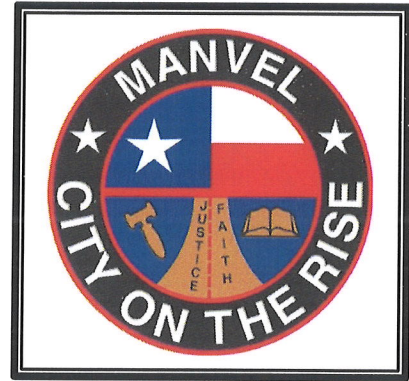


**THE STATE OF TEXAS §**  
**COUNTY OF BRAZORIA §**  
**CITY OF MANVEL §**



KEITH BONNER, COUNCIL PLACE 1  
DAVID LANDS, COUNCIL PLACE 2  
HARRY OPLIGER, COUNCIL PLACE 3  
CARMYN ROBEY-ROBINSON, COUNCIL PLACE 4  
CRYSTAL SARMIENTO, COUNCIL PLACE 5  
JEROME HUDSON, COUNCIL PLACE 6



DAN DAVIS, MAYOR  
DAN JOHNSON, CITY MANAGER  
TAMMY BELL, CITY SECRETARY

**NOTICE OF A CITY COUNCIL MEETING  
OF THE CITY OF MANVEL  
May 19, 2025**

**NOTICE IS HEREBY GIVEN  
5:00 P.M. WORKSHOP – 6:00 P.M. REGULAR SESSION**

Pursuant to Chapter 551, Title 5 of the Texas Government Code, the Texas Open Meetings Act, notice is hereby given that the Manvel City Council will convene a regular meeting at the Manvel City Hall, located at **20031 Hwy 6, Manvel Tx 77578** for the purpose of discussing and if appropriate, take action with respect to the following items:

**NOTE:** The City Council of the City of Manvel reserves the right to discuss any items in Closed Session whenever authorized under the Texas Open Meetings Act, Chapter 551, of the Texas Government Code. The City Council may discuss the items on this agenda in any order.

**This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-489-0630 x6 for further information.**

**CITY OF MANVEL MISSION STATEMENT**

*The City of Manvel is a safe and responsible community, embracing the values of our past, present, and future citizens.*

**Workshop Session**

**Executive Session**

City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.071: Consultation with Attorney, and Texas Government Code, Section 551.072: "Deliberation Regarding Real Property" to discuss the following:

*Russell Street ROW Abandonment (Big Horn Cantina)*

City Council will convene into Executive Session pursuant to Texas Government Code, Section. 551.087 "deliberation regarding economic development negotiation" and Texas Government Code, Section 551.071: "Consultation with Attorney" to discuss the following:

*Memorandum of Understanding with MUD 83 and Hillwood Enterprises, L.P.*

**Workshop Session Continued**

Discussion on any topic as listed on the current agenda.

**Regular Session**

**Call To Order**

**Invocation**

**Inspirational Reading - Councilmember Lands**

**Pledge**

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

**Presentations**

Ceremonial Oath of Office - Carmyn Robey-Robinson, Council Member Place #4.

Recognition - Mayor's Youth Advisory Committee Members.

**Staff Presentation on Public Hearing Item(s)**

**Public Hearing**

TO HEAR INPUT FROM THE PUBLIC REGARDING AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING CHAPTER 62 "SUBDIVISIONS", ARTICLE IV. – MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RESUBDIVISION; AMENDING SEVERAL PROVISIONS PERTAINING TO ADDITIONAL REQUIREMENTS FOR SUBDIVISIONS IN THE ORIGINAL MANVEL TOWNSITE (OMT) (INCLUDING OMT BOUNDARY), STREET AND SIDEWALK CONSTRUCTION, LOT SIZE, LOT SETBACK, AND EXCEPTIONS FOR CERTAIN MANVEL RESIDENTS; AMENDING CHAPTER 62 "SUBDIVISIONS," ARTICLE II- SUBDIVISION AND DEVELOPMENT PROCESS; TO AMEND PROVISIONS AND REQUIREMENTS RELATED TO DEVELOPMENT PLATS; AND FURTHER AMENDING CHAPTER 62 "SUBDIVISIONS" FOR POSSIBLE CORRECTION OF EXISTING TYPOGRAPHICAL ERRORS.

**Public Comments: "Comment Card" Required**

o Members of the public with business before the board, NOT scheduled on the agenda as a public hearing (that have submitted a public comment card) may have three (3) minutes to address the board. o The board may not participate in any discussion and cannot vote on the subject you present unless it is listed on the agenda as an action item.

**City Manager Update**

Update on current events and city issues.

**Consent Agenda**

1. Acceptance of the meeting minutes to date.
2. Acceptance of Water Meter Easement from SW Manvel, LLC; BEING 0.0011-ACRE TRACT OF LAND SITUATED IN THE MARY V. O'DONNELL SURVEY, ABSTRACT NO.483, IN BRAZORIA COUNTY, TEXAS, BEING A PORTION OF LOT 1 BLOCK 1 OF MINOR PLAT OF RSC SUBDIVISION, RECORDED IN DOCUMENT NO 2008018780.
3. Final acceptance of infrastructure improvements for "Lake "I" to serve Pomona for Brazoria County MUD No. 40, Brazoria County, Texas" and release the associated maintenance bond.

4. Final acceptance of infrastructure improvements for “Pomona Parkway Pedestrian Crosswalks to serve Brazoria County MUD No. 39, Brazoria County, Texas” and release the associated maintenance bond.
5. Final acceptance of infrastructure improvements for “Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Pomona Section 20 and 21 for Brazoria County Municipal Utility District 39, Brazoria County, Texas” and release the associated maintenance bond.
6. Final acceptance of infrastructure improvements for “Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Pomona Section 22 for Brazoria County Municipal Utility District 39, Brazoria County, Texas” and release the associated maintenance bond.
7. Acceptance of infrastructure improvements for Water Distribution, Wastewater Collection and Paving to serve Meridiana Section Thirty One-B for Brazoria County Municipal Utility District 56 and City of Manvel, Texas, to begin the Two-Year Maintenance Period.

**Items Removed from Consent Agenda**

**Regular Agenda**

1. Consideration and possible action to direct staff on a Memorandum of Understanding between the City of Manvel, Brazoria County MUD 83, and Hillwood Enterprises, L.P.
2. Consideration and possible action to approve a Subdivision variance request for Avellino (an approximate 49.58-acre tract of land including land dedicated for right-of-way) located along the southern side of Rodeo Palms Parkway abutting Foxtail Palms Subdivision to the east (PID: 692051), seeking to vary the requirements of Chapter 62, Section 108 (b)(4), Lot dimensions shall be not less than 60 feet in width at the right-of- way line and of a depth so as to provide an area of not less than 6,300 SF and authorize the Mayor to execute the Development Agreement. (Approved by PD&Z on 5-12-2025)
3. Consideration and possible action to approve the first of two readings of Ordinance 2025-O-20; AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS BY AMENDING CHAPTER 62 “SUBDIVISIONS,” ARTICLE II. SUBDIVISION AND DEVELOPMENT PROCESS, FOR PROVISIONS PERTAINING TO MASTER PLANS, FINAL PLATS AND DEVELOPMENT PLATS; AMENDING CHAPTER 62 “SUBDIVISIONS,” ARTICLE IV. *MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RE-SUBDIVISION*, FOR PROVISIONS PERTAINING TO LOTS AND LOT DIMENSIONS, PERIMETER STREETS, SIDEWALKS, AND REQUIREMENTS FOR SUBDIVISIONS IN THE OLD MANVEL TOWNSITE AREA; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION OF ANY PROVISION HEREOF, WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE OFFENSE; AND PROVIDING FOR SEVERABILITY. (Forwarded with favorable recommendation by PD&Z on 5/12/2025).

4. Consideration and possible action to direct staff on the Manvel Fall Festival, and authorize the City Manager to execute the Hotel Motel Tax Grant Agreement and Agreement for Services between the City of Manvel and Your Neighborhood Farmers Market Association (YNFMA).
5. Discussion/staff update on the following;
  - o City Center Project – 160 Acres
  - o City Facilities
  - o Chocolate Bayou Drainage Improvements
  - o Budget Timeline

**Mayor and Council Comments**

Update on current events and city issues.

Additionally, pursuant to Texas Government Code § 551.0415, City Council Members and city staff may make a report about items of community interest during a meeting of the governing body without having given notice of the report.

Items of community interest include:

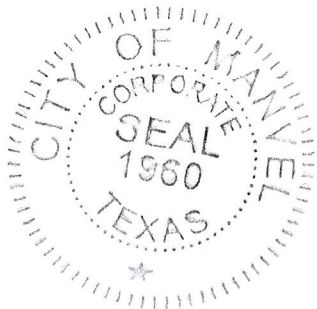
- Expressions of thanks, congratulations, or condolence;
- Information regarding holiday schedules;
- An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
- A reminder about an upcoming event organized or sponsored by the governing body;
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

**Adjourn**

**CERTIFICATION**

I, Tammy Bell, City Secretary for the City of Manvel, do hereby certify that the foregoing Agenda of the Manvel City Council is true and correct and that I posted such notice on the bulletin board at the Manvel City Hall; a place convenient and readily accessible to the public May 16, 2025 in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551.001 et.seq). Said notice remained posted for at least 72 hours preceding the scheduled time of the meeting.

TAMMY BELL, CITY SECRETARY  
CITY OF MANVEL, TEXAS





# MANVEL CITY COUNCIL DATA SHEET

**MEETING DATE: May 19, 2025**

**TOPIC:** Public hearing and consideration of text amendment to the *Manvel Code of Ordinances*, Chapter 62, *Subdivisions* (The subdivision Ordinance) to amend various provisions including certain requirements for platting process, measurement of lot width within City's Extra Territorial Jurisdiction (ETJ), and boundaries of the Original Manvel Townsite area.

**BACKGROUND:** Staff is proposing an amendment to the Subdivision Ordinance to address the following:

- Original Manvel Townsite area: Currently, the Original Manvel Townsite (OMT) area is bounded by Cemetery Road on the east, Large Drive on the north, McCoy Road on the west, and the railroad tracks (sitting just north of Bissell Road), on the south. This area was established to allow the following regulations to be less restrictive than other areas:
  - (1) *Streets:* Subdivider/developer shall be permitted to construct any perimeter street in asphalt.
  - (2) *Drainage:* Subdivider/developer shall be permitted to construct drainage ditches on perimeter streets, in lieu of curb and gutter storm sewer.
  - (3) *Water:* Subdivider/developer may install a water well, instead of extending any city water line. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements.
  - (4) *Wastewater:* Subdivider/developer may install an on-site sewage (septic), instead of extending the wastewater line. Subdivider/developer must still comply with all laws and regulations concerning septic systems.
  - (5) *Detention/mitigation:* In lieu of on-site detention/mitigation, offsite detention/mitigation shall be permitted if an engineered drainage plan shows the proper conveyance to an offsite detention facility, and where there is capacity in that offsite facility.

Please note that the OMT area allowances currently apply only to properties zoned Light Commercial (LC) or Planned Unit Development (PUD).

Staff is proposing to:

- a) Expand the north and south boundaries to Lewis Lane and Jordan Road respectively. This would include properties that are zoned for residential use as well.
- b) Increase the size of applicable properties from five (5) acres to ten (10) acres.
- c) Regarding well and septic, staff proposed to allow continuation of existing well and septic but not allow new well and septic within the OMT Area. Based on discussion and input from PD&Z Commission, staff finds it beneficial to allow new well and septic for individual residential lots that do not have existing water and sewer lines to connect within 50 feet from property line (on the abutting right-of-way).

- Other amendments: Staff is also proposing amendments to certain provisions and requirements needed to allow for an efficient development process and ensure clarity. More details in the attached report.

**STAFF RECOMMENDATION:** Staff is recommending approval of this proposed text amendment to the *Manvel Code of Ordinances, Manvel Code of Ordinances*, Chapter 62, *Subdivisions* (The subdivision Ordinance).

**PD&Z RECOMMENDATION:** PD&Z Commission is forwarding a final report recommending approval of this proposed text amendment to the *Manvel Code of Ordinances, Manvel Code of Ordinances*, Chapter 62, *Subdivisions* (The subdivision Ordinance).

**ATTACHMENTS:** Redline version of the proposed amendment, Staff Report, OMT Exhibit, and Proposed Ordinance.

### FUNDING ISSUES

- Not applicable
- Not budgeted
- Full amount already budgeted
- Funds to be transferred from Acct.#



**SUBMITTING STAFF MEMBER**  
Jose Abraham  
Director of Development Services

**FINANCE DIRECTOR APPROVAL** \_\_\_\_\_  
**CITY MANAGER APPROVAL** \_\_\_\_\_



**FINAL REPORT TO PLANNING, DEVELOPMENT, AND ZONING COMMISSION**  
**Amendment to Subdivision Ordinance**

<b>Agenda of:</b>	May 19, 2025	<b>Initiated By:</b>	Jose Abraham Director, Development Services
<b>Subject:</b>	Public Hearing and Consideration of Subdivision ordinance amendment	<b>Presented By:</b>	Jose Abraham Director, Development Services
<b>Agenda Action:</b>	Consideration and possible action to forward a Final Report recommending approval to City Council for this proposed amendment to the Subdivision Ordinance.		
<b><u>SUMMARY:</u></b>			
Staff is proposing to expand the boundaries of the Original Manvel Townsite area (north and south) and make certain changes to the provisions of the Original Manvel Townsite area. Staff is also proposing amendments to certain other provisions and requirements needed to allow for an efficient development process and ensure clarity.			
<i>Staff Recommendation:</i> APPROVAL			
<i>PD&amp;Z Recommendation:</i> APPROVAL			

**EXHIBITS/ ATTACHMENTS**

Redline version of the Subdivision Ordinance, OMT Exhibit, and public hearing Notice.

**PROPOSED AMENDMENT**

Staff is proposing the following amendments to the Subdivision Ordinance:

1. Original Manvel Townsite area: Currently, the Original Manvel Townsite (OMT) area is bounded by Cemetery Road on the east, Large Drive on the north, McCoy Road on the west, and the railroad tracks (sitting just north of Bissell Road), on the south. Staff is proposing to expand the north and south boundaries to Lewis Lane and Jordan Road respectively (exhibit attached). This would include properties that are zoned for residential use as well. The size of applicable properties is being increased from five (5) acres to ten (10) acres. Regarding well and septic, staff proposed to allow continuation of existing well and septic but not allow new well and septic within the OMT Area. Based on discussion and action by PD&Z Commission, staff finds it beneficial to allow new well and septic for individual residential lots that do not have existing water and sewer lines to connect within 50 feet from property line (on the abutting right-of-way).
2. Adding language to clarify the allowance of master plans to serve as master preliminary plat.
3. Providing clarification for certain Final Plat and Minor Plat requirements such as original tax certificate, information related to maintenance of reserves and common areas, number of copies of plat to be submitted, and clarification of eligibility for Minor Plats.
4. Correction of Typographic error regarding Development Plat requirement. *"The lot, tract, or parcel to be developed has not received final plat or replat approval or was created prior to the effective date of this chapter; ..."*



5. Adding Section 62-111, Additional Street Requirements to Section 62-103. *Established Minimum Requirements.*
6. Allowing lot width measurement in ETJ to be at front setback line to match requirement within city limits.
7. Adding language to allow minimal lot area reduction due to right-of-way dedication within ETJ.
8. Clarification and additional requirements on sidewalk and street construction for properties that have frontage along streets and right-of-way owned and managed by County and State. For non-residential uses, staff is proposing the requirement of sidewalk to be included as part of the site development. The street construction requirement does not apply to roads and rights-of-way owned and maintained by the County or State unless specifically required by the controlling authority. Minimum sidewalk width is proposed to be amended to 5 feet.

**STAFF RECOMMENDATION**

Staff is recommending approval of this proposed amendment to Sec. 62.- *Subdivisions*, by adopting Ordinance No. 2025-0-20.

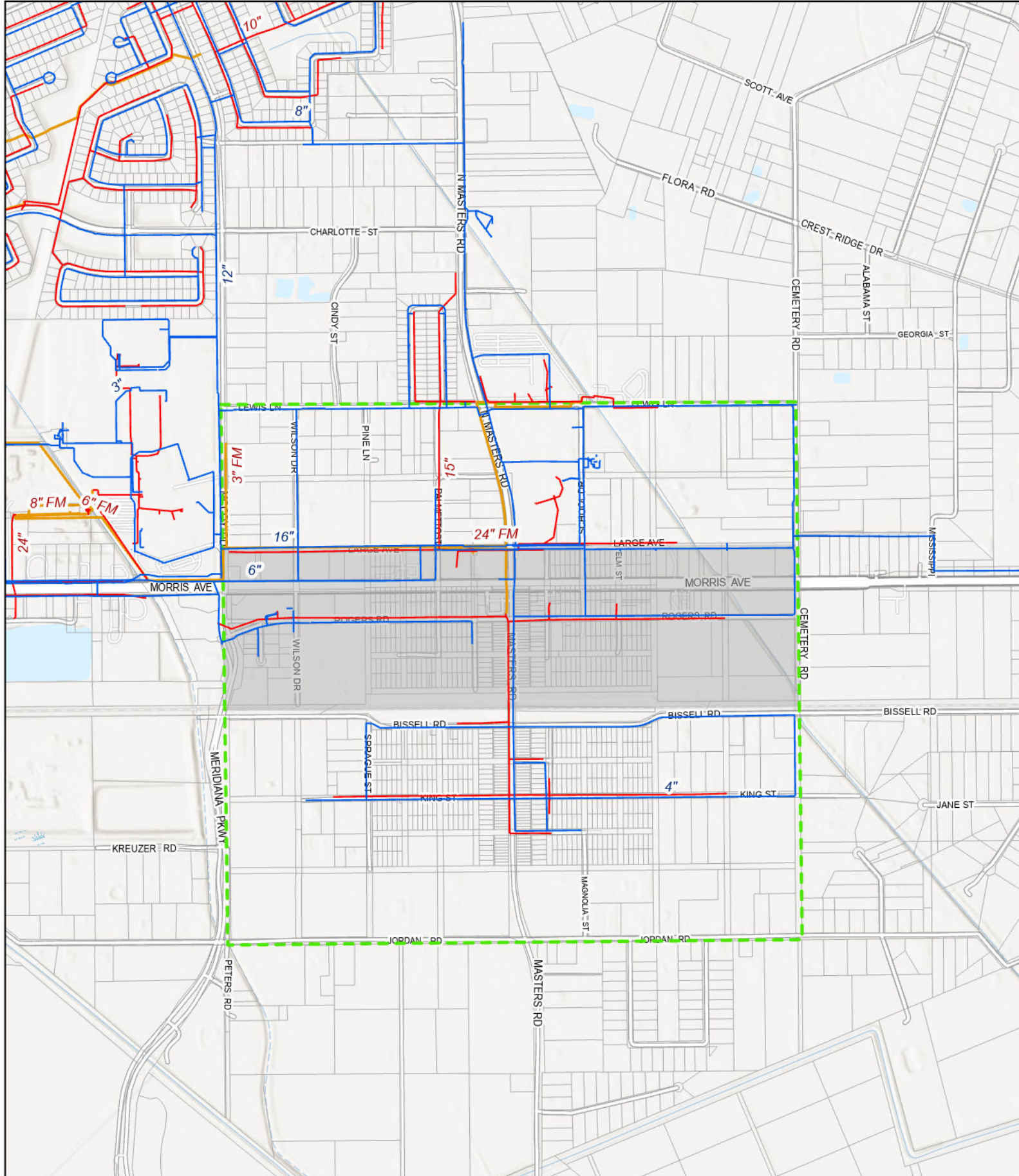
**PD&Z RECOMMENDATION**

Staff is recommending approval of this proposed amendment to Sec. 62.- *Subdivisions*, by adopting Ordinance No. 2025-0-20.

**PUBLIC HEARING**

The Notice of Public Hearing was published in the newspaper of general circulation on 04/27/2025.

**PUBLIC HEARINGS WILL BE HELD AT MANVEL CITY HALL, 20031 HWY 6, MANVEL, TX 77578 AT 6:00 P.M. ON MONDAY, MAY 12, 2025, BEFORE THE MANVEL PLANNING, DEVELOPMENT AND ZONING COMMISSION AND AT 6:00 P.M. ON MONDAY, MAY 19, 2025, BEFORE THE MANVEL CITY COUNCIL TO HEAR INPUT FROM THE PUBLIC REGARDING AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING CHAPTER 62 “SUBDIVISIONS”, ARTICLE IV. – MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RESUBDIVISION; AMENDING SEVERAL PROVISIONS PERTAINING TO ADDITIONAL REQUIREMENTS FOR SUBDIVISIONS IN THE ORIGINAL MANVEL TOWNSITE (OMT) (INCLUDING OMT BOUNDARY), STREET AND SIDEWALK CONSTRUCTION, LOT SIZE, LOT SETBACK, AND EXCEPTIONS FOR CERTAIN MANVEL RESIDENTS; AMENDING CHAPTER 62 “SUBDIVISIONS,” ARTICLE II.- SUBDIVISION AND DEVELOPMENT PROCESS; TO AMEND PROVISIONS AND REQUIREMENTS RELATED TO DEVELOPMENT PLATS; AND FURTHER AMENDING CHAPTER 62 “SUBDIVISIONS” FOR POSSIBLE CORRECTION OF EXISTING TYPOGRAPHICAL ERRORS.**

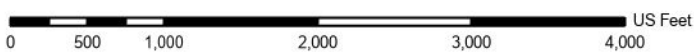


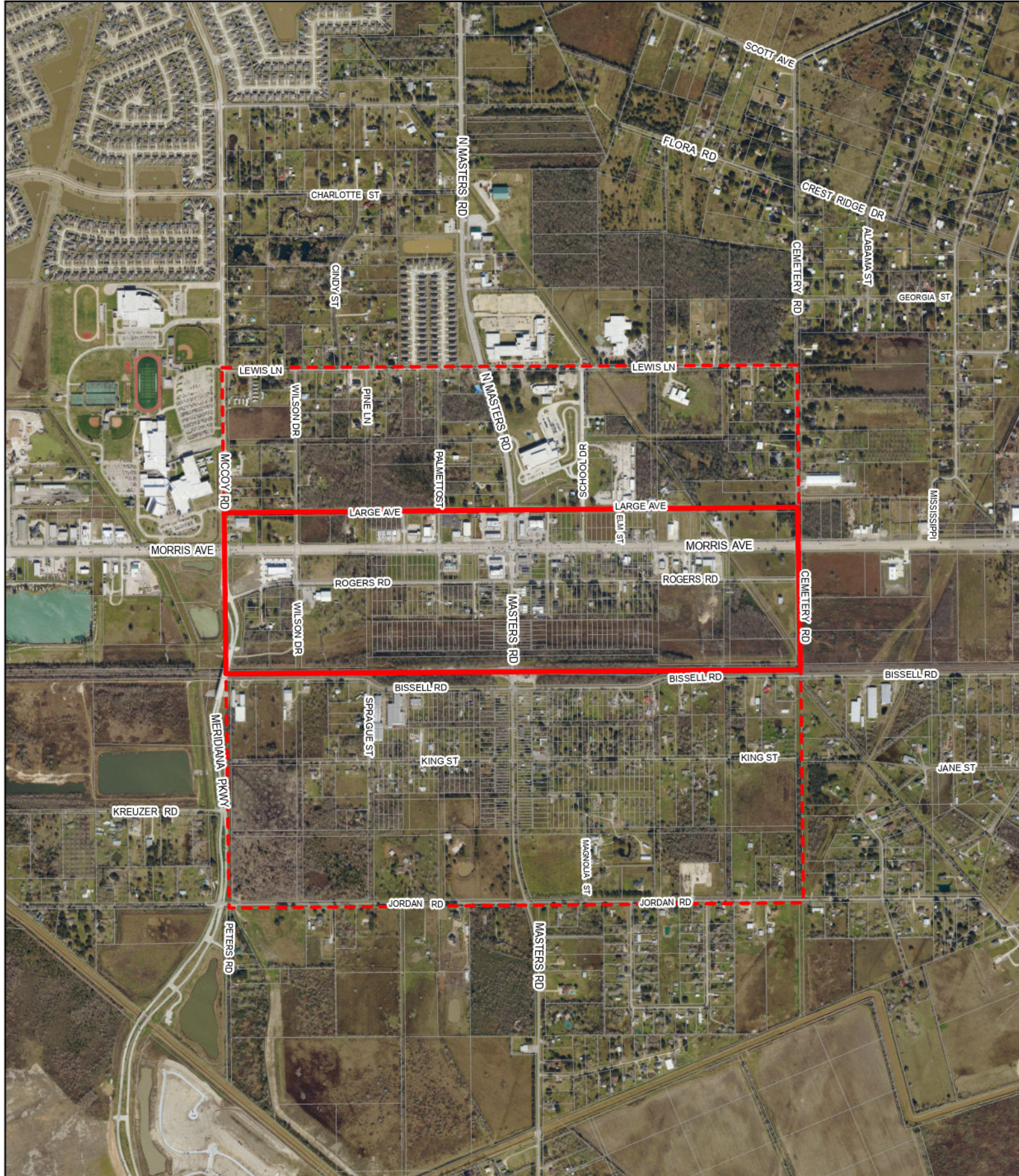
## Old Manvel Town Site Area

- |                                |            |                       |
|--------------------------------|------------|-----------------------|
| Old Manvel Town Site Area      | Parcels    | Sanitary Gravity Main |
| Proposed Manvel Town Site Area | Water Main | Sanitary Force Main   |



This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.





# Old Manvel Town Site Area



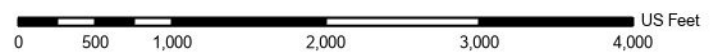
 Old Manvel Town Site Area

 Proposed Manvel Town Site Area

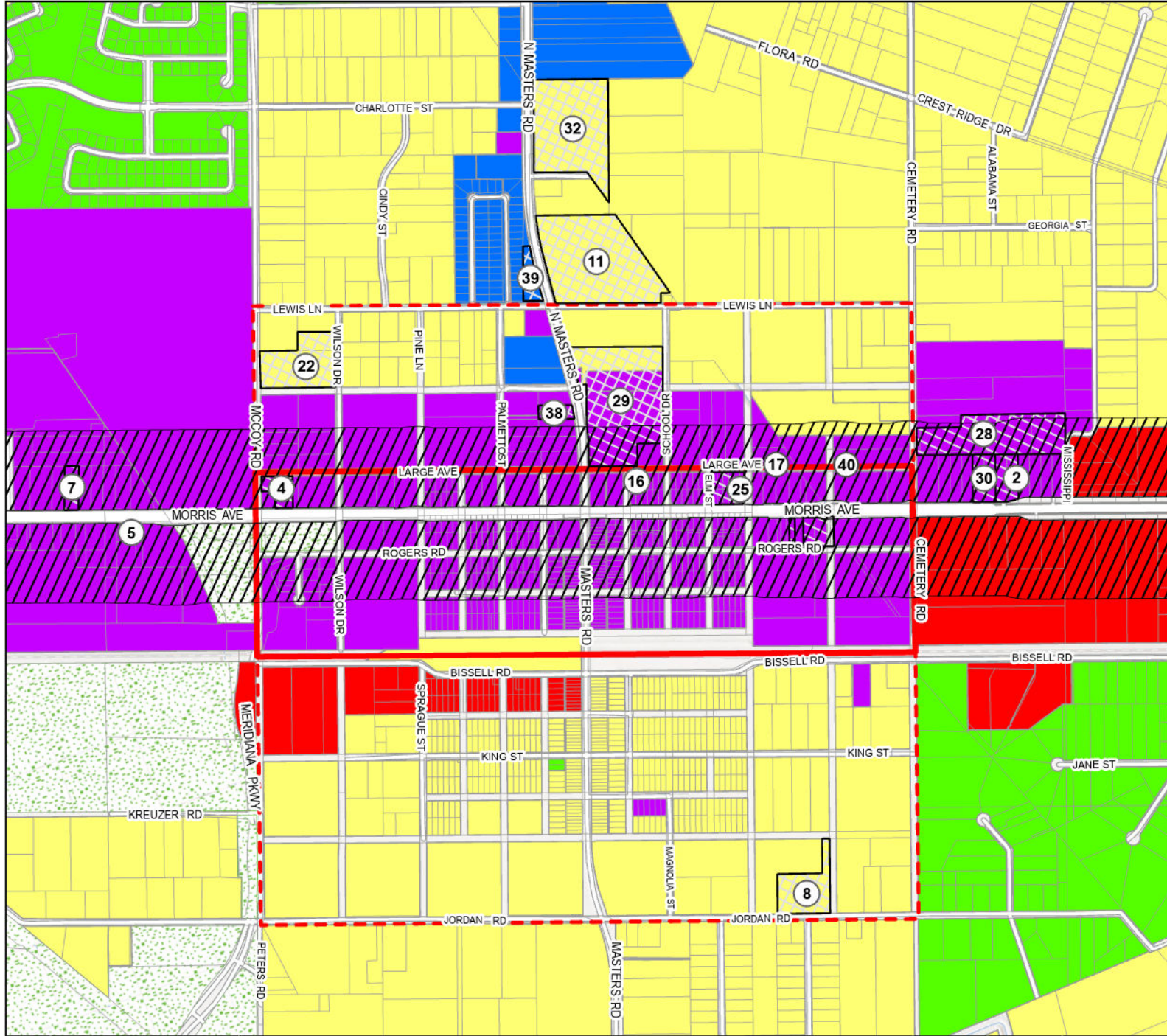
 Parcels



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Date: April, 2025  
 Reference: 2025025  
 Data Source: City of Manvel, Brazoria County Open Data



### SPECIFIC USE PERMITS LEGEND

Label No	Address	Specific Use Description	Ordinance No	Effective Date	Zoning Classification
2	20711 HWY 6	RELIGIOUS ORGANIZATIONS	2012-0-22	9/11/2012	LC
4	7355 MCCOY	RELIGIOUS ORGANIZATIONS	2013-0-07	3/25/2013	LC
5	19422 MORRIS AVE HWY 6	TRUCK, UTILITY, TRAILER & RV RENTAL (FRONT OF PROP) STORAGE UNITS-SELF SERVE (REAR OF PROP)	2013-0-08	3/25/2013	LC
7	19333 HWY 6	AUTOMOTIVE OIL CHANGE AND LUBRICATION SHOP	2013-0-24	9/23/2013	LC
8	7235 CR 73 (JORDAN RD)	POWER AND COMMUNICATION LINE AND RELATED STRUCTURES	2013-0-25	9/23/2013	O-SFR
11	7500 LEWIS LANE	ELEMENTARY AND SECONDARY SCHOOLS	2014-0-37	10/27/2014	O-SFR
16	7303 RUSSELL ST	MOTORCYCLE, ATV & PERSONAL WATERCRAFT DEALER / OTHER PERSONAL & HOUSEHOLD GOOD REPAIR & MAINTENANCE	2016-0-16	7/11/2016	LC
17	20504 HWY 6	NAICS USE #811121 AUTOMOTIVE BODY, PAINT, AND INTERIOR REPAIR AND MAINTENANCE, WITH THE EXCLUSION OF PAINT FACILITIES	2016-0-17	7/11/2016	LC
22	7106 WILSON ST	NAICS USES 813110 RELIGIOUS ORGANIZATIONS, 624410 DAYCARE/SCHOOL, 722213 COFFEE SHOP, AND 713940 GYM	2018-0-32	9/17/2018	O-SFR
25	7454 1/2 LARGE AVE	NAICS USE 237130 POWER AND COMMUNICATION LINE AND RELATED STRUCTURE CONSTRUCTION	2019-0-04	2/27/2019	LC/SH6
28	7227 CEMETERY RD	NAICS USE 531130 LESSORS OF MINI WAREHOUSES AND SELF-STORAGE UNITS	2019-0-22	6/17/2019	LC/SH6
29	7347 LARGE AVE	NAICS USE 611110 ELEMENTARY AND SECONDARY SCHOOLS	2019-0-05	9/3/2019	LC/SH6/O-SFR
30	20703 MORRIS AVE	NAICS USE 813110 RELIGIOUS ORGANIZATIONS	2019-0-26	9/3/2019	LC/SH6
32	6911 Master Road	NAICS USE 813110 RELIGIOUS ORGANIZATION	2020-0-33	1/19/2021	O-SFR-SUP
38	7218 North Masters Road	NAICS USE 621210 "OFFICES OF DENTISTS"	2023-0-19	7/3/2023	LC-SUP
39	7050 Masters Road	NAICS USE "Child Day Care Services"	2023-0-43	12/4/2023	HMU-SUP
40	20514 Highway 6	NAICS USE "Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing"	2023-0-42	11/20/2023	LC/SH6-SUP

### Old Manvel Town Site Area

Old Manvel Town Site Area	State Highway 6 Overlay District	Open Single-Family Residential District
Proposed Manvel Town Site Area	Heavy Commercial District	Single-Family Residential District
Parcels	Light Commercial District	Highway Mixed Use District
Specific Use Permits	Planned Unit Development	

US Feet

0 500 1,000 2,000 3,000 4,000

Date: May 2025  
Reference: 2025025  
Data Source: City of Manvel, Brazoria County Open Data

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.



THE STATE OF TEXAS §  
COUNTY OF BRAZORIA §  
CITY OF MANVEL §

KEITH BONNER, COUNCIL PLACE 1  
DAVID LANDS, COUNCIL PLACE 2  
HARRY OPLIGER, COUNCIL PLACE 3  
ED PERRY, COUNCIL PLACE 4  
CRYSTAL SARMIENTO, COUNCIL PLACE 5  
JEROME HUDSON, COUNCIL PLACE 6

DAN DAVIS, MAYOR  
DAN JOHNSON, CITY MANAGER  
TAMMY BELL, CITY SECRETARY

MISSION STATEMENT:

“The City of Manvel is a safe and responsible community, embracing the values of our past, present, and future citizens.”

**MINUTES 5/5/2025**

**Workshop Session**

Mayor Davis called the workshop of the Manvel City Council to order at 5:00 p.m.  
Those in attendance were:

**Present:** Mayor Dan Davis  
City Councilmember Place 1 Keith Bonner  
City Councilmember Place 2 David Lands  
City Councilmember Place 3 Harry Opliger  
City Councilmember Place 4 Ed Perry  
City Councilmember Place 5 Crystal Sarmiento  
City Councilmember Place 6 Jerome Hudson

**Absent:** None

**Also Present:** Dan Johnson, City Manager  
Robert Gervais, City Attorney  
Keith Traylor, Chief of Police  
Tammy Bell, City Secretary  
Jose Abraham, Director of Development Services  
Rosa Donaire, Director of Finance  
Robbie Hall, Director of Public Works  
Chad Dumont, Director of Personnel

Discuss amendment to Zoning Ordinance items.

Tree Preservation - Council is good with amendments  
Medical Uses - Council good with amendments  
NAICS - Council good with amendments

Discussion on any topic as listed on the current agenda.

General discussion on the following:

- Consent Agenda Item 2
- Regular Agenda Item 1
- Regular Agenda Item 4
- Regular Agenda Item 5
- Regular Agenda Item 11
- Regular Agenda Item 12

The Workshop closed at 5:58 p.m.

**Regular Session**

**Call To Order**

Mayor Davis called the meeting of the Manvel City Council to order at 6:05 p.m.

Those in attendance were:

- Present:** Mayor Dan Davis  
City Councilmember Place 1 Keith Bonner  
City Councilmember Place 2 David Lands  
City Councilmember Place 3 Harry Opliger  
City Councilmember Place 4 Ed Perry  
City Councilmember Place 5 Crystal Sarmiento  
City Councilmember Place 6 Jerome Hudson

**Absent:** None

- Also Present:** Dan Johnson, City Manager  
Robert Gervais, City Attorney  
Keith Traylor, Chief of Police  
Tammy Bell, City Secretary  
Jose Abraham, Director of Development Services  
Rosa Donaire, Director of Finance  
Robbie Hall, Director of Public Works  
Chad Dumont, Director of Personnel

**Invocation**

**Inspirational Reading - Councilmember Bonner**

**Pledge**

**Presentations**

*Proclamations*

- National Police Week - May 11-17, 2025
- National Public Works Week - May 18-24, 2025

*Recognitions*

- Sergeant Nathan Peters - Manvel Police Department Officer of the Year.
- Manvel Rocketry Club Students advance to Nationals in Washington DC.

**Public Comments: "Comment Card" Required – None**

**City Manager Update**

- Pipe in front of Autozone is complete
- Manvel Market relocating to Redeemer
- Jose Abraham spoke on Development Update

**Consent Agenda**

1. Acceptance of the meeting minutes to date.
2. Update/notice on the CPI Rate Adjustment (Authorized under the Franchise Agreement)
3. Acceptance of infrastructure improvements for Detention Basin, Lake Amenity, and Storm Sewer to serve Foxtail Palms for Brazoria County Municipal Utility District 29 and City of Manvel, Texas to begin the Two-Year Maintenance Period.
4. Acceptance of infrastructure improvements for “Water Distribution and Wastewater Collection to serve GC Manvel East for Brazoria County Municipal Utility District 57, Brazoria County, Texas” to begin the Two-Year Maintenance Period.
5. Acceptance of infrastructure improvements for Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Pomona Section 18 for Brazoria County Municipal Utility District 39, Brazoria County, Texas to begin the Two-Year Maintenance Period.
6. Acceptance of infrastructure improvements for Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Pomona Section 23 for Brazoria County Municipal Utility District 39, Brazoria County, Texas to begin the Two-Year Maintenance Period.
7. Acceptance of infrastructure improvements for Lake “H” to serve Valencia for Brazoria County Municipal Utility District 83, Brazoria County, Texas to begin the Two-Year Maintenance Period.
8. Acceptance of infrastructure improvements for Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Valencia Section 10 for Brazoria County Municipal Utility District 83 and City of Manvel, Texas to begin the Two-Year Maintenance Period.
9. Final acceptance of infrastructure improvements for “Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Pomona Section 18 for Brazoria County Municipal Utility District 39, Brazoria County, Texas” and release the associated maintenance bond.
10. Final acceptance of infrastructure improvements for “Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Pomona Section 23 for Brazoria County Municipal Utility District 39, Brazoria County, Texas” and release the associated maintenance bond.

Mayor Davis made the motion to amend the Consent Agenda to remove Items 3, 4, 5, and 6. Councilmember Bonner seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

Mayor Davis made the motion to approve the Consent Agenda, as amended. Councilmember Lands seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson  
No: None  
Absent: None  
Abstained: None

**Items Removed from Consent Agenda**

No action was taken on Consent Agenda Items 3, 4, 5, 6 that were removed from the Consent Agenda.

**Staff Presentations**

Development update by Director of Development Services

Valencia PUD annual report

**Regular Agenda**

1. Consideration and possible action to award Akery Lake - Phase 1 Excavation to Sprint Sand and Clay and authorize the City Manager to execute the contract.  
Matt Strickland, VP of Sprint Sand and Clay

Councilmembers discuss traffic, volume of trucks on roadways, road damage, and safety

Councilmember Bonner made the motion to approve. Councilmember Hudson seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson  
No: None  
Absent: None  
Abstained: None

2. Consideration and possible action to approve design-related input and recommendation from the Parks and Recreation Board regarding City Hall Park. (*Recommendation by Parks and Recreation Board forwarded on 4/24/2025*)

Jeff Gerber with PGAL provided the overview.

Total project budget delta for park is \$2,686,000

City Hall projected timeline is completion in either April or August, depending on how the parking construction is approached.

Next step is going out for bid.

**May 5, 2025 MANVEL CITY COUNCIL MEETING MINUTES**

Councilmember Perry made the motion to approve. Councilmember Sarmiento seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

3. Consideration and possible action to approve recommendation from the Parks and Recreation Board regarding the proposed Deloris Martin Park Facilities Plan. (*Recommendation by Parks and Recreation Board forwarded on 4/24/2025*)

Dan Johnson, City Manager, provided the overview.

\$6 million park. The proposal would be 2 million from grants, 2 million from the County, and 2 million from the City.

Council is asked if they would like to continue this process by letting the commissioners discuss and start the process of preparing some sort of interlocal agreement.

Councilmember Opliger would prefer the County to help with drainage instead of a park.

Councilmember Sarmiento made the motion to approve the recommendation from the Parks and Recreation Board. Councilmember Bonner seconded the motion.

**The motion carried with a vote: 6/1**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: City Councilmember Place 3 Harry Opliger

Absent: None

Abstained: None

4. Consideration and possible action to approve a Design Modification Request to allow a crushed asphalt driveway for new home construction at 7619 Scott Avenue, Manvel, Texas; and authorize the Mayor to execute the associated Development Agreement. (*Forwarded with favorable recommendation by PD&Z on 4/28/2025*)

The applicant is present and addresses the Council. He shares that he will pour concrete to the property line, but needs a year to do the rest of the driveway in concrete.

Councilmember Sarmiento made the motion to approve. Councilmember Hudson seconded the motion.

**The motion carried with a vote: 6/1**

Yes: City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: Mayor Dan Davis

Absent: None

Abstained: None

5. Consideration and possible action to approve a subdivision variance request for an approximate 2-acre tract of land located at 9411 Quaker Court, Rosharon, TX 77583 (PID: 197902), seeking to vary Chapter 62, Section 62-108.- Lots. (a)(5) which requires a minimum one-acre lot area for residential lots not served by the public sewer system, to create two single-family residential lots; and authorize the Mayor to execute the associated Development Agreement.

Councilmember Hudson made the motion to approve. Councilmember Perry seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

6. Consideration and possible action to approve the first of two readings of Ordinance 2025-O-14; AN ORDINANCE AMENDING CHAPTER 77 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, SAME BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ARTICLE I. “IN GENERAL,” SECTION 77-3.-- DEFINITIONS PERTAINING TO DEFINITIONS; BY AMENDING ARTICLE II. “DISTRICT REGULATIONS,” SECTION. 77-44. – TREES, LANDSCAPING, FENCING, AND SCREENING PERTAINING TO TREE PRESERVATION; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY. (*Favorable recommendation forwarded by Parks and Recreation on 4/24/2025 and a Final Report recommending approval forwarded by PD&Z on 4/28/2025*)

Jose Abraham provided the overview. Parks and PD&Z want to add Pine trees to the list of protected trees.

Council does not want pines added.

Mayor Davis made the motion to amend 77-44(b)(4) to remove "E", which is pine trees. Councilmember Bonner seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

Councilmember Lands made the motion to approve as amended. Councilmember Sarmiento seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

**May 5, 2025 MANVEL CITY COUNCIL MEETING MINUTES**

No: None  
Absent: None  
Abstained: None

7. Consideration and possible action to approve the first of two readings of Ordinance 2025-O-15; AN ORDINANCE AMENDING CHAPTER 77 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, SAME BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ARTICLE II. “DISTRICT REGULATIONS,” SECTION 77-50 “USES REQUIRING SPECIFIC USE PERMIT (SUP)” TO AMEND CERTAIN CONDITIONS REQUIRED FOR HOSPITALS AND OTHER HEALTH CARE USES TO BE CONSISTENT WITH STATE LAW; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY. *(Final report recommending approval forwarded by PD&Z on 4/28/2025)*

Councilmember Bonner made the motion to approve. Councilmember Perry seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson  
No: None  
Absent: None  
Abstained: None

8. Consideration and possible action to approve the first of two readings Ordinance 2025-O-16; AN ORDINANCE AMENDING CHAPTER 77 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, SAME BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ARTICLE II. “DISTRICT REGULATIONS,” SECTION 77-26 PERMITTED USES, BY ADOPTING THE 2022 VERSION OF THE NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODES THAT DETERMINE PERMITTED USES; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY. *(Final report recommending approval forwarded by PD&Z on 4/28/2025)*

Councilmember Perry made the motion to approve. Councilmember Opliger seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson  
No: None  
Absent: None  
Abstained: None

9. Consideration and possible action to approve on first and final reading, Ordinance 2025-O-17; AN ORDINANCE AMENDING ORDINANCE NO. 2024-O-38 AMENDING THE CITY FISCAL YEAR 2024 BUDGET ENDING SEPTEMBER 30, 2025, BY AMENDING THE CAPITAL PROJECTS FUND TO RECOGNIZE THE ADDITIONAL INTEREST REVENUE AND CREATE THE EXPENSE ACCOUNT FOR THE CAPITAL PROJECT CONSTRUCTION/DESIGN CROIX PARK PARKING LOT AND DIRECTING THE BUDGET OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET WITH THE CITY SECRETARY AND WITH THE OFFICE OF THE BRAZORIA COUNTY CLERK AND PROVIDING THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

This would get about 100 parking spaces. The funding would come from interest earned.

Councilmember Lands made the motion to approve. Councilmember Hudson seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson  
No: None  
Absent: None  
Abstained: None

10. Consideration and possible action to approve Infrastructure Improvements at Croix Park to include Parking Lot Expansion, Engineering, and Utilities at a cost not to exceed \$500,000.00, and authorize the City Manager to make the expenditure.

This will go out for bid. Mayor Davis asks to make sure trees are incorporated.

Councilmember Bonner made the motion to approve. Councilmember Lands seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson  
No: None  
Absent: None  
Abstained: None

11. Consideration and possible action on the Manvel Fall Festival, approve the proposal from YNMFA, and authorize the City Manager to negotiate the terms and execute the final contract.

The mayor is fine with using the group if they partner with Colleen at the Manvel Market. Council debates about the timeframe of the event being 11-5 vs 2-8. They suggest asking the YNFMA for more details about a later time feasibility. Council is good with beer and wine. The mayor shares that he thinks \$150,000 is a good not-to-exceed amount, and the council agrees.

Mayor Davis moved to authorize the City Manager to negotiate and bring an update back in two weeks. Councilmember Perry seconded the motion.

**The motion carried with a vote: 7/0**

- Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson
- No: None
- Absent: None
- Abstained: None

12. Consideration and possible action to approve a Special Called City Council Meeting on May 13, 2025, for the Canvass of the May 3, 2025, General Election.

Councilmember Bonner made the motion to approve. Mayor Davis seconded the motion.

**The motion carried with a vote: 7/0**

- Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson
- No: None
- Absent: None
- Abstained: None

**Mayor and Council Comments**

**Adjourn**

Councilmember Perry made the motion to adjourn the meeting at 9:16 p.m. Councilmember Hudson seconded the motion.

**The motion carried with a vote: 7/0**

- Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson
- No: None
- Absent: None
- Abstained: None

**CERTIFICATION**

\_\_\_\_\_  
TAMMY BELL, CITY SECRETARY  
CITY OF MANVEL, TEXAS

\_\_\_\_\_  
DAN DAVIS, MAYOR  
CITY OF MANVEL, TEXAS

**THE STATE OF TEXAS §**  
**COUNTY OF BRAZORIA §**  
**CITY OF MANVEL §**

KEITH BONNER, COUNCIL PLACE 1  
DAVID LANDS, COUNCIL PLACE 2  
HARRY OPLIGER, COUNCIL PLACE 3  
ED PERRY, COUNCIL PLACE 4  
CRYSTAL SARMIENTO, COUNCIL PLACE 5  
JEROME HUDSON, COUNCIL PLACE 6



DAN DAVIS, MAYOR  
DAN JOHNSON, CITY MANAGER  
TAMMY BELL, CITY SECRETARY

**MISSION STATEMENT:**

"The City of Manvel is a safe and responsible community, embracing the values of our past, present, and future citizens."

## **MINUTES 5/13/2025**

### **Regular Session**

#### **Call To Order**

Mayor Davis called the meeting of the Special Called City Council Meeting to order at 5:00 p.m.  
Those in attendance were:

**Present:** Mayor Dan Davis  
City Councilmember Place 1 Keith Bonner  
City Councilmember Place 2 David Lands  
City Councilmember Place 3 Harry Opliger  
City Councilmember Place 4 Ed Perry  
City Councilmember Place 5 Crystal Sarmiento  
City Councilmember Place 6 Jerome Hudson

**Absent:** None

**Also Present:** Dan Johnson, City Manager  
Robert Gervais, City Attorney  
Tammy Bell, City Secretary  
Keith Traylor, Chief of Police  
Jose Abraham, Director of Development Services

#### **Pledge**

#### **Public Comments: "Comment Card" Required**

#### **City Manager Update**

**Consent Agenda**

1. Approve the second and final reading of Ordinance 2025-O-14;  
AN ORDINANCE AMENDING CHAPTER 77 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, SAME BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ARTICLE I. “IN GENERAL,” SECTION 77-3.-- DEFINITIONS PERTAINING TO DEFINITIONS; BY AMENDING ARTICLE II. “DISTRICT REGULATIONS,” SECTION. 77-44. – TREES, LANDSCAPING, FENCING, AND SCREENING PERTAINING TO TREE PRESERVATION; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY. *(Favorable recommendation forwarded by Parks and Recreation on 4/24/2025 and a Final Report recommending approval forwarded by PD&Z on 4/28/2025)*
  
2. Approve the second and final reading of Ordinance 2025-O-15;  
AN ORDINANCE AMENDING CHAPTER 77 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, SAME BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ARTICLE II. “DISTRICT REGULATIONS,” SECTION 77-50 “USES REQUIRING SPECIFIC USE PERMIT (SUP)” TO AMEND CERTAIN CONDITIONS REQUIRED FOR HOSPITALS AND OTHER HEALTH CARE USES TO BE CONSISTENT WITH STATE LAW; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY. *(Final report recommending approval forwarded by PD&Z on 4/28/2025)*
  
3. Approve the second and final reading of Ordinance 2025-O-16;  
AN ORDINANCE AMENDING CHAPTER 77 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, SAME BEING THE ZONING ORDINANCE OF THE CITY, BY AMENDING ARTICLE II. “DISTRICT REGULATIONS,” SECTION 77-26 PERMITTED USES, BY ADOPTING THE 2022 VERSION OF THE NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODES THAT DETERMINE PERMITTED USES; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY. *(Final report recommending approval forwarded by PD&Z on 4/28/2025)*
  
4. Approve a License Agreement for Ingress and Egress between the City of Manvel and Noah D. Martini (Licensee) granting the right, privilege and license to use the ROW closed by Ordinance 2025-O-11 for ingress and egress to access Licensee's residence at 6202 Bissell Road, Manvel, TX 77578. (Amended from the original agreement approved by City Council on 4/7/2025).

Councilmember Bonner made the motion to approve the Consent Agenda. Councilmember Hudson seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

**Items Removed from Consent Agenda – None**

**Regular Agenda**

1. Consideration and possible action to approve Resolution 2025-R-10 ;  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A GENERAL ELECTION HELD ON MAY 3, 2025, FOR THE PURPOSE OF ELECTING TWO COUNCILMEMBERS AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Councilmember Perry made the motion to approve. Councilmember Hudson seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

2. Issue Certificate of Election, Statement of Elected Officer, and Oath of Office to the declared candidate elect; Councilmember Place 4, Carmyn Robey-Robinson.

Mayor Davis officiated and swore in Councilmember Robey-Robinson.

Councilmember Perry stepped down from the dais and Councilmember Robey-Robinson took his place.

3. Consideration and possible action to approve on first reading, Ordinance 2025-O-19;  
AN ORDINANCE ORDERING A RUNOFF ELECTION TO BE HELD IN THE CITY OF MANVEL, ON SATURDAY, JUNE 7, 2025, FOR THE PURPOSE OF ELECTING ONE COUNCILMEMBER FOR PLACE 6; ESTABLISHING OTHER PROCEDURES FOR CONDUCTING THE ELECTION; PROVIDING FOR THE INCORPORATION OF THE PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Robey-Robinson made the motion to approve. Councilmember Bonner seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Carmyn Robey-Robinson, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

**Mayor and Council Comments**

**Adjourn**

Mayor Davis made the motion to adjourn the meeting at 5:11 p.m. Councilmember Sarmiento seconded the motion.

**The motion carried with a vote: 7/0**

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Carmyn Robey-Robinson, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

**CERTIFICATION**

\_\_\_\_\_  
TAMMY BELL, CITY SECRETARY  
CITY OF MANVEL, TEXAS

\_\_\_\_\_  
DAN DAVIS, MAYOR  
CITY OF MANVEL, TEXAS



# MANVEL CITY COUNCIL DATA SHEET

**MEETING DATE:** May 19, 2025

**TOPIC:** Final acceptance of infrastructure improvements for “Lake “I” to serve Pomona for Brazoria County MUD No. 40, Brazoria County, Texas” and release the associated maintenance bond.

**BACKGROUND:** City Staff has conducted a final acceptance walk-through for “Lake “I” to serve Pomona for Brazoria County MUD No. 40, Brazoria County, Texas”. All punch list items have been addressed.

**STAFF RECOMMENDATION:** Staff recommends City Council accept the infrastructure improvements for this project and release the associated maintenance bonds.

**ATTACHMENTS:** N/A

## FUNDING ISSUES

- Not applicable
- Not budgeted
- Full amount already budgeted
- Funds to be transferred from Acct.#

**SUBMITTING STAFF MEMBER**  
Robbie Hall

**FINANCE DIRECTOR APPROVAL** Yes

**CITY MANAGER APPROVAL** Yes



# MANVEL CITY COUNCIL DATA SHEET

**MEETING DATE:** May 19, 2025

**TOPIC:** Final acceptance of infrastructure improvements for “Pomona Parkway Pedestrian Crosswalks to serve Brazoria County MUD No. 39, Brazoria County, Texas” and release the associated maintenance bond.

**BACKGROUND:** City Staff has conducted a final acceptance walk-through for “Pomona Parkway Pedestrian Crosswalks to serve Brazoria County MUD No. 39, Brazoria County, Texas”. All punch list items have been addressed. (this project is the first phase of the Pomona Parkway Crosswalks).

**STAFF RECOMMENDATION:** Staff recommends City Council accept the infrastructure improvements for this project and release the associated maintenance bonds.

**ATTACHMENTS:** N/A

## FUNDING ISSUES

- Not applicable
- Not budgeted
- Full amount already budgeted
- Funds to be transferred from Acct.#

**SUBMITTING STAFF MEMBER**  
Robbie Hall

**FINANCE DIRECTOR APPROVAL** Yes

**CITY MANAGER APPROVAL** Yes



# MANVEL CITY COUNCIL DATA SHEET

**MEETING DATE:** May 19, 2025

**TOPIC:** Final acceptance of infrastructure improvements for “Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Pomona Section 20 and 21 for Brazoria County Municipal Utility District 39, Brazoria County, Texas” and release the associated maintenance bond.

**BACKGROUND:** City Staff has conducted a final acceptance walk-through for “Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Pomona Section 20 and 21 for Brazoria County Municipal Utility District 39, Brazoria County, Texas”. All punch list items have been addressed.

**STAFF RECOMMENDATION:** Staff recommends City Council accept the infrastructure improvements for this project and release the associated maintenance bonds.

**ATTACHMENTS:** N/A

## FUNDING ISSUES

- Not applicable
- Not budgeted
- Full amount already budgeted
- Funds to be transferred from Acct.#

**SUBMITTING STAFF MEMBER**  
Robbie Hall

**FINANCE DIRECTOR APPROVAL** Yes

**CITY MANAGER APPROVAL** Yes



# MANVEL CITY COUNCIL DATA SHEET

**MEETING DATE:** May 19, 2025

**TOPIC:** Final acceptance of infrastructure improvements for “Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Pomona Section 22 for Brazoria County Municipal Utility District 39, Brazoria County, Texas” and release the associated maintenance bond.

**BACKGROUND:** City Staff has conducted a final acceptance walk-through for “Water, Sanitary Sewer and Drainage Facilities and Paving and Appurtenances to serve Pomona Section 22 for Brazoria County Municipal Utility District 39, Brazoria County, Texas”. All punch list items have been addressed.

**STAFF RECOMMENDATION:** Staff recommends City Council accept the infrastructure improvements for this project and release the associated maintenance bonds.

**ATTACHMENTS:** N/A

## FUNDING ISSUES

- Not applicable
- Not budgeted
- Full amount already budgeted
- Funds to be transferred from Acct.#

**SUBMITTING STAFF MEMBER**  
Robbie Hall

**FINANCE DIRECTOR APPROVAL** Yes

**CITY MANAGER APPROVAL** Yes



# MANVEL CITY COUNCIL DATA SHEET

**MEETING DATE:** May 19, 2025

**TOPIC:** Acceptance of infrastructure improvements for Water Distribution, Wastewater Collection and Paving to serve Meridiana Section Thirty One-B for Brazoria County Municipal Utility District 56 and City of Manvel, Texas to begin the Two-Year Maintenance Period.

**BACKGROUND:** City Staff has approved the final walk through on this project for the civil site work. The applicant has submitted the Two-Year Maintenance Bond with the City Secretary's Office and the As-Built Construction Plans have been submitted to Development Services Department.

**STAFF RECOMMENDATION:** Staff recommends City Council accept the infrastructure improvements for this project to begin the Two-Year Maintenance Period.

**ATTACHMENTS:** N/A

## FUNDING ISSUES

- Not applicable
- Not budgeted
- Full amount already budgeted
- Funds to be transferred from Acct.#

**SUBMITTING STAFF MEMBER**  
Robbie Hall

**FINANCE DIRECTOR APPROVAL** Yes

**CITY MANAGER APPROVAL** Yes



# MANVEL CITY COUNCIL DATA SHEET

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**MEETING DATE:** May 19, 2025

**TOPIC:** Subdivision variance request for Avellino (an approximate 49.58-acre tract of land including land dedicated for right-of-way) located along the southern side of Rodeo Palms Parkway abutting Foxtail Palms Subdivision to the east (PID: 692051), seeking to vary the requirements of Chapter 62, Section 108 (b)(4), *Lot dimensions shall be not less than 60 feet in width at the right-of-way line and of a depth so as to provide an area of not less than 6,300 square feet.*

**BACKGROUND:** The Master Plan of Avellino, which also serves as the Preliminary Plat, was approved by Planning, Development, and Zoning (PD&Z) Commission and City Council in January 2024. The subject site for Avellino is located within the City of Manvel's Extraterritorial Jurisdiction (ETJ) and is part of Brazoria County Municipal Utility District (BCMUD) No. 47. Avellino subdivides an approximate 49.58-acre tract of land into 140 residential lots, 13 blocks, and 4 reserves designated for landscaping, open space, recreation, utility purposes, and detention. The development will be served by the Brazoria County MUD No. 29 wastewater treatment plant through a joint wastewater facilities agreement with MUD No. 47. Water service will be provided by the City of Manvel based on an Interlocal and Utility Capacity Agreement between the City and BCMUD 47. To meet parkland dedication requirements under Section 47-6 of the City's Code of Ordinances (at a rate of 1 acre per 100 homes), 1.46 acres has been dedicated (Master Plan Attached).

All lots within Avellino are required to conform to City's Subdivision Ordinance, Chapter 62, Section 108 (b)(4), *Lot dimensions shall be not less than 60 feet in width at the right-of-way (ROW) line.* To seek relief from this requirement, the applicant has submitted a Subdivision Variance request to allow lot width within Avellino to be measured at the front setback line instead of the ROW line.

**STAFF FINDINGS:** Under Section 62-5, *Variance*, staff reviewed the request and found the following:

- **Special Circumstances:** There are special circumstances affecting the subject site based on its location. The subject site is located within the ETJ (Vicinity Map attached). Additionally, there is an approved Master/Preliminary Plat for the subject subdivision.
- **Strict Enforcement:** Strict enforcement of the minimum lot size requirement would restrict practical lot layouts, especially on curves and cul-de-sac contrary to the standard development patterns within City limits. Please note that per the City's Zoning Ordinance lot width is measured at the front setback line.
- **Impact on Public Welfare:** Granting a variance will not be materially detrimental to public welfare or injurious to other properties in the area. It will not impair an adequate supply of light or air to adjacent property, will not substantially increase the congestion, fire danger, endanger the public health, safety and well-being of the neighborhood. Additionally, granting of the variance will not change the overall layout, density, or infrastructure services within the development.

**Note:** Staff is currently proposing an amendment to the City's Subdivision Ordinance in which measurement of lot width at front setback line for lots in the ETJ is also proposed.

**STAFF RECOMMENDATION:** Staff recommends approval of this variance request to *Chapter 62, Section 108 (b)(4)*, to allow measurement of lot width at building setback line, with the following condition as specified in the development agreement:

1. The subdivision variance is limited to measurement of lot width only and has no impact on the lot area requirement.


**PD&Z RECOMMENDATION:** PD&Z Commission considered this variance request at the May 12, 2025, meeting. PD&Z commission is recommending approval of this variance request to *Chapter 62, Section 108 (b)(4)*, to allow measurement of lot width at building setback line, with the following condition as specified in the development agreement:

1. The subdivision variance is limited to measurement of lot width only and has no impact on the lot area requirement.

**ATTACHMENTS:** Application Form, Master Plan, Vicinity Aerial Map, Vicinity Zoning Map, and Development Agreement.

**FUNDING ISSUES**

Not applicable  
 Not budgeted  
 Full amount already budgeted  
 Funds to be transferred from Acct.#



**SUBMITTING STAFF MEMBER**  
Ellie Roohbakhsh, Assistant Planner

**FINANCE DIRECTOR APPROVAL** \_\_\_\_\_  
**CITY MANAGER APPROVAL** \_\_\_\_\_

# CITY OF MANVEL

http://www.cityofmanvel.com

PO Box 187  
Manvel, Texas 77578

Phone: (281) 489-0630  
Fax: (281) 489-0634

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## Subdivision Variance Application

### Applicant Information

Applicant (if not owner): Michael Turzillo  
Phone: 713-429-0806 e-mail: mturzillo@ehra.team  
Owner: KB Home Lone Star Inc.  
Owner Address: 11314 Richmond Avenue City Houston State TX Zip 77082  
Phone: 720-202-1283 e-mail: rhawkins@kbhome.com

### Property Information

Site Address: Rodeo Palms Parkway, TX

Legal description (from deed) A Subdivision of 49.58 acres out of the H.T. & B. R.R. CO. Survey, Section 71, A-291, Brazoria County, Texas, being out of the Emigration Land Company Subdivision as recorded in Vol. 2, Pg. 81-82, B.C.P.R.  
(Property must be legally subdivided or be lot of record)

Brazoria County Identification Number: Property ID# 692051

### Description of Subdivision Variance Request

Since this development is situated in the City of Manvel's ETJ and is therefore subject to the regulations stated in the subdivision ordinance rather than the zoning ordinance, the lot width is measured at the right-of-way line instead of the front building setback line. The City's zoning ordinance measures lot width at the front building setback line. We are simply requesting that the lot width in Avellino be measured at the front building setback line instead of the right-of-way line to be consistent with the way lots are measured everywhere else in the City of Manvel.

### Detailed Explanation of Subdivision Variance Request

Please answer, on a separate sheet of paper if necessary, the following questions:

- o What are the special circumstances or conditions affecting the land involved such that the strict application of the provisions of the subdivision code would require a variance to the city's subdivision ordinance?

The property is located within the City of Manvel's Extraterritorial Jurisdiction (ETJ) and is subject to the subdivision ordinance, which requires lot width to be measured at the right-of-way line. This creates practical challenges for irregularly shaped lots—such as those on cul-de-sacs or at 90-degree bends—where the geometry at the ROW results in uneven lot area distribution and limits the functional depth of building pads. Measuring lot width at the front building setback line, as allowed under the City's zoning ordinance, results in a more balanced and functional lot layout, supporting consistent home placement and efficient land use.

- o How is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

The variance is necessary to allow the applicant to utilize the property in a manner consistent with standard development practices throughout the City of Manvel. Without the variance, the lot width requirement at the right-of-way line would restrict the functional design of lots on curves and cul-de-sacs, limiting buildable area and impairing the ability to construct homes of comparable size and orientation to those on standard lots. Allowing measurement at the front building setback line preserves the applicant's right to develop the property efficiently and equitably, in line with similarly situated properties within city limits.

- o Describe how the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.

Granting the variance does not increase the number of lots, alter street alignments, or reduce minimum building setbacks. It simply allows lot width to be measured in a manner consistent with the City's zoning ordinance, resulting in more functional lot configurations. All infrastructure, utility access, and drainage requirements remain fully compliant with applicable standards. As such, the variance poses no risk to public health, safety, or welfare and has no adverse impact on surrounding properties.

- o Describe how 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 the subdivision ordinance.

Granting the variance will not impact the orderly subdivision of surrounding land, as it does not alter the overall layout, density, or infrastructure requirements of the development. The variance applies only to how lot width is measured and remains consistent with established practices elsewhere in the City. Adjacent and future developments can continue to follow the subdivision ordinance without limitation or precedent concerns.

### **Applicant Authorization**

I authorize the City of Manvel to conduct any site visits necessary to evaluate this subdivision variance application.

I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the subdivision variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of subdivision variance approval. I agree to provide any additional information requested by the City of Manvel as they deem necessary for the processing of this application.



Applicant Signature

04/28/2025

Date

Submit variance request material to the Permit Department, City of Manvel, 20025 Highway 6 Manvel, Texas 77578 with the plat application. Failure to pay the required application fees or provide the information, drawings, or attachments in the form as requested by the City shall automatically mark the application as 'incomplete' and such application shall not be placed on the agenda for consideration until all information, fees, drawings, or attachments are deemed to be complete and in proper form by city staff.



**DEVELOPMENT SERVICES DEPARTMENT**

20025 HIGHWAY 6  
MANVEL, TX 77578  
PHONE: 281-489-0630  
FAX: 281-489-0634

**SUBMITTAL CHECKLIST**

So that we may efficiently review your request in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. One or more of the required documents may be waived due to the nature of the request; however, it is incumbent upon the applicant to inquire about these exceptions **before** submitting an application. Answers to subdivision variance applications can be obtained by attending a pre-development meeting with our Development Review Committee (DRC) prior to submitting a complete application. Please call the phone number on the application to schedule an appointment. Submit the application and accompanying documents to the Permits Department at the address above Monday through Thursday between the hours of 7:30 a.m. and 5:30 p.m. and Friday between the hours of 7:30 a.m. and 11:30 a.m.

<b>ZONING VARIANCE APPLICATION SUBMITTAL CHECKLIST ITEMS</b>	<b>REQUIRED (PLEASE CHECK)</b>
Completed Subdivision Variance Application (with all signatures)	✓
One (1) paper copy of site/plot plan and/or site plan (including vicinity map), measuring 8 ½" x 11', 11" x 17" or 24" x 36" (scaled/dimensioned drawing showing location of proposed structures) <small>Please see approved Preliminary Master Plan (approval date: January 16, 2024)</small>	✓
Two (2) Copies of Recorded Plat (if platted)	N/A
Two (2) Copies of Legal Description (metes & bounds if not platted)	✓
Two (2) Copies of Proposed Plat <small>Please see approved Preliminary Master Plan (approval date: January 16, 2024)</small>	N/A
Letter of Authorization (if applicable)	✓
PDF format on disc containing all application documents rotated and formatted	N/A
Paid Application Fee of \$500.00 (non-refundable) <small>Will pay via credit card on portal</small>	✓

Sec 2 M&B Provided. Sec 2 Final Plat will be submitted at a later date.

**APPLICANT CERTIFICATION**

By signing below, I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if it is deemed incomplete.

*M. Trino*

04/28/2025

Applicant Signature

Date



**DEVELOPMENT SERVICES DEPARTMENT**

20025 HIGHWAY 6  
MANVEL, TX 77578  
PHONE: 281-489-0630  
FAX: 281-489-0634

**LETTER OF AUTHORIZATION**

Have property owner complete and sign, if applicant differs from property owner.

Ryan Hawkins

Owner Name

11314 Richmond Avenue

Owner Address

Houston, TX                      77082

Owner City, State                      Zip

04/28/2025

Date

Development Services Department  
20025 Highway 6  
Manvel, TX 77578

Dear City of Manvel Development Services,

I, Ryan Hawkins, certify that I am the owner of the project property located at Rodeo Palms Parkway, TX and that the forgoing statements and answers made and all data, information, and evidence herewith submitted are in all respects to the best of my knowledge and belief, true, and correct. I appoint Michael Turzillo with the company EHRA (if applicable) to act as my representative for this application. I agree to be responsible for payment of bills due to the City of Manvel related to this application. Furthermore, I understand that any material misrepresentation of this application, failure to comply with ordinances, and /or failure to remit payment for services can lead to delays in this variance request – up to and including rejecting the application and forfeiting any fees paid.

Please contact me directly at 720-202-1283 if you have any questions.

Sincerely,

Owner Name Ryan Hawkins

Owner Signature 



April 28, 2025

Mr. Jose Abraham, AICP.  
Director of Development Services, City of Manvel  
20031 Highway 6  
Manvel, Texas 77578

Re: **Avellino Variance Request** – Lot Width Measurement

Mr. Abraham,

On behalf of KB Home Lone Star Inc., I respectfully submit a variance request for Lot Width Measurement for review and consideration by the City of Manvel. Please note that the Avellino Master Plan has been previously submitted.

### **Introduction**

Avellino is a proposed master planned community consisting of approximately 50 acres located south of future Rodeo Palms Parkway and east of County Road 48, entirely in the City of Manvel ETJ, Brazoria County.

The proposed plan will yield approximately 140 new homes and the construction of approximately 1.1 miles of local street.

The developer desires to construct quality residential development that features single-family residences, detention facilities, parks and open space. The housing types, prices, and the lot selection will also meet market needs, thereby creating a robust community.

This variance will only apply to section 2 of this project.

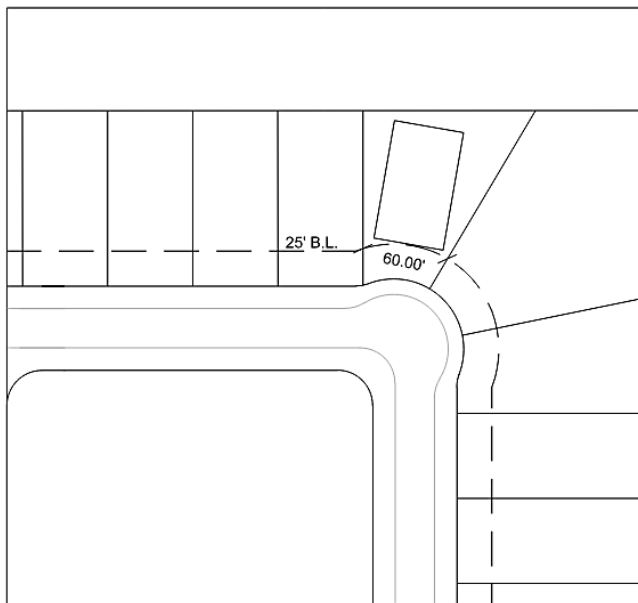
### **Variance Request**

#### **Sec. 62-108.b.4. Lot dimensions shall not be less than 60 feet in width at the right-of-way line.**

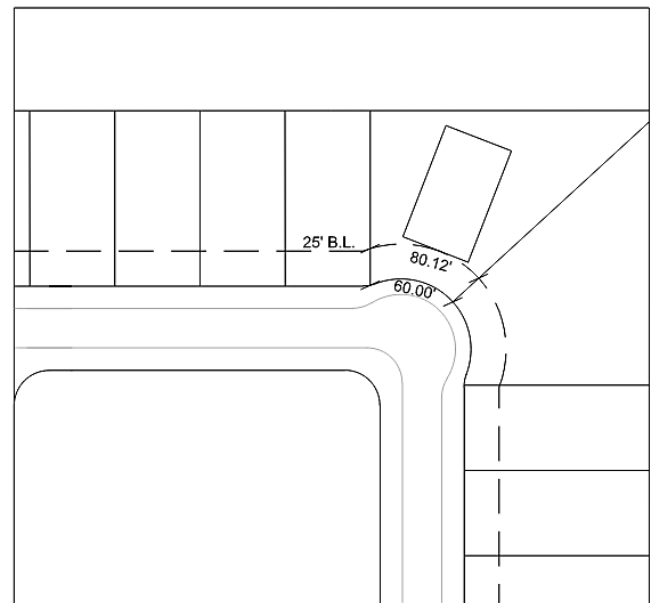
Since this development is situated in the City of Manvel's ETJ and is therefore subject to the regulations stated in the subdivision ordinance rather than the zoning ordinance, the lot width is measured at the right-of-way line instead of the front building setback line. The City's zoning ordinance measures lot width at the front building setback line. We are simply requesting that the lot width in Avellino be measured at the front building setback line instead of the right-of-way line to be consistent with the way lots are measured everywhere else in the City of Manvel.

Furthermore, this approach would allow for a more equitable split of lot area which is consistent with the intent of the zoning regulations. Lots at 90 degree bends in roads and on cul-de-sacs necessarily fan out wider if measured at the right-of-way line versus the front building setback line, as shown in the exhibit below.

***The public is not harmed by this variance request as it simply aligns the regulations for this development with the City of Manvel's zoning ordinance.***



With Variance



Without Variance

We appreciate your consideration in this matter and hope that the above information is sufficient to gain your support in the approval of this variance. If I can be of any assistance to you prior to the meeting, please contact me.

Sincerely,

Michael Turzillo  
Planner II

**GENERAL NOTES:**

- Bearing information is based on the Texas State Plane Coordinate System of 1983, South Central Zone as determined by GPS measurements.
- The Coordinates shown hereon are Texas South Central Zone No. 4204 state plane grid coordinates (NAD 83) and may be brought to surface by applying the following scale factor: 1.0.
- According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No.48039C0110K, dated December 30, 2020, the property lies within Zone X.  
This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinshaw, Russ & Associates, Inc. db/a EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinshaw, Russ & Associates, Inc. db/a EHRA.
- B.C.C.F. indicates Brazoria County Clerk's File.  
B.C.P.R. indicates Brazoria County Public Records.  
B.C.M.U.D. indicates Brazoria County Municipal Utility District.  
O.P.R.O.R.P. indicates Official Public Records of Real Property.  
B.L. indicates Building Line.  
D.E. indicates Drainage Easement.  
E.T.J. indicates Extrajurisdictional Jurisdiction.  
M.H. indicates Manhole.  
P.G. indicates Page.  
P.A.E. indicates Permanent Access Easement.  
P.O.B. indicates Point of Beginning.  
P.U.E. indicates Public Utility Easement.  
P.V.T. indicates Private.  
R. indicates Radius.  
R.O.W. indicates Right-Of-Way.  
S.S.E. indicates Sanitary Sewer Easement.  
S.T.M.S.E. indicates Storm Sewer Easement.  
U.E. indicates Utility Easement.  
VOL. indicates Volume.  
W.L. indicates Water Line Easement.  
X. indicates change in street name.

**BRAZORIA COUNTY DRAINAGE DISTRICT NO. 4 NOTES:**

- Any governmental body for purposes of drainage work may use drainage easements and fee strips provided the DISTRICT is properly notified.
- Permanent structures, including fences and permanent landscaping, shall not be erected in a drainage easement, access easement, or fee strip.
- Maintenance of detention facilities is the sole responsibility of the owner of the property. The DISTRICT will provide maintenance of regional facilities owned and constructed by the DISTRICT, or sub regional facilities constructed by developer(s) for which ownership has been transferred to the DISTRICT with the DISTRICT'S approval. The DISTRICT is responsible only for the maintenance of facilities owned by the DISTRICT unless the DISTRICT specifically contracts or agrees to maintain other facilities.
- Contractor shall notify the DISTRICT'S Inspector at least forty-eight (48) hours before beginning work and twenty-four (24) hours before placing any concrete.
- The DISTRICT'S personnel shall have the right to enter upon the property for inspection at any time during construction or as may be warranted to ensure the detention facility and drainage system are operating properly.
- Appropriate cover for the side slopes, bottom, and maintenance berm shall be established prior to acceptance of the construction by the DISTRICT. At least 95% germination of the grass must be established prior to acceptance of construction by the DISTRICT.
- No building permit shall be issued for any lot within this development until the detention facility has been constructed and approved by the DISTRICT.
- The DISTRICT'S approval of the Final Drainage Plan (and Final Plat if required) does not affect the property rights of third parties. The developer is responsible for obtaining and maintaining any and all easements, fee strips, and/or any other rights-of-way across third parties' properties for purposes of moving excess runoff to the DISTRICT'S drainage facilities as contemplated by the Final Drainage Plan and Final Plat.
- Drainage Easements shall be used only for the purposes of constructing, operating, maintaining, repairing, replacing, and reconstructing of a drainage facility, and any and all related equipment and facilities together with any and all necessary incidentals and appurtenances thereto in, upon, over, across, and through the Easement Area. The DISTRICT'S successors, assigns, agents, employees, workmen, and representatives shall at all present and future times, have the right and privilege of ingress and egress in, upon, over, across, and through the Easement Area.
- Access Easements shall be used for ingress and egress to the DISTRICT'S drainage facilities and shall be kept clear of any and all obstructions.
- An As-Built Certificate and As-Built Survey are required to be submitted to the DISTRICT before a Certificate of Compliance can be issued. Contract the DISTRICT'S Inspector for further clarification.
- All drainage plans and plats shall conform with the DISTRICT'S Rules, Regulations & Guidelines. Board approval of a drainage plan or plat does not constitute permission to deviate. Deviation from the DISTRICT'S Rules, Regulations & Guidelines is only authorized and allowed by a separate Request for Variance which was approved by the Board. Any Board approved variance shall be referenced on the plan cover page and on the appropriate sheet where applicable. The use of the term "Guidelines" herein does not affect the mandatory nature of these Rules, Regulations & Guidelines.

**OWNER CONTACT INFORMATION**  
 KB Home Lone Star Inc.  
 11314 Richmond Avenue  
 Houston, TX 77082  
 Phone: 281-668-3947

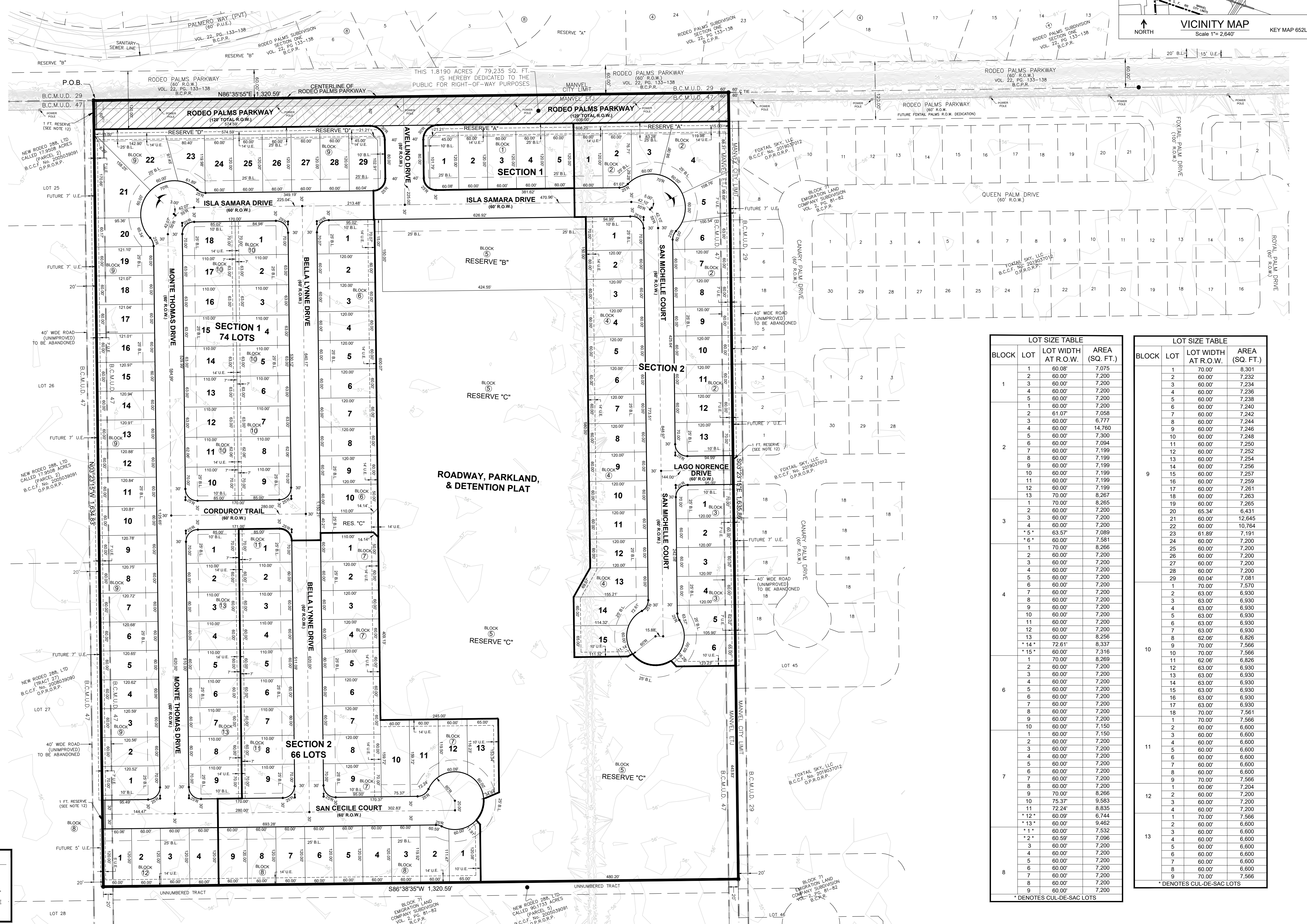
**BENCHMARK(S):**  
 NGS MONUMENT # E 306 DISK SET IN TOP OF CONCRETE MONUMENT, LOCATED 2.0 MILES WEST OF MANVEL, 2 MILES WEST ALONG THE GULF, COLORADO AND SANTA FE RAILWAY FROM THE STATION AT MANVEL, BRAZORIA COUNTY, 0.2 MILE WEST OF A SHELL ROAD CROSSING, 5-1/2 FEET NORTHWEST OF MILE POLE 38, 39 FEET SOUTH OF THE SOUTH RAIL, 33 FEET NORTH OF THE CENTERLINE OF A DIRT ROAD, 6.7 FEET NORTH OF THE RIGHT-OF-WAY FENCE, 4 FEET WEST OF A WHITE WOODEN WITNESS POST AND SET IN THE TOP OF A CONCRETE POST ABOUT FLUSH WITH THE GROUND.  
 ELEV.=52.00 (NAVD '88) 1991 ADJUSTMENT

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, HAS APPROVED THIS PLAT OF AVELLINO MASTER PLAN IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS DAY OF \_\_\_\_\_, 2024.

MAYOR

THIS IS TO CERTIFY THAT THE PLANNING, DEVELOPMENT AND ZONING COMMISSION OF THE CITY OF MANVEL, TEXAS, HAS RECOMMENDED APPROVAL FOR THE PLAT OF AVELLINO MASTER PLAN IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF MANVEL AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS DAY OF \_\_\_\_\_, 2024.

PLANNING DEVELOPMENT AND ZONING COMMISSION CHAIR



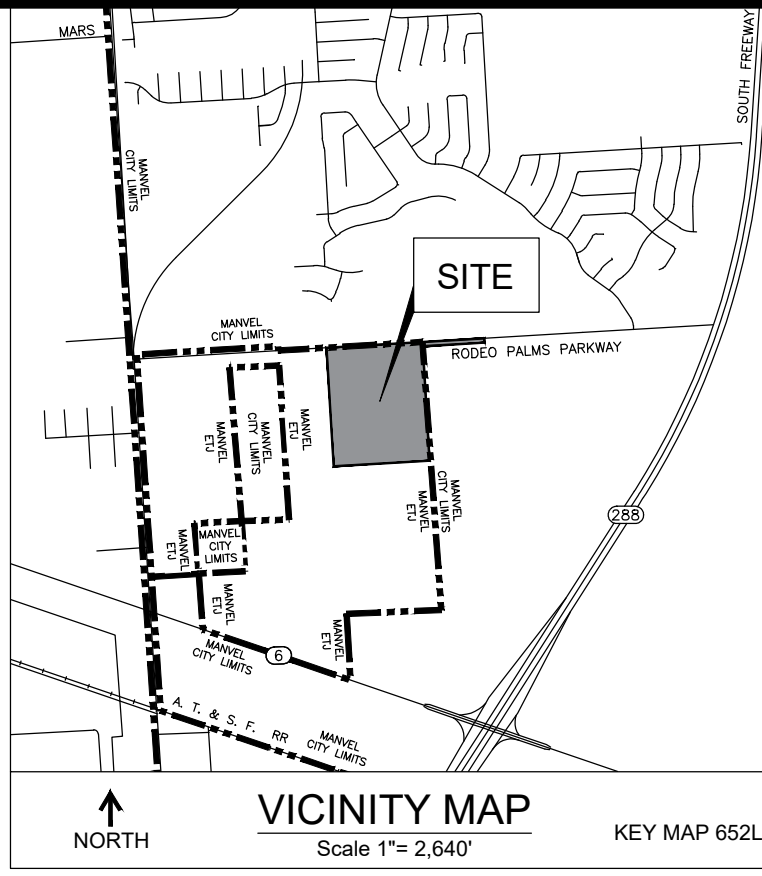
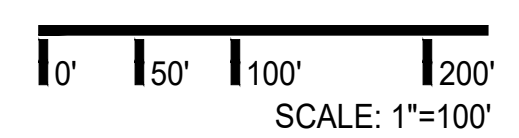
**RESERVE TABLE**

RESERVE	RESTRICTIONS	SQ. FT.	ACREAGE	MAINTENANCE
A	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	10,855.47	0.25	B.C.M.U.D. NO. 47
B	RECREATION, LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	63,676.38	1.46	B.C.M.U.D. NO. 47
C	DETENTION, LANDSCAPE, OPEN SPACE PURPOSES	602,603.46	13.83	B.C.M.U.D. NO. 47
D	LANDSCAPE, OPEN SPACE, & UTILITY PURPOSES	10,660.94	0.24	B.C.M.U.D. NO. 47
TOTAL		687,796.25	15.78	B.C.M.U.D. NO. 47

**PARK LAND DEDICATION**

NO. OF PROPOSED LOTS	PARK LAND ACREAGE REQUIRED*	PARK LAND ACREAGE PROVIDED**
140	1.40	1.40

\*1 ACRE REQUIRED PER 100 LOTS  
 \*\*PARK LAND PROVIDED IN RESERVE 'B'

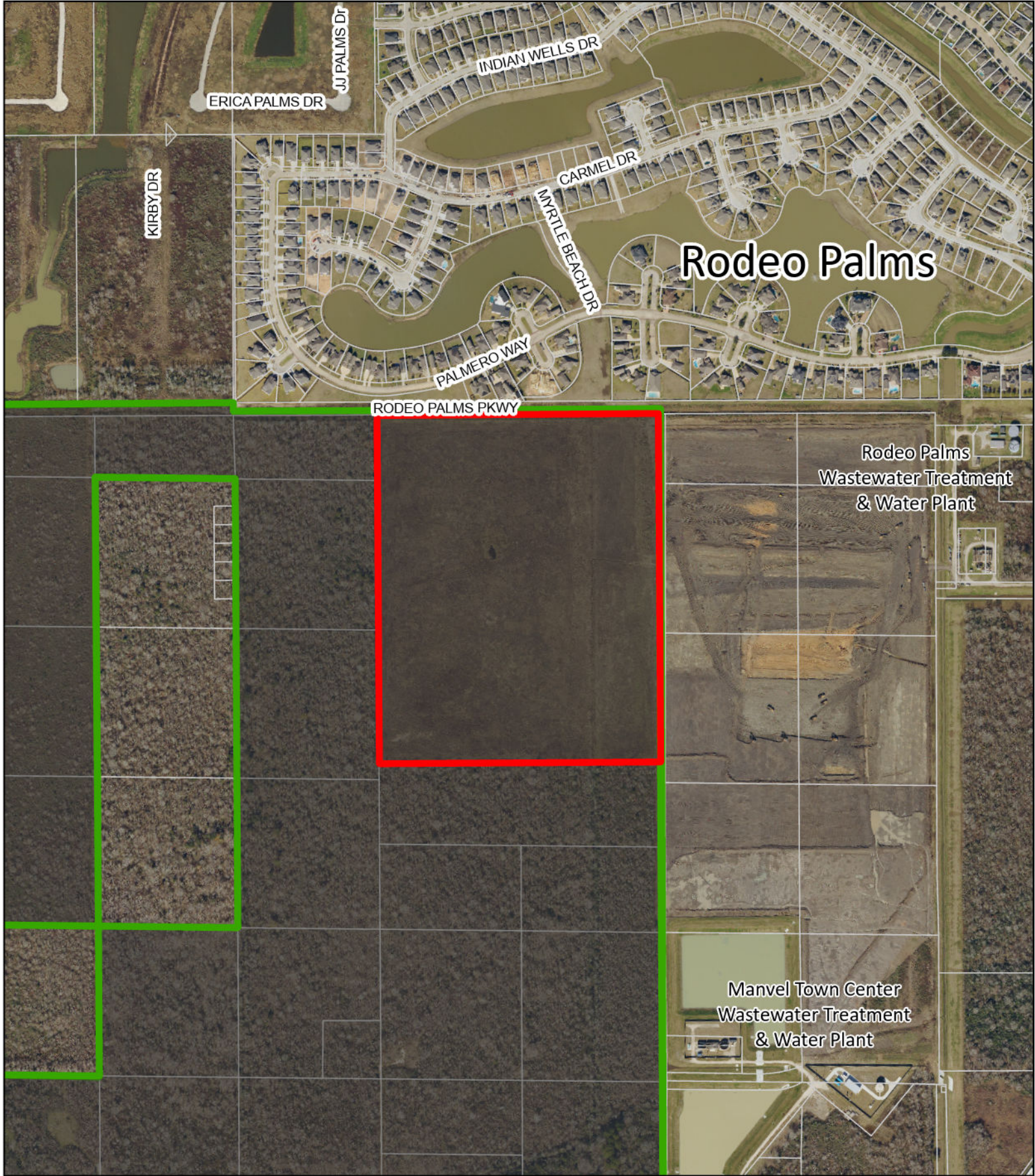


**LOT SIZE TABLE**

BLOCK	LOT	LOT WIDTH AT R.O.W.	AREA (SQ. FT.)
1	1	60'00"	7,075
1	2	60'00"	7,200
1	3	60'00"	7,200
1	4	60'00"	7,200
1	5	60'00"	7,200
1	6	60'00"	7,200
1	7	60'00"	7,200
1	8	60'00"	7,200
1	9	60'00"	7,200
1	10	60'00"	7,200
1	11	60'00"	7,200
1	12	60'00"	7,200
1	13	60'00"	7,200
1	14	60'00"	7,200
1	15	60'00"	7,200
2	1	60'00"	7,199
2	2	60'00"	7,199
2	3	60'00"	7,199
2	4	60'00"	7,199
2	5	60'00"	7,199
2	6	60'00"	7,199
2	7	60'00"	7,199
2	8	60'00"	7,199
2	9	60'00"	7,199
2	10	60'00"	7,199
2	11	60'00"	7,199
2	12	60'00"	7,199
2	13	60'00"	7,199
2	14	60'00"	7,199
2	15	60'00"	7,199
2	16	60'00"	7,199
2	17	60'00"	7,199
2	18	60'00"	7,199
2	19	60'00"	7,199
2	20	60'00"	7,199
2	21	60'00"	7,199
2	22	60'00"	7,199
2	23	60'00"	7,199
2	24	60'00"	7,199
2	25	60'00"	7,199
2	26	60'00"	7,199
2	27	60'00"	7,199
2	28	60'00"	7,199
2	29	60'00"	7,199
2	30	60'00"	7,199
3	1	60'00"	7,200
3	2	60'00"	7,200
3	3	60'00"	7,200
3	4	60'00"	7,200
3	5	60'00"	7,200
3	6	60'00"	7,200
3	7	60'00"	7,200
3	8	60'00"	7,200
3	9	60'00"	7,200
3	10	60'00"	7,200
3	11	60'00"	7,200
3	12	60'00"	7,200
3	13	60'00"	7,200
3	14	60'00"	7,200
3	15	60'00"	7,200
3	16	60'00"	7,200
3	17	60'00"	7,200
3	18	60'00"	7,200
3	19	60'00"	7,200
3	20	60'00"	7,200
3	21	60'00"	7,200
3	22	60'00"	7,200
3	23	60'00"	7,200
3	24	60'00"	7,200
3	25	60'00"	7,200
3	26	60'00"	7,200
3	27	60'00"	7,200
3	28	60'00"	7,200
3	29	60'00"	7,200
3	30	60'00"	7,200
4	1	60'00"	7,200
4	2	60'00"	7,200
4	3	60'00"	7,200
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4	22	60'00"	7,200
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6	12	60'00"	7,200
6	13	60'00"	7,200
6	14	60'00"	7,200
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6	18	60'00"	7,200
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7	2	60'00"	7,200
7	3	60'00"	7,200
7	4	60'00"	7,200
7	5	60'00"	7,200
7	6	60'00"	7,200
7	7	60'00"	7,200
7	8	60'00"	7,200
7	9	60'00"	7,200
7	10	60'00"	7,200
7	11	60'00"	7,200
7	12	60'00"	7,200
7	13	60'00"	7,200
7	14	60'00"	7,200
7	15	60'00"	7,200
7	16	60'00"	7,200
7	17	60'00"	7,200
7	18	60'00"	7,200
7	19	60'00"	7,200
7	20	60'00"	7,200
7	21	60'00"	7,200
7	22	60'00"	7,200
7	23	60'00"	7,200
7	24	60'00"	7,200
7	25	60'00"	7,200
7	26	60'00"	7,200
7	27	60'00"	7,200
7	28	60'00"	7,200
7	29	60'00"	7,200
7	30	60'00"	7,200
8	1	60'00"	7,200
8	2	60'00"	7,200
8	3	60'00"	7,200
8	4	60'00"	7,200
8	5	60'00"	7,200
8	6	60'00"	7,200
8	7	60'00"	7,200
8	8	60'00"	7,200
8	9	60'00"	7,200
8	10	60'00"	7,200
8	11	60'00"	7,200
8	12	60'00"	7,200
8	13	60'00"	7,200
8	14	60'00"	7,200
8	15	60'00"	7,200
8	16	60'00"	7,200
8	17	60'00"	7,200
8	18	60'00"	7,200
8	19	60'00"	7,200
8	20	60'00"	7,200
8	21	60'00"	7,200
8	22	60'00"	7,200
8	23	60'00"	7,200
8	24	60'00"	7,200
8	25	60'00"	7,200
8	26	60'00"	7,200
8	27	60'00"	7,200
8	28	60'00"	7,200
8	29	60'00"	7,200
8	30	60'00"	7,200

**LOT SIZE TABLE**

BLOCK	LOT	LOT WIDTH AT R.O.W.	AREA (SQ. FT.)
9	1	70'00"	8,301
9	2	60'00"	7,232
9	3	60'00"	7,234
9	4	60'00"	7,236
9	5	60'00"	7,238
9	6	60'00"	7,240
9	7	60'00"	7,242
9	8	60'00"	7,244
9	9	60'00"	7,246
9	10	60'00"	7,248
9	11	60'00"	7,250
9	12	60'00"	7,252
9	13	60'00"	7,254
9	14	60'00"	7,256
9	15	60'00"	7,257
9	16	60'00"	7,259
9	17	60'00"	7,261
9	18	60'00"	7,263
9	19	60'00"	7,265
9	20	60'00"	7,267
9	21	60'00"	7,269
9	22	60'00"	7,271
9	23	60'00"	7,273
9	24	60'00"	7,275
9	25	60'00"	7,277
9	26	60'00"	7,279
9	27	60'00"	7,281
9	28	60'00"	7,283
9	29	60'00"	7,285
9	30	60'00"	7,287
9	31	60'00"	7,289
9	32	60'00"	7,291
9	33	60'00"	7,293
9	34	60'00"	7,295
9	35	60'00"	7,297
9	36	60'00"	7,299
9	37	60	

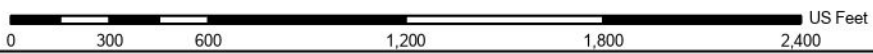


# Avellino

- Avellino
- City of Manvel ETJ
- Parcels
- City of Manvel City Limits



This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.



Date: May 2025  
Reference: 2025034  
Data Source: City of Manvel, Brazoria County Open Data





# MANVEL CITY COUNCIL DATA SHEET

**MEETING DATE: May 19, 2025**

**TOPIC:** Public hearing and consideration of text amendment to the *Manvel Code of Ordinances*, Chapter 62, *Subdivisions* (The subdivision Ordinance) to amend various provisions including certain requirements for platting process, measurement of lot width within City's Extra Territorial Jurisdiction (ETJ), and boundaries of the Original Manvel Townsite area.

**BACKGROUND:** Staff is proposing an amendment to the Subdivision Ordinance to address the following:

- Original Manvel Townsite area: Currently, the Original Manvel Townsite (OMT) area is bounded by Cemetery Road on the east, Large Drive on the north, McCoy Road on the west, and the railroad tracks (sitting just north of Bissell Road), on the south. This area was established to allow the following regulations to be less restrictive than other areas:
  - (1) *Streets:* Subdivider/developer shall be permitted to construct any perimeter street in asphalt.
  - (2) *Drainage:* Subdivider/developer shall be permitted to construct drainage ditches on perimeter streets, in lieu of curb and gutter storm sewer.
  - (3) *Water:* Subdivider/developer may install a water well, instead of extending any city water line. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements.
  - (4) *Wastewater:* Subdivider/developer may install an on-site sewage (septic), instead of extending the wastewater line. Subdivider/developer must still comply with all laws and regulations concerning septic systems.
  - (5) *Detention/mitigation:* In lieu of on-site detention/mitigation, offsite detention/mitigation shall be permitted if an engineered drainage plan shows the proper conveyance to an offsite detention facility, and where there is capacity in that offsite facility.

Please note that the OMT area allowances currently apply only to properties zoned Light Commercial (LC) or Planned Unit Development (PUD).

Staff is proposing to:

- a) Expand the north and south boundaries to Lewis Lane and Jordan Road respectively. This would include properties that are zoned for residential use as well.
- b) Increase the size of applicable properties from five (5) acres to ten (10) acres.
- c) Regarding well and septic, staff proposed to allow continuation of existing well and septic but not allow new well and septic within the OMT Area. Based on discussion and input from PD&Z Commission, staff finds it beneficial to allow new well and septic for individual residential lots that do not have existing water and sewer lines to connect (on the abutting right-of-way).

- Other amendments: Staff is also proposing amendments to certain provisions and requirements needed to allow for an efficient development process and ensure clarity. More details in the attached report.

**STAFF RECOMMENDATION:** Staff is recommending approval of this proposed text amendment to the *Manvel Code of Ordinances, Manvel Code of Ordinances, Chapter 62, Subdivisions* (The subdivision Ordinance).

**PD&Z RECOMMENDATION:** PD&Z Commission is forwarding a final report recommending approval of this proposed text amendment to the *Manvel Code of Ordinances, Manvel Code of Ordinances, Chapter 62, Subdivisions* (The subdivision Ordinance).

**ATTACHMENTS:** Redline version of the proposed amendment, Staff Report, OMT Exhibit, and Proposed Ordinance.

### FUNDING ISSUES

- Not applicable
- Not budgeted
- Full amount already budgeted
- Funds to be transferred from Acct.#



**SUBMITTING STAFF MEMBER**  
Jose Abraham  
Director of Development Services

**FINANCE DIRECTOR APPROVAL** \_\_\_\_\_  
**CITY MANAGER APPROVAL** \_\_\_\_\_



**FINAL REPORT TO PLANNING, DEVELOPMENT, AND ZONING COMMISSION**  
**Amendment to Subdivision Ordinance**

<b>Agenda of:</b>	May 19, 2025	<b>Initiated By:</b>	Jose Abraham Director, Development Services
<b>Subject:</b>	Public Hearing and Consideration of Subdivision ordinance amendment	<b>Presented By:</b>	Jose Abraham Director, Development Services
<b>Agenda Action:</b>	Consideration and possible action to forward a Final Report recommending approval to City Council for this proposed amendment to the Subdivision Ordinance.		
<b>SUMMARY:</b>			
Staff is proposing to expand the boundaries of the Original Manvel Townsite area (north and south) and make certain changes to the provisions of the Original Manvel Townsite area. Staff is also proposing amendments to certain other provisions and requirements needed to allow for an efficient development process and ensure clarity.			
<i>Staff Recommendation:</i> APPROVAL			
<i>PD&amp;Z Recommendation:</i> APPROVAL			

**EXHIBITS/ ATTACHMENTS**

Redline version of the Subdivision Ordinance, OMT Exhibit, and public hearing Notice.

**PROPOSED AMENDMENT**

Staff is proposing the following amendments to the Subdivision Ordinance:

1. Original Manvel Townsite area: Currently, the Original Manvel Townsite (OMT) area is bounded by Cemetery Road on the east, Large Drive on the north, McCoy Road on the west, and the railroad tracks (sitting just north of Bissell Road), on the south. Staff is proposing to expand the north and south boundaries to Lewis Lane and Jordan Road respectively (exhibit attached). This would include properties that are zoned for residential use as well. The size of applicable properties is being increased from five (5) acres to ten (10) acres. Regarding well and septic, staff proposed to allow continuation of existing well and septic but not allow new well and septic within the OMT Area. Based on discussion and action by PD&Z Commission, staff finds it beneficial to allow new well and septic for individual residential lots that do not have existing water and sewer lines to connect (on the abutting right-of-way).
2. Adding language to clarify the allowance of master plans to serve as master preliminary plat.
3. Providing clarification for certain Final Plat and Minor Plat requirements such as original tax certificate, information related to maintenance of reserves and common areas, number of copies of plat to be submitted, and clarification of eligibility for Minor Plats.
4. Correction of Typographic error regarding Development Plat requirement. *“The lot, tract, or parcel to be developed has not received final plat or replat approval or was created prior to the effective date of this chapter; ...”*



5. Adding Section 62-111, Additional Street Requirements to Section 62-103. *Established Minimum Requirements.*
6. Allowing lot width measurement in ETJ to be at front setback line to match requirement within city limits.
7. Adding language to allow minimal lot area reduction due to right-of-way dedication within ETJ.
8. Clarification and additional requirements on sidewalk and street construction for properties that have frontage along streets and right-of-way owned and managed by County and State. For non-residential uses, staff is proposing the requirement of sidewalk to be included as part of the site development. The street construction requirement does not apply to roads and rights-of-way owned and maintained by the County or State unless specifically required by the controlling authority. Minimum sidewalk width is proposed to be amended to 5 feet.

**STAFF RECOMMENDATION**

Staff is recommending approval of this proposed amendment to Sec. 62.- *Subdivisions*, by adopting Ordinance No. 2025-0-20.

**PD&Z RECOMMENDATION**

Staff is recommending approval of this proposed amendment to Sec. 62.- *Subdivisions*, by adopting Ordinance No. 2025-0-20.

**PUBLIC HEARING**

The Notice of Public Hearing was published in the newspaper of general circulation on 04/27/2025.

**PUBLIC HEARINGS WILL BE HELD AT MANVEL CITY HALL, 20031 HWY 6, MANVEL, TX 77578 AT 6:00 P.M. ON MONDAY, MAY 12, 2025, BEFORE THE MANVEL PLANNING, DEVELOPMENT AND ZONING COMMISSION AND AT 6:00 P.M. ON MONDAY, MAY 19, 2025, BEFORE THE MANVEL CITY COUNCIL TO HEAR INPUT FROM THE PUBLIC REGARDING AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING CHAPTER 62 “SUBDIVISIONS”, ARTICLE IV. – MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RESUBDIVISION; AMENDING SEVERAL PROVISIONS PERTAINING TO ADDITIONAL REQUIREMENTS FOR SUBDIVISIONS IN THE ORIGINAL MANVEL TOWNSITE (OMT) (INCLUDING OMT BOUNDARY), STREET AND SIDEWALK CONSTRUCTION, LOT SIZE, LOT SETBACK, AND EXCEPTIONS FOR CERTAIN MANVEL RESIDENTS; AMENDING CHAPTER 62 “SUBDIVISIONS,” ARTICLE II.- SUBDIVISION AND DEVELOPMENT PROCESS; TO AMEND PROVISIONS AND REQUIREMENTS RELATED TO DEVELOPMENT PLATS; AND FURTHER AMENDING CHAPTER 62 “SUBDIVISIONS” FOR POSSIBLE CORRECTION OF EXISTING TYPOGRAPHICAL ERRORS.**

## Chapter 62 SUBDIVISIONS<sup>1</sup>

### **ARTICLE I. GENERAL PROVISIONS**

#### **Sec. 62-1. Findings and purpose.**

The city hereby adopts these subdivision regulations to provide for the orderly, safe and healthful development of the lands within the city limits and within the city's extraterritorial jurisdiction as provided for in V.T.C.A., Local Government Code §§ 42.001 et seq. and 212.001 et seq., and for the following additional purposes:

- (1) To implement and give effect to the city's plans, including but not limited to: the comprehensive plan, master drainage plan, master water plan, master wastewater plan, master parks plan, and master thoroughfare plan;
- (2) To preserve and protect the public health, safety, and general welfare, and to preserve and protect property values within the city limits and extraterritorial jurisdiction;
- (3) To ensure that adequate public facilities and services are available concurrent with development and will have a sufficient capacity to serve the proposed development;
- (4) To provide for adequate light, air and privacy, to secure safety from fire, flood, and other dangers, and to prevent overcrowding of the land and undue congestion of population;
- (5) To protect the character and the social and economic stability of all parts of the municipality and to encourage the orderly and beneficial development of the community through appropriate grown management techniques, to assure proper open space separation of urban areas, to protect environmentally critical areas and areas premature for urban development;
- (6) To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewer, schools, parks, playgrounds, recreation, and other public amenities and facilities;
- (7) To establish reasonable standards of design and procedures for subdivisions in order to further the orderly layout and use of land, and to ensure proper legal descriptions and monumenting of subdivided land; and
- (8) To preserve the natural beauty and topography of the municipality and extra territorial jurisdiction and to ensure appropriate development with regard to these natural features.

(Ord. No. 2004-0-17, § 1, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

#### **Sec. 62-2. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Terms not defined herein shall

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<sup>1</sup>State law reference(s)—Municipal regulation of subdivisions and property development, V.T.C.A., Local Government Code § 212.001 et seq.; minimum requirements for subdivisions, 31 Tex. Admin. Code § 364.91.

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be construed in accordance with the ordinances of the city or the customary usage and meaning in municipal planning and engineering practices.

*Administratively complete application* means any application containing all of the required documents listed on any application in the appropriate format, the correct number of copies, paid fees, and any required signatures when submitted to the city, in final form to be deemed complete for processing.

*Alley* means minor ways that are used primarily for vehicle service access to the back or the side of properties otherwise abutting a street.

*Applicant* means any developer or subdivider that submits an administratively complete application.

*Building* means any structure designed or built for the support, enclosure, shelter, or protection of persons, animals, or property of any kind.

*Building line* means a line parallel or approximately parallel to the street line and beyond which buildings may not be erected. The building line is measured from the frontage road right-of-way.

*City* means the City of Manvel, Texas.

*City engineer* means an appointed official by the city, or their designated representative.

*City secretary* means the person appointed by the city council of the city pursuant to section 5.04 of the City Charter, or their designated representative.

*Civil site work* means any work performed upon the ground of a specific tract of land or property for the purposes of installing, constructing, or completing the water, sanitary sewer, or storm sewer lines, roadways and/or streets, and the grading and/or construction of the subdivision lots, detention ponds or any other infrastructure.

*Council* means the city council of the city.

*Design criteria* means the city's approved design criteria manual for wastewater collection systems, water lines, streets, sidewalks, and storm drainage facilities, as such manual may be amended from time to time by council.

*Developer* means any person or entity that develops land within the city, whether or not a subdivision of land is required by this chapter. This term shall be synonymous with the term "subdivider" in cases where the subdivision of land is involved.

*Development* means the preparation of land for building, including subdivision of land, new construction of any building, structure, or improvement, or the enlargement of any exterior dimension of any building, structure or improvement.

*Development review committee* means the development application technical review body for the city which include but are not limited to the zoning official, building official, city engineer, public works department, fire marshal, and code enforcement. Other staff from various local, county, state, or federal agencies may participate in the development review process as needed from time to time.

*Extraterritorial jurisdiction (ETJ)* means the unincorporated area that is contiguous to and located within one mile of the corporate boundaries of the city, and as such area may be expanded following annexation of other land into the city limits.

*Family* means no more than two one or more persons unrelated by blood, marriage, adoption, or guardianship living together as a single housekeeping unit with a single kitchen facility. The term "single kitchen facility" shall not exclude one outdoor kitchen facility per single housekeeping unit with one kitchen.

*Frontage* means that side of a lot where the lot is assigned an address.

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*Gathering lines* means all pipelines operated incidentally to the development and operation of any oil and/or gas wells, or out and/or gas fields and/or secondary recovery projects.

*Infrastructure* means streets, sidewalks, drainage facilities or improvements, water and sanitary sewer facilities, utilities, parks, and any other improvements for which the city may ultimately assume responsibility for maintenance and operation.

*Lot* means a physically undivided tract or parcel of land having frontage on a public or private street, which is, or in the future may be offered for sale, conveyance, transfer or improvement, and which is designated as a separate and distinct tract and identified by numerical or letter identification on a duly and properly recorded subdivision plat.

*Lot, flag-shaped or key-shaped* means a lot with frontage on and access to the public or private street right-of-way, which is provided by a narrow driveway(s), access easement(s), or other parcel of land, referred to as the "staff" of such flag lot, and the largest portion of the lot is situated behind adjoining lots which front on a public or private street.

*Lot, frontage* means that side of a lot where the lot is assigned an address.

*Low pressure distribution system* means a distribution system in which the gas pressure in the main is substantially the same as the pressure provided to the customer.

*Main* means a distribution line that serves as a common source of supply for more than one service line.

*Master plan* means the development of subdivision that constitutes a tract consisting of a minimum of 50 acres or more in size, and which is intended to be subsequently subdivided as additional units of the same subdivision as required by this subdivision ordinance and in accordance with section 62-39, Master Plan.

*Person* means an individual, duly formed partnership, firm, association, corporation, or any other entity howsoever formed and shall include any officer, agent, employee, trustee, or servant thereof.

*Pipeline or pipeline system* means all or parts of a pipeline facility through which gas, hazardous liquid or carbon dioxide moves in transportation, connected to line pipe compressor units, pumping units, fabricated assemblies unassociated with compressor units, metering and delivery stations, holders, and fabricated assemblies therein and breakout tanks, including, but not limited to, high pressure pipelines, trendline pipelines and gathering lines as defined herein.

*Planning commission* means the duly appointed city planning commission of the city.

*Plat* means an instrument prepared by a registered professional land surveyor in conformity with the provisions of this chapter used to describe subdivided land, with ties to permanent landmarks or monuments, approved by the city or a governmental entity with jurisdiction of the land in accordance with Texas Local Government Code § 212.023, and recorded in the Brazoria County Property Records.

*Plat, amending* means a replat addressing minor changes, correction of clerical errors, or limited modifications affecting a limited number of property owners or lots, as defined by Texas Local Government Code § 212.016.

*Plat, development* means a plat required prior to development (e.g., any new construction or the enlargement of any exterior dimension of any building, structure, or improvement), in accordance with Texas Local Government Code Section 212, Subchapter B (212.045), in lieu of other subdivision plats (established in Tx Local Gov't Code 212, Subchapter A) required by this subdivision ordinance and in accordance with section 62-46, Development Plat.

*Plat, final* means a complete and exact subdivision plat prepared by a registered professional land surveyor in conformity with the provisions of this chapter, state law, and the state board of professional land surveying regulations, and in a manner suitable for recording with the county clerk.

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*Plat, preliminary* means a plat of a proposed subdivision prepared in accordance with the provisions of this chapter illustrating the features of the development for purpose of review and preliminary approval by the planning commission and the city.

*Plat, minor* means a complete and exact subdivision plat prepared by a registered professional land surveyor in conformity with the provisions of section 62-42, Minor Plat, and Texas Local Government Code § 212.0065, and in a manner suitable for recording with the county clerk.

*Plat, subdivision* means a plat (e.g., preliminary plat, final plat, minor plat, replat, or amending plat) established in Texas Local Government Code § 212, Subchapter A, involving the subdividing of land into two or more parts or the amending of a recorded plat.

*Public improvements* means dedications that include public water, public sewer, public drainage, public street frontage, street access, public parks and public facilities.

*Replat* means a redesign of all or a part of a recorded plat or subdivision of land, which substantially changes the elements of the plat.

*Reserve* means undeveloped property within an appropriate plat or master plan, as defined in this chapter, that provides for phased or sequential development, and where the intended purpose for the reserve is outlined in a recorded plat for the intended future purpose for detention, infrastructure, open space, landscaping, easements, rights-of-way, utilities, and or dedications. Reserve parcels that do not abut a public street shall be connected by a minimum 40-foot wide by 175-foot deep piece of land.

*Restricted reserve* means the designations for those individual parcels of land created within a subdivision, which are established to accommodate a site for dedication of a specific area of land. Reserve parcels that do not abut a public street shall be connected by a minimum 40-foot wide by 175-foot deep piece of land.

*Setback* means the distance between a wall or any projection of a building and the property line excluding steps and unenclosed porches.

*Setback, street side* means the open space extending from the front yard to the rear yard and lying between the street side lot line adjacent to the public right-of-way or easement and the closest point of the building or structure on a lot at the junction of and abutting two or more intersecting streets.

*State* means the State of Texas.

*Street, private* means a non-public street. Private streets shall meet all requirements of public streets, but shall be maintained by a private entity.

*Street, public* means a public right-of-way dedicated for public use, which provides vehicular access to the adjacent land. Included in this definition are the following general classifications of streets:

- (1) Major thoroughfares or arterial streets are principal traffic arteries, more or less continuous across the city, which are intended to connect remote parts of the city and which are used primarily for fast or heavy volume traffic;
- (2) Secondary arterial streets are streets that carry traffic from minor streets to major thoroughfares or arterial streets and highways, including the principal entrance streets of a residential development and streets designed for circulation within such development;
- (3) Minor streets are streets that are used primarily used for access to abutting properties and are intended to serve traffic within a limited area;
- (4) Marginal access streets are minor streets, which are parallel to and adjacent to arterial streets and highways and provide access to abutting properties and protection from through-traffic;
- (5) Boulevards are streets utilizing two 24-foot, minimum width, paved roadway sections, which are divided by a median and which serve to separate traffic moving in opposite directions.

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*Structure* means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.

*Subdivider* means any person who performs or participates in the performance of any act relating to the subdivision of land within the intent, scope and purview of this chapter. The terms "subdivider" and "developer" are synonymous and are used interchangeably for purposes of this chapter in connection with subdivision of land.

*Subdivision or subdivide* means the division of any lot, tract or parcel of land by plat, or map for the purpose, whether immediate or future, of sale, rental or lease, or division of ownership. Any dedication and the laying out (or realignment) of new streets, or other public or private accessways, with or without the creation of lots, is a subdivision. An "addition" is a subdivision as defined herein. The term "subdivision" or "subdivide" includes the division of land, whether by plat or by metes and bounds description, and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

*Substantial improvement* means any reconstruction, rehabilitation, addition, or improvement of structure, the cost of which equals or exceeds 50 percent of the market value of the structure before start of construction, of the improvement. This includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions; or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

*Title certificate* means a certificate prepared and executed by a title company authorized to do business in the state or an attorney licensed in the state certifying the true owner or owners of the property and describing all encumbrances of record which affect the property. Such certificate shall include all property within the platted area, and such certificate shall not have been executed more than 45 days prior to the submission of same to the council.

*Trendline pipeline* means common carrier pipelines and other main pipelines not included in the definition of gathering lines, expressly including their rights-of-way as defined and established by instruments of record in the office of the county clerk.

*Well* means any hole or bore to any sand, horizon, formation, strata or depth for the purpose of producing any oil, gas, liquid hydrocarbon, brine water, sulfur water or use as an injection well for secondary recovery, or any of them.

(Ord. No. 2004-0-17, § 2, 9-13-2004; Ord. No. 2006-O-03, § 2, 3-27-2006; Ord. No. 2019-O-24, § 1, 8-5-2019)

### **Sec. 62-3. Application and compliance with chapter.**

- (a) *Application.* The rules and regulations of this chapter shall apply to and govern the approval and requirements of subdivisions and property development within the corporate limits and extraterritorial jurisdiction of the city.
- (b) *Compliance.* Any person who subdivides any tract, lot or parcel of land within the city or its extraterritorial jurisdiction must submit to the city, for its approval, a preliminary, final, amending, minor plat or replat, as applicable. No subdivision of any tract, lot or parcel of land shall be lawful until such time that the plat has been approved in accordance with the terms of this chapter. Unless and until a preliminary and final, minor, or amending plat or replat of a subdivision shall have been first approved by the city, in the manner provided herein, no person shall construct or cause to be constructed any street, utility, facility, building, structure, or

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any other improvement on any lot, tract, or parcel of land within such subdivision, except as specifically permitted in this chapter.

- (c) *Nonissuance.* No permit shall be issued by the city for the new construction or substantial improvement to any building, structure or improvement on a lot, tract, or parcel of land for which a plat has not been approved by the city and filed of record or certificate of exemption issued. No building, plumbing, electrical, or mechanical permit shall be issued by the city for the construction or repair of any structure on a lot, tract, or parcel of land within a subdivision in which the required storm drainage improvements have not been constructed and the permanent public improvements have not been approved and accepted by the city. This section applies to the placement or construction of a permitted structure, included manufactured homes as allowed in chapter 38, Manufactured Housing, other city ordinances, or by state law.
- (d) *Delegation of approval responsibility.*
- (1) Per Texas Local Government Code § 212.0065, the approval of the following plats are hereby delegated to the city manager, or his/her designee:
    - a. Amending plats;
    - b. Minor plats; and
    - c. Replats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities.
  - (2) The city manager may, for any reason, elect to present the plat for approval to the planning commission.
  - (3) Any plat not approved by the city manager shall be referred to the planning commission within the time period specified in Texas Local Government Code § 212.009.
- (e) *Exception to platting.*
- (1) *Greater than five acres.* An exception to platting may be granted under this section in accordance with Texas Local Government Code § 212.004. Where a division of land into parts greater than five acres, each part is five acres and larger, has access to a public street (as identified by profile in the design criteria manual), and no public improvement is required or being dedicated, the city may issue a certification of exception. A developer wanting to file for a certificate of exception to platting must submit:
    - a. A letter requesting an exception under this section.
    - b. A copy of the deed for the tract being divided.
    - c. A current survey (within one year of the application) by a registered land surveyor showing the division and description of each tract.
    - d. Upon approval by the planning commission, the city will supply the property owner with a certificate of exception.
    - e. The survey shall be filed with the county clerk at the owner's expense prior to obtaining a building permit.
  - (2) *Court order.* A division of land created by order of a court of competent jurisdiction.

(Ord. No. 2004-0-17, § 3, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

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#### **Sec. 62-4. Fees.**

The council may, from time to time, adopt fees for the review and processing of applications required by this chapter. Such fees shall be adopted by resolution and may be revised as often as council deems necessary. Fees and inspection charges shall be paid in advance of any review by city staff, and whether the plat is approved or denied. All plats and construction plan reviews will not be accepted or processed until fees are paid.

(Ord. No. 2004-0-17, § 4, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

#### **Sec. 62-5. Variance.**

- (a) The rules and regulations provided herein or incorporated hereby are the minimum standards and requirements of the city. Variances from this chapter are not anticipated, and there is no entitlement to a variance, except in extreme and unusual circumstances, variances from the technical terms of this chapter may be requested. A variance from any such rule or regulation may be granted by the city council, only upon a good and sufficient showing by the applicant that:
- (1) There are special circumstances or conditions affecting the property in question;
  - (2) Enforcement of the provisions of this chapter will deprive the applicant of a substantial property right; and
  - (3) If a variance is granted it will not be materially detrimental to the public welfare or injurious to other property or property rights in the vicinity.
- (b) Each and every application for a variance shall be decided solely and entirely on its own merits, and the disposition of any prior or pending application for a variance shall not be allowed to enter into or affect any decision on the application in question. Financial interests shall not be considered as a basis for the granting of a variance. No application for a variance shall be considered, unless submitted to the council, in writing, no later than the date the application for final plat approval is submitted.
- (c) All variance requests shall first go to the planning commission for a recommendation to city council. Applications may also be submitted concurrent with proposed plats.

(Ord. No. 2004-0-17, § 5, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

#### **Sec. 62-6. Enforcement.**

The city shall not issue permits, furnish city services, or issue certificates or plat compliance to any developer who violates the terms of this chapter or prior subdivision regulations, and, in addition, shall have the right to prohibit or correct violation by writs of injunction, prosecution, or other legal process. The city will withhold improvements of any nature whatsoever, including issuance of building permits, maintenance of streets, and provision of water and sewer services, if applicable, to all additions until a final plat has been approved, all infrastructure improvements have been formally accepted by the city, and final construction plans have been provided to the city. The city may revoke a permit for noncompliance with the section.

(Ord. No. 2004-0-17, § 6, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

#### **Sec. 62-7. Compliance with city's plans.**

All applications submitted under this chapter shall comply with city's plans, as adopted or amended from time to time. The city plans include, but are not limited to:

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- (1) Comprehensive plan;
  - (2) Master drainage plan;
  - (3) Master water plan;
  - (4) Master wastewater plan;
  - (5) Master parks plan; and
  - (6) Major thoroughfare plan.

(Ord. No. 2004-0-17, § 7, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

### **Sec. 62-8. Offenses.**

- (a) It shall be unlawful to construct, install, place, or locate two single-family dwellings upon a single lot, parcel, or tract of land.
- (b) It shall be unlawful to construct or install, or cause to be constructed or installed, a building or structure across or over a lot line or property line.
- (c) It shall be unlawful to subdivide any tract, lot or parcel of land without complying with the terms of this chapter and the Texas Local Government Code.

(Ord. No. 2004-0-17, § 8, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

### **Sec. 62-9. Effective date.**

All administratively complete applications for preliminary plat approval, which have been filed on or after the effective date of the ordinance from which this chapter is derived, shall be subject to these regulations. A complete subdivision application that has been filed, or that has received preliminary approval prior to the effective date of the ordinance from which this chapter is derived shall be subject to the subdivision regulations in effect at the time of filing of such application for preliminary plat approval.

(Ord. No. 2004-0-17, § 9, 9-13-2004; Ord. No. 2019-O-24, § 1, 8-5-2019)

### **Secs. 62-10—62-36. Reserved.**

## ***ARTICLE II. SUBDIVISION AND DEVELOPMENT PROCESS<sup>2</sup>***

### **Sec. 62-37. Subdivision and development meetings.**

A predevelopment meeting between the developer and the planning commission, or its designee, such as the city manager, building official, fire marshal, zoning official, and/or city engineer, may be held to discuss the development's concepts and approval procedures. This is an informal process to allow an exchange of information

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<sup>2</sup>Editor's note(s)—Ord. No. 2019-O-24, § 2, adopted August 5, 2019, repealed the former art. II, §§ 62-37—62-46, and enacted a new art. II as set out herein. The former art. II pertained to similar subject matter and derived from Ord. No. 2004-0-17, §§ 20—29, adopted Sept. 13, 2004; Ord. No. 2008-O-14, § 1, adopted June 23, 2008; Ord. No. 2009-O-24, § 1, adopted Oct. 26, 2009; Ord. No. 2011-O-26, § 1, adopted Jan. 23, 2012.

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between the developer and city staff. No approval will be issued for any conceptual plans discussed at such meeting, and such plans are not binding on the developer or the city.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

### **Sec. 62-38. Preliminary plat.**

- (a) Following the predevelopment meeting, all persons desiring to subdivide a tract of land within the city limits, or within the city's extraterritorial jurisdiction, shall prepare, or cause to be prepared, a preliminary plat according to the following requirements:
- (1) The proposed name of the subdivision;
  - (2) The north arrow, a graphic scale where one-inch equals 100 feet or larger, full date, and vicinity map drawn to a scale of one-inch equals 2,640 feet;
  - (3) The names, addresses and telephone numbers of the subdivider, the owner of record, the registered professional civil engineer responsible for the design, and the registered professional land surveyor responsible for the land survey;
  - (4) The boundary line (accurate in scale) of the tract to be subdivided;
  - (5) The proper adjoiner information, including the names of adjacent subdivisions, with recording information;
  - (6) The location, widths, and names of all existing or platted streets or other public rights-of-way on-site and adjacent to the tract and within 200 feet of the tract, as circumstances require;
  - (7) The existing pavement, sewers, water mains, culverts, or other underground structures adjacent to and within 200 feet of the tract, with pipe sizes, grades and locations indicated;
  - (8) All parcels of land intended to be dedicated for public use or reserved in deeds for the use of all property owners within the proposed subdivision, together with the purpose of conditions or limitations of such reservations, if any;
  - (9) The layout, names, and widths of proposed streets and easements, the radius of all arcs, length of the tangents, and the length of tangents between curves;
  - (10) The layout, numbers, dimensions and size of the proposed lots with building setback lines shown;
  - (11) All other important features such as section lines, boundaries of other political subdivisions, or corporation lines and school district boundaries;
  - (12) A preliminary drainage plan, which has been submitted to the appropriate drainage district and meets the requirements as set forth in the "City of Manvel Design Criteria Manual" (as amended from time to time) and the flood damage prevention ordinance shall be submitted with each preliminary plat (at the same scale), and shall include the following:
    - a. Overall layout of lots or parcels;
    - b. Contours;
    - c. Any existing waterways on or adjacent to the site;
    - d. Drainage area map showing on-site and offsite areas draining across or adjacent to the site with preliminary calculations of flows;
    - e. Flood zones and floodways, as determined by the applicable FEMA maps. The base flood elevation (BFE) shall be indicated on the preliminary plat as shall the flood zone;

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- f. Proposed drainage improvements, including detention areas and depths with preliminary calculations; and
  - g. Proposed easements, including all drainage and maintenance easements.
- (13) A traffic study for all development located along all major thoroughfares shall be submitted to the city;
  - (14) A preliminary utility plan and utility availability letter shall be provided with the preliminary plat; and
  - (15) A master plan, where applicable.
- (b) Three copies of the preliminary plat and supporting data required by this article shall be submitted to the city, along with the required fees established by council. The preliminary plat shall be reviewed by the development review committee for compliance with state law, this article, and all other applicable ordinances, policies, rules, and regulations.
  - (c) Following certification of compliance with the regulations listed in subsection (a), above, 11 folded copies and one electronic (.pdf) copy of the preliminary plat, including any corrections and supporting documentation, shall be provided to city staff.
  - (d) In cases where the subdivider desires to have the preliminary plat placed on a planning commission agenda, such preliminary plat and the required supporting data must be submitted according to the city's plat submittal schedule. However, no agenda action will be scheduled until the application is administratively complete. The planning commission shall render a decision within 30 days of the city's receipt of an administratively complete application, provided the application is not withdrawn prior to the planning commission review. The planning commission's action shall consist of approval, disapproval, or conditional approval.
  - (e) Following approval of the preliminary plat, and prior to actual construction of any water and sanitary sewer facilities, the state commission on environmental quality (TCEQ) shall be notified, if required, in accordance with 30 Tex. Admin. Code § 317.1 et seq. or state law.
  - (f) Approval of the preliminary plat does not constitute acceptance of the subdivision, but is merely an authorization to proceed with the preparation of the final plat. Approval of the preliminary plat shall expire 12 months after planning commission approval, unless the final plat has been submitted to the planning commission for final approval during that time. Upon written request of the subdivider, an extension of time may be given, at the discretion of the planning commission, for a single extension period of six months, provided the subdivider has shown good faith in proceeding to complete the work necessary prior to filing the final plat.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

### **Sec. 62-39. Master plan.**

- (a) Where the proposed subdivision constitutes a tract or tracts consisting of a minimum of 50 acres or more in size, and which is intended to be subsequently subdivided as additional units of the same subdivision, a master plan shall be submitted. The master plan shall show the proposed layout of the streets, blocks, public parks land, school site purposes, and drainage of the entire area. The over-all layout, if approved by the council after recommendation by the planning commission, shall attach and file with a copy of the approved subdivision plat in the permanent files of the city. Thereafter, fractional preliminary and final plats of subsequent units of such subdivision may be submitted provided no significant changes are made to the master plan. If a master plan is prepared to conform to the requirements of section 62-38, Preliminary Plat, a separate Preliminary Plat approval is not required. Any request for change to the master plan must be submitted according to the procedures prescribed in section 62-38, Preliminary Plat.

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- (b) A phasing schedule shall be submitted as part of the master plan. The phasing schedule shall indicate the timing of each phase of development. All lands to be dedicated for public right-of-way, public park land, public use, trails, or school site purposes shall be dedicated in the first phase of the development. The council may allow the dedication of said public improvements in another phase of development where due cause is shown.
  - (c) Approval of the master plan shall expire three years after council approval, unless within the three-year period, the subdivider has commenced construction of the improvements in the final construction plans approved by the city.
  - (d) A master plan shall be approved by council resolution unless council approves an amended planned unit development (PUD) or development agreement.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

### **Sec. 62-40. Construction plans.**

After approval of the preliminary plat by the planning commission, construction plans meeting the requirements of the city's design criteria manual, adopted plans, and other applicable ordinances, rules, policies and regulations shall be submitted for all improvements proposed on the preliminary plat. Engineering standards and standard details shall be contained in the design criteria manual, as amended from time to time. After a plat has been approved by the planning commission, the final construction plans have been approved by the city engineer, and all required fees have been paid, the subdivider or developer may proceed with construction of the public infrastructure after participating in a pre-construction meeting and obtaining all necessary building permits from the city.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

### **Sec. 62-41. Final plat.**

- (a) No final plat shall be considered unless and until a preliminary plat has been submitted and approved, unless a minor plat is used, and a set of final construction plans has been approved by the city engineer for the public infrastructure improvements.
- (b) After compliance with the foregoing procedure and preliminary plat approval by the planning commission, the subdivider shall prepare, or cause to be prepared, a final plat or plats, together with other supplemental information as specified herein. The final plat shall conform substantially to the preliminary plat as approved and shall reflect any conditions or requirements for final approval imposed by the planning commission, together with the following additional requirements, which must be shown on or accompany the final plat:
  - (1) The name of the subdivision;
  - (2) The north arrow, a graphic scale where one-inch equals 100 feet or larger, date, and vicinity map drawn to a scale one-inch equals 2,640 feet;
  - (3) The name, address and telephone number of the subdivider;
  - (4) A signed certificate of the registered professional land surveyor, who has surveyed, mapped, and monumented the land, shall be placed on the face of the plat;
  - (5) A certificate of ownership of the land from a title company;
  - (6) A statement of express dedication of all streets, easements, alleys, parks, playgrounds, public places, and other rights-of-way within to the public use forever. The dedication necessary to satisfy the requirements of this article may be within or outside the subdivision and shall be executed by all

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persons owning an interest in the property subdivided, resubdivided, or platted and shall be acknowledged in the manner prescribed by the laws of the state for conveyance of real property. Lienholders must execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites, and other public areas shown on the plat of such subdivision as being set aside for public use and purpose;

- (7) A field note description of the subdivided tract of land;
- (8) A statement and express representation on the face of the plat that the parties joining in such dedication are the sole owners of such tract of land;
- (9) A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of plat, and the name of the surveyor;
- (10) The boundary lines, with accurate distance and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract;
- (11) The names of adjacent subdivisions and/or the names of owners of adjacent land, with all recording information shown, and all data necessary to reproduce the plat and each subdivision lot on the ground;
- (12) The bearings and distances to the nearest established street lines or official monuments shall be accurately described on the plat, with all bearings to be Lambert Grid bearings. All coordinates shall refer to the Texas State Plane Coordinate System;
- (13) The exact layout shall include the following:
  - a. Streets and street names;
  - b. The length of all arcs, internal angles, points of curvature, length and bearing of the tangents, and the length of tangent between curves;
  - c. All easements or rights-of-way provided for drainage, public services, or utilities, and any limitations of such easements/rights-of-way;
  - d. All lot and block numbers;
  - e. All lot lines with accurate dimensions;
  - f. All alleys;
  - g. Location and description of monuments;
  - h. Building setback lines from all adjacent streets; and
  - i. Point of beginning, including Northing and Easting.
- (14) Boundary closure calculations, the minimum of which shall be 1:15,000;
- (15) Any protective covenants whereby the subdivider proposes to regulate the use of the land within the subdivision; provided, however, restrictive covenants, conditions, or limitations shall never be less than the minimum requirements of the city under the terms of this article or other city ordinances. For subdivisions including common areas, reserves, and restricted reserves, documentation indicating ownership and maintenance responsibility shall be provided and the information shall be reflected on the plat;
- (16) A waiver of claim for damage occasioned by the establishment of grades or alterations of the surface of any portion of the streets;

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- (17) ~~An~~ A current original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property;
  - (18) Such other certificates, data, affidavits, and endorsements or dedications as may be required by the planning commission for the enforcement of these regulations;
  - (19) A certificate of approval on face of the plat, with signatures for the planning commission. Additionally, a certificate of approval, signed by the applicable drainage district, shall appear on the face of the plat for properties located in the city's extraterritorial jurisdiction;
  - (20) Letters from utility companies indicating that their required easements are correctly shown on the plat and verifying availability of utility service;
  - (21) A current title policy or title commitment from an insured title company reflecting the current owner of the tract of land;
  - (22) A notation that sidewalks shall be constructed as part of the issuance of a building permit for each tract;
  - (23) For residential subdivisions, a notation that building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed;
  - (24) A notation that the final plat will expire two years after final approval by the planning commission, if construction of the improvements has not commenced within the two-year initial period or the one-year extension period granted by the planning commission;
  - (25) Construction drawings of the proposed infrastructures improvements, which must be approved by the city engineer prior to planning commission approval of the final plat;
  - (26) Two original mylar copies of the final plat and supporting data shall be submitted to the city secretary. Said copies shall be submitted to city staff, according to the city's plat submittal schedule, and shall be reviewed by the development review committee for compliance with state law, this article, and all other city ordinances, policies, rules and regulations. On receipt by city staff of an administratively complete application, the final plat shall be scheduled for action by the planning commission, at its next regularly scheduled meeting. According to the city's plat submittal schedule, the subdivider shall provide to the planning commission ~~11-1~~ 1 folded ~~copies, copy one accompanied by an~~ electronic (.pdf) copy, and two original mylar copies of the final plat, prepared in accordance with the county clerk's requirements for plat recording, along with all supporting documentation. The planning commission shall render its decision within 30 days of the city's receipt of an administratively complete application, provided the application is not withdrawn prior to the planning commission's review. The planning commission's decision shall consist of a decision of approval, conditional approval, or disapproval. Should the final plat be disapproved by the planning commission, note its disapproval thereon, and attach thereto a statement of the reasons for such disapproval. A disapproved final plat may be resubmitted with correcting changes ~~within 30 days of planning commission action~~ according to the city's plat submittal schedule. No final plat shall be processed until final construction plans are approved;
  - (27) Approval of the final plat shall expire two years after planning commission approval unless, within such two-year period, the subdivider has commenced construction of the improvements identified in the final construction plans approved by the city, or requests and obtains approval from the planning commission of a one-year extension. If a one-year extension is requested and approved by the planning commission, the construction of improvements identified in the final approved construction plans must be commenced within the one-year extension period or the final plat will expire;

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- (28) In the event the tract of land being subdivided is adjacent to a street or road that does not meet the city's design criteria manual specifications, the subdivider shall be required to improve all such streets or roads (frontage and perimeter) to meet those specifications from the point where such street or road does meet the city's requirements, to the farthestmost boundary of the subdivision;
  - (29) A notation that the development regulations and city permits are required on all property within the corporate limits and extraterritorial jurisdiction of the city; and
  - (30) A master plan, where applicable.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

### **Sec. 62-42. Minor plat.**

- (a) When all requirements of this section are satisfied, the requirement of preliminary plat submittal may be eliminated from the development or subdivision process in accordance with the provisions of this section. The subdivider shall be required only to comply with the final plat provisions and procedures of this article for a minor plat submittal.
- (b) To qualify for a minor plat, the proposed subdivision must meet all of the following requirements:
  - (1) All lots of the proposed subdivision must front on a public street or on streets that meet the following criteria:
    - a. The street must have been previously dedicated to and accepted by the city, county or state, as applicable, must be maintained by the entity with jurisdiction, and must be traveled by the public; and
    - b. The street must exist within a right-of-way with a minimum width of 60 feet, or the proposed plat must dedicate the necessary additional rights-of-way to provide a minimum width of 30 feet from the centerline of the existing or original right-of-way.
  - (2) No additional dedication or construction of streets, alleys, or extensions of existing streets or alleys are required for the proposed subdivision;
  - (3) A drainage plan, covering all land to be improved, must be prepared in accordance with the "City of Manvel Design Criteria Manual" (as amended from time to time), the master drainage plan, and submitted to the appropriate drainage district. Construction plans for each improvement must have been approved by the city prior to approval of the minor plat;
  - (4) All necessary easements and/or public dedications are either existing or will be dedicated by the owner/subdivider. All such easements and/or public dedications must be of an acceptable width and configuration.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

### **Sec. 62-43. Vacating plat.**

- (a) The developer of a tract covered by a plat may vacate such plat at any time before any lot within the plat is sold. The plat is vacated when a signed, acknowledged instrument declaring such plat vacated is approved and recorded in the manner prescribed for the original plat.
- (b) If lots within the plat have been sold, such plat, or any part thereof, may be vacated by application of all owners of lots within said plat, with approval obtained in the manner prescribed for the original plat.

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- (c) The county clerk shall write legibly on the vacated plat the word "vacated" and shall enter on the plat a reference to the volume and page at which a vacating instrument is recorded.
  - (d) Upon execution and recording of a vacation instrument, the vacated plat has no effect.
  - (e) The procedure for vacating a plat shall conform to the provisions of the Texas Local Government Code in effect at the time of such vacation, and shall be subject to the same approval process as required in section 62-40, Final Plat.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

#### **Sec. 62-44. Replatting without vacating preceding plat.**

- (a) The same procedures shall be followed as for those for a preliminary plat, final plat, or minor plat. The replat must be designed in accordance with the provisions of the Texas Local Government Code in effect at the time of such vacation. A replat of a subdivision or any part of a subdivision may be recorded and is controlling over a preceding plat, without vacation of such preceding plat, if the replat:
  - (1) Is signed and acknowledged by only the owners of the property being replatted;
  - (2) Is approved by the planning commission;
  - (3) Does not attempt to amend or remove any covenants or restrictions; and
  - (4) Identifies the lots or portions of lots being replatted and provides a reason for the replat.
- (b) A replat without vacation of the preceding plat must also conform to the requirements of this subsection if any of the area being replatted was limited by deed restrictions to residential use or an interim or permanent zoning classification to residential use for not more than two residential units per lot. These requirements are:
  - (1) Notice of the public hearing required by this section shall be given in accordance with subsection (c), below;
  - (2) If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat, in order to be approved, must receive the affirmative vote of at least three-fourths of the members present at the planning commission meeting. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat, and extending 200 feet from such area, but within the original subdivision, must be filed with the city prior to the close of the public hearing. In computing the percentage of land area above, areas of the streets and alleys shall be included. Compliance with this subsection is not required for approval of a replat or part of a preceding plat if the area to be replatted was designated or reserved for other than single- or duplex-family residential use by a notation on the last legally recorded plat.
- (c) Notice of the public hearing required under this section hereof shall be given before the 15<sup>th</sup> day before the date of the public hearing by:
  - (1) Publication in the official newspaper of the city;
  - (2) Written notice, with a copy of subsection 62-44(b)(2), above, forwarded by the city to the owners of lots within the original subdivision and within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or, in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is requested. Such written notice may be delivered by depositing same, properly addressed with postage prepaid, with a United States post office or by depositing same into a United States postal depository within the boundaries of the city; and

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- (3) Developer paying all costs for the preparation and mailing of such notices, letters, and copies.
- (d) The replat shall meet the requirements of and be subject to the approval process in section 62-40, Final Plat.  
(Ord. No. 2019-O-24, § 2, 8-5-2019)

### **Sec. 62-45. Amending plat.**

- (a) The city manager may approve an amending plat, which may be recorded and shall then be controlling over a preceding plat, without vacation of such preceding plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:
- (1) To correct an error in a course or distance shown on the preceding plat;
  - (2) To add a course or distance omitted on the preceding plat;
  - (3) To correct an error in a real property description shown on the preceding plat;
  - (4) To indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
  - (5) To show the location or character of a monument that has been changed in location or character, or that is shown incorrectly as to location or character on the preceding plat;
  - (6) To correct any other type of surveyor, scrivener, clerical error, or omission previously approved by the planning commission, which may include lot numbers, acreage, street names, and identification of adjacent recorded plats;
  - (7) To correct an error in courses and distances of lot lines between two adjacent lots if:
    - a. Both lot owners join in the application for amending the plat;
    - b. Neither lot is abolished;
    - c. The amendment does not attempt to remove recorded covenants or restrictions; and
    - d. The amendment does not have a material adverse effect on the property rights of the other owners in the plat;
  - (8) To relocate or remove a lot line to eliminate an inadvertent encroachment of a building or other improvement upon a lot line or easement;
  - (9) To relocate or remove one or more lot lines between one or more adjacent lots if:
    - a. The owners of all those lots join in the application for amending the plat;
    - b. The amendment does not attempt to remove recorded covenants or restrictions; and
    - c. The amendment does not increase the number of lots;
  - (10) To make necessary changes to the preceding plat to create six or fewer lots within the subdivision or any part of the subdivision covered by the preceding plat if:
    - a. The changes do not affect applicable zoning and other city regulations;
    - b. The changes do not attempt to amend or remove any covenants or restrictions; and
    - c. The area covered by the changes is located within an area that the planning commission has approved, after a public hearing, as a residential improvement area; or
  - (11) To replat one or more lots fronting on an existing street if:

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- a. The owners of all such lots join in the application for amending the plat;
  - b. The amendment does not attempt to remove recorded covenants or restrictions;
  - c. The amendment does not increase the number of lots; and
  - d. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.
- (b) An amending plat may be forwarded to the planning commission and shall be in accordance with the Texas Local Government Code and section 62-41, final plats.
  - (c) The amending plat shall contain all the informational requirements set forth in this article and section 62-41, final plats.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

### **Sec. 62-46. Development plat.**

- (a) The term "development" in this section means new construction of any building or structure of any nature both residential and nonresidential. "Development" does not include construction of any building or improvement used for agriculture purposes. This section shall apply to any land in the city or within its extraterritorial jurisdiction, as follows:
  - (1) The development of any lot, tract, or parcel that has not been platted or replatted prior to the effective date of this section;
  - (2) The development of any lot, tract, or parcel of land which the owner claims a certificate of exception from these subdivision regulations, including requirements to replat, which the exception is not expressly provided in section 62-3, application and compliance with chapter, subsection (e), exception to platting;
  - (3) The development of a lot, tract, or parcel of land for which the only access is a private easement or street; and/or
  - (4) The division of a lot, tract, or parcel of land resulting in parcels or lots each of which is greater than five acres in size, and where no public improvement is proposed to be dedicated or constructed.
- (b) Development plats shall be required where:
  - (1) The lot, tract, or parcel to be developed has not received final plat or replat approval or was created prior to the effective date of this chapter; or
  - (2) A subdivision plat is also required under city ordinances; or
  - (3) The issuance of a building permit does not exceed the substantial improvement of an existing principal structure.
- (c) The developer shall prepare, or cause to be prepared, a development plat, together with other supplemental information as specified herein. The development plat shall illustrate the following:
  - (1) The name of the development;
  - (2) The north arrow, a graphic scale where one-inch equals 100 feet or larger, date, and vicinity map drawn to a scale one-inch equals 2,640 feet;
  - (3) The name, address, and telephone number of the developer;

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- (4) Each existing or proposed building, structure, or improvement or proposed modification of the external configuration of the building, structure, or improvement involving a change of the building, structure, or improvement;
  - (5) The dimensions of each street, sidewalk, alley, square, park, or other part of the property intended to be dedicated to the public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, sidewalk, alley, square, park, or other part;
  - (6) A signed certificate of the registered professional land surveyor, who has surveyed, mapped, and monumented the land, shall be placed on the face the plat;
  - (7) A current title policy or title commitment from an insured title company reflecting the current owner for the tract of land;
  - (8) A statement of express dedication of all streets, easements, alleys, parks, playgrounds, public places, and other rights-of-way to the public use forever. The dedication necessary to satisfy the requirements of this article may be within or outside the subdivision and shall be executed by all persons owning an interest in the property subdivided, resubdivided, or platted and shall be acknowledged in the manner prescribed by the laws of the state for conveyance of real property. Lienholders must execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites, and other public areas shown on the plat of such subdivision as being set aside for public use and purpose;
  - (9) A field note description of the development tract of land;
  - (10) A statement and express representation on the face of the plat that the parties joining in such dedication are the sole owners of such tract of land;
  - (11) A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of plat, and the name of the surveyor;
  - (12) The boundary lines, with accurate distance and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract;
  - (13) The names of adjacent subdivisions and/or the names of owners of adjacent land, with all recording information shown, and all data necessary to reproduce the plat and each subdivision lot on the ground;
  - (14) The bearings and distances to the nearest established street lines or official monuments shall be accurately described on the plat, with all bearings to be Lambert Grid bearings. All coordinates shall refer to the Texas State Plane Coordinate System;
  - (15) The exact layout shall include the following:
    - a. Streets and street names;
    - b. The length of all arcs, internal angles, points of curvature, length and bearing of the tangents, and the length of tangent between curves;
    - c. All easements or rights-of way provided for drainage, public services, or utilities, and any limitations of such easements/rights-of-way;
    - d. All lot and block numbers;
    - e. All lot lines with accurate dimensions;
    - f. All alleys;
    - g. Location and description of monuments;
    - h. Building setback lines from all adjacent streets; and

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- i. Point of beginning, including Northing and Easting.
- (16) Boundary closure calculations, the minimum of which shall be 1:15,000;
  - (17) Any protective covenants whereby the subdivider proposes to regulate the use of the land within the subdivision; provided, however, restrictive covenants, conditions, or limitations shall never be less than the minimum requirements of the city under the terms of this article or other city ordinances;
  - (18) A waiver for damage occasioned by the establishment of grades or alterations of the surface of any portion of the streets;
  - (19) An original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property;
  - (20) Such other certificates, data, affidavits, and endorsements or dedications as may be required by the planning commission for the enforcement of these regulations;
  - (21) A certificate of approval on the face of the plat, with signature for the planning commission. Additionally, a certificate of approval, signed by the applicable drainage district, shall appear on the face of the plat for properties located in the city's extraterritorial jurisdiction;
  - (22) Letters from utility companies indicating that their required easements are correctly shown on the plat and verifying availability of utility service;
  - (23) A notation that sidewalks shall be constructed, if required, as part of the issuance of a building permit for each tract;
  - (24) For residential plats, a notation that building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed;
  - (25) A notation that the development plat will expire two years after approval by the planning commission, if construction of the improvements has not commenced within the two-year initial period or the one-year extension period granted by the planning commission;
  - (26) Construction drawings of the proposed infrastructure improvements, which must be approved by the city engineer prior to planning commission approval of the development plat;
  - (27) A notation that the development regulations and city permits are required on all property within the corporate limits and extraterritorial jurisdiction (where applicable) of the city;
  - (28) A master plan, if applicable; and
  - (29) Two original mylar copies of the development plat and supporting data shall be submitted to the city secretary.
- (d) Said copies shall be submitted to city staff, at least 21 days prior to the scheduled meeting date, and shall be reviewed by the development review committee for compliance with state law, this article, and all other city ordinances, policies, rules, and regulations. On receipt by city staff of an administratively complete application, the development plat shall be scheduled for action by the planning commission, at its next regularly scheduled meeting. At least seven days prior to such meeting date, the developer shall provide to the planning commission 15 copies and two original mylar copies of the development plat, prepared in accordance with the county clerk's requirements for plat recording, along with all supporting documentation. The planning commission shall render its decision within 30 days of the city's receipt of an administratively complete application, provided the application is not withdrawn prior to the planning commission's review. The planning commission's decision shall consist of a decision of approval, conditional approval, or disapproval. A disapproved development plat may be resubmitted with correcting changes within 30 days of

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planning commission action. No development plat shall be processed until final construction plans are approved;

- (e) Approval of the development plat shall expire two years after planning commission approval unless, within such two-year period, the developer has commenced construction of the improvements identified in the final construction plans approved by the city, or requests and obtains approval from the planning commission of a one-year extension. If a one-year extension is requested and approved by the planning commission, the construction of improvements identified in the final approved construction plans must be commenced within the one-year extension period or the development plat will expire;
- (f) In the event the tract of land being platted is adjacent to a street or road that does not meet the city design criteria manual specifications, the developer shall be required to improve all such public/private streets (frontage and perimeter) to meet those specifications from the point where such street does meet the city's requirements, to the farthestmost boundary of the plat;
- (g) A development plat is not required when:
  - a. A single one-acre or larger lot, tract, or parcel is proposed for single-family detached development. However, a public or private street shall be dedicated with a minimum 60-foot right-of-way for access to the lot, tract, or parcel and sidewalks constructed in accordance with section 62-104, Streets. Singular access to the subdivided lot, tract, or parcel by easement shall be prohibited. A single-family detached developed lot, tract, or parcel shall only be exempt from the requirements of this section one time; and
  - b. Accessory structures related to the single-family detached development.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

### **Sec. 62-47. Filing of final plat.**

Upon approval of the final plat, compliance with all conditions, and submission of all required documentation, the council will consider the acceptance of the improvements. A two-year maintenance bond in the amount of 100 percent of the total cost of the infrastructure improvements or a one-year letter of credit in the amount of 50 percent of the total cost of the infrastructure improvements shall be required for the public improvements being dedicated to the city. Additionally, an updated original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property shall be provided before the plat can be filed with the county. Once such paperwork is submitted, and the improvements approved by the city engineer and accepted by the council, the city shall file the plat with county. The city shall be listed as an owner on all required documentation. The acceptance of the improvements by the council is valid from the date of council acceptance.

(Ord. No. 2019-O-24, § 2, 8-5-2019)

### **Secs. 62-48—62-65. Reserved**

## ***ARTICLE III. RESERVED<sup>3</sup>***

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<sup>3</sup>Editor's note(s)—Ord. No. 2019-O-24, § 3, adopted Aug. 5, 2019, repealed art. III, §§ 62-66—62-72, which pertained to pro rata cost sharing for public improvements and derived from Ord. No. 2004-O-17, §§ 30—36, adopted Sept. 13, 2004.

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Secs. 62-66—62-102. Reserved

## **ARTICLE IV. MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RESUBDIVISION**

### **Sec. 62-103. Established minimum requirements.**

The subdivider shall comply with the minimum requirements of section 62-104, ~~streets~~Streets, and section 62-111, Additional street requirements, before consideration will be given to any final plat of any subdivision of land within the city limits of the city or within the extraterritorial jurisdiction of the city. All major thoroughfare streets, perimeter streets, trails, and parks shall be constructed with the first final plat, unless council approves a phasing plan for development. The provisions of this article that do not conflict with section 62-40, construction plans, shall apply to minor plats.

(Ord. No. 2004-0-17, § 40, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

### **Sec. 62-104. Streets.**

Street design shall conform to all applicable planning tools, such as the Texas Manual on Uniform Traffic Control Devices, Comprehensive Plan, Transportation Corridor Plan, Major Thoroughfare Plan, and Design Criteria Manual. All paving and construction plans shall be approved by the city for all streets within the city.

- (1) *Major thoroughfare, major arterial, and collector streets.* The arrangement, character, extent, width, grade, and location of all thoroughfare, arterial, and collector streets shall provide for the continuation or appropriate projection to existing and planned streets, for topographical conditions, for public convenience and safety, and for appropriate relation to the proposed uses of the land to be served by such streets, as provided by the city's major thoroughfare plan;
- (2) *Minor or residential street.* These streets shall be designed so that their use by through traffic will be discouraged;
- (3) *Marginal access streets; reverse frontage streets.* Where a subdivision abuts or contains an existing or proposed arterial street, the city may require marginal access streets, reverse frontage with screen planting contained in a non-cross reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic;
- (4) *Right-of-way parallel streets.* Where a subdivision borders on or contains a railroad or highway right-of-way, the city may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, for park purposes within residential districts, or for commercial or industrial purposes within appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations;
- (5) *Multiple access points.*
  - a. *Two point of access.* There shall be a minimum two points of access from a collector street into a subdivision or subdivision phase, up to a maximum of 75 platted lots.
  - b. *Three points of access.* There shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.

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- c. *Four points of access.* There shall be a minimum of four points of access from a collector street in a subdivision or subdivision phase for 176 platted lots or greater.
  - d. *Points of access and existing conditions.* The council may require additional points of access from a collector street due to existing conditions (e.g., pipelines, floodplain, body of water, etc.) in addition to requirements set forth in this section to protect the health, safety, and welfare of the city and its extraterritorial jurisdiction. This access point shall not be located over the potential hazard.
  - e. *Boulevard entries.* A boulevard entry may only be considered as two points of access when a fourth point of access is triggered under subsection c. Four points of access, above;
- (6) *Street jogs.* Street jogs, with centerline offsets of less than 125 feet, shall be prohibited;
  - (7) *Reverse curves.* A tangent of at least 100 feet in length shall be introduced between reverse curves on arterial and collector streets;
  - (8) *Connecting street lines.* When connecting street lines deflect from each other at any one point by more than 10 degrees, such streets shall be connected by a curve with a radius adequate to ensure sight distances of not less than 60 feet for minor and collector streets and of such greater radii as council shall determine for special cases;
  - (9) *Intersections.* Streets shall be designed so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 60 degrees;
  - (10) *Property lines at street intersections.* Property lines at street intersections shall be rounded with a radius of 15 feet, or of a greater radius where large truck traffic is anticipated;
  - (11) *Rights-of-way widths.* The minimum right-of-way width for all streets in the city and its extraterritorial jurisdiction is 60 feet or otherwise specified in the city's thoroughfare plan, as amended from time to time.
  - (12) *Half streets.* Half streets shall be prohibited, except where such streets are essential to the reasonable development of a subdivision in conformity with other requirements of this chapter, and where the planning commission finds it would be practicable to require the dedication of the other half of such street when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of such street shall be dedicated;
  - (13) *Dead-end streets.* Dead-end streets, designated to be so permanently, shall not be longer than 1,200 feet and, at the closed end of such street, shall provide a turn-around having an outside roadway diameter of at least 100 feet and a street property line right-of-way diameter of at least 120 feet;
  - (14) *Street names.* No street name shall be used that duplicates, or that may be confused with, the name of an existing street. All street names dedicated by plat shall be subject to approval of the planning commission. All other street name changes shall be subject to approval of the council. The planning commission may recommend street names not dedicated by plat for approval by council.
  - (15) *Street design.* The details of all street designs shall conform to the city's engineering standards and standard details of the design criteria manual. The street design shall conform to the functional classification of the thoroughfare plan, if applicable.

(Ord. No. 2004-0-17, § 41, 9-13-2004; Ord. No. 2008-O-14, § 2, 6-23-2008; Ord. No. 2012-O-10, § 1, 4-9-2012; Ord. No. 2019-O-24, § 4, 8-5-2019)

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**Sec. 62-105. Alleys.**

- (a) Generally, alleys may be provided within subdivisions and, in the case of commercial and industrial districts and/or uses, may be required, when other definite and assured provisions are not made for service access, such as offstreet loading, unloading, and parking, consistent with an adequate space for the uses proposed.
- (b) The width of alleys within commercial and industrial districts and/or uses shall be at least 20 feet. The width of alleys within residential districts and/or uses shall be at least 20 feet where possible; however, a minimum width of 16 feet may be allowed.
- (c) Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut sufficiently to allow safe vehicular movement.
- (d) Dead-end alleys shall be avoided where possible but when unavoidable, adequate turn-around facilities at such dead end shall be provided.

(Ord. No. 2004-0-17, § 42, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

**Sec. 62-106. Easements.**

- (a) *Generally, easements for utilities shall be provided across lots.* Easements which do not contain wet utilities shall have a minimum width of 14 feet. Easements which contain wet utilities shall have a minimum width of 20 feet. Easements located along the side of a lot may be ten feet in width. Utility easements should be centered on property lines. For purposes of this section, wet utilities shall be those designed to convey water, wastewater, or stormwater.
- (b) *Stormwater easements or drainage right-of-way.* Where a subdivision is traversed by a watercourse, drainage way, channel, detention mitigation facility, or stream, there shall be provided a stormwater easement or drainage right-of-way, which substantially conforms to the lines of such watercourse, and such further width for maintenance and construction, or both, as will be adequate for such purpose. The easement for the maintenance/construction berm shall not be less than 20 feet on each side of the watercourse.

(Ord. No. 2004-0-17, § 43, 9-13-2004; Ord. No. 2009-O-24, § 3, 10-26-2009; Ord. No. 2019-O-24, § 4, 8-5-2019)

**Sec. 62-107. Lengths, widths and shapes of blocks.**

The lengths, widths, and shapes of blocks shall be determined with due regard to the following:

- (1) Provision of adequate building sites suitable to the special needs of the type of use contemplated;
- (2) Needs for convenient access, circulation, control and safety of street traffic;
- (3) Limitations and opportunities of topography;
- (4) No block shall exceed 1,200 feet in length within residential or commercial developments.

(Ord. No. 2004-0-17, § 44, 9-13-2004)

**Sec. 62-108. Lots.**

- (a) *One acre and larger.*

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- (1) Residential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
    - a. Front building setback line (measured from the frontage road right-of-way) shall be a minimum of 25 feet;
    - b. Street side building setback line shall be a minimum of 25 feet;
    - c. Side and rear building setback lines shall be 10 feet; and
    - d. Lots that abut across walkways shall be treated as street side lots.
  - (2) Nonresidential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
    - a. Front building setback line shall be 25 feet;
    - b. Street side building setback line shall be 25 feet;
    - c. Side and rear building setback lines shall be 10 feet;
    - d. Lots that abut across walkways shall be treated as street side lots.
  - (3) For lots in the city limits, refer to the zoning ordinance for building setback lines.
  - (4) Lot dimensions shall be a minimum of 120 feet in width at the ~~right-of-way~~ front building setback line and of a depth so as to provide an area of not less than one acre or 43,560 square feet.
  - (5) Residential lots not served by a public sewer system shall be not less than 120 feet in width at the building setback line and shall have an area of not less than one acre or 43,560 square feet. Existing conforming lots that become non-conforming due to reduced lot area resulting from required right-of-way dedication for development shall be considered a conforming lot if the resulting reduced lot area is not less than 0.85 acres.
  - (6) The depth and width of properties reserved or designed for business and industrial purposes shall be of adequate distances to provide for off-street service and parking facilities, as required by the type of use and development contemplated.
  - (7) In an approved subdivision, lot sizes may be increased in order to secure privacy within such lots or to allow improvement upon such lots to conform to the building requirements. However, in no instance shall lot size changes be allowed if such changes in the creation of one or more lots that are less than the minimum area requirements of this article.
  - (8) Any subdivision of land shall provide each lot with access to a public street or a private street as specified in the design criteria manual and this subdivision ordinance. The public street shall have a minimum width of 60 feet, or the proposed plat must dedicate the necessary additional rights-of-way to provide a minimum width of 30 feet from the centerline of the existing or original right-of-way.
  - (9) Double frontage and reverse frontage lots should be avoided, unless such lots back up to a major thoroughfare.
  - (10) Side lot lines shall be at substantially right angles or radial to street lines.
  - (11) Flag or key-shaped lots are not allowed.
  - (b) *Lots smaller than one acre.*
    - (1) Residential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
      - a. Front building setback line shall be 25 feet (measured from the frontage road right-of-way);

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- b. Street side building setback line shall be ten feet; and
  - c. Side and rear building setback lines shall be five feet.
- (2) Nonresidential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
- a. Front building setback line shall be 25 feet. An exception to this requirement is minimum setback lines shall be increased to a total of 35 feet from a 60 foot right-of-way, where a minor or major thoroughfare is set forth in the city's thoroughfare plan;
  - b. Street side building setback line shall be 15 feet; and
  - c. Side and rear building setback lines shall be five feet.
- (3) For lots in the city limits, refer to the zoning ordinance for building setback lines.
- (4) Lot dimensions shall be not less than 60 feet in width at the ~~right-of-way~~front building setback line and of a depth so as to provide an area of not less than 6,300 square feet.
- (5) Depth and width of properties reserved or designed for business and industrial purposes shall provide for off-street service and parking facilities, as required by the type of use and development proposed.
- (6) In an approved subdivision, lot sizes may be permitted to be increased in order to secure privacy within such lots or to allow improvement on such lots to conform to the building requirements. However, in no case shall lot size changes be allowed if such changes result in the creation one or more lots of a size that is less than the minimum area requirements of this article.
- (7) Any subdivision of land shall provide each lot with access to a public street as specified in the design criterial manual.
- (8) Double frontage and reverse frontage lots should be avoided, unless such lots back up to a major thoroughfare.
- (9) Side lot lines shall be at substantially right angles or radial to street lines.
- (10) Flag or key-shaped lots are not allowed.

(Ord. No. 2004-0-17, § 45, 9-13-2004; Ord. No. 2006-O-03, § 3, 3-27-2006; Ord. No. 2019-O-24, § 4, 8-5-2019)

### **Sec. 62-109. Public sites and open spaces.**

In conformity with the city's master plan, where a proposed park, school, playground, or other public facility is located in whole or in part within a subdivision, the subdivider may dedicate such land to public use or shall provide the appropriate political entity with a one-year purchase option on such land.

(Ord. No. 2004-0-17, § 46, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

### **Sec. 62-110. Monuments.**

- (a) Monuments set as exterior boundary markers shall be a five-eighth-inch iron rod or a three-fourth-inch iron pipe of at least 36 inches in length and encased in concrete for a minimum depth of 18 inches below the surface of the ground.
- (b) Permanent reference monuments shall be set at all boundary line angle points, block corners, points of curvature, and at intervals of not more than 1,000 feet. All permanent reference monuments shall conform

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to the Texas Professional Land Surveying Practices Act and the General Rules of Procedures and Practices of the Texas Board of Professional Land Surveying.

- (c) All monuments shall be set to the standards of the Texas Professional Land Surveying Practices Act and the General Rules of Procedures and Practices of the Texas Board of Professional Land Surveying, and shall bear reference caps as indicated.
- (d) Interior lot corner monuments shall be, at a minimum, a five-eighth-inch iron rod of at least 36 inches in length.

(Ord. No. 2004-0-17, § 47, 9-13-2004)

### **Sec. 62-111. Additional street requirements.**

- (a) All streets shall be constructed in accordance with the city's design criteria manual.
- (b) The developer shall be responsible for construction of all roadways within the development in accordance with the city's design criteria manual. Where the thoroughfare plan requires street widths over and above the local street requirements, the developer shall dedicate the amount of right-of-way required for the larger street and shall construct such street with a pavement width of up to 38 feet. If the city requires a pavement width of more than 38 feet, the city shall provide funding for such increased width, subject to the availability of funds and within legal limitations.
- (c) The developer shall be responsible for construction of necessary improvements on all perimeter streets in order to bring the pavement and curbing up to minor street standards for the one-half of the street abutting the development. This requirement does not apply to roads and rights-of-way owned and maintained by the County or State unless specifically required by the controlling authority.

(Ord. No. 2004-0-17, § 48, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

### **Sec. 62-112. Water and wastewater facilities.**

- (a) Water and wastewater facilities shall conform to the city's design criteria manual.
- (b) If the city's master plan requirements dictate a larger line size, or a greater sewer line depth, than that required for a subdivision, the city shall pay the difference, subject to the availability of funds and the legal requirements.

(Ord. No. 2004-0-17, § 49, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

### **Sec. 62-113. Sidewalks.**

Sidewalks shall be constructed at a minimum of ~~four~~five feet wide or as determined by the city's thoroughfare plan and in accordance with the city's design criteria profile. Sidewalks shall be installed in accordance with the city's design criteria manual. For non-residential development with frontage on rights-of-way owned and maintained by the County or State, a sidewalk shall be made part of the site development, if controlling authority does not permit construction of sidewalk within the right-of-way.

(Ord. No. 2004-0-17, § 50, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

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### **Sec. 62-114. Street lighting and signage.**

The developer shall provide a layout of the location of proposed streetlights and shall also provide easements for power lines, where required, as part of the infrastructure construction plans and final plat submittal. The city will make arrangements with the power company for installation of streetlights for those subdivisions located within the city limits. The developer shall provide street name signs and traffic control devices all in accordance with the requirements of the Texas Manual on Uniform Traffic Control Devices.

(Ord. No. 2004-0-17, § 51, 9-13-2004)

### **Sec. 62-115. Drainage and drainage structures.**

- (a) The subdivider shall furnish and install all necessary drainage improvements in accordance with the "City of Manvel Design Criteria Manual" and the appropriate drainage district's drainage criteria; and
- (b) The subdivider must provide for maintenance of all improvements, in a form satisfactory to the city, prior to the filing of the final plat.

(Ord. No. 2004-0-17, § 52, 9-13-2004; Ord. No. 2019-O-24, § 4, 8-5-2019)

### **Sec. 62-116. Proximity of structures to pipelines.**

- (a) No residential, commercial, or industrial structure, other than structures necessary to operate the pipeline, shall be erected or moved to a location nearer than 50 feet to any pipeline, except for low pressure distribution system pipeline as defined in section 62-2, Definitions.
- (b) No residential, commercial, or industrial structure shall be permitted to be erected nearer than 150 feet from any well or related facility other than structures necessary to operate the well or facility.

(Ord. No. 2006-O-03, § 4, 3-27-2006; Ord. No. 2019-O-24, § 4, 8-5-2019)

### **Sec. 62-117. Additional requirements for subdivisions in the State Highway 6 overlay district.**

- (a) *Applicability.* The regulations in this section shall apply to all subdivisions of land within the State Highway 6 overlay district.
- (b) *Electric, phone, utility and cable line location.*
  - (1) When determined by the utility provider as physically possible, all new three-phase (primary) overhead power lines will be located at the rear of new developed property.
  - (2) Secondary power connections for new development from existing power poles located within the right-of-way of State Highway 6 will be placed underground.
  - (3) Electrical panel boxes will not be located on a building façade facing State Highway 6.
- (c) *Vehicular access and circulation.*
  - (1) All developments must provide public access easements (PAE) allowing reciprocal travel between adjacent parcels that meet the following minimum standards:
    - a. The PAE must be a minimum 25 feet in width;
    - b. The PAE must be continuous between property lines;

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- c. The PAE must be paved;
  - d. No parking or loading activity within, or with direct access to, the 25-foot minimum PAE is permitted; and
  - e. All PAEs within a property must connect to each other and a connection must also be made to any existing PAE located on the property line of an adjacent development.
- (2) Perpendicular PAEs (providing circulation and access perpendicular to State Highway 6):
- a. All developments located within the State Highway 6 overlay district must provide at least one PAE, approximately perpendicular to State Highway 6, from the front property line to the rear property line if any part of the proposed development is more than 1,000 feet from either an existing perpendicular PAE that intersects State Highway 6 or an existing paved public street that intersects State Highway 6.
  - b. Perpendicular PAEs must not be more than 1,000 feet apart.
- (3) Parallel PAEs (providing circulation and access parallel to State Highway 6):
- a. All developments within the State Highway 6 overlay district must provide at least one PAE, approximately parallel to State Highway 6; from one side property line to the opposite side property line located no more than 700 feet from State Highway 6.
  - b. Parallel PAEs are not required on parcels less than 300 feet deep from State Highway 6, but an access easement is required to connect abutting properties.

(Ord. No. 2010-O-30, § 1, 12-13-2010; Ord. No. 2019-O-24, § 4, 8-5-2019)

## **Sec. 62-118. Additional requirements for private gated subdivisions.**

(a) *Intent and purpose.*

- (1) It is the intent and purpose of these private street regulations to:
  - a. Allow private street developments to occur within the city on a limited and restrictive basis;
  - b. Provide for private street developments as one type of residential development mechanism to allow the city to continue to be competitive in the development market; and
  - c. Provide a broader variety of residential areas to meet the needs of the residents of the city.
- (2) The location of each private street development will be subject to the approval of the city as part of the platting process, based on, among other matters, the criteria described in this chapter. The approval shall be evidenced by a notation on the approved final plat.
- (3) The term private street shall include alleys, if provided.

(b) *Design and construction standards.*

- (1) Private streets shall be designed in accordance with the city's comprehensive plan, thoroughfare plan, this subdivision chapter, design standards and all other applicable development standards as prescribed and utilized by the city. Private streets shall be constructed to public street standards.
- (2) The development plan shall not impede the current or future street circulation needs of the area, especially any needed collector or arterial street route, or adequate access to any adjoining tract.
- (3) All streets, alleys, sidewalks, drainage ways, water and sewer line and improvements shall be designed, placed and constructed in accordance with the general design standards of the city. Private streets may be used for public utilities.

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- (4) Name(s) of new street(s) shall not duplicate or cause confusion within the name(s) of existing street(s) unless the new street(s) are a continuation of or in alignment with existing street(s), in which the case, the name(s) of the existing street(s) shall be used.
  - (5) Streets designated in the comprehensive plan and the thoroughfare plan as an arterial or collector shall not be used, maintained, or constructed as private streets.
  - (6) The city may deny the creation of a private street development if it makes a finding of fact, based upon the evidence provided, that it would:
    - a. Negatively affect traffic circulation on public streets;
    - b. Impair access to property either on-site or off-site of the subdivision;
    - c. Impair access to or from public facilities including schools, parks, trails, and libraries;
    - d. Delay the response time of emergency vehicles; or
    - e. Other good cause.
- (c) *Homeowners association.*
- (1) Residential subdivisions developed with private streets shall establish a mandatory homeowners association. The association shall own and be responsible for the maintenance of the private streets and sidewalks. Lot deeds shall reference deed restrictions which provide for a mandatory membership ownership in the association and provide for deed covenants that shall include provisions for the payment of dues and assessments required by the association the affirmative due of the association to maintain the private streets and sidewalks, and the other requirements of this section.
  - (2) Every owner of a lot within the private street development shall be a member of the homeowners association.
  - (3) The manager or president of the homeowners association shall be required to maintain and file a fidelity bond. The name of the association's president shall be submitted to the city and updated annually.
  - (4) The following notice shall appear in bold print on each deed to property in the subdivision, on the plat of the subdivision and on each contract on the sale of land within the subdivision:

**NOTICE: THE LOTS WITHIN THIS SUBDIVISION ARE GOVERNED BY A HOMEOWNERS ASSOCIATION REQUIRING THE PAYMENTS OF FEES. FAILURE TO PAY SUCH FEES SUBJECTS YOU TO ATTACHMENT OF A LIEN ON YOUR PROPERTY BY THE ASSOCIATION OR THE CITY OF MANVEL.**
  - (5) The association documents shall establish a reserve fund for the maintenance of the private streets and other improvements, and contain provisions for reliable access to provide city services and to other utility service providers with appropriate identification. The association may not be dissolved, and no portion of the association documents pertaining to this section may be amended without the written consent of the city. The association documents shall expressly state this requirement.
  - (6) A reserve fund balance report shall be submitted to the city annually to ensure that adequate fund reserves are being maintained for future repairs and/or replacement costs of the private streets and sidewalks.
  - (7) In the event the association fails to maintain the streets, sidewalks, and streetlights in accordance with city standards, the city may repair and maintain and charge the cost to the association. If the association fails to pay for the maintenance cost, after notice to the property owners, the city may assess adjacent property owners in the manner of regular city street assessment costs. The association shall post and maintain a performance bond, in form and amount to the satisfaction of the city, to guarantee this maintenance requirement.

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- (8) The association documents shall indicate that the streets are private, owned and maintained by a homeowners association, and the city has no obligation to maintain or reconstruct the private streets.
  - (9) The association documents shall indicate that the city may, but is not obligated to, inspect private streets, and require repairs necessary to ensure that the same are maintained to the city's standards.
  - (10) No portion of the association documents pertaining to the maintenance of the private streets shall be amended without the written consent of the city.
  - (11) The association documents shall be reviewed and approved by city to ensure that they conform to this and other applicable city ordinances, and shall be filed of record prior to the approval of the final plat.
- (d) *Private streets.*
- (1) Private streets shall be constructed within a designated separate "private street reserve," which shall be owned by the homeowners association. Every lot shall have frontage on, and access to, said private street reserve in lieu of a public street.
  - (2) An easement encompassing the private street reserve shall be granted to the city providing unrestricted use of the property for utilities and their maintenance. The right shall extend to all utility providers, including telecommunication companies operating within the city. The easement shall also provide the city with the right of access for any purpose related to the exercise of a governmental service or function, including, but not limited to, fire and police protection, inspection, animal control and code enforcement. The easement shall permit the city to remove any vehicle or obstacle within the private street reserve that impairs emergency access.
- (e) *Construction and maintenance cost.* The city shall not pay for any portion of the cost of constructing or maintaining a private street, sidewalk, roadside drainage, or other improvements of this chapter, with the exception of those applying to street construction.
- (f) *Utilities.*
- (1) Water, sewer, drainage facilities, and water meters shall be placed within the "private street reserve," or other publicly dedicated utility easements, and shall be dedicated to the public upon final plat approval by the city.
  - (2) Installation of approved water meters shall be required.
  - (3) The location of all drainage, water, and sewer easements shall be shown on the approved final plat by the city.
- (g) *Improvements and inspections.*
- (1) Developments proposed with private streets shall comply with sections 62-103. Established minimum requirements through 62-118. Additional requirements for private gated subdivisions and sections 62-37. Subdivision and development meetings through 62-47. Filing of final plat of this chapter.
  - (2) The city may periodically inspect and collect soil samples of private streets and require repairs necessary to ensure emergency access and to ensure that the streets are being maintained to the satisfaction of the city.
- (h) *Signs.* All private traffic signs and marking shall conform to the Texas Manual on Uniform Traffic-Control Devices, as approved and directed by the city. The entrances to all private streets shall be marked with a sign stating that it is a private street and that the street maintenance and liability are the responsibility of the association and not the city. Cost of signage shall be the responsibility of the association.
- (i) *Access provisions.*

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- (1) Guard houses, access control gates, and cross arms may be constructed within a "private street reserve." All restricted access entrances must be in operation 24 hours every day, either:
    - a. Manned, or
    - b. Provided with an alternative means of ensuring access to the subdivision by the city, U.S. Postal Service, government employees in pursuit of the official duties, and other utility service providers with appropriate identification. Alternate access must be approved by the city.
  - (2) Residential access gates shall be maintained in accordance with standards approved by the city to ensure continuous and unimpeded ingress and egress by emergency vehicles at all times. If the association fails to maintain reliable access as required to allow city services, the city may enter the subdivision and remove any gate or device that is a barrier to access at the sole expense of the association, which shall be provided for in the association documents.
  - (3) The subdivision shall provide a minimum of two points of access, and all but the primary access point may be used for emergency access only as approved by the city.
- (j) *Entrance design standards.*
- (1) Any private street with an access control gate shall have a minimum uninterrupted pavement width of 30 feet at the location of the access control device. All restricted access gates shall be approved by the fire marshal, public works department and police department and meet access requirements for emergency vehicles. Entry codes for gates shall be provided to the police department and other emergency personnel and updated as necessary. Construction plans for access gates must be submitted for review and approval by the city in accordance herewith.
  - (2) There shall be neither exposed gears nor overhead electrical wiring in any gate system. Electric gates shall be equipped with a single key, city-approved emergency access system designed to open and lock open both the entry and exit gates. The key switch shall be installed in a location approved by the fire marshal. In addition, a system key controlled "fail safe" mechanism shall be installed to allow the gate to be manually opened in the event of a power or mechanical failure. All fittings for system padlocks shall have a minimum one-half inch diameter hole. The city-approved control access system shall be operational and pass inspections of both the chief building official as well as the fire marshal before the gate may be placed in operation.
  - (3) Secondary emergency access gates shall be equipped with city-approved emergency access system padlocks and shall be unobstructed at all times. These gates shall be equipped with a positive mechanical latch to lock them in the open position. All fire lane width, turning radius, setback and turnaround requirements of this chapter shall apply to the portion of the private street where the gate is installed.
  - (4) Overhead barriers shall not be allowed.
  - (5) Internal storage for three vehicles shall be provided between the adjacent public street right-of-way line at the primary entrance to the subdivision and the point of the access control device. An additional setback between the point of the access control device and the access gate shall be required to allow a vehicle that is denied access to safely turn around and exit onto the public street.
  - (6) On lots adjacent to access gates, screening walls are permitted to a maximum of eight feet within the front yard setback of the adjacent lot. Such wall shall be constructed of wrought iron with brick columns, provided the city may approve an alternative wall if appropriate for the subdivision. Solid wood fencing panels shall not be allowed in front yards.
- (k) *Waiver of services.* The final plat, deeds and homeowner association documents shall note that certain city services shall not be provided on private streets. Among the services that the city will not provide are: street maintenance, traffic pavement markings and signs, roadside ditch and drainage maintenance and mowing,

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and driveway culvert maintenance. Depending on the characteristics of the proposed development, other services may not be provided.

(l) *Petition to convert to public streets.*

- (1) The association documents shall allow the association to request the city to accept private streets and alleys and the associated property as public streets and right-of-way upon written notice to all association members and upon the favorable vote of 51 percent of the membership.
- (2) Acceptance of the dedication of the private street shall be at the sole discretion of the city. In no event shall the city accept the dedication of a private street as public unless said street has been constructed and maintained to city standards. Should the city elect to accept a private street as public, the city may inspect the private street and assess the lot owners for the expense of needed repairs concurrent with the city's acceptance of the streets and alleys.
- (3) The city shall be the sole judge of whether repairs are needed. The city may also require, at the association's expense, the removal of guardhouses, access control devices, landscaping or other aesthetic amenities located within the street lot at the homeowners association's expense.

(m) *Hold harmless.*

- (1) Language shall be placed on the final plat whereby the homeowners association, as owner of the private streets and appurtenances, agrees to release, indemnify, defend and hold harmless the city, any governmental entity and public utility for damages to the private street occasioned by the reasonable use of the private street by the city, governmental entity or public utility; for damages and injury (including death) arising from the condition of the private streets on the plat; for damages and injury (including death) arising out of the use by the city, governmental entity or public utility of any restricted access gate or entrance; and for damages and injury (including death) arising out of any use of the subdivision by the city, government entity or public utility.

- (2) Further, such language shall provide that all lot owners, by a purchase of a lot identified in the plat, be deemed to release the city, governmental entities and public utilities for such damages and injuries. Such language shall include the statement:

THE INDEMNIFICATION CONTAINED IN THIS PARAGRAPH SHALL APPLY REGARDLESS OF WHETHER OR NOT SUCH DAMAGES AND INJURY (INCLUDING DEATH) ARE CAUSED SOLELY BY THE NEGLIGENT ACT OR OMISSION OF THE CITY, GOVERNMENTAL ENTITY OR PUBLIC UTILITY, OR THEIR REPRESENTATIVE OFFICERS, EMPLOYEES OR AGENTS.

(Ord. No. 2015-O-20, § 2, 6-22-2015; Ord. No. 2019-O-24, § 4, 8-5-2019)

Editor's note(s)—Ord. No. 2015-O-20, § 2, adopted June 22, 2015, set out provisions intended for use as § 62-117.

To avoid duplication of section numbers, and at the editor's discretion, these provisions have been included as § 62-118.

**Sec. 62-119. Additional requirements for subdivisions in the Original Manvel Townsite area.**

- (a) Original Manvel Townsite area. The regulations in this section shall apply to all applicable subdivisions and development of land within the Original Manvel Townsite (OMT) area. The Original Manvel Townsite area shall be bounded by Cemetery Road on the east, ~~Large Drive~~ Lewis Lane on the north, McCoy Road on the west, and ~~the railroad tracks (sitting just north of Bissell Road)~~ Jordan Road, on the south.
- (b) Applicability. The regulations in this section shall apply to lots ~~zoned light commercial (LC) district, or planned unit development (PUD) district allowing for commercial land use, where the lot is five~~ that are ten acres or less.

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- (c) These regulations are specific to subdivisions and development in the Original Manvel Townsite area, and supersede any conflicting regulations in other sections of the City Code.
- (d) The following regulations shall apply to subdivisions and development in the Original Manvel Townsite area:
- (1) *Streets.* Subdivider/developer shall be permitted to construct any perimeter street in asphalt.
  - (2) *Drainage.* Subdivider/developer shall be permitted to construct drainage ditches on perimeter streets, in lieu of curb and gutter storm sewer.
  - (3) *Water.* ~~Subdivider/developer may install a water well, instead of extending any city water line. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements.~~ Existing water wells shall be allowed to continue. For non-residential development, subdivider/developer must tie on to the nearest city water line. New water wells shall not be installed for individual residential lots that abut a right-of-way with existing city waterline. For individual residential lots that do not abut a right-of-way with existing city waterline, subdivider/developer may install a new well. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements.
  - (4) *Wastewater.* ~~Subdivider/developer may install an on-site sewage (septic), instead of extending the wastewater line. Subdivider/developer must still comply with all laws and regulations concerning septic systems.~~ Existing on-site sewage (septic) systems shall be allowed to continue. For non-residential development, subdivider/developer must tie on to the nearest city sewer line. New on-site sewage (septic) systems shall not be installed for individual residential lots that abut a right-of-way with existing city sewer line. For individual residential lots that do not abut a right-of-way with existing city sewer line, subdivider/developer may install a new on-site sewage (septic) systems. Subdivider/developer must still comply with all laws and regulations concerning septic systems.
  - (5) *Detention/mitigation.* In lieu of on-site detention/mitigation, offsite detention/mitigation shall be permitted if an engineered drainage plan shows the proper conveyance to an offsite detention facility, and where there is capacity in that offsite facility.

(Ord. No. 2016-O-10, § 1, 4-25-2016; Ord. No. 2019-O-24, § 4, 8-5-2019)

### **Sec. 62-120. Exceptions for certain Manvel residents.**

- (a) "Certain Manvel residents" are defined as individuals who are seeking construction of a single-family residential structure that the resident intends to occupy as his/her residence.
- (b) The following provisions do not apply to certain Manvel residents:
  - (1) Provisions regarding the construction of public infrastructure in section 62-104;
  - (2) Provisions regarding the construction of public infrastructure in section 62-105;
  - (3) Provisions regarding the construction of public infrastructure in section 62-111, except that all right-of-way and drainage dedication requirements specified in the city's master thoroughfare plan and master drainage plan still apply;
  - (4) Provisions regarding the construction of public infrastructure in section 62-113;
  - (5) Provisions regarding the construction of public infrastructure in section 62-114; and
  - (6) Provisions regarding the construction of public infrastructure in section 62-115, except that nothing herein shall be construed to exempt compliance with chapter 32, Flood Damage Prevention.

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- (c) For purposes of this section, certain Manvel residents seeking construction of a residential accessory building that is an accessory to a residential structure described by subsection (a) is entitled to the same exceptions as a residential structure described by subsection (a).
  - (d) Notwithstanding section 62-4, the maximum fee for certain Manvel residents described by this section shall not exceed \$0.00 if the fee is to request a variance to this chapter, appeal to the zoning board of adjustments, or submit any plats requiring review or approval. A fee, rate, deposit, or other charge inconsistent with this section that was adopted by resolution prior to the effective date of this section is hereby repealed.
  - (e) The city shall establish a fee schedule that clearly distinguishes the fees established by subsection (c) from the fees applicable to all other developers not covered under this section.

(Ord. No. 2023-O-05, § 1, 5-6-2023)

**Secs. 62-121—62-145. Reserved.**

***ARTICLE V. REQUIRED IMPROVEMENTS FOR OPEN DITCH DRAINAGE SYSTEMS***

**Sec. 62-146. Exception to storm drainage requirements.**

While the requirement for the city is to have enclosed stormwater drainage systems, the city council will consider a subdivision with an open ditch drainage system on a case-by-case basis. A subdivider may develop a subdivision and construct an open ditch drainage system as part of the subdivision within the city and its extraterritorial jurisdiction under the conditions set forth in this article and the city's design criteria manual.

- (1) The lot configuration shall conform to the following minimum requirements:
  - a. Minimum lot size shall be one acre or 43,560 square feet.
  - b. Minimum lot width, measured at the right-of-way shall be 120 feet.
  - c. Tangential or curved right-of-way with radius greater than 80 feet: 140 feet.
  - d. Curved right-of-way with radius of 80 feet or less: 50 feet.
  - e. No flag or key-shaped lots will be allowed.
- (2) The roadway section shall conform to the requirements of the city's engineering standards and standard details. The right-of-way shall be adequate to contain the pavement and ditches with the minimum width of 60 feet.

(Ord. No. 2004-O-17, § 60, 9-13-2004; Ord. No. 2019-O-24, § 5, 8-5-2019)

**Sec. 62-147. Replat of an existing subdivision with an open roadside drainage system.**

In all cases where a request is made to replat a subdivision with an open roadside drainage system in existence on the date of enactment of the ordinance from which this article is derived, the following requirements shall apply:

- (1) The subdivision must have been legally platted and recorded according to the ordinances and criteria in effect at the time of the subdivision;

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- (2) The open roadside drainage system must be in existence at the time of enactment of the ordinance from which this article is derived;
  - (3) The replatting of existing lots cannot result in the reduction of lot sizes if the size of the existing lots are already smaller than this allows;
  - (4) The criteria set forth in section 62-42, Minor Plat, must be met;
  - (5) The resulting reconfiguration of lots will not affect the approved drainage plan for the original subdivision on file with the city or, with minor modification to existing drainage plans, it can be demonstrated to the city engineer that the reconfiguration of existing lots will not have an adverse impact on drainage; and
  - (6) The procedure set forth for replats in section 62-44, Replatting without vacating preceding plat, are met.

(Ord. No. 2004-0-17, § 61, 9-13-2004; Ord. No. 2019-O-24, § 5, 8-5-2019)

### **Sec. 62-148. Violation and penalty.**

Any person who shall violate any provision of this article shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

(Ord. No. 2004-0-17, 9-13-2004)

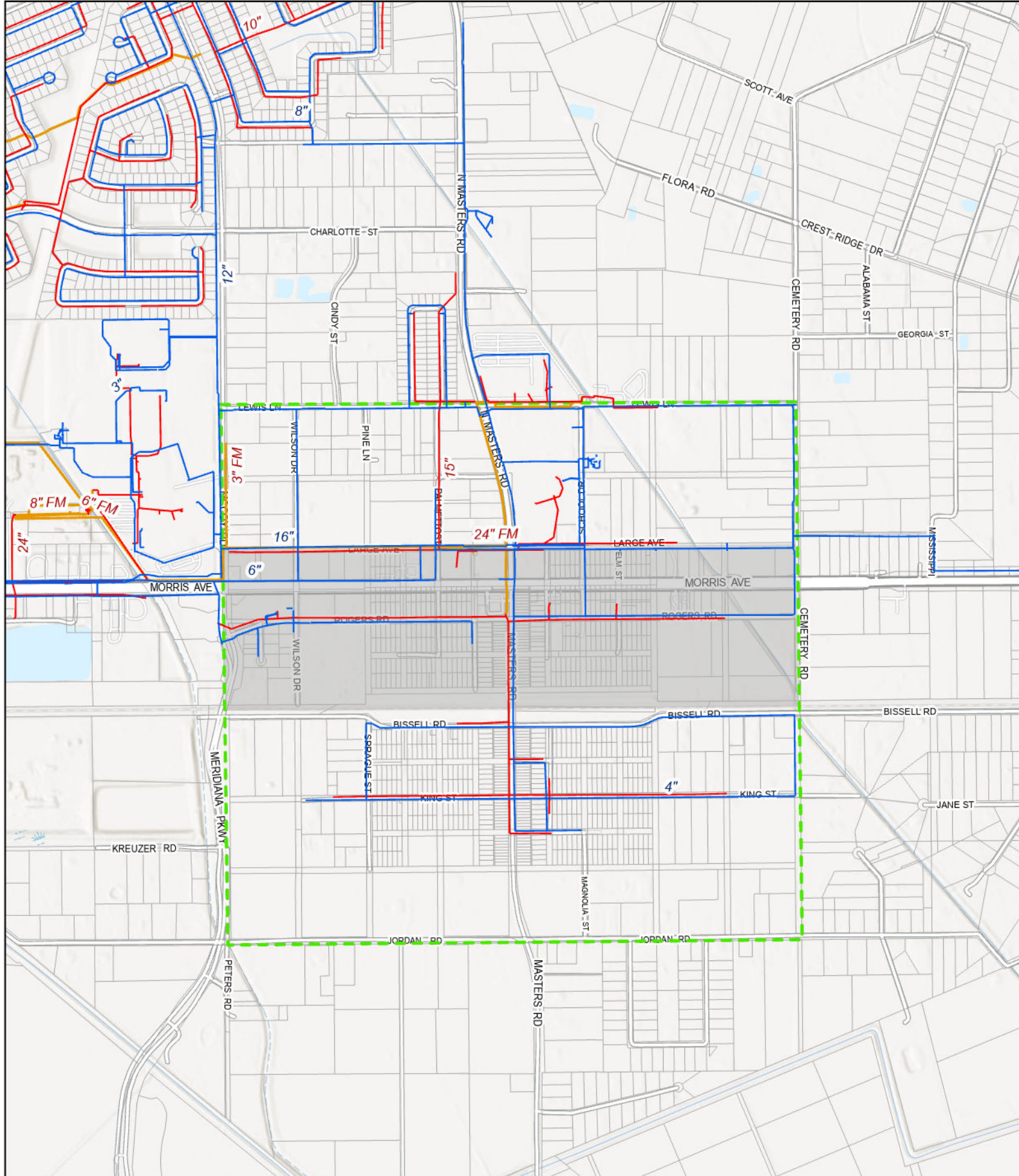
### **Secs. 62-149—62-167. Reserved.**

## ***ARTICLE VI. DEVELOPMENT AGREEMENTS IN EXTRATERRITORIAL JURISDICTION***

### **Sec. 62-168. Development agreements in extraterritorial jurisdiction.**

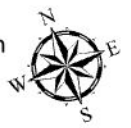
- (a) This article applies to a development in the city's extraterritorial jurisdiction that is subject to the master plan procedure of section 62-39, Master Plan.
- (b) The council, after consideration and recommendation by the planning, development and zoning commission, may approve a development agreement with the owner of land in the extraterritorial jurisdiction.
- (c) The development agreement shall specify the land uses and development of the land, and address regionalization of utilities, where feasible.
- (d) The development agreement shall authorize enforcement by the city of land use and development regulations in the same manner the regulations are enforced within the boundaries of the city. Development regulations shall mean the city's zoning ordinance, subdivision ordinance and design criteria manual, and the sign ordinance.
- (e) The development agreement may, upon agreement by the city and landowner, contain land use and development regulations that vary and are different from development regulations that apply within the boundaries of the city.

(Ord. No. 2013-O-20, § 1, 9-9-2013; Ord. No. 2019-O-24, § 6, 8-5-2019)

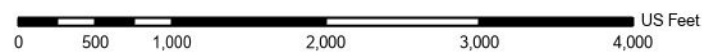


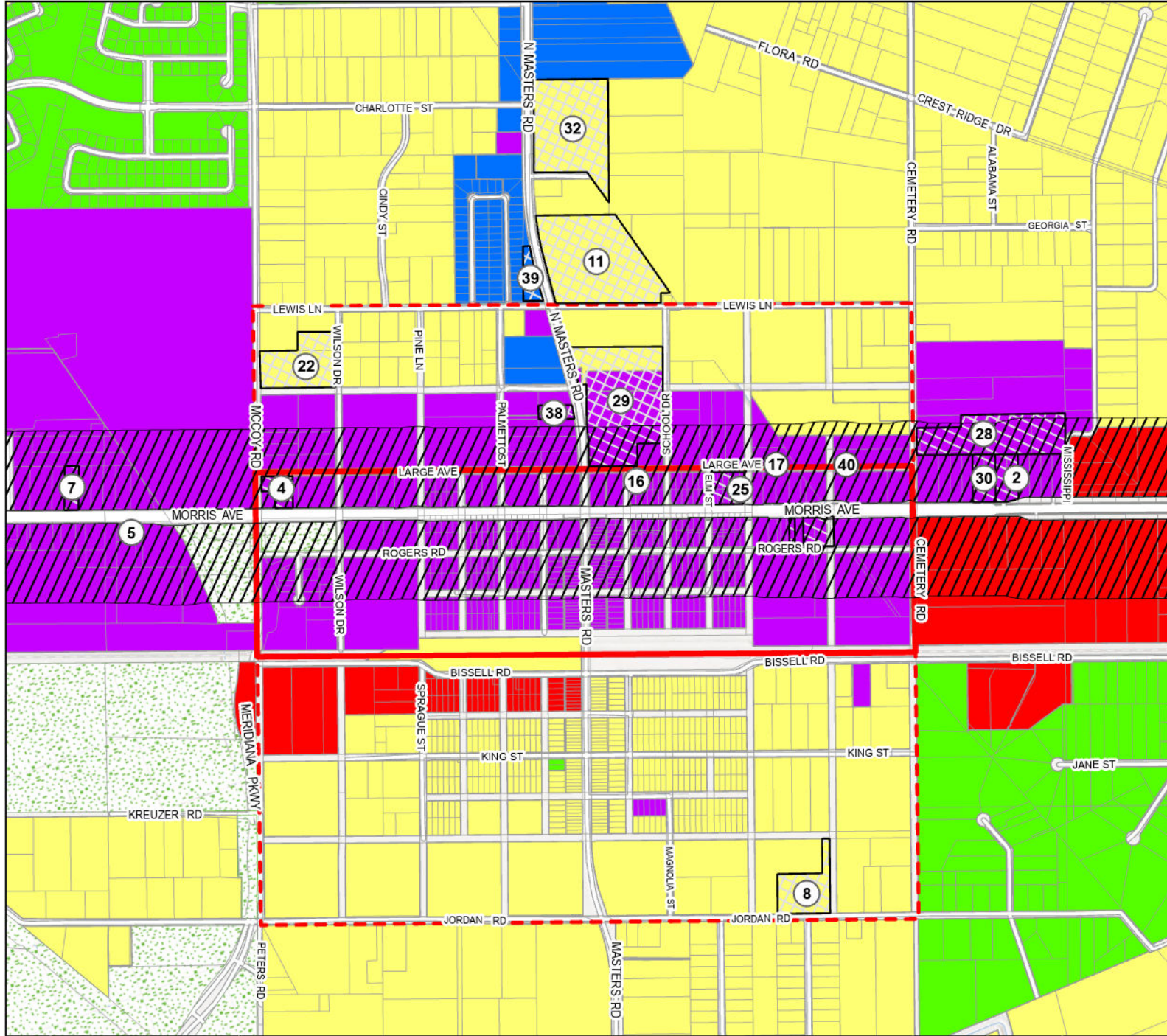
## Old Manvel Town Site Area

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|---|--|---|
| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; background-color: #cccccc; border: 1px solid #000; margin-right: 5px;"></span> Old Manvel Town Site Area</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px dashed green; margin-right: 5px;"></span> Proposed Manvel Town Site Area</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; height: 10px; border: 1px solid #ccc; margin-right: 5px;"></span> Parcels</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid blue; margin-right: 5px;"></span> Water Main</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid red; margin-right: 5px;"></span> Sanitary Gravity Main</li> <li><span style="display: inline-block; width: 20px; border-bottom: 2px solid orange; margin-right: 5px;"></span> Sanitary Force Main</li> </ul> |
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This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.





### SPECIFIC USE PERMITS LEGEND

Label No	Address	Specific Use Description	Ordinance No	Effective Date	Zoning Classification
2	20711 HWY 6	RELIGIOUS ORGANIZATIONS	2012-0-22	9/11/2012	LC
4	7355 MCCOY	RELIGIOUS ORGANIZATIONS	2013-0-07	3/25/2013	LC
5	19422 MORRIS AVE HWY 6	TRUCK, UTILITY, TRAILER & RV RENTAL (FRONT OF PROP) STORAGE UNITS-SELF SERVE (REAR OF PROP)	2013-0-08	3/25/2013	LC
7	19333 HWY 6	AUTOMOTIVE OIL CHANGE AND LUBRICATION SHOP	2013-0-24	9/23/2013	LC
8	7235 CR 73 (JORDAN RD)	POWER AND COMMUNICATION LINE AND RELATED STRUCTURES	2013-0-25	9/23/2013	O-SFR
11	7500 LEWIS LANE	ELEMENTARY AND SECONDARY SCHOOLS	2014-0-37	10/27/2014	O-SFR
16	7303 RUSSELL ST	MOTORCYCLE, ATV & PERSONAL WATERCRAFT DEALER / OTHER PERSONAL & HOUSEHOLD GOOD REPAIR & MAINTENANCE	2016-0-16	7/11/2016	LC
17	20504 HWY 6	NAICS USE #811121 AUTOMOTIVE BODY, PAINT, AND INTERIOR REPAIR AND MAINTENANCE, WITH THE EXCLUSION OF PAINT FACILITIES	2016-0-17	7/11/2016	LC
22	7106 WILSON ST	NAICS USES 813110 RELIGIOUS ORGANIZATIONS, 624410 DAYCARE/SCHOOL, 722213 COFFEE SHOP, AND 713940 GYM	2018-0-32	9/17/2018	O-SFR
25	7454 1/2 LARGE AVE	NAICS USE 237130 POWER AND COMMUNICATION LINE AND RELATED STRUCTURE CONSTRUCTION	2019-0-04	2/27/2019	LC/SH6
28	7227 CEMETERY RD	NAICS USE 531130 LESSORS OF MINI WAREHOUSES AND SELF-STORAGE UNITS	2019-0-22	6/17/2019	LC/SH6
29	7347 LARGE AVE	NAICS USE 611110 ELEMENTARY AND SECONDARY SCHOOLS	2019-0-05	9/3/2019	LC/SH6/O-SFR
30	20703 MORRIS AVE	NAICS USE 813110 RELIGIOUS ORGANIZATIONS	2019-0-26	9/3/2019	LC/SH6
32	6911 Master Road	NAICS USE 813110 RELIGIOUS ORGANIZATION	2020-0-33	1/19/2021	O-SFR-SUP
38	7218 North Masters Road	NAICS USE 621210 "OFFICES OF DENTISTS"	2023-0-19	7/3/2023	LC-SUP
39	7050 Masters Road	NAICS USE "Child Day Care Services"	2023-0-43	12/4/2023	HMU-SUP
40	20514 Highway 6	NAICS USE "Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing"	2023-0-42	11/20/2023	LC/SH6-SUP

### Old Manvel Town Site Area

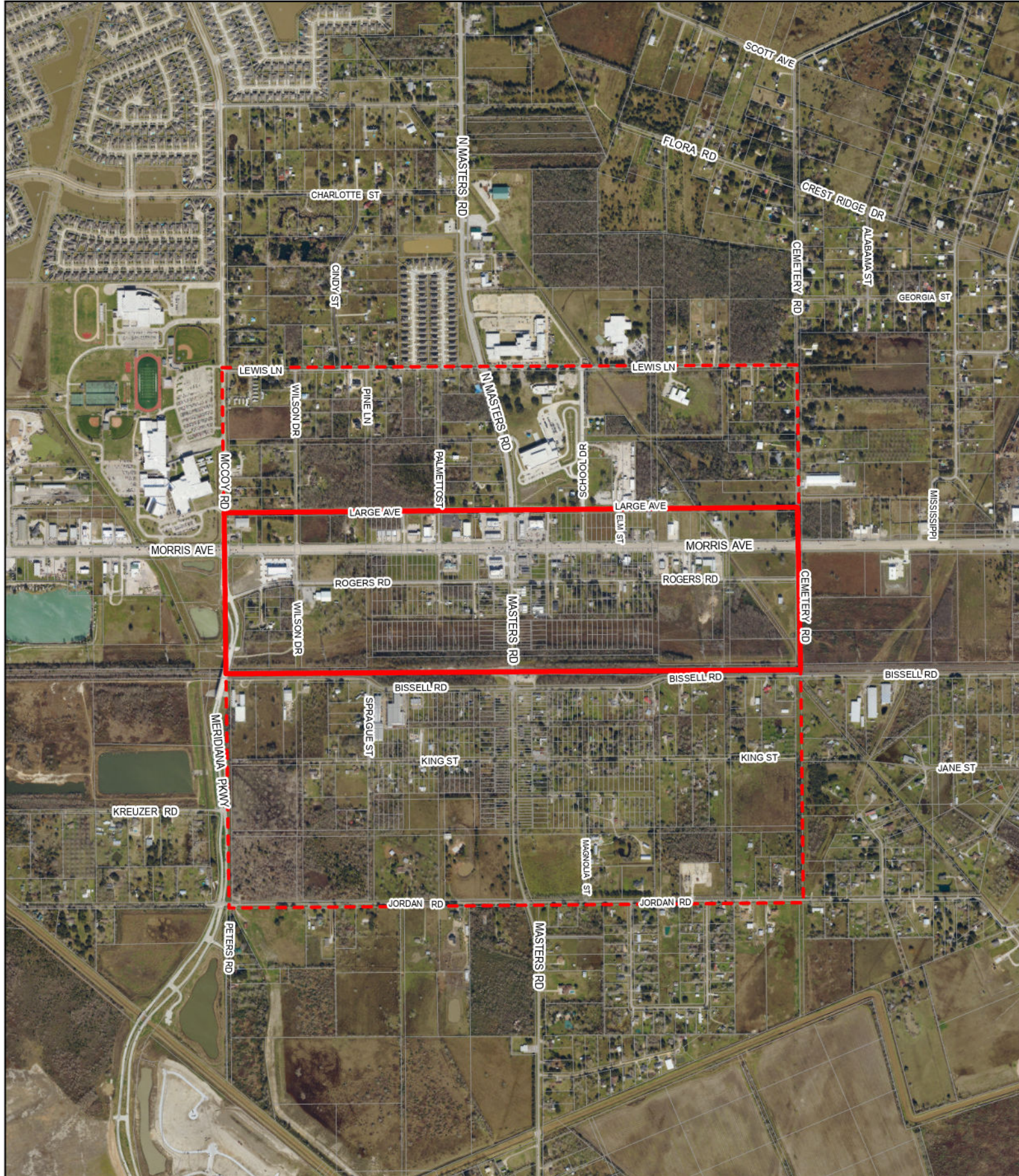
Old Manvel Town Site Area	State Highway 6 Overlay District	Open Single-Family Residential District
Proposed Manvel Town Site Area	Heavy Commercial District	Single-Family Residential District
Parcels	Light Commercial District	Highway Mixed Use District
Specific Use Permits	Planned Unit Development	

US Feet

0 500 1,000 2,000 3,000 4,000

Date: May 2025  
Reference: 2025025  
Data Source: City of Manvel, Brazoria County Open Data

This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.



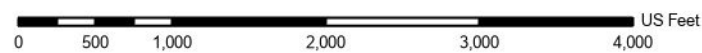
# Old Manvel Town Site Area



- Old Manvel Town Site Area
- Proposed Manvel Town Site Area
- Parcels



This map is made available for reference purposes only and should not be substituted for a survey product. The City of Manvel will not accept liability of any kind in conjunction with its use.



Date: April 2025  
 Reference: 2025025  
 Data Source: City of Manvel, Brazoria County Open Data

**ORDINANCE NO. 2025-O-20**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS BY AMENDING CHAPTER 62 “SUBDIVISIONS,” ARTICLE II. - *SUBDIVISION AND DEVELOPMENT PROCESS*, FOR PROVISIONS PERTAINING TO MASTER PLANS, FINAL PLATS AND DEVELOPMENT PLATS; AMENDING CHAPTER 62 “SUBDIVISIONS,” ARTICLE IV. *MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RE-SUBDIVISION*, FOR PROVISIONS PERTAINING TO LOTS AND LOT DIMENSIONS, PERIMETER STREETS, SIDEWALKS, AND REQUIREMENTS FOR SUBDIVISIONS IN THE OLD MANVEL TOWNSITE AREA; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION OF ANY PROVISION HEREOF, WITH EACH DAY OF VIOLATION CONSTITUTING A SEPARATE OFFENSE; AND PROVIDING FOR SEVERABILITY.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Manvel has adopted an ordinance governing the subdivisions/re-subdivisions of land pursuant to chapter 212 of the Texas Local Government Code; and

**WHEREAS**, staff and PD&Z have considered and recommended amendments to the city’s subdivision ordinance regarding subdivision/re-subdivision and development of land; and

**WHEREAS**, on May 12<sup>th</sup>, 2025, the PD&Z conducted a public hearing on the proposed amendments as required by section 212.002 of the Texas Local Government Code;

**WHEREAS**, on May 19<sup>th</sup>, 2025, the City Council conducted a public hearing on the proposed amendments as required by section 212.002 of the Texas Local Government Code;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS:**

**Section 1.** The Code of Ordinances of the City of Manvel, Texas, is hereby amended by amending Article II. *Subdivision and Development Process* of Chapter 62 “Subdivisions,” to read and provide as follows:

**“CHAPTER 62 – SUBDIVISIONS**

...

**ARTICLE II. - SUBDIVISION AND DEVELOPMENT PROCESS**

...

## Sec. 62-39. - Master Plan

- (a) Where the proposed subdivision constitutes a tract or tracts consisting of a minimum of 50 acres or more in size, and which is intended to be subsequently subdivided as additional units of the same subdivision, a Master Plan shall be submitted. The Master Plan shall show the proposed layout of the streets, blocks, public parks land, school site purposes, and drainage of the entire area. The over-all layout, if approved by the council after recommendation by the Planning Commission, shall attach and file with a copy of the approved subdivision plat in the permanent files of the city. Thereafter, fractional preliminary and final plats of subsequent units of such subdivision may be submitted provided no significant changes are made to the Master Plan. If a master plan is prepared to conform to the requirements of section 62-38, Preliminary Plat, a separate Preliminary Plat approval is not required. Any request for change to the Master Plan must be submitted according to the procedures prescribed in Section 62-38, *Preliminary Plat*.
- (b) A phasing schedule shall be submitted as part of the Master Plan. The phasing schedule shall indicate the timing of each phase of development. All lands to be dedicated for public right-of-way, public park land, public use, trails, or school site purposes shall be dedicated in the first phase of the development. The council may allow the dedication of said public improvements in another phase of development where due cause is shown.
- (c) Approval of the Master Plan shall expire three years after council approval, unless within the three-year period, the subdivider has commenced construction of the improvements in the final construction plans approved by the city.
- (d) A Master Plan shall be approved by council resolution unless council approves an amended Planned Unit Development (PUD) or development agreement.

## Sec. 62-40. Construction plans.

After approval of the preliminary plat by the planning commission, construction plans meeting the requirements of the city's design criteria manual, adopted plans, and other applicable ordinances, rules, policies and regulations shall be submitted for all improvements proposed on the preliminary plat. Engineering standards and standard details shall be contained in the design criteria manual, as amended from time to time. After a plat has been approved by the planning commission, the final construction plans have been approved by the city engineer, and all required fees have been paid, the subdivider or developer may proceed with construction of the public infrastructure after participating in a pre-construction meeting and obtaining all necessary building permits from the city.

## Sec. 62-41. Final plat.

- (a) No final plat shall be considered unless and until a preliminary plat has been submitted and approved, unless a minor plat is used, and a set of final construction plans has been approved by the city engineer for the public infrastructure improvements.
- (b) After compliance with the foregoing procedure and preliminary plat approval by the planning commission, the subdivider shall prepare, or cause to be prepared, a final plat or plats, together with other supplemental information as specified herein. The final plat shall conform

substantially to the preliminary plat as approved and shall reflect any conditions or requirements for final approval imposed by the planning commission, together with the following additional requirements, which must be shown on or accompany the final plat:

- (1) The name of the subdivision;
- (2) The north arrow, a graphic scale where one-inch equals 100 feet or larger, date, and vicinity map drawn to a scale one-inch equals 2,640 feet;
- (3) The name, address and telephone number of the subdivider;
- (4) A signed certificate of the registered professional land surveyor, who has surveyed, mapped, and monumented the land, shall be placed on the face of the plat;
- (5) A certificate of ownership of the land from a title company;
- (6) A statement of express dedication of all streets, easements, alleys, parks, playgrounds, public places, and other rights-of-way within to the public use forever. The dedication necessary to satisfy the requirements of this article may be within or outside the subdivision and shall be executed by all persons owning an interest in the property subdivided, resubdivided, or platted and shall be acknowledged in the manner prescribed by the laws of the state for conveyance of real property. Lienholders must execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites, and other public areas shown on the plat of such subdivision as being set aside for public use and purpose;
- (7) A field note description of the subdivided tract of land;
- (8) A statement and express representation on the face of the plat that the parties joining in such dedication are the sole owners of such tract of land;
- (9) A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of plat, and the name of the surveyor;
- (10) The boundary lines, with accurate distance and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract;
- (11) The names of adjacent subdivisions and/or the names of owners of adjacent land, with all recording information shown, and all data necessary to reproduce the plat and each subdivision lot on the ground;
- (12) The bearings and distances to the nearest established street lines or official monuments shall be accurately described on the plat, with all bearings to be Lambert Grid bearings. All coordinates shall refer to the Texas State Plane Coordinate System;
- (13) The exact layout shall include the following:
  - a. Streets and street names;
  - b. The length of all arcs, internal angles, points of curvature, length and bearing of the tangents, and the length of tangent between curves;
  - c. All easements or rights-of-way provided for drainage, public services, or utilities, and any limitations of such easements/rights-of-way;
  - d. All lot and block numbers;
  - e. All lot lines with accurate dimensions;

- f. All alleys;
  - g. Location and description of monuments;
  - h. Building setback lines from all adjacent streets; and
  - i. Point of beginning, including Northing and Easting.
- (14) Boundary closure calculations, the minimum of which shall be 1:15,000;
  - (15) Any protective covenants whereby the subdivider proposes to regulate the use of the land within the subdivision; provided, however, restrictive covenants, conditions, or limitations shall never be less than the minimum requirements of the city under the terms of this article or other city ordinances. For subdivisions including common areas, reserves, and restricted reserves, documentation indicating ownership and maintenance responsibility shall be provided and the information shall be reflected on the plat;
  - (16) A waiver of claim for damage occasioned by the establishment of grades or alterations of the surface of any portion of the streets;
  - (17) ~~[An]~~ A current original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property;
  - (18) Such other certificates, data, affidavits, and endorsements or dedications as may be required by the planning commission for the enforcement of these regulations;
  - (19) A certificate of approval on face of the plat, with signatures for the planning commission. Additionally, a certificate of approval, signed by the applicable drainage district, shall appear on the face of the plat for properties located in the city's extraterritorial jurisdiction;
  - (20) Letters from utility companies indicating that their required easements are correctly shown on the plat and verifying availability of utility service;
  - (21) A current title policy or title commitment from an insured title company reflecting the current owner of the tract of land;
  - (22) A notation that sidewalks shall be constructed as part of the issuance of a building permit for each tract;
  - (23) For residential subdivisions, a notation that building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed;
  - (24) A notation that the final plat will expire two years after final approval by the planning commission, if construction of the improvements has not commenced within the two-year initial period or the one-year extension period granted by the planning commission;
  - (25) Construction drawings of the proposed infrastructures improvements, which must be approved by the city engineer prior to planning commission approval of the final plat;
  - (26) Two original mylar copies of the final plat and supporting data shall be submitted to the city secretary. Said copies shall be submitted to city staff, according to the city's plat submittal schedule, and shall be reviewed by the development review committee for compliance with state law, this article, and all other city ordinances, policies, rules and regulations. On receipt by city staff of an administratively complete application, the final

plat shall be scheduled for action by the planning commission, at its next regularly scheduled meeting. According to the city's plat submittal schedule, the subdivider shall provide to the planning commission [~~11 folded copies, one~~] 1 folded copy accompanied by an electronic (.pdf) copy, and two original mylar copies of the final plat, prepared in accordance with the county clerk's requirements for plat recording, along with all supporting documentation. The planning commission shall render its decision within 30 days of the city's receipt of an administratively complete application, provided the application is not withdrawn prior to the planning commission's review. The planning commission's decision shall consist of a decision of approval, conditional approval, or disapproval. Should the final plat be disapproved by the planning commission, note its disapproval thereon, and attach thereto a statement of the reasons for such disapproval. A disapproved final plat may be resubmitted with correcting changes [~~within 30 days of planning commission action~~] according to the city's plat submittal schedule. No final plat shall be processed until final construction plans are approved;

- (27) Approval of the final plat shall expire two years after planning commission approval unless, within such two-year period, the subdivider has commenced construction of the improvements identified in the final construction plans approved by the city, or requests and obtains approval from the planning commission of a one-year extension. If a one-year extension is requested and approved by the planning commission, the construction of improvements identified in the final approved construction plans must be commenced within the one-year extension period or the final plat will expire;
- (28) In the event the tract of land being subdivided is adjacent to a street or road that does not meet the city's design criteria manual specifications, the subdivider shall be required to improve all such streets or roads (frontage and perimeter) to meet those specifications from the point where such street or road does meet the city's requirements, to the farthestmost boundary of the subdivision;
- (29) A notation that the development regulations and city permits are required on all property within the corporate limits and extraterritorial jurisdiction of the city; and
- (30) A master plan, where applicable.

**Sec. 62-42. Minor plat.**

- (a) When all requirements of this section are satisfied, the requirement of preliminary plat submittal may be eliminated from the development or subdivision process in accordance with the provisions of this section. The subdivider shall be required only to comply with the final plat provisions and procedures of this article for a minor plat submittal.
- (b) To qualify for a minor plat, the proposed subdivision must meet all of the following requirements:
  - (1) All lots of the proposed subdivision must front on a public street or on streets that meet the following criteria:
    - a. The street must have been previously dedicated to and accepted by the city, county or state, as applicable, must be maintained by the entity with jurisdiction, and must be traveled by the public; and

- b. The street must exist within a right-of-way with a minimum width of 60 feet, or the proposed plat must dedicate the necessary additional rights-of-way to provide a minimum width of 30 feet from the centerline of the existing or original right-of-way.
- (2) No additional dedication or construction of streets, alleys, or extensions of existing streets or alleys are required for the proposed subdivision;
- (3) A drainage plan, covering all land to be improved, must be prepared in accordance with the "City of Manvel Design Criteria Manual" (as amended from time to time), the master drainage plan, and submitted to the appropriate drainage district. Construction plans for each improvement must have been approved by the city prior to approval of the minor plat;
- (4) All necessary easements and/or public dedications are either existing or will be dedicated by the owner/subdivider. All such easements and/or public dedications must be of an acceptable width and configuration.

...

**Sec. 62-46. Development plat.**

- (a) The term "development" in this section means new construction of any building or structure of any nature both residential and nonresidential. "Development" does not include construction of any building or improvement used for agriculture purposes. This section shall apply to any land in the city or within its extraterritorial jurisdiction, as follows:
  - (1) The development of any lot, tract, or parcel that has not been platted or replatted prior to the effective date of this section;
  - (2) The development of any lot, tract, or parcel of land which the owner claims a certificate of exception from these subdivision regulations, including requirements to replat, which the exception is not expressly provided in section 62-3, application and compliance with chapter, subsection (e), exception to platting;
  - (3) The development of a lot, tract, or parcel of land for which the only access is a private easement or street; and/or
  - (4) The division of a lot, tract, or parcel of land resulting in parcels or lots each of which is greater than five acres in size, and where no public improvement is proposed to be dedicated or constructed.
- (b) Development plats shall be required where:
  - (1) The lot, tract, or parcel to be developed has not received final plat or replat approval or was created prior to the effective date of this chapter; or
  - (2) A subdivision plat is also required under city ordinances; or
  - (3) The issuance of a building permit does not exceed the substantial improvement of an existing principal structure.

- (c) The developer shall prepare, or cause to be prepared, a development plat, together with other supplemental information as specified herein. The development plat shall illustrate the following:
- (1) The name of the development;
  - (2) The north arrow, a graphic scale where one-inch equals 100 feet or larger, date, and vicinity map drawn to a scale one-inch equals 2,640 feet;
  - (3) The name, address, and telephone number of the developer;
  - (4) Each existing or proposed building, structure, or improvement or proposed modification of the external configuration of the building, structure, or improvement involving a change of the building, structure, or improvement;
  - (5) The dimensions of each street, sidewalk, alley, square, park, or other part of the property intended to be dedicated to the public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, sidewalk, alley, square, park, or other part;
  - (6) A signed certificate of the registered professional land surveyor, who has surveyed, mapped, and monumented the land, shall be placed on the face the plat;
  - (7) A current title policy or title commitment from an insured title company reflecting the current owner for the tract of land;
  - (8) A statement of express dedication of all streets, easements, alleys, parks, playgrounds, public places, and other rights-of-way to the public use forever. The dedication necessary to satisfy the requirements of this article may be within or outside the subdivision and shall be executed by all persons owning an interest in the property subdivided, resubdivided, or platted and shall be acknowledged in the manner prescribed by the laws of the state for conveyance of real property. Lienholders must execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites, and other public areas shown on the plat of such subdivision as being set aside for public use and purpose;
  - (9) A field note description of the development tract of land;
  - (10) A statement and express representation on the face of the plat that the parties joining in such dedication are the sole owners of such tract of land;
  - (11) A positive reference and identification of the plat of such subdivision by the name of such subdivision, date of plat, and the name of the surveyor;
  - (12) The boundary lines, with accurate distance and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract;
  - (13) The names of adjacent subdivisions and/or the names of owners of adjacent land, with all recording information shown, and all data necessary to reproduce the plat and each subdivision lot on the ground;
  - (14) The bearings and distances to the nearest established street lines or official monuments shall be accurately described on the plat, with all bearings to be Lambert Grid bearings. All coordinates shall refer to the Texas State Plane Coordinate System;
  - (15) The exact layout shall include the following:
    - a. Streets and street names;

- b. The length of all arcs, internal angles, points of curvature, length and bearing of the tangents, and the length of tangent between curves;
  - c. All easements or rights-of way provided for drainage, public services, or utilities, and any limitations of such easements/rights-of-way;
  - d. All lot and block numbers;
  - e. All lot lines with accurate dimensions;
  - f. All alleys;
  - g. Location and description of monuments;
  - h. Building setback lines from all adjacent streets; and
  - i. Point of beginning, including Northing and Easting.
- (16) Boundary closure calculations, the minimum of which shall be 1:15,000;
- (17) Any protective covenants whereby the subdivider proposes to regulate the use of the land within the subdivision; provided, however, restrictive covenants, conditions, or limitations shall never be less than the minimum requirements of the city under the terms of this article or other city ordinances;
- (18) A waiver for damage occasioned by the establishment of grades or alterations of the surface of any portion of the streets;
- (19) An original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property;
- (20) Such other certificates, data, affidavits, and endorsements or dedications as may be required by the planning commission for the enforcement of these regulations;
- (21) A certificate of approval on the face of the plat, with signature for the planning commission. Additionally, a certificate of approval, signed by the applicable drainage district, shall appear on the face of the plat for properties located in the city's extraterritorial jurisdiction;
- (22) Letters from utility companies indicating that their required easements are correctly shown on the plat and verifying availability of utility service;
- (23) A notation that sidewalks shall be constructed, if required, as part of the issuance of a building permit for each tract;
- (24) For residential plats, a notation that building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed;
- (25) A notation that the development plat will expire two years after approval by the planning commission, if construction of the improvements has not commenced within the two-year initial period or the one-year extension period granted by the planning commission;
- (26) Construction drawings of the proposed infrastructure improvements, which must be approved by the city engineer prior to planning commission approval of the development plat;

- (27) A notation that the development regulations and city permits are required on all property within the corporate limits and extraterritorial jurisdiction (where applicable) of the city;
  - (28) A master plan, if applicable; and
  - (29) Two original mylar copies of the development plat and supporting data shall be submitted to the city secretary.
- (d) Said copies shall be submitted to city staff, at least 21 days prior to the scheduled meeting date, and shall be reviewed by the development review committee for compliance with state law, this article, and all other city ordinances, policies, rules, and regulations. On receipt by city staff of an administratively complete application, the development plat shall be scheduled for action by the planning commission, at its next regularly scheduled meeting. At least seven days prior to such meeting date, the developer shall provide to the planning commission 15 copies and two original mylar copies of the development plat, prepared in accordance with the county clerk's requirements for plat recording, along with all supporting documentation. The planning commission shall render its decision within 30 days of the city's receipt of an administratively complete application, provided the application is not withdrawn prior to the planning commission's review. The planning commission's decision shall consist of a decision of approval, conditional approval, or disapproval. A disapproved development plat may be resubmitted with correcting changes within 30 days of planning commission action. No development plat shall be processed until final construction plans are approved;
  - (e) Approval of the development plat shall expire two years after planning commission approval unless, within such two-year period, the developer has commenced construction of the improvements identified in the final construction plans approved by the city, or requests and obtains approval from the planning commission of a one-year extension. If a one-year extension is requested and approved by the planning commission, the construction of improvements identified in the final approved construction plans must be commenced within the one-year extension period or the development plat will expire;
  - (f) In the event the tract of land being platted is adjacent to a street or road that does not meet the city design criteria manual specifications, the developer shall be required to improve all such public/private streets (frontage and perimeter) to meet those specifications from the point where such street does meet the city's requirements, to the farthest boundary of the plat;
  - (g) A development plat is not required when:
    - a. A single one-acre or larger lot, tract, or parcel is proposed for single-family detached development. However, a public or private street shall be dedicated with a minimum 60-foot right-of-way for access to the lot, tract, or parcel and sidewalks constructed in accordance with section 62-104, Streets. Singular access to the subdivided lot, tract, or parcel by easement shall be prohibited. A single-family detached developed lot, tract, or parcel shall only be exempt from the requirements of this section one time; and
    - b. Accessory structures related to the single-family detached development.

**Sec. 62-47. Filing of final plat.**

Upon approval of the final plat, compliance with all conditions, and submission of all required documentation, the council will consider the acceptance of the improvements. A two-year maintenance bond in the amount of 100 percent of the total cost of the infrastructure improvements

or a one-year letter of credit in the amount of 50 percent of the total cost of the infrastructure improvements shall be required for the public improvements being dedicated to the city. Additionally, an updated original certificate obtained from the appropriate county taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property shall be provided before the plat can be filed with the county. Once such paperwork is submitted, and the improvements approved by the city engineer and accepted by the council, the city shall file the plat with county. The city shall be listed as an owner on all required documentation. The acceptance of the improvements by the council is valid from the date of council acceptance.

**Secs. 62-48—62-65. Reserved”**

**Section 3.** The Code of Ordinances of the City of Manvel, Texas, is hereby amended by amending Article IV. *Minimum Requirements for Subdivision and/or Resubdivision* of Chapter 62 “Subdivisions,” to read and provide as follows:

“CHAPTER 62 – SUBDIVISIONS

...

ARTICLE IV. MINIMUM REQUIREMENTS FOR SUBDIVISION AND/OR RESUBDIVISION

**Sec. 62-103. Established minimum requirements.**

The subdivider shall comply with the minimum requirements of section 62-104, [~~streets~~] Streets, and section 62-111, Additional street requirements, before consideration will be given to any final plat of any subdivision of land within the city limits of the city or within the extraterritorial jurisdiction of the city. All major thoroughfare streets, perimeter streets, trails, and parks shall be constructed with the first final plat, unless council approves a phasing plan for development. The provisions of this article that do not conflict with section 62-40, construction plans, shall apply to minor plats.

**Sec. 62-104. Streets.**

Street design shall conform to all applicable planning tools, such as the Texas Manual on Uniform Traffic Control Devices, Comprehensive Plan, Transportation Corridor Plan, Major Thoroughfare Plan, and Design Criteria Manual. All paving and construction plans shall be approved by the city for all streets within the city.

- (1) *Major thoroughfare, major arterial, and collector streets.* The arrangement, character, extent, width, grade, and location of all thoroughfare, arterial, and collector streets shall

provide for the continuation or appropriate projection to existing and planned streets, for topographical conditions, for public convenience and safety, and for appropriate relation to the proposed uses of the land to be served by such streets, as provided by the city's major thoroughfare plan;

- (2) *Minor or residential street.* These streets shall be designed so that their use by through traffic will be discouraged;
- (3) *Marginal access streets; reverse frontage streets.* Where a subdivision abuts or contains an existing or proposed arterial street, the city may require marginal access streets, reverse frontage with screen planting contained in a [~~non-cross~~] non-cross reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic;
- (4) *Right-of-way parallel streets.* Where a subdivision borders on or contains a railroad or highway right-of-way, the city may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, for park purposes within residential districts, or for commercial or industrial purposes within appropriate districts. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations;
- (5) *Multiple access points.*
  - a. *Two point of access.* There shall be a minimum two points of access from a collector street into a subdivision or subdivision phase, up to a maximum of 75 platted lots.
  - b. *Three points of access.* There shall be a minimum of three points of access from a collector street in a subdivision or subdivision phase for 76 to 175 platted lots.
  - c. *Four points of access.* There shall be a minimum of four points of access from a collector street in a subdivision or subdivision phase for 176 platted lots or greater.
  - d. *Points of access and existing conditions.* The council may require additional points of access from a collector street due to existing conditions (e.g., pipelines, floodplain, body of water, etc.) in addition to requirements set forth in this section to protect the health, safety, and welfare of the city and its extraterritorial jurisdiction. This access point shall not be located over the potential hazard.
  - e. *Boulevard entries.* A boulevard entry may only be considered as two points of access when a fourth point of access is triggered under subsection c. Four points of access, above;
- (6) *Street jogs.* Street jogs, with centerline offsets of less than 125 feet, shall be prohibited;
- (7) *Reverse curves.* A tangent of at least 100 feet in length shall be introduced between reverse curves on arterial and collector streets;
- (8) *Connecting street lines.* When connecting street lines deflect from each other at any one point by more than 10 degrees, such streets shall be connected by a curve with a radius adequate to ensure sight distances of not less than 60 feet for minor and collector streets and of such greater radii as council shall determine for special cases;
- (9) *Intersections.* Streets shall be designed so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 60 degrees;

- (10) *Property lines at street intersections.* Property lines at street intersections shall be rounded with a radius of 15 feet, or of a greater radius where large truck traffic is anticipated;
- (11) *Rights-of-way widths.* The minimum right-of-way width for all streets in the city and its extraterritorial jurisdiction is 60 feet or otherwise specified in the city's thoroughfare plan, as amended from time to time.
- (12) *Half streets.* Half streets shall be prohibited, except where such streets are essential to the reasonable development of a subdivision in conformity with other requirements of this chapter, and where the planning commission finds it would be practicable to require the dedication of the other half of such street when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of such street shall be dedicated;
- (13) *Dead-end streets.* Dead-end streets, designated to be so permanently, shall not be longer than 1,200 feet and, at the closed end of such street, shall provide a turn-around having an outside roadway diameter of at least 100 feet and a street property line right-of-way diameter of at least 120 feet;
- (14) *Street names.* No street name shall be used that duplicates, or that may be confused with, the name of an existing street. All street names dedicated by plat shall be subject to approval of the planning commission. All other street name changes shall be subject to approval of the council. The planning commission may recommend street names not dedicated by plat for approval by council.
- (15) *Street design.* The details of all street designs shall conform to the city's engineering standards and standard details of the design criteria manual. The street design shall conform to the functional classification of the thoroughfare plan, if applicable.

...

**Sec. 62-108. Lots.**

(a) *One acre and larger.*

- (1) Residential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
  - a. Front building setback line (measured from the frontage road right-of-way) shall be a minimum of 25 feet;
  - b. Street side building setback line shall be a minimum of 25 feet;
  - c. Side and rear building setback lines shall be 10 feet; and
  - d. Lots that abut across walkways shall be treated as street side lots.
- (2) Nonresidential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
  - a. Front building setback line shall be 25 feet;
  - b. Street side building setback line shall be 25 feet;
  - c. Side and rear building setback lines shall be 10 feet;

- d. Lots that abut across walkways shall be treated as street side lots.
- (3) For lots in the city limits, refer to the zoning ordinance for building setback lines.
  - (4) Lot dimensions shall be a minimum of 120 feet in width at the ~~[right-of-way]~~ front building setback line and of a depth so as to provide an area of not less than one acre or 43,560 square feet.
  - (5) Residential lots not served by a public sewer system shall be not less than 120 feet in width at the building setback line and shall have an area of not less than one acre or 43,560 square feet. Existing conforming lots that become non-conforming due to reduced lot area resulting from required right-of-way dedication for development shall be considered a conforming lot if the resulting reduced lot area is not less than 0.85 acres.
  - (6) The depth and width of properties reserved or designed for business and industrial purposes shall be of adequate distances to provide for off-street service and parking facilities, as required by the type of use and development contemplated.
  - (7) In an approved subdivision, lot sizes may be increased in order to secure privacy within such lots or to allow improvement upon such lots to conform to the building requirements. However, in no instance shall lot size changes be allowed if such changes in the creation of one or more lots that are less than the minimum area requirements of this article.
  - (8) Any subdivision of land shall provide each lot with access to a public street or a private street as specified in the design criteria manual and this subdivision ordinance. The public street shall have a minimum width of 60 feet, or the proposed plat must dedicate the necessary additional rights-of-way to provide a minimum width of 30 feet from the centerline of the existing or original right-of-way.
  - (9) Double frontage and reverse frontage lots should be avoided, unless such lots back up to a major thoroughfare.
  - (10) Side lot lines shall be at substantially right angles or radial to street lines.
  - (11) Flag or key-shaped lots are not allowed.
- (b) *Lots smaller than one acre.*
- (1) Residential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
    - a. Front building setback line shall be 25 feet (measured from the frontage road right-of-way);
    - b. Street side building setback line shall be ten feet; and
    - c. Side and rear building setback lines shall be five feet.
  - (2) Nonresidential building setbacks. For properties located in the extraterritorial jurisdiction (ETJ), the following setbacks shall apply:
    - a. Front building setback line shall be 25 feet. An exception to this requirement is minimum setback lines shall be increased to a total of 35 feet from a 60 foot right-of-way, where a minor or major thoroughfare is set forth in the city's thoroughfare plan;
    - b. Street side building setback line shall be 15 feet; and
    - c. Side and rear building setback lines shall be five feet.

- (3) For lots in the city limits, refer to the zoning ordinance for building setback lines.
- (4) Lot dimensions shall be not less than 60 feet in width at the ~~[right-of-way]~~ front building setback line and of a depth so as to provide an area of not less than 6,300 square feet.
- (5) Depth and width of properties reserved or designed for business and industrial purposes shall provide for off-street service and parking facilities, as required by the type of use and development proposed.
- (6) In an approved subdivision, lot sizes may be permitted to be increased in order to secure privacy within such lots or to allow improvement on such lots to conform to the building requirements. However, in no case shall lot size changes be allowed if such changes result in the creation one or more lots of a size that is less than the minimum area requirements of this article.
- (7) Any subdivision of land shall provide each lot with access to a public street as specified in the design criterial manual.
- (8) Double frontage and reverse frontage lots should be avoided, unless such lots back up to a major thoroughfare.
- (9) Side lot lines shall be at substantially right angles or radial to street lines.
- (10) Flag or key-shaped lots are not allowed.

**Sec. 62-109. Public sites and open spaces.**

In conformity with the city's master plan, where a proposed park, school, playground, or other public facility is located in whole or in part within a subdivision, the subdivider may dedicate such land to public use or shall provide the appropriate political entity with a one-year purchase option on such land.

**Sec. 62-110. Monuments.**

- (a) Monuments set as exterior boundary markers shall be a five-eighth-inch iron rod or a three-fourth-inch iron pipe of at least 36 inches in length and encased in concrete for a minimum depth of 18 inches below the surface of the ground.
- (b) Permanent reference monuments shall be set at all boundary line angle points, block corners, points of curvature, and at intervals of not more than 1,000 feet. All permanent reference monuments shall conform to the Texas Professional Land Surveying Practices Act and the General Rules of Procedures and Practices of the Texas Board of Professional Land Surveying.
- (c) All monuments shall be set to the standards of the Texas Professional Land Surveying Practices Act and the General Rules of Procedures and Practices of the Texas Board of Professional Land Surveying, and shall bear reference caps as indicated.
- (d) Interior lot corner monuments shall be, at a minimum, a five-eighth-inch iron rod of at least 36 inches in length.

**Sec. 62-111. Additional street requirements.**

- (a) All streets shall be constructed in accordance with the city's design criteria manual.
- (b) The developer shall be responsible for construction of all roadways within the development in accordance with the city's design criteria manual. Where the thoroughfare plan requires street widths over and above the local street requirements, the developer shall dedicate the amount of right-of-way required for the larger street and shall construct such street with a pavement width of up to 38 feet. If the city requires a pavement width of more than 38 feet, the city shall provide funding for such increased width, subject to the availability of funds and within legal limitations.
- (c) The developer shall be responsible for construction of necessary improvements on all perimeter streets in order to bring the pavement and curbing up to minor street standards for the one-half of the street abutting the development. This requirement does not apply to roads and rights-of-way owned and maintained by the County or State unless specifically required by the controlling authority.

**Sec. 62-112. Water and wastewater facilities.**

- (a) Water and wastewater facilities shall conform to the city's design criteria manual.
- (b) If the city's master plan requirements dictate a larger line size, or a greater sewer line depth, than that required for a subdivision, the city shall pay the difference, subject to the availability of funds and the legal requirements.

**Sec. 62-113. Sidewalks.**

Sidewalks shall be constructed at a minimum of [~~four~~] five feet wide or as determined by the city's thoroughfare plan and in accordance with the city's design criteria profile. Sidewalks shall be installed in accordance with the city's design criteria manual. For non-residential development with frontage on rights-of-way owned and maintained by the County or State, a sidewalk shall be made part of the site development, if controlling authority does not permit construction of sidewalk within the right-of-way.

**Sec. 62-114. Street lighting and signage.**

The developer shall provide a layout of the location of proposed streetlights and shall also provide easements for power lines, where required, as part of the infrastructure construction plans and final plat submittal. The city will make arrangements with the power company for installation of streetlights for those subdivisions located within the city limits. The developer shall provide street name signs and traffic control devices all in accordance with the requirements of the Texas Manual on Uniform Traffic Control Devices.

...

**Sec. 62-119. Additional requirements for subdivisions in the Original Manvel Townsite area.**

- (a) Original Manvel Townsite area. The regulations in this section shall apply to all applicable subdivisions and development of land within the Original Manvel Townsite (OMT) area. The Original Manvel Townsite area shall be bounded by Cemetery Road on the east, [~~Large Drive~~] Lewis Lane on the north, McCoy Road on the west, and [~~the railroad tracks (sitting just north of Bissell Road)~~] Jordan Road, on the south.
- (b) Applicability. The regulations in this section shall apply to lots [~~zoned light commercial (LC) district, or planned unit development (PUD) district allowing for commercial land use, where the lot is five~~] that are ten acres or less.
- (c) These regulations are specific to subdivisions and development in the Original Manvel Townsite area, and supersede any conflicting regulations in other sections of the City Code.
- (d) The following regulations shall apply to subdivisions and development in the Original Manvel Townsite area:

- (1) *Streets.* Subdivider/developer shall be permitted to construct any perimeter street in asphalt.
- (2) *Drainage.* Subdivider/developer shall be permitted to construct drainage ditches on perimeter streets, in lieu of curb and gutter storm sewer.
- (3) *Water.* [~~Subdivider/developer may install a water well, instead of extending any city water line. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements.~~]

Existing water wells shall be allowed to continue. For non-residential development, subdivider/developer must tie on to the nearest city water line. New water wells shall not be installed for individual residential lots that abut a right-of-way with existing city waterline. For individual residential lots that do not abut a right-of-way with existing city waterline, subdivider/developer may install a new well. Subdivider/developer must still comply with all laws and regulations concerning water wells, and nothing herein waives or affects any fire code requirement, including, but not limited to, sprinkler system requirements.

- (4) *Wastewater.* [~~Subdivider/developer may install an on-site sewage (septic), instead of extending the wastewater line. Subdivider/developer must still comply with all laws and regulations concerning septic systems.~~]

Existing on-site sewage (septic) systems shall be allowed to continue. For non-residential development, subdivider/developer must tie on to the nearest city sewer line. New on-site sewage (septic) systems shall not be installed for individual residential lots that abut a right-of-way with existing city sewer line. For individual residential lots that do not abut a right-of-way with existing city sewer line, subdivider/developer may install a new on-site sewage (septic) systems. Subdivider/developer must still comply with all laws and regulations concerning septic systems.

- (5) *Detention/mitigation.* In lieu of on-site detention/mitigation, offsite detention/mitigation shall be permitted if an engineered drainage plan shows the proper conveyance to an offsite detention facility, and where there is capacity in that offsite facility.

**Sec. 62-120. Exceptions for certain Manvel residents.**

- (a) "Certain Manvel residents" are defined as individuals who are seeking construction of a single-family residential structure that the resident intends to occupy as his/her residence.
- (b) The following provisions do not apply to certain Manvel residents:
  - (1) Provisions regarding the construction of public infrastructure in section 62-104;
  - (2) Provisions regarding the construction of public infrastructure in section 62-105;
  - (3) Provisions regarding the construction of public infrastructure in section 62-111, except that all right-of-way and drainage dedication requirements specified in the city's master thoroughfare plan and master drainage plan still apply;
  - (4) Provisions regarding the construction of public infrastructure in section 62-113;
  - (5) Provisions regarding the construction of public infrastructure in section 62-114; and
  - (6) Provisions regarding the construction of public infrastructure in section 62-115, except that nothing herein shall be construed to exempt compliance with chapter 32, Flood Damage Prevention.
- (c) For purposes of this section, certain Manvel residents seeking construction of a residential accessory building that is an accessory to a residential structure described by subsection (a) is entitled to the same exceptions as a residential structure described by subsection (a).
- (d) Notwithstanding section 62-4, the maximum fee for certain Manvel residents described by this section shall not exceed \$0.00 if the fee is to request a variance to this chapter, appeal to the zoning board of adjustments, or submit any plats requiring review or approval. A fee, rate, deposit, or other charge inconsistent with this section that was adopted by resolution prior to the effective date of this section is hereby repealed.
- (e) The city shall establish a fee schedule that clearly distinguishes the fees established by subsection (c) from the fees applicable to all other developers not covered under this section.

**Secs. 62-121—62-145. Reserved.”**

**Section 4.**     **Penalty.** Any person who shall intentionally, knowingly, recklessly, or with criminal negligence violate any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

**Section 5.**     **Repealer.** All ordinances or parts of ordinances inconsistent or in conflict herewith, are, to the extent of such inconsistency or conflict, hereby repealed.

**Section 6.**     **Severability.** In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Manvel, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

PASSED, APPROVED, AND ADOPTED on second and final reading this \_\_\_\_\_, 2025.

\_\_\_\_\_  
Dan Davis, Mayor

Attest:

\_\_\_\_\_  
Tammy Bell, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Robert Gervais, City Attorney



# CITY COUNCIL DATA SHEET

**MEETING DATE:** May 5, 2025

**Regular Agenda**

**TOPIC:** Manvel Fall Festival Proposal

**BACKGROUND:** Councilmember Keith Bonner and David Lands are proposing the launch of our City's first annual Fall Festival on October 18, 2025 at Croix Park. This event is intended to bring the community together where families can enjoy an array of live music and family-friendly activities, such as:

- Live Music
- Food Vendors
- Farmers Market
- Fall themed events for kids: Hay rides, petting zoo, pumpkin patch, etc.
- Beer and Wine Garden

Due to the time frame, coordination efforts, and expertise required, staff has contacted Your Neighborhood Farmer's Market (YNFMA) for a turnkey solution. Their conceptual scope is attached, but will be formalized into a contract if Council decides to move forward with the event and approval.

**RECOMMENDATION:** Staff's recommendation is to approve the proposal from YNFMA to ensure a successful and professional event.

**ATTACHMENTS:** YNFMA Proposal

## FUNDING ISSUES

- Not applicable
- Not budgeted ; *Funds available* *Hotel Occupancy Tax Funds*
- Full amount already budgeted *60-10-5678*
- Funds to be transferred: *\$150,000*

SUBMITTING STAFF MEMBER  
Lissette Rubio  
Executive Assistant

FINANCE DIRECTOR APPROVAL

CITY MANAGER APPROVAL:

# CITY OF MANVEL FALL FESTIVAL 2025



## **PRELIMINARY PROPOSAL**

Prepared For: The City of Manvel

Proposed Event Date: Saturday, October 18, 2025

Hours: 11:00 AM – 5:00 PM

### **Submitted By:**

Your Neighborhood Farmers Market Association (YNFMA)



## **Festival Mission:**

The City of Manvel's Fall Festival is designed to be an entertaining one-day, six-hour event filled with music, pumpkin patches, face painters, great food, a beer and wine garden, food trucks, seasonal artisans and a variety of award winning vendors all gathering together to honor the seasonal spirit we call Fall. Tradition tells us that Autumn is a time of gathering and harvesting, with many fruits and vegetables reaching peak ripeness, but it's also a time to celebrate community connection and engagement showcasing the vibrant culture that radiates from the Manvel community.



By creating an interactive celebration, we want to welcome the Manvel community and create lasting memories while stimulating the local economy, and highlight everything that makes Manvel the unique and thriving community it has become and a place where the residents are happy to call home. Your Neighborhood Farmers Market Association is honored to be a part of this inaugural celebration.

# MANVEL FALL FESTIVAL



## **Festival Highlights:**

**Date: October 18, 2025 • Time: 11:00 AM - 5 PM**

**Estimated attendees: 2,000 - 3,000**

### **Live Music & Entertainment**

- 6 Hours of live performances with family-friendly music genres
- Full stage setup with lighting, sound, and production support

### **Beer and Wine Garden**

- Based on working with the TABC and vendor requirements *(Details TBD)*

### **Pumpkin Patch & Kid Zone**

- Photo-ready pumpkin patch with hay bales and fall-themed backdrops
- Inflatables, face painting, hay rides, crafts, and petting zoo

### **Vendor Market**

- 40-60+ curated vendors including farmers, artisans, small businesses, and fall-themed booths

### **Food Truck Court**

- 8-15 diverse food trucks with centralized tables and seating for guests

### **Interactive Elements**

- Pumpkin painting, pie-eating competitions, and harvest games

### **Public Amenities**

- Tables, area lighting (utility and decorative), portable restrooms, hand-washing sanitation stations, and accessible seating, trash receptacles
- Internet/Wi-Fi available for vendors and organizers

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## **Event Logistics & Safety**

### **City Department Coordination**

- Pre-event walk-through with EMS, Police Department, Fire Marshal, and Code Enforcement
- Electrical panel review to ensure vendor and stage safety

### **Environmental & Safety Services**

- Certified environmental cleanup services
- Event insurance and special event certifications
- ADA-compliant restrooms and sanitation
- Event Lighting (For event, walkways and parking lots)

### **Transportation Services**

- Shuttle or golf cart service from overflow parking areas or nearby lots

# MANVEL FALL FESTIVAL

PROPOSED BUDGET: \$150,000.00



YNFMA's extensive experience ensures that events are planned based on proven programs with positive track records that we developed by actively participating with community leaders, property management groups and local merchants. We have created and refined these programs that we have found exceed the community's expectations, values, and entertainment desires. Our dedicated team offers a turn-key process that simplifies your community engagement, making it easy for the community to interact with your property as well as local businesses creating a connection with the community. Plus, YNFMA is both fully licensed and Bonded ensuring a secure and professional festival environment.

## **Below is the Proposed outline for the Manvel Fall Festival:**

### **Planning & Management Services:**

- Event development, planning & production
- Vendor selection, merchant mix, screening & location management
- Live event site management
- Food Truck Court & Community Tables
- Security, Police, EMS, Code, Fire Coordination
- Event insurance & certification acquisition

### **Infrastructure:**

- Vendors - (*Tents, Tables, Chairs Location maps*)
- Environmental Facilities (Restrooms, ADA)
- Certified Environmental Services (Cleanup)
- Customer Transportation & Shuttle Service
- Site Decor and event/parking lot lighting
- Parking/Shuttle services
- Security supplied by the City of Manvel

### **Entertainment**

- Entertainment plan development
- Music/Band(s) Selection (*Working with Manvel representative*)
- Stage/ sound systems management Setup
- Lighting, Sound, Electrical, Internet

### **Attractions:**

- Beer and Wine Garden (*Working with Manvel representative*)
- Vendor/Artisan sections
- Kid Zone Area
- Pumpkin Patch with /Social Media Photo ops
- Food Truck area (*Vendors selected with Manvel representative*)
- Other contests and attractions

### **Advertising & Marketing:**

- Signage and directionals throughout event location
- Event map and Programs
- Social Media
- Documentary film and still photographers

# MANVEL FALL FESTIVAL

## CONCLUSION



### Initial Next Steps:

- Secure city approval for proposed date, location, and event scope
- YNFMA will submit formal contract within 10 business days after Manvel Approval
- City will submit 25% non-refundable retainer within 10 days receipt of contract
- 25% payment due upon the event site plan and event plan approval
- Schedule site walk-through for layout, power needs, and safety evaluation
- Launch vendor, food truck, and music performer marketing search and application review
- Begin general marketing campaign and developing/distributing flyers and digital assets
- Coordinate with EMS, Code, PD, and other partners for final logistics
- Gather Festival licenses, contracts and permits

### In conclusion:

YNFMA is commitment aligns with Manvel's values and philosophies to create a positive impact on people in the community and surrounding area. The 2025 City of Manvel Fall Festival will be a vibrant, inclusive, and family-friendly seasonal celebration with engaging activities, strategic community collaboration, and seamless logistics. This annual tradition will further establish the City of Manvel as a premier destination fall festivities. YNFMA is proud to produce and elevate this beloved community event.

Taking place on Saturday, October 18th, 2025 from 11:00 am until 5:00 pm, the festival will bring together festive energy and local charm in a dynamic afternoon and evening time slot. Guests can look forward to live music, a beer and wine garden, food trucks, a pumpkin patch, award winning vendors, fresh seasonal vegetables and a bustling fall market atmosphere - all designed to create a memorable and immersive family/community experience.

We are excited to work together with The City of Manvel to help create this signature event and look forward to delivering a safe, successful, and joyful celebration..