

ORDINANCE NO. 2023-O0132

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE AND ZONING MAP (ORDINANCE NO. 2023-O0054) LIMITED TO AS FOLLOWS: SECTIONS 39.02.006.a.3 & 39.02.006.b.3, RELATED TO LOT DENSITY AND DIMENSIONS, 39.03.021.a.2, RELATED TO SIGNS EXEMPT FROM REGULATIONS, 39.02.014, RELATED TO THE REDUCTION OVERLAY (RO) DISTRICT, ARTICLE 39.04, RELATED TO SUBDIVISION STANDARDS, ARTICLE 39.07, RELATED TO DEVELOPMENT REVIEW PROCEDURES, 39.07.007(a), RELATED TO PUBLIC NOTICE, 39.02.016, RELATED TO THE LAND USE MATRIX, TABLE 39.02.016-1, RELATED TO PERMITTED USES BY DISTRICT, TABLE 39.02.006.e-1 RELATED TO IP PERMITTED USES, TABLE 39.02.006.f-1, RELATED TO LI PERMITTED USES, TABLE 39.02.006.g-1 RELATED TO GI PERMITTED USES, 39.02.020.b(4)(F)(A)(iii) AND 39.02.020.b(4)(F)(B)(ii), RELATED TO RESIDENTIAL CARPORT OR PORTE-COCHERE LOCATIONS, 39.04.005-1 RELATED TO MINIMUM CONNECTION SPACING BY STREET CLASSIFICATION, 39.02.005.d.3 & 39.02.018.c.7 AND TABLES 39.02.003-1 & 39.02.016-1 RELATED TO BASE MIXED USE DISTRICTS AND ZONING MAP, AND OTHER INFORMATION THE MUNICIPALITY REQUIRES TO BE SUBMITTED WITH A PLAT APPLICATION, PURSUANT TO STATE LAW; PROVIDING FOR THE PRINTING OF, AND DISPLAY FOR PUBLIC INSPECTION, AN AMENDED ZONING MAP; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION.

WHEREAS, all conditions precedent required by law for a valid amendment to the City of Lubbock Code of Ordinances, including zoning ordinances and a zoning map, have been fully complied with, including giving notice of a joint public hearing as required by the Texas Local Government Code Sec. 211.007(d), and in accordance with the type of notice passed by the City Council of the City of Lubbock (City Council) by at least a two-thirds vote on July 25, 2023 by Resolution No. 2023-R0372; and

WHEREAS, a joint public hearing of the Planning and Zoning Commission (PZC) and the City of Council was held on August 30, 2023 at 2:00 p.m. to consider amendments to the Unified Development Code (UDC) and Zoning Map, Ordinance No. 2023-O0054; and

WHEREAS, the PZC met on September 7, 2023 to consider the proposed amendments to the UDC and Zoning Map and herein present the final report of the PZC for the City Council consideration; and

WHEREAS, after due consideration, the City Council finds that it would be expedient and in the interest of the public health, safety and general welfare to make the following proposed ordinance amendments to the UDC and Zoning Map, Ordinance No. 2023-O0054; and

WHEREAS, notice of the joint public hearing was duly published in the Lubbock Avalanche-Journal more than fifteen (15) days prior to the date of the joint public hearing before the City Council and the Planning and Zoning Commission on such proposed amendments and in accordance with the hearing notice schedule as adopted by Resolution No. 2023-R0372, and the joint public hearing according to said notice, was held in the City Council Chamber of Citizens Tower in Lubbock, Texas, at which time persons appeared and had the opportunity to participate in the joint public hearing; and after said hearing, it was by the City Council determined that it would be in the public interest that the City of Lubbock Code of Ordinances, including the zoning ordinance and the zoning map, be amended in the manner hereinafter set forth in the body of this Ordinance and this Ordinance having been introduced prior to first reading hereof; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUBBOCK:

SECTION 1. THAT an ordinance amending the Unified Development Code and zoning map (Ordinance No. 2023-O0054) limited to as follows: Sections 39.02.006.a.3 & 39.02.006.b.3, related to Lot Density and Dimensions, 39.03.021.a.2, related to Signs Exempt from Regulations, 39.02.014, related to the Reduction Overlay (RO) District, Article 39.04, related to Subdivision Standards, Article 39.07, related to Development Review Procedures,

39.07.007(a), related to Public Notice, 39.02.016, related to the Land Use Matrix, Table 39.02.016-1, related to Permitted Uses by District, Table 39.02.006.e-1 related to IP Permitted Uses, Table 39.02.006.f-1, related to LI Permitted Uses, Table 39.02.006.g-1 related to GI Permitted Uses, 39.02.020.b(4)(F)(A)(iii) and 39.02.020.b(4)(F)(B)(ii), related to Residential Carport or Porte-Cochere Locations, 39.04.005-1 related to Minimum Connection Spacing by Street Classification, 39.02.005.d.3 & 39.02.018.c.7 and tables 39.02.003-1 & 39.02.016-1 related to Base Mixed Use Districts and Zoning Map, and other information the municipality requires to be submitted with a plat application, pursuant to state law.

SECTION 2. THAT the UDC amendments set forth in “Exhibit A” and the amended zoning map as set forth as “Exhibit B”, attached hereto and incorporated herein, are hereby adopted by the City Council of the City of Lubbock.

SECTION 3. THAT the UDC and zoning map as amended herein shall have an effective date of October 30, 2023.

SECTION 4. THAT the City Manager is hereby directed to provide two (2) identical maps of the amended zoning map adopted herein and place one in the office of the City Engineer and one in the office of the City Secretary at a place immediately accessible to any person desiring information reflected thereby, in accordance with City of Lubbock Code of Ordinances Sec. 2.01.001.

SECTION 5. THAT this Ordinance shall be cumulative of all other ordinances dealing with the same subject, and any provision of any ordinance in direct conflict with any provision of this Ordinance is hereby repealed, and the provisions of this Ordinance shall supersede any provisions in conflict herewith. All provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

SECTION 6. THAT a violation of any provision of this Ordinance shall be deemed a misdemeanor punishable in accordance with state law and Section 1.01.004 of the Code of Ordinances of the City of Lubbock.

SECTION 7. THAT should any paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 8. THAT the City Secretary is hereby authorized to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

AND IT IS SO ORDERED.

Passed by the City Council on first reading on September 26, 2023.

Passed by the City Council on second reading on October 10, 2023.

/s/ Tray Payne
TRAY PAYNE, MAYOR

ATTEST:

/s/ Courtney Paz
Courtney Paz, City Secretary

APPROVED AS TO CONTENT:

/s/ Kristen Sager
Kristen Sager, Director of Planning

APPROVED AS TO FORM:

/s/ Kelli Leisure
Kelli Leisure, Senior Assistant City Attorney

A. Consider and take action on the City of Lubbock Planning and Zoning Commission’s final report of September 7, 2023 to the Lubbock City Council on proposed amendments to the Unified Development Code (Ordinance No. 2023-00054) recommended for adoption, limited to the following:

1. Sections 39.02.006.a.3 & 39.02.006.b.3 (related to Lot Density and Dimensions);

- a. Lot Density and Dimensions. All developments in the NC district shall be in accordance with Table 39.02.006.a-2, *NC Lot Intensity and Dimensions*. Maximum building heights and minimum setbacks are for principal structures. For multi-lot developments with common parking areas or party-wall styled construction, ~~lot sizes and side setbacks may be reduced subject to the Director of Planning's approval~~ minimum lot width shall be 20 feet and minimum lot area shall be 1,000 square feet.
- b. Make this same change to Section 39.02.006.b.3

2. Section 39.03.021.a.2 (related to Signs Exempt from Regulations);

- a. Signs erected by the City, state (including its political subdivisions), a school district, or the United States government, or otherwise required by federal, state, or local laws. ~~This exemption does not apply to school districts.~~

3. Section 39.02.014 (related to the Reduction Overlay (RO) District);

- a. ~~See attached redline (pages 7 to 9)~~
- b. Reinsert Section 39.02.014.c to read, “The Reduction Overlay District may prohibit billboards, even if allowed in the base zoning district.” And renumber the balance of the section

4. Article 39.04 (related to Subdivision Standards);

- a. ~~See attached redline and new Plat Checklists (pages 10 to 33)~~

5. Article 39.07 (related to Development Review Procedures);

- a. Amend Table 39.07.012-1 to provide for appeals on plat items to PZC.
- b. Amend Section 39.07.040.c.1 to read, “Completed Plat Application, signed by current property owner.” Make similar changes to the Checklists.

- c. Amend Section 39.07.040.c.5 to read, “Application fee as established by the City Council.” Amend Section 39.07.041.4 to read, “Application fee as established by the City Council.” Make similar changes to the Checklists.
 - d. Amend Section 39.07.040.4 to read, “Water and schematic layouts sufficient to demonstrate how the proposed lots will be served by public water and sewer.” Make similar changes to the Checklists.
 - e. Amend Section 39.07.040 Document Requirements 2 to read, “Drawn to standard engineering scales ranging from 1”=10’ to 1”=100’. 1”=200’ scale is allowed for plats larger than 100 acres only when all information illustrated on the plat is clearly legible on the printed full-size plat” Amend Section 39.07.041.5 Document Requirements 6 to read, “Drawn to standard engineering scales ranging from 1”=10’ to 1”=100’. 1”=200’ scale is allowed for plats larger than 100 acres only when all information illustrated on the plat is clearly legible on the printed full-size plat” Make similar changes to the Checklists.
 - f. Amend Section 39.07.040 Document Requirements 8 to read, “The Preliminary Plat must be tied by survey to a section corner of the section in which the plat is located, or when the proposed subdivision ...” Amend Section 39.07.041.c.8 to read, “Control for a Final Plat shall be established by one of the following methods. (1) The Final Plat may be tied by survey to a section corner of the section in which the plat is located; or (2) When the approved subdivision abuts ...” Make similar changes to the Checklists.
 - g. Amend Section 39.07.040 Document Requirements 12 to read, “...If the abutting land has a current approved Preliminary Plat, it shall be shown on the proposed Preliminary Plat to the extent such information is available on City GIS;” Make similar changes to the Checklists.
 - h. A requirement for an approval signature block should be added to the preplat requirements to align with this final plat requirement. Make the same adjustment to the preplat checklist.
 - i. Amend Section 39.07.041 Document Requirements 25 to read, “The following surveyor's certificate shall be placed on every Final Plat. Final Plats presented for recording shall be signed and sealed by the surveyor.”
6. Section 39.07.007(a) (related to Public Notice);
- a. TLGC Reference. Public notice of any development review request shall be in accordance with Texas Local Government Code Chapters 211 and 212, with the exception that when written notice of a public hearing is required to be sent to each owner within 200 feet of the property on which the change is proposed, written

notice must instead be sent to each owner within 400 feet of the property on which the change is proposed.

7.1 Section 39.02.016 (related to the Land Use Matrix);

a. Regarding the Use Category “Transportation, Utility, and Communication”, the use “Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)”. Amend from a ~~Permitted Use (P)~~ to a **Specific Use (S)** in all three districts (IP, LI, and GI)

7.2 Table 39.02.016-1 (related to Permitted Uses by District);

a. The use “Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)”. Amend from a ~~Permitted Use (P)~~ to a **Specific Use (S)** in all three districts.

7.3 Table 39.02.006.e-1 (related to IP Permitted Uses);

a. Amend the use the use “Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)” from a ~~Permitted Use (P)~~ to a **Specific Use (S)**

7.4 Table 39.02.006.f-1 (related to LI Permitted Uses);

a. Amend the use the use “Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)” from a ~~Permitted Use (P)~~ to a **Specific Use (S)**

7.5 Table 39.02.006.g-1 (related to GI Permitted Uses);

a. Amend the use the use “Power Generation, Transmission, and Distribution (includes large solar collectors and windmills)” from a ~~Permitted Use (P)~~ to a **Specific Use (S)**

8. Sections 39.02.020.b(4)(F)(A)(iii) and 39.02.020.b(4)(F)(B)(ii) (related to Residential Carport or Porte Cochere Locations);

a. (iii) Length and Width. Carports and porte-cocheres shall have dimensions no greater than ~~20-24~~ feet in length by 20 feet in width;

b. (ii) Length and Width. Carports and porte-cocheres shall have dimensions no greater than ~~20-24~~ feet in length by 20 feet in width;

9. Section 39.04.005-1 (related to Minimum Connection Spacing by Street Classification);

a. Amend the table to read, “**Measured between nearest edges of driveway throats.**” Or, provide a graphic similar to what is included in the TxDOT Access Management Manual. This removes any ambiguity.

10. Sections 39.02.005.d.3 and 39.02.018.c.7 and Tables 39.02.003-1 and 39.02.016-1 (related to Base Mixed Use Districts and Zoning Map)

a. [See attached proposals \(pages 34 to 38\)](#)

Section 39.02.014 Reduction Overlay (RO)

- a. **Purpose.** ~~In addition to the purpose of a district established in Section 39.02.003, Zoning District Establishment,~~ The purposes of the Reduction Overlay District (ROD) district are: is to allow development that deviates from the standards of the underlying base zoning district, by reducing or restricting these standards and removing permitted or accessory uses. It also provides regulatory flexibility in the following manner:
1. *Regulatory Flexibility.* It is intended to permit regulatory flexibility to:
 - A. Achieve development that is in accordance with the City's Comprehensive Plan;
 - B. Achieve economy and efficiency in the use of land, natural resources, energy, and in the provision of public services and utilities; and/or
 - C. Provide appropriate development to satisfy the needs of residents of the City of Lubbock.
 2. *Land Use Compatibility.* It is further intended that development permitted pursuant to this Section allow uses, buildings, and site improvements to relate to each other and to adjoining existing uses and to the public realm in such a way that they will be compatible.
 3. *Redevelopment.* It is further intended that these regulations bring about reuse and/or redevelopment of sites where an orderly change of use is determined to be desirable, especially where reuse is restricted because of existing nonconformities, physical development, or the constraints of conventional zoning standards.
 4. *Purpose Not Intended.* The Reduction Overlay shall not be used for the sole purpose of securing an agreement between an applicant and the City to receive zoning approval.
- b. **Applicability.**
1. *Generally.* Consideration of a proposed development pursuant to this Section may occur only if the proposed development site is at least two acres in total area where located within the area enclosed by Loop 289 and at least seven acres elsewhere.
 2. *Land Area Reduction.* However, in the interest of making use of the Reduction Overlay as a tool to implement the Comprehensive Plan, the City Council, on recommendation-receiving a final report from the Planning and Zoning Commission, may permit a 50 percent reduction ~~of~~ these minimum area requirements if it finds that:
 - A. The project has unique characteristics and benefits; or
 - B. The parcel in question has unique characteristics that significantly impact development, such as, unusual shape or proportions, unusual topography, or potentially incompatible land uses on surrounding property.
 3. *Zoning Designation.* The Reduction Overlay is applied to property in conjunction with a base zoning district.
 4. ~~Permitted Uses. Except as reduced below, a Reduction Overlay may contain any uses or combination of uses that are listed as Permitted Uses, Limited Uses, or Specific Uses in the base zoning district.~~
- ~~5.4.~~ Development Standards.
- A. *Generally.* The following ~~design standards-reductions are shall be used as a guide-examples that may be requested as part of for~~ a Reduction Overlay District, ~~to ensure that~~ the physical and operational characteristics of proposed buildings and uses are compatible, when considered in the context of the surrounding area.
 - B. *Modification-Reduction of Standards.*
 - i. Applicants must clearly state their requested reductions in writing, when submitting their application for the Reduction Overlay District.
 - ii. ~~Modifications-Reduction of to these the~~ standards in a base zoning district may be approved by the City Council, on receiving a final report-recommendation from the Planning and Zoning Commission, and on making the determination that ~~other the reduction of the~~ standards would be more appropriate because of the particular design and orientation of buildings and uses, provided that any such modified standards shall be consistent with the purpose of the Reduction Overlay as stated in Subsection a., *Purpose*, above.
~~Design and zoning standards modifications approved in conjunction with the approval of a Reduction Overlay shall not require approval of the Zoning Board of Adjustment.~~
 - C. *Height.* ~~At the election of the applicant at the time of the creation or amendment of the Reduction Overlay,~~ Buildings and structures may be restricted to a lesser height ~~approved to be less tall~~ than the

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maximum height allowed in the base zoning district set forth in Division 2.2, *Zoning Districts and Standards*.

E.D. *Car Ports*. ~~At the election of the applicant at the time of the creation or amendment of the Reduction Overlay, buildings and structures~~The Reduction Overlay District may prohibit carports, even if allowed in the base zoning district.

~~F.E. Accessory Dwelling Units. At the election of the applicant at the time of the creation or amendment of the Reduction Overlay, ~~b~~The Reduction Overlay District buildings and structures may prohibit Accessory Dwelling Units, even if allowed in the base zoning district.~~

~~c. Billboards. At the election of the applicant at the time of the creation or amendment of the Reduction Overlay, such overlay may prohibit billboards, even if allowed in the base zoning district.~~ **Related Provisions.**

1. Article 39.02, Zoning Districts and Land Uses;

2. Article 39.03, Building and Site Design:

A. Division 3.2, Building Types and Design;

B. Division 3.3, Parking, Loading, Stacking, and Access;

C. Division 3.4, Trees, Landscaping, and Buffering;

D. Division 3.5, Signs; and

E. Division 3.6, Outdoor Lighting.

3. Article 39.04, Subdivision Standards; and

4. Article 39.05, Environmental Management.

d. Procedures. See Section 39.07.030, *Zone Change*.

~~G-~~

~~Effective: 10/01/2023~~

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Table 39.04.022-1
Maintenance Bond Amounts

Cost of Improvement Construction	Bond Value as a Percent of Construction Cost or Fixed Bond
\$0 - \$25,000	100%
\$25,000.01 - \$50,000	75%
\$50,000.01 - \$75,000	50%
\$75,000.01 - \$100,000	25%
\$100,000.01 - \$1,000,000	20%
\$1,000,000.01 - \$5,000,000	10% (minimum \$200,000)
\$5,000,000.01 or more	\$500,000

Section 39.04.023 Required Notices on Final Plats and Certificates

Final Plats and certificates shall contain all of the notice information required in Sec. 39.07.041 of the UDC.

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~~a. The following surveyor's certificate shall be placed on every final plat and signed by the surveyor prior to submission to the Director of Planning:~~

~~KNOW ALL MEN BY THESE PRESENTS: —~~

~~That I, _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments and/or other control shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Lubbock, Texas.~~

~~b. The following certificate of approval by the Planning and Zoning Commission shall be placed on every Final Plat and signed prior to recording of the plat documents at the courthouse:~~

~~Approved this _____ day of _____, 20____, by the Planning and Zoning Commission of the City of Lubbock, Texas. —~~

~~_____ Chairman —
_____ Director of Planning~~

~~c. The following notices shall be stated on the face of every plat:~~

- ~~1. "Heavy lines indicate plat limits."~~
- ~~2. "All streets, alleys, and easements within plat limits are herein dedicated unless noted otherwise."~~
- ~~3. "No building permit shall be issued on any survey certificate that is not in accordance with an approved final plat unless exception is provided by the Planning and Zoning Commission policy or by the Lubbock Code of Ordinances."~~
- ~~4. "All utility service shall be in accordance with the Underground Utilities Policy Statement by the Planning and Zoning Commission of the City of Lubbock, Texas and the provisions of Section 37.01.037 of the Lubbock Code of Ordinances."~~
- ~~5. "All existing or proposed utility services to and on tracts indicated by this plat shall be contained in the public right of way and public or private utility easements. Utility service installation requested at a future date and not within an easement indicated by this plat, shall be within a proper utility easement granted by the owner of said property by separate recorded instrument prior to the provision of such service. Such easements shall be at the expense of the entity requesting such installation."~~
- ~~6. "All easements herein granted shall entitle the city or the utility company using such easements to the right to remove, repair or replace any lines, pipes, conduits, or poles within such easements as may be determined by the city or utility company without the city or utility company being responsible or liable for the~~



replacement of improvements necessitated by such repair, removal, or replacement. Easements designated or intended for vehicular passage (utility and emergency) or pedestrian access shall not be fenced or otherwise obstructed."

7. "Minimum floor elevations shall conform to the requirements of the Lubbock Drainage Criteria Manual, as adopted by Ord. 10022, as amended, and Section 28.09.131, Section 28.14.004, and Section 30.03.073 of the Lubbock Code of Ordinances."

d. The following notices shall be stated on the face of the plat when they apply to that particular plat:

1. Any notices required in Unified Development Code Section 39.04.024, *Required Notice for Final Plats Containing Lake or Flood Risk Areas*, for lake or flood hazard areas.

2. "Any easements or rights of way shown as 'to be dedicated by separate instrument' are shown on the plat for information purposes only. This plat does not dedicate said easements."

— "Blanket solid waste collection easement as required for service [within the plat limits or insert specific lot or tract designation] is herein granted."

3. "Blanket [insert 'underground' if applicable] utility easement as required for service [within the plat limits or insert specific lot or tract designation] is herein granted to [insert name of public, private or franchise utility or certificated service provider of telecommunications]."

3. "Public pedestrian access easement is herein granted for persons traversing along the public parkway and needing to enter onto private property for the purpose of crossing a driveway. The easement is limited to those portions of the as-constructed driveways and walks which may extend outside public right-of-way onto private property and are constructed for the continuance of the accessible routes across the back of the driveway. This easement applies to existing and any future drive entrances as constructed."

3. Plats in the City's extraterritorial jurisdiction shall include a certificate of approval by the County Commissioner's Court that shall be placed on every Final Plat and signed prior to recording of the plat documents at the courthouse.

APPROVED this _____ day of _____, 20___, by The Commissioners Court of the COUNTY OF LUBBOCK, TEXAS —

APPROVED

COUNTY JUDGE —
ATTEST

COUNTY CLERK

Section 39.04.024 Required Notice for Final Plats Containing Lake or Flood Risk Areas

a. When any portion of a proposed plat contains a lake or other flood risk area identified on the Federal Emergency Management Agency flood hazard maps, the following notice shall be printed on the face of the final plat:

"Either all or a portion of this surveyed property lies within a 'Special Flood Hazard **Boundary Area**.' These boundaries are established by the Federal Emergency Management Agency, not this surveyor. Flood hazard maps are on file at City Hall, Lubbock, Texas and are open for public inspection."

b. If any portion of a lake area is included in a proposed final plat, such areas shall be designated as a stormwater drainage and impoundment easement.

Section 39.04.025 Required Notice for Plats Approved by Director of Planning



- b. **Forms and Fees.** Every development application required by this UDC shall be submitted in a format and in numbers established in the City's Development Guidebook and shall include the corresponding application fee that is established by the City Council.
- c. **Authorization to Initiate an Application.** Table 39.07.003-2, *Application Authorization*, denotes those who are authorized to initiate each of the application types.

Table 39.07.003-2 Application Authorization			
◆ Entity may initiate an application			
Application Type	City Council or Planning and Zoning Commission, or Director of Planning, or designee	Property Owner (Including His or Her Agent)	Party Aggrieved by an Administrative Decision ¹
Administrative Applications		◆	
Legislative Applications	◆	◆	
Appeals of Administrative Decisions			◆
All Other Quasi-Judicial Applications		◆	
Subdivision Applications	◆	◆	

- d. **Refunds.** Fees for a denied, expired, voided, or revoked application are not refundable.
- e. **Deadlines.** The Director of Planning may establish application submittal deadlines.
- f. **Continuing Review Process.** Application submittals shall subsequently undergo a completeness application review established in Section 39.07.004, *Application Completeness Review*, before being deemed as submitted to the City.

Section 39.07.004 Application Completeness Review

- a. **All Applications.** Table 39.07.003-1, *Review Steps*, denotes that all development applications are required to undergo completeness review.
- b. **Director of Planning Responsibility.** The Director of Planning shall review all development application submittals for completeness.
- c. **Meaning of Complete Submittal.** The Director of Planning shall deem complete an application that contains:
 1. *All Information.* All of the application information required in the application form;
 2. *Certifications.* Documents or drawings that are prepared and certified by qualified professionals (where such certifications are required); and
 3. *Fee.* The application fee.
- d. **Notification to Applicant.** If and when the application is deemed complete, the Director of Planning shall notify the applicant in writing.
- e. **Timeline for Review.** The completeness review required in Subsection b., *Director of Planning Responsibility*, above, shall be accomplished no later than five business days after an applicant submits a potential application.
- f. **Plat Filing.** A Final Plat, Preliminary Plat, or Replat is considered "filed" when the Director of Planning deems it complete in accordance with Subsection c., *Meaning of Complete Submittal*, above, when the Director of Planning completes the review process and finds that there are no more corrections to be made, ~~and when the Director of Planning places the plat on an official Planning and Zoning Commission agenda for final decision.~~
 1. *Timing.* Plats shall be ~~considered-reviewed~~ within 30 days after the date the plat is "filed".



2. *Final Decision.* Plats shall be approved, conditionally approved, or disapproved within the timeframe established in Chapter 212 of the Texas Local Government Code, unless the applicant requests ~~a one-time~~ an extension not to exceed 30 days ~~extension~~ in accordance with Texas Local Government Code § 212.009(b-2), and the ~~Planning and Zoning Commission~~ Director of Planning approves the request in writing.

~~3. *Postponement.* Once the Director of Planning places a plat on the Planning and Zoning Commission agenda, postponement may not be granted other than by means in f.2., above. If no extension is granted, the application shall be deemed denied. Otherwise, if approved, the application shall be placed on the next Planning and Zoning Commission agenda.~~

~~4-3.~~ *Extension.* If the applicant requests extension of a hearing or decision relating to plat approval, and an extension as authorized above is not approved, the applicant shall abide by the decision rendered without the granting of an extension or withdraw and resubmit the application.

g. **Incomplete Applications.**

1. *Director of Planning Duties.* If the Director of Planning determines that a submittal is not complete, the Director of Planning shall:

- A. Notify the applicant in writing with a list of all missing or incomplete items; and
- B. Provide a maximum of 45 calendar days from receipt for the applicant to resubmit the missing or incomplete items.

2. *Rejection.* If the missing or incomplete items are not submitted within the 45-day period, then the Director of Planning shall deem the application rejected, shall not accept the application for filing, and shall make the submittal available to the applicant for retrieval. After the Director of Planning rejects an application, a new application and fee shall be required if the applicant wishes to apply again.

3. *Not Considered Submitted.* Incomplete or rejected applications are not considered "submitted" or "filed" for the purposes of Texas Local Government Code Chapter 212, Chapter 245, or for any other purpose. Complete applications are considered submitted on the date that the Director of Planning deems them complete.

4. *Submittal of Corrections.* Corrected and submitted applications are not considered complete and submitted until ~~the next available processing cycle deadline. For example, if a submittal deadline is on Monday, October 12, and a corrected application is submitted on October 13, then the application is deemed submitted and received for completion on the following submittal deadline of October 19~~ all of the missing or incomplete items have been provided to the City and/or corrected and provided to the City as set forth in the notice from the Director of Planning, or designee by or before the deadline stated in the notice.

h. **Continuing Review Process.** Complete applications shall subsequently undergo the processes established in Section 39.07.005, *Staff Review and Distribution*.

Section 39.07.005 Staff Review and Distribution

a. **Applications Requiring Staff Review and Distribution.** Table 39.07.003-1, *Review Steps*, denotes that all development applications are required to undergo staff review and distribution.

b. **Final Decision or Distribution.** After completeness determination, the appropriate administrative body shall, according to the review responsibilities of Section 39.07.012, *Development Review Summary Table*:

- 1. *Review and Comment.* Review the Administrative application and provide comments to the applicant, which may include required revisions based on the requirements of this UDC and other adopted requirements and standards;
- 2. *Review and Decide.* Review and make a final decision on the Administrative application; or



- e. **Decisions.** All official decision actions shall require the affirmative vote of the number of members as specified in the City Charter and [City of Lubbock Code of Ordinances](#).
- f. **Continuing Review Process.** Requests receiving approval at a public meeting or hearing may subsequently undergo the processes established in Section 39.07.009, *Post-Approval Provisions*.
- g. **Successive Applications.** The Director of Planning shall not accept any application that was recommended for denial by the Planning and Zoning Commission and denied by the City Council 12 months prior if the Director determines there have been no substantive changes in circumstances related to an application or no substantive changes to the application submittal itself.

Section 39.07.009 Post-Approval Provisions

- a. **Requests Subject to Post-Approval Provisions.** Table 39.07.003-1, *Review Steps*, denotes the development requests that are subject to post-approval provisions.
- ~~b. **Approval with Conditions or Modification of Requests at Public Meeting or Hearing.**~~
 - ~~0. **Modification.** An applicant may agree to modify a request, including, but not limited to, the plans and specifications submitted, in response to questions or comments by persons appearing at a public meeting or hearing or to suggestions or recommendations by the legislative or quasi-judicial body holding the meeting or hearing.~~
 - ~~0. **No Further Action.** Unless such modifications are so substantial that the legislative or quasi-judicial body determines that it cannot reasonably be expected to perceive the nature and impact of the proposed changes without revised application materials, the body may make a recommendation or conditionally approve the request with the requirement that the approval is not effective until the applicant submits materials reflecting the agreed upon changes to the Director of Planning. A legislative or quasi-judicial body shall not accept any subsequent application and shall make no further approvals related to the subject property until the applicant submits the required modifications.~~
 - ~~0. **Referral.** Where deemed appropriate by a decision making body, modifications may be referred back to the recommending body for review, prior to further consideration.~~
- ~~f.b. **Modification of an Approved Application.** Except as provided in Subsection d., *Correction of Errors in Approved but Unrecorded Plats*, below, modifications to approved applications or requests shall be done in accordance with Section 39.07.028, *Minor Modification of an Approved Application*, or, if the change does not meet the criteria for a minor modification, the application shall be resubmitted as a new application.~~
- ~~g.c. **Revocation of Approval.** An administrative, legislative, or quasi-judicial body may revoke any permit or approval it has issued where there has been a violation of the provisions of this UDC or a deliberate misrepresentation of fact on the application or in the public meeting or hearing.~~
- ~~h.d. **Approvals Run with Land.** Permits or approvals authorizing a particular land use or structure shall run with the land and transfer with the subsequent ownership of the land and structures.~~
- ~~i.e. **Recordation of Plat.**~~
 - 1. **Submittals for Recording.** The applicant shall provide the following to the Director of Planning after approval of a Minor or Amending Plat, Conveyance Plat, Final Plat, or Replat, where applicable:
 - A. Tax certificate(s) from the Lubbock Central Appraisal District stating that no taxes are delinquent against the property; and
 - B. Three durable copies of the plat, reproducible true to industry-standard engineering scales on standard ANSI or Architectural sheet sizes sufficient to legibly illustrate the proposed layout and required information. However, the dimension of the plat sheet may not exceed 24 inches by 36 inches.



Table 39.07.012-1
Development Review Summary

PZC=Planning and Zoning Commission | CC= City Council | ZBA=Zoning Board of Adjustment | UDHPC= Urban Design and Historic Preservation Commission | DRC = Development Review Committee | SUP = Specific Use Permit | COA = Certificate of Appropriateness

Development Application (Reference)	Submittal Timing	Expiration	Review Responsibilities			Applicable Standards
			Recommendation	Final Decision	Appeal	
Appeal of Administrative Decision (39.07.039)	Within 30 days after a final decision by the Director of Planning, Building Inspector, or City Engineer on a matter addressed in this UDC		ZBA			--
SUBDIVISION REVIEW APPLICATIONS: Require final decisions related to dividing larger tracts of land into smaller lots. City staff or legislatively appointed administrative bodies make final decision based on regulations in this UDC and on technical requirements of various City departments, local and state agencies, and utilities.						
Preliminary Plat (39.07.040)	Prior to Final Plat submittal	2 years; See Section 39.07.041 for renewal of a multi-phase Preliminary Plat as each phase receives Final Plat approval	1st: DRC 2nd: Director of Planning	Director of Planning PZC	ZBA	Article 39.04
Final Plat (39.07.041)	Following approval of a Preliminary Plat and receipt of final drainage plan per Sec. 39.04.021	2 years; None after recordation	Director of Planning	Director of Planning PZC		
Replat (39.07.042)	Prior to changing the number of lots on a recorded plat			Director of Planning PZC		
Vacating Plat (39.07.043)	Prior to removing the force of a recorded plat covering a property or properties		1st: DRC 2nd: Director of Planning	Administrative body that approved the original Minor, Amending, Replat, or Final Plat		--
Waiver of Improvements (39.07.044)	Concurrent with submittal of a Preliminary Plat, Final Plat, or Replat	When associated plat expires	City Engineer		CC	Sections 39.04.005, 39.04.012, and 39.04.013
Delay of Improvements (39.07.045)						

Division 7.2 Administrative Review Procedures

Section 39.07.013 Site Development Plan

- a. **Generally.** In addition to the required procedures in [Division 7.1, Purpose, Applicability, and Common Review Procedures](#), the following procedures shall apply to Site Development Plans.



- a. **Generally.** In addition to the applicable required procedures in [Division 7.1, Purpose, Applicability, and Common Review Procedures](#), the following shall apply to Appeals of Administrative Decisions.
- b. **Purpose.** The purpose of an Appeal of Administrative Decision is to provide a vehicle for appeal of any final decision of the Director of Planning, Building Official, City Engineer, or Floodplain Administrator on any applications set out in [Division 7.2, Administrative Review Procedures](#).
- c. **Notice of Appeal.** Within 20 days after the date of a final written administrative decision, an appeal may be submitted to the Director of Planning, in writing, by any person aggrieved by the decision or by any official or department of the City affected by the decision. In the notice, the appellant shall set out all grounds for the appeal.
- d. **Transmission of Records.** The staff person whose decision is under appeal shall transmit to the ZBA all of the documents constituting the record of the appealed action.
- e. **Effect of Appeal.** The filing of an Appeal of Administrative Decision stays all proceedings in furtherance of the final decision appealed, unless the administrative official from whom the appeal is taken certifies in writing to the ZBA that, by reason of facts stated, a stay would, in their opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by a restraining order that may be granted by a court of competent jurisdiction.
- f. **Specific Decision Criteria.** In determining whether to affirm or reverse, in whole or in part, or modify the appealed decision, the applicable review bodies shall consider, and the ZBA shall make findings on the following:
 - 1. *Record and Evidence.* The administrative decision was appropriate considering the written record of the case and the evidence presented.
 - 2. *UDC Requirements.* The decision reflects the requirements contained in this UDC.
- g. **Effect of Decision.** In exercising its authority under this Section, the ZBA shall have the final decision-making powers of the administrative official from whom the appeal is taken.

Division 7.5 Subdivision Review Procedures

Section 39.07.040 Preliminary Plat

- a. **Generally.** In addition to the applicable required procedures in [Division 7.1, Purpose, Applicability, and Common Review Procedures](#), the following shall apply to Preliminary Plats.
- b. **Purpose.** The purpose of a Preliminary Plat is to provide sufficient information to evaluate and review the general design of a proposed subdivision to ensure compliance with the Master Development Plan, if applicable, and the requirements of this UDC prior to submittal of a Final Plat. If a Final Plat that includes all of an applicant's contiguous ownership is submitted to the City for approval, the Director of Planning shall have the option to not require a Preliminary Plat for the property.
- c. **Applicant Responsibilities.** Preliminary Plats shall not be ~~placed on the Planning and Zoning Commission agenda for consideration considered filed unless until~~ the plat and other required documents ~~as set forth herein~~ are received by the Director of Planning ~~before the stated filing deadline~~, comply with [Section 39.07.004, Application Completeness Review](#), and meet all of the following requirements:
 - 1. Completed Plat Application, signed by the current property owner as reflected on the Lubbock Central Appraisal District or current deed;
 - 2. Preliminary Plat document (.pdf). Plat sheet sizes shall be drawn at industry-standard engineering scales on standard ANSI or Architectural sheet sizes sufficient to legibly illustrate the proposed layout and required information. A minimum sheet size of 11" x 17" is required, however, the sheet is not to exceed 36" on any side;

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13. ~~The location, name, and width of all streets, alleys, public and private easements, and rights-of-way existing or proposed within the subdivision limits, along with the proposed names of streets;~~
14. ~~A restriction prohibiting the fencing or obstruction of any easement shall be stated on the face of the plat, unless otherwise provided by this code or approved by the affected user of the easement;~~
15. ~~The location of proposed closures of existing streets, alleys, easements, and rights-of-way;~~
16. ~~The known location of all existing property lines within the area proposed for subdivision;~~
17. ~~Proposed arrangement of lots. Property for residential use shall be platted as lots and shall be numbered consecutively from one (1) to the total number of lots in the subdivision. Property platted for commercial use, public use, or private street use shall be platted as tracts and shall be lettered in alphabetical order;~~
18. ~~The title of the proposed subdivision, the name of the owner(s) with sufficient data to show ownership, and the proponent of the Preliminary Plat and current landowner(s) at time of submittal (if different than proponent). The proposed title shall not conflict with any previous subdivision name;~~
19. ~~Playa Lake Areas, if any, shall conform to the requirements of Article 39.05, Division 5.3, Playa Lakes Development and Ownership;~~
20. ~~Sites proposed for stormwater drainage and impoundment easements, parks or other property owned by the City or any other governmental entity shall contain no blanket or specific utility easement until approved by the City Engineer or authorized representative of other governmental entities;~~
21. ~~A statement regarding maintenance of any installed detention/retention basins shall be stated on the face of the plat; and~~
22. ~~All spelling on the plat shall be correct.~~

0. ~~Prepared by a Surveyor. A Preliminary Plat shall be prepared by a Professional Land Surveyor registered in the State of Texas.~~
0. ~~Notice on Plat. The following notice shall be printed on the face of each Preliminary Plat submitted: "Preliminary Plat - for inspection purposes only and in no way official or approved for recording purposes."~~
0. ~~Specifications. Plat sheet sizes shall be drawn at industry standard engineering scales on standard ANSI or Architectural sheet sizes sufficient to legibly illustrate the proposed layout and required information. However, one dimension of the plat sheet may not exceed 36 inches.~~
0. ~~Contents. The subdivider shall provide the following items in a legible manner on a Preliminary Plat.~~
 - ~~All unsubdivided contiguous land under single or common ownership shall be included in the Preliminary Plat. However, if approved by the Director of Planning prior to submittal, the limits of a Preliminary Plat may include a portion of the owner's contiguous land and extend to known identifiable limits such as collector streets, Playa Lakes, or other well defined development barriers.~~
 - ~~Location map, legibly illustrating the general position of the property relative to at least two intersecting City of Lubbock arterial streets or State highways.~~
 - ~~Scale, north arrow, date, exact acreage, proposed subdivision name, and other pertinent site-specific descriptive information.~~
 - ~~Property owner's name, address, and telephone number, including the record owner and warranty deed recording information of the proposed subdivision.~~
 - ~~Accurate one-foot interval contours according to NAD83/NAVD88 datum or subsequent established United States Geodetic Survey data adopted by the City. The face of the Preliminary Plat shall indicate the source, datum, and date of creation for the contour data.~~
 - ~~The Preliminary Plat must be tied by survey to abutting section corners, or when the proposed subdivision abuts or is abutting an existing recorded plat, the Preliminary Plat may be tied by survey to such existing~~

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~~plat. Boundary lines for the proposed subdivision shall be indicated by heavy lines. Boundaries for lots and/or tracts within the plat boundary shall be shown in solid lines. Existing cross streets shall be shown for reference at the property boundary.~~

- ~~— The approximate location of any City limit lines including labels for inside and outside City limits.~~
- ~~— The name and location of all abutting subdivisions shall be drawn to the same scale and shown in dashed lines abutting the tract proposed for subdivision in sufficient detail to show accurately the existing streets and alleys and other features that may influence the layout and development of the proposed subdivision. Abutting unplatted land shall show property lines and owners of record. If the abutting land has a current approved Preliminary Plat, it shall be shown on the Preliminary Plat.~~
- ~~— The following adjoining and abutting property information shall be shown on all property adjoining and abutting the plat boundary:
 - ~~— Subdivision name, Lot #, Block #, and recording information (if the property is platted);~~
 - ~~— Name of ownership with deed and recording information (if the property is not platted); and~~
 - ~~— Any recorded easements known to the surveyor at the time of submittal with recording information.~~~~
- ~~— The location, name, and width of all streets, alleys, public and private easements, and rights-of-way existing or proposed within the subdivision limits, along with the proposed names of streets.~~
- ~~— The location of proposed closures of existing streets, alleys, easements, and rights-of-way.~~
- ~~— The major road system and location of site with respect to the City (southeast, northwest, etc.)~~
- ~~— The known location of all existing property lines within the area proposed for subdivision.~~
- ~~— Proposed arrangement of lots. Property for residential use shall be platted as lots and shall be numbered consecutively from one to the total number of lots in the subdivision. Property platted for commercial use, public use, or private street use shall be platted as tracts and shall be lettered in alphabetical order.~~
- ~~— The title of the proposed subdivision, the name of the owner(s) with sufficient data to show ownership, and the proponent of the preliminary plat and current landowner(s) at time of submittal (if different than proponent). The proposed title shall not conflict with any previous subdivision name.~~
- ~~— Playa Lake Areas, if any, shall conform to the requirements of Division 5.3, *Playa Lakes Development and Ownership*.~~
- ~~— Sites proposed for stormwater drainage and impoundment easements, parks, or other property owned by the City or any other governmental entity shall contain no blanket or specific utility easement until approved by the City Engineer or authorized representative of other governmental entities.~~
- ~~— A preliminary drainage analysis and map that meets the requirements of the Drainage Criteria Manual of the City.~~
- ~~— A statement regarding maintenance of any installed detention/retention basins shall be stated on the face of the plat.~~
- ~~— Subdivision names shall not change once approved by the Planning and Zoning Commission.~~
- ~~— All spelling on the plat shall be correct.~~

ff.d. Specific Decision Criteria.

1. *Review and Decision.* In determining whether to approve or deny a Preliminary Plat, the review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and the following:
 - A. *Standards and Specifications.* The proposed development conforms to the design and improvement standards contained in the City's *Engineering Minimum Design Standards and Specifications*.



B. *Other Review Bodies.* If applicable, approval from any public school district sharing territory with the City of Lubbock, Lubbock County Commissioner's Court, and any legislative-created districts.

2. *Required Approval.* If the ~~Planning and Zoning Commission~~Director of Planning, or designee, finds that a Preliminary Plat complies with all the requirements of this Section and the applicable decision criteria, then ~~it is required to approve the Plat~~the Preliminary Plat shall be approved.

~~gg-e.~~ **Approval Procedures.**

1. *Action by the* ~~Planning and Zoning Commission~~Director of Planning, or designee. ~~The Planning and Zoning Commission~~The Director of Planning, or designee, shall approve, approve with conditions or, or disapprove the application. If the application is conditionally approved or disapproved, the ~~Planning and Zoning Commission~~Director of Planning, or designee, shall provide a written statement to the applicant in accordance with Texas Local Government Code Section 212.0091.
2. *Applicant Response to* Conditional Approval or Disapproval. The applicant may submit a response to the ~~Planning and Zoning Commission~~Director of Planning in accordance with Texas Local Government Code Section 212.0093. ~~If submitted in accordance with the filing calendar, the Director of Planning shall file the response with the Planning and Zoning Commission for consideration within 15 days.~~
3. *Consideration of Response by* ~~Planning and Zoning Commission~~the Director of Planning. ~~The Director of Planning and Zoning Commission~~ shall approve or disapprove a response submitted in accordance with Texas Local Government Code Section 212.0093 within 15 days after the date the response was submitted. If the response is disapproved, the ~~Planning and Zoning Commission~~Director of Planning shall provide a written statement to the applicant in accordance with Texas Local Government Code Section 212.0091.

~~hh-f.~~ **Revisions and Reapplication.** If an owner proposes changes to a Preliminary Plat that do not substantially comply with the application that was approved by the ~~Planning and Zoning Commission~~Director of Planning, or designee, the applicant shall prepare a revised Preliminary Plat. The revised Preliminary Plat must be approved by the ~~Director of Planning, or designee~~Planning and Zoning Commission before the applicant submits a Final Plat.

~~ii-g.~~ **Commission Final Decision.**

1. *Action.* The ~~Director of Planning, or designee~~Planning and Zoning Commission shall make a final decision on the Preliminary Plat ~~at a regularly scheduled meeting held~~ within 30 days of the date the Plat application is filed. This deadline may be extended an additional 30 days if the applicant requests ~~Planning and Zoning Commission~~the Director of Planning, or designee approval, and the Director of Planning, or designee, agrees to a 30 day extension in writing.
2. ~~No Action.~~ If no action is taken by the Planning and Zoning Commission at the end of the 30-day period, without the request of an extension, the Plat shall be deemed to have been approved.
3. ~~After Decision.~~ After the ~~Director of Planning, or designee~~Planning and Zoning Commission makes a final decision ~~on~~approves the Preliminary Plat, the applicant may then submit a Final Plat Application. A Preliminary Plat and a Final Plat shall not be submitted at the same of the same subdivision shall not be placed on the same meeting agenda. ~~The Final Plat shall not be filed before receiving approval of the Preliminary Plat.~~

~~jj.~~ **Appeal.** If the final decision on the Preliminary Plat is appealed, a vote of three-fourths of the City Council members shall be rendered to overturn the Planning and Zoning Commission's decision.

~~kk-h.~~ **No Public Dedication.** Approval of the Preliminary Plat shall not constitute any real property grant or dedication or the acceptance of any public improvements.

Section 39.07.041 Final Plat

1. **Generally.** In addition to the applicable required procedures in *Division 7.1, Purpose, Applicability, and Common Review Procedures*, the following shall apply to Final Plats.



2. **Purpose.** The purpose of a Final Plat is to serve as the official recorded map of the property to be developed, showing the boundaries, lots, public streets, easements, and other significant facilities and features that are necessary to serve the development. The Final Plat shall conform to the approved Preliminary Plat, if any, and may constitute only a portion of the Preliminary Plat provided that such portions conform to all applicable requirements of this UDC.
3. **Improvements.** The Final Plat shall contain dedication for all internal and perimeter streets and alleys and other improvements within the portion proposed for Final Plat as shown on the approved Preliminary Plat.
4. **Land Not to be Excluded.**
 1. *Avoidance.* A Final Plat shall not exclude land that should otherwise be included for the purpose of avoiding requirements of this UDC, including, but not limited to, the requirement to improve existing perimeter streets or to dedicate a street designated on the current City of Lubbock [Master Thoroughfare Plan](#).
 2. *Remainder Tracts.* In no case shall a Final Plat exclude land so as to leave a remainder of such size, shape, or location as not to be developable in substantial compliance with the requirements of this UDC.
5. **Applicant Responsibilities.** The Final Plat shall incorporate all ~~preliminary-Preliminary plat-Plat~~ information and conditions approved by the ~~Planning and Zoning Commission~~ [Director of Planning](#) and shall meet all of the following requirements:
 1. An approved Preliminary Plat (.pdf) of the property, signed by the Director of Planning or their designee;
 2. Prepared by a Surveyor. A Final Plat shall be prepared by a Professional Land Surveyor registered in the State of Texas;
 3. Final Plat document (.pdf). Plat sheet sizes shall be drawn at industry-standard engineering scales on standard ANSI or Architectural sheet sizes sufficient to legibly illustrate the proposed layout and required information. A minimum sheet size of 11" x 17" is required, however, the sheet is not to exceed 36" on any side;
 4. Application fee of \$350 for the first acre with \$55 for each additional acre thereafter, not to exceed \$5,000.00.
 5. Any supplementary materials required for approval;
 6. Dedication(s) by separate instrument (as indicated on the face of the final plat to be recorded), if applicable.
 7. Easement or right-of-way closure ordinance, if applicable; and
 8. Street island ordinance, if applicable.

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1. Must conform to the approved associated Preliminary Plat, and may constitute only a portion of the Preliminary Plat;
2. Shall contain right-of-way dedication for all internal and perimeter streets and alleys within the portion proposed for Final Plat as shown on the approved Preliminary Plat;
3. The Final Plat dimensional control shall be in units of U.S. survey feet to the nearest one-hundredth of a foot. Directional control shall be shown as bearings to the nearest arc second. The description of the methodology used and the source, datum, and date of creation of the relevant points must be included on the face of the plat;
4. Control for a Final Plat shall be established by one of the following methods. (1) The Final Plat may be tied by survey to adjacent section corners and lines; or (2) When the approved subdivision abuts or is adjacent to an existing recorded plat of the City of Lubbock or Lubbock County, the Final Plat may be tied by survey to such existing plat;
5. The Final Plat shall include horizontal coordinates on at least two of the boundary corners relative to the Texas Coordinate System of 1983, North Central Zone datum as described in Texas Natural Resources Code, Title 2, Chapter 21, as amended, or subsequently established United States Geodetic Survey data adopted by the City of Lubbock;
6. Drawn to the following scale per acreage within the plat boundary: 1"=50' for <1 acre; 1"=100' for >1 acre;



7. The incorporation of all Preliminary Plat information and conditions approved by administrative review;
8. The plat boundary and the exact acreage included in that boundary;
9. Title or name of the plat. If a lot or tract is replatted, all land in the original lot(s) or tract(s) shall be replatted in order to retain the original plat name. A replat cannot "orphan" a part of a previously subdivided lot or tract;
10. The map scale, horizontal datum, north arrow and date;
11. Reference by name to recorded plats of adjacent and abutting properties;
12. Boundary lines of all lots, tracts, and parcels with accurate dimensions, bearings, radii, chord distances, and central angles of all curve segments, for all total curves. Such lines shall be shown in the same manner as required for Preliminary Plats in Section 39.07.038.c.4, Contents;
13. Numbers and letters to identify each lot or tract;
14. Lots shall be numbered consecutively from one (1) to the total number of lots in the subdivision. Tracts shall be lettered in alphabetical order. Such designation will be continuous in the order that Final Plats of portions of an approved Preliminary Plat are recorded with the County Clerk;
15. Replatted lots will be designated alphanumerically (e.g. Lot 1-A), and further subdivision will alternate numbers and letters (e.g. Lot 1-A-1, Lot 1-A-1-A). The same alternating method will be used for tracts (e.g. Tract A-1, Tract A-1-A, Tract A-1-A-1);
16. Private Streets and common open space and other common areas shall be platted as separate tracts and names must be approved by the City of Lubbock. Changes to existing private street names require approval of the City of Lubbock Building Official when the changes will affect existing residents;
17. All street and alley rights-of-way and easements shall be clearly shown on the Final Plat and the purpose and restrictions of use of such easement indicated;
18. Accurate location, dimensions, bearings, radii, chord distances, and central angles of all curve segments, for all total curves, shall be provided to readily establish location of rights-of-way and easements. Location of points of intersection and points of tangency of street intersections, other than right angle intersections, shall be indicated.
19. Bearing, distances, and ties to the property boundary (including medians) shall be indicated;
20. A key of abbreviations for easement types, such as utilities, cross-access, tree preservations, etc., shall be included on the Final Plat;
21. Legal references shall be provided for all previous dedications and easements abutting the property shall be indicated;
22. Name of each street and width of streets, alleys, and other rights-of-way shall be indicated;
23. Approved City Street names shall be shown first followed by any highway designation and numbering in parentheses if applicable. For example, "19th Street (US 62)". Directional prefixes such as "East" or "North" are required to be shown, where applicable;
24. All platted lots and tracts shall provide for collection of garbage consistent with Article 22.06 of this code unless alternatives are approved by the City Engineer;
25. The following surveyor's certificate shall be placed on every Final Plat and signed by the surveyor prior to submission to the Director of Planning;

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments and/or other control shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Lubbock, Texas.



26. The following certificate of approval by the Director of Planning or their designee shall be placed on every Final Plat and signed prior to recording of the plat documents at the courthouse:

Approved this _____ day of _____, 20____,
by the Director of Planning, or designee, of the City of Lubbock, Texas.

Director of Planning

The following notices shall be stated on the face of every plat:

1. “Heavy lines indicate plat limits.”;
2. “All streets, alleys, and easements within plat limits are herein dedicated unless noted otherwise”;
3. “No building permit shall be issued on any survey certificate that is not in accordance with an approved Final Plat and infrastructure and final drainage analysis acceptance by the Lubbock Code of Ordinances”;
4. “All utility service shall be in accordance with the Underground Utilities Policy Statement by the Planning and Zoning Commission of the City of Lubbock, Texas and the provisions of Article 37.01 of the Lubbock Code of Ordinances”;
5. “All existing or proposed utility services to and on tracts indicated by this plat shall be contained in the public right-of-way and public or private utility easements. Utility service installation requested at a future date and not within an easement indicated by this plat, shall be within a proper utility easement granted by the owner of said property by separate recorded instrument prior to the provision of such service. Such easements shall be at the expense of the entity requesting such installation”;
6. “All easements herein granted shall entitle the City or the utility company using such easements to the right to remove, repair or replace any lines, pipes, conduits, or poles within such easements as may be determined by the city or utility company without the city or utility company being responsible or liable for the replacement of improvements, paving, or surfacing of the easement necessitated by such repair, removal, or replacement. Easements designated or intended for vehicular passage (utility and emergency) or pedestrian access shall not be fenced or otherwise obstructed”; and
7. “Minimum floor elevations shall conform to the requirements of the Lubbock Drainage Criteria Manual, as adopted by Ord. 10022, as amended, and Section 28.09.131, Section 28.14.004, and Section 30.03.073 of the Lubbock Code of Ordinances.”

The following notices shall be stated on the face of the plat when they apply to that particular plat:

1. Any notices required in Unified Development Code Section 39.04.024, Required Notice for Final Plats Containing Lake or Flood Risk Areas, for lake or flood hazard areas;
2. “Any easements or rights-of-way shown as ‘to be dedicated by separate instrument’ are shown on the plat for information purposes only. This plat does not dedicate said easements”;

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~~3. "Blanket solid waste collection easement as required for service [within the plat limits or insert specific lot or tract designation] is herein granted";~~

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~~4. "Blanket [insert 'underground' if applicable] utility easement as required for service [within the plat limits or insert specific lot or tract designation] is herein granted to [insert name of public, private or franchise utility or certificated service provider of telecommunications]"; and~~

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~~5. "Public pedestrian access easement is herein granted for persons traversing along the public parkway and needing to enter onto private property for the purpose of crossing a driveway. The easement is limited to those portions of the as-constructed driveways and walks which may extend outside public right-of-way onto private property and are constructed for the continuance of the accessible routes across the back of the driveway. This easement applies to existing and any future drive entrances as constructed."~~

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~~0. Prepared by a Surveyor. A Final Plat shall be prepared by a Professional Land Surveyor registered in the State of Texas.~~

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~~0. Boundary and Acreage. The plat boundary and the exact acreage included in that boundary.~~

~~0. Name. Title or name of the plat. If a lot or tract is replatted, all land in the original lot(s) or tract(s) shall be replatted in order to retain the original plat name.~~

~~0. Specifications. Plat sheet sizes shall be drawn at industry standard engineering scales on standard ANSI or Architectural sheet sizes sufficient to legibly illustrate the proposed layout and required information. However, one dimension of the plat sheet may not exceed 36 inches.~~

~~0. Geographic Data. The map scale, horizontal datum, north arrow and date.~~

~~0. Adjacent and Abutting Properties. Referenced by:~~

- ~~— Name of recorded plats of adjacent and abutting properties;~~
- ~~— Property lines and owners of record for unplatted land;~~
- ~~— A specific indication of applicable City Limit boundaries; and~~
- ~~— The following adjoining property information shall be shown on all property abutting the plat boundary:
 - ~~— Subdivision name, Lot #, Block #, and recording information (if the property is platted);~~
 - ~~— Name of ownership with deed and recording information (if the property is not platted); and~~
 - ~~— Any recorded easements known to the surveyor at the time of submittal with recording information.~~~~

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~~0. Final Plat Survey and Control.~~

- ~~— The Final Plat dimensional control shall be in units of U.S. Survey Feet to the nearest one hundredth of a foot. Directional control shall be shown as bearings to the nearest arc second. The description of the methodology used and the source, datum, and date of creation of the relevant points must be included on the face of the plat. Control for a Final Plat shall be established by one of the following methods:
 - ~~— The Final Plat must be tied by survey to adjacent section corners; or~~
 - ~~— When the approved subdivision abuts or is adjacent to an existing recorded plat of the City of Lubbock or Lubbock County, the Final Plat may be tied by survey to such existing plat.~~~~
- ~~— The Final Plat shall include horizontal coordinates on at least two of the boundary corners relative to the Texas Coordinate System of 1983, North Central Zone datum as described in Texas Natural Resources Code, Title 2, Chapter 21, or subsequently established United States Geodetic Survey data adopted by the City of Lubbock.~~

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~~0. Lot Lines. Boundary lines of all lots, tracts, and parcels with accurate dimensions, bearings, radii, chord distances, and central angles of all curve segments, for all total curves. Such lines shall be shown in the same manner as required for Preliminary Plats in Section 39.07.040.c.4, Contents.~~

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~~0. Identification. Numbers and letters to identify each lot or tract.~~

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~~— Lots shall be numbered consecutively from one to the total number of lots in the subdivision. Tracts shall be lettered in alphabetical order. Such designation will be continuous in the order that Final Plats of portions of a Preliminary Plat are recorded with the County Clerk.~~

~~— Replatted lots will be designated alphanumerically (e.g., Lot 1 A), and further subdivision will alternate numbers and letters (e.g., Lot 1 A 1, Lot 1 A 1 A). The same alternating method will be used for tracts (e.g., Tract A 1, Tract A 1 A, Tract A 1 A 1).~~

~~— Private Streets and common open space and other common areas shall be platted as separate tracts and names must be approved by the City of Lubbock. Changes to existing private street names require approval of the City of Lubbock Building Official when the changes will affect existing residents.~~

~~0. Street Width and Names. All street and alley rights of way and easements shall be clearly shown on the plat and the purpose and restrictions of use of such easement indicated.~~

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~~— Accurate location, dimensions, bearings, radii, chord distances, and central angles of all curve segments, for all total curves, shall be provided to readily establish the location of rights of way and easements. Location of points of intersection and points of tangency of street intersections other than right angle intersections shall be indicated;~~

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~~— Bearing, distances, and ties to the property boundary (including medians);~~

~~— A key of abbreviations for easement types, such as utilities, cross access, tree preservations, etc., shall be included on the plat;~~

~~— Legal references shall be provided for all previous dedications and easements abutting the property;~~

~~— Name of each street and width of streets, alleys, and other rights of way; and~~

~~— Approved City Street names shall be shown first followed by any highway designation and numbering in parentheses if applicable. For example, "19th Street (US 62)".~~

~~0. Solid Waste and Recycling Collection. All platted lots and tracts shall provide for collection of solid waste and recycling consistent with Article 22.06 of the City of Lubbock Code of Ordinances unless alternatives are approved by the City Council.~~

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~~0. Symbolology. All symbolology on the plat shall be distinct, consistent, and labeled in the legend. If multiple features overlap, labels need to be included to distinguish what is proposed.~~

~~0. For Review Purposes Only. Temporary labeling shall be required on unrecorded adjacent and abutting plats considered "in platting process" or "under construction" that is shown on a Final Plat for review. These labels shall be taken off before final recording.~~

~~0. Spelling. All spelling on the plat shall be correct.~~

40.6. Specific Decision Criteria.

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1. *Review and Decision.* In determining whether to approve or deny a Final Plat, the applicable review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*, and conformance to applicable portions of the approved Preliminary Plat.

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2. *Required Approval.* If the ~~Planning and Zoning Commission~~ Director of Planning, or designee finds that a Final Plat complies with all provisions of this Section and applicable decision criteria, then ~~it is required to approve the plat; the Final Plat shall be approved.~~

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41.7. Final Decision.



1. ~~Action.~~ The ~~Planning and Zoning Commission~~ Director of Planning, or designee shall make a final decision on the Final Plat within 30 days of the date the plat is filed, as defined in Subsection 39.07.004.f, *Plat Filing*. The deadline may be extended an additional 30 days if the applicant requests Planning and Zoning Commission ~~an extension and the Director of Planning approval~~ approves the request in writing.

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~~0. No Action.~~ ~~If no action is taken by the Director of Planning at the end of the 30-day period, without the request, the plat shall be deemed to have been approved.~~

~~43.8.~~ Illegal Subdivision. Where an applicant seeks approval of a Final Plat for land that was subdivided in violation of this UDC, state law, or any prior Ordinance, and the development cannot comply with this UDC because of the unlawful subdivision, the Director of Planning may deny the plat, taking into account requirements related to lot area, lot width, and the ability to configure the proposed use on the lot.

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~~44.9.~~ No Acceptance of Public Improvements. Approval of the Final Plat shall not constitute the acceptance of any public improvements unless, and until, the City Engineer specifically agrees to such acceptance in accordance with Section 39.04.022, *Acceptance and Maintenance*.

~~45.10.~~ Recording. Within 10 days of receipt and approval of the above documents, the Director of Planning shall record the approved Final Plat with the Lubbock County Clerk. After the plat has been recorded, the Director of Planning shall issue to the subdivider the necessary copies of the approved and signed Final Plat along with the Lubbock County filing number. Impact fees are determined in accordance with Section 41.03.003 of the Lubbock Code of Ordinances.

~~46.11.~~ Preliminary Plat Renewal.

1. *Phasing.* For a development to be constructed in phases, the Final Plat may include only a portion of the land included in the Preliminary Plat.
2. *Two-Year Period.* Where only a portion of an approved Preliminary Plat is submitted for Final Plat approval, a Final Plat of the remaining area ~~may~~ shall be submitted at any time within two years of the date of Preliminary Plat approval.
3. *Renewal and Expiration.* If a Final Plat of the remaining area has not been submitted within the two-year time period, the portion of the Preliminary Plat for which no Final Plat has been submitted shall be deemed null and void. However, if at least one phase of the Preliminary Plat has received Final Plat approval, its public improvements have been completed, and it has been recorded with the Lubbock County Clerk, an extension to the two-year time limit shall be automatically granted for all phases.

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~~47.12.~~ Street Closure. Any streets, alleys, or easements dedicated to the public within the proposed Final Plat boundaries that are proposed for closure shall be closed by ordinance before the Final Plat can be recorded. These closures shall not be indicated on the Final Plat. The procedure for right-of-way closure is as follows:

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1. Application for closure;
2. Preparation of Final Plat or Replat and indicating closed right-of-way;
3. Council approval of closure;
4. File closure ordinance; and
5. Final Plat recorded.

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Section 39.07.042 Replat

- a. **Generally.** In addition to the applicable required procedures in *Division 7.1, Purpose, Applicability, and Common Review Procedures*, the following shall apply to Replats.



- b. **Purpose.** The purpose of a Replat is to allow a property owner to add additional lots or public rights-of-way to a recorded plat without prior vacation, or to reconfigure lots within a recorded subdivision. The purpose of the replat shall be stated in the general notes on the face of the plat.
- c. **Applicant Responsibilities.** Except as provided in this Subsection, applicant responsibilities shall be the same as those for a Final Plat. Refer to Subsection 39.07.041.d, *Applicant Responsibilities*.
- d. **Replating Without Vacating Preceding Plat.** In accordance with Texas Local Government Code Sections 212.014, 212.0145, and 212.015, a Replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if the Replat:
 - 1. Is signed and acknowledged by only the owners of the property being replatted;
 - 2. Is approved, after a public hearing by the Planning and Zoning Commission on the matter, if required by Texas Local Government Code Section 212.015; and
 - 3. Does not attempt to amend or remove any covenants or restrictions.
- e. **Utilities.** The relocation, modification, or abandonment of any utilities shall be the responsibility of the subdivider and shall be provided for concurrently with the Replat. The cost of any such relocation or abandonment shall be borne by the subdivider.
- f. **Specific Decision Criteria.**
 - 1. *Review and Decision.* In determining whether to approve or deny a Replat, the applicable review bodies shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*.
 - 2. *Required Approval.* If the applicable review body finds that a Replat complies with all applicable decision criteria, then it is required to approve the Replat.
- g. **Final Decision.**
 - 1. *Action.* The applicable review body shall make a final decision on the Replat within 30 days of the date the Plat is filed. The deadline may be extended an additional 30 days if the applicant submits a request ~~or consents~~ in writing ~~to the extension to act upon the Plat to the Director of Planning, and the Director of Planning approves the extension.~~
 - 2. ~~No Action. If no action is taken by the applicable review body at the end of the 30-day period, without the request or consent of an extension, the Plat shall be deemed to have been approved.~~

Section 39.07.043 Vacating Plat

- a. **Generally.** In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following shall apply to Vacating Plats.
- b. **Purpose.** The purpose of a Vacating Plat is to eliminate the subdivision of property reflected by a prior recorded plat, whereby the subdivided land would return to a single unit of property.
- c. **Vacation of Plat.** A recorded plat may be vacated in accordance with Texas Local Government Code Section 212.013
- d. **Review and Decision.** In determining whether to approve or deny a Vacating Plat, the review body shall consider the applicable common decision criteria in Section 39.07.006, *Common Decision Criteria*.
- e. **Utilities.** The relocation, modification, or abandonment of any utilities or easement preparation shall be the responsibility of the subdivider and shall be provided concurrently with the Vacating Plat. The cost of any such relocation or abandonment shall be borne by the subdivider.

Section 39.07.044 Waiver of Improvements

- a. **Generally.** In addition to the applicable required procedures in Division 7.1, *Purpose, Applicability, and Common Review Procedures*, the following shall apply to Waivers.



Preliminary Plat Submission Checklist

I certify that all items checked have been provided. I understand that not providing all of this information will result in an incomplete application and delay the consideration of this application for approval.

Signature

Date

Preliminary Plats may be submitted online through the Citizen Self-Service portal on the City of Lubbock website at www.mylubbock.us

Submission Requirements:

- Completed Plat Application, signed by the current property owner as reflected on the Lubbock Central Appraisal District or current deed.
- Preliminary Plat document (.pdf). Plat sheet sizes shall be drawn at industry-standard engineering scales on standard ANSI or Architectural sheet sizes sufficient to legibly illustrate the proposed layout and required information. A minimum sheet size of 11" x 17" is required, however, the sheet is not to exceed 36" on any side.
- Prepared by a Surveyor. A Preliminary Plat shall be prepared by a Professional Land Surveyor registered in the State of Texas.
- A preliminary drainage analysis and map (.pdf) that meets the requirements of the Drainage Criteria Manual of the City.
- Application fee equal to \$150 for the first acre with an additional \$35 per acre thereafter, not to exceed \$7,000.00.
- Water and sewer schematic layouts.

Document Requirements:

- The following notice shall be printed on the face of each Preliminary Plat submitted: "Preliminary Plat – for inspection purposes only and in no way official or approved for recording purposes."
- Drawn to the following scale per acreage within the plat boundary: 1"=50' for <1 acre; 1"=100' for <160 acres; 1"=100' or 1"=200' for >160 acres.
- All unsubdivided contiguous land under single or common ownership shall be included in the Preliminary Plat. However, if approved by the Director of Planning prior to submittal, the limits of a Preliminary Plat may include a portion of the owner's contiguous land and extend to known identifiable limits such as collector streets, Playa Lakes, or other well-defined development barriers.

- Location map, legibly illustrating the general position of the property relative to at least two intersecting City of Lubbock arterial streets or State highways and the location of the site with respect to the City (southeast, northwest, etc.).
- Scale, north arrow, date, exact acreage, proposed subdivision name, and other pertinent site-specific descriptive information.
- Property owner's name, address, and telephone number, including the record owner and warranty deed recording information of the proposed subdivision.
- Accurate one-foot interval contours according to NAD83/NAVD88 datum or subsequent established United States Geodetic Survey data adopted by the City. The face of the Preliminary Plat must indicate the source, datum, and date of creation for the contour data.
- The Preliminary Plat must be tied by survey to abutting section corners, or when the proposed subdivision abuts or is abutting an existing recorded plat, the Preliminary Plat may be tied by survey to such existing plat. Boundary lines for the proposed subdivision shall be indicated by heavy lines. Boundaries for lots and/or tracts within the plat boundary shall be shown in solid lines. Existing cross streets shall be shown for reference at the property boundary.
- Where applicable, approximate location of any City limit lines including labels for inside and outside City limits.
- Boundary lines, bearings, and distances sufficient to locate the exact area proposed for subdivision.
- The name and location of all abutting subdivisions shall be drawn to the same scale and shown in dashed lines abutting the tract proposed for subdivision in sufficient detail to show accurately the existing streets and alleys and other features that may influence the layout and development of the proposed subdivision. Abutting unplatted land shall show property lines and owners of record. If the abutting land has a current approved Preliminary Plat, it shall be shown on the proposed Preliminary Plat.
- The following adjoining and abutting property information shall be shown on all property adjoining and abutting the plat boundary:
 - i. Subdivision name, Lot #, Block #, and recording information (if the property is platted);
 - ii. Name of ownership with deed and recording information (if the property is not platted); and
 - iii. Any recorded easements known to the surveyor at the time of submittal with recording information.
- The location, name, and width of all streets, alleys, public and private easements, and rights-of-way existing or proposed within the subdivision limits, along with the proposed names of streets.
- A restriction prohibiting the fencing or obstruction of any easement shall be stated on the face of the plat, unless otherwise provided by this code or approved by the affected user of the easement.
- The location of proposed closures of existing streets, alleys, easements, and rights-of-way.

- The known location of all existing property lines within the area proposed for subdivision.
- Proposed arrangement of lots. Property for residential use shall be platted as lots and shall be numbered consecutively from one (1) to the total number of lots in the subdivision. Property platted for commercial use, public use, or private street use shall be platted as tracts and shall be lettered in alphabetical order.
- The title of the proposed subdivision, the name of the owner(s) with sufficient data to show ownership, and the proponent of the Preliminary Plat and current landowner(s) at time of submittal (if different than proponent). The proposed title shall not conflict with any previous subdivision name.
- Playa Lake Areas, if any, shall conform to the requirements of Article 39.05, Division 5.3, *Playa Lakes Development and Ownership*.
- Sites proposed for stormwater drainage and impoundment easements, parks or other property owned by the City or any other governmental entity shall contain no blanket or specific utility easement until approved by the City Engineer or authorized representative of other governmental entities.
- A statement regarding maintenance of any installed detention/retention basins shall be stated on the face of the plat.
- All spelling on the plat shall be correct.



Final Plat Submission Checklist

I certify that all items checked have been provided. I understand that not providing all of this information, as well as submitting drainage and construction plans at or immediately after the date of this submittal, will result in an incomplete application and delay the consideration and scheduling of this application for approval.

Signature

Date

Final Plats may be submitted online through the Citizen Self-Service portal on the City of Lubbock website at www.mylubbock.us

Submission Requirements:

- An approved Preliminary Plat (.pdf) of the property, signed by the Director of Planning or their designee.
- Prepared by a Surveyor. A Final Plat shall be prepared by a Professional Land Surveyor registered in the State of Texas.
- Final Plat document (.pdf). Plat sheet sizes shall be drawn at industry-standard engineering scales on standard ANSI or Architectural sheet sizes sufficient to legibly illustrate the proposed layout and required information. A minimum sheet size of 11" x 17" is required, however, the sheet is not to exceed 36" on any side.
- Application fee of \$350 for the first acre with \$55 for each additional acre thereafter, not to exceed \$5,000.00.
- Any supplementary materials required for approval.
- Dedication(s) by separate instrument (as indicated on the face of the final plat to be recorded), if applicable.
- Easement or right-of-way closure ordinance, if applicable.
- Street island ordinance, if applicable.

Document Requirements:

- Must conform to the approved associated Preliminary Plat, and may constitute only a portion of the Preliminary Plat.
- Shall contain right-of-way dedication for all internal and perimeter streets and alleys within the portion proposed for Final Plat as shown on the approved Preliminary Plat.
- The Final Plat dimensional control shall be in units of U.S. survey feet to the nearest one-hundredth of a foot. Directional control shall be shown as bearings to the nearest arc second. The description of the methodology used and the source, datum, and date of creation of the relevant points must be included on the face of the plat.
- Control for a Final Plat shall be established by one of the following methods. (1) The Final Plat may be tied by survey to adjacent section corners and lines; or (2) When the approved subdivision abuts or is adjacent to an existing recorded plat of the City of Lubbock or Lubbock County, the Final Plat may be tied by survey to such existing plat.
- The Final Plat shall include horizontal coordinates on at least two of the boundary corners relative to the Texas Coordinate System of 1983, North Central Zone datum as described in Texas Natural Resources Code, Title 2, Chapter 21, as amended, or subsequently established United States Geodetic Survey data adopted by the City of Lubbock.
- Drawn to the following scale per acreage within the plat boundary: 1"=50' for <1 acre; 1"=100' for >1 acre.
- The incorporation of all Preliminary Plat information and conditions approved by administrative review.
- The plat boundary and the exact acreage included in that boundary.
- Title or name of the plat. If a lot or tract is replatted, all land in the original lot(s) or tract(s) shall be replatted in order to retain the original plat name. A replat cannot "orphan" a part of a previously subdivided lot or tract.
- The map scale, horizontal datum, north arrow and date.

- Reference by name to recorded plats of adjacent and abutting properties.
- Boundary lines of all lots, tracts, and parcels with accurate dimensions, bearings, radii, chord distances, and central angles of all curve segments, for all total curves. Such lines shall be shown in the same manner as required for Preliminary Plats in Section 39.07.038.c.4, *Contents*.
- Numbers and letters to identify each lot or tract.
- Lots shall be numbered consecutively from one (1) to the total number of lots in the subdivision. Tracts shall be lettered in alphabetical order. Such designation will be continuous in the order that Final Plats of portions of an approved Preliminary Plat are recorded with the County Clerk.
- Replatted lots will be designated alphanumerically (e.g. Lot 1-A), and further subdivision will alternate numbers and letters (e.g. Lot 1-A-1, Lot 1-A-1-A). The same alternating method will be used for tracts (e.g. Tract A-1, Tract A-1-A, Tract A-1-A-1).
- Private Streets and common open space and other common areas shall be platted as separate tracts and names must be approved by the City of Lubbock. Changes to existing private street names require approval of the City of Lubbock Building Official when the changes will affect existing residents.
- All street and alley rights-of-way and easements shall be clearly shown on the Final Plat and the purpose and restrictions of use of such easement indicated.
- Accurate location, dimensions, bearings, radii, chord distances, and central angles of all curve segments, for all total curves, shall be provided to readily establish location of rights-of-way and easements. Location of points of intersection and points of tangency of street intersections, other than right angle intersections, shall be indicated.
- Bearing, distances, and ties to the property boundary (including medians) shall be indicated.
- A key of abbreviations for easement types, such as utilities, cross-access, tree preservations, etc., shall be included on the Final Plat.
- Legal references shall be provided for all previous dedications and easements abutting the property shall be indicated.
- Name of each street and width of streets, alleys, and other rights-of-way shall be indicated.
- Approved City Street names shall be shown first followed by any highway designation and numbering in parentheses if applicable. For example, "19th Street (US 62)". Directional prefixes such as "East" or "North" are required to be shown, where applicable.
- All platted lots and tracts shall provide for collection of garbage consistent with Article 22.06 of this code unless alternatives are approved by the City Engineer.
- The following surveyor's certificate shall be placed on every Final Plat and signed by the surveyor prior to submission to the Director of Planning:

KNOW ALL MEN BY THESE PRESENTS:

That I, _____, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments and/or other control shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Lubbock, Texas.

- The following certificate of approval by the Director of Planning or their designee shall be placed on every Final Plat and signed prior to recording of the plat documents at the courthouse:

Approved this _____ day of _____, 20_____,
by the Director of Planning, or designee, of the City of Lubbock, Texas.

Director of Planning

The following notices shall be stated on the face of every plat:

- (1) “Heavy lines indicate plat limits.”
- (2) “All streets, alleys, and easements within plat limits are herein dedicated unless noted otherwise.”
- (3) “No building permit shall be issued on any survey certificate that is not in accordance with an approved Final Plat and infrastructure and final drainage analysis acceptance by the Lubbock Code of Ordinances.”
- (4) “All utility service shall be in accordance with the Underground Utilities Policy Statement by the Planning and Zoning Commission of the City of Lubbock, Texas and the provisions of Article 37.01 of the Lubbock Code of Ordinances.”
- (5) “All existing or proposed utility services to and on tracts indicated by this plat shall be contained in the public right-of-way and public or private utility easements. Utility service installation requested at a future date and not within an easement indicated by this plat, shall be within a proper utility easement granted by the owner of said property by separate recorded instrument prior to the provision of such service. Such easements shall be at the expense of the entity requesting such installation.”
- (6) “All easements herein granted shall entitle the City or the utility company using such easements to the right to remove, repair or replace any lines, pipes, conduits, or poles within such easements as may be determined by the city or utility company without the city or utility company being responsible or liable for the replacement of improvements, paving, or surfacing of the easement necessitated by such repair, removal, or replacement. Easements designated or intended for vehicular passage (utility and emergency) or pedestrian access shall not be fenced or otherwise obstructed.”
- (7) “Minimum floor elevations shall conform to the requirements of the Lubbock Drainage Criteria Manual, as adopted by Ord. 10022, as amended, and Section 28.09.131, Section 28.14.004, and Section 30.03.073 of the Lubbock Code of Ordinances.”

The following notices shall be stated on the face of the plat when they apply to that particular plat:

- (1) Any notices required in Unified Development Code Section 39.04.024, *Required Notice for Final Plats Containing Lake or Flood Risk Areas*, for lake or flood hazard areas.
- (2) “Any easements or rights-of-way shown as ‘to be dedicated by separate instrument’ are shown on the plat for information purposes only. This plat does not dedicate said easements.”
- (3) “Blanket solid waste collection easement as required for service [within the plat limits or insert specific lot or tract designation] is herein granted.”
- (4) “Blanket [insert ‘underground’ if applicable] utility easement as required for service [within the plat limits or insert specific lot or tract designation] is herein granted to [insert name of public, private or franchise utility or certificated service provider of telecommunications].”
- (5) “Public pedestrian access easement is herein granted for persons traversing along the public parkway and needing to enter onto private property for the purpose of crossing a driveway. The easement is limited to those portions of the as-constructed driveways and walks which may extend outside public right-of-way onto private property and are constructed for the continuance of the accessible routes across the back of the driveway. This easement applies to existing and any future drive entrances as constructed.”

Addressing Remaining Issues with Downtown Zoning

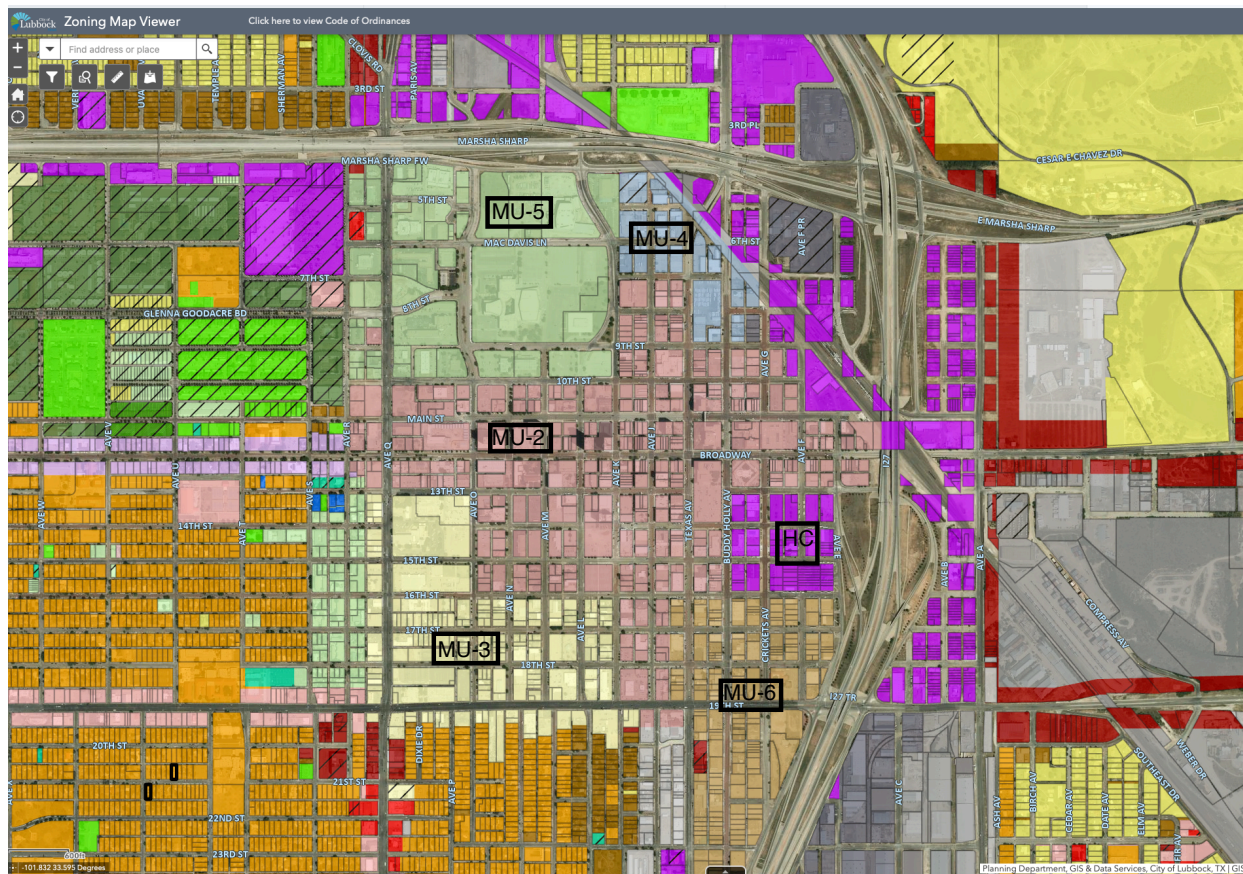
The adoption of the UDC set the stage for addressing some persistent zoning issues inside the Central Business District TIF. The shift from *use-based* to *form-based* zoning changes the paradigm in much of the CBD TIF, but not in all of it. Moreover, despite stakeholder input during the UDC creation process, the zoning classifications in the new MU districts are overly complex – a vestige of “CB- “ district zoning.

This is a proposal to address the following issues:

- MU districts that create distinctions without meaningful districts
- Areas in an MU district that might best be served in another MU district
- Areas of the CBD TIF that were not in “CB- “ districts, and thus are not in MU districts

MU DISTRICTS AS ADOPTED

The UDC, as adopted, establishes new MU districts follow the boundaries of the “CB- “ districts. Relevant to the CBD TIF, CB-2 became MU-2, CB-3 became MU-3, CB-4 became MU-4, CB-5 became MU-5, and CB-6 became MU-6.ⁱ



Through the UDC process, I made multiple attempts to encourage a simplification of the districts. My primary motivations to do so were i) a read of the proposed MU districts creating differences without distinctions, ii) a feeling that the physical fabric of DT was

not so broadly different to justify the additional complexity, and iii) a belief, recognized during the Downtown Master Plan Update process, that the “district” mindset was sometimes a hindrance.

An example of how the UDC presents the physical parameters of the MU Districts in the CBD TIF is attached as Exhibit “A”.ⁱⁱ

I inventoried the physical parameters of the MU districts in the CBD TIF:

	MU-1 West Broadway	MU-2 Broadway	MU-3 General	MU-4 Arts	MU-5 Civic	MU-6 Depot
2. Building Form						
Max Building Height	2 Stories, not exceeding 45'	None	None	None	None	None
Building Height Setback		20' in depth, after 4th Story or 40'				
Building Height Stepback			After 4th story or 40'	After 4th story or 40'		After 4th story or 40'
Min. Ground Floor Elevation		14'	12'	12'		12'
Min. Ground Floor Elevation (Residential)		9'	9'	9'		9'
Min. Ground Finish Floor (Commercial)		0'	0'	0'	0'	0'
Min. Ground Finish Floor (Residential)		0'	0'	0'	0'	0'
3. Building Placement						
Setbacks						
Minimum Front Setback	25'				0'	
Minimum Side Street Setback	10'				0'	
Minimum Front Build-to-Zone		0'	0'	0'		0'
Maximum Front Build-to-Zone		10'	25'	10'		10'
Minimum Side Build-to-Zone		0'	0'	0'		0'
Maximum Side Build-to-Zone		10'	10'	10'		10'
Minimum Side Setback	5'	0'	0'	0'	0'	0'
Minimum Rear Setback	5'; 20' for garages	0'	0'	0'	0'	0'
Frontage Build-out						
Minimum Front Street Frontage	30%	90%	60%	60%	30%	60%
Minimum Side Street Frontage	None	30%	30%	30%	40%	30%
Block Standards						
Maximum Block Perimeter	2,000 linear feet	2,000 linear feet	2,000 linear feet	2,000 linear feet	None	2,000 linear feet
Minimum Lot Width	50'	25'	25'	25'	None	25'
Minimum Lot Depth	None	30'	30'	30'	None	30'
Minimum Lot Area	None	None	None	None	None	None
Maximum Lot Coverage	100%; 50% for residential uses	100%	100%	100%	100%	100%
5. Parking Locations						
Minimum Front Setback	25'	30'	30'	30'	30'	30'
Minimum Side Setback	0'	30'	30'	30'	30'	30'
Minimum Side Street Setback	5'	0'	0'	0'	0'	0'
Minimum Rear Setback (Lot)	5' for single story; 10' for two-story	5'	5'	5'	5'	5'
Minimum Rear Setback (Alley)		0'	0'	0'	0'	0'
Minimum Rear Setback (Street)		30'	30'	30'	30'	30'
6. Allowed Encroachments						
Frontage Types	Porch, Terrace, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy	Forecourt, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy, Marquee	Forecourt, Porch, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy, Marquee	Forecourt, Porch, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy, Marquee	Forecourt, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy, Marquee	Forecourt, Porch, Stoop, Shopfront, Gallery & Arcade, Awning, Canopy, Marquee
Other	Bay window, Chimneys, Outdoor Dining, Pedestrian Street lights, Planters	Pedestrian Street Lights, Projecting Wall Signs, Outdoor Dining, Planters	Pedestrian Street Lights, Projecting Wall Signs, Outdoor Dining, Planters	Pedestrian Street Lights, Projecting Wall Signs, Outdoor Dining, Planters	Pedestrian Street Lights, Projecting Wall Signs, Outdoor Dining, Planters	Pedestrian Street Lights, Projecting Wall Signs, Outdoor Dining, Planters

MU-4 and MU-6 are identical. MU-3 varies by a single parameter.

As a general concept, uses are less restricted in a form-based environment. Form-based equates to a primary concern with the look, or form, of the district, rather than a focus on uses. Nonetheless, uses in the UDC are generally outlined in the Land Use Matrix, a copy of which is attached as Exhibit “B”.ⁱⁱⁱ This is true of the MU districts in the CBD TIF.

There are well over 100 use types in the UDC. Differences exist between MU-3, MU-4, and MU-6 in only thirteen of those use types.

DOWNTOWN AMENDMENT 1A:

- 1) Redesignate anything zoned MU-4 and MU-6 as MU-3
 - a) In **Table 39.02.003-1** Change the “Former Zoning District” Column cell for MU-3 to read, “CB-3, CB-4/MU-4, CB-6/MU-6”; AND
 - b) In **Table 39.02.003-1**, Delete the rows for “Depot (MU-4)” and “Arts (MU-6)”; AND
 - c) Replace the contents of Subsection 39.02.005.e and Subsection 39.02.005.g with “Reserved”.
- 2) Change **Subsection 39.02.005.d.3** such that the Maximum Front Built-to-Zone in MU-3 shall be 10’.
- 3) In **Table 39.02.016-1** make the Single-Family Detached Dwelling use L in MU-3, and add L criteria (to **Subsection 39.02.018.c.7** to state:
“7. General (MU-3)
 - a) Only Single-Family Detached Dwelling is allowed on a blockface developed for Single-Family Detached Dwellings; and
 - b) Notwithstanding Subsection 39.02.005.d.3, the Maximum Front Build-to-Zone for a Single-Family Detached Dwelling use is 25’.”
- 4) In **Table 39.02.016-1** delete the columns for MU-4 and MU-6
- 5) In **Table 39.02.016-1** change the P to L for Alcoholic Beverages, Off-Site Consumption (Package Store) and add an L criteria (to **Subsection 39.02.018.h.4** to state:
“4. General (MU-3) the Package Store shall meet all state and other separation requirements and be located a minimum of 300 feet, measured from property line to property line, from any property from any Single-Family Detached Dwelling in existence at the time of the zone change.”

MU AREAS IN THE CBD TIF THAT WOULD BE BETTER SERVED IN OTHER MU DISTRICTS

MU-2 was drafted to describe and encompass a particularly dense environment. The Downtown Master Plan Update describes similar features on Ave J north of Broadway and on Buddy Holly south of Broadway. However, the former CB-2 district enveloped a larger area.

DOWNTOWN AMENDMENT 1B:

Redesignate anything zoned MU-2 north of 10th St. as MU-3.

- 1) In **Table 39.02.003-1** add to the “Former Zoning District” Column cell for MU-3 to read, “CB-2/MU-2 located north of 10th Street”

Redesignate anything zoned MU-2 south of 13th St. and west of Texas Ave. as MU-3.

- 2) In **Table 39.02.003-1** add to the “Former Zoning District” Column cell for MU-3 to read, “CB-2/MU-2 located south of 13th and west of Texas Avenue”

NON-MU AREAS IN THE CBD TIF

There exists a vestige of HC (Heavy Commercial) on the eastern edge of the CBD TIF.

DOWNTOWN AMENDMENT 1C:

Redesignate anything zoned HC inside the CBD TIF as MU-3

- 1) In **Table 39.02.003-1** add to the “Former Zoning District” Column cell for MU-3 to read, “HC located within the CBD TIF”

(Note, “grandfathering” of existing uses is handled in Subsection 39.01.010.)

As a result of the above, the final version of “Former Zoning District” Column cell for MU-3 should read:

“CB-2/MU-2 located north of 10th Street, CB-2/MU-2 located south of 13th and west of Texas Avenue, CB-3, CB-4/MU-4, CB-6/MU-6, HC located within the CBD TIF”

ⁱ See Section 39.02.003 Zoning District Establishment

ⁱⁱ See Subsection 39.02.005.d General (MU-3)

ⁱⁱⁱ See Section 39.02.16

CHAPTER 39 – UNIFIED DEVELOPMENT CODE (UDC)

ARTICLE 39.02: ZONING DISTRICTS AND LAND USES

Division 2.2 Zoning Districts and Standards

Section 39.02.005 Base Mixed-Use Districts

Subsection 39.02.005.e Depot (MU-4)



Example of restaurant with outdoor dining in MU-4 Depot district

1. Overview

The MU-4 Depot district is a unique and diverse area of downtown Lubbock which primarily serves as an entertainment district with art galleries as well as artisan or micromanufacturing. Priority is placed on optimizing the physical characteristics of the built environment for increased walkability and a vibrant center building upon the historic character of Lubbock's neighborhood main streets. To maximize vibrancy and walkability, this district permits an intensity and mix of uses that are already in existence along Buddy Holly Avenue. This district supports the small-scale fine-grained character of the historic neighborhoods with a mix of attached and detached mixed-use buildings on small lots. Buildings are close to the sidewalk and off-street parking is screened from public spaces.



Example of commercial storefronts in MU-4 Depot district



Example of outdoor dining and farmers' market in MU-4 Depot district

UDC Zoning Downtown



CBD TIF

Zoning Districts

- Auto-Urban Commercial
- General Industrial
- Heavy Commercial
- High Density Residential
- Industrial Park
- Light Industrial
- Medium Density Residential
- West Broadway
- Broadway
- General
- Civic Center
- Neighborhood Commercial
- Office
- Low Density Single Family

