



General Subdivision Process

Step 1. A pre-application conference with the Develop Angleton Working Group (DAWG) is required (see Section 23-77 and Section 23-94) prior to submittal of a preliminary plat/replat application.

DAWG is a group of City staff representing City departments having an interest or statutory role in the development process or the development of property within the City of Angleton and Angleton's Extraterritorial Jurisdiction.

- DAWG meetings are held every Wednesday from 1:30 pm to 4:30 pm. DAWG is scheduled by appointment only. Appointments are one (1) hour at 1:30 pm, 2:30 pm or 3:30 pm.
- There is currently no application form or fee required to meet with DAWG.
- DAWG meetings are intended to identify issues associated with proposed development within the City and the City ETJ, to determine all applications and approvals that are required, and to make potential applicants aware of the City's adopted Capacity Acquisition Fee and its requirement for parkland dedication or payment of fee-in-lieu (Section 23-14)
- Contact Mr. Walter E. Reeves Jr., AICP to check availability or schedule a meeting.

Step 2. Use of a Public Improvement District (PID) or Other Special District

If a project intends to petition the City to use a PID or seeks funding from the City by way of a Chapter 380 Agreement or TIF/TIRZ, no application for any type of City administered approval will be accepted until a Development Agreement has been finalized and executed by the developer and/or property owner(s) and the City of Angleton.

Step 3. Submittal of Preliminary Plat/Replat application and payment of application filing fee: see attached Subdivision Submittal Calendar for submittal dates. Applications **will not** be accepted outside of those calendar dates. All preliminary plat/replat applications shall include, but are not limited to, the following minimum submittal information (see Section 23-117):

- A completed application and payment of application filing fee; and
- One (1) 24" X 36" paper copy of the proposed preliminary plat/replat including all the property to be developed as part of the project; and
- Proposed phasing of the project; and
- A preliminary utility plan showing all existing and proposed utilities; and
- A TIA, if applicable (Section 23-25). Determination of TIA to be made before submittal of any preliminary plat/replat application; and
- A drainage report (Section 23-15); and
- Current tax certificate(s) indicating taxes have been paid; and
- Statement indicating whether parkland will be dedicated, or fee-in-lieu of dedication will be paid (see Section 23-20 for parkland dedication or fee-in-lieu details); and
- Heritage tree survey and tree preservation plan (Section 23-60) is required; and
- Any variances to be requested of Chapter 23 Land Development Code. The criteria for granting a variance to the requirements of Chapter 23 and the submittal requirements for such variances can be found in Section 23-102. Any variance request must specifically cite the section of Chapter 23 to be varied and provide reasoning for the variance addressing the criteria of Section 23-102; and
- All other information necessary to demonstrate compliance with all applicable requirements of the Code of Ordinances of the City of Angleton.

Step 4. Completeness determination (Sections 23-79 and 23-94): Preliminary plat/replat applications will not be considered accepted and processed until applications are determined to be



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complete (application is fully completed and signed), application filing fee is paid, and all required submittal materials accompany the application.

- Application completeness will be determined within five (5) business days.
- If the application is determined to be complete, the applicant will be notified, and the application will be distributed for review and comment; or
- If the application is determined to be incomplete, the applicant will be notified and will have forty-five (45) days from the date of application submittal to provide the missing submittal information (Local Government Code (LGC) Section 245.002(e)(1). If the missing information is not provided within the forty-five (45) day period the application will be deemed expired and a new application, fee payment and submittal materials will be required.

Step 5. Application is distributed for review and comment:

- An application determined to be complete will be distributed for review and comment to all City departments having an interest in development within the City of Angleton.
- Comments will be provided to the applicant to make corrections or provide additional information as identified by staff pursuant to the Subdivision Submittal Calendar.
- If all comments are not cleared prior to the issuance of the P&Z packet, the preliminary plat will be recommended for approval with conditions (for minor comments) or denial if major issues remain outstanding.

Step 6. Planning and Zoning Commission Meeting:

- Depending on the circumstances a preliminary plat/replat may require notice of a public hearing to be published in the newspaper and notice of a public hearing be made to property owners within 200 ft. of the area being platted or replatted.
- After the public hearing is held and the public has had an opportunity to speak to the proposed preliminary plat/replat, the Planning and Zoning Commission will discuss the preliminary plat/replat and make a recommendation to City Council to approve the preliminary plat/replat, approve the preliminary plat/replat with conditions, continue the agenda item to another meeting (date certain), or deny the preliminary plat/replat (with reasons for the recommendation of denial).
- If a public hearing is not required, then the Planning and Zoning Commission will discuss the proposed preliminary plat/replat and make a recommendation to City Council to approve the preliminary plat/replat, approve the preliminary plat/replat with conditions, continue the agenda item to another meeting (date certain), or deny the preliminary plat/replat (with reasons for the recommendation of denial). As no public hearing was required the public can speak only at the discretion of the Chairman or Commissioner chairing the Planning and Zoning Commission meeting.

Step 7. City Council Meeting

- If a public hearing was held at the Planning and Zoning Commission meeting a public hearing will also be held at the City Council meeting. After the public hearing is held and the public has had an opportunity to speak to the proposed preliminary plat/replat, the City Council will discuss the preliminary plat/replat and decide to approve the preliminary plat/replat, approve the preliminary plat/replat with conditions, continue the item to another meeting (date certain) or deny the preliminary plat/replat.

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- Preliminary plats/replats that do not require a public hearing will normally be placed on the City Council Agenda under Consent items.
- If a preliminary plat/replat not requiring a public hearing is pulled from the Consent items for discussion, or is placed on the agenda for discussion, the City Council will discuss the proposed preliminary plat/replat and decide to approve the preliminary plat/replat, approve the preliminary plat/replat with conditions, continue the agenda item to another meeting (date certain), or deny the preliminary plat/replat (with reasons for the denial). As no public hearing was required the public can speak only at the discretion of the Mayor or Councilmember that is chairing the Council meeting.
- Approval of a preliminary plat/replat does not constitute approval of a final plat
- **LGC Section 212.005 APPROVAL BY MUNICIPALITY REQUIRED.** The municipal authority responsible for approving plats must approve a plat or replat that is required to be prepared under this subchapter and that satisfies all applicable regulations.

Step 8. Conditional Approval or Disapproval of Preliminary Plat/Replat

- If a preliminary plat/replat is conditionally approved or disapproved, pursuant to LGC Section 212.0093 the applicant “may submit to the municipal authority or governing body that conditionally approved or disapproved the plan or plat a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The municipal authority or governing body may not establish a deadline for an applicant to submit the response.”
- If a written response is received, pursuant to LGC Section 212.0095 “a municipal authority or governing body that receives a response under LGC Section [212.0093](#) shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved plan or plat not later than the 15th day after the date the response was submitted.”

Step 9. Expiration of Preliminary Plat/Replat Approval (Section 23-94.H)

- Preliminary Plat/Replat approval lapses twelve (12) months from the date of City Council approval.
- A Final Plat/Replat of all, or a portion of the area (identified by the phasing), of the approved preliminary plat/replat must be submitted (considered to be filed per Step 3) within twelve (12) months from the date of approval by City Council, but the approval may be extended by City Council for up to twelve (12) months at the request of the subdivider. Any requests for extension of approval must be submitted prior to the expiration date of the City Council approval.
- If a development is completed in phases (Section 23-18), the original preliminary plat shall not lapse or expire (Section 23-94.G.4)

Step 10. After Approval of Preliminary Plat/Replat but before submittal of a Final Plat/Replat application

- Construction Plans for public improvements, including but not limited to, water, wastewater, drainage, road and park improvements (Section 23-98.A.1.a) may be submitted with the preliminary plat/replat application but **must be approved** prior to submittal of any final plat application (Section 23-117.A.14).



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- A letter must be obtained from Angleton Drainage District (ADD) approving any proposed drainage plans prior to submittal of any final plat/replat application.
- Payment of the Capacity Acquisition Fee (CAF) determination fee of \$4,000 for the City Engineer's determination of the CAF prior to submittal of any final plat/replat application.
- Execution of a Development Agreement

Step 11. Submittal of Final Plat/Replat application and payment of application filing fee: see attached Subdivision Submittal Calendar for submittal dates. Applications **will not** be accepted outside of those calendar dates. All final plat/replat applications shall include, but are not limited to, the submittal information found in Section 23-118.A and shall contain the information found in Section 23-118.B

Step 12. Completeness determination (Sections 23-79 and 23-94): Final plat/replat applications will not be considered accepted and processed until applications are determined to be complete (application is fully completed and signed), application filing fee is paid, and all required submittal materials accompany the application.

- Application completeness will be determined within five (5) business days.
- If the application is determined to be complete, the applicant will be notified, and the application will be distributed for review and comment; or
- If the application is determined to be incomplete, the applicant will be notified and will have forty-five (45) days from the date of application submittal to provide the missing submittal information (Local Government Code (LGC) Section 245.002(e)(1). If the missing information is not provided within the forty-five (45) day period the application will be deemed expired and a new application, fee payment and submittal materials will be required.

Step 13. Application is distributed for review and comment:

- An application determined to be complete will be distributed for review and comment to all City departments having an interest in development within the City of Angleton.
- Comments will be provided to the applicant to make corrections or provide additional information as identified by staff pursuant to the Subdivision Submittal Calendar.
- If all comments are not cleared prior to the issuance of the P&Z packet, the final plat/replat will be recommended for approval with conditions (for minor comments) or denial if major issues remain outstanding.

Step 14. Planning and Zoning Commission Meeting:

- Depending on the circumstances a final plat/replat may require notice of a public hearing to be published in the newspaper and notice of a public hearing be made to property owners within 200 ft. of the area being platted or replatted.
- After the public hearing is held and the public has had an opportunity to speak to the proposed final plat/replat, the Planning and Zoning Commission will discuss the final plat/replat and make a recommendation to City Council to approve the final plat/replat, approve the final plat/replat with conditions, continue the agenda item to another meeting (date certain), or deny the final plat/replat (with reasons for the recommendation of denial).
- If a public hearing is not required, then the Planning and Zoning Commission will discuss the proposed final plat/replat and make a recommendation to City Council to approve the final

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plat/replat, approve the final plat/replat with conditions, continue the agenda item to another meeting (date certain), or deny the final plat/replat (with reasons for the recommendation of denial). As no public hearing was required the public can speak only at the discretion of the Chairman or Commissioner chairing the Planning and Zoning Commission meeting.

Step 15. City Council Meeting

- If a public hearing was held at the Planning and Zoning Commission meeting a public hearing will also be held at the City Council meeting. After the public hearing is held and the public has had an opportunity to speak to the proposed final plat/replat, the City Council will discuss the final plat/replat and decide to approve the final plat/replat, approve the final plat/replat with conditions, continue the item to another meeting (date certain) or deny the final plat/replat (with reasons for the denial).
- Final plats/replats that do not require a public hearing will normally be placed on the City Council Agenda under Consent items.
- If a final plat/replat not requiring a public hearing is pulled from the Consent items for discussion, or is placed on the Regular agenda for discussion, the City Council will discuss the proposed final plat/replat and decide to approve the final plat/replat, approve the final plat/replat with conditions, continue the agenda item to another meeting (date certain), or deny the final plat/replat (with reasons for the denial). As no public hearing was required the public can speak only at the discretion of the Mayor or Councilmember that is chairing the Council meeting.
- **LGC Section 212.005 APPROVAL BY MUNICIPALITY REQUIRED.** The municipal authority responsible for approving plats must approve a plat or replat that is required to be prepared under this subchapter and that satisfies all applicable regulations.

Step 16. Installation and Acceptance of Public Improvements

- Site grading and installation of required public improvements can begin only after:
 1. The construction plans for the required public improvements have been reviewed and approved by City staff (City Engineer); and
 2. The required Heritage Tree Survey and Tree Protection Plan has been reviewed and approved by the Planning and Zoning Commission and City Council.
 3. Issuance of a Development Permit. The Development Permit application submission requires (Section 23-93):
 - a. Completed application form; and
 - b. Payment of the Development Permit fee, calculated as; \$.008 X the value of the contract (to include all site work, materials, profit, and overhead) + \$75; and
 - c. As applicable there may be respective \$250 deposits for City Engineer plan review and other outside consultant review; and
 - d. A legal description of the property on which the work will be performed or a copy of the plat; and copy of approved construction plans; and
 - e. Authorization of Property Ownership form (if applicable); and
 - f. Copy of approved grading plan (if not part of construction plans); and
 - g. Copy of approved drainage plan (approved by both the City of Angleton and Angleton Drainage District); and
 - h. SWPP approval and submission of TCEQ NOI; and

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- i. Evidence that the proposed improvements will adhere to all applicable best management practices for erosion control; and
 - j. Description of the extent that improvements will be provided to ensure that discharge will not threaten to cause pollution, contamination, or degradation of any state waters or regulated wetlands; and
 - k. Proof of general liability insurance. Minimum limit of liability shall be \$300,000, combined, single limit. Such policy certificate shall provide that the insurance cannot be canceled, or the limit of coverage reduced without 30 days prior written notice to the City Engineer; and
 - l. One copy of all plans, reports, and studies associated with the construction of the public improvements.
 - m. After meeting the Development Permit submission requirements, a development permit may be issued when all of the following conditions are satisfied (Section 23-93):
 - 1) The applicant has notified the City Engineer and Building Official at least five (5) days before beginning any land disturbing activity and submitted a NOI from TCEQ; and
 - 2) The applicant has installed and started to maintain all required erosion controls measures; and
 - 3) The applicant has started to maintain all road drainage systems, stormwater drainage systems and other facilities; and
 - 4) The applicant has demonstrated how sediment resulting from land disturbing activities will be managed to avoid entry into adjacent surfaces and/or drainage courses; and
 - 5) The applicant will allow the City Engineer or their designees to enter the site to verify compliance or to require additional work to bring the site into compliance with approved permit; and
 - 6) The applicant agrees to submit revised plans and obtain a new permit if the nature of the project changes from that proposed under the approved permit.
 - 7) The City of Angleton has issued a Notice to Proceed.
- After commencement of construction the applicant is responsible for:
 1. Posting of the Development Permit on-site; and
 2. Posting of the SWPP on site; and
 3. Posting of the TCEQ NOI on-site; and
 4. Submission of inspection and Geotech reports.
 - Public improvements acceptance is an administrative act following completion of all items in Sections 23-98.I and 23-98.K.

Step 17. Recording of Final Plat/Replat

The City will obtain all required City of Angleton signatures and record the final plat with Brazoria County after completion of the following items:

- The public improvements have been accepted; and
- A mylar of the approved final plat/replat has been submitted with all required original owner signatures and preparer stamps, including Angleton Drainage District signature; and



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- Payment of recording fees.
- Payment of all City of Angleton fees, including but not limited to CAF and park fee-in-lieu of dedication; and
- Execution of a development agreement.

Step 18. Issuance of Building Permits

With the exception of the issuance of Conditional Building Permits for model homes (Section 23-38.C) no building permits for construction will be issued until a final plat is recorded, all City of Angleton fees have been paid, and a development agreement has been executed.