

HANDBOOK FOR DEVELOPERS: TOWNHOMES



**CITY OF PASADENA
PLANNING DEPARTMENT
(713) 475-5543**

TOWNHOME REVIEW CHECKLIST

- _____ Minimum site area 3 acres
- _____ Any private drives within subdivision must be built to public street standards
- _____ Alleys are prohibited
- _____ Courtyard (if used) minimum 40 foot wide with no parking areas or drives in it
- _____ Minimum lot width 16 feet multi-story, 24 feet single-story
- _____ Minimum floor area – 900 square feet/unit
- _____ Private patios/fencing required on each lot (minimum 200 square foot area, 10 foot least dimension)
- _____ All units shall be within 300' of public street
- _____ Maximum density 16 units per acre, 12 units in any one building
- _____ All units in series shall be oriented same, either fronting or backing onto street.
- _____ Continuous sidewalks adjacent to curb required.
- _____ Underground utilities required, no public water or sewer easements
- _____ Minimum 20% open space required. Location and use of open space shall be approved by the Planning Commission
- _____ Two off-street parking spaces/unit required. Must be on lot they serve or on common parking area within 200 feet of unit with sidewalk connecting
- _____ Streets, sidewalks, and private drives illumination required
- _____ Declaration of protective covenants and articles and bylaws of a homeowners association are required and shall be approved by the Planning Commission prior to recording
- _____ Conformance with Subdivision Ordinance required

APPENDIX B - TOWNHOUSE SUBDIVISIONS*

ORDINANCE NO. 71-291

Section 1. Definitions.

Alley. The term "alley" shall apply to a minor public right-of-way, not intended to provide the primary means of access to abutting lots and used for service access to the back or sides of properties otherwise abutting on a public street.

Common area. The term "common area" shall apply to all private property within the townhouse subdivision held in common ownership by the owners of the lots within said subdivision for the use and enjoyment of residents of the subdivision.

Front. The term "front", within the terms of this article [ordinance] shall mean that end of a townhouse lot or units which does not include a means of vehicular access.

Gross area. The term "gross area" shall apply to the overall total area of the townhouse subdivision site exclusive of deductions.

Open space. The term "open space" shall apply to lands designated to be used for recreation area, park, play lot area and plaza and ornamental areas. The required open space within townhouse subdivisions shall be common area. Section 25 of Ordinance No. 67-1966 [Appendix A] shall apply to townhouse subdivisions, open space requirements for townhouse subdivisions, notwithstanding.

Patio. Within this article [ordinance], "patio" shall be defined as an area of two hundred (200) square feet or more with a minimum dimension of ten (10) feet, located wholly on a townhouse lot and obstructed from the public view by means of common walls, solid fences or other construction which assures a degree of privacy within the patio. The patio shall be open to the sky or partially covered by a translucent material.

Private drive. The term "private drive" shall apply to those streets within a townhouse subdivision which provide immediate vehicular access to individual townhouse lots or two (2) vehicular parking places in the common area. Said private drive shall be owned and maintained by the homeowners association which shall guarantee full use to all lot owners, their guests and invitees, and to all public service and emergency vehicles.

Townhouse. The terms "townhouse" and "row house" shall be used interchangeably and shall mean a structure which is one of a series of living units designed for single-family occupancy, which living units are structurally connected or immediately adjacent to each other without side yards between individual living units.

Townhouse subdivision. The term "townhouse subdivision" shall apply to those developments in which it is proposed to partition land into individual lots and construct townhouses which may be individually owned and where the minimum lot sizes are to be less than those required under the subdivision ordinance of the City of Pasadena (Appendix A). The site shall generally not be less than three (3) acres of contiguous

land, unless the planning and zoning commission finds a property of less than three (3) acres is suitable by virtue of its unique character.
(Ord. No. 84-164, § 1, 7-24-84)

Section 2. Minimum requirements.

Any person proposing or intending to develop [a] townhouse subdivision within the City of Pasadena, shall, before any building permits are issued, cause a plat to be recorded in the map records of the County Clerk of Harris County, Texas, in conformance with the latest City Planning and Zoning Commission's Rules for Land Subdivision, except for the following requirements:

A. STREETS:

(1) Access streets shall have a minimum right-of-way width of sixty (60) feet, and shall be developed with a minimum forty (40) foot paving section constructed with concrete curbs and gutters in accordance with city standards. All public streets constructed within the townhouse subdivision shall fulfill access street standards.

(2) Private drives shall have a minimum paving width of twenty-six (26) feet and shall be constructed in accordance with minimum city specifications. Where townhouse construction occurs on only one side of a private drive, the width of that drive may be reduced to twenty-four (24) feet. Curbs shall be laid except where access is provided to the individual unit. Private drives shall not exceed five hundred (500) feet in length. In the case of dead-end private drives which do not exceed three hundred (300) feet in length, adequate turn-arounds shall be required as determined by the public works and traffic departments.

(3) Dead-end access streets and those private drives greater than three hundred (300) feet in length shall be terminated by a cul-de-sac with a minimum paving radius of forty (40) feet constructed in accordance with minimum city specifications.

(4) Alleys shall be prohibited.

B. BUILDING SETBACK LINES:

(1) Building setback lines of ten (10) feet shall be required on all lots siding on access streets, private drives, or upon a plat boundary except where traffic safety or other factors necessitate the establishment of a greater setback.

(2) Building setback lines of six (6) feet shall be required on all lots fronting on an access street.

(3) No townhouse shall front on a private drive, or back on a public street.

(4) Townhouse units constructed on a street already in existence or dedicated shall conform to the setback lines previously established for that street.

(5) Where townhouse lots and living units are designed to front upon an open or common access courtyard rather than upon a public street said open or common courtyard shall be at least forty (40) feet wide and consistent with acceptable design standards. Said courtyard may not include vehicular drives or parking area in front of dwelling units.

(6) Where townhouse series fronts the sides of another series, the setback between series shall not be less than twenty (20) feet.

C. LOTS:

(1) Lot width shall be a minimum of sixteen (16) feet for multi-story units. Minimum interior living area shall be nine hundred (900) square feet.

(2) Lot width shall be a minimum of twenty-four (24) feet for single story units. Minimum interior living area shall be nine hundred (900) square feet.

(3) Dwelling units shall be constructed up to side lot lines without side yards. Side windows in staggered units may be provided, but shall not overlook adjacent patio areas. Side windows and doors on end units are permissible.

(4) Private patios shall be provided on each lot.

(5) All townhouse units shall be constructed within three hundred (300) feet of a public street and have access thereto by means of a common private drive.

D. DENSITY:

(1) Maximum density shall not exceed sixteen (16) living units per gross acre.

(2) Optimum grouping of townhouses is from five (5) to eight (8) living units per series. No series shall contain more than twelve (12) living units.

(3) The minimum distance between series of townhouses shall be twelve (12) feet.

E. ORIENTATION:

All townhouse units in a continuous series shall be oriented in the same manner. Example: All units in a group shall front or back on a street or courtyard.

F. SIDEWALKS:

Sidewalks shall be required on both sides of an access street either adjacent to the curb or the property line, except that no sidewalk shall be required on a side of said street where no townhouse construction occurs; however, a continuous system of sidewalks shall be provided.

G. EASEMENTS:

All utilities shall be underground and utility easements shall be as required by the utility companies serving the subdivision. There shall be no public easements for water or sewer within the plat boundaries. Where a utility easement abuts an access street, required sidewalks must be constructed adjacent to the curb.

H. OPEN SPACE:

There shall be a minimum of twenty per cent (20%) of gross site area set aside for open space. The location and the use of open space shall in all cases be subject to the approval of the Pasadena City Planning and Zoning Commission.

I. OFF-STREET PARKING:

There shall be a minimum of two (2) off-street parking places required per townhouse lot. The required spaces must be on the lot they serve, or on a common parking area within two hundred (200) feet of the lots they are intended to serve as measured and accessible along a pedestrian walkway.

J. ILLUMINATION:

All streets, private drives and pedestrian walkways shall be lighted at night with a minimum intensity of 0.2 foot candles illumination.

Section 3. Exhibits.

In addition to those exhibits and drawings required under sections 11 and 12 of Ordinance No. 67-1966 [Appendix A], the developer of a townhouse subdivision shall submit to the planning commission drawings indicating the orientation of all townhouse lots and the units on those lots, in addition to typical elevations and floor plans of one series or group.

Section 4. Ownership and maintenance.

Approval of the townhouse subdivision shall not be granted until the developer provides, in addition to the final plat, the following:

- (1) A declaration of protective covenants and restrictions applicable to the land within the subdivision.
- (2) The articles and bylaws of a homes association and its incorporation. Both shall be approved by the planning commission prior to recording of any instrument.

A homes association shall be defined as an incorporated, nonprofit organization operating under recorded land agreements running with the land through which:

- (a) Each lot owner is automatically a member; and
- (b) Each lot is automatically subject to an annual assessment for a proportionate share of the expense for the organization's activities.

The covenants, restrictions, bylaws, and articles of incorporation are to be determined by the developer, but shall contain as a minimum a clearly defined liability or responsibility of the individual property owners or the association for the following:

- (1) Any joint operations and maintenance of utilities.
- (2) Liability insurance.
- (3) Tax obligations on the properties.
- (4) Property rights in the common properties.
- (5) Membership, transition, and voting rights in the association.
- (6) Assessments or dues.
- (7) Party walls.
- (8) Maintenance of walks, recreation areas, parking areas and exterior of living units.
- (9) Maintenance of landscaped area on public right-of-way within the subdivision.

In addition, the sale and conveyance of the homes by deed shall confirm the rights and duties which are provided above.

The articles and bylaws should clearly state if the home owners association has the power to dissolve itself at a later date, and the disposition of the common areas at the time of dissolution.

Section 5. Limitations.

A. The provisions and exceptions cited in these regulations shall apply only to those developments which fall within the definition of a "townhouse subdivision."

B. The dedication on the plat shall carry the following certification:

"It is hereby covenanted and agreed with each lot owner, with the City of Pasadena, and with the Pasadena City Planning and Zoning Commission that

this subdivision will be developed to conform in all ways with the rules and regulations of said Commission last adopted by it prior to this date, and upon which basis this plat is approved."

Section 6. Severability.

The City Council of the City of Pasadena, Texas, does hereby declare that if any section, subsection, paragraph, sentence, clause, phrase, word or portion of this ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event it would have passed and ordained any and all remaining portions of this ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declares that its intent is to make no portion of this ordinance dependent upon the validity of any other portion thereof, and that all said remaining portions shall continue in full force and effect.

Section 7. Repealing clause.

All ordinances in force when this ordinance becomes effective and which ordinances are inconsistent herewith or are in conflict with this ordinance are hereby repealed insofar as said ordinance are inconsistent, or in conflict with, this ordinance.

Section 8. Savings clause.

All rights and remedies which have accrued in favor of the city under this chapter [ordinance] and amendments thereto shall be and are preserved for the benefits of the city.

"EXHIBIT B" SPECIFICATIONS AND STANDARDS FOR PLATS AND SUBDIVISION DOCUMENTS

A. Pre-Application Plans and Data.

The following information should be furnished by the subdivider at the pre-application conference.

1) *General Subdivision Information.* A description of existing conditions of the site and the proposed development, data on land characteristics, available community facilities and utilities, information describing the proposed number and size of lots, price range, business areas, public areas, proposed protective covenants and physical improvements.

(2) *Location Map.* A sketch map showing the relationship of the proposed subdivision to existing community facilities within one mile radius, including shopping centers, public schools, parks, playgrounds and the development name and location, scale, north arrow, and date.

(3) *Sketch Plan.* A sketch showing the proposed layout of streets, lots and other features which may be a free hand sketch made directly on a print of the topographic survey, if available.

B. Preliminary Plats and Data for Conditional Approval.

The preliminary plat shall include the following information and other pertinent data as required to support the preliminary design of the proposed development:

(1) *Topographic Data:*

- a. Existing boundary lines, bearings and distances, and acreage of the proposed subdivision.
- b. Present ownership, tract designation and property lines of all adjacent properties as shown by the official records of the County Clerk of Harris County with adequate ties to well established points or league survey corners.
- c. Location, size and centerline of all existing utilities, drainage structures, water courses, railroads, and other physical features affecting the proposed development.
- d. Location, name, type and width of surfacing of all streets and alleys on or adjoining the proposed development.
- e. Location, size and purpose of all easements and public areas on or adjoining the proposed development.
- f. Topographic information including existing and proposed contours at intervals of 0.5 feet based on the latest city standard datum, which shall be specified on the plat.
- g. Information concerning other conditions on the site such as marshes, wooded areas, buildings and other significant features may be required by the Planning Commission when deemed necessary.
- h. Information concerning other conditions on adjacent land, such as direction and gradient of ground slope, buildings, railroads, power lines, towers and other nonresidential land uses of adverse nature may be required by the Planning Commission when deemed necessary.

(2) *Title and Certificate:*

- a. Present tract designation of record at office of the County Clerk, Harris County.
- b. New City or County Block number, if any.

- c. Title under which new subdivision is to be recorded.
- d. Notation stating acreage, scale, north arrow, datum, bench marks, and date of survey.
- e. Certification of registered professional land surveyor.

(3) *Draft of Protective Covenants*, if any, whereby the subdivider proposes to regulate land use and otherwise protect the proposed development.

(4) *Drawings*. The preliminary plat shall be drawn on sheets measuring twenty-four (24) inches by thirty (30) inches, at a scale of one hundred (100) feet to the inch or larger and shall show the following:

- a. Existing conditions required in B(1), "Topographic Data."
- b. Proposed streets with names, right-of-way widths, roadway widths, and types, central angles of street intersections, approximate grades and gradients; and similar information for alleys and other right-of-way easements.
- c. Lot lines, lot numbers, and block numbers.
- d. Any sites to be reserved or dedicated for parks, playgrounds, utility facilities or other public uses.
- e. Any sites for multi-family dwellings, shopping centers, industry, churches, or other non-public uses exclusive of single-family dwellings.
- f. Building setback lines.
- g. Title, north arrow, scale and date.
- h. Key map, drawn at a satisfactory scale to show the relation of the property to adjacent existing streets and identifying features for a distance of at least a half-mile.
- i. Index sheet if plat is drawn on more than one sheet, showing the entire subdivision at a suitable scale.

(Ord. No. 90-245, § 1(1), (2), 12-18-90)

C. Final Plats.

The final plat shall include the following information:

(1) *Data*:

- a. Primary control points, approved by the Director of Public Works or descriptions and "ties" to such control points, to which all

dimensions, angles, bearings and similar data on the plat shall be referred.

- b. Tract boundary lines, right-of-way lines of streets, easements and all other rights-of-way and property lines of residential lots and other sites; with accurate dimensions, bearing or deflection angles and radii, arcs, and central angles of all curves.
- c. Name and right-of-way width of each street or other right-of-way.
- d. Location, dimensions and purpose of all easements.
- e. Number to identify each lot, site, and block.
- f. Purpose for which all sites other than residential lots are dedicated or reserved.
- g. Minimum building setback lines on all lots and other sites.
- h. Location and description of monuments.
- i. Reference to recorded subdivision plats or adjoining public land by recorded name, date and number.
- j. Present ownership, tract designation and property lines of all adjacent unplatted land.
- k. Title, scale, north arrow, and date.

(2) *Titles and Certificates:*

- a. Certification of registered professional land surveyor certifying to accuracy of survey and plat.
- b. Certification of title showing that subdivider is land owner.
- c. Statement by owner dedicating streets, right-of-way and all sites for public uses as required by these regulations.
- d. Certificate by the Director of Public Works certifying compliance to the appropriate codes and ordinances of the City of Pasadena.

(3) *Protective Covenants in Form for Recording.*

(4) *Drawings.* Final plat shall be drawn in ink on tracing cloth sheets measuring twenty-four (24) inches by thirty (30) inches, at a scale or [of] one hundred (100) feet to the inch or larger. If more than one sheet is necessary, the plat shall be accompanied by an index sheet showing the entire subdivision. In the case of large subdivisions the final plat shall be accompanied by an index sheet showing the entire subdivision. In the case of large subdivisions the final plat may be submitted for approval progressively in contiguous sections satisfactory to the

Planning Commission. In addition to the foregoing requirements the following shall also apply.

- (i) For any subdivision containing twenty (20) lots or less, a list of Cartesian Coordinates for all lot corners, points of curvatures, points of tangency, block corners and subdivision boundaries shall be submitted on electronic media in a format established by and acceptable to the director of public works.
- (ii) For any subdivision containing twenty-one (21) or more lots, a complete plat shall be submitted on electronic media in a format established by and acceptable to the director of public works.

(Ord. No. 90-245, § 1(3), (4), 12-18-90)

D. Standard Forms.

(1) Form of Dedication

THE STATE OF TEXAS
COUNTY OF HARRIS

I (or We), (Name of owner or names of owners), owner (or owners) of the property subdivided in the above and foregoing map of the (Name of Subdivision), do hereby make subdivision of said property, according to the lines, streets, lots, alleys, parks, building lines, and easements therein shown, and designate said subdivision as (Name of Subdivision) in the _____ Survey, _____ County, Texas; and dedicate to public use, as such, the streets, alleys, parks, and easements shown thereon forever; and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades; and do hereby bind myself (or ourselves), my (or our) heirs and assigns to warrant and forever defend the title to the land so dedicated.

The following paragraph is not required but is necessary for overhead lines in easements:

"There is also dedicated for utilities an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward located adjacent to all easements shown hereon."

The following paragraph is to be used for all subdivisions:

I (or We) hereby covenant and agree that all lots within the boundaries of this subdivision are for residential purposes unless otherwise noted.

WITNESS my (or our) hand in Pasadena, Harris County, Texas this _____ day of _____, 20____.

(Signature of Owner)

(Or Signatures of Owners)

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared (Name of Owner or names of Owners), known to me to be the person (or persons) whose name (or names) is (or are) subscribed to the foregoing instrument and acknowledged to me that he (or they) executed the same for the purposes and consideration therein set forth. (If a husband and wife join in the dedication, the following form should be added:) and the same said (Name of wife), having been examined by me privately and apart from her husband and having the same fully explained to her by me, acknowledged said instrument to be her act and deed, and that she had willingly signed the same.
GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20_____.

Notary Public in and for
_____ County, Texas (SEAL)

(2) Certificate of the Surveyor

This is to certify that I, (name of registered professional land surveyor), a registered professional land surveyor of the State of Texas, have platted the above subdivision from an actual survey on the ground, that all block corners, angle points, and points of curve are properly marked, and that this plat correctly represents that survey made by me.

Surveyor
Texas Registration No. _____
(Seal)

(3) Approval of Planning Commission

This is to certify that the Planning Commission of the City of Pasadena, Texas, has approved this plat and subdivision of (Name of subdivision) as shown hereon.

IN TESTIMONY WHEREOF, witness the official signature of the Chairman and Secretary of the Planning Commission of the City of Pasadena, Texas, this _____ day of _____, 20_____.

Secretary

Chairman

(4) Certificate By the Director of Public Works

I, the undersigned, Director of Public Works of the City of Pasadena hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the City as to which his approval is required.

(5) County Clerk's Certificate

I, _____, Clerk of the County Court of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____, 20_____, at _____ o'clock _____.m., and duly recorded on _____, 20_____, at _____ o'clock _____.m., and at Film Code No. _____ of the Map Records of _____ County for said County.

Witness my hand and seal of office, at _____, the day and date last above written.

(Name of County Clerk)

Clerk of the County Court

_____ County, Texas

By: _____ Deputy

(6) Dedication for Short Form Subdivision

THE STATE OF TEXAS
COUNTY OF _____

I, (or We) (Name of Owner) (or Owners) of the property subdivided in the above and foregoing map of (Name of subdivision), do hereby make subdivision of said property, according to the lines, streets, lots, alleys, parks, building lines, and easements thereon shown and designate said subdivision as (Name of Subdivision), located in the _____ Survey, _____ County, Texas, and dedicate to public use, as such, the streets, alleys, parks, and easements shown thereon forever; and do hereby waive any claims for damages occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades; and do hereby bind ourselves, our successors and assigns to warrant and forever defend the title to the land so dedicated.

(7) Form for Restricted Lots (Section 14A)

I (or We), (Name of Owner or Names of Owners), do hereby covenant and agree that this amending plat does not attempt to remove any recorded covenants or restrictions as filed in Harris County Clerk's file _____ for _____ subdivision.