

ARTICLE FOUR

Unified Development Code

Updated: July 7, 2015



Section 4.07 - Minor Subdivision Final Plats

A Minor Subdivision Plat is a Final Plat that creates no more than four lots and does not require the creation of a new street or a major extension of municipal facilities. A Preliminary Site Evaluation is not required prior to preparation of a Minor Subdivision Plat. Minor Subdivision Plats may be approved for residential and non-residential properties. The Planning Manager may approve Minor Subdivision Plats or refer them to the Planning and Zoning Commission for their action.

A. Minor Subdivision Final Plat Requirements

1. A minor platting procedure is applicable if the subdivision meets the following requirements:
 - a. No more than four (4) lots are contained within the subdivision plat and are fronting on an improved existing street or an approved access easement.
 - b. The proposed lots meet all the requirements of the existing zoning district.
 - c. The plat proposes no vacation of public rights-of-way or easements.
 - d. The extensions of public facilities, such as streets or utilities, are not required for utilization of the property except for minor extensions of existing water or sewer lines (less than 300 feet), construction plans of which shall be submitted at the time of application.
 - e. The proposed development does not create nor contain any drainage problem, it conforms to FEMA flood plain management rules, and it is not within the flood way.
2. If the applicant proposes to plat less than all of its property, a preliminary site evaluation shall be required and the minor plat process shall not be used.
3. The Planning Manager may require a Preliminary Site Evaluation prior to a Minor Subdivision Final Plat application to evaluation of site elements on a case by case basis.

B. Application

A complete Minor Subdivision Plat application consists of the application form, fee, and five (5) collated and folded copies of the Final Plat that includes all information listed below in Section 4.07 (C). When a complete application is submitted, the Final Plat and accompanying documents are distributed to Development Review Committee (DRC) members. DRC will review the application within five (5) working days. Following review, comments and requested revisions are forwarded to the applicant. The applicant must then return revised copies along with all markups made by staff to the Community Development Department. The Development Review Committee will review the revised documents and will provide comments again within ten (10) working days. An application that does not have all required documents will not be considered filed with the City and time periods for review will not begin to run until the application is complete.

C. Information to be Submitted with Minor Subdivision Plats

The final plat application shall not be considered filed and the review process will not begin until a Final Plat that includes the complete information on the following list is submitted with a required application form and filing fee. The applicant must submit to the Community Development Department seven (7) 24" x 36" copies of the Minor Final Plat, collated and folded to 9" x 12" paper size (see [Article Nine - Plan Folding Procedures](#)). When more than one sheet is required to show a subdivision, a 24" x 36" index sheet must be filed showing the entire subdivision and all dedications, attests, dates, titles, and seals on one sheet. Rolled documents will not be accepted. Scale used should be 1" = 100' or larger.

1. Final Plat sheet should contain the following information:

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- a. Title Block (see [Article Nine - Title Blocks Formats](#)) in lower right hand corner of plat to include:
 - 1) Project's name.
 - 2) Address and/or legal description of the project, total number of lots and/or phases, total acreage and zoning.
 - 3) Name, address, and telephone number of the applicant.
 - 4) Name, address, and telephone number of contact person of the developer.
 - 5) Name, address, and telephone number of the preparer (Surveyor).
 - 6) Date of preparation and dates of revisions, if any (As plats are revised, add dates of revision to each submittal).
- b. For all single-family residential subdivisions, a plan summary table to include:
 - 1) Total number of lots.
 - 2) Number of lots per zoning category.
 - 3) Total acreage per phase.
 - 4) Number of lots per phase.
 - 5) Minimum lot size.
 - 6) Minimum dwelling unit size.
 - 7) Density per acre.
- c. Graphic Scale labeled with scale used.
- d. North arrow oriented to the top or right of the sheet.
- e. Vicinity map of the City Base Map with scale of 1"=1000' with site location shaded.
- f. Length and bearing of all straight lines; radii, arc length, tangent length, and central angles of all curves, indicated along the lines of each lot or in tables.
- g. Diagram of a typical corner clip and visibility easement.
- h. Park Dedication requirements.
- i. A list of variances from development requirements, if applicable.
- j. Signature block labeled: "Approved by the City of Keller Community Development Department" (see [Article Nine - Signature Blocks for Plats](#)).
- k. Signature block labeled: "Approved by the City of Keller Planning and Zoning Commission" (see [Article Nine - Signature Blocks for Plats](#)).
- l. Signature block labeled: "Approved by the City of Keller City Council" (see [Article Nine - Signature Blocks for Plats](#)).
- m. The following statement when City sewer will not be utilized: "This subdivision is subject to all of the terms and conditions of Tarrant County Commissioner Court Order Number 42703 (Sewage Regulations). Prior to the issuance of a building permit, a license must be obtained by the owner for any private sewage facility (septic tank or aerobic system)

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to be constructed in the subdivision. A sewage disposal plan will be filed with Tarrant County and areas suitable for septic tanks or aerobic systems will be defined."

- n. An Owner's Certificate stating the following:

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS, John Doe and Jane Doe are the Owner(s) of a tract of land situated in the (Survey Name), Abstract Number (Survey Number), Tarrant County, Texas and being that same tract of land described in (Name and Recording Information), and being more particularly described by metes and bounds as follows:

(Metes and bounds description of subdivision with exact acreage and the volume and page of the County Deed Records of the deed for the land being platted and description and location of all survey monuments placed or found)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, John Doe and Jane Doe, Owners, do hereby adopt this plat designating the hereinabove described property as (Plat Name, include lot and blocks), an addition to the City of Keller and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, ~~trees, shrubs,~~ or other improvements ~~or growths~~ which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. Trees and shrubs further than five feet from the utility lines shall remain and/or comply with UDC landscaping requirements. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Keller, Texas.

Witness our hands at Tarrant County, Texas, this _____ day of _____.

John Doe, Owner

Jane Doe, Owner

- o. Notary Public's Certificate with a signature line, the Notary Public's stamp, and stating the following:

STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned authority, a Notary Public in and for said County and State on this date personally appeared John Doe and Jane Doe, Owners, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purpose and considerations therein expressed.

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

Notary Public in and for the
State of Texas

- p. Surveyor's Certificate with a signature line, the Surveyor's seal, and stating the following:

KNOW ALL MEN BY THESE PRESENTS:

That I, [Surveyor's Name], do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Keller, Texas.

Registered Professional Land Surveyor

- q. Names and boundary lines of abstracts and surveys of the land being platted.
- r. Lines delineating the proposed phases of development, if applicable.
- s. The layout and exact dimensions of proposed lots and blocks, with:
- 1) Front building setback lines and a note that reads, "All setbacks shall be in accordance with the zoning district, as described in the Keller Unified Development Code."
 - 2) Lot number and block letter designations.
 - 3) Acreage or square footage of each lot and minimum finished floor elevation (minimum finished floor elevation is required only if lot is located within 100-year floodplain or near natural drainage feature).
- t. Land proposed for dedication to public use or for reservation for the common use of property owners, labeled with a separate lot and block designation. Also include a list of the conditions of or limitations on the use of this land.
- u. Deed restrictions or other encumbrances that impact development of the property.
- v. Rights-of-way and public property to be abandoned should be identified on the plat, but information is to be provided separately for the creation of an abandonment certificate (see [Section 4.12 - Abandonment of Easements or Rights-of-Way](#) for procedures).
- w. Existing and/or proposed streets and alleys, showing street names and the widths of rights-of-way and pavement. Where a development abuts a street shown on the City's Thoroughfare Plan, the Final Plat must include the dedication of rights-of-way in accordance with the requirements of the Thoroughfare Plan.
- x. Location and size of all existing and proposed utility, access, and/or drainage easements for electric, telephone, gas, cable, and solid waste disposal, with a note regarding responsibility for maintenance.
- y. Delineation of the 100-year floodplain, if applicable.
- z. Names and recording information of adjoining subdivisions, municipalities, counties, special districts, and parcels of unsubdivided land, including:
- 1) Names of owners of record.
 - 2) Boundary lines.
 - 3) Zoning designations.
 - 4) Names and accurate location of all adjacent streets.

- 5) Dimensions of all abutting lots.
- 6) Reference ties to courses and distances of at least one recognized land corner.
- aa. The Planning Manager, Planning and Zoning Commission, or City Council may require additional information or drawings, operations data, or expert evaluation when considering the application, including traffic studies and drainage studies.
- 2. Exhibit of Existing Conditions sheet showing existing and proposed systems, including:
 - a. Location of all existing above-ground structures, driveways, sheds, fences, etc., if applicable.
 - b. Location and size of all existing and proposed utility, access, and/or drainage easements, with a note regarding responsibility for maintenance.
 - c. Location and size of all other utilities existing and/or proposed, underground or overhead, including private transmission lines.
 - d. Location and size of all public and private service lines and meters for water and sanitary sewer or septic tanks, if applicable.
 - e. Location and distance of nearest existing fire hydrant.
 - f. Proposed grading, and a description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of the proposed development.
 - g. Delineation of the 100-year floodplain, if applicable.
- 3. A drainage study shall be provided for each development in accordance with [Article Five - Design and Technical Construction Standards \(DTCS\)](#). The study shall be provided to ensure that all upstream and downstream watershed components are accounted for and will not be adversely impacted. The study shall include a pre-development versus post development runoff analysis and a storm water runoff routing analysis designed to predict the post development runoff rate and the downstream drainage system ability to accommodate post development runoff.
- 4. Tree survey and aerial photo with overlay of plan and tree survey and preservation plan in accordance with [Article Eight - Tree Preservation](#), as applicable. *(Amended by Ord. No. 1818 on October 18, 2016)*
- 5. UDC Variance Request as described in [Section 2.08 - Procedures for Variances from the Regulations of the Code](#), if applicable.
- D. Approval Process For Minor Subdivision Final Plats
 - 1. The Planning Manager may approve a Minor Subdivision Final Plat if it meets all requirements of this Code. The Planning Manager shall make final approval or disapproval of a Minor Subdivision Final Plat application within thirty (30) days of a complete application filing. The Planning Manager's decision may be appealed to the Planning and Zoning Commission and City Council.
 - 2. Based on the Development Review Committee's review, staff will prepare a report and recommendation for the Planning and Zoning Commission and/or City Council if variances are requested. A copy of this information and an agenda for the Planning and Zoning Commission and/or City Council meeting at which the application will be discussed will be available to the applicant on the Friday prior to that Planning and Zoning Commission and/or City Council meeting. The Planning and Zoning Commission and/or City Council votes on approval, approval with conditions, or disapproval.

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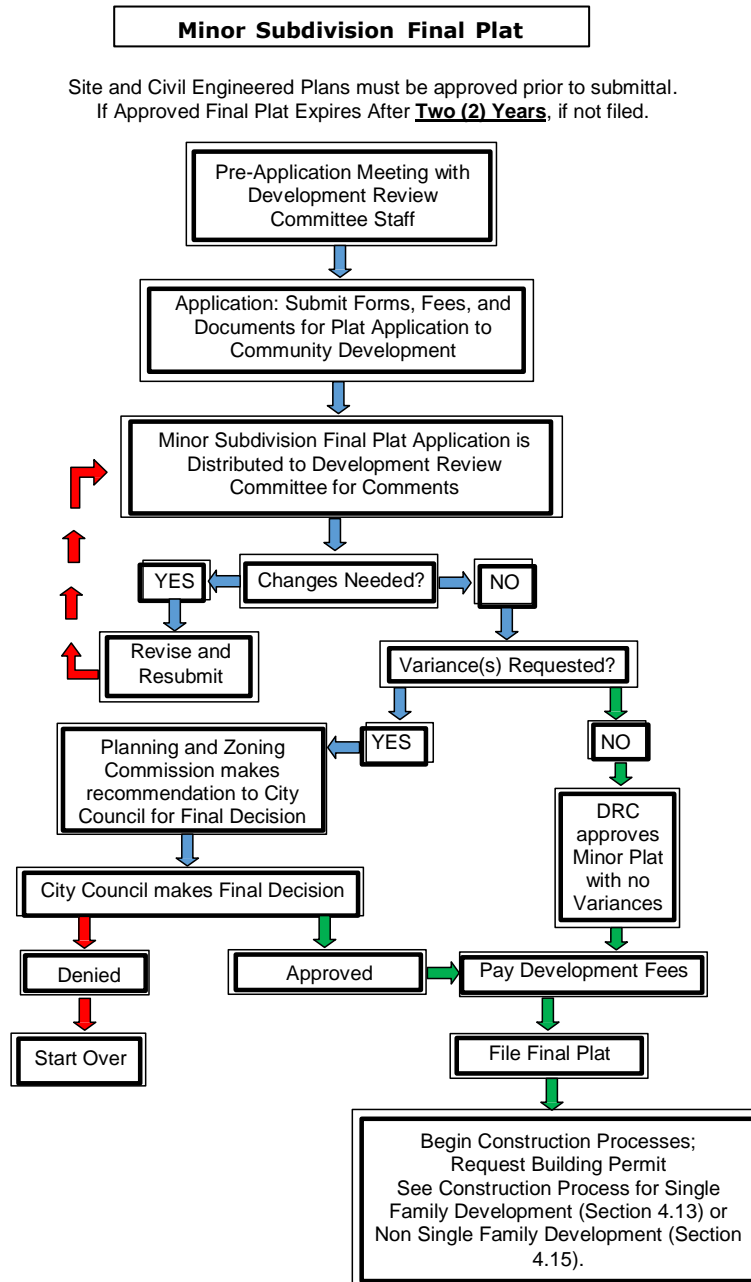
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E. Final File Copies

1. The applicant must provide to the Community Development Department one (1) 24" x 36" of each blackline and mylar copies of the Final Plat exactly as it was approved by the City, complete with owner's signatures with notarization and the surveyor's signature and seal. One of the copies will be filed with Tarrant County Plat Records, and the other copy will be kept on file with the City. A Development Agreement for the development or a Building Permit shall not be executed if the mylar copies of the approved Final Plat have not been provided to the City. An electronic format of the plat, in AutoCAD version for GIS purposes must also be submitted with the final mylar copies (see [Article Nine - Keller CAD Standards](#) for CAD plat requirements).
2. Additionally, the applicant must provide current certified original tax receipts on all properties being platted. These are required by state law in order to file the plat with Tarrant County. The Applicant is also responsible for the filing fees to file the plat with Tarrant County. Addresses will be assigned for each lot once the plat is recorded with Tarrant County.
3. Approval of a Minor Subdivision Final Plat is effective for two (2) years. At the end of two (2) years, if the Minor Subdivision Final Plat has not been filed with Tarrant County, the plat will be deemed expired and the applicant/developer must go through the entire Minor Subdivision Final Plat process again to obtain another one if desired.



Section 4.08 - Major Subdivision Final Plats

A. Major Subdivision Final Plat Requirements

1. Major Subdivision Final Plat involves the creation of new streets, the extension of municipal facilities or the creation of more than four lots. Major Subdivision plat may be applicable for residential and non-residential properties. The procedure for approving a major subdivision plat shall require an approved Preliminary Site Evaluation, approved site plan, and approved civil engineered plans (see Section 4.13 or Section 4.15, as applicable).
2. Major Subdivision Final Plats shall substantially conform with approved Preliminary Site Evaluations, or a revised Preliminary Site Evaluation shall first be submitted for formal approval. The Major Subdivision Final Plat shall include a complete set of approved site plan and approved civil engineered construction plans for all public improvements.
3. Except as otherwise permitted, the Planning and Zoning Commission's approval of a final plat is required prior to the construction of public improvements on the property.

B. Application

A complete Major Subdivision Final Plat application consists of the application form, fee, seven (7) collated and folded copies of the Final Plat along with three (3) sets of approved, Detailed Site Plan and Engineering Construction Plans at 22"x 34" page size (when applicable - See [Section 4.13](#) for requirements), and all information listed below in [Section 4.08 \(C\)](#). Detailed construction plans may be rolled. When a complete application is submitted, the Final Plat and accompanying documents are distributed to Development Review Committee (DRC) members. The Development Review Committee has five (5) working days to review the application. Following review, comments and requested revisions are forwarded to the applicant. The applicant must then return revised copies along with all markups made by staff to the Community Development Department. The Development Review Committee will review the revised documents and provide comments again within ten (10) working days.

C. Information to be Submitted with Major Subdivision Final Plats

The final plat application shall not be considered filed and the review process will not begin until a Plat that includes at least the information on the following list is submitted with a completed application form and filing fee. The applicant must submit to the Community Development Department seven (7) 24" x 36" copies of the Plat, collated and folded to 9" x 12" paper size (see [Article Nine - Plan Folding Procedures](#)). When more than one sheet is required to show a subdivision, a 24" x 36" index sheet must be filed showing the entire subdivision and all dedications, attestations, dates, titles, and seals on one sheet. Rolled documents will not be accepted. Scale used should be 1" = 100' or larger.

1. Final Plat sheet should contain the following information:
 - a. Title Block (see [Article Nine - Title Blocks Formats](#)) in lower right hand corner of plat to include:
 - 1) Project's name.
 - 2) Address and/or legal description of the project, total number of lots and/or phases, total acreage and zoning.
 - 3) Name, address, and telephone number of the applicant.
 - 4) Name, address, and telephone number of contact person of the developer.
 - 5) Name, address, and telephone number of the preparer (Surveyor).
 - 6) Date of preparation and dates of revisions, if any (As plats are revised, add dates of revision to each submittal).

- b. For all single-family residential subdivisions, a plan summary table to include:
 - 1) Total number of lots.
 - 2) Number of lots per zoning category.
 - 3) Total acreage per phase.
 - 4) Number of lots per phase.
 - 5) Minimum lot size.
 - 6) Minimum dwelling unit size.
 - 7) Density per acre.
- c. Graphic Scale labeled with scale used.
- d. North arrow oriented to the top or right of the sheet.
- e. Vicinity map of the City Base Map with scale of 1"=1000' with site location shaded.
- f. Length and bearing of all straight lines; radii, arc length, tangent length, and central angles of all curves, indicated along the lines of each lot or in tables.
- g. Diagram of a typical corner clip and visibility easement.
- h. A note that a Park Dedication Agreement exists, if applicable.
- i. A list of variances from development requirements, if applicable.
- j. Signature block labeled: "Approved by the City of Keller Planning and Zoning Commission" (see [Article Nine - Signature Blocks for Plats](#)).
- k. Signature block labeled: "Approved by the City of Keller City Council" if variance is requested (see [Article Nine - Signature Blocks for Plats](#)).
- l. The following statement when City sewer will not be utilized: "This subdivision is subject to all of the terms and conditions of Tarrant County Commissioner Court Order Number 42703 (Sewage Regulations). Prior to the issuance of a building permit, a license must be obtained by the owner for any private sewage facility (septic tank or aerobic system) to be constructed in the subdivision. A sewage disposal plan will be filed with Tarrant County and areas suitable for septic tanks or aerobic systems will be defined."
- m. An Owner's Certificate stating the following:

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS, John Doe and Jane Doe are the Owner(s) of a tract of land situated in the (Survey Name), Abstract Number (Survey Number), Tarrant County, Texas and being that same tract of land described in (Name and Recording Information), and being more particularly described by metes and bounds as follows:

(Metes and bounds description of subdivision with
exact acreage and the volume and page of the County
Deed Records of the deed for the land being platted

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and description and location of all survey monuments
placed or found)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, John Doe and Jane Doe, Owners, do hereby adopt that plat designating the hereinabove described property as (Plat Name, include lot and blocks), an addition to the City of Keller and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, ~~trees, shrubs,~~ or other improvements ~~or growths~~ which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. Trees and shrubs further than five feet from the utility lines shall remain and/or comply with UDC landscaping requirements. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Keller, Texas.

Witness our hands at Tarrant County, Texas, this _____ day of _____.

John Doe, Owner

Jane Doe, Owner

- n. Notary Public's Certificate with a signature line, the Notary Public's stamp, and stating the following:

STATE OF TEXAS
COUNTY OF TARRANT

Before me, the undersigned authority, a Notary Public in and for said County and State on this date personally appeared John Doe and Jane Doe, Owners, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purpose and considerations therein expressed.

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

Notary Public in and for the
State of Texas

- o. Surveyor's Certificate with a signature line, the Surveyor's seal, and stating:

KNOW ALL MEN BY THESE PRESENTS:

That I, [Surveyor's Name], do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon as set were properly placed under my personal supervision in accordance with the platting rules and regulations of the City of Keller, Texas.

Registered Professional Land Surveyor

- p. Names and boundary lines of abstracts and surveys of the land being platted.
q. Lines delineating the proposed phases of development, if applicable.

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- r. The layout and exact dimensions of proposed lots and blocks, with:
 - 1) Front building setback lines and a note that reads, "All setbacks shall be in accordance with the zoning district, as described in the Keller Unified Development Code."
 - 2) Lot number and block letter designations.
 - 3) Acreage or square footage of each lot and minimum finished floor elevation (minimum finished floor elevation is required only if lot is located within 100-year floodplain or near natural drainage feature).
- s. Land proposed for dedication to public use or for reservation for the common use of property owners, labeled with a separate lot and block designation. Also include a list of the conditions of or limitations on the use of this land.
- t. Deed restrictions or other encumbrances that impact development of the property.
- u. Rights-of-way and public property to be abandoned should be identified on the plat, but information is to be provided separately for the creation of an abandonment certificate (see [Section 4.12 - Abandonment of Easements or Rights-of-Way](#) for procedures).
- v. Existing and/or proposed streets and alleys, showing street names and the widths of rights-of-way and pavement. Where a development abuts a street shown on the City's Thoroughfare Plan or a proposed Thoroughfare is within the development, the Final Plat shall include the dedication of rights-of-way in accordance with the requirements of the Thoroughfare Plan.
- w. Location of all existing and proposed utility, access, and/or drainage easements, with a note regarding responsibility for maintenance.
- x. Delineation of the 100-year floodplain, if applicable.
- y. Names and recording information of adjoining subdivisions, municipalities, counties, special districts, and parcels of unsubdivided land, including:
 - 1) Names of owners of record.
 - 2) Boundary lines.
 - 3) Zoning designations.
 - 4) Names and accurate location of all adjacent streets.
 - 5) Dimensions of all abutting lots.
 - 6) Reference ties to courses and distances of at least one recognized and corner.
- z. The Planning Manager, Planning and Zoning Commission, or City Council may require additional information or drawings, operations data, or expert evaluation when considering the application, including traffic studies and drainage studies.
- 2. Exhibit of Existing Conditions (if Construction Plans are not required) showing the following:
 - a. Location of all existing and proposed utility, access, and/or drainage easements, with a note regarding responsibility for maintenance.
 - b. Proposed grading, and a description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of the proposed development.
 - c. Delineation of the 100-year floodplain, if applicable.

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- d. Location of all public and private service lines for natural gas, water, sanitary sewer or septic tanks, and other buried utilities, if applicable. *(Amended by Ord. No. 1818 on October 18, 2016)*
 3. Tree survey and aerial photo with overlay of plan and tree survey and preservation plan in accordance with [Article Eight - Tree Preservation](#), as applicable.
 4. UDC Variance Request as described in [Section 2.08 - Procedures for Variances from the Regulations of the Code](#), if applicable.
- D. Approval Process for Major Subdivision Final Plats
1. Major Subdivision Final Plat applications will be scheduled for a Planning and Zoning Commission meeting once approved by the DRC. The Community Development Department must receive one (1) electronic copy and one (1) collated and folded copy on 24" x 36" paper size for the Planning and Zoning Commission meeting. Based on the Development Review Committee's review, staff will prepare a report and recommendation for the Planning and Zoning Commission. A copy of this information and an agenda for the Planning and Zoning Commission meeting at which the application will be discussed is available to the applicant on the Friday prior to that Planning and Zoning Commission meeting. The Planning and Zoning Commission shall consider approval or approval with conditions of the Major Subdivision Final Plat that conforms to all City regulations.
 2. If alternatives or variances are requested, the Major Subdivision Final Plat shall be forwarded to the City Council along with the Planning and Zoning Commission's recommendations within thirty (30) days of the last Planning and Zoning Commission meeting. In such case, the Community Development Department must receive one (1) electronic copy at least two (2) weeks prior to the City Council meeting.
- E. Final File Copies
1. The applicant must provide to the Community Development Department one (1) 24" x 36" of each blackline and mylar copies of the Final Plat exactly as it was approved by the City, complete with owner's signatures with notarization and surveyor's signature and seal. One of the blackline mylars will be filed with Tarrant County Deed Records. The other will be kept on file with the City. A Development Agreement for the development may not be executed if the mylar copies of the approved Final Plat have not been provided to the City. An electronic format of the plat, in AutoCAD version for GIS purposes must also be submitted with the final mylar copies (see [Article Nine - Keller CAD Standards](#) for CAD plat requirements).
 2. Additionally, the applicant must provide current certified original tax receipts on all properties being platted. These are required by state law in order to file the plat with Tarrant County. The Applicant is also responsible for the filing fees to file the plat with Tarrant County. The Community Development Department will assign addresses for each lot once the plat is recorded with Tarrant County.
 3. Approval of a Major Subdivision Final Plat is effective for two (2) years. At the end of two (2) years, if the Major Subdivision Final Plat has not been filed with Tarrant County, the plat will be deemed expired and the applicant/developer must go through the entire process again to obtain another one if desired.

Major Subdivision Final Plat Process

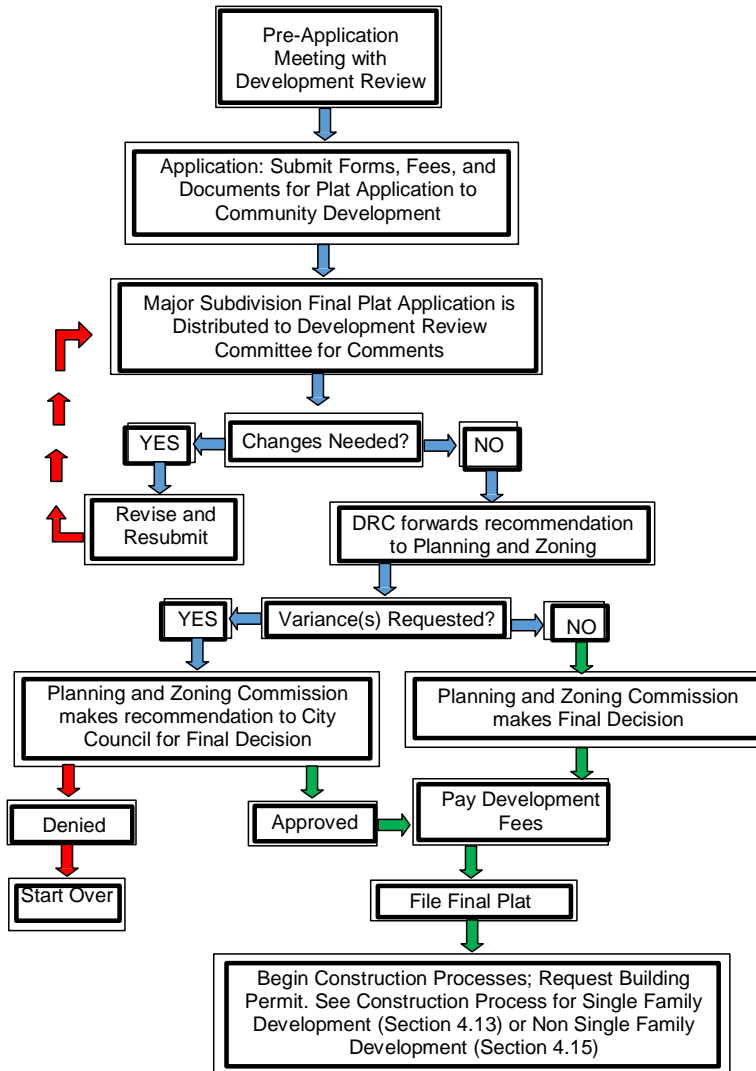
Site and Civil Engineered Plans must be approved prior to submittal.

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If Approved Final Plat Expires After **Two (2) Years**, if not filed.



Section 4.12 - Abandonment of Easements or Rights-of-Way

The abandonment of easements and rights-of-way that are determined to be unnecessary by the City may be approved by a Certificate of Abandonment. Any dedicated or recorded easement shall be abandoned in the same manner as it was dedicated, either by Final Plat or by Separate Instrument. All supporting documents including exhibits and fees shall be submitted prior to approval of the Certificate (see [Article Nine – Fees and Application Forms](#)).

A. Abandonment of Easements or Rights-of-Way Requirements

1. An abandonment procedure is applicable if the legal lot or record, as defined by this Code, or subdivision meet the following requirements:
 - a. The proposed lot(s) meet all the requirements of the existing zoning district.
 - b. The proposed abandonment does not create nor contain any drainage problem, it conforms to FEMA flood plain management rules, and it is not within the flood way.
2. A pre-application meeting with City Staff is encouraged if the applicant plans to request an Abandonment of Easements or Rights-of-Way Process.
3. Any dedicated or recorded easement to be abandoned by plat will follow replat procedures.
4. Any dedicated or recorded easement to be abandoned by separate instrument, will follow process outlined below.

B. Application

1. A complete Certificate of Abandonment application consists of the application form, fee, letters of acceptance from private utility companies, and three (3) copies of the Abandonment exhibit that includes all information listed below in Section 4.11 (C). When a complete application is submitted, the Easements or Rights-of-Way Abandonment and accompanying documents are distributed to Development Review Committee (DRC) members. DRC has fifteen (15) working days to review the application. Following review, comments and requested revisions are forwarded to the applicant. The applicant must then return revised copies along with those marked by staff to the Community Development Department. The Development Review Committee will review the revised documents and provide comments again within ten (10) working days. The applicant is responsible for providing any necessary letters of verification of utility company review and Easement or Rights-of-Way abandonment approvals from electric, telephone, gas, cable, and other applicable companies that may affect this easement(s) or rights-of-way.

C. Information to be Submitted with Certificate of Abandonments

The review process will not begin until an Abandonment exhibit that includes at least the information on the following list is submitted with a completed application form, filing fee, and letters of acceptance from private utility companies. The applicant must submit to the Community Development Department three (3) 8-1/2" x 11" or 8-1/2" x 14" copies of the Abandonment exhibit. Scale used should be 1" = 100' or larger.

1. Title Block in lower right hand corner of Abandonment Exhibit to include:
 - a. Project's name.
 - b. Address and/or legal description of the project, total acreage and zoning.
 - c. Name, address, and telephone number of the preparer (Surveyor).
 - d. Date of preparation and dates of revisions, if any (As exhibits are revised, add dates of revision to each submittal).

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2. Graphic Scale labeled with scale used.
3. North arrow oriented to the top or right of the sheet.
4. Metes and bounds description of the property to be abandoned.
5. Surveyor's Certificate with a signature line, the Surveyor's seal, and stating:

"This is to certify that this abandonment exhibit is an accurate representation of an actual survey made on the ground under my supervision of the described tract and the boundary lines, corners, and dimensions shown are as indicated."

Registered Professional Land Surveyor

6. An Owner's Certificate stating the following:

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF TARRANT

WHEREAS, John Doe and Jane Doe are the Owner(s) of a tract of land situated in the (Survey Name), Abstract Number (Survey Number), Tarrant County, Texas and being that same tract of land described in (Name and Recording Information), and being more particularly described by metes and bounds as follows:

(Metes and bounds description of subdivision with exact acreage and the volume and page of the County Deed Records of the deed for the land being platted and description and location of all survey monuments placed or found)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That we, John Doe and Jane Doe, Owners, do hereby adopt this plat designating the hereinabove described property as (Plat Name, include lot and blocks), an addition to the City of Keller and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, ~~trees, shrubs~~, or other improvements ~~or growths~~ which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. Trees and shrubs further than five feet from the utility lines shall remain and/or comply with UDC landscaping requirements. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Keller, Texas.

Witness our hands at Tarrant County, Texas, this _____ day of _____.

John Doe, Owner

Jane Doe, Owner

Notary Public's Certificate with a signature line, the Notary Public's stamp, and stating the following:

STATE OF TEXAS

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COUNTY OF TARRANT

Before me, the undersigned authority, a Notary Public in and for said County and State on this date personally appeared John Doe and Jane Doe, Owners, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purpose and considerations therein expressed.

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

Notary Public in and for the
State of Texas

7. Length and bearing of all straight lines, radii, arc length, tangent length, and central angles of all curves, indicated along the lines of the easement or rights-of-way that is to be abandoned.
 8. Label showing which easement or rights-of-way to be abandoned.
 - a. For drainage easements or areas within or near a 100-year floodplain, the following note will need to be included; "The property owner(s) shall maintain the drainage patterns, after abandonment of easement, as per the plans on file at the City of Keller as record drawings for this property."
 - b. Additional information pertaining to such easement abandonment may be required by the Public Works Department.
 9. Description and location of all survey monuments placed or found.
 10. Metes and bounds description of the easement or rights-of-way that is to be abandoned with exact acreage and the volume and page of the County Deed Records of the deed for the land being abandoned.
 11. Existing and/or proposed streets and alleys, showing street names and the widths of right-of-way and pavement.
 12. Location of all existing and proposed utility, access, and/or drainage easements.
 13. Delineation of the 100-year flood plain, if applicable.
 14. Legal description and recording information of all adjacent properties including subdivisions, municipalities, counties, special districts, and parcels of unsubdivided land.
- D. Approval Process for Certificate of Abandonments
1. Easements
 - a. The City Manager makes the final decision on a Certificate of Abandonment for all easements if it meets all of the City's Code requirements for development. The City Manager shall make final approval or disapproval of a Certificate of Abandonment application within thirty (30) days of a complete application filing. The City Manager may refer any Certificate of Abandonment application to the City Council for their action.
 - b. City Manager or designee will prepare an approval, approval with conditions, or disapproval letter for the Certificate of Abandonment. A copy of this information will be available to the applicant.

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2. Rights-of-Way

- a. The Certificate of Abandonment for rights-of-way will be scheduled for a City Council meeting if it is considered complete by Friday at noon, thirty (30) days prior to the meeting. The Community Development Department must receive seven (7) collated and folded copies of the informational documents described in 4.11.C. for distribution to the Development Review Committee. Based on the Development Review Committee's review, Public Works staff will prepare a report and recommendation for City Council. Upon approval by the DRC, an electronic copy shall be provided to the Community Development Department. A copy of this information and an agenda for the City Council meeting at which the application will be discussed will be made available to the applicant on the Friday prior to that City Council meeting.
- b. The City Council makes final decision on rights-of-way abandonments in accordance with Texas Local Government Code.

E. Final File Copies

1. After approval of the Certificate of Abandonment, the applicant shall provide two (2) copies of the Certificate of Abandonment and filing fees to file the document at Tarrant County.
2. Easements abandoned by a Final Plat shall meet the requirements for final copies of a Minor Plat in Section 4.06 of this Code.
3. An electronic, georeferenced format of the plat either in AutoCAD version, for GIS purposes must also be submitted with the final mylar copies. Following is the appropriate coordinate reference system to be used:

Geographic Coordinate System: GCS_North_American_1983
Projected Coordinate
System: NAD_1983_StatePlane_Texas_North_Central_FIPS_4202_Feet
Projection: Lambert_Conformal_Conic
(see [Article Nine - Keller CAD Standards](#) for CAD plat requirements).

Section 4.15 - Non-Single Family Residential Construction Process

A. Site Plan Required

All non-single family-residential construction in the City of Keller requires Site Plan approval prior to construction. A complete Site Plan is required for the following:

1. All new non-single family-residential developments.
2. Additions or changes to an existing non-residential building, or conversion of a building for a non-residential use.
3. Changes in use or occupancy of an existing non-residential building requires a modified Site Plan that shows parking, dumpster location and screening, screening walls, landscaping, and signage (see [Section 8.02 \(A.5.g\)](#) for requirements)
4. Multi-family, mobile home park, or mixed use developments.
5. Planned Developments and Specific Use Permits.

B. Application

1. A complete Site Plan application consists of the application form, fee, and seven (7) collated and folded copies of the Site Plan that includes all information listed below in [Section 4.15 \(C\)](#). When a complete application is submitted, the Site Plan and accompanying documents are distributed to the Development Review Committee (DRC) members. The Development Review Committee has fifteen (15) working days to review the application. Following review, comments and requested revisions are forwarded to the applicant. The applicant must then return revised copies along with all markups made by staff to the Community Development Department. The Development Review Committee will review the revised documents and provide comments again within ten (10) working days. This review-and-comment process will repeat until the Site Plan is in a form that could be approved.
2. All non-single family-residential site plan applicants are responsible for coordinating with all utility companies to determine the locations of all utility needs of the development. Utility boxes shall be placed in locations where they will not detract from the visual quality of the site from the street view and be screened with live landscaping.

C. Information To Be Submitted With a Site Plan Application

The review process will not begin until a Site Plan that includes at least the information on the following list is submitted with a completed application form and filing fee. Site Plans shall be prepared by a Texas-Registered Professional Architect, Texas-Registered Professional Civil Engineer, or other qualified professional (as approved by the DRC). Utility plans, Drainage Plans, and Grading Plans shall be prepared by a Texas Registered Professional Civil Engineer. Architectural elevation plans shall be prepared by a Texas Registered Professional Architect. Landscape Plans shall be prepared by a Texas Registered Landscape Architect. Trails may be designed by either a Texas Registered Professional Engineer or Landscape Architect. Screening walls and other structural walls must be designed by a Texas Registered Structural Engineer. The applicant shall submit to the Community Development Department seven (7) 22" x 34" copies of the Site Plan, collated and folded to 9" x 12" paper size (see [Article Nine - Plan Folding Procedures](#), no later than Friday at noon. Rolled documents will not be accepted. Scale used should be 1" = 50' or larger. The overall site plan package must contain the following six sheets with the corresponding information listed below:

1. Site Plan Sheet
 - a. Title Block in lower right hand corner of site plan to include:
 - 1) Project's name.

- 2) Name, address, telephone number, fax number, and contact person of the Applicant.
 - 3) Name, address, telephone number, fax number, and contact person of the Owner.
 - 4) Name, address, telephone number, fax number, and contact person of the preparer (Architect or Engineer).
 - 5) Address and/or legal description of the project (addition's name, lots, and blocks).
 - 6) Total acreage and zoning.
 - 7) Date of preparation and dates of revisions, if any (as the site plan is revised, add dates of revision to each submittal).
- b. A summary table showing:
- 1) Total building square footage.
 - 2) Number of required parking spaces (show calculations based on building usage).
 - 3) Number of provided parking spaces (number of handicapped parking spaces shall not be included as part of required parking spaces).
- c. Graphic Scale labeled with scale used.
- d. North arrow oriented to the top or right of sheet.
- e. Vicinity map of the City Base Map with scale of 1"=1,000' with site location shaded.
- f. Distances and bearings of all lots.
- g. Cross section of proposed streets, alleys, and parking lots, showing the width and type of pavement and the location and width of sidewalks.
- h. The footprints of all proposed buildings or structures.
- i. Setback lines as required by the respective zoning district.
- j. The names and widths of rights-of-way and pavement of existing and proposed streets and alleys.
- k. All curbs or pavement edge and lane striping on adjacent streets with dimensions.
- l. Driveway and sidewalk locations with dimensions and curve radii labeled.
- m. Parking layout, including maneuvering, loading, and unloading areas.
- n. Easements, deed restrictions, or other encumbrances that impact development of the lot.
- o. Location, type, material, and height of:
- 1) Required screening walls or fences, including elevations.
 - 2) Site lighting showing the height and location of exterior light fixtures.
 - 3) Signs locations (All signs shall be permitted separately and meet the sign requirements of this Code at the time of permit).

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- p. Location and screening of trash receptacles with materials clearly identified (Trash receptacles/dumpsters are required for all non-single family-residential developments unless other acceptable alternative is proposed).
 - q. Zoning, legal description, and owner of record for all adjacent lots or tracts.
 - r. Park/Trail location and improvements, if applicable.
 - s. Location of all utility boxes, cabinets, or meters, which shall be located at rear or side of building, if practical.
2. Utility Plan
- a. All property lines and easements.
 - b. The footprints of all proposed buildings or structures.
 - c. Driveway and sidewalk locations with dimensions and curve radii labeled.
 - d. Parking layout, including maneuvering, loading, and unloading areas.
 - e. Location and size of all existing and proposed water and sewer lines.
 - f. Location and size of all other utilities existing and proposed, underground or overhead.
 - g. Fire protection, including locations of existing and proposed fire hydrants, fire lanes, and fire lines, with all dimensions clearly designated.
 - h. Distances to closest existing fire hydrants, on-site or off-site, which would provide water access for this property in the event of a fire.
 - ~~h.i. Location of trees and shrubs to be preserved, planted, or removed. Trees and shrubs within five feet of the utility lines may be removed. All others shall remain and/or comply with UDC landscaping requirements.~~
3. Grading and Drainage Plan
- a. All property lines and easements.
 - b. The footprints of all proposed buildings or structures.
 - c. Driveway and sidewalk locations with dimensions and curve radii labeled.
 - d. Parking layout, including maneuvering, loading, and unloading areas.
 - e. Existing and proposed contours.
 - f. Location of existing and proposed drainage structures with sizes and dimensions clearly labeled.
 - g. Location of 100-year floodplain and floodway.
 - h. Location of proposed improvements in relation to Areas of Special Flood Hazard.
 - i. Elevation from mean sea level of new or substantially improved structures.
 - j. A certificate from a Texas-registered Professional Engineer or Architect that states non-residential flood proofed structures meet the criteria contained in the Flood Plain Ordinance.

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- k. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of the proposed development.

4. Landscape Plan

The Landscape Plan must be prepared by a Texas Registered Landscape Architect. It must include the following at a minimum scale of 1" = 50'. The Landscape Plan shall conform to the requirements set forth in [Article Eight](#) of this Code.

- a. Name of preparer.
- b. Date of preparation.
- c. North arrow oriented to the top or right of the sheet.
- d. Location and spacing of all plants and landscaping materials and features to be used, including paving, benches, and fountains.
- e. Species, quantity, and size of all plant materials to be used.
- f. Location, size, and species of all trees to be preserved ("tree stamps" may not be used unless they indicate the true size and location of trees).
- g. Depth of pond, if applicable.
- h. Topography.
- i. Description of provisions for maintenance.
- j. A note that states that all landscaped areas will be irrigated and that detailed irrigation plans will be submitted with construction plans.
- k. A note that all landscaped areas are to be maintained in accordance with City regulations.
- l. Location and size of all other utilities existing and/or proposed, underground or overhead, including private transmission lines.

5. Elevations

- a. Architectural elevations showing all sides of the proposed building and labeled north, south, east and west.
- b. The height of the proposed building clearly dimensioned.
- c. All exterior finishes and roofing materials clearly identified.
- d. One 11" x 17" sheet with all elevations in color with labels and dimensions removed to serve as a color sample of exterior finishes.

6. Photometric Plan

The Photometric Plan must be submitted with all site plans that are adjacent to residential zoning or uses, showing the light intensity within and around the perimeter of the site. The Photometric Plan shall conform to the requirements set forth in [Section 8.16 - Lighting and Glare Standards](#).

- a. All property lines and easements.
- b. The footprints of all proposed buildings or structures.

- c. Parking layout, including maneuvering, loading, and unloading areas.
- d. Type, location, and height of all proposed light poles and fixtures.

7. Aerial Overlay

A recent aerial photograph must be submitted (if applicable) in either 11" x 17" or 8.5" x 11" format with an attached transparent overlay that shows the following items:

- a. All property lines and easements.
 - b. The footprints of all proposed buildings or structures.
 - c. Driveway and sidewalk locations.
 - d. Parking layout, including maneuvering, loading, and unloading areas.
8. Tree Survey and Tree Preservation Plan, as applicable see Section 8.19 *(Amended by Ord. No. 1818 on October 18, 2016)*
9. UDC Variance Request as described in [Section 2.08 - Procedures for Variances from the Regulations of the Code](#), if applicable.

D. Approval Process For Site Plans

1. Modified Site Plans for existing buildings or Site Plans for parking improvements may be approved by the Development Review Committee if it meets all applicable requirements. The DRC's decision may be appealed to the Planning and Zoning Commission and City Council.
2. Site Plans within the Town Center (TC) Zoning District shall be considered for approval by City Council after a recommendation from the Planning and Zoning Commission. All other site plans shall be considered for approval by the City Manager or designee if it complies with best professional practices and meets all applicable requirements of this Code for development. The City Manager's decision may be appealed to the Planning and Zoning Commission and City Council.
3. If variances are requested, the Site Plan shall be considered by City Council after a recommendation by the Planning and Zoning Commission. Based on the Development Review Committee's review, staff will prepare a report and recommendation for the Planning and Zoning Commission. Staff can recommend approval, conditional approval, or denial based on the requirements of this Code. A copy of this information and an agenda for the Planning and Zoning Commission meeting at which the application will be discussed will be available to the applicant on the Friday prior to that Planning and Zoning Commission meeting. The Site Plan will be placed on a City Council agenda within thirty (30) days following the Planning and Zoning Commission meeting. The applicant shall submit one (1) collated and folded 24" x 36" copy and twelve (12) 11" X 17" reductions of the Site Plan at least ten (10) days prior to the City Council meeting.
4. Prior to the City Council meeting, staff will provide to the applicant a copy of the staff report and recommendations, and the City Council agenda. The City Council can approve, approve with conditions, or deny a Site Plan. After the City Council approves a Site Plan, if final architectural or engineering design necessitates minor changes in the approved Site Plan, the changes may be approved by the City Manager or his/her designee, provided that they do not materially alter traffic circulation, building location, or any conditions attached to the City Council's approval of the Site Plan.

E. Final File Copies

1. After approval by the Development Review Committee and/or the Planning and Zoning Commission and City Council, the applicant shall submit to the Community Development Department:

- a. Three (3) 22" x 34" blue-line or black-line copies of the Site Plan as approved. All changes made by the approving body shall be reflected on the Site Plan;
- b. An electronic format of the exterior elevations of the project, either in .pdf or .jpeg versions. These copies of the approved site plan must be submitted within thirty (30) days of the date of approval. No Building Permit will be issued until the copies are submitted;
- c. Computer Aided Design (CAD), in appropriate format and georeferenced for GIS purposes, of the As-Built Construction Plans submitted by the design engineer (see Article Nine - Keller CAD Standards for CAD construction plan requirements). Following is the appropriate coordinate reference system to be used:

Geographic Coordinate System: GCS_North_American_1983
Projected.Coordinate.System: NAD_1983_StatePlane_Texas_North_Central_FIPS
4202_Feet
Projection:Lambert_Conformal_Conic
(see Article Nine - Keller CAD Standards for CAD plat requirements).

2. Approval of a Site Plan is effective for one (1) year. At the end of one year, the Site Plan or any portion that has not been constructed or is deemed not to be under construction, shall expire. The applicant may request a one-year extension from the City Manager or his/her designee, if no changes in development requirements impacting the Site Plan have occurred.

F. Construction Plans

Following the approval of the Site, Construction Plans may be submitted to the Development Services Division. Three (3) sets of Building Plans prepared and/or stamped by a Texas-Registered Architect; three (3) sets of Paving, Drainage, and Utility Plans prepared by a Texas-Registered Civil Engineer; Landscape Plans shall be prepared by a Texas Registered Landscape Architect. Trails may be designed by either a Texas Registered Professional Engineer or Landscape Architect. Screening walls and other structural walls must be designed by a Texas Registered Structural Engineer, the Building Permit Application; and applicable fees must be submitted before the review process can begin. These plans will be reviewed within fifteen (15) working days by all applicable departments and may be picked up at the Development Services Division of the City. Every subsequent submittal will be reviewed within ten (10) working days. A Building Permit will be issued when the Plans are released for construction by all applicable departments. Developments requiring public infrastructure improvements (road and utility extensions) must include Construction Plans for the improvements.

G. Development Agreement

After approval of Building Plans and Paving, Drainage, and Utility Plans, the developer shall enter into an agreement with the City to delineate responsibility for construction of public improvements and related expenditures, if applicable.

H. Pre-Construction Meeting/Issuance of Building Permit

Public Works staff will then make arrangements with the project engineer for a pre-construction meeting. The developer, engineer, contractor, sub-contractors, and other interested parties are required to attend this meeting. At the meeting, City Staff will discuss Keller's construction sequencing and the Development Agreement. The applicant pays Development and Inspection

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Fees and submits Maintenance Bonds and Trench Safety Plan. A Notice to Proceed will be issued at this meeting if all needed information and fees have been provided by the developer.

I. Final Acceptance/Certificate of Occupancy

Inspections will be performed at various stages of work. The City will conduct a final inspection after all work has been completed. This includes all building-related and site-related (on-site and off-site) improvements. Computer Aided Design (CAD) in appropriate format of the As-Built Construction Plans must be submitted by the design engineer (see [Article Nine - Keller CAD Standards](#) for CAD construction plan requirements) before the letter of final acceptance from the City. A Certificate of Occupancy will be issued upon completion of all improvements in accordance with all applicable codes.

Non-Single Family Residential Construction Process

