

**CHAPTER 16.16**  
**PLAT PROCEDURES, STANDARDS, AND SPECIFICATIONS**

**16.16.005 GENERAL PROCEDURES**

- A. No preliminary or final plat for a subdivision shall be approved by the Planning and Zoning Commission or City Staff and no completed improvements shall be accepted by the City unless they conform to the following standards and specifications:
1. Standard Operating Procedures: The procedures established by this Ordinance , which detail application procedures, filing dates, review, filing fees as set by the Fee Schedule, standards for sketch plats, preliminary plats, final plats, and any accompanying material.
  2. Classification: The classification of subdivisions into Standard Plat, Minor Plat or Replat as established by this Ordinance.
  3. Subdivision Design Criteria and Standards: The Design Standards and Criteria as adopted by the City Manager which detail the requirements regarding the physical appearance and other standards for the subdivision.
  4. Standard Specifications for Construction of Public Improvements: The standards and specifications set by this Ordinance and adopted requirements for the construction of streets, drainage, water and sewer, and other public facilities.
  5. Other Standards: The provisions of the Building Code, and any other City ordinances which are applicable to the particular subdivision.
- B. The applicant should confer with the Planning Staff prior to the preparation of a sketch plat and discuss the procedure for obtaining approval of a subdivision plat and the requirements as to the general layout and arrangement of lots, blocks and streets, and minimum design and construction requirements for streets, storm drainage, sewerage and water improvements.

**16.16.010 CLASSIFICATION OF SUBDIVISIONS**

Subdivisions shall be classified as Standard Plat, Minor Plat, or Replat by the City Planner at the Sketch Plat stage.

- A. Standard Plat:** Any division of land into two (2) or more lots shall require a Standard Plat, unless the conditions of a Minor Plat are applicable. A Standard Plat requires the submission and approval of a Sketch Plat and Preliminary Plat prior to approval of a Final Plat. The Preliminary Plat requires approval by the Planning and Zoning Commission.
- B. Minor Plat:** To facilitate the Subdivision Plat approval process in those instances (including minor street dedication, easement dedication and replats) where the highly formalized Standard Plat approval procedure is not necessary for an understanding of a given development process or the effects and implications thereof, or for the protection of proximate individual interest, or for the protection and guidance of community interests, or for the protection and guidance of community development as a whole, the Minor Plat subdivision approval procedure may be used when the following conditions have been met:
1. The Minor Plat and supporting information are respectively drawn and compiled in compliance with the Final Plat specifications as hereinafter provided.

2. The Minor Plat and supporting information and the subdivision they represent are not otherwise in contravention with Chapter 212, Local Government Code.
3. Each lot and block has frontage upon a dedicated and improved street to City specifications, or necessary dedication and improvements are part of the plat.
4. All easements to each block, or lot have been previously granted or are shown on the Plat.
5. The proposed development neither contains nor creates a significant drainage problem, nor is topography a salient development consideration.
6. All utilities required to serve each block, or lot are in place or arrangements to provide same have been made with the appropriate agency.
7. If the subject property is not identifiable by reference to a previously recorded Subdivision Plat and is to be platted as a single tract, the tract shall have street frontage of not less than the minimum specified by the Zoning Ordinance, this Ordinance, or the Design Standards and Criteria.
8. Subject property shall involve a maximum of four (4) lots.
9. Lot width and total lot area vary no more than five percent (5%) less than the equivalent dimensions of abutting lots.
10. Property which has previously had a total of four (4) lots platted from it via the Minor Plat procedure shall not have additional lots platted from it under the Minor Plat procedure.

The Minor Plat requires a Sketch Plat and Final Plat, which is approved by the City Planner.

**C. Replat:**

1. A replat shall include modification of an existing plat that creates new lots or alters any previously dedicated rights-of-way or easements, as provided in Section 212.014 and 212.015 of the Texas Local Government Code. Any replat that meets the requirements of an amending plat (Section 212.016) including the combination of existing lots, may be processed as a Minor Plat.
2. A change in a plat that does not fall within any of the categories as an amending plan under Section 16.16.025.C and does not meet the conditions for vacation of a plat, is a replat and may be recorded and is controlling over the preceding plat only if the replat:
  - a) is signed and acknowledged by the owners of the property being replatted;
  - b) is approved by the Commission after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard; and
  - c) does not attempt to amend or remove any covenants or restrictions.
3. If during the preceding five years, any of the area to be replatted was limited by an interim or permanent zoning classification, to a residential use for not more

than two residential units per lot; or any lot in the preceding plat was limited by deed restrictions to a residential use for not more than two residential units per lot, the notice and voting requirements of Section 212.015, Local Government Code, are applicable and must be followed.

#### **16.16.015 PROCEDURE SUMMARY**

Any owner or developer of any lot, tract, or parcel of land located within the corporate limits of the City or within its extraterritorial jurisdiction who may wish to effect a subdivision of such land shall conform to the general procedure described as follows:

##### **A. Application Procedures**

###### **1. Written Request Required**

Every proposal submitted for Commission action shall be made in writing on application forms provided by the City, and shall be accompanied by all prescribed fees, and shall be complete in all respects before being accepted for filing.

###### **2. Filing Deadline**

Every proposal shall be filed with the City Planner not later than noon the Wednesday thirty (30) days prior to the regular meeting date of the Commission. When the filing deadline falls on a City holiday, the following workday shall be observed as the filing deadline. Failure to submit a complete application on time will result in the rejection of the application unless undo hardship can be demonstrated.

###### **3. Notice**

Public notice of proposals to amend the boundaries of zoning districts or preliminary plats or residential replats as defined in Section 212.015 of the Local Government Code shall be sent, at the minimum, to the applicant and/or his agent and to the owners of all properties laying within two hundred feet (200') of the property in question, as said ownership appears on the last approved City Tax Roll. Notice shall be given in writing deposited in the United States Mail, postage prepaid, not less than fifteen (15) days prior to the date of Commission hearing. The notice of the hearing shall advise that a specific proposal has been submitted, shall state the date, time and place of hearing, shall state that further information may be obtained relative to the proposal at the office of the City Planner.

###### **4. Submission of Supporting Information**

Information supporting a recommendation to approve or disapprove any proposal before the Commission shall be submitted only through the City Planner or to the Commission in a public meeting.

###### **5. Withdrawal of Proposal**

When any applicant desires to withdraw any proposal, they may do so by filing a written request to that effect with the City Planner. Such request shall not be effective unless and until approval of the withdrawal by the Commission at the public meeting.

**B. Preliminary Conference and Sketch Plat Review**

1. **Preliminary Conference:** Prior to the official filing of a Preliminary Plat, the subdivider should consult with and present a proposed plan (Sketch Plat) of subdivision to the City Planner for comments and advice of the procedures, specifications, and standards required by the City for the subdivision of land.
2. **Sketch Plat Review:** Sketch Plat review will normally be accomplished by submission of the Sketch Plat material as described in Section 16.16.020A and a conference with the City Planner. The City Planner will provide comments identifying compliance or non-compliance with applicable Ordinances and standards, elements of the Comprehensive Plan, and suggestions for improvement in design to either comply with the applicable ordinances and standards or to improve circulation, drainage, or compatibility with adjacent neighborhoods. The applicant should make every effort to comply with the suggested changes or to respond in writing to the City Planner as to why the changes will not be made. These suggestions and responses will be made a part of the Staff report on any future Plat submittal where the discrepancy remains. Waivers from these requirements will require a waiver under the terms of Section 16.24.020. Conflicts with the Comprehensive Plan shall be resolved by requesting an amendment to the Comprehensive Plan before proceeding with the Plat. Appeals on suggested design changes will remain the discretion of the Planning and Zoning Commission. Approval of the Sketch Plat does not constitute acceptance of the subdivision, but is merely a review procedure prior to submittal of the formal Preliminary Plat.

**C. Preliminary Plat**

The subdivider shall prepare and submit to the City Planning and Zoning Commission a Preliminary Plat of a Standard Plat for its consideration and approval.

**D. Final Plat**

Upon approval of the preliminary plat by the Planning and Zoning Commission, the subdivider may then prepare a Final Plat of all of the land included in the preliminary plat, or all of the phases when such phases were approved on the preliminary plat, for submission to and approval by the staff. The Final Plat shall be accompanied by required engineering plans.

**E. Review of Engineering Plans for Public Improvements**

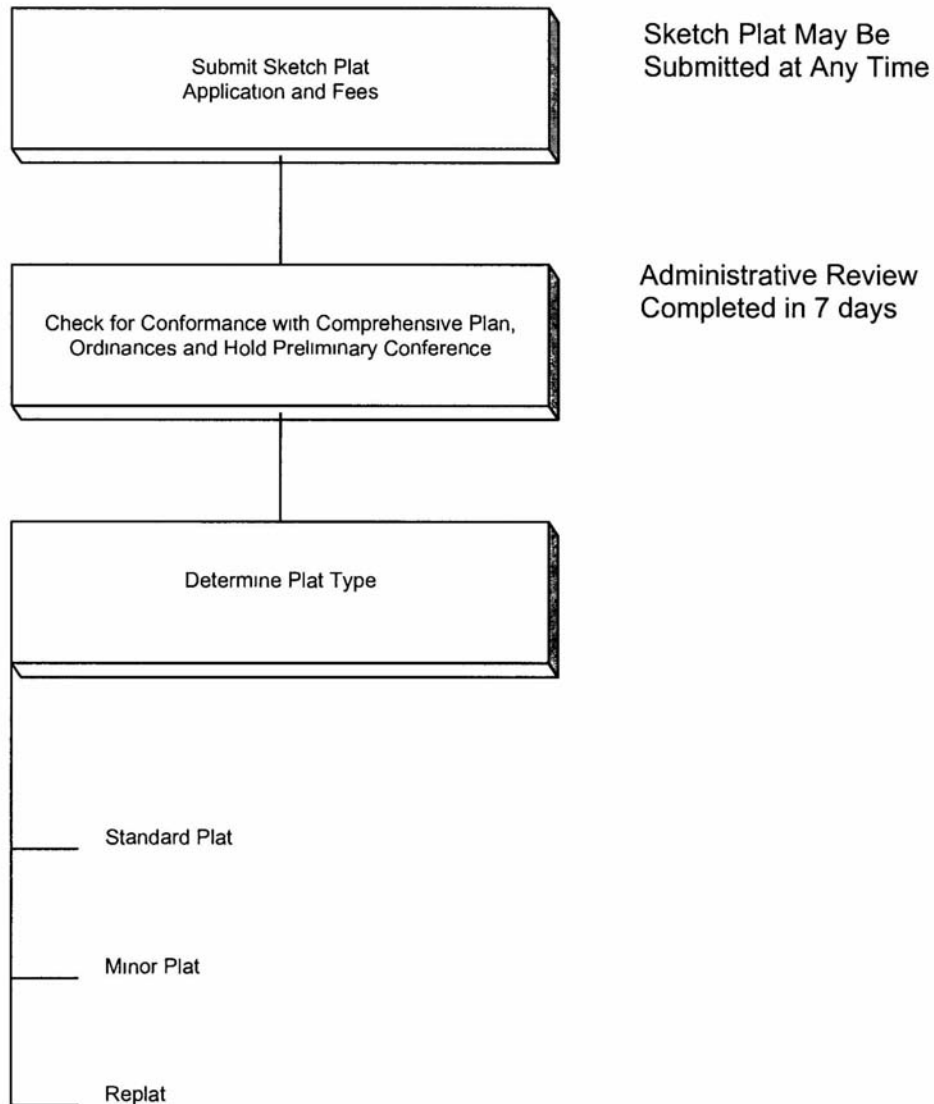
Concurrent with the review of the Final Plat, the City Planner and City Engineer shall review the engineering plans and specifications for all required public improvements for conformance with the City standards. The Final Plat application shall be considered incomplete, and processing suspended, until the engineering plans and financial assurance instruments are approved and accepted.

- F. Upon acceptance of such plat and public properties by the Planning and Zoning Commission, the City Planner or designee shall cause such plat to be recorded in the Plat Records of Tarrant County, Texas.

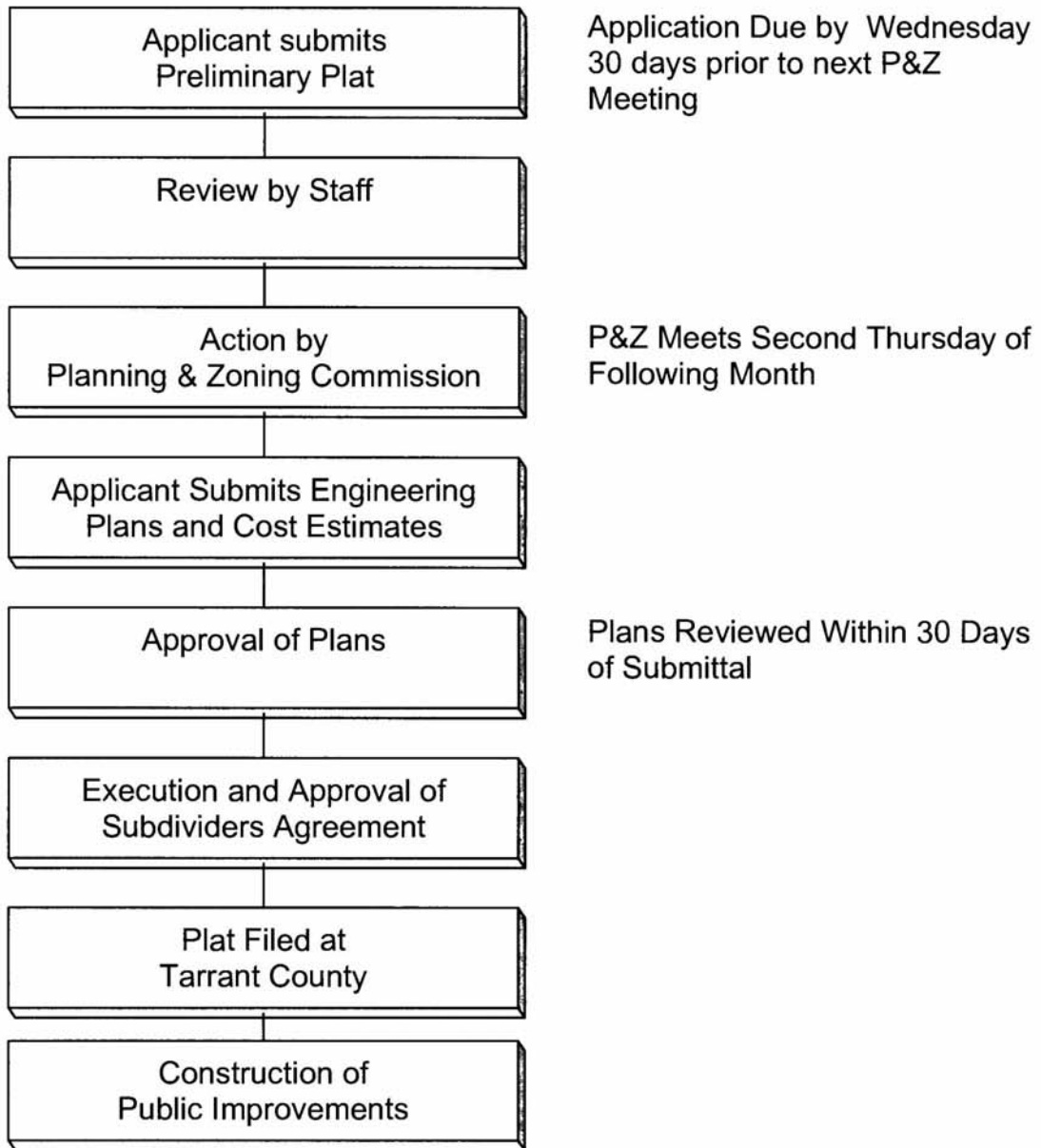
A flow chart indicating the sequence of the steps involved in obtaining approval for subdivision is shown on the following pages.

# Subdivision Approval Flow Chart

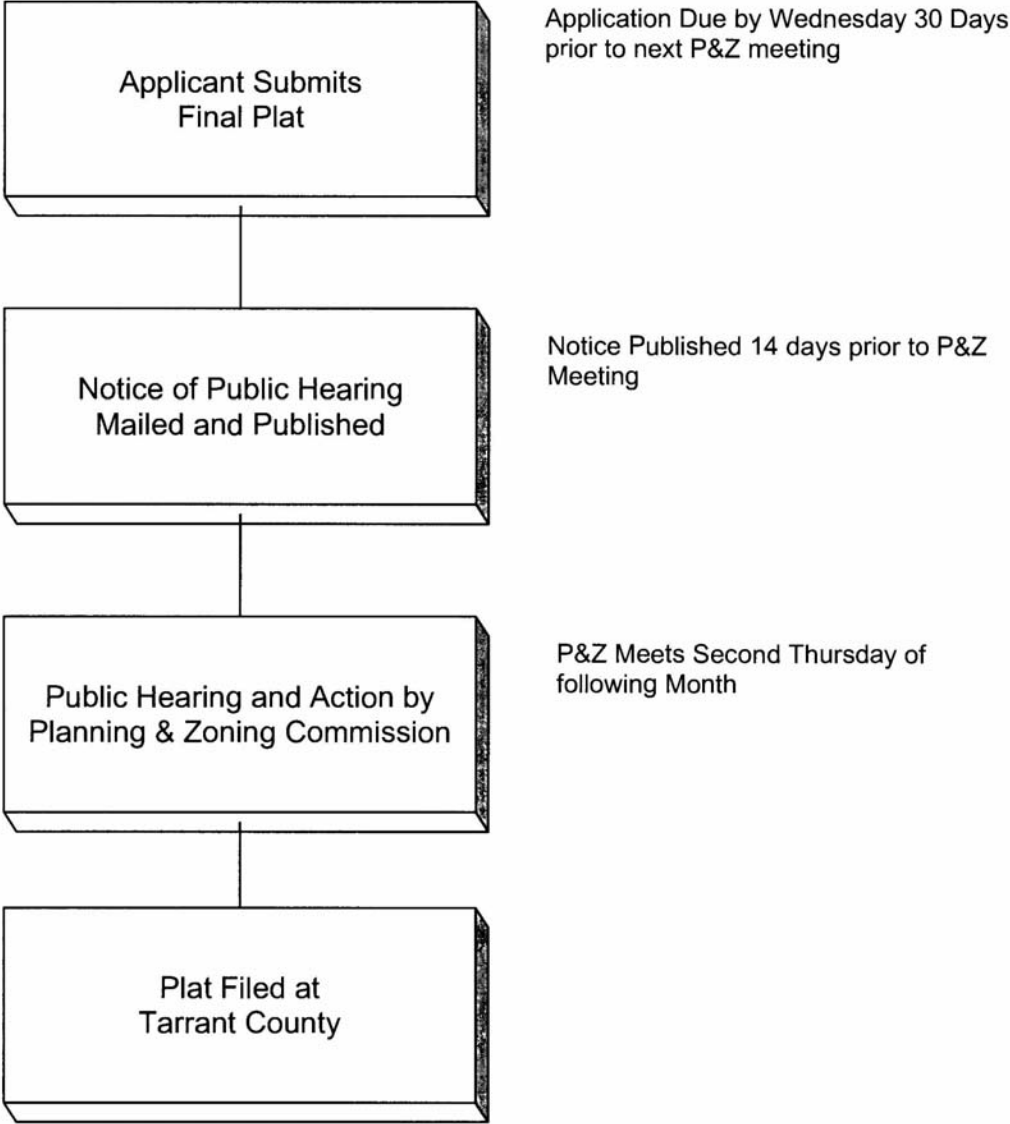
## Initial Review and Plat Determination



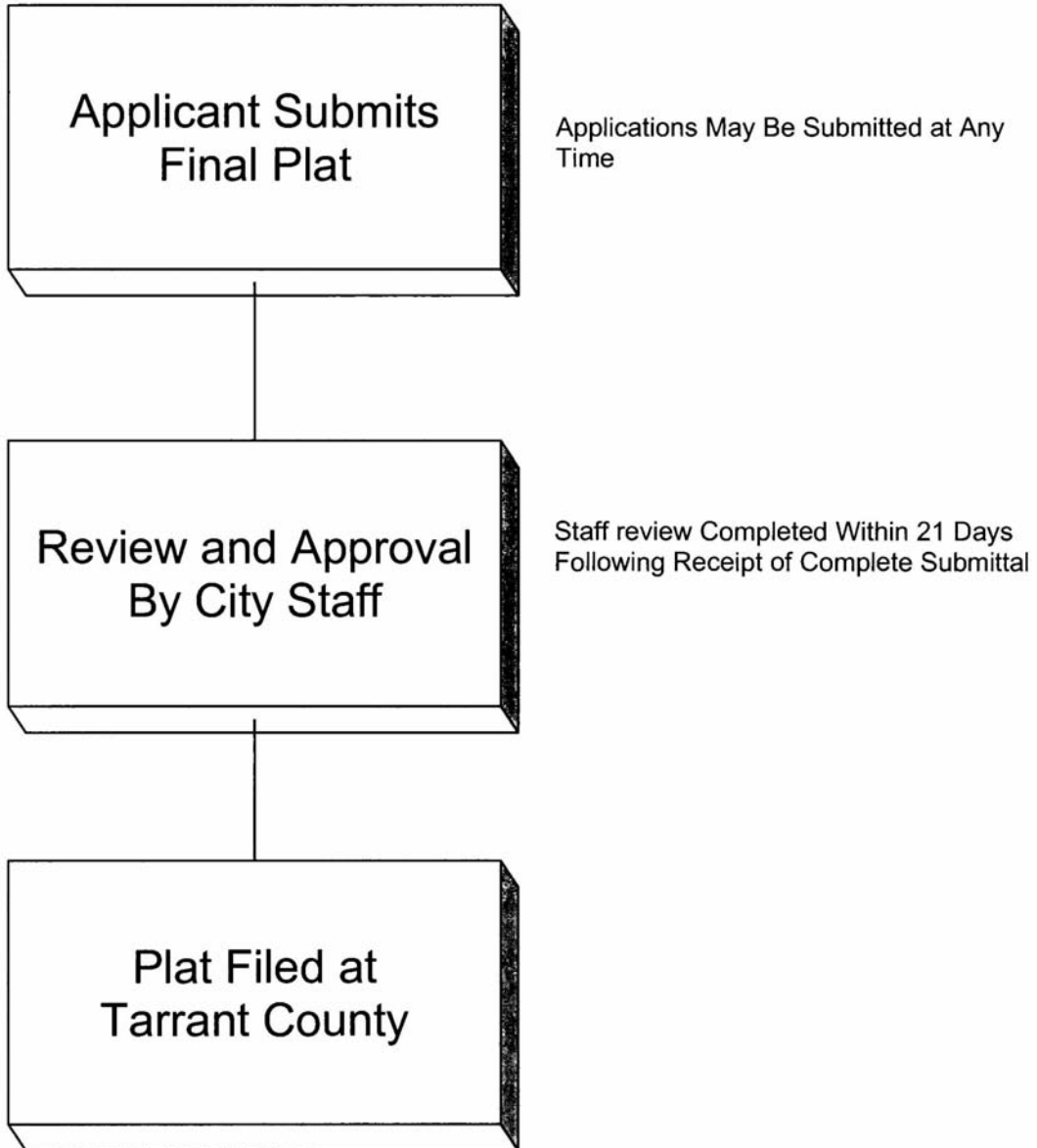
## Standard Plat Review Process



# Replat Review Process



## Minor Plat Review Process



**16.16.020 TYPES OF PLATS; FORM AND CONTENT**

**A. SKETCH PLAT**

1. Content

Prior to formal submittal of a Preliminary Plat, or Minor Plat, the applicant shall submit six (6) copies of a Sketch Plat for review by the City Planner. The purpose of the Sketch Plat is to facilitate review and identify necessary details for inclusion in the Preliminary Plat. Sketch Plat review is intended to accommodate the development of land within a minimum of time and with minimal corrections during the Preliminary Plat review. The Sketch Plat may be drawn in pen or pencil to a convenient scale (preferably 1" = 50') on a sheet not larger than twenty-four inches by thirty-six inches (24" x 36") and shall show the following:

- a) Name of the Subdivision:
  - (1) Name of the subdivision if property is within an existing subdivision.
  - (2) Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any Plat previously recorded.
  - (3) Name of property if no subdivision name has been chosen.
- b) Ownership:
  - (1) Name, address, and telephone number of legal owner of property and agent for owner, if any.
  - (2) Name and address, including telephone number of the surveyor or engineer responsible for preparation of Plat submittal.
- c) Description: Location of property by lot, block, or survey abstract and graphic scale, north arrow and date.
- d) Features:
  - (1) Location of property lines, existing easements, right-of-way, watercourse, and existing wooded areas; location, width, and names of all existing or platted streets or other public ways within or immediately adjacent to the tract.
  - (2) Location of significant existing sewers, water mains, culverts, and other underground structures within the tract and immediately adjacent thereto; existing permanent buildings on or immediately adjacent to the site and utility rights-of-way.
  - (3) Approximate topography with contours at two-foot (2') intervals suitable to understand general drainage patterns. This may be obtained from previous topographic maps.
  - (4) The approximate location and proposed widths of all proposed street right-of-way and pavement.

- (5) Preliminary concept for connection with existing water and sewer system and preliminary concept for collecting and discharging surface water drainage.
  - (6) The approximate location, dimensions, and area of all parcels of land to be set aside for park or other public use, or for common use of property owners in the proposed subdivision.
  - (7) The location of temporary stakes to enable the City Staff to find and appraise features of the Sketch Plat in the field if other landmarks are not present.
  - (8) Whenever the Sketch Plat covers only a part of an applicant's contiguous holdings, the applicant shall submit a sketch of the proposed subdivision area, together with its proposed street system, and an indication of the probable future street and drainage system of the remaining portion of the tract.
  - (9) A vicinity map showing streets and other general development of the surrounding area. The Sketch Plat shall show all zoning district boundaries within and adjacent to the tract, and if proposed to be changed from current boundaries.
  - (10) Floodplain limits as shown on the current Flood Insurance Rate Map.
2. Concurrently with the submittal of the Sketch Plat, the applicant shall also submit three copies of the Conceptual iSWM Site Plan, in accordance with the Design Manual for Site Development (Section 1.1.3.5).
  3. Before submitting the sketch plat and conceptual iSWM Site Plan, the applicant should discuss with the Planning Staff and City Engineer the procedure set for the adoption of a subdivision plat and the requirements of the "Design Standards," the iSWM Design Manual and of any pertinent City ordinances. Planning Staff and City Engineer shall also advise the applicant of existing conditions which may affect the proposed subdivision, such as existing or proposed streets, adjacent subdivisions or properties, floodplain and drainage, sewage, fire protection, reservation of land, and similar matters, referring the applicant to the proper agencies if services are not provided by the City.
  4. No Sketch Plat or Replat shall be accepted for processing if it is determined to be administratively incomplete by the City Planner.
  5. Upon receiving the sketch plat, the City Planner shall classify the subdivision as Standard, Replat, or Minor Plat, review and discuss the plat along with its accompanying reports and other relevant material with the applicant, and shall advise the applicant in writing of the specific changes, if any, required by City ordinance or regulation as a pre-requisite for approval, and any additional changes required.

## **B. PRELIMINARY PLAT**

1. Following submittal and review of the required Sketch Plat, the applicant shall file an application for Preliminary Plat approval on a form provided by the City Planner or designee at least thirty (30) days prior to the Commission meeting at which the plat shall be considered. The Preliminary Plat shall be prepared by a

registered surveyor or engineer in accordance with this Ordinance and accompanied by necessary engineering information prepared by a registered engineer. The submission of a Preliminary Plat is necessary to: eliminate the duplication of subdivision names and street names; assure proper alignment of streets and drainage facilities; assure that adequate public utility services will be provided; assure that all necessary permits and plan approvals have or will be applied for, and assure conformance with the Comprehensive Plan and other development regulations..

**2. Copies Required:** The subdivider shall submit thirty (30) blue or black line copies of the Plat. Accompanying the copies of the Plat, the subdivider shall file a completed Preliminary Plat application along with the prescribed Preliminary Plat fee. A completed Preliminary Plat checklist shall be part of the application. The application shall be accompanied by:

- a) The required review fee for preliminary plats as established by the City Fee Schedule.
- b) Six (6) blueline or blackline copies of the Preliminary iSWM Site Plan, Preliminary Water and Sewer Plan, Preliminary Street Plan and Preliminary Lot Grading Plan.
- c) Two (2) copies of the tree survey and traffic impact analysis (if required under Section 16.28.025C)
- d) A written request for any waivers or deferrals, if necessary, within the subdivision and citing the ordinance provision and section to which a waiver or deferral is being requested.
- e) If the proposed subdivision constitutes a unit of a larger tract owned by the subdivider, which may be subsequently subdivided as additional units of the same subdivision, a layout of the entire area showing the tentative proposal for streets, blocks, and drainage improvements for such areas.

**3. Form and Content:** The Preliminary Plat shall be drawn to a scale of one hundred feet (100') to one inch (1") or larger on a sheet not greater than twenty-four inches by thirty-six inches (24" X 36"). An alternate scale may be acceptable upon approval by the City Planner. When more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision at an appropriate scale shall be attached to the Plat. The Plat shall show the following:

- a) Legal description of property to be subdivided.
- b) Names and addresses of the subdivider, all record owners, surveyor and engineer. The telephone number of the developer, or his designated representative, surveyor and engineer shall also be provided.
- c) Proposed name of the subdivision, which shall not have the same spelling as, or be pronounced similar to, the name of any other subdivision located within the City or its extraterritorial jurisdiction.
- d) Names, recording information and lot patterns of contiguous subdivisions and recording information thereof, and description of contiguous parcels of un-subdivided land. The existing lot patterns, streets, and easements

within two hundred feet (200') of the proposed subdivision shall be clearly indicated.

- e) Subdivision boundary lines, indicated by heavy lines, and the computed acreage of the subdivision.
- f) The 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 boundaries or forming such boundaries.
- g) The location, dimensions, description and name of all existing or recorded residential lots, parks, public areas, permanent structures and other sites within or contiguous with the subdivision.
- h) The location, dimensions, descriptions, and flow line of existing water courses and drainage structures within the subdivision or on contiguous tracts.
- i) The approximate location of the floodway and the one hundred (100) year flood plain and all lots, or any part of a lot, that lies within the floodway or one hundred (100) year flood plain as shown on the current Flood Insurance Rate Map.
- j) The location, dimensions, descriptions and names of all proposed streets, alleys, drainage structures, parks, open spaces, natural features to be preserved or other public areas; reservations, easements, or other rights-of-way; and, blocks, lots and other sites within the subdivision.
- k) Date of preparation, graphic scale of Plat and north arrow.
- l) Topographical information shall include contour lines on a basis of two (2) vertical feet. Topography shall be tied to vertical controlled benchmarks to be noted on the Plat.
- m) A number or letter identifying each lot or site and each block.
- n) Front building set-back lines on all lots and sites. Side yard building set-back lines at street intersections and access and/or drainage easements.
- o) Location of City Limits line, the outer border of the City's extraterritorial jurisdiction, and zoning district boundaries, if they traverse the subdivision, form part of the boundary of the subdivision or are contiguous to such boundary.
- p) A vicinity map at a small scale which shall show the location of the proposed subdivision within the City, existing subdivisions, streets, parks and public facilities in the general locality of the proposed subdivision. The map shall have a scale and north arrow.
- q) If there is no adjacent subdivision, then a map on a small scale must be presented to show the nearest subdivision in all directions, and how the streets, alleys, or highways in the subdivision submitted may connect with those in the nearest subdivision.

- r) Preliminary Drainage Study: The Preliminary Plat submittal shall be accompanied by six (6) copies of a preliminary iSWM site plan prepared in accordance with Section 1.1.3.6 of the iSWM Design Manual.
  - s) A Preliminary Water and Sewer Plan layout (six copies) showing the location and size of existing and proposed water and sanitary sewer lines and proposed fire hydrant locations prepared in accordance with Section 16.20.010.
  - t) A Preliminary Street Plan and Preliminary Lot Grading Plan (six copies) prepared in accordance with Section 16.20.015 and 16.20.017.
  - u) Tree and native vegetation survey (six copies) in accordance with Section 16.28.010.
  - v) Traffic impact analysis (five copies) when required under Section 16.28.025.C.
- 4. Processing of Preliminary Plat:** Once the deficiencies in the Sketch Plat are resolved or clearly identified as requiring Commission action, the staff will accept the completed Preliminary Plat submittal including all information required in paragraph 3-Form and Content above for formal review, along with the necessary application and fee. Any incomplete submittal shall not be accepted for processing. The City shall coordinate review of the Preliminary Plat with appropriate public agencies and utilities. Formal consideration of the Preliminary Plat will be scheduled for the next regularly scheduled meeting of the Planning and Zoning Commission four (4) weeks following the posted filing deadline.
- a) No Preliminary Plat or Replat shall be accepted for processing if it is determined to be administratively incomplete by the City Planner. The application and fees shall be returned to the applicant until the application is complete.
  - b) The City Planner and City Engineer shall make review comments to the Planning and Zoning Commission. The City Planner, or designee, shall make public notice available of the scheduled public hearing as required by State law.
  - c) No Preliminary Plat or Preliminary Replat shall be approved unless it is shown to be in compliance with the Comprehensive Plan.
  - d) A Preliminary Plat or Preliminary Replat will not be accepted for processing if all or any portion of the land area encompassed within the Plat is included in or directly affected by any proposed amendment to the Comprehensive Plan, if such amendment has been set for formal presentation to the Planning and Zoning Commission or the City Council by placement on a formal agenda.
  - e) The Planning and Zoning Commission shall act on a plat within thirty (30) days after the plat is filed. The complete Preliminary Plat submittal including requisite fee shall be considered filed on the application deadline date for the meeting 29 days prior to the Planning and Zoning Commission meeting. A plat that is denied for administrative incompleteness shall not be subject to the thirty (30) day review. The Planning and Zoning Commission shall approve, conditionally approve, or disapprove of the Preliminary Plat.

- f) If a Preliminary Plat is approved by the Commission subject to certain conditions, three (3) copies of a revised Preliminary Plat (including revised grading, drainage, utility, tree survey plan and any other element of the preliminary plat that requires revision) reflecting those conditions shall be submitted to the City Planner within sixty (60) days after approval or the approval lapses unless the applicant demonstrates good cause for delay in submitting the revised Preliminary Plat. The revised Preliminary Plat submittal shall be reviewed by the City Planner and City Engineer for compliance with conditions of Commission approval. Submission of a Final Plat within sixty (60) days reflecting the conditions approved shall meet the requirements of this provision.
- g) If a Final Plat is not submitted within two (2) years following Commission approval of a Preliminary Plat, then approval of the Preliminary Plat must be submitted and processed according to the terms and provisions on this Ordinance. The two (2) year period for Final Plat submission may be extended up to one additional year upon a majority vote of the Planning and Zoning Commission if a developer demonstrates good cause why the authorization should continue. The submission of a Final Plat application for a portion of a phased development extends authorization of the remaining portion of the Preliminary Plat by an additional two (2) years from filing of the latest Final Plat.
- h) Approval of a Preliminary Plat by the Commission shall be deemed an expression of approval of the layout submitted on the preliminary drawings as a guide to the installation of streets, water, sewer and other required improvements and utilities and to the preparation of the Final Plat. Approval of the Preliminary Plat does not constitute acceptance of the subdivision, but is merely an authorization to proceed with preparation of the Final Plat for record.
- i) No construction, including grading, shall be commenced on the subdivision prior to acceptance of the final plat and the Notice to Proceed is issued by the City Engineer.

**C. FINAL PLAT**

1. The submission of a Final Plat is necessary to assure proper identification and location of all streets, lots and easements; assure that the streets will be properly constructed and maintained; assure that public utilities systems have been approved; assure that all proper dedications have been made for streets, easements, and public spaces; and, assure that all necessary permits have been obtained or applied for.

2. Application Procedures:

The applicant shall file an application for approval of the Final Plat on forms available at the office of the City Planner or designee. The application shall include the plat and be accompanied by appropriate engineering plans, soils reports, and other necessary information, and the appropriate filing fee. Patching and pasting of paper attachments is not acceptable. All figures and lettering shall be neat and easily legible. For final approval, the Final Plat must comply in all respects with the approved Preliminary Plat.

- a) Standard Plat

Following approval of the Preliminary Plat by the Planning and Zoning Commission, the applicant shall submit a Final Plat Application subject to the following criteria:

- (1) The Final Plat submittal shall include twelve (12) blue or black line copies of the Plat, and two original Dedication Instruments, and shall contain all of the features required for Final Plats in this Section, all necessary easements and all conditions of the Preliminary Plat approval by the Planning and Zoning Commission. The submittal shall include a completed Final Plat Application, the prescribed Final Plat fee, and it shall be accompanied by copies of site improvement data bearing the seal of an engineer and detailed cost estimate as required. The Final Plat Application shall also be accompanied by copies of the final iSWM site plan, in accordance with Section 1.1.3.7 of the iSWM Design Manual.
  - (2) The Final Plat shall be accompanied by the following:
    - i) The required review and filing fees for Final Plat Approval as set by the City Fee Schedule.
    - ii) One copy of the private deed restrictions, if any, as filed in the records of Tarrant County.
    - iii) Three copies of Construction Plans for Public Improvements, as described in Section 16.20.020.
    - iv) A completed form of Performance and/or Surety Bonds or other Surety Funds as prescribed in Section 16.24.010, for submittal to the City Attorney for approval.
  - (3) Upon approval by the City Staff, the applicant shall submit two (2) mylars and two (2) blueline or blackline copies of the revised Final Plat with original seals and signatures in black ink, two (2) original executed dedication instruments, tax certificates, groundwater availability certificate (if required), suitable for filing with the County along with recording fees required by the County Clerk.
  - (4) Any applicant aggrieved by a decision or condition imposed by the City Staff may appeal to the Planning and Zoning Commission. In such event, the applicant shall file the number of copies required for a Preliminary Plat, along with a written appeal of the requirement by the City Staff.
- d) Minor Plat
- (1) Following the review and classification of the sketch plat by the City Planner as a Minor Plat, the applicant shall submit twelve (12) blueline or blackline copies of the Minor Plat together with dedication instruments and written application for subdivision approval, meeting all requirements as to Form and Content listed below

- (2) The Final Plat shall be accompanied by the following:
  - i) The required review and filing fees for Final Plat Approval as set by the City Fee Schedule.
  - ii) One copy of the private deed restrictions, if any, as filed in the records of Tarrant County.
  - iii) Three copies of Preliminary Drainage Plan, as described in Section 16.20.005.
- (3) Upon approval by the City Staff, the applicant shall submit two (2) mylars with original seals and signatures in black ink, two (2) blueline or blackline copies of the revised Final Plat, and two (2) original executed dedication instruments, tax certificates, groundwater availability certificate (if required), suitable for filing with the County along with recording fees required by the County Clerk.
- (4) It shall be the duty of the City Planner having received the Minor Plat, to:
  - i) Check the Minor Plat for completeness and for conformity to the specifications as provided herein.
  - ii) Inform the applicant of the completeness of the Minor Plat and of its conformity to the specifications as provided herein.
  - iii) An application shall not be accepted until all materials are considered complete by the City Staff.
- (5) Conditions for Minor Plat approval by the City Planner shall be as follows:
  - i) The City Planner may approve a Minor Plat involving four or fewer lots fronting on an existing street that does not require the creation of any new street or the extension of municipal facilities that would require the expenditure of City funds.
  - ii) All other Minor Plat requirements are met.
  - iii) The City Planner may, for any reason, present the plat to the Commission for approval and shall refer the plat to the Commission if he or she refuses to approve the plat.
- (6) The Commission, through its Chair, shall act on a formally accepted Minor Plat within thirty (30) days of the date of acceptance of the Final Plat for processing. If said Plat is not approved, conditionally disapproved or disapproved within thirty (30) days from the date of acceptance, it shall be deemed to have been approved and a certificate, showing said acceptance date and the failure to take action thereon within thirty (30) days from said acceptance date, shall on demand be issued by the

Commission and said certificate shall be in lieu of the endorsement herein required.

- (7) Any applicant aggrieved by a decision or condition imposed by the City Staff may appeal to the Planning and Zoning Commission. In such event, the applicant shall file the number of copies required for a Preliminary Plat, along with a written appeal of the requirement by the City Staff.

e) Replat

- (1) Following the review and classification of the Sketch Plat as a Replat by the Planning Staff, the applicant shall file a request on a form provided by the City Planner to appear before the Commission. This request must be filed at least thirty (30) days prior to the Commission meeting at which he wishes to appear. Processing of a Replat shall conform to the requirements of Sections 212.014 and 212.015 of the Texas Local Government Code.
- (2) The applicant shall submit at least thirty (30) blue-line or blackline copies of a Final Plat meeting all requirements as to Form and Content listed below, at least thirty (30) days prior to the Commission meeting at which he wishes to appear.
- (3) The Final Plat shall be accompanied by the following:
  - i) The required review and filing fees for Final Plat Approval as set by the City Fee Schedule.
  - ii) One copy of the private deed restrictions, if any, as filed in the records of Tarrant County.
  - iii) Three copies of Preliminary Drainage Plan, as described in Section 16.20.005, if required by the City Engineer.
  - iv) Proposed financial assurance instruments for the installation of any required public improvements, in accordance with Chapter 16.24 of this Ordinance.
- (4) The City Planner or designee shall cause the publication of a notice of the public hearing in the official newspaper before the 15<sup>th</sup> day prior to the hearing and mail written notice of the hearing to all property owners within the original subdivision whose lots are within 200 feet of the proposed Replat.
- (5) Upon approval by the Planning and Zoning Commission, the applicant shall submit two (2) mylars and two (2) blue-line or blackline copies of the revised Final Plat reflecting any changes required to meet conditions imposed by the Planning and Zoning Commission, signed and suitable for recording with the County and two executed copies of the dedication instrument tax certificates, groundwater availability certificate (if required), along with recording fees required by the County Clerk.

**3. Form and Content:**

The Final Plat and accompanying data shall conform to the Preliminary Plat as approved by the Commission incorporating any and all changes, modifications, alterations, corrections and conditions imposed by the Commission. The final plat shall comply in all respects with the approved Preliminary Plat for a Standard Plat or the approved Sketch Plat for a Minor Subdivision, Replat or Minor Plat. The applicant shall submit the Final Plat drawn by a licensed surveyor and shall include the following:

- a) The Final Plat shall be drawn at a scale of one hundred feet (100') to one inch (1'), or larger on a sheet size of twenty-four inches by thirty-six inches (24" x 36") or eighteen inches by twenty-four inches (18" x 24") in accordance with the Tarrant County Clerk specifications for recording. Where more than one (1) sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision at an appropriate scale shall be attached to the Plat.
- b) Final plats shall contain the firm name, address, and phone number of the surveyor, and the name, address, and phone number of the dedicator. The Final Plat shall contain the following caption to be located near the lower right hand corner of the plat above the title block and in accordance with Tarrant County Clerk requirements, "This plat filed in Cabinet \_\_\_\_ Slide # \_\_\_\_ Date \_\_\_\_". Final plats shall contain all necessary information and be in prescribed format required for recording with the Tarrant County Clerk.
- c) Proposed name under which the subdivision is to be recorded. All subdivisions shall be named and the name approved by the City before the Final Plat is submitted. No subdivision or street name shall be a duplication, either in part or in whole or be similar in spelling or pronunciation to the name of any other subdivision within the City or within any distance outside the City, which might result in confusion to operators of emergency vehicles.
- d) Name and recording information of contiguous subdivisions, location and identification of contiguous lots, and indication of whether contiguous properties are platted and filed of record and names of owners and deed references of all unplatted adjoining properties.
- e) The tract designation and other description according to the real estate records of the county.
- f) The location of all permanent monuments and control points described as to size and material. Primary control points or descriptions, and ties to such control points to which all dimensions, angles, and bearings shall be referred. Such primary control points shall be either a City recorded monument or a USGS monument, if such monument is within 2,000 feet of the proposed subdivision.
- g) A location map of the proposed subdivision showing existing and proposed streets and thoroughfares covering an area of at least one-half (1/2) mile outside the proposed subdivision to adequately indicate the location of the subdivision.

- h) Subdivision boundary lines of the total area proposed for subdivision and the computed acreage of the total area.
- i) Bearing and length or curve data (radius, central angle, chord bearing and distance) of each boundary line shall be shown and description by metes and bounds of the subdivision perimeter shall be placed on the plat. The source of all bearings shall be the Texas State Plane Coordinate System (North Central Zone, 1983 NAD) and shall be noted on the plat. The point of beginning for land in a subdivision described by metes and bounds should be clearly defined on the plat, and any plat shall be clearly related to the survey, tract, or subdivision of which it is a part.
- j) The location, dimensions, description and name of all proposed streets, alleys, drainage structures, parks, other public areas, reservations, easements or other rights-of-way; block, lots, and other sites within the subdivision with accurate dimensions, bearing or deflection angles and radii, arcs, tangents, and central angles of all curves where appropriate.
- k) Each proposed street, within the subdivision area, shall be named and shall conform with names of any existing street of which they may be or become extensions. Extensions of existing streets or roads shall use the name already established. All streets shall be named and the name approved by the City before the Final Plat is submitted. Names of new streets shall not duplicate or cause confusion with the names of existing streets, unless the new streets are a continuation of, or in alignment with existing streets, in which case names of existing streets shall be used. Streets shall be named to provide continuity with existing streets.
- l) The location and dimensions of existing and proposed public utilities easements.
- m) The location and dimensions of existing and proposed storm drainage easements. The limits of the 100-year floodplain shall be shown and encompassed in a dedicated easement. Minimum finished floor elevations at least two feet (2') above the 100-year water surface elevations shall be shown on any lot adjacent to the floodplain, channel, sump inlets or drainage facilities.
- n) The location of proposed blocks, lots, and other sites within the proposed subdivision.
- o) A number shall be used to identify each lot, site or block.
- p) The area of each lot, in square feet, and outside dimensions, in feet.
- q) Front building setback lines on all lots and sites. Second front yard building setback lines at street intersection. For lots facing on curved streets the chord width of the lot at the front building setback line shall be shown.
- r) Location of City limits line and the outer border of the City's extraterritorial jurisdiction, if they traverse the subdivision, form part of the boundary of the subdivision, or are contiguous to such boundary.
- s) The date of preparation and date of latest revision.

- t) The location, dimensions and identification of all existing pipeline easements.
- u) The name and registration number of the registered Surveyor responsible for preparing the plat.
- v) A list of the proposed restrictive covenants, conditions, and limitations to govern the nature and use of the property being subdivided.
- w) A North Point arrow and graphic scale.
- x) Data specifying the gross area of the subdivision, the proposed number of residential lots and area thereof, and the area in parks and in other non-residential uses.
- y) All land intended to be dedicated for public use or reserved in the deeds for the use of purchasers or owners of lots in the proposed subdivision, together with the purpose of conditions or limitations of such dedications, if any.
- z) A certificate of approval to be signed by the Planning and Zoning Commission Chair and the City Secretary shall be shown on the Plat. The following certificate shall be placed on the Final Plat by the subdivider:

"CITY OF BENBROOK

Approved by Planning and Zoning Commission:

Chair: \_\_\_\_\_

Attested by City Secretary: \_\_\_\_\_

Date of Approval: \_\_\_\_\_"

- aa) "FINAL PLAT" Designation listed on face of all copies.
- bb) A statement signed and acknowledged by the owner dedicating all streets and alleys to the public in fee simple and all easements, parks and other open spaces to the public, and the developer's certification that all parties with any interest in the title to the subject property have joined in such dedication, duly executed, acknowledged and sworn to by said developer before a Notary Public. When applicable, an agreement showing the subdivider has made provision for perpetual maintenance thereof to the inhabitants of the subdivision should be shown or referenced on the face of the Plat. For a phased development the dedication shall be only for the section approved. An example of such a dedication instrument would read as follows:

“STATE OF TEXAS §  
§  
§ OWNER'S ACKNOWLEDGMENT AND  
DEDICATION  
COUNTY OF TARRANT §

I (we), \_\_\_\_\_ (Owners name or corporation name), the undersigned, owner(s) of the land shown on this plat within the area described as follows:

(Metes and Bounds Description of Boundary or description of previously platted lots, including total acreage according to surveyor)

and designated herein as the \_\_\_\_\_ subdivision to the City of Benbrook, Texas, and whose name is subscribed hereto, hereby dedicate to the public in fee simple all streets, alleys, rights-of-way and parks, and dedicate to the public forever all water courses, drains, easements and public places thereon shown for the purpose and consideration therein expressed.

Owner : \_\_\_\_\_ (title)  
Date: \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF TARRANT §

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

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

Notary Public \_\_\_\_\_  
\_\_\_\_\_ County

- cc) A notation on the face of the Plat indicating that "Any franchised public utility, including the City of Benbrook shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements which in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on any of the easements shown on the Plat. Any franchised public utility including the City of Benbrook, shall have the right at all times of ingress and egress to and from and upon said easements for the purposes of constructing, reconstructing, inspection, patrol, maintaining, and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone."
- dd) Public Open Space Easements (P.O.S.E.) shall be indicated on all lots adjoining two (2) intersecting public streets or otherwise affected by the P.O.S.E. Public Open Space Easements shall be indicated on all lots adjoining one (1) public street and an alley and/or an approved private

street and shall have a minimum dimensions in accordance with Section 16.28.020.C. A notation of restrictions within P.O.S.E.s shall appear on the face of the Plat.

- ee) A Statement, including the original seal and the original signature of the surveyor responsible for surveying the subdivision area.

“STATE OF TEXAS     §  
  § STATEMENT OF SURVEYOR  
COUNTY OF TARRANT§

I, the undersigned, a public surveyor in the State of Texas, hereby state that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground.

(Surveyor's Seal)

Registered Professional Land Surveyor,  
Number

Date:

- ff) The following full statement of restrictions shall be placed in the dedication instrument of any subdivision plat that contains land designated as part of a 100-year floodplain by FEMA:

"Floodplain Restriction

No construction shall be allowed within a floodplain easement unless specifically approved by the City of Benbrook. Where construction is permitted, all finished floor elevations shall be a minimum of two (2) foot above the 100-year flood elevation.

Any existing creeks, lakes, reservoirs, or drainage channels traversing along or across portions of this addition, will remain as an open channel at all times and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots. The City of Benbrook will not be responsible for the maintenance and operation of said drainageways or for the control of erosion. Each property owner shall keep the natural drainage channels traversing adjacent to his property clean and free of debris, silt, or any substance which would result in unsanitary conditions and the City shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage channel, as in the case of all natural drainage channels, is subject to storm water overflow and natural bank erosion to an extent that cannot be definitely defined. The City of Benbrook shall not be liable for damages of any nature resulting from the occurrence of these natural phenomena, nor resulting from a failure of any structures within the natural drainage channels. The natural drainage channel crossing each lot is shown by the floodplain easement line as shown on the plat."

- gg) Except for residential replats of less than six (6) lots or two (2) acres, whichever is less, Texas State Plane Coordinates shall be provided for at least two (2) corners of the Plat must be shown on the face of the Plat. The reference monuments and method of determining the coordinates

(such as triangulation of City monuments or global positioning system techniques) shall be provided.

- hh) All distances shown on the Final Plat shall be horizontal ground lengths. The Plat shall state the Texas State Plane Coordinate System combined scale factor that is to be used to convert ground lengths to grid lengths.
- 4. When submitted, the Final Plat shall be accompanied by the Construction Plans for Public Improvements, as described in Section 16.20.020 of this Ordinance and the final iSWM site plan. Formal acceptance of the Final Plat for processing will not occur until approval of the site improvement engineering data is accepted by the City.

### **C. Processing of Final Plat**

Processing of Final Plats shall be in accordance with this Ordinance, all other development regulations, and all applicable State and Federal regulations.

- 1. No Final Plat or Replat shall be approved unless it is in compliance with the Comprehensive Plan.
- 2. A Final Plat or Final Replat will not be accepted for processing if all or any portion of the land area encompassed within the Plat is included in or directly affected by any proposed amendment to the Comprehensive Plan, which has been set for formal presentation to the Planning and Zoning Commission or the City Council by placement on a formal agenda.
- 3. A Final Plat or Replat shall not be accepted for processing until all necessary application materials have been submitted and approved by the City. No Final Plat will be accepted for processing until the developer's agreements with the City are executed, all public improvements plans, specifications and cost estimates have been approved by the City Planner, and financial assurance has been provided. Any Final Plat submitted will be conditionally disapproved until such materials have been accepted.

### **D. Final Plat Approval**

The Commission, acting through its Chair, shall act on a formally accepted Final Plat within thirty (30) days of the date of acceptance of the Final Plat for processing. In the case of a short form plat, the Commission as a whole shall act on a Final Plat. If said Plat is not approved, conditionally disapproved or disapproved within thirty (30) days from the date of acceptance, it shall be deemed to have been approved and a certificate, showing said acceptance date and the failure to take action thereon within thirty (30) days from said acceptance date, shall on demand be issued by the Commission and said certificate shall be in lieu of the endorsement herein required. Final plats meeting all conditions set on the Preliminary Plat by the Planning and Zoning Commission shall be approved by the City Staff. If a Final Plat contains significant deviation from the approved Preliminary Plat, Planning and Zoning Commission approval shall be required. The decision of the Commission shall be either approval, conditional disapproval, or disapproval of the Final Plat.

- 1. A Final Plat which meets all applicable requirements of the Subdivision Ordinance and any conditions of Preliminary Plat approval shall be approved by the Commission by placing thereon the signature of the Chair of the Commission and the attestation of the City Secretary. Approved Final Plats and supporting

instruments shall be retained by the City Planner for recording as hereinafter specified.

2. Conditional disapproval shall constitute lack of approval of a Final Plat subject to conformity with prescribed conditions, but shall constitute approval when such conditions are met and approved by the City Planner.
  3. Disapproval signifies rejection in toto of the Final Plat as submitted. The Commission, following Final Plat disapproval, may permit an applicant to then submit another Final Plat or reinstate the subdivision approval procedure at another step.
  4. Conditionally disapproved Final Plats showing satisfaction of the conditions, in as many copies as required by the Commission, may be submitted at any time for approval.
- E. Upon approval of the Final Plat, the applicant shall submit two (2) blackline mylars and two (2) blue-line or blackline copies of the plat with original seals and signatures and two original signed Dedication Instruments, tax certificates, groundwater availability certificate (if required), suitable for filing with the County along with recording fees required by the County Clerk..

**F. Recording of Final Plat**

After the Final Plat has been approved by the City Staff or Planning and Zoning Commission, as appropriate, and has been signed by the Chair and attested by the City Secretary, the Plat will be filed for recording with the County Clerk.

**16.16.025 VACATING AND AMENDING PLATS**

- A. A recorded plat may be vacated in accordance with the procedures and requirements set forth in Section 212.013 of the Local Government Code.
1. **Before the Sale of Any Lot:** Before the sale of any lot within a plat, the Plat may be vacated upon application of the proprietors of the land included in the plat, and after approval by the Commission. The vacation of the Plat does not take effect until the filing of a written instrument declaring the plat to be vacated has been executed, acknowledged, and recorded by the County Clerk of Tarrant County.
  2. **After the Sale of any Lot:** After the sale of any lot within a plat, the Plat or any part of the Plat may be vacated upon the application of the owners of all the lots in the Plat and after approval by the Commission. The vacation of the Plat does not take effect until the filing of a written instrument declaring the Plat or a part of the Plat to be vacated has been executed, acknowledged, and recorded by the County Clerk of Tarrant County.

**B. Rejection**

The Commission may reject any application for vacating a plat which abridges or destroys any public rights in any public uses, improvements, streets, or alleys.

**C. Replats and Amendments**

After the sale of any lot within a plat, unless the owners of all the lots in the plat request vacation of the Plat or a part of the Plat, the Plat may be changed only after compliance

with the replatting process in accordance with Section 212.014 and Section 212.015, Local Government Code, or the amending process in accordance with Section 212.016, Local Government Code. An Amending Plat may be filed in accordance with the procedures and requirements set forth in Section 212.016 of the Local Government Code. The Commission may approve and issue an Amending Plat, which may be recorded and controlling over the preceding plat without vacation of that plat and without notice and hearing, if the Amending Plat is signed and acknowledged by the owners of the property being replatted and is solely for one or more of the following purposes:

1. to correct an error in any course or distance shown on the preceding Plat;
2. to add a course or distance that was omitted on the preceding Plat;
3. to correct an error in a real property description shown on the preceding Plat;
4. to indicate monuments set after the death, disability, or retirement from practice of the surveyor responsible for setting monuments;
5. to show the location or character of a monument which has been changed in location or character or that is shown incorrectly as to location or character on the preceding Plat;
6. to correct any other type of scrivener or clerical error or omission previously approved by the City, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
7. to correct an error in courses and distances of lot lines between two (2) adjacent lots if:
  - a) both lot owners join in the application for amending the Plat;
  - b) neither lot is abolished;
  - c) the amendment does not attempt to remove recorded covenants or restrictions; and
  - d) the amendment does not have a materially adverse effect on the property rights of the other owners in the Plat;
8. to relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line;
9. to relocate one or more lot lines between two or more adjacent lots if:
  - a) the owners of all those lots join in the application for amending the Plat;
  - b) the amendment does not attempt to remove recorded covenants or restrictions; and
  - c) the amendment does not increase the number of lots; or
10. 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:
  - a) the changes do not affect applicable zoning and other regulations of the City;

- b) the changes do not attempt to amend or remove any covenants or restrictions; and
  - c) the area covered by the changes is located in an area that the Commission or City Council has approved, after a public hearing, as a residential improvement area.
11. To replat one or more lots fronting on an existing street if:
- a) the owners of all those lots join in the application for amending the plat;
  - b) the amendment does not attempt to remove recorded covenants or restrictions;
  - c) the amendment does not increase the number of lots; and
  - d) the amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.
12. If the Amending Plat involves four or fewer lots fronting an existing street and does not require the creation of any new street or the extension of municipal facilities, it may be approved by the City Planner. The City Planner may, for any reason, present the plat to the Commission for approval and shall refer the Plat to the Commission if he or she refuses to approve the Plat.

**D. PROCEDURE**

1. An application for vacating or amending a Plat shall be filed with the Planning and Zoning Commission on forms provided by the City Planner or designee.
2. The appropriate application fee as set forth in the Fee Schedule shall be paid at the time of application.
3. Amended plats should meet the same requirements set forth in the Ordinance as for Minor Plats.
4. The Planning and Zoning Commission may approve, conditionally disapprove or disapprove any Amending Plat or vacation request in accordance with the procedures for plat approval set forth in this Chapter.

**16.16.030 SIGNING AND RECORDING OF SUBDIVISION PLAT**

**A. Signing of Plat**

1. The Chair of the Planning & Zoning Commission and City Secretary shall sign all copies of the approved Final Plat.
2. If Public Improvements are to be installed and a surety required, the Chair of the Commission shall endorse approval only after the Developer's Agreement has been approved by the City Manager, and all fees have been paid.
3. The signature of the Chair of the Commission indicates approval of the platting of the land, not the improvements to be placed thereon.

**B. Recording of Plat**

1. It shall be the responsibility of the City Planner or designee to record the Plat with the County Clerk's office.
2. A blueline or blackline copy of the approved Plat with all signatures shall be returned to the applicant. Additional copies can be provided upon prior arrangement with the City Planner or designee.

**16.16.035 PROCESSING OF FINAL PLAT AND CONSTRUCTION PLANS**

- A. No Final Plat or Replat shall be accepted for processing if it is determined to be administratively incomplete by the City Planner or designee. The application and fees shall be returned to the applicant until the submittal is complete.
- B. Upon receipt of the Final Plat with construction plans and the required application fees, the City Planner or designee shall check the Plat as to its conformity with the approved Preliminary Plat or City's Comprehensive Plan, Land Use Plan, zoning districts, lot size requirements, subdivision and street names and other applicable City standards.
- C. The City Planner or designee shall transmit copies of the Final Plat and construction plans to the City Engineer who will check same for conformity with applicable engineering standards and specifications set forth herein as well as with generally accepted engineering principles when not covered specifically herein. The City Engineer shall submit a written report to the City Planner with his/her suggestions as to modifications, additions, alterations or other matters pertinent to the Plat.
- D. The City Staff shall act on a plat within thirty (30) days after the date the Plat is filed. The Plat is considered filed when formal application has been made for approval, all required information including engineering plans have been submitted and the requisite fees paid. The plat is considered approved unless it is disapproved within thirty (30) days after the plat application is filed and accepted as administratively complete.
- E. If a Final Plat is disapproved, the City Planner, on request of an owner of an affected tract, shall certify the reasons for the action taken on the application.
- F. If the City fails to act on a plat within the prescribed period, the City Planner, on request shall issue a certificate stating the date the Plat was filed and that the City failed to act on the plat within the period.
- G. If the Final Plat is approved, the City Planner or designee shall have the approval certificate on the Plat executed by the Chair of the Planning and Zoning Commission and attested by the City Secretary or designee, contingent to the developer paying all development fees, impact fees, and assessment charges.
- H. After the Final Plat and plans have been approved by the City, but before construction of water, sewer, street or drainage improvements are started, the Subdivider shall furnish the City with two (2) full size and two (2) half-size sets of the completed detailed plans and specifications.
- I. Lot markers shall be installed in accordance with Section 16.20.040.
- J. The Final Plat shall be recorded by the City Planner or designee in the office of the County Clerk of Tarrant County within ten (10) days from and after the date of final acceptance.

**16.16.040 WHERE A SUBDIVISION IS A UNIT OF A LARGER TRACT**

- A. Where the proposed subdivision constitutes a unit of a larger tract owned by the subdivider, which is intended to be subsequently subdivided as additional units of the same subdivision, the Preliminary Plat shall cover the entire area of common ownership or joint development, showing the tentative proposed layout of streets, blocks, drainage, and other improvements for such areas. Thereafter, Final Plats of subsequent units of such subdivision shall conform to such approved Preliminary Plat, unless changed by the Commission. However, except where the subdivider agrees to such change, the Commission may change such approved Preliminary Plat only when the Commission finds:
  - 1. That adherence to the previously approved overall layout will hinder the orderly subdivision of other land in the area in accordance with the provisions of this Ordinance; or,
  - 2. That adherence to the previously approved overall layout will be detrimental to the public health, safety or welfare, or will be injurious to other property in the area.
  
- B. If a Final Plat or any combination of Final Plats comprises ninety percent (90%) or more of the unplatted property in common ownership on the Preliminary Plat or the remaining unplatted land would be three (3) acres or less, then a Final Plat for the entire remainder of the property shall be submitted for approval.