

A COMPREHENSIVE PLAN  
FOR THE  
CITY OF FLATONIA, TEXAS  
2020-2040

SEPTEMBER 2019

MAYOR:

Bryan Milson

CITY COUNCIL:

Catherine Steinhauser, MAYOR PRO-TEM

Dennis Geesaman

Mark Eversole

Donna Cockrell

Ginny Sears

A COMPREHENSIVE PLAN  
FOR THE  
CITY OF FLATONIA, TEXAS  
2020-2040  
December 2019

PREPARED BY:  
LANGFORD COMMUNITY MANagements SERVICES, INC.  
2901 County Road 175  
Leander, Texas

IN ASSOCIATION WITH:

TDA CONTRACT NO. 7217074

“FINANCED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE. The preparation of this document was financed through provisions of a Texas Community Development Block Grant with funds allocated by the U.S. Department of Housing and Urban Development”

“The Texas Department of Agriculture in conjunction with the United States Department of Housing and Urban Development furnished financial support to the activity described in this publication which does not necessarily indicate the agreement of the Texas Department of Agriculture or the United States Department of Housing and Urban Development with the statements or conclusions contained in this publication.”

## TABLE OF CONTENTS

SECTION A. BASIC PLANNING ACTIVITIES .....	4
1. Background and Introduction/Base Mapping .....	4
2. Housing Inventory, Analysis and Plan .....	5
Local Capacity .....	9
Housing Goals and Objectives .....	10
Estimated Costs .....	12
3. Population .....	12
Population.....	13
Household Size .....	14
Median Income.....	14
CURRENT POPULATION CHARACTERISTICS .....	15
4. Land Use Inventory, Analysis and Plan .....	18
Overview .....	18
Future Challenges .....	18
Guidelines in Determining Land Uses.....	19
Benchmark Assessment.....	19
Factors Affecting the Development of Land.....	19
Future Land Use Plan.....	20
Land Use Descriptions .....	21
Non-Residential Areas of the Plan.....	22
SECTION B. ECONOMIC DEVELOPMENT .....	25
1. Historic Development and General Characteristics.....	25
Development of the Economy.....	25
Development Corporation Act .....	27
Relationship to the Region .....	27
Employment Growth .....	28
2. Business Inventory .....	28
3. Economic Base, “Barrier Analysis” .....	28
3. PLAN.....	35
Economic Development Goals & Objectives.....	35

Program Costs.....	36
SECTION C. STREET SYSTEM.....	36
STREET SYSTEM ANALYSIS.....	36
SECTION D. WATER SYSTEM.....	40
Description of System.....	41
Water System Inventory and System Analysis.....	41
SECTION E. WASTEWATER SYSTEM.....	52
Description of System & Assumptions.....	<b>Error! Bookmark not defined.</b>
Wastewater System Inventory and System Analysis.....	<b>Error! Bookmark not defined.3</b>
SECTION F. STORM WATER SYSTEM.....	<b>Error! Bookmark not defined.</b>
SECTION G. Electric Distribution System.....	<b>Error! Bookmark not defined.</b>
SECTION H. RECREATION AND OPEN SPACE.....	52
Recreation and Open Space Inventory.....	62
Recreation and Open Space Analysis.....	62
Recognized Park Types and Standards.....	63
Recreation Facilities and Open Space Plan.....	64
Problems Identified.....	64
Goals and Objectives.....	64
Potential Sources of Funding.....	65
SECTION I. CAPITAL IMPROVEMENTS PROGRAM.....	66
ZONING ORDINANCE.....	67
SUBDIVISION ORDINANCE.....	67
ANNEXATION.....	68
GENERAL INFORMATION ABOUT CAPITAL IMPROVEMENT PROGRAM FINANCING.....	68
MUNICIPAL OPERATING FUNDS.....	68
PURPOSES OF THE CAPITAL IMPROVEMENTS PROGRAM STUDY:.....	69
FINANCIAL REVIEW.....	70
CAPITAL IMPROVEMENTS FINANCING.....	72
FIVE YEAR CAPITAL IMPROVEMENTS PROGRAM.....	73
SOURCE OF FUNDING CODES.....	73
FIVE-YEAR CAPITAL IMPROVEMENTS BY YEAR AND PRIORITY.....	73

Application of the Plan .....	78
SECTION I. SUBDIVISION ORDINANCE.....	79
SECTION J. ZONING .....	97
MAPS.....	147
MAP 1: Base CIP Map.....	148
MAP 2: Existing Land Use.....	150
MAP 3: Future Land Use .....	152
MAP 4: Existing Housing Conditions .....	154
MAP 5: Street Conditions.....	156
MAP 6: Future Streets.....	158
MAP 7: Existing Water Downtown .....	160
MAP 8: Existing Water .....	162
MAP 9: Future Water Downtown .....	164
MAP 10: Future Water .....	166
MAP 11: Existing Wastewater.....	168
MAP 12: Future Wastewater .....	170
MAP 13: Existing Storm Drainage .....	172
MAP 14: Future Storm Drainage.....	174
MAP 15: Existing Electric.....	176
MAP 16: Existing Electric – East .....	178
MAP 17: Existing Electric – West .....	180
MAP 18: Future Electric .....	182
MAP 19: Future Electric – East.....	184
MAP 20: Future Electric – West .....	186
MAP 21: Existing Recreation and Open Space .....	188
MAP 22: Future Recreation and Open Space .....	190

## SECTION A. BASIC PLANNING ACTIVITIES

### I. BACKGROUND AND INTRODUCTION/BASE MAPPING

Cities are complex social, economic and political structures. The physical development of a city is in response to a variety of forces and pressures. Municipal government through the adoption of appropriate policies, ordinances, and standards for orderly development provides direction and guidance in community development.

Local government direction and guidance takes the form of comprehensive planning and land use regulations. By developing and implementing a comprehensive plan, capital improvement program, and land use control ordinances, the local policy makers may give direction in the physical development of the community.

This Comprehensive Plan contains the City of Flatonia's official policies on land use, transportation, housing, environment, and utilities. Its policies apply to both public and private properties.

The Plan is used by the City Council to evaluate land use changes and to make funding and budget decisions. The Plan is used by City Staff to regulate building and development and to make recommendations on projects. It is used by citizens to understand the City's long-range plans and proposals for different areas in the City. The Plan provides the basis for the City's development regulations and the foundation for its capital improvements program.

The Flatonia Comprehensive Plan is to be used by all members of the community, as well as any other person or organization interested in the future of the City. City staff and elected officials should continually review and update the Plan to fully understand the policies and programs that will help the City to achieve its vision for the future.

Flatonia's Comprehensive Plan provides a guide for the physical development of the community by identifying characteristics and features which influence the community growth patterns. Included in this plan is an analysis of Flatonia's historical patterns of development in the areas of housing, population, land use, and projections for the City's future. Attention is given to the adequacy of each of these major elements for future development needs and how these facilities will affect and be affected by future growth. The plan also suggests appropriate objectives which would assist in meeting the community's goals regarding future growth and development.

Flatonia is located in the "Texas Triangle" which is one of eleven megaregions in the United States. The Texas Triangle is formed by Houston, Dallas-Fort Worth, San Antonio and Austin. They are connected by Interstate 45, Interstate 10, and Interstate 35. Flatonia is on the southern leg (US 10), 90 miles from Houston and 70 miles from San Antonio. The Texas Triangle contains five of the 20 largest cities in the United States. I.H. 10 is the southernmost cross-country artery that

transects the United States from the Santa Monica California to Jacksonville, Florida. The base map for the City is attached as “Map 1”.

### COMPREHENSIVE PLAN IMPLEMENTATION PROCESS

The recommended goals and objectives as determined through the study of each planning element in this report are listed in the appropriate chapter. An overview of the subject matter in the report makes it easier for local citizens and officials to identify the most important activities that they want to address. Many of the recommended activities can be achieved with city policies while other activities will require financial investment by private funds, local funds, or state and federal agency loan/grant funds.

The recommended goals and objectives need to be reviewed and updated periodically to measure accomplishments and benchmark achievements.

Through the actions of the City Council, City Staff, local planning bodies, and in general, the citizens of Flatonia, the Comprehensive Plan can be adopted by the City and financial means allocated to implement the recommended goals and objectives.

## 2. HOUSING INVENTORY, ANALYSIS AND PLAN

Affordable quality housing is an important element in attracting and retaining residents, businesses, and employers. Flatonia is predominately developed with single-family detached housing that includes manufactured housing and some multifamily housing units.

The housing plan includes an inventory of current housing within the city and an analysis based on this inventory along with other available data. Major trends emerge from the data from which general observations can be made. Goals can then be established based on the observations. Objectives are then defined to ensure that the city’s housing policies clearly form future decisions regarding housing stabilization, growth, and development.

### **Housing Stock Inventory**

The City of Flatonia currently has 481 single-family, stick-built residences which is 79% of the city’s housing inventory. There are nine duplexes and no triplexes in Flatonia. There are 3 apartment complexes with a total of 28 units. Apartment complexes account for 4% of the housing inventory in Flatonia. There are 102 manufactured homes in Flatonia. This accounts for 17% of the housing inventory in Flatonia. The challenges of manufactured housing are discussed later in this section.

A windshield survey was conducted by LCMS, Inc. in July 2019 to assess housing within Flatonia based on condition, vacancy, and lot improvement. The conditions of each residential structure

were noted according to the following criteria. Generally, an assessment was made about the following components. If two or more of the criteria were met, the structure received the corresponding classification.

**TABLE 1A -CLASSIFICATION SYSTEM FOR WINDSHIELD SURVEY**

<b>Housing Element</b>	<b>Standard</b>	<b>Deteriorating</b>	<b>Dilapidated</b>
<b>Foundation</b>	Level. No signs of settling or cracking	Some signs of settling or cracking	Clear or multiple signs of settling or cracking
<b>Roof</b>	Shingles all intact. No apparent wear of shingle edges. Metal roof is free of rust and gaps. Ridge and rafters are straight.	Some wear to shingle edges or not more than 5% of shingles missing. Water has potential to intrude inside gaps and penetrations. Rafters and ridge beam showing sag.	Large areas of shingles and moisture barrier missing. Water is penetrating toe structure at gaps. Rafters and/or ridge beam showing sag or collapse.
<b>Exterior Walls</b>	Walls are plumb and free of gaps/intrusions. Minor cosmetic concerns can be ignored without risk to the structure. Skirting of the mobile home is complete and intact.	Some walls bow slightly. Less than 10% of the siding is missing or damaged. Skirting of mobile home is complete but damaged in less than 10% of the area.	Carpentry shows signs of rot and collapse. Walls are bowed or missing siding. Skirting is missing on mobile home.
<b>Windows</b>	Windows are intact with headers and sills are free of rot and sag.	Some (<25%) of windows may be cracked but still integral. Headers and sills are free of rot and sag.	More than 25% of windows are cracked or broken. More than 25% of window headers and sills exhibit rot or sag.
<b>Doors</b>	Doors are intact. Frames are free of rot or sag.	Doors show surface wear but do not show gaps in vertical or horizontal planes.	One or more doors are missing or exhibit gaps in vertical or horizontal planes.

As part of the survey, a determination was made on occupancy status to the extent that it could be observed (i.e. an electrical meter was present, doors and windows appear operational, there were other clearly evident signs of habitation).



**TABLE 2 HOUSING CONDITIONS FROM 2010 CENSUS DATA**

<b>Housing Condition</b>	<b>Standard</b>	<b>Intermediate</b>	<b>Substandard</b>	<b>Dilapidated</b>	<b>Vacant</b>
Total Units - 516	194	184	76	56	6

The following tables reflect 2013-2017 ACS data and provide a snapshot of recent housing characteristics in the City of Flatonia.

**TABLE 3 HOUSING CHARACTERISTICS 2017 ACS ESTIMATE**

<b>Characteristic</b>	<b>2017 ACS Estimate</b>	<b>Margin of Error, ACS (+/-)</b>
Total Housing Units	573	
Occupied Housing Units	463 (80.8%)	7.8
Owner-Occupied	336 (72.6%)	10.9
Renter-Occupied	127 (20.7%)	10.9
Vacant/Abandoned	110 (20.7%)	7.8

Owner occupied housing units account for 72.6% of the occupied housing units in Flatonia while the State of Texas average for owner occupied dwellings is 62%. The higher percentage of owner-occupied dwellings in Flatonia can be attributed to a lower cost of living and lower construction cost per square foot.

The 2010 Census showed that of 515 occupied units, 375 were owned and 140 were rented. Of the owned units, 118 were owned by Hispanic persons, 228 by White persons and 29 by Others.

**TABLE 4 2013-2017 ACS HOUSING DATA BY AGE**

<b>Age</b>	<b>Owner - 336</b>	<b>Renter - 127</b>
Less than 10 years of age	6	
10-20 years of age	75	33
20-30 years of age	77	49
30-40 years of age	80	25
40-50 years of age	51	4
Over 60 years old	47	16

The decennial Census and the American Community Survey 2013-2017, updated annually, provide counts that give a better understanding of the housing within Flatonia. These include housing age, housing type, occupancy status and median home value.

Based on the American Community Survey 2013-2017, 75.8% of the owner-occupied housing and 74% of the renter occupied housing in the city was built prior to 2000.

The median home value in Flatonia, TX, according to the 2017 5-year ACS is \$129,900.00.

The monthly cost for housing is estimated in the American Community Survey for 2017, which represents a fair statistical approximation of the distribution of these costs and can be used as an indicator for housing cost burden.

Fair Market Rents (FMRs) are established every year by HUD for each county in the country to determine Payment Standards for the Section 8 Housing Voucher program, maximum rents in HOME financed rental projects, and initial rents for Section 8 project-based assistance. Though Flatonia is not within a SMA HUD provides fair market rents (FMR). The FMR serves as a barometer to assess local rents and housing costs.

**TABLE 5 2018 FAIR MARKET RENT**

<b>Unit Type</b>	<b>Efficiency</b>	<b>1 BR</b>	<b>2 BR</b>	<b>3 BR</b>	<b>4 BR</b>
Fair Market Rent (Monthly)	\$563	\$584	\$749	\$1,083	\$1,154

The greatest housing needs center on the existing housing stock and ensuring that it can be protected and reconditioned.

Manufactured/mobile homes are perceived as a more economical housing option than traditional “stick-built” constructed homes. However, because of the materials used and the method of construction, manufactured/mobile homes age and deteriorate more rapidly than traditionally constructed homes.

The number of manufactured/mobile homes in Flatonia is not disproportionate to the population. In a housing survey conducted in 1985, 16.7% of the single-family housing in the city was manufactured/mobile homes. The 1996 Comprehensive Plan for the City of Flatonia reported a total of 133 manufactured/mobile homes in the City. This equated to 25% of the housing inventory at that time. Of the 133 manufactured homes, 120 were determined to be deteriorating or dilapidated.

Currently Flatonia has 102 manufactured homes or 19.8% of the total single-family housing in the city. Of the 102 manufactured homes, 56 were determined to be substandard or dilapidated.

A major challenge as well as hindrance to the development of affordable housing in Flatonia is that the lots in Flatonia are small, which restricts the construction of stick-built homes unless the resident owns two or more lots and due to the majority of the residents being low to moderate

income, most cannot afford two or more lots. The small lots are the main cause of the proliferation in manufactured/mobile homes as these type homes can fit on the small lots.

### **Fair Housing Activities**

The City of Flatonia fully promotes and encourages Fair Housing practices. They demonstrate this by recognizing Federal Fair Housing Month with a Fair Housing Proclamation, placing newspaper articles, and posting fliers in support of Fair Housing. The City has an adopted Fair Housing Ordinance that includes a fine for not following the Fair Housing laws.

#### Previous Housing Studies Performed

Housing Survey for Flatonia – 1985

2010 Comprehensive Plan for Flatonia

Housing Survey for Flatonia - 2019

#### Future Housing Needs

The City of Flatonia just recently applied and received a TDHCA HOME program contract to assist the residents with the construction of stick-built homes. The target population for this program is the low to moderate income residents.

The homes will be built completely handicap-accessible for the elderly and disabled population.

The City is also proactively working on demolition of dilapidated and abandoned houses to provide properties that are available for the construction of new homes to accommodate for the projected future growth in population.

The City of Flatonia held several public meetings to obtain comments and concerns from the public. No comments or concerns were received about housing in these hearings.

### **Local Capacity**

The following entities serve as local resources toward achieving some of the housing goals described.

- The Texas Department of Housing and Community Affairs (TDHCA) is designated as the HUD funded public housing agency that serves Flatonia.
- USDA Rural Development Single-Family Housing and Multi-Family Housing are also potential resources for funding assistance.

## **Housing Goals and Objectives**

### *Housing Goal 1: Housing Stabilization Activities*

Housing stabilization activities are those that assist in the production and preservation of affordable housing. Given the high percentage of residential units that are in a deteriorating or dilapidated condition, these activities are essential.

- Pursue funding opportunities with local providers and state and federal housing programs to stabilize housing in the city.
- Texas Department of Housing and Community Affairs (TDHCA): The TDHCA administers many housing related programs for the State of Texas and an overview can be found at the following: <https://www.tdhca.state.tx.us/overview.htm>

Selected programs include:

#### Single Family Housing –

- Neighborhood Stabilization Program – <https://www.tdhca.state.tx.us/nsp/>
- Homeowner Rehabilitation Assistance (HRA) Program (HOME) – <https://www.tdhca.state.tx.us/home-division/hra.htm>
- Housing Trust Fund – <https://www.tdhca.state.tx.us/htf/>
- USDA Rural Development Single Family Housing Program – <https://www.rd.usda.gov>

#### Multi-Family Housing –

- Housing Tax Credit Programs – <http://www.tdhca.state.tx.us/multifamily/housing-tax-credits-9pct/index.htm>
- Multifamily Bond Program – <http://www.tdhca.state.tx.us/multifamily/bond/index.htm>
- USDA Rural Development Multi-Family Housing Program <https://www.rd.usda.gov>
  - Farm Labor Direct Loans & Grants
  - Housing Preservation & Revitalization Demonstration Loans & Grants
  - Housing Preservation Grants
  - Multi-Family Housing Direct Loans
  - Multi-Family Housing Loan Guarantees
  - Multi-Family Housing Rental Assistance

### *Housing Goal 2: Promote Quality Affordable Housing*

Quality housing that is affordable to a wide range of income groups will attract residents and businesses to Flatonia.

- Encourage the construction of housing within the city which is “affordably priced at a burden of less than 33% of the median household income. (Median Household Income per ASC 2017= \$43,079. Monthly housing costs@33%= \$1,196.52)
- Pursue partnership opportunities with local affordable housing providers to provide a variety of housing with options for seniors, young families, and people making 50% or less of the area median household income. (50% or less of Median Household Income per ACS 2017 = \$21,539. Monthly housing cost so that these households are not cost burdened = \$1,794.92)
- Ensure quality housing construction through code reviews and compliance inspections.

Actions:

- Permits are requested and issued for all building activities.
- Compile a list of active registered electricians and plumbers doing business in Flatonia to provide to the public.
- Review the zoning and subdivision ordinances and enforce zoning designations. Structures not meeting the zoning designation where it is situated will be labeled as “Non-Conforming” and will remain until it is removed or demolished at which time a conforming structure will be required in its place.

*Housing Goal 3: Encourage Development of Permanent and Affordable Housing*

- 2019 – Review ordinances to identify regulations preventing the construction of new housing.
- 2019- Market fill-in lots and larger undeveloped lands to developers to encourage new permanent housing construction.
- 2020 – Develop a policy on the types of residential development that the city would like to see constructed.
- 2021 – Submit an application to Texas Parks and Wildlife Department for grant funds to improve recreation facilities throughout the residential areas of town to encourage growth.
- 2021 – Request that the Texas Department of Transportation provide assistance to attractively landscape local highways, in particular the major intersection of IH 10, SH 95 and FM 609.

*Housing Goal 4: Encourage Appropriate Development of Land for Residential Areas*

- 2020 – Develop a ten-year housing improvement program.
- 2019 (on-going) – Assist property owners who wish to subdivide their land to create a desirable subdivision that will meet the Texas Model Subdivision requirements as well as all local zoning and subdivision ordinances and will blend with the development plans of the city.

### *Housing Goal 5: Demolish All Dilapidated Housing Units*

- 2019 (on-going) – Begin a demolition program for dilapidated structures by working with the property owners to achieve compliance either through rehabilitation of the structures by the owners; demolition of the structures by the owners; or demolition of the structures by the city with the owner’s cooperation or through a court order.

### **Estimated Costs**

The below numbers are an average cost per unit as there will be large variations from house to house. Focus is made on the deteriorating housing units.

**TABLE 6 ESTIMATED COSTS FOR HOUSING REHABILITATION PER UNIT**

<b>Housing Element</b>	<b>Unit Cost</b>	<b>Cost Per Housing Unit</b>
Roof	\$450/100sf	\$4,500
Exterior	\$500/day	\$2,500
Windows/Doors	\$300/window	\$1,800
Plumbing	\$750/day	\$3,750
Electrical	\$750/day	\$3,750
Total Per Unit		\$16,300
Number of Deteriorating Units		48
		\$782,400

Note: Costs were obtained from sources including contractors and home repair supply companies. No temporary relocation assistance costs are included in the cost.

## **3. POPULATION**

### **Historical Background**

The town of Flatonia is located in southwest Fayette County on IH 10, SH 95, US 90 and the Union Pacific Railroad. It is approximately 100 miles from Houston and 70 miles from San Antonio. Flatonia’s location on an Interstate, a Railroad, and two additional major highways places Flatonia businesses in an excellent location for trade. The location also provides Flatonia residents within commuting distances to three of Texas’ largest cities and several small cities for employment opportunities not currently provided within Flatonia.

Flatonia is situated on land granted in 1840s to rancher William A. Faires. Germans began to settle here in 1860s, and soon needed a shipping point for their products. Sailing master Friedrich Wilhelm Flato (1820-1899) and his wife Sophie, of the German Colony, had a store about 2 miles south of here. In the 1870s, Czech immigrants arrived, and the Galveston, Harrisburg & San Antonio Railroad (delayed by Civil War, 1861-65) was built to this point. John Cline, F. W. Flato,

John Lattimore, and railroad president T. W. Pierce founded Flatonia on Oct. 16, 1873, naming it for the Flato family.

At the same time, adjacent landowners Anton Freytag and James Faires platted Freytag and Faires' additions to the town. A post office opened in 1874 and Flatonia was incorporated Nov. 8, 1875. Soon it had churches, a school, cotton gins, a newspaper (The Flatonia "Argus"), a cottonseed oil mill, and other businesses. A casino was built for political gatherings, dances, dramas, and other uses. In 1886, a second railroad, the San Antonio & Aransas Pass, reached here. With the new railway came new settlements and new businesses, including the Swift Meat Packing Company, cotton and agricultural companies. In 1910 a new electric light plant, ice plant, water works, and cold storage warehouses were established, earmarking Flatonia for future growth.

During the first half of the 20th century Flatonia's prospects increased and decreased according to the national economy and cattle and cotton markets. In 1950 Flatonia had 1,024 residents, 50 businesses, and a wide farm and ranch service area. In the 1960s cotton no longer was a substantial aspect of the area economy; therefore, many area farms began to ranch cattle. During that time the population was between 1,000 and 1,500. Interstate 10 (I-10) opened in the 1970s, leading many tourist businesses to move to IH 10. Flatonia is a scenic spot for train watchers, boasting one of Texas' longest standing, manually operated railroad switching towers with North-South, East-West cross rails. A true piece of Americana, the tower now resides on South Main.

## Population

Demographics are characteristics of a given population such as the number of people, how many are from different racial and ethnic backgrounds, different age ranges, income ranges, etc. This plan looks at how the demographics of Flatonia look today and identifies trends over time. Looking at many different characteristics of a community provides a picture of how the city is changing so that decisions regarding growth are better informed.

The 2017 American Community Survey population data was used to determine current population characteristics. Forecast scenarios were also evaluated for projected population counts. LCMS, Inc. performed a field survey of the housing units in the City of Flatonia in July 2019, noting their condition. This process and the results are described in the housing chapter, but the total number of housing units can serve as an estimator of the population.

As of the 2017 Census there were 1,299 people making up 463 households residing in Flatonia. The racial makeup of the city was White, including Hispanic or Latino, 83.6%; Black, 7.2%, and two or more races, .6%. The Hispanic or Latino population was 674.

The City of Flatonia had 28.3% growth between 1960 and 1990. There has been little change since the 1990 census. The following table shows the historic population of the City of Flatonia over the past 57 years. In the decades between 1990 and 2000 Flatonia experienced an increase in population of 6.3% followed by an increase in population of .43% between the 2000 census and the 2010 census. The 2017 American Community Survey indicates a decrease of 6.4% between the 2010 census and the 2017 ACS population estimate.

**TABLE 7 DECENNIAL CENSUS POPULATION AND CURRENT ESTIMATES**

<b>Year and Source</b>	<b>Population</b>	<b>Percentage Change</b>
1960 Census	1,009	
1970 Census	1,108	9.8%
1980 Census	1,070	-3.4%
1990 Census	1,295	21.0%
2000 Census	1,377	6.3%
2010 Census	1,383	0.4%
2018 Census Year Est.	1,461	5.6%

There are currently 516 housing units which were identified in the process, 510 of which have been identified as occupied housing units and 6 are vacant housing units. Using the average household size of 2.59, the population would be 1,321 persons. This is consistent with the 2017 ACS 5-Year population estimate of 1,299 persons. The 2010 Census reported a population of 1,383 based upon a reported 515 households.

Total Population of Flatonia (Beneficiaries) 1,383  
 Males 671  
 Females 712

**Household Size**

The most recent estimate for household size in Flatonia comes from the 2017 ACS and is 2.59 persons per household, or 3.20 persons per family. This is higher than the average for the State of Texas at 2.82 persons per household. Flatonia experienced no change in household size between the 2000 Census and the 2010 Census. The average household size in 2000 was 2.59 with owner occupied housing consistently exhibiting more people per household than renter occupied housing.

**Median Income**

The following table summarizes the range of household incomes, and the distribution, within the City of Flatonia as reported by the American Community Survey (ACS)



**TABLE 8 MEDIAN HOUSEHOLD INCOME**

Income Range	Households
Total	463
Less than \$10,000	9.9%
\$10,000.00 to \$14,999	9.9%
\$15,000 to \$24,999	4.8%
\$25,000 to \$34,999	15.6%
\$35,000 to \$49,999	23.5%
\$50,000 to \$74,999	7.1%
\$75,000 to \$99,999	11.7%
\$100,000 to \$149,999	6.3%
\$150,000 or more	1.3%
Median income (dollars)	\$43,079

Median Family Income is a separate statistic from “Household income”, although the two are usually similar. The 2017 median family income for Flatonia is \$46,094.

## **CURRENT POPULATION CHARACTERISTICS**

### *Beneficiaries*

The following table is a demographic summary from the 2017 American Community Survey for Flatonia providing population estimates for the following racial and ethnic groups:

**TABLE 9 SUMMARY OF BENEFICIARIES (2017 ACS)**

RACE	Non-Hispanic	Hispanic Ethnicity Also	Total
White	419	643	1,062
Black/African American	83	0	83
Asian	2	0	2
American Indian/Alaskan Native	24	0	24
Native Hawaiian/Other Pacific Islander	0	0	0

Asian & White	0	0	0
Black/African American & White	0	0	0
American Indian/Alaskan Native & Black/African American	0	0	0
Other Multi-Racial	212	0	212
		Grand Total	1,383

The following table describes the distribution of the population of Flatonia according to Income Level.

**TABLE 10 INCOME LEVELS RELATIVE TO MEDIAN FAMILY INCOME (2017 ACS)**

<b>Income Level</b>	<b>No. of Families</b>
Very Low (at or below 30% AMFI)	17
Low (31-50% of the AFMI)	9
Moderate (51-80% of the AMFI)	58
Non-Low/Moderate (Above 80% of AMFI)	226
Total	310
Subtotal – All Low/Moderate	84
Percent Low/Moderate	27.1%

*Federal Fair Housing Laws – Protected Classes*

LCMS, Inc. evaluated the block-groups at which race data is reported. There exists no essential difference in the composition of those populations by race. There is no outward indication of unfair housing practices based on race – the only protected class parameter for which data is available.

*Population Projections*

Population Projections Based on Migration Rate for Fayette County, Texas – 5 Year Increments  
*(Texas Demographic Center – UTSA)*

**TABLE 11 POPULATION PROJECTIONS FOR FAYETTE COUNTY, TEXAS**

Year	Area Code	Area Name	Age	Total Pop
2010	325	Fayette	All (0-85+)	24,554
2015	325	Fayette	All (0-85+)	25,219
2020	325	Fayette	All (0-85+)	26,086
2025	325	Fayette	All (0-85+)	26,998
2030	325	Fayette	All (0-85+)	27,748
2035	325	Fayette	All (0-85+)	28,354
2040	325	Fayette	All (0-85+)	28,831
2045	325	Fayette	All (0-85+)	29,421
2050	325	Fayette	All (0-85+)	30,148

The above table shows the population projections for Fayette County in five-year increments through the year 2050, provided by the Texas Demographic Center. Each five-year increment indicates a projected population increase for the county between 500 and 900 persons.

Flatonia has been experiencing a stable population since the 1990 Census with some modulation in decennial numbers. This can be attributed primarily to the location midway between San Antonio and Houston at distances making a commute to either major employment center problematic. Likewise, there have not been new major employment generators.

Flatonia’s population has been relatively stable. For the purpose of this plan, forecasts by the Texas Water Development Board were used:

**TABLE 12 FLATONIA POPULATION PROJECTIONS**

YEAR	PROJECTED POPULATION
2020	1,598
2030	1,824
2040	1,977
2050	2,103
2060	2,203
2070	2,279

## 4. LAND USE INVENTORY, ANALYSIS AND PLAN

### Overview

The Future Land Use Plan is perhaps the most important component of a Master Plan. The Future Land Use Plan is not only a map indicating preferred patterns of future development, but also background and guidance to City staff and elected officials, the public, and the development community on why and how land should be utilized in particular areas of the community. At the core of the Future Land Use Plan is the promotion of public safety, health, and well-being, and the preservation of important community features.

The Future Land Use Plan should be consulted by the City Council, Planning and Zoning Commission, and City Staff in decision-making about changes to the zoning map and ordinance, the coordination of public improvements during the subdivision process, economic development activities, the consideration of revisions to codes such as: zoning, subdivision, sign regulations, landscape requirements, building codes, etc. and the pursuit of grant funding.

Land use considerations are central to municipal planning. The types of uses are a guide to the general character of a community. The distribution of uses and relative amounts of land allocated for various uses are important factors in considering planning elements for a community.

The primary focus of a land use plan is to assist local officials in establishing policies regarding existing and future uses of public and private property. As growth occurs in the city, the plan identifies existing land uses and encourages and establishes a design of land uses by type, location, and acreage.

A land use plan should:

- Assure that adequate amounts of designated residential, commercial, industrial, and public land uses are designated in such a pattern to encourage the City to adopt the plan and work toward implementing the plan through local ordinances, policies, and private development.
- Assure that sites for public facilities be reserved or acquired at a reasonable cost in advance of development.
- Assure that development patterns occur so that utilities and transportation needs can be met in an efficient manner.
- Recognize the need for diversity of types of development.
- Improve the developmental qualities of the community by encouraging:
  - a. A land use design pattern.
  - b. Establishment of land use goals and policies.
  - c. Projection of future streets to serve the community.

### Future Challenges

Future land use challenges facing Flatonia are:

- Encourage more commercial development

- Encourage industrial development
- Encourage more and desirable residential development
- Expand the corporate limits to ensure appropriate development codes are enforced.

### **Guidelines in Determining Land Uses**

The following are land use categories used in this plan:

- Residential – To include single-family housing, multi-family housing, manufactured housing/mobile homes, and duplexes.
- Commercial – A structure for retail stores, shops, and offices.
- Industrial – A structure used for manufacturing operations.
- Public/Semi-Public – Schools, parks, governmental buildings, water and wastewater facilities, churches, cemeteries.
- Agricultural – farm and/or ranchland of five or more acres.
- Vacant – developed or undeveloped.

### **Benchmark Assessment**

The land use “health” of a community is a qualitative question asked about a dynamic, organic entity. Much like the lab work that is common to provide some indicator for a person’s health, there is a benchmark assessment that can be done which is intended to provide a snapshot of the community’s land use health. There are some limitations to trying to employ a benchmark land use comparison approach. However, as long as the community recognizes this and establishes policy based on this partial representation of the community’s health, but other more significant factors, such as debt ratios, vacancy rates, commuting patterns, and housing cost trends, this analysis can still present some fair and general insight. There is no standard local, regional, or state-wide comparative model which is readily available for use in Flatonia. Many communities over time have utilized the Bartholomew model as a benchmarking means<sup>1</sup>. However, this is based upon decades-old land use and economic considerations, is generally indicated for larger cities, and therefore should be interpreted with caution.

### **Factors Affecting the Development of Land**

The following observations and guidance are presented here for consideration by the community.

- The small lot sizes in Flatonia are not conducive to single-family housing development unless two or more contiguous lots are owned, thus the proliferation of manufactured homes has occurred as they can typically fit on smaller size lots.
- The high rate of dilapidated buildings and vacant lots within existing neighborhoods means that most of the new growth can be absorbed by infill development, not requiring extension of water, sewer and city services beyond the current city limits.

---

Bartholomew, Harland. *Land Uses in American Cities*. Harvard, 1955.

- There will be some need to provide newer, modern neighborhoods, though these will occur when developers foresee the right environment.
- An aging population will need various housing options and should be kept inside existing neighborhoods.
- There is very little multiple-family housing in Flatonia. At this time, the population growth expected does not demand much multifamily construction. If it is proposed, it should be in an area with adequate sewer capacity and situated to transition development intensity from commercial to single family residential. Duplex residential can be in some single-family areas where the lot size is adequate and off-street parking can be managed.
- The city's thoroughfare network is satisfactory in its configuration as the city has utilized a grid system. This allows for capacity to be distributed across the network and will serve the city efficiently in the future. Future developments should lay out all streets to connect to existing streets and provide for their future, orderly extension.
- The railroad can be considered a man-made constraint in many respects. The City should maintain communication with the Union Pacific line manager for maintenance or emergency situations.
- The current city hall location, police, and public works locations are adequate with respect to their location (within 1.5 miles of all points of the city), though some modernization of their structures will need to occur further in the planning horizon.
- The provision of public utilities should continue with consistently applied policies, and specific improvement recommendations are made in those chapters.

## **Future Land Use Plan**

### *Future Land Use Planning Area*

The Future Land Use Map is shown on Map 3. This map depicts the location of residential and non-residential land uses inside the current city limits its extraterritorial jurisdiction, and beyond these limits in anticipation of growth.

### *Land Use Goals & Objectives*

Goal 1: Emphasize Flatonia's inherent strengths of location, schools, available land and infrastructure capacity, to capture and support retail growth on the interstate and industry.

Goal 2: Provide a careful balance of land uses, offering a mix of residential and non-residential uses.

Goal 3: Focus on placemaking and compatibility, with respect for existing neighborhoods.

*Objective 1:* Promote managed, well-coordinated development that is consistent with the Comprehensive Plan

Actions:

- Consult the plan regularly, in decisions about zoning, land use, interdepartmental and interagency coordination, as well as day-to-day development issues and applications.
- Maintain a continuous and coordinated planning process that involves citizens, stakeholders, the Commission, various city departments, and outside entities in deliberations concerning policy
- Develop a standard requirement for the separation and buffering of adjacent, incompatible or conflicting land uses.
- Consider every request to extend the current city limits carefully, with respect to financial return and service commitments.

*Target Date for Achievement: 2018-2038*

*Objective 2:* Encourage a continued diversification of the tax base by planning for the inevitable retail and commercial service areas along major thoroughfares and intersections, to increase opportunities for residents and business development.

Actions:

- Protect key retail-oriented intersections with targeted retail zoning districts, and gateway designations where necessary.
- Provide distinct industrial and commercial service areas where they naturally locate but reserve them separate from residential areas.

*Target Date for Achievement: 2019*

## **Land Use Descriptions**

### *Residential Areas of the Plan*

The plan is designed to protect existing residential neighborhoods. As growth occurs, it will be important to recognize the existing areas with careful separation and buffering of uses. The plan at this stage does not distinguish on the Future Land Use Map but identifies here for future consideration and refinement the three general groups of residential land use, at an approximate density to correspond to their intensity and utility service planning.

#### *Low Density Residential Land Use (< 2 units per acre)*

This use is representative of traditional, single-family detached dwelling units, including larger-lot residences, and reflects the largest land use category. Low density residential land use areas are usually not located adjacent to major thoroughfares or other incompatible land uses and are in proximity to existing single-family residential land use. As the City contemplates changes to its zoning regulations, it should encourage a variety of lot sizes within the low-density district, to offer good market choices.

#### *Medium Density Residential Land Use (2-5 units per acre)*

This use generally includes two-family, attached dwelling units, such as duplex units, patio homes, and townhomes. Medium density land uses often provide areas for “empty nesters” who

may not want the maintenance of a large-lot single-family home, and for young families who may find a townhome or duplex more affordable than a single-family home. It is anticipated that new areas for medium density land use will be developed in the future. Medium Density is also the zoning district that authorizes manufactured homes outside of manufactured/mobile home parks.

#### *High Density Residential Land Uses (5-12 units per acre)*

At the top end of the density scale, high density typically includes apartments and condominiums in attached buildings. Generally, medium density uses should also be permitted in any area designated for high density use, as the Future Land Use Plan emphasizes flexibility as a stated goal. The plan includes several areas for multiple-family or higher density residential development. These areas have been located next to collectors or major arterials to promote ease of access and to avoid congestion. Multi-family complexes would be appropriate in density ranging from 4 to 16 units per acre. Densities proposed higher than this should require additional review of traffic impacts, location, and utility considerations.

### **Non-Residential Areas of the Plan**

#### *Retail and Commercial Uses*

Retail land use areas are intended to provide for a variety of retail trade, personal, and business services and establishments. Retail establishments generally require greater visibility than do other types of nonresidential land use (e.g., office, commercial).

Within the plan, key intersections with good access and high visibility are designated for retail development. For example, the plan recognizes the four key intersections which are adjacent to the I-10 exit and entrance ramps.

Smaller retail and personal service uses are also envisioned as a part of existing and future neighborhoods. While these locations are not called out directly on the map, they are part of the neighborhood character and are supported in revisions to the zoning regulations.

Commercial Service land use includes repair, business-to-business services, and logistics. Areas designated for commercial land use are intended for a variety of commercial uses and establishments with outside storage, display and sales. Examples of such uses include automobile-related services, self-storage units, welding shops, and pawn shops.

Commercial uses often locate along major thoroughfares not because they need the same level of visibility as retail uses do, but because they need the accessibility. The key difference is that commercial uses generally have a greater need for outside storage areas, and these areas tend to reduce the aesthetic quality of major thoroughfares.

These users need large, flexible space and large unimpeded outdoor storage area for supplies and equipment which is easily accessible by large and even DOT-permitted oversize vehicles. Because this use will continue to be critical to the economic vitality of the city, ample space is



envisioned in the areas where this is occurring is provided, taking advantage of natural open space buffer features.

### *Industrial*

Industrial users generally fall into two categories: those dealing in raw materials processing or resource extraction, and those which are involved in manufacturing, assembly, or other production. These users are not always compatible, and the risk for a city is in assuming that they will be. Generally, a distinction is made in the zoning regulations and unless there are existing areas of mining or raw materials processing, very little provision of more intense industrial use should be made. Land that is to be suitable for industrial land use should be based on the following criteria:

- Access to an existing or proposed major artery;
- Access to a railroad;
- Relatively flat site;
- The site will not negatively impact the existing or proposed residential areas; and
- A relatively large amount of land can be assembled in one area;

General planning criteria for industrial uses suggests that the minimum size requirements for preplanned industrial parks area about 200 to 300 acres. Approximately three to five percent of a city's land (0.2 to 0.3 acres per 100 persons) is often allocated to industrial uses. The most relevant of these criteria above, in terms of the City of Flatonia, will be avoidance of negative impact to residential areas. The others are relatively easy to achieve.

### *Civic and Institutional*

Binding the residential and commercial uses together are the civic and institutional uses that support public space, public administration, utilities, and schools. These uses often have very specific land use requirements. For example, schools must manage large populations, peak traffic flows, and indoor and outdoor activities. A wastewater plant is strategically located with respect to topography, as is an elevated storage tank that provides drinking water at a higher pressure. Land must be reserved for these types of facilities throughout the community.

### *Park, Open Space and Agriculture*

There are numerous benefits associated with keeping open, green space in the community, both for the active and passive use of residents and visitors. Indeed, access to even modestly-developed parks has been shown to further “active living.

Open space is also an important land use technique to further the goal of compatibility. Uses which are specifically intense, such as an airport or industrial operation, should be buffered along the perimeter with open space. Areas which are unsuitable for development, such as playas or “low spots” should be designated for open space and protected from fill.

## Land Uses – City of Flatonia

Land Use	EXISTING ACRES	FUTURE ACRES
RES	334	1102
MH	36	38
MU	8	392
OF	5	5
RET	36	38
COMM	73	417
IND	19	160
PARKS	33	176
AG	184	699
PUBLIC	96	102
R-O-W	40	194
VACANT	77	10
Total	941	3333

### Natural Barriers to Development

Railroad tracks

IH 10

Freitag Hill

Big 5-Mile Creek

Mulberry Creek

Occupied Dwellings - 516

Thoroughfares in Flatonia:

- Highway 90/North Main Street
- FM 609/North La Grange Street
- Highway 95/North Penn Street
- Highway 95/South Faires Street
- I-10

### Soils Characteristics

The soils in Flatonia are Poth, Wilco, and Nueces. The Poth and Nueces are sandy clay loam soils and the Wilco is a sandy clay soil. All three soils have a low shrink-swell potential.

### *Future Land Use Map*

The Future Land Use Map is included as Map 3.

## SECTION B. ECONOMIC DEVELOPMENT

Economic growth of a community is best achieved by structuring adequate community policies and leveraging additional sources of investment to assist in improving the community's economic assets. The city's challenge will be to attract businesses to the community and capitalize on retail sales tax.

### I. HISTORIC DEVELOPMENT AND GENERAL CHARACTERISTICS

**Retail Trade** - Retail plays an increasingly essential role in economic development. Retail establishments often shape decisions about infrastructure development. Large retail outlets will bring income from outside of the community, thus providing an important revenue source for local government.

**Industrial** - The industrial sector is typically a goods-producing business but also includes utilities, mining, and heavy construction.

**Service** – The service sector covers a broad array of occupations that serve both individuals and businesses. Fields such as engineering, legal services, health care, and hotel/motels are some examples.

**Government/Administrative** – This sector includes public and private jobs such as public schools and hospitals as well as local, state, and federal employment.

#### Development of the Economy

Fayette County has its roots in agriculture – farming and ranching. The region has long produced a broad range of crops including corn, grain, cotton, peanuts, pecans, and vegetables. Much of the region's earliest history was tied to the processing and shipping of agricultural products. The region's proximity to the Austin, San Antonio, and Houston region has seen the growth of retail businesses and light manufacturing in the area.

The Austin/San Marcos/Round Rock and San Antonio MSA, in which Flatonia is located, plays a key role as a trade center, drawing people from tech, medical, military, education and manufacturing. Tourism is an important aspect to the region's economy, with the Alamo being the number one tourist destination in the country and the Texas Capitol the number two destination.

Previous Economic Development Studies

The 2020 Economic Development Corporation (4B) Comprehensive Plan for Flatonia addressed Economic Development:

General - Growth that maintains the traditional character of Flatonia while offering economic opportunity and quality of life

- Work closely with buyers and realtors
- Use outside recruiters for retail and light industrial
- Promote Façade Improvement Grant, Utility Deposit Loan Program and Business Incentive Programs
- Continue to develop parks and trail and other recreational activity
- Promote and keep the high standard of education in Flatonia
- Add or improve infrastructure in the Downtown, Interstate, North ETJ and East ETJ

Downtown – Maintain historic character while promoting it as a destination with shops, restaurants and venues.

- Promote Flatonia as a destination through a broad selection of media
- Promote open air mall concept with shopping, restaurants, galleries, entertainment, museums, etc.
- Support training and seminars developing a destination
- Promote a shop local in conjunction with the Chamber of Commerce
- Promote existing availability of high-speed technology
- Develop stop and depot for CARTS buses (and possible future ATMRAK stop) at renovated 1878 train depot which is also the former Police Station and City Hall

Interstate – Capture tax revenue and jobs along the interstate

- Identify and push to develop properties near the interstate
- Coordinate with TXDOT for best options for economic development during I-10 improvements (Truck route, utility easements, straightening USH95)
- Plan and work for Market St. extension to I-10 Frontage Road.

North ETJ – Areas for light industrial and residential

- Provide utilities to make the area more attractive (ex: Nikel-Mica waterline)
- Negotiate to make annexation attractive and part of development
- Work with recruiter for Light Industrial businesses
- Possible wastewater pipeline option to Mulberry Creek

East ETJ – Businesses south of interstate – housing (single family residential and multi-family residential)

- Garbade Ln. extension with water and wastewater
- Jares Ln. extension with water
- I10 Frontage Road connections

- Negotiate to make annexation attractive and a part of any developments.

### **Development Corporation Act**

The Development Corporation Act of 1979 (the Act) has played an essential role in funding economic development in the region. As initially passed, the Act allowed municipalities to create nonprofit development corporations, which operated separately from municipalities and were funded from private sources. Following a change to the Texas Constitution in 1987 which recognized economic development as a public good, the Act was amended to add Section 4A. This expansion of the Act authorized eligible communities to enact a dedicated sales tax as a means of funding development corporations.

These “4A” corporations (now known as Type A corporations) focused on funding projects in support of new and expanded industrial and manufacturing activities. Section 4B was added in 1991 authorizing the levying of a tax for a broader range of economic development activities. So-called “4B” or Type B corporations can fund all the activities of a Type A corporation, as well as quality of life improvements, such as parks, sporting facilities, and affordable housing. The tax enables hundreds of Texas communities to create a significant revenue stream for economic development.

Under Texas law, local governments are allowed to impose up to an additional 2 percent on top of the state sales tax rate of 6.25 percent, for a maximum allowable rate of 8.25 percent.

Flatonia does not have many retail establishments, and therefore does not generate much retail sales tax. Based upon the most recent net payment report from the Comptroller, Flatonia does not yet compete with surrounding communities on per capita basis.

### **Relationship to the Region**

From an employment standpoint, Texas is growing faster than US. Flatonia is located on IH 10, 90 miles east of San Antonio, TX, the third largest metropolitan area in Texas and the twenty-fourth largest in the United States. 90 miles west of Houston, the largest metropolitan area in Texas and fifth largest in the country, Flatonia is located 70 miles south of Austin which is an international tech and education center. With its placement in the near center of these large metropolitan areas, Flatonia is well situated for economic development and growth.

#### *Connectivity*

The City of Flatonia is extremely well connected to both the San Antonio/New Braunfels MSA known as the Greater San Antonio MSA and the Austin/San Marcos/Round Rock MSA.

#### *Role in the Region*

Regional growth is due in great part to its pivotal role in international commerce. San Antonio’s role as a tourism, military and manufacturing center keeps that city in the national eye. Austin’s function as an international tech center as well as a government and education provider are keys to its sustained growth average 3% per year per decade for its entire history as a city.

## Employment Growth

Data compiled by the US Census Bureau helps illustrate employment trends in Fayette County. Employment in Fayette County averaged 11,626 workers in 2017. The most recent year for which figures were available for employing entities at the time of analysis for Fayette County is 2012.

	2012	2002	Change 2002-2012	
			Net	%
<b>Fayette County</b>				
Total number of establishments	775	727	45	+6.7%
Paid employees	5,569	5,602	33	+5.8%
Annual payroll/paid employee (calculated)	\$28,943	\$22,883	+6,060	+26.4%

Source: 2012 Economic Census

## 2. BUSINESS INVENTORY

The City of Flatonia Chamber of Commerce lists 130 in categories that include Lodging, Retail & Business Services, Flowers & Floral, Construction & Agriculture, Egg Producer, Entertainment, Food & Beverage, Education, Services, Dog Breeding & Boarding, Convenient Stores, Real Estate, Health Care, Propane, Child Care, Insurance, Event Venue, and Internet Services.

The City of Flatonia is projected to grow to the north toward IH 10. A portion of the city limits is on the north side of IH 10. The City should create a proactive plan that recognizes the importance of the IH 10 corridor in attracting business growth and development. Zoning regulations should be implemented to develop a highway commercial district that regulates construction, lighting, signage and landscaping standards to make the area attractive for businesses to locate to Flatonia.

## 3. ECONOMIC BASE, “BARRIER ANALYSIS”

This section provides an overview of factors that influence Flatonia’s development potential. To the extent possible, these factors are compared with peer communities in Fayette County, as well as with the state or the US. The section concludes with a matrix summarizing the community’s relative performance on each factor using the following scale: favorable (+), neutral (=), or negative (-).

### *Utilities/Communications Services*

The National Broadband Map provides a standard set of data on broadband access across every community in the US. As of June 2014 (the latest available), the region’s access to broadband services was comparable to that of the state and the US except for fiber.

### Transportation

The rail network in Fayette County is comprised of tracks owned by the Union Pacific Railroad.

Trucks remain the primary method of freight transport in the IH 10 corridor between Houston, Austin and San Antonio according to a study of freight movement by the Texas Department of Transportation. At the time of publication (July 2011), slightly more than two-thirds of the region's truck traffic (68 percent) was moving to and from other metropolitan areas in the state, including Houston, Dallas-Fort Worth, Waco, San Antonio, and Corpus Christi. These figures were projected to remain relatively stable through 2035.

### Cost factors

A variety of costs affect business location decisions. This section provides an overview of Flatonia's competitive position with regard to a number of such factors, with comparison to other communities in the region and to the state and US, where applicable.

### Wage levels

Wage rates in Flatonia are lower for most occupations than in other nearby communities. From an industry recruitment standpoint, the region's low labor costs represent an advantage. For talent recruitment and retention, however, low wage rates can be a negative.

### Unionization

Texas has low rates of unionization relative to other parts of the country. According to the US Bureau of Labor Statistics, 5.6 percent of wage and salary workers in the state were represented by unions in 2015. This group includes both union members (4.5 percent of the total) and workers who report no union affiliation but whose jobs are covered by a union contract. Nationally, nearly 14.8 million workers age 16 years and over were union members in 2015, comprising 11.1 percent of all wage and salary workers. Roughly 16.5 million were represented by unions (12.3 percent of the total).

**TABLE 13 UNION AFFILIATION OF EMPLOYED WAGE/SALARY WORKERS (NUMBERS IN 1,000s)**

	US		Texas	
	2014	2015	2014	2015
<b>Total employed</b>	131,431	133,743	11,205	11,177
<b>Members of unions</b>				
<b>Number</b>	14,576	14,795	543	503
<b>Percent of total employed</b>	11.1	11.1	4.8	4.5
<b>Represented by unions</b>				
<b>Number</b>	16,152	16,441	700	626

<b>Percent of total employed</b>	12.3	12.3	6.2	5.6
----------------------------------	------	------	-----	-----

Source: US Bureau of Labor Statistics NOTE: Data refer to the sole or principal job of full- and part-time wage and salary workers. All self-employed workers are excluded, both those with incorporated businesses as well as those with unincorporated businesses.

#### *Utility Costs: Electricity*

Data compiled by the US Energy Information Administration shows Texas’s rates among the lowest in the nation for commercial and industrial users. From an economic development standpoint, Texas’ low rates relative to neighboring states presents an advantage.

#### *Utility Costs: Water/Wastewater*

Data compiled by the Texas Municipal League can help gauge Flatonia’s position relative to other similarly sized communities in the state. According to the TML’s most recent survey, the average cost of water usage of 5,000 gallons in communities of Flatonia’s size was \$42.64. The average cost of wastewater service for residential usage of 5,000 gallons was \$27.47. Flatonia’s current water rates are based on a minimum charge of \$25.00 for up to 1,000 gallons inside the city limits and minimum wastewater rates based on \$20.50 for up to 1,000 gallons inside the city limits.

**TABLE 14 AVERAGE COSTS FOR WATER AND WASTEWATER IN TEXAS COMMUNITIES BY POPULATION GROUP**

<b>Population Group</b>	<b>Water</b>		<b>Wastewater</b>	
	<i>No. of cities reporting</i>	<i>Avg. cost reported for 5,000 gallons</i>	<i>No. of cities reporting</i>	<i>Avg. cost reported for 5,000 gallons</i>
<b>2,000 or less</b>	267	\$42.64	243	\$27.47
<b>2,001 - 5,000</b>	121	\$38.96	123	\$29.71
<b>5,001 - 10,000</b>	83	\$35.82	81	\$30.14
<b>10,001 - 15,000</b>	41	\$33.38	41	\$30.27
<b>15,001 - 20,000</b>	33	\$30.83	34	\$30.91
<b>20,001 - 25,000</b>	14	\$38.21	14	\$35.99
<b>25,001 - 30,000</b>	10	\$36.00	10	\$31.70
<b>30,001 - 50,000</b>	24	\$35.05	24	\$32.21
<b>50,001 - 75,000</b>	9	\$28.44	9	\$31.40
<b>75,001 - 100,000</b>	8	\$23.37	8	\$22.99
<b>100,001 - 200,000</b>	19	\$30.40	19	\$28.31
<b>200,001 - 350,000</b>	5	\$29.86	5	\$26.33
<b>350,001 - 500,000</b>	1	\$22.71	1	\$33.84



<b>MORE THAN 500,000</b>	3	\$34.26	3	\$41.29
<b>Total / Averages</b>	<b>638</b>	<b>\$38.38</b>	<b>615</b>	<b>\$29.19</b>

Source: Texas Municipal League 2018 Annual Water and Wastewater Survey Results

### *Land & Building Costs*

NAI San Antonio and Austin provide an overview of real estate costs by property type for those market areas. Effective average costs per square foot (the base rent plus any additional fees and escalations) are significantly higher in the both areas than in Flatonia. This price differential can also be seen in the cost of land. There is very little publicly available data about land and building cost in Flatonia.

### *Local Property Taxes*

Table 15 provides a comparison of selected property taxes for each of the communities in Fayette County. The calculations are intended for purposes of comparison only. They exclude rates for special districts, such as drainage or emergency medical services, which might be levied in portions of selected jurisdictions. As a result, they should not be interpreted as the rate that would apply to a specific property within a given city. Based on these calculations, Flatonia had the highest total tax rate as calculated.

**TABLE 15 COMPARISON OF 2018 TAX RATES - REGIONAL CITIES**

<b>City</b>	<b>Total</b>
Flatonia	.32
La Grange	.29
Schulenburg	.19
Fayetteville	.24
Carmine	.0024
Round Top	.0476

Source: Respective Appraisal Districts

### *Financing and State Costs*

Financing costs in the region differ by the type of loan and the size of the issuing bank. Each bank's financing costs are then compared to a group of peer institutions (as defined by Federal Financial Institutions Examination Council) and to the state average. It appears that financing costs in the region are somewhat lower than average, with some exceptions. However, average rates in Texas are higher than reported by the national peer groups for nearly every loan type and size of bank shown.

While there are a number of rankings of business costs at the state level, Moody's Analytics Cost of Doing Business Index is one of the few that includes metropolitan statistical areas (MSAs).

Moody’s index compares the cost of doing business across four components for metropolitan areas: unit labor cost, energy costs, state and local taxes, and office rents. States and the District of Columbia are ranked on three of the four components, due to a lack of state-level data for office rents. Labor costs represent a significant component of the ranking and are based on Moody’s calculation of compensation per dollar of output for selected industry classifications at the three-digit level. Texas’ relatively low unit labor costs and tax burden contributed to its ranking among the lowest-cost states.

One challenge presented by the use of the Moody’s index is its treatment of energy costs. The energy cost index compares average commercial and industrial electricity costs (in cents per kilowatt-hour) for each state and MSA against the national average. Because industrial rates are typically significantly lower than commercial rates, however, the two rates are combined into a single component for each geography, with the relative importance of each rate weighted to reflect the national consumption patterns. While this step is taken to reduce bias (because areas with a large proportion of industrial users would appear to have exceptionally low rates), it likely discounts the competitive advantage of states like Texas. This discrepancy can be seen in the fact that Texas ranks 28th among states on energy costs in the Moody’s index, despite having commercial and industrial rates well below the national average according to the published data.

*Operating Condition Factors*

The data presented above was used to prepare the matrix of “operating conditions factors” presented below. Where applicable, ratings are based on quantitative findings. However, not all factors are readily quantifiable. For these factors, the rating is based on the experience of the consulting team in evaluating markets across the US.

---

**OPERATING CONDITION FACTORS MATRIX**  
**STRENGTH (+), NEUTRAL (=), WEAKNESS (-)**

		<b>Comments</b>
<b>Unskilled labor supply</b>	+	Employment data points to a large supply of unskilled labor and competitive wage rates in the region.
<b>Skilled labor</b>	=	Skilled labor is in tight supply nationally. The workforce analysis points to concentrations in several “middle skills” jobs including teachers, public safety workers, welders, and fabricators.
<b>Productivity</b>	=	Calculations of value added per production worker hour

OPERATING CONDITION FACTORS MATRIX  
STRENGTH (+), NEUTRAL (=), WEAKNESS (-)

		<b>Comments</b>
		point to equivalent levels of productivity for manufacturing operations in Flatonia relative to peer communities.
<b>Unionization</b>	+	Texas has low rates of unionization relative to other parts of the US. According to the US Bureau of Labor Statistics, an average of 5.6 percent of employed workers in the state were represented by unions in 2015 compared with 12.3 percent nationally.
<b>Labor-management relations</b>	+	Texas is a right-to-work state which is generally seen as an advantage in industrial recruitment.
<b>Electric power availability</b>	+	Many retail electric providers serve the region. Industrial rates in the state are significantly lower than in most parts of the US.
<b>Water and sewer availability</b>	+	Based on a comparison with average rates for similarly sized communities, Flatonia's rates are competitive.
<b>Gas availability</b>	=	Service is available.
<b>Common motor carrier service</b>	=	Flatonia has no licensed motor carrier services located within its border; however, these services are available within close proximity.
<b>Telecommunications availability</b>	-	Based on published data, Flatonia has access to broadband equal to surrounding communities.

**OPERATING CONDITION FACTORS MATRIX**  
**STRENGTH (+), NEUTRAL (=), WEAKNESS (-)**

		<b>Comments</b>
<b>Rail/freight services</b>	+	On the Union Pacific rail between Mexico and Houston helps ensure the presence of a strong Class 1 freight transportation services.
<b>Availability of air service</b>	+	The region is served by San Antonio International Airport, Austin/Bergstrom Airport and Fayette Regional Air Center.
<b>Vocational education facilities</b>	=	Flatonia is approximately 70 miles from San Antonio and Austin where numerous vocational education schools are located that serve every interest from cosmetology to welding.
<b>School facilities</b>	+	Flatonia ISD serves a student body of approximately 564 students from Pre-K – Grade 12. It employs 53 teachers and is ranked in the top 20% of Texas public schools.
<b>Medical services</b>	+	The area has a wide range of healthcare assets with Flatonia being just 70 miles east of major medical facilities in San Antonio and Austin. In addition, there are three health care clinics in Flatonia.
<b>Natural features, resources, and geography</b>	+	Flatonia’s proximity to San Antonio, Austin and Houston provide ready access to numerous state and local parks with favorable weather that provide advantages

OPERATING CONDITION FACTORS MATRIX  
STRENGTH (+), NEUTRAL (=), WEAKNESS (-)

		Comments
<b>Economic tools</b>	<b>development</b>	relative to other parts of the US. The presence of the economic development sales tax provides Texas communities with a dedicated source of funding. Flatonia has sales tax revenues equal to comparable communities in the region.
	-	
<b>Financing costs</b>		According to published data reviewed for this analysis, financing costs in Fayette County are somewhat lower than the state average.
	+	

### 3. PLAN

The following goals and objectives provide a framework for a more aggressive approach to economic development going forward.

#### **Economic Development Goals & Objectives**

##### *Goal 1: Position Flatonia to capture retail growth on I-10.*

Create a pro-active zoning scheme which recognizes the importance of the I-10 corridor to generating revenue.

Actions:

- Utilize the Future Land Use Map to indicate that the City is supporting new retail commercial growth in preferred locations.
- Develop a distinct “highway commercial” district which provides predictable standards for such things as building articulation, lighting, landscaping, for example.

*Target Date for Achievement: 2020*

##### *Goal 2: Position Flatonia to enhance downtown opportunities.*

Create a pro-active zoning scheme which recognizes the important history of downtown Flatonia, including the Rail Park.

Actions:

- Create a formal Business Retention and Expansion Program with the assistance of a college intern whose focus is business, operating in conjunction with Goal 3. (Estimated cost: \$5,000)

*Target Date for Achievement: 2020*

*Goal 3: Focus on existing business retention and development.*

Develop a Business Retention and Expansion Program as a primary objective for the Municipal Development District (MDD).

Actions:

- Create a formal Business Retention and Expansion Program with the assistance of a college intern whose focus is business. (Estimated cost: \$5,000)
- Visit with business owners to determine their needs (Estimated Annual Cost: \$25,000)
- Host an “Entrepreneur Meeting” to solicit feedback from existing business owners and those interested in starting a business about the types of assistance that the MDD and City could provide that would be meaningful. (\$500)

*Target Date for Achievement: 2021*

### **Program Costs**

The economic development activities presented here are envisioned to be carried out by the City of Flatonia total approximately \$30,500.00 over a three-year period.

## **SECTION C. STREET SYSTEM**

### **STREET SYSTEM ANALYSIS**

The City of Flatonia street system is that of a typical small Texas town consisting of a gridded street system of City residential streets with larger thoroughfares controlled by TxDOT which move larger volumes of traffic. The main collectors\arterials in the City of Flatonia are controlled by TxDOT and are:

- Highway 90/North Main Street
- FM 609/North La Grange Street
- Highway 95/North Penn Street
- Highway 95/South Faires Street
- I-10

These thoroughfares carry the large volumes of traffic for access to commercial and industrial uses in the City and to convey traffic to the local residential street network. No additional

collectors\arterials are anticipated to be needed for the City of Flatonia in the next 10 years and the above stated TxDOT highways will be adequate for Flatonia's growth for the next 10 years. It is noted that I-10 will be upgraded in Flatonia. The current anticipated upgrades are:

- On ramp and off ramp relocations
- Additional main lane in each direction
- Frontage road on south side of I-10 between Flatonia and Schulenburg

TxDOT anticipates the project will start construction by 2030.

Residential streets in City of Flatonia are typically within an 80-foot right-of-way with paving widths varying with an average width of 30 feet. Existing curb and gutter within the City are limited. City of Flatonia has performed a street condition assessment. This assessment was developed by the City Manager and Public Works Director and included an assessment of all the City residential streets with a ranking system as follows:

- 1 – Good, paved in last 3 years
- 2 – Minor surface imperfection, potholes
- 3 – Road fracturing, structural integrity issues
- 4 – Road is failing
- 5 – Failed surface, no pavement

Streets rated as a 4 and 5 are deficient (5 being the worst). City of Flatonia over the next 10 years will reconstruct these streets. The streets will be reconstructed to achieve at minimum their existing width. Reconstruction will include a minimum of six (6) inches of road base with a 2-course chip seal. Reconstructed streets do not include curb and gutters unless adjacent homeowners pay for that improvement. Reference the Existing Street Conditions Map for the existing street system and street conditions assessment.

Based on the street conditions assessment, streets listed as a 4 and 5 condition are listed below. City of Flatonia's goal is to reconstruct these streets over the next 10 years. The City anticipates reconstructing on average approximately 5 streets per year and typically budgets \$80,000 per year on road reconstruction. City of Flatonia self performs the street reconstruction with cooperation from Fayette County. Cost for City of Flatonia to reconstruct the streets is approximately \$10 per square yard of surface. City of Flatonia will be funding the street reconstruction projects. Following is the street priority list with estimated cost. It is noted that the street priority list will be evaluated by the City of Flatonia on an annual basis and priority subject to change based on existing utility infrastructure below the street, timing of new utility projects along the street corridor and City available funds.

For planning purposes, City has shown anticipated streets located outside the City limits but within the ETJ. These streets are anticipated to be needed beyond 2030; therefore, cost and schedule is not included. The timing of these road extension projects will be dependent on the development of the ETJ. It is also noted that streets required for development in the ETJ will be built by developers subject to the City of Flatonia Subdivision Ordinance.

Reference the Future Street Conditions Map for the proposed streets to be reconstructed over the next 10 years and location of future streets anticipated to be needed beyond 2030.

A comprehensive inventory of Condition 4 and 5 City streets are included in the following two tables:

<b>TABLE 15: Condition 5 Street Reconstruction Projects</b>		
Street Name	Pavement Length (Linear Feet)	Budget
Hackberry St. (From Collins to I-10)	500 LF	\$ 20,000
E. 12th St. (From N La Grange to Hackberry)	500 LF	\$ 20,000
N. Hudson St. (From W. 8th to W. 9th)	360 LF	\$ 15,000
W. 6 <sup>th</sup> St. (From S. Mill to S. Colorado)	500 LF	\$ 20,000
W. 3 <sup>rd</sup> St. (From S. Colorado to just west of Mill)	300 LF	\$ 10,000
S. Middle St. (From E. 4th to E. 2nd)	800 LF	\$ 30,000
S. Market St. (From E. 1 <sup>st</sup> to Old Hallettsville)	500 LF	\$ 20,000
W. 7 <sup>th</sup> St. (From Penn\95 to N. Hudson.),	425 LF	\$ 15,000
N. Tom Green St. (From W. 7 <sup>th</sup> to W. 9 <sup>th</sup> )	700 LF	\$ 25,000
W. 4 <sup>th</sup> St. (From S. Colorado to West*)	300 LF	\$ 10,000
<b>SUBTOTAL</b>	<b>4,885 LF</b>	<b>\$ 185,000</b>

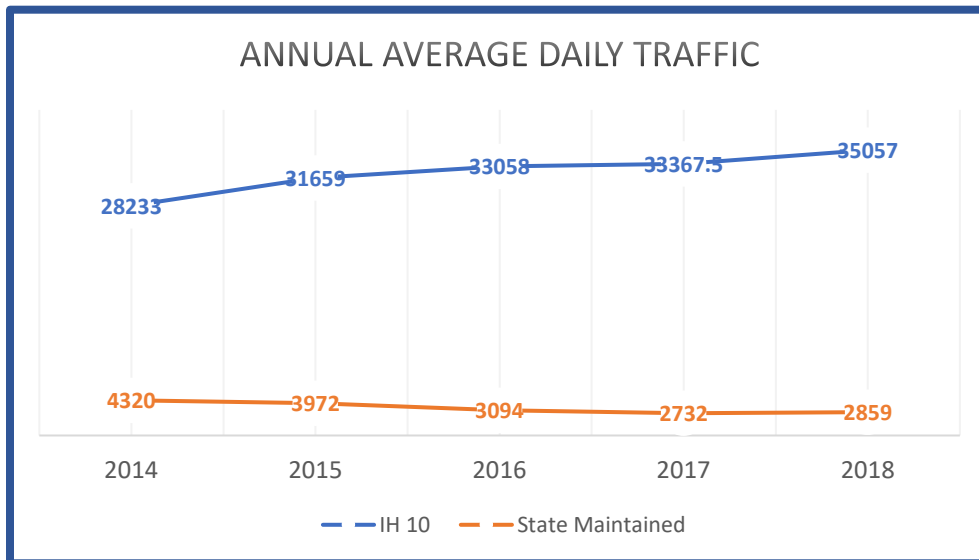
\* This street supports Cal-Main truck traffic and shall be reconstructed at City Council\City Manager Discretion.



TABLE 16: Condition 4 Street Reconstruction Projects		
Street Name	Pavement Length (Linear Feet)	Budget
Hackberry St. (From MLK to Collins)	1,100 LF	\$ 40,000
E. 11 St. (Spot Location near Garbade St.)	100 LF	\$ 5,000
N. Cedar St. (From E. 7 <sup>th</sup> to Mulberry)	500 LF	\$ 20,000
E. 7 <sup>th</sup> St. (From Market to N. Converse)	480 LF	\$ 20,000
E. 11th St. (From N. Market St. to N. Converse)	440 LF	\$ 15,000
N. Hudson St. (From W. 7th to W. 8th)	360 LF	\$ 15,000
W. 9th St. (From N. Faires to Past N. Tom Green)	1700 LF	\$ 60,000
S. Penn St. (From E. Main to W. 6th)	400 LF	\$ 15,000
S. Colorado St. (From W. 6 <sup>th</sup> to W. 5th)	400 LF	\$ 15,000
W. 4th St. (From S. Mills to Faires)	460 LF	\$ 15,000
S. Mill St. (From W. 5 <sup>th</sup> to W. 4 <sup>th</sup> )	300 LF	\$ 10,000
W. 3 <sup>rd</sup> St. (From S. Mill to S. Faires)	450 LF	\$ 15,000
S. Middle St. (From 90 to E. Main)	340 LF	\$ 15,000
E. Old Spanish Trail (From 90)	330 LF	\$ 15,000
E. 6 <sup>th</sup> St. (From S. Converse to S. Middle)	500 LF	\$ 20,000
S. Market St. (From E. 2 <sup>nd</sup> to E. 1 <sup>st</sup> )	550 LF	\$ 20,000
Subtotal	8,410 LF	\$ 315,000

Total for Conditions 4 and 5 Street Reconstruction Projects:  
\$500,000 for approximately 13,295 LF.

The chart below is a graphical correlation of the Texas Transportation of Transportation (TxDOT) annual average daily traffic counts on TxDOT maintained roads from 2014 to 2018. Twenty-four-hour counts, with truck and seasonal factors, are applied. The numerical number displayed are the average flow for US90, US95, SH95 and FM609 combined. Two points on IH 10 are also combined. The Annual Average Daily Traffic (AADT) counts have declined over the past four years. Although these counts are only based on traffic along state roadways (and not collector or residential streets), these numbers provide insight into the amount of traffic that goes through the City of Flatonia.



## SECTION D. WATER SYSTEM

The intent of this water system study is to analyze the water system owned & operated by the City of Flatonia and governed by the Texas Commission on Environmental Quality (TCEQ). City Staff provided Langford & Associates and BEFCO Engineering the information for this study. The water distribution lines, and plant information are found on the water system map.

This study is divided into an analysis of the existing system, TCEQ Regulations, hydraulics, and recommendations by priority and associated cost estimates.

Although the population of Flatonia has shown growth since 1980, Flatonia has traditionally been a very stable community. Refer to the table shown below for population projections as provided from the Texas Water Development Board (TWDB) website:

**2016 Regional Water Plan  
Population Projections for 2020-2070**

Entity Id	City Name	2020	2030	2040	2050	2060	2070
1562	FLATONIA	1,598	1,824	1,977	2,103	2,203	2,279

Based on the above, the growth rate is expected to be about 14-15% over the next 10 years. The City of Flatonia presently has 808 total connections. City staff provided water meter counts from January 2015 to October 2019. During that time, the lowest meter count was 785 total connections in April 2015 & January 2016 and the high was 817 total connections in September 2018. Utilizing a growth of 32 meters over a 4-year period results in a growth rate of 8 connections per year.

**Existing System**

The City of Flatonia Water System presently consists of three (3) water wells, four (4) water plant sites and water distribution lines ranging in size from 1” to 8” diameter to serve up to 817 total connections/apartment units. The system is split into two (2) pressure zones:

*North Pressure Zone covering a majority of the City, generally located north of Fourth Street;*

*South Pressure Zone, generally located on south side of town, south of Fourth Street*

At present, the North Pressure Zone serves 620 connections, while 197 connections are served by the South Pressure Zone. The following is an inventory of the City’s water plant facilities:

**NORTH PRESSURE ZONE**

**Water Plant No. 1 (E. Main Street south of the Railroad Tracks)**

- 50,000-Gallon Steel, Riveted Multi-Leg Elevated Storage Tank (Built in the 1930s). Inside was painted in 2009 and vent replaced in 2016.

*NOTE: Elevated Storage Tank will need to be painted sometime in the next 10 years.*

**Water Plant No. 2 (Old Hallettsville Road on Hill on south part of Flatonia)**

- Water Well No.9 (1977) — 250 gpm, 506’ Depth, 25 Hp Pump on 4” Certa-LOK Piping. Chlorine disinfection and NAPCO 214 polyphosphate is used to sequester iron & manganese;
- 50,000-Gallon Steel, Welded Multi-Leg Elevated Storage Tank – Inside painted in 2011;
- 2 — 500 GPM Booster Pumps.

*NOTE: Elevated Storage Tank will need to be painted sometime in the next 10 years.*

### Water Plant No. 3 (1 mile east of Flatonia on US 90)

- Water Well No.10 (1985) — 320 GPM, 604’ Depth, 25 Hp Pump on 4” Certa-LOK Piping;
- Water Well No. 12 (2001) – 385 GPM, 400’ Depth, 40 Hp Pump on 4” Certa-LOK Piping;
- 125,000-Gallon Galvanized, Bolted Ground Storage Tank (2002);
- 250,000-Gallon Coated, Bolted Ground Storage Tank (2013);
- 2 — 300 GPM 40 Hp Booster Pumps – *City wants 2-500 GPM replacements and VFDs installed.*;
- Arsenic Filtration Unit (2012) – Laynox Media (2012) in one filter, Dual Media (2018) in the second filter.

NOTE: *Water Wells 9, 10 & 12 Pumps are in need of replacement and top check valve replaced.*

### Water Plant No. 4 (On north side of US 90 in east part of Flatonia near City Parks)

- 100,000-Gallon Steel, Welded Multi-Leg Elevated Storage Tank (2007) – 145’ HWL

NOTE: *Elevated Storage Tank will need to be painted sometime in the next 10 years.*

Water Well 9 is controlled by electrodes in the Water Plant 2 Ground Storage Tank. Free chlorine is utilized for disinfection and NAPCO 214 polyphosphate is used to sequester iron & manganese for WW 9. Water Wells 10 & 12 are controlled by electrodes in either of the Water Plant 3 Ground Storage Tanks. Free chlorine is used for disinfection and the filters remove arsenic, iron and manganese so no polyphosphate is needed for WW 10 & 12. The signal from Water Plant No. 3 GST to remote WW12 is via a dedicated buried communication line that is buried with the WW12 water supply line. These two GSTs have an equalization line that keeps an equal level in both tanks and both tanks can be operated independently as well. Water Plant No. 3 Booster Pumps are controlled by a level transducer in the Water Plant 4 Elevated Storage Tank. Both booster pumps alternate for each fill cycle and if one can’t keep up, the lag pump will supplement the lead pump. The EST tank level is transmitted via radio communication to Water Plant No. 3. Water Plant No. 2 North Zone Booster Pumps are manually run every Friday by the water plant operator to put fresh water into the local elevated storage tank & system. Please note that there is a direct 8” dedicated water line along S. Penn St. that transports water from the Water Plant 2 Booster Pumps & Elevated Storage Tank into the North Zone.

During November 2019, Water Well 10 failed. After removing the existing submersible pump & motor, a color TV video survey was conducted that found several holes in the 8” liner, just above the top 8” screens. After reviewing several alternatives for well repairs, it was decided to install a new 6” PVC liner/screens inside the existing 14” casing/8” liner-screens. After this rehab, production is expected to be decreased to approximately 200 GPM. This repair will only buy the

City several more years to allow for the planning & design of a new water well. The City is recommended to plan, design and construct a new well within the next 5-10 years.

## SOUTH PRESSURE ZONE

### Water Plant No. 2 (Old Hallettsville Road on Hill on south part of Flatonia)

- Water Well No.9 (1977) — 250 GPM, 506' Depth, 25 Hp Pump on 4" Certa-LOK Piping;
- 250,000-Gallon Steel, Welded Ground Storage Tank (New Floor and Inside painted in 2016;
- 2 — 300 GPM Booster Pumps;
- 10,000 gallon hydropneumatic tank – *In need of painting by 2021*

Water Well 9 is controlled by electrodes in the Water Plant 2 Ground Storage Tank. Free chlorine is utilized for disinfection and NAPCO 214 polyphosphate is used to sequester iron & manganese. Booster Pumps are controlled by the system pressure as determined by the hydropneumatic tank. At this time, the pressure settings for the South Pressure Zone are 52 to 62 psi. Both booster pumps alternate for each fill cycle and if one can't keep up, the lag pump will supplement the lead pump. An air compressor also supplements maintaining pressure in the hydropneumatic tank.

The distribution system generally consists of aged cast iron and asbestos-cement lines throughout the older portions of the City and PVC on the outer fringes of the system & where replacement projects have been constructed. As financing allows, these outdated lines should be replaced and some upgraded.

### TCEQ Water Plant Capacity Requirements

Per Texas Commission on Environmental Quality (TCEQ), a connection is defined as *"a single-family residential unit or each commercial or industrial establishment to which drinking water is supplied from the system. As an example, the number of service connections in an apartment complex would be equal to the number of individual apartment units (30 TAC §290.38(16))..."* The City's system has water service connections ranging in size from 5/8" x 3/4" up to 4". As of October 2019, the City had a total of 808 connections which includes 632 single-family residential and 176 multi-family & commercial meters. Over the last 4.5 years, the City has had up to 817 total connections and that number will be used for the TCEQ capacity analysis. The North Pressure Zone has 620 connections while the Southern Pressure Zone has 197 connections respectively.

The TCEQ provides the minimum system capacity requirements. These are minimum requirements only and do not include emergency fire flow capacities. The TCEQ minimum water system capacity requirements include the following {30 TAC §290.45(b)(1)(D)(i-v)}:

- i. 0.6 GPM/Connection - Well Capacity;
- ii. 200 Gallons/Connection - Total Storage Capacity;
- iii. 2 GPM/Connection - Pump Capacity;
- iv. 100 Gallons/Connection - Elevated Storage Capacity, or;  
20 Gallons/Connection - Pressure Tank Capacity
- v. Emergency power - N/A due to available Elevated Storage

Applying these minimum requirements to the maximum connection count of 817 over the last 4-5 years yields the following:

<b>North Pressure Zone TCEQ Capacity Table</b>			
	<i>Existing System</i>		<i>TCEQ Capacity Requirements</i>
	<i>Description</i>	<i>Total</i>	
Number of Connections	620		-
Well Capacity (GPM)	Wells 9,10 & 12	835	372
Total Storage Capacity (Gal)	Ground and Elevated Storage Tanks	575,000	124,000
Elevated Storage Capacity (Gal)	Downtown, South and East ESTs	200,000	62,000
Pump Capacity (GPM)	South and East	1,600	372
Pressure Tank (GPM)	-	0	N/A

**NOTE:** Since the North Pressure Zone is able to provide 200 Gallons/Connection of Elevated Storage Capacity, the Booster Pumps only need to be able to provide 0.6 GPM/Connection versus the normally required 2.0 GPM/Connection (Community Systems serving >250 Connection - 30 TAC 290.45(b)(D)).

<b>South Pressure Zone TCEQ Capacity Table</b>			
	<i>Existing System</i>		<i>TCEQ Capacity Requirements</i>
	<i>Description</i>	<i>Total</i>	
Number of Connections	197		-
Well Capacity (GPM)	Well 9	250	119
Total Storage Capacity (Gal)	South Ground Storage Tank	250,000	39,400

Elevated Storage Capacity (Gal)	-	0	N/A
Pump Capacity (GPM)	South	600	394
Pressure Tank (GPM)	South	10,000	3,940

The North and South Pressure Zones are divided by Pressure Reducing Valves (PRV)/Check Valves (CV) located at 5<sup>th</sup> and Market and 4<sup>th</sup> and Hudson, along with normally closed valves at 4<sup>th</sup> & Colorado, 4<sup>th</sup> & Mill, 4<sup>th</sup> & Faires, Converse & Alley and just north of the City of Flatonia ISD Tennis Courts. Please note that there is not a PRV, CV or closed valve on Penn Street as there are lines from both the north & south pressure zones that run along Penn, but they are NOT connected. The PRVs & CVs allow water to flow in/out both pressure systems to help each other in times of water system problems or power failures. Since the South System is currently served by Water Well 9, booster pumps and a hydro-system at Water Plant No. 2 and this facility also contains an Elevated Storage Tank that can serve the North Zone, it's recommended to install a generator at this facility to run all mechanical equipment to provide greater than 35 psi during a power outage. This generator is currently under design/bidding/construction and will be in operation Spring 2020.

Water Line - Meter Capacity

TCEQ provides a table of maximum number of connections allowable for various water line sizes starting with a 2-inch line in 30 TAC §290.44(c). However, the City does have existing lines smaller than 2-inches. For these lines, reference is made to the Texas Rural Water Association's (TRWA) residential meter equivalents table. We assume the maximum number of connections allowable for these undersized lines is the same as that of a like sized meter. As an example, per TRWA, a 1-½" meter is equivalent to 5 residential meters. Thus a 1-½" waterline is assumed to serve a maximum of 5 residential meters. Bear in mind, these minimum line sizes are for domestic flows only and do not consider fire flow.

Minimum Waterline Sizes based on meters:

- 1" - 3 Connections
- 1-1/2" - 5 Connections
- 2" - 10 Connections
- 2-1/2" - 25 Connections
- 3" - 50 Connections
- 4" - 100 Connections
- 6" - 250 Connections
- 8" and larger - > 250 Connections

A majority of the City of Flatonia Water Lines meet TCEQ Meter Capacity requirements for not having too many meters on a certain diameter line, except two:

- *1" Line that has 4 meters to the M&M Trailer Park on E. Seventh Street, between Cedar & Mesquite. This line needs to be upgraded to a minimum 2" Line, but 3" water lines are always recommended in order to address future growth;*
- *1" Line that has 4 meters on W. 7<sup>th</sup> Street between Penn & Hudson Streets. This line needs to be upgraded to a minimum 2" Line, but 3" water lines are always recommended in order to address future growth;*
- *Please note that the 2" Water Line along S. Pecan Street on the southeast part of town off US 90 East has 9 meters, so it's at 90% capacity. It is doubtful this line could be used for any irrigation type meters/sprinkler systems.*

**Hydraulics**

**System Hydraulics and Fire Hydrant Flow Rates**

KYPIPE Version 10.001 (5/13/2019) was used to model the City's water distribution system. Multiple factors are used as inputs into the software to characterize the distribution system including, but not limited to, line size, length, material and age, number of meters on each pipe run, ground elevation of each individual line, fire hydrant, valves, plant tanks and equipment. The model prepared for this report is considered a static model which provides an analysis for a particular point in time.

TCEQ requires that a public water system be capable of maintaining a minimum 35 pounds per square inch (psi) at a flow rate of 1.5 gallons per minute per connection {30 TAC §290.44(d)}. The City has meter sizes ranging from 5/8"x3/4" to 4". Below is a table showing a breakdown of the meters that make of the water system.

City of Flatonia Meter Breakdown	
<i>Meter Size</i>	<i>Number</i>
5/8" x 3/4"	744
1"	50
1 ½"	1
2"	17
3"	2
4"	3



In order to account for meters larger than the standard residential 5/8"X3/4" meter, AWWA provides a meter equivalents table. These values are factored into the hydraulic model.

AWWA Meter Equivalency	
<i>Meter Size</i>	<i>Residential Meter Equivalents</i>
5/8" x 3/4"	1.0
1"	2.5
1 1/2"	5.0
2"	8.0
3" DISP.	9.0
4" CMPD	25.0

The City of Flatonia’s water system is divided into the North and South Pressure Zones. The Northern Zone pressure is controlled by the water level within the City’s three elevated storage tanks. The Southern Zone pressure is controlled by Water Plant No. 2 service pumps and a hydropneumatic tank at a pressure setting range of 52-62 psi. Evaluating the system at 52 psi equates to the lowest anticipated pressure the system should experience assuming normal daily operation and the water plants functioning properly.

Overall, the City is in 100% compliance with TCEQ’s rule stating a minimum of 35 psi in all areas of the water system during a demand-cycle of 1.5 gpm/meter. Most of the pressures within Northern Zone range between 40 and 55 psi, while pressures within the Southern Zone range from 40 to 75 psi.

KY Pipe is able to evaluate each fire hydrant’s calculated potential fire flow. The model performs a theoretical flow test on each fire hydrant individually until a minimum pressure of 20 psi is reached at some location within the model. The minimum pressure is usually experienced at the location of the hydrant in question, but may also occur at some other locations within the system. It should be noted that the results produced by the model may not reflect actual achievable fire flow due to orifice head losses experienced at the hydrant and extreme head losses that could occur within the system due to absorbent line velocities. However, these unachievable calculated flow numbers usually occur at hydrants boasting unusually high flow numbers. Ultimately, the model attributes a National Fire Protection Association (NFPA) color classification to each hydrant. Below is a table explaining the color system:

<b>NFPA Hydrant Color Classifications (NFPA 291)</b>		
<b>Color</b>	<b>Flow Produced</b>	<b>Applicability</b>
Blue	1500 GPM or More	Very Good Flow
Green	1,000 – 1,499 GPM	Good for residential Areas
Orange	500 – 999 GPM	Marginally Adequate
Red	Below 500 GPM	Inadequate

The lowest hydrant available flows shown by the model on the end of dead-end 6” lines at 475-700 GPM throughout the system and a few other hydrants at 700-1,500 GPM, but the majority of the hydrants throughout the remainder of the system are 1,500 GPM or greater. For the northern zone, the following improvements result in the following available fire flows (AFF):

- *New 8” line through the alley between North Main & 7<sup>th</sup> Streets, from Converse to Faires – Additional 700-1,200 GPM AFF;*
- *New 8” line along SH 95 north and looping the 6” line along Nickel-Mica Road – Additional 500-1,000 GPM AFF;*
- *New 8” line loop from Prototype to US 90 along FM 2762 – Additional 400-700 GPM AFF;*
- *New 6” lines along La Grange & Elm Streets between US 90 East & RR Tracks – Additional 1,000 GPM AFF.*

It should be noted that available fire flows along the north side of I-10 and FM 609 business corridors are just under the 1500 GPM threshold. Future consideration of a water plant on the north side of I-10 should be evaluated as these growth corridors continue to expand.

The southern zone available fire flows are all above 1,000 GPM with the exception of the high elevations on the hill along the south side of Flatonia, west of SH 95. However, it should also be mentioned that the southern system actual fire flow is limited by the two-300 GPM booster pumps with supplemental help from the northern system elevated storage tanks for the lower elevations of the southern system.

- *New 8” line along E. Second St. starting at Market & heading eastward to Flatonia ISD, including School St. – Additional 1,000 GPM AFF along 2<sup>nd</sup> & School Streets and 400 GPM in Flatonia ISD areas. This additional 400 GPM at Flatonia ISD improves AFF to above 1,500 GPM.*

In summary, the water system provides adequate available fire flow, but a few areas need to be looped or upgraded as described above to improve available fire flow. While some available fire flows along 4<sup>th</sup>, 5<sup>th</sup> & 6<sup>th</sup> Streets are less than 1,500 GPM this is based upon dead-end lines due to the North-South Zone Pressure Zone division, it will actually be above 1,500 GPM AFF when

the pressure reducing valves or check valves open to provide pressurized water from one source or the other.

### Miscellaneous Water System Information

The City presently has iron & manganese from water drawn from Water Well 9 and iron, manganese & arsenic from Water Wells 10 & 12. Polyphosphates are used to sequester the iron & manganese at WW9. Filtration treatment is used at Water Plant No. 3 to treat the iron, manganese & arsenic from WWs 10 & 12. The filters at WP3 are backwashed with pressurized, treated water from the pressure side of the booster pumps. Backwash is discharged to a backwash settling tank. Once settled, the clear portion of the backwash tank is pumped back through the filters into the ground storage tank. The solids remaining in the bottom portion of the settling tank are held in the tank until the volume dictates removal to the City's WWTP.

The system currently has an average unaccounted annual water loss of 8.5% as reported on the Texas Water Development Board Annual Water Audit Reports for Years 2016-2018. Water loss and percent water loss per month includes only unaccounted water and not water loss due to flushing and leaks. Unaccounted water can be attributed to inaccurate flushing and leak measurements, unknown leaks, and unaccounted fire department use. An unaccounted water loss of 8.5% is a little lower than nationwide averages and is not considered to be a serious issue. However, the City does monitor this loss monthly and if it gets high enough and leaks are continuously experienced in a certain area of the system, then those lines are replaced.

### Summary/Recommendations

Overall, the City of Flatonia Water System satisfies all the TCEQ Ch. 290 plant capacity requirements and service pressure requirements. There are a couple isolated areas of 40 psi at the high elevations on the extreme south & northeast parts of the system, as well as the dead-end lines where the north system intersects into the south system at the check and pressure-reducing valves. There was one potential violation related to number of connections on a given line with a 1" line within the M&M Trailer Park that has 4 meters and a 1" line on W. 7th Street between Penn & Hudson Streets that also have 4 meters. These lines can be easily rectified with 2" minimum (3" recommended) water lines in these areas. The larger issue is the distribution system lacks, in certain places, the ability some hydrants to provide adequate fire flows per International Fire Code. A majority of these areas will be addressed with upgraded and looped water lines in these areas along SH 95 North, Nickel-Mica & Slaughterhouse Roads, Prototype Road, FM 2762, US 90 West, East Old Spanish Trail and Flatonia ISD. Another existing water system need will be painting all 3 elevated storage tanks and the Water Plant 2 Pressure Tank. The City also wants to look at a new water well into one of the larger producing aquifers in this area, the Carrizo Aquifer at the South Water Plant No. 2. In the Flatonia Area, this aquifer is deep at around 2,750-3,500 feet below ground based upon an oil well supply well drilled on the SW side of the City. Before drilling this deep, BEFCO recommends looking into other Carrizo wells in this area for water quality. Due to the recent structural issues with Water Well 10, it's also recommended to plan for a new water well at Water Plant No. 3 to replace ex. Water Well 10.

The City also wants to replace/upgrade the Water Plant No. 3 Booster Pumps to facilitate pumping more water to the City and install new electrical VFD control panels to provide for efficient pump operation. Additionally, at Water Plant No. 3, City staff wants to tie-in the filter system, level and lockouts to the existing radio control system to send alarms to Water Plant No. 2. Lastly, Water Plant No. 2 Improvements include adding a generator & wireless autodialer, as well as replacing the aged 8" AC Water Lines with new 12" PVC water lines from the plant site to Old Hallettsville Road. While the Northern Pressure Zone has adequate elevated storage and check valves to provide water to the Southern Pressure Zone to possibly negate the need for a generator, there would be several connections that experience less than the TCEQ-required 20 psi during these emergencies. The generator would also provide power to the Southern Zone booster pumps that can provide the TCEQ-required 20 psi during emergencies. The new generator, control panels and associated electrical improvements will be in operation in Spring 2020.

The only areas of continual maintenance for the City are the aged asbestos-cement water lines. A majority of these lines are scheduled for replacement with new PVC water lines as shown on the Future Water System Map with estimates shown below. There are additional AC lines throughout the City not highlighted on the Future Map and those will be replaced as funds allow.

**City of Flatonia**  
**2030 Comprehensive Plan**  
**PRELIMINARY OPINION OF CONSTRUCTION COST**

Prepared By BEFCO Engineering, Inc.

Date: 10/31/19

Item	Description	Quantity	Units	Unit Price	Total
<b>WATER IMPROVEMENTS</b>					
1	New Carrizo Water Well including Test Well				\$2,625,000.00
2	Paint Pressure Tank				\$20,000.00
3	Paint 50,000-Gallon Elevated Storage Tank (60' Height)				\$200,000.00
4	New Wireless Autodialer and Programming for All Alarms				\$10,000.00
5	Paint 50,000-Gallon Elevated Storage Tank (Rivoted/Latticed Tin Man-125' Height)				\$350,000.00
6	Paint 100,000-Gallon Steel Welded Elevated Storage Tank (150' Height)				\$225,000.00
7	New Water Well to replace Ex. Water Well 10 including test well				\$625,000.00
8	New 500 GPM Booster Pumps with VFDs inc. Electrical, SCADA & Piping				\$150,000.00
9	Add Alarm Conditions for Filters, Level & Lockout and send to Water Plant No. 2				\$10,000.00
10	New 12" PVC Piping to replace ex. 8" AC Piping in Water Plant 2 Yard Area				\$50,000.00
11	2" PVC In Easement West of Colorado St. Between 6th & South of RR Tracks				\$30,000.00
12	S. Colorado St. between 4th & 5th Streets				\$70,000.00
13	S. Mill St. from 6th St. to South City Limits Line/Fire Hydrant				\$280,000.00
14	S.Faires St. (SH 95) from 6th St. to Alley to the North				\$70,000.00
15	S.Faires St. (SH 95) between 1st & 4th Streets (2 Sections)				\$170,000.00
16	W. 4th St from west side of Faires (SH 95) to Colorado St. - NOTE TxDOT Bore already done				\$150,000.00
17	W. 3rd St. between Mill & Colorado Streets				\$60,000.00
18	W. 2nd St from west side of Faires (SH 95) to Mill St.				\$80,000.00
19	South Zone - S. Penn St between 1st & 2nd Streets				\$70,000.00
20	E. 2nd Street b/w Market & Middle Streets - School St 2nd to 4th St. - E. 4th St School to Flatonia ISD				\$270,000.00
21	Alley From S. Market St. to S. Converse				\$90,000.00
22	N. Converse From Alley South of RR Tracks to North Main Street				\$250,000.00
23	S. La Grange St. from North Main (US 90) south to & along E. Old Spanish Trail				\$140,000.00
24	S. Pecan St. from North Main (US 90) south to & along E. Old Spanish Trail				\$120,000.00
25	S. Elm St. from North Main (US 90) south to just north of E. Old Spanish Trail				\$120,000.00
26	W. 7th St. between Penn & Hudson Streets				\$40,000.00
27	W. 7th Street - Water Line to M&M Trailer Park				\$30,000.00
28	E. 11th St. from FM 609 to Alley, North in Alley b/w 11th & 12th Streets, 12th b/w FM 609 & Hackberry				\$140,000.00
29	N. Converse St. from 9th to 12th Street				\$120,000.00
30	4" Line to Grumpy's				\$50,000.00
31	12" Line along Market from 12th Street across I-10 to Sewer Plant Entrance				\$530,000.00
32	8" Water Line along SH 95 for Future Development & Fire Protection				\$640,000.00
33	6" Water Line to Complete Nickel-Mica Loop				\$130,000.00
34	8" Water Line Loop from Prototype Rd to W. 7th St (US 90 West)				\$150,000.00
35	8" Water Line to Replace Ex. 2" WL along US 90 West & 8" WL Extension to Fayette WSC Interconnect				\$1,050,000.00
<b>Water Construction Subtotal</b>					<b>\$9,115,000.00</b>
<b>Contingency (10%):</b>					<b>\$911,500.00</b>
<b>ENGINEERING\SURVEYING (10%):</b>					<b>\$911,500.00</b>
<b>INSPECTION (3%):</b>					<b>\$273,450.00</b>
<b>LEGAL (1%):</b>					<b>\$91,150.00</b>
<b>INTEREST DURING CONSTRUCTION (1%):</b>					<b>\$91,150.00</b>
<b>Grand Total:</b>					<b>\$11,400,000.00</b>

Notes:

- BEFCO Engineering, Inc. does not guarantee or warrant that quantities, bids or actual costs will not vary from the professional opinion of probable cost shown herein. Costs reflected herein are based on professional opinions based on experience, available data and limited conceptual engineering design. BEFCO Engineering, Inc. has no control over the cost of construction such as labor, materials, equipment, etc.
- Cost estimate assumes lines will be placed in TxDOT right-of-way and that no easement acquisition will be required.

While the budgets associated with these improvements are quite excessive, they will help to continue to improve water system water loss and service reliability. Even more importantly, will improve available fire flows to improve fire protection and insurance ratings through the Insurance Services Organization (ISO). Improved fire protection ratings will help the City's citizens reduce fire insurance premiums. When these water lines are installed, gate valves for isolating the system during maintenance & fire hydrants for fire protection will be added. Finally, water line improvements along SH 95 North & US 90 West will improve flows & pressure, they will also provide for future development along these higher-probability growth corridors. These larger lines along SH 95 North & US 90 West can also be used for future interconnects with Fayette WSC. Please note that the pressure from Fayette WSC is higher than the pressure of the City's water system at the present settings.

## **SECTION E. WASTEWATER SYSTEM**

The purpose of this study is to provide general information on the City of Flatonia's existing wastewater system. City Staff provided Langford & Associates and BEFCO Engineering the information for this study. The existing system is identified on the existing sewer system map.

The wastewater study is divided into an analysis of existing conditions and system improvements. The existing wastewater system conditions are broken down by a needs assessment of the treatment and collection facilities. At the end, a summary includes a list of recommendations by priority and associated cost estimates.

### **Overview**

For the purpose of this study, the following factors were taken into consideration in the development of this analysis:

- Service Area
- Present Population and Future Growth
- Existing Wastewater Plant Location, Type of Treatment & Capacity
- Characteristics of Existing Wastewater Discharge & Receiving Stream
- Existing Collection System Topography, Layout & Operation
- Unserved Residential Areas

The design & operation of wastewater facilities entails the understanding of the relationship between these factors. That is, simple changes in the system operation or an increase in the service area can have simple or significant impacts on the system. This report will examine each of the above described areas. It should be noted that the City of Flatonia sewer system is currently not under any enforcement from the TCEQ.

## **WASTEWATER SYSTEM INVENTORY AND ANALYSIS**

Presently, the City of Flatonia service area encompasses an area of approximately 1,100 acres of land. The City currently serves approximately 680 sewer connections, the City was unable to provide any long-term sewer connections data, so a sewer system growth rate was unable to be determined. Generally, the sewer system serves all areas within the city limits and all major corridors along I-10, SH 95, US 90 and FM 609. It should also be noted that a sewer extension along FM 609 was constructed to Flatonia RV Ranch on top of the hill towards the north, which will allow any commercial or residential construction along FM 609 towards La Grange.

Although the population of Flatonia has shown growth since 1980, Flatonia has traditionally been a very stable community. Refer to the table shown below for population projections as provided from the Texas Water Development Board (TWDB) website:

### **Regional Water Plan Population Projections for 2020-2070**

Entity Id	City Name	2020	2030	2040	2050	2060	2070
1562	FLATONIA	1,598	1,824	1,977	2,103	2,203	2,279

Based on the above, the growth rate is expected to be about 14-15% over the next 10 years. At a 14-15% growth rate, the number of sewer connections will increase to about 775 connections by 2030.

The City's wastewater treatment plant (WWTP) is located on the north side of Interstate 10 near Big Five Mile Creek. The existing WWTP consists of a lift station, aeration lagoon, facultative lagoon and 3 stabilization ponds. The WWTP Lift Station receives waste from the collection system and pumps it up into the aeration basin, then waste flows by gravity through the aeration lagoon, facultative lagoon and 3 stabilization ponds. The effluent flow at the treatment plant is presently measured daily by a v-notch weir, then it flows by gravity through a manmade ditch on the WWTP property to Big Five Mile Creek near the lift station. The aeration lagoon contains four-7.5 Hp and two-10 Hp Surface Aerators that require significant electrical demands. The facultative lagoon provides additional treatment and subsequent stabilization ponds allow settling to polish the waste to meet TCEQ effluent standards of 30 mg/L Biological Oxygen Demand (BOD), 90 mg/L Total Suspended Solids (TSS) and pH of 10. To ensure harmful bacteria are not discharged to the receiving stream and the facility meets the TCEQ E-Coli effluent standards of 126 MPU/100 mL, the WWTP has a minimum detention time of 21 days. The WWTP is currently permitted for an average flow of 250,000 Gallons per Day (0.250 MGD). The City recently completed the TCEQ Discharge Permit Renewal process. The renewed discharge permit will be valid for 5 years until October 7, 2024. Additionally, over the years, the City has spent hundreds of thousands of budgeted dollars to remove sludge from the pond system. Sludge is a byproduct of wastewater treatment and for a pond system, biological digestion during the warm months of the year typically doesn't keep up with sludge generation. This sludge removal is an ongoing 5-10-year cyclical process that the City will continue the need to budget for. Another issue that affects the WWTP according to staff is

grit/solids from the collection system entering the WWTP pond system. The City is looking into mechanical dredging and biological sludge digestion methods to help manage WWTP sludge levels & address grit/solids as well.

Data from the WWTP has been recorded since the plant was expanded in the late 1990s. The following is data from April 1999 to the present, with the exception of E-Coli which is April 2009 to the present:

Wastewater Data After Late 1990s Construction		
Average Flow	0.112	MGD
Average pH (Influent)	7.35	
Average BOD-5 (Influent)	251.34	mg/L
Average TSS (Influent)	192.07	mg/L
Average pH (Effluent)	9.00	
Average BOD-5 (Effluent)	18.31	mg/L
Average TSS (Effluent)	47.12	mg/L
Average Fecal Colif. (Effluent)	510.88	#/100 mL
Average E-Coli (Effluent) - Since April 2009	28.11	#/100 mL
Average Dissolved Oxygen (Effluent)	8.78	mg/L
Average Ammonia Nitrogen (Effluent)	0.29	mg/L
Average Temperature (Effluent)	21.854657	deg C

Based upon the effluent data above, the WWTP meets the TCEQ effluent discharge parameters. Periodically, the plant has some single effluent exceedances of TSS and E-Coli but the average typically is in compliance even during these times of periodic single exceedances. These exceedances typically occur when the ponds “turnover” during the Fall/Winter and Winter/Spring transition periods. The WWTP discharges directly to Big Five Mile Creek and ultimately to Peach Creek & Guadalupe River. Peach Creek is listed as an impaired water body by the TCEQ, as a result, the TCEQ will not approve additional BOD loading. This means any proposed discharge above the current permitted 250,000-GPD flow will require improvements to decrease effluent loading to a level equal to or less than current permitted levels based on 250,000 GPD. If the City were to decide to go to a mechanical plant that can produce an effluent with a BOD of 10 mg/L, 15 mg/L TSS and pH of 6-9, then the City could increase the flowrate up to 750,000 GPD or 0.750 MGD. This is because the effluent BOD & TSS loading in



pounds per day on Peach Creek would be the same for a 0.250 MGD Pond System and 0.750 MGD Mechanical System.

The WWTP presently experiences an effluent flowrate of 0.112 MGD, while the permitted rate per the City's TCEQ discharge permit is 0.250 MGD. Therefore, the actual WWTP flowrate is 45% of the discharge permitted flowrate. Using 680 existing connections and an effluent flowrate of 0.112 MGD results in an average usage of 165 gallons per day (GPD) per connection. TCEQ Ch. 217 Regulations state that once a plant reaches 75% (187,500 GPD) for 3 consecutive months, the City needs to begin planning for a new WWTP. When the WWTP reaches 90% (225,000 GPD) for 3 consecutive months, the City needs to be constructing a new WWTP. Based on this 165 GPD average flowrate per connection, the sewer system can add up to 455 connections prior to reaching 75% and 685 connections prior to reaching 90%. However, if large scale commercial users are added to the system in the future, the number of connections to reach the 75% or 90% thresholds will be less. The average daily discharge flows should be reviewed annually and after new non-residential connections are added to the system in an effort to monitor the proximity to the 75% and 90% thresholds.

The City has discussed several alternatives for WWTP improvements over that last several years including an effluent polishing pond to improve effluent discharge, hybrid aerators for biological sludge digestions, mobile dredgers and new mechanical plant to improve effluent discharge & allow for growth. WWTP are a major financial investment and this will be more thoroughly analyzed & planned when flowrate reaches 75% of the current permitted effluent flowrate on a more consistent basis. During the next decade, the City will need to address sludge removal and perhaps planning/design/budgeting for a new wastewater treatment plant, if growth dictates. BEFCO also recommends an Industrial Pretreatment Ordinance be developed and adopted to address future industrial discharges to the City of Flatonia wastewater system.

The existing sewer collection system is adequate for the present customer base. However, if growth occurs within the current service area, some of the lines could exceed their capacities. The sewage system should be closely monitored to avoid any overloading problems. For collection system expansion, this will be developer driven and will most likely occur along the major highway corridors for commercial expansion & where land is available with nearby infrastructure for residential/multi-family expansion.

Topography of the area is very gently rolling with very good excavation characteristics. Very little or no rock is present and very little ground water exists near the surface. However, the City is at a high point at the start of drainage basins to the Navidad and Guadalupe River Basins. Consequently, the west, southwest & north sides of town slopes downward to the northwest, while the east & northeast portions of town slope downward to the southeast. This makes it challenging for gravity sewer lines to slope towards a common downslope point. As a result, the City has 7 lift stations and expansion of the collection system would most certainly require several more lift stations. The following is an inventory of the lift stations:

Flatonia Lift Stations						
Lift Station #	Address	pump hp	# of Pumps	voltage & phase	comments	
Sewer Plant LS	345 E. IH 10 Frontage Rd.	5 HP	3	240, 3 ph.	Hydromatic	S4H500M3-4
#1	708 Collins	5 HP	2	240, 1 ph	Myers	SP50-21D-FE-C
#2	120 S. Mesquite	2 HP	2	240, 1 ph		
#3	532 W. Ninth St.	2 HP	2	240, 1 ph	Hydromatic	HPG200M2-2
#4	1135 E. US Hwy 90	5 HP	2	240, 1 ph	Myers	3WHV59M4-21
#5	499 E. IH 10 Frontage Rd.	3 HP	2	240, 3ph corner grd.	Grundfus	SLV.303A30.3034361R.C
#6	1159 E. Old Spanish Trail	2 HP	2	240, 1 ph	Myers	EP20-210-FBC
#7	1508 E. US Hwy 90	2 HP	2	240, 1 ph	Myers	EP20-210-FBC
PD	225 E. South Main	1.5	1	240, 1 ph	personal lift	120 V, PHI
Legion Hall	1225 E. US Hwy 90	2	1	240, 1ph	personal lift	WGL 20-21
Golf Course	1245 E. US Hwy 90	2	1	240, 1 ph	personal lift	WGL 20-21

On the eastern side of the City, multiple lift stations exist within close proximity. A goal for the future is looking to see if some of these lift stations can be eliminated and flow to a common lift station along Mulberry Creek at or near existing Lift Station 7. LS7 is at a good location to serve existing residential & commercial areas on the east side along US 90, but also can serve future residential, multi-family & commercial development along US 90 & north along Jares Lane. As future development occurs on the east side of Flatonia, combining all these lift stations can be evaluated. A cost is not included since this will be development\growth driven and timing is unknown.

Sewer collection system facilities consist of four (4) to twelve (12) inch vitrified clay, concrete sewer pipe and PVC. The sewer extensions and replacements over the last 20-30 years have been with PVC pipe. Since the formal adoption of the 2010 Comprehensive Plan, City staff and capital improvement projects have addressed a majority of the aged, deteriorated infrastructure listed in that plan. The City presently conducts periodic smoke testing and manhole inspections to determine areas of high infiltration & inflow (I/I). The smoke testing is typically done during

dry periods to allow for the smoke to migrate through cracks in the pipe and ground. During the most recent smoke testing in 2019, the City identified approximately 10 areas that were point repaired by City crews. Additionally, the City replaced a “ton” of cleanouts. The City will continue to annually conduct this smoke testing & repairs. The majority of the issues associated with the sewer collection system still involve aged, deteriorated clay & concrete lines in the older parts of town, particularly on the south part of the City. The following is a list of existing infrastructure that needs to be addressed per City staff:

<b>City of Flatonia</b>					
<b>2030 Comprehensive Plan</b>					
<b>PRELIMINARY OPINION OF CONSTRUCTION COST</b>					
Prepared By BEFCO Engineering, Inc.					Date: 10/31/19
Area	Description	Quantity	Units	Unit Price	Total
<b>WASTEWATER IMPROVEMENTS</b>					
1	Alley along W. South Main St., west of Faires St.				\$50,000.00
2	W. Sixth St East/West of S. Colorado St.				\$90,000.00
3	Alley east of S. Colorado St. between W. 5th & 6th Streets				\$40,000.00
4	W. 5th St. west of S. Faires St.				\$60,000.00
5	W. 1st St. east of S. Mill St.				\$40,000.00
6	S. Faires St (SH 95S) from W. 6th St. north to Alley				\$50,000.00
7	W. 2nd St from S. Mill St. to S Hudson St.				\$130,000.00
8	S. Faires St (SH 95S) from W. 2nd St to Old				\$140,000.00
9	S. Hudson St. from Alley north of W. 6th St. to Alley				\$60,000.00
10	Alley between E. 5th & 6th Streets, from S. Hudson to S. Converse				\$180,000.00
11	Alley between E. 4th & 5th Streets, from S. Penn to S. Converse (2 Sections)				\$80,000.00
12	S. Penn St. from Alley between 5th & 6th Streets to Dead End near Old Hallettsville Rd				\$280,000.00
13	S. Market St. from Alley between 5th & 6th Streets to 1st St				\$220,000.00
14	S. Converse St. from Alley between 5th & 6th Streets to 1st St				\$250,000.00
15	E. 4th St. from Converse eastward to Flatonia ISD				\$90,000.00
16	S. Pecan St. from US 90E southward toward Railroad Tracks				\$70,000.00
17	E. North Main St. (US 90E) from Cedar St. westward towards Downtown				\$50,000.00
18	E. Mulberry St. from Cedar to Hackberry				\$40,000.00
19	N. Converse St. from 9th to 11th				\$110,000.00
20	Re-route 6" PVC Sewer Line from Hackberry westward toward FM 609 (Happy Eatery)				\$40,000.00
21	Wastewater Treatment Plant Sludge Removal Allowance				\$500,000.00
<b>Water Construction Subtotal</b>					<b>\$2,570,000.00</b>
<b>Contingency (10%):</b>					<b>\$257,000.00</b>
<b>ENGINEERING/SURVEYING (10%):</b>					<b>\$257,000.00</b>
<b>INSPECTION (3%):</b>					<b>\$77,100.00</b>
<b>LEGAL (1%):</b>					<b>\$25,700.00</b>
<b>INTEREST DURING CONSTRUCTION (1%):</b>					<b>\$25,700.00</b>
<b>Grand Total of ALL Wastewater Project including Soft Costs:</b>					<b>\$3,300,000.00</b>
Notes:					
1. BEFCO Engineering, Inc. does not guarantee or warrant that quantities, bids or actual costs will not vary from the professional opinion of probable cost shown herein. Costs reflected herein are based on professional opinions based on experience, available data and limited conceptual engineering design. BEFCO Engineering, Inc. has no control over the cost of construction such as labor, materials, equipment,					
2. Cost estimate assumes lines will be placed in public right-of-way and that no easement acquisition will be required.					

The above pricing is based upon current contractor pricing over the last several years of bidding. BEFCO does not guarantee these bid prices will equate to actual costs when bidding. Please note that there are not any sewer systems extension cost estimates provided as they will be developer driven and presently, there are not any development projects in the planning stages. Existing lines and lift station capacities will need to be evaluated on an on-going basis as new connections are added. Cost estimates for upsizing lines and lift stations are not included. As stated previously, the capacity of the existing wastewater treatment should be evaluated by the City annually. A new mechanical plant will be a significant cost that is not included in this comprehensive plan.

## **SECTION F. STORM WATER SYSTEM**

The City of Flatonia's existing drainage system consists of drainage conveyance to the City streets and ditches which convey to Big Five Mile Creek running through the City or draining to TxDOT roadways. Existing storm sewer within the City is limited with a majority of the storm sewer being culvert pipes crossing City streets along the alignment of Big Five Mile Creek.

A majority of the City of Flatonia drains to a confluence known as Big Five Mile Creek with its headwaters forming on the south end of the City near Hudson and 3<sup>rd</sup> Street. Big Five Mile Creek generally parallels Hudson Street travelling from 3<sup>rd</sup> Street to a culvert crossing at I-10. Once across I-10, Big Five Mile Creek drains past the City of Flatonia WWTP and eventually discharges to Peach Creek. The east\southeastern portion of the City drains back to the southeast towards Mulberry Creek which eventually discharges to the Navidad River. A portion of the west side of town drains to the northwest into Hog Branch which crosses Fair Park Road\Railroad tracks which drains across I-10 to Big Five Mile Creek. The only mapped FEMA floodplain within the City is for Big Five Mile Creek which was mapped by FEMA in October 2006 and revised in Letter of Map Revision (LOMR) dated December 2008. Reference the existing storm drainage map for floodplain, drainage ways and available storm drainage structures.

City of Flatonia has experienced significant rainfall events over the last 5 years including the following events:

- April 2015 (4.94 inches in 3 hours)
- April 2016 (9.17 inches in 12 hours)
- May 2016 (2.18 inches in 1 hour)
- August 2017 (12.95 inches in 24 hours)

The rain totals are based on LCRA gauges located in La Grange (LCRA does not have gauges in Flatonia). These rainfall events are significant including in excess of the 100-year event occurring in August 2017 associated with Hurricane Harvey. Flatonia's existing drainage system was tested and did not experience significant flooding issues. The current FEMA floodplain maps accurately depict the extents of floodplain in the City and are shown on the storm drainage maps.

Based on the descriptions above the City of Flatonia does not have significant flooding\drainage issues; however, following is a list of drainage deficiencies that could be improved.

1. Lift station at City WWTP has an open wet well top which during larger rain events sees a backup of stormwater from Big Five Mile Creek into the wet well
2. FM 609 becomes partially inundated from 12<sup>th</sup> Street to I-10 (TXDOT storm drainage system deficiency)
3. Intersection at the southeast corner of FM 609 and I-10 becomes inundated (TXDOT storm drainage system deficiency)
4. A drainage backup occurs (consistent with FEMA Floodplain Mapping) at the culvert where Big Five Mile Creek crosses the railroad track through the City of Flatonia. Culvert is a Union Pacific railroad culvert crossing (UP drainage system deficiency).
5. A drainage backup occurs on the west side of 6<sup>th</sup> Street at Railroad tracks due to an unmaintained railroad right-of-way ditch (UP drainage system deficiency)
6. A drainage backup/inundation of SH 95/North Penn occurs due to an undersized culvert conveying Big Five Mile Creek across SH 95 (TXDOT storm drainage deficiency).

The following proposed improvements and/or policy related recommendation are proposed to address the deficiencies noted above.

1. In order to address the drainage backup into the Lift Station located at the City WWTP, a containment berm, containment curb, steps and concrete flatwork could be constructed around the perimeter of the open wet well basin. The estimated cost for this improvement is \$150,000. The goal for this improvement is to be completed by 2030. City has submitted a FEMA grant application to fund this project.
2. TxDOT will need to upgrade the existing storm sewer system in FM 609 from 12<sup>th</sup> Street to I-10 in order to improve the existing drainage condition. This project would be in TxDOT right-of-way and be a TxDOT funded project; therefore, timeline and cost for proposed improvements is not provided. City of Flatonia will urge TxDOT to make improvements to the existing system over the next 10 years.
3. TxDOT will need to upgrade the existing culvert system under I-10 from the southeast corner of FM 609/I-10 to the north and then back to the west towards Big Five Mile Creek. This project would be in TxDOT right-of-way and be a TxDOT funded project; therefore, timeline and cost for proposed improvements is not provided. City of Flatonia will urge TxDOT to make improvements to the existing system over the next 10 years; however, it is more likely improvements to this

drainage condition will not occur until TxDOT makes improvements to I-10 which are slated to occur over the next 10 to 20 years.

4. Union Pacific will need to upgrade the existing culvert where Big Five Mile Creek crosses the railroad track. This project would be in UP right-of-way and be a UP funded project; therefore, timeline and cost for proposed improvements is not provided. City of Flatonia will urge UP to make improvements to the existing system over the next 10 years.
5. Union Pacific will need to regrade, mow and maintain the existing railroad ditch between the existing railroad drainage crossing at Hog Branch back up to W. 6<sup>th</sup> Street. This project would be in UP right-of-way and be a UP funded project; therefore, timeline and cost for proposed improvements is not provided. City of Flatonia will urge UP to grade and maintain the existing ditch over the next 10 years.
6. TxDOT is in the planning phase of SH 95 reconstruction. It is recommended that TxDOT upgrade the existing box culverts where Big Five Mile Creek crosses SH-95. This project would be in TxDOT right-of-way and be a TxDOT funded project; therefore, timeline and cost for proposed improvements is not provided. City of Flatonia will urge TxDOT to upgrade the culverts at time of SH 95 reconstruction project.
7. City will continue to perform periodic ditch cleaning\mowing maintenance in an effort to minimize obstructions in the existing drainage system.

Reference the Future Storm Drainage Map in the Appendix of this plan for location of the planned drainage improvements to the system.

## **SECTION G. ELECTRIC DISTRIBUTION SYSTEM**

City of Flatonia owns and operates the electric distribution system within the City limits and portions beyond the City limits. City's electric distribution system consists of a series of conductors, poles, transformers and associated hardware. City of Flatonia's electric power source is the Lower Colorado River Authority (LCRA) and is fed to the City at an LCRA substation located on the south side of town on Old Hallettsville Road. LCRA also provides power to the City of Flatonia at a small substation located in Engle, which is located approximately 5.5 miles east of Flatonia. The City provides electric distribution service to Engle which is a small unincorporated community in Fayette County. The Lower Colorado River Authority (LCRA) provides the mapping, design and modeling of the City's electric distribution system. Reference the Existing Electric System Map in the Appendix of this plan. There are LCRA and Fayette Electric Cooperative electric lines through the City limits and/or ETJ and are not shown on the electric maps for clarity since they are not owned and maintained by City of Flatonia.

City of Flatonia has evaluated their existing electric distribution system and has identified the following deficiencies:

- Over 50-year-old #6HdCu conductor located from the intersection of US Highway 90\Balcones Lane to the west approximately 3.2 miles along US Highway 90.
- Existing single-phase power located from just east of Old Hallettsville Road to the east to Praha approximately 2.0 miles.

The following proposed improvements address the deficiencies noted above, ongoing maintenance needs of the City and future needs.

1. Reconductor the existing #6HdCu electric line to 1/o ACSR from the intersection of US Highway 90\Balcones Lane to the west approximately 3.2 miles along US Highway 90. Goal is to have this line upgraded by 2030 with an estimated construction cost of \$110,000.
2. Upgrade existing single-phase power to three phase power located from just east of Old Hallettsville Road to the east to Praha approximately 2.0 miles. Goal is to have this line upgraded by 2030 with an estimated construction cost of \$80,000.
3. City will perform replacement of poles and tree trimming as needed for the ongoing maintenance of the electric distribution system. Timeframe, location and cost are not estimated since these maintenance improvements will be on an as needed basis.
4. As the City's ETJ is developed, additional electric line extensions will be required. These line extensions will occur as needed; therefore timeframe, location and cost will be determined at time of development of these ETJ areas.

Reference the Future Electric System Map in the Appendix of this plan for location of the planned improvements to the system. City will fund the improvements through their electrical maintenance budget. Electric line extensions to serve new developed ETJ areas will be funded by the end user in accordance with the City's line extension policy.

The City of Flatonia purchases electricity from the Lower Colorado River Authority (LCRA). Rates for wholesale electrical purchase are set by the LCRA Board of Directors in May of each year for the following LCRA fiscal year (July1-June 30). The City of Flatonia passes along to all customers both fuel and non-fuel costs for electricity purchase from LCRA through a Power Cost Recovery Factor (PCRF). PCRF changes are affected by the LCRA Board of Directors rate adjustments each year. City of Flatonia anticipates a rate change for electric usage in the next 10 years based on ongoing wholesale electric costs and maintenance costs. Rates will be evaluated annually to

determine when a rate increase is appropriate to meet the wholesale and maintenance needs of the system.

## **SECTION H. RECREATION AND OPEN SPACE**

Parks and open space provide an outlet for the residents of a community to come together for sports, recreation, and exercise.

### **Recreation and Open Space Inventory**

The City of Flatonia has the Flatonia Golf Course, American Legion Hall, Garbade Park, McWhirter Park, Mulberry Creek Connector Park, Railroad Park, and the 7 Acre Park Central Park. The 7 Acre Park Central Park features a multi-purpose soccer field, a skate park, a walking trail, disc golf course, benches, and Parking.

There are numerous State parks and recreation areas located a short drive from Flatonia and offer historic/educational programs, recreation, camping, hiking, bird watching and sight-seeing. Some of the nearby State Parks and Natural areas include Monument Hill State Park, Welhausen Park, McKinney Roughs Nature Park, Palmetto State Park, and Buescher State Park.

### **Recreation and Open Space Analysis**

Space not used for buildings or structures may be defined as open space. It may be land or water in urban cities or rural areas. It may also be park space. Three functions that open space areas serve are:

1. Open spaces can meet human needs in recreation amenities through the physical and psychological senses.
2. Open space enhances and protects our natural resources such as air, water, soil, plants, and animals.
3. Open space has an impact on economic development decisions, affects development patterns and real estate values.

Important local considerations in planning park and recreation sites in a community are:

1. Locate lighted and noisy park activities away from residential areas.
2. Small park sites with children's playground equipment needs to be located away from busy highways.
3. The location and conditions of existing recreation facilities.



4. Conditions and type of recreation facilities at school grounds and availability of the facilities to the public.
5. Landscaping.
6. Availability of land to expand park facilities.
7. Adequate city staff to provide park maintenance
8. Local budget

The National Park and Recreation Association recommends a total of 30 acres of parkland per 1,000 persons. This amount can be allocated in any combination of park types. The recommended allocation for each of the three park types listed below for every 1,000 persons are as follows:

- Ten (10) acres of park land for recreational use;
- Ten (10) acres in “green” areas such as scenic parks, streams, parkways, etc.
- Ten (10) acres in a natural area.

### **Recognized Park Types and Standards**

The size of a park usually determines the park type such as playground park, neighborhood park, community park, etc. This provides a tool that can be used in community planning to determine the amount and size of future parkland requirements for the city.

- **Playground Park** – A playground park is small, typically from 2,500 square feet to one acre and services a two to three block area around the park. In some areas, a playground park is also referred to as a mini park. Facilities in a playground park include playground equipment, park benches, picnic tables, drinking fountains, hard surface courts for a variety of activities.
- **Neighborhood Park** – In small rural communities Neighborhood Parks are often referred to as the City Park. A neighborhood park is usually divided into different activity areas. There is an area for children with playground equipment, and perhaps a wading pool or splash pad. There is an area for active sports such as football, soccer, softball/baseball, jogging/walking trails, etc. There is an area for group gatherings with picnic tables, bar-b-que grills, and pavilions or canopies. A Neighborhood Park or City Park is usually 5-20 acres and services a one-quarter to one-half mile radius around the park.

- **Community Park** – A community park is larger than a Neighborhood Park but contains some of the same amenities that are found in a Neighborhood Park. The ball fields and tennis courts will have lights for night play. The park may also have a swimming pool and off-street parking. A community Park is usually 20 – 100 acres in size and serves an area from one-half mile to three miles around the park.
- **City Park** – The minimum size for a City Park is 100 acres with the service area being the entire City, usually having a population of 5,000 persons. A City Park may provide space for day camps, lighted overnight camping, and a band shell/performance area in addition to all the facilities provided in a Community Park.
- **Regional Park** – A Regional Park is usually a minimum of 250 acres with a service area within a one-hour drive. A Regional Park often provides activities and facilities which cannot be found in the other types of parks such as large organized campgrounds, boat launches, nature trails, etc.

### Recreation Facilities and Open Space Plan

The existing park facilities on a per acre per capita national comparison shows an adequate amount of open space for the community. However, in looking at the placement of the parks, they are positioned mostly downtown, at the school and on the very eastside of the City. Some small pocket parks/tot lots in the north and southwest portion of the City would correct this disproportional placement of parks in the city.

### Problems Identified

1. Lack of parking areas at the baseball field complex.
2. The City needs more parkland to meet the recommended park acreage.
3. A large variety of recreation facilities are needed.

### Goals and Objectives

1. **Provide park and recreational facilities and programs to serve all ages of the local population.**
  - Obtain information from local citizens on facilities they would like to see in the local parks. Timeline – 2019 and on-going.
  - Continue developing parks in underserved areas of the City. Timeline – 2019 and on-going
  - Consider seeking funding from Texas Parks and Wildlife Department (TPWD) to match the donated fund/lands to best utilize local funds in the development of these parks.
  - Timeline for application, funding, and construction of a new Park. 2022 – 2025

- Create trail system throughout the City for safe access of facilities by foot or bicycle.
- 2. Initiate and carry out a general beautification and environmental improvement program through the formalization of Community Involvement/Volunteerism for Park Development and Maintenance**
- Create Inventory of needed projects. Timeline- 2020
  - Ensure adequate safety at all project sites by providing equipment and supplies as needed  
Timeline- 2019 and ongoing
  - Work with the Texas Department of Transportation to develop a landscape program for the local highways. Timeline – 2019 and on-going. Estimated costs - \$100,000.00. Possible sources of funding – TxDOT Wildflower Program; TxDOT Green Ribbon Landscape Improvement Program; U.S. Forest Service
  - Request the local Texas AgriLife County Agent provide information and workshops to local residents on landscaping, tree planting, tree pruning and the use of native plants and vegetation in landscaping considerations. Timeline – 2019 and on-going. No cost involved.
  - Enlist the use of individual residents and volunteer organizations to assist in the beautification and maintenance of city park facilities. Timeline – 2019 and on-going. No cost involved.
- 3. Add additional facilities as needed to existing parks**
- Add seating and exercise equipment to city trails and facilities
  - Add covers to bleachers at existing baseball and softball fields
  - Additional baseball/ softball fields
  - Add Basketball Courts
  - Improved lighting in all current parks
- 3. Develop maintenance schedules for current park facilities.**
- Through an asset management type schedule, the City will place park facilities on appropriate facility timed replacement, painting and/or general upkeep. Timeline- 2019 and ongoing

### **Potential Sources of Funding**

Texas Parks and Wildlife Department – Land and Water Conservation Fund  
Local Parks, Recreation, and Open Space Fund

Texas Department of Transportation – Funding assistance for local highway landscaping.  
TxDOT Wildflower Program  
TxDOT Green Ribbon Landscape Improvement Program

USDA Rural Development – Community Facilities Program

The UPS Foundation – Funding assistance for tree planting.

## SECTION I. CAPITAL IMPROVEMENTS PROGRAM

Capital improvements programming is the listing of needed public improvements by topics, their urgency of need, multi-year scheduling of the public improvements with their construction dates and determine fiscal resources available to the locality. Scheduling the activities is based on the availability of financial resources and the choice of specific capital improvements to be constructed during the next five to six years. Only major, non-recurring items are included in the Capital Improvements Program as opposed to normal operating and maintenance expenses. It would be inappropriate to include in the Capital Improvement Program expenditure items that occur every year such as salaries, office supplies, etc. Examples of capital improvement projects are:

- New and expanded physical facilities for the City which are relatively large and expensive.
- Large scale rehabilitation or replacement of existing facilities.
- Major pieces of equipment that are expensive and have a relatively long period of usefulness.
- Cost of engineering or architectural studies and services relative to public improvements.
- Acquisition of land by the City for a community facility. This may involve a park, street water or wastewater lines, or a community building.
- Local government benefits through an effective Capital Improvement Program may include:
  - Encouragement of local officials to review needed projects;
  - Assist in establishing priorities to carry out community facilities;
  - Assist the community to better schedule public improvements that require more than one year to construct;
  - Provide an opportunity, assuming funds are available, to purchase land before costs increase;
  - Provide an opportunity for long-range financial planning and management;
  - Stabilize tax rates through intelligent debt management;
  - Avoid such mismanagement as paving a street one year and tearing it up the next year to replace a waterline;
  - Offer an opportunity for citizens and public interest groups to participate in decision making;
  - Contribute to a better overall management of City affairs.

General steps to the City's comprehensive planning process as undertaken in the 2019 planning program are illustrated below. Only through the actions of the City Council, staff, local planning bodies and in general, the citizens can the prepared plans be adopted or accepted for implementation by the City. Phase 2 of the Comprehensive Plan is the implementation step. A form for local use in identifying strategies for City Council action is included hereafter. Even though it may take many years to implement most of the planning recommendations, the planning process should continue as implementation and changes bring about new insight.

Planning activities included in the 2019 Comprehensive Planning project are:

- Mapping
- Housing
- Population
- Land Use
- Economic Development
- Streets
- Water System
- Wastewater System
- Storm Drainage
- Recreation and Open Space
- Capital Improvements Program
- Subdivision Ordinance Update
- Zoning Ordinance Update

Implementation of the City's Comprehensive Plan can occur in many ways, by various organizations, individuals and government agencies. The sample Zoning Ordinance prepared as part of the Comprehensive Planning Program, the Subdivision Ordinance, and other codes and ordinances will assist the City in directing development in an orderly compatible fashion. Administration of these ordinances should enhance the appearance and can be effective in maintaining property values in the City of Flatonia. Ordinance jurisdiction for Zoning is within the corporate limits while the Subdivision Regulations include the corporate limits plus the extraterritorial jurisdiction.

### **ZONING ORDINANCE**

The proposed sample Zoning Ordinance provides the City an orderly process for land use management, which permits and encourages development of similar functions in a designated section or district zone within the City. State legislation permitting a City to adopt a Zoning Ordinance, requires all land within the City be placed into one of the Ordinance District Zones.

### **SUBDIVISION ORDINANCE**

Subdivision controls can assure the probability that land will be platted and developed in a way that the property owner and local citizens benefit. Local advantages arrived through the subdivision regulations enforcement are:

- Assist in maintaining a stable tax base through the approval of adequate construction of subdivisions;
- Improved quality control through the assurance of engineered water and wastewater facilities;

- Improved street and drainage systems that are designed in accordance with established right-of-way and pavement standards and which will conform to existing streets and proposed thoroughfares.

The City has subdivision control within the City and the extraterritorial jurisdiction. All plats within the City's jurisdiction should bear the City's appropriate signature prior to recording by Fayette County. If the city intends to withhold the extension of utilities to a particular tract of land within the extraterritorial jurisdiction, because the subdivision was not constructed in accordance with City Codes, the City's intent should be recorded.

**ANNEXATION**

Flatonia should continue moving along IH 10 by annexing property and extending the city limits to include both sides of IH 10 and beyond to the east and west of IH 10. Serving as the front door to the city, the area should be under Flatonia’s land use controls and property tax revenues.

**CAPITAL IMPROVEMENT PROGRAM FINANCING**

An additional method for implementing a Comprehensive Plan is for the City to initiate the construction of infrastructure to accommodate or guide growth and development. This is typically accomplished through an annual capital improvement program that identifies streets, water, sewer, drainage, parks, electric and other public infrastructure and facilities to be constructed. This list is prioritized, and improvements are incorporated into the City's annual budget. Decisions regarding the prioritization of proposed capital improvements should take into account the strategies and action recommendations of this Plan.

**MUNICIPAL OPERATING FUNDS**

All municipal governmental revenue and expenditure operations can be said to be either governmental, proprietary (or enterprise), or fiduciary in nature. Governmental operations are those usually not engaged in by private business such as police and fire protection services. These are usually financed by the General Fund or from other sources not directly related to the operations themselves.

Proprietary or Enterprise Operations are those, which are similar to the operations of private business such as the water, wastewater and sanitation departments of a city. They are financed by direct charges assessed against the citizens benefiting from them. However, the major difference between private enterprise and the enterprise funds of a city is the profit motive. A city is not concerned with making profits for gain. The city, however, must be concerned about establishing reserve funds for each of the city's enterprise activities. This assures the city that they can keep facilities operating when major problems occur or when additional State and Federal requirements are imposed, without seeking outside financial assistance.

Fiduciary Operations are those undertaken by a government on behalf of, or in a fiduciary capacity for some other persons or groups. Examples of fiduciary operations of the City are State and Federal Grant Programs. Many times, fiduciary operations are considered either as Proprietary or Governmental.

The need to account for separate operations differently, and the fact that many governmental revenue sources carry legal restrictions regarding how they are spent, has resulted in the development of fund accounting for governments. Fund accounting emphasizes separate detailed accounting and reporting for each of the several sub-parts of a government, called funds, rather than accounting and reporting for the governmental unit as a whole. The following types of funds used by the City are:

General Fund - are all resources not required to be accounted for in another capacity.

Proprietary Fund - to account for operations that are financed and operated in a manner similar to a private business, and where the intent of the governing body is that the cost ( expenses including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered through user fees.

Debt Service Fund - to account for resources and expenditures used in repaying long-term debt (General Obligation Bonds, Revenue Bonds, and Certificates of Obligation).

Trust and Agency Funds - to account for resources held by the City in a fiduciary capacity on behalf of other parties. These can include projects involving state or federal funds, private donations for a particular purpose, foundation grants, etc.

The City should always attempt to maintain the minimum number of funds consistent with legal and operating requirements. Excessive funds can result in inflexibility, undue complexity and inefficient financial management, such as, more time will be required to post ledgers, reconcile bank balances, prepare financial statements, and to conduct the annual audit.

### **PURPOSES OF THE CAPITAL IMPROVEMENTS PROGRAM STUDY:**

- Identify and quantify available sources of revenue and analyze trends in operational expenditures.
- Attempt to identify relationships between expenditure items and revenue sources.
- Provide greater assurance that capital improvements be made consistent with both community need and financial capability.
- Prevent unnecessary and extreme fluctuations in the rate of spending to contribute to stabilization of local tax rates.
- Facilitate, coordinate and phase projects for Flatonia's future growth.
- As a basis for decisions on individual projects and programs, the City must provide officials and citizens with a long-range picture of the community's financial progress.

- Provide an integral tool to implement policies of the Comprehensive Plan.
- Present a five-year Capital Improvement schedule and financing program based on the recommendations of the Comprehensive Plan.

*Capital Improvements Program Benefits*

The Comprehensive Plan Documents recommend various projects for maintaining and upgrading municipal facilities and providing for the community's projected growth. The proposed projects can be accomplished through an ongoing Capital Improvement Program process. The CIP earmarks a portion of the City's Budget for financing these improvements and establishes a schedule for completion of the projects.

An effective Capital Improvements Program can provide many potential benefits for the City of Flatonia including:

- Ensuring that necessary community facilities and improvements are completed.
- Scheduling public improvements, especially large-scale projects requiring more than one year to complete.
- In advance of need, acquire land for improvements enabling the City to purchase such land in an orderly and cost-effective manner.
- The City should stabilize tax and utility rates through responsible debt management.
- Eliminate fiscal inefficiencies and mismanagement (e.g., allocating funds to pave a street one year and allocating funds to tear it up the next to replace a water line).

**FINANCIAL REVIEW**

Cities are required to use different accounting methods for different operations. Because many governmental revenue sources carry legal restrictions regarding how cities can spend, thus cities have developed fund accounting systems. Fund accounting provides detailed accounting and reporting for each distinct fund, rather than accounting and reporting for the city as a whole.

The City of Flatonia operates with various funding groups. A description of the City's funding system is as follows:

*Major Funds*

The City of Flatonia, Texas maintains three individual governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balances for the general fund, the NPD Impound Fund, and the Municipal Development District fund.

The focus of the City of Flatonia, Texas' governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City of Flatonia, Texas' financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.



**General Fund:** The General Fund is the chief operating fund of the City of Flatonia. It is used to account for all financial resources except those required to be accounted for in another fund.

**Proprietary funds:** The City of Flatonia, Texas maintains one type of proprietary fund. *Enterprise funds* are used to report the same functions presented as business-type activities in the government-wide financial statements. The City of Flatonia, Texas uses enterprise funds to account for its utility operations.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide separate information for the utility operations.

### *TAXES*

This category includes current and delinquent personal and real property taxes, franchise taxes, sales taxes and other

#### *Ad Valorem Tax*

Property tax has been the cornerstone of the revenue structure of Texas cities. In general, taxes on property represent the largest single revenue source for Texas cities. Usually this tax averages about 14 percent of a city's total revenues. Property tax in Texas is a general tax applied to all types of property capable of producing income. All real property and certain personal property are taxable unless specifically exempted by law. Taxable property in Flatonia includes real property (land and buildings) and personal property (now limited only to business assets). Actual revenues from property tax are determined by multiplying each 100 dollars of the taxable property's valuation by the adopted tax rate. The property tax process is very complex and includes the following steps:

- a. Appraisal - Identification and valuation of all taxable property by the Fayette County Appraisal District, resulting in the appraisal roll.
- b. Assessment - City analysis of the appraisal roll, calculation of an effective tax rate, and adoption of a tax rate result in the tax roll determining the tax liability for each property.
- c. Collection - City preparation of tax bills acceptance of tax payments, notification of delinquent taxpayers, and collection of delinquent taxes, results in the total property tax revenues.

Obtaining revenues for capital improvements through increased tax rates is usually an unpopular method, but considering that property taxes on a person's home are deductible on federal income taxes, it may be a more realistic method of increasing local revenues than it would be to increase utility rates for capital improvements.

### *Sales Tax*

Sales tax is a consumption tax imposed by the government on the sale of goods and services. Sales tax is levied at the point of sale, collected by the retailer and passed on to the governmental body.

### *Franchise Taxes*

Franchise Taxes are charges to private utilities for conducting business in the city and for the city's provision of infrastructure support services.

## **CAPITAL IMPROVEMENTS FINANCING**

### *General Debt Financing*

The various types of debt financing for generating needed revenues, including voter authorized borrowing instruments (bond), Commission authorized borrowing instruments (Certificates of Obligation), and limitations on borrowing discussed hereafter.

The most widely used methods for major capital infrastructure improvements are:

**General Obligation Bonds** - These are used for improvements to non-revenue producing systems such as roads are repaid from Property Tax Revenues. General Obligation Bonds authorized by citizen approval of bond elections specifying the projects to be funded and the amounts for each project to be repaid through property taxes.

**Revenue Bonds** - For improvements to revenue generators such as water and sewer systems.

**Certificates of Obligation** - are similar to General Obligation Bonds and are often used for emergency purchases. Certificates of Obligation are similar to bonds, with the major difference being that Certificates of Obligation do not require voter approval. Certificates of Obligation, like bonds, are repaid as general obligation, revenue, or combination tax and revenue instruments.

**Combinations of General Obligation Bonds, Revenue Bonds and Property Tax or Revenue Certificates of Obligation** - for improvements when more than one source of financing is necessary.

**Contractual Obligations** - Contractual Obligation instruments are a relatively new method for financing generally smaller expenditures for items having a known useful life, such as police cars and fire trucks as well as for major capital infrastructure projects. Contractual Obligations are like Certificates of Obligation, but are quicker to process have higher processing fees, are for smaller amounts and for shorter terms (3-5 years), do not require public notification, are not subject to a voter referendum, and do not figure into the city's effective tax rate calculations. This new method is repaid through a specific debt service tax and could be competitive with leasing for vehicles and computers.

## **FIVE YEAR CAPITAL IMPROVEMENTS PROGRAM**

The recommended Capital Improvements were based on studies of the Comprehensive Planning activities. Each specific program listed in this Capital Improvements Program exhibit was assigned one of the priority terms.

M – Mandatory: Those which protect life or health.

N – Necessary: Those which are important public services.

D - Desirable: Those which replaces obsolete facilities.

A – Acceptable: Those which reduce operating costs.

The engineering firm of BEFCO Engineering completed a study of the city's streets, water system, wastewater system and storm drainage. These studies identify both present days needs as well as future needs for the community. This Capital Improvements Program is predicated upon these studies. A Parks and Recreation Study, Thoroughfare Study and Central Business District study with recommended landscaping through the Texas Department of Transportation and/or the Texas Forest Service. If the city is successful in receiving landscape funding from the state, very little local funds will be required to achieve the recommended landscaping in the Central Business District. Thoroughfare improvements for the next five years are included in the Street Study.

## **SOURCE OF FUNDING CODES**

**GO** GENERAL OBLIGATION BONDS

**AF** ASSESSMENT FEES

**RB** REVENUE BONDS

**CITY** GENERAL FUND OR PROPRIETARY FUND

**GS** GRANT SOURCES

## **FIVE-YEAR CAPITAL IMPROVEMENTS BY YEAR AND PRIORITY**

The City has identified six large/expensive projects as follows and identified on CIP Map:

ADA Railroad Sidewalk Crossings (3) \$800,000 GO/GS

City Hall Remodel \$700,000 GO/City

Post Office Remodel \$700,000 GO/City

New 8" waterline to loop system to be constructed along the South side of IH10 East and then South to US Hwy 90. GO/GS (see water system costs in previous section)

New 6" waterline to loop system to be constructed North of IH10 to complete the East/West section of the system. GO/GS (see water system costs in following section)

**Water System**

	<u>Est. Cost</u>	<u>Fund</u>	<u>Year</u>
<b>M</b> New Carrizo Water Well including Test Well	\$2,625,000.00	City/GO/RB/GS	2021
<b>M</b> Paint Pressure Tank	\$20,000.00	City	2022
<b>M</b> Paint 50,000-Gallon Elevated Storage Tank (60' Height)	\$200,000.00	City	2022
<b>M</b> New Wireless Autodialer and Programming for All Alarms	\$10,000.00	City	2020
<b>M</b> Paint 50,000-Gallon Elevated Storage Tank (Riveted/Latticed Tin Man-125' Height)	\$350,000.00	City/RB/GS	2023
<b>M</b> Paint 100,000-Gallon Steel Welded Elevated Storage Tank (150' Height)	\$225,000.00	City/GO/RB/GS	2024
<b>M</b> New Water Well to replace Ex. Water Well 10 including test well	\$625,000.00	City/GO/RB/GS	2024
<b>M</b> New 500 GPM Booster Pumps with VFDs inc. Electrical, SCADA & Piping	\$150,000.00	City/GO/RB/GS	2022
<b>N</b> Add Alarm Conditions for Filters, Level & Lockout and send to Water Plant No. 2	\$10,000.00	City	2020
<b>N</b> New 12" PVC Piping to replace ex. 8" AC Piping in Water Plant 2 Yard Area	\$50,000.00	City	2020
<b>N</b> 2" PVC In Easement West of Colorado St. Between 6th & South of RR Tracks	\$30,000.00	City	2020
<b>N</b> S. Colorado St. between 4th & 5th Streets	\$70,000.00	City	2021
<b>N</b> S. Mill St. from 6th St. to South City Limits Line/Fire Hydrant	\$280,000.00	City/GO/RB/GS	2025
<b>N</b> S.Faires St. (SH 95) from 6th St. to Alley to the North	\$70,000.00	City	2022
<b>N</b> S.Faires St. (SH 95) between 1st & 4th Streets (2 Sections)	\$170,000.00	City/RB/GS	2023
<b>N</b> W. 4th St from west side of Faires (SH 95) to Colorado St. - NOTE TxDOT Bore already done	\$150,000.00	City/GS	2024
<b>N</b> W. 3rd St. between Mill & Colorado Streets	\$60,000.00	City	2025
<b>N</b> W. 2nd St from west side of Faires (SH 95) to Mill St.	\$80,000.00	City	2025
<b>N</b> South Zone - S. Penn St between 1st & 2nd Streets	\$70,000.00	City	2026
<b>N</b> E. 2nd Street b/w Market & Middle Streets - School St 2nd to 4th St. - E. 4th St School to Flatonia ISD	\$270,000.00	City/GO/RB/GS	2026
<b>N</b> Alley from S. Market St. to S. Converse	\$90,000.00	City/GS	2026
<b>N</b> N. Converse from Alley South of RR Tracks to North Main Street	\$250,000.00	City/RB/GS	2027
<b>N</b> S. La Grange St. from North Main (US 90) south to & along E. Old Spanish Trail	\$140,000.00	City/RB/GS	2027
<b>N</b> S. Pecan St. from North Main (US 90) south to & along E. Old Spanish Trail	\$120,000.00	City/GS	2027

N S. Elm St. from North Main (US 90) south to just north of E. Old Spanish Trail	\$120,000.00	City/GS	2027
N W. 7th St. between Penn & Hudson Streets	\$40,000.00	City	2028
N W. 7th Street - Water Line to M&M Trailer Park	\$30,000.00	City	2028
N E. 11th St. from FM 609 to Alley, North in Alley b/w 11th & 12th Streets, 12th b/w FM 609 & Hackberry	\$140,000.00	City/RB/GS	2028
N N. Converse St. from 9th to 12th Street	\$120,000.00	City/RB/GS	2028
N 4" Line to Grumpy's	\$50,000.00	City/RB/GS	2029
D 12" Line along Market from 12th Street across I-10 to Sewer Plant Entrance	\$530,000.00	City/GO/RB/GS	2029
D 8" Water Line along SH 95 for Future Development & Fire Protection	\$640,000.00	City/GO/RB/GS	2029
N 6" Water Line to Complete Nickel-Mica Loop	\$130,000.00	City/RB/GS	2021
D 8" Water Line Loop from Prototype Rd to W. 7th St (US 90 West)	\$150,000.00	City/RB/GS	2029
D 8" Water Line to Replace Ex. 2" WL along US 90 West & 8" WL Extension to Fayette WSC Interconnect	\$1,050,000.00	City/GO/RB/GS	2030

The water system improvements are city-wide improvements that will benefit all residents of Flatonia including protected classes and the disabled and handicapped. Affordable housing opportunities through new construction may arise as a result of the water system improvements. Affordable housing opportunities will be available to all residents of Flatonia including protected classes and the disabled and handicapped.

### **Wastewater System**

	<b><u>Est. Cost</u></b>	<b><u>Fund</u></b>	<b><u>Year</u></b>
M Alley along W. South Main St., west of Faires St.	\$50,000.00	City	2020
M W. Sixth St East/West of S. Colorado St.	\$90,000.00	City	2020
M Alley east of S. Colorado St. between W. 5th & 6th Streets	\$40,000.00	City	2020
M W. 5th St. west of S. Faires St.	\$60,000.00	City/GO	2021
M W. 1st St. east of S. Mill St.	\$40,000.00	City/GO	2021
M S. Faires St (SH 95S) from W. 6th St. north to Alley	\$50,000.00	City/GO	2021
N W. 2nd St from S. Mill St. to S Hudson St.	\$130,000.00	City/GS	2022
N S. Faires St (SH 95S) from W. 2nd St to Old Hallettsville Rd	\$140,000.00	City/GS	2022
N S. Hudson St. from Alley north of W. 6th St. to Alley south of W. 6th St.	\$60,000.00	City/GS	2022
N Alley between E. 5th & 6th Streets, from S. Hudson to S. Converse	\$180,000.00	City/GS	2023
N Alley between E. 4th & 5th Streets, from S. Penn to S. Converse (2 Sections)	\$80,000.00	City/GS	2023
N S. Penn St. from Alley between 5th & 6th Streets to Dead End near Old Hallettsville Rd	\$280,000.00	City/GS	2023
N S. Market St. from Alley between 5th & 6th Streets to 1st St	\$220,000.00	City/GS	2024

N S. Converse St. from Alley between 5th & 6th Streets to 1st St	\$250,000.00	City/GS	2025
N E. 4th St. from Converse eastward to Flatonia ISD	\$90,000.00	City/GS	2024
N S. Pecan St. from US 90E southward toward Railroad Tracks	\$70,000.00	City/GS	2025
D E. North Main St. (US 90E) from Cedar St. westward towards Downtown	\$50,000.00	City/GS	2026
D E. Mulberry St. from Cedar to Hackberry	\$40,000.00	City/GS	2026
D N. Converse St. from 9th to 11th	\$110,000.00	City/GS	2026
D Re-route 6" PVC Sewer Line from Hackberry westward toward FM 609 (Happy Eatery)	\$40,000.00	City/GS	2027
N Wastewater Treatment Plant Sludge Removal Allowance	\$500,000.00	City/GS	ongoing

The wastewater system improvements are city-wide improvements that will benefit all residents of Flatonia including protected classes and the disabled and handicapped. Affordable housing opportunities through new construction may arise as a result of the wastewater system improvements. Affordable housing opportunities will be available to all residents of Flatonia including protected classes and the disabled and handicapped.

<b><u>Electric System</u></b>	<b><u>Est. Cost</u></b>	<b><u>Fund</u></b>	<b><u>Year</u></b>
N Reconductor line from the intersection of US HWY 90. Approx. 3.2 miles	\$110,000	GR	2030
D Upgrade line to 3-Phase to Praha. Approx. 2 miles	\$80,000	GR	2030
N Replace poles and trim trees as necessary	City	CITY	On-Going
N Line extensions as necessary	TDB	CITY	On-Going

The storm water system improvements are city-wide improvements that will benefit all residents of Flatonia including protected classes and the disabled and handicapped. Affordable housing improvements. Affordable housing opportunities will be available to all residents of Flatonia including protected classes and the disabled and handicapped.

<b><u>Storm Water System</u></b>	<b><u>Est. Cost</u></b>	<b><u>Fund</u></b>	<b><u>Year</u></b>
M Document flooding events	Staff	CITY	On-Going
M Containment berm at WWTP	\$500,000	GS	2020
D Perform drainage analysis	\$50,000	GS	2021

<b>N</b> Perform routine and preventative maintenance annually	\$7,000	CITY	On-Going
--	---------	------	----------

The storm water system improvements are city-wide improvements that will benefit all residents of Flatonia including protected classes and the disabled and handicapped. Affordable housing improvements. Affordable housing opportunities will be available to all residents of Flatonia including protected classes and the disabled and handicapped.

### **Street System**

<b>Street Reconstruction Projects</b>				
Street Name	Pavement Length (Linear Feet)	Estimated Cost	Fund	Year
<b>M</b> Hackberry St. (From Collins to I-10)	500 LF	\$ 20,000	City	2020
<b>M</b> E. 12th St. (From N La Grange to Hackberry)	500 LF	\$ 20,000	City	2020
<b>M</b> N. Hudson St. (From W. 8th to W. 9th)	360 LF	\$ 15,000	City	2020
<b>M</b> W. 6 <sup>th</sup> St. (From S. Mill to S. Colorado)	500 LF	\$ 20,000	City	2020
<b>M</b> W. 3 <sup>rd</sup> St. (From S. Colorado to just west of Mill)	300 LF	\$ 10,000	City	2021
<b>M</b> S. Middle St. (From E. 4th to E. 2nd)	800 LF	\$ 30,000	City	2021
<b>M</b> S. Market St. (From E. 1 <sup>st</sup> to Old Hallettsville)	500 LF	\$ 20,000	City	2021
<b>M</b> W. 7 <sup>th</sup> St. (From Penn\95 to N. Hudson.),	425 LF	\$ 15,000	City	2021
<b>M</b> N. Tom Green St. (From W. 7 <sup>th</sup> to W. 9 <sup>th</sup> )	700 LF	\$ 25,000	City	2021
<b>M</b> W. 4 <sup>th</sup> St. (From S. Colorado to West*)	300 LF	\$ 10,000	City	2021
<b>N</b> Hackberry St. (From MLK to Collins)	1,100 LF	\$ 40,000	City	2022
<b>N</b> E. 11 St. (Spot Location near Garbade St.)	100 LF	\$ 5,000	City	2022
<b>N</b> N. Cedar St. (From E. 7 <sup>th</sup> to Mulberry)	500 LF	\$ 20,000	City	2022
<b>N</b> E. 7 <sup>th</sup> St. (From Market to N. Converse)	480 LF	\$ 20,000	City	2022

N E. 11th St. (From N. Market St. to N. Converse)	440 LF	\$ 15,000	City	2022
N N. Hudson St. (From W. 7th to W. 8th)	360 LF	\$ 15,000	City	2022
N W. 9th St. (From N. Faires to Past N. Tom Green)	1,700 LF	\$ 60,000	City	2023
N S. Penn St. (From E. Main to W. 6th)	400 LF	\$ 15,000	City	2023
N S. Colorado St. (From W. 6 <sup>th</sup> to W. 5th)	400 LF	\$ 15,000	City	2023
N W. 4th St. (From S. Mills to Faires)	460 LF	\$ 15,000	City	2023
N S. Mill St. (From W. 5 <sup>th</sup> to W. 4 <sup>th</sup> )	300 LF	\$ 10,000	City	2023
N W. 3 <sup>rd</sup> St. (From S. Mill to S. Faires)	450 LF	\$ 15,000	City	2024
N S. Middle St. (From 90 to E. Main)	340 LF	\$ 15,000	City	2024
N E. Old Spanish Trail (From 90)	330 LF	\$ 15,000	City	2024
N E. 6 <sup>th</sup> St. (From S. Converse to S. Middle)	500 LF	\$ 20,000	City	2024
N S. Market St. (From E. 2 <sup>nd</sup> to E. 1 <sup>st</sup> )	550 LF	\$ 20,000	City	2024

The street system improvements are city-wide improvements that will benefit all residents of Flatonia including protected classes and the disabled and handicapped. 3rd Street and 6th Street are both major north-south access streets that are used by all residents of Flatonia. 8th Street is the major street used by all residents and school busses to access the various Flatonia ISD campuses. Affordable housing opportunities through new construction may arise as a result of the street system improvements. Affordable housing opportunities will be available to all residents of Flatonia including protected classes and the disabled and handicapped.

### **Application of the Plan**

It must be recognized that any plan for the future must be based on an estimate of certain growth, conditions, trends and projections. These conditions may change and vary from time to time, and when they do, the Capital Improvements Program should be re-analyzed.

This plan is not meant to be inflexible, but rather a tool to help establish a course of action. The saying, "where there is a will there is a way" appropriately applies here.



## **SECTION J. SUBDIVISION ORDINANCE**

The following draft Subdivision Ordinance for the City of Flatonia is prepared and presented for City Staff and the City Attorney to review and make desired corrections or changes prior to adoption by the Flatonia City Council.

### **SAMPLE**

#### **SUBDIVISION ORDINANCE**

#### **CITY OF FLATONIA**

##### **Section 1: INTERPRETATION AND PURPOSE**

The purpose of these subdivision regulations is to provide for the orderly, safe, and healthful development of the areas within the city and within the area surrounding the city and to promote the health, safety, and general welfare of the community and its surrounding area. It is the intention of the City Council that the standards and requirements provided for herein shall be the minimum requirements for the platting and developing of subdivisions in the City of Flatonia and within its extraterritorial jurisdiction.

##### **Section 2: DEFINITIONS AND RULES OF CONSTRUCTION**

For the purpose of this ordinance, the following terms, phrases, words, and other derivations shall have the meaning ascribed to them hereafter. Definitions not expressly prescribed herein are construed in accordance with customary usage in municipal planning and engineering practices. Any office referred to in this ordinance by title means the person employed or appointed by the city in that position, or his or her duly authorized representative.

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

**City Council** - The governing body of the City of Flatonia, Texas.

**City** – The City of Flatonia, TX.

**City Engineer** – The term “city engineer” shall apply only to such registered professional engineer or firm of registered professional consulting engineers that has been specifically designated as such by the City Council to act on behalf of the city on engineering related matters.

**Commission** – The Texas Commission on Environmental Quality (TCEQ) or its successors.

**Crosswalk** – Public right-of-way, which provides pedestrian circulation.

**Cul-de-sac** – A street having but one (1) outlet to another street, termination of the opposite end by a vehicular turnaround.

**Dead-end street**- A street, other than a cul-de-sac, with only one (1) outlet.

**Dedication** – A gift or donation of property by the owner to the City.

**Developer** – An individual, partnership, corporation, or governmental entity undertaking the subdivision or improvement of land and other activities covered by this ordinance, including the preparation of a subdivision plat showing the layout of the land and the public improvements involved therein. The term “developer” is intended to include the term “subdivider” even though personnel in successive stages of a project may vary.

**Duplex** – A detached building consisting of two (2) separate living areas, suitable for occupancy by one family as a residence and having a kitchen, bath, bedroom(s), and other appropriate appurtenances. Each component shall be deemed as one unit for the purpose of density calculation.

**Easement** – An interest in land granted to the city, to the public generally, and/or to a private utility company.

**Engineer** – A person duly authorized under the provisions of the Texas Engineering Practice Act, to practice the profession of engineering.

**Extraterritorial Jurisdiction** – The unincorporated area outside of the City which is contiguous to and within one-half (1/2) mile of the corporate limits of the City and not part of any other city.

**Final Plat** – (also known as a record plat or filing plat) – the official and authentic map of any given subdivision of land prepared from actual field measurements and staking of all identifiable points by a surveyor or engineer with the subdivision location referenced to a survey corner and all boundaries, corners, and curves of the land division sufficiently described so that they can be reproduced without additional references. Angular measurements and bearings shall be accurate to the nearest minute. Distances shall be accurate to the nearest tenth (10<sup>th</sup>) of a foot.

**Floodplain** – An area of low-lying ground adjacent to or near a river or stream, formed by deposits of alluvial material placed by the river or stream during flood events and experiences flooding during periods of high discharge.

**Flood Zone** – Flood zones are geographic areas that the Federal Emergency Management Agency (FEMA) has defined according to varying levels of flood risk. These zones are depicted on a community’s Flood Insurance Rate Map (FIRM) or Flood Hazard Boundary Map. Each zone reflects the severity or type of flooding in the area.

**Lot** – An undivided tract or parcel of land having frontage on a public street and which is, or in the future, may be offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed for record.

**May** – The word “may” is merely directory.

**Mobile Home** – means any structure that is transportable in one or more sections, and which is, built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to utilities.

**Mobile Home Park** – A type of development where land is owned under one ownership and individual lots or spaces are leased or rented, with or without mobile homes on them, to persons for the purpose of placing or maintaining a mobile home thereon. A mobile home park, for these purposes, shall be defined as any lot, tract, or parcel of land where more than one mobile home is located.

**Multi-Family** – Any use of lots or tracts on which are built three or more units within one building.

**Pavement Width** – The portion of a street available for vehicular or pedestrian traffic. Where curbs are laid, it is the portion between the faces of the curbs.

**Planning and Zoning Commission** – the appointed Planning and Zoning Commission of the City of Flatonia.

**Preliminary Plat** – A preliminary plat shall be of any lot, tract, or parcel of land that is not to be recorded for record but is only a proposed division of land for review and study by the City. It shall include but is not limited to topography and drainage features.

**Resubdivision** – The division of an existing subdivision, together with any changes of lot size therein or relocation of any street lines.

**Revised Preliminary Plat** – A plat which has been previously submitted and is being resubmitted with changes.

**Setback** – Shall be measured from the property line.

**Shall** – The word “shall” is always mandatory.

**Sidewalk** – A paved pedestrian way generally located within public street right-of-way, but outside of the roadway, and built in accordance with city specifications.

**Street** – A public right-of-way, however designated, which provides vehicular access to adjacent land;

- Major thoroughfares (also commonly referred to as arterial streets, primary thoroughfares, etc.) provide vehicular movement from one neighborhood to another, to distant points within the urban area or to freeways or highways leading to other communities.
- Collector streets (also commonly referred to as feeder streets, secondary thoroughfares, etc.) provide vehicular circulation within neighborhoods and from major thoroughfares. Due to the similarity of traffic volume and wheel leadings, streets through commercial and industrial areas are frequently constructed to the same design as major thoroughfares.
- Local residential streets (also commonly referred to as minor thoroughfares or streets, etc.) are primarily direct vehicular access to abutting residential property.

**Structure** – That which is built or constructed, an edifice or building of any kind that is permanently attached to the ground on any public or private property.

**Subdivision** – A subdivision shall be the division or any lot, tract, or parcel of land into two (2) or more lots or sites for the purpose of sale, lease, or rental. It also includes the resubdivision or replatting of land, lots, or tracts. Division or land for agricultural purposes in parcels of five (5) acres or more shall not be included within this definition unless any such division includes the planning and development of a new street or access easement.

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

**Utility Easement** – An interest in land granted to the City, to the public in general, and/or to a private utility corporation, for installing and maintaining utilities across, over, on, or under private land, together with the right to enter thereon with machinery and vehicles necessary for maintenance of said easement.

### **Section 3: SPECIAL PROVISIONS**

- a. The City will not permit the installation of septic tanks on any lot in a subdivision except in accordance with Section 10 of this ordinance.
- b. No building permit shall be issued by the City for any structure on a lot in a subdivision for which a final plat has not been approved and filed for record, nor for any structure on a lot within a subdivision in which the standards contained herein or referred to herein have not been complied with in full.
- c. The City may allow sectional development of an approved final plat, provided that the section of the final plat meets all of the requirements of this ordinance in full as though it were a subdivision within itself.

- d. The City shall not repair, maintain, install, or provide any streets or public utility services in any subdivision for which a final plat has not been approved and filed for record; nor in which the standards contained herein, or referred to herein, have not been complied with in full.
- e. The City shall not authorize any other person nor shall the City itself sell or supply any water or wastewater service within a subdivision for which a final plat has not been approved or filed for record, nor in which the standards contained herein or referred to herein have not been complied with in full.
- f. On behalf of the City, the City Attorney shall, when directed by the City Council, institute appropriate action in a court of competent jurisdiction to enforce the provisions of this ordinance or the standards referred to herein with respect to any violation thereof which occurs within the City or within its extraterritorial jurisdiction.
- g. The provisions of this ordinance shall not be construed to prohibit the issuance of permits to any lots upon which a building exists and was in existence prior to the passage of this ordinance, or to prohibit the repair, maintenance, or installation of any street or public utility service for, to, or abutting any lot or tract where such lot or tract was in existence and the last recorded conveyance of which was prior to passage of this ordinance.
- h. No subdivided land shall be sold or conveyed until the subdivider has received approval of a final plat of the tract and has filed and recorded with the Medina County Clerk a legally approved plat.
- i. For residential subdivisions, there shall be no more than one single-family dwelling per lot. This shall be noted on the face of the final plat and included in the language on the deeds and contracts for deeds.

#### **SECTION 4: IMPROVEMENTS GENERALLY**

The subdivider shall furnish, install, and/or construct the water and sewage systems and the street and drainage facilities necessary for the proper development of the subdivision. All such facilities shall be designed and constructed in accordance with all city ordinances and standards. Where considered necessary by the City, the facilities shall be sized in excess of that dictated by the design criteria in order to provide for future growth and expansion or to conform to the City's master plan.

#### **SECTION 5: PRELIMINARY PLAT**

##### **A. Preliminary Conference**

Prior to submitting a plat, the subdivider shall be responsible for checking on proper zoning and subdivision regulations and improvement requirements and then consult early and

informally with the City Administrator before formal submission of the preliminary plat for its approval in order to save time and money.

**B. Preliminary Plat Requirements**

- a) **Plat prepared by Surveyor, Engineer, or Land Planner** – A preliminary plat shall be prepared by a surveyor, engineer, or land planner. The plat shall conform to this subdivision ordinance and the City’s zoning ordinance.
- b) **Timing and Copies Required** - The subdivider shall submit six (6) blue or black line copies of the preliminary plat to the City Administrator at least fourteen (14) days prior to the Planning and Zoning Commission meeting at which the plat is to be considered.
- c) **Form** – The preliminary plat shall be drawn on 24” X 36” at a scale appropriate for that size sheet. The preferred scale is 1” = 100’. In case of large developments, a scale of 1” = 200’ may be used if approved by the City Administrator, but that is the smallest scale to be permitted.
- d) **Content of the Preliminary Plat** -
  - Name and address of the owner, subdivider or developer, engineer, surveyor, or land planner.
  - Proposed Name of the Subdivision
  - Names of adjacent subdivisions or owners or adjacent parcels of unsubdivided land. The platting or adjoining property and streets shall also be shown.
  - An accurate boundary survey of the property and a metes and bounds description.
  - A north point scale of plat and date of preparation.
  - The location, dimensions, name and description of all streets, alleys, easements, lots proposed within the subdivision. Where the proposed subdivision is a unit of a larger tract proposed for future development, the preliminary plat shall be accompanied by a layout of the entire development showing the tentative layout of streets, blocks, drainage, and utility improvements. The overall layout, if approved by the Planning and Zoning Commission, shall be attached to the smaller approved subdivision and made a part of the permanent records. Thereafter, plats of subsequent units of such subdivision shall conform to the approved overall layout unless it is amended by the City.
  - Contours at intervals of five (5) vertical feet. If contours at that interval do not give adequate terrain description, then the interval will be reduced to two (2) vertical feet or as directed by the City Engineer.

- Preliminary drainage proposals including drainage areas affecting the property.
- Existing and proposed utility service to the property.
- Existing public utility easements.
- Any land uses other than single family lots such as schools, parks, church, or apartments.
- Front building setback lines shown on all lots and sites and side building lines at street intersections.

#### **C. PROCESS THE PRELIMINARY PLAT**

- a) Upon receiving six (6) copies of the preliminary plat and the required filing fees, the City Administrator will inform the subdivider of the time of the next Planning and Zoning Commission meeting at which the preliminary plat will be considered. Upon receipt, the City Administrator will provide for the review of the plat by the appropriate officials, being the City Engineer, Water and Wastewater Superintendent, and any other officials he or she deems appropriate. Two (2) of the six (6) copies will be provided to the City Engineer for review. The City Engineer will return one (1) copy back to the City Administrator with comments and recommendations. The City Administrator shall also ensure that the preliminary plat is checked against the City's zoning and building regulations. Following the staff review, the preliminary plat will then be placed on the Planning and Zoning Commission agenda for consideration or approval.
- b) Within thirty (30) days after the preliminary plat is formally filed, the Planning and Zoning Commission shall approve or disapprove such preliminary plat or conditionally approve it with modifications. The conditional approval of the preliminary plat by the Planning and Zoning Commission does not in any manner constitute the acceptance of the subdivision nor the improvements placed therein but is merely an authorization to proceed with the preparation of the final plat. The action of the Planning and Zoning Commission shall be noted on two (2) copies of the preliminary plat along with the references to any conditions determined and attached thereto. One (1) copy shall be returned to the developer and the other copy retained as a permanent record of the City. Approval of the preliminary plat, if granted, shall be valid for not longer than one (1) year after the date of approval of the preliminary plat unless the final plat has been approved and recorded within the one-year period.
- c) Approval of the preliminary plat does not permit the beginning of any proposed subdivision improvements. No construction work shall begin prior to approval of the

final plat of the proposed subdivision by both the Planning and Zoning Commission and the City Council.

#### **D. PRELIMINARY PLAT FILING FEES**

The following schedule of fees and charges shall be collected by the City when any preliminary plat is tendered to the city for consideration of approval. Such fees and charges shall accompany the application of the proposed plat and no action of the Planning and Zoning Commission shall be valid until the filing fee has been paid. This fee shall not be refunded to the subdivider should the plat be disapproved.

##### **Inside City Limits:**

\$100.00 plus \$1.00 per lot.

##### **Outside City Limits in Extraterritorial Jurisdiction:**

\$200.00 plus \$1.00 per lot.

#### **SECTION 6: FINAL PLAT**

##### **A. Final Plat Requirements**

- a) **Conformance with the Preliminary Plat** - The final plat shall conform to the preliminary plat as approved, and incorporating all conditions imposed by the Planning and Zoning Commission.
- b) **Timing and Copies Required** – The subdivider shall submit one (1) mylar (sepia) copy and two (10) blue or black line copies of the final plat and one (1) copy of the construction plans to the City Administrator at least fourteen (14) days prior to the Planning and Zoning Commission meeting at which the final plat is to be considered.
- c) **Form** – The final plat shall be drawn on 24" X 36" at a scale appropriate for that size sheet, but a 1" = 100' is the smallest scale that will be permitted. Where no more than one (1) sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision and appropriate scale shall be attached to the plat. If desired by the subdivider and approved by the Planning and Zoning Commission, the final plat may constitute only that portion of the approved preliminary plat which is proposed to be recorded and developed, however, such portion shall conform to all requirements.
- d) **Content of the Final Plat** –
  - All requirements of the preliminary plat.
  - The exact location, dimensions, name and description of all existing or recorded streets, alleys, reservations, easements, or other public rights-of-way within the



subdivision, intersecting or contiguous with its boundary or forming such boundary, with accurate dimensions, bearings or deflection angles and radii area, and central angle, degree of curvature, tangent distance and length of all curves where appropriate.

- The exact location, grade, dimensions, description, and name of all proposed streets, alleys, drainage rights-of-way, parks, other public areas, reservations, easement or other right-of-way, blocks, lots and other sites within the subdivision with accurate dimensions, bearings, or deflection angles and radii area and central angles, degree of curvature, tangent distance, and length of all curves where appropriate.
- Owner's acknowledgement of the dedication to public use of streets, alleys, parks, rights-or-way, easements, and other public places shown on the final plat.

**"The State of Texas**

**County of Medina**

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

\_\_\_\_\_, Owner"

- A certification by the engineer or surveyor responsible for the preparation of the final plat and supporting data, attesting to its accuracy and that all survey work around the boundary area as well as within the subdivision shall have an error of closure of no more than one foot in five thousand feet (1/5,000') or less.
- All survey monuments shall be shown on the plat.
- All deed restrictions that are to be filed with the plat shall be shown on or submitted separately with the plat.
- Tax certificates from all applicable taxing entities.
- The final plats shall be accompanied by complete sets of construction plans and profiles for all street and drainage improvements and water and sanitary wastewater improvements.

- A waiver of claim for damages against the City occasioned by the establishment of grades of the alteration of the surface of any portion of existing streets, alleys to conform to the grades established in the subdivision.
- The following certifications shall be placed on the final plat:

“The Flatonia Planning and Zoning Commission, on \_\_\_\_\_, \_\_\_\_\_ voted affirmatively to recommend this plat to the City Council for approval and for filing of record.”

\_\_\_\_\_ Date”  
 Chairman, Flatonia Planning and Zoning Commission

“The City Council of the City of Flatonia on \_\_\_\_\_, \_\_\_\_\_ voted affirmatively to approve this plat for filing or record”

\_\_\_\_\_ Date”  
 Mayor, City of Flatonia

- **Final Engineering Report** – The final plat shall be accompanied by an engineering report bearing the signed and dated seal of a professional engineer registered in the State of Texas. The engineering report shall discuss the availability and methodology of providing water facilities and wastewater treatment service to individual lots within the subdivision. A detailed cost estimate per lot acceptable to the City shall be provided for those unconstructed water supply and distribution facilities and for wastewater collection and treatment facilities, which are necessary to serve each lot of the subdivision. The plan shall include a construction schedule for each significant element needed to provide adequate water or wastewater facilities.

**1) Public Water Systems**

Where water supplies are to be provided in an existing public water system, the subdivider shall furnish an executed contractual agreement in substantially the form attached in Appendix B to this Ordinance between the subdivider and the retail public utility to the effect that the retail public utility has or will have the ability to supply the total flow anticipated from the ultimate development and occupancy of the proposed subdivision for a minimum of thirty (30) years and

that the subdivider has provided for the payment of costs or fees for the connection of each individual lot to the public water system, including water meters, water acquisition fees, and all other necessary expenses required by the retail public utility. Before final plat approval, plans and specifications for the proposed water facilities shall have been approved by all entities having jurisdiction over the proposed project, which may include the Commission (TCEQ), the Medina County Health Department, and all responsible departments of the City. If groundwater will be the source of the water supply, the final engineering report shall include a groundwater availability study that complies with the requirements of 30 TAC, 230.1 through 230.11 for the water availability for a public water supply system and certifies the long term (30 years) quantity and quality of available groundwater supplies relative to the ultimate needs of the subdivision.

2) Where individual wells are proposed for the supply of drinking water to residences, the final engineering report shall include the quantitative and qualitative results of sampling the test wells. The results of such analyses shall be made available to the prospective property owners. If the quality of the test well does not meet the water quality standards without treatment by an identified and commercially available water treatment system, then the final report must state the type of treatment system that will treat the water produced from the well to the specified water quality standards. The final engineering report shall include a groundwater availability study that complies with 30 TAC, 230.1 through 230.11 for water availability for a public water supply system and certifies the long term (30 years) quantity and quality of available groundwater supplies relative to the ultimate needs of the subdivision. The description of the sanitary control easement shall be included.

3) Organized Sewerage Facilities

(A) Where wastewater treatment is to be provided by an existing retail public utility, the subdivider shall furnish evidence of a contractual agreement in substantially the form attached in Appendix C of this Ordinance

and must provide that the retail public utility has or will have the ability to treat the total flow anticipated for a minimum of thirty (30) years from the ultimate development and that the subdivider has paid the cost of all fees associated with connection to the wastewater collection and treatment system so that service is immediately available to each lot. Before final plat approval, an appropriate permit to dispose of waste shall be obtained from the Commission (TCEQ) and that plans and specifications for the proposed wastewater collection and treatment facilities shall have been approved by all entities having jurisdiction over the proposed project.

## **B. PROCESSING THE FINAL PLAT AND CONSTRUCTION PLANS**

- a) Upon receiving the one (1) mylar copy and the ten (10) copies of the final plat, a copy of the construction plans, and the required plat filing fees, the City Administrator will inform the subdivider of the time of the next Planning and Zoning Commission meeting at which the final plat will be considered. Upon receipt, the City Administrator will provide for the review of the final plat by the appropriate officials, being the city engineer, water and wastewater director, and any other officials he or she deems appropriate to determine if the plat and proposed improvements conform to this ordinance and any required special conditions. Two (2) of the ten (10) copies of the proposed final plat will be provided to the city engineer for his or her comments and recommendations. The city engineer will then return one (1) copy to the City Administrator with his or her comments, if any. The City Administrator shall also ensure that the final plat is checked against the approved preliminary plat for the subject property for compliance. After the final plat has been reviewed by both the city engineer and city staff, the final plat will then be placed on the agenda for its consideration of approval by the Planning and Zoning Commission. If desired by the subdivider and approved by the City, the final plat may constitute only that portion of the approved preliminary plat which he or she proposes to record and develop,**
- b) Within thirty (30) days after the subdivider formally files the final plat, the Planning and Zoning Commission shall approve, disapprove, or conditionally approve with enumerated conditions such plat. If the final plat is disapproved or conditionally approved, the City Administrator shall inform the subdivider in writing of the reasons or of any required revisions.**
- c) Upon approval or conditional approval by the Planning and Zoning Commission, the final plat will be forwarded to the City Council for approval. Within thirty (30) days after receiving the final plat and recommendations from the Planning and Zoning Commission, the City Council shall approve, disapproved, or conditionally approve with enumerated conditions such plat. If the final plat is disapproved or conditionally approved, the City Administrator shall inform the subdivider in writing of the reasons or of any required revisions. Upon approval by the City Council, four (4) complete sets of the final plat, construction plans, profile sheets and a CD or USB device (thumb-drive) containing the final plat, construction plans, and profile sheets will be submitted to the City Administrator for the City's use in performing inspections of the subdivision's development in order to determine its compliance with all approved requirements.**

**C. ACCEPTANCE AND RECORDING THE FINAL PLAT**

- a) After the City Council has approved the subdivision plat, and if the subdivider chooses to file a financial guarantee with the City of Flatonia in lieu of constructing the required improvements, (if outside the city limits, the financial guarantee shall be filed with the County and proof of such filing shall be provided to the City), and the City Administrator shall file the plat with the Medina County Clerk's office. The filing of the final plat shall occur after receiving written consent from the developer and specific approval from the City Council. A preconstruction conference with the developer and/or his designee shall be held prior to commencement of construction to ensure proper compliance with the provisions of the code and approval and acceptance of the improvements.**
- b) After the City Council has approved the subdivision plat, the subdivider may choose to construct the required infrastructure instead of filing a financial guarantee with the City or the County. Prior to installing the required infrastructure, a preconstruction conference shall be held to ensure proper compliance with provisions of the code. The infrastructure shall be inspected and tested during construction in accordance with the policies and standards of TCEQ and the City. After installation and testing of all required infrastructure improvements, the City Council shall review the subdivisions plat for final approval. Failure to pass all inspections and testing will prevent final approval of the subdivision plat by the City Commission. The City Administrator shall file the plat with the Medina County Clerk's office after installation of all infrastructure improvements, passing of all inspections and testing, and final approval by the City Council.**
- c) Building permits will only be issued after the copy of the recorded plat is received from the County Clerk. Certificates of Occupancy will not be issued until it is determined that all of the improvements including streets, drainage, water, and sanitary wastewater have been constructed according to the approved plans and that the facilities have been accepted by the City of ownership and maintenance. The City will not accept any street, drainage improvements, water line or wastewater line for maintenance until an acceptable one (1) year maintenance bond for the facilities in said subdivision has been presented to the City.**

#### **D. FINAL PLAT FILING FEES**

The following schedule of fees and charges shall be collected by the city when any final plat is tendered to the city for consideration and approval. Such fees and charges shall accompany the application of the proposed plat and no action of the City Council shall be valid until the filing fee has been paid. This fee shall not be refunded to the subdivider should the plat be disapproved.

##### **Inside City Limits**

\$150.00 per plat plus \$1.00 per lot.

##### **Outside City Limits in Extraterritorial Jurisdiction**

\$250.00 per plat plus \$1.00 per l

#### **SECTION 7: REPLATS**

##### **A. PROCEDURES**

- a) Any person who wishes to revise a subdivision plat which has previously been filed for record must make an application of the proposed revised plat to the Planning and Zoning Commission. The replat of the subdivision shall meet all requirements for a subdivision that may be pertinent. However, if the subdivision as replatted does not require any appreciative alteration or improvement of utility installations, streets, alleys, building setback lines, etc., then no engineering plans will be required. No preliminary plats will be required for any replats.
- b) In the event that the proposed replat involves property that has been previously developed and limited by deed restrictions or zoned as single family or duplex residential use then the following special requirements must be adhered to. Public hearings before the Planning and Zoning Commission and City Council are required.
  - Publication in an official newspaper or newspaper of general circulation in Flatonia.
  - By written notice to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated by the most recent 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. The written notice may be delivered by depositing the notice, properly addressed with postage prepaid, in a post office or postal depository within the boundaries of the City of Flatonia.

- If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, an affirmative vote of at least three-fourths of the members of the City Council. 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 that area, but within the original subdivision must be filed with the City Council prior to the close of the public hearing.

#### **B. REPLAT FEES**

The fee for re-platting property shall be as follows:

Inside City Limits - \$250.00

Outside City Limits in ETJ - \$350.00

#### **SECTION 8: ADMINISTRATIVE PLATS**

- a) The City Administrator may approve and issue an amending plat, which may be recorded and is controlling over the preceding plat without vacation of that plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:
- To correct an error in a course or distance shown on the preceding plat;
  - To add a course or distance that was omitted on the preceding plat;
  - To correct an error in a real property description shown on the preceding plat;
  - To indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
  - 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;
  - To correct any clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
  - To correct an error in courses and distances of lot lines between two adjacent lots if:
    1. Both owners join in the application for amending the plat;
    2. Neither lot is abolished;
    3. The amendment does not attempt to remove recorded covenants or restrictions; and

4. The amendment does not have a material adverse effect on the property rights of the other owners in the plat;
- To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
  - To relocate one or more lot lines between one or more adjacent lots if:
    1. The owners of all those lots join in the application for amending the plat;
    2. The amendment does not attempt to remove recorded covenants or restrictions; and
    3. The amendment does not increase the number of lots;
  - To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
    1. The changes do not affect applicable zoning and other regulations of the City;
    2. The changes do not attempt to amend or remove any covenants or restrictions; and
    3. The area covered by the changes is located in an area that the City's planning commission or other appropriate governing body of the City has approved, after a public hearing, as a residential improvement area; or
  - To replat one or more lots fronting an existing street if:
    1. The owners of all those lots join in the application for amending the plat;
    2. The amendment does not attempt to remove recorded covenants or restrictions;
    3. The amendment does not increase the number of lots; and
    4. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.
- b) A hearing and the approval of other lot owners are not required for the approval and issuance of an amending plat.

## **SECTION 9: MAINTENANCE BOND**

If the subdivider chooses to construct the required improvements prior to recording of the final plat, all such construction shall be inspected while in progress by the appropriate city officials, and must be approved upon completion by the Director of Public Works, the Water and Wastewater Director, and the City Administrator.



Upon completion of all improvements in accordance with city specifications and standards, and their acceptance by the City, the subdivider or developer shall furnish the City with either a letter of credit for maintenance or a maintenance bond executed by a corporate surety holding a permit from the State of Texas to act as surety or other surety acceptable to the City. Such letter of credit or bond shall be conditioned that the subdivider or developer shall warrant such improvements in good condition for a period of twelve (12) months. The amount shall be equal to ten (10%) of the contract cost of all improvements and shall be in effect one (1) year from the date of completion and acceptance by the City.

#### **SECTION 10: UNAVAILABILITY OF PUBLIC WATER AND/OR WASTEWATER UTILITIES**

If a proposed subdivision is located beyond the service area of an approved water distribution system or beyond the drainage area of an approved wastewater collection system, the subdivider shall be required to furnish, with his or her preliminary plat, satisfactory evidence, including, but without limitation, the results of soil tests and borings, and statements from local and state health authorities, water engineers, and other proper officials, that water satisfactory for human consumption may be obtained from surface or subsurface water sources on the land/ or that soil conditions are such that satisfactory sewage disposal can be provided by the use of approved septic tanks or developer installed sewage treatment systems. Construction of private utilities shall be in accordance with 30 TAC Chapter 285, 30 TAC Chapter 317, Texas Health and Safety Code, Chapter 366.

#### **SECTION 11: STANDARD SPECIFICATIONS FOR SUBDIVISIONS**

The design and construction standards found in Appendix A hereof shall govern the construction of all subdivision improvements as well as establishing standards for materials to be used unless otherwise stipulated by the City.

#### **SECTION 12: OFF-SITE IMPROVEMENTS**

Where it is necessary, in order to properly serve the subdivision, that extension of existing city utilities to be constructed outside of the subdivision, which extensions or such facilities are herein referred to as “off-site improvements,” the developer shall install such off-site improvements of such a size to adequately serve the area being subdivided, at his /her own expense. However, if the City should require the construction of off-site improvements of a size greater than needed to serve the subdivision, then the City shall within one (1) year after the date of approval of such construction, reimburse the developer for any increased cost of such facilities. In no event shall the City participate in the cost of water and/or wastewater lines of six inches (6”) or smaller.

#### **SECTION 13: LIABILITY OF THE CITY**

Neither the City nor any authorized agent acting under the terms of this ordinance shall be liable or have any liability by reason of orders issued or work done in compliance with the terms of this ordinance.

**SECTION 14: CONFLICTING ORDINANCES**

Whenever the standards and specifications in this ordinance conflict with those contained in any other ordinance, the most stringent or restrictive provisions shall govern.

**SECTION 15: PENALTY FOR VIOLATION**

Except as provided in subsection (b) of this section, any person violating any provision of this ordinance within the jurisdiction of the City shall be guilty of a misdemeanor, and upon conviction shall be fined an amount not less than One-Hundred Dollars (\$100.00) nor more than Two-Hundred Dollars (\$200.00). Each day that such violation continues shall be a separate offense. Prosecution under this provision shall never be a bar to any other remedy or relief for violations of this ordinance.

**SECTION 16: CITY ATTORNEY'S AUTHORITY**

On behalf of the City, the City Attorney, when directed by the City Council, shall institute appropriate action in a court of competent jurisdiction to enforce the provisions of this ordinance or the standards referred to herein with respect to any violation thereof which occurs within the City, within the extraterritorial jurisdiction of the City, or within any area subject to all or part of the provisions of this ordinance.

**SECTION 17: SEVERABILITY**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraphs, or section.

**SECTION 18: EFFECTIVE DATE OF THE ORDINANCE**

This ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law in such cases provides.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Flatonia, TX on this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**APPROVED:**

\_\_\_\_\_

## **SECTION K. ZONING**

The following proposed revisions to the Zoning Ordinance for the City of Flatonia are prepared to assist in the strengthening and enforcement of zoning designations and issues and is presented for City Staff and the City Attorney to review, and make desired corrections or changes prior to adoption by the Flatonia City Council.

### **SAMPLE**

#### **CITY OF FLATONIA**

#### **ZONING ORDINANCE**

**THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS HEREBY AMENDS ARTICLES AND SECTIONS OF CHAPTER 44, ZONING, OF THE CODE OF ORDINANCES, UPON ADOPTION OF THE CITY OF FLATONIA 2019 COMPREHENSIVE MASTER PLAN; REPEALING PRIOR ORDINANCE PROVISIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY OF THE PROVISIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Flatonia, Texas deems it necessary for the purpose of promoting heal, safety, morals, and the general welfare of the community to enact such ordinance, or cause for such amendments upon review and determination of current and future land uses; and,

**WHEREAS**, the City Council of the City of Flatonia, Texas has in all respects given reasonable consideration to the character of the land use districts and their suitability for particular uses, while conserving the value of buildings and encouraging the most appropriate uses of land throughout the City; and,

**WHEREAS**, the City Council of the City of Flatonia, Texas has complied with state laws and regulations of enacting zoning restrictions and its enforcement. In accordance with the adopted City of Flatonia Comprehensive Master Plan, this ordinance is designed to lessen congestion in streets; to ensure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population, to guide and limit the use of areas subject to periodic flooding; and to facilitate the adequate provisions of transportation, water, sewage, parks and other public requirements.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLATONIA, TEXAS, THAT:**

#### **SECTION 1: AMENDMENTS**

Chapter 44, Zoning, of the Code of Ordinances hereby amends the following Articles and Sections, and shall read as follows:

## ARTICLE I. - IN GENERAL

### Sec. 44-1. - Definitions.

For the purpose of this chapter, certain terms and words are defined herein. Terms not defined herein shall be construed to mean the same as those terms and words contained in the adopted Southern Building Codes, or their customary usage and meaning.

*Accessory use or structure* means a use or structure on the same lot with and of a nature customarily incidental and subordinate to the principal use or structure, such as storage sheds, temporary construction trailers, utility sheds, garage/carports, etc.

*Alley* means a minor public right-of-way which provides a secondary means of vehicular access to abutting property and which is used primarily for vehicular traffic to the rear or side of properties which otherwise abut on a public street as that term is defined herein.

*Apartment house or apartments* means any building which is designated or occupied as the home or residence of more than two families living independently of each other and doing their own cooking in the said building and shall include flats and other multifamily buildings. The term "apartment" further means a dwelling unit in a multifamily apartment house or any building or portion thereof which is designated or occupied by more than two families.

*Auto Repair Shop* means a building or space for the repair or maintenance of motor vehicles, but not including factory assembly of such vehicles, auto wrecking establishments or junkyards.

*Auto Sales Lot* means an open area or lot used for the display or sale of automobiles, where no repair work is done except minor reconditioning of the cars to be displayed and sold on the premises, and no dismantling of cars for sale or keeping of used car parts or junk on the premises.

*Bar* means an establishment, not a restaurant, the principal activity of which is the sale and consumption on the premises of liquor, wine, beer or any other alcoholic beverages, whether served with or without food and other refreshments.

*Basement* means a story (or portion of a story) partly below curb level, with at least one-half of its height (measured from floor to ceiling) above curb level. The curb level nearest to a story (or portion of a story) shall be used to determine whether such story (or portion of a story) is a basement.

*Billboard* means a sign advertising product not made, sold, used, or served on the premises displaying such sign or a sign having a greater height than 12 feet or a width greater than 18 feet.

*Block* means a tract of land bounded by streets or a combination of streets and public parks, or corporate boundaries of the city.

*Boardinghouse* means a building other than a hotel, motel, or an apartment hotel, and where no members of immediate family reside in the principal dwelling, where, for compensation and by prearrangement for a definite period, meals or lodging and meals are provided for three or more persons, but not exceeding 20 persons.

*Build* means the word build means to erect, convert, enlarge, construct, reconstruct, or alter a building or structure.

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

*Building, detached,* means a building which is surrounded by yards or open space on a lot.

*Building height* means the vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the main height level between eaves and ridge for gable, hip, or gambrel roofs.

*Building Line* means a line parallel or approximately parallel to the street line at a specific distance therefrom marking the minimum distance from the street line that a building may be erected.

*Business* means any retail, commercial, personal services, excavation, manufacturing and industrial operations and uses.

*Carport* means a roofed structure open on three sides when attached to a dwelling and open on four sides when detached from a dwelling, covered with a roof supported by structural steel or wood columns or masonry piers of minimum size for structural safety.

*Carwash* means a building, or portion thereof, where automobiles or other motor vehicles are automatically or manually washed regularly as a business.

*Cellar* means a building story with more than one-half of its height below the average level of the adjoining ground. A cellar shall not be counted as a story in computing building height.

*Cemetery* means land used or intended to be used for the burial of deceased human remains, including crematories, mausoleums, and mortuaries.

*Certificate of Occupancy* means an official certificate issued by the City of Flatonia which indicates conformance with or approved conditional waiver from the zoning regulations and authorizes legal use of the premises for which it is issued.

*Church or Rectory* means place of worship and religious training of recognized religions including the on-site housing of ministers, rabbis, priests, and nuns.

*Clinic* means group of offices for one or more physicians, surgeons or dentists to treat sick or injured patients who do not remain overnight.

*City Council* means the governing body of the City of Flatonia, Texas.

*Commission* means the city planning and zoning commission.

*Community recreational facility* means any park, playground and community building owner and/or operated by the city, country clubs or golf courses, etc.

*Comprehensive Plan, Master Plan*, means a periodically updated series of documents that unify all elements and aspects of city planning. Based on careful analysis and projection, these volumes reflect the best judgment of the City Commission, Planning and Zoning Commission and Staff to ensure the growth and prosperity of the City of Flatonia. The plan shall serve as a policy guide to zoning and subdivision development decision.

*Court* means an open, unoccupied space bounded on more than two sides by the walls of a building. An inner court is entirely surrounded by the exterior walls of a building. An outer court has one side open to a street, alley, yard or other permanent open space.

*Day nursery/day care center* means an agency, organization or individual providing daytime care of more than six children not related by blood marriage to, or not the legal wards or foster children of the attendant adult.

*District* means any section of the city for which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, and the intensity of use are uniform.

*Dwelling* means any building or portion thereof which is designed for or used for residential purposes.

*Dwelling, multi-family* means a building or portion thereof constructed for or occupied by three or more families and containing three or more dwelling units, e.g.: apartments, residential hotels.

*Dwelling, single-family*, means a building designed for or occupied exclusively by one family.

*Dwelling, two-family (duplexes)*, means a building designed for or occupied exclusively by two families.

*Dwelling unit* means a room or suite of two or more rooms designed or intended for use by an individual or family in which culinary and sanitary conveniences are provided for the exclusive use of such individual or family.

*Eating and drinking places* mean a retail establishment primarily engaged in the sale of food and drinks for consumption on the premises.

*Family* means one or more persons occupying a dwelling and living as a single housekeeping unit and doing their own cooking on the premises, as distinguished from a group occupying a boardinghouse, or hotel, as herein defined.

*Farm or Orchard* means an area of two (2) acres or more which is used for the growing of farm products such as vegetables, fruit trees, and grain as well as the raising thereon of the usual farm poultry and farm animals such as horses, dairy cattle, sheep, and swine.

*Flea Market* means a collection or group of outdoor stalls, booths, tables or other similar arrangements, used by individual vendors, for the display and sale of various items of new or used personal property.

*Floor Area* means the living area of a building, including the walls thereof, but excluding all porches, open breezeways and garages.

*Fraternity/Sorority Lodge or Housing* means a gathering location for a group of people associated and/or formally organized in a nonprofit capacity for the purposes of providing scientific, cultural, educational, patriotic and/or charitable services to the community.

*Frontage* means all the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

*Garage, Auto Repair* means a building or portion of a building used for the general repair and/or painting of motor vehicles.

*Garage, Parking* means a building or portion of a building used for the storage of motor vehicles, other than a private garage or a [an] auto repair garage, in which any sale of gasoline, oil, and accessories is only incidental to the storage of the vehicles.

*Garage, Private* means an accessory building or portion of a main building on the same lot and used for the storage of private passenger motor vehicles or boats.

*Group Home* means a residential facility licensed by the Texas Department of Human Resources to house up to six (6) handicapped and/or mentally retarded persons and two (2) supervisors.

*Halfway House* means a residential facility providing shelter, supervision and residential rehabilitative services for persons who have been inmates of any county, state or federal correctional institution and released and require a group setting to facilitate the transition to a functional member of society.

*Heavy industry* means an establishment engaged in the manufacture, processing, assembly, compacting, packaging, or compounding and/or treatment of raw materials.

*Home Occupation* means any occupation or activity which is clearly incidental and secondary to the residential use of the premises and which is carried on wholly within a main building or accessory building by a member of a family residing on the premises and which does not change the character thereof. However, such use will not be obnoxious or offensive due to vibration, smoke, dust, odor, heat, glare, noise or which increases traffic.

*Hospital* means an institution or place where sick or injured patients are kept overnight and given medical or surgical care.

*Industrialized Building* means a commercial structure that is constructed on one or more modules or constructed using one or more modular components built at a location other than the permanent commercial site, and that is designed to be used as a commercial building when the modules or modular components are transported to the permanent commercial site and are erected or installed on a permanent foundation system. The term includes the plumbing, heating, air-conditioning and electrical systems. The term does not include any commercial structure that is in excess of two (2) stories or thirty-five feet (35') in height as measured from the finished grade elevation at the building entrance.

*Industrialized Housing* means a residential structure that is designed for the use and occupancy of one or more families, that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent residential site, and that is designed to be used as a permanent residential structure when the modules or modular components are transported to the permanent residential site and are erected or installed on a permanent foundation system. The term includes the plumbing, heating, air conditioning, and electrical systems. The term does not include any residential structure that is in excess of two (2) stories or thirty-five feet (35') in height as measured from the finished grade elevation at the building entrance to the peak of the roof. The term shall not mean nor apply to (a) housing constructed of sectional or panelized systems not utilizing modular components, or (b) any ready-built home which is constructed so that the entire living area is contained in a single unit or section at a temporary location for the purpose of selling it and moving it to another location.

*Light industry* means an establishment engaged in the manufacturing, processing, assembly, packaging, compounding and/or treatment of finished or semi-finished products from previously prepared material, but not including those establishments wherein the manufacture or processing is incidental and essential to an enterprise in which all merchandise is sold at retail on the premises.

*Loading space* means a space within the main building or on the same lot therewith, providing for the standing, loading or unloading of trucks, and having a minimum dimension of 12 by 35 feet and a vertical clearance of at least 14 feet.



*Lot* means a tract or parcel of land which is occupied by one building or use and the accessory buildings or uses customarily incident to it and having a frontage on a dedicated street.

*Lot, Corner* means a lot abutting on two (2) intersecting streets.

*Lot Coverage* means the percentage of the total area of a lot occupied by the first story or ground floor of buildings located on the lot.

*Lot Depth* means the average depth from the front line of the lot to the rear line of the lot.

*Lot Width* means the width measured at a distance back from the front line equal to the minimum depth required for a front yard.

*Lot, interior,* means a building lot other than a corner lot.

*Lot of record* means a lot which is part of a subdivision, the map of which has been recorded in the office of the county clerk; or a parcel of land, the deed of which was recorded in the office of the county clerk.

*Main Building* - A building in which is conducted the principal use of the lot on which it is situated.

*Manufactured Home, also referred to as "HUD manufactured home",* means a structure constructed on or after June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems; affixed with a red-label certifying that the home is built in accordance to the standards set by the United States Department of Housing and Urban Development. Manufactured homes, also referred to as "single-wide," or "double-wide," to describe the *type of structure* which is defined as: A "singlewide home" square footage ranges from 600 square feet up to 1,330 square feet. The width of a singlewide is 18 feet or less and the length is 90 feet or less. Singlewide homes are shipped as one unit on one semi-trailer. A "doublewide home" square footage ranges from 1,067 square feet and up to 2,300 square feet. Doublewide homes have a width of 20 feet or more and their length is 90 feet or less. Doublewide homes are shipped as two separate units that are later joined seamlessly to make a completed doublewide home.

*Manufactured Home Parks are also referred as "mobile home parks"* is a parcel of land under single entity ownership, in an area determined appropriate by the municipality and improved for the placement of Manufactured Homes, and meeting all requirements of this Ordinance, and any applicable ordinances, deed restrictions, and state law for dwelling purposes regardless of whether or not a change is made for each accommodation.

*Mobile home* means a structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is 320 or more square feet, and which

is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

*Modular homes* are structures designed for the occupancy of one or more families, that is constructed in one or more modular components built at a location other than the permanent site; and designed to be used as a permanent residential structure when the components are transported to the permanent site and erected or installed on a permanent foundation system; affixed with a blue-label signifying that the home is built to model code standards that comply with the International Residential Code and issued by the Texas Department of Licensing and Regulation.

*Travel trailer or recreational vehicle, also referred to as “motor homes”* designed for human habitation as temporary living quarters in connection with recreational, camping, travel, or seasonal use that is not designed to be used as a permanent dwelling; is less than eight (8) body feet in width and forty (40) body feet in length in the traveling mode and contains plumbing, heating, and electrical systems that may be operated without connection to outside utilities; is not a utility trailer, enclosed trailer, or other trailer that is not designed for human habitation as its primary function; or is a motorized dwelling.

*Motel or Hotel* means a building or group of buildings, including either separate units or a row or rows of units, which contain sleeping accommodations primarily for transient occupancy, and provide off-street parking space on the same building lot for use of its occupants.

*Nonconforming use* means the use of land or a building, or a portion thereof, which use does not conform with the use regulations of the district in which it is situated and which use was in existence prior to the effective date of the ordinance from which this chapter is derived.

*Occupancy* means the use or intended use of the land or buildings by proprietors or tenants.

*Open space* means the part of a building lot, including courts or yards, which are open and unobstructed from its lowest level to the sky, which is accessible to all residents upon a building lot, which is not part of a roof, and which does not include court recesses.

*Park or Playground (Public)* means an open recreation facility or park owned and operated by a public agency such as the city or the school and available to the general public for neighborhood use.

*Parking space* means a paved area of at least 162 square feet enclosed or unenclosed approximately nine feet in width and 18 feet in depth having a paved driveway connecting the parking space with a street or alley and permitting ingress and egress of an automobile.

*Paved area* means an area surfaced with asphalt, concrete or similar all-weather surface, not including gravel.

*Place* means an open unoccupied space or a public or private thoroughfare other than a street or alley permanently reserved as the principal means of access to abutting property.

*Planning and Zoning Commission* means the body designated by the City Council to hold public hearings and make recommendations to the council relative to amendments and changes to this chapter.

*Plat* means a plan of a subdivision of land creating building lots or tracts and showing all essential dimensions and other information essential to comply with the subdivision standards of the City of Flatonia and subject to approval by the Planning and Zoning Commission and City Council; an *official Plat of Records* means a plat that has been approved by the Planning and Zoning Commission and City Council and filed in the plat records of Medina County.

*Private recreational facilities* mean any recreational, social and multipurpose uses within a subdivision or other residential development which are operated and maintained by a property owner association or other designated management agency for the benefit and enjoyment of members and their guests. Typical uses include clubhouses, tennis courts, playgrounds and swimming pools.

*Public use* means any use controlled by the city, county, state, federal or any other governmental entity.

*Recycling Facility* means a facility designed to collect, sort, and package, by either manual or mechanical processes, recyclable items for transport to a processing plant.

*Residential use* means any use consisting principally of dwelling units.

*Restaurant* means any eating or drinking establishment where the preparation and serving of food is the primary business of such establishment including cafes, bistros, cafeterias, and other fast food and drive-in food establishments.

*School* means a place having a curriculum for the purpose of giving instruction, training or education in a service, art, trade, or for general knowledge.

*Service Station* means a building or premise [premises] where gasoline, oil, grease, batteries, tires and accessories may be supplied and dispensed at retail, and the servicing of vehicles occurs, but not including the overhaul of major automobile components, body work or repair of heavy trucks. A service station is sometimes referred to as a “gas station,” “filling station,” or “fuel service station.”

*Setback* means the required minimum distance between any structure and any property line of the lot on which it is located. Setbacks shall be measured perpendicular to lot lines. The terms “setback” and “required yard” shall mean the same and can be interchanged.

*Shopping Center* - An area consisting of three (3) acres or more arranged according to a site plan to be submitted to and to be approved by the city commission, on which is indicated the amount of land to be devoted to the shopping village, the detailed arrangement of the various buildings, parking area, streets and type of zoning desired. It shall be required that the installation of all

utilities, drainage structures, the paving of streets, parking area, alley and sidewalks be in accordance with the city's specifications for each type of improvement.

*Sexually oriented business* means an adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, massage parlor, or other commercial enterprise, the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer.

*Sign, advertising*, means a poster panel, painted bulletin or other advertising device which promotes and advertises commodities or services not limited to being offered on the premises on which such sign is located.

*Sign, business or occupation*, means a graphic device which advertises only commodities or services offered on the premises where such sign is located.

*Sign, church and school*, means a name plate and bulletin board for schools and churches located on premises, but not exceeding 30 square feet in area, including flashing intermittent, revolving or similarly lighted type of sign.

*Sign, real estate*, means a temporary sign pertaining to the sale or rental of property upon which it is located, not exceeding 20 square feet in area and advertising property only for a use which it is legally zoned.

*Specific Use* means a use that may be allowed if it meets certain specified requirements or conditions and meets the approval of the city commission. Specific uses are sometimes referred to as "conditional" uses or "special uses."

*Stable* means an accessory building used by the residents of the premises for sheltering and quartering of horses owned by the occupants and for which no fee is charged for stabling the horses.

*Story* means that portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, then the space between the floor and the ceiling next above it.

*Story, half*, means a partial story under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four feet above the floor of such story, except that any partial story used for residence purposes, other than for a janitor or caretaker of his family, or by a family occupying the floor immediately below it, shall be deemed a full story.

*Street* means a public or private thoroughfare which affords the principal means of access to abutting property.

*Street line* means a dividing line between a lot, tract, or parcel of land and a contiguous street.

*Structural Alteration* means any change, addition or modification in construction in the supporting members of a building, such as exterior walls, bearing walls, beams, columns, foundations, girders, floor joists, roof joists, rafters or trusses.

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

*Temporary building* means an enclosed building, the use of which is incidental to construction work on the premises, which enclosed building shall be removed upon the completion or abandonment of construction work.

*Townhouse* means single-family dwelling units, attached or otherwise, joined to one another at one or more sides, designed for occupancy by one family.

*Use, Accessory* means a subordinate use on the same lot with the principal use and incidental and accessory thereto.

*Wrecking or salvage or junk yard* means a place where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards, and places for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawn shops and establishments for the sale, purchase or storage of used furniture and household equipment when conducted entirely within a completely enclosed building, sale of used cars in operating condition, or salvaged materials incidental to a manufacturing operation.

*Variance or Special Use* means an adjustment in the application of the specific regulations of the zoning ordinance to a particular parcel of property which, because of special conditions or circumstances peculiar to the particular parcel, is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity and zoning district.

*Washateria or Laundry Mat* means a building or place where clothes and linens are washed and thoroughly dried on a self-service basis by the use of washing, drying, and ironing machines and shall include the term "self-cleaning laundry."

*Yard* means an open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

*Yard, front*, means a yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the street or place line and the main building or any

projections of uncovered steps, uncovered balconies, or uncovered porch. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

*Yard, rear,* means a yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies, or unenclosed porches. On all lots, the rear yard shall be in the rear of the front yard.

*Yard, side,* means a yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main buildings or any projections thereto.

#### **Sec. 44-2. - Interpretation.**

It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Planning and Zoning Commission, or his or her designated representative, and that such questions shall be presented to the City Council only on appeal from the decision of the Planning and Zoning Commission, or other administrative official, and that recourse from the decisions of the City Council shall be to the courts as provided by law.

In interpreting and applying the provisions of this chapter, they shall be held to the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity, and general welfare of the city. It is not intended by this ordinance to interfere with or annul any easement covenants or other agreements between parties, except if this chapter imposes a greater restriction.

#### **Sec. 44-3. - Violation and penalties.**

- (a) The owner of a building or premises in or upon which a violation of any provision of this chapter has been committed or shall exist, or the lessee or tenant of an entire building or entire premises in or upon which a violation has been committed or shall exist, or the agent, architect, building contractor, or any other person, firm or corporation who commits, takes part or assist in any violation, or who maintains any building or premises in or upon which such violation exists, shall, upon conviction be fined as determined on a file located in the office of the city secretary. Each day such violation continues may be punishable as a separate offense.
- (b) Other remedies. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this chapter, the appropriate authorities or the city, in addition to other remedies, may institute appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use to correct or abate such violation, or to prevent the occupancy of such building, structure or land.

#### **Sec. 44-4. – Administration and Enforcement**

The City Administrator is hereby designated by the City Council as the Administrative Official to supervise the administration and enforcement of these regulations. The City Administrator may appoint an assistant to help him or her with the general administration and enforcement duties required for this implementation of this zoning ordinance.

If the City Administrator or his or her designated administrative official finds that any of the provisions of this ordinance are being violated, the City Administrator or his or her designated administrative official shall notify, in writing, the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. The City Administrator or his or her designated administrative official shall order the discontinuance of any illegal use of land, buildings or structures, the removal of any illegal buildings or structures or of any illegal additions, alterations or structural changes, the discontinuance of any illegal work being performed; or shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of these provisions.

No oversight or dereliction made on part of the City Administrator, or his or her designated administrative official, or any employee of the City shall legalize, authorize, or excuse the violation of any of the provisions of this ordinance.

#### **Sec. 44.5 – Filing and Application Fees.**

The City Council shall, by ordinance or resolution, establish a schedule of fees and charges for the permits, certificates of occupancy, zoning change or variance requests, zoning appeals, home occupations, and other matters pertaining to this ordinance. The schedule of fees and charges may be altered or amended only by action of the City Council. Until all applicable fees and charges have been paid in full, no action shall be taken on any application or appeal. The City Secretary shall maintain a current list of applicable fees and charges.

Other applicable fees may apply, refer to Chapter 36 of the Code of Ordinances.

#### **Sec. 44.6—44-24. - Reserved**

### **ARTICLE II. - POLICY GOALS**

#### **Sec. 44-25. - Policy goals for the implementation of the master plan.**

The following policy goals are hereby adopted as part of this chapter. These policies are intended as a guide for the land development process of the city, and for other programs, including cooperative efforts with other governmental agencies and the private sector. This article is intended as one method of implementing the goals as stated in the city's master plan and shall be updated annually.

These regulations are made with reasonable consideration, among other things, to the character of the district and its suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land through the city.

It is further the intent of this ordinance that the duties of the City Council, in connection with this ordinance, shall have the duty of considering and adopting or rejecting proposed amendments to this ordinance or of its repeal, and of establishing a schedule of fees and charges as herein stated.

**Sec. 44-26. - General goals.**

This ordinance is designed to lessen congestion in streets; to ensure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population, to guide and limit the use of areas subject to periodic flooding; and to facilitate the adequate provisions of transportation, water, sewage, parks and other public requirements.

- (1) The city shall endeavor to the fullest extent practicable to maintain the current high levels of air and water quality, and otherwise to preserve the natural and manmade resources of the community.
- (2) The city shall continue to support the development of a wide variety of commercial, industrial, and residential land uses with an emphasis on the development of low-density residential development.
- (3) The city shall continue to strive to provide a reasonable amount of medium and high-density residential development to provide housing for low and moderate income residents.
- (4) The city shall continue to be committed to the preservation and enhancement of residential neighborhoods regardless of housing type.
- (5) The city shall provide for the maximum amount of park land and open space as possible through developer dedications and city land purchases.

**Sec. 44-27. - Annexation policies.**

- (1) Annually, in conjunction with the review of a capital improvements program, the city shall also review a proposal for territory within the city's extraterritorial jurisdiction (ETJ) to be annexed, if any, and for territory to be studied for possible future annexation.
- (2) The city shall consider annexation and zoning of new territory in a coordinated manner, and the city shall adopt original zoning districts for new territory according to this article.
- (3) Where the city intends to provide municipal services to territory adjacent to the corporate limits, the city shall first ensure that such territory is scheduled for annexation.



- (4) Since the city is a General Law City and does not have the authority to require non-resident landowners to become part of the city without their consent, the city, as a matter of policy, shall encourage landowners to come into the city by informing them of the advantages of living within the city limits.

**Sec. 44-28. - Urban service policies.**

- (1) The city shall regard necessary improvements in the urban services system to existing residential neighborhoods, businesses, and industries as a priority to the very highest magnitude.
- (2) The city shall strive towards efficiency and economy in the area of urban services delivery. It shall provide a high quality of services at the lowest possible cost under the principal of equity to all residences throughout the city.
- (3) The city shall provide urban services to new development in such a manner as to attain for the respective new development, and to preserve for developments already served the highest possible level of service.
- (4) The city shall to the fullest extent practicable endeavor to ensure a source of water supply sufficient to serve existing and anticipated water needs.
- (5) The city shall to the fullest extent practicable endeavor to ensure the proper provision of wastewater treatment facilities sufficient to serve existing and anticipated wastewater treatment needs.
- (6) The city shall to the fullest extent practicable endeavor to ensure the proper provision of solid waste disposal service sufficient to serve existing and anticipated solid waste disposal needs.

**Sec. 44-29. - Land use and development.**

The city shall require that the particular categories of new land use shall be located in areas as described hereafter:

- (1) High intensity land uses, including industrial and some commercial uses, shall generally locate along either existing major thoroughfares, established industrial collector streets, or established high intensity collector streets, but in no case shall new high intensity land uses locate in an area which is completely surrounded by existing or proposed low intensity land uses, especially residential uses.
- (2) Medium intensity land uses (primarily commercial) shall locate primarily along major or minor thoroughfares, and may also locate along principal collector streets, if intent is to serve the immediate surrounding area. Medium intensity land uses shall not locate among low density residential land uses.

- (3) The city shall ensure that medium intensity land uses shall locate along the periphery of low intensity land use area and generally along either a collector street or a major thoroughfare. To the fullest extent practicable, the medium intensity land use category shall serve as a physical separation between medium and low intensity land uses.
- (4) The city shall ensure, except where otherwise provided for by site plan review, that an area which has either developed as or has been platted exclusively for single-family dwellings, shall contain only single-family dwellings and expressly authorized accessory uses and buildings.
- (5) The city shall encourage the development of unused tracts of land in developed areas of the city in order to fill open spaces in the city and thus the most efficient use of existing infrastructure.

**Sec. 44-30. - Parks and recreation.**

- (1) The city shall ensure that an adequate amount of open space and park land is made available for public use.
- (2) The city shall ensure that the park dedication requirement of chapter 36 is strictly enforced and that the new development will have access to the park land.
- (3) The city's parks and recreation commission shall annually review and assign priorities for the development of existing park land, acquisition of new park land, and the development of new park land.
- (4) The acquisition and continued development of the park system shall be consistent with community growth patterns.
- (5) The city shall concentrate on the development of an additional city park and community parks as needed according to population growth.

**Secs. 44-31—44-49. - Reserved.**

**ARTICLE III. - PLANNING AND ZONING COMMISSION**

**Section 44.50 – Creation and Purpose.**

A Planning and Zoning Commission is hereby created in order to accomplish the following purposes:

- (1) To identify community need and to advise the City Council of their short-range and long-range implications for the total development of the city;
- (2) To recommend achievable community goals as a basis for a long-range planning and development programs;
- (3) To recommend plans, programs, and policies that will aid the entire community in

achieving its defined goals; and

- (4) To interpret adopted plans and programs to concerned citizens so that private activities and desires may be accomplished in harmony with public needs and policies.

**Sec. 44-51. - Structure of the commission.**

The Planning and Zoning Commission shall be composed of seven (7) qualified voters of the city. The City Council will consider for appointment to the commission only those persons who have demonstrated their civic interest, general knowledge of the city, independent judgment, interest in planning and zoning, and availability to prepare for and attend meetings. Upon City Council's appointment of members, at the first initial meeting of the Planning and Zoning Commission, the commission shall elect the following officers. Duties of each elected officer are as follows:

- (1) *Chairperson*. Shall preside over the affairs while the commission is in session. The chairperson may vote on all matters before the commission but may not originate any motion.
- (2) *Vice-chairperson*. Shall preside in the absence of the chairperson. The vice-chairperson is allowed to vote on all matters and may originate motions.
- (3) *Secretary*. Shall keep an accurate account and record of all meetings, both regularly scheduled and special. The secretary shall work with the administrative staff of the city to prepare a regular agenda and ensure that it is posted in accordance with the State of Texas Open Meetings Act requirements.

**Sec. 44-52. - Terms of appointment.**

Members of the commission shall be resident citizens of the city and registered voters. Members shall serve a term of two years, with three (3) positions being appointed in even numbered years and four (4) positions being appointed in odd numbered years. The initial term of office shall begin on February 1 of the year of appointment, except for the filling of vacancies and unexpired terms. All vacancies shall be filled by appointment of a majority vote of the council and such appointments shall be for the remainder of the unexpired term. There are no term limitations.

**Sec. 44-53. - Compensation.**

Members of the commission shall serve without compensation, except for the reimbursement of authorized expenses in the performance of their duties upon prior approval by the City Administrator.

**Sec. 44-54. - Vacancies.**

As the terms of office of said positions terminate, the City Council shall, as soon as possible, or within 60 days after such expirations, appoint members to fill such vacancies for a term of two

years. The council, if interim vacancies occur, shall appoint a successor for the remainder of the unexpired term.

**Sec. 44-55. - Absences.**

If a member is absent for three consecutive meetings, unless because of illness, death of immediate family member, or permitted leave of absence, his or her appointment shall be terminated. In addition, any member who misses an unreasonable number of meetings, which may not necessarily be consecutive but without excuse as set forth, may be expelled by majority vote of the commission or City Council. Members must attend at least 50 percent of all regular and special meetings held during a one-year period, beginning from time of appointment, regardless of absence and regardless of excuse. The one-year period shall be from February 1 through January 31 of each year. Failure to comply with attendance requirements, whether excused or not, will be considered as resignation from the board. In the event of such termination, the chairperson of the board shall immediately notify the City Council who shall then take immediate steps to fill the vacancy.

**Sec. 44-56. - Powers and duties.**

Powers and duties of the planning commission include the following:

- (1) Inspect property and premises at reasonable hours where required in the discharge of its responsibilities under the laws of the state and of the city.
- (2) To identify community needs and to advise the City Council of their short-range and long-range suggestions for the total development of the city in regard to the identified community needs.
- (3) To review and recommend to City Council of plans, programs, and policies that will aid the entire community in achieving the defined goals set forth in the Master Plan.
- (4) To review and recommend to the City Council for its action of proposed amendments to the zoning ordinance to facilitate the goals of the Master Plan as a result of changing demands and development patterns and conditions.
- (5) Study and recommend on the location, extension and planning of public rights-of-way, parks or other public places, and on the vacating or closing of same.
- (6) To review, inspect, and initiate consideration at public hearings all proposals: (A) for the opening, vacating or closing of public rights-of-way, parks or other public places; (B) for the original zoning of annexed areas; (C) for the change of zoning district boundaries on an area-wide basis; and (D) for the review and consideration of special use permits and/or variance applications.
- (7) Formulate and recommend to the City Council for its adoption of policies and regulations consistent with the adopted ordinances of the governing body for the operation of utilities, public facilities and services owned or under the control of the

city.

- (8) To review and recommend to the City Council, for its action, of alterations to existing building, plumbing, electrical, and related codes as necessary.
- (9) To draft and recommend to the City Council, for its action, an official zoning map of the city and recommend changes to such map.
- (10) To perform other such duties as may be duly delegated to the Planning and Zoning Commission, from time to time, by the City Council.

**Sec. 44-57. - Meetings.**

A quorum for the conduct of business shall consist of four members of the commission. The members of the commission shall attend meetings and public hearings of the commission.

Regular meetings shall be held on the third Wednesday of every other month at 6:30 p.m. in the City Council chambers of city hall.

\*Special meetings may be called at the request of the chairperson, vice-chairperson, or at the request of City Council, or to otherwise consider subjects having strict time constraints or would cause deadline conflicts.

**Sec. 44-58. - Parliamentary procedure; meetings open to public.**

- (a) The commission will conduct its meetings in conformance to Robert's Rules of Order.
- (b) Quorum. A quorum shall consist of a majority of the entire commission and any issue to be voted on shall be resolved by a majority of those present.
- (c) Chairperson entitled to vote. The chairperson shall be entitled to vote upon any question but shall have no veto power.
- (d) Meetings. Meetings shall be open to the public and minutes shall be kept and shall be treated as a public record. All meetings shall be held in full compliance with the provisions of the Texas Open Meetings Law and applicable city ordinances.
- (e) Vote. No same proposition shall be brought forth before the commission for consideration beyond the next meeting. Failure of the commission to secure a majority vote to approve, or postpone approval to said next meeting, shall be recorded as a denial (no vote) of the proposition under this rule, and duly recorded in the minutes.
- (f) Abstention or Disqualification from Vote. A member shall abstain, or disqualify himself/herself from voting, whenever he/she finds that he/she has a personal or monetary interest in the property under consideration, or that he/she will be directly affected by the decision of the commission, or whenever any applicant has sought to influence the vote of the member of his/her application, other than in the public hearing. A member shall abstain or announce their disqualification prior to Chairperson calling proposition to the table and shall refrain from discussing and/or making recommendations of such proposition. A member abstaining or disqualifying him/herself

from such proposition, yet makes any form of discussion, recommendation or initiates influence to other members, shall be recorded as a denial (no vote) of the proposition under this rule, and duly recorded in the minutes.

**Sec. 44-59. - Commission to be declared adjunct to City Council.**

The city Planning and Zoning Commission is hereby declared to be adjunct to the City Council and receives its authority from the City Council. All administrative personnel of the city are hereby authorized and directed to cooperate with and assist the Planning and Zoning Commission at all reasonable times.

**Sec. 44-60. - Expenditures and obligations.**

Whenever it is deemed necessary by the Planning and Zoning Commission to incur any expenses in performing the duties assigned to it, an estimate of such proposed expenses shall be submitted to the City Administrator. No debts of any kind or character shall be made or incurred by the Commission or any person acting on behalf of the Commission unless such expenditures have been specifically authorized by the City Administrator prior to the time such obligations are incurred.

**Secs. 44-61—44-78. - Reserved**

**ARTICLE IV. - REGULATIONS**

**DIVISION 1. - ZONING DISTRICTS AND BOUNDARIES**

**Sec. 44-79. - Zoning districts.**

The city is hereby divided into the following districts:

District R-1	High Density Single-Family Residential
District R-2	Medium Density Single-Family Residential
District R-3	Low Density Single-Family Residential Estate
District MF	High Density Multi-Family Residential
District MH	Manufactured Home
District C-1	Commercial
District I-1	Industrial
District OP	Open Space/Park
District FP	Floodplain / Flood Zone

**Sec. 44-80. - District R-1. High Density Single-Family Residential**

- (1) *Intent.* This district is one of the predominant single-family housing districts that exist in the city, devoted to high-density residential development. This district allows for smaller and more affordable housing for residents. Development in this District is limited primarily to single family dwellings. This District prohibits the installation of Manufactured homes.
- (2) *Permitted Primary uses.* One Single-Family Dwelling unit per lot.
- (3) *Other Permitted Uses.* Accessory buildings.
- (4) *Specific uses.* Subject to site plan approval. Private or public recreational amenities or community centers, adult or child day care centers, home occupations, radio or television networks/towers, libraries or museums, antique shops, fraternity or sorority lodging, park or playgrounds, halfway housing, places of worship, and schools.

#### **Sec. 44-81. - District R-2. Medium Density Single-Family Residential**

- (1) *Intent.* To establish and preserve areas of medium intensity land use, primarily devoted to medium density residential development, including single-family residential duplexes. This district is the preferred single-family housing districts for the city. Development in this District is limited primarily to single-family dwellings, including duplexes, modular or industrialized housing. This District prohibits the installation of Manufactured homes.
- (2) *Permitted Primary uses.* One Single-family residential dwelling unit per lot. Two-Family (duplex) residential dwelling unit per lot, having a minimum living area of eight hundred (800) square feet per dwelling unit.
- (3) *Other Permitted uses.* Accessory buildings. Guest House or Mother-in-Law Suites. Other permitted uses shall be secondary to the primary use, where primary dwelling structure is occupied, or construction of primary dwelling is 75% complete and in compliance with building construction regulations.
- (4) *Specific uses.* Subject to site plan approval. Private or public recreational amenities or community centers, adult or child day care centers, home occupations, radio or television networks/towers, libraries or museums, antique shops, fraternity or sorority lodging, park or playgrounds, halfway housing, places of worship, schools, and animal shelters/hospitals.

#### **Sec. 44.82 - District R-3. Low Density Single-Family Residential Estate**

- (1) *Intent.* To establish and preserve areas of low-density, low-intensity land use, primarily devoted to low density residential development. This District is established to allow for larger lots with larger single-family dwelling structures per lot. This district is intended to provide a more rural and estate setting. This District prohibits the installation of Manufactured homes, Modular or Industrialized Housing, or the establishment of industrial or other incompatible uses.
- (2) *Permitted Primary uses.* One Single-family residential dwelling unit per lot, where the minimum construction of the unit has a permanent foundation built on cement pillars enforced with rebar, the entire unit's perimeter is framed to conceal visibility underneath the dwelling unit. The foundation and framing shall be designed and constructions to protect the essential suburban character of the district, and to provide adequate privacy and open space than is usually associated with in more dense areas of single-family dwellings.
- (3) *Other Permitted uses.* Accessory buildings. Guest House or Mother-in-Law Suites. Other permitted uses shall be secondary to the primary use, where primary dwelling structure



is occupied, or construction of primary dwelling is 75% complete and in compliance with building construction regulations.

- (4) *Specific uses.* Subject to site plan approval. Private recreational amenities, adult or child day care centers, home occupations, and park or playgrounds.

#### **Sec. 44-83. - District MF. High Density Multi-Family Residential**

- (1) *Intent.* To establish and preserve areas of high intensity land use primarily devoted to high density multifamily residential development, including apartment complexes, fourplexes, and other high-density residential development with over two dwelling units per structure. This District prohibits the installation of manufactured homes, modular or industrialized housing.
- (2) *Permitted Primary uses.* All permitted multifamily dwelling, including apartment complexes, fourplexes, and other high-density residential development with over two dwelling units per structure; apartment complexes shall not exceed 24 units per acre.
- (3) *Other Permitted uses.* Accessory buildings. Resident Services Office space wholly conducted within an enclosed building.
- (4) *Specific uses.* Subject to site plan approval. Private or public recreational amenities or community centers, adult or child day care centers, home occupations, radio or television networks/towers, libraries or museums, antique shops, fraternity or sorority lodging, park or playgrounds, halfway housing, places of worship, and schools.

#### **Sec. 44-84. - District MH. Manufactured Home (Park)**

- (1) *Intent.* This District is intended to provide for quality manufactured home park subdivision development and trailer park development containing many of the characteristics and atmosphere of a conventional single-family type of housing, primarily devoted to high density residential development. This district allows for more affordable housing alternatives for residents to install manufactured, modular, and/or travel trailer for single-family living units. This District prohibits the installation of mobile homes.
- (2) *Permitted Primary uses.* Manufactured or modular homes only. One dwelling unit per lot.
- (3) *Other Permitted Uses.* Accessory buildings. Resident Services Office space wholly conducted within an enclosed building. Travel Trailers.
- (4) *Specific uses.* Subject to site plan approval. Private recreational amenities, park or playgrounds, and day care centers, home occupations, places of worship, and schools.

- (5) *General Regulations.* Installations of Mobile homes, see definition, are nonconforming uses, and future installation is prohibited; additionally, any future installation of a manufactured home shall comply with the regulations adopted under Chapter 6 of the City's Code of Ordinances, unless specifically provided in this chapter. This does not apply to manufactured homes located in Districts R1 or R2.

**Sec. 44-85. - District C-1. Commercial.**

- (1) *Intent.* To establish and preserve areas of medium intensity land use, primarily devoted to general commercial development, and other non-industrial activities that is created to accommodate office uses, and certain personal services of a nature that will not have a blighting effect on adjacent residential areas, and be suited for lots along major streets that may create excessive amounts of traffic. This district is designed for a limited area of the city to protect and encourage a transitional character by permitting a limited group of uses.
- (2) *Permitted Primary uses.* Offices, services, family oriented amusements/facilities, governmental, institutional, gas/filling stations, medical/dental clinics/hospitals, restaurants/bakeries/cafes, banking services, laundry mats, barber/beauty shops, furniture store, antique shop, bookstores, retail/apparel store, appliance/electronic store, music/dance/art stores/galleries, adult or child day care centers, schools, trade schools, places of worship, and animal shelters/hospitals, bars/taverns and other non-industrial activities, which are conducted wholly within an enclosed building or buildings.
- (3) *Other Permitted Uses.* Accessory buildings, hotel/motel, radio/television networks/towers, gunsmiths/shops, auto/truck/boat rental/sales, carnival/circus activities, paint and body shop, halfway housing, storage unit lot, tattoo parlors, alcohol/tobacco stores.
- (4) *Specific uses.* Subject to site plan approval. Other non-industrial activities which entail either unenclosed operations and storage, contractor's storage and equipment yard, light manufacturing process, or other business emitting nauseous fumes or chemicals, mortuary, adult entertainment clubs.

**Sec. 44-86. - District I-1. Industrial.**

- (1) *Intent.* This District is established to accommodate most industrial and manufacturing uses and development, provided such use is not noxious or offensive by reason of emission of odors, soot, dust, noise, fumes or vibrations.
- (2) *Permitted Primary uses.* Industrial and manufacturing plants, factories, processing facilities, with all associated operations and storage contained within an enclosed building, unless unenclosed operations and storage of associated business does not emit nauseous fumes or chemicals.

- (3) *Other Permitted Uses.* All permitted uses in District C-1. Contractor storage and equipment yard, mortuary, adult entertainment clubs, animal feed stores, dairy and livestock farms/markets/auction barns, railroad yard and facilities, recycling facility, flea markets, golf course, racing tracks, brewery/gin/granary, heavy equipment and motor sales, storage/warehouse buildings, airport, bottling plants, salvage/junk yards.
- (4) *Specific uses.* Subject to site plan approval. Industrial and manufacturing or processing plants that may cause external physical effects within the respective development site or boundaries, or other business emitting nauseous fumes or chemicals.

**Sec. 44-87. - District OP.**

- (1) *Intent.* To set aside open space within the city to provide recreational opportunities for the city's residents.
- (2) *Permitted uses.* Includes parks, greenspaces, and other land intended for recreation in the city.
- (3) *Specific uses.* Plans to be considered by the Planning and Zoning Commission, and approved City Council.

**Sec. 44-88. - District FP. Floodplain / Flood Zone.**

- (1) *Intent.* To provide for the appropriate use of land which has a history of inundation or is determined to be subject to flood hazard and to promote the general welfare and to provide protection from flooding. This district may also be coextensive with or overlay any or all the other zoning districts or portions thereof. Where a tract of land or portion thereof is zoned for the uses of one of the other zoning districts and is also zoned "FP" District, the restrictions contained in the "FP" District shall take precedence over the other zoning districts and shall be the controlling regulations for that district or portion of that district. District FP shall comply with the regulations adopted under Chapter 12 of the City's Code of Ordinances, unless specifically provided in this chapter.
- (2) *Permitted Primary Uses.* All permitted uses in District OP. Agricultural Activities, including the ordinary cultivation or grazing of land and legal and permitted types of animal husbandry; golf course; parking facilities; railroad right-of-way and tracks but not including railroad yards or shops, freight or service buildings.
- (3) *Specific Uses.* Subject to site plan approval. Excavation and mining operation; salvage and wrecking yard; stadium and sports arena; drive-in theater, shooting range; rodeo arena; stable for horses and livestock; public utilities, including water treatment plant, water pump station, water reservoir, water tower, artesian well, sewage treatment plant, sewage lift station, electrical substation, gas odorizing station and gate station; radio and television transmitter and satellite dish.

(4) *General Regulations.*

- A) No building or structure shall be erected in that portion of any district designated “FP” District until such building or structure has been approved by the Planning and Zoning Commission and City Council after recommendation is made by the city engineer, who will ascertain that such building or structure is probably not subject to damage by flooding and would not constitute an encroachment hazard or obstacle to the movement of floodwaters and that such construction probably would not endanger the value and safety of other property or the public health and welfare, in his opinion. The level of the first floor of buildings or structures in floodplain areas shall be a minimum of at least eighteen inches (18”) above the highest flood elevation shown in the most recent Federal Insurance Administration (FIA) flood insurance study for the area on which such building or structure is erected. Owners of buildings in flood prone areas are encouraged to participate in the flood insurance program made available by insurance companies with the support of the FIA of the Department of Housing and Urban Development (HUD).
- B) An area may be removed from the “FP” District designation when, by the provision of drainage works, grading, flood protection or specific drainage study, it is determined by the city engineer that the flood hazard has, in most probability, been alleviated. Removal of the “FP” District designation shall be accomplished by resolution of the city commission after written notification from the city engineer advising of the removal of the flood hazard and after proper public hearing and notice has been complied with. It shall be the responsibility of any person or organization applying for the alteration of “FP” District to provide the necessary studies and data on which a decision may be made concerning such change request.
- C) No septic tank system or electric or telephone utilities, with the exception of sanitary sewers, may be located underground in a floodplain designated area unless installed by the guidelines set forth by the Federal Insurance Administration.

(5) *City Not Liable for Any Damages.*

- A) The fact that land is, or is not, within a district having a floodplain designation, shall not be interpreted as assurance that such land or area is, or is not, subject to periodic flooding. The city shall not be held responsible for failure to designate any lands as flood-prone areas and shall not be responsible for any such damages caused by any such failure or action.
- B) No building permit shall be issued for the construction of any building or structure in a floodplain designated area unless and until deed restrictions are executed in favor of the city reciting that the owner and his successors will indemnify and hold harmless the city from any damages caused by flooding.

**Sec.44-89 – District Zoning Specifications**

The chart below depicts the minimum specifications and restrictions for each district; unless otherwise provided:

<b>District:</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>MF</b>	<b>MH</b>	<b>C-1</b>	<b>I-1</b>
Lot area (square ft.)	3,000	5,000	25,000	(a)	(c)	3,000	25,000
Lot Width (ft.)	25	50	100	n/a	25	25	n/a
Lot Depth (ft.)	120	100	150	n/a	125	120	n/a
Front yard setback (ft.)	25	25	60	25	25	25	50
Rear yard setback (ft.)	15	15	25	20	15	15	15
Side yard setback (ft.)	5	5	25	10	10	5	5
Corner lot setback (ft.)	15	15	50	15	15	25	25
Maximum stories	1	2	2.5	2	1	3	3
Maximum stories height	15	30	35	30	15	45	45
Minimum Living area (sq. ft.), excludes garages or decks	800	1,000	1,400	(b)	450	n/a	n/a

(a) **District MF.** The minimum lot area for multifamily dwellings shall be 10,000 square feet per three (3) dwelling units; add 1,800 square feet per additional unit. No more than 24 units per one acre.

(b) **District MF Living Area.** The minimum living area per unit is as follows; however, the average living area for each unit apartments is eight hundred (800) square feet.

- i. Efficiency unit, five hundred (500) square feet;
- ii. One-bedroom unit, six-hundred (600) square feet;
- iii. Two-bedroom unit, eight-hundred (800) square feet;
- iv. Three-bedroom unit, nine-hundred (900) square feet.

(c) **District MH.** The minimum lot, space and park area for manufactured home parks shall comply with the regulations adopted under Chapter 6 of the City's Code of Ordinances, unless specifically provided in this chapter. This does not apply to manufactured homes located in Districts R1 or R2.

**Sec. 44-90. - Potential restrictions in all districts (situation specific).**

The following restrictions or requirements may be applied in all districts (situation specific):

- (1) Retention ponds and landscaped buffer areas to control erosion, run-off and drainage; can include replacement or planting of trees because of the destruction of the natural watersheds because of development.
- (2) Requirements, including, but not limited to, signs, building setback lines, limited driveways, land berm, hedges, screening, architectural and aesthetic standards to control and limit potential destructive hazards, including glare and noise associated with vehicular traffic.
- (3) Flood hazards beyond the normal flood ordinance requirements to establish higher base floor elevations, additional setbacks from flood hazardous area, and other applicable controls to prevent erosion, run-off, damming and other perils associated with destruction of property due to floods.
- (4) Requirements for protecting, maintaining and preserving historical and cultural items, artifacts, structures or objects as deemed necessary for preserving and protecting our heritage.

**Sec. 44-91. - Special uses.**

Uses such as public utilities, churches, schools, and other facilities which will directly benefit the public are allowed in all districts but must be approved by the City Council.

**Sec. 44-92. - Compliance.**

- (1) No land shall be used for and no building shall be erected for or converted to any use other than provided in the regulations prescribed for the district in which it is located, except as hereinafter provided in this chapter.
- (2) The minimum yards, parking spaces, and open spaces, including lot area per family, required by the height and area provisions of this chapter for each and every building existing at the time of passage of the ordinance from which this chapter is derived or for any building hereafter erected, shall not be encroached upon or considered as part of the yard or parking space required for any other building, nor shall any lot area be reduced below the requirement of this chapter for the district in which such lot is located.
- (3) There shall not be more than one residential dwelling on the lot of a duly recorded plat of a single-family residential use.
- (4) All buildings built for use and access by the general public shall be subject to the provisions of Appendix M, 1992 and all subsequent revisions of the Southern Building Code and standards set by ANSI A117-1.

**Sec. 44-93. - Zoning map.**

The establishment of the district boundaries herein established are shown on the official zoning map made part of this chapter by reference. It shall be the duty of the city secretary to maintain the official zoning map together with all notations, references, and other information and amendments thereto.

When changes are made in any zoning district boundaries, such changes shall be entered on the official zoning map promptly after the amendment has been approved by the City Council. No zoning change shall become effective until after notifications and hearing processes have been made and approved by City Council.

**Sec. 44-94. - District boundaries.**

Where uncertainty exists with respect to the boundaries of the various zoning districts as shown on the official zoning map, the following rules shall apply:

- (1) The district boundaries are either street or alley centerlines unless otherwise shown and where the districts designated on the map are made approximately by street or alley centerlines, the street or alley centerlines shall be construed to be the boundary of the district.
- (2) Where the district boundary is not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines. Where the district boundaries are currently bound by lot lines, such lot lines shall be construed as district boundaries.
- (3) In unsubdivided property, the district boundary lines on the map shall be determined by the use of the scale appearing on the map.
- (4) In subdivided property, where a district boundary line divides property into two parts, the district boundary shall be construed to be the property line nearest the district boundary line as shown.
- (5) Whenever any street, alley or other public way is vacated by official action of the City Council, the zoning district adjoining each side of the alley, street or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall thereafter be subject to all regulations of the extended districts.
- (6) Where streets or alleys on the ground differ from the streets or alleys shown on the official zoning map, the streets or alleys on the ground shall control.
- (7) If more than one of the foregoing apply, the City Council and the Planning and Zoning Commission shall determine the location of the district boundary.

**Secs. 44-95—44-112. - Reserved.**

**DIVISION 2. - COMPLIANCE SPECIFICATIONS**

**Sec. 44-113. - Conformity to applicable zoning district.**

No building shall be erected and no existing buildings shall be moved, structurally altered, added to or enlarged, nor shall any land, building or premises be used, or designated for use for any purpose or in any manner other than provided for hereinafter in the district in which the building is located, provided however, that necessary structural repairs may be made where health or any safety are endangered, and until a building permit or certificate of occupancy is issued by the city administrator or by another designated official appointed by the City Council. Certificates of occupancy are issued by the city building inspector upon completion and passage of final building inspection.

**Sec. 44-114. - Accessory buildings and uses.**

- (1) No permitted accessory building will be allowed to occupy more than 40 percent of the required rear yard. Accessory buildings shall be set back five feet from the rear property line, provided however, that where the rear lot line is the line of an alley 20 feet or more in width, no setback shall be required.
- (2) Temporary buildings are authorized as an accessory use where the permitted principal use is under construction. Such temporary buildings are by no means permanent and must be removed upon issuance of a certificate of occupancy for the permitted principal use building upon its completion or within one year. All persons desiring to utilize a temporary accessory building during construction of a permitted principal use must obtain permission from Planning and Zoning Commission upon approval of final plans.
- (3) Real estate offices are authorized accessory buildings uses where a residential area is under development, provided however, that the said office is directly and exclusively related to the initial sales of dwelling units within the respective residential subdivision. Under those conditions the city administrator shall ensure that such accessory use real estate office is issued a temporary certificate of occupancy only. The temporary certificate of occupancy shall expire in one year unless it is renewed by the real estate agency upon which the burden shall be to demonstrate that the conditions of approval still exist, as stated in subsection (b) of this section. Those wishing to obtain a temporary certificate of occupancy for purpose thus stated must obtain permission from the Planning and Zoning Commission upon approval of final plans.
- (4) Day nurseries are permitted accessory uses where the principal use is a church or place of worship.

**Sec. 44-115. - Conformity to land use regulations.**

No building shall be erected, nor shall any existing building be structurally altered, enlarged, or rebuilt, nor shall any open space surrounding any buildings be encroached upon or reduced in any manner, unless the same shall conform to the setback, building site area, building location and land use regulation herein designated for the district in which the building or open space is located.

**Sec. 44-116. - Conformity to height limits.**



- (1) No building shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limits herein established for the districts in which such building is located, except as set forth in subsections (b) and (c) of this section.
- (2) The height limits shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers, scenery lofts, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smoke stacks, necessary public and private utilities, conveyers, flag poles and necessary mechanical appurtenances.
- (3) Public or semi-public service buildings, hospitals, institutions or schools, where permitted in districts, may be erected to a height not to exceed 60 feet and churches and other places of worship may be erected to a height not exceeding 75 feet when each of the required yards is increased by one foot for each two feet of additional building height above the height limits for the district in which the building is located.

**Sec. 44-117. - Conformity to parking and loading requirements.**

To secure safety from fire, panic and other dangers; to lessen congestion in the streets; to facilitate the adequate provision of transportation; to conserve the value of buildings; and to encourage the most appropriate use of land, minimum off-street parking and loading areas shall be provided as set forth in the following schedules and provisions.

- (1) No building shall be erected, converted, enlarged, reconstructed or structurally altered unless it shall provide adequate parking for the average number of occupants.
- (2) The required off-street parking and loading spaces shall be located on the same lot as the building or use served.
- (3) All nonresidential loading spaces, maneuvering isles, and driveways shall be paved.

**A) RESIDENTIAL PARKING**

Two (2) paved or unpaved parking spaces per dwelling unit shall be located on the same lot as the main residential building or buildings:

- (1) District R-1
- (2) District R-2
- (3) District R-3
- (4) District MH

**B) MULTIFAMILY PARKING**

Minimum number of paved, striped off-street parking spaces per dwelling unit required for multifamily dwelling units:

- (1) 0-bedroom efficiency dwelling unit, one (1) space per unit.
- (2) 1-bedroom dwelling units, one (1) space per unit.
- (3) 2-bedroom dwelling units, two (2) spaces per unit.
- (4) 3-or more bedroom dwelling units, two (2.0) spaces per unit.

One (1) parking space for each person shall be provided for the following uses:

- (5) Dormitory, fraternity or sorority housing.
- (6) Lodging /Bed-and-Breakfast housing.
- (7) Halfway housing.
- (8) Other similar group quarters.

**C) NON-RESIDENTIAL PARKING**

The minimum parking for nonresidential use districts shall have adequate paved, striped off-street parking spaces to accommodate the vehicles of the company operations, employees, visitors and/or patients. The number of parking spaces required for types of uses not listed shall be reviewed and determined by the Planning and Zoning Commission.

- (1) Commercial uses, Office and Professional Buildings, Child Daycare Facility: Three (3) spaces for up to three hundred (300) square feet of floor area, plus one (1) space for each additional three hundred (300) square feet of floor area.
- (2) Restaurants, theatre, auditorium, church, stadium, dancehall, or similar recreation or amusement establishment: One (1) parking space for each one hundred (100) square feet of floor area, or one (1) space for each four (4) seats, whichever is greater.
- (3) Hotel, Hospital, Adult Daycare or Nursing Facility: One (1) parking space for each sleeping room or suite plus one (1) space for each two hundred (200) square feet of commercial floor area contained therein.
- (4) Medical or Dental Clinics: Five (5) for each doctor or dentist, or one (1) parking space for each treatment room plus one (1) space for each two hundred (200) square feet of commercial floor area contained therein.
- (5) College or Schools: Four (4) spaces for each classroom.
- (6) Warehouses, Manufacturing plants: One (1) for each employee in the maximum work shift, plus one (1) for each two hundred (200) square feet of floor area when non warehousing facilities are provided.

**Sec. 44-118. - Conformity to fire protection requirements.**

- (1) Every subdivision within the corporate and extraterritorial jurisdiction of the city, as part of the water distribution system, shall be provided with fire hydrants of the type specified

by the city, and every lot shall be within 400 feet, as measured along public streets, of each fire hydrant. Fire hydrants shall be located at street corners, as well as other locations along a street to maintain the minimum distance requirement between fire hydrants, unless specifically approved otherwise by the city to accommodate the design of a subdivision.

- (2) Within commercial, business, or industrial areas of the city, fire hydrants shall be within 300 feet of each lot unless a greater or lesser distance is required by the city. Each part of the structure is required to be within 500 feet of a fire hydrant, as measured around the building perimeter. If this is not possible, a private fire hydrant will have to be installed at the cost of the business.

**Sec. 44-119. - Conformity to yard and set back requirements.**

- (1) All new construction as of the date of passage of this ordinance, from which this article is derived, shall be built in complete compliance as to yard and setback requirements established for each zoning districts respectfully. The yard and setback requirements for each zoning district created by this chapter are indicated in Article IV, Division 1, Section 44.89. In addition to the minimum setbacks described in said chart, the following shall also apply:

A) *Side yards.* Every part of a required side yard shall remain unobstructed except for:

- i) Permitted accessory buildings not to extend closer than five feet from the bordering common property line, and no closer than ten feet to any building on the same lot.
- ii) Ordinary windowsills and architectural features not to exceed 12 inches.
- iii) Roof eaves not to project more than 36 inches into the required side yard.
- iv) Open-stairways or fire escapes not to project more than three feet into the required side yard.

B) *Front yards.*

- i) No building shall be erected, reconstructed, or altered beyond the required front yard setbacks in accordance with the district classification set forth.
- ii) Open or unenclosed terraces, porches, roof eaves, steps, or extensions may project into the required front yard for a distance not to exceed four feet.
- iii) An unenclosed canopy may extend into the required front yard so long as such extension shall not be closer than 25 feet from the front lot line.

C) *Rear yards.*

- i) All structures herein constructed will comply with the minimum rear yard requirements as indicated in Article IV, Division 1, Section 44.89 in accordance with the district classifications set forth. There shall be a rear yard on every lot.
- ii) Accessory buildings will be permitted in rear lots; however, in no case will an accessory building occupy more than 40 percent of the required rear yard.
- iii) Accessory buildings will be set back five feet from the rear property line, and not to extend closer than five feet from the bordering property line, nor closer than ten feet to any building structure on the same lot.

(2) Unless specifically provided in this chapter, refer to Chapter 36 of the City's Code of Ordinances for further specifications for residential development.

**Sec. 44-120. - Waiver of setback requirements.**

(1) Any of the setback requirements prescribed by this chapter, conformity to yard and setback requirements may be waived or modified through the issuance of a special permit by the Planning and Zoning Commission who shall serve in the capacity of the City Council.

(2) The City Council, acting as the Board of Adjustment, shall have the discretionary authority to grant such special permit for the following reasons:

- A) The strict adherence to the requirements would result in the destruction of a tree or trees having a diameter of at least two inches measured at least 18 inches from ground level; or
- B) That human error has resulted in a structure being constructed in violation of the regulations, provided however, that the person requesting the special permit shall give evidence that all property owners of abutting property have been given three days' notice by certified or registered mail of the meeting of the City Council at which such special permit is to be considered.
- C) The discretionary authority of the City Council in issuing such a permit is specifically limited to situations where:
  - i) It will not be contrary to public interest;
  - ii) It will be in harmony with the spirit and purposes of this chapter; and
  - iii) It will not adversely affect the public health, safety, or welfare.

**Sec. 44-121. - Exemptions.**

The development and use of public utility easements for public utility purposes are exempt from regulations by this article.

**Sec. 44-122 – Conformity to Screening requirements.**

- (1) **Residential Districts.** Except as otherwise provided, all land uses established after the effective date of the ordinance shall be required to install and maintain an approved screening along every property line which abut any boundary line of a residential district; specifically to separate multi-family district, manufactured home district, commercial district, and industrial district, or any other nonresidential district from residential districts.
- (2) **Commercial and Industrial Districts.** Except as otherwise provided, all commercial and industrial districts established after the effective date of the ordinance shall be required to install and maintain an approved screening along every property line which abut any boundary line of a residential district, multi-family district, manufactured home district, or any other residential district from commercial or industrial districts.
- (3) All screens must not be less than six (6) feet nor greater than eight (8) feet in height. However, no screening on any lot shall have a height conflict with any other governing regulations or obstruct visibility at any intersection. Approved types are listed as follows:
  - A) Solid fence or wall and/or masonry construction.
  - B) A planting screens.
  - C) Landscaped earth berm or a combination of all.

**Secs. 44-123—44-140. - Reserved.**

### **DIVISION 3. - ANNEXED AREAS**

**Sec. 44-141. - Annexed areas.**

All territory hereafter annexed into the city shall be temporarily classified as R-2 (medium density residential) and shall temporarily be required to comply with the restrictions of that district. The Planning and Zoning Commission will review all territory for consideration of zoning within 180 days of annexation. The procedure for establishing permanent classification of annexed territory shall conform to the procedure established by law for the adoption of the original zoning regulations. The required public zoning hearing may be conducted in conjunction with or during the required annexation process.

**Sec. 44-142. - Procedure to change zoning district of newly annexed areas.**

In order to classify new and unscheduled uses, the city shall follow the following procedure:

- (1) The City Administrator shall refer the question concerning any new or unlisted use to the Planning and Zoning Commission requesting an interpretation as to the zoning district into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage

and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic materials and vibration likely to be generated and the general requirements for public utilities such as water and sanitary sewer.

- (2) Any person, firm or developer requesting a specific use variance to this chapter shall make such application in the form of a written statement to the city secretary along with the requisite filing fee.
- (3) A specific use permit for any specific use or zoning variance will be issued only after approval of the City Council upon recommendation of the Planning and Zoning Commission.
- (4) At least within 15 days' notice from receipt of written statement, the Planning and Zoning Commission and the City Council shall hold a joint public meeting to meet with the parties of interest and shall review the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determines the zoning district permitted.
- (5) After the Planning and Zoning Commission, the City Council and interested parties have met to discuss his or her written request, the City shall then provide at least a 15 days' notice of a public hearing given by publication in a newspaper of general circulation in the city (or posted in three public places within the city) stating the time and place of such hearing, the lot description of the land, and the purpose of such public hearing; and,
- (6) In the same time manner, the City shall mail such public hearing notice to all property owners within 200 feet of any point of the land requesting the specific use or variance. Such notices shall be postmarked at least ten (10) days prior to such public hearings.
- (7) After such public hearing, the Planning and Zoning Commission shall forward its findings and recommendations to the City Council as to the classification proposed for any new or unlisted use. The City Council shall review recommendations of the Planning and Zoning Commission and make such determination concerning the classification of such use as it determines appropriate. The City Council shall, at the regular or special meeting, approve or disapprove the request for a specific use or zoning variance.
- (8) The city shall inform in writing the petitioner within ten (10) working days of the approval or disapproval of the requested recommendation.

**Sec. 44-143. - General procedure.**

Except as provided in this division, the procedure for zoning of annexed areas shall be the same as provided by law for the adoption or original zoning regulations and changes in original zoning.

**Secs. 44-144—44-169. - Reserved.**

#### **DIVISION 4. - HOME OCCUPATIONS**

**Sec. 44-170. - Authorization; Definition.**

The purpose of this section is to permit the conduct of home occupations which are compatible with the neighborhoods in which they are located. Some home occupations are a permitted accessory use in a residential district and are subject to the requirements of that district in which the use is located, in addition to the following:

- (1) Home occupations are authorized within the city according to the provisions of this division. A home occupation is defined as any occupation or activity carried on by a member or members of the immediate family residing on the premises, and that no other person will be employed for the home occupation other than a member of the immediate family residing on the premises.
- (2) Not more than four (4) square feet, non-illuminating, sign depicting the home occupation, may be attached to the main dwelling; no exterior display of any kind shall be placarded to indicate that the building is being utilized in part for any purpose other than that of a dwelling.
- (3) The home occupation shall be conducted wholly within an enclosed area of the dwelling unit, garage or accessory building. No storage or display of materials, goods, supplies or equipment related to the operations of the home occupation shall be visible outside any structure located on the premises.
- (4) No more than twenty-five (25%) percent of a one (1) story area of the principal building shall be devoted to the home occupation.
- (5) There shall be no exterior alteration which change the character of the dwelling, land use, or zoning thereof, depicting evidence of a home occupation other than the sign permitted.
- (6) No home occupation operations shall create smoke, glare, noise, dust, vibration, fire hazard, electrical interference or any other nuisance not normally associated with the average residential use in the district.
- (7) No home occupation shall cause significant increase in vehicular traffic, flow or parking, and shall not create a neighborhood disruption, or cause greater pedestrian traffic than normal for the district.
- (8) No home occupation shall cause significant increase in the use of any utilities or generate garbage beyond the normal average within a residential dwelling of the district.

**Sec. 44-171. - Specifically, authorized.**

It is recognized that not all authorized types of home occupations can be listed; and any use considered not in the scope of the home occupation provisions shall be subject to review by the Planning and Zoning Commission and/or City Council.

The following types of home occupations are specifically authorized in the city:

- (1) Office of attorneys, accountants, tax consultant, architects, engineers, professional and managerial consultants, salespersons, real estate agents, insurance agents, notary public, or other similar administrative office occupations.
- (2) Dressmaker, seamstress, tailor.
- (3) Author, composer, painter (fine art), sculptor.
- (4) Music or dance teacher, tutor. Musical instructor is limited to not more than two pupils at a time.
- (5) Arts and crafts such as making of stained glass, ceramics, jewelry repair or similar service, rug weaving.
- (6) Making and renovation of musical instruments.

**Sec. 44-172. - Prohibited.**

It is recognized that not all unauthorized types of home occupations can be listed; however, the following types of home occupations are specifically not authorized in the city:

- (1) Occupations that require equipment which creates noise, vibration, smoke, dust, odors, heat or glare, any of which is offensive to persons of ordinary sensibility in the neighborhood.
- (2) Barbershop and beauty shop/parlor, hair stylist.
- (3) Any motor or auto repair shop, and medium and heavy appliance repair etc., including electric or gas mowers, electric motors (over one-horsepower rating), outboard and inboard boat motors, motorcycles.
- (4) Clinic or hospital.
- (5) Stable or kennel.
- (6) Animal clinic or hospital.
- (7) Antique or Gift shop.
- (8) Restaurant, catering service or any food preparation for sale elsewhere or on premises.
- (9) Renting of trailers.
- (10) Tourist home.
- (11) Grooming of pets.



- (12) Retail sales outlet.
- (13) Tattoo parlor/business.

**Sec. 44-173. - Permit required.**

Each resident within the city that has, or shall have, an authorized home occupation, is required to have a home occupation permit.

**Sec. 44-174. - Application for home occupation permit.**

- (1) Applications for a home occupation permit are available upon request with the City Administrator and shall be completed by each person having or desiring to have a home occupation. If the home occupation is one that is listed in section 44-171, upon verification by the City Administrator, a home occupation permit to the applicant will be issued. If the requested home occupation is a type that may be reasonably included as being authorized, the code enforcement official is authorized to make the determination and make recommendation of approval to the City Administrator to issue a home occupation permit.
- (2) If the applicant desires a home occupation that is not listed in section 44-171 and a determination cannot be made for the authorized city staff, or the requested home occupation is listed as unauthorized in section 44-172 the City Administrator will accept the application and submit the application to the city Planning and Zoning Commission for their consideration.
- (3) When an application is required to be submitted to the Planning and Zoning Commission, a meeting shall be scheduled not later than forty-five (45) days from date application is received. The City will advise the applicant of the date of meeting at which the application will be considered by the commission, and the applicant is required to be present at that meeting for the application to be considered.
- (4) The Planning and Zoning Commission, after evaluation and consideration of the application, is authorized to make an interpretation that the requested home occupation is within the realm of intent of those types of home occupations that may be authorized in the city. If the requested home occupation is a type that is listed as unauthorized in section 44-172, the Planning and Zoning Commission may grant an exception and authorize the City Administrator to issue a home occupation permit. It will be up to the applicant to submit sufficient evidence that will support granting an exception. At least one type of supporting evidence that is authorized to be submitted to the Planning and Zoning Commission for their consideration is a signed statement by each property owner within 200 feet of the property on which the home occupation is to occur, stating that said property owner has no objection to the existence of the proposed home occupation. An example type of a statement is as follows:

"I, (name), the property owner at (address), have been advised by (name of home occupation applicant) of his request the City of Flatonia for a home occupation permit for the purpose of conducting (type of home occupation), and I have no

objection to a home occupation permit being granted by the City of Flatonia to the person and for the purpose reflected in this statement."

(Signature of neighboring property owner and date signed.)

- (5) If the Planning and Zoning Commission disapproves the application for a home occupation permit, within five (5) days, that commission will cause the applicant to be notified in writing of the disapproval and the reason therefor. In that letter, the applicant will be advised of his right to appeal the decision to the City Council (refer to Sec. 44.232 on this chapter).
- (6) An applicant who is renting the property on which a home occupation permit is requested will obtain a written statement from the owner of the property. The owner will state that he has no objection for the home occupation on the property. This statement will accompany the application for a home occupation. An application which indicates objection by the property owner will not be accepted.

**Sec. 44-175. - Home occupation permit termination.**

- (1) Once issued by the city, a home occupation permit remains valid for a period of one year and remains so, as long as the conditions remain the same as existed at the time the permit was issued or this chapter is revised or amended to reflect otherwise.
- (2) The city building inspector and/or code enforcement official is authorized to periodically, at least annually, enter the premises that the home occupation is located to ensure that compliance with this chapter is being fulfilled. If compliance does not exist, the city may terminate the validity of the home occupation permit at that time.
- (3) If a home occupation permit is terminated by the building inspector, or code enforcement official, the person having had permit terminated must reapply for a permit under the conditions and procedures established by this division for the issuance of a home occupation permit.

**Secs. 44-176—44-203. - Reserved**

**DIVISION 5. - ZONING FOR SEXUALLY ORIENTED BUSINESSES**

**Sec. 44-204. - Regulation of sexually oriented businesses.**

The purpose of this division is to regulate sexually oriented businesses to promote the health, safety, and general welfare of the citizens of the city, and to establish reasonable and uniform regulations to prevent the concentration of sexually oriented businesses within the city. The provisions of this division have neither the purpose nor the effect of imposing a limitation or restriction on the content of any communications materials, including sexually oriented materials. Similarly, it is neither the intent nor the effect of this section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment to the U.S.

Constitution, or to deny access by distributors and exhibitors of sexually oriented entertainment to their intended market.

**Sec. 44-205. - Location.**

A sexually oriented business will not be operated within 1,000 feet of:

- (1) A church.
- (2) A public or private school.
- (3) A boundary of a residential district as designated on the current zoning map in the city secretary's office.
- (4) A public park adjacent to a residential district.
- (5) The property line of a lot devoted to a residential use as defined in this chapter.
- (6) Another sexually oriented business already in existence, or the site of another sexually oriented business for which a building or occupancy has been applied for.

**Sec. 44-206. - Number of sexually oriented businesses per structure.**

No more than one sexually oriented business shall be operated, maintained or established in the same building, structure or portion thereof.

**Sec. 44-207. - Distances defined.**

Distances from the building structures or objects listed in section 44-205 shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church, or public or private school, or to the nearest boundary of an affected public park, residential district or residential lot.

**Sec. 44-208. - Licensure.**

Each sexually oriented business must be licensed to operate.

**Sec. 44-209. - Nonconforming use.**

Any sexually oriented business lawfully operating on date of adoption of the ordinance, from which this article is derived, is in violation of this division and shall be deemed a nonconforming use. The nonconforming use will be permitted to continue for a period not to exceed three years, unless sooner terminated for any reason or voluntarily discontinued for a period of 30 days or more. Such nonconforming use shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use.

**Secs. 44-210—44-226. - Reserved.**

**ARTICLE V. - PROCESSING PROCEDURE**

**DIVISION 1. - SITE PLAN APPROVAL; VARIANCES**

**Sec. 44-227. - Existing uses.**

Any existing land use which has been authorized prior to the adoption of the site plan review process shall be considered as approved.

**Sec. 44-228. - Variances to current zoning districts.**

- (1) Any person, firm, or developer requesting a specific use or variance to this chapter shall make such application in the form of a written statement to the city administrator. A building permit for any specific use or zoning variance will be issued only after approval of a site plan by the City Council and recommendations from the Planning and Zoning Commission.
- (2) The Planning and Zoning Commission shall, within a reasonable time upon receipt of such request, but not later than forty-five (45) days, hold a public hearing and provide public hearing notice by publication, written notice to all property owners within 200 feet of the property involved and to parties of interest.
- (3) At least 15 days' notice of the public hearing shall be given by publication in a newspaper of general circulation in the city, stating the time and place of such hearing, the lot description of the land, and the purpose of such public hearing. The City shall mail notices of such hearings to all property owners appearing on the current tax roll, within 200 feet of any point of the land requesting the specific use or variance. Such notices shall be postmarked at least ten (10) days prior to such public hearings.
- (4) After such hearing, the Planning and Zoning Commission shall meet in regular or special session to consider specific use or zoning variance application.
- (5) If the Planning and Zoning Commission agree that the site plan meets all applicable review criteria as set forth, and taking into consideration public opinion, it shall approve the site plan and shall authorize the issuance of the specific use permit or zoning variance. The same review criterion shall be considered in subdivision consideration.
- (6) The Planning and Zoning Commission shall note its actions, conditions or reasons for disapproval, if any, and shall provide one (1) copy of such list within five (5) days from date of action to the Requestor, and to the City Administrator. The Planning and Zoning Commission shall retain a copy of such noted actions, conditions or reasons for disapproval, if any, in their files

**Sec. 44-229. - Review criteria.**

In its review of any site plan, the Planning and Zoning Commission, and/or the City Council, shall be satisfied that the proposed plan:

- (1) Conforms to the land use of the surrounding area;
- (2) Can be served by the city's water and wastewater treatment system;
- (3) Can be served by other public utility systems;
- (4) Limits the rate of stormwater runoff to ensure that no greater runoff is allowed than that of the site in its existing condition and that to the extent practicable, existing points of discharge shall continue to be utilized;

- (5) Effectuates the extension of any collector streets expressly required by the general plan;
- (6) Minimizes the number of access points on to adjacent or internal collector streets or major thoroughfares and minimizes the number of driveways onto internal public streets, and that such driveways are placed as to mitigate potential traffic hazards and/or conflicts with nearby lower-intensity land uses;
- (7) Establishes privacy through effective screening, buffer-yards and building location from abutting lower intensity land uses except between commercial and industrial districts;
- (8) Demonstrates that buildings and activities will be located in relation to one another in such a manner as to ensure adequate fire protection;
- (9) Confers additional street right-of-way if the respective abutting street is planned for expansion;
- (10) Demonstrates that buildings and activities will be located in relation to one another in such a manner as to ensure adequate penetration of light and air and setback from the vehicular circulation system.

**Sec. 44-230. - Required information on site plan.**

Every site plan shall be submitted in four identical copies on one or more sheets of paper measuring no more than 24 inches by 36 inches drawn to scale not more than 40 feet to the inch, certified by a professional engineer, which shall show the following:

- (1) Boundary lines of the area included in the site plan, including angles, dimensions, and references to an original survey corner, an arrow pointing North, and the lot area of land included in the site plan.
- (2) Existing and proposed grades and drainage systems.
- (3) Shape, size and location and floor area of all buildings.
- (4) Proposed streets, private drives, driveways, parking spaces and sidewalks with indication if direction of travel for one-way streets and drives and inside radii of all curves. The width of all streets and driveways and sidewalks and the total number of parking spaces shall be shown.
- (5) The size and location of all existing and proposed public and private utilities, required screening, and all facilities related to the accumulation and disposal of garbage and trash.
- (6) A viewing sketch showing the location of the site in relation to the surrounding street system.
- (7) A legal description of the land included in the site plan and of the lot; the name, address and telephone number of the owner, developer and designer.
- (8) Appropriate subdivision or deed restrictions relative to the use of the property.
- (9) Any other information necessary to establish compliance with this and other city ordinances which may apply.

**Sec. 44-231. - Required development design statement.**

Every site plan shall be accompanied by a development design statement which shall be a written report stating the nature of the proposed use and means by which each of the review criteria will be satisfied by the respective development design. In addition, the design statement shall describe the proposed sequence of development.

**Sec. 44-232. – Filing an Appeal.**

- (1) If the Planning and Zoning Commission disapproves a variance or special permit application, for any reason, applicant has the opportunity to appeal the decision before the City Council by filing a written statement with the City Administrator within ten (10) days from the date of the disapproval letter issued by the Planning and Zoning Commission.
- (2) Upon receipt of timely filing, the City Administrator shall place the written statement of appeal on the next regular scheduled city council meeting, so long as the written appeal is received five (5) business days prior to the date of the scheduled meeting.
- (3) City Council will review the applicant’s initial written request, site plans and any other supportive documentation provided to the Planning and Zoning Commission. City Council will review the Planning and Zoning Commission notes of actions, conditions or reasons for disapproval, and will take into consideration any public opinions.
- (4) If the City Council agrees that the applicant’s initial written request meets the site plan and applicable criterions, it shall reverse the denial decision made by the Planning and Zoning Commission. If the City Council cannot not agree that the applicant’s initial written request meets the site plan and applicable criterions, the request shall be denied. The decision made by the City Council in consideration of the appeal is final and shall not be reconsidered before the Planning and Zoning Commission, or City Council.
- (5) Applicant may not continue to exchange further information after a decision of an appeal is made. Applicant may not file, for the same request, a new variance or special permit application earlier than sixty (60) days from the date a final decision was made.

**Secs. 44.233—44-257. - Reserved.**

**DIVISION 2. - BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY**

**Sec. 44-258. - Building permit required.**

No building or other structure shall be erected, moved, added to, enclosed or structurally altered without first applying for and obtaining a building permit, where applicable, and issued by the City of Flatonia. No building permit shall be issued by the city except in conformity with the provisions of this ordinance, unless a written order from the Planning and Zoning Commission for a variance, as provided by this ordinance, has been granted.

**Sec. 44-259. - Issuance of Certificate of Occupancy for conforming uses.**

It shall be unlawful to use, occupy, or permit the uses or occupancy of any building or premise, or both, or part thereof hereafter created, erected, changed, converted or wholly or partly altered or enlarged in its use or structure until a certificate of occupancy shall have been issued by the City of Flatonia stating that the proposed use of the principal building or land conforms to the requirements of this ordinance.

A certificate of occupancy will be issued for the following conditions:

- (1) Occupancy and use of a building hereafter erected or structurally altered.
- (2) Change in use of an existing building to a use of a different classification.
- (3) Occupancy and use of vacant land.
- (4) Change in the use of land to a use of a different classification.

**Sec. 44-260. – Procedure for Issuance of Certificate of Occupancy.**

- (1) Written application for a certificate of occupancy for a new building or for an existing building which has been altered shall be made at the same time as the application for the building permit for such building. Said certificate shall be issued within three days of completion of construction or alteration, provided it has approval by the building inspector.
- (2) Written application for a certificate of occupancy for the use of vacant land, or for a change in the use of land for a building, or for a change in nonconforming use, as herein provided, shall be made to building inspector; if the proposed use is in conformity with the provisions of this chapter, the certificate of occupancy therefore shall be issued.
- (3) The fee for such certificate of occupancy shall be as provided in the city fee schedule and paid to the city at the time the building permit is issued.
- (4) Every certificate of occupancy shall state that the building or the proposed use of a building or land complies with all the provisions of law. A record of all certificates of occupancy shall be kept on file in the office of the building inspector or his agent.

**Secs. 44-261—44-283. - Reserved.**

**ARTICLE VI. - NONCONFORMING BUILDINGS AND USES**

**Sec. 44-284. - Continuance of nonconforming uses.**

The lawful use of any building, structure or land existing on the effective date of the ordinance from which this article is derived, may be continued, although such use does not conform with the provisions of this article; provided however, that the right to continue such nonconforming use shall be subject to the following regulations:

- (1) Normal repairs and maintenance may be made to a nonconforming building or structure; provided that no structural alterations shall be made except those required by law or ordinance or those necessary for installing or enclosing required sanitary facilities such as toilets and bathrooms.
- (2) A nonconforming building or structure shall not be moved in whole or in part unless every portion of such building or structure is made to conform to all regulations of the district on which it is to be located.
- (3) If a nonconforming building or structure is damaged or destroyed to an extent of less than 60 percent of its fair market value by fire, explosion, or act of God, then the restoration of new construction shall be permitted. If destruction is greater than 60 percent of its fair market value, such building or structure and its use if repaired or replaced shall conform to all regulations of the district in which it is located and shall be treated as a new building.
- (4) A nonconforming use shall not be enlarged or extended except upon authorization by the City Council serving in capacity of the Board of Adjustment. A nonconforming use may be changed to a conforming use so long as it complies with the standards of the district in which it is located. If such nonconforming use or portion thereof is voluntarily changed to a conforming use, any future use of such building, structure or portion thereof shall conform to the regulations of the district in which such building is located.

**Sec. 44-285. - Nonconforming use of land.**

- (1) The nonconforming use of land at the time of the effective date of the ordinance from which this chapter is derived, may continue as herein provided.
- (2) A nonconforming use of land shall not be expanded, extended, or changed to some other use not in compliance with the regulations of the district in which the land is situated.

**Sec. 44-286. - Abandonment.**

The nonconforming use of a building, structure or land which has been abandoned, shall not thereafter be returned to such nonconforming use. A nonconforming use shall be considered abandoned when:

- (1) The intent of the owner to discontinue the use is apparent.
- (2) The nonconforming use is replaced by a conforming use.
- (3) A nonconforming building, structure, or land or portion thereof, which is or hereafter become vacant and remains unoccupied for a period of 180 days.

**Sec. 44-287. - Change in district boundaries.**

Whenever the boundaries of a zoning district shall be changed so as to transfer an area from one district to another district, or when the boundaries of districts are changed as a result of annexation of new territory, or changed in the regulations or restrictions of this chapter, the



foregoing provisions relating to nonconforming uses shall also apply to any uses existing therein which may become nonconforming.

**Secs. 44-288—44-307. - Reserved.**

## **ARTICLE VII. - ADMINISTRATION AND ENFORCEMENT**

### **DIVISION 1. - GENERALLY**

**Sec. 44-308. - Enforcement.**

This chapter shall be enforced by the city administrator. No oversight or dereliction on the part of the city administrator or on the part of any city official or employee of the city shall legalize, authorize, or excuse the violation of any of the provisions of this chapter

**Secs. 44-309—44-334. - Reserved.**

### **DIVISION 2. - PLANNING COMMISSION**

**Secs. 44-335—44-356. - Reserved.**

### **DIVISION 3. - BOARD OF ADJUSTMENT (CITY COUNCIL)**

**Sec. 44-357. - Creation and purpose.**

- (1) In accordance with state law as provided in Article 1011g, V.T.C.S., a board of adjustment is hereby created and established. The City Council acting in capacity of a Board of Adjustment shall, in fact, be and shall have all the powers set forth in said Article 1011g, V.T.C.S. Insofar as this chapter is concerned, the City Council shall serve in the capacity of the Board of Adjustment and shall meet in such capacity when situations warrant.
- (2) In relation to this chapter, the City Council may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of this chapter in harmony with its general-purpose rules herein contained. The City Council, upon its judgment that the public's welfare and convenience will be substantially served, and that the appropriate use of neighboring property will not be substantially or permanently injured, shall have the power to grant specific uses and variances to this chapter, after public notice and public hearing as prescribed by law. The City Council, while serving in the capacity of the board of adjustment, shall not permit any variance or exception if the applicant has contributed to the cause of hardship in which:
  - A) The reconstruction of a building occupied by a nonconforming use, provided such reconstruction does not prevent the return of the property to a conforming use.
  - B) The permitting of a conditional use in a designated district if found to cause extreme hardship to adjoining property owners.
  - C) The public health, safety and welfare is adversely affected.

- D) Modifications of yard, open space, parking lot area, or regulations interfere with and deviate to cause problems which may be contrary to the public interest and to an extent to which the lot cannot be appropriately developed.

**Secs. 44-358—44-387. - Reserved**

**DIVISION 4. - AMENDMENTS**

**Sec. 44-388. - Action by City Council.**

The City Council may, from time to time, on its own motion or on a proper application or petition, amend, supplement, change, modify, or repeal the regulations, restrictions, and boundaries herein established

**Sec. 44-389. - Changes in zoning districts or zoning map.**

- (1) Any person, firm, or corporation petitioning the City Council for a change in the regulations or the zoning district map shall do so upon forms provided for such purpose by the office of the city secretary. All petitions or applications for changes in the regulations or zoning district map shall be filed with the office of the city secretary.
- (2) Each such application shall be accompanied by:
  - 1) Three copies of the plans necessary to show the detail of the proposed change requested as well as the relation of said property to that of all property lying within 200 feet thereof.
  - 2) The street address and suitable legal description of the property proposed to be changed.
  - 3) Each application shall be accompanied, at the time of filing, a fee to cover mailing and administrative costs, as provided in the city fee schedule.

**Sec. 44-390. - Procedure before City Council and Planning and Zoning Commission.**

- (1) The Planning and Zoning Commission and City Council shall hold a joint public hearing on all proposed changes in zoning regulations or district boundaries.
- (2) Written notice of all such public hearings shall be sent to all owners of real property lying within 200 feet of the property on which the change in zoning regulations or district boundaries is proposed. Such notice shall be given, not less than ten (10) days before the date set for the hearing to all such owners who have rendered their said property for city taxes as the ownership appears on the last approved city tax roll. Such notice shall be served by depositing the same, properly addressed and postage paid in a United States Postal Service. In addition, notice of the hearing shall be published in a newspaper of general circulation in the city at least 15 days prior to the date set for the hearing. The notice shall state the date, place and time of the hearing and a description of the property to be changed. The city secretary shall establish and maintain a separate file for each application received, and shall record the names and addresses of all persons, firms and

corporations to whom notices were mailed, including the date of mailing and the person by whom notices were delivered to the United States Postal Service. All records and files herein provided shall be permanent and official files of the city.

- (3) Upon such hearing, the party requesting a change in zoning shall appear in person or by agent or by attorney.
- (4) After such hearing, the Planning and Zoning Commission shall meet in regular or special session and shall make its recommendation to the City Council regarding the change in zoning regulations or district boundaries. Such recommendation made by the Planning and Zoning Commission shall be reported to the City Council in writing.
- (5) After receiving the recommendation of the Planning and Zoning Commission, the City Council shall at either a regular or special meeting act upon such recommendation for approval or disapproval concerning the proposed changes or amendments. Although such meeting is open to the public, no proponent or opponent to a proposed zoning change or amendment shall be permitted to be heard.
- (6) When the Planning and Zoning Commission has recommended a change in zoning regulations or district boundaries, the City Council shall be at liberty to either accept, reject or take other action, provided such action is consistent with the public concern and the provisions of this division.
- (7) If a written protest against such change signed by the owners of 20 percent or more, either of the area of the lots or land included in such proposed change, or of the lots or land immediately adjoining the same extending 200 feet therefrom, such amendment shall not become effective except by the favorable vote of three-fourths of all members of the City Council.
- (8) If the City Council has refused to grant a proposed amendment, supplement, change or modification in the boundaries of any zoning district, such amendment, supplement, change or modification in the boundaries of such zoning district shall not be submitted again prior to the expiration of 12 months from the date of the order or decision of the City Council against such zone changes.

## **SECTION 2: SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 3: REPEALER CLAUSE**

Any provisions of any prior ordinance of the City which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**SECTION 4: EFFECTIVE DATE**

This Ordinance shall become effective and shall be in full force and effect on and after its passage and publication as required by state law.

**PASSED, APPROVED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019 as recorded by the majority vote of the Governing Body of the City of Flatonia, Texas.

Executed by:

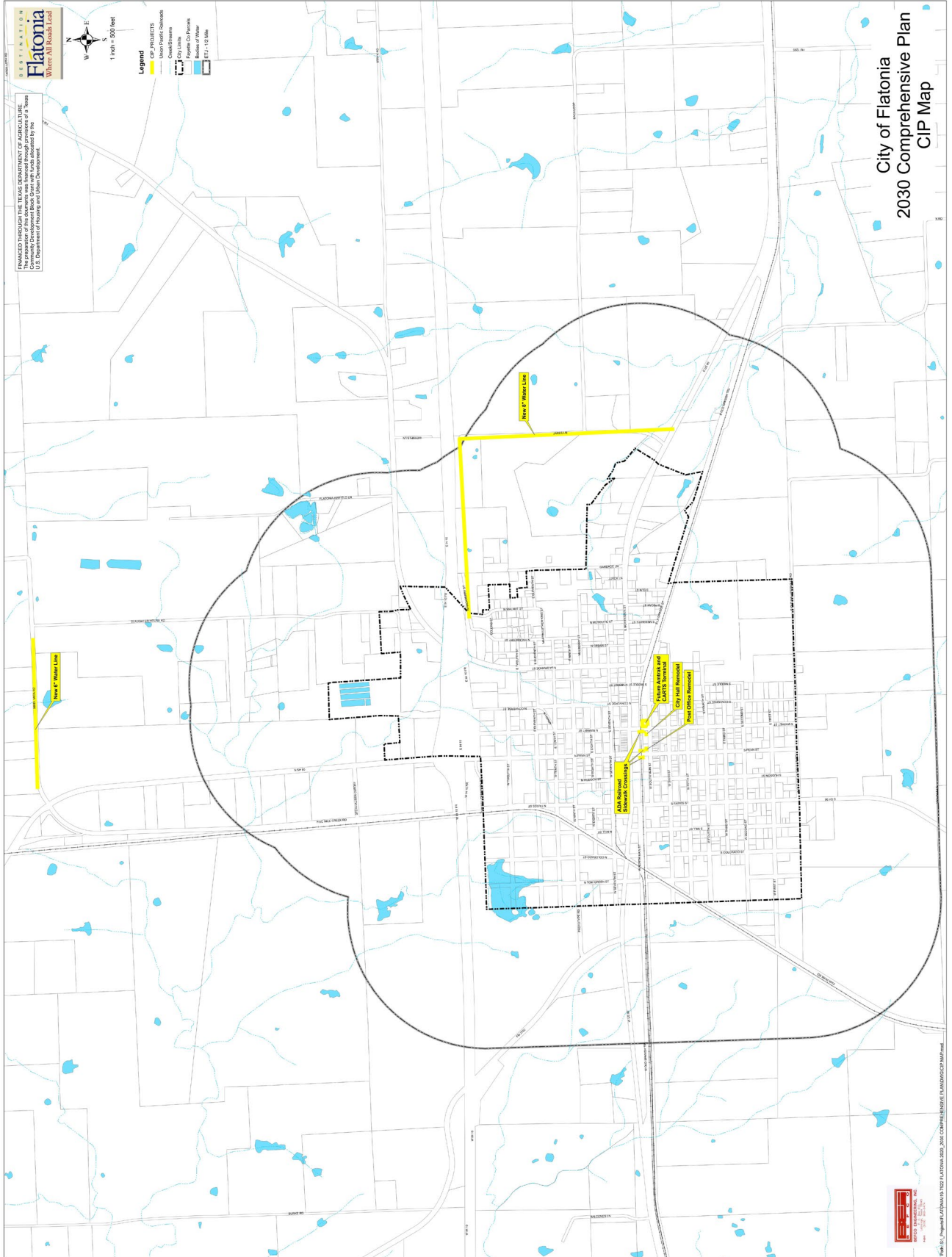
\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

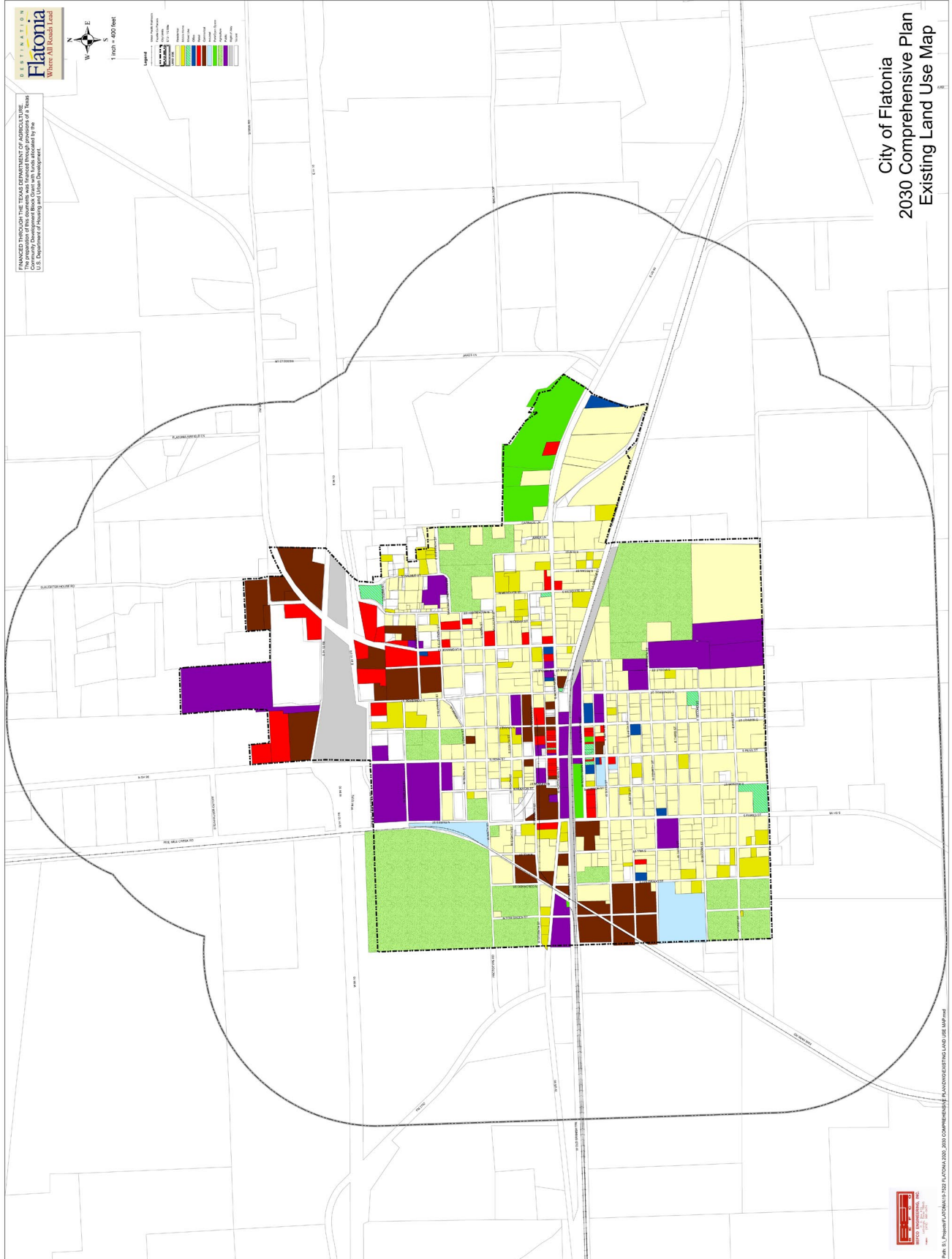
# MAPS

# MAP 1: Base CIP Map

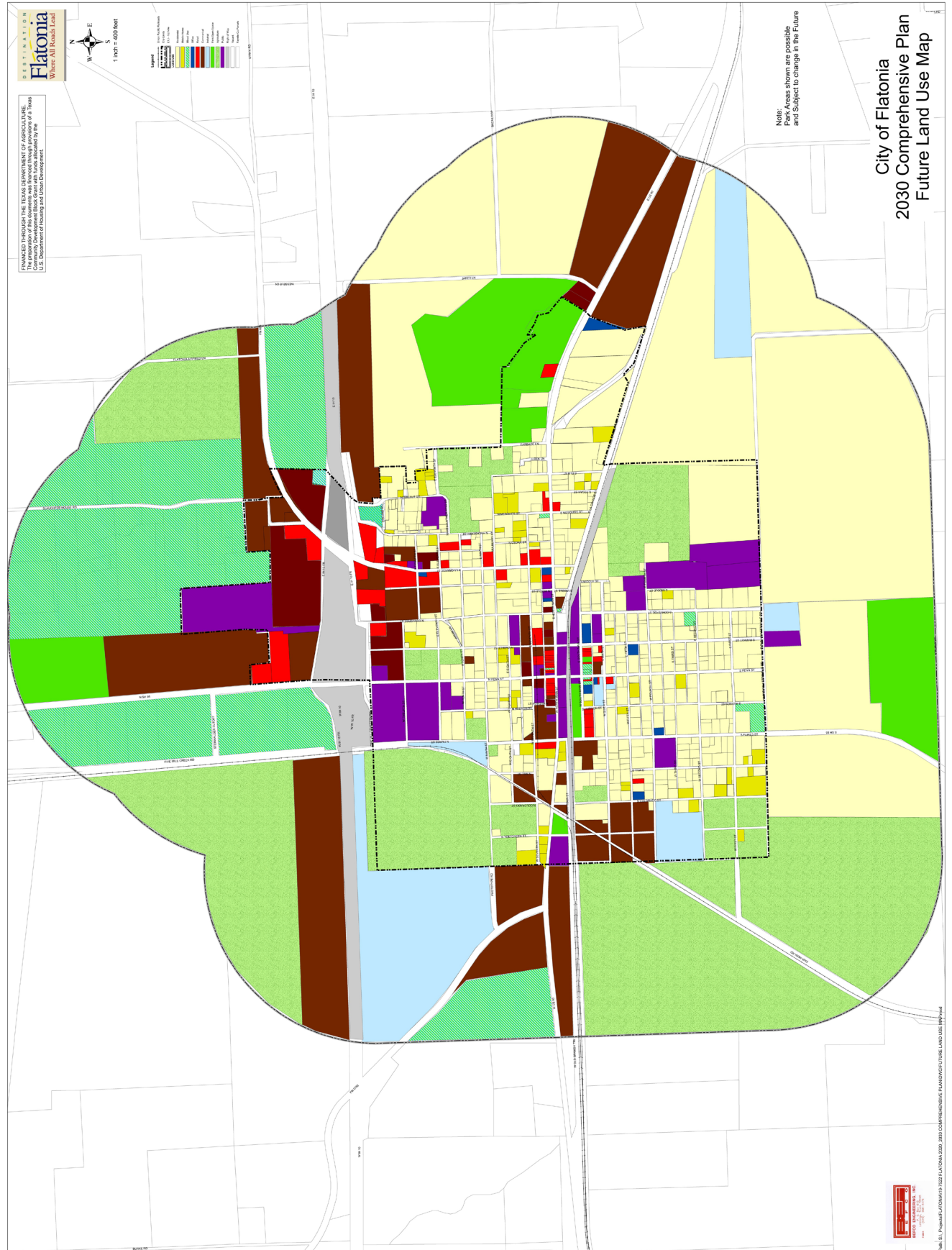


# MAP 2: Existing Land Use

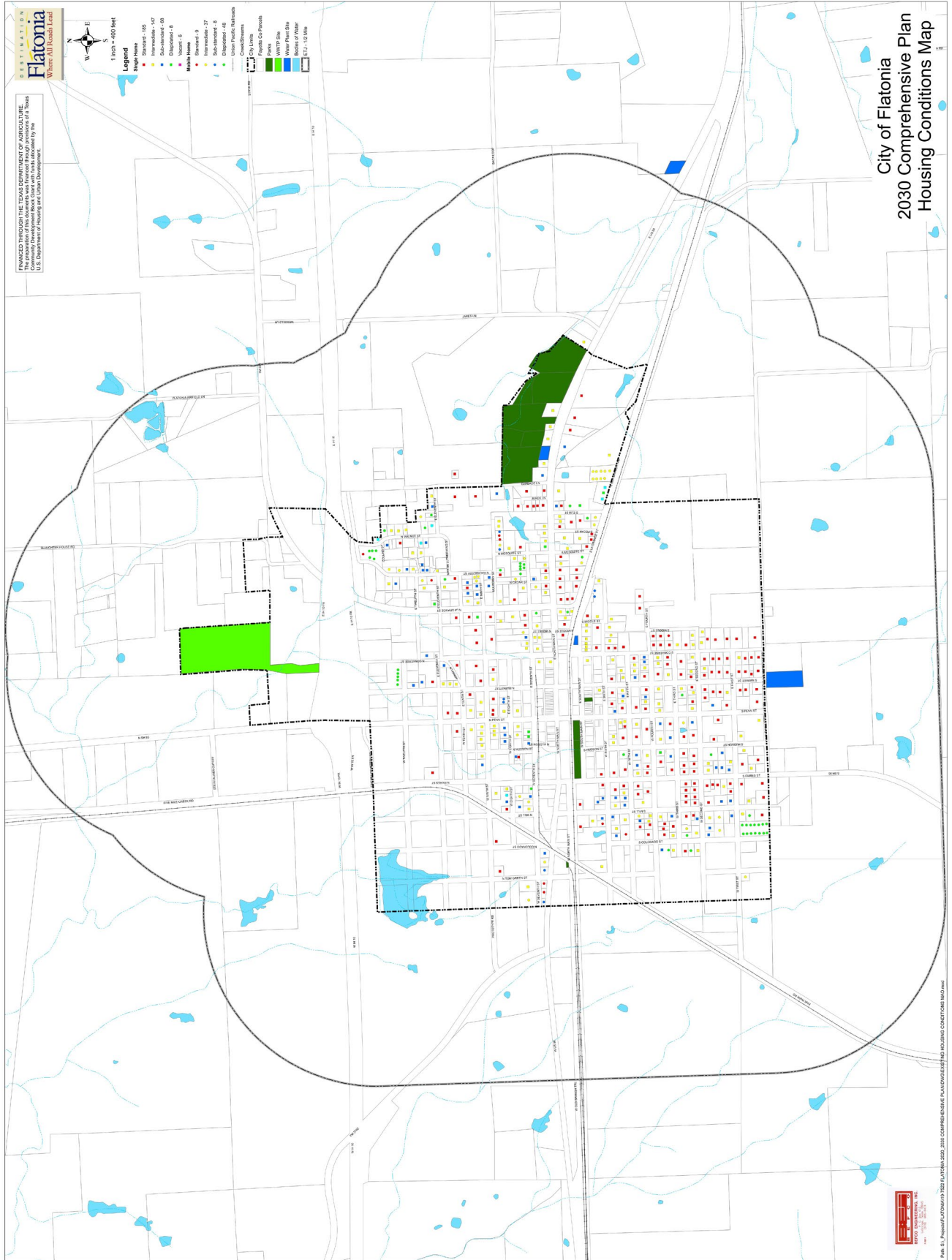




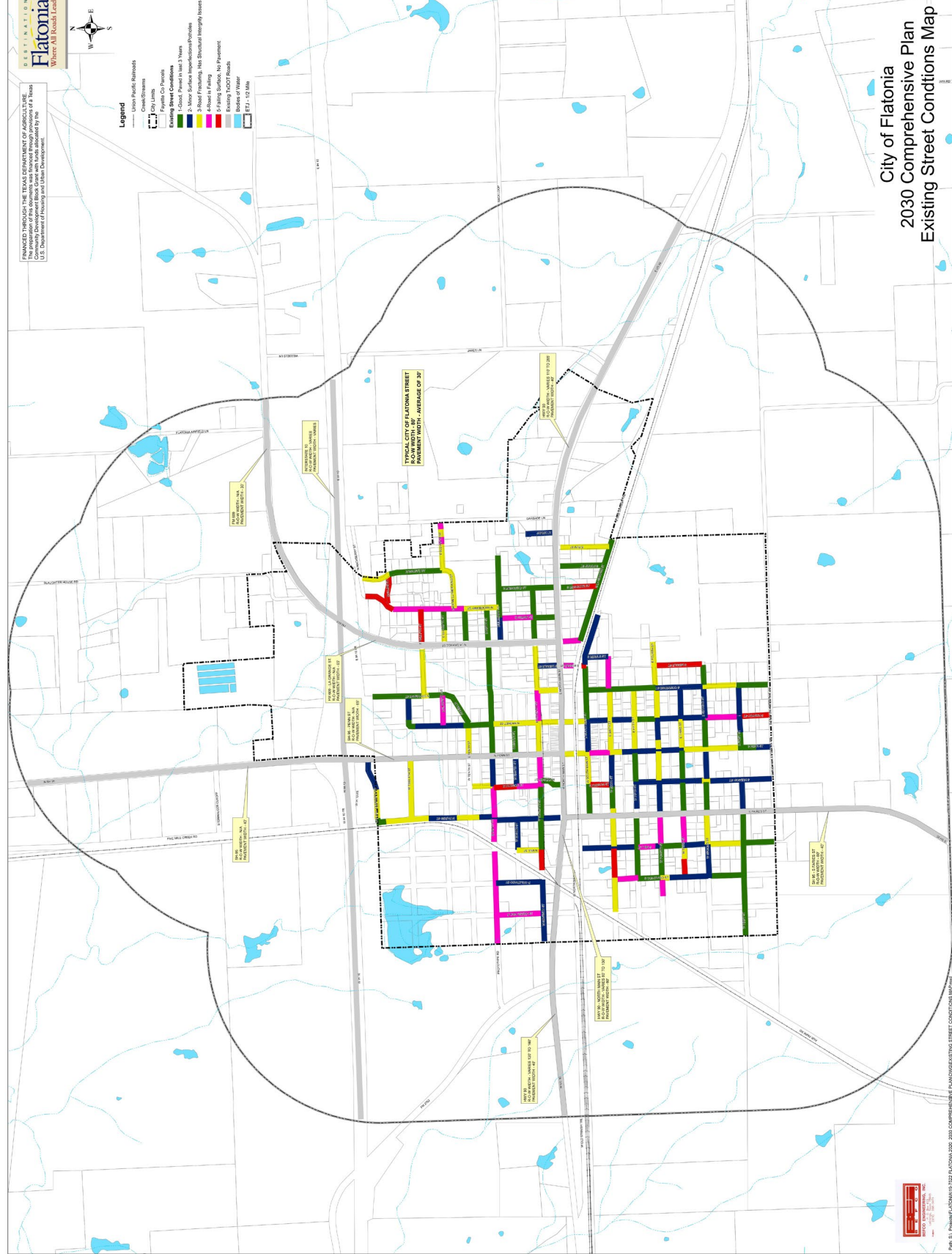
# MAP 3: Future Land Use



# MAP 4: Existing Housing Conditions

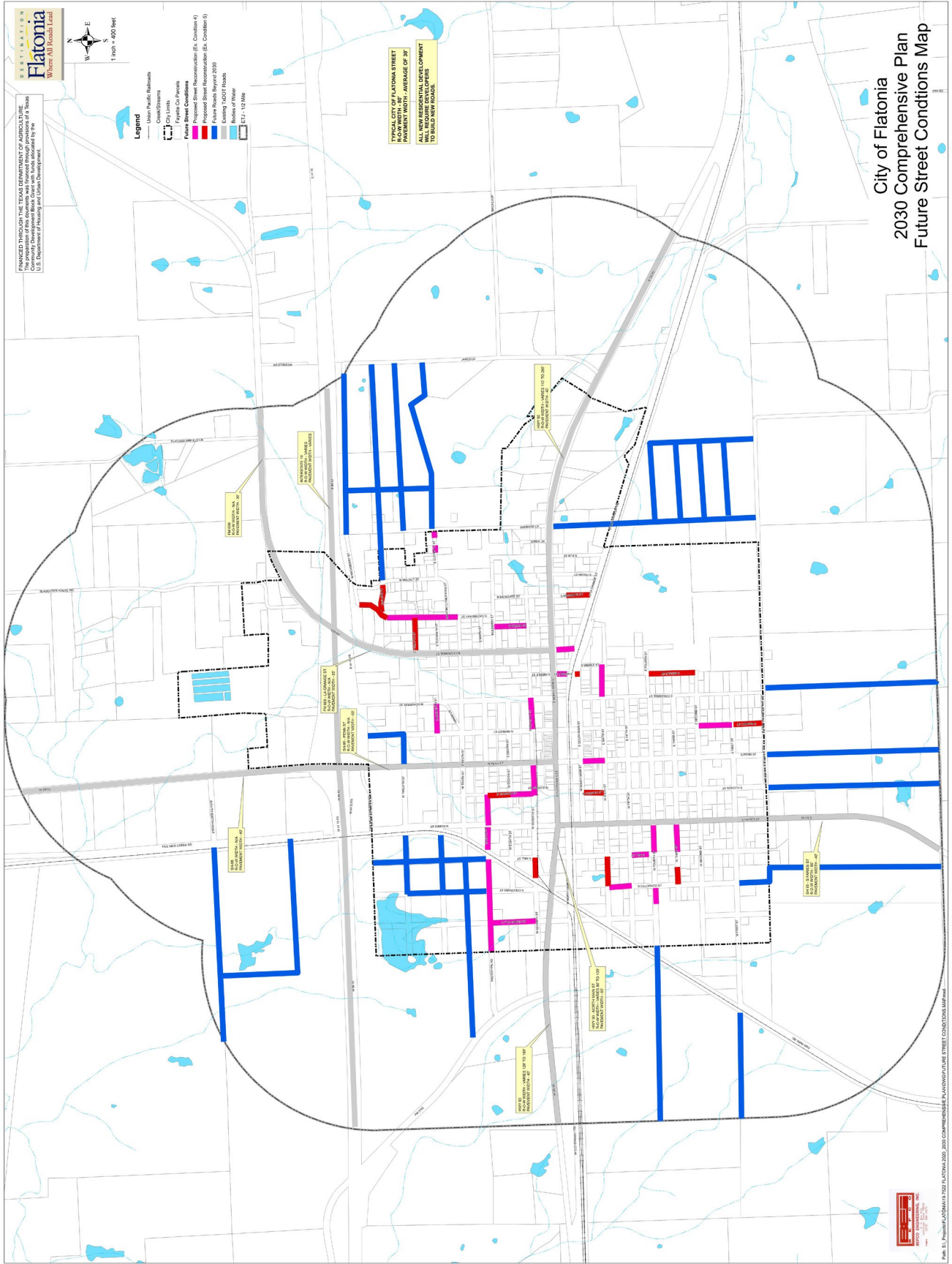


# MAP 5: Street Conditions



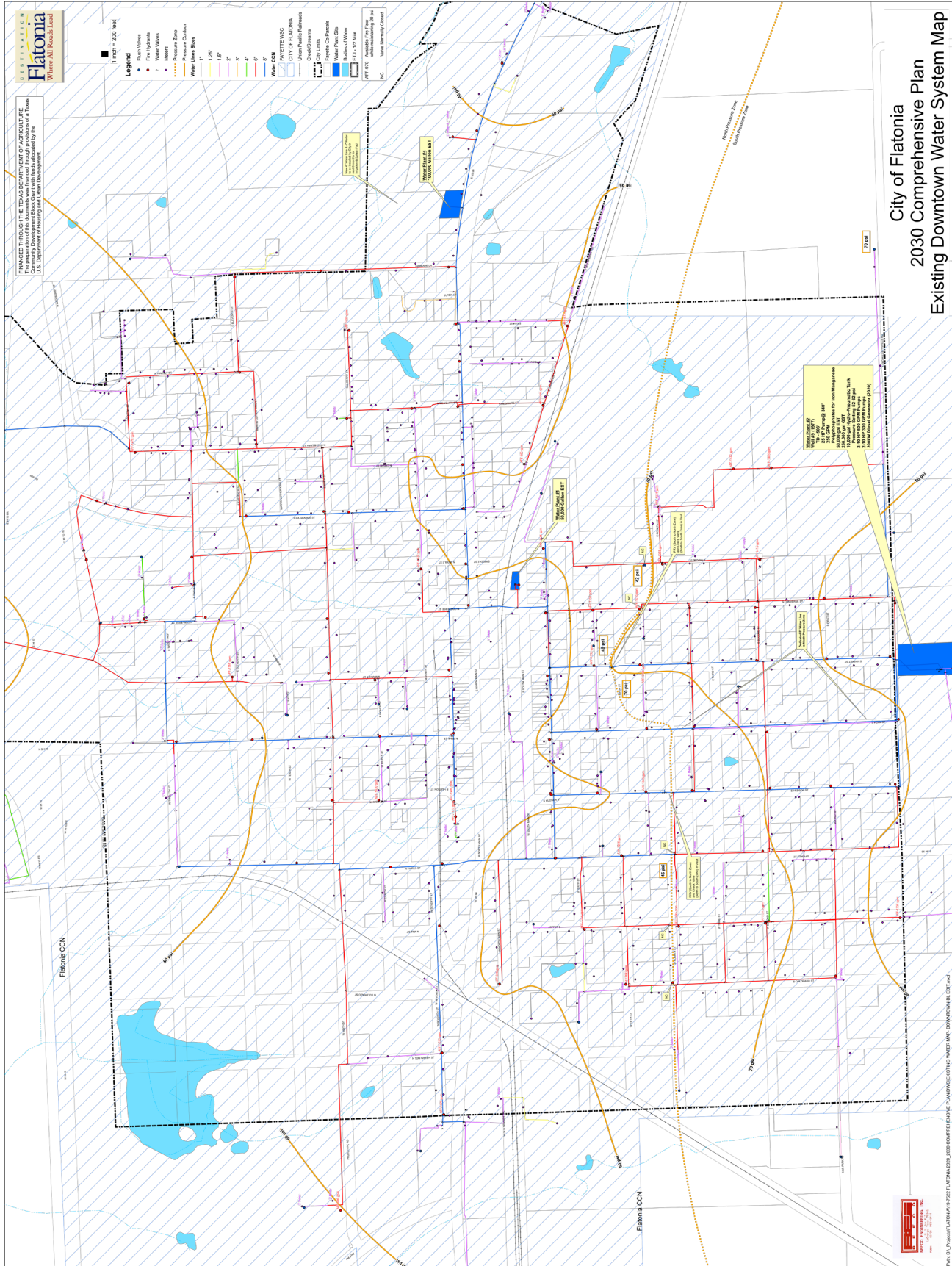
# MAP 6: Future Streets





City of Flatonia  
 2030 Comprehensive Plan  
 Future Street Conditions Map

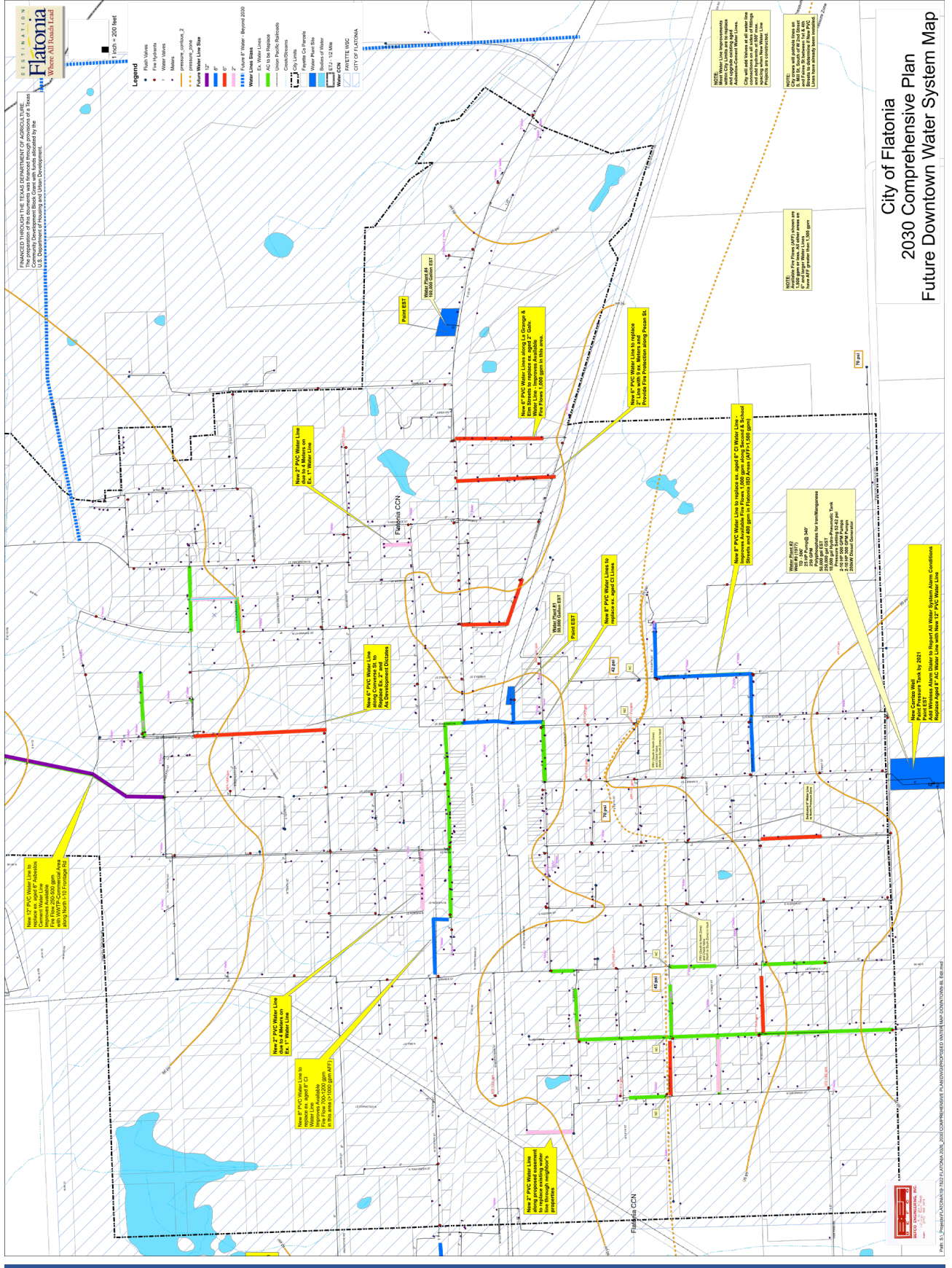
# MAP 7: Existing Water Downtown



# MAP 8: Existing Water



# MAP 9: Future Water Downtown

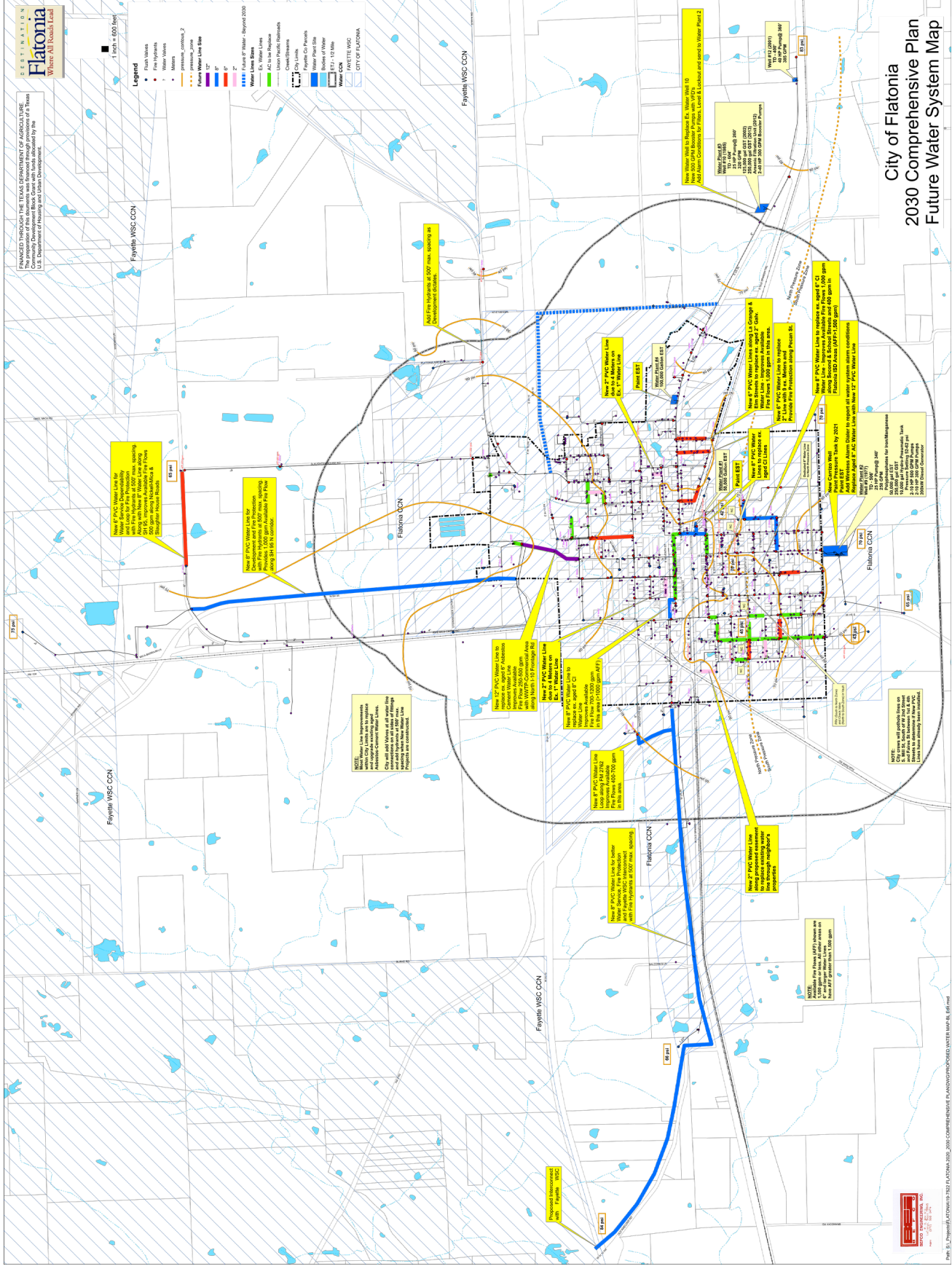


**City of Flatonia**  
**2030 Comprehensive Plan**  
**Future Downtown Water System Map**

FIGURE 15: FUTURE DOWNTOWN WATER SYSTEM MAP (CONCEPTUAL)

# MAP 10: Future Water





FINANCED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE  
Community Development Block Grants with funds allocated by the  
U.S. Department of Housing and Urban Development.

DESTINATION  
**Flatonia**  
Where Full Potential Grows

Legend  
1 inch = 600 feet  
Track Streets  
Water Valves  
Meters  
Future Water Line Size  
Water Lines Status  
Water Line Material  
Water Line Color  
Water Line Style  
Water Line Width  
Water Line Thickness  
Water Line Weight  
Water Line Height  
Water Line Depth  
Water Line Diameter  
Water Line Length  
Water Line Area  
Water Line Volume  
Water Line Weight  
Water Line Height  
Water Line Depth  
Water Line Diameter  
Water Line Length  
Water Line Area  
Water Line Volume

City of Flatonia  
2030 Comprehensive Plan  
Future Water System Map



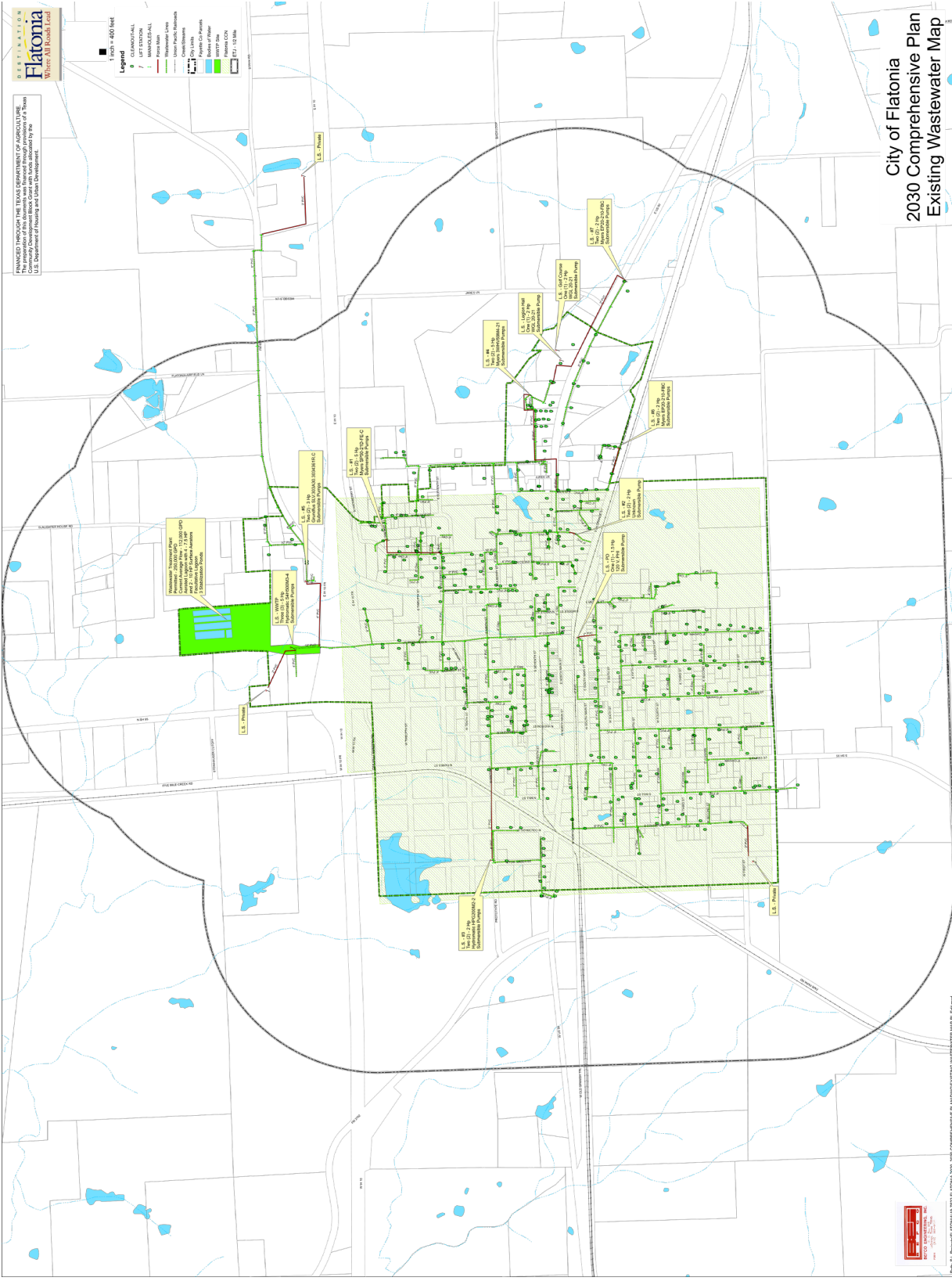
Map 10 - Future Flatonia 2030 Comprehensive Plan Future Water System Map

# MAP 11: Existing Wastewater

RESTORATION  
**Flatonia**  
 Where All Roads Lead

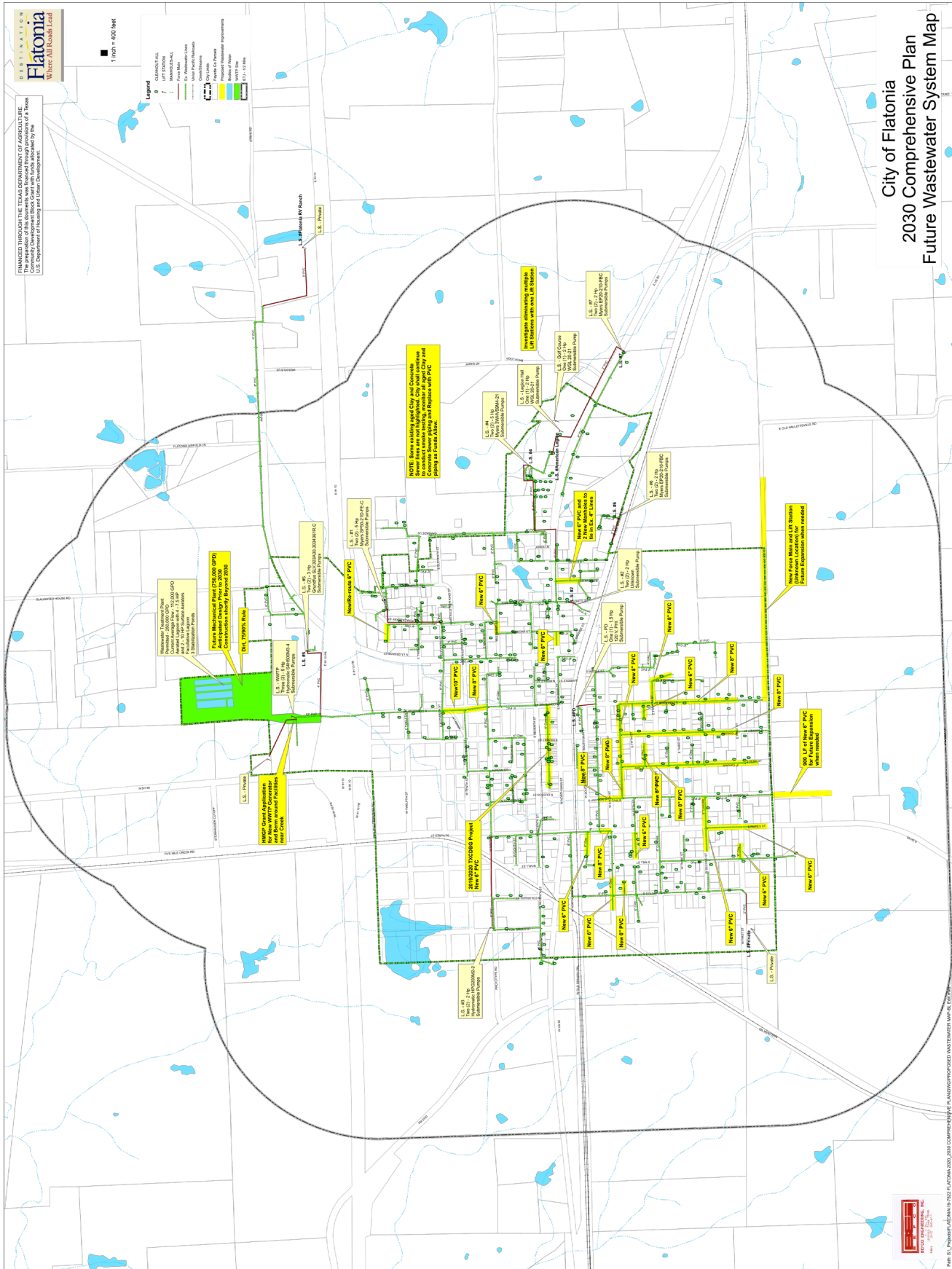
FINANCED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE  
 AND ANTI-COMMERCIAL BANKRUPTCY COURT AND BACK GUARANTEED BY THE  
 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

	1" = 400 Feet
	1. CONCENTRATED
	2. LIFT STATION
	3. PUMPED-OUT
	4. WASTEWATER LINE
	5. CHASE-PACK MAINLINE
	6. PUBLIC UTILITY
	7. WATER MAIN
	8. FUTURE CAN
	9. 11" - 15" DIA.



**City of Flatonia**  
**2030 Comprehensive Plan**  
**Existing Wastewater Map**

# MAP 12: Future Wastewater



FINANCED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE  
 Community Development Block Grant with funds allocated by the  
 U.S. Department of Agriculture for Urban Development.

DESTINATION  
**Flatonia**  
 Where All Roads Lead

1 inch = 400 feet

- Legend**
- Wastewater Collection Line
  - LIFT STATION
  - WASTEWATER TREATMENT PLANT
  - U.S. Wetlands
  - U.S. Wetlands Buffer
  - City Limits
  - Proposed Wetland Approximation
  - Block of Water
  - 1" = 10' Scale

**NOTE:** Some existing and City and County sewer lines are not highlighted. City shall continue to maintain existing sewer lines and replace with PVC piping as it is needed.

**Wastewater Treatment Plant (2030 Anticipated Design) - 100,000 GPD Capacity**  
 U.S. Wetlands Buffer  
 U.S. Wetlands

**U.S. Wetlands Buffer**  
 U.S. Wetlands

**U.S. Wetlands Buffer**  
 U.S. Wetlands

**U.S. Wetlands Buffer**  
 U.S. Wetlands

**U.S. Wetlands Buffer**  
 U.S. Wetlands

**U.S. Wetlands Buffer**  
 U.S. Wetlands

**U.S. Wetlands Buffer**  
 U.S. Wetlands

**U.S. Wetlands Buffer**  
 U.S. Wetlands

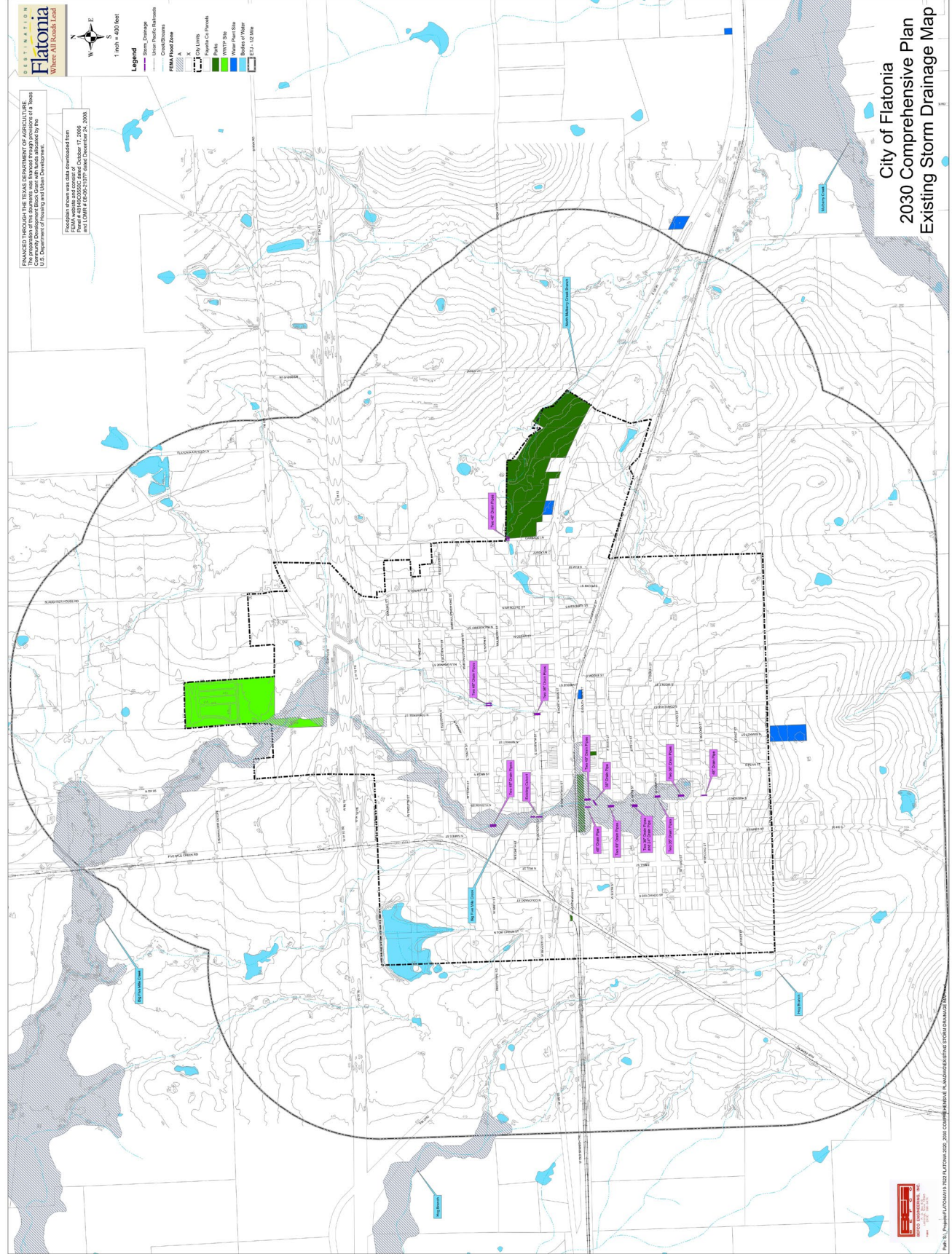
**U.S. Wetlands Buffer**  
 U.S. Wetlands



City of Flatonia  
 2030 Comprehensive Plan  
 Future Wastewater System Map

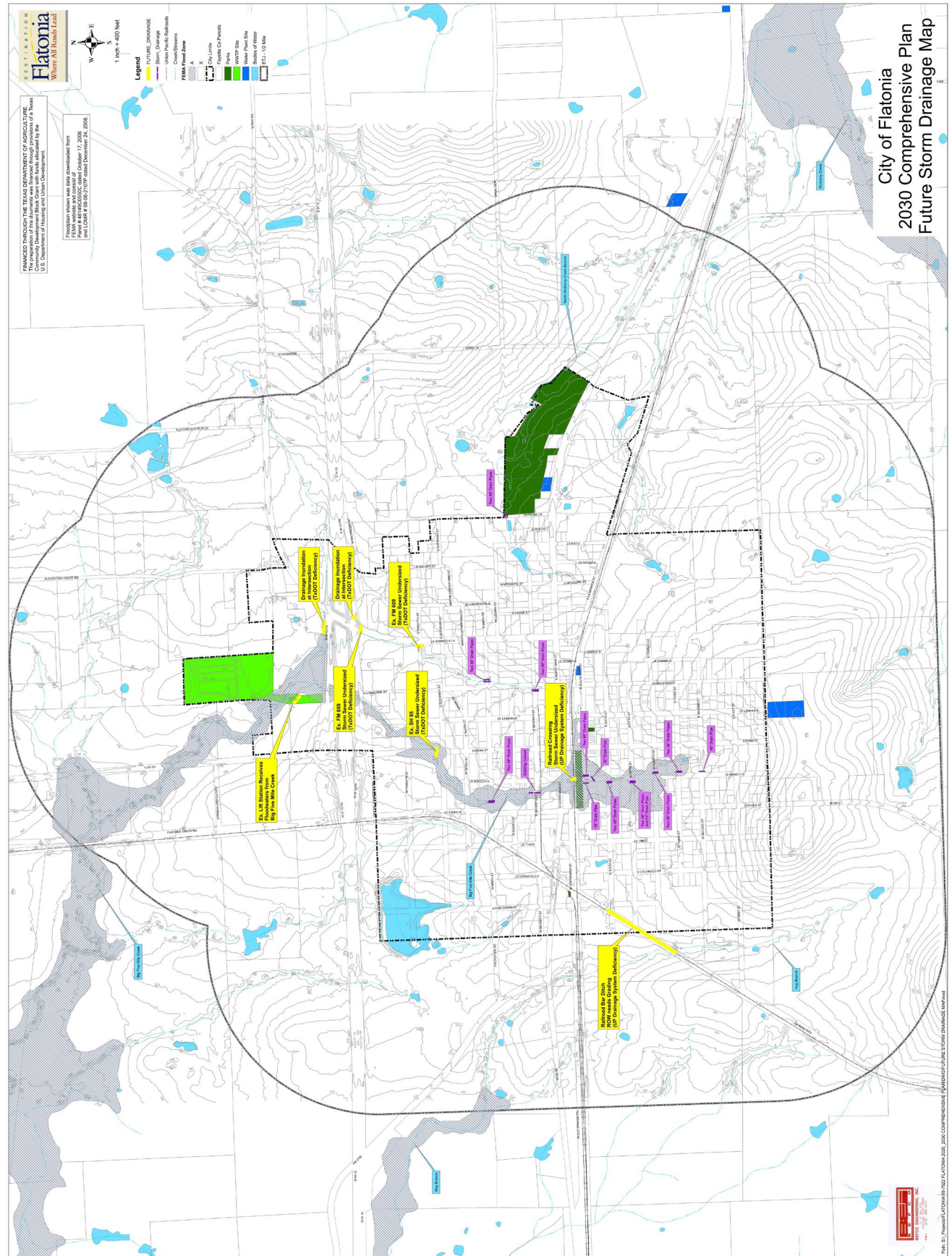
Map 15. City of Flatonia 2030 Comprehensive Plan Future Wastewater System Map. 15.01

# MAP 13: Existing Storm Drainage

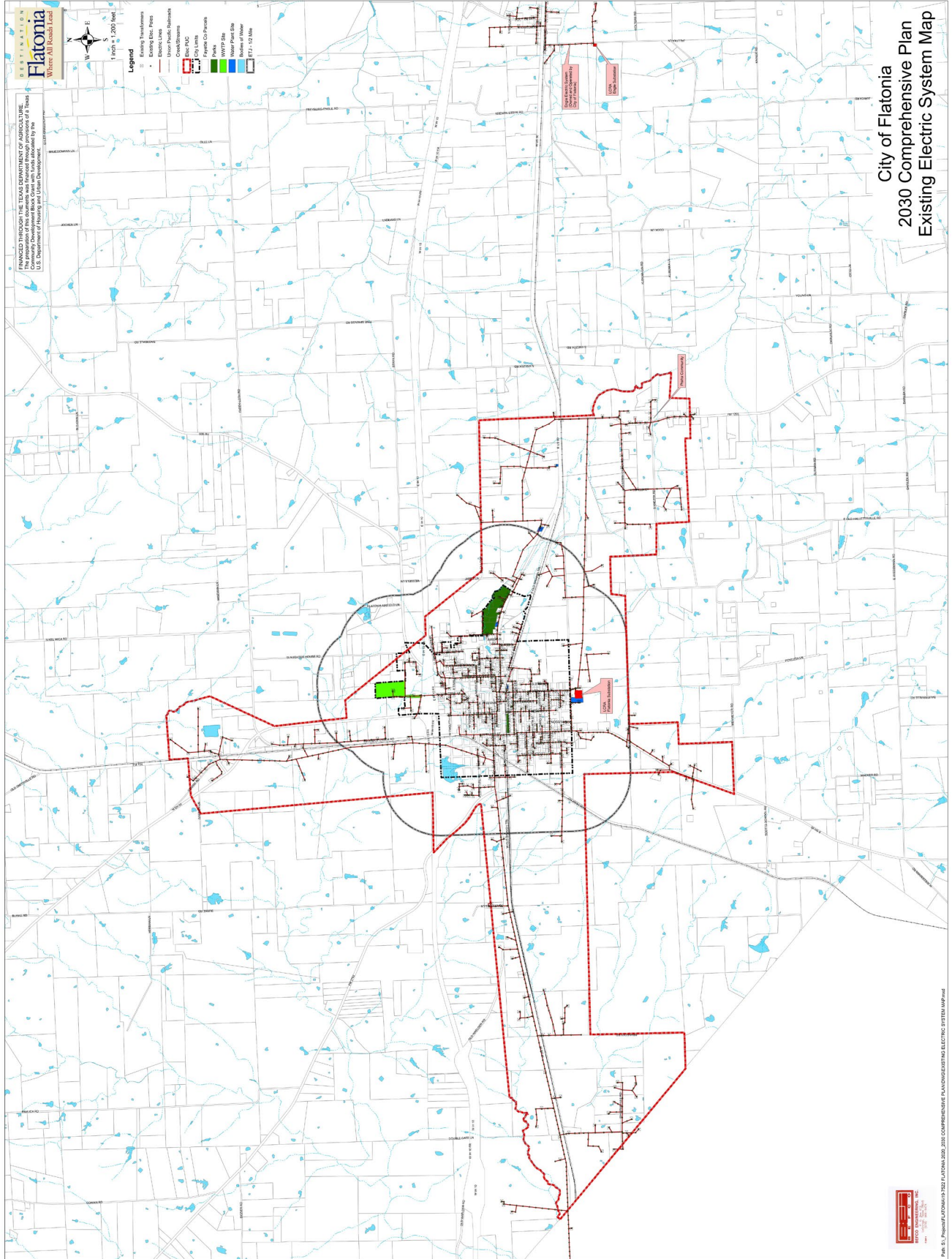


# MAP 14: Future Storm Drainage

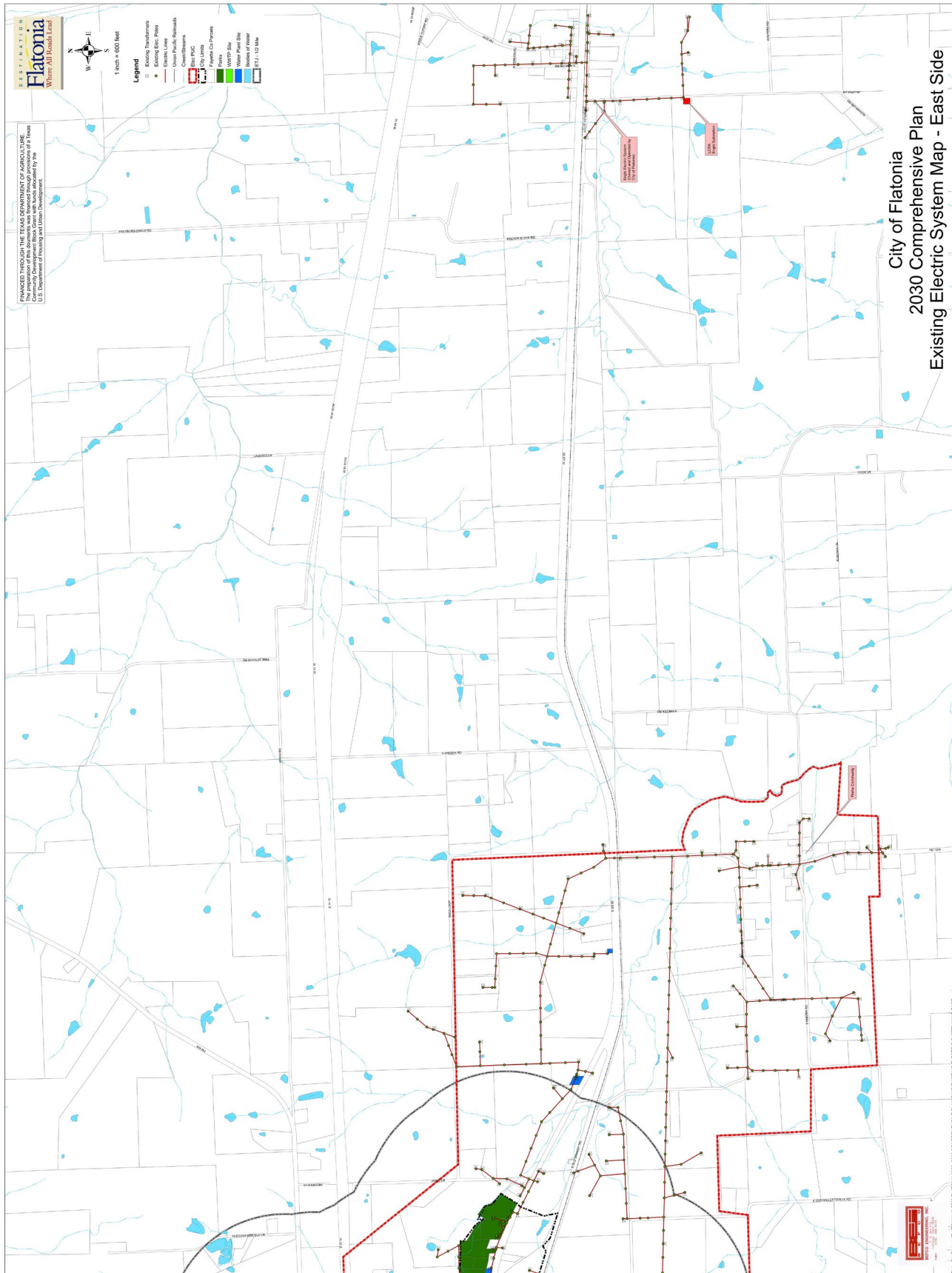




# MAP 15: Existing Electric



# MAP 16: Existing Electric – East



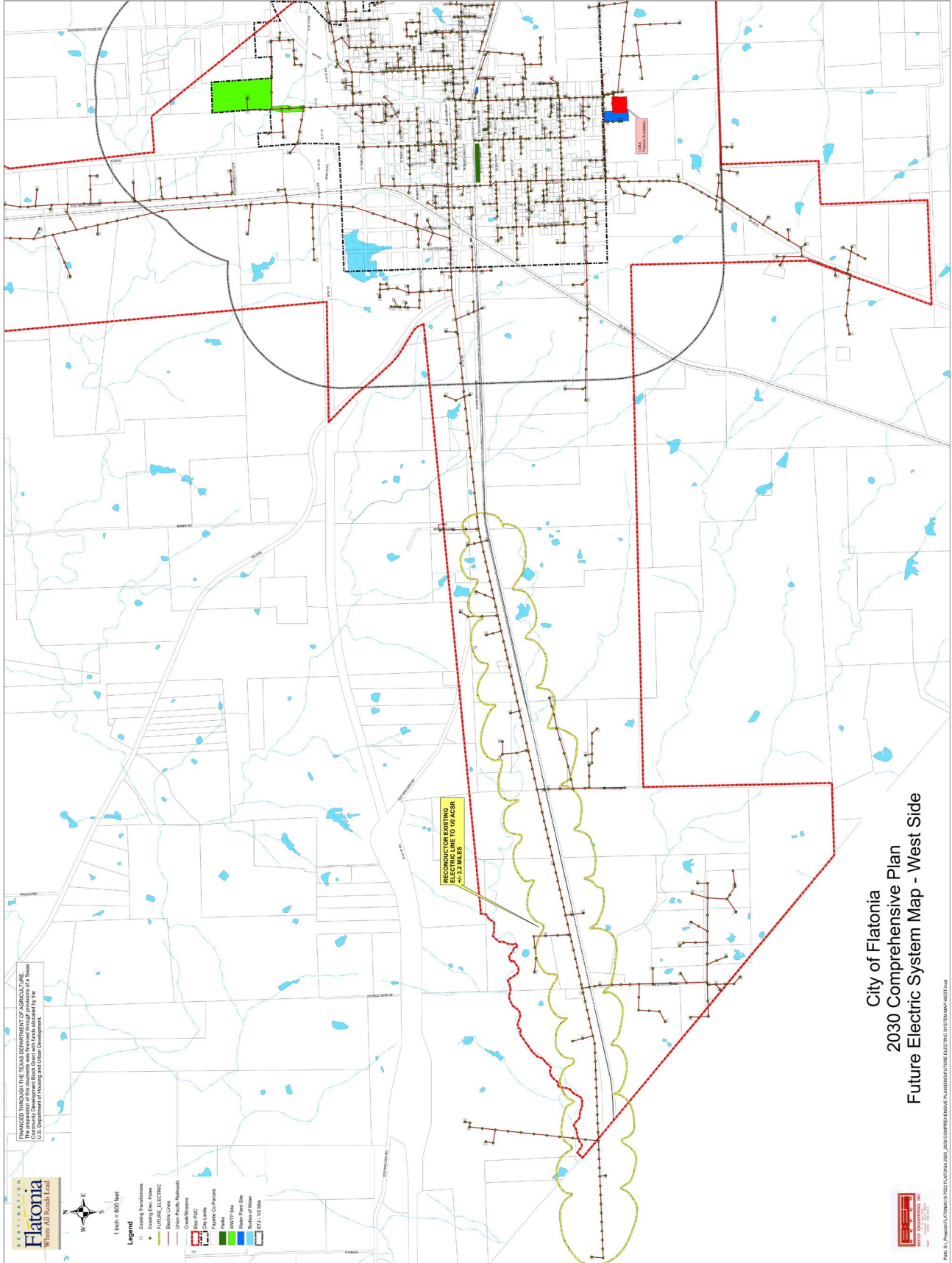
FINANCED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE  
 The preparation of this document was financed through provisions of a Texas  
 State Finance Bond issued by the U.S. Department of Housing and Urban Development.



- Legend**
- Existing Transformers
  - Existing Electric Poles
  - Existing Electric Lines
  - Underway Electric Substations
  - Underway Electric Lines
  - City Electric
  - City Electric Transformer
  - City Electric Pole
  - City Electric Line
  - City Electric Transformer
  - City Electric Pole
  - City Electric Line
  - City Electric Transformer
  - City Electric Pole
  - City Electric Line
  - City Electric Transformer
  - City Electric Pole
  - City Electric Line

City of Flatonia  
 2030 Comprehensive Plan  
 Existing Electric System Map - East Side

# MAP 17: Existing Electric – West

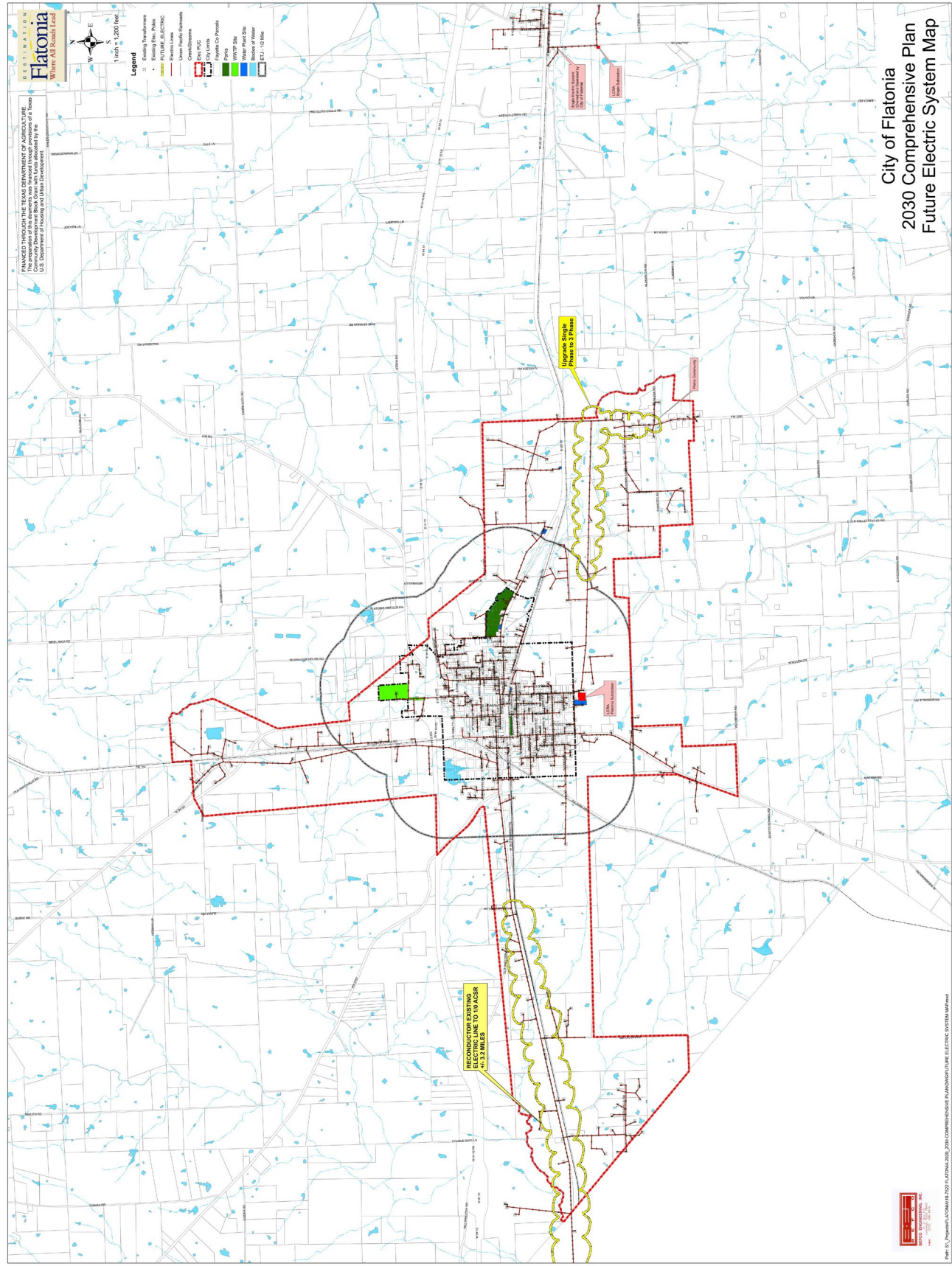


City of Flatonia  
 2030 Comprehensive Plan  
 Future Electric System Map - West Side

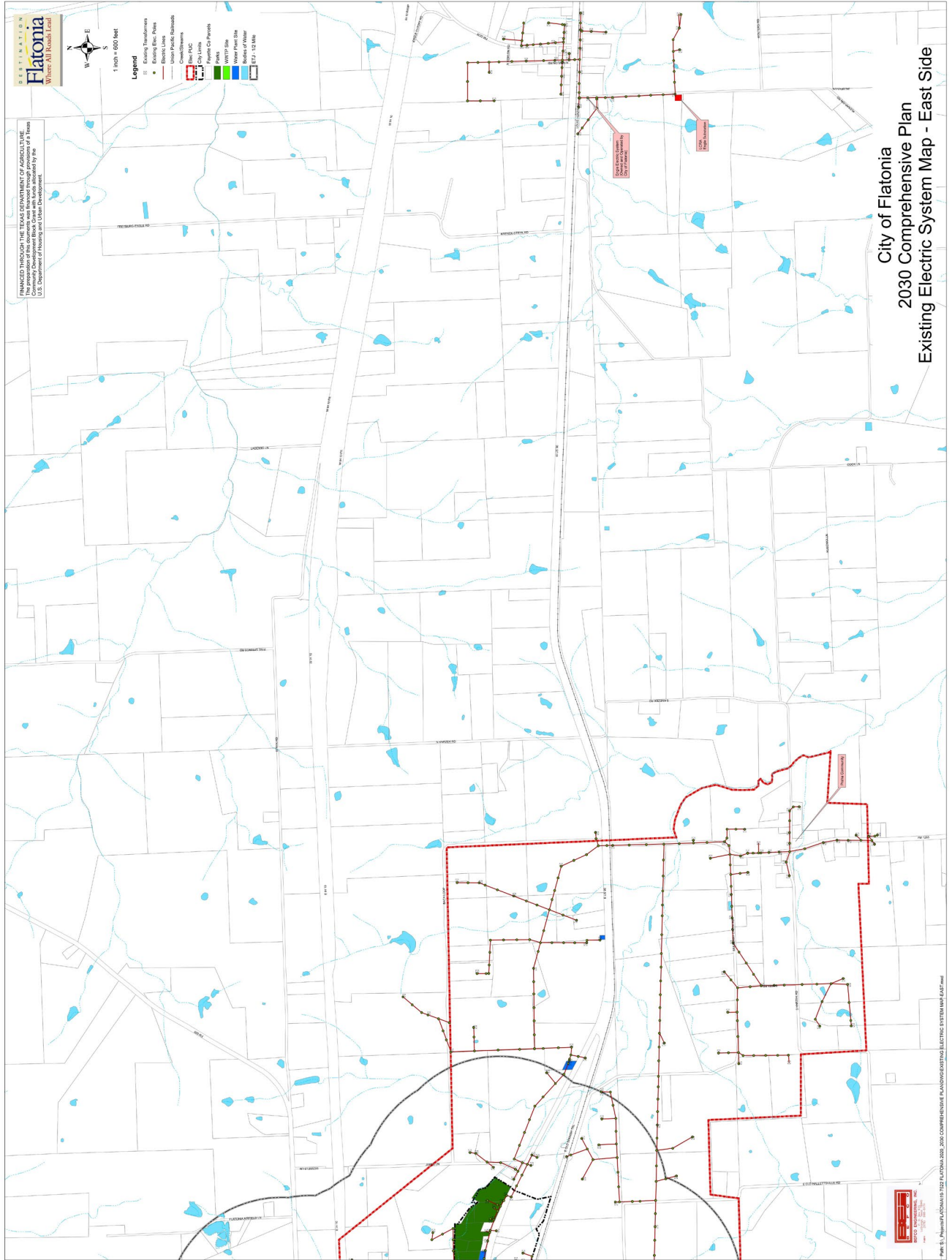
APPENDIX D - FUTURE ELECTRIC SYSTEM MAP - WEST SIDE

# MAP 18: Future Electric

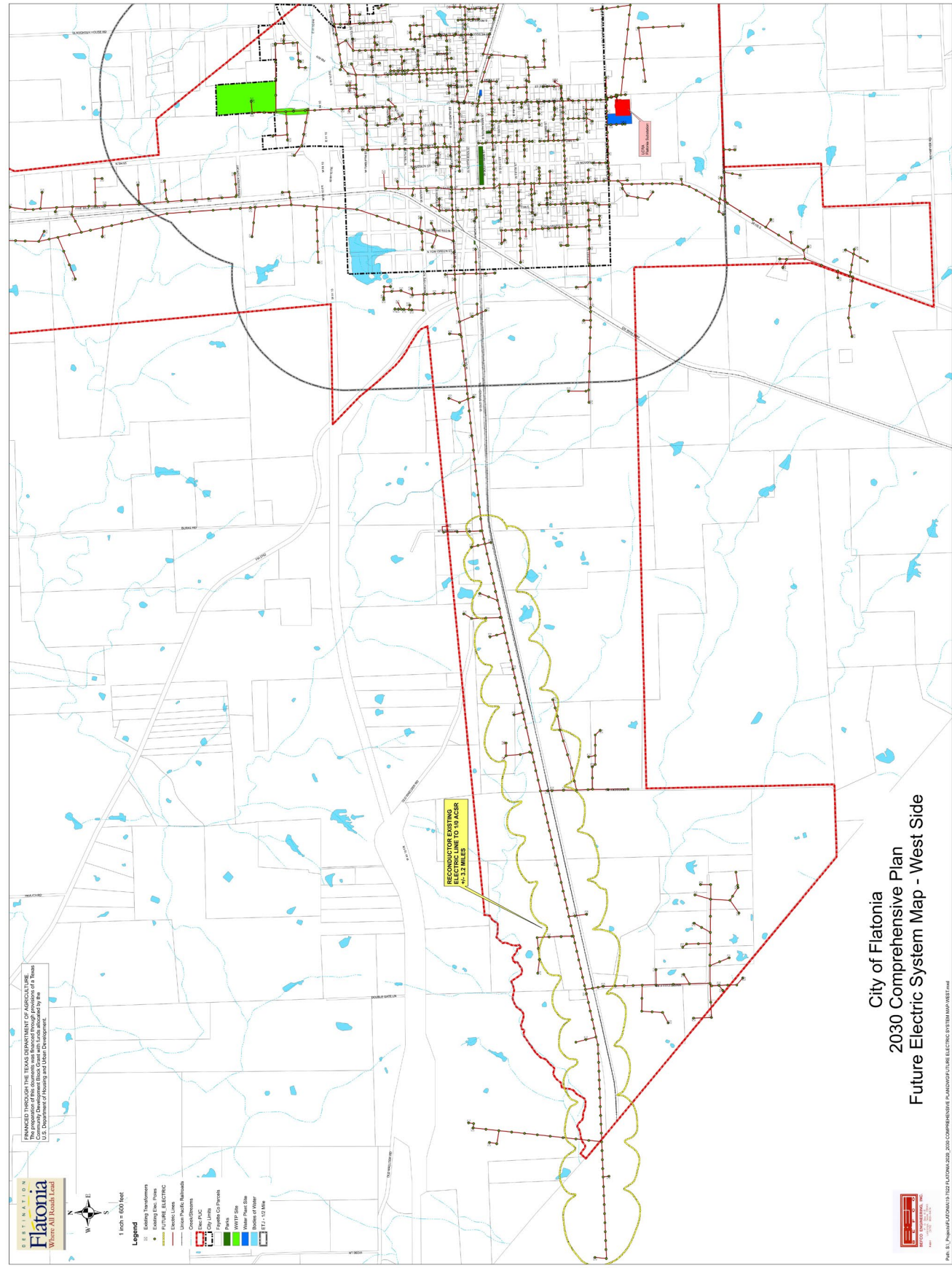




# MAP 19: Future Electric – East



# MAP 20: Future Electric – West



City of Flatonia  
 2030 Comprehensive Plan  
 Future Electric System Map - West Side



Flatonia, Texas, 2030 Comprehensive Plan, 2015. Comprehensive Electric System Map - West Side

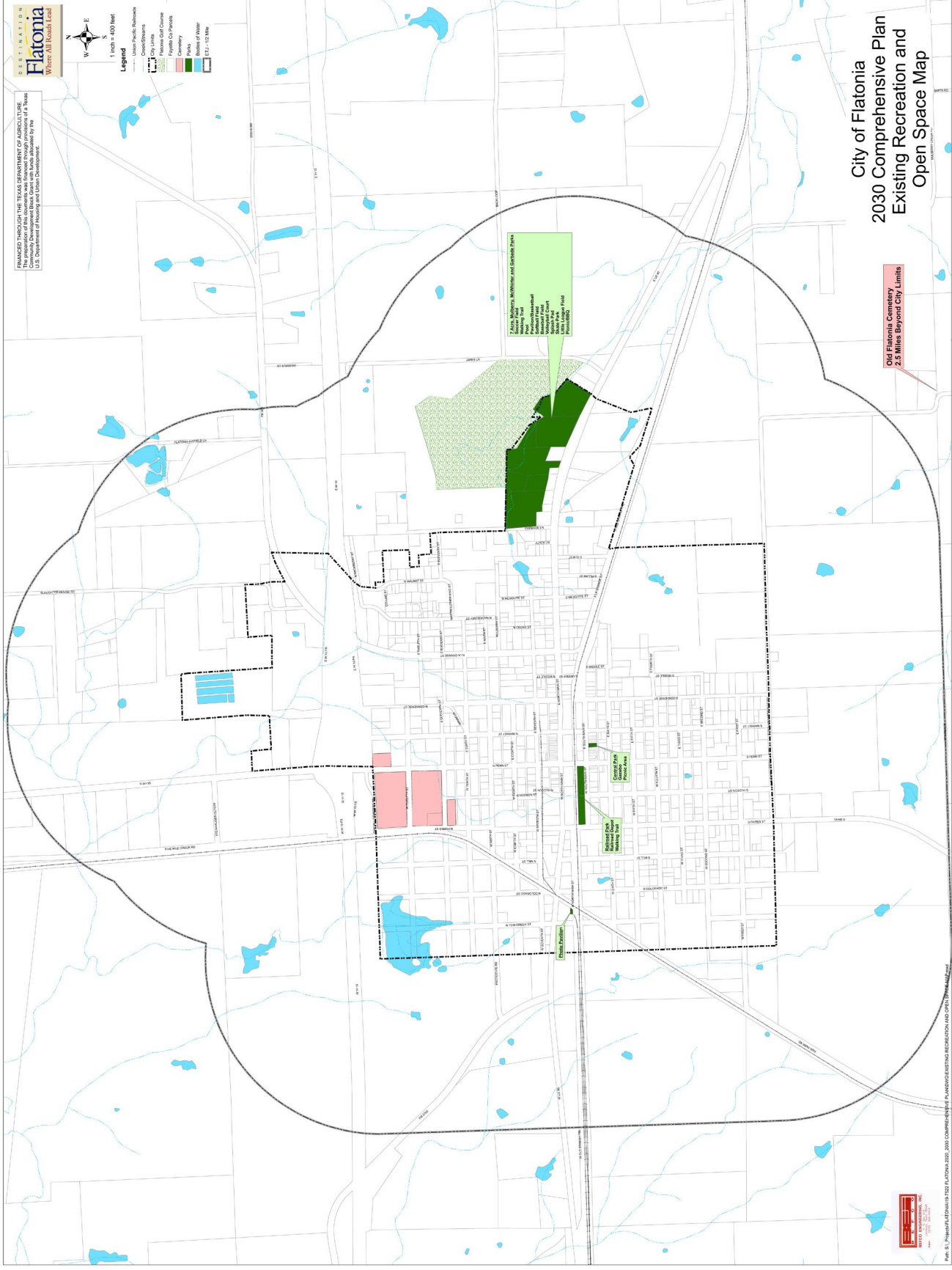
# MAP 21: Exiting Recreation and Open Space

FINANCED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE  
This preparation of this document was financed through the purchase of a Texas  
Department of Agriculture bond by the City of Flatonia.  
U.S. Department of Housing and Urban Development



**Legend**

- Urban Pacific Suburbs
- Streets
- City Limits
- Physical City Limits
- City Limits
- City Limits
- City Limits
- City Limits



# City of Flatonia 2030 Comprehensive Plan Existing Recreation and Open Space Map

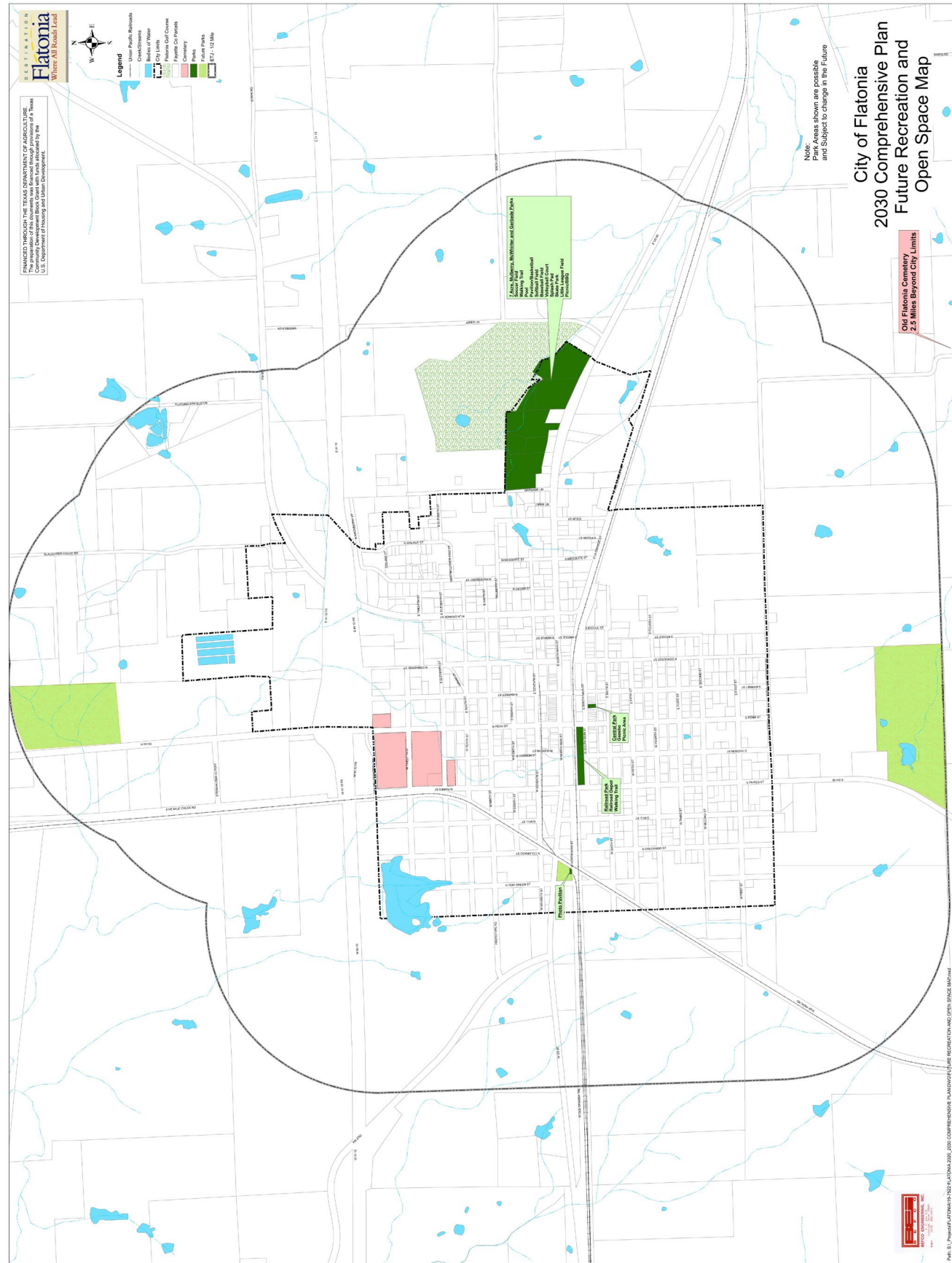
Old Flatonia Cemetery  
2.5 Miles Beyond City Limits

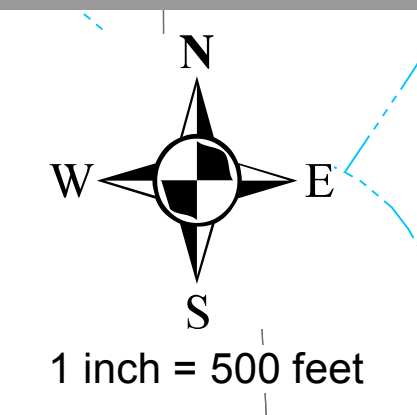


Fig. B. Prepared Flatonia, Texas, 2030 Comprehensive Plan, Recreation and Open Space Map


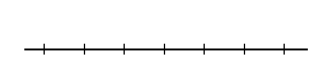





# MAP 22: Future Recreation and Open Space





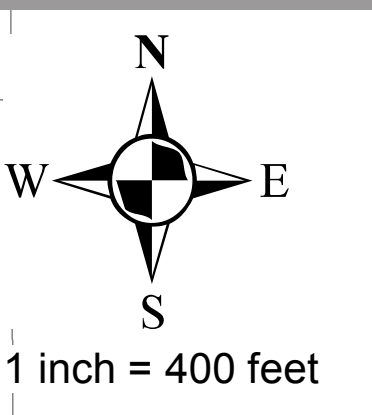


### Legend

-  CIP\_PROJECTS
-  Union Pacific Railroads
-  Creek/Streams
-  City Limits
-  Fayette Co Parcels
-  Bodies of Water
-  ETJ - 1/2 Mile

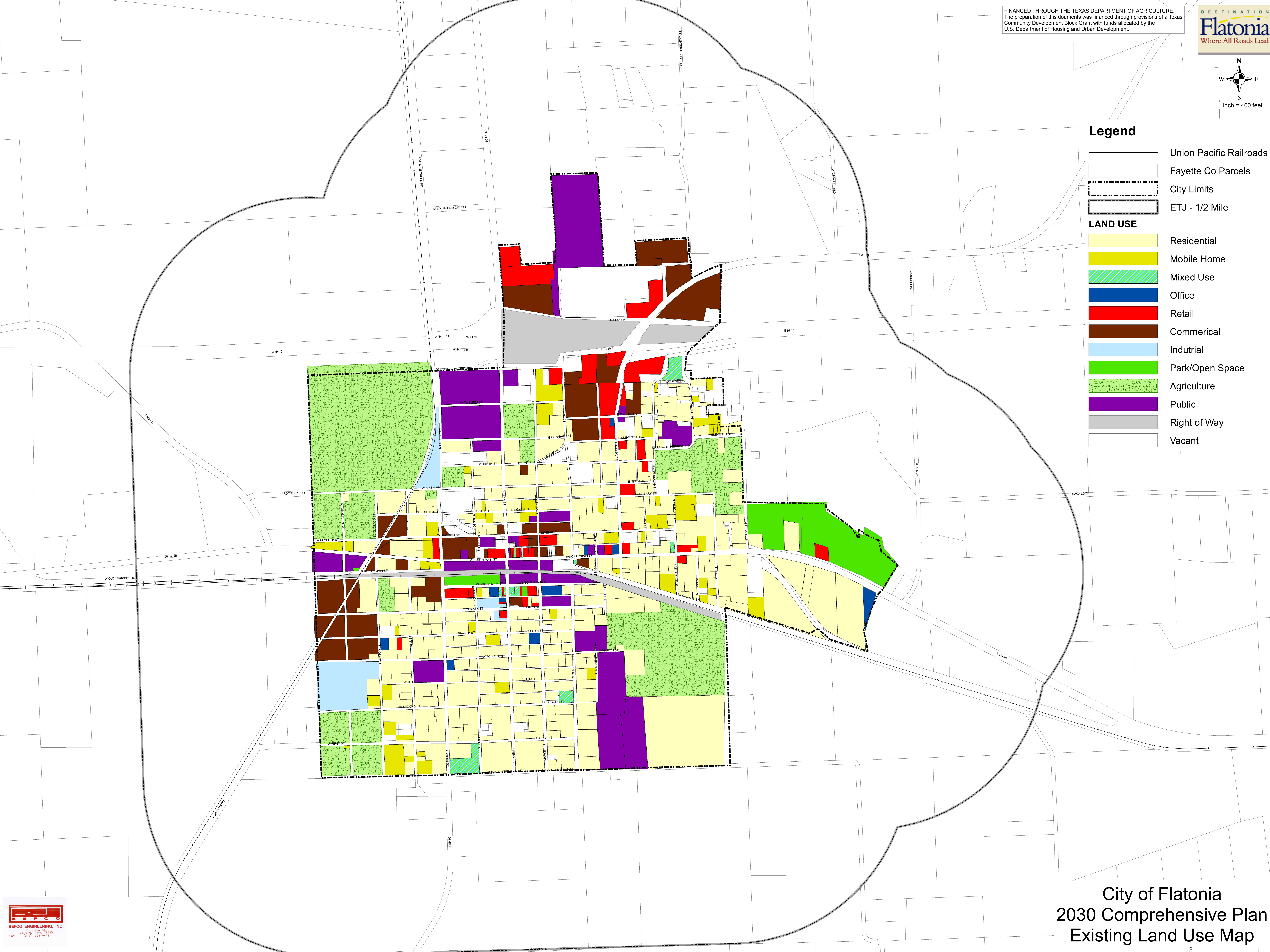


## City of Flatonia 2030 Comprehensive Plan CIP Map

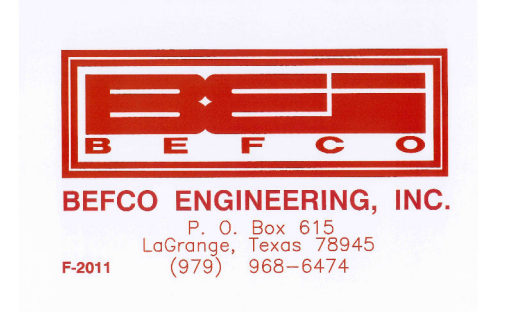


**Legend**

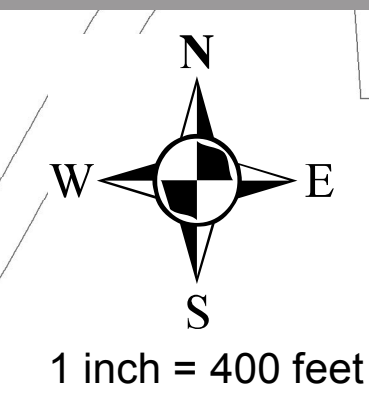
- Union Pacific Railroads
- Fayette Co Parcels
- City Limits
- ETJ - 1/2 Mile
- LAND USE**
- Residential
- Mobile Home
- Mixed Use
- Office
- Retail
- Commerical
- Industrial
- Park/Open Space
- Agriculture
- Public
- Right of Way
- Vacant



**City of Flatonia  
 2030 Comprehensive Plan  
 Existing Land Use Map**

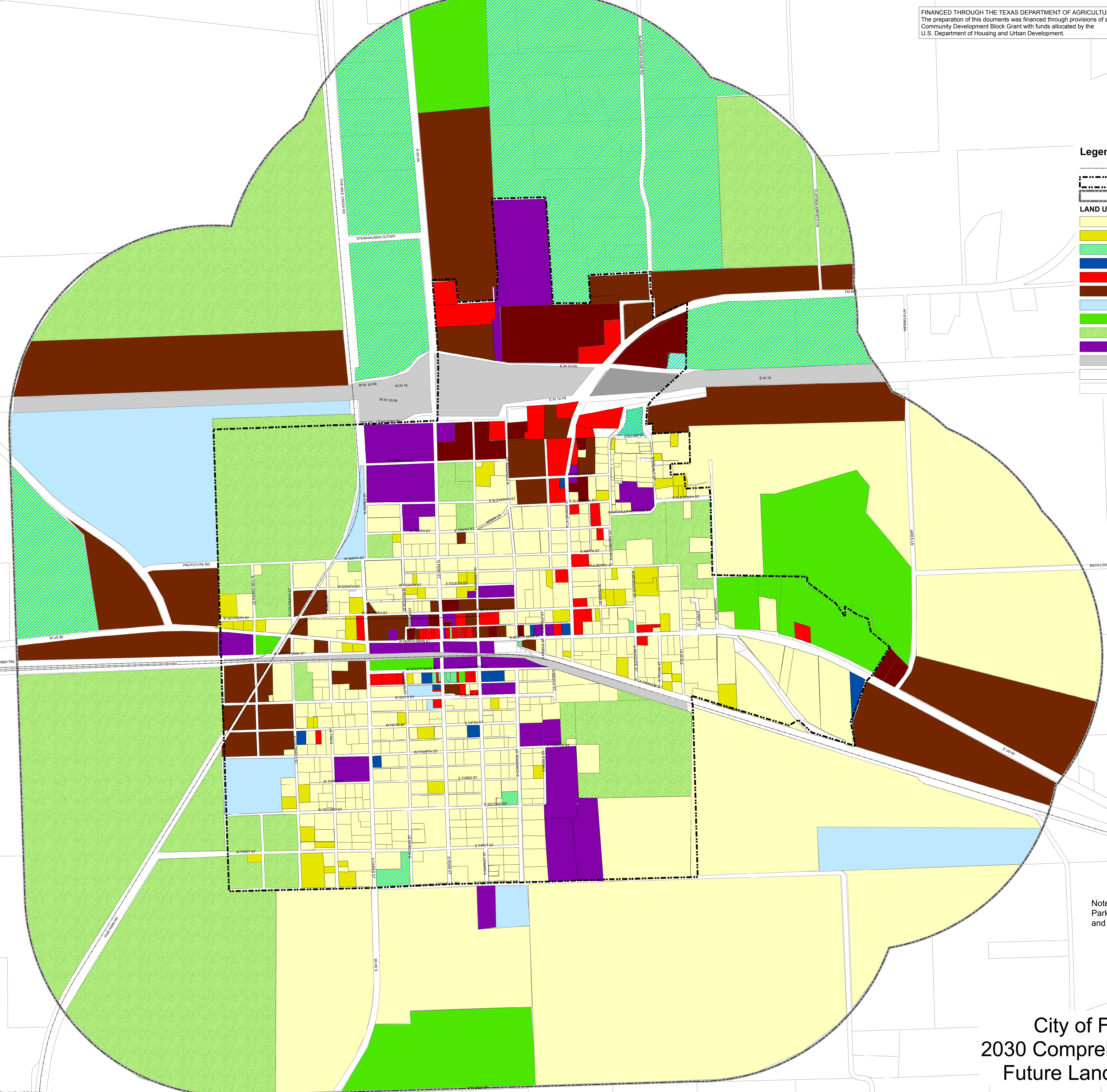


FINANCED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE.  
 The preparation of this document was financed through provisions of a Texas  
 Community Development Block Grant with funds allocated by the  
 U.S. Department of Housing and Urban Development.



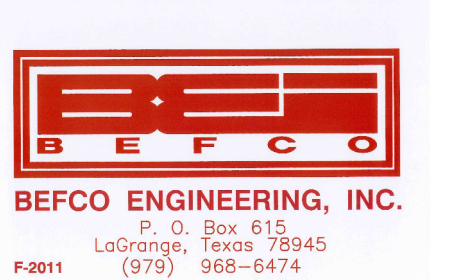
**Legend**

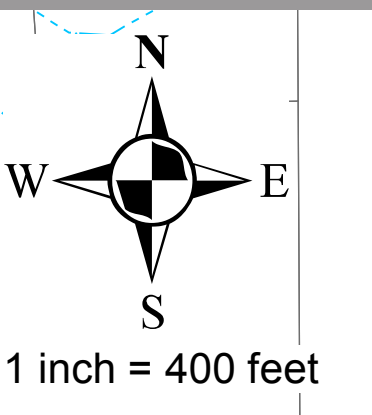
- Union Pacific Railroads
- City Limits
- ETJ - 1/2 Mile
- LAND USE**
- Residential
- Mobile Home
- Mixed Use
- Office
- Retail
- Commerical
- Industrial
- Park/Open Space
- Agriculture
- Public
- Right of Way
- Vacant
- Fayette Co Parcels



Note:  
 Park Areas shown are possible  
 and Subject to change in the Future

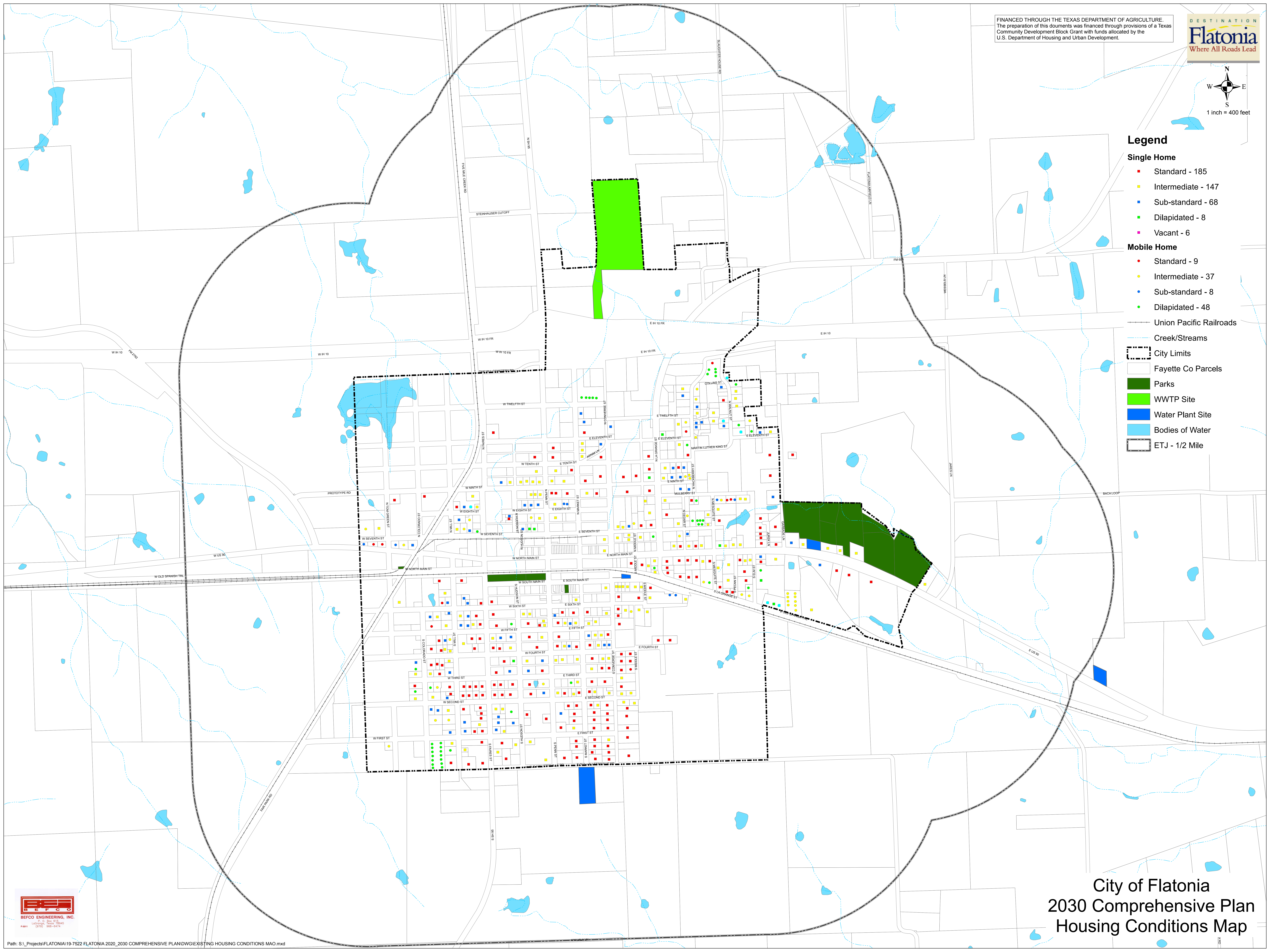
**City of Flatonia  
 2030 Comprehensive Plan  
 Future Land Use Map**



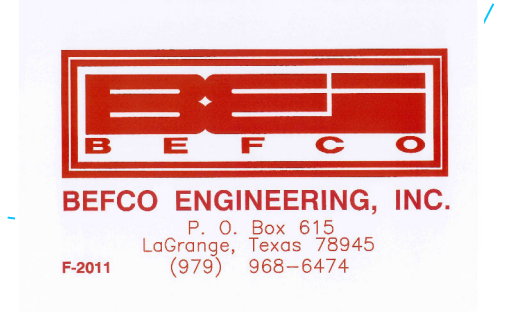


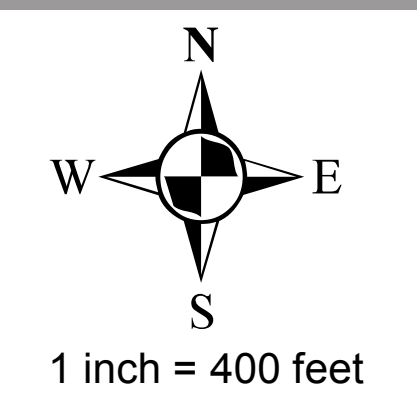
**Legend**

- Single Home**
  - Standard - 185
  - Intermediate - 147
  - Sub-standard - 68
  - Dilapidated - 8
  - Vacant - 6
- Mobile Home**
  - Standard - 9
  - Intermediate - 37
  - Sub-standard - 8
  - Dilapidated - 48
- Union Pacific Railroads
- Creek/Streams
- City Limits
- Fayette Co Parcels
- Parks
- WWTP Site
- Water Plant Site
- Bodies of Water
- ETJ - 1/2 Mile



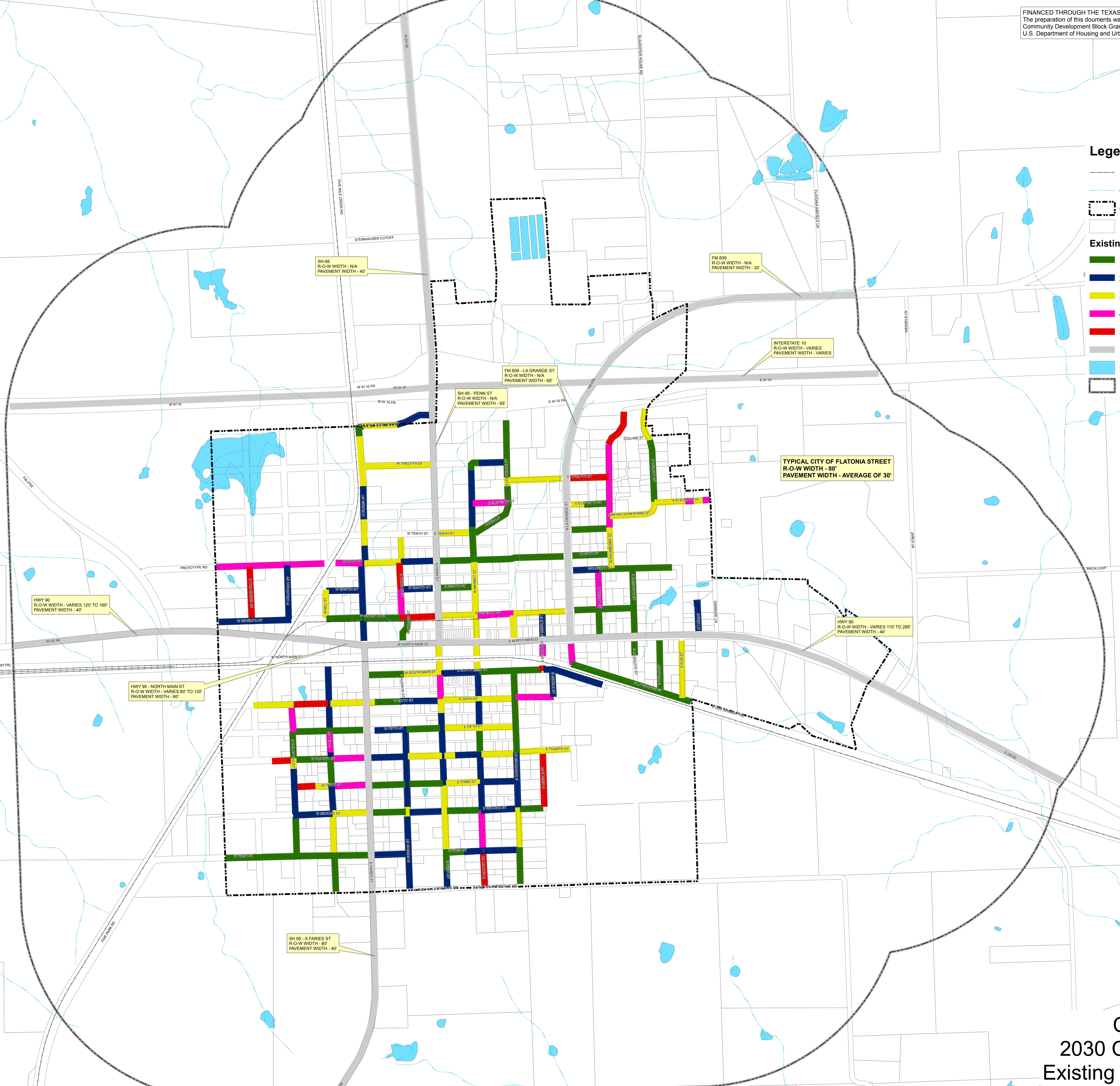
City of Flatonia  
 2030 Comprehensive Plan  
 Housing Conditions Map





**Legend**

- Union Pacific Railroads
- Creek/Streams
- City Limits
- Fayette Co Parcels
- Existing Street Conditions**
- 1-Good, Paved in last 3 Years
- 2- Minor Surface Imperfections/Potholes
- 3-Road Fracturing, Has Structural Integrity Issues
- 4-Road is Failing
- 5-Failing Surface, No Pavement
- Existing TxDOT Roads
- Bodies of Water
- ETJ - 1/2 Mile



HWY 90  
 R-O-W WIDTH - VARIES 120' TO 160'  
 PAVEMENT WIDTH - 40'

HWY 90 - NORTH MAIN ST  
 R-O-W WIDTH - VARIES 80' TO 130'  
 PAVEMENT WIDTH - 60'

SH 95 - S FARIES ST  
 R-O-W WIDTH - 80'  
 PAVEMENT WIDTH - 40'

SH 95  
 R-O-W WIDTH - N/A  
 PAVEMENT WIDTH - 40'

FM 609  
 R-O-W WIDTH - N/A  
 PAVEMENT WIDTH - 30'

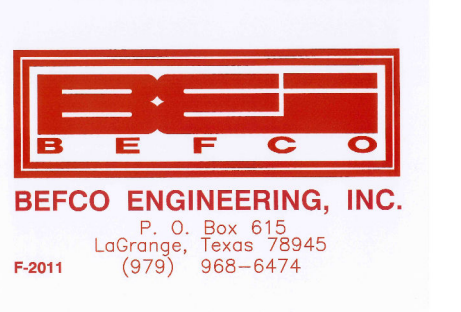
FM 609 - LA GRANGE ST  
 R-O-W WIDTH - N/A  
 PAVEMENT WIDTH - 85'

SH 95 - PENN ST  
 R-O-W WIDTH - N/A  
 PAVEMENT WIDTH - 65'

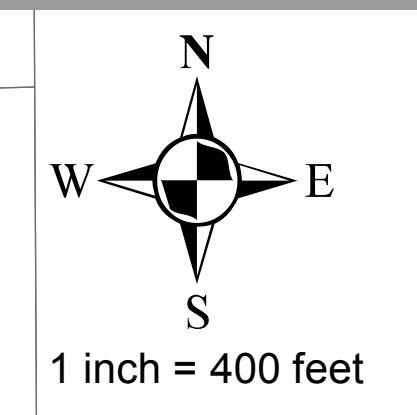
INTERSTATE 10  
 R-O-W WIDTH - VARIES  
 PAVEMENT WIDTH - VARIES

TYPICAL CITY OF FLATONIA STREET  
 R-O-W WIDTH - 80'  
 PAVEMENT WIDTH - AVERAGE OF 30'

HWY 90  
 R-O-W WIDTH - VARIES 110' TO 285'  
 PAVEMENT WIDTH - 42'



City of Flatonia  
 2030 Comprehensive Plan  
 Existing Street Conditions Map

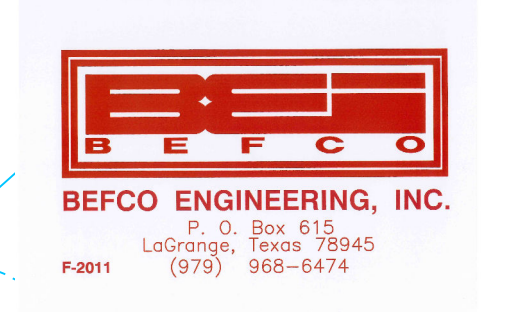


**Legend**

- Union Pacific Railroads
- Creek/Streams
- City Limits
- Fayette Co Parcels
- Future Street Conditions**
- Proposed Street Reconstruction (Ex. Condition 4)
- Proposed Street Reconstruction (Ex. Condition 5)
- Future Roads Beyond 2030
- Existing TxDOT Roads
- Bodies of Water
- ETJ - 1/2 Mile

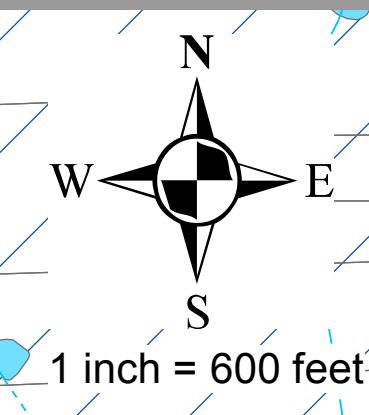
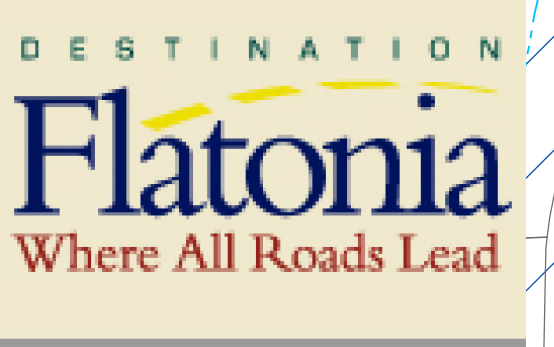
TYPICAL CITY OF FLATONIA STREET  
 R-O-W WIDTH - 80'  
 PAVEMENT WIDTH - AVERAGE OF 30'

ALL NEW RESIDENTIAL DEVELOPMENT  
 WILL REQUIRE DEVELOPERS  
 TO BUILD NEW ROADS.



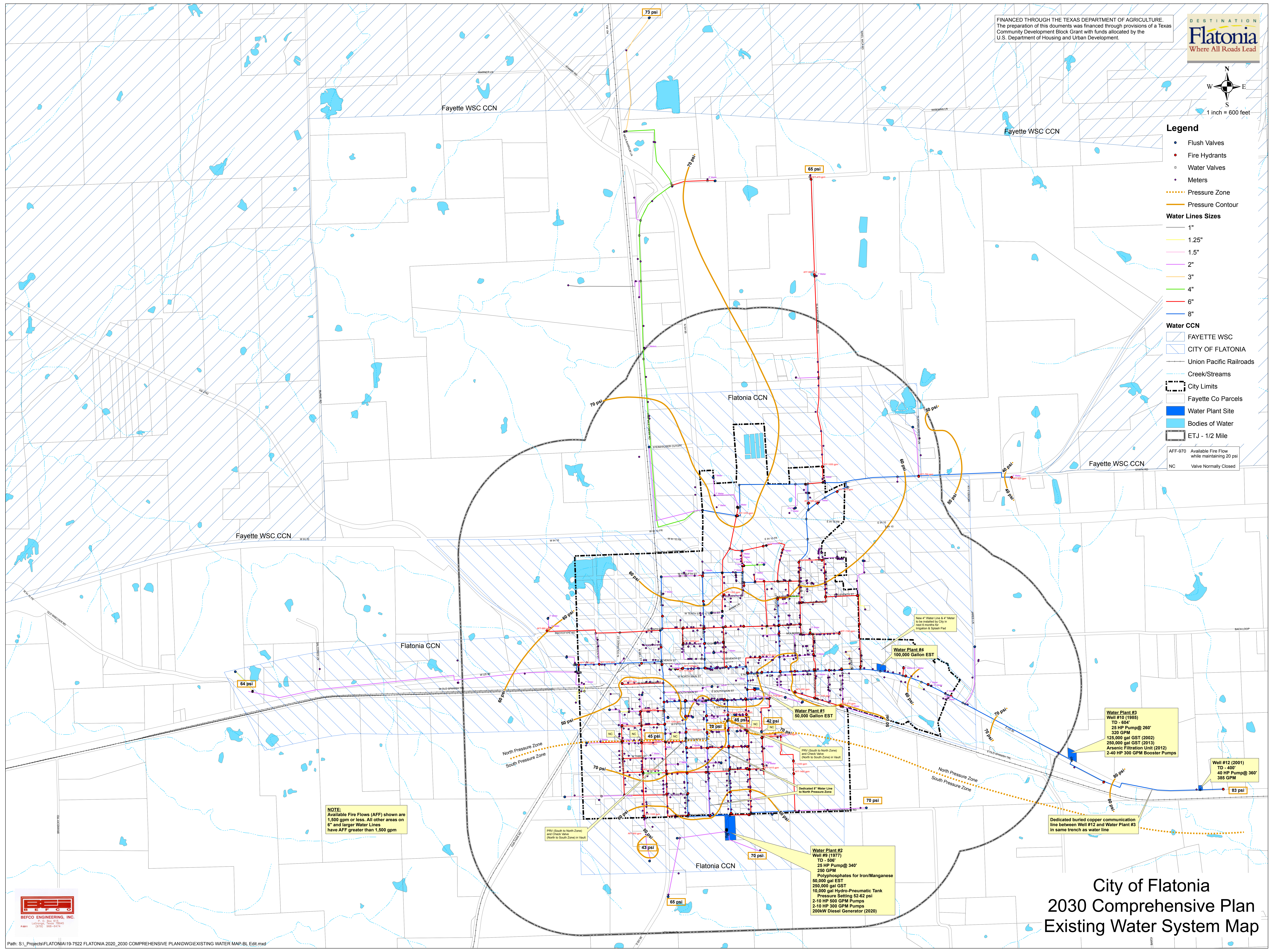
City of Flatonia  
 2030 Comprehensive Plan  
 Future Street Conditions Map

FINANCED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE.  
The preparation of this document was financed through provisions of a Texas  
Community Development Block Grant with funds allocated by the  
U.S. Department of Housing and Urban Development.



**Legend**

- Flush Valves
- Fire Hydrants
- Water Valves
- Meters
- Pressure Zone
- Pressure Contour
- Water Lines Sizes**
- 1"
- 1.25"
- 1.5"
- 2"
- 3"
- 4"
- 6"
- 8"
- Water CCN**
- FAYETTE WSC
- CITY OF FLATONIA
- Union Pacific Railroads
- Creek/Streams
- City Limits
- Fayette Co Parcels
- Water Plant Site
- Bodies of Water
- ETJ - 1/2 Mile
- AFF-970 Available Fire Flow while maintaining 20 psi
- NC Valve Normally Closed



**NOTE:**  
Available Fire Flows (AFF) shown are  
1,500 gpm or less. All other areas on  
6" and larger Water Lines  
have AFF greater than 1,500 gpm

PRV (South to North Zone)  
and Check Valve  
(North to South Zone) in Vault

**Water Plant #2**  
Well #9 (1977)  
TD - 506'  
25 HP Pump@ 340'  
250 GPM  
50,000 gal EST  
10,000 gal GST  
10,000 gal Hydro-Pneumatic Tank  
Pressure Setting 52-62 psi  
2-10 HP 300 GPM Pumps  
200kW Diesel Generator (2020)

**Water Plant #3**  
Well #10 (1985)  
TD - 604'  
25 HP Pump@ 260'  
320 GPM  
125,000 gal GST (2002)  
250,000 gal GST (2013)  
Arsenic Filtration Unit (2012)  
2-40 HP 300 GPM Booster Pumps

**Well #12 (2001)**  
TD - 400'  
40 HP Pump@ 360'  
385 GPM

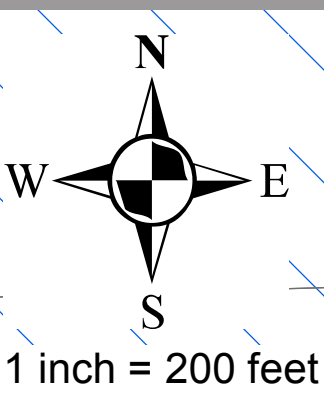
Dedicated buried copper communication  
line between Well #12 and Water Plant #3  
in same trench as water line

**City of Flatonia  
2030 Comprehensive Plan  
Existing Water System Map**



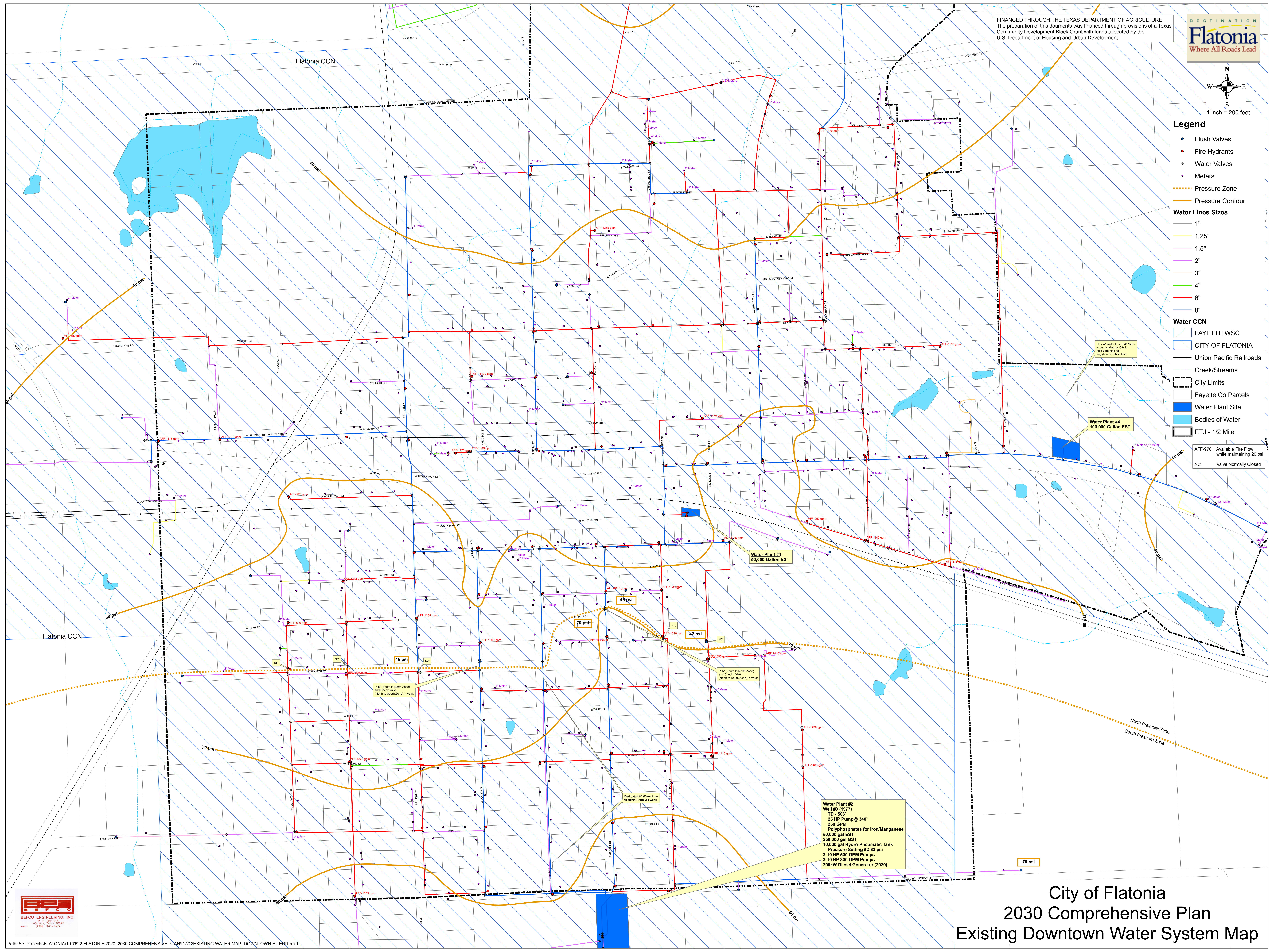


FINANCED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE.  
The preparation of this documents was financed through provisions of a Texas  
Community Development Block Grant with funds allocated by the  
U.S. Department of Housing and Urban Development.

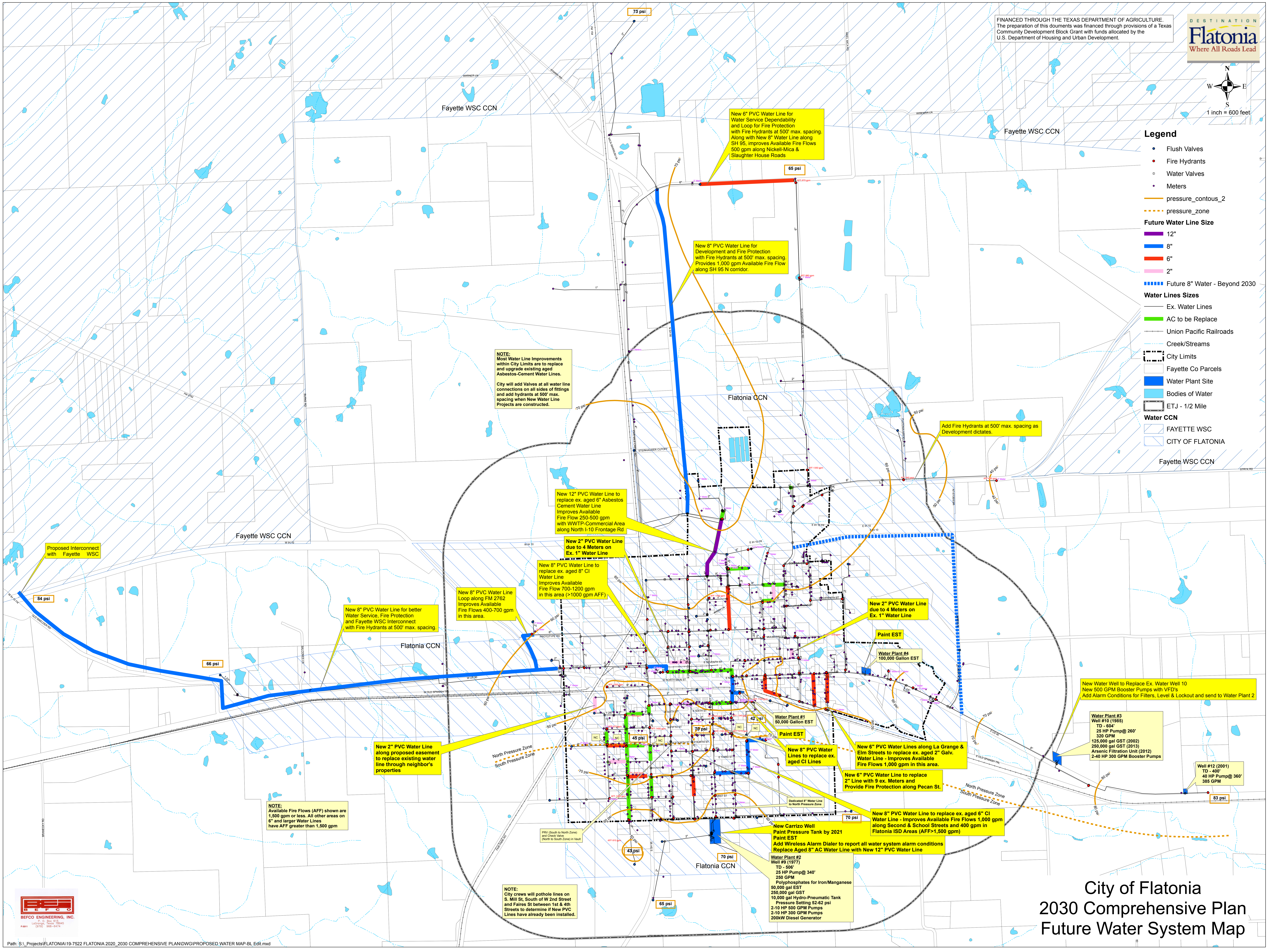
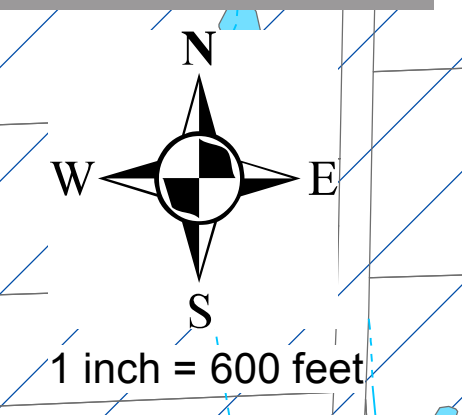


**Legend**

- Flush Valves
- Fire Hydrants
- Water Valves
- Meters
- Pressure Zone
- Pressure Contour
- Water Lines Sizes**
- 1"
- 1.25"
- 1.5"
- 2"
- 3"
- 4"
- 6"
- 8"
- Water CCN**
- FAYETTE WSC
- CITY OF FLATONIA
- Union Pacific Railroads
- Creek/Streams
- City Limits
- Fayette Co Parcels
- Water Plant Site
- Bodies of Water
- ETJ - 1/2 Mile
- AFF-970 Available Fire Flow while maintaining 20 psi
- NC Valve Normally Closed



**City of Flatonia  
2030 Comprehensive Plan  
Existing Downtown Water System Map**



**Legend**

- Flush Valves
- Fire Hydrants
- Water Valves
- Meters
- pressure\_contous\_2
- pressure\_zone
- Future Water Line Size**
- 12"
- 8"
- 6"
- 2"
- Future 8" Water - Beyond 2030
- Water Lines Sizes**
- Ex. Water Lines
- AC to be Replace
- Union Pacific Railroads
- Creek/Streams
- City Limits
- Fayette Co Parcels
- Water Plant Site
- Bodies of Water
- ETJ - 1/2 Mile
- Water CCN**
- FAYETTE WSC
- CITY OF FLATONIA

**NOTE:**  
Most Water Line Improvements within City Limits are to replace and upgrade existing aged Asbestos-Cement Water Lines.  
City will add Valves at all water line connections on all sides of fittings and add hydrants at 500' max. spacing when New Water Line Projects are constructed.

New 6" PVC Water Line for Water Service Dependability and Loop for Fire Protection with Fire Hydrants at 500' max. spacing. Along with New 8" Water Line along SH 95, improves Available Fire Flows 500 gpm along Nickell Mica & Slaughter House Roads

New 8" PVC Water Line for Development and Fire Protection with Fire Hydrants at 500' max. spacing. Provides 1,000 gpm Available Fire Flow along SH 95 N corridor.

New 12" PVC Water Line to replace ex. aged 6" Asbestos Cement Water Line Improves Available Fire Flow 250-500 gpm with WWTP-Commercial Area along North I-10 Frontage Rd

New 2" PVC Water Line due to 4 Meters on Ex. 1" Water Line

New 8" PVC Water Line to replace ex. aged 8" CI Water Line Improves Available Fire Flow 700-1200 gpm in this area (>1000 gpm AFF)

New 8" PVC Water Line Loop along FM 2762 Improves Available Fire Flows 400-700 gpm in this area.

New 8" PVC Water Line for better Water Service, Fire Protection and Fayette WSC Interconnect with Fire Hydrants at 500' max. spacing.

New 2" PVC Water Line along proposed easement to replace existing water line through neighbor's properties

**NOTE:**  
Available Fire Flows (AFF) shown are 1,500 gpm or less. All other areas on 6" and larger Water Lines have AFF greater than 1,500 gpm

**NOTE:**  
City crews will pothole lines on S. Mill St, South of W 2nd Street and Fairns St between 1st & 4th Streets to determine if New PVC Lines have already been installed.

Add Fire Hydrants at 500' max. spacing as Development dictates.

New 2" PVC Water Line due to 4 Meters on Ex. 1" Water Line

New 6" PVC Water Lines along La Grange & Elm Streets to replace ex. aged 2" Galv. Water Line - Improves Available Fire Flows 1,000 gpm in this area.

New 6" PVC Water Line to replace 2" Line with 9 ex. Meters and Provide Fire Protection along Pecan St.

New 8" PVC Water Line to replace ex. aged 6" CI Water Line - Improves Available Fire Flows 1,000 gpm along Second & School Streets and 400 gpm in Flatonia ISD Areas (AFF>1,500 gpm)

New Water Well to Replace Ex. Water Well 10  
New 500 GPM Booster Pumps with VFD's  
Add Alarm Conditions for Filters, Level & Lockout and send to Water Plant 2

Water Plant #3  
Well #10 (1985)  
TD - 604'  
25 HP Pump@260'  
320 GPM  
125,000 gal GST (2002)  
250,000 gal GST (2013)  
Arsenic Filtration Unit (2012)  
2-40 HP 300 GPM Booster Pumps

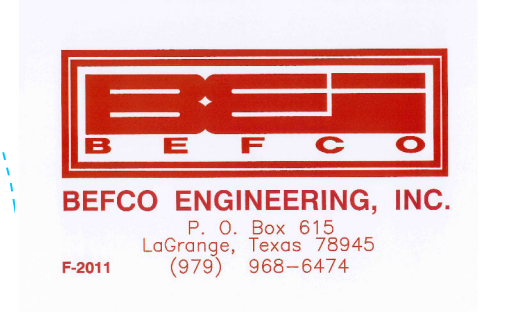
Well #12 (2001)  
TD - 400'  
40 HP Pump@360'  
385 GPM

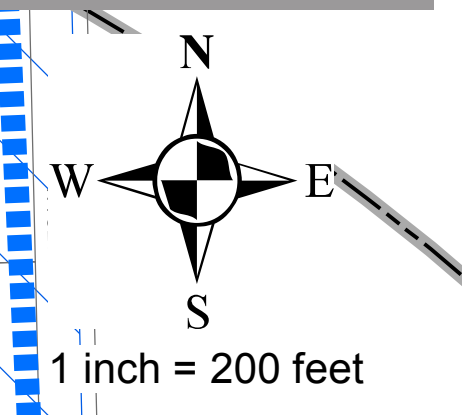
Water Plant #1  
50,000 Gallon EST  
Paint EST

Water Plant #4  
100,000 Gallon EST  
Paint EST

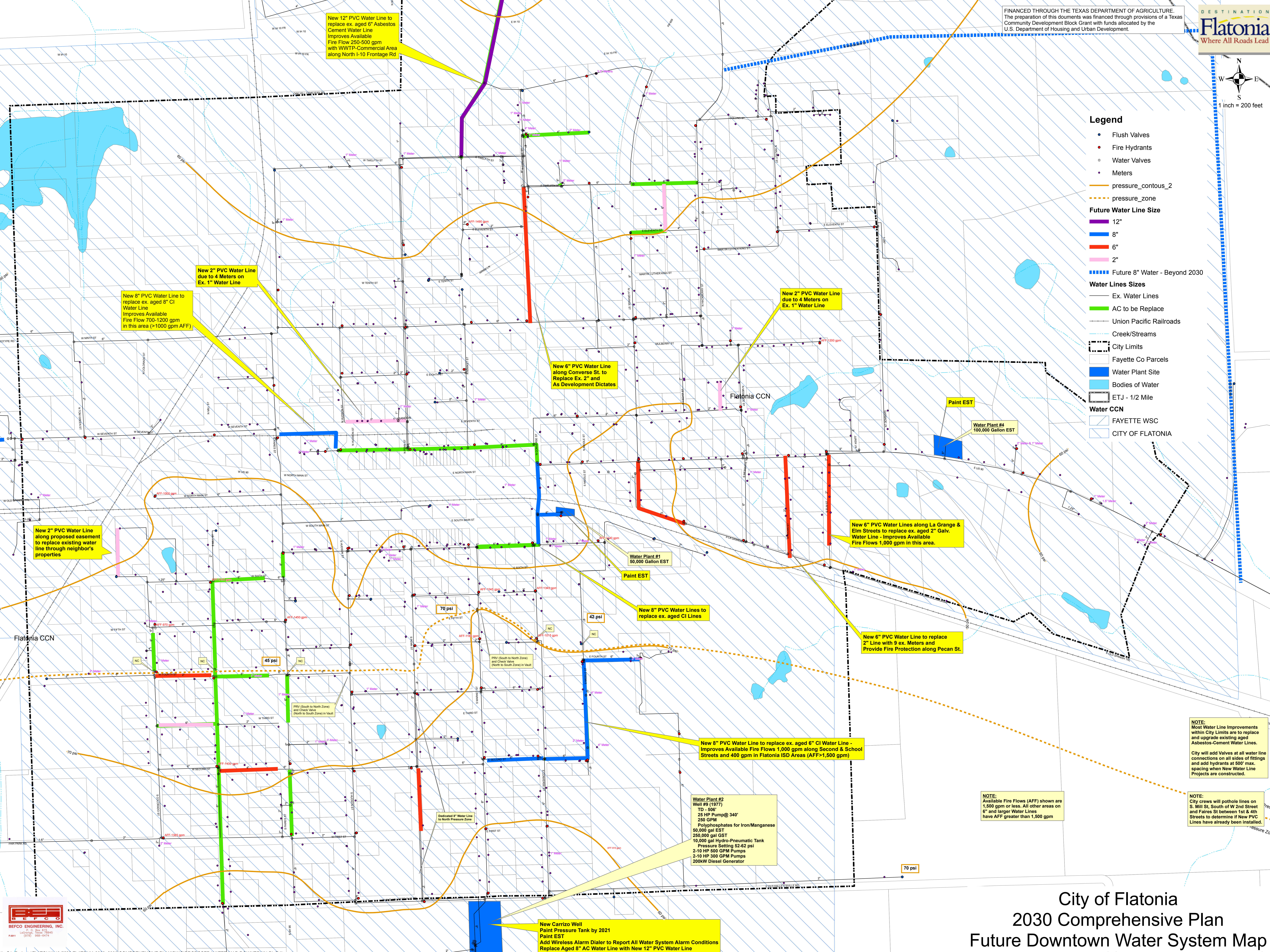
New Carrizo Well  
Paint Pressure Tank by 2021  
Paint EST  
Add Wireless Alarm Dialer to report all water system alarm conditions  
Replace Aged 8" AC Water Line with New 12" PVC Water Line  
Water Plant #2  
Well #9 (1977)  
TD - 506'  
25 HP Pump@340'  
250 GPM  
Polyphosphates for Iron/Manganese  
50,000 gal EST  
250,000 gal GST  
10,000 gal Hydro-Pneumatic Tank  
Pressure Setting 52-52 psi  
2-10 HP 500 GPM Pumps  
2-10 HP 300 GPM Pumps  
200kW Diesel Generator

**City of Flatonia**  
**2030 Comprehensive Plan**  
**Future Water System Map**





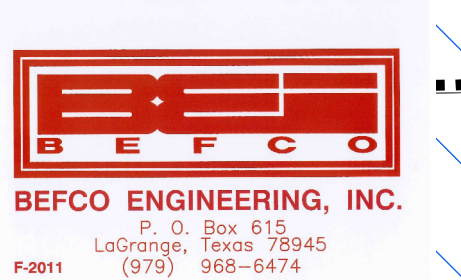
- Legend**
- Flush Valves
  - Fire Hydrants
  - Water Valves
  - Meters
  - pressure\_contous\_2
  - pressure\_zone
  - Future Water Line Size**
  - 12"
  - 8"
  - 6"
  - 2"
  - Future 8" Water - Beyond 2030
  - Water Lines Sizes**
  - Ex. Water Lines
  - AC to be Replace
  - Union Pacific Railroads
  - Creek/Streams
  - City Limits
  - Fayette Co Parcels
  - Water Plant Site
  - Bodies of Water
  - ETJ - 1/2 Mile
  - Water CCN
  - FAYETTE WSC
  - CITY OF FLATONIA



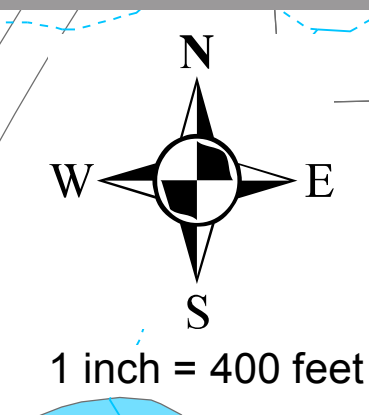
**NOTE:** Most Water Line Improvements within City Limits are to replace and upgrade existing aged Asbestos-Cement Water Lines. City will add Valves at all water line connections on all sides of fittings and add hydrants at 500' max spacing when New Water Line Projects are constructed.

**NOTE:** Available Fire Flows (AFF) shown are 1,500 gpm or less. All other areas on 6" and larger Water Lines have AFF greater than 1,500 gpm.

**NOTE:** City crews will pothole lines on S. Mill St. South of W 2nd Street and Fairies St between 1st & 4th Streets to determine if New PVC Lines have already been installed.

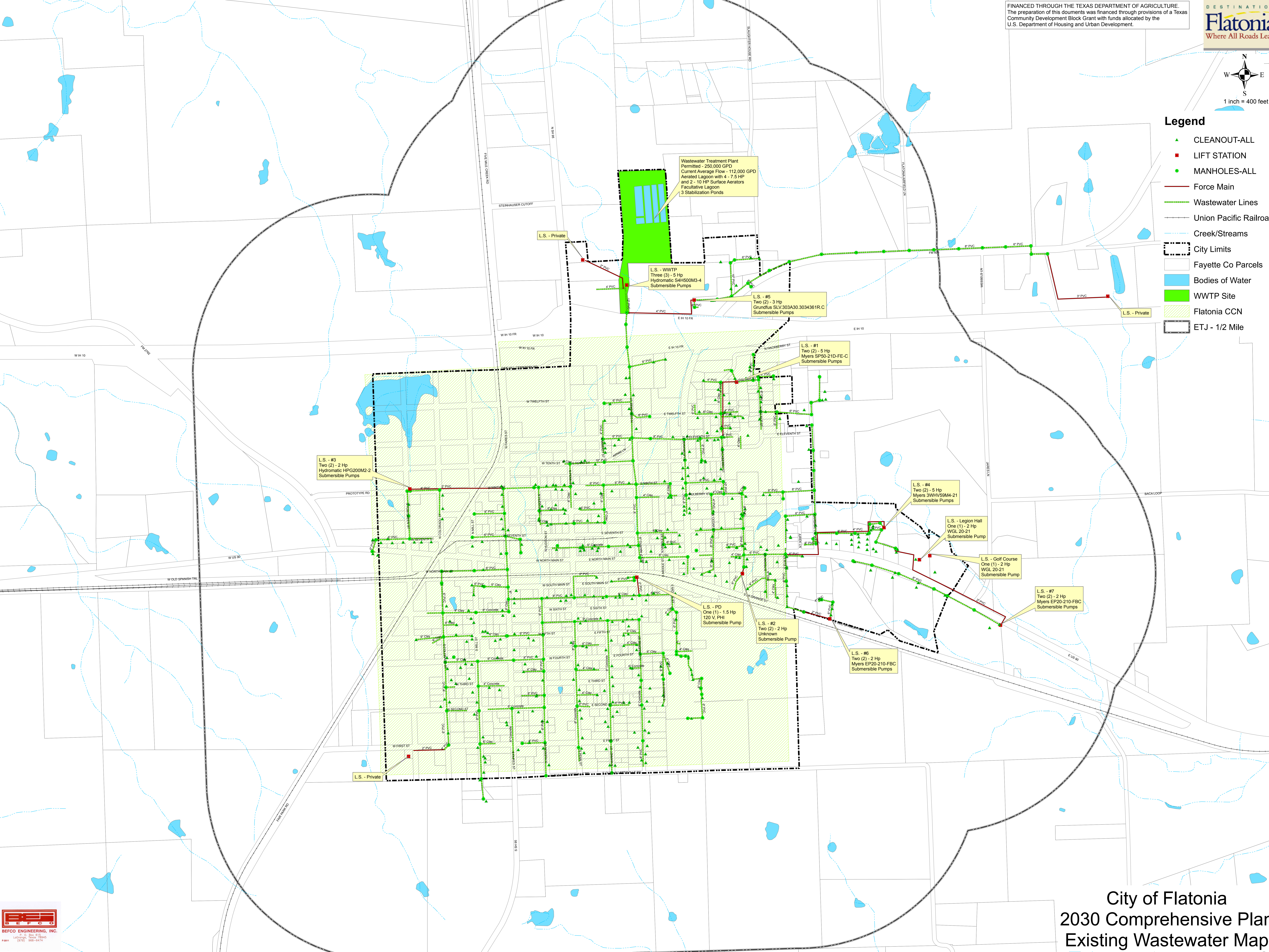


# City of Flatonia 2030 Comprehensive Plan Future Downtown Water System Map

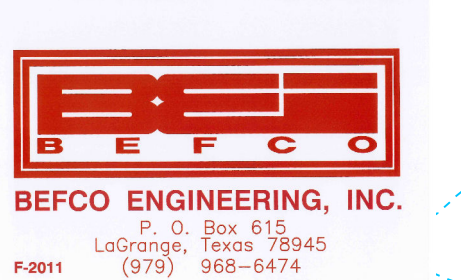


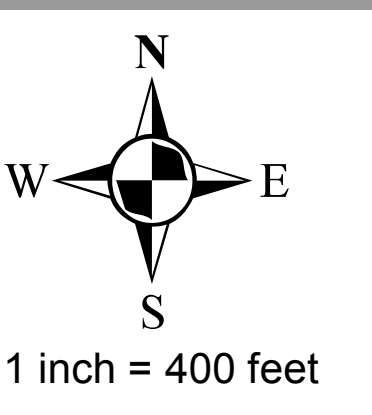
**Legend**

- ▲ CLEANOUT-ALL
- LIFT STATION
- MANHOLES-ALL
- Force Main
- Wastewater Lines
- Union Pacific Railroads
- Creek/Streams
- City Limits
- Fayette Co Parcels
- Bodies of Water
- WWTP Site
- Flatonia CCN
- ETJ - 1/2 Mile

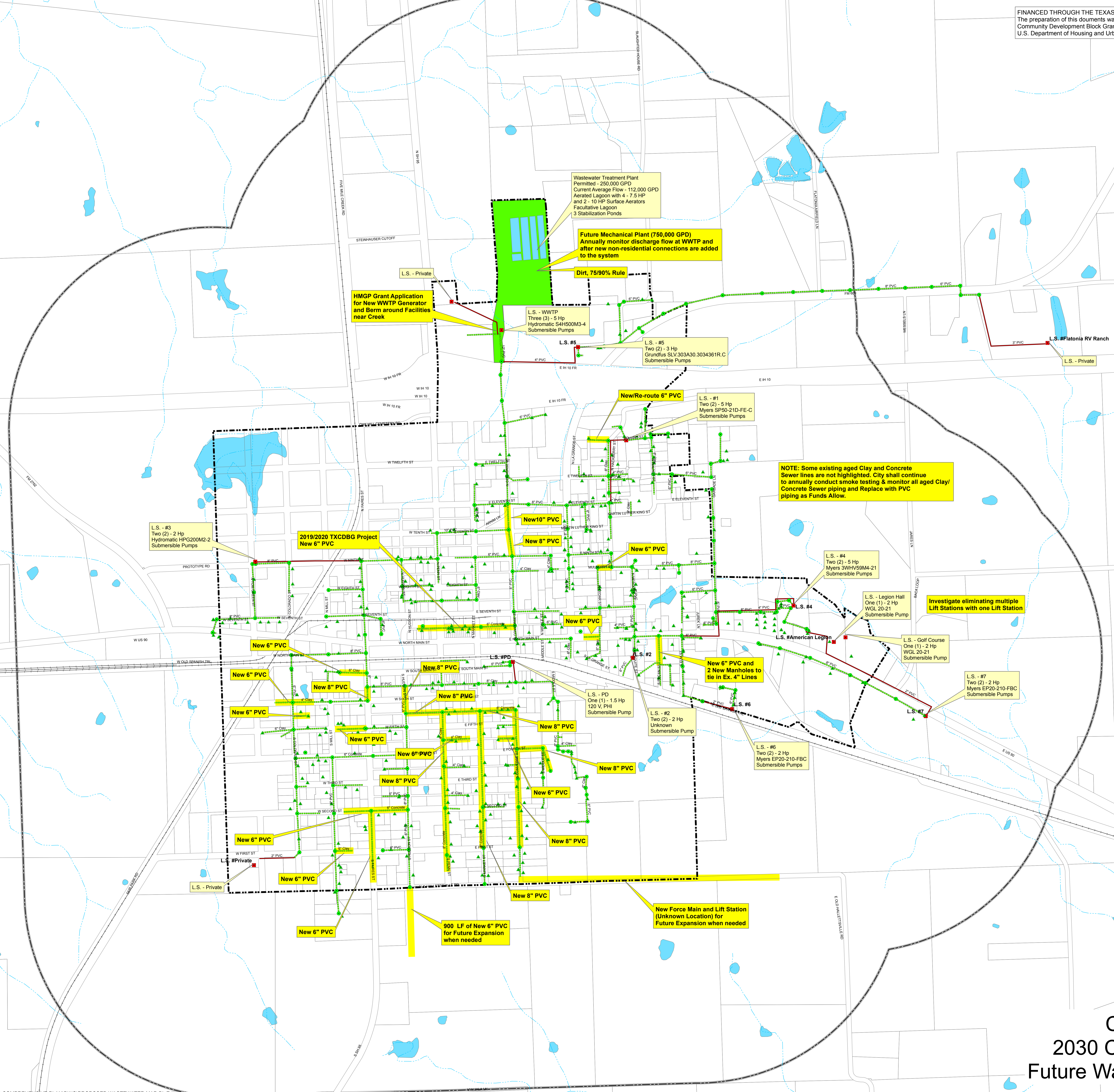


**City of Flatonia  
 2030 Comprehensive Plan  
 Existing Wastewater Map**

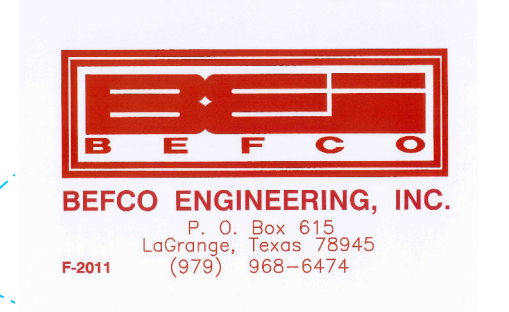




- Legend**
- ▲ CLEANOUT-ALL
  - LIFT STATION
  - MANHOLES-ALL
  - Force Main
  - Ex. Wastewater Lines
  - Union Pacific Railroads
  - Creek/Streams
  - - - City Limits
  - ▭ Fayette Co Parcels
  - ▭ Proposed Wastewater Improvements
  - ▭ Bodies of Water
  - ▭ WWTP Site
  - ▭ ETJ - 1/2 Mile



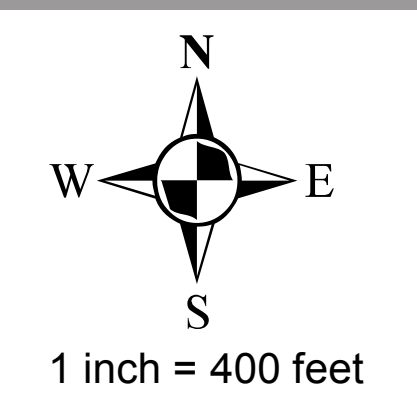
City of Flatonia  
2030 Comprehensive Plan  
Future Wastewater System Map



FINANCED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE.  
 The preparation of this document was financed through provisions of a Texas  
 Community Development Block Grant with funds allocated by the  
 U.S. Department of Housing and Urban Development.

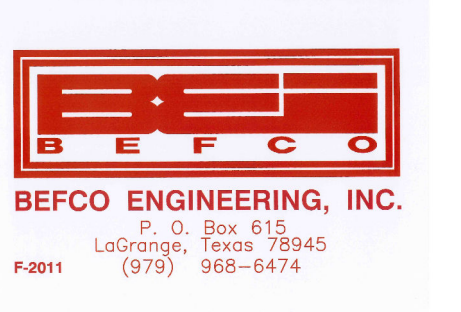
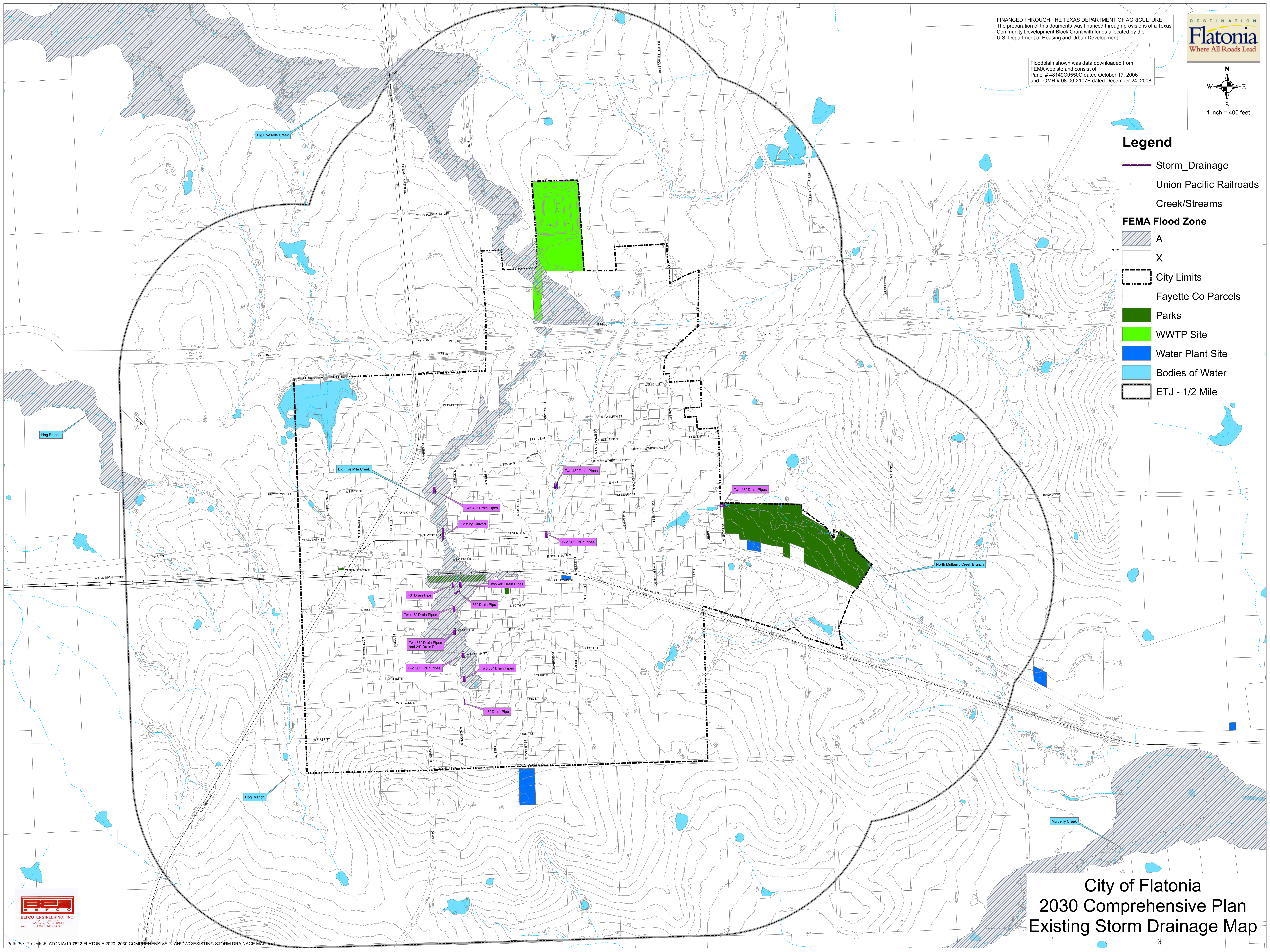


Floodplain shown was data downloaded from  
 FEMA website and consist of  
 Panel # 48149C0550C dated October 17, 2006  
 and LOMR # 08-06-2107P dated December 24, 2008.



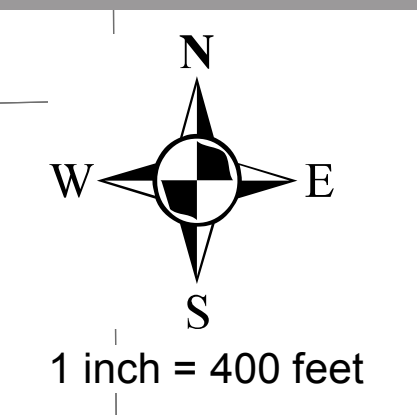
**Legend**

- Storm\_Drainage
- Union Pacific Railroads
- Creek/Streams
- FEMA Flood Zone**
- A
- X
- City Limits
- Fayette Co Parcels
- Parks
- WWTP Site
- Water Plant Site
- Bodies of Water
- ETJ - 1/2 Mile



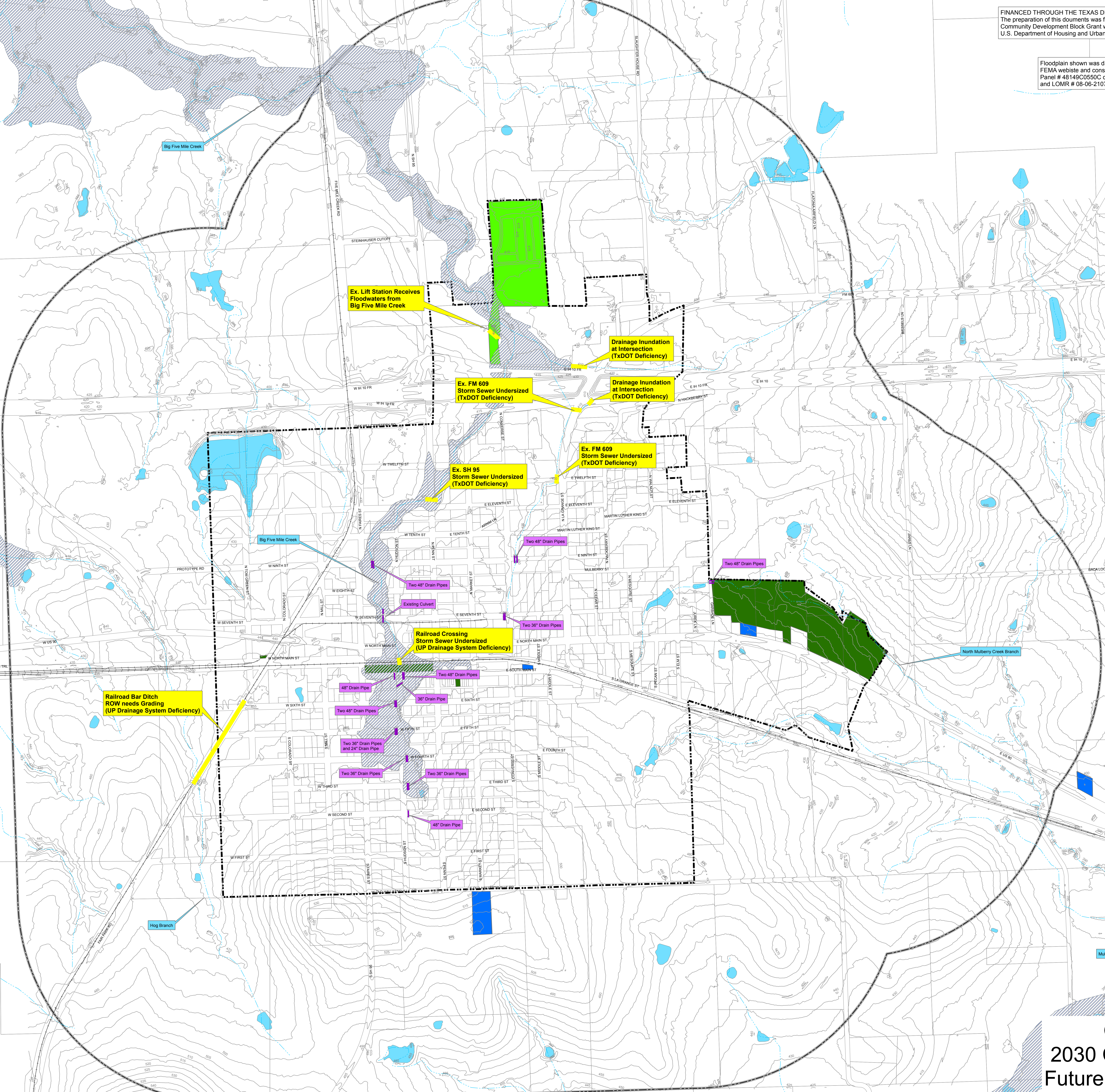
**City of Flatonia  
 2030 Comprehensive Plan  
 Existing Storm Drainage Map**

Floodplain shown was data downloaded from  
FEMA website and consist of  
Panel # 48149C0550C dated October 17, 2006  
and LOMR # 08-06-2107P dated December 24, 2008.



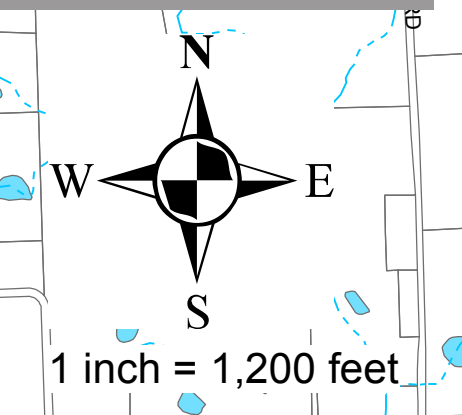
**Legend**

- FUTURE\_DRAINAGE
- Storm\_Drainage
- Union Pacific Railroads
- Creek/Streams
- FEMA Flood Zone**
- A
- X
- City Limits
- Fayette Co Parcels
- Parks
- WWTP Site
- Water Plant Site
- Bodies of Water
- ETJ - 1/2 Mile



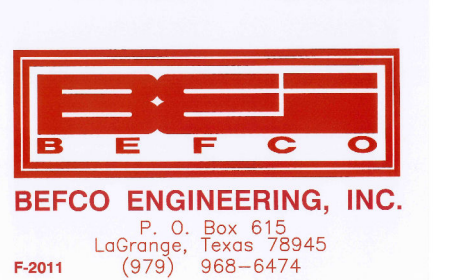
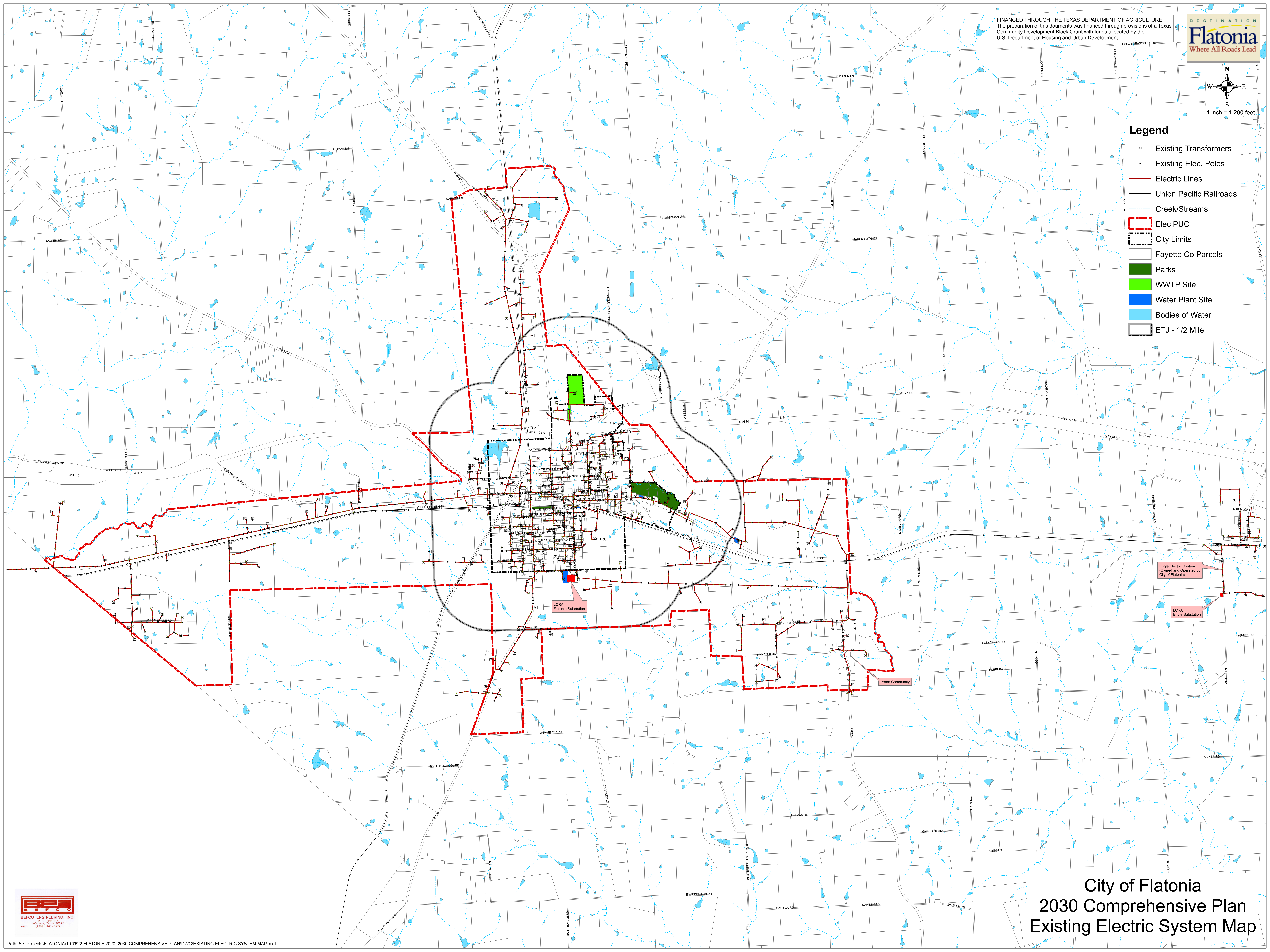
**City of Flatonia  
2030 Comprehensive Plan  
Future Storm Drainage Map**





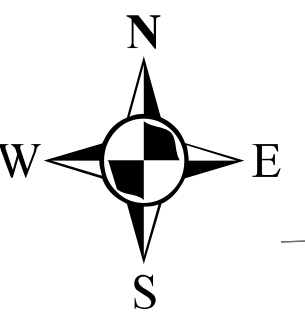
**Legend**

- ◻ Existing Transformers
- Existing Elec. Poles
- Electric Lines
- Union Pacific Railroads
- Creek/Streams
- ◻ Elec PUC
- ◻ City Limits
- ◻ Fayette Co Parcels
- ◻ Parks
- ◻ WWTP Site
- ◻ Water Plant Site
- ◻ Bodies of Water
- ◻ ETJ - 1/2 Mile






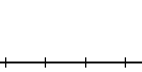









**City of Flatonia**  
**2030 Comprehensive Plan**  
**Existing Electric System Map**

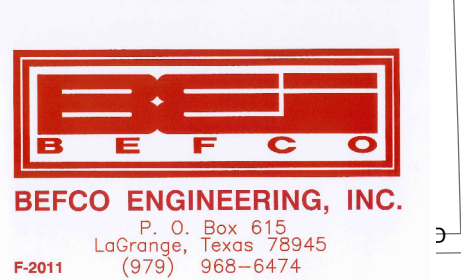
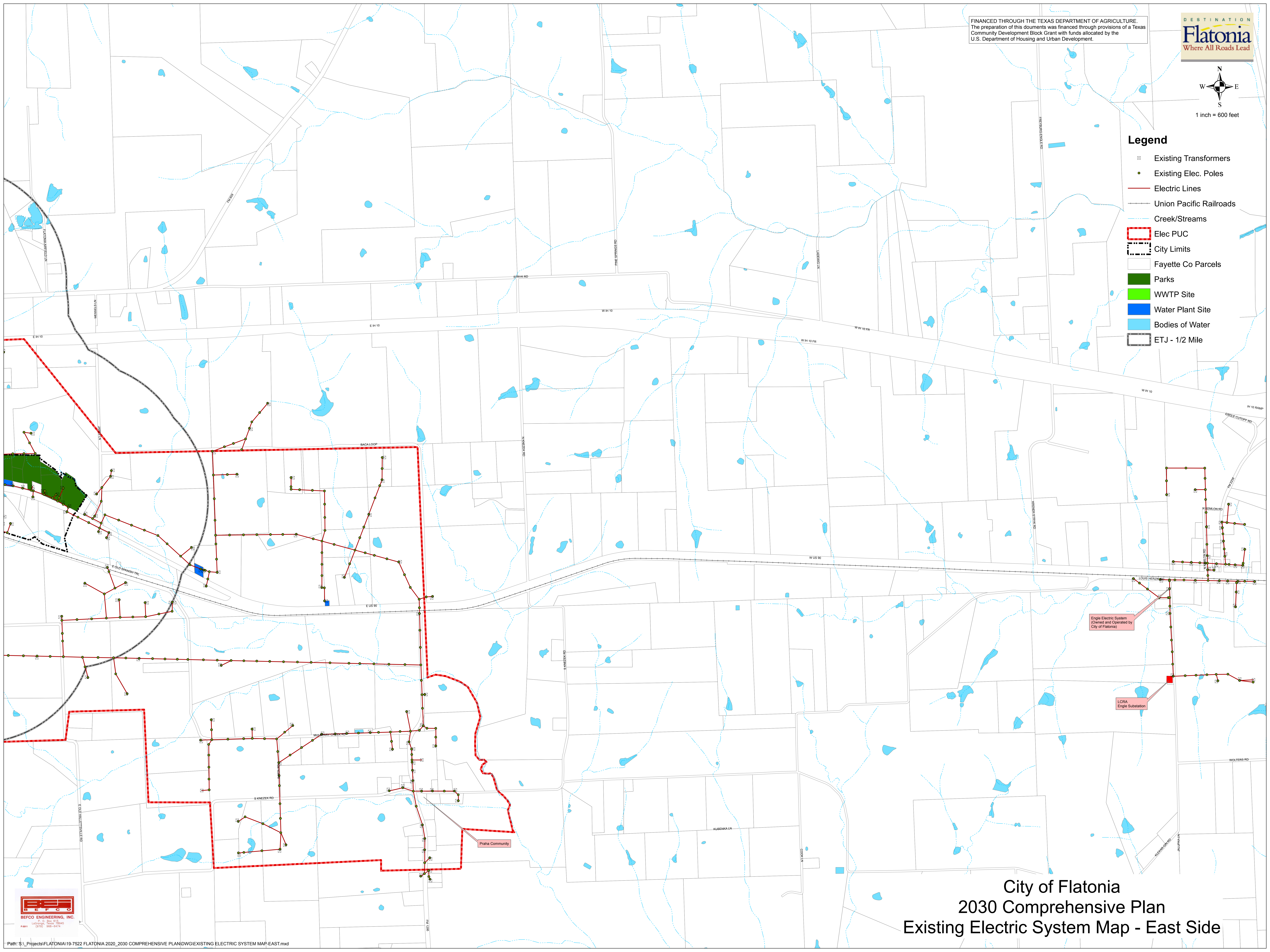




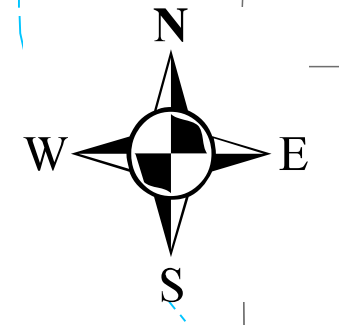
1 inch = 600 feet

**Legend**

-  Existing Transformers
-  Existing Elec. Poles
-  Electric Lines
-  Union Pacific Railroads
-  Creek/Streams
-  Elec PUC
-  City Limits
-  Fayette Co Parcels
-  Parks
-  WWTP Site
-  Water Plant Site
-  Bodies of Water
-  ETJ - 1/2 Mile



**City of Flatonia**  
**2030 Comprehensive Plan**  
**Existing Electric System Map - East Side**

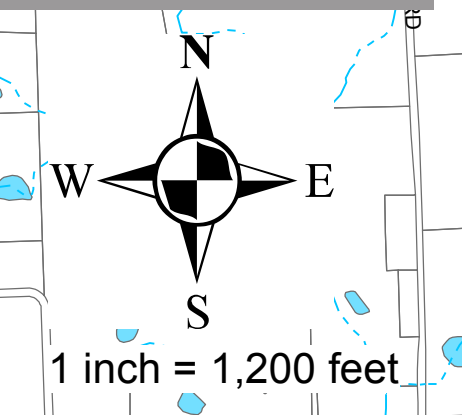


**Legend**

- Existing Transformers
- Existing Elec. Poles
- Electric Lines
- Union Pacific Railroads
- Creek/Streams
- Elec PUC
- City Limits
- Fayette Co Parcels
- Parks
- WWTP Site
- Water Plant Site
- Bodies of Water
- ETJ - 1/2 Mile

City of Flatonia  
2030 Comprehensive Plan  
Existing Electric System Map - West Side





**Legend**

- Existing Transformers
- Existing Elec. Poles
- FUTURE\_ELECTRIC
- Electric Lines
- Union Pacific Railroads
- Creek/Streams
- Elec PUC
- City Limits
- Fayette Co Parcels
- Parks
- WWTP Site
- Water Plant Site
- Bodies of Water
- ETJ - 1/2 Mile

RECONDUCTOR EXISTING  
 ELECTRIC LINE TO 1/0 ACSR  
 +/- 3.2 MILES

Upgrade Single  
 Phase to 3 Phase

LCRA  
 Flatonia Substation

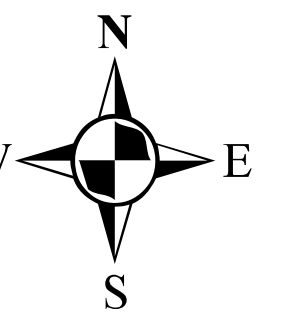
Praha Community

Engle Electric System  
 (Owned and Operated by  
 City of Flatonia)

LCRA  
 Engle Substation



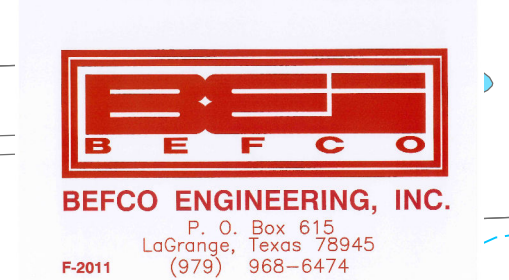
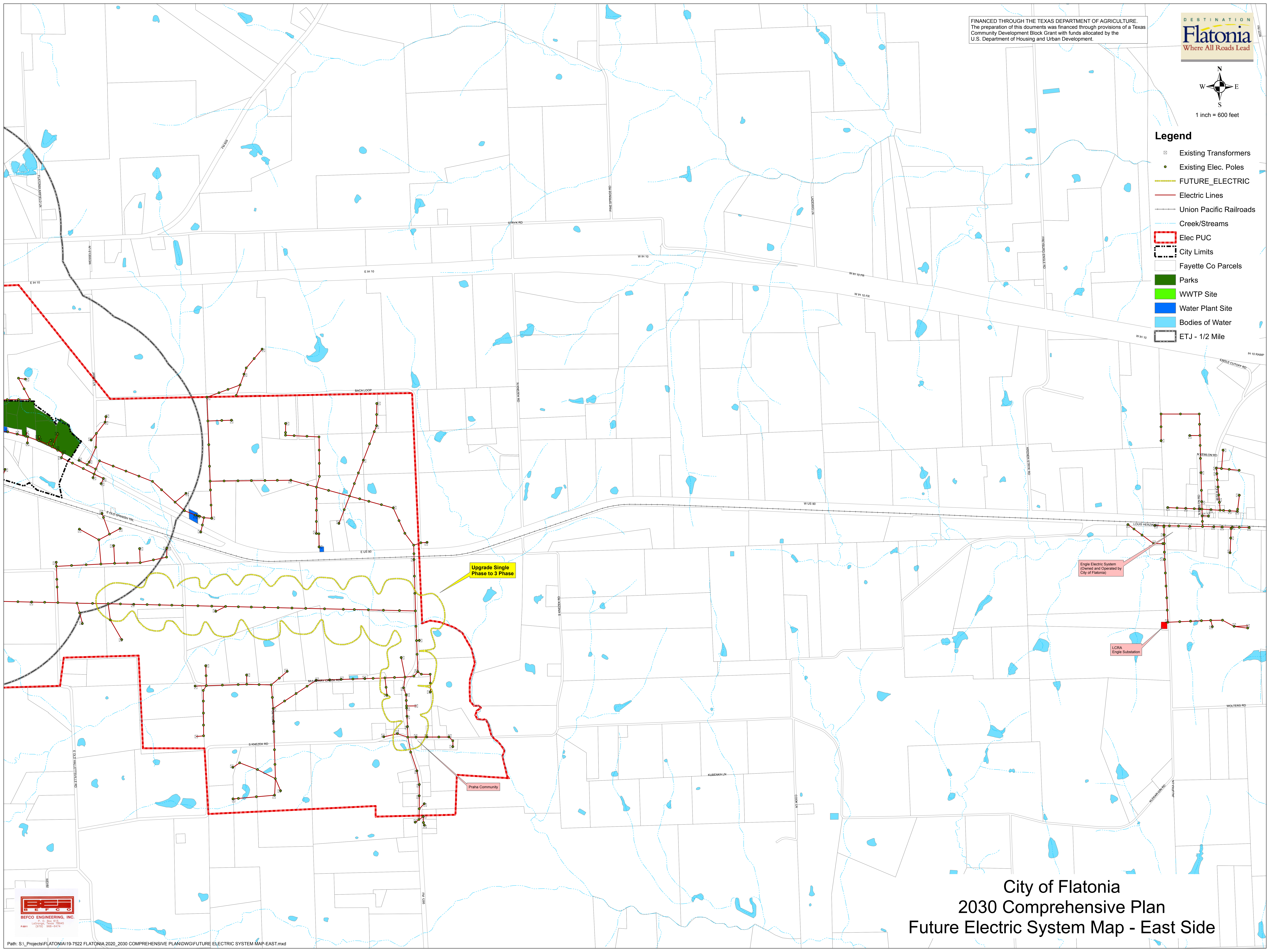
City of Flatonia  
 2030 Comprehensive Plan  
 Future Electric System Map



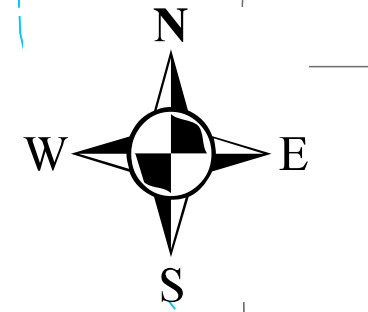
1 inch = 600 feet

**Legend**

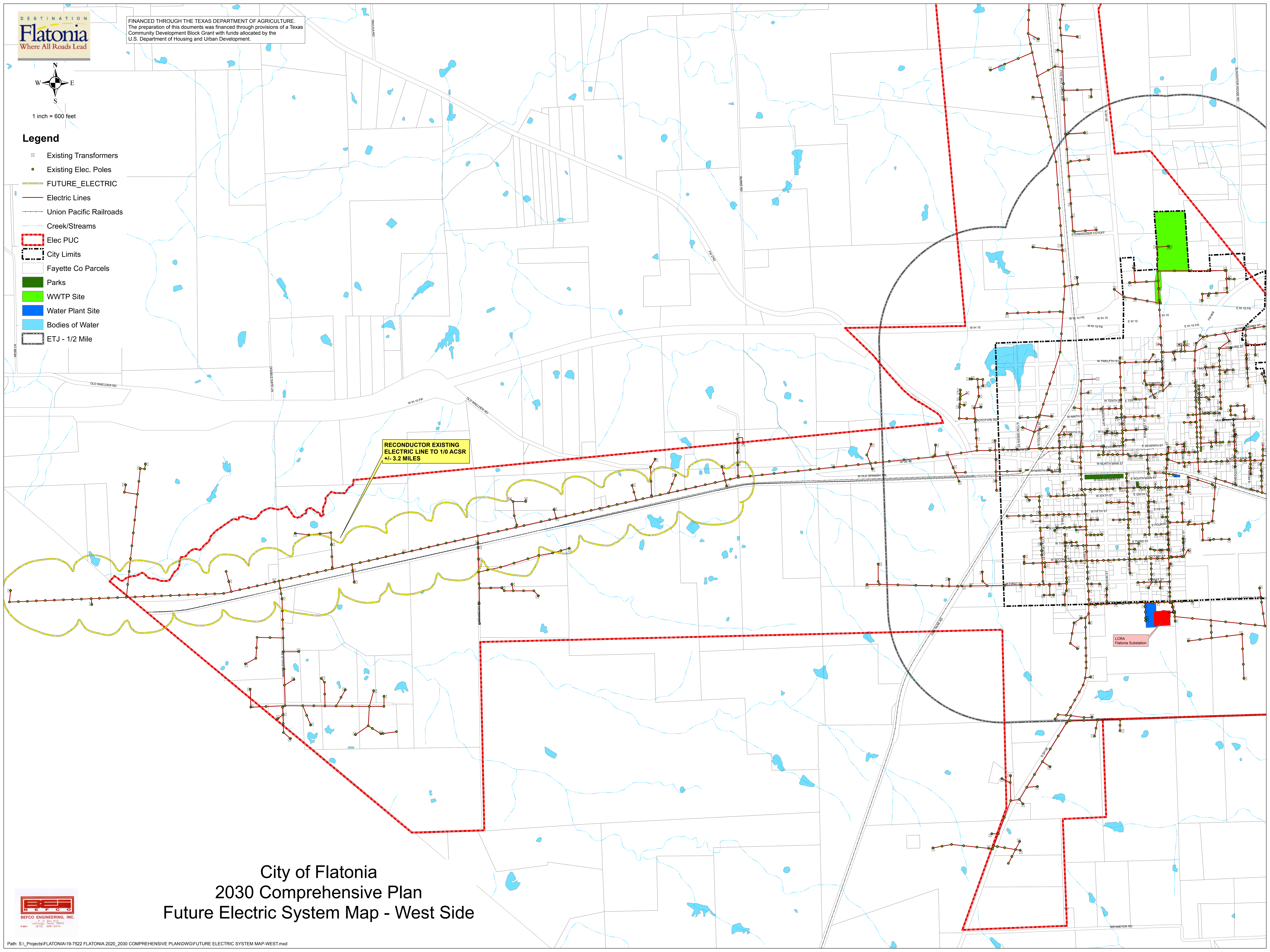
- Existing Transformers
- Existing Elec. Poles
- FUTURE\_ELECTRIC
- Electric Lines
- Union Pacific Railroads
- Creek/Streams
- Elec PUC
- City Limits
- Fayette Co Parcels
- Parks
- WWTP Site
- Water Plant Site
- Bodies of Water
- ETJ - 1/2 Mile



**City of Flatonia**  
 2030 Comprehensive Plan  
 Future Electric System Map - East Side

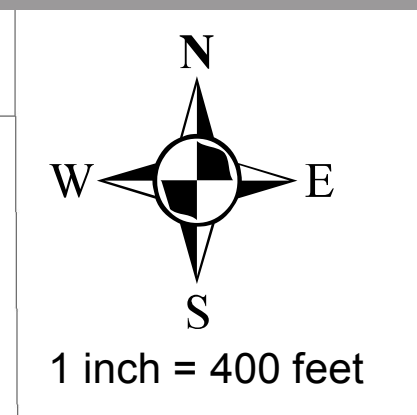


- Legend**
- Existing Transformers
  - Existing Elec. Poles
  - FUTURE\_ELECTRIC
  - Electric Lines
  - Union Pacific Railroads
  - Creek/Streams
  - Elec PUC
  - City Limits
  - Fayette Co Parcels
  - Parks
  - WWTP Site
  - Water Plant Site
  - Bodies of Water
  - ETJ - 1/2 Mile



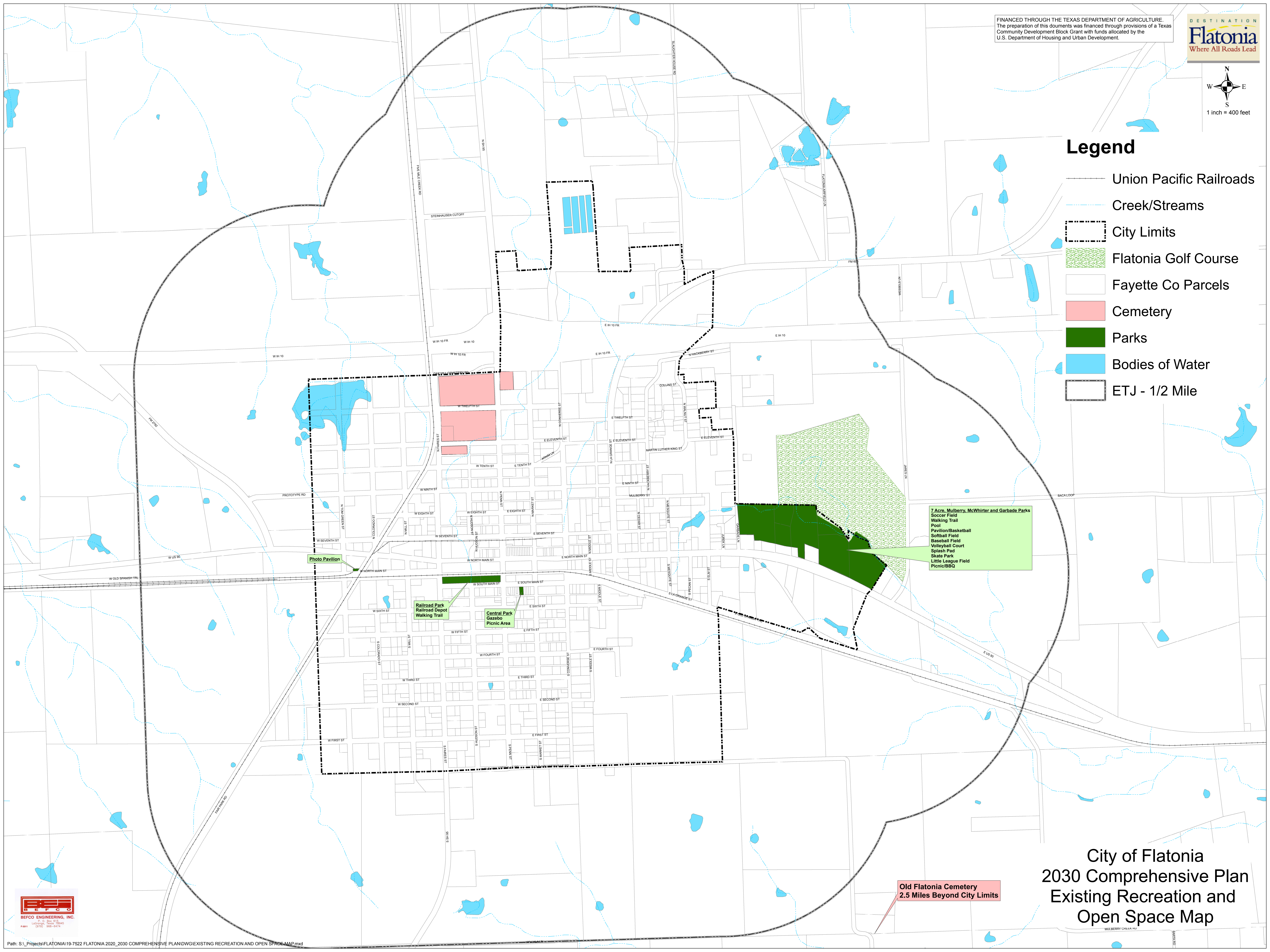
City of Flatonia  
2030 Comprehensive Plan  
Future Electric System Map - West Side





### Legend

- Union Pacific Railroads
- Creek/Streams
- City Limits
- Flatonia Golf Course
- Fayette Co Parcels
- Cemetery
- Parks
- Bodies of Water
- ETJ - 1/2 Mile



**7 Acre, Mulberry, McWhirter and Garbade Parks**  
 Soccer Field  
 Walking Trail  
 Pool  
 Pavilion/Basketball  
 Softball Field  
 Baseball Field  
 Volleyball Court  
 Splash Pad  
 Skate Park  
 Little League Field  
 Picnic/BBQ

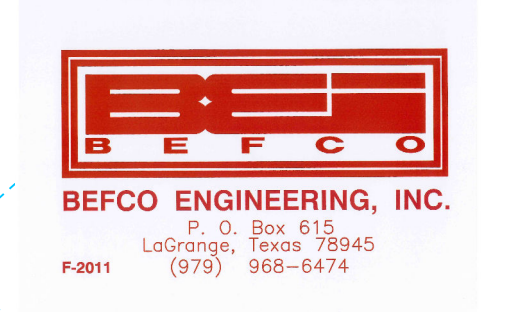
Photo Pavilion

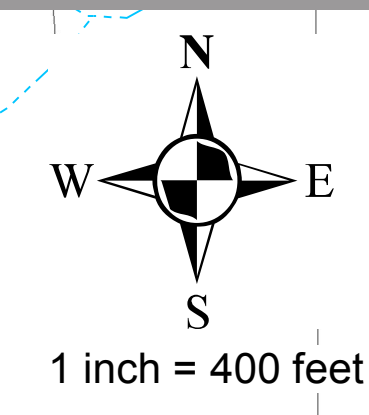
Railroad Park  
 Railroad Depot  
 Walking Trail

Central Park  
 Gazebo  
 Picnic Area

Old Flatonia Cemetery  
 2.5 Miles Beyond City Limits

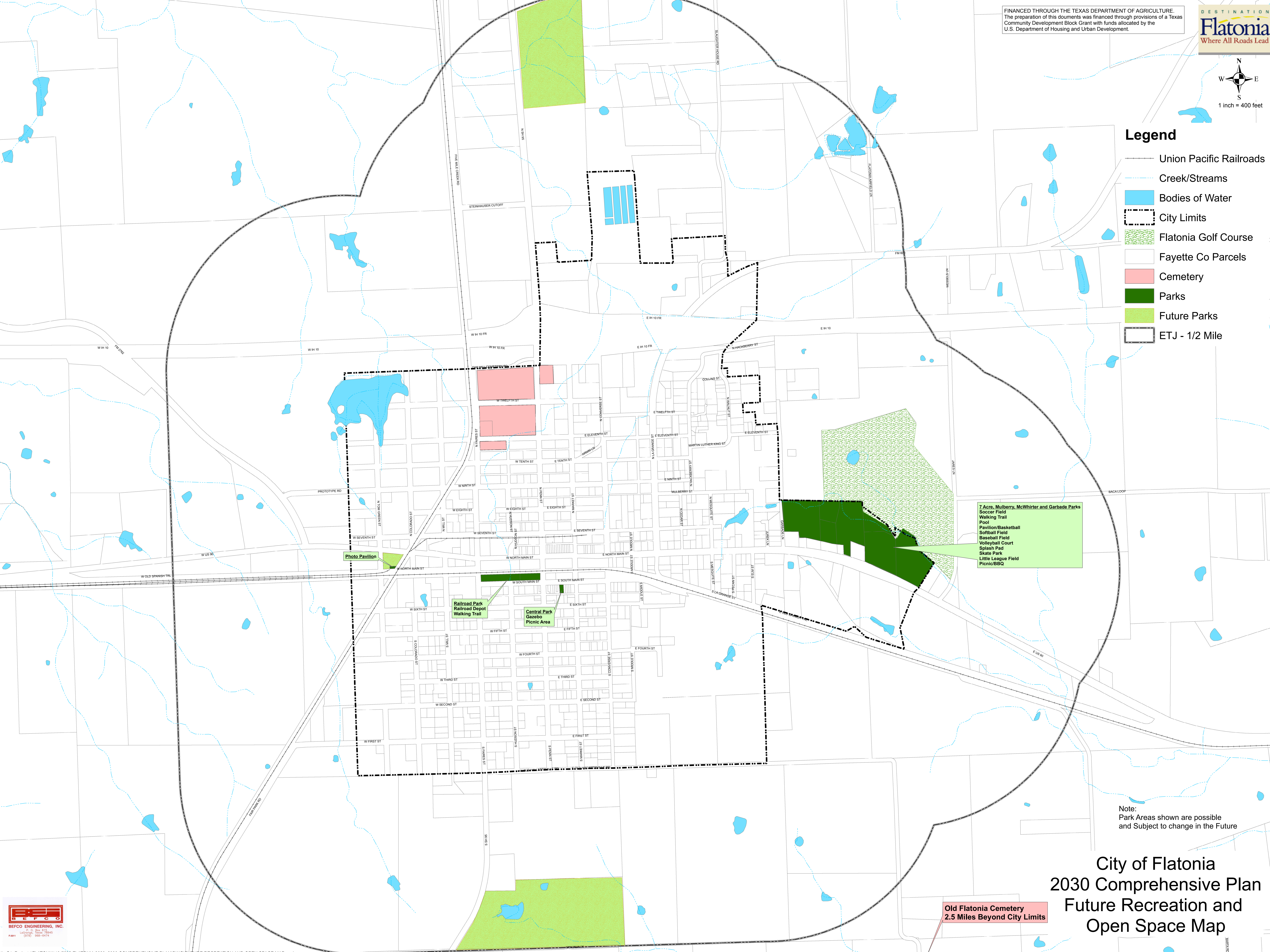
## City of Flatonia 2030 Comprehensive Plan Existing Recreation and Open Space Map





**Legend**

- Union Pacific Railroads
- Creek/Streams
- Bodies of Water
- City Limits
- Flatonia Golf Course
- Fayette Co Parcels
- Cemetery
- Parks
- Future Parks
- ETJ - 1/2 Mile



Note:  
 Park Areas shown are possible  
 and Subject to change in the Future

**City of Flatonia  
 2030 Comprehensive Plan  
 Future Recreation and  
 Open Space Map**

Old Flatonia Cemetery  
 2.5 Miles Beyond City Limits

