen-foot building setback restriction must be provided adjacent to such pipeline easement or fee strip (or the center line of the pipeline facility if no easement is defined) or railroad right-of-way line.
- 511.6 Special and minimum building lines. In addition to the above requirements, the Town of Beasley specifically requires a five-foot side and rear lot building line on each lot so that no temporary or permanent structure may be built within such building line and the property line except as follows: When a "zero-lot line" concept is employed, the five-foot building setback line is waived on the lot on one side of a common property line if and only if a ten-foot building setback line is employed on the opposite side of the common property line. The net effect is to maximize usable side and backyard area while keeping a ten-foot structure separation.

SECTION 512. Reserve tracts.

Reserve tracts are those individual parcels of land created within a subdivision plat which are not divided into lots, but are established to accommodate some specific purpose such as a commercial center, industrial sites, a golf course or other type of private recreational facility, school or church sites, or sites for utility facilities such as water wells and other activities and land uses for which division into lots is not suitable or appropriate. Since the use of reserve tracts may not be completely determined by the subdivider or developer at the time plats are prepared and submitted to the town, these reserve tracts are often established as "unrestricted reserves" which allows maximum flexibility in the determination of the ultimate use planned for such properties.

- 512.1 Public street access. Reserves established on any subdivision plat must have frontage on and be immediately adjacent to at least one public street, with such frontage being not less than sixty (60) feet in width. In those instances outside the city limits where the average depth of an unrestricted reserve is more than three hundred (300) feet, said reserve access to all adjacent public streets must be separated by a one-foot reserve placed within the adjacent street right-of-way as provided for in section 508 herein which will become automatically removed upon the approval and recording of a suitable development plat of the property within said reserve.

512.2 Identification and designation. All reserves must be labeled and identified on the plat, and a description of the use intended for such reserve must be noted. If the use of the reserve is not restricted for any specific use, the reserve must then be identified and noted as being unrestricted. All reserves are to be identified and designated by alphabetical letters, not numbers, along with an indication as to the total acreage of such reserves which must be shown within each reserve boundary.

SECTION 513. Lots, general provisions.

The purpose of this section is to provide general overall guidelines for the establishment of individual lots within subdivision designed to accommodate various types of residential housing schemes without resorting to more specific and detailed standards strictly associated with a particular housing type or market label which may be associated with a subdivision of land containing lots designed to be offered for sale to the general public.

513.1 General lot design, arrangement, layout. The general lot design within any subdivision should be based upon the concept that such lots are created and established as undivided tracts of land and that purchasers of such lots can be assured that these tracts of land meet the following basic criteria:

- a. That the lot is of sufficient size and shape to allow the construction of a residential dwelling unit which can meet the requirements of established building or construction codes, housing and public health codes, and ordinances and accepted family living standards.
- b. That the lot is of sufficient size and shape to accommodate easement for all public and private utility services and facilities to adequately serve any residential dwelling unit constructed thereon.
- c. That the lot is of sufficient size and shape and is so located that direct vehicular access is provided from a public street or through an approved permanent access easement and that the required number of vehicles can be parked on the lot without encroachment within any adjacent public street or alley rights-of-way.
- d. That the lot, if not served by a public or off-lot sanitary sewage system, is of sufficient size and shape to accommodate the construction and operation of an on-site sewage disposal system meeting the requirements of established public health codes and ordinances.

513.2 Lot shapes. Lots should be designed, so far as possible, with side lot lines being at right angles or radial to any adjacent street right-of-way line. Where all lots are either

perpendicular and at right angles or radial to adjacent street rights-of-way, a suitable notation may be placed upon the plat in lieu of lot line bearings.

- 513.3 Key or flag lots. Key or flag lots may be permitted under unusual circumstances; however, the narrowest part of such a lot, being the staff portion of the flag lot, must not be less than twenty (20) feet in width or have a length of more than two hundred (200) feet. Such lot must also be restricted to prevent the construction of any building, structure, wall or fence within the staff portion of such lot, and the staff portion of such lot will be restricted for access to such lot only. Such restrictions must be shown on the face of the subdivision plat in the form of a notation or a part of the dedicatory language on the plat.
- 513.4 Double-front lots. Double-front lots will not be approved except in those instances where lots are restricted for residential use and back upon an adjacent designated major thoroughfare or where special circumstances would warrant a variance to this regulation.
- 513.5 Street access limitations. Rear and side vehicular driveway access from lots, restricted to the construction of residential dwelling units, to adjacent streets designated as major thoroughfares, freeways, highways or any other public street which carries a traffic volume where additional vehicular driveways would create a traffic hazard or impede the flow of traffic, will not be approved and such access restriction must be noted directly upon the plat and adjacent to the lots in question.
- 513.6 Unsewered lots. Unsewered lots are not allowed in the Town of Beasley or its extraterritorial jurisdiction.
- 513.7 Mobile home subdivision lots. Mobile home subdivision lots shall be in accordance with Ordinance No.17, Town of Beasley and as thereafter amended.
- 513.8 Lot and block identification. All blocks established in any subdivision shall be designated by number with said numbers being consecutive within the whole subdivision plat. Lots established within said blocks shall also be numbered with said numbers being consecutive within the block. Lot numbering may be cumulative throughout the subdivision if the numbering system continues from block to block in a uniform manner.
- 513.9 Minimum lot sizes, general provisions.
- a. Nonresidential uses. Lots to be established in any subdivision plat, which are designed or intended for nonresidential uses or are intended to be unrestricted, must have a minimum lot area of not less than five

thousand (5,000) square feet and must have frontage along and adjacent to at least one public street having a right-of-way width of not less than sixty (60) feet. If such lots or tracts proposed to be established have an average depth of more than three hundred (300) feet from said adjacent public street right-of-way, such tracts may not be established and designated as lots, but must be established and designated as reserves and subject to those provisions of this ordinance pertaining to reserves (see section 512).

b. Residential uses.

1. Radial lots, being those lots adjacent to curved streets or culs-de-sac, must have a width at the front property line equal to the minimum width for lots specified herein.
2. Corner lots must be ten (10) feet wider than the average interior lots within such block and where such corner lots are located at the intersection of local streets. Corner lots located at the intersection of a local street and designated major thoroughfare or at the intersection of two (2) major thoroughfares must be twenty (20) feet wider than the average interior lot within such block.
3. When lots are backing on a natural drainageway (bayou, creek, gully, etc.), an open drainage facility or other encumbrances, such lots must have a depth sufficient to provide at least seventy (70) feet from the drainage easement line or encumbrances boundary to the front building setback line or front property line if no building setback restriction is required.
4. The minimum lot area for lots must not be less than sixty (60) feet wide and one hundred (100) feet deep. Two (2) off-street parking spaces must be provided on or adjacent to each lot with the width of such spaces being not less than eight and five-tenths (8.5) feet each, provided that such spaces may be in tandem.
5. Under special conditions, the lot area and street accessibility conditions herein provided may be modified if specifically approved by the town council.

513.10 Reserved.

SECTION 514. Reserved.

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SECTION 515. Building layout, fire hydrant location.

All buildings proposed to be constructed within any project must be so arranged and located that fire-fighting apparatus can park and reach any part of any building with a two hundred-foot-long hose extending from such equipment. This two hundred-foot hose length must be measured as the hose is laid on the ground and may not be measured as the aerial radius from said parked equipment. In addition, fire hydrants must be so located and provided within the project boundaries so that five hundred (500) feet of fire hose, extending on the ground from the hydrant, can reach the furthestmost part of any building within the boundaries of the plat. Entrances to all buildings containing residential dwellings must be illustrated on the plat of any project. Fire hydrant locations must meet the approval of the town council.

SECTION 516. Building design, fire walkways.

All buildings proposed to be constructed within any project which contain residential dwelling units and have an overall length of three hundred (300) feet or more must be so designed to have one or more open, unobstructed walkways through the building at ground level, having a width of not less than five (5) feet each to allow ready access by firemen and policemen and their equipment and other emergency services to each side of such buildings.

SECTION 517. Off-street parking requirements.

A requirement of two (2) parking spaces per dwelling unit will apply to residential structures.

SECTION 518. Separability clause.

Should any section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 519. Amendments.

These regulations may be amended from time to time by the town council, in the manner prescribed by state law.

APPENDIX A. DEFINITIONS

For the purposes of this ordinance and to eliminate any possible confusion, the definition of various terms, phrases, words and their derivations will have the meaning ascribed to them herein. When not inconsistent with the context, words used in the present tense include the future; words used in the singular number include the plural number; and words used in the plural number include the singular number. Any office referred to herein by title will mean the person employed or appointed for that position or his duly authorized deputy or

representative. Definitions not expressly prescribed herein are to be considered in accordance with customary usage. The definition of specific terms, phrases, words and their derivations applicable to matters contained in this ordinance are as follows:

Access street: Any public street within a subdivision or along the boundaries of a subdivision which is located in a manner which would serve any properties outside the plat boundaries or provided a connection directly with a collector street.

Alley: A public right-of-way which is used only for secondary access to individual properties which otherwise have their primary access from an adjacent public street or approved common space or courtyard which is adjacent to a public street.

Block: A tract or parcel of land established and identified within a subdivision which is surrounded by streets or a combination of streets and other physical features and intended to be further subdivided into individual lots or reserves.

Building setback restriction: A defined area designated on a subdivision plat in which no building structure may be constructed.

Correction plat: A plat, previously approved by the town and duly recorded, which is resubmitted to the town council for reapproval and recording which (plat) contains dimensional or notational corrections of erroneous information contained on the originally approved and recorded plat. A correction plat is not to be considered as a replat or resubdivision and may not contain any changes or additions to the physical characteristics of the original subdivision but is intended only to correct errors or miscalculations.

Council: The official governing body (Town Council) of the Town.

Cul-de-sac: A local street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Extraterritorial jurisdiction: Refers to the unincorporated territory extending one-half mile beyond the Town of Beasley's town limits and which has been established as a result of the provisions of the Texas Municipal Annexation Act and the State Subdivision Acts (Article 970 and Article 974a, Vernon's Annotated Texas Civil Statutes).

Filing date: The date when a plat is formally presented to the town council for its approval and registered as part of the council's official meeting agenda. This date is to be considered as the initial date of the statutory thirty-day time period in which the town is required to act upon a plat submitted to it under the provisions of Article 974a, V.T.C.S.

Final plat: A map or drawing of a proposed subdivision prepared in

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a manner suitable for recording in the county records and containing accurate and detailed engineering data, dimensions, dedicatory statements and certificates and prepared in conformance with the conditions of preliminary approval previously granted by the town.

Frontage: That portion of any tract of land which abuts a public street right-of-way and where the primary access to said tract is derived.

General overall plan: A map or plat designed to illustrate the general design features and street layout of a proposed subdivision which is proposed to be developed and platted in sections. This plan, when approved by the town council, constitutes a guide which the town will refer to in the subsequent review of more detailed sectional plats as they are presented to the town covering portions of the land contained within the general overall plan and adjacent properties.

Interior street: Any public street within a subdivision designed to serve only those properties within the boundaries of the subdivision in which it is dedicated and established. An interior street must be so designed and located as to form a closed circulation system. Culs-de-sac and loop streets or street systems beginning from streets within a subdivision may be considered as interior streets. Interior streets may not, however, be any street which would allow access through the subdivision to other properties or directly connect with other streets outside the plat boundary.

Local street: Any public street not designated as a major thoroughfare, freeway or highway.

Lot: A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

Major thoroughfare: A public street designed for fast, heavy traffic and intended to serve as a traffic artery of considerable length and continuity throughout the community and so designated on the latest edition of the major thoroughfare plan adopted by the town council.

Multifamily residence: Any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three (3) or more families living independently of each other and doing their own cooking in the said building. Multifamily residences and apartments are considered to be one and the same, and may be used interchangeably (Townhouses are covered in rules for land subdivision).

Preliminary plat: A map or drawing of a proposed subdivision of land prepared to illustrate the features of the development for review and approval by the town but not suitable for recording in the county records.

Private street: Any area, parcel or strip of land whether or not the same be depicted or shown as such on any plan, map or drawing, and which is not a duly dedicated and established public street in the Town of Beasley which provides access from any public street in the Town of Beasley to any building or buildings designed or appropriate to occupancy by three (3) or more families, or for occupancy or use by two (2) or more business, industrial or commercial establishments, or for occupancy and use by one or more industrial, commercial or business establishments, and two (2) or more families, and to which buildings there is not other access from such public street than over the area, strip or parcel of land in question.

The term private street as used in this ordinance shall also include any area, strip or parcel of land (whether or not the same is depicted or shown as such on any map, plan or plat) which provides a connection between any two (2) public streets in the Town of Beasley, and which the general public is permitted to use for the purpose of traveling from one of such public streets to the other. Under this definition, the public shall be considered as being permitted to so use in such area, strip or parcel of land if in fact it does so and its use is not obstructed by gates, chains or watchmen. The mere fact that there may be posted signs prohibiting such use by the public shall not suffice to keep the area from being considered a private street under the terms of this ordinance if in fact the owner thereof does not take and continue to take sufficient steps to actually prevent such use.

Notwithstanding the foregoing definitions, however, the following shall not be considered "private streets" within the purview of this ordinance, namely:

- a. Any driveway designed principally to provide access to the outbuildings appurtenant to any principal building, or to provide access to delivery platforms or the entrances of a building appropriate for the delivery thereto of goods or merchandise;
- b. An area appurtenant to a store or a group of stores, a theater, a church or any similar establishment, designed primarily to be used as a parking space by customers or patrons of the establishment or groups of establishments in question; and
- c. An entrance way or roadway designed to provide entrance and/or communication or passage between the several units of a single industrial establishment or a group of such establishments which are under common control or management; provided such industrial entrance way or roadway shall be considered a private street under the terms of this ordinance if it has entrances upon two (2) or more public streets, unless there are at each of such entrances gates, chains or watchmen by which all persons are prevented from using the same except those employed by or having business to conduct at such industrial plants or establishments in question.

Private street plat: A map or drawing of a proposed development required to be submitted to the town for approval which contains a proposed private street or building arrangements and locations which require the provision of a private street.

Public street: A public right-of-way, however designated, dedicated or acquired, which provides vehicular access to adjacent private or public properties.

Resubdivision: A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

Street dedication plat: A map or drawing illustrating the location of a public street only passing through a specific tract of land.

Stub street: A public street not terminated by a circular turnaround ending adjacent to undeveloped property or acreage and intended to be extended at such time the adjacent undeveloped property or acreage is subdivided. A "stub street" which has been dedicated but cannot be extended into the adjacent property or terminated with a circular turnaround or cul-de-sac can then be considered to be a "dead-end street."

Subdivider (developer): Any person or authorized agent thereof proposing to divide or dividing land so as to constitute a subdivision or proposes to the terms and provisions set out in this ordinance. The term "developer" will mean the same as "subdivider" for the purposes of this ordinance.

Subdivision: Any land, vacant or improved, situated within the corporate limits or within the extraterritorial jurisdiction of such limits, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or interests for the purpose of offer, sale, lease or development, either on the installment plan or upon any and all other plans, terms and conditions, including resubdivision.

The work "land" shall include not only use or proposed use of land for lots, parcels, sites, units and plots; but, also uses of land for public streets, public alleys, public parks, or use for any other public purpose.

Subdivision includes all land and the fact that the land description used either before or after division is in the form of metes and bounds or any other form shall not exclude the same from this definition of subdivision.

Land divided solely because of a partition deed, devise or intestacy shall not be considered a subdivision, providing the resulting land ownerships are consistent with the terms of the partition deed, the probated will or the intestacy law. However, a plat showing such division and resulting ownerships must be filed with the town council.

A gift of land shall not be considered as a subdivision providing it is totally a gift of love and affection only and a timely federal gift tax return is filed and a copy filed with the town council together with a plat showing the division and resulting ownerships. In the event a gift was not of sufficient value for a federal gift tax return to be filed, then an affidavit stating such fact together with the plat showing the division and resulting ownerships may be filed in lieu of the federal gift tax return copy.

Submittal date: The date and time specified in this manual when plats, related materials and fees must be received by the town in advance of the regular meeting of the town council. The "submittal date" is not to be considered as the "filing date" as herein defined or considered as the initial date of the statutory thirty-day time period in which the town is required to act upon plats filed with it.

Town council: Town council shall mean "Board of Aldermen" of the Town of Beasley.

APPENDIX B. DEVELOPMENT PERFORMANCE BOND

State of Texas
County of _____

Know All Men By These Presents:

That we, _____, the undersigned as principal, and _____, as surety, do hereby acknowledge ourselves to be held and firmly bound unto the Town of Beasley, Texas, a municipal corporation of the County of Fort Bend and State of Texas, in the full and just sum of \$ _____, for the full payment of which, well and truly to be made, we hereby bond ourselves, and our respective heirs, administrators, executors an assigns, jointly and separately, firmly by these presents.

Whereas, the principal has petitioned the town council of the Town of Beasley, Texas, for permission to develop a subdivision in the Town of Beasley, Texas (or within the area of extraterritorial jurisdiction of the Town of Beasley, Texas), more particularly described as follows, to wit:

(Here describe the area to be subdivided)

Which is shown on a subdivision plat entitled _____
Subdivision, dated _____; and

Whereas under the provisions of the ordinance of the Town of Beasley, Texas, the town council as a condition precedent to the granting of such petition requires the principal to furnish a guarantee that he will construct or cause to be constructed according to the ordinances of the Town of Beasley, Texas, the following public improvements:

(Here describe the required improvements)

Now, therefore, the condition of this obligation is such that, if the principal shall, on or before the day of _____, 19____, construct or cause to be constructed the above-mentioned improvements in accordance with the ordinances of the Town of Beasley, Texas, then this obligation shall be void, otherwise the obligation under this bond will remain in full force and effect.

In testimony whereof witness our hands and seal this _____ day of _____ A.D., _____.

Subdivider and Principal

Surety

Approved and accepted this ____ day of _____, 19____.

Town of Beasley By: _____ Title: _____

APPENDIX C. ONE-YEAR MAINTENANCE BOND

State of Texas
County of _____

Know All Men By These Presents:

That we, _____, the undersigned subdivider as principal and _____, as surety, do hereby acknowledge ourselves to be held and firmly bound unto the Town of Beasley, a municipal corporation in the County of Fort Bend and State of Texas, in the sum of _____ dollars, good and lawful money of the United States, to the payment of which, well and truly to be made, we hereby bind ourselves, our heirs, executors, administrators and successors, firmly by these presents.

Whereas the principal has filed a plat with the town council of the Town of Beasley, Texas, seeking approval of such plat to develop a subdivision within the Town of Beasley, Texas (or within the area of extraterritorial jurisdiction of the Town of Beasley, Texas), more particularly described as follows, to wit:

(Here describe the area to be subdivided)

Which is shown on a subdivision plat entitled _____
Subdivision, dated the _____ day of _____, 19____; and

Whereas, under the ordinances of the Town of Beasley, Texas, the town council as a condition precedent to the approval of such plat requires that the principal furnish a guarantee that he will, for a period of _____ from the date of final acceptance of the completed construction by the town council of such town, maintain or cause to be maintained in good condition the following public improvements:

(Here list and describe each improvement)

Now, therefore, the condition of this obligation is such that, if the principal shall maintain or cause to be maintained the above-described improvements in good condition for a period of one year from the date such improvements are initially accepted by the town council of the Town of Beasley, Texas, then this obligation shall be void; otherwise, the obligations under this bond will remain in full force and effect.

APPENDIX A - LANL SUBDIVISION

In testimony whereof, witness our hands and seal this ____ day of _____, 19____.

Principal

Surety

Approved and accepted this ____ day of _____, 19____.

Town of Beasley, Texas By _____ Title: _____

APPENDIX D. DEDICATORY LANGUAGE

1. OWNER'S ACKNOWLEDGEMENT

State of Texas

County of Fort Bend

I (or we), (name of owner or owners, if individuals) or (name of president and secretary or authorized trust officer of a company or corporation) being officers of (name of company or corporation), owner (or owners) of the (number of acres) tract described on the attached map or plat entitled (name of subdivision or development), do hereby make and establish said subdivision and development plan of said property according to all lines, dedications, restrictions and notations on said streets or plat and hereby dedicate to the use of the public forever all streets (except those streets designated as private streets), alleys, parks, watercourses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself (or ourselves), my (or our) heirs and assigns to warrant and forever defend the title to the land so dedicated.

Further, I (or we) do hereby dedicate for public utility purposes an unobstructed aerial easement five (5) feet in width from a place twenty (20) feet above the ground level upward, located adjacent to all public utility easements shown on the attached plat.

Further, I (or we) do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of residential dwelling units thereon (or the placement of mobile home subdivision) and shall be restricted for same unless otherwise specified under the terms and conditions of such restrictions filed separately.

Further, I (or we) do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tanks into any public or private street, road or alley or any drainage ditch, either directly or indirectly.

Further, I (or we) hereby covenant and agree that all lots within the boundaries of this subdivision are for residential purposes unless otherwise noted.

Additional paragraphs to be added as appropriate and as follows:

(When streets within the plat are to be developed without concrete pavement, gutters and storm sewers):

Further, I (or we) do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without

backwater and in no instance have a drainage opening of less than one and three-quarters (1 3/4) square feet (18 inches diameter) with culverts or bridges to be provided for all private driveways or walkways crossing such drainage facilities.

(When plat contains natural drainageways such as bayous, creeks, gullies, ravines, draws or drainage ditches):

Further, I (or we) do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the Town of Beasley, Fort Bend County or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance (of) drainage facilities and structures.

Further, I (or we) do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainageway shall hereby be restricted to keep such drainageways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

(When plat indicates building setback lines and public utility easements are to be established in adjacent acreage owned by the subdivider):

Further, I (or we) do hereby certify that I am (or we are) the owner of all property immediately adjacent to the boundaries of the attached plat where building setback lines or public utility easements are to be established outside the boundaries of the attached plat, and do hereby make and establish all building setback lines and dedicate to the use of the public forever all public utility easements shown in said adjacent acreage.

(When private streets are established within the plat):

Further, I (or we) do hereby covenant and agree that those streets located within the boundaries of this plat specifically noted as private streets shall be hereby established and maintained as private streets by the owners, heirs and assigns to property located within the boundaries of this plat and always available for the general use of said owners and to the public for firemen, fire-fighting equipment, police and other emergency vehicles of whatever nature at all times and do hereby bind myself (or ourselves), my (or our) heirs and assigns to warrant and forever defend the title to the land so designated and established as private streets.

Further, I (or we) hereby covenant and agree with the Town of Beasley and/or Fort Bend County that lots backing or siding on _____ Street shall not have direct driveway access to said street.

The following paragraph is to be used for all subdivisions where a sanitary sewer system is not to be installed along with the development of the subdivision and prior to the occupancy of any lot or building site in the subdivision:

Further, I (or we) hereby covenant and agree with the Town of Beasley and/or Fort Bend County and/or any property owner that no dwelling unit shall be constructed and/or occupied on any lot having an area of less than seven thousand (7,000) square feet unless a sanitary sewer system meeting the approval of the county and state health authorities shall first have been extended to the lot, plot or site of less area than five thousand (5,000) square feet or with less street frontage than fifty (50) feet.

Witness my (or our) hand in Beasley, Fort Bend County, Texas, this _____ day of _____, 19_____.

(Signature of Owner)

(Or Signatures of Owners)

State of Texas
County of Fort Bend

Before me, the undersigned authority, on this day personally appeared (name of owner or names of owners), known to me to be the person (or persons) whose name (or names) is (or are) subscribed to the foregoing instrument, and acknowledged to me that he (or they) executed the same for the purposes and consideration therein set forth. (If a husband and wife join in the dedication, the following forms should be added:) and the same said (name of wife), having been examined by me privately and apart from her husband and having the same fully explained to her by me, acknowledged said instrument to be her act and deed, and that she had willingly signed the same.

Given under my hand and seal of office, this _____ day of _____, 19_____.

Notary public in and
for Fort Bend County,
Texas (seal)

capacity therein and herein set out, and as the act and deed of said corporation.")

Given under my hand and seal of office, this ____ day of _____, 19__.

public)

(signature of notary

Notary public in and for Fort Bend County, Texas

(affix notary seal)

4. GOVERNMENTAL CERTIFICATION

This is to certify that the town council of the Town of Beasley, Texas, has approved this plat and subdivision of (name of subdivision) as shown hereon.

In testimony whereof, witness the official signature of the mayor and the town secretary for the town council of the Town of Beasley, Texas, this ____ day of _____, 19__.

Mayor

Town Secretary

The following paragraph is to be used when the subdivision is outside the town and within Fort Bend County:

I, _____, county engineer of Fort Bend County, do hereby certify that the plat of this subdivision complies with all of the existing rules and regulations of this office as adopted by the Fort Bend County Commissioners' Court.

I, _____, Fort Bend Drainage Engineer of Fort Bend County Drainage District, Fort Bend County, Texas, do hereby certify that the plat of this subdivision complies with requirements for internal subdivision drainage as adopted by commissioners' court; however, no certification is hereby given as to the effect of drainage from this subdivision on the intercepting drainage artery or parent stream or on any other area or subdivision within the watershed.

County Engineer

gravel, or equivalent, a minimum of six (6") inches in depth. The road must be blacktopped and the subgrade must be lime stabilized a minimum of six (6") inches in depth, which shall extend one foot (1.0') beyond the outside of the curb on each side.

4. The minimum requirement for one-course surface treatment shall be as follows:

a. Prime Coat - This item shall consist of an application of asphaltic material MC-30 on the completed flexible base course. Prime coat shall be applied at a rate of .20 of a gallon per square yard and at a temperature of 175 degrees. Item 300 and 310 of the 1972 Standard Specifications of the Texas Highway Department shall govern.

b. Asphalt - This item shall consist of a single application of asphaltic material AC-5 applied on the prime coat after the prime coat has had approved curing time. Asphaltic material AC-5 shall be applied at a rate of .30 of a gallon per square yard and at a temperature of 325 degrees. Item 320 of the 1972 Standard Specifications of the Texas Highway Department shall govern.

c. Agregate (Precoated) - This item shall consist of an application of precoated aggregate to be applied on the asphaltic material AC-5. Type PB-4 or PE-4 aggregate shall be applied at a rate of one cubic yard to 80 square yards. Item 304 of the 1972 Standard Specifications of the Texas Highway Department shall govern.

B. General:

1. Subgrade for all types of roads shall be accurately shaped prior to placing flexible base material thereon. All unstable or otherwise objectionable material shall be removed from the subgrade and replaced with approved material. All holes, ruts and depressions shall be filled with approved material.

Testing; Soil test conducted by a recognized private laboratory shall be performed to determine the plasticity index of the subgrade. When the P.I. exceeds 20, the completed subgrade shall be lime stabilized 6" deep according to laboratory test. If the P.I. is less than 5, suitable material shall be incorporated into the subgrade to raise the P.I. to a minimum of 5. Subgrade shall be compacted 95% Standard Proctor density. All P.I. and Proctor tests shall be conducted by the

laboratory and copies of all test results shall be provided to the Town of Beasley. Intervals, or number of tests required, shall be determined by subgrade condition and soil make-up. All costs related to laboratory tests shall be paid by the Developer.

2. The flexible base material shall be 6" compacted and meet the requirements hereinafter specified, and shall consist of durable course aggregate particles mixed with binding material.

Grading Requirements

Percent Retained - Sieves

1-3/4"	0 - 10
No. 4	30 - 75
No. 40	70 - 85
Max. LL	35
Max. PI	15
Min. PI	10 - 15

All flexible base shall be compacted to 95% Standard Proctor density. Compaction to be accomplished by use of approved and acceptable compaction equipment.

3. All liquid fuel, high pressure and low pressure gas lines shall be buried a minimum of thirty-six (36") inches below the ditch grade and encased and vented. Existing fuel and gas lines must be a minimum of thirty (30") inches below ditch grade, cased and vented. By specific exception, the town council may allow encasement to be omitted in the event the road crossed is a low volume County road and the line is protected by a reinforced concrete pad, specifications for which are attached hereto.
4. No utility lines shall be allowed under road surface except at perpendicular crossings.

II. DRAINAGE

- A. Entrance Culverts--Each lot shall be provided with an adequate culvert or other approved entrance structure. The size and design of the entrance structure is to be included on the plans submitted with the plat for approval.
- B. Drainage--Drainage easements are to be of adequate width and depth to allow drainage and flood control to all properties that naturally drain through the property being approved for development. The easement shall be of adequate width to allow proper maintenance. Final determination of width shall be made by the town council.

- C. Drainage easements must be provided from the proposed subdivision to an existing drainage outlet.
- D. Minimum grade on open ditches - 0.10% (one-tenth of a foot drop every 100').
- E. When open ditch drainage is proposed, an adequate number of outfall ditches shall be provided to prevent any road ditch from being deeper than three (3') feet. Drainage easements shall be provided on said outfall ditches.
- F. Outfalls from ditches into natural or constructed drainageways shall enter at or above the grade of the drainage channel. If necessary, drop type outfall structures shall be installed to prevent erosion. These structures shall be placed so as to not interfere with maintenance of the channel.
- G. No paved dips used for entrance to lots.

III. INSPECTION

It shall be the duty of the developer or his engineer to see that layout and construction follow the plans as presented with the subdivision plat. The town council shall be notified at the start of road bed preparation and prior to final surfacing.

IV. FLOOD PLAIN

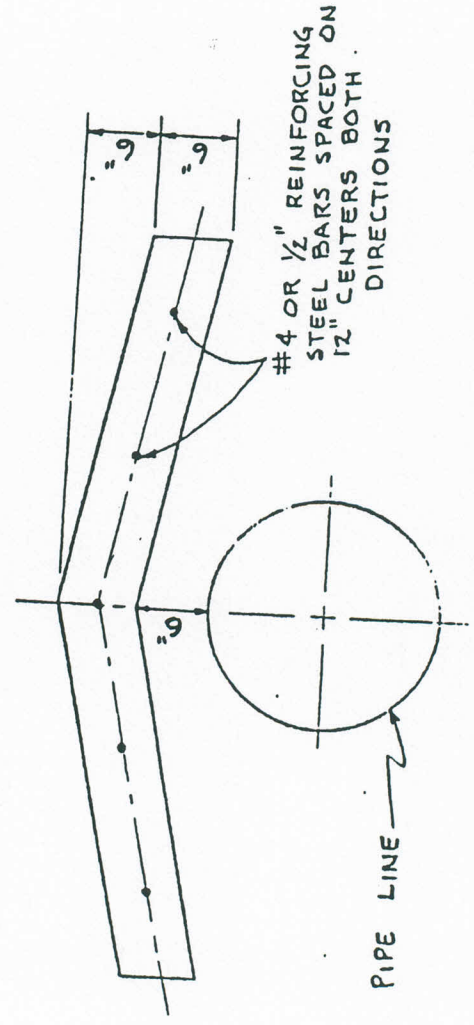
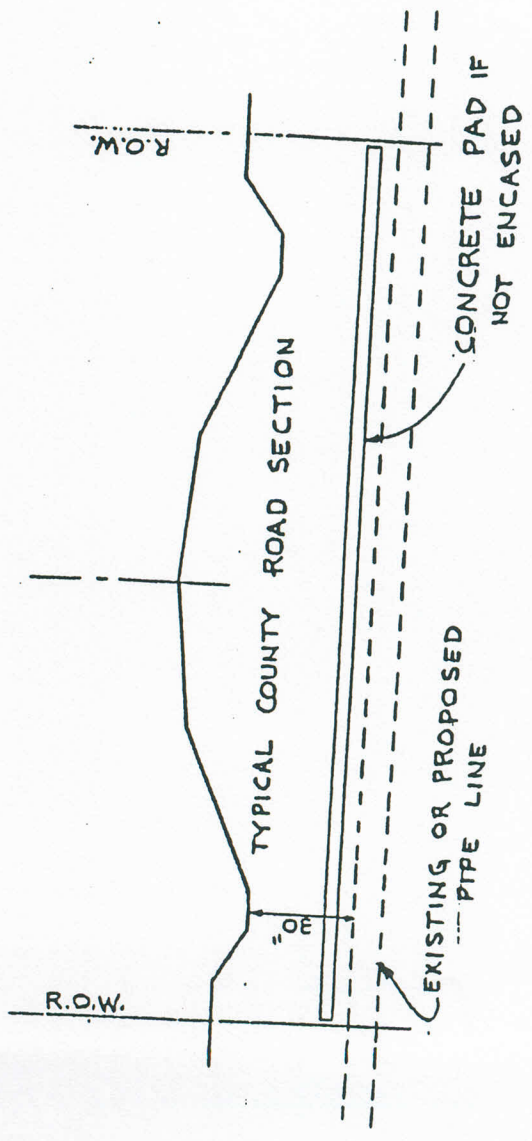
In the event a subdivision or portion of a subdivision is within an area designated as "flood plain" or "floodway" by a map, preliminary or otherwise, provided by the Flood Insurance Administration, such shall be indicated on the plat.

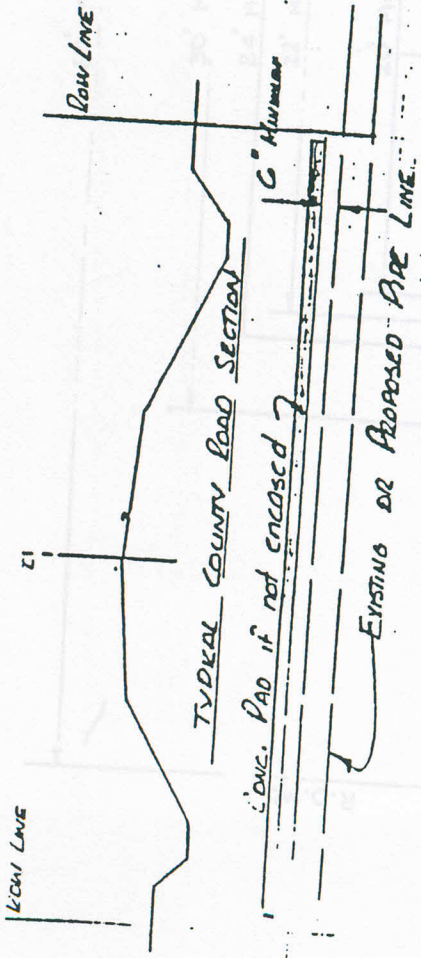
V. CONSTRUCTION DIAGRAMS

Construction diagrams attached hereto and marked as Exhibits A, B, C, D, and E are hereby made a part of these construction requirements and are incorporated herein by reference for all purposes.

CONCRETE PAD SPECIFICATION

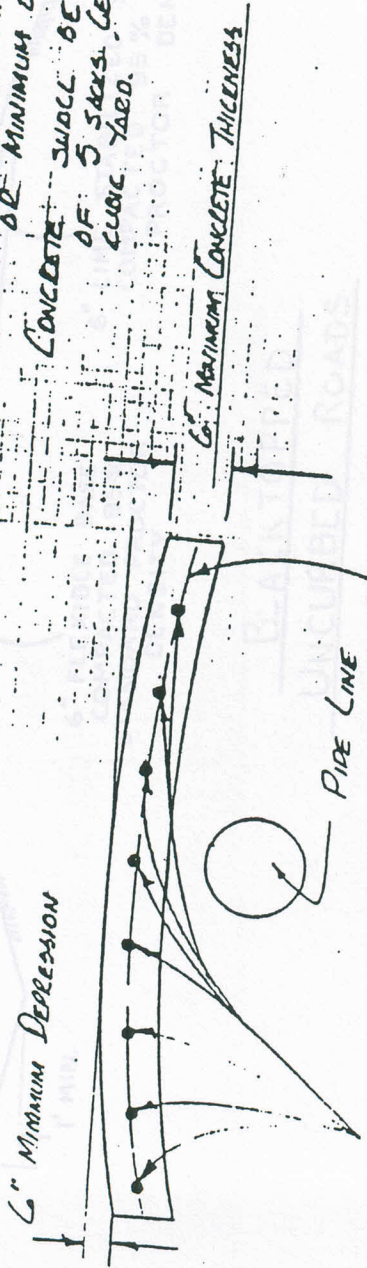
1. LENGTH TO BE FROM R.O.W TO R.D
2. WIDTH TO BE 3 X PIPE DIAMETER OR MINIMUM OF 5'
3. CONCRETE SHALL BE A MINIMUM 5 SACKS CEMENT PER CUBIC YARD



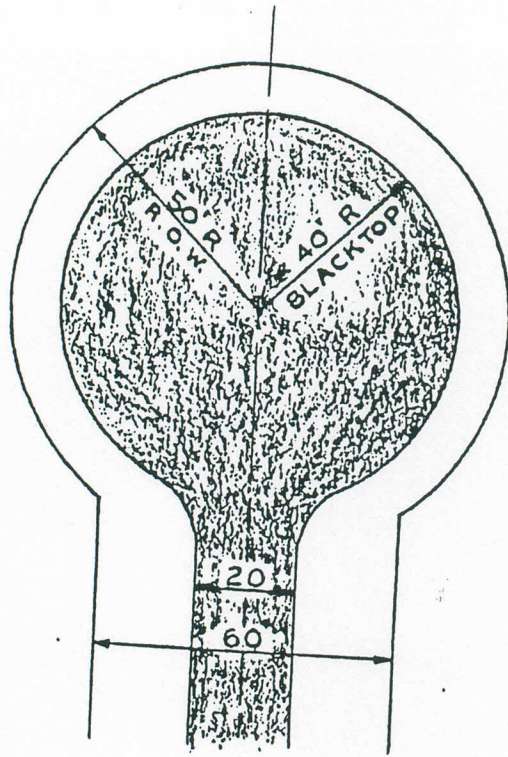


CONCRETE PAD SPECIFICATIONS

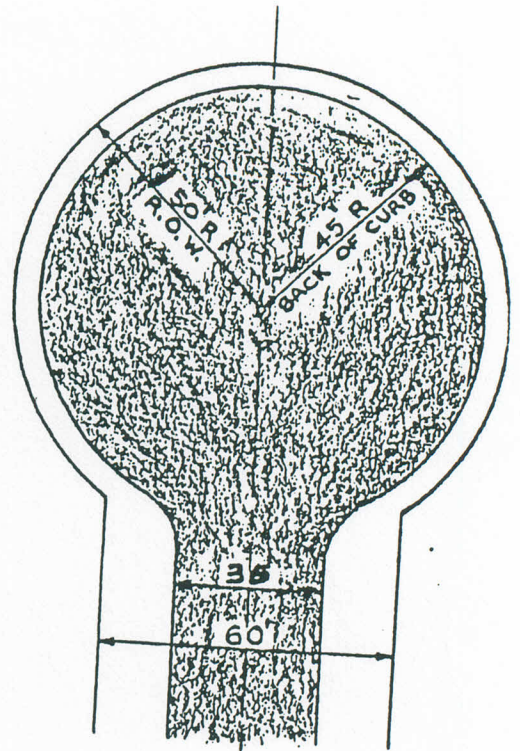
LENGTH TO BE FROM ROW. TO ROW.
 WIDTH TO BE 3 X PIPE DIAMETER
 OR MINIMUM OF 5'.
 CONCRETE SHALL BE A MINIMUM
 OF 5 SACKS CEMENT PER
 CUBIC YARD.



#4 OR 1/2" REINFORCING STEEL BARS
 SPACED 12" CENTER TO CENTER
 BOTH DIRECTIONS.



BLACKTOPPED
UNCURBED ROADS



CURBED AND GUTTERED
ROADS

MINIMUM
CUL-DE-SAC SPECIFICATIONS