

ARTICLE 15. - EASEMENTS AND UTILITIES

Sec. 21.15.1. - Easements.

- A. *Utility Easements.* Utility easements including natural gas shall be provided for the installation of utilities in accordance with the requirements of the City. In general, these easements shall be in the front of residential development lots.
- B. *Drainage Easements.*
 - 1. When a subdivision is traversed by a watercourse, drainage way, channel, or stream, a storm water easement or drainage rights-of-way ("ROW") shall be provided. Said easement or drainage ROW shall substantially encompass the boundaries of said water course and shall be of sufficient width, in accordance with the construction standards in the Public Works Specifications Manual.
 - 2. Drainage or storm water easements may be constructed as open earth channels or concrete drainage structures and shall be maintained by the developer or his/her assigns.
 - 3. Drainage ROW shall contain concrete drainage structures or underground piping and shall be dedicated to and maintained by the City or other applicable jurisdictions.
- C. *Access Easements.* In an effort to reduce the congestion created by a number of driveways along street rights-of-way while maintaining adequate access to developments, the City may allow Access Easements to be dedicated within and across developments of similar use. These easements shall be twenty-four feet (24') in width and meet the minimum construction requirements for streets as required by this UDC and the Public Works Specifications Manual.

Sec. 21.15.2. - Water systems.

- A. *Installation of Water Facilities.* All lots, tracts or parcels on which development is proposed shall be connected to a public water system which has capacity to provide water for domestic use and emergency purposes, including adequate fire protection. Where water is to be provided through the City system, the developer shall install adequate water facilities, including fire hydrants, in accordance with all applicable regulations of the State, the City and any other agency regulating public water systems.
- B. *Alternative Water Sources.* An alternative source of water within a development may be used for irrigation or other similar purposes, subject to City approval and the obtaining of all appropriate permits from the City, State and any other applicable agency. An alternative water source may not be used for potable water supply under any circumstances. The design and construction of water system improvements and alternative water sources shall comply with the rules and regulations of the City, State or any other applicable agency.
- C. *Location and Cost of Installation.* The location of all fire hydrants, all water supply improvements and the boundary lines of special districts, private systems and certified water service areas, indicating all improvements proposed to be served, shall be shown on the construction plans. The cost of installing all water supply improvements to be made by the developer, including off-site improvements, shall be included in the performance guarantees furnished by the developer.
- D. *Extension of Lines.* Extension of water and wastewater lines shall be made along the entire frontage of the subdivision adjacent to a street or thoroughfare. If the subdivision is not adjacent to a thoroughfare, the extension of utilities shall be accomplished in such a manner as to allow future connections to said utilities by new subdivisions. If new subdivisions will never be constructed beyond a developing subdivision due to physical constraints, the Public Works Director may waive the requirement for adjacent utility line construction at the time of final plat approval and prior to construction of the subdivision.
- E. *Fire Hydrants.*

1. Fire hydrants are to be properly located so there will be a fire hydrant every three hundred feet (300') in commercial and industrial areas and every 500 feet in residential areas.
2. Any new fire hydrant is required to have a hydrant locator reflector (blue bump) installed in the roadway perpendicular to the hydrant.

F. *Individual Wells.*

1. *Within the City Limits.* A new development served by individual wells within the City limits is prohibited.
2. *Within the ETJ.* Individual wells within the ETJ shall be subject to approval by the City. The developer must submit with the plat application a certificate from a professional engineer registered in this state or a geoscientist licensed to practice in Texas verifying the adequacy of the proposed source of well supply prior to plat approval.
3. *Compliance with Other Regulations.* Installation, operations and maintenance of individual wells shall comply with City standards, regulations of the TCEQ, any other applicable state rules and regulations, and applicable regulations of groundwater conservation districts. In the event of conflict among these regulations, whichever is the most stringent shall apply.

G. *Design and Construction.* All water facilities within a subdivision shall be designed and constructed to the standards as set forth in the Public Works Specifications Manual. Said facilities shall meet all State and federal regulations pertaining to approved public water systems including regulations regarding the preparation, submittal and approval of plans and specifications for water systems. Design of water facilities shall also be in conformance with all laws, policies, standards, rules and regulations for establishing the fire insurance key rate for the City.

H. *Other Water Systems.* For water systems other than the City system, the following shall apply:

1. At time of preliminary platting the applicant shall provide the City with a letter of approval from the TCEQ certifying that the water system serving the development is in compliance with the rules and regulations of the TCEQ and that the public water system provider holds a current valid Certificate of Convenience and necessity (CCN) for the area proposed for development. The letter of approval from the TCEQ shall be accompanied by a map delineating the boundaries of the CCN in the vicinity of the development.
2. For developments in the ETJ, the developer shall obtain approval and signature of the appropriate county health official on the water system statement as shown on the Preliminary Plat prior to Planning and Zoning Commission approval. The water system statement as shown on the plat, indicates that the development will be served by a water system meeting City standards, as stated in sec. 21.15.2.F. and the applicable standards of the water purveyor.
3. Plans and specifications for all water systems to serve the development shall be submitted as part of the subdivision construction plans.

Sec. 21.15.3. - Wastewater Systems.

- A. *Wastewater Connection Required.* All lots within a subdivision shall be provided with a connection to an approved public wastewater system unless otherwise approved by the City. Establishment of a private wastewater utility district within the City or within the City's ETJ shall be prohibited.
- B. *Installation of Wastewater Facilities.* All lots, tracts or parcels on which development is proposed shall be connected to a public wastewater system which has adequate capacity to provide water for proper disposal and treatment of wastewater. Where wastewater is to be provided through a centralized system, the developer shall install adequate facilities, subject to the standards and specifications of the City and state design criteria for wastewater systems. Where insufficient capacity exists downstream of a proposed connection, the replacement and upsizing of the existing main is required of the developer. The installation of a parallel main shall be subject to approval by the City.
- C. *Location and Cost of Installation.* The location of all wastewater improvements and the boundary lines of special districts, private systems and certified areas, indicating all improvements proposed to be

served, shall be shown on construction plans. The cost of installing all wastewater improvements to be made by the developer, including off-site improvements, shall be included in the performance guarantees furnished by the developer.

- D. *Future Extension of Lines.* Pipe stub-outs shall be located in manholes to facilitate the future extension of wastewater lines. The Public Works Director will determine the location and size of the stub-outs.
- E. *On-Site Sewage Facilities (OSSF).* The use of OSSF for the treatment and disposal of wastewater shall be subject to the approval of the City. The minimum lot area for residential subdivisions shall be a minimum one-half (½) acre (21,780 square feet). OSSF shall be installed on each lot concurrent with any development thereon and the design of such system and the method of installation shall conform in all respects to the standards and specifications of the City, County and State design criteria for OSSF.

Sec. 21.15.4. - Utilities.

All utilities, including, but not limited to, electrical wiring, natural gas, telephone, cable, internet and security systems, shall be located in the front yard, shall be installed underground and shall be maintained in accordance with all applicable City codes and regulations for such systems. Any utilities required to be placed above ground must be placed on steel poles meeting the requirements of the City and the applicable utility provider. The City Manager or his/her designee may waive the requirements of this section to allow wooden poles where he/she finds that unique conditions supporting such waiver exist within the development or along rights-of-ways.