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## Land Development 101

(Fine Print: Land development is not for the faint of heart. It takes time, experience, and capital resources for your project to be successful.)

**Steps to the Successful Land Development** of residential subdivisions, pad sites for a restaurant, retail store, bank, office building, warehouse, auto/RV dealership, etc as well as larger sites such as a large retail shopping center, apartment complex, medical facility, warehouse/distribution complex, manufacturing plant, race track, airport, school, etc.

### **A. Due Diligence Process (basic considerations):**

1. Become familiar with local city/county ordinances and regulations as well as applicable state and federal requirements. It is also important to know the processes and schedules of these entities as they apply to your site.
2. Prepare an initial analysis of the site's critical characteristics:
  - Does the site make market sense? (number of housetops, traffic counts, property & sales tax expenses, etc.)
  - Is the site zoned appropriately?
  - Has the site been platted?
  - Are there environmental considerations?
    - Hazardous waste contamination
    - FEMA Flood Zones
    - Tree Protection/Preservation
    - Other Protected Species
    - Wetlands
  - Is there historical and/or archeological significance?
  - Are there any deed restrictions?
  - Are there any special overlay districts?
  - Will adjacent property zoning & land use impact the site?
  - Other considerations.
3. Investigate utilities availability:
  - Are public utilities nearby? (water, sanitary sewer, storm sewer, solid waste)
  - Are there franchise utilities nearby? (electricity, telephone, natural gas)
  - What will the developer's cost be to extend utilities to the site and across the site?
  - Are there any utility impact fees?
  - Are there any utility pro rata fees?
4. Determine transportation characteristics and requirements:
  - Are roadways adequate?
  - What are the perimeter street paving requirements?
  - Are there any roadway impact fees?
  - Are any signalization of roadway intersections required?
  - Are the number of allowable driveways and driveway spacings suitable for your site?
  - Is driveway access controlled by TXDOT, city or county? (If your site includes a TXDOT access permit there needs to be from 3 weeks to 6 months extra in the schedule to allow for its process.)
  - Is a Traffic Impact Analysis required?
5. Determine if the desired improvements will fit on the site in accordance with city/county building restrictions:
  - Is there a boundary survey, topographical survey, and/or tree survey with improvements?
  - If not, are there other sources of information available such as city/county maps for the site?
  - Are there any special requirements by the city/county with regard to:
    - Architectural Standards
    - Building Height

- Building Setbacks
- Fire Flow
- Fire Lanes
- Freight Loading/Unloading Areas
- Landscape/Irrigation
- Lighting
- Park Dedications
- Park Development Fees
- Parking Spaces
- Screening/Fencing/Buffering
- Signage
- Trash enclosures
- Other special considerations
- Are there any detention/retention requirements?
- Are there any potential downstream drainage issues?



6. Investigate drainage requirements:
  - Is storm water detention required?
  - Does the downstream off site system have adequate capacity for increased flow?
  - Do the oncoming site flows prescribe any requirements for extraordinary drainage system improvements?
7. Investigate encumbrances that would preclude proposed development:
  - Does the title search show any easements, liens, delinquent taxes, boundary issues, or other issues on the property?
8. Prepare a Concept Site Plan to determine if your project as envisioned will fit on the site and satisfy all of the municipal requirements for the site's development.

After your due diligence is complete, you may discover that some items need to be addressed such as a zoning change, or a variance for signage or landscaping may be required.

You or the seller can approach the city/county to request the necessary changes in keeping with the city/county's processes.

## **B. Land Development Process:**

1. Zoning change (if needed)
2. Preliminary Plat: A conceptual site plan with an initial evaluation of the public works facilities needed to serve the site. (Note: the amount of information required on the Preliminary Plat varies from city to city)
  - A. Requires a reasonably accurate property description – this could be a meets and bounds description from the warranty deed.
  - B. On the property description show layout of the proposed lots and streets
  - C. An initial drainage analysis with a layout of the probable storm sewer system including detention facility, if needed.
  - D. Need a street layout showing any special traffic facilities such as signalized intersections and traffic calming devices.
  - E. Need calculation of traffic volumes generated by the proposed site.
  - F. Analysis of the water requirements for domestic, use, fire protection and irrigations and a preliminary layout of the proposed water system improvements such as water mains, fire hydrants locations.
  - G. Analysis of the wastewater generated by the proposed site and a preliminary layout of the proposed improvements such as: gravity mains, manholes, lift stations, force mains.
  - H. Present the Preliminary Plat to the city's Development Review Committee (DRC), to the Planning and Zoning Commission (P&Z), City Council and/or the County Commissioner's Court. \*\* (Upon review, all city comments are addressed with appropriate modifications before resubmittal. Note: In scheduling a project, there should be sufficient time to address review comments. The amount of information and expected detail varies from city to city.)

- I. Upon approval by the governing body, the developer may proceed with the final plat process.
3. Final Plat: A detailed depiction of the site layout geometry and the layout of any public right-of-way and public easements.
- A. Must be based on field surveys on the site including boundary, topography, and tree surveys.
  - B. Must be accompanied by a Traffic Impact Analysis if the traffic volumes exceed the limits established by the city.
  - C. Must be accompanied by a complete set of detailed construction plans for all of the public works improvements: water, sewer, streets, drainage, etc.
    - Construction Plans – Contents include:
      - Cover sheet
      - Copy of the Final Plat
      - Detailed construction notes
      - Drainage analysis of existing conditions
      - Drainage analysis of proposed conditions
      - Site grading plans
      - Street paving plan and profile sheets
      - Sanitary sewer plan and profile sheets
      - Water plan sheets
      - Storm drain plan and profile sheets
      - Detention pond design sheets
      - Sanitary sewer lift station plans, if needed
      - Paving, signage marking and stripe plan
      - Traffic control plan
      - Erosion control plan
      - Detail sheets of construction plans
      - Detail sheets of city construction standards

If a site is located within a city limit, all plat reviews are done by the city.

If a site is located outside a city, reviews are done at the county level.

If a site is in the ETJ (Extra Territorial Jurisdiction) of a city, plats must be reviewed by both the city and the county.

Building permits are only required if located within the city limits.

Note: it is not unusual for a single set of plans to contain 40-100 sheets. The number of sheets is dependent on the size and shape of the development.

4. Present the Final Plat to the city's Development Review Committee (DRC), to the Planning and Zoning Commission (P&Z), City Council and/or the County Commissioner's Court.\*\* (Upon review, all city comments are addressed with appropriate modifications before resubmittal. Note: In scheduling a project, there should be sufficient time to address review comments. The amount of information and expected detail varies from city to city.)
5. Advertising, bidding, and awards (selecting the contractors)
6. Construction
7. Final inspection of the public works improvements by the city
8. Submission of record drawings, performance and payment bonds, affidavit of all bills paid, and other documents required by the city/county.
9. Letter of acceptance by the city.
10. File Final Plat with the county.

\*\*Check with each city to determine its schedule for submittals, reviews, Planning and Zoning meetings and City Council meetings.

### C. Construct your building or sell lots/pad site, etc.

More Fine Print: This information can change at any time at the discretion of the local governing authority.

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