WHEREAS, Section 212 of the Texas Local Government Code authorizes the City of Harlingen to adopt rules governing plats and subdivisions of land within the City’s jurisdiction to promote the health, safety, morals or general welfare of the City and the safe, orderly, and healthful development of the municipality; and

WHEREAS, pursuant to this authorization, the City of Harlingen has adopted Chapter 109 as part of the City of Harlingen Code of Ordinances to accomplish these purposes and to therefore serve the public; and

WHEREAS, The City Commission of the City of Harlingen desires to make amendments and to simplify the subdivision code of ordinances to continue accomplishing these purposes and so better serve the public; and

WHEREAS, The Planning and Zoning Commission has reviewed the proposed subdivision ordinance amendments and has recommended approval;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF HARLINGEN, TEXAS, THAT:

SECTION 1: That the Code of Ordinances of the City of Harlingen, Chapter 109 (Subdivisions) is hereby amended by adding the language underlined (added) and deleting the language that is stricken through (stricken) to read in full as follows.

ARTICLE I. - IN GENERAL
Sec. 109-1. - Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise. Any office referred to in this chapter by title means the person employed or appointed by the city in that position, or his duly authorized representative. Definitions not expressly prescribed herein are to be construed in accordance with customary usage in municipal planning and engineering practices.

Alley means a minor public right-of-way, not intended to provide the primary means of access to abutting lots, which is used primarily for vehicular service access to the back or sides of properties otherwise abutting on a street.

Applicant means the developer as defined by this section.

Arterial streets. See Major arterial or Minor arterial.

Block means a tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways, or boundary lines of municipalities or a block in a subdivision that consists of a grouping of lots that are contiguous or phases in a development plat.

Building means any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind.

Building setback line means the line within a property defining the minimum horizontal distance between a building and the adjacent street right-of-way line or adjoining properties.

Capital improvement means a public facility or project with a life expectancy of three or more years, to be owned and operated by or on behalf of the local government.

CCN means certificate of convenience and necessity (for water or sewer service area). CCN – means Certificate of Convenience and Necessity that grants a CCN holder (e.g. HWWS), the exclusive right to provide retail water and/or sewer utility service to an identified geographic area.

City means the City of Harlingen, Cameron County, Texas. Any reference to an act of the city shall be deemed to include acts of the city commission, or other such elected governing body of the city.

City of Harlingen Subdivision Development Guide means the guidebook as adopted by the City of Harlingen published to aid developers in the design of public infrastructure within subdivisions. This manual sets forth the design and construction standards and details pertaining to the subdivision process.
Collector streets means streets that carry traffic from the interior of neighborhoods or developments to adjoining arterial streets. Their primary role is land access but with a higher level of traffic movement than local streets. Collectors should provide two traffic lanes and two parking lanes, and in a few cases four travel lanes. (Requires 80-foot right-of-way dedication.)

Comprehensive plan means the most current plan or collection of land use plans promulgated by the city commission or administration, including, but not limited to, arterial street plans or a combination thereof.

Construction documents means collectively all of the documents associated with the design and construction of a subdivision, including but not limited to Subdivision Construction Plans, drawings, front-end documents, the engineering letter report, project manual, submittals, as-builts, material reports, and testing reports.

Construction plan means the maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the planning and zoning commission as a condition of the approval of the plat.

Cul-de-sac means a street having only one (other than an alley or easement), outlet to another street, and terminated on the opposite end by a vehicular turnaround. The length of a cul-de-sac shall be measured from the near side right-of-way line of the intersection street to the center of the cul-de-sac turnaround.

CCDD No. 3 – means Cameron County Drainage District No. 3

CCDD No. 5 – means Cameron County Drainage District No. 5

Dead-end street means a street, other than a cul-de-sac, with only one outlet, other than an alley or easement. The maximum length allowed is 150 feet.

Developer means the owner of land proposed to be subdivided or the owner’s representative who is responsible for any undertaking that requires review and/or approval under this chapter. The term “developer”, unless expressly limited to the owner(s) of the land being subdivided, includes the developer’s duly authorized agents acting on behalf of the developer including engineers, architects, surveyors, contractors, and bonding agents. (See also Subdivider.)

Drinking water means all water distributed by any agency or individual, public or private, for the purpose of human consumption, and for the use in the preparation of foods or beverages, cleaning any utensil or article used in the course of preparation or consumption of food or beverages for human beings, human bathing, or clothes washing. (Also sometimes referred to as potable water.)

Easement means authorization by a property owner for another to use the owner’s property for a specified purpose (such as for utilities, access, etc.)—a nonpossessory interest that authorizes its holder or beneficiary to use another
property only for particular purposes (such as for utilities, access, ingress or egress, etc.).

**Engineer** means a person licensed and duly authorized under the provision of Texas Engineering Registration Practice Act to practice the profession of engineering.

**Engineering Letter Report** means a report containing all of the required engineering studies and reports for construction of the proposed subdivision. These may include but are not limited to:

- a) Drainage Study;
- b) Geotechnical Report (to include proposed pavement section);
- c) Subsurface Utility Engineering Report (SUE);
- d) Developer’s Report;
- e) Traffic Impact Analysis;
- f) Environmental Studies;
- g) Water Distribution Analysis & Fire Flow Calculations; and
- h) Wastewater Collection System and Lift Station Calculations.

**Extraterritorial jurisdiction (ETJ)** means that territory outside corporate city limits defined in the Texas Local Government Code as the area that is subject to city subdivision regulations. (For the purpose of annexation, that area is defined in Texas Local Government Code ch. 42, subch. B (Texas Local Government Code § 42.021 et seq.), based on population. For the purpose of subdivision regulations, that area is defined in the Texas Local Government Code § 212.001 as the area 5 miles outside the city limits.

**FEMA** means the Federal Emergency Management Agency

**Filed plan or plat** means the day the administrative review process is finished, the application is accepted and paid and the preliminary and final plat is placed on the planning and zoning commission or city commission agenda.

**Final subdivision plat** means a map or drawing of a subdivision to be recorded after approval by the planning and zoning commission or the city commission and any accompanying material of a proposed subdivision prepared in a manner suitable for recording in the county records and prepared as described in these regulations.

**Flag-shaped lot** means a lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway. (See section 109-224, Exhibit D.) Flag-shaped residential lots will not be allowed within the city limits or within the 3.5 mile ETJ.

**Flood** means a temporary rise in a stream level that results in inundation of areas not ordinarily covered by water. a general and temporary condition of partial or complete inundation of two (2) or more acres of normally dry land area or of two (2) or more properties from:
a) Overflow of inland or tidal waters; or
b) Unusual and rapid accumulation or runoff of surface waters from any source; or
c) Mudflow; or
d) Collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels that result in a flood as defined above.

_Floodway_ means the channel of a watercourse and portions of the adjoining floodplain that are reasonably required to carry and discharge the regulatory flood.

_Frontage_ means that side of a lot abutting on a street or way and ordinarily regarded as the front of the lot; the side of a corner lot is considered frontage for road assessment purposes. For lot frontage requirements, only the front of the lot shall be considered in the measurements.

_General Plan_ means a type of plat consisting of a site plan or master plan submitted for the purpose of establishing a street system for a larger tract of land to be developed in sections.

_Half-street_ means a street that is one-half the required street width constructed adjacent to a development for an interim period of time.

_Harlingen Waterworks System (HWWS)_ means a water and wastewater utility owned and operated by the City of Harlingen. HWWS is governed by the Utility Board of Trustees, a separate and independent section of the City administrative government subject only to its appointment by and accountability to the City Commission of the City as provided for in Article X of the Harlingen City Charter.

_HID_ means Harlingen Irrigation District or Cameron County Irrigation District No. 1.

_Homeowner’s Association_ means a private association often formed by a real estate developer for the purpose of marketing, managing and selling homes and lots and for the maintenance of a subdivision common areas and property.

_HWWS_ means Harlingen Waterworks System. Where approvals or additional information is required, HWWS means the HWWS System Engineer.

_HWWS Water and Sewer Master Plans_ means the most current plans or collection of plans for capital improvements approved by the HWWS Utility Board of Trustees, including infrastructure for water and/or sewer conveyance and treatment.

_Local streets_ means streets that serve primarily residential areas and commercial/industrial areas to some extent to provide access to individual properties. Through traffic on such streets should be discouraged by discontinuous and often curving street layout. The paved width would desirably provide for two travel lanes and
one or two parking lanes with sidewalks. (Requires 50–to 60-foot right-of-way dedication. The 60-foot dedication is required on streets required to be paved 37 feet.)

Lot means an undivided tract or parcel of land having frontage on a public street and which is, or in the future may be, offered for sale, conveyance, transfer or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed for record. A flag-shaped lot is an irregular shaped lot that has an area for a building site that complies with this chapter, which is located some distance from a public street or road and connected by a narrower, generally rectangular, strip of land.

Lot improvement means any building, structure, work of art, or other object situated on a lot.

Major arterial means a street similar to minor arterial street in their function but serve higher traffic volumes, act as principal crosstown surface routes, and in some cases serve as urban extensions of major intercity routes. These streets are normally four will require two to six travel lanes depending on average daily traffic volumes, with considerable access control as necessary. (Requires 120-foot right-of-way dedication.)

Major outfall means a large pipe or open channel that has the capacity to accept drainage runoff collected through smaller systems (pipes, manholes, inlets, gutters, ditches, etc.) from a given drainage basin and has the ability to convey the volume of runoff generated on such basin to a discharge point on a stream that becomes the ultimate receiver.

Major subdivision plat means plats of all subdivisions not classified as subject to minor subdivisions plats, including, but not limited to, subdivisions of more than four lots, or any number lots and size subdivision requiring any new street, drainage, extension of utilities or the creation of any other public improvements.

Minor arterial means streets that provide direct access between various sectors of the city and connect residential areas with commercial and industrial land uses. Their width and directness promotes efficient traffic movement. Minor arterial streets are normally should provide two or to four travel lanes with parking an optional feature. Since traffic movement is their key functions, land access from minor arterial streets may be legitimately restricted. (Requires 100-foot right-of-way dedication.)

Minor subdivision plat means any subdivision containing not more than four lots fronting on an existing street, not involving any new street or road, or the extension of municipal facilities or the creation of any public improvements, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the comprehensive plan, zoning code, or these regulations.
Non-access easement means an easement placed across the edge of lots generally used to prevent rear access driveways and curb cuts onto an arterial or collector road or to prohibit access near intersections.

Non-public water system means any water system supplying water for domestic purposes that is not a public water system.

OSSF means on-site sewage facilities as that term is defined in rules and/or regulations adopted by TCEQ TNRCC, including, but not limited to, 30 TAC ch. 285.

Pavement width means the portion of a street available for vehicular traffic. Where curbs are laid, pavement width is the portion between the back of curbs. Pavement width is the pavement surface from the back of the curb to the back of the curb.

Person means any individual, association, firm corporation, governmental agency, or political subdivision.

Phased subdivision application means an application for subdivision approval submitted pursuant to a specific plan in which the applicant proposes to immediately subdivide the property but will develop in one or more individual phases over a period of time. A phased subdivision application may include an application for approval of, or conversion to, commercial or noncommercial developments.

Planning and Zoning Commission means the planning City of Harlingen Planning and Zoning Commission of the city, an advisory board governed by Texas Local Government Code Chapter 211 which makes recommendations to the City of Harlingen City Commission regarding the implementation of and amendments to the City of Harlingen Zoning Ordinances, and verifies their conformance with the City Comprehensive Plan; examines all proposed subdivisions of land within the City and its ETJ; determines whether all plans, plats, replats, additions, and subdivisions conform to the City Comprehensive Plan; and provides recommendations on all other issues pursuant to state law.

Plat includes a preliminary plat, general plan, final plat, and replat.

Platted means recorded with the county in an official plat record.

Public improvement means any street, drainage ditch appurtenance, roadway, parkway, sidewalk, pedestrian way, off-street parking area, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may effect an improvement for which local government responsibility is established.

Public water system means a system for providing potable water the provision to the public of water for human consumption through pipes or other constructed conveyances, which includes all uses described under the definition for drinking water. Such a system must have at least 15 service connections or serve at least 25 individuals at least 60 days out of the year. The term "public water system" includes
any collection, treatment, storage, and distribution facilities under the control of the operator of such system and used primarily in connection with such system. and any collection or pretreatment storage facilities not under such control that are used primarily in connection with such system. Two or more systems with each having a potential to serve less than 15 connections or less than 25 individuals but owned by the same person, firm, or corporation and located on adjacent land will be considered a public water system when the total potential service connections in the combined systems are 15 or greater or if the total number of individuals served by the combined systems total 25 or more at least 60 days out of the year. Without excluding other meanings of the terms "individual" or "served," an individual shall be deemed to be served by a water system if he lives in, uses as his place of employment, or works in a place to which drinking water is supplied from the system.

**Purchaser** means an individual or entity who acquires title to real property for consideration; for purposes of this Chapter, it also includes an individual or entity to whom the transfer of title requires an action by one or more of the parties to the conveyance at some time in the future (for example conveyances made through executory contracts). includes, but is not limited to, purchasers under executory contracts for conveyance of real property.

**Regulatory flood** means a flood which is representative of large floods known to have occurred generally in the area and reasonably characteristic of what can be expected to occur on a particular stream. The regulatory flood generally has a flood frequency of approximately 100 years determined from an analysis of floods on a particular stream and other streams in the same general region.

**Regulatory flood protection elevation** means the elevation of the regulatory flood.

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

**Right-of-way or R-O-W** means a type of easement which may involve a place where the public may travel, or where utility facilities will be located. Common examples include a strip of land occupied or intended to be occupied by streets, crosswalks, sidewalks, railroads, roads, electric transmission lines, oil or gas pipelines, water mains, sanitary sewer or storm drains sewer-main, shade trees, or for any other special use or other similar uses. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, crosswalks, sidewalks, water mains, sanitary sewers, storm drains, shade trees, or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.
Sanitarian means a person registered as a professional sanitarian by the Texas Department of Health under the authority of Texas Occupations Code ch. 1953.

Sanitary Sewer (or Sewer) Sewerage facilities means the pipeline network, manholes, lift stations, force mains devices and related appurtenances systems which transport domestic municipal wastewater from residential private or public property to a treat the wastewater treatment plant, and dispose of the treated water in accordance with the minimum state standards and as contained or referenced, amended, and supplemented in these rules this code.

Street means a public right-of-way, however designated, which provides vehicular access to adjacent land.

Subdivider means any owner of land or any authorized agent thereof, dividing or proposing to divide land so as to constitute a subdivision as that term is defined herein. In any event, the term "subdivider" shall be restricted to include only the owner, equitable owner, or authorized agent of such owner or equitable owner of land sought to be subdivided. (See also Developer.)

Subdivision means a division of any tract of land situated within the corporate limits of the city or within the extra territorial jurisdiction referred to in Texas Local Government Code ch. 212, subch. A (Texas Local Government Code § 212.001 et seq.), into one or more parts for the purpose of laying out suburban lots or building lots, or any lots and streets, alleys or parts or other portions intended for public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto. The term "subdivision" includes resubdivision (replat) of land divided into one or more parts that results in the creation of two or more lots of five acres or less, but it does not include the division of land for agricultural purposes in parcels of tracts of five acres or more and not involving any new street, alley, or easement of access.

Subdivision Construction Plans means the plans and documents that convey the design requirements for public improvements to a contractor within a proposed subdivision in accordance with the requirements of the subdivision ordinance and the City Engineer as a condition of the approval of a plat.

Subdivision Review Committee means the departments of the city and entities listed in Section 109-228 Exhibit H responsible for review of a developer’s proposed plat, plans for associated infrastructure, and other required development document submittals.

Surveyor means a licensed state land surveyor or a registered public land surveyor, as authorized by state statute to practice the profession of surveying.

TAC means Texas Administrative Code, as compiled by the Texas Secretary of State.

TCEQ means Texas Commission on Environmental Quality.
Tract; lot. The term "tract" is used interchangeably with the term "lot," particularly in the context of a subdivision, where a tract is subdivided into several lots, blocks, parcels, sites, units, tracts, or interests.

**TxDOT** means Texas Department of Transportation.

**Utility easement** means an interest in land granted to the city, or to the public generally, and/or to a private utility corporation, for installing or maintaining utilities across, over or under private land, together with the right to enter thereon with machinery and vehicles necessary for the maintenance of said utilities for the benefit of the public.

**Wastewater facilities** means any sanitary sewers, manholes, cleanouts, lift stations, force mains, and treatment facilities for the collection, treatment, and discharge of municipal wastewater.

**Water facilities** means any devices and systems that are used in the supply, collection, development, protection, storage, transmission, treatment, and/or retail distribution of water for safe human use and consumption.

(Code 1997, § 156.004; Ord. No. 01-01, § 2, 1-3-2001; Ord. No. 04-46, 7-21-2004)

**Sec. 109-2. - Authority and scope of rules.**

This chapter is adopted under the authority of the Constitution and laws of the State of Texas, by the City of Harlingen, Cameron County, Texas, under the authority of Texas Local Government Code ch. 212 and Texas Water Code § 16.350.

(Code 1997, § 156.001; Ord. No. 01-01, § 1.1, 1-3-2001)

**Sec. 109-3. - Purpose.**

These regulations are adopted for the following purposes:

(1) To promote the public health of the city's residents and customers, to ensure that adequate water and wastewater facilities are provided in subdivisions within the city's corporate limits and extraterritorial jurisdiction of the city, and to establish the minimum standards for water and wastewater facilities.

(2) To provide for and protect the orderly, safe and healthful development of the area within the city and within the area surrounding the city.

(3) To promote the health, safety and general welfare of the community.

(4) To guide the future growth and development of the municipality in accordance with the currently adopted comprehensive plan of the city.
To provide for adequate light, air, and privacy, and to secure safety from fire, flood, and other dangers.

To prevent overcrowding of the land and undue congestion of population.

To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage wastewater collection, schools, parks, playgrounds, recreation, and other public requirements and facilities.

To facilitate the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the municipality, having particular regard to the avoidance of congestion in the streets and highways and the pedestrian traffic movements appropriate to the various uses of land and buildings.

To provide for the proper location and width of streets and building lines.

To facilitate adequate storm water management by providing drainage systems and associated structures and appurtenances within new subdivisions to reasonably protect against loss of life and property during flooding.

Sec. 109-4. - Severability.

If any part or provision of this chapter, or application thereof, to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this chapter or the application thereof to other persons or circumstances. The city hereby declares that it would have enacted the remainder of this chapter without any such part, provision or application.

Sec. 109-5. Additional Requirements Related to Water and Sewer

The provisions of this chapter related to water and sewer improvements are supplemented by Chapter 48 of the City of Harlingen Code of Ordinances. Where discrepancies or conflicts within this Chapter and Chapter 48 arise regarding requirements for water and sewer and to the extent it does not conflict with Chapter 212 of the Texas Local Government Code, Chapter 48 shall govern.

ARTICLE II. - VARIANCES AND APPEALS

Sec. 109-27. - Variances.

(a) The Planning and Zoning Commission may recommend to the City Commission a variance from this chapter when, in its opinion, undue hardship will result from requiring strict compliance. The only variance that cannot be granted will be in the area of paving curb and gutter for subdivisions located within the city.

(b) Variances from certain requirements hereunder may be recommended by the planning and zoning commission for subdivisions located outside of the city limits but within the extraterritorial jurisdiction of the city. Any variances requested must be submitted in writing by separate instrument at the time the preliminary plat is filed with the planning and zoning commission on a form as specified by the city (see section 109-231, Exhibit K). Variances from requirements for paving, curb and gutter, fire hydrant, or certain construction within the regulatory floodplain for subdivisions located within the city limits or in the ETJ will not be considered. Variances related to required water and wastewater infrastructure shall also require approval by the HWWS Board of Trustees.

(c) In recommending a variance, the planning and zoning commission shall prescribe only conditions that it deems necessary or desirable in the public interest. In making the finding herein below required, the planning and zoning commission shall take into account the nature of the proposed uses of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and on the public health, safety, convenience and welfare in the city. No variance shall be recommended unless the planning and zoning commission finds:

1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land;

2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;

3. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and

4. That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.

Except as provided by Sec. 109-27(b), variances may otherwise be recommended by the Planning and Zoning Commission and granted by the City Commission.
Commission for subdivisions located inside the city limits and within the extraterritorial jurisdiction of the city. Any variances requested must be submitted in writing by separate instrument at the time the plat is filed on a form specified by the city (see section 109-231, Exhibit K).

(d) Such findings of the planning and zoning commission, together with the specific facts upon which such findings are based, shall be incorporated into official minutes of the planning and zoning commission meeting at which such variance is recommended. Variances may be recommended only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice done. Financial hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship.

In recommending a variance, the Planning and Zoning Commission shall prescribe only conditions that it deems necessary or desirable in the public interest. In making the finding, the Planning and Zoning Commission shall take into account the nature of the proposed uses of the land involved, the existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and on the public health, safety, convenience and welfare in the city. No variance shall be recommended unless the Planning and Zoning Commission finds:

(1) There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the land;

(2) The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;

(3) The granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and

(4) The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter; and

(5) The granting of the variance will not have the effect of allowing subdivision of land that is inconsistent with Chapter 48 of this code pertaining to utility extension policy or with the city’s comprehensive plan or master plans for water and sewer infrastructure.

(e) Nothing herein shall prohibit a variance request being initiated or approved by the planning and zoning commission or the city commission upon its own motion and upon a showing of special circumstances or conditions existing in the immediate vicinity of the land involved, such that the strict application of the provisions of this chapter would be to the detriment of the general health, safety, and welfare of the citizens of the city as they are related to the areas of
traffic movement, utility extension, fire and police protection, and storm sewer and drainage installation.

Such findings of the Planning and Zoning Commission, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Planning and Zoning Commission meeting at which such variance is recommended. Variances may be recommended only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice done. Financial hardship to the developer, standing alone, shall not be deemed to constitute an undue hardship.

(f) All variances to this chapter must be submitted to the city commission for approval or disapproval. A four-fifths vote of the city commission shall be required to override a recommendation for or against the variance from the planning and zoning commission. In granting any variance, the city commission shall comply with the provisions of this section.

Nothing herein shall prohibit a variance request from being initiated, recommended, or approved by the Planning and Zoning Commission or the City Commission upon its own motion and upon a showing of special circumstances or conditions existing in the immediate vicinity of the land involved, such that the strict application of the provisions of this chapter would be to the detriment of the general health, safety, and welfare of the citizens of the city as they are related to the areas of traffic movement, utility extension, fire and police protection, and drainage installation.

(g) The fee for this procedure is as established in the city fee schedule in chapter 18. (Subject to change by city commission approval.) (Code 1997, § 156.090; Ord. No. 01-01, § 7.1, 1-3-2001)

All variances to this chapter must be submitted to the City Commission for approval or disapproval. A majority vote of the City Commission shall be required to override a recommendation for or against the variance from the Planning and Zoning Commission. In granting any variance, the City Commission shall comply with the provisions of and apply the standards and criteria of this Chapter.

(h) The fee for this procedure is as established in the city fee schedule in chapter 18. (Subject to change by City Commission approval.) (Code 1997, § 156.090; Ord. No. 01-01, § 7.1, 1-3-2001)

(a) Any owner of any tract of land within the corporate limits of the city, or its extraterritorial jurisdiction (as defined in Texas Local Government Code ch. 42), who wishes to accomplish a subdivision shall comply with this chapter and submit same to the planning and zoning commission for its final approval.

(b) Any decision on a subdivision can be appealed in writing within 15 days of the decision of the planning and zoning commission to the city commission by submitting such a request to the city secretary stating the reasons. The city commission must hear the request within 30 days after the request is submitted to the city secretary. The following persons may appeal the decision of the planning and zoning commission to the city commission:

(1) Any three current members of the planning and zoning commission;

(2) The subdivider;

(3) The city manager or an official designated by the city manager; or

(4) By a duly signed and acknowledged petition by the owners of 20 percent of all properties included within a radius of 200 feet in any direction from the property included in the proposed subdivision.

(c) A four-fifths vote of the city commission shall be required to override a subdivision decision by the planning and zoning commission.

(Code 1997, § 156.091; Ord. No. 01-01, § 7.2, 1-3-2001)

ARTICLE III. - PENALTY AND ENFORCEMENT

Sec. 109-60. - Civil penalty.

(a) A subdivider developer or an agent of a subdivider developer may not cause, suffer, allow, or permit a lot to be sold or offered for sale in a subdivision if the subdivision has not been platted as required by these regulations and Texas Local Government Code ch. 212.

(b) Notwithstanding any other remedy at law or equity, a subdivider developer or an agent of a subdivider developer may not cause, suffer, allow or permit any part of a subdivision in Harlingen or its ETJ over which the subdivider developer or an agent of the subdivider developer has control, or a right of ingress and egress, to become a health nuisance as defined by the Texas Health and Safety Code.

(c) A subdivider developer within the City limits who fails to provide for the construction or installation of water or sewer service facilities in the time and manner described on the plat or on the document attached to the plat, or who otherwise violates this chapter or Texas Local Government Code ch. 212, is subject to a civil penalty of not less than $500.00 nor more than $1,000.00 for each violation and for each day of a continuing violation, but not to exceed $5,000.00 each day, and shall also pay court costs, investigative costs, and attorneys' fees for the governmental entity bringing suit. A developer within the ETJ who fails to comply with the requirements of this subsection is subject to an injunction.

(Code 1997, § 156.100; Ord. No. 01-01, § 8.1, 1-3-2001)

Sec. 109-61. - Criminal penalty.

(a) A subdivider developer commits an offense if the subdivider developer fails to file a plat and to complete the subdivision process for land located in the City limits as required by this chapter and Texas Local Government Code ch. 212.

(b) A subdivider developer who owns a subdivision commits an offense if the subdivider developer sells lots prior to plat recordation and fails to timely provide for the construction or installation of water or sewer service as required by this chapter and the Texas Local Government Code or fails to make a reasonable effort to have electric utility service and gas utility service installed by a utility as required under the Texas Local Government Code.

(c) If it is shown at a trial of an offense under subsection (a) and/or (b) of this section that the defendant caused five or more residences in the subdivision located in the ETJ to be inhabited, the offense is a state jail felony.
(d) Venue for prosecution for a violation under this section is shall be in Cameron County.

(Code 1997, § 156.101; Ord. No. 01-01, § 8.2, 1-3-2001)

Sec. 109-62. - Administrative enforcement.

(a) In addition to any other remedies available at law, the city may elect, at its option, to enforce one or more of the following options:

(1) Denial of plat approval. No plat shall be recorded unless it contains such data complies with this Chapter, nor shall any court clerk record a plat which has not received the prior approval of the Planning and Zoning Commission and has not complied with all the requirements or conditions as stipulated during the plat approval process.

(2) Institute appropriate action in a court of competent jurisdiction to enforce the provisions of this chapter.

(3) Denial of public utilities.

(4) Denial of building permits.

(b) Any person residing in any subdivision shall have the requisite standing and authority to enforce the standards established pursuant to this chapter and may file suit in any court of competent jurisdiction for his damages or for declaration or injunctive relief or such other relief as may be deemed appropriate.

(Code 1997, § 156.102; Ord. No. 01-01, § 8.3, 1-3-2001)

Sec. 109-63. - Enforcement.

(a) On behalf of the city, the city attorney shall, when directed by the City Commission, institute appropriate action in a court of competent jurisdiction by injunction or otherwise to enforce the provisions of this chapter or the standards referred to herein with respect to any violation thereof which occurs within the city, within the extraterritorial jurisdiction of the city as such jurisdiction is determined under Texas Local Government Code or within any area subject to all or a part of the provisions of this chapter.

(b) The city attorney, or attorney general may take any action necessary in a court of competent jurisdiction on behalf of the state and city or on behalf of residents to:

(1) Enjoin the violation or threatened violation of a requirement of this chapter;

(2) Enjoin the violation or threatened violation of Texas Local Government Code ch. 212;
(3) Recover civil or criminal penalties, attorneys’ fees, litigation costs, and investigative costs; and

(4) Require platting or replatting under this chapter and Texas Local Government Code.

(c) The attorney general, at the request of the district or city attorney with jurisdiction, may conduct a Violations of this Chapter are subject to criminal prosecution under Texas Local Government Code.

(d) During the pendency of any enforcement action brought, any resident of the affected subdivision, or the attorney general, district attorney or city attorney on behalf of a resident, may file a motion against the provider of utilities to halt termination of pre-existing utility services. The services may not be terminated if the court makes an affirmative finding after hearing the motion that the termination poses a threat to public health, safety or welfare of the residents of the affected subdivision.

(e) Upon violation of any requirements hereof, the city commission or its authorized representative may seek injunctive relief preventing the sale of any or all lots within such subdivision. Any person violating any provision of this chapter, except section 109-60 and 109-61, within the city limits shall be guilty of a misdemeanor. Prosecution or conviction under this provision shall not be a bar to any other remedy or relief for violation of this chapter as provided by law.

(Code 1997, § 156.103; Ord. No. 01-01, § 8.4, 1-3-2001)

Sec. 109-64. - Injunction.

In addition to other remedies, the attorney general, the city or district attorney of the county in which the violation occurred, or other local officials, are authorized to apply to the district court for, and the court in its discretion may grant, the state or political subdivision, without bond or other undertaking, any injunction that the facts may warrant including temporary restraining orders, temporary injunctions, and after notice and hearing, permanent injunctions enjoining a violation of this chapter, or Texas Local Government Code ch. 212.

(Code 1997, § 156.104; Ord. No. 01-01, § 8.5, 1-3-2001)

Secs. 109-65—109-86. - Reserved.
ARTICLE IV . - PLAT SUBMITTAL AND REVIEW PROCEDURES

Sec. 109-87. - General process.

(a) Subdivision process. The following steps apply to both major and minor subdivision plats except as noted.

(1) a. The subdivision planning process consists of two separate phases. The initial phase is the preparation and submittal of the preliminary plat of the proposed subdivision this is the most significant phase in the planning process, as approval of the preliminary plat by the planning and zoning commission will allow for the construction and/or financing of the required public improvements with plans approved by the city engineer. The second and final phase is the preparation and submittal of a final plat.

b. The final plat becomes the recording instrument in the office of the county clerk when approved by the planning and zoning commission and containing all applicable signatures. Minor plats, replats, and development plats are considered final plats not requiring preliminary approval.

(2) (1) Preliminary conference. The following are major steps in the subdivision process:

a. Developer and/or engineer/surveyor may schedule a preliminary conference with city staff and the developer (optional). Preliminary Conference. Prior to the official filing of a plat, the developer shall request a mandatory preliminary conference to consult with and present a conceptual plan of the subdivision to the departments of Planning and Development, Fire, Engineering, and to the HWWS for comments on the procedures, specifications, and standards required by the city for the subdivision of the land. The goal of the preliminary conference is to aid the developer by explaining the subdivision process, discussing the conceptual design for the subdivision, providing a plat processing checklist, determining the requirements for the Construction Documents, providing guidance on city standards, the identification of required reports and studies to be performed in connection with the Engineering Letter Report, identifying additional stakeholders (for example HWWS, TxDOT, HID, CCDD No. 3 and No. 5, TCEQ, among others), identifying proper zoning and land use and communicating preliminary estimated costs including impact and development fees.

b. Preparation and timely submittal of a preliminary plat. Deadlines for submittal are available for the calendar year at the department of planning and development, and are generally at least 24 days prior to the
monthly planning and zoning commission meeting. City staff will distribute submitted copies to all city departments for review. The applicant is responsible for submittal of a preliminary plat to the appropriate drainage district, if applicable. Preliminary Subdivision Plat Submittals. The developer shall then prepare and submit a plat of the proposed subdivision with preliminary Construction Documents for associated public improvements and any other required documentation. Such submittals shall be made to the Department of Planning and Development, HWWS, and all other entities of the Subdivision Review Committee without limitation TxDOT, Cameron County irrigation districts (e.g. Harlingen Irrigation District), drainage districts (e.g. Cameron County Drainage District No. 5), other governmental jurisdictions and utility providers. The documents submitted will be evaluated against the standard plat processing checklist posted on the city website under the Department of Planning and Development.

(3) c. Review of plat by subdivision review committee (along with applicant and/or representative) and subsequent notification to engineer/surveyor and property owner of plat deficiencies by the department of planning and development. Progress Meeting. The developer shall then request a progress meeting with the Subdivision Review Committee to identify any deficiencies of the proposed subdivision. The Subdivision Review Committee will provide written notification to the developer subsequent to the meeting listing all deficiencies or conditions identified.

(4) d. Timely submittal of revised plats by engineer/surveyor; revised submittal should address all plat deficiencies described in notification. Plat Filing. Once the developer has submitted all items required on the standard plat processing checklist with no deficiencies remaining the application for subdivision will be considered administratively-complete and the payment of the required city fees can be accepted. If the appropriate zoning is not in place for the proposed subdivision, a re-zoning application must be filed before the subdivision application can be accepted for processing. The plat will be considered as administratively “filed” upon receipt of acceptable payment.

(5) e. Review of revised submittal by city staff for completeness. If not complete, loop back to step (d) of this subsection (2) until plat requirements are met. Completion of this step constitutes a formal plat submittal (plat filing as defined in Texas Local Government Code § 212.009). Consideration of Filed Plat. If not qualifying as a minor subdivision under the provisions of Sec. 109-88, the proposed subdivision plat will be placed on the agenda of the next available Planning and Zoning Commission meeting. The Planning and Zoning Commission will receive a report and a recommendation by the Department of Planning and Development for plat approval, with
approval conditions, or for disapproval. If the recommendation is for disapproval, the sections of this ordinance with which the proposed subdivision does not comply will be noted. The conditions for which a minor plat may be considered for action directly by the Department of Planning and Development are set forth under Sec. 109-88. The Planning and Zoning Commission shall approve, approve with conditions, or disapprove the plat within 30 days after the plat is filed. A municipal authority that conditionally approves or disapproves a plat under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval with reference to the statutes or municipal ordinances forming the basis for the conditional approval or disapproval, as may be applicable.

f. Preliminary plat is placed on the planning and zoning commission agenda for consideration.

(6) g. If approved, submit three copies of construction plans and profiles with cost estimates to the department of planning and development. Construction plans will be routed to the city engineer for review/approval. Construction plans released for construction by the city engineer allow for the commencement of construction or for the submittal of an appropriate financing mechanism (i.e., letter of credit) in lieu of said construction. Review of Subdivision Construction Plans. Once the plat is approved by the Planning and Zoning Commission with conditions, the developer shall coordinate through the Planning and Development Department submission of one (1) hard copy and one (1) digital copy of the Construction Documents for each department for review. Review comments will be issued by the respective departments, sent to the Planning and Development Department, and forwarded to the developer to be addressed. This may be an iterative process until all comments have been addressed to the satisfaction of the respective departments. Construction may not commence until both the City Engineer and HWWS have released in writing the Construction Documents, nor shall the plat be recorded in advance of construction unless a financial guarantee of performance has been filed with the Department of Planning and Development. Acceptable forms of financial guarantee of performance are defined in Article VI of this chapter. The Subdivision Construction Plans will not be considered “filed” until all of the pending comments are addressed and the plans have been stamped “APPROVED FOR CONSTRUCTION” by the City Engineer and HWWS.

(7) Preconstruction Conference. Once Construction Documents are approved by all applicable city departments, a preconstruction meeting will be scheduled by the City with the developer’s engineer of record and contractor(s) for the purpose of coordinating all construction activities.
The engineer of record shall bring five (5) hard copies of the approved plans to the pre-construction meeting.

(8) h. Once construction is complete a letter of acceptance by the public entity will be issued to the engineer and copied to the department of planning and development. Subsequently, a maintenance agreement contract shall be filed with the department of planning and development. Submit a diskette containing “as-built” plans in .dwg or .dgn format.

Acceptance of Construction. Once construction is complete, an “as-built” survey of the public improvements shall be performed by a licensed surveyor at the developer’s expense. The surveyor shall submit the “as-built” plans in a digital format as specified by the City Engineer to the City Engineer and HWWS for review. After approval from the applicable city departments, submittal of a one-year warranty for all public improvements, submittal of the “as-built” drawings, and submittal of “red line” drawings indicating any changes from the original plans by the engineer of record all to the City Engineer and HWWS. Letters of acceptance by the City Engineer and HWWS will then be issued to the developer.

(9) Plat Recordation. After all conditions are met for plat approval, the plat will then be recorded with the Cameron County Clerk by staff from the Planning and Development Department. For plats in the ETJ for which the developer has not requested annexation to the City of Harlingen the plat recording is done by personnel from the Cameron County Engineering Division.

i. Submittal of the final plat shall be subsequent to preliminary plat approval; however, said submittal is not considered a formal plat submittal unless:

1. The plat conforms significantly to the approved preliminary plat;

2. The required public improvements are completed and accepted by the city or an appropriate financing mechanism has been submitted and accepted by the city; and

3. At least two original mylars of the final plat with all signatures other than those that must be obtained by the City of Harlingen (or those that must be obtained after approval by the city if in ETJ) have been submitted.

j. Final plat is placed on planning and zoning commission agenda for consideration. The mylar copies of the plat for recordation shall be signed by the chair of the planning and zoning commission at the meeting in which the plat is approved.

k. All approved final plats for subdivisions located within the city limits will be filed with the Cameron County Clerk by Harlingen City Staff on a pre-
established schedule (available at the department of planning and development).

l. Final plats for subdivisions located outside city limits, but within the ETJ, will be delivered to Cameron County Engineering Office on a pre-established schedule (available at the department of planning and development).

m. Other approvals may be necessary prior to recordation (such as drainage district or Cameron/Willacy County). Time frames, ability to receive approvals concurrently, and approval processes for such are not included in this article and are the responsibility of the applicant.

(b) Responsibility of the subdivider developer. It is the subdivider's developer's responsibility to satisfy all outside agency requirements, including those of the subdivision review committee member entities and of, but not limited to, drainage and irrigation districts, Cameron County, Texas Department of Transportation, the Environmental Protection Agency, Texas Commission on Environmental Quality, TCEQ, and the agency on international boundaries, Boundary Water Commission. The developer shall adhere to all Federal, State, and Local laws and regulations throughout the platting and construction process. Approval of the proposed subdivision plat by the Planning and Zoning Commission does not represent that the subdivider developer has met the requirements of any other agency.

(c) Series of permits. Approval of a subdivision plat is not tied to nor guarantees issuance of a specific building permit or a certain zoning change to the property being subdivided. The subdivision process constitutes the process for the proper infrastructure improvements for the resulting subdivision lots, a separate series permits, and completion recordation of a subdivision plat does not vest a building permit or any other type of action.

(d) Number of dwellings per lot on residential subdivisions. No more than one single-family detached dwelling shall be located on each tract. A notation of this restriction shall be placed on the face of the final plat. This restriction shall be placed in all deeds and contracts for deeds for real estate sold within the subdivision. Notice of this restriction must be given by the seller to purchasers prior to execution of any binding agreement for sale or conveyance of any real estate. Proposals which include multifamily residential dwelling may note this on the plat and therefore not restrict the dwellings to one. They shall also include adequate, detailed planning materials, plans as required for determination of proper water and wastewater utility type and design.

(d) Coordination responsibilities of the developer.

(1) It shall be the responsibility of the developer to make note of and communicate all topic of discussion, discrepancies between the parties, and outstanding questions that may arise during the subdivision process. The developer shall take notes during all meetings and shall subsequently electronically prepare and submit the meeting notes to all parties in attendance within five (5) business days of the meeting.
Meeting between the developer and the City of HWWS may be requested by email through the Department of Planning and Development. The developer shall provide a meeting agenda and coordinate the meeting time a minimum 48 hours in advance.

Sec. 109-88. - Minor plat approval delegation.

Any person proposing to subdivide a property under the conditions set out below may file a plat directly with the Department of Planning and Development. The director of planning and development, upon the receipt of a plat administratively filed under this section, shall verify the conditions set out below and upon verification thereof is hereby authorized to approve such a plat as specified in provided under Texas Local Government Code § 212.0065. All plats still need to go through the process as outlined in Sec. 109-87 (a) (1)-(4). Upon such approval, the applicable signature blocks and recording requirements for other plats covered by this section shall be carried out. All signature blocks as noted in Sec. 109-226 Exhibit F shall apply except for the Chairman of the Planning and Zoning Commission.

(1) In order to qualify for approval under this section, the plat must conform to the following requirements:

a. There will be are no more than four lots in the proposed subdivision;

b. All lots front on an existing dedicated public street;

c. The subdivision does not require the creation of any new street(s); and

d. All lots will can be served by existing municipal facilities (water, sewer, drainage) in a manner consistent with master plans for capital improvements. Septic tanks can be accepted for sewer services if a variance is obtained by the HWWS; and

e. The plat must limit the use of lots for single-family residential units or be limited under appropriate zoning limitations, if in city limits.

(2) All information necessary to make this determination must be provided to the Department director of Planning and Development for consideration. If any of the foregoing conditions of this section the director of planning and development determines that any of the foregoing conditions will are not be met in such proposed subdivision, then the subdivision plat shall be processed as otherwise provided under this article in Section 109-87.
Sec. 109-89. - Plat required.

A subdivision plat is required under nearly all circumstances for the purposes specified in section 109-3. For specific exemptions to platting requirements see section 109-96.

(1) The owner of a tract of land located within the corporate limits of Harlingen or within the five-mile extraterritorial jurisdiction that who plans to divides the tract in any manner that creates one or more lots of five acres or less must have a plat of the subdivision prepared, completed, and recorded. The owner of a tract that has been previously split and inadequately subdivided must also subdivide in accordance with this Chapter.

(2) A division of a tract is defined as any division regardless of whether it is made by using a metes and bounds description, or any description of less than a whole parcel, in a deed of conveyance or in a contract for a deed, using a contract of sale or other executory contract, lease/purchase agreement, or using any other method to convey property.

(3) The owner of a tract of land located inside the city limits of Harlingen or its 5-mile extraterritorial jurisdiction who divides the tract into two or more parts to lay out a subdivision of the tract, including an addition, or to lay out suburban lots or building lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat prepared, completed and recorded.

(4) No subdivided land shall be sold or conveyed until the subdivider developer:

a. Has received approval of a final plat of the tract; and

b. Has complied with all the conditions imposed during the plat approval process.

b. c. Has a filed and recorded a legally an approved plat with the Cameron County Clerk of the county in which the tract is located.

(5) These rules and any preceding rules shall apply to land that has been divided on or after November 1, 1978.

(Code 1997, § 156.022; Ord. No. 01-01, § 3.2, 1-3-2001; Ord. No. 12-8, § I, 2-1-2012; Ord. No. 13-1, § I, 1-16-2013)

State Law reference— Plat required, Texas Local Government Code § 212.004 et seq.

Sec. 109-90. - Preliminary conference. Reserved.
Prior to the official filing of a preliminary plat, the subdivider may consult with and present a proposed plan of subdivision to the director of planning and development, city planner, city engineer or other official for comments and advice on the procedures, specifications, and standards required by the city for the subdivision of land.

(Code 1997, § 156.023; Ord. No. 01-01, § 3.3, 1-3-2001; Ord. No. 12-8, § I, 2-1-2012; Ord. No. 13-1, § I, 1-16-2013)

Sec. 109-91. - Preliminary plat Plat Requirements, Form and Content.

(a) Generally. The subdivider shall cause to be prepared a preliminary plat by a surveyor or engineer in accordance with this article.

(1) The developer shall prepare a plat through a licensed surveyor and engineer in accordance with this article and State Law.

(2) No plat shall be recorded until:

a. The property is zoned in accordance with the zoning code for the uses intended; and

b. The constructed public improvements required by this article have been approved and accepted by the City or an appropriate financial guarantee of performance (e.g. bonds, escrows or letter of credit) has been submitted and accepted by the City in lieu of construction of required improvements before plat recordation.

(b) Time for filing and copies required. The subdivider developer shall file with the Department of Planning and Development: planning and zoning commission (through the department of planning and development) 15 blue line copies of the preliminary plat, folded with the name of the subdivision showing and an application on a form specified by the city (see section 109-222, Exhibit B). Deadlines for submission are available on a yearly basis at the department of planning and development.

(1) One digital submission of both PDF and AutoCAD files. Files shall be submitted via compact disc, portable USB drive, or email as specified by the City Engineer. AutoCAD files shall be submitted in the coordinate system as specified in Section 109-91 (c ) (3) e or as otherwise directed by the City Engineer.

(2) Seven (7) hard copies of the plat, folded with the name of the subdivision showing and an application on a form specified by the city (see section 109-222, Exhibit B).

(c) Preliminary Plat form and content. The plat shall be drawn to a scale of not smaller than 100 feet to one inch on a sheet 24 inches by 36 inches and shall contain the following:
(1) Proposed name of the subdivision printed across the lots and blocks, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision within the city or within its extraterritorial jurisdiction;

(2) Names of adjoining subdivisions and an indication of whether or not adjoining properties are platted;

(3) Subdivision boundary lines, indicated by heavy lines and the computed acreage of the subdivision;

(4) Primary control points with description and location of said points with ties to original block corners;

(5) Existing site information as follows:
   a. The location, dimensions, name and description of all existing or recorded streets, centerline and pavement width of existing roads, alleys, reservations, easements or other public rights-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries, all existing or recorded residential lots, parks, public areas, permanent structures, existing watercourses, irrigation canals, drainage structures, and other sites within or contiguous with the subdivision;
   b. The location of all existing utilities within and immediately adjacent to the proposed subdivision;
   c. Cross section of any ditches and canals on the proposed subdivision with ties to the property line;
   d. Regulatory flood elevations and boundaries of floodprone areas, including floodways, if known;

(6) The location, right-of-way and pavement dimensions, description and name of all proposed streets, alleys, parks, other public areas, reservations, easements or other rights-of-way, lots with net square footage (net and gross acreage if septic tanks and/or wells are being proposed), blocks and other sites within the subdivision;

(7) Date of preparation, scale of plat and north arrow;

(8) Topographical information shall include high and low elevations within the subdivision, elevations on 100-foot centers each way on the property based on USGS datum and the location of the benchmark shall be shown (topographic and utility information may be shown on a separate sheet). Aerial photographs may be substituted at the city engineers’ approval;

(9) A number or letter to identify each lot or site and each block;

(10) Building setback lines (if different from chapter 111 standards);
(11) Fire hydrants must be shown (existing and proposed) that together create a coverage of not more than 600 foot intervals not to exceed 500 feet of hose length measured along streets or other public access right-of-way for single-family residential subdivisions. (In other subdivisions, this distance must be a 300-foot radius.) Standard hydrants shall be installed as per specifications of the state board of insurance and Harlingen Waterworks (see section 109-238, Exhibit R).

(12) Street lighting plan (existing and proposed) that indicates placement of a standard streetlight at all street intersections, cul-de-sac ends and where a block exceeds 600 feet in length, mid-block lighting shall be required;

(13) Location of city limits lines, the city's extraterritorial jurisdiction boundary and/or zoning district boundaries, if they traverse the subdivision, form part of the boundary of the subdivision, or are contiguous to such boundary; and

(14) A vicinity map at a scale of not more detail than one inch to 2,000 feet that shall show existing subdivisions and streets, city limits and/or ETJ boundary.

(1) The plat and accompany data shall substantially conform to the conditions as approved by the Planning and Zoning Commission, incorporating any and all changes, modifications, alterations and corrections imposed.

(2) The plat shall be drawn to a scale not smaller than 100 feet to one inch on a sheet 24 inches by 36 inches. Where more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision at an appropriate scale shall be attached to the plat. The plat shall be drawn in with a minimum of a 1/2-inch margins on all sides.

(3) Upon completion of Section 109.87-(a)-(8) regarding acceptance of construction, the developer shall submit a plat for recordation. The plat shall be drawn in ink on mylar sheets and meet the requirements of this subsection. The plat shall contain the following:

a. Proposed name of the subdivision printed across the lots and blocks, which shall not have the same name and spelling or be pronounced similar to the name of any other subdivision within the city or within its extraterritorial jurisdiction;

b. Names of adjoining subdivisions and an indication of whether or not adjoining properties are platted with applicable record volume, page numbers, and legal descriptions;

c. Subdivision boundary lines, indicated by heavy lines and the total computed acreage of the subdivision;

d. A metes and bounds description of the subdivision boundary;

e. The primary subdivision corners with descriptions of coordinates where northing and easting shall be provided to four decimal places in
the NAD 83 State Plane Coordinate System Texas South Zone (4205),
or as directed by the City Engineer with ties to the original block corners.
Elevations of these points shall be provided to two decimal places in
NAVD 88 datum, or as directed by the City Engineer. All new monuments
set at subdivision corners shall be set to a sufficient depth to retain a
stable and distinctive location, encased in concrete where location
permits, shall be marked in a way that is traceable to the responsible
surveyor, and shall conform to the appropriate state statutes.

f. Existing site information as follows:

1. Exact locations, descriptions and names of all existing or
recorded streets, roads, alleyways, or other public right-of-way
within the subdivision, intersecting or contiguous with its
boundaries, or forming such boundaries. This shall include
dimensions from the existing centerline to the right-of-way and
overall width of the right-of-way;

2. Exact locations and descriptions of all existing or recorded
easements within the subdivision, intersecting or contiguous with
its boundaries, or forming such boundaries. This shall include
legal description, record information, width, and purpose of said
easements;

3. Exact locations, dimensions, and descriptions of all existing or
recorded reservations, parks, public areas, watercourses,
irrigation canals, or drainage ditches, within or contiguous with the
subdivision; and

4. Regulatory flood elevations and boundaries of floodprone area,
including floodways, and areas located in the Special Flood
Hazard Area;

g. The exact location, dimensions, description and name of all proposed
streets with full right-of-way dedication indicated, alleys, parks, other
public areas, easements or other rights-of-way, lots with net square
footage, blocks and other sites within the subdivision. All right-of-way
dedicated by plat shall have a statement indicating so on the plat;

h. Date of preparation, scale of plat (including a bar scale) and north
arrow;

i. A number or letter to identify each lot or site and each block;

j. Building setback lines (if different from chapter 111 standards);

k. Location of city limits lines, ETJ boundary if they traverse the
subdivision, form part of the boundary of the subdivision, or are
otherwise located within the plat;
l. A vicinity map at a scale of not more detail than one inch to 2,000 feet that shall show existing subdivisions, streets, city limits and/or ETJ boundary. This map shall contain enough information, including names of major streets and subdivisions to properly discern the location of the proposed subdivision. This map shall be oriented to true north and include a north arrow and description of scale;

m. Names of the developer, record owner, lienholders, engineer and/or surveyor with signature lines as appropriate;

n. Owner’s acknowledgement of the dedication to public use of all streets, alleys, easements, parks, and other public places, as applicable, shown on such final plat (see section 109-226, Exhibit F);

o. The certification of the surveyor and/or engineer responsible for surveying the subdivision area, attesting to its accuracy, and for the preparation of the plat and supporting data, attesting to its accuracy (see section 109-226, Exhibit F);

p. A blank statement for the certification of the City Engineer or other designated city official that the plat conforms to all requirements of the subdivision regulations of the city; to be executed upon final approval (see section 109-226, Exhibit F);

q. A blank statement for the Planning and Zoning Commission chairperson that the plat has been approved by such commission; to be executed upon final approval (see section 109-226, Exhibit F);

r. A blank statement for the appropriate HWWS official that the plat has been approved by such department; to be executed upon plat approval (see section 109-226, Exhibit F);

s. A blank statement for the mayor that the plat has been approved and conforms to the requirements of the subdivision regulations of the city; to be executed upon final approval (see section 109-226, Exhibit F);

t. A signed statement for the appropriate drainage or irrigation district official that the plat has been approved by such department; to be executed upon final approval by such district (where applicable);

u. A general notes section which at a minimum shall contain:

1. A description and basis of the flood zone(s) within the subdivision;

2. An engineer’s statement of the minimum permissive finished floor elevation that will protect all habitable improvements from the 1 % Annual Exceedance Probability (100-year) storm event in the flood zone location;
3. If any portion of the subdivision for any lots within a Special Flood Hazard Area, a note will be required indicating that a floodway development permit is required before any construction is to take place;

4. In residential subdivisions for any lots within 100 feet of a drainage inlet, a note on the plat shall indicate that the finished floor, for those specific lots, shall be 6 inches higher as compared to the other finished floors within the subdivision;

5. A description, location, and elevation of the benchmark used to establish vertical control for the subdivision;

6. The high and low ground elevations within the subdivision;

7. The basis of bearings and vertical datum;

8. A note describing the type of monuments set at interior corners;

9. Certificate of compliance with the requirements of the applicable Texas Local Government Code;

10. A description of setback requirements; and

11. A note requiring sidewalks at time of construction (if applicable, see section 109-124.f) and indicating a permit is required from the City of Harlingen prior to construction of sidewalks; and

v. Name, address, phone number, and firm number of the engineer and/or surveyor.

(d) Additional content to be submitted. Along with the preliminary plat, the following shall be submitted:

(1) Preliminary plans for the drainage system showing the location and flow direction of the discharge. (This information should also be submitted to the drainage district where applicable.)

(2) Proposed fills or other structure elevating techniques, levels, channel modifications, seawalls and other methods to overcome flood or erosion related hazards.

(3) A nonrefundable plat review fee in the amount as established in the city fee schedule in chapter 18 (subject to change upon city commission approval).

(4) An 8.5-inch by 11-inch reduced copy.

(1) Subdivision Construction Plans as described further in section 109-128;
(2) Proposed fills or other structure elevating techniques, levels, channel modifications, seawalls and other methods to overcome flood or erosion related hazards.

(3) A nonrefundable plat review fee in the amount as established in the city fee schedule in chapter 18 of the City of Harlingen Code of Ordinances.

(4) A Street lighting plan (existing and proposed) must be submitted that indicates placement of a standard streetlight at all street intersections, cul-de-sac ends and where a block exceeds 600 feet in length, mid-block lighting shall be required.

(5) A fire hydrant plan which includes location of existing and proposed fire hydrants. Fire hydrants must be shown to create a coverage network of not more than 500-foot intervals measured along streets or other public access right-of-way for single-family residential subdivisions. (in all other subdivisions, this distance must be a 150-foot radius.) Standard hydrants shall be installed as per specifications of the state board of insurance and HWWS.

Single-family homes may be considered in the ETJ on a one-lot subdivision on lots of one to 9.99 acres in size without a fire hydrant provided the property/homeowner agrees to and signs a notarized affidavit indemnifying and holding the City of Harlingen harmless of any liability that might occur to the subject property, due to fire or any other incident that would require a fire hydrant to assist the City of Harlingen in dealing with the fire or incident. If such property owner has requested that a fire hydrant not be installed on the property, a note on the plat to that effect shall be required as notification to subsequent property owners of the absence of a fire hydrant.

(6) Written statements from the various utilities that they have reviewed the subdivision, that they can provide service and are prepared to do so when requested by the developer.

(7) Any restrictive covenants that will be imposed on the subdivision, complete with recording information, must be noted on the plat.

(8) Tax certificates showing that all property taxes have been paid in full up to the most recently-completed fiscal year.

(9) Documentation of any liens and encumbrances on the property subject to the plat.

a. The developer shall submit with the plat the opinion of an attorney, licensed to practice law in the State of Texas, showing any recorded liens and encumbrances affecting the title to said land as of the date of submission of the record plat for approval. A title commitment may be substituted for the attorney's opinion. Such opinion or title commitment...
may not be older than six months at the date of plat consideration by the Planning and Zoning Commission.

b. If any liens appear of record, the subordination of such liens to the plat and dedications contained therein shall be secured by the developer prior to final approval through a statement on the plat (see section 109-226, Exhibit F).

(10) Any drainage or street assessments, street sign deposits, street light deposits, or other fees due must be submitted prior to recording of the plat.

(11) Upon completion of Section 109.87.(a).(8) regarding acceptance of construction, a check payable to the county clerk in the amount of the recording fee for filing the plat (of subdivisions located inside city limits).

(12) A portable USB drive or other digital medium with the plat shall be submitted with control points for incorporation into the city map. Such submission shall be in the format designated by the Planning and Development Department.

(13) Stormwater Facility Maintenance Agreement and Maintenance Easement as required by the City Municipal Separate Storm Sewer System (MS4) permit and relevant ordinances.

(e ) Simultaneous submission. Plats shall be simultaneously submitted by the applicant to the appropriate drainage/irrigation district entities of the Subdivision Review Committee for review (where applicable).

(f) Approval time limit.

(1) The preliminary plat approval shall remain in approved status for a period of 24 months from the date of the Planning and Zoning Commission's approval with conditions. The Director of Planning and Development is authorized to grant an extension if substantial infrastructure improvements can be demonstrated as substantially complete.

(2) If the development is a phased type development, then preliminary approval for the entire development shown is secured upon recordation of the first phase and preliminary approval shall remain until such time as a revised preliminary plan submitted for the development is approved.

(3) After the file has been inactive for 12 months, the department of planning and development will issue a letter to the subdivider or authorized agent that the file is no longer valid and will be discarded in three months if no response from the subdivider or authorized agent is made. Such letter is informational and failure to issue such will not grant extension or further approval for said preliminary plat.
(g) **Processing of preliminary plat Recording of the plat.** After all plat conditions have been complied with, the Director of Planning and Development or other designated official shall cause the plat to be recorded with the Cameron County Clerk.

(1) A preliminary plat can be considered concurrently with a final plat if all items normally required for consideration of a final plat have been met.

(2) If all information and other required submittals are contained within the submittal package and the preliminary plat is complete in every respect, the plat shall be recommended to the planning and zoning commission for their approval.


Sec. 109-92.---**Final plat Reserved**

(a) **Generally.**

(1) The subdivider shall cause to be prepared a final plat by a surveyor or engineer in accordance with this article.

(2) No final plat shall be approved until:

a. The property is zoned in accordance with the city zoning code for the uses intended; and

b. Public improvements required by this article have been approved and accepted by the city or an appropriate financing mechanism (i.e., letter of credit) has been submitted and accepted by the city in lieu of the required improvements.

(b) **Time for filing and copies required.** The subdivider shall file with the planning and zoning commission (through the department of planning and development) 15 blue line copies of the plat, folded with the name of the subdivision showing and an application on a form specified by the city (see section 109-222, Exhibit B). Two original signed copies will be required after planning and zoning commission approval for all subdivisions within the city limits.

(c) **Final plat form and content.**

(1) The final plat and accompany data shall substantially conform to the preliminary plat as conditionally approved by the planning and zoning commission, incorporating any and all changes, modifications, alterations, corrections and conditions imposed by the planning and zoning commission.

(2) The plat shall be drawn in ink on mylar sheets with a minimum of a 1.5 inch margin on the binding side of the sheet, and margins of not less than one inch.
on the other three sides. The plat shall be drawn to a scale of not smaller than one inch to 100 feet on a sheet 24 inches by 36 inches and shall contain the following:

a. Where more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision at an appropriate scale shall be attached to the plat.

b. Proposed name of the subdivision printed across the lots and blocks, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision within the city or within its extraterritorial jurisdiction.

c. Names of adjoining subdivisions and an indication of whether or not adjoining properties are platted and recording information for properties not platted.

d. Subdivision boundary lines, indicated by heavy lines, a metes and bounds description and the computed acreage of the subdivision.

e. Primary control points (set concrete monuments on each corner of the subdivision) with description and location of said points with ties to original block corners, including dimensions, angles, bearings and other similar data as per the requirements of the appropriate state statutes.

f. Existing site information as follows:

1. The exact location, dimensions, name and description of all existing or recorded streets, rights-of-way existing, alleys, reservations, easements or other public rights-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries, all existing or recorded residential lots, parks, public areas, permanent structures, existing watercourses, irrigation canals, drainage structures, and other sites within or contiguous with the subdivision.

2. The exact location of all existing utilities within and immediately adjacent to the proposed subdivision.

3. Cross section of any ditches and canals on the proposed subdivision with ties to the property line.

4. Regulatory flood elevations and boundaries of flood prone areas, including floodways, if known.

g. The exact location, dimensions, description and name of all proposed streets with full right-of-way dedication indicated, alleys, parks, other public areas, easements or other rights-of-way, lots with net square footage, blocks and other sites within the subdivision.
h. Date of preparation, scale of plat and north arrow.

i. A number or letter to identify each lot or site and each block.

j. Building setback lines (if different from chapter 111 standards).

k. Location of city limits lines, ETJ boundary and/or zoning district boundaries, if they traverse the subdivision or form part of the boundary of the subdivision.

l. Vicinity map at a scale of not more detail than one inch to 2,000 feet that shall show existing subdivisions and streets, city limits and/or ETJ with true north arrow if different from overall plat.

m. Names of the subdivider, record owner, lienholders, engineer and/or surveyor with signature lines as appropriate.

n. Owner’s acknowledgement of the dedication to public use of all streets, alleys, easements, parks, and other public places, as applicable, shown on such final plat (see section 109-226, Exhibit F).

o. The certification of the surveyor and/or engineer responsible for surveying the subdivision area, attesting to its accuracy, and for the preparation of the final plat an supporting data, attesting to its accuracy (see section 109-226, Exhibit F).

p. A blank statement for the certification of the director of public works, city engineer or other designated city official that the final plat conforms to all requirements of the subdivision regulations of the city; to be executed upon final approval (see section 109-226, Exhibit F).

q. A blank statement for the planning and zoning commission chairperson that the final plat has been approved by such commission; to be executed upon final approval (see section 109-226, Exhibit F).

r. A blank statement for the appropriate waterworks official that the final plat has been approved by such department; to be executed upon final approval (see section 109-226, Exhibit F).

s. A blank statement for the mayor that the final plat has been approved and conforms to the requirements of the subdivision regulations of the city; to be executed upon final approval (see section 109-226, Exhibit F).

t. A signed statement for the appropriate drainage or irrigation district official that the final plat has been approved by such department; to be executed upon final approval by such district (where applicable).

u. An engineer’s statement of the minimum permissive finished floor elevation that will protect improvements from the average floodwaters in the flood zone location.
Additional content to be submitted. Along with the final plat the following shall be submitted:

1. Written statements from the various utilities that they have reviewed the subdivision, that they can provide service and are prepared to do so when requested by the subdivider.

2. Any restrictive covenants that will be imposed on the subdivision, complete with recording information, must also be submitted if information is not included on the plat.

3. Tax certificates showing that all taxes payable shall have been previously paid in full.

4. a. Subdivider shall submit with the final plat the opinion of an attorney, licensed to practice law in the State of Texas, showing good recorded liens and encumbrances affecting the title to said land as of the date of submission of the record plat for approval. A title commitment may be substituted for the attorney’s opinion. Such opinion or title commitment may not be older than six months at the date of plat consideration by the planning and zoning commission.

   b. If any liens appear of record, the subordination of such liens to the plat and dedications contained therein shall be secured by the subdivider prior to final approval through a statement on the final plat (see section 109-226, Exhibit F).

5. A reduced copy 8.5 inches by 11 inches of the plat.

6. When the final plat is submitted to city staff for review and planning and zoning commission approval, it shall be accompanied by a nonrefundable plat review fee as established in the city fee schedule in chapter 18 (subject to change upon city commission approval).

7. Any drainage or street assessments, street sign deposits, street light deposits, or other fees due must be submitted prior to recording of the final plat.

8. A check payable to the county clerk in the amount of the recording fee for filing the final plat (of subdivisions located inside city limits).

9. a. A 3.5 inch computer floppy disk with the final plat shall be submitted with control points for incorporation into the city map. Such submission shall be of a .dxf or .dgn format.

   b. If the applicant chooses not to submit a digital plat file, or if the digital file submitted does not meet the specified standards, then the plat information will be entered by the department of planning and development and a fee as established in the city fee schedule in chapter 18 will be charged to the applicant for this work. This fee shall be paid to the city prior to the plat being recorded with the county clerk.
(e) Simultaneous submission. Plats shall be simultaneously submitted to the appropriate drainage/irrigation district for review (where applicable).

(f) Processing of final plat.

(1) No final plat will be considered unless a preliminary plat has been approved. However, if a preliminary plat has been approved by the planning and zoning commission and the subdivider wishes to change the final plat by combining two or more lots or by combining one lot with a portion of the adjacent lot in such manner that no portion of a lot remains smaller than the original lots, no preliminary replat will be necessary.

(2) If all information and other required submittals are contained within the submittal packet and the final plat is complete in every respect, the plat shall be recommended to the planning and zoning commission for their approval. If the application is incomplete, the director of planning and development or his agent shall make note of such requirements in a letter to the engineer or surveyor. Upon submittal of the requested additional information, the process of review will continue, and this process of review and resubmission shall continue until the application is complete in every respect.

(3) Within 30 days after the final plat is formally submitted, the planning and zoning commission shall approve or disapprove such plat. Formal submission occurs at the time a plat is complete as determined by planning staff as indicated in subsection (f)(2) of this section.

(g) Recording of final plat. After the final plat has been approved, the director of planning and development or other designated official shall cause the final plat to be recorded with the county clerk in the county in which the subdivision lies. They shall also cause the checks for the recording fees deposited at the time the final plat was filed for approval to be delivered with the final plat to the county clerk.


Sec. 109-93. - Unsubdivided land.

(a) No land in a proposed subdivision subdivided land shall be sold or conveyed until the subdivider developer:

(1) Has received approval of the final plat by the Planning and Zoning Commission; and

(2) Has complied with all the conditions imposed during plat approval; and

(2) (3) Has filed and recorded a plat approved in accordance with this Chapter with the County Clerk of Cameron County a legally-approved plat.
(b) No building, repair, plumbing or electrical permits shall be issued by the city for any structure on a lot in a proposed subdivision for which a final plat has not been approved and filed for record-recorded, nor for any structure on a lot within a proposed subdivision in which the standards contained herein have not been complied with in full. No such permits shall be issued until all public improvements/utilities have been installed and accepted by the City of Harlingen or, where appropriate, the governing utility; provided, however, if the final plat has been approved and recorded and the subdivider has complied with the requirements of the performance guarantees of article VI of this chapter, a building permit may be issued prior to final installation of public improvements and utilities. However, no certificate of occupancy shall be issued until all public improvements have been installed and accepted by the various agencies involved.

(c) The city shall not repair, maintain, install or provide any streets or public utility services in any subdivision for which a final subdivision plat has not been approved and filed for record-recorded, nor in which the standards contained or referred to herein have not been complied with in full, except as provided for above.

(d) Neither the city, nor any other utility, shall sell or supply any water, gas, electricity, or sewage service within a subdivision for which a final-plat has not been approved or filed for record-recorded, nor in which the standards contained or referred to herein have not been complied with in full, except as provided for above.

(e) Provided, however, that the provisions of this section shall not be construed to prohibit the issuance of permits for any lots upon which a residence building exists and was in existence prior to passage of the ordinance from which this article is derived, nor to prohibit the repair, maintenance, or installation of any street or public utility services for, to or abutting any lot, the last recorded conveyance of which prior to passage of the ordinance from which this article is derived was by metes and bounds, and/or any subdivision, or lot therein, recorded or unrecorded, which subdivision was in existence prior to the passage of the ordinance from which this article is derived.


Sec. 109-94. - Amendments to preliminary an unrecorded plat.

At any time after preliminary plat approval and before submission of a final-plat recordation, the applicant may request of the Director of Planning and Development that an amendment be made in to the approval of the preliminary plat. Under regulations established by this article, the staff Director of Planning and Development may agree to proposed amendments that are deemed to be minor as indicated in the Texas Local Government Code § 212.016. If the proposed amendment is major, the subdivider-developer shall follow the same requirements for preliminary plat approval found in under section 109-91 and must go before the Planning and Zoning Commission for a reconsideration of the plat approval.
Sec. 109-95. - Amendments to final a recorded plat.

(a) A recorded plat of a subdivision must accurately reflect the subdivision as it develops. If there is any change, either by the intentional act of the subdivider developer or by an error the forces of nature, including changes in the size or dimension of lots or the direction or condition of roads or streets, a plat must be revised in accordance with this section and the Texas Local Government Code § 212.016. All costs associated with replatting shall be borne by the developer or subsequent property owner(s) persons requesting the replat.

(b) Any public hearing on a proposed major amendment shall be limited to whether the proposed major amendment should or should not be approved. The Planning and Zoning Commission shall approve or disapprove any proposed major amendment and may make any modifications in the terms and conditions of the subdivision replat preliminary plat approval reasonably related to the proposed amendment. If the applicant is unwilling to accept the replat proposed major amendment under the terms and conditions required by the Planning and Zoning Commission, the applicant may withdraw the proposed replat major amendment. A replat major amendment shall include, but is not limited to, any amendment that results in or has the effect of decreasing open space in the subdivision by ten percent or more. As per Texas Local Government Code § 212.014 and 212.015 a public hearing does not need to be conducted if the resulting lots are in conformance with the city minimum standards.

(c) An applicant may not propose more than two amendments, whether major or minor, to any preliminary plat.

(d) Amendments to a final recorded plat may take place only as a replat of the original plat and shall be reviewed and recorded in the same manner as an original plat.

(e) Exceptions to this may occur as specified in the Texas Local Government Code § 212.016 and may include amendments only for the purposes as stated in that section and as noted in section 109-97.

Sec. 109-96. - Exemptions to platting requirements.

(a) Property that was divided into its current configuration prior to November 1, 1978, and has not had a change in boundaries since such time can be exempted from platting requirements if the owner can provide proof of such. A recorded property deed dated prior to that date with a metes and bounds or legal description exactly matching the current property holding can would constitute the necessary proof.
(b) Property that is divided into tracts larger than five acres where each part has public access and no public improvement is being dedicated may also be exempted from platting requirements.

(c) The Director of Planning and Development shall determine the subdivision exemption status of a tract of land upon receipt of a completed application form (see section 109-230, Exhibit J) and accompanying documents by the property owner or authorized agent. The application form shall be accompanied by the following documents:

(1) Warranty deeds for the subject tracts indicating date of last conveyance;
(2) Evidence of a building on the subject tract prior to the effective date of November 1, 1978 indicated above, if applicable;
(3) Current tax certificates;
(4) Survey of the tracts showing property line, right-of-way widths, easements, proposed partition and existing improvements, signed and sealed by a registered public surveyor;
(5) Separate instruments dedicating additional right-of-way along perimeter streets in accordance with the major thoroughfare plan with appropriate recording fees (or provide recorded copy); and
(6) Upon receipt of all applicable data and upon determination that such tract is exempt from subdivision, the Director of Planning and Development can issue a letter of determination that the tract satisfies the exemption requirements of this section.

(Code 1997, § 156.029; Ord. No. 01-01, § 3.9, 1-3-2001; Ord. No. 12-8, § I, 2-1-2012)

Sec. 109-97. — Lot line adjustment.

(a) When a replat is not required. When any lot and a portion of a lot aggregating a larger tract in width and/or size than the average lot in the block in which same is situated are conveyed as a single unit for a single use purpose from previously legally platted subdivision, no replat thereof shall be required.

(b) Exceptions.

(1) This exception shall not apply to any extension across an easement or public way, nor permit changing the facing of the original lots.

(2) This exception is not to be construed as a waiver of any requirement of chapter 111, as amended, or other applicable ordinance or recorded covenant and restriction, and for such interpretations, the integrated tract shall thereafter be considered as a single lot.

(Ord. No. 01-01, § 3.10, 1-3-2001; Ord. No. 13-1, § I, 1-16-2013)

ARTICLE V. - STANDARDS AND SPECIFICATIONS

Sec. 109-123. - Conformance to standards and specifications.

No completed proposed improvements shall be accepted approved nor any improvements be accepted by the Director of Public Works, City Engineer or Harlingen Waterworks HWWS unless they conform to the following standards and specifications found in this article.

(Code 1997, § 156.040; Ord. No. 01-01, § 4, 1-3-2001)

Sec. 109-124. - Standards for plats within city limits.

(a) Generally.

(1) Conformity with The City of Harlingen Comprehensive Plan and any HWWS water and sewer master plans. The subdivision should conform to the current comprehensive plan of the city, as defined herein, as adopted or amended by the City Commission, and the HWWS water and sewer master plans for infrastructure as defined herein, as adopted or amended by the HWWS utility board of trustees.

(2) Reserve strips prohibited. There shall be no reserve strips controlling access to land dedicated or intended to be dedicated to public use or next to adjoining land.

(b) Lots.

(1) All lots must front on a public street or other must have an approved access. All streets accessing the development must have an all-weather surface for emergency vehicle access. Lots can front on a private street if the subdivision has an approved and recorded homeowner’s association prior to subdivision recording.

(2) Lots with a length to width ratio in excess of four to one, as calculated by city staff, shall be prohibited.

(3) Lots of irregular shape shall not be allowed unless they have a street frontage of at least 50 feet, measured at the front building setback line and no less than 20 feet at the front lot line.

(4) Lot sizes, setback lines, rear yards and side yards shall be in accordance with the Zoning Ordinance chapter 111 of the City.

(5) Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines.
(5) Proposed lot grading shall produce a top of ground slope no steeper than 4:1.

(c) Streets.

(1) Street layout. Adequate streets shall be provided by the subdivider developer and the arrangement, character, extent, width, grade, and location of each shall conform to the major thoroughfare plan in the transportation chapter of the current comprehensive plan of the city and shall be considered in relation to existing and planned streets, to topographical conditions, to public safety and convenience, and in their appropriate relationship to the proposed uses of land to be served by such streets. Local street layout shall be devised for the most advantageous current and future development of the entire neighborhood/area, as determined by the Planning and Zoning Commission and city staff. Subdivisions that adjoin state roads must adhere to TxDOT’s Access Management Manual (summary chart included in Exhibit U, on file in the city secretary’s office).

(2) Relation to adjoining street system. Where necessary to the neighborhood pattern, existing streets in adjoining areas shall be continued as much as possible, and shall be at least as wide as such existing streets and in alignment therewith.

(3) Projection of streets. Where adjoining areas are not subdivided, the arrangement of streets in the subdivision being considered shall make provisions for the proper projection of these streets into unsubdivided areas adjacent to it in the most logical and orderly fashion possible.

(4) Street jogs. All street jogs shall be approved by the City Engineer and in no case will street jogs with centerline offsets of less than 125 feet measured centerline to centerline shall be prohibited. (See section 109-225, Exhibit E.)

(5) Perimeter streets. When a perimeter street of a subdivision is deficient, the subdivider shall either improve the perimeter street or deposit an amount into escrow as described in section 109-189 and 109-190.

(6) Street intersections. Street intersections shall be as nearly at right angles as practicable.

(7) Dead-end streets. Dead-end streets shall be prohibited, except where necessary to provide for future extension of arterial or collector streets, in which case they may be designed to extend no longer than 150 feet (per fire department requirement Standard 1141 NFPA).

(8) Cul-de-sacs. Temporary or permanent cul-de-sac streets shall not serve more than 25 lots and shall in no case exceed 1,000 feet in length. The cul-de-sac bulb shall have a right-of-way of 100 feet in the turnaround and paved not less than 80 feet in diameter in residential areas, and a right-of-way of 120 feet
and a paved turnaround of not less than 100 feet in diameter in commercial and industrial areas. The measurement of a cul-de-sac shall be taken from the centerline of the nearest intersecting street to the center point of the cul-de-sac turnaround.

(9) **Access points.** Any residential subdivision with 75 or more lots must have a minimum of two points of access entrances, separated from each other by a distance of 250 feet whenever possible. Where two entrances are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. Additional entrances may be required as recommended by a traffic impact analysis. Access points for proposed streets must adhere to TxDOT’s Access Management Manual.

(10) **Local streets.** Local streets shall be laid out so as to discourage their use by through traffic.

(11) **Pavement widths and rights-of-way.** Pavement widths within a subdivision shall be as follows:

a. Major arterial streets shall have a right-of-way width of at least 120 feet, with a minimum pavement width of at least 80 feet from the back of the curb to the back of the curb. Such streets shall occur, at a minimum, every one mile (5,280 feet) as near as practical.

b. Minor arterial streets shall have a right-of-way width of at least 100 feet with a minimum pavement width of at least 60 feet from the back of the curb to the back of the curb. Such streets shall occur, at a minimum, every one-half mile (2,640 feet) as near as practical.

c. Collector streets shall have a right-of-way of at least 80 feet and a pavement width of at least 42 to 48 feet from the back of the curb to the back of the curb. Such streets shall, at a minimum, occur every one-quarter (1,320 feet) to one-half (2,640 feet) mile as near as practical and between arterial streets.

d. Local streets shall have a right-of-way of at least 60 feet and a pavement width of a minimum of at least 37 feet from the back of curb to the back of curb, unless the land use density dictates the need for 60 feet of right-of-way and 40 feet of pavement width wider rights-of-way and paving as determined by the Planning and Zoning Commission. Local streets which are looped off perimeter local streets, collectors or arterials, and cul-de-sacs not exceeding the maximum length of 600 feet may be 33 feet in pavement width from the back of the curb to the back of the curb with a minimum right-of-way of 50 feet (see section 109-225, Exhibit E). Such streets shall occur as needed for efficient local property access.
e. Cross streets are required at a minimum of every one-quarter mile (1,320 feet) as near as practical.

(12) Pavement widths and rights-of-way of streets forming part of the subdivision boundaries (perimeter streets). Pavement widths and rights-of-way of streets forming part of the subdivision boundaries (perimeter streets) shall be as follows:

a. The subdivider developer shall dedicate a minimum of one-half of the right-of-way required from centerline for new adjacent major arterial, minor arterial, collector or local streets as defined in the most recently adopted major thoroughfare plan of the city and/or the county thoroughfare plan. If the two plans conflict, that requiring the greater right-of-way dedication shall prevail. The right-of-way dedication shall conform to subsection (c)(11) of this section.

b. All right-of-way dedicated by plat shall have a statement indicating so on the final plat. (See section 109-226, Exhibit F, for owner's signature block.)

c. Required right-of-way dedications may be eligible for charitable contribution certificates. If the property owner gets an appraisal for the property (either the entire property or the section to be dedicated) and presents such to the city along with a "Noncash Charitable Contributions Form 8283" at the time of plat recordation, the director of planning and development or appointed designee shall execute the form to acknowledge the donation for the value of the right-of-way portion dedicated by the plat upon its recordation. For subdivisions adjacent to perimeter streets that are designated as collector or arterial streets in the city thoroughfare plan or not designated in the plan but collect traffic from other areas and where the roadway is only a two-lane roadway, the developer shall provide 10 feet of additional pavement with curb and gutter along the boundary of the subdivision. As an alternative, the developer may place escrow funds with the City based on an approved cost estimate by the City Engineer.

d. For subdivisions that have unimproved perimeter streets, the developer shall pave the perimeter street within or adjacent to the boundary of the subdivision. The pavement shall be a minimum of 24 feet in width or shall generally correlate to the closest improved section of the street.

(13) Corner clips. The dedication of right-of-way for corner clips measured from the legs of the clips shall be provided as follows:

a. 30-foot corner clip on major/minor arterials;

b. 30-foot corner clip on collector streets;
c. 15-foot corner clip on local streets; and
d. Ten-foot corner clip on alleys.

(14) Curbs. Curbs Curb and gutter shall be installed by the subdivider developer on both sides of all interior streets, and on the subdivision side of all streets forming part of the boundary of the development. In certain cases along perimeter streets escrow funds could be substituted for the installation of curb and gutter if approved by the City Engineer.

(15) Street names. Names of new streets shall not duplicate or cause confusion with the name of existing city streets, unless the new streets are a continuation of or in alignment with existing streets, in which case names of existing streets shall be used. Proposed street names must be approved by the Department of Planning and Development prior to subdivision recording.

(16) Streetlights. Streetlights shall be installed by the subdivider developer at all street intersections and cul-de-sac ends within the subdivision, in accordance with city standards. If a block exceeds 600 feet in length, streetlights shall be installed mid-block to accommodate a maximum spacing of 600 feet.

(17) Street signs. Street name signs shall be installed by the city at the expense of the subdivider developer at all intersections within or abutting the subdivision. Such signs shall be of a type approved by the city.

(18) Traffic control signs. Traffic signs such as stop and yield signs and stripping (paint or thermoplastic) shall be installed by the city at the expense of the subdivider developer at all necessary locations as determined by city staff. The installation of a new traffic signal may be approved, at the cost of the developer, if warranted by a traffic impact analysis.

(19) Private streets. If streets are recorded as private streets, the city shall never have any obligation or duty to receive, adopt, repair or maintain any private street within the limits of the city. Such streets They shall be labeled as private on the final subdivision plat. As a condition of approval for private streets, a document with covenants, deeds, and restrictions (CCRs) must be recorded with the Cameron County Clerk prior to subdivision recording. If a residential subdivision is proposed to be gated the front gates shall have stacking space for three (3) automobiles from the perimeter street with an area for vehicle turnarounds.

(20) Location. All new streets shall be placed in the center of the right-of-way.

(21) Curves. The centerline of curves shall be tangent to the centerline of the street at each end of the curve.

(d) Alleys. Alleys dedicated to the public may only be proposed and constructed with the approval of the public works director, city engineer or the authorized designee.
(1) **Width and paving.** Alleys shall be 20 feet wide and constructed of asphalt covering 18 feet of the right-of-way, in accordance with city standards.

(2) **Intersecting alleys or utility easements.** Where two alleys and/or utility easements intersect or turn at a right angle, a corner clip of not less than ten feet from the normal intersection of the property or easement line shall be provided along each property or easement line.

(3) **Dedication by plat.** All right-of-way dedicated by plat shall have a statement indicating so on the final plat. (See section 109-226, Exhibit F, for owner’s signature block.)

(4) **Dead-end alleys.** Dead-end alleys shall not be permitted.

(5) **Half alleys.** Half alleys shall not be permitted.

(6) **Curb cuts.** Standard curbs shall be required where alleys intersect streets.

(7) **Intersection at arterials or collectors forbidden.** New alleys shall not intersect any streets identified as arterials or collectors on the City of Harlingen Thoroughfare Plan.

(e) **Utility easements.**

(1) Each block that does not contain an alley as provided for in this section shall have a utility easement either at the front of all lots next to street right-of-way or along the rear of the property which is to be reserved for the use of all public utility lines, conduits, and equipment. These utility easements shall be no less than ten feet in width, and shall be continuous for the entire length of the block. Front easements shall be contiguous with and parallel as closely as possible the street line frontage of the block. Rear easements shall provide access back to a public street. There shall be no “dead-end” utility easements permitted. Each block shall have a utility easement along all lot property lines that are adjacent to street right-of-way or are within alleys as defined above in this section. Easements may be provided along the rear property line for utilities other than water and sewer. Water and sewer lines shall be placed only within unobstructed easements or rights of way to ensure ready access for emergency maintenance. Utility easements are to be reserved for the use of public utility lines, conduits, and equipment. Other utility easements may be required as necessary for the public’s benefit. Utility easements shall be of sufficient width to accommodate all intended utilities with utility-prescribed separation from other utility types and shall be continuous for the entire length of the block. Front easements shall be contiguous with and parallel as closely as possible to the street line frontage of the block.

(2) On phased developments, all easements must be provided in their entirety in each phase as developed or must extend into future phase areas as necessary to provide utility services.
(3) No new **third party** utilities will **shall** be permitted to run parallel under street pavement with the exception of **sanitary** sewer lines. Such utilities will be required to be located in remaining street rights-of-way **according to utility assignments as prescribed by the City of Harlingen Subdivision Development Guide.**

(4) Any utilities requiring sole dedication easements must take easements behind the **ten-feet** utility easement **prescribed** for general utility assignments **indicated above** if adjacent to street line right-of-way frontage unless otherwise approved by **the director of planning and development HWWS or the City Engineer.**

(5) Drainage easements may not be shared with utility easements, and drainage right-of-way may not be shared with street or alley rights-of-way unless approved by the appropriate drainage authority and the **City Engineer.**

(6) The planting of trees, and placement of fences, and driveways should be discouraged on erection of structures is prohibited within utility easements as they may later need to be removed by the entity accessing the easement. The and-the property owner will not be compensated for replacement or destruction of such items by the city or utility providers who access and service their lines.

(f) **Sidewalks.** Sidewalks shall be installed at the expense of the developer in manners described as follows:

(1) On the subdivision side of all **perimeter roads external and streets** adjacent to the subdivision **that have–For perimeter roadways with no curb and gutter,** the developer shall be required to escrow funds for sidewalks.

(2) Sidewalks shall conform to the City of Harlingen **Typical Sidewalk Detail and shall generally** be a minimum of five (5) feet in width. The City Engineer may direct placement and layout of sidewalks. The Developer shall pay the full cost to adjust utilities including manholes, and valve boxes where proposed sidewalks conflict with existing utilities.

(3) All sidewalks shall comply with the City of Harlingen’s **most recent** 2014 ADA Transition Plan and the most recent version of the Texas Accessibility Standards.

(4) Sidewalks for subdivisions fronting a perimeter street shall be installed at the developer’s expense at the time the curb and gutter is installed and may be contiguous with the curb and gutter; provided, however that they shall be installed with due consideration being given to existing trees and shrubbery or proposed mailboxes which may require installation away from the curb but within the city right-of-way for a short distance in order to prevent the removal of such features. **For Sidewalks for all subdivisions which includes lots fronting an internal/local internal or local street, sidewalks shall be provided along the street fronts of lots and along the street side of corner lots at the time of**
completing building improvements on the lot are constructed. A note on the plat to this effect shall be required prior to subdivision recording.

(5) All sidewalks to be installed shall connect with any existing sidewalks adjacent to or a part of the subdivision. Where applicable and practical, a five (5) foot transition shall be applied to sidewalks of varying width.

(6) All subdivisions shall have curb ramps at the street intersections installed at the expense of the developer prior to the recording of the subdivision for people with disabilities in accordance with all Texas Accessibility Standards and Federal ADA requirements. The curb ramps must be certified by a licensed ADA consultant prior to subdivision recording.

(7) In a residential subdivision for the lots fronting an internal/local street, the developer shall pay a sidewalk assessment for the sidewalk fronting the lots in the amount of fifteen (15) percent of the total cost estimate in the subdivision as calculated in Section 109-191. These funds shall be used by the City of Harlingen to fill sidewalk gaps, if necessary, after an approximately ten year period after following the subdivision recording. The funds could may also be used for-to address necessary repairs of the subdivision sidewalks. Guidelines must be developed and adopted for the proper management of the escrows.

(8) All sidewalks installed shall meet the specifications as set forth in the sidewalk ordinance of Chapter 40. (Additional sidewalks not required by this article may be required by Chapter 40 in commercial areas.)

(9) Sidewalks for residential streets shall be placed so that they are at a minimum three (3) feet from the street curb, or in line with existing sidewalks in the area, or as directed by the Department of Planning and Development or City Engineer.

(g) Streetlights. Streetlights shall be installed at the cost of the subdivider developer to city standards at all street intersections within the subdivision, at cul-de-sac ends and mid-block if the block exceeds 600 feet in length and the spacing between them shall be no greater than 300 feet. This section applies to all subdivisions inside the city limits or in subdivisions in which the developer has requested in writing a voluntary annexation. This section applies to perimeter streets for residential and non-residential subdivisions. For private subdivisions, compliance with this section is required, but, the expense of the maintenance and the electricity shall be paid by the subdivision’s developer or the homeowner’s association. A street lighting plan shall be submitted with preliminary plat for all subdivisions inside city limits. The street lighting plan including the height, style and composition of the street lights Such plan shall receive the approval of city staff prior to submission to the appropriate electric utility company.

(h) Fire hydrants.

(1) Hydrants must be installed at a maximum of 300-foot intervals in commercial and industrial districts and 600-foot intervals in single-family residential areas with a minimum arrangement being so that a 500-foot linear
hose distance shall not be exceeded measured along roadway and other right-of-way surfaces. Refer to section 109-91 (c) (12) for the standards.

(2) Fire hydrants shall be placed at a distance not exceeding 150 feet from any building requiring fire sprinklers and/or standpipes.

(i) Water facilities. Plans for proposed subdivisions shall indicate the locations, size, and depths and of all proposed and existing water lines, valves, fire hydrants, and service laterals and meters. When connections to a water system other than the HWWS city water system is proposed, the plan shall show the point of connection and/or the source of supply. When a separate water system is planned, the plans shall show point of connection and/or source of supply along with the plans and specifications of any treatment facilities.

(j) Wastewater facilities. All proposed subdivisions shall be provided with an approved plans for wastewater disposal system before recording. The Subdivision Construction Plans for proposed new subdivisions shall be submitted indicating the location, size, depth and grade of all proposed and existing sanitary sewer mains, lines, manholes, lift stations, force mains and cleanouts indicating the depth and grades of the lines. When a separate sewer system or treatment plant is proposed, the point of discharge or disposal area shall be shown on the Subdivision Construction Plans. When a separate sewer system is planned, the plans shall show the point of connection along with plans and specifications of the treatment plant and a copy of the permit issued by TCEQ.

(k) Utility lines. All proposed utility lines that are underground and proposed to run under a street or alley shall be approved by the City Engineer and Harlingen Waterworks HWWS, where applicable, before the street or alley is paved. When it is necessary that utility lines pass under the street or alley pavement, service laterals shall be installed to a point at least two feet beyond the back of the curb or 18 inches from the property line in alleys to the right-of-way line or utility easement boundary internal to the private property, whichever is longer. Unobstructed space shall be allocated for installation of water meters abutting the right-of-way or internal easement line and completely clear of any sidewalks. Sewer lateral cleanouts shall be installed abutting the right-of-way or internal easement line. All underground utilities installed in a utility easement at the rear of the lot shall be offset from the centerline of the easement.

(l) Monuments.

(1) Monument locations shall be prescribed by the director of public works, city engineer and shall be sufficient to furnish survey control of the subdivision. Subdivision corners shall be monumented in accordance with section 109-92 (c) of this ordinance. All lot corners shall be set after all site grading activities or other possible disturbance activities have ceased.
(2) Monuments shall be set with concrete around an iron pin. Additional monument locations may be prescribed by the Director of Public Works or the City Engineer and shall be sufficient to furnish survey control of the proposed subdivision.

(3) Where, due to topographic conditions, permanent structures, or other conditions, the view is obstructed between any two adjacent monuments, intermediate monuments shall be so set as to assure a clear view between adjacent monuments.

(4) Monuments shall be set after grading all lots to finish grade.

(5) Elevations of all monuments shall be printed on the plats.

(m) Drainage.

(1) Rights-of-way. Where a subdivision is traversed by a watercourse, drainage way, natural channel or stream, there shall be a dedicated right-of-way provided conforming substantially to the high bank of such watercourse as determined by the Director of Public Works or the City Engineer. Additionally, a minimum of 20 feet on both sides of said watercourse shall be dedicated as public right-of-way to accommodate future needs and maintenance as determined by the Director of Public Works or the City Engineer. The drainage district or irrigation district authority shall determine drainage right-of-way where applicable for facilities to be maintained by such agency.

(2) Drainage facilities.

a. Drainage facilities shall be provided and constructed as specified by the Director of Public Works, and/or the City Engineer, or authorized agent.

b. Preliminary drainage plans must indicate direction of flow and outfall locations with a preliminary report. Final plats must be submitted with drainage plans that have detailed calculations and a final drainage report. The proposed subdivision must have drainage plans. The drainage report must include detailed hydrology, hydraulic calculations, flood plain data, soils data and other data as required by the City Engineer. The City of Harlingen Subdivision Development Guide provides additional guidance for drainage reports.

c. All street widths and grades with elevations shall be indicated on the Subdivision Construction Plans. Final drainage reports shall have runoff figures in cubic feet per second (cfs) as listed in the City of Harlingen Subdivision Development Guide or directed by the City Engineer and shall be indicated on the outlet and inlet side of all drainage ditches and storm sewers drains, and at all storm inlets or low points in the street, at changes of grade, or other collection points, or where the water enters...
another street or storm sewer drain or drainage ditch. Drainage easements shall be indicated on the plat.

d. A general location drainage area map of the proposed subdivision showing the drainage area of any existing or proposed drainage facilities shall be provided in the Subdivision Construction Plans. Calculations must be submitted by the developer’s engineer showing the anticipated stormwater flow, utilizing a rainfall frequency of not less than five years as determined by the design storm frequency per the City of Harlingen Subdivision Development Guide, including watershed area, percent runoff, and time of concentration. When a drainage ditch or storm sewer drain line is proposed, calculations shall be submitted showing the basis for the design.

e. When a drainage channel or storm sewer drain line is proposed, complete plans, profiles, and specifications shall be submitted by the developer’s engineer, showing complete construction details. When construction is complete, a set of “as-built” drawings shall be submitted electronically.

f. All new subdivisions must include an identification of the associated flood zone or zones per the most recent FEMA/FIRM flood zone map. Any buildings proposed for construction is subdivision located in a Flood Zone X shall be required to have a note on the plat stating all building foundations shall property must be identified as being in a Flood Zone A, B, or C. Property located in a Flood Zone C will be required to be no less than 18 inches above top of the curb or at the highest point of the street (absent a curb). Property located in a Flood Zone A or B Special Flood Hazard Area or zone shaded X shall will be required to present a flood elevation certificate and there shall be a note on the plat stating that all building foundations shall be a minimum of 24 inches above top of curb or at the highest point of street or at a level as determined by the engineer’s flood certificate. A permit from the City Engineer is required before construction or development begins within any Special Flood Hazard Area. In residential subdivisions for any lots within 100 feet of a drainage inlet a note on the plat shall indicate that the finished floor for those specific lots, shall be 6 inches higher as compared to the other finished floors within the subdivision. The lot numbers affected by this requirement shall be specified in the plat notes.

g. Subdivision design shall require positive drainage to the ultimate outfall of the proposed system. Offsite drainage appurtenances may be required by the City Engineer to accommodate proposed drainage flows. No siphons shall be allowed unless previously approved by the City Engineer.

h. All proposed subdivision plats must conform to the City of Harlingen Subdivision Development Guide.
i. Grate inlets are not allowed unless previously approved by the City Engineer.

j. Storm pipe shall generally be new reinforced concrete pipe (RCP) of at least class III. Minimum pipe size for inlet laterals shall be 18". Storm manholes shall be used as a collection point for inlets and inlet to inlet connections shall not be allowed unless previously approved by the City Engineer.

k. Inlets shall be provided in new subdivisions such that the spread of water in the street shall not exceed 10 feet during the design storm. The edge of an existing or proposed inlet should not be closer than 10 feet from a proposed driveway or curb return.

(n) Planned unit developments.

(1) Planned unit developments shall be developed in accordance with the city zoning code ordinance found in Chapter 111 of the Harlingen Code of Ordinances. A planned unit development may include a combination of different dwelling types and/or a variety of land uses which complement each other and harmonize with existing and proposed land uses in the vicinity.

(2) The regulations below will serve to identify maximum deviations from requirements that may be negotiated as follows:

a. Lots may be smaller than the minimums, provided overall density of the entire tract is not increased;

b. Streets may be smaller than the minimum required local street, but in no case smaller than 30 feet of pavement width. (Right-of-way dedications must conform to the major City of Harlingen adopted thoroughfare plan regardless of pavement width.)

c. Front building setbacks may be reduced to ten feet except at boundaries of the zone or street corners where ordinance requirements shall apply if the development proposal is within the spirit of the subdivision and zoning ordinances and in general compliance with the city's comprehensive plan as approved by the Planning and Zoning Commission.

(3) A proposed site plan as required in chapter 111 (the Zoning Ordinance) must be submitted with the subdivision. A "PD" zoning must be obtained prior to, or concurrent with, the recording of the subdivision development plat.

(o) Electricity. No overhead electric utility lines shall be allowed for new residential subdivisions.

(o) Standards for plats outside city limits on an adopted municipal annexation plan (three year plan). All standards shall meet those required within the city limits except that an escrow may be paid on required street lights so that they may be placed when
the subdivision comes into city limits. (If, for some reason, said subdivision does not get annexed within ten years from the date funds were received by the city, the original depositor shall be entitled to a refund of the escrow amount deposited. No interest shall be paid on such sums. The depositor must request such refund within one year of entitlement, in writing to the finance director of the city, or such right shall be forfeited.)

(Code 1997, § 156.041; Ord. No. 01-01, § 4.1, 1-3-2001; Ord. No. 01-33, 4-18-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 03-57, 9-3-2003; Ord. No. 04-46, 7-21-2004; Ord. No. 07-28, 4-18-2007)

Sec. 109-125. - Standards for plats outside the city limits but within the 3.5-mile Extraterritorial Jurisdiction (ETJ) (in 3.5-mile ETJ) and not on an adopted municipal annexation plan (three-year plan).

(a) Lots. All requirements are identical to inside city requirements. No flag lots will be permitted.

(b) Streets. All requirements for interior streets are identical to inside city requirements. When a perimeter street of a subdivision is deficient, the subdividing developer shall either improve the perimeter street or deposit an amount into escrow as described in article VII of this chapter.

(c) Alleys. Same as inside city limit requirements.

(d) Utility easements. Same as inside city limit requirements.

(e) Sidewalks. Not required.

(f) Street lights. Not required.

(g) Fire hydrants. Same as inside city limit requirements.

(h) Water facilities. Requirements shall meet the standards of the utility in whose water CCN the proposed subdivision is located.

(i) Wastewater facilities. Requirements shall meet the standards of the utility in whose sewer CCN the proposed subdivision is located.

(j) Utility lines. Same as inside city limit requirements.

(k) Monuments. Same as inside city limit requirements.

(l) Drainage. Same as inside city limit requirements.

(Code 1997, § 156.042; Ord. No. 01-01, §§ 4.2, 4.3, 1-3-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 07-28, 4-18-2007)
Sec. 109-126. - Standards for plats outside the 3.5 mile ETJ but within the in 5-mile ETJ and not on an adopted municipal annexation plan (three-year plan).

(a) Lots. Lots shall meet city standards except that flags as allowed by county regulations will be allowed.

(b) Streets. Pavement standards for interior streets shall, at a minimum, meet county standards. When a perimeter street of a subdivision is deficient, the subdivider developer shall either improve the perimeter street or deposit an amount into escrow as described in article VII of this chapter.

(c) Alleys. Not required.

(d) Utility easements. Same as inside city limits requirements.

(e) Sidewalks. Not required.

(f) Street lights. Not required.

(g) Fire hydrants. Shall meet county standards.

(h) Water facilities. Requirements shall meet standards of the utility in whose water CCN it the subdivision is located.

(i) Wastewater facilities. Requirements shall meet standards of the utility in whose sewer CCN it the subdivision is located.

(j) Utility lines. Same as inside city limits requirements.

(k) Monuments. Same as inside city limits requirements.

(l) Drainage. Drainage requirements shall meet county standards.

(Code 1997, § 156.043; Ord. No. 01-01, §§ 4.2, 4.3, 1-3-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 07-28, 4-18-2007)

Sec. 109-127. - Model homes.

For the purpose of allowing the early construction of model homes in a subdivision, the developer shall comply with one of the following methods:

(1) The department of planning and development may permit a portion of a major subdivision involving no more than two lots to be created in accordance with the procedures for minor subdivisions, provided the portion derives access from an existing city, township, county, or state highway, and provided no future road or other improvement is anticipated where the lots are proposed. The subdivision plat for the "minor" portion shall be submitted to the department of planning and development simultaneously with the preliminary plat for the entire.
major subdivision. Subsequent to minor plat approval, the model homes may be constructed with the approval of the appropriate building permits.

(2) The property proposed for the model homes is exempt from the city’s platting requirements as it was divided into its current configuration prior to November 1, 1978, and the owner can provide proof of such. In this event, a building permit for only one main building may be issued on each such original separately owned parcel.

(Code 1997, § 156.044; Ord. No. 01-01, § 4.4, 1-3-2001; Ord. No. 07-28, 4-18-2007)

Sec. 109-128. - Construction plans submission.

(a) Time for submittal. Prior to commencing construction of subdivision improvements, three sets of construction plans and specifications must be submitted to and approved by the city engineer, or the duly authorized representative, and/or the Harlingen Waterworks Engineer.

(b) Review process. The city engineer’s office shall review the construction plans for conformance to subdivision regulations for roadways and drainage improvements. The Harlingen Waterworks Engineer’s Office shall also review the construction plans for general conformance to TCEQ requirements for water and wastewater improvements. This review shall be for conformance to subdivision regulations and the responsibility and liability for the adequacy of the design shall remain with the engineer sealing the documents.


Sec. 109-129. - Specifications and details.

Three sets of construction plans and profiles shall be submitted with the following information

(1) Streets and alleys. All temporary facilities necessary to complete the job are the responsibility of the contractor. Any traffic control as required shall follow the most current version of the Texas Manual of Uniform Traffic Control Devices. For details, see section 109-233, Exhibit M: City of Harlingen Specifications and Details. Specifications and details governing subdivision design shall be as prescribed by the City of Harlingen Subdivision Development Guide. This manual is available online at the City of Harlingen website or by request through the City of Harlingen Engineering Department.

a. Site preparation and grading

1. Protection of facilities. Existing utility lines (either overhead or underground), pavement and sidewalks designated on the drawings, shown to contractor or mentioned in the specifications, shall be kept free
of damage from contractor’s operations. If damaged, any utilities or pavement shall be restored at the contractor’s expense. Any utility not known in time to prevent damage, and if inadvertently damaged during operations, the contractor shall notify the engineer and owner of said utility at once so that emergency repair may be made. Some valve boxes and manhole lids will require adjustment to ensure proper grades.

2. Excavation.

(i) Excavation of every description and of whatever material encountered within the grading limits of the project shall be performed to the lines and grades as shown on the drawings. Waste excavation shall be disposed of by the contractor.

(ii) During construction, excavation and filling shall be performed in a manner in sequence that will provide drainage at all times.

(iii) If the material of the subgrade for paved areas is of unstable character and unfit for foundation, the contractor shall make such additional excavation as the engineer may direct, and refill with approved material.


(i) The subgrade shall be shaped in conformity with the typical sections shown on the plans and to the lines and grades established by the engineer. 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. The surface of the subgrade shall be finished to the lines and grades established, and be in conformity with the typical sections shown on the plans. Any deviation in excess of one-half inch in cross section and 16 feet in length measured longitudinally shall be corrected by loosening, adding, or removing sufficient subgrade and shall be prepared in advance to ensure satisfactory execution of the work.

(ii) Unless otherwise indicated on plans, the surface of the ground of all unpaved areas which are to receive embankment shall be loosened by scarifying or plowing to a depth of not less than six inches. The loosened material shall be recompacted with the new embankment as hereinafter specified. The embankment shall be placed in layers not to exceed six inches in thickness for the full width of the individual roadway cross section and in such lengths as are best suited to the sprinkling and compacted methods utilized.

(iii) Where embankments are to be placed adjacent to or over existing roadbeds, the roadbed slopes shall be plowed or scarified
to a depth of not less than six inches and the embankment built up in successive layers, as hereinafter described, if height is increased. Then, if directed, the top of the old roadbed shall be scarified, and recompacted with next layer of new embankment. The total depth of the scarified and added material shall not exceed the permissible depth layer.

(iv) Except as otherwise required by the plans, all embankments shall be constructed in layers approximately parallel to the finished grade of the roadbed and unless otherwise specified each layer shall be so constructed as to provide a uniform slope of one-quarter inch per foot to drain.

(v) Subgrade materials shall be compacted by approved mechanical tamping equipment to an apparent dry density of the total material of not less than 95 percent of the maximum dry density as determined in accordance with THD Test Method Tex-114-E. Tests for density will be made within 24 hours after compacting operations are completed. If tests show the density to be less than the specified minimum or the moisture content to be more than three percent above or below the optimum, the course shall be reworked as necessary to obtain the specified compaction and moisture content.

(vi) Unsuitable excavation or excavation in excess of that needed for construction shall be known as waste and shall become the property of the contractor and it shall become his sole responsibility to dispose of this material in a manner approved by the engineer.

4. Protection of finish grading.

(i) During construction, embankment and excavation shall be kept shaped and drained.

(ii) Ditches and drains shall be maintained in such manner as to drain effectively at all times. Graded areas shall be protected against action of elements prior to acceptance of the work. Settlement or washing that may have occurred shall be repaired and grades shall be re-established to the required elevations and slopes. The contractor is required to maintain pumping equipment to remove all standing water after a rainfall event. No water shall remain standing longer than 12 hours after it has stopped raining.

b. Subgrade stabilization with lime.

1. Scope.
(i) This item shall consist of treating the subgrade, scarifying the area to be treated, the addition of lime, and mixing and compacting the mixed material to the required density. This item applies to natural ground and embankments, and shall be constructed as specified herein and in conformity with the typical section lines and grades as shown on the plans.

(ii) It is the primary requirement of this specification to secure a completed (lime stabilized subgrade) course of treated material containing a lime mixture, of uniform density and moisture content, well bound for its full depth and with a smooth surface for placing subsequent course. It shall be the responsibility of the contractor to regulate the sequence of his work, to use the proper amount of lime, maintain the work and rework the courses as necessary to meet the above requirements.

(iii) Prior to the application of the lime slurry, the road bed shall be excavated to subgrade, shaped to conform to the typical sections, lines and grades as shown on the plans or as established by the engineer. The material, before lime is added, shall be scarified and/or excavated to the secondary grade (proposed bottom of the lime stabilized subgrade) and removed or windrowed to expose the secondary grade. Any wet or unstable materials below the secondary grade shall be corrected, as directed by the engineer, by scarifying, adding lime, and compacting until it is of uniform stability.

(iv) If the contractor elects to use a cutting and pulverizing machine that will remove the subgrade material at the same time, he will not be required to expose the secondary grade nor windrow the material. However, the contractor shall be required to roll the subgrade, as directed by the engineer, before using any of the pulverizing machines and correct any soft areas that this rolling may reveal. This method will be permitted only where a machine is provided which will ensure that the material is cut uniformly to the proper depth and which has cutters that will plane the secondary grade to a smooth surface over the entire width of the cut. The machine shall be of such design that a visible indication is given at all times that the machine is cutting to the proper depth.

2. Materials and equipment.

(i) Lime shall meet the following requirements for hydrated lime slurry. Hydrated lime shall consist of dry powder obtained by treating quick lime with enough water to satisfy its affinity for water under the conditions of its hydration. This material is to consist essentially of calcium hydroxide or a mixture of calcium hydroxide.
and a small allowable percentage of calcium oxide, magnesium oxide and magnesium hydroxide. The hydrated lime, when tested, shall conform to the following requirements for chemical composition:

A. Hydrate alkalinity, percent by weight Ca(OH) minimum 90.0 percent.

B. Unhydrated lime content, percent by weight CaO maximum 5.0 percent.

C. The percent by weight of residue retained shall conform to the following requirements:

   (a) Residue retained on No. 6 (3360-micron) sieve: none.

   (b) Residue retained on No. 10 (2000-micron) sieve: maximum ten percent.

   (c) Residue retained on No. 30 (590-micron) sieve: maximum 2.5 percent.

D. The above specifications apply specifically to the normal hydrate of lime made from “high-calcium” type limestone. Hydrated lime shall be applied as provided in these specifications by mixing with water to form a slurry.

E. The use of commercial lime slurry is acceptable under these specifications. The lime slurry shall be a pumpable suspension of solids in water. The water or liquid portion of the slurry shall not contain dissolved material in sufficient quantity and/or nature injurious or objectionable for the purpose intended. The solids portion of the mixture, when considered on the basis of solids content, shall consist principally of hydrated lime of a quantity and fineness sufficient to meet the following requirements:

   (a) Chemical composition. The solids content of the lime slurry shall have a hydrate alkalinity Ca(OH) of not less than 90 percent by weight.

   (b) Residue. The percent by weight of the residue in the solids content of the lime slurry shall conform to the requirements listed above for hydrated lime. The dry solids contents shall be at least 31 percent by weight of the slurry.

   (c) Mixing water. Only water from city water mains shall be used. Contractor will make arrangements
with the water department to obtain a meter and pay for water used.

(ii) Equipment. The machinery, tools and equipment necessary for proper execution of the work shall be on the project and approved by the inspector prior to the beginning of construction operations.

A. Hydrated lime shall be stored and handled in closed weatherproof containers until immediately prior to mixing with water to form a slurry consistency for application with the material to be stabilized. If storage bins are used they shall be completely closed. Hydrated lime in bags shall be stored in waterproof buildings with adequate protection from ground dampness.

B. If the lime is furnished in trucks, each truck shall have the weight of lime certified on public scales.

C. If the lime is furnished in bags, each bag shall bear the manufacturers certified weight.

D. Lime slurry machine. The use of a lime slurry machine (mixer) will be permitted. The lime slurry machine shall be capable of mixing and delivering an acceptable lime slurry suitable for use in the work, meeting all specification requirements.

3. Construction methods.

(i) Slurry placing. The required amount of lime, as shown on the plans, or as recommended by the materials engineering laboratory, at the city’s option, shall be mixed with water in trucks with approved distributors and applied as a thin water suspension or slurry. The lime slurry (including commercial lime slurry) shall be applied with a lime percentage meeting the limits and requirements as set out above. The distribution of lime at the rates shown on the plans, as directed herein, and/or as directed by the engineer, shall be attained by successive passes over the measured section of roadway until the proper moisture and lime content has been secured. The distributor truck shall be equipped with an agitator that will keep the lime and water at a uniform consistent mixture.

(ii) Dry placing.

A. The lime shall be spread by an approved spreader or by bag distribution at the rates shown on the plans or as directed by the engineer.
B. The lime shall be distributed at a uniform rate and in such manner as to reduce the scattering of lime by wind conditions such that blowing lime does not become objectionable to traffic or adjacent property owners. A motor grader shall not be used to spread lime.

C. The material shall be sprinkled as directed by the engineer, until the proper moisture content has been secured.

(iii) First mixing. The material and lime shall be thoroughly mixed by approved road mixers or other approved equipment, and the mixing continued until, in the opinion of the inspector, a homogeneous friable mixture of material and lime is obtained, free from all clods or lumps. Materials containing plastic clays or other material which will not readily mix with lime shall be mixed as thoroughly as possible at the time of the lime application brought to the proper moisture content and left to cure for one to four days as directed by the inspector. During the curing period, the material shall be kept moist as directed.

(iv) Final mixing.

A. After the required curing time, the material shall be uniformly mixed by approved methods. If the solid binder lime mixture contains clods, they shall be reduced in size by raking, blading, discing, harrowing, scarifying or the use of other approved pulverizing methods so that when all nonslaking material retained on the No. 4 sieve are removed, the remainder of the material shall meet the following requirements when tested dry by laboratory sieves:

- Minimum Passing 1¾-inch Sieve: 100 percent.
- Minimum Passing No. 4 Sieve: 60 percent.

B. During the interval of time between application and mixing, hydrated lime that has been exposed to the open air for a period of six hours or more or to excessive lose due to washing or blowing will not be accepted.

(v) If the total thickness of the stabilized subgrade material to be treated cannot be mixed in one operation, the previously mixed material shall be bladed to a windrow just beyond the area to be treated and the next layer mixed with lime (slurry) as specified above. The first layer of the treated material shall be compacted in
such a manner that the treated material will be mixed with the underlying material.

(vi) The lime slurry mixed material shall be sprinkled as necessary and rolled as directed by the inspector. All irregularities, depressions, or weak spots that develop in the grade shall be corrected immediately by scarifying the area affected, by adding or removing the material as required and reshaping and recompacting by sprinkling and rolling. The surface of the (subgrade) course shall be maintained in a smooth condition, free from undulations and ruts, until the base course and/or pavement is placed, or the work is otherwise accepted.

(vii) The stabilized subgrade course shall be sprinkled as required and compacted to an apparent dry density of not less than 95 percent of the dry density (standard density) of the samples of the stabilized materials as determined by the proctor compaction test (AASHO Designation: T99 and T-180 or ASTM Designation: D-698-70 and D-1557-70 with subsequent revisions).

4. Testing.

(i) The materials engineering laboratory will sample and evaluate the subgrade material in accordance with established criteria to determine the percent of hydrated lime (lime slurry form) that will be required and successfully used as chemical stabilizing agent to accomplish satisfactory work. These tests will include Atterburg limit determinations of the raw soil and evaluations of plasticity index and/or strength with varying amounts of lime required for the stabilizing additive.

(ii) The hydrate lime, in slurry form, mixtures will be sampled to establish the quality and compliances with the project plans and specifications. The moisture density relationship will be established in accordance with the specified procedures, AASHO Designation: T-99 and T-180 and/or ASTM Designation: D-698-70 and D-1557-70 with subsequent revisions.

(iii) The materials engineering laboratory will perform “in-place” the density and moisture tests of the “raw” or lime established subgrade soil to ensure that the required compaction is maintained during the construction operations.

(iv) The frequency for performing the tests shall be at least one moisture and density test for each 1,000 square yards of area.

(v) The testing shall be as outlined above. In addition to the requirements specified for density, the full depth of the stabilized material shown on the plans shall be compacted to the extent
necessary to remain firm and stable under construction equipment. After the subgrade (section) is completed, tests as necessary will be made. If the material fails to meet the density requirements, it shall be reworked to meet these requirements. Throughout the entire operation the shape of the subgrade course shall be maintained by blading, and the surface upon completion shall be smooth and in conformity with typical section shown on the plans and to the established lines and grades. Should the material, due to any reason or cause, lose the required stability, density and finish before base or pavement is placed, it shall be reconstructed and refinished at the sole expense of the contractor.

5. Finishing, curing and preparation for base course. After the lime treated subgrade has been compacted, it shall be brought to the required lines and grades in accordance with the plan typical sections. The completed section shall then be finished by rolling as directed with a pneumatic tire roller or other suitable roller sufficiently light to prevent hairline cracking. The complete section shall be moisture-cured for a period of one to four days, or as directed by the engineer. In cases where the stabilized subgrade sets up sufficiently to prevent objectionable damage from traffic, such sections of the completed subgrade may be opened to traffic two days after completion.


(i) Lime stabilized subgrade of the depth indicated on the plans shall be measured by the square yards completed with lime and accepted in place, to neat lines as shown on the plan typical cross section.

(ii) Approved truck and/or vehicles delivering lime slurry on the job site shall surrender on request, to the inspector, a certified weight certificate for verification of the truck-vehicle contents signed by the operator (public weigher) from a certified public truck scale. The weight of the lime slurry shall be calculated from the number of gallons of slurry applied to the subgrade material as directed by the engineer. The calculations shall be based on the percent of solids by weight of the lime in the slurry, as delivered and incorporated into the subgrade material.

c. Flexible base.

1. Materials. The material shall be crushed or uncrushed as necessary to meet the requirements hereinafter specified, and shall consist of durable stone or gravel, crushed and/or screened to the required particle size, with or without other approved fine sized materials. The material shall be from approved sources.

2. Testing.
(i) Testing of flexible base materials shall be in accordance with the following standard laboratory test procedures:

<table>
<thead>
<tr>
<th>Preparation for Soil</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Constants and sieve analysis</td>
<td>THD Tex 101E</td>
</tr>
<tr>
<td>Liquid limit</td>
<td>THD Tex 104E</td>
</tr>
<tr>
<td>Plastic limit</td>
<td>THD Tex 105E</td>
</tr>
<tr>
<td>Plasticity index</td>
<td>THD Tex 106E</td>
</tr>
<tr>
<td>Linear shrinkage</td>
<td>THD Tex 107E</td>
</tr>
<tr>
<td>Sieve analysis</td>
<td>THD Tex 110E</td>
</tr>
</tbody>
</table>

(ii) When requested by the engineer, samples for testing the material shall be taken prior to the compaction operation.

(iii) The flexible base will be composed of caliche calcareous limestone, calcareous or calcareous clay particles with or without stone, conglomerate, gravel, sand or granular materials.

(iv) Flexible base (Type D Grade 6) shall conform to the following requirements:

<table>
<thead>
<tr>
<th>Before Lime is Added</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Retained on Sq. Sieve</td>
<td>Percent Retained</td>
</tr>
<tr>
<td>2-inch</td>
<td>0</td>
</tr>
</tbody>
</table>
(v) If caliche base materials fail to meet the above requirements then the following shall apply:

A. Lime shall be added to un-limed material to meet the following requirements:


CBR at 95 percent (standard) maximum dry density: 60.

B. The material shall be well graded and when tested shall meet the requirements as outlined in TxDOT 1993 Standard Specifications, Items 247, Type A, Grade 1.

3. Placement.

(i) The flexible base material shall be placed on the approved subgrade in course not to exceed eight inches compacted depth. It shall be the responsibility of the contractor that the required amount of material shall be delivered and uniformly spread and shaped. All material shall be moved from the place where it is dumped by cutting into windrows. After the material has been cut into windrows, it shall be sprinkled, spread, shaped and rolled in proper sequence to prevent segregation and as necessary for required compaction.
(ii) The surface upon completion shall be smooth and in conformity with typical sections and to the established lines and grades. Any deviation in excess of one-quarter inch in cross section and 16 feet in length measured longitudinally shall be corrected. All irregularities, depressions, or weak spots that develop shall be corrected.

(iii) Flexible base shall be compacted to an apparent dry density of not less than 98 percent of the maximum dry density as determined in accordance with ASTM D698. Tests for density will be made within 24 hours after compaction operations are completed. If the material fails to meet the density specified, it shall be reworked as necessary to meet the density required. Prior to placing succeeding courses of flexible base or surfacing on a previously completed course, the moisture shall be no more than three percent above or below the optimum content. The in-place density and depth tests shall be made as desired by the engineer.

(iv) The base material, when compacted to 98 percent standard proctor density, shall be capable of passing a California Bearing Ratio (CBR) Test Value of 50 (80 for alternate limestone base). Prior to final acceptance, the testing laboratory will determine strength. Materials not meeting the strength requirements shall be removed and replaced.

(v) Samples for testing the material for soil constants, gradation and CBR shall be taken from production or stockpile as directed by the engineer.

d. **Prime coat.**

1. **Scope.** "Prime coat" shall consist of an application of asphaltic material on the completed base course and/or other approved areas in accordance with these specifications as directed by the inspector.

2. **Materials.** The asphalt materials for prime coat shall meet the requirements for Cut-Back Asphalt, MC-30, Item 300, "Asphalts, Oils, and Emulsions" of the Texas Highway Department Standard Specifications.

3. **Placement.** When, in the opinion of the engineer, the area and/or base is satisfactory to receive the prime coat, the surface shall be cleaned by sweeping or other approved methods as directed by the engineer. If directed by the engineer, the surface shall be lightly sprinkled with water just prior to application of the asphaltic material. The asphaltic material shall be applied on the clean surface by an approved type of self-propelled pressure distributor so operated as to distribute the prime coat at a rate not to exceed 0.20 gallon yard of surface, evenly and smoothly, under a pressure necessary for proper distribution. During the application
of prime coat, care shall be taken to prevent splattering of adjacent pavement, curb and gutters or structures. The entire caliche surface shall be covered with the prime coat. Any uncovered areas shall be manually covered in an approved method.

4. Curing.

(i) Prime coat shall not be applied when the air temperature is below 60 degrees Fahrenheit and falling, but may be applied when the air temperature is about 50 degrees Fahrenheit and is rising. The air temperature shall be taken in the shade and away from artificial heat. Asphaltic material shall not be placed when general weather conditions, in the opinion of the engineer, are not suitable.

(ii) The prime coat must cure for a minimum of 48 hours before the succeeding course is placed.

e. Hot mix asphaltic concrete pavement.

1. Scope.

(i) This item shall consist of a base course, a leveling-up course, a surface course or any combination of these courses as shown on the plans, each to be composed of a compacted mixture of mineral aggregate and asphaltic material. The mixture, when designed and tested in accordance with these specifications and methods outlined in Texas Highway Department Bulletin C-14, shall have the following:

<table>
<thead>
<tr>
<th>Density Percent</th>
<th>Stability Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum</td>
<td>95</td>
</tr>
<tr>
<td>Maximum</td>
<td>99</td>
</tr>
<tr>
<td>Optimum</td>
<td>97</td>
</tr>
</tbody>
</table>

(ii) The pavement shall be constructed on the previously completed and approved subgrade, base, existing pavement, bituminous surface or, in the case of a bridge, on the prepared.
floor slab, as herein specified and in accordance with the details shown on the plans.

2. **Materials.** Construction methods and materials used in hot-mix asphaltic concrete pavement shall meet the requirements as set forth in Item 340 "Hot Mix Asphaltic Concrete Pavement" (Type D) of the TXDOT 1993 Standard Specifications with the following addition: Application of hot-mix asphaltic concrete pavement shall not begin unless the temperature is at least 50 degrees Fahrenheit in the shade and rising.

3. **Testing.** The frequency of the following test will be as designed by the engineer. The tests include in-place density, stability, extraction and depth tests. All testing shall be provided by the contractor or the developer.

f. **Concrete curb and gutter/concrete valley gutter** (see section 109-233, Exhibit M). "Concrete curb and gutter" and "concrete valley gutter" shall consist of Portland cement combined concrete curb and gutter or separate concrete gutter or concrete valley gutter with or without reinforcing steel as required, constructed on an approved subgrade or foundation material in accordance with these specifications, in conformity with the lines and grades established by the engineer and details shown on the plans. Width of valley gutter will be as shown on the plans.

1. **Materials.**

   (i) The concrete mix will be designed with the intent of producing concrete which, when cured and tested, will have either compressive strength of flexural strength equal to or greater than the following:

   - **Maximum size aggregate:** 1.5-inch.
   - **Minimum cement:** 5 sacks.
   - **Compressive strength (pounds per square inch):**
     - Seven-day: 2,000.
     - Four-day: 400.
   - **Flexural strength (pounds per square inch):**
     - 28-day: 3,000.
     - Seven-day: 500.

   (ii) Fiber mesh (Polypropylene fibers) 1.5 pounds per cubic yard of concrete shall be added during mixing.
2. Construction methods.

(i) The subgrade or foundation shall be excavated and shaped to line, grade and cross section, and, if considered necessary in the opinion of the engineer, hand tamped and sprinkled. If dry, the subgrade or foundation material shall be sprinkled lightly immediately before concrete is deposited thereon.

(ii) Outside forms shall be of wood or metal, of a section satisfactory to the engineer, straight, free of warp and at a depth equal to the depth of the curb and gutter. They shall be securely staked to line and grade, and maintained in a true position during placement of approved material. They shall be of such design as to provide the curb required and shall be rigidly attached to the outside forms. Where specifically permitted by the engineer, the contractor may place concrete curb and gutter with an extension machine.

(iii) The reinforcing steel, if required, shall be placed in position as shown on the typical sections. Care shall be exercised to keep all steel in its proper location.

(iv) Concrete for curb and gutter and valley gutter shall be mixed in a manner satisfactory to the engineer. The curb and gutter and valley gutter shall be poured in sections of the lengths and thickness indicated on the plans, and each section shall be separated by a premoulded or board joint section.

(v) After the concrete has been struck and after it has become sufficiently set the exposed surfaces shall be thoroughly worked with a wooden float. The exposed edges shall be rounded by the use of an edging tool to the radius indicated on plans. All exposed surfaces of curb and gutter, valley gutter, or gutter shall be brushed to a smooth and uniform surface.

(vi) The completed curb and gutter, valley gutter, or gutter shall be thoroughly sprayed with a curing compound containing a fugitive dye, satisfactory to the engineer.

(vii) The curb and gutter shall be backfilled to the full height of the concrete, tamped and sloped as directed.

3. Testing.

(i) Concrete shall be tested during the progress of work. Beam test samples in sets of two or three cylinders will be made in accordance with Texas Highway Department Bulletin C-1.
(ii) A test shall be made to represent each 60 cubic yards of concrete when continuous pouring is done or each 25 cubic yards when inlets, riprap, etc., are being poured. Minimum strength requirements will be as shown above in these specifications.

(2) Backfill and excavation. For details see section 109-234, Exhibit N.

a. General. Excavation shall conform to the line and grades shown on the plans or as directed by the engineer.

b. Disposal of excavation. All material from excavation operations not required for backfilling will become the property of the contractor. All surplus material shall be removed from the work site promptly following the completion of the portion of structure involved and disposed of in a manner satisfactory to the engineer.

c. Excavation in streets. Where the structures are installed in streets, highways or other paved areas, the work shall include the cutting of pavement and base to neat lines and the restoration of pavement structure after structural excavation and backfill are completed. The type and thickness of replacement materials shall be as shown on the plans. Any work done or any damage to the base and/or pavement incurred outside the limits shown on the plans or authorized by the engineer shall be restored at the contractor's expense.

Maintenance and control of traffic shall be in accordance with the approved traffic control plan and the Texas Manual on Uniform Traffic Control Devices.

d. Protection of utilities.

1. The contractor shall conduct his work with a minimum disturbance of existing utilities and it shall be his responsibility to coordinate all work in or near the utilities with the utility owners. The contractor shall inform utility owners sufficiently in advance of his operations to enable them to identify and locate, reroute, provide temporary detours, or to make other adjustments to the utility lines in order that work may proceed with a minimum of delay. The contractor shall cooperate with all utility owners concerned for any utility adjustments necessary.

2. Particular care shall be exercised to avoid the cutting or damaging of underground utility lines that are to remain in place. Such lines, if damaged, shall be restored promptly. When active sanitary sewer lines are cut during excavation operations, temporary flumes shall be provided across the excavation while open, and the lines shall be restored when the backfilling has progressed to the original bedding lines of the cut sewer.

e. Removing old or abandoned structures. When old or abandoned structures or foundations are encountered in the excavation, such obstruction shall be removed for the full width of the excavation and to a depth of one foot below the bottom of the excavation. When old inlets or manholes are encountered and no
plan provision is made for adjustment or connection to new structure, such manhole and/or inlet shall be removed completely to a depth of one foot below the bottom of the excavation. In each instance, the bottom of the excavation shall be restored to grade by backfilling and compacting by the methods provided hereinafter for backfill. Where the excavation cuts through abandoned sewers, these sewers shall be removed as required to clear the new structure and plugged in a manner approved by the engineer.

f. **Backfill.**

1. Initial backfill from the bottom of the ditch to the top of the box culvert shall be placed in six-inch layers (loose measure) and consolidated by jetting. Water jets shall be long enough to reach through the material being tamped. Backfill below top of box culvert shall be placed and compacted along sides of the box culvert equally to prevent strain on or displacement of the box culvert. It is the intent of this specification that water tamping shall continue until all cavities have been eliminated and the material is completely consolidated. When the density is not shown on the plans, compaction shall be 95 percent standard proctor density (ASTM D-698).

2. Final backfill from a level at the top of the box culvert to the top of the subgrade shall be placed in six-inch layers (loose measure) and mechanically tamped to the density shown on the plans. When the density is not shown on the plans, compaction shall be 95 percent standard proctor density (ASTM D-698).

3. Unless otherwise shown on the plans, suitable material selected from the excavation shall be used for this portion of the backfill. Material selected shall be free of large lumps or clods, which will not readily break down under compaction. Sand must meet the requirements of no more than 20 percent passing 200 sieve, or pre-approved equal by the city engineer.

(3) **Driveways and curb cuts.** For details, see figures in section 109-235, Exhibit O.

a. Residential driveways may be a maximum of 12 feet wide for a single drive, or 24 feet for a double drive. Commercial driveways which are one-way drive cuts are to be no more than 24 feet in width. Two-way drive cuts maximum width vary depending on front footage (see table in section 109-235, Exhibit O). Full radius requirements shall apply to all commercial driveways.

b. Specifications for concrete curb as described in subsection (1) of this section shall apply for all concrete work.

(4) **Storm drainage.** For details, see figures in section 109-236, Exhibit P.

a. **Reinforced concrete pipe storm sewers.** This specification shall govern for furnishing all plant, labor, equipment, supplies, materials and performing all
operations required to complete the precast reinforced concrete pipe storm sewers of the sizes shown on the plans in accordance with the specifications herein.

1. **Materials.**
   
   (i) **Pipe.**
   
   A. All pipe shall conform to the standard specification for reinforced concrete culvert pipe, ASTM Designation C-76, latest edition (Class III, Wal E) for standard strength pipe. Pipe joints shall be the tongue and groove, bell and spigot type.
   
   B. In addition to the tests specified in governing ASTM specification, the pipe shall be subject to inspection by the engineer after delivery and immediately before being laid. Sections not meeting the specification requirements shall be rejected, plainly marked by the engineer, and such sections shall be promptly removed from the site by the contractor and replaced with acceptable pipe at his expense.
   
   (ii) **Concrete.** All concrete required for connections, encasement, or other details shown on the drawings shall have a minimum compressive strength of 3,000 psi at 28 days and shall conform to the requirements of the ACI Codes.
   
   (iii) **Jointing material.** All jointing material shall be “Talcote” cold plastic sewer joint compound No. 052 as manufactured by American Petrofina, Dallas, Texas, or approved equal. Primer shall be “Talcote” asphalt primer No. 041 or approved equal. A single gasket of “Ram-Nek” plastic joint material applied in accordance with the manufacturer recommendation will be accepted as equal.

2. **Construction methods.**

   (i) **Excavation, general.** All excavation for storm sewers shall be performed at such time and in such sequence as to present the least interference with other items of the work and to permit installation of storm sewers for drainage of roadways at the earliest practicable time.

   (ii) **Excavation in streets.** Excavation in existing streets or alleys shall be executed in such a manner as to result in a minimum of interruption to traffic.

   (iii) **Trenches.**
A. Unless otherwise specified, all storm sewers shall be constructed in open cut trenches with vertical sides. All trenches shall be sheathed and braced to the extent necessary to maintain the sides of the trench in a vertical position under all conditions. Trenches adjacent to railroad tracks, along streets or alleys, or in any other location where slides or cave-ins could damage or endanger adjoining property or installations, shall be sheathed and braced in a manner approved by the engineer within 24 hours following completion of each section of excavation. Security of the sheathing and bracing shall be the responsibility of the contractor, but shall be subject to the approval of the engineer.

B. The minimum width of trench for pipe storm sewers shall be the outside diameter of the pipe plus two feet and the maximum width shall be the outside diameter of the pipe plus three feet. The bottom of the trench shall be excavated to the shape of an arc of a circle to provide full support for the lower third of each pipe.

(iv) De-watering trench. No storm sewer shall be constructed or laid in a trench in the presence of water. All water shall be removed from the trench sufficiently ahead of the pipe placing operation to ensure a dry, firm bed on which to place the storm sewer pipe. The trench shall be maintained in an unwatered condition until all concrete and mortar is set. Removal of water may be accomplished by bailing, pumping, or pumping in connection with a well-point installation or as the particular situation may warrant.

(v) Removing existing structures. Where old masonry structures or foundations are encountered in the excavation they shall, unless otherwise provided, be removed for the full width of the trench and to a depth one foot below the bottom of the trench. In each case, the bottom of the trench shall be restored to grade by backfilling with selected backfill material and compacted by the methods provided hereinafter for initial backfill. Where the trenching operations cut through storm or sanitary sewers which are known to be abandoned, these sewers shall be cut off flush with the sides of the trench and plugged with concrete in a manner satisfactory to the engineer.

(vi) Protecting utilities. The contractor shall so conduct this work as to result in a minimum of disturbances to existing utilities. Particular care shall be exercised to avoid breaking water and gas lines. Such lines, if broken, shall be promptly restored by the contractor at his expense. When active sanitary sewer lines above
the storm sewer pipe are cut in the trenching operation, temporary flumes shall be provided across the trench and the lines shall be restored at the contractor’s expense when backfill has progressed to the original bedding lines of the sewer so cut.

(vii) Disposition of excavated materials. Excavated material shall be used for backfill except under pavements unless noted otherwise on the drawings. When disposal areas are not indicated on the drawings, all excess excavated material shall become the property of the contractor to dispose of as he wishes, without injury to the owner or any individual. Such excess material shall be removed from the site promptly following the completion of the portion of sewer involved.

(viii) Laying pipe.

A. No pipe shall be laid in the trench until the bedding and condition of the trench has been approved by the engineer. The trench shall be free of water and maintained in that condition until the pipe has been laid and the joints have been completed.

B. The contractor shall, at his own expense, furnish and place in position, as directed by the engineer, all the necessary batter boards for controlling the work. The batter boards shall be of such size timber as the engineer directs and shall be substantially supported. The boards and all location stakes must be protected from drainage or change of location. The contractor shall also furnish, at his own expense, good sound twilled lines for use in giving lines and grades, and the necessary glummets and graduated poles of a form approved by the engineer.

(ix) Jointing. All pipe shall be closely jointed and sealed with plastic sewer jointing compound, so placed as to form a durable watertight joint. Jointing material shall be applied in strict accordance with the manufacturer’s instructions and recommendations. The annular space of the joint is to be completely filled with jointing material unless directed otherwise by the engineer. Excess plastic jointing compound shall be struck off the inside of the pipe to achieve a smooth interior surface. After placement, any pipe which is not in true alignment which shows any undue settlement after laying, or is damaged, shall be taken up and re-laid or replaced, as may be required, without extra compensation.

(x) Connections.
A. Where pipe storm sewers are connected to manholes, inlets or headwalls, and the section of pipe making the connections cannot be set flush with the inside wall face, the pipe shall be set or cut a minimum of three inches short of a junction with that face and the inside pipe diameter formed to complete the intersection.

B. Stub ends for the connection of future storm sewer pipe not included in this contract shall be furnished by inserting a suitable plug, of a design acceptable to the engineer, into the free end of the pipe and mortaring it into place to form a watertight end which may be readily removed for future connections.

(xi) Embedment and backfill.

A. Initial backfill:

(a) Backfill from the bottom of the ditch to the spring line of the pipe shall be mechanically tamped. When a density is not shown on the drawings, compaction shall be 95 percent standard proctor density (ASTM D-698).

(b) Approved river sand compacted to 95 percent standard proctor density shall be used for this portion of the backfill and embedment. Material will be subject to approval by the engineer. Backfill below the top of the pipe shall be placed and compacted along the sides of the pipe equally to prevent strain on, or displacement of the pipe.

B. Final backfill. The contractor shall have the option of either mechanically tamping or water tamping the final backfill as follows:

(a) Mechanically tamped. Backfill from a level at the top of the pipe to subgrade or ground surface shall be placed in layers and mechanically tamped to the density shown on the drawings. When a density is not shown on the drawings, compaction shall be 90 percent standard proctor density (ASTM D-698) throughout the fill and 95 percent standard proctor density in the final 12 inches of the fill. Unless shown otherwise on the drawings, suitable material selected from the excavation shall be used for this portion of the backfill and embedment. The material selected shall be free of large lumps or cuds, which will not readily break down under compaction.
be subject to approval by the engineer. Tractors for pulling rollers used to obtain compaction shall have a weight not exceeding eight tons.

(b) Water tamped. Backfill shall be with the excavated material approved for backfilling, not containing clogs larger than 2 1/3 inches in diameter. Compaction shall be with water by jetting in combination with ditch tamping machines or other approved compactors. After the final lift has been jetted, 12 hours shall be allowed for the reduction of the materials moisture content. When the backfill moisture content is acceptable, the surface shall be compacted to the required density by the material being tamped. It is the intent of this specification that water tamping shall continue until all cavities have been eliminated and the material is completely consolidated. When a density is not shown on the drawings, compaction shall be 95 percent standard proctor density (ASTM C-698).

b. Storm sewer inlets. This specification shall govern for furnishing of all materials and the construction of inlets composed of concrete constructed in conformity with the requirements of this specification and the lines, grades, and dimensions shown on the plans or established by the engineer. Special care shall be taken in the construction of the inlets to ensure the proper installation of the outlet pipe as provided for the respective inlets as shown on the plans. Inlet bottoms shall be shaped to provide proper slope to the outlet pipe.

1. Materials.

   (i) Inlets shall be constructed of 3,000 psi concrete conforming to requirements of the TxDOT standard specifications for reinforced concrete structures.

   (ii) Reinforcing steel shall conform to requirements of Standard Specifications 420 and ASTM A-432.

   (iii) The manhole rings and covers shall be of the sidewalk type Alamo Iron Works #860-93, or equal, and shall have the seating surfaces of ring and cover machined in order to secure a snug fit.

2. Excavation. The contractor shall do all necessary excavation for the various inlets. Such excavations shall be of sufficient size as to permit the proper installation of the base and wall forms, and allow room for the stripping of such forms. All such excavating shall conform to the size and dimensions as shown on plans plus a maximum of four feet to permit working room. Care shall be taken to ensure that the excavation is not carried to a greater depth than required. If it becomes necessary to shore
the walls of the excavated area, such shoring shall be of two-inch material and shall be braced in such manner as to ensure support of the walls and permit the construction of the inlet itself without necessitating the removal of any shoring until such time as the entire inlet is completed. No shoring shall be left or backfilled around unless authorized by the engineer. Shoring shall remain in place at least 24 hours after concrete work has been completed.

3. Construction.

   (i) Inlets shall be constructed of 3,000 psi concrete. Forms shall be constructed of either wood or metal. If wood is used, the material shall be of the standard type used for such construction. The forms shall be built true to line and grade and conforming to the dimensions for inlets shown on the plans. All inserts and openings shall be so formed that the concrete will not be injured when the forms are stripped. The forms shall be so braced and tied as to prevent spreading or bulging and shall meet the approval of the engineer before placing the concrete. Forms shall remain in place a minimum of 24 hours after the concrete is placed before being stripped and shall be removed within a maximum of seven days after completion of the work.

   (ii) Reinforcing steel shall conform to the details shown on the plans as to size, length, and location.

   (iii) The bottom of inlets shall be shaped to provide proper slope to the outlet pipe. All pipes shall be cut to fit the inside surface of the wall and particular attention shall be given to providing watertight joints between the pipes and walls. After the walls have been furnished, the bottom of the inlet shall be shaped to conform to the details shown on the plans by the use of additional concrete.

   (iv) Where existing inlets are to be adjusted to new lines and grades, the surface of such inlets, which will be in contact with new construction, shall be thoroughly cleaned and coated with "Weldcrete," or equal, before new concrete is placed. Requirements of materials and construction, as herein specified, shall govern for adjusting or rebuilding existing inlets. The new portion of adjusted inlets shall conform to the dimensions as shown on the inlet details of the plans as near as possible.

4. Backfilling. Backfill will be with sand at streets areas, and excavated material behind curb. Backfilling adjacent to inlets shall begin as soon as the concrete has been cured in accordance with these specifications and the forms and the shoring have been removed. Backfill shall be placed in layers of not more than six inches depth, wetted or dried to approximate optimum moisture content and compacted by mechanical hand tampers.
to 95 percent standard proctor density, as determined by AASHO Standard Method T99-49.

(5) Sidewalks. If there is any conflict of the specifications contained herein, those in chapter 40, article VI, shall prevail. For details, see figures in section 109-237, Exhibit Q.

a. Construction methods.

1. Conventionally formed concrete. Prior to sidewalk construction, the subgrade, foundation or pavement surface shall be shaped to the line, grade and cross section shown on the plans and, if considered necessary by the engineer, hand tamped and sprinkled. When directed by the engineer, the subgrade or foundation material shall be sprinkled lightly immediately before the concrete is deposited thereon.

2. Forms, where needed, shall be of wood or metal, of a section satisfactory to the engineer, straight, free of warp and of the depth required. They shall be securely staked to line and grade and maintained in a true position during the placing of the concrete.

3. The reinforcing steel shall be placed in a position as shown on the plans. Care shall be exercised to keep all steel in its proper location during concrete placement.

4. Sidewalks shall be constructed in sections of the lengths shown on the plans. Unless otherwise shown on the plans or approved by the engineer, no section shall be less than eight feet or more than 40 feet in length. Sections shall be separated by premolded or board joint of the thickness shown on the plans, placed vertically and at right angles to the longitudinal axis of the sidewalk. Where the sidewalk abuts a curb or retaining wall, approved expansion material shall be placed along their entire length. Similar expansion material shall be placed around all obstructions protruding through sidewalks. Sidewalks shall be marked every four feet in length, by the use of approved jointing tools. Each day’s production will be terminated at an expansion joint.

5. The clear width for walkways should be free of all trees, signs, utility poles, hydrants, parking meters, planters, newspaper boxes, and other similar appurtenances.

b. General.

1. The completed work shall be cured for a period of not less than 72 hours.

2. Regardless of the method of construction, hand finishing will be permitted. All wheelchair ramps shall be in conformance with the details shown on the plans.
(6) **Streetlights.**

   a. Installation. Streetlights shall be installed at the cost of the subdivider to city standards at all street intersections within the subdivision, at cul-de-sac ends and mid-block if the block exceeds 600 feet in length.

   b. Wattage of all bulbs shall be 250 watt.

   c. High pressure sodium lamps with a single arc tube shall be used with a type "M" ballast and a nickel/brass base.

(7) **Fire hydrants.** For details, see figures in section 109-238, Exhibit R M.

   a. Private hydrants located on public streets should be painted red or some other color to distinguish them from public hydrants which shall be yellow.

   b. Standard fire hydrants shall be Mueller (Super Centurion 250 A-423) or American Darling B-84-B only.

   c. Installation.

      1. Oil shall be placed in hydrant at the time of installation.

      2. Pumper nozzle shall face roadway. (4.5 inches N.S.T.)

      3. In certain instances, where distances permits, a parallel tee or union-tite 90 degree elbow with restraining lugs may be used in lieu of a standard tee. Final approval is required by Harlingen Waterworks System.

      4. If American Darling Model B-84-B is used, coat valve plate and interior shoe with epoxy.

      5. All valves, fittings, valve boxes, meter boxes, covers and other accessories will be of domestic origin and approved by Harlingen Waterworks.

      6. Tapping sleeves must have stainless steel bolts and nuts.

   d. Single-family homes may be constructed in the ETJ on a one lot subdivision on lots of one to 9.99 acres in size without the requirement to install a fire hydrant, provided the property/homeowner agrees to and signs a notarized affidavit indemnifying and holding the City of Harlingen harmless of any liability that might occur to the subject property, due to fire or any other incident that would require a fire hydrant to assist the City of Harlingen in dealing with the fire or incident.

(8) **Water facilities.** For details see figures in section 109-239, Exhibit S N.

   a. Public water systems.
1. Where potable water is to be supplied to a subdivision by connection to Harlingen Waterworks System, the distribution system within the subdivision shall be designed and constructed in accordance with the minimum criteria set forth in 30 TAC ch. 290, subch. D, and the standards and requirements of the Harlingen Waterworks System.

2. Where potable water is to be supplied by 30 TAC ch. 290, subch. F, a written statement by the water purveyor must be provided that indicates the water purveyor agrees to provide potable water to the development at the demand, both daily and peak flow rates, for a minimum period of 30 years.

b. Non-public water systems. Where individual wells are proposed for the supply of potable water to any residential lot within the subdivision, the following conditions and requirements shall be observed:

1. Existing wells within a one-quarter mile radius of the subdivision or a test well or wells shall be drilled and the waters sampled and submitted to a private laboratory for a complete chemical and bacteriological analysis of the parameters on which there are potable water standards. The results of such analysis shall be made available to prospective property owners and copies of the laboratory results shall be provided the city and Harlingen Waterworks.

2. The water quality of individual wells must, after treatment, meet the standards of quality for community water systems established by 30 TAC ch. 290, subch. F.

3. If additional treatment is necessary to provide water meeting the above standards for potable water, a report of such treatment shall accompany the laboratory results.

c. Reinforced concrete low-head pressure pipe (for irrigation). Concrete or PVC pipes may be used, but must meet the specifications as set out by the Harlingen Irrigation District.

(9) (4) Sanitary sewer facilities. For details see figures in section 109-240, Exhibit T O.

a. Organized wastewater facility.

1. Connection to Harlingen Waterworks' wastewater system shall be required except where Harlingen Waterworks determines such connection will require unreasonable expenditure when compared with other methods of wastewater disposal.

2. Subdividers Developers who propose the development of an organized wastewater collection and treatment system must obtain a permit to dispose of wastes from the TNRCC in accordance with to 30
TAC ch. 305 and obtain approval of engineering planning materials for such systems under 30 TAC ch. 217 and from the state.

3. **Subdividers Developers** who propose to dispose of wastewater by connecting to an existing permitted facility must provide a written agreement with the permittee. The agreement must accommodate the total flow anticipated from the ultimate development and occupancy of the proposed subdivision for a minimum of 30 years. Engineering plans for the proposed wastewater collection lines must be in accordance with state rules and approved by the water provider prior to construction.

b. *On-site facilities.*

1. On-site facilities which serve single-family or multifamily residential dwellings with anticipated wastewater production of 1,000 or more gallons per day must be designed by a registered professional engineer or registered professional sanitarian.

2. Proposals for on-site sewerage facilities for the on-site disposal of sewage in the amount of 5,000 gallons per day or greater must be presented to the state for determination of the necessity for a wastewater permit from that agency. Each such disposal facility must be designed by a registered professional engineer.

3. On-site sewerage facilities not required to obtain a wastewater permit from the state must apply for and receive a permit from the Texas Department of Health or its authorized agent as required by the procedures established in 30 TAC ch. 285.

4. The Texas Department of Health or its authorized agent shall review proposals for on-site sewage disposal systems and make inspections of such systems as necessary to ensure that the system is in compliance with Texas Health and Safety Code ch. 366 and TAC ch. 285 and any additional applicable rules. In addition to the unsatisfactory on-site disposal systems prohibited by the state, pit privies and portable toilets are not acceptable waste disposal systems for lots platted under these rules.

(Code 1997, § 156.046; Ord. No. 01-01, § 4.6, 1-3-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 11-30, § 1, 7-20-2011)

**Sec. 109-130 128. - Construction inspection documents and construction inspection.**

(a) During construction of the subdivision improvements, periodic inspection of the quantities and quality of workmanship of the construction shall be provided by the city to oversee compliance with the plans and specifications, as provided, for those improvements that will be dedicated for public use.
(b) A preconstruction meeting shall be held with the engineering department representative of the city to discuss construction specifics and requirements for every subdivision.

(c) The developer shall ensure that the construction contractor notifies the engineering department of key construction activities, milestones and testing appointments to allow for the witnessing of said activities by city inspection personnel.

(d) All testing shall be paid for by the developer and copies of the test reports shall be provided to the city engineer for review.

(e) Any field modifications shall be reported to the city engineer or inspection personnel. Final acceptance of any changes from plans and specifications shall be approved by the city engineer or duly authorized representative.

(a) Subdivision construction document submission process. Construction documents shall be produced by an engineer or surveyor as applicable and shall be submitted in a format as directed by the City Engineer and/or HWWS to the Department of Planning and Development. Content and submittal information shall conform to the City of Harlingen Subdivision Development Guide. This manual is available online at the City of Harlingen website.

(b) Construction inspection. At all times throughout the construction process, the City shall be provided reasonable access to any areas where public improvements are being constructed.

(1) During construction of the subdivision improvements, periodic inspection of the quantities and quality of workmanship of the construction shall be provided by the City to oversee compliance with the plans and specifications, as provided, for those improvements that will be dedicated for public use.

(2) The developer shall ensure that the construction contractor notifies the engineering department and HWWS (as applicable for water and sewer infrastructure) of all key construction activities, milestones, and testing appointments to allow for the witnessing of said activities by city inspection personnel. A minimum time of 24-hours preceeding the event or as coordinated through the City or HWWS inspector shall be required for all notifications. Inspections are to be scheduled during normal hours Monday through Friday 8:00 a.m. to 4:00 p.m.

(3) All geotechnical and other testing shall be paid for by the developer. Copies of all test reports shall be provided to the City Engineer and HWWS (as applicable). The City of Harlingen reserves the right to hire the geotechnical firm to undertake the subdivision’s testing or for additional testing. Materials installed by the developer must meet the requirements in the specifications or as approved by the City Engineer or HWWS (as applicable). The developer’s geotechnical engineering firm must be approved by the City of Harlingen.
Any field modifications shall be immediately reported to the City Engineer, HWWS (as applicable) or their respective inspection personnel and a record of all field changes shall be kept by the contractor on-site. Final acceptance of any changes from plans and specifications shall be approved by the City Engineer or HWWS (as applicable) or their duly authorized representative.

(Code 1997, § 156.047; Ord. No. 01-01, § 4.7, 1-3-2001)

Sec. 109-131 129. - Final acceptance.

Upon completion of construction, a request for final inspection walk through shall be submitted. After final inspection by city inspection personnel and having satisfied the final punchlist with all pending items complete to the satisfaction of the City Inspector, the subdivider developer and Department of Planning and Development shall be notified in writing by the City Engineer and HWWS of acceptance or rejection of the construction. Once accepted a letter of construction warranty for a minimum period of one year is required from the contractor(s) prior to final acceptance by public entity the City and HWWS. Additional requirements prior to final acceptance include the designer's certification of completion, contractor(s) affidavit(s) and waiver of lien(s), bill of sale, the contractor(s) guarantee, submission of “as-built” drawings from a licensed surveyor, submission of “red-line” drawings from the project engineer, copies of all applicable material tickets, inspection reports, and geotechnical test reports or other items as specified by the City Engineer or HWWS.

(Code 1997, § 156.048; Ord. No. 01-01, § 4.8, 1-3-2001)

Sec. 109-132 130. - Warranty period inspection required.

(a) A follow-up inspection of construction improvements is to be scheduled by the Engineering/Public Works Departments and HWWS prior to the end of the one-year warranty period. This inspection is to be requested coordinated by the designing developer's engineer for final release of liability.

(b) Street Pavements shall be inspected for unwanted depressions. Any depressions which retain water in any area with any dimension greater than 12 inches and a water depth greater than one-eighth of one inch (measurable anywhere in the depression) is considered an unwanted depression. These areas shall be repaired so as not to retain water in a manner approved by the City Engineer.

(c ) Any cracks which appear prior to acceptance and at any time during the one-year period shall be promptly repaired in a manner approved by the City Engineer. In general, an approved rubberized tar sealer neatly applied to the cracks will be accepted.
(d) If the contractor fails to repair depressions, cracks and other problems outlined by the warranty calls within 30 days after notification, the bonding company will be notified and asked to remedy the problem.

(e) The contractor must also address any deficiencies associated with the subdivision's water and wastewater system to the satisfaction of HWWS.

(Code 1997, § 156.049; Ord. No. 01-01, § 4.9, 1-3-2001)

ARTICLE VI. - FINANCIAL GUARANTEE OF PERFORMANCE

Sec. 109-163. - Acceptable forms of guarantee.

(a) If the subdivider chooses to file a letter of credit or bond in lieu of completing construction prior to final plat approval, he may utilize either of the following methods of posting security conditioned that such improvements will be completed within 12 months after approval of such plat. The plat shall not be recorded until the subdivider files with the department of planning and development one of the following securities in an amount of the total cost of improvements required, plus ten percent. The cost of such improvements shall be as estimated by the subdivider’s engineer with final acceptance of amount made by the city engineer and/or the waterworks manager or authorized designee. If a developer wishes to record a subdivision plat prior to completing construction of required public improvements, the developer shall provide a financial guarantee of performance ensuring sufficient funds or a surety commitment will be available to construct the required public improvements. The plat shall not be recorded until the developer posts the guarantee with the Department of Planning and Development.

(b) Any bond and any letter of credit deviating from the sample format shown in section 109-227, Exhibit G, shall be submitted for approval as to form and legality by the city attorney. The developer may use either of the following forms of security for posting the guarantee:

(1) Irrevocable letter of credit

(2) Surety bond

(Code 1997, § 156.060; Ord. No. 01-01, § 5.1, 1-3-2001)

Sec. 109-164. - Irrevocable letter of credit General requirements for security.

Irrevocable letters of credit must meet the following requirements:

(1) Must be from an institution that is federally insured;

(2) The letter of credit shall list as sole beneficiary the city and shall not expire before 15 months from the date of plat recordation;

(3) The letter of credit shall be conditioned upon installation or construction of all facilities and improvements meeting the criteria established under this article within 12 months from the date the plat is approved by the planning and zoning commission;

(4) Where good cause exists, the city commission may extend the period of time for completion for an additional period of time not to exceed 12 months if the subdivider has not completed the required site improvements or completed such improvements in compliance with this article. Any extension of time granted for construction of
improvements shall be accompanied by a revised letter of credit reflecting the time extension;

(5) A sample format of an approved letter of credit is available in section 109-227, Exhibit G; and

(6) Any proposed subdivision of land located within the extraterritorial jurisdiction of the city presented for approval by the planning and zoning commission shall meet the requirements of this section and any surety bond or irrevocable letter of credit required under this section shall be made payable to the city and Cameron County and the specifications attached to such surety bond or letter of credit for such subdivision shall conform to all applicable subdivision regulations of the city and Cameron County.

(a) The security shall be in an amount equal to the total cost of the public improvements plus an additional thirty (30) percent. The cost of public improvements shall be as estimated by the developer’s engineer with final acceptance of the amount made by the City Engineer in coordination with HWWS. The security instrument shall include a breakdown identifying amounts applicable to water and sewer improvements and amounts applicable to other public improvements.

(b) Construction documents for the public improvements defining the standard of performance shall be made part of the security instrument and shall conform to all applicable subdivision regulations of this chapter, the conditions of subdivision approval, and design standards of the City of Harlingen and HWWS.

(c) The security shall not expire until construction has been accepted by the City Engineer and HWWS, and shall be conditioned upon completion of all public improvements in accordance with the criteria established and referenced under this chapter within 12 months from the date the plat is recorded. Where good cause exists, the City Commission may extend the period of time for completion for an additional period of time not to exceed 12 months if the developer has not completed the required public improvements in compliance with this chapter.

(d) The security shall be issued for a term of 15 months. Any extension of time granted for construction of improvements shall be accompanied by a revised surety bond or letter of credit, as applicable, reflecting the time extension granted plus three months; failure of the developer to obtain an extension for incomplete work shall authorize the city to file claim on the security.

(e) For subdivisions within city limits or those in the ETJ for which the developer has formally requested annexation into the City of Harlingen, the security shall identify the City of Harlingen as sole beneficiary.

(f) For subdivisions wholly within the city’s extraterritorial jurisdiction for which the developer has not formally requested annexation into the City of Harlingen, the security shall:

(1) identify the City of Harlingen and Cameron County as beneficiaries; or
(2) identify HWWS as beneficiary related to water and sewer improvements and Cameron County as beneficiary related to all other public improvements. Naming of Cameron County as beneficiary in lieu of the city related to public improvements other than water and sewer shall be conditioned upon the city having previously executed an interlocal agreement with Cameron County that imposes the obligation on the county to:

a. Accept bonds, letters of credit, or other financial guarantees that meet the requirements of this section;

b. Execute the construction agreement with the developer; and

c. Assume the obligations to enforce the terms of the financial guarantee under the conditions set forth therein and complete construction of the facilities identified in the construction agreement.

(g) Any surety bond or letter of credit must be reviewed and approved by the city attorney.

(Code 1997, § 156.061; Ord. No. 01-01, § 5.2, 1-3-2001)

Sec. 109-165. - Surety bonds Irrevocable letter of credit.

Surety bonds must meet the following requirements:

(1) The bond or financial guarantee shall be payable to the city.

(2) The bond shall be executed with sureties as may be approved by the city. The city shall establish criteria for acceptability of the surety companies issuing bonds that include, but are not limited to:

a. Registration with the secretary of state and authorization to do business in Texas;

b. Authorization to issue bonds in the amount required by the city commission; and

c. Rating of at least B from Best's Key Rating Guide; or if the surety company does not have any such rating due to the length of time it has been a surety company, the surety company must demonstrate eligibility to participate in the surety bond guarantee program of the small business administration and must be an approved surety company listed in the current United States Department of the Treasury Circular 570. Such bonds shall meet the criteria contained in the rules and regulations promulgated by the United States Department of Treasury.

Irrevocable letters of credit submitted as financial guarantee shall:

(1) be issued by an institution that is federally insured;
(2) be in a form similar to the sample format shown in section 109-227, Exhibit G.

(Code 1997, § 156.062; Ord. No. 01-01, § 5.3, 1-3-2001)

Sec. 109-166. - **Performance guarantee Surety bond.**

(a) In most cases a contractor's one-year written warranty on improvements will suffice for a performance guarantee.

(b) If a contractor has performed unsatisfactory work in the past on a public improvement project, the city may require a security filed by the subdivider in an amount equal to 25 percent of the cost of the improvements required as estimated by the city engineer and the waterworks system manager conditioned that the subdivider will warrant such improvements in good condition for a period of 12 months after final acceptance of the completed construction by the director of public works and waterworks system manager, as provided in article V of this chapter. Security shall be submitted for approval as to form and legality by the city attorney.

Surety bond posted as financial guarantee must meet the following requirements:

(1) The bond shall obligate the surety to cause construction of the required public infrastructure to be completed in accordance with the requirements of this chapter. Any option in the bond for cash payout to the city shall stipulate the amount shall be 130 percent of the approved estimated cost of construction.

(2) In lieu of a surety bond provided by the developer, a construction performance bond provided by the developer's contractor conforming to the requirements of this article shall also be acceptable.

(3) The bond shall be executed with sureties acceptable to the City of Harlingen. The City of Harlingen shall establish criteria for acceptability of the surety companies issuing bonds, which criteria may include without limitation:

a. Registration with the secretary of state and authorization to do business in Texas;

b. Authorization to issue bonds in the amount required; and

c. Rating of at least B from Best's Key Rating Guide; or if the surety company does not have any such rating due to the length of time it has been a surety company, the surety company must demonstrate eligibility to participate in the surety bond guarantee program of the small business administration and must be an approved surety company listed in the current United States Department of the Treasury Circular 570. Such bonds shall meet the criteria contained in the rules and regulations promulgated by the United States Department of Treasury.
Sec. 109-167. - Alternative to financial guarantee

The city may approve a final plat under this section without receiving a financial guarantee in the name of the city if:

(1) The property being subdivided lies wholly within the ETJ; and

(2) The city has executed an interlocal agreement with the county that imposes the obligation on the county to:

   a. Accept the bonds, letters of credit, or other financial guarantees that meet the requirements of this section;

   b. Execute the construction agreement with the subdivider; and

   c. Assume the obligations to enforce the terms of the financial guarantee under the conditions set forth therein and complete construction of the facilities identified in the construction agreement.

ARTICLE VII. - COST PARTICIPATION

Sec. 109-188. - Developer.

(a) Except for private subdivisions, all streets, utilities, and improvements within the city limits shall become the property of the City of Harlingen and/or Harlingen Water Works upon completion and acceptance. All water and sewer utilities shall become the property of the water and/or wastewater utility in whose CCN the subdivision is located.

(b) The developer shall, at the developer's expense, construct all improvements, both on site and off site, required by this section and including any streets, water distribution system, water pumping stations, sewage sanitary sewers and lift stations, bridges, major drainage structures, and other improvements required to service the development proposed subdivision.

(c ) The developer, at the developer's expense, shall extend all water mains, sanitary sewer lines, drainage appurtenances, other utilities, and streets to the outer boundaries of the subdivision for future use beyond the subdivision as necessary to provide services to the subdivision and to provide for future extensions to adjacent properties as deemed appropriate by the city and the water/wastewater utility in whose CCN the subdivision is located.

(Code 1997, § 156.080; Ord. No. 07-28, 4-18-2007)

Sec. 109-189. - Street paving.

(a) Oversize streets. When the city requires paving width in excess of 37 feet as may be required by the comprehensive plan or as otherwise may be required by the City of Harlingen for interior streets, the city shall pay for any portion of the street in excess of 37 feet. The subdivider developer shall pay for the installation of sidewalks and curb and gutter where applicable.

(b) Interior streets. The subdivider developer shall pay 100 percent of the costs of installing interior streets, including curb and gutter, for a street width not to exceed 37 feet (local street standard). The right-of-way shall be dedicated in accordance with the comprehensive plan.

(c ) Perimeter streets. To provide for safe and orderly two-way vehicular travel on streets accessing new subdivisions, perimeter streets that do not meet the current city standard (or are deficient) shall be subject to one of the following options, at the discretion of the developer:

(1) Improve the subject perimeter streets to a minimum of 22 feet of pavement width; this width has been determined by the city to be the minimum width that will allow for safe and orderly two-way vehicular travel regardless of
the level of traffic impact the proposed subdivision has on the perimeter streets. Such streets shall not be allowed to have parking along the side of the street.

a. For subdivisions inside the city limits or within an approved three-year annexation plan or outside the city limits but the developer has requested annexation, the perimeter street improvements described above shall be constructed to the city's standards and situated and designed in a manner that will permit the remaining pavement to be added at a future date. Streets constructed pursuant to this article may be constructed without curb and gutter if, and only if, any alternative method of street drainage (such as culverts and/or drainage channels) is approved by the City Engineer and is constructed as a part of the subdivision street improvements.

b. Subdivisions outside of the city limits, but within the city's ETJ, and not on a three-year annexation plan, may improve said perimeter streets to the standards for a minor residential street as outlined in the Cameron County Subdivision Regulations.

(2) In lieu of subsection (c)(1) of this section, the rough proportionality provision described in section 109-192 shall be applied to the deficient perimeter streets. Said rough proportionality standard shall be applied as if the deficient perimeter street were to be improved/reconstructed to the standard as outlined in the city's long range thoroughfare plan.

This section does not require subdividers developers to construct and/or improve perimeter streets owned and maintained by the State of Texas (TxDOT); however, the additional right-of-way for such street shall be dedicated in accordance with the provisions set forth in section 109-124.

(d) Special fund.

(1) There is hereby established a special escrow account for the deposit of each sum paid for future street improvements under this article, which shall be known as the street escrow account.

(2) The city shall account for all sums paid under this section with reference to individual plats involved and the perimeter street on which it has frontage. The city must expend any funds paid for such purposes within ten years from the date received by the city for overlay, additional right-of-way acquisition or construction of improved road and/or curb and gutter. Such funds shall be considered to be spent on a first in, first out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a prorata refund of such sum computed on the same basis as is called for in subsection (c) of this section. No interest shall be paid on such sums. The owners of such property must request such refund within one year of entitlement, in writing to the finance director of the city, or such right shall be forfeited.
Sec. 109-190. - Drainage.

(a) Oversizing of drainage facilities. When the city determines it is necessary to oversize facilities for the orderly development of the area drainage system, the city will participate in the cost of such oversized pipe or facilities provided funds are available for this purpose. The subdivider whose pipes or facilities will be oversized will be referred to as the initial subdivider. Should the city participate in oversizing, the city shall recover its cost from future connections made onto the storm drainage system. and the initial subdivider shall recover from future connections that portion of their expense that will equalize the cost of drainage to the initial subdivider equivalent to all others who will be connecting to the oversized systems.

(b) Cost recovery. Should the city, on its own initiative, install a drainage system to serve a particular area of the city, the city shall can recover its cost from future connections made on to the storm drainage system. The subdivider developer shall bear all costs, including, but not limited to, labor and materials required to make connections to the city-installed storm drainage system. Reimbursement to the city, and, when applicable, to the initial subdivider developer, shall be the pro rata cost per acre of that portion of the oversized system necessary to accommodate the number of acres in the subdivision making connection to the oversized system, plus eight percent per annum interest from the date of installation of the oversized drainage system. The pro rata cost per acre of the subdivision shall be calculated by the City Engineer or the Director of Public Works of the city.

(c) Special drainage districts established.

(1) In the following areas of the city, drainage improvements have been made and subdivider developers dividing land in such areas will be responsible for payment of their pro rata share of the cost prior to recordation of the final plat.

(2) V-Line ditch. Drainage fees for the "V-Line" relief drain ditch shall be as found in the city fee schedule in Subpart A General Ordinance Chapter 18 Fees.

* Note all payments are payable on gross acreage of property to be developed.

(3) Sections indicated on the fee table refer to the map below.
Sec. 109-191. - Sidewalks.

(a) Where road reconstruction is imminent or the developer would prefer to complete building construction prior to sidewalk construction, the value amount of sidewalk improvements may be put into a special escrow account similar to the procedure with road assessments.

(b) The amount paid shall be as set forth in subsection (c) of this section and shall be placed in a special escrow fund to remain earmarked for sidewalk improvements on the subdivision road where deposited, for a minimum time period of ten years (unless used to make improvements sooner).

(c) The amount to be paid is calculated by the city public works/engineering departments based on the standard cost of sidewalk development from their most recent bids. This amount will be recalculated annually and changed as necessary by the City Public Works/Engineering Department based on the standard cost of sidewalk development from their most recent bids, or other sources such as TxDOT Average Low Bid Unit Prices.
Sec. 109-192. - Rough proportionality.

(a) In accordance with Texas Local Government Code § 212.904 (apportionment of municipal infrastructure costs), as a condition of approval for a property development project that the developer bear a portion of the costs of municipal infrastructure improvements by the making of dedications, the payment of fees, or the payment of construction costs, the developer’s portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development as approved by the City Engineer. No development improvements required by this article may be imposed on a developer as a condition for approval of a proposed development project unless the improvements:

1. Are related to the needs created by the proposed development project; and
2. Are roughly proportionate to the impact of the proposed development project, as approved by a professional engineer licensed to practice in Texas and retained by the city engineer.

(b) Developer's report. The developer shall submit a report prepared by a professional engineer licensed to practice in Texas to the City Engineer. The report must include the following information:

1. An analysis of existing infrastructure capacity, throughput, and conditions in the area including, as applicable, streets (width of right-of-way and pavement), alleys, street lighting, street signals, water distribution system, sanitary sewer system, fire hydrants, and stormwater drainage system;
2. An analysis of the need for infrastructure additions or improvements created by the proposed development project and the projected throughput of these systems after development;
3. A determination of the improvements that are related to the needs created by the proposed development project and roughly proportionate to the impact of the proposed development project; and
4. Any other information that may be required by the City Engineer in determining the accuracy of the developer's report.

(c) City study. The City Engineer shall prepare a report that reflects the accuracy of the developer's report.

(d) Illustrative example of rough proportionality for a deficient perimeter street. A proposed subdivision has an adjacent perimeter street with an existing pavement width of 18 feet, and is shown on the city's thoroughfare plan as a collector street. Collector streets require a pavement width of at least 48 feet, and, pursuant to the comprehensive plan, as amended, have a capacity of 15,000 vehicle trips a day. A
study produced by the developer and approved by the city engineer shows that the proposed subdivision development will generate 1,500 vehicle trips per day, or roughly ten percent of the capacity, on to the perimeter collector street. Hence, the developer shall pay an amount into escrow that equals ten percent of the cost of constructing/reconstructing the perimeter street to the city’s standard and a width of 48 feet.

(e) (d) Rough proportionality appeal.

(1) An appeal to the city commission under this section may be filed by a property owner of the applicant for the subject plat in which a requirement for a development improvement has been applied or attached as a condition of approval, or as grounds for denying the plat application. A developer who disputes the determination made under Subsection (c) may appeal to the City Commission. At the appeal, the developer may present evidence and testimony under procedures adopted by the City Commission. After hearing any testimony and reviewing the evidence, the City Commission shall make the applicable determination within 30 days following the final submission of any testimony or evidence by the developer. The applicant developer must file a written appeal with the City and submit copies of a study prepared by a registered professional engineer demonstrating that the additional development improvements are:

a. Not in accordance with this subdivision chapter; and/or

b. Not roughly proportionate to the demand created by the development on the city’s public facilities systems cost of the proposed development, taking into consideration the nature and extent of the development proposed.

(2) After holding and considering evidence from both the applicant developer and the City Engineer, the City Commission may:

a. Deny the appeal, effectively imposing the required development improvement;

b. Grant the appeal and waive in whole or in part the required development improvement as necessary to achieve proportionality; or

c. Grant the appeal and direct that the city shall waive all or part of the subdivision requirements or participate in the costs of the development improvement.

(3) An applicant may appeal the decision of the City Commission under this section to the appropriate county or district court within 30 days of the final determination by the City Commission.

(Code 1997, § 156.084; Ord. No. 07-28, 4-18-2007)
ARTICLE VIII. – EXHIBITS

Sec. 109-222. - Exhibit B: Subdivision Application (Preliminary and Final Plats).

See Planning and Development Department for most current versions of these applications.

Sec. 109-223. - Exhibit C: Checklist for Subdivision Review.

See Planning and Development Department for most current versions of these applications.

Sec. 109-224. - Exhibit D: Flag-Shaped Lot Illustration.
(Code 1997, ch. 156, app. A(exh. D); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)

Streets Eligible for 33' Pavement Width

Eligible

Not Eligible
Only single loop road as shown above are eligible for pavement reduction. Double looped roads as shown below are not eligible.
(Code 1997, ch. 156, app. A(exh. E); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)
Sec. 109-226. - Exhibit F: Signature Blocks for Final Plat.

SURVEYOR SIGNATURE BLOCK

<table>
<thead>
<tr>
<th>State of Texas</th>
<th>County of Cameron</th>
</tr>
</thead>
</table>

I, the undersigned, a registered professional public surveyor in the State of Texas, hereby certify that this plat is true and correctly made and is prepared from an actual survey on the property made under my supervision on the ground, and further certify that proper consideration has been given to this plat.

(Surveyor Seal)  
Registered Public Surveyor

CITY REPS. SIGNATURE BLOCKS

I, the undersigned, City Representative Engineer, hereby certify that this subdivision plat conforms to all requirements of the Subdivision Regulations of this City wherein my approval is required.

City of Harlingen Representative City Engineer

I, the undersigned, Chairman of the Planning and Zoning Commission of the City of Harlingen, hereby certify that this subdivision conforms to all requirements of the Subdivision Regulations of this City wherein my approval is required.

Chairman, Planning and Zoning Commission
I, the undersigned, Mayor of the City of Harlingen, hereby certify that this subdivision plat conforms to all requirements of the Subdivision Regulations of this City wherein my approval is required.

<table>
<thead>
<tr>
<th>Mayor</th>
</tr>
</thead>
</table>

**ATTEST:**

<table>
<thead>
<tr>
<th>City Secretary</th>
</tr>
</thead>
</table>

**HARLINGEN WATERWORKS SYSTEM SIGNATURE BLOCK**

This plat approved by Harlingen Waterworks System on this _____ day of ________, 20___.

<table>
<thead>
<tr>
<th>Harlingen Waterworks System Engineer</th>
</tr>
</thead>
</table>

**OWNERS ACKNOWLEDGMENT BLOCK**

<table>
<thead>
<tr>
<th>State of Texas,</th>
<th>)</th>
</tr>
</thead>
<tbody>
<tr>
<td>County of ________</td>
<td>)</td>
</tr>
</tbody>
</table>

I (We), the undersigned, owner(s) of the land shown on this plat and designated herein as the ________ Subdivision to the City of Harlingen, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public (as applicable) all streets, alleys, parks, watercourses, drains, easements, water lines, sewer lines, storm drains sewers, fire hydrants and public places which are installed thereon, shown or not
shown, if required otherwise to be installed or dedicated under the subdivision approval process of the City of Harlingen, all the same for the purposes therein expressed, either on the plat hereof or on the official minutes of the applicable authorities of the City of Harlingen.

_____  
(Owner Name)  

BEFORE ME, the undersigned authority, on this day personally appeared ______________ known to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of ______, 20__.

_____  
Notary Public _______ County, TX  

LIENHOLDERS' ACKNOWLEDGMENT

<table>
<thead>
<tr>
<th>State of Texas</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>County of _____</td>
<td></td>
</tr>
</tbody>
</table>

I (We), the undersigned, holder(s) of a security interest in the above described property, being the land shown on this plat and designated herein as the _______ Subdivision of the City of Harlingen, Texas, do hereby consent to the subdivision of the property as provided for under the plat and do hereby provide that any foreclosure relating to the security interest on the above described property shall be subject to the platting of the property as provided for herein.

(Code 1997, ch. 156, app. A(exh. F); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)
Sec. 109-227. - Exhibit G: Sample Form for Irrevocable Letter of Credit.

Irrevocable Letter of Credit No. _____
Beneficiary: City of Harlingen
Attn: Director of Planning and Development
502 E. Tyler Avenue
Harlingen, TX 78550
Date: ________
Applicant: ___________ (name)

___________
___________ (address)
Amount: $____
Expiration Date: ________ (at least 18 months after approval no longer than 15 months from approval by the City Attorney)

To Whom It May Concern:

We hereby issue in your favor this irrevocable standby letter of credit which is available by your drafts drawn on us bearing the clause "Drawn Under Standby Credit No. _____ of the _______ (bank name), at ___________ (bank address).

Accompanied by the following:

1. ORIGINAL LETTER OF CREDIT AND ALL AMENDMENTS, IF ANY, for endorsement and then to be returned to beneficiary.

2. BENEFICIARY'S MANUALLY SIGNED STATEMENT ON ITS LETTERHEAD READING AS FOLLOWS:

"___________ (applicant name)" has failed to complete the _______ (type of improvement) to _______ (subdivision name).

Partial Draws are Permitted.

This credit is irrevocable prior to its expiration date unless both parties consent to revocation in writing.
Signature of Issuer's Authorized Officer

Title

Sec. 109-228. - Exhibit H: Subdivision Review Committee.

Members Include:

City Staff:

Planning and Development Director
Planning Department Manager and/or Assistant Director
City Planner
City Engineer
Chief Building Official
Public Works Director
Police Chief
Fire Marshal
Fire Chief
Environmental Health Director

Utilities:

Harlingen Waterworks System
Southern Union Gas Co.
Central Power & Light
Southwestern Bell
Time Warner, Inc.
Magic Valley Electric

Other Entities:

Cameron County Appraisal District
Cameron County Engineer
Harlingen Irrigation District
HCISD Operations
Cameron County Drainage Dist. #5

U.S. Post Office

Sec. 109-229. - Exhibit I: Submittal to County Engineer/Utility Companies.

**Subdivider** Developer's Engineer or Surveyor is responsible for simultaneously submitting preliminary and/or final plat copies to the following agencies at the time of submittal to the City of Harlingen for approval:

**County/Governmental Entities:**

- Cameron County Engineer (if outside city limits)
- Harlingen Irrigation District (if applicable)
- Cameron County Drainage Dist. # 3 (if applicable)
- Cameron County Drainage Dist. # 5 (if applicable)

**Utilities:**

- Southern Union Gas Co. (if applicable)
- Texas Gas Service (if applicable)
- Charter Communications (if applicable)
- Central Power & Light **AEP** or Magic Valley Electric **Cooperative** (if applicable)
- Southwestern Bell-AT&T (if applicable)
- Charter Communications (if applicable)
- Time Warner, Inc. **Spectrum** (if applicable)
- SmartCom Telephone LLC (if applicable)
- Valley Telephone Cooperative, Inc. (if applicable)

**Other Entities:**

- Cameron County Engineer (if outside city limits)
- Harlingen Irrigation District (if applicable)
- Cameron County Drainage Dist. #5 (if applicable)

(Code 1997, ch. 156, app. A(exh. I); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)

Application for Exemption Letter of Determination

Date:________

Name of Applicant(Owner/Developer):___________

Location of Property: ____________

Legal Description and/or Address: ___________

Phone Number: ( ) ________

Application for exemption under: ___ 5 acre exemption ___ grandfathered (Before Nov. 1, 1978)

Attachments:

___Warranty Deed for subject tract(s) indicating date of last conveyance;

___Evidence of a building on the tract prior to the effective date indicated above;

___Current tax certificates;

___Survey of tracts showing proposed partition and existing/proposed improvements, signed and sealed by a registered public surveyor;

___Instrument dedicating additional right-of-way along perimeter streets in accordance with Major Thoroughfare Plan

___Instrument to establish building setback lines (if applicable), easements for access, utilities and drainage purposes

___Recording fees for instruments above (or provide recorded copies)

___Other data as may be necessary to make exemption determination

Notes:

Letter issued:________

See Department of Planning and Development for most current version


Subdivision Variance Application

Date:________

Applicant (Owner/Developer): ___________

Phone No. _______ (home) _______ (work)

Address: ____________

Subdivision Name: ____________

Subdivision Location: ____________

Purpose for request: ____________


A variance will only be considered when special circumstances or conditions affect the land in such a manner that strict application of the established regulations will cause undue harm to such property owner.

A variance that will adversely affect the health, safety, welfare or the development of surrounding property in the area will not be accepted.

A complete preliminary plat submittal must accompany this variance request.

Nonrefundable Fee, as established in the city fee schedule in chapter 18: must be submitted with this application.

__________________________
Signature of Applicant

See Department of Planning and Development for most current version


NOTES

1) SANITARY SEWER AND WATER LINES MUST BE LOCATED MINIMUM 9' APART FROM EACH OTHER.

2) WATER LINES AND GAS LINES MUST BE LOCATED ON OPPOSITE SIDES OF THE STREET FROM STORM SEWER AND OTHER UTILITIES EXCEPT POWER LINES UNLESS THERE IS A UTILITY EASEMENT ON SAME SIDE, THEN OTHER UTILITIES COULD BE IN THE EASEMENT.

3) SANITARY SEWER SHALL NOT CONFLICT WITH EXISTING OR PROPOSED STORM SEWER.
(Code 1997, ch. 156, app. A(exh. L); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)
Sec. 109-233. - Exhibit M L: Typical Cross Section for Pavement.

1) EXTENT LIMED SUBGRADE ONE FOOT BEHIND CURB AND GUTTER
2) SET CURB ON 3 INCHER OF CALICHE BASE COMPACTED TO AT LEAST 98% OF STANDARD PROCTOR (ASTM D698) EXTEND 6" BEHIND CURB AND GUTTER.

TYPICAL CROSS SECTION FOR PAVEMENT
Typical Curb and Gutter Details

11/16" DEEP DUMMY JOINT AT 16" C.C.
APPROVED SUBGRADE COMPACTED TO 95% DENSITY
10" EXPANSION JOINTS REQUIRED AT 20' C.C.
ARE BEGAINING AT END OF ALL RIVER CONSTRUCTION JOINTS NOT TO EXCEED 1' C.C.

SECTION C.C.

CONCRETE GUTTER
not to scale

1 FOOT OF EXISTING ASPHALT TO BE SCRAPPED & REMOVED
SAND & PAVE WITH EACH COAT ON EXPOSED SURFACES

NEW ASPHALT METING EXISTING PAVEMENT
not to scale

*NOTE: ALL CONCRETE WORK SHALL BE TREATED WITH WETMIX CURING COMPOUND TYPE 2 WHITE.
POWDERED IN ACCORDANCE WITH THE 1977 SPECIFICATIONS ITEM 531.15 *CY PER POUND

ASPHALT 7'-0" X 1'-2"

TYPICAL CONC. CURB & GUTTER TY "A" (BARRIER)

NOTE: EXPANSION JOINTS

1/2" PERIMETER EXPANSION JOINT MATERIAL SHALL BE INSTALLED WHERE CURB & GUTTER MEETS CONC. CURB OR WHERE CURB & GUTTER MEETS BRIDGE RAILINGS.

NEW CONCRETE CURB & GUTTER MEETS CONC. CURB OR WHERE CURB & GUTTER MEETS BRIDGE RAILINGS.

REBAR LAYOUT

NOTE:

TYPICAL CURB FOR MOBILE HOME PARK

(Code 1997, ch. 156, app. A(exh. M); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001;
Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)
Sec. 109-234. – Exhibit N: Backfill and Excavation.

**Standard Street Pipe Bedding**

- CONTRACTOR SHALL TRIM ASPHALT TO A NEAT STRAIGHT LINE
- REPLACE ASPHALT WITH 2 IN. H.W.A.C.T. "D" (220#/SY.)
  *SEE NOTE BELOW*
- REPLACE CALICHE WITH 12 IN. CALICHE BASE 1% LIME COMPACTED TO 90% PROCTOR DENSITY
- PRIME COAT MC-30 (.50 CAL/SY)

**Final Backfill**
- TO BE TAMPERED OR ROLLED TO 95% STD. PROCTOR DENSITY
- 1'-0" MINIMUM
- COMPACT TO 95% STD. PROCTOR DENSITY (MIN.)

**Notes:**
- A. SAND BEDDING PLACED BEFORE PIPE IS LAID UP TO FLOW LINE OF PIPE (MIN. THICKNESS = 3"
- B. SAND BACKFILL PLACED AFTER PIPE IS LAID FROM BOTTOM OF PIPE TO SPRING LINE OF PIPE (2 LIFTS, HAND TAMPED)
- C. SAND BACKFILL PLACED FROM SPRING LINE OF PIPE TO 3" ABOVE TOP OF PIPE (6 LIFTS, HAND TAMPED)
- D. SAND BACKFILL, CLASS "A" (6 LIFTS, MECHANICAL COMPACTION)
Standard Pipe Bedding Behind Curb

GENERAL NOTE:
ANY TRENCHING OR EXCAVATING DONE ON CITY STREETS OR R.O.W. NEEDS TO CONTACT THE ENGINEERING DEPARTMENT

NOTES:
A. SAND BEDDING PLACED BEFORE PIPE IS LAID UP TO FLOW LINE OF PIPE. (MIN. THICKNESS = 3")
B. SAND BACKFILL PLACED AFTER PIPE IS LAID FROM BOTTOM OF PIPE TO SPRING LINE OF PIPE. (4" LIFTS, HAND TAMPELED)
C. SAND BACKFILL PLACED FROM SPRING LINE OF PIPE TO 3" ABOVE TOP OF PIPE (6" LIFTS, HAND TAMPELED)
D. EARTH BACKFILL, CLASS "B" (12" LIFTS, MECHANICAL COMPACTION)
Standard Alley Pipe Bedding

**Diagram Description**

- **Natural Ground Surface**
  - Existing Natural Subgrade
  - Sand Backfill Class A, Tamped or Rolled to 95% Proctor Density
  - Compact to 95% Std. Proctor Density

- **Caliche Surface**
  - Replace Caliche with 6" Caliche Base Tamped or Rolled to 95% Proctor Density
  - Prime Coat WC-30

- **Asphalt Surface**
  - Replace Asphalt with 2" Hot Mix, Density "D" (2280# / cu yd)

**Notes**

A. Sand bedding placed before pipe is laid up to flow line of pipe. (Min. thickness = 3"

B. Sand backfill placed after pipe is laid from bottom to spring line of pipe. (4" lifts, hand tamped)

C. Sand backfill placed from spring line of pipe to 3" above top of pipe. (6" lifts, hand tamped)

D. Sand backfill, Class A, 6" lifts, Mechanical Compaction

**General Note:**

- Hot mix asphaltic concrete shall be utilized for repair of areas 500 sq. ft. or greater.

---

121
Standard Trenching Widths

STREETS AND ALLEYS
6"-12" PIPE/CONDUIT

BEHIND CURB
6"-12" PIPE/CONDUIT

NOTES:
A. SAND BEDDING PLACED BEFORE PIPE IS LAID UP TO PLUMB LINE OF PIPE. (MIN. THICKNESS = 3")
B. SAND BACKFILL PLACED AFTER PIPE IS LAID FROM BOTTOM OF PIPE TO SPRING LINE OF PIPE. 4" LIFTS, HAND TAMPERED OR ROLLED OR WATER JETTED.
C. EARTH BACKFILL PLACE ABOVE TOP OF PIPE 16" LIFTS, HAND TAMPERED OR ROLLED OR WATER JETTED.
D. SAND BACKFILL, CLASS "A" (8 LIFTS, MECHANICAL COMPACTION)

GENERAL NOTES:
A NO TRENCHING OR DIGGING WITHIN 5' OF EXISTING STREET, WALKS OR PIPES, 24 HR. TO CONTACT THE SHOVEL HAND.
B. NOT IN ASPHALTIC CONCRETE SHALL BE UTILIZED FOR REPLACEMENT OF ANVILS 300 S.F. OR GREATER.

<table>
<thead>
<tr>
<th>X-Frontage</th>
<th>A-Curb Return Radii</th>
<th>B-Island-Width-Min.</th>
<th>C-Corner-Clearance</th>
<th>Max # of Driveways</th>
<th>Driveway Width</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Min.</td>
<td>Max.</td>
<td>Desirable</td>
<td>Min.</td>
<td>Desirable</td>
</tr>
<tr>
<td>up to 58'</td>
<td>6'</td>
<td>30'</td>
<td>NONE</td>
<td>5'</td>
<td>NONE</td>
</tr>
<tr>
<td>59' to 95'</td>
<td>6'</td>
<td>30'</td>
<td>NONE</td>
<td>25'</td>
<td>5'</td>
</tr>
<tr>
<td>96' to 135'</td>
<td>6'</td>
<td>30'</td>
<td>20'</td>
<td>25'</td>
<td>5'</td>
</tr>
<tr>
<td>136' to 220'</td>
<td>6'</td>
<td>30'</td>
<td>20'</td>
<td>25'</td>
<td>15'</td>
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<tr>
<td>221' to 600'</td>
<td>10'</td>
<td>30'</td>
<td>20'</td>
<td>25'</td>
<td>20'</td>
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<tr>
<td>601' and up</td>
<td></td>
<td></td>
<td>Special Design Needed - Contact City Engineer</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<sup>-EXPAND</sup>

<sup>-i</sup>If all minimum requirements are met

**NOTES:**

1. All driveways on State rights-of-way will need a Texas Dept. of Transportation driveway permit.

2. All access driveways from two-way roadway shall be at an angle of 60 to 90 degrees.

3. 30 degree to 60 degree ingress driveways will be permitted on frontage abutting a one-way roadway.

4. Maximum driveway widths shall be used only where frontage is sufficient to ensure maximum corner clearance, curb return radii and island widths.
INDICATED CONCRETE FILLET IS TO BE INCLUDED IN THE UNIT PRICE BID FOR CONCRETE CURB AND GUTTER AND SHALL BE MEASURED ALONG THE FILLET PERIMETER. (2P)
(Code 1997, ch. 156, app. A(exh. O); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)
Sec. 109-236. – Exhibit P: Typical Type "A" Storm Sewer Inlet.

INLETS TY "A"
INLET AND RING & COVER DETAIL
INCLUDES RING & COVER (NON-PAY)

Sec. 109-237. – Exhibit Q: Typical Sidewalk Cross Section.

* CONTROL JOINTS EQUAL TO THE WIDTH OF THE SIDEWALK
EXPANSION JOINTS AT EVERY 40’
AND ALONG EXISTING CONCRETE
SURFACES.
ALL CONCRETE SHALL BE 3000 PSI
Sidewalk & Wheelchair Ramp Details

Notes:
Minimum 6'-0" wide sidewalk.
Sidewalk gradient not to exceed 1:20.
Provide dropped curbs at intersections.
Do not locate dropped curbs on curves.
All concrete shall be Class "A" Conc.
Sidewalk to be in line with exist. sidewalk.

Section C-C
Sidewalk Ramp X-Section

Section B-B
Sidewalk Ramp X-Section

Typical Conc. Sidewalk

(Code 1997, ch. 156, app. A(exh. Q); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)
Sec. 109-238. - Exhibit R M: Fire Hydrant Details.

FIRE HYDRANT INSTALLATION
CONSISTS OF FIRE HYDRANT, VALVE
AND VALVE BOX

NOTE:

1.) OIL SHALL BE PlACED IN HYDRANT AT
THE TIME OF INSTALLATION.

2.) PUMPER NOZZLE SHALL FACE ROADWAY.
(4 1/2" N.S.T.)

3.) IN CERTAIN INSTANCES, WHERE DISTANCES
PERMITS, A PARALLEL TEE OR UNION-TITE
90° ELBOW W/RESTRAINING LUGS MAY BE
USED IN LIEU OF A STANDARD TEE. FINAL
APPROVAL BY H.W.W.S. REQUIRED.

4.) IF AMERICAN DARLING IS USED MODEL B-84-B
w/EPOXY COAT VALVE PLATE AND INTERIOR SHOE.

5.) ALL VALVES, FITTINGS AND ACCESSORIES, VALVE BOXES,
METER BOXES AND COVERS WILL BE OF DOMESTIC ORIGIN
AND APPROVED BY H.W.W.S.

6.) TAPPING SLEEVES TO HAVE STAINLESS STEEL
BOLTS AND NUTS.

(Code 1997, ch. 156, app. A(exh. R); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001;
Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)
ALL WATER MAINS SHALL HAVE MIN. OF 5" COVER OR HAVE PRIOR APPROVAL BY H.W.W.S.

ALL WATER LINES IN ROAD RIGHT-OF-WAY WILL HAVE 5" COVER MIN. FROM FINISHED GRADE.

TYPICAL DOUBLE WATER SERVICE CONNECTION
(NEAR SIDE)

TYPICAL DOUBLE WATER SERVICE CONNECTION
(FAR SIDE)
Thrust Block Details

NOTE:
ALL DUCTILE IRON FITTINGS, VALVES, VALVE BOXES, FIRE HYDRANTS, WATER METER BOXES TO BE DOMESTIC MANUFACTURED OR APPROVED EQUAL.

<table>
<thead>
<tr>
<th>THRUST BLOCK SIZE</th>
<th>Diameter</th>
<th>Length</th>
<th>Height</th>
<th>Notes</th>
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<td>8&quot;</td>
<td>250</td>
<td>36</td>
<td>11</td>
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<td>10&quot;</td>
<td>325</td>
<td>42</td>
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<tr>
<td>20&quot;</td>
<td>800</td>
<td>72</td>
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HORIZONTAL BENDS

<table>
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<th>HYDRAULIC BENDS</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>JET &amp; DEAD ENDS</th>
</tr>
</thead>
</table>

THROUGH BLOCK DETAILS

Typical Air Release Valve Installation Detail

| TYPICAL AIR RELEASE VALVE INSTALLATION DETAIL |
Typical Valve and Valve Box Installation on Main Line

Method for Filling New Water Lines Prior to Chlorination and Testing

METHOD FOR FILLING NEW WATER LINES PRIOR TO CHLORINATION AND TESTING

NOTES:
1. This Method shall also be used at a new connection to an Existing Dead End Line.
2. After the New Line has been Disinfected & Pressurized, the Valve at the Connection to the Existing Line shall be opened (by M.W.S.) to flush out the Superphloes.
3. 2" Top Tee need to be paid by developer, contractor, or customer.
Irrigation Structure Details

(Code 1997, ch. 156, app. A(exh. S); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)
Sec. 109-240. - Exhibit TO: Typical Sewer Service Line Installation.
Typical Deep Service Connection
# Thrust Block Details

## Thrust Block Size

<table>
<thead>
<tr>
<th>Thrust Block Size</th>
<th>Maximum Block Width</th>
<th>Maximum Block Depth</th>
<th>Maximum Block Weight</th>
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<td>4</td>
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<tr>
<td>3 1/2&quot; 5200 PSI</td>
<td>3</td>
<td>6</td>
<td>3000</td>
</tr>
<tr>
<td>4 1/2&quot; 5200 PSI</td>
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<td>8</td>
<td>4300</td>
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<td>5 1/2&quot; 5200 PSI</td>
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<td>10</td>
<td>5300</td>
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<td>6 1/2&quot; 5200 PSI</td>
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<td>6300</td>
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<td>14</td>
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<tr>
<td>8 1/2&quot; 5200 PSI</td>
<td>8</td>
<td>16</td>
<td>8300</td>
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## Notes

- All values shown are minimum for a permanent cast-in-place concrete block. If a block is to be cast-in-place, a minimum of 3 ft of block must be used. A minimum of 1 ft of concrete must be used. A minimum of 6 in. of rebar must be used. A minimum of 1 ft of concrete must be used. A minimum of 1 ft of block must be used.
Steel Pipe Casing and Skids

<table>
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<th>Nominal Pipe Size</th>
<th>Casing Size</th>
<th>No. of Skids</th>
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STEEL PIPE CASING & SKIDS
Sewage Air Release Valve Installation Detail

INSTALLATION DETAIL
SEWAGE AIR RELEASE VALVE

Typical Manholes

TYPICAL FIBERGLASS MANHOLE

TYPICAL FIBERGLASS MANHOLE

WITH DROP STRUCTURE
Standard Roadway Manhole Ring and Cover Casting Detail

RING SECTION

HALF-SECTION

NOTE:
ALL MANHOLE COVERS & RINGS TO BE DOMESTIC OR WESTERN IRON WORKS MODEL 160105 OR APPROVED EQUAL

SECT. VIEW A-A

HOLE BOTTOM VIEW

COVER TOP VIEW

CITY STANDARD ROADWAY MANHOLE RING & COVER CASTING DETAIL

(Code 1997, ch. 156, app. A(exh. T); Ord. No. 01-01, 1-3-2001; Ord. No. 01-33, 4-18-2001; Ord. No. 01-92, 10-17-2001; Ord. No. 04-46, 7-21-2004)
SECTION II. This ordinance shall be effective immediately upon its passage and execution in accordance with the law.

SECTION III. The City Secretary of the City of Harlingen is hereby authorized and directed to cause the contents of Section 1 hereof to be published and added in the appropriate location in the Code of Ordinances of the City of Harlingen.

SECTION IV. The City Secretary is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in Harlingen, Texas in accordance with the provisions of the Code of Ordinances of the City of Harlingen.

SECTION V. Any violation of this ordinance shall, upon conviction, be punishable by a fine not to exceed $2,000.00 per violation.

SECTION VI. If any part or parts of this ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this ordinance is considered severable.

FINALLY ENACTED this _____ day of ______________, 2020, at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.