Site Feasibility Study

For

CYPRESS CREEK APARTMENT HOMES
AT LA PORTE

10.81 Acre
NEC Airport Blvd. and Spencer Highway
La Porte, Texas

Prepared for:

Cypress Creek La Porte LP
Bonner Carrington
901 Mopac Expressway South
Building V, Suite 100
Austin, Texas 78746

Prepared by:

r.g. miller engineers

Texas Registered Engineering Firm No. F-487
16340 Park Ten Place, Suite 350, Houston, Texas 77084

February 2020
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I. GENERAL PROJECT INFORMATION

A. Executive Summary
This report represents the findings of our investigation for a 10.81ac tract located at the Northeast corner of the intersection of Airport Boulevard and Spencer Highway in La Porte, Texas. Our findings are a result of reviewing publicly available information and by contacting appropriate utility District officials.

The scope of the investigation will include analyzing engineering issues that may affect the development of the property into a proposed 180 unit multi-family residential development. Based on our initial research, the multi-family project requirements for projects close to 500-year floodplain areas mapped by FEMA, an offsite sanitary sewer extension along Spencer Highway, proximity to airports and information received at a pre-development meeting with the City of La Porte on February 18, 2020. The review of the proposed development is based upon the proposed development as outlined by the developer. Exhibit 1 shows a proposed site plan and Exhibit 3 shows applicable building requirements.

B. Project Location
The project tract is located adjacent and on the West side of Bayshore Baptist Church property, along the north side of Spencer Highway’s Right of Way in the City of La Porte, Key Map page 539-Z. Exhibit 2 shows the project location.

C. Due Diligence
As required in 10 TAC 205, R. G. Miller Engineers has performed a professional level of due diligence during the preparation of this report to ensure the feasibility of this development on the tract of land being considered. The due diligence performed for this study included discussions with City of La Porte for planning and zoning requirements, subdivision requirements, development ordinances, fire department requirements, site ingress and egress requirements, building code, and local design requirements. A preliminary site plan has been included in Exhibit 1, showing a schematic designed site plan materially adhering to all applicable zoning, site development, and building code ordinances.

D. Off-Site Requirements
A 12-inch sanitary sewer extension of approximately 1,230ft will be required for connection to an existing 12-inch sanitary sewer located along Spencer Highway. The City of La Porte has recommended the developer plan on coordinating with the City of La Porte’s public works department and property owners located on the south side of Spencer Highway, for the offsite sanitary sewer extension. The City engineer mentioned in the pre-development meeting that the City’s EDC staff has documents available for public utility extensions, which allow reimbursement. Public improvement guidelines can be found in Chapter 86-15(h) of the City of La Porte regulations. Please see Exhibit 16 for offsite and site work estimates.

E. Easements/Building Lines
Upon review of the survey based on a title report prepared by Alamo Title Insurance, ATCH19092583 by RG Miller Engineers, Inc. dated February 06,
2020, building lines are to be proposed along the subject property. Below are the details for the easements:

**Tract : 10.806 acres**
- Surveyor found no evidence of un-located pipeline easement Vol. 589, PG. 171 H.C.D.R. As per commitment for title insurance, the surveyed property is unknown if affected.
- Surveyor found no evidence pipeline easement Vol. 2367, PG. 177 H.C.D.R. and H.C.C.F. No. D069518 as per said commitment for title insurance, the surveyed property is not affected.
- Surveyor found no evidence pipeline easement H.C.C.F. No. M997931 as per said commitment for title insurance, the surveyed property is not affected.
- As per said commitment for title insurance, the surveyed property is not affected by HL&P Easement, H.C.C.F No. M509200.
- As per said commitment for title insurance, the surveyed property is not affected by HL&P Easement, H.C.C.F No. P972810.

**F. Other Pertinent Information**
The site is located in the City of La Porte’s City limits within Zone R-3 High Density Residential. The City staff stated that this zoning class allows the construction of a multi-family residential development. Thomas Garza is the Council person for District 4 (See Exhibit 4).

**G. Public Information**
Any person signing this report acknowledges that the Department may publish the full report on the Department’s website, release the report in response to a request for public information, and make other use of the report as authorized by law.
II. GOVERNMENTAL/REGULATORY ISSUES

A. Local Approval Process
   
i. Subdivision Platting – Per the City of La Porte’s Subdivision Ordinance, Chapter 86, a major subdivision plat will be required prior to issuance of building permits. A schedule of the process has been provided for reference Exhibit 7.

The 10.81 acre tract is currently not platted. The City of La Porte’s Planning department will require the site to be platted to develop the proposed 180-unit multi-family development see Exhibit 6. The Plat document has to be recorded with Harris County records once completed.

Minimum Setback Requirements

- Spencer Highway (front): 25’ bldg. setback is required.
- Side Bldg. setbacks: 20’ required.
- Rear Bldg. setback: 20’+25’ buffer along residential development.

Minimum Right-of-Way Widths

- Spencer Highway is designated as a Major Thoroughfare, the current right-of-way width of Spencer Highway is 100-feet.

Property identification number & Mileage Rates

- Harris County Appraisal District No. 0231300000078
  - La Porte ISD - 1.280000
  - Harris County - 0.407130
  - Harris County Flood Control - 0.027920
  - Porte of Houston Authority – 0.010740
  - Harris County Hospital District – 0.165910
  - Harris County Education Department – 0.005000
  - San Jacinto Community College District– 0.178169
  - City of La Porte – 0.710000

ii. Zoning Ordinance (Chapter 106, Zoning Ordinance):
A zoning permit will be required for all permits and an electronic submission through the City of La Porte Planning and Zoning Commission will be required. The property adheres to the original zoning map and will not require zoning map change or variance Exhibit 8. See below contacts for Planning and Development:

Ian Clowes 281-470-5063 clowesi@laportetx.gov
Chase Stewart 281-470-5065 stewartc@laportetx.gov
iii. **Site Plan Review (Chapter 86, Development Regulations):**
A major development site plan will be required for submission through the City of La Porte’s Planning Department. **Exhibit 7** shows process and approval of a major site plan.

**iv. Commercial Permitting and Enforcement Plan Review:**
Building Permits generally take 90 to 150 days for the average projects depending on multiple factors. These factors include the experience level of the project architect working with City of La Porte, completeness of plans submitted, and the ability of project consultants to adequately respond to City comments.

**v. Public Works and Engineering Plan Review**
The sanitary, water, and storm lines within the right-of-way that connect to the City of La Porte public systems require submittal to the Public Works and Engineering Department for review. The City’s review time is expected 21 days per submittal. It takes approximately 2 weeks to respond to comments from the City of La Porte; this includes necessary meetings to resolve project issues.

**vi. Texas Department of Licensing and Regulation (TDLR) Review**
Any project with a cost of $50,000 or more requires submittal of construction documents to TDLR in accordance with Administrative Rules of the Texas Department of Licensing and Regulation 16 Texas Administrative Code, Chapter 68. TDLR submittals are typically submitted by the project Architect.

For more information, please visit:
[http://www.tdlr.texas.gov/ab/abrules.htm#6820](http://www.tdlr.texas.gov/ab/abrules.htm#6820)

**B. Zoning**
The project site is currently zoned within R-3 High Density Residential. (**Exhibit 10**)

**C. Other Approvals**
In addition to the approvals discussed above, approval for construction plans will also be required from the private franchise utility companies (AT&T and CenterPoint Energy). These plan approvals will be obtained simultaneously to the City of La Porte’s code enforcement permitting review.

**Summary of Required Approvals**
- City of La Porte Site Plan Review
- City of La Porte Planning and Zoning Review
- Harris County Engineering Review
- City of La Porte Commercial Permitting & Code Enforcement
- City of La Porte Public Works & Engineering
- Private Utility Companies – AT&T and CenterPoint Energy
• Texas Commission on Environmental Quality (TCEQ) – Contractor
  Submit Notice of Intent
• Texas Department of Licensing and Regulation (TDLR) – Architectural
  Submittal

D. Landscape Requirements and Signage

The City of La Porte has additional Landscape and screening requirements for
multifamily developments. Parkland Development fees are imposed on residential
dwelling units that contain one or more dwelling units. See Exhibit 6 for general
requirements and Exhibit 9 for additional multifamily open area, signage, fencing
requirements, & Parkland Development Fee.

E. Assessments and Fees

i. Water and Wastewater Impact Fees:

   The City of La Porte does not impose impact fees for water and
   wastewater. The pre-development meeting confirmed the 16-inch water in
   Spencer highway and 12-inch sanitary sewer in Spencer Highway have
capacity for the proposed development. The City collects impact fees via
the multiple permits required for new construction projects. For reference
please see Exhibit 10

ii. City of La Porte Construction Plan Review:

   The City of La Porte Public Works Plan Review imposes an electronic
review for public connections. All right of way plans must be submitted to
Robert Banks banksr@laportetx.gov.

iii. City of La Porte Building Permit Fees:

   City of La Porte permit fees are based on the proposed valuation of the
project and the various types of permits that may be required. It is
recommended that the proposed developer consult with a local permitting
service for assistance in determining potential permitting fees. Current
permit fee tables are shown in Exhibit 12 or can be found at the below
path.
https://edocs.publicworks.houstontx.gov/all-documents/division-
files/planning-and-development-services-division/enforcement/forms-
and-publications/permit-applications/4886-2017-permit-fee-
schedule.html

<table>
<thead>
<tr>
<th>Summary of Assessment/Fee</th>
<th>Amount (approx)</th>
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<tbody>
<tr>
<td>Water Impact Fee</td>
<td>None</td>
</tr>
<tr>
<td>Wastewater Impact Fee</td>
<td>None</td>
</tr>
<tr>
<td>Parkland Development Fee</td>
<td>$145,440.00</td>
</tr>
<tr>
<td>Building Permit Fee</td>
<td>Determined by Valuation</td>
</tr>
<tr>
<td>TDLR Review Fee</td>
<td>Varies by project size</td>
</tr>
</tbody>
</table>
III. ENGINEERING SERVICES

A. Boundary Survey
A survey was prepared for the parcel by Miller Survey Group, Inc dated February 6, 2020. A copy of the survey is included as Exhibit 5.

B. Topography/Study
A Topography Survey will be required prior to design of utilities. It appears the property is relatively flat with small minor changes in elevation per GIS maps.

C. Detention Requirements
Detention for development will follow Harris County Engineering criteria for connection to an existing Harris County storm sewer per the City of La Porte’s staff. For this tract connection to Harris County storm system will require a detention rate of 0.75 acre-feet per acre of increased impervious area.

The 10.81 acre tract requires detention at an approximate volume calculated at 8.1075 acre-feet and is based on the detention rate provided by the Harris County Engineering Department.

To maximize the development plan on the property, detention may be provided via three surface ponds with vertical retaining walls, with depths ranging from 5.2ft to 6ft and underground storm sewer used to convey runoff may also be counted towards the volume. Depending on further topographic survey operations, field investigation and confirmation with City of La Porte, storage may also be achieved by additional storm pipes where necessary.

D. Sediment Control and Storm Water Quality Requirements
During Construction: National Pollution Discharge Elimination System (NPDES) rules are administered by the U.S. Environmental Protection Agency (EPA). These rules provide federal guidelines for storm water management. For property development, the main objective of the NPDES is to control sediment conveyance and subsequent siltation during construction through the use of erosion/sedimentation controls. Since the site is larger than 1 acre, a Stormwater Pollution Prevention Plan addressing sediment controls is required for the site during construction. TCEQ requires a Notice of Intent (NOI) and a Notice of Termination (NOT) to be submitted for this site. More information regarding TCEQ requirements can be found here: http://www.tceq.state.tx.us/permitting/stormwater/TXR15_1_to_5.html

After Construction: Permanent storm water quality facilities are required on all new development projects disturbing five acre or more. Because this site is greater than five acres, a permanent storm water controls will be required. There are various types of storm water quality units that may be reviewed for use.

A regional Storm Water Study is not required per the pre-development meeting with the City of La Porte.
E. **Traffic Impact Analysis**
   A traffic impact analysis (TIA) will be determined by Harris County Traffic review. Typically, a TIA is required when a site produces a volume of more than 100 Trips.

F. **Noise/Flight Path Review**
   Due to the adjacent airport, the developer has discussed new construction requirements with City staff to obtain approval from City of La Porte’s Public Works Director. Based on their discussions with the City engineer, a runway protection zone easement has been imposed on the site plan for compliance, for reference see Exhibit 1. Also, please see Exhibit 17 with map and description of the runway protection zones obtained from the City of La Porte.

G. **Floodplain Review**
   The site is located on Flood Insurance Rate Map Number 48201C0880M, revised January 06, 2017 (Exhibit 13). According to the map, the site is located in unshaded Zone X, and partially in shaded zone X which is an area determined to be partially inside the 500-year floodplain. FIS maps have been provided for reference of current effective flood plain elevations. At time of permitting and design current maps will be reviewed for compliance.

H. **Environmental/Wetlands Review**
   It is recommended for the developer to understand and comply with all environmental requirements. The developer’s environmental consultant can address disposal of any hazardous materials should any be present, and confirmation of wetlands if any present. Based on the National Wetlands inventory maps, it appears there are no wetlands on the property. (Exhibit 15)

I. **Future Roadway Plans**
   There are no future roadway plans per the City of La Porte to expand Spencer Highway to an ultimate ROW width. At this time the City has acquired the Right-Of-Way width for future construction of roadways.

J. **Fire Lanes**
   The City of La Porte’s fire marshal’s office requires a Site Plan review during the design and development stage. They require access via a fire lane pavement to be provided to each building in case of emergency situations. Fire Hydrants must be provided on private property adjacent to the fire lanes as well. Fire Lanes criteria is provided in Exhibit 11.

K. **Ingress/Egress Requirements Review**
   Access for Spencer Highway falls under Harris County’s jurisdiction. Each driveway is subject to review and approvals by Harris County. The City of La Porte will review the private plans for access as well.

L. **Water Meter Easement (W.M.E.) & Water Meter Location**
   If a conventional in ground (vault) water meter is used, a water meter easement is required. An 8” water meter requires a 15’ x 25’ water meter easement.
M. Public Utility Information
A wastewater capacity reservation application to the City of La Porte will have to be submitted, for water & wastewater capacity during the design and development stage. This letter dictates the point of connection and requests the City staff to verify whether there is adequate utility capacity available for the proposed development. The City in the pre-development meeting stated that they have capacity in their infrastructure (Water and Sanitary) for the project.

The following section provides location and size of existing City utilities located near the site based on the City of La Porte’s GIS Map System show in Exhibit 14.

i. Water:
There is an existing 16-inch water line along south side of Spencer Highway. The proposed development will require a bore connection designed to connect to the 16-inch water line in Spencer Highway’s Right of Way.

ii. Sanitary Sewer:
Per the City’s public works engineer, there is an existing 12-inch sanitary sewer located on the South side of Spencer Hwy. The project will require a public sanitary sewer line extension of approximately 1,230ft running along the south side of the Spencer Highway. The proposed development will require a bore connection designed to connect to the future 12-inch sanitary sewer extension and will require easements. The City staff mentioned that the developer can obtain reimbursement documents from their EDC staff.

iii. Storm Sewer:
There is an existing Harris County Storm System located in Spencer Highway Right of Way. Drainage for the development is proposed to connect into the existing 48-inch storm line in Spencer Highway after onsite private detention is provided.

N. Private Utility Information

i. Electric & Gas:
Electric service will be provided by CenterPoint Energy. CenterPoint Energy below is the area consultant contact for Center Point Energy. CenterPoint Energy has existing overhead distribution facilities near the proposed project.

Samuel Voordees
281-425-7348
Samuel.voordees@centerpointenergy.com
ii. Telephone:
AT&T currently serves this area for telephone service. AT&T will provide a service layout based on a site plan provided by the developer. Telephone cable will be placed in customer-owned conduit. The average time required to bring service to the site is 60 to 90 days after customer conduit is in place. Below is the area consultant.

Chris Grey
713-637-5025
Chris_grey@cable.comcast.com

iii. Cable:
Cable service will be provided by Comcast. Below is the area consultant.

Jones Lander
713-943-4938
Jl9536@att.com

O. Geotechnical Report
A geotechnical report will be required for design of proposed paving and utility improvements. The borings must be done at appropriate depths to understand the existing soil properties from the Geotech specifications prior to civil design.
EXHIBIT 1
PROJECT SITE PLAN
EXHIBIT 2
PROJECT LOCATION MAP
EXHIBIT 3
APPLICABLE BUILDING CODES
IV.

APPLICABLE CODES

Adopted May 13, 2013; Effective July 15, 2013:
Ordinance No. 2013-3481

2012 INTERNATIONAL BUILDING CODE (IBC)

2012 INTERNATIONAL RESIDENTIAL CODE (IRC)

2012 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)

2012 UNIFORM MECHANICAL CODE (UMC)

2012 UNIFORM PLUMBING CODE (UPC)

Adopted October 24, 2011; Effective December 1, 2011:
Ordinance No. 2011-3388

2011 NATIONAL ELECTRICAL CODE (NEC)
WITH LOCAL AMENDMENTS
(COMMERCIAL & RESIDENTIAL)

Adopted January 12, 2015; Effective March 13, 2015:
Ordinance No. 2015-3563

2015 INTERNATIONAL FIRE CODE (IFC)
WITH ADOPTED AMENDMENTS TO FIRE CODE

Reference the City of La Porte Code of Ordinances Adopted amendments for additional requirements.
EXHIBIT 4
CITY OF LA PORTE COUNCIL DISTRICT MAP
EXHIBIT 5
Miller Survey Group Survey
EXHIBIT 6
R-3 Development Guidelines/Setback Requirements
Sec. 106-354. Special regulations and procedures.

Refer to articles IV, V, VI and VII of this chapter.


**Subdivision III. R-2 MID Density Residential District**

Sec. 106-371. Purpose.

The R-2 mid density residential district is intended to provide for medium density, single-family attached or detached dwellings and multiple-family dwellings which may have a relatively intense concentration of dwelling units served by open spaces and other common areas. The district also provides the religious, recreational and educational uses normally associated with residential areas. The following regulations shall apply in all R-2 districts.

Sec. 106-372. Permitted, accessory and special conditional uses.

Refer to section 106-331 (Table A, residential uses).

Sec. 106-373. Density/intensity regulations.

Refer to section 106-333 (Table B, residential area requirements).

Sec. 106-374. Special regulations and procedures.

Refer to articles IV, V, VI and VII of this chapter.


**Subdivision IV. R-3 High Density Residential District**

Sec. 106-391. Purpose.

The R-3 high density residential district is the highest density residential district. Its principal purpose is to provide a wide variety of dwelling types including single-family dwellings, multiple-family dwellings, garden apartments, condominiums and townhouses. It provides the religious, recreational and educational uses normally associated with residential areas. The following regulations shall apply in all R-3 districts.

Sec. 106-392. Permitted, accessory, and special conditional uses.

Refer to section 106-331 (Table A, residential uses).

Sec. 106-393. Density/intensity regulations.

Refer to section 106-333 (Table B, residential area requirements).
Sec. 106-394. Special regulations and procedures.

(a) Refer to articles IV, V, VI and VII of this chapter, and refer to section 106-5334(i).

(b) All multifamily developments with residential units more than 200 feet from a public street must meet the following private street design criteria:

1. **Purpose.** The purpose for the regulation of private streets and the standards established in this section are:
   a. To provide adequate vehicular access to all buildings and facilities by city police, fire, and solid waste department vehicles; and
   b. To provide for the safe movement of all vehicles from a private street to the public street system of the city.

2. **Location.** All portions of residential buildings must be within a 300-foot length, measured horizontally as a fire hose would lay, from a public or private street.

3. **Width.** The width of a private street shall be measured from edge to edge across the surface of the pavement. The right-of-way width and the pavement width of a private street are considered coterminous and the terms are used interchangeably. The minimum acceptable unobstructed width of any private street is 28 feet. If parallel parking is proposed along the private street, additional width may be required to accommodate such parking.

4. **Dead ends, culls-de-sac, and T or L-type turnarounds.** Dead end private streets must be terminated by a circular cul-de-sac having a paving radius of not less than 40 feet or a T or L-type turnaround designed in conformance with the standards approved by the director.

5. **Length of culls-de-sac or dead end private streets.** Dead end private streets must not extend further than 300 feet from the nearest right-of-way line of the intersecting public or private street measured along the centerline of said private street to the center of the cul-de-sac or the outer limit of the paving in the T or L-type configuration.

6. **Construction.** All private streets shall be constructed in conformance with the public improvements criteria manual.

(c) Points of entry/exit: All multi-family developments shall contain a minimum of two points of entry for ingress and egress of vehicle traffic from adjacent public rights-of-way and thoroughfares.


Subdivision V. MH Manufactured Housing District

Sec. 106-411. Purpose.

(a) The MH manufactured housing district is intended to provide for manufactured housing communities, (parks, subdivisions, or condominiums). Within such developments, manufactured housing communities (with such additional uses and occupancies as are permitted herein) may be established subject to the requirements and limitations set forth in these and other regulations. Other residential and supporting uses may also be permitted in such districts.

(b) It is intended that such manufactured housing communities shall be so located, designed, and improved as to provide a desirable residential environment, protection from potentially adverse neighboring influences, protection for adjacent residential properties, access for vehicular traffic without traversing minor streets in adjoining residential neighborhoods, and accessibility equivalent to that for other forms of permitted residential development to public facilities, places of employment, and facilities for meeting commercial and service needs not met within the manufactured housing community.
Sec. 106-518. Special regulations and procedures.
Refer to articles IV, V, VI and VII of this chapter for additional regulations and procedures.
For commercial uses, a minimum of 4 parking spaces is required. Such parking may cover no more than 30 percent of the lot. Parking may be permitted in the right-of-way if approved by the Director of Planning and Development.

Sec. 106-519-106-520. Reserved.

DIVISION 4. INDUSTRIAL DISTRICT REGULATIONS

Subdivision I. Generally

Sec. 106-521. Industrial Uses.

Interpretation and enforcement. Property uses, except as provided for by section 106-310 (Table A, commercial and industrial uses) are prohibited and constitute a violation of this chapter.

Sec. 106-522. Table A, Industrial area requirements.

(a) **Table A, industrial area requirements.**

<table>
<thead>
<tr>
<th>Uses</th>
<th>Minimum Landscaping Requirements (percent)</th>
<th>Maximum Lot Coverage (percent)</th>
<th>Minimum Yard Setbacks F.R.S. 1, 3, 5 (feet)</th>
<th>Adjacent to Residential Minimum Yard Setback F.R.S. 2, 5, 9 (feet)</th>
<th>Maximum Height (feet)</th>
<th>Bldg. Design Standards</th>
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<tr>
<td>BI business-industrial; all permitted or conditional</td>
<td>6</td>
<td>5 % up to one acre – four foot minimum frontage</td>
<td>50</td>
<td>20-10-10</td>
<td>50-40-30</td>
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<tr>
<td></td>
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<td></td>
<td>7.5 % one acre – 10 feet – 10 foot minimum frontage</td>
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<td></td>
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<tr>
<td></td>
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<td>10 % - greater than 10 acres – 25 foot minimum frontage</td>
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</tr>
<tr>
<td>LI light industrial district; all permitted</td>
<td>5 % up to one acre – four foot</td>
<td><strong>70</strong></td>
<td>20-10-10</td>
<td>30-50-50</td>
<td>N/A</td>
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<tr>
<td>District</td>
<td>Minimum Frontage</td>
<td>0-1 Acre</td>
<td>1-10 Acre</td>
<td>Greater than 10 Acre</td>
<td>Column Width</td>
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<tr>
<td>or conditional</td>
<td>7.5% one acre – 10 feet</td>
<td>10%</td>
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<td></td>
<td>10% - greater than 10 acres – 25 feet</td>
<td>10%</td>
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<td>HI heavy industrial district all permitted</td>
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<td>50-50-30</td>
<td>100-150-150</td>
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<td>or conditional</td>
<td>5% up to one acre – four feet minimum frontage</td>
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<td></td>
<td>7.5% one acre – 10 feet</td>
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<td>10% - greater than 10 acres – 25 feet</td>
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</tr>
<tr>
<td>Loading docks</td>
<td>N/A</td>
<td>N/A</td>
<td>Same as principal use plus 130 ft.</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outside storage</td>
<td>N/A</td>
<td>N/A</td>
<td>20-10-5</td>
<td>Same as principal use</td>
<td>Section 106-444(b)</td>
<td></td>
</tr>
<tr>
<td>Truck stops</td>
<td>15%</td>
<td>50</td>
<td>50-40-30</td>
<td>50-40-30</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shipping containers</td>
<td>15%</td>
<td>N/A</td>
<td>50-50-30</td>
<td>100-150-150</td>
<td>36♀♂</td>
<td></td>
</tr>
<tr>
<td>On- and off-premises freestanding signs</td>
<td>See article VII of this chapter</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freestanding on-premises signs located in</td>
<td>See article VII of this chapter</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>controlled access highway corridors</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
Footnotes.

1. A minimum landscape setback of 20 feet will be required adjacent to all designated conservation areas. Buildings, parking areas, loading docks, outside storage, and refuse containers will not be allowed in such setback areas. These areas are to be landscaped with trees, shrubs, and ground cover, with a planting plan required to be submitted and approved by the enforcement officer. Required landscaping must be maintained by the property owner and/or occupant.

2. No buildings, parking areas, loading docks, outside storage, or refuse containers will be allowed in such setback areas. These areas are to be landscaped with trees, shrubs and ground cover, with a planting plan required to be submitted and approved by the enforcement officer.

3. Side and rear yard setbacks may be reduced to zero if adjacent to railroad right-of-way, or rail service spurs.

4. See article V, division 4 (Fencing and landscaping requirements) for additional requirements.

5. No sign shall be located in a required visibility triangle in such a manner as to obstruct traffic visibility at a level between three feet and six feet as measured above adjacent road grade. See section 106-805 (Visibility triangles).

6. Height restrictions may be modified as a conditional use, provided that no modification of height restrictions may occur adjacent to property zoned residential or commercial. Provided further that no modification shall be permitted if said modification would pose a danger to life or property. See section 106-772 (Height requirements).

7. Shipping containers are permitted to be stacked up to four containers in height. See section 106-751 (Shipping containers used for storage).

8. Shipping containers will be stacked in a 'pyramid' appearance along the front of the site. The initial row shall not exceed two containers in height, with each successive interior row gaining one container in height to a maximum of four containers in height. For the sides beyond the front area, the 'pyramid' appearance shall not be required.

9. Screening will be required adjacent to residential in accordance with the provisions of section 106-444(a) (Commercial performance standards).

10. See article IX (Design standards) for additional requirements.

Sec. 106-523. Industrial performance standards.

(a) Traffic control. The traffic generated by a use shall be channelized and controlled in a manner that will avoid congestion on public streets, safety hazards or excessive traffic through residential areas. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets. Vehicular access points shall be limited, shall create a minimum of conflict with traffic movements, and shall be subject to the approval of the Director of Planning & Development. Vehicular ingress lanes shall be large enough to accommodate peak use on the same lot without requiring the stopping or waiting of vehicles on public rights-of-way. Ingress lanes shall be from the least heavily travelled street wherever possible.

(b) Drainage. On request, a drainage plan for the proposed development shall be submitted to the Director of Planning & Development for review and approval.

(c) Compatibility with surrounding area. The appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot. The proposed development shall be compatible with existing and planned use of the area and conflicts shall not be created between the proposed use and existing and intended future uses of the surrounding area.
EXHIBIT 7
CITY OF LA PORTE SUBDIVISION PLAT PROCCESS (CHAPTER 86)
b. Not conflict with the Comprehensive Plan.

c. Not change the character of the development or the intent of the original plat approval.

(3) The Director is the Approving Authority for all Amendments to Site Plans. Following review of the amendment, the Director shall, within two (2) weeks of the filing date, take one of the following actions:

a. Approve the amendment as filed. Approval of an Amendment shall be clearly noted on the originally approved site plan, along with any conditions required by the Director.

b. Disapprove the amendment as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Director.

(4) Director disapproval of an amendment may be appealed to the Commission within twenty (20) days of the written notice of disapproval. Once the appeal has been filed, the amendment will be presented to the Commission for its ruling as specified for Major Development Site Plans in subparagraph (c) above.

Sec. 86-8. Subdivision plats.

(a) The following sections outline procedures for preparing and obtaining approval of Subdivision Plats for residential, commercial, or industrial properties. All Final Subdivision Plats must be recorded in the County map records.

(b) Preliminary Plat

(1) Preliminary Plats are required for all Major Subdivisions and shall be consistent with the approved General Plan, if applicable.

(2) Application shall be submitted to the Department at least two (2) weeks before the date which Commission review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.

(3) The following information must be provided as part of a Preliminary Plat submission:

a. Application and applicable fee.

b. Development checklist.

c. Project description letter.

d. Any additional information required by the Director.

e. The Preliminary Plat shall graphically contain the following (ensure compliance with PICM standards, where applicable):

1. Name of subdivision, which cannot be similar to that of an existing subdivision.
2. Type of development.

3. Description of land on which subdivision lies: “______ acres out of the _______ Survey, Abstract Number ___, Harris County, State of Texas.”

4. Date.

5. Scale in engineering format.

6. North arrow.

7. Name of developer and property owner.

8. Name of surveyor and/or engineer preparing the plat.

9. Total number of lots, blocks and reserves.

10. Indicate size of each lot and reserve.

11. Vicinity map in relation to surrounding streets, railroads and water courses.

12. Label adjacent properties including ownership information and HCAD parcel identifications, where applicable.

13. Show all physical features of the site including high banks of water courses and any other natural or man-made physical development obstacles.

14. Draw perimeter boundaries of the subdivision.

15. Show proposed layout of blocks and lots or reserves within blocks.

16. For reserves: Draw boundaries for and designate area (in square feet and acres) for unrestricted reserves and those dedicated for restricted usages, such as those for drainage, recreation, parkland, or other uses (indicate intended usage and existing zoning).

17. Label contours at one-foot intervals.

18. Show and label all rights-of-way of all streets and alleys, either existing or proposed, within the plat boundaries and immediately adjacent thereto. Indicate right-of-way width between points, curvature, tangency and at changes in width.

19. Provide names of all existing and proposed streets located within the plat boundaries and immediately adjacent thereto. Street names cannot be duplicates of any street names in current use, unless continuations of existing streets or as part of a historical grid pattern.

20. Label location, widths and types of all easements, either existing or proposed, within the platted area or immediately adjacent thereto. Include any recording information on any existing easements.
21. Show nearest city approved survey monument and exact bearing (nearest second) and distance (nearest hundredth of a foot) to a defined point on the perimeter boundary of the property.

22. Show location of all proposed survey control monuments to be installed by the developer pursuant to Section 86-9 of this Chapter.

23. Show boundary of flood hazard area/s as adopted by the city.

24. Show location of all existing and proposed storm drainage, sanitary sewer system, and water lines.

25. For condominium developments: Draw the footprint of each building site and show overall dimensions and building type for each building. Show shortest distances from each building to nearest building and property line. For each building type, draw to larger scale the plan of each building type, showing all perimeter wall dimensions and the dimensions and location of walls between units. Designate each unit type and floor area in square feet.

(4) Preliminary Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the plat and take one of the following actions:

   a. Approve the Preliminary Plat as filed.

   b. Disapprove the Preliminary Plat as filed, provided, the reason for such disapproval is stated in writing and a copy of the statement is signed by the Chairman of the Commission. Disapproval may also include conditions for resubmittal of Preliminary Plat.

(5) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Commission to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

(6) The original approved mylar of the Preliminary Plat shall be retained by the Department in the official files of the Commission.

(7) In the event the subdivider fails to file a Final Plat within one year of Approving Authority approval of the Preliminary Plat, approval of said Preliminary Plat shall terminate upon written notice to the subdivider or owner. The subdivider or owner may request in writing a one year extension specifying the reason why a Final Plat has not been filed.

(c) Final Plat

   (1) Final plats are required for all subdivision, and shall be consistent with the Preliminary Plat if applicable. Final Plats of subdivisions are drawn accurately to scale with exact dimensions. Complete instructions for preparing Final Plats are contained in Appendix D.

   (2) In conjunction with the filing of the Final Plat, the subdivider or developer shall file a proposed set of covenants, restrictions, conditions, and reservations, affecting the property enclosed within
the Final Plat. The covenants and restrictions shall include provisions creating an association of lot owners charged with the responsibility of promoting the recreation, health, safety, and welfare of the members of the association, and for the improvement and maintenance of any common areas, compensating open space, private streets, alleys, or parking areas included within the Final Plat. The association shall be empowered to levy assessments to be used exclusively in the enforcement of the covenants, restrictions, conditions, and reservations affecting the property enclosed in the Final Plat, and for the furtherance of its responsibility of improving and maintaining any common areas, compensating open space, private streets, alleys, parking areas or other private improvements included within the Final Plat. The assessments levied shall be a charge on the land and shall be a continuing lien on the property against which each such assessment is made.

(3) The proposed set of covenants, restrictions, conditions and reservations filed shall be submitted to the City Attorney of the City of La Porte, who shall review the documents and insure that the form of the documents complies with this chapter.

(4) Application shall be submitted to the Department at least two (2) weeks before the date which Commission review is requested. Application shall consist of all required documentation either electronically or one (1) paper copy.

(5) The following information must be submitted as part of a Final Plat submission:

a. Application and applicable fee.

b. Development checklist.

c. Title certificate, abstract, or planning letter.

d. Complete public street construction drawings for approval by the Director.

e. Complete public utility construction drawings for approval by the Director.

f. List of coordinates for each point to be marked in the final field survey. Each point on the list is to be assigned a unique number code. A copy of the Final Plat, marked with the locations of each number code, is to be submitted as well.

g. Letters from the servicing utility companies approving of the easements shown on the plat.

h. Copy of deeds for any private easements within the subdivision.

i. Commitment of park dedication as required in Section 86-11 of this Chapter.

j. A letter, statement or instrument from the holder of any privately owned easement or fee strip within the subdivision boundaries approving any crossings of said existing easement or fee strip by proposed streets, utilities, or easements shown on the plat. If adjustment of existing utilities is required, said letter shall specify the nature of the adjustments and the approval of the owner for such adjustments.

k. Set of covenants, restrictions, conditions, and reservations, affecting the property enclosed within the Final Plat.
I. Title information as required in Section 86-9(n) of this Chapter.

m. Any additional information required by the Director.

n. Final Plat to graphically contain the following (ensure compliance with PICM standards, where applicable):

1. The graphical requirements outlined for a Preliminary Plat in Section 86-8(b)(3)(e), Items 1-22.

2. Metes and bounds description in map for with appropriate bearings and distances.

3. Owners’ Acknowledgement Statement

4. Lienholders’ Subordination Agreement, where applicable

5. Plat Accuracy Certificate

6. Final Survey Certificate

7. Approving Authority Certificate

8. Harris County Clerk Filing Statement

9. Permanent Access Easement must be labeled for any proposed private roads.

10. Any other special statements required by the Director

(6) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Commission to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

(7) Final Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the plat and take one of the following actions:

a. Approve the Final Plat as filed. Such approval of a Final Plat as filed and all accompanying documentation by the Commission, together with approval of Public Improvement Construction Documents by the Director shall result in issuance of a Development Authorization by the Department which permits the developer to begin construction of subdivision improvements.

b. Disapprove the Final Plat as filed, provided the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Planning Commission. Such disapproval requires filing of a new Final Plat.

(8) Notice of the Commission’s action shall be forwarded to the applicant.

(9) A Final Plat shall not be recorded until executed by the Director and by the Commission. Before the Final Plat is executed, the developer shall follow the procedure provided for in Section, and
construct the proposed improvements according to the approved plans and specifications. In the event the developer or owner fails to commence construction of such improvements within one year of Development Authorization, approval of the Final Plat shall terminate upon written notice from the Commission to the developer or owner. The developer or owner may request in writing one year extension specifying the reasons why construction has not commenced.

The Commission shall not sign and deliver a copy of the plat to be recorded, nor shall such Final Plat be recorded, if such proposed improvements are not completed within two years of commencement of construction, and approved by the Director. In the event the developer or owner fails to complete construction of such improvements within two years of commencement of construction, approval of the Final Plat shall terminate upon written notice from the Commission to developer or owner. The developer or owner may request a one year extension in writing from the Director specifying the reasons why construction had not been completed.

The Final Plat shall not be recorded unless the deed restrictions called for herein are recorded simultaneously with the recordation of the Final Plat.

(10) After recordation with Harris County, the original recorded mylar film of the Final Plat shall be retained in the official files of the Commission.

(d) Administrative Plat

(1) The same submittal requirements for a Final Plat approval apply to an Administrative Plat.

(2) Administrative Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Director. The Director shall review the plat and take one of the following actions:

a. Approve the Preliminary Plat as filed.

b. Disapprove the Preliminary Plat as filed, provided, the reason for such disapproval is stated in writing. Disapproval may also include conditions for resubmittal. If said plat is disapproved, the applicant may elect to refer the plat to the Commission for consideration.

(3) The Director may, for any reason, elect to present the plat to the Commission for approval of the plat.

(4) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Director to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

(e) Replat of recorded subdivision plats

(1) A replat or re-subdivision of a recorded Subdivision Plat, or a portion thereof, but without vacation of the immediate previous plat, is hereby expressly authorized to be recorded and shall deemed valid and controlling when:
a. It has been signed and acknowledged by only the owners of the particular property which is being replatted or re-subdivided on the acknowledgement shown in Enclosure 1 to Appendix D;

b. It does not attempt to alter, amend or remove any covenants and restrictions;

c. There is compliance, when applicable, 212.014 and 212.0145 of the Texas Local Government Code;

d. It has been approved by the Commission after being prepared and filed as though it were an original plat as specified in subparagraph “c” of this section; and

e. All expenses incurred by the City or the subdivider in the Replat process shall be borne by the subdivider, including costs of notice at public hearing.

(f) Amending Plat (of recorded subdivision plats)

(1) An Amending Plat may be filed for record in the County map records to correct dimensional errors, notational errors or other erroneous information, to add to or delete monuments, or to relocate a lot line between adjacent lots, as allowed in Section 212.016 of the Texas Local Government Code, provided:

   a. The signed Amending Plat Certificate shown on Enclosure 4 to Appendix D is placed on the face of the Amending Plat;

   b. The Planning and Zoning Commission Certificate shown on Enclosure 4 to Appendix D is placed on the face of the Amending Plat and;

   c. Commission approval of said Amending Plat is reflected by Commission execution of said certificate.

(2) The Planning Director of the City of La Porte may approve Amending Plats and execute Certification of same as set forth above in lieu of the Planning Commission, as allowed in Section 212.0065 of the Texas Local Government Code. The Director of Planning may, for any reason, elect to present the Amending Plat to the Commission for approval. The Director of Planning shall not disapprove the Amending Plat and shall refer any plats which are refused to the Planning Commission within the time parameters as delineated in Section 212.009 of the Texas Local Government Code.

(g) Vacating Plat (of recorded subdivision plats)

(1) The vacation of Subdivision Plats, which is authorized and regulated by Section 212.013 of the Texas Local Government Code, shall be permitted, provided:

   a. All owners of all property contained within the previous plat sign the Vacation of Subdivision Declaration shown on Enclosure 5 to Appendix D;

   b. Approval of the Commission is obtained and reflected by Commission execution of the certificate shown on Enclosure 5 to Appendix D; and

Thursday, June 09, 2016
EXHIBIT 8
CITY OF LA PORTE SITE PLAN REVIEW PROCESS (CHAPTER 106)
a. **Approve** the Minor Development Site Plan as filed. Approval of a Minor Development Site Plan and all accompanying documentation by the Director, together with approval of Public Improvement Construction Documents by the Director, results in issuance of a Development Authorization by the Department.

b. **Conditionally** approve the Minor Development Site Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Director. Conditional approval of a minor development Site Plan requires that the developer satisfy the conditions established by the Department. Once the stated conditions have been satisfied, the Minor Development Site Plan and accompanying documentation may be resubmitted for Department approval.

c. **Disapprove** the Minor Development Site Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Director. Disapproval of a Minor Development Site Plan requires filing of a new Minor Development Site Plan.

(3) Department action shall be noted on three (3) copies of the Minor Development Site Plan, which shall be distributed to the developer, Department and the City Code Enforcement Division.

(4) Unless stipulation for additional time is agreed to by the Developer, if the Director fails to act within four (4) weeks from the date of submittal of the Minor Development Site Plan the Developer may submit a written request to the City Manager for an investigation into the Director’s failure to act, in answer to which the City Manager shall issue a report within (2) weeks, unless the Director has sooner acted on the submitted Plan.

(5) Director disapproval of a Minor Development Site Plan may be appealed to the Commission within twenty (20) days of the mailing of a written notice of disapproval. Once the appeal has been filed, the Minor Development Site Plan will be presented to the Commission for its ruling as specified for Major Development Site Plans in subparagraph (c) below. The following materials must be filed with the City Secretary for an appeal:

   a. A copy of the Director’s disapproval letter.

   b. A letter stating the basis of appeal.

   c. A copy of the Minor Development Site Plan.

(6) Prior to issuance of a Certificate of Occupancy, a final inspection of all improvements must be completed by City Inspectors. However, the developer shall have the option to utilize a third party Engineer in place of City Inspectors to certify that all improvements have been installed in accordance with the approved Minor Development Site Plan.

(c) **Major Development Site Plan**

(1) Application shall be submitted to the Department at least three (3) weeks before the date which Commission review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.
(2) The Commission is the Approving Authority for all Major Development Plans. Following review of the Major Development Site Plan, the Commission shall take one of the following actions:

   a. Approve the Major Development Site Plan as filed. Approval of a Major Development Site Plan and all accompanying documentation by the Commission, together with approval of construction documents for any proposed public improvements by the Director results in issuance of a Development Authorization by the Department.

   b. Conditionally approve the Major Development Site Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Chairman of the Commission. Conditional approval of a Major Development Site Plan requires that the Developer satisfy the conditions established by the Commission. Once the stated conditions have been satisfied, the Major Development Site Plan and accompanying documentation may be resubmitted for Commission approval.

   c. Disapprove the Major Development Site Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Commission. Disapproval of a Major Development Site Plan requires filing of a new Major Development Site Plan.

(3) Commission action shall be noted on four (4) copies of the Major Development Site Plan, which shall be distributed to the developer, Department, City Code Enforcement Division, and official Commission files.

(4) Unless stipulation for additional time is agreed to by the developer, the failure of the Commission to act within thirty (30) days from the date of submittal of the Major Development Site Plan the Developer may submit a written request to the City Manager for an investigation into the Director's failure to act, in answer to which the City Manager shall issue a report within (2) weeks, unless the Director has sooner acted on the submitted Plan.

(5) Prior to issuance of a Certificate of Occupancy or final inspection of any improvements included in an approved Major Development Site Plan, a letter signed and stamped by a licensed engineer must be submitted to the Planning and Development Department certifying that all improvements have been installed in accordance with the approved Major Development Site Plan.

(d) Amendments to Minor and Major Development Site Plans

(1) Amendments to minor and major development site plans are those that provide for rearrangement or reconfiguration of floor plans or building elevations, modifications to parking areas, landscape areas, drainage facilities, utilities or other site improvements. An amendment may only occur to a site plan that has an active building permit on file.

(2) Said modifications shall:

   a. Comply with all requirements of Chapter 106 of the City's Code of Ordinances and other applicable city regulations.
EXHIBIT 9
MULTIFAMILY SIGNAGE AND FENCING REQUIREMENTS.
(1) **Screening.** A ten-foot opaque screen consisting of a combination of shrubs, fencing, and/or masonry wall must be created between multifamily residential developments adjacent to single-family residential developments.

   a. **Location.** The required screen shall be located within the first ten feet of the building setback adjacent to the single-family residential district.

   b. **Planting.** At the time of planting, the shrubs must be between four to six feet tall and create an opaque screen within one growing season.

      i. All shrubs must be approved by planning department officials.

(2) **Fencing.** Every multifamily development within the city shall have a perimeter fence located along all sides abutting or facing the right-of-way, as well as along all sides abutting or facing single-family residential developments.

   a. **Construction, maintenance of fence or wall.** Every fence or wall herein shall be constructed and maintained as follows:

      i. All fences shall be constructed of wood, masonry, or wrought iron.

      ii. All fences or walls shall extend downward to within three inches of the ground and shall test plum and square at all times.

      iii. All fences or walls shall be constructed in compliance with all applicable provisions of the building codes of the city.

   b. **Gates at openings in enclosure.** Openings in the prescribed enclosure which are necessary to permit reasonable access to said multiple-family development shall be equipped with a gate or gates, constructed and maintained in accordance with the requirements for a fence or wall set forth in this section.

(3) **Recreational areas, facilities, and open space.**

   a. The open space requirements for townhouses, quadruplexes and multifamily developments shall include a combination of the following:

      i. Trails,

      ii. Playgrounds (except in the case of "Senior Only" developments),

      iii. Clubhouses, and/or

      iv. On-site detention pond areas (Playgrounds are not to be located in the detention pond areas.).

(4) **Controlled access gates, if utilized:**

   a. Shall be constructed set back from the street far enough to prevent traffic congestion from any vehicle traveling on the right-of-way adjacent to such controlled access gate, and

   b. Must provide 24-hour access to emergency vehicles, including fire department, EMS, police department and utility company vehicles.

(j) Group care facilities (aka community homes, residential personal care homes, living centers, assisted living centers and similar uses as identified in NAICS group #623 (Nursing and Residential Care Facilities).

   (1) **Location:** Facilities, in compliance with the Texas Human Resources Code (Ch. 123 and 105), Administrative Code (Ch. 92) and Health & Safety Code (Ch. 247, shall be permitted as a use-by-right in R-1 Low Density Residential, R-2 Mid Density Residential, R-3 High Density Residential, MH Manufactured Housing and LL Large Lot Districts.

   (2) **Distance Requirement:** Group care facilities shall not be closer than 1,000 feet to a similar use (NAICS group #623). Measurement shall be from the nearest boundary of the sites on which they are located.
(3) Signage: Group care facilities located within a residential neighborhood shall be allowed to have one (1) sign not exceeding two (2) square feet in area, non-illuminated and mounted flat against the wall of the principal building.

(4) Visual Compatibility: There shall be no change in the outside appearance of the building or premises. No structural alterations shall be permitted that will cause the group care facility to be substantially distinguishable from other surrounding residential properties.

(5) Registration Requirement: Facilities providing food & shelter to three (3) or less persons, who are unrelated to the proprietor of the establishment, shall comply with all city regulations and register their facility with the City annually by obtaining a Group Care Facility Certificate. The certificate cost shall be at the rate established in Appendix A, fees, of this Code, shall expire on December 31st of each year. Such fee shall be payable to the City on or before December 15th for the next succeeding calendar year. The fee provided for in this article shall not be subject to proration or reduction for payment for a period of less than twelve (12) calendar months. Operation of a facility without first having obtained the required certificate shall be deemed a violation of this article.

(6) Payment of Taxes: All ad valorem taxes on any and all property, personal or real, necessary to the operation of the facility must be paid prior to the issuance or renewal of the certificate.

(7) Display of Certificate: Every facility so registered shall display an active certificate in a conspicuous place, within the facility common area, so as to be easily seen by the public.

(8) Access to the Facility: City personnel shall have the right-of-entry to ensure safe habitability and public safety. City personnel shall advise on-site facility personnel of the purpose of their visit.

(9) Annual Inspection: The Fire Marshal’s Office shall perform a minimum of one (1) annual inspection for each group care facility. Facilities shall comply with all applicable city codes, ordinances, policies and regulations.

(k) Facilities shall be in compliance with the Texas Human Resources Code (Ch. 123 and 105), Administrative Code (Ch. 92) and Health & Safety Code (Ch. 247). To ensure compliance with state regulations, a copy of the facility’s active State license shall be provided to the City, when requested by staff.


Subdivision II. R-1 Low Density Residential District

Sec. 106-351. Purpose.

(a) The R-1 low density residential district is the most restrictive district.

(b) The principal use of land in this district is for low density, single-family detached dwellings and related recreational, religious and educational facilities normally required to provide the elements of a balanced, orderly, convenient and attractive residential area. The following regulations shall apply to all R-1 districts.

Sec. 106-352. Permitted, accessory, and special conditional uses.

Refer to section 106-331 (Table A, residential uses).

Sec. 106-353. Density/intensity regulations.

Refer to section 106-333 (Table B, residential area requirements).
Parkland Development Fee

Whenever a final plat is recorded, or a development site plan/property survey is submitted and filed with the approving authority of the city, for a development of a residential area within the City of La Porte that contains one or more residential dwelling units, such plat, site plan, or property survey shall trigger the following fees and land dedications:

**Land Dedication – 1 acre per 93 dwelling units**  
Park Development Fee - $318.00 per dwelling unit

A developer responsible for land dedication may be allowed, at the approving authority's option, to meet the dedication requirements in whole or in part by a cash payment in lieu of land, in the amount set forth below:

**Payment in lieu of land - $490.00 per dwelling unit**  
Park Development Fee - $318.00 per dwelling unit  
**TOTAL: $808.00 per dwelling unit**
EXHIBIT 11

CITY OF LA PORTE FIRE MARSHAL REQUIREMENTS
City of La Porte
Fire Marshal's Office

Fire Code Construction & Development Guide

Clif Meekins
Fire Marshal
Thank you for choosing to build in the City of La Porte. This guide was developed to assist you as you prepare construction plans for initial review by the La Porte Fire Marshal’s Office. This guide pertains only to the fire related construction requirements of the City of La Porte and does not address those of other departments within the City. The items addressed are documented in the following codes and publications: 2003 International Fire Code, Applicable National Fire Codes published by the National Fire Protection Association, and Local Codes, Ordinances and Amendments as adopted by the City of La Porte.

In reviewing plans for new development, the two primary concerns of the Fire Marshal’s Office are Access and Water Supply for fire fighting and emergency medical purposes. These concerns are examined in detail when you submit an initial site plan for approval, and again when construction plans are reviewed prior to the issuance of a building permit.

The Fire Marshal’s Office reviews all commercial construction plans for Fire Code compliance. This will be done prior to a building permit being issued. The Fire Marshal’s Office will attempt to addresses the issues which normally occur during the construction phase. These items are checked utilizing the above-mentioned codes for reference and if different codes reference the same subject, the more stringent code shall apply.

Please prepare your plans with the knowledge that our ultimate goal is to ensure life safety. While every effort is made to be very thorough during the site and plan review processes, there is always a possibility that something may be overlooked. Should this occur, it does not remove the contractor from his responsibility to construct the building to the proper fire and life safety code. Problems may be noted during onsite inspections or at the final inspection for the Certificate of Occupancy. Compliance may be required prior to the issuance of the Certificate of Occupancy. Therefore, if you feel some aspect of your project requires special attention, or you have specific questions, please bring this to our attention as soon as possible. We prefer to utilize the plan review process as a positive time to review important issues rather than trying to correct costly concerns at the end of the construction project.

We encourage pre-development consultations to discuss projects prior to the plans being completed. Please feel free to contact our office to schedule an appointment or to ask any questions that you may have. You may contact any member of our office by mail or phone at the following location.

La Porte Fire Marshal’s Office
125 South 3rd Street
La Porte, Texas 77571
(281) 867-4603

We look forward to working with you during the construction process. Our goal is to provide you with dependable information and courteous prompt customer service while providing for the safety of the structure and its occupants.
This guide refers to items that are critical to the site and plan review processes. By following the criteria in this guideline, you will be aware of what is expected from you as the builder. This list is not meant to be all-inclusive as special needs and considerations do arise. The following information was developed to help with the more common needs and occupancies. Also, items within this checklist may not apply to your specific development. As the architect, developer or contractor, you should be versed in applicable codes; however, a member of the La Porte Fire Marshal’s Office will be happy to assist you with any needs or questions you may have.

**Site Plan Review**

1) Reviews the Fire Department’s ability to access the property, including driveway widths and any turn radius for dead end streets.

2) Reviews the need for fire hydrants.

3) Reviews the need for fire lanes that will allow access from the roadway to and around the structure.

**Plan Review**

1) Your plan shall be submitted to the City of La Porte Permit Department located in City Hall at:

   604 West Fairmont
   La Porte, Texas 77571

2) The Fire Marshal’s Office will examine your construction plans to ensure fire related issues discussed during the site review were addressed/corrected. Such as:

   a. Automatic Sprinkler System (Separate Plan submittal required and permit)

   b. Fire Alarm System (Separate Plan submittal required and permit)

   c. Kitchen Vent-A-Hood Fire Extinguishing System (Separate Plan submittal and permit)

   d. Fire Extinguishers

3) Fire Hydrants should be indicated showing their location and distance from the proposed structure. Any existing and proposed water mains (including the main sizes) should be documented.

4) Fire Lanes shall be marked in accordance with City specifications.

5) Building permits are issued by the City of La Porte Building Department. This is done following a complete plans review by all Departments.
Construction

Access and Addresses

1) A hard surface access to the construction site shall be provided prior to the beginning of any phase of combustible building construction on the project.

2) Construction location shall be properly addressed during construction with a current set of construction plans on site at all times.

3) The owner or his designee shall provide the Fire Marshal’s Office with emergency phone numbers prior to site construction.

4) Upon completion of the project, the address shall be placed in a position to be plainly legible and visible from the street or road fronting the property, so as to be easily seen by personnel in the event of an emergency.
   a. Numbers shall be of contrasting color (from the structure) and visible from the roadway.
   b. Address numbers shall be Arabic numerals or alphabet letters.
   c. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inch.

Fire Hydrants

1) Locations of fire hydrant(s) shall be approved by both the Fire Marshal’s Office and City Engineering Division.

2) Fire hydrants shall be installed at such locations that no part of any commercial structure shall be more than 300 feet from a fire hydrant. This measurement is calculated as the distance along the right-of-way of a public street as the fire hose is laid off the fire truck.

3) A 3-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

4) Proper grading and elevation around fire hydrants must be provided at the time of final inspection.

5) Vegetation and landscaping shall be placed in a manner as not to obstruct or impede a fire hydrant from either view or use.

Fire Lanes and Turnarounds

1) All fire lanes are to be marked in accordance with City specifications.

2) Red striping shall be 6 inches wide on the ground. The faces and tops of all affected curbing are to be painted.

3) White letters shall be 4 inches in height and read as follows: FIRE LANE – TOWAWAY ZONE. This should be spaced every 10 feet on top of the red stripe.
4) The minimum access roadway width of 20 feet (and clearance height of 13 feet, 6 inches shall be provided on any designated fire lane.

5) Turning radius requirements shall be designed per 2003 International Fire Code and approved by the Fire Marshal’s Office.

Fire Extinguishers

1) Fire extinguisher requirement may change with occupancy/hazard classification.

2) A 5-pound minimum 2A-20BC rating is required. As a general rule, there should be 1 fire extinguisher for every 1,500 square feet of floor. In most occupancy, fire extinguishers should be placed so that the user should have to travel no more than 50 feet of travel to any unit. This distance may be increased to 75 feet if the building is protected by a fire sprinkler system.

3) All fire extinguishers are to be mounted in a visible and accessible location that is located in the path of egress when possible.

4) Fire extinguishers are to be mounted no closer than 3 feet to the finished floor and no higher than 5 feet above the finished floor to the top of the unit.

5) All fire extinguishers are required to have a current inspection tag in place showing “who” performed the inspection and “when” the inspection was performed. Inspections are to be performed by a licensed company whose tag clearly indicates their State FL number.

Fire Protection Equipment

1) All fire protection systems shall meet the applicable NFPA standard referenced in the International Codes.

2) A permit is required prior to the construction/installation of any and all fire protection equipment.

3) Plans are to be submitted to the Fire Marshal’s Office for approval prior to the issue of any permit for fire protection equipment.

4) A copy of both the designer and installer’s license shall be on file in the Fire Marshal’s Office prior to the issue of an installation permit.

5) An acceptance test is required on all fire protection equipment prior to the issue of a Certificate of Occupancy for the building.

6) All fire protection equipment shall have a current inspector’s tag at all times.

Automatic Fire Sprinklers

1) All fire sprinkler systems shall meet the criteria of the 2003 International Fire Code, and all applicable provisions of NFPA 13, 13R, and 13D.

2) Plan submittal with required approval and permits must be secured through the City of La Porte Building Inspection Department.
3) All system inspections and test should be scheduled through the Fire Marshal’s Office.

4) When submitting plans, the plans should include the following:
   a. A designer or engineer’s seal on the plans
   b. Piping locations
   c. Pipe sizes
   d. Hanger details and locations
   e. Sprinkler head details and locations, showing walls and any other obstructions.
   f. Riser specifications including valves, gauges and FDC connection.
   g. Hydraulic calculations
   h. Building classifications and construction type

5) Sprinkler plans are not required to be submitted simultaneously with the building plans. However, the plans must be submitted and approved prior to the start of sprinkler construction.

6) The Fire Department connection (FDC) shall be located no more than 100 feet from a fire hydrant and remain unobstructed at all times.

7) The location of the FDC shall be approved.

8) The FD hose connection shall be 5 inch Storz with 30 degree angle.

9) A minimum of 3 feet of clear space shall be maintained around the FDC at all times.

10) A metal sign with raised letters at least 1 inch in size shall be mounted on all FDC’s.

11) The fire sprinkler system functional test is to be witnessed by a member of the La Porte Fire Marshal’s Office and monitored prior to any inventory being stored inside the building.

12) Newly installed systems require a 2-hour, 200-psi hydrostatic test.

13) The hydrostatic acceptance test shall be witnessed and approved by a member of the City of La Porte Fire Marshal’s Office.

14) Sprinkler piping and hangers shall not be covered and/or concealed by any means prior to being inspected and approved by a member of the Fire Marshal’s Office. This includes drop grid ceiling tiles.

15) The underground water supply line to the sprinkler riser shall be hydrostatic tested with results provided to the Fire Marshal’s Office before the system is approved. This test is not witnessed by the Fire Marshal’s Office, but is inspected by an official from the Building Inspection Department.

16) Modifications to an existing system require a hydraulic recalculation when more than 10 heads are added to an existing system. A copy of the calculation sheet is to be provided to the Fire Marshal’s Office.
17) All sprinkler systems are to be supervised as specified by Code.

18) The alarm shall detect any changes to the water flow and tamper switches on the system.

19) All alarm systems shall be approved and tested prior to approval to ensure complete and proper operation.

20) Verification of alarm connection to an alarm company shall be submitted in writing by a representative of the alarm company to the Fire Marshal’s Office.

21) Alarm companies must meet current NFPA 72 Standards.

22) Any building protected by a sprinkler system shall have a UL approved electric or hydraulic warning device (a bell or a horn) installed on the outside of the structure to proximate the FDC.

23) Sprinkler heads are to be free of any foreign material, properly spaced and unobstructed. All concealed spaces are to be properly protected.

24) No storage permitted closer than 18 inches from the bottom plane of sprinkler heads.

25) All sprinkler valves, test drains, shutoff, etc. are required to be labeled in accordance with NFPA guidelines.

26) The fire sprinkler control valves shall be secured by one of the following methods.

   a. Chain and padlock
   
   b. Locked inside a room that is designated and identified on the door accordingly
   
   c. Locked inside a cage or other approved area that can be adequately secured and supervised.

Fire Alarms


2) Plan submittal with required approval and permits must be secured through the City of La Porte Building Inspection Department.

3) All system inspections and test should be scheduled through the Fire Marshal’s Office.

4) Upon completion of the system, the Fire Marshal’s Office is to be provided with a signed, legible copy of the installation/inspection certificate.

5) Two sets of drawings are required when submitted for approval. One copy will be returned to you with notations and approval. The plans submitted should include the following:

   a. Designer/Engineer seal on plans
   
   b. A copy of the Texas Fire Alarm license for both the designer and installer must be on file in the Fire Marshal’s Office before permits are approved.
c. Specifications and UL listing of all components to be installed

d. Battery back-up calculations for system

6) Where 10 or more devices are attached to a single zone, voltage drop calculations should be included.

7) All fire alarm systems and zones are to be properly labeled in accordance with NFPA 72.

8) Power supply for fire alarm system shall be a dedicated and marked circuit.

9) A zone map is required, indicating the location of devices and wire.

10) All alarm systems shall be inspected and test prior to approval to ensure complete and proper operation.

11) Where the fire alarm is required to be monitored, it shall meet the following criteria:

12) Verification of alarm connection to an alarm company shall be submitted in writing by a representative of the alarm company to the Fire Marshal.

13) Alarm companies must meet current NFPA 72 Standards.

**Kitchen Fire Extinguishing Systems**

Systems shall be designed in accordance with the appropriate NFPA standard, the 2003 International Building, Fire Codes and any applicable ordinances.

1) A hood permit must be issued prior to the start of any such work.

2) Show on plan the type of hood being installed: Type I or Type II

3) The system shall comply with UL-300 and shall be stated on plans.

4) **Pre-Engineered Systems** - Plan submittal shall comply with one, or both, of the following requirements for Pre-Engineered Systems;

   a. Be planned by a Type PL licensee or a Texas Registered Professional Engineer. All shop drawings must bear the signature of a Type PL licensee, his license number, and the certificate-of-registration number of the registered firm or a Texas Registered Professional Engineer seal.

5) If a PE is used, the PE shall provide written documentation to this office as to his knowledge that he has reviewed the Pre-Engineered System and that the system meets all applicable City of La Porte Fire Codes and any applicable State Codes.

   a. Designer shall provide this office with written documentation (Certification) from the manufacturer stating you have been trained by the manufacturer and that they certify you in the Design of said equipment.

   b. Installer shall provide this office with written documentation (Certification) from the manufacturer stating you have been trained by the manufacturer and that they certify you in the Installation of said equipment
6) All drawings submitted for permit must contain, at minimum, the following information and details:

a. A detail, front elevation, kitchen plan view: showing the hood (with dimensions) and all of the cooking equipment located under the hood, the location of the hood’s fire suppression system, and any required manual actuation devices (pulls).

b. A detail, front elevation view: showing the canopy’s overhang of the cooking surfaces, the location of the grease filters, and their distance to the cooking surface.

c. Specification of the material used for the hood and ductwork, including the type of joints.

d. Clearances of the hood and ductwork to any other building element must be clearly shown.

e. All ducts which penetrate a ceiling, a wall, or a floor, must be enclosed in a shaft assembly; full details of this shaft must be provided. If the shaft enclosure exception is being used, full details of the fire-stop system must be provided. This requirement applies to all penetrations, whether or not the element penetrated has a fire resistance rating.

f. Details of the suppression systems interconnection with all gas and electric supplies are required to be shown and the materials used shall be described.

g. For fuel fired equipment, details of the interconnection between exhaust system and fuel supply must be clearly shown.

h. Clean out locations must be clearly depicted.

i. All applications involving a vent termination, through an exterior wall, are required to show the location of the exhaust terminal, with scaled dimensions to the adjacent property line, adjacent building(s), and any window, door or air intake opening.

j. Applications involving terminations above a roof need to show terminal location, with clearances above the roof surface, distance to roof’s edge, and clearance to any other rooftop equipment. These requirements shall also apply to the location of any make up air equipment.

k. A Class "K" portable fire extinguisher is required for kitchens equipped with chemical fixed fire suppression systems. They must be installed within 30 ft. of the vent hood and in a location/direction leading to an exit.

l. The Suppression system shall be tied into an audible alarm (bell) which shall be located so to be heard in the customer area of the building. Show location of bell on plans.

m. Drawings must also include the following calculations, with all variables shown:

   i. The hood’s required capacity.
   ii. The designed air velocity within the duct system.

7) Upon completion of the system, the Fire Marshal’s Office is to be provided with a signed, legible copy of the installation/inspection certificate.
8) Exhaust ducts with angles greater than 70 degrees are required to have a clean-out access door.

9) All exhaust ducts are required to be seamless (crimped edges, screws, spot welding, etc. are not permitted).

10) An acceptance test is required upon completion and before a final Certificate of Occupancy is issued. The system will be tested for, but not limited to:

11) A “blow-down” test of the extinguisher agent nozzles

12) All power appliances (gas, electrical, etc.) is to automatically shut down during system activation

13) Automatic activation of system upon separation of fusible links

14) Proper ventilation and damper control
EXHIBIT 12
CITY OF LA PORTE PERMIT FEE SCHEDULES
# Fee Schedule
## ORDINANCE NO. 2019-3747

## RESIDENTIAL BUILDING PERMIT FEE SCHEDULE

<table>
<thead>
<tr>
<th>Project Type</th>
<th>Permit Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Structure equal or less than 250 sq. ft. (R-1, R-2, and R-3 Zones)</td>
<td>$10.00</td>
</tr>
<tr>
<td>New Structures equal or less than 250 sq. ft. (R-1, R2, and R-3 Zones)</td>
<td>$10.00</td>
</tr>
<tr>
<td><em>Other Structures (R-1, R-2, and R-3) Repairs, additions, expansions, replacement or new projects less than or equal to 250sq. ft.</em></td>
<td>$10.00</td>
</tr>
<tr>
<td>Existing Structure greater than 250 sq. ft. (R-1 Zone)</td>
<td>$15.00 + $0.39/sq. foot</td>
</tr>
<tr>
<td>Existing Structure greater than 250 sq. ft. (R-2 and R-3 Zone)</td>
<td>$25.00 + $0.39/sq. foot</td>
</tr>
<tr>
<td>New Structure greater than 250sq. ft. (R-1 Zone)</td>
<td>$25.00 + $0.39/sq. foot</td>
</tr>
<tr>
<td>New Structure greater than 250sq. ft. (R-2 and R-3 Zone)</td>
<td>$25.00 + $0.39/sq. foot</td>
</tr>
</tbody>
</table>

### RE-INSPECTION FEE:
$10.00

### DEMOLITION FEES:
$75.00 (Non-refundable) + $250 (Refundable Cash Bond)

### EARTH REMOVAL FEE:
$2,500.00

### MOVING FEES:
$150 for the moving of any building or structure
$100 house/building pre-relocation inspection fee

* fence; roof; siding/window; foundation; irrigation; swimming pool; sidewalk; carport; garage; patio; shed; driveway; and culvert.

### PENALTIES
Where work is started without the required permit, the fee herein specified shall be doubled. The payment of such double fee shall not relieve any persons from fully complying with the requirements in the execution of the work nor from any other applicable penalties.
# COMMERCIAL BUILDING PERMIT FEE SCHEDULE

<table>
<thead>
<tr>
<th>Total Valuation of Project</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1,000 and less</td>
<td>$20.00</td>
</tr>
<tr>
<td>$1,001 to $50,000</td>
<td>$20.00 for the first $1,000 plus $7.50 for each additional thousand or fraction thereof, to and including $50,000</td>
</tr>
<tr>
<td>$50,001 to $100,000</td>
<td>$387.50 for the first $50,000 plus $6.00 for each additional thousand or fraction thereof, to and including $100,000</td>
</tr>
<tr>
<td>$100,001 to $500,000</td>
<td>$687.50 for the first $100,000 plus $4.50 for each additional thousand or fraction thereof, to and including $500,000</td>
</tr>
<tr>
<td>$500,001 and up</td>
<td>$2,487.50 for the first $500,000 plus $3.50 for each additional thousand or fraction thereof</td>
</tr>
</tbody>
</table>

**PLAN REVIEW FEE:** 50% of Permit Fee

**RE-INSPECTION FEE:** $35.00

**DEMOLITION FEE:** $75.00 (Non-refundable) + $500 (Refundable Cash Bond)

**EARTH REMOVAL FEE:** $2,500.00

---

**PENALTIES**
Where work is started without the required permit, the fee herein specified shall be doubled. The payment of such double fee shall not relieve any persons from fully complying with the requirements in the execution of the work nor from any other applicable penalties.
### MECHANICAL PERMIT FEES

Heating, ventilating, ductwork, air conditioning and refrigeration systems

#### RESIDENTIAL (Minimum permit fee $10.00)

<table>
<thead>
<tr>
<th>Project Type:</th>
<th>Permit Fee:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit Fee for all structures</td>
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<tr>
<td>Re-Inspection fee for all structures</td>
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#### COMMERCIAL (Minimum permit fee $30.00)

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<th>Total Valuation</th>
<th>Permit Fee:</th>
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<td>Permit Issue Fee</td>
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<tr>
<td>First $1,000 valuation or fraction thereof</td>
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<tr>
<td>Each additional $1,000 valuation or fraction thereof</td>
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<tr>
<td>Re-Inspection fee</td>
<td>$35.00</td>
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</tbody>
</table>

### PENALTIES

Where work is started without the required permit, the fee herein specified shall be doubled. The payment of such double fee shall not relieve any persons from fully complying with the requirements in the execution of the work nor from any other applicable penalties.
EXHIBIT 13
FEMA MAP
This map complies with FEMA’s standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA’s basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/13/2020 at 10:32:23 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.
EXHIBIT 14
CITY OF LA PORTE GIS MAP
2/10/2020, 2:10:30 PM

- **Red** - Sanitary Sewer - Manholes
- **Blue** - Sanitary Sewer - Clean Outs
- **Green** - Sanitary Sewer - Force Mains
- **Brown** - Base Map Layer - City Limits
- **Gray** - Parcel Layer - City Limits Parcels
- **White** - Morgan's Landing Lots

City of La Porte Online Maps. For informational purposes only. This map is not a legal document.
EXHIBIT 15
WETLANDS MAP
EXHIBIT 16
OFFSITE AND SITE WORK ESTIMATES
Off-Site Cost Breakdown

This form must be submitted with the Development Cost Schedule if the development has offsite costs, whether those costs are included in the budget as a line item, embedded in the acquisition costs, referenced in utility provider letters. Therefore, the total costs listed on this worksheet may or may not exactly correspond with those off-site costs indicated on the Development Costs Schedule. However, costs listed here should be able to be justified in another place in the application.

**Columns A and B:** The offsite activity reflected here should correspond to the offsite activity reflected in the Development Cost Schedule or other supporting documentation.

**Columns C and D:** In determining actual construction cost, two different methods may be used:

- **Column C:** In determining actual construction cost, two different methods may be used:
- **Column D:** To arrive at total construction costs in Column D:

- **Column E:** Any proposed activity involving the acquisition of real property, easements, rights-of-way, etc., must have the projected costs of this acquisition for the activity.

**Column F:** Engineering/architectural costs must be broken out by the offsite work activity.

**Column G:** Figures for Column G, Total Activity Cost, are obtained by adding together Columns D, E, and F to get the total costs.

**ALL costs must be included in the Contingency line item on the Development Cost Schedule and NOT on this form**

**This form must be completed by a professional engineer licensed to practice in the State of Texas. His or her signature and registration seal must be on the form.**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Labor or Unit Price</th>
<th>Materials or # of Units</th>
<th>Total Construction Cost</th>
<th>Acquisition Costs</th>
<th>Engineering / Architectural Costs</th>
<th>Total Activity Costs</th>
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Signature of Registered Engineer responsible for Budget Justification

Bilal Alizai

Printed Name

Date: 2/21/2020

If a revised form is submitted, date of submission.
Site Work Cost Breakdown

This form must be submitted with the Development Cost Schedule as justification of Site Work costs.

Column A: The Site Work activity reflected here must match the Site Work activity reflected in the Development Cost Schedule.

Columns B and C: In determining actual construction cost, two different methods may be used:

- The construction costs may be broken into labor (Column B) and materials (Column C) for the activity; OR
- The use of unit price (Column B) and the number of units (Column C) data for the activity.

Column D: To arrive at total construction costs in Column D:
- If based on labor and materials, add Column B and Column C together to arrive at total construction costs.
- If based on unit price measures, Column B is multiplied by Column C to arrive at total construction costs.

Column E: Any proposed activity involving the acquisition of real property, easements, rights-of-way, etc., must have the projected costs of this acquisition for the activity.

Column F: Engineering/architectural costs must be broken out by the Site Work activity.

Column G: Figures for Column G, Total Activity Cost, are obtained by adding together Columns D, E, and F to get the total costs.

**This form must be completed by a Third-Party engineer licensed to practice in the State of Texas. His or her signature and registration seal must be on the form.**

For Site Work costs that exceed $15,000 per Unit and are included in Eligible Basis, a CPA letter allocating which portions of those site costs should be included in Eligible Basis and which ones may be ineligible must be submitted behind this tab.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Labor or Unit Price</th>
<th>Materials or # of Units</th>
<th>Total Construction Costs</th>
<th>Acquisition Costs</th>
<th>Engineering / Architectural Costs</th>
<th>Total Activity Costs</th>
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Signature of Registered Engineer: Bilal Alizai
Printed Name: Bilal Alizai
Date: 2/21/2020

If a revised form is submitted, date of submission:
EXHIBIT 17
RUNWAY PROTECTION ZONES
Please see attachments sent to the Applicant from Ray Mayo, Director of Public Works for La Porte. The maps detail both the existing and ultimate Runway Protection Zones (RPZ). A highlighted map is also included to emphasize both zones. No buildings will be placed in these zones.

**Existing Runway Protection Zone:** This is the RPZ that is currently in effect. No buildings can be placed within these borders.

**Ultimate Runway Protection Zone:** This RPZ is NOT in effect at the moment. According to Ray Mayo, the lengthening of this RPZ is unlikely, but he cannot confirm on his end as it is a decision to be made on the FAA side.