



CITY OF
CALDWELL
TEXAS
EST. 1840

DEVELOPMENT MANUAL



TABLE OF CONTENTS

Contents

TABLE OF CONTENTS	2
2 DEVELOPMENT MANUAL OVERVIEW	7
2.1 GENERAL INFORMATION	7
2.2 DEVELOPMENT SERVICES DEPARTMENT GOALS	7
2.3 REGISTRATION PROCESS FOR CLOUDPERMIT	8
3 MAPS AND PLANS.....	13
4 CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ)	14
4.1 OVERVIEW	14
5 PLANNING AND DEVELOPMENT	15
5.1 PRE-CONSULTATION / PRE-DEVELOPMENT MEETINGS	15
5.2 SUBMITTING A PLANNING APPLICATION	16
5.2.1 OVERVIEW	16
5.3 NOTICE OF PUBLIC HEARING REQUIREMENTS.....	18
5.4 ANNEXATION	19
5.4.1 OVERVIEW	20
5.4.2 TYPICAL PROCESS	20
5.5 SITE PLAN.....	21

5.5.1 OVERVIEW	21
5.5.2 TYPICAL PROCESS	21
5.5.3 EXHIBIT REQUIREMENTS	22
5.5.4 EXHIBIT CONTENTS.....	22
5.6 ZONING.....	23
5.6.1 OVERVIEW	23
5.6.2 TYPICAL PROCESS	24
5.6.3 SUBMITTAL ITEMS.....	24
5.7 CONDITIONAL USE PERMITS (CUP).....	25
5.7.1 OVERVIEW	25
5.7.2 TYPICAL PROCESS	25
5.7.3 SUBMITTAL ITEMS	25
5.7.4 CONSIDERATIONS.....	27
5.8 SPECIAL EXCEPTION.....	29
5.8.1 OVERVIEW	29
5.8.2 TYPICAL PROCESS	29
5.8.3 SUBMITTAL ITEMS	29
5.8.4 CONSIDERTATIONS.....	30
5.9 VARIANCE	31
5.9.1 OVERVIEW	31
5.9.2 TYPICAL PROCESS	31
5.9.3 SUBMITTAL ITEMS	31
5.9.4 EXPIRATION OF A VARIANCE	32

5.10 SUBDIVISION (MAJOR PLATS)	33
5.10.1 OVERVIEW	33
5.10.2 PRE-PLAT SUBMITTAL REQUIREMENTS.....	34
5.10.3 SUBDIVISION MASTER PLAN.....	34
5.10.4 PRELIMINARY PLAT	34
5.10.5 FINAL PLAT	35
5.10.6 TYPICAL PROCESS.....	35
5.10.7 SUBMITTAL ITEMS	36
5.11 SUBDIVISION (MINOR PLATS)	38
5.11.1 OVERVIEW	38
5.11.2 MINOR PLAT	38
5.11.3 AMENDING PLAT	39
5.11.4 REPLATS.....	39
5.11.5 VACATING PLAT	39
5.11.6 TYPICAL PROCESS	39
5.11.7 SUBMITTAL ITEMS	40
5.12 PLAT WAIVER.....	43
5.12.1 OVERVIEW	43
5.12.2 TYPICAL PROCESS	43
5.12.3 CONSIDERATIONS.....	43
5.13 COMPREHENSIVE MASTER PLAN AMENDMENT	45
5.13.1 OVERVIEW	45
5.13.2 TYPICAL PROCESS	45

5.13.3 CONSIDERATIONS	45
5.13.4 SUBMITTAL ITEMS	46
5.14 DEVELOPMENT AGREEMENT	47
5.14.1 OVERVIEW	47
5.14.2 TYPICAL SUBMITTAL PROCESS.....	47
5.14.3 CONSIDERATIONS FOR APPROVAL	47
5.14.4 APPLICATION ITEMS	48
5.15 SITE DEVELOPMENT (PUBLIC INFRASTRUCTURE, CONSTRUCTION PLANS, AGREEMENTS)	49
5.15.1 OVERVIEW	50
5.15.2 TYPICAL PROCESS	50
5.15.3 CONSIDERATIONS	51
5.15.4 SUBMITTAL ITEMS	51
6 BUILDING DEPARTMENT	53
6.1 BUILDING PERMITS	53
6.1.1 OVERVIEW	53
6.1.2 TYPICAL PROCESS.....	53
6.1.3 BUILDING PERMITS	54
6.2 CONTRACTOR REGISTRATION	55
6.2.1 OVERVIEW	55
6.2.2 SUBMITTAL DOCUMENTS	55
6.3 INSPECTION INFORMATION	56
6.3.1 OVERVIEW	56

6.3.2 IMPORTANT REMINDERS.....	56
5. APPEALS	57
7.1 APPEAL OF A ZONING DECISIONS.....	57
7.1.1 WHO MAY APPEAL.....	57
7.1.2 HOW TO FILE AN APPEAL	57
7.1.3 EFFECT OF FILING AN APPEAL	57
7.1.4 PUBLIC HEARING & BOARD ACTION	57
7.2 APPEAL OF ZONING BOARD OF ADJUSTMENT (ZBOA) DECISION	57
7.2.1 HOW TO FILE AN APPEAL	57
7.3 APPEAL OF SUBDIVISION/PLATTING DECISIONS	58
7.3.1 WHO MAY APPEAL.....	58
7.3.2 APPEAL ROUTING BASED ON DECISION TYPE	58
7.3.3 HOW TO FILE AN APPEAL	59
7.3.4 EFFECT OF FILING AN APPEAL	59
7.3.5 PUBLIC HEARING AND REVIEW BODY ACTION	59
8 UTILITIES	60
8.1 UTILITY SERVICE EXTENSION	60
8.1.1 OVERVIEW	60
8.1.2 TYPICAL SUBMITTAL PROCESS.....	60
8.1.3 CONSIDERATIONS FOR APPROVAL	60
8.1.4 APPLICATION ITEMS	61

2 DEVELOPMENT MANUAL OVERVIEW

This manual is intended to provide applicants with information, guidance, and the forms necessary to submit a complete application as required by the City's adopted ordinances.

In addition to the City's adopted ordinances and documents referenced in this Development Manual, you may also need to reference the City's adopted Comprehensive Plan, the City of Caldwell Infrastructure Design, Details and Specifications, Texas Commission on Environmental Quality, Burleson County, Texas Department of Transportation, and Post Oak Savannah Groundwater Conservation District requirements, Bryan Texas Utilities, Bluebonnet CO-OP, Entergy Texas, or other regulatory agencies that may have authority in the area where you are developing within the city or the extraterritorial jurisdiction (ETJ).

Please keep in mind that this Development Manual is designed to assist you in preparing your application. **If anything in this manual conflict with an adopted city code, regulation, or state law, the other requirement supersedes this manual.**

Please contact the Development Services Department if you have any questions regarding this Development Manual, or the development process, before submitting your application.

2.1 GENERAL INFORMATION

The City of Caldwell has adopted ordinances that are available on the City of Caldwell website. There are many chapters of the Code of Ordinances dedicated to explaining the development process, including utility availability and extensions, subdivision platting, rezoning requests, variances, site development plans, building and sign permitting, drainage, and many others that are specific to development. The Code was adopted to promote the public health, safety, aesthetics, and general welfare of its citizens, and to regulate the safe, orderly, and healthful development of the City and the ETJ.

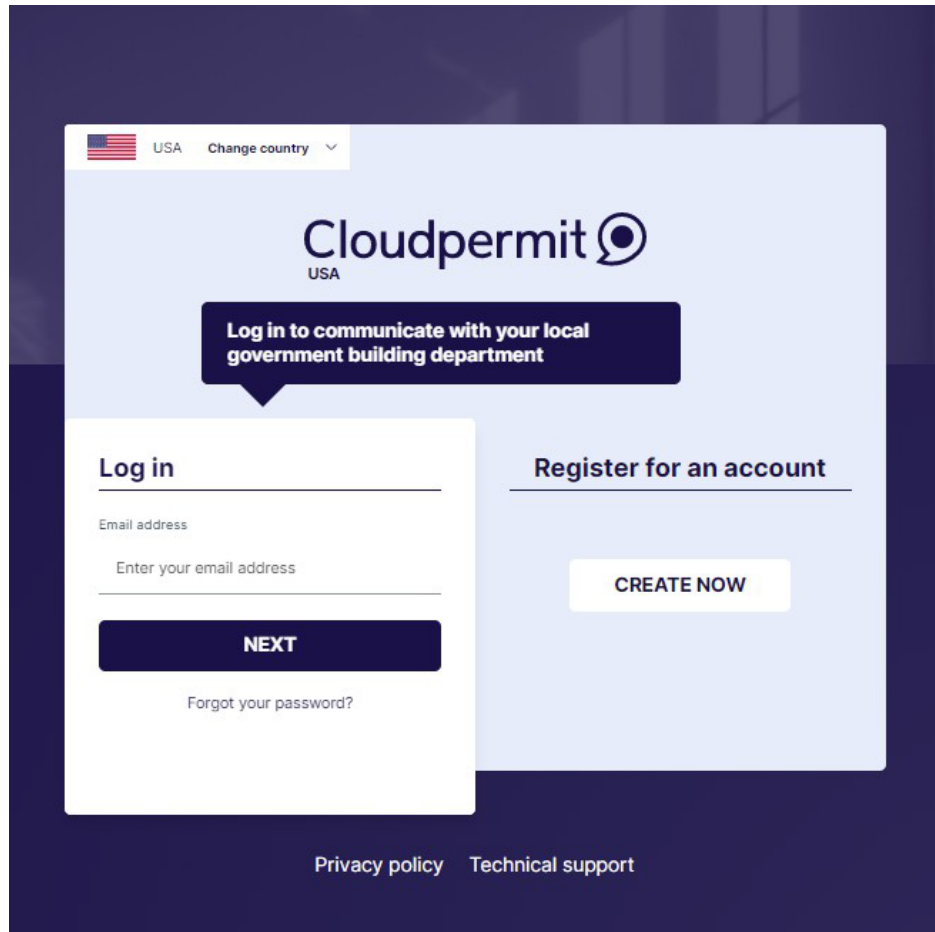
All regulations in the Code apply to land within the City of Caldwell. Land within the City's ETJ is subject to the subdivision, environmental protection (impervious cover, stormwater, water quality, parkland, etc.), public improvements (if applicable), and any regulations accepted by development agreement. More information on determining where your property is and what regulations apply is below under Annexation and ETJ.

2.2 DEVELOPMENT SERVICES DEPARTMENT GOALS

- To properly manage the growth and development of the community by carrying out adopted policies and providing professional expertise in the area of city planning, engineering, and development
- To continue our commitment to providing high quality service and accountability to the various groups we serve, including the general public, builders, developers, landowners, neighborhood groups, city commissions, and outside agencies
- Shaping the future of our city and neighborhoods by working directly with citizens and developing comprehensive short- and long-range plans for improving our community
- To maintain fair and consistent application of rules and regulations, encourage broad participation in land use decisions and access to land use data, and provide forward thinking, innovative, and solution-oriented advice on community planning, engineering, building, and resource management issues
- To enhance the tax base and livability of the community by encouraging high quality growth and development

2.3 REGISTRATION PROCESS FOR CLOUDPERMIT

- Cloudpermit allows you to register a user account for the service.
 - Users in the USA: Go to <https://us.Cloudpermit.com/>. (<https://us.Cloudpermit.com/login>)
 - The Cloudpermit-supported browsers are Google, Safari, and Firefox. Create the account only for personal use, even if you represent a company, client, or relative. It will help avoid any potential access issues in the future.
 - Why is registering your account in Cloudpermit important?
 - Registering your account will speed up the creation of applications in Cloudpermit. You will receive a user ID and password to log in to the service on any mobile device at any time. Through registration, you are guided through a draft application to ensure an understanding of functionality. All your applications, documents, and personal data are safe and accessible anytime after you have finished your projects. The Cloudpermit registration takes only a few minutes.
1. Copy-paste the login link above into the browser.
 2. Click Create Now in the Cloudpermit registration view.



The screenshot shows the Cloudpermit USA website interface. At the top, there is a header with the USA flag, the text 'USA', and a 'Change country' dropdown menu. Below the header is the Cloudpermit logo with 'USA' underneath it. A dark blue callout box contains the text 'Log in to communicate with your local government building department'. The main content area is divided into two sections: 'Log in' on the left and 'Register for an account' on the right. The 'Log in' section has a text input field for 'Email address' with the placeholder 'Enter your email address', a dark blue 'NEXT' button, and a link for 'Forgot your password?'. The 'Register for an account' section has a yellow 'CREATE NOW' button. At the bottom of the page, there are links for 'Privacy policy' and 'Technical support'.

3. Enter your email address. It will be your user ID in Cloudpermit.
4. Click on the "**Terms of Service**" link. Read the terms carefully.

5. Select "Yes, I agree to the Terms of Service."
6. Click **Continue**.

Canada Change country

Cloudpermit

CANADA

Register to create your account

Already have an account?

LOG IN NOW

Register

Email address

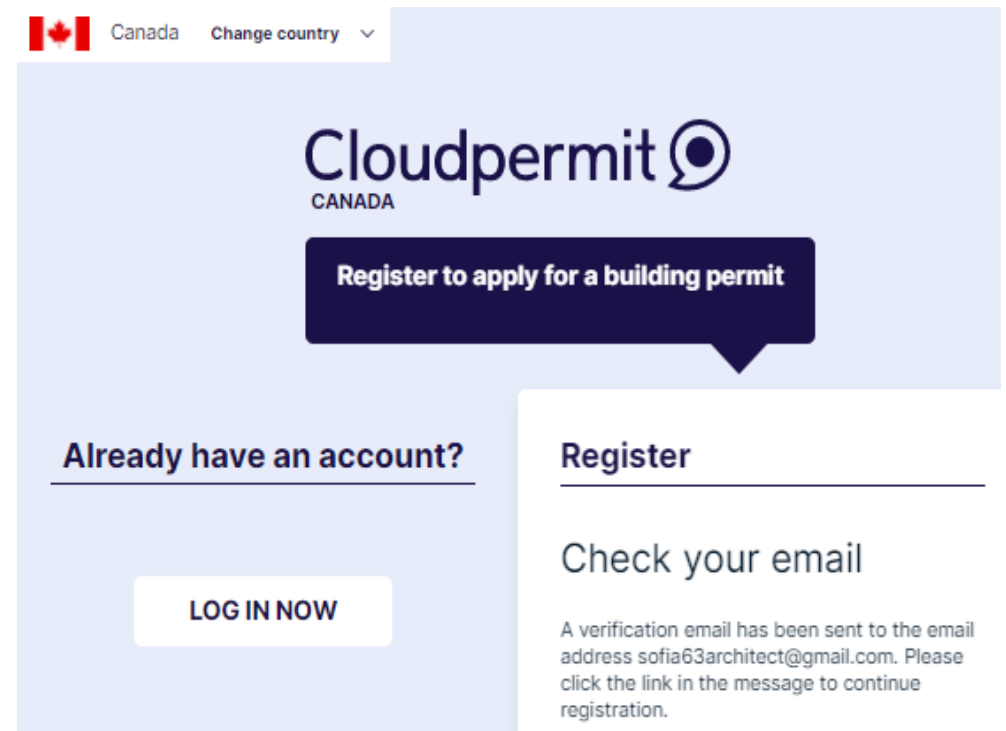
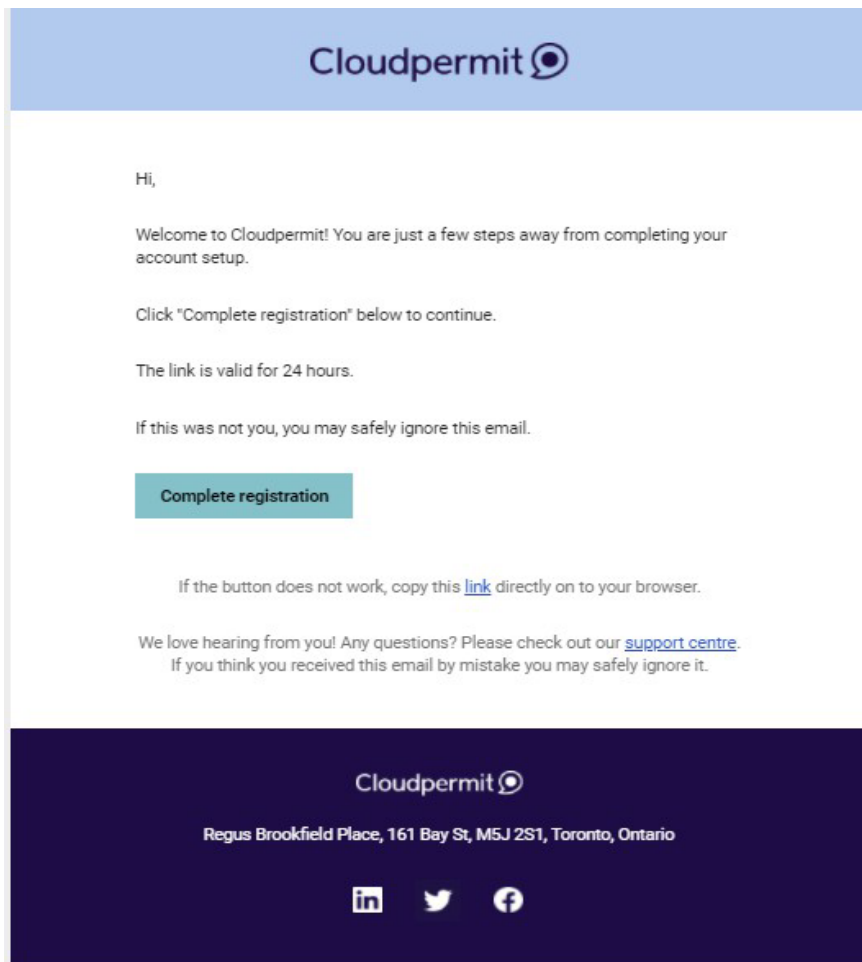
jimtiber423@gmail.com

☒ Yes, I agree to the [Terms of service](#)

CONTINUE

[Privacy policy](#) [Technical support](#)

7. Check your mailbox to verify the registration. *Check your junk or spam folder in case the email has been flagged.* If it has been more than 24 hours, you will need to request another registration email.



8. Click **Complete registration** in your email verification.

9. You are directed to Cloudpermit to complete your profile information.

The screenshot shows the Cloudpermit registration form. The header is dark blue with the Cloudpermit logo. The main heading is 'Complete your user details and register an account'. The form is divided into several sections: 'Name and corporation' with fields for first and last name; a checkbox for 'I work on behalf of a corporation or partnership'; 'Address' with fields for street address, unit number, lot/cont, municipality, province, and postal code; 'Phone numbers' with fields for mobile, other, and fax; 'Email address' with a field for email; 'Professional users' with a checkbox for 'I am an Architect, Engineer, BCIN Designer, Consultant, Contractor or similar'; and 'Password' with a password field and a strength indicator. At the bottom are 'COMPLETE REGISTRATION' and 'Cancel' buttons.

Name and corporation

First name *
Tim

Last name *
Timber

☐ I work on behalf of a corporation or partnership

Address

Street address *
123 High Groove Street

Unit number
Apartment, suite, etc.

Lot / Con.

Municipality *
Toronto

Province *
Ontario

Postal code *
34WJ345

Phone numbers

Mobile phone *
+1 - 456-234-456

Other phone
+1 - 123-456-7890

Fax
+1 - 123-456-7890

Email address

Email address
timtimberts@gmail.com

Professional users

☐ I am an Architect, Engineer, BCIN Designer, Consultant, Contractor or similar

Password

Password

Strong

COMPLETE REGISTRATION ✓ Cancel

10. Fill out your personal user information. Your email address is automatically included.
11. If you are a professional user with Cloudpermit for work, follow steps 12–14.
12. Professional users: select "I am an architect, engineer, BCIN designer, consultant, contractor, or similar" under "Professional users."
13. Fill out your company's information and licenses, if applicable. They will make using Cloudpermit easier in your applications.
14. Create a password.
15. Click "Complete Registration."
16. The registration is complete. You can now start creating your first draft application in Cloudpermit. After completing your draft application, you will enter the Cloudpermit Dashboard.

Welcome, Tim Timber

What is Cloudpermit?

Cloudpermit is a digital solution for building permits - think of an express lane for municipal building permits and approvals. Designed to resolve the issues of complicated paper permit processes, Cloudpermit brings together government authorities, construction companies, and private citizens in a shared digital workspace. With Cloudpermit, you can manage your building projects efficiently and effortlessly through a single service while avoiding paper drawings and floods of emails. Cloudpermit simplifies the municipal building approval process by digitalizing it and having it all in one digital space. It also enables you to access information 24/7/365 when working remotely or outside office hours.

[CREATE YOUR FIRST APPLICATION](#)

How do I apply for a new permit?

Creating and submitting applications on Cloudpermit is quick and easy. To do so, you'll need to follow few steps outlined below. Cloudpermit will instruct you how to complete and submit the application. Once submitted, the municipal authority will review it. In the meantime, you should receive email notifications to keep you on track with the application review and processing. Final issued permit will be available for you to download from Cloudpermit.



Step 1

Start creating a new application by clicking the button below



Step 2

Invite other necessary parties, such as property owner, builder and designer



Step 3

Complete your application, upload plans and drawings and submit for review



Step 4

Revise the application based on the feedback from the municipal authority



Step 5

Pay the fees either online or over-the-counter and receive your permit

[CREATE YOUR FIRST APPLICATION](#)

3 MAPS AND PLANS

Maps

The City of Caldwell has the following maps available:

City Limits

City's Extraterritorial Jurisdiction (ETJ)

Zoning Districts, Land Use

Transportation Thoroughfare Plan

City Wide Pedestrian Mobility Plan

Other useful maps that may aid when researching your property may be:

FEMA Flood Map Address Search

Burleson County Appraisal District

PUCT's Water and Sewer CCN Viewer

Plans

The following are adopted plans by the City of Caldwell related to development:

Comprehensive Plan (2020)

For the most up to date maps and plans please visit www.caldwelltx.gov under the Development tab

4 CITY LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ)

Is my property within the City Limits or Extraterritorial Jurisdiction (ETJ)?

- The City Limits/ETJ Map is available on the city website under the Development Tab.

What is the extraterritorial jurisdiction and what City Ordinances are regulated in it?

- The Extraterritorial Jurisdiction (ETJ) is unincorporated area that is contiguous to the corporate boundary of the City of Caldwell. In the ETJ, the City has subdivision (platting) authority. The City generally does not regulate land use, signage, or lighting in the ETJ.
- There are some instances that properties in the ETJ are regulated by the City, some of these include variances and development agreements.

What is a zoning determination letter?

- A Zoning Determination Letter is a letter from the Development Services Department that states the current zoning for a particular parcel or parcels.

What is a ETJ determination letter?

- An Extraterritorial Jurisdiction Letter is a letter from the Development Services Department that states whether you are within the City's Extraterritorial Jurisdiction.

What is an Capacity Request Letter?

- An Capacity Letter is a formal document issued by the city utility provider (electric, water or sewer departments) stating whether the existing infrastructure can support a proposed development. It typically outlines the availability of services like water, sewer, electricity, and any necessary upgrades or conditions that must be met for service to be provided.
- This letter is often required during the early stages of a development project, especially when seeking permits, zoning approvals, or financing. It helps developers understand whether additional infrastructure improvements or capacity expansions are needed before proceeding with their project.

4.1 OVERVIEW

Many regulations that apply to properties within the city limits do not apply to properties located within the ETJ. The Extraterritorial Jurisdiction (ETJ) is an unincorporated area that is contiguous to the corporate boundary of the City of Caldwell. For most cities similar to the City of Caldwell, the ETJ usually extends ½ mile from the city limits. City regulations differ for properties located in city limits versus the ETJ. Many regulations that apply to properties within the city limits do not apply to properties in the ETJ. The Texas Local Government Code gives limited authority for cities to regulate development in their ETJ. In the City of Caldwell, we regulate subdivisions and plats, utility connections and permits (as applicable), development agreements with landowners and the City.

The Zoning, ETJ, and Utility Ability to Serve Determination can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the appropriate category.

5 PLANNING AND DEVELOPMENT

5.1 PRE-CONSULTATION / PRE-DEVELOPMENT MEETINGS

Pre-Consultation Meetings are intended to create a smoother review and approval process for both the applicant and city staff. Pre-Consultation or Pre-Development Meetings are required prior to submittals. A Pre-Consultation/Pre-Development request must be filled out and submitted in Cloudpermit. Pre-Consultation meetings do not have any fees assessed at this time and can have as many or as few people in the meeting as desired by the applicant. These meetings are held at City Hall or virtually at the Development Services Department's discretion. Pre-Consultation meetings are not available on a drop-in basis, they must be scheduled in advance to ensure all appropriate parties are available. The Development Services Department does ask that all relevant documents be sent prior to the meeting to ensure preparedness but only the online request is required to schedule the meeting. We require all submittals to have a Pre-Development or Pre-Consultation meeting with City Staff to discuss the project which leads to a smoother review and approval process. The Pre-Consultation meeting required for application submittal are good for six (6) months, if the application is submitted after the six (6) months a new Pre-Consultation meeting will be required.

For the Pre-Consultation/Pre-Development Meeting Request Form please visit www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the appropriate category.

5.2 SUBMITTING A PLANNING APPLICATION

What do I need to do before I submit my application?

- A Pre-Consultation Meeting request must be submitted prior to scheduling the meeting. This will be completed in Cloudpermit once you begin to create an application. The draft project application in Cloudpermit and you will upload a concept plan. It is advised that the applicant bring a paper copy to the meeting, but is not required.

How do I submit my application?

- You will submit all applications online via Cloudpermit.

What fees are associated with my project?

- Our fee schedule is available on the City website under Fees & Charges at the bottom on the development web page.

I want to skip the Pre-development meeting/process, how do I move forward without the meeting?

- We require all submittals to have a Pre-Development or Pre-Consultation meeting with City Staff to discuss the project which leads to a smoother review and approval process.

My Application was denied, and I received a comment letter, and I want to resubmit, what needs to be included in my resubmittal?

- A coversheet addressing all comments made by the reviewers and any documents, revisions, changes, edits made to the submittal.

5.2.1 OVERVIEW

After you have met with the Development Services Department, staff will convert your pre-consultation request into the correct planning application, which you will need to complete. To ensure a complete submittal follow the checklist on the application and include all relevant documents. During the Pre-Consultation meeting, the development team will determine if any items on the checklist are not needed. All application submittal dates can be found on the Submittal Schedule on the City's website under the Development Tab.

Applications must be submitted by:

- Online via Cloudpermit
 - Cloudpermit is the permit portal that the City uses to organize, response, file, review, and accept projects. You can find out how to make an account and access your projects by going to Section 2.3 of this manual or <https://us.Cloudpermit.com/gov/login> and clicking on the Technical Support Link at the bottom of the login page.

Once an application is processed by the Development Services Department, staff will begin their administrative completeness check ensuring all items are completed and submitted. If the submittal is complete, a notice of filing will be sent to the applicant listed on the application. For specifics on process and types of applications check the corresponding section of the Development Manual.

Types of planning applications

- Annexation
- Capacity Request
- Certification of Exhibits
- Comprehensive Master Plan Amendment
- Development Agreement
- Economic Development Incentive
- ETJ Determination Letter
- Floodplain Development Permit
- Plat Waiver
- Site Development Permit
- Site Plan
- Subdivision (Platting)

**The items listed in the table above are not listed in order of procedural approval.*

Types of zoning applications

- Conditional Use Permit (CUP)
- Rezoning / Zoning Map Amendment
- Special Exception
- Temporary Use Permit
- Variance
- Zoning Verification Letter

Please visit www.caldwelltx.gov/development for all Planning Application checklists and most up to date fee schedule

5.3 NOTICE OF PUBLIC HEARING REQUIREMENTS

1. *Mailed Notice.* Where required by law, the City shall mail notice of a public hearing to each property owner whose property is within two hundred (200') feet of the proposed development or zoning change. Mailed notice must state the time and place of the hearing and the nature of the subject to be considered.
2. *Newspaper Notice.* Where required by law, the City shall publish notice of a public hearing in a newspaper of general circulation. A newspaper notice must state the time and place of the hearing and the nature of the subject to be considered.

APPLICATION TYPES	Notice Type	PZC PUBLIC HEARING	COUNCIL PUBLIC HEARING	ZBOA PUBLIC HEARING
• Zoning Map Amendments • Conditional Use Permits • Comprehensive Master Plan Amendment • Development Agreements • Certain Amended Plats • Certain Replats • Plat Waivers	Newspaper Mailed Posted on Property	At least eleven (11) days before hearing At least eleven (11) days before hearing At least eleven (11) days before hearing	At least sixteen (16) days before hearing At least sixteen (16) days before hearing At least eleven (11) days before hearing	
• Annexations	Newspaper Mailed Posted on Property		At least sixteen (16) days before hearing	
• Variances • Special Exceptions	Newspaper Mailed Posted on Property			At least sixteen (16) days before hearing At least sixteen (16) days before hearing At least eleven (11) days before hearing

3. *Subsequent Notice.* Any action or recommendation that would render a less restrictive change than was originally requested or that would increase the area originally described in previously sent notice shall be advertised with new mailed notice sent to property owners.
4. *Posted Notice Sign.* The following sign will be placed perpendicular to the ROW on the subject property. A \$50.00 deposit will be charged for the sign and refunded upon the sign being returned to City Hall following the public hearing date.



NOTICE OF PUBLIC HEARING

**THIS SIGN IS FOR PUBLIC NOTIFICATION PURPOSES ONLY.
DETAILS OF THE PROPOSED DEVELOPMENT, INCLUDING
MEETING DATES, TIMES, AND AGENDAS, ARE SUBJECT TO
CHANGE.**

Posting of this sign does not imply approval of the proposed project.

For the most current information, please contact:
City of Caldwell Development Services Department
Phone: (979) 567-3721 ext. 104
Email: development@caldwelltx.gov
Website: www.caldwelltx.gov



5.4.1 OVERVIEW

If an applicant is in the City's ETJ but wishes to be included in the City Limits, the applicant may petition the City for annexation. The annexation process shall begin with a pre-development meeting to discuss the reasons or benefits of the annexation. The petition for annexation/application from the applicant will be heard and voted on by City Council. If approved to move forward with the annexation application, then the applicant and City Staff will negotiate an annexation agreement, sometimes in the form of a development agreement. Then this agreement and the annexation ordinance will be presented to City Council for review. Properties that are annexed by agreement and ordinance are automatically placed in the Agriculture District (Ag) unless zoning is applied for and processed concurrently with the annexation. For this reason, a Zoning Amendment usually coincides with an annexation timeline. For a property to annex, it must share a property line with a property within the City Limits and be within the City's extraterritorial jurisdiction.

5.4.2 TYPICAL PROCESS

1.	Pre-application meeting where Annexation application will be discussed along with any future zoning and service availability.
2.	Submit completed application; the petition for annexation with notarized owner signature; metes and bounds description and staff prepares preliminary service agreement.
3.	City Council meeting to review the petition for annexation, review the draft ordinance (1 st reading) with the preliminary annexation service agreement, and adopt resolution setting a date, time and place for a public hearing to all service providers, jurisdictions and property owners.
4.	Staff sends public hearing notices according to resolution to all service providers, jurisdictions and property owners.
5.	City Council meeting for a public hearing and approval or denial of annexation ordinance (2 nd reading) and annexation service agreement.

The Annexation application can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Annexation category.

5.5 SITE PLAN

When is a Site Plan required?

- A Site Plan is required for applications involving:
 - Zoning Map Amendments
 - Conditional Use Permits
 - Special Exceptions
 - Variances

Do I need a Site Plan for a temporary use?

- No, typically a Site Plan is not required for temporary use permits. However, a Site Drawing may be required as outlined in the Zoning Ordinance.

Who can prepare a Site Plan?

- A Site Plan must be prepared and certified by a registered public surveyor, civil engineer, landscape architect, or architect.

What format should the Site Plan be in?

- Site Plans must be drawn to a scale of 1" = 20' or better and submitted digitally in PDF format.

What happens if I need to revise an approved Site Plan?

- Major changes (such as altering density, setbacks, or land use) must go through the original approval process.
- Non-major changes may be approved administratively by the City Council without a public hearing.

5.5.1 OVERVIEW

A Site Plan is required for applications involving zoning map amendments, conditional use permits, special exceptions, and variances. While not required for most temporary uses, a simplified site drawing may be necessary. Site Plans must be to scale, certified by a licensed design professional, and submitted digitally in PDF format. The plan must clearly illustrate property boundaries, building layouts, circulation and parking, grading, drainage, utility infrastructure, landscaping, signage, and other key site features. Site Plans must conform to zoning standards and are subject to change review procedures—major changes require full reapproval, while minor modifications may be approved without a hearing. Each plan must include detailed labeling and a title block with identifying project information.

5.5.2 TYPICAL PROCESS

1.	Pre-application meeting
2.	Submit complete application
3.	Administrative completeness check (15 days)
4.	Public notification (if applicable)
5.	The Planning and Zoning Commission and/or City Councils hears the applicant provides feedback and makes a determination
6.	Upon approval the applicant shall provide two (24" x 36") physical copies of the site plan.

5.5.3 EXHIBIT REQUIREMENTS

- Required for specific application types (zoning map amendment, conditional use, special exception, variance).
- Must be to scale (1" = 20' or better).
- Certified by a licensed design professional.
- Submitted in digital (PDF) format.

5.5.4 EXHIBIT CONTENTS

- Property Info: Boundary lines, dimensions, lot layout
- Zoning & Land Use: Existing and proposed zoning/uses for site and neighboring parcels
- Building Layout: Locations, setbacks, dimensions, height, elevation views, proposed uses
- Circulation & Parking: Driveways, streets, alleys, parking, loading, sidewalks, fire lanes
- Topography & Grading: Existing/proposed contours, grading plan for changes over 4'
- Drainage: Floodplains, watercourses, culverts, detention ponds
- Environmental Features: Trees, rock outcroppings, and other significant site features
- Utilities: Locations and easements for electric, gas, water, sewer
- Lighting & Signage: Placement of outdoor signs, speakers, and lighting
- Public Use Areas: Parks, open spaces, walkways, plazas
- Landscaping & Screening: Plant types, locations, fencing, buffers
- Title Block: Includes name of development, owner, preparer, date, scale, acreage, and address

The Site Plan application can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the appropriate category. Only use the Site Plan application form if you are making minor or major changes to your site plan. Otherwise you will submit the site plan as an attachment to the appropriate application category.

5.6 ZONING

What is zoning?

- Zoning regulates land use to ensure compatibility with the community and the City's Comprehensive Plan.

What is a zoning district?

- A zoning district is a classification such as Single Family, Multi-Family, Mixed-Use, Commercial, Industrial, etc. Zoning districts and details are listed in Chapter 14 of the Code of Ordinances.

What uses are allowed in my zoning district?

- Uses are outlined in the Zoning Use Chart in the Code of Ordinances found on the city website. Uses identified with a ■ are permitted by right, which means they are allowed with no further approvals. Uses identified with a Δ are conditional and require a Conditional Use Permit. Uses not identified are not allowed.

How can I find out what my property is zoned?

- The City's Zoning District map is available on the City Website www.caldwelltx.gov/zoning.

Where can I find my setbacks and other zoning standards?

- Chapter 14, Zoning, Section 14.01.019 of the City's Code of Ordinance.

How do I change the Zoning on my property?

- Requests for zoning changes must be made through a Rezone application. Applications can be found at www.caldwelltx.gov/development on Cloudpermit. Zoning Amendment applications will be reviewed by staff and submitted for consideration by the Planning and Zoning Commission followed by City Council for final approval or denial. Both the Planning and Zoning Commission and the City Council will hold public hearings on the request prior to taking action.

5.6.1 OVERVIEW

Zoning is the tool by which land use within the City is governed. It applies to all area within the City Limits (other than property annexed for a limited purpose). Zoning is carried out in accordance with the comprehensive plan to provide beneficial and appropriate development, protect the character and establish pattern of desirable development in each zone, minimize land use incompatibility, and maintain or enhance property values by stabilizing expenditures and ensuring predictability. Zoning Amendment Applications are considered by the City Council and requires public notice in the newspaper and letters sent to property owners within 200 feet of the subject property.

5.6.2 TYPICAL PROCESS

1.	Pre-application meeting
2.	Submit complete application
3.	Administrative completeness check (15 days)
4.	Public notification
5.	The Planning and Zoning Commission hears the application and gives a recommendation to City Council.
6.	City Council Public Hearing and Action
7.	Upon approval the applicant shall provide two (24" x 36") physical copies of the site plan.

5.6.3 SUBMITTAL ITEMS

1. Applications for Official Zoning Map Amendment shall include at least the following materials:
 - a. A digital copy of each Site Plan in PDF format;
 - b. Completed application forms, as required;
 - c. Payment of all applicable fees;
 - d. A written statement explaining the proposed land use change and reason(s) for the proposed change; and
 - e. Any attendant documents needed to supplement the information provided.
2. *Property Owner Authorization.* If the applicant is not the owner of the property in question, the applicant shall obtain authorization from the property owner for the proposed Official Zoning Map Amendment in a form acceptable to the Zoning Administrator.

The Zoning Amendment application can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Rezoning / Zoning Map Amendment category.

5.7 CONDITIONAL USE PERMITS (CUP)

What is a conditional Use Permit (CUP)?

- The CUP grants rights to uses that are not expressly given in the zoning district but may be allowed if they are compatible with adjoining uses. Conditional uses are identified in the Zoning Use Chart of the City's Code of Ordinance found online at the city website.

5.7.1 OVERVIEW

A conditional use is a land use that, because of its unique nature, is compatible with the permitted land uses in each zoning district only under certain conditions. Conditional Use Permit Applications are considered by the Planning and Zoning Commission and requires public notice in the newspaper and letters sent to property owners within 200 feet of the subject property. When considering applications for a CUP, the P&Z and the City Council shall evaluate the impact of the conditional use on, and the compatibility of the use with, surrounding properties and neighborhoods to ensure the appropriateness of the use at a location. Decisions shall be rendered based on the site plan and other information submitted.

5.7.2 TYPICAL PROCESS

1.	Pre-application meeting
2.	Submit complete application
3.	Administrative completeness check (15 days)
4.	Public notification
5.	The Planning and Zoning Commission hears the application and gives a recommendation to City Council.
6.	City Council Public Hearing and Action
7.	Upon approval the applicant shall provide two (24" x 36") physical copies of the site plan.

5.7.3 SUBMITTAL ITEMS

1. Applications for Conditional Use Permit shall include at least the following materials:
 - a. A digital copy of each Site Plan in PDF format;
 - b. Completed application forms, as required;
 - c. Payment of all applicable fees;
 - d. Letter of intent explaining the Conditional Use Permit request in detail specifying: (a) proposed use(s); (b) specific operations of the use(s); (c) square footage of the building(s) and lot size; and (d) any unique characteristics of the property; and
 - e. Any attendant documents needed to supplement the information provided.
2. *Property Owner Authorization.* If the applicant is not the owner of the property in question, the applicant shall obtain authorization from the property owner for the proposed Conditional Use in a form acceptable to the Zoning Administrator.

5.7.4 CONSIDERATIONS

The Planning and Zoning commission and City Council shall specifically consider the extent to which:

- Is consistent with the policies embodied in the Comprehensive Plan
- Is consistent with the general purpose and intent of the applicable zoning district regulations
- Meets all supplemental standards specifically applicable to the use, as established in the Development Standards
- Is compatible with and preserves the character and integrity of adjacent development and neighborhoods, and (as required by the particular circumstances) includes improvements or modifications (either on-site or within the public rights-of-way) to mitigate development-related adverse impacts, including but not limited to the following:
 - Adequate ingress and egress to property and proposed structures thereon with reference to vehicular and pedestrian safety and convenience, and access in case of fire
 - Off-street parking areas, loading areas, and pavement type
 - Refuse and service areas
 - Utilities with reference to location, availability, and compatibility
 - Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses
 - Control of signs
 - Control of exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district
 - Required yards and open space
 - Height and bulk of structures
 - Hours of operation
 - Exterior construction material, building design, and building facade treatment
 - Roadway adjustments, traffic-control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets
 - Provision for pedestrian access/amenities/areas;
- The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity
- Noise
- Odors
- Dust

The Conditional Use Permit (CUP) application can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Conditional Use Permit (CUP) category.

5.8 SPECIAL EXCEPTION

When Special Exceptions May Be Granted

- A special exception may be authorized, subject to public notice, a public hearing, and the imposition of appropriate conditions and safeguards, for the following:
 - Expansion of a nonconforming land use or replacement with a similar use within a conforming structure.
 - Expansion, enlargement, reconstruction, or relocation of a nonconforming structure on the same site, as specified in §1.05 – *Nonconformance Established and Regulated*.

Important Notes

- A special exception applies only to the specific structure or portion of the structure for which it was granted.
- It does not run with the land, meaning it does not automatically transfer to future property owners or other structures on the site.

5.8.1 OVERVIEW

Under Texas law, municipalities are permitted to authorize a Board of Adjustment to grant special exceptions from zoning regulations in limited, case-specific circumstances. A special exception is not a variance or a rezoning—it is a discretionary approval granted by the Board of Adjustment when certain criteria are met.

According to City of Caldwell Zoning Ordinance, the purpose of a special exception is to provide flexibility in the application of zoning regulations without compromising public welfare or the character of surrounding properties.

The Board of Adjustment may grant a special exception only when it determines that:

- The public convenience and welfare will not be substantially harmed, and
- The appropriate use or value of neighboring properties will not be substantially or permanently injured.

5.8.2 TYPICAL PROCESS

1.	Pre-application meeting
2.	Submit complete application
3.	Administrative completeness check (15 days)
4.	Public notification
5.	The Planning and Zoning Commission hears the application and gives a recommendation to City Council.
6.	City Council Public Hearing and Action
7.	Upon approval the applicant shall provide two (24" x 36") physical copies of the site plan.

5.8.3 SUBMITTAL ITEMS

1. Applications for Special Exception shall include at least the following materials:

- a. A digital copy of each Site Plan in PDF format;
 - b. Completed application forms, as required;
 - c. Payment of all applicable fees;
 - d. Letter of intent explaining the Special Exception request in detail specifying: (a) proposed use(s); (b) specific operations of the use(s); (c) square footage of the building(s) and lot size; and (d) any unique characteristics of the property; and
 - e. Any attendant documents needed to supplement the information provided.
2. *Property Owner Authorization*. If the applicant is not the owner of the property in question, the applicant shall obtain authorization from the property owner for the proposed Special Exception in a form acceptable to the Zoning Administrator.

5.8.4 CONSIDERTATIONS

For a complete list of the review criteria and considerations that are taken into account for a special exception request can be found in the Zoning Ordinance Section 14.01.042(D).

The Special Exception application can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Special Exception category.

5.9 VARIANCE

5.9.1 OVERVIEW

A variance is a request for relief from the strict application of a zoning regulation when compliance would create a substantial hardship due to unique conditions specific to the property. The Zoning Board of Adjustment (ZBA) has the authority to hear and decide on variance applications in accordance with the procedures set forth in the City of Caldwell Zoning Ordinance.

The purpose of a variance is not to grant special privileges, but to provide limited relief in situations where the literal enforcement of zoning provisions would result in unnecessary hardship. All variance applications must:

- Identify the specific section(s) of the Code from which relief is sought;
- Include a detailed description of the hardship—such as physical characteristics or other conditions unique to the property—not self-imposed or common to other properties in the area;
- Explain how the proposed alternative meets or exceeds other Code requirements to mitigate any impacts of the requested relief.

The Board may only grant a variance if it finds that:

- 1 Strict enforcement of the ordinance would result in a substantial hardship to the applicant, by reason of special conditions unique to the property;
- 2 Granting the variance would preserve the spirit and intent of the ordinance;
- 3 The variance serves the general public interest as well as the applicant's interest;
- 4 The request is in harmony with the general purpose and intent of the zoning regulations;
- 5 The variance will not be detrimental to the public health, safety, or welfare, or injurious to nearby properties.

The Zoning Board of Adjustment may impose conditions on the approval of any variance as necessary to preserve the public interest and ensure that the relief granted does not undermine the intent of the zoning ordinance.

5.9.2 TYPICAL PROCESS

1.	Pre-application meeting
2.	Submit complete application
3.	Administrative completeness check (15 days)
4.	Public notification
5.	The Zoning Board of Adjustments hears the application Public Hearing and takes action.
6.	Upon approval the applicant shall provide two (24" x 36") physical copies of the site plan.

5.9.3 SUBMITTAL ITEMS

1. Applications for Variance shall include at least the following materials:
 - i. A digital copy of each Site Plan in PDF format;
 - ii. Completed application forms, as required;
 - iii. Payment of all applicable fees;

- iv. A request letter which includes a detailed explanation and a justification for the variance(s) requested; and
 - v. Any attendant documents needed to supplement the information provided.
2. *Property Owner Authorization*. If the applicant is not the owner of the property in question, the applicant shall obtain authorization from the property owner for the proposed variance in a form acceptable to the Zoning Administrator.

5.9.4 EXPIRATION OF A VARIANCE

A variance shall automatically expire under any of the following conditions:

- The property, structure, or use to which the variance applies is abandoned for one (1) year or more;
- The characteristic equipment and furnishings have been removed and not replaced within one (1) year;
- The property owner demonstrates intent to discontinue the use or remove/replace the structure to which the variance applies.

The Conditional Use Permit (CUP) application can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Conditional Use Permit (CUP) category.

5.10 SUBDIVISION (MAJOR PLATS)

What is a plat?

- A plat is the official map of a lot or lots that include an addition or subdivision of property. A plat shows the number and dimensions of lots or units, public rights-of-way, and easements.

I want to subdivide part of my property and sell part off; what is the process?

- This may require a replat of the property. An official determination can be made in the Pre-Consultation meeting.

How long does a Subdivision application take?

- Subdivision submittals follow the uniform submittal schedule. The administrative completeness check takes up to 15 days for an administrative completeness review and then an initial review of the plat is 30 days. The beginning review date depends on the submittal schedule and the completeness of the application. For dates please look at our submittal schedule on our website. The length of time a plat application takes depends on the completeness of the application and the applicant's responsiveness to the City's comments.

5.10.1 OVERVIEW

In the City of Caldwell, the Major Plat process consists of three phases:

- Subdivision Master Plan (if required)
- Preliminary Plat
- Final Plat

Plats establish legal lots of record and include key public infrastructure considerations such as:

- Street layout and access management (driveway cuts),
- Public utility and drainage easements,
- Parkland dedication or fees in lieu,
- Compliance with zoning and development regulations.

Plat Type	Approval Authority
Subdivision Master Plan	Planning and Zoning Commission
Preliminary Plat	Planning and Zoning Commission
Final Plat	Administrative
Plat Waivers	Planning and Zoning Commission

5.10.2 PRE-PLAT SUBMITTAL REQUIREMENTS

A plat application cannot be submitted until all required pre-approvals are secured. These may include, but are not limited to:

1. Certification of Exhibits (e.g., letters certifying technical drawings and exhibits from relevant departments),
2. Traffic Impact Analysis (TIA),
3. Drainage studies or stormwater reports,
4. Zoning, plat waivers or variances, if applicable,
5. Construction plan approval for infrastructure improvements,
6. Outside agency approvals, such as TxDOT or other utility providers.
7. All items identified during the required Pre-Application Consultation with the Development Services Department must be addressed and included in the submittal package.

5.10.3 SUBDIVISION MASTER PLAN

A Subdivision Master Plan is required when a development meets any of the following conditions:

- The property is greater than 50 acres under single ownership and is currently undeveloped;
- The subdivision is proposed to occur in phases;
- The subdivision requires off-site infrastructure improvements (e.g., roads, drainage, or utilities) that will significantly impact other properties;
- The property is subject to a Development Agreement.

The purpose of the Subdivision Master Plan is to evaluate the overall layout and infrastructure needs of a large or phased development prior to platting. It ensures that the proposed development is coordinated with the City's Comprehensive Plan, infrastructure plans (e.g., water, sewer, drainage), and surrounding land uses.

The Planning and Zoning Commission is the decision-making authority for Subdivision Master Plans. Approval of the plan serves as a conceptual guide for subsequent platting and infrastructure design. Master Plans are valid for two (2) years, during which time the applicant must submit a Preliminary Plat for at least part of the property.

5.10.4 PRELIMINARY PLAT

A Preliminary Plat is required when:

- The subdivision involves the creation of four (4) or more lots;
- A new public right-of-way (ROW) is being dedicated;
- New easements for public infrastructure are being created; or
- Municipal utilities are being extended within the proposed subdivision.

The Preliminary Plat is intended to present a general layout and overall design for the future subdivision and must demonstrate compliance with the City's zoning, subdivision, infrastructure, and development standards. Approval of the Preliminary Plat establishes the basis for proceeding with detailed engineering and Final Plat preparation.

5.10.5 FINAL PLAT

The Final Plat is the final, surveyed configuration of the subdivision and represents the legal record of lots, easements, and public improvements. It is submitted following Preliminary Plat approval and must comply with all conditions and requirements imposed during the preliminary review phase.

Once the Final Plat is approved by the Planning and Zoning Commission, it is recorded with the Burleson County Clerk's Office, at which point the subdivision becomes legally recognized and eligible for development activity.

5.10.6 TYPICAL PROCESS

CERTIFICATION OF EXHIBITS	
1.	Applicant submits a letter of certification request with required exhibits to the City Administrator or designee.
2.	City staff reviews for completeness and coordinates review with relevant departments or consultants.
3.	Certifying departments have 45 calendar days to approve, deny, or comment.
4.	If revised materials are resubmitted, departments have 30 additional calendar days to respond.
5.	If no action is taken within the timelines, certification is deemed issued.
6.	Letters are valid for 1 year.

SUBDIVISION MASTER PLAN	
1.	Applicant submits master plan application and exhibits to the City Administrator or designee.
2.	Staff reviews for completeness and circulates to departments/consultants.
3.	City Administrator forwards recommendation to Planning and Zoning Commission (P&Z).
4.	P&Z must act within 30 days of a complete submittal.
5.	If conditionally approved or denied, a written response may be submitted by the applicant and must be acted upon within 15 days.
6.	Approval is valid for 2 years. A preliminary plat must be approved within that timeframe or the master plan expires.
7.	Amendments Minor Changes (e.g., street alignment adjustments, lot line shifts) may be made during the preliminary plat process. Major Amendments require submission of a revised Subdivision Master Plan.

PRELIMINARY PLAT	
1.	Applicant submits preliminary plat to Development Services.
2.	Staff performs completeness check and circulates to departments/consultants.
3.	upon certification, item is scheduled for Planning and Zoning Commission review.
4.	P&Z must approve, conditionally approve, or deny the plat within 30 days.

FINAL PLAT	
1.	Applicant submits final plat and all required documents to Development Services.
2.	City staff reviews for compliance with preliminary plat and subdivision regulations.
3.	Plat is scheduled for Planning and Zoning Commission approval.
4.	Following P&Z approval, the plat is recorded with Burleson County.

5.10.7 SUBMITTAL ITEMS

5.10.7.1 CERTIFICATION OF EXHIBITS

- Completed Letter of Certification Application.
- Supporting technical documents (drainage reports, utility layouts, road alignments).
- Site and vicinity maps.
- List of parcels and proposed land use.
- Draft exhibit drawings (preliminary layouts, infrastructure concepts).

5.10.7.2 SUBDIVISION MASTER PLAN

- Completed Subdivision Master Plan Application.
- Narrative summary of proposed development and phasing.
- Conceptual layout of:
 - Street network
 - Utility infrastructure
 - Drainage and stormwater management
 - Open space and parks
- Estimated development timeline.
- Certification of Exhibits (if applicable).
- Environmental or traffic assessments (if required).

5.10.7.3 PRELIMINARY PLAT

- Completed Preliminary Plat Application.
- Letter(s) of Certification (if required).
- Proposed lot and block layout.
- Street, drainage, and utility plan (conceptual).
- Existing topography and features.
- Preliminary drainage and grading plans.

- Legal description and survey of property.
- Zoning compliance information.
- Proposed easements and rights-of-way.

5.10.7.4 FINAL PLAT

- Completed Final Plat Application.
- Approved preliminary plat.
- Final engineering drawings for public improvements.
- Signed and sealed metes and bounds description.
- Dedication statements.
- Utility and drainage easement documentation.
- Subdivision Improvement Agreement (if applicable).
- Performance guarantees or bonds (if required).
- Tax certificate showing no delinquent taxes.

5.10.7.5 RECORDATION

Following approval and confirmation of infrastructure acceptance or execution of a development agreement (if applicable), the final plat is recorded in the County Clerks Office. The City may retain utility easements or ROW at its discretion, and those must be conveyed by separate legal documents as directed by the City Attorney's Office.

Following approvals the subdivider will need to print 3 paper and 3 mylar copies (24"x36") and obtain all signatures from the property owner, surveyor/engineer and notary. Then the plats need to be delivered to 114 S. Echols St. Caldwell, TX 77836 for City Official signatures. If County Signatures are needed the City will obtain those on behalf of the subdivider and record the plat documents with the County Clerks Office.

- 3 Paper and 3 Mylar Printed Copies
- Tax Certificate
- Title Report

The detailed Checklist along with the plat standard language and format guide for each type of project can be found on the website www.caldwelltx.gov/development under the checklists tab. All Plat applications can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Subdivision category.

5.11 SUBDIVISION (MINOR PLATS)

What is a plat?

- A plat is the official map of a lot or lots that include an addition or subdivision of property. A plat shows the number and dimensions of lots or units, public rights-of-way, and easements.

I want to subdivide part of my property and sell part off; what is the process?

- This may require a replat of the property. An official determination can be made in the Pre-Consultation meeting.

How long does a Subdivision application take?

- The length of time required to process a plat application in the City of Caldwell depends on the type and complexity of the plat, the completeness of the submittal, and whether additional approvals or corrections are needed. A **Pre-Application Consultation is required** before submitting any plat application to ensure the applicant understands applicable requirements, timelines, and necessary supporting documentation. **Minor Plats, Amending Plats, and certain Replats** that qualify for **administrative approval** may be processed more quickly—typically within **2 to 3 weeks**, provided no variances or waivers are involved.

5.11.1 OVERVIEW

In the City of Caldwell, the Minor Plat process consists of four different types:

- Minor Plat
- Amending Plat
- Replat
- Vacating Plat

Plats establish legal lots of record and include key public infrastructure considerations such as:

- Street layout and access management (driveway cuts),
- Public utility and drainage easements,
- Parkland dedication or fees in lieu,
- Compliance with zoning and development regulations.

Plat Type	Approval Authority
Minor Plat	Administrative
Amending Plat	Administrative
Replat	Administrative
Vacating Plat	Administrative

5.11.2 MINOR PLAT

A Minor Plat is intended for simple subdivisions involving four (4) or fewer lots that front onto an existing public street and do not require the extension of

public infrastructure or creation of new right-of-way. These plats are typically used for infill development or subdivision of previously platted parcels and may be administratively approved.

5.11.3 AMENDING PLAT

An Amending Plat is used to make minor corrections or adjustments to a previously approved and recorded plat. These changes may include correcting errors, adjusting lot lines, or consolidating lots, and may be approved administratively without public notice or hearing if they meet the criteria under LGC §212.016.

Common Uses for Amending Plats

- Correct errors in courses, distances, or descriptions
- Add or adjust monument data
- Correct scrivener or clerical errors
- Adjust lot lines between adjacent lots
- Eliminate encroachments or alignments
- Replat lots into six (6) or fewer lots under specific criteria

5.11.4 REPLATS

A Replat is a legal instrument used to revise an existing subdivision plat or part of one, without requiring the original plat to be vacated. Replats are governed by Texas Local Government Code (LGC) Sections 212.014–212.015 and may require a public hearing depending on zoning or deed restrictions. A replat does not authorize development but is often a prerequisite to future development or lot reconfiguration.

5.11.5 VACATING PLAT

A Vacating Plat removes all or part of a previously recorded plat from the official land records. It is used when a subdivision is no longer needed or is being replatted in a different configuration. A vacating plat does not authorize development and may be paired with a replat. The City may retain rights-of-way or easements as deemed necessary.

5.11.6 TYPICAL PROCESS

MINOR PLAT	
1.	The applicant must schedule and complete a Pre-Application Consultation with the Development Services Department.
2.	Submit a complete Minor Plat application and required documentation to the City Administrator or designee.
3.	The application is reviewed for completeness and circulated to appropriate departments for review and comment.
4.	The City Administrator or designee may approve the plat or refer it to the Planning and Zoning Commission (P&Z) for consideration.
5.	If referred, P&Z must take action within 30 days of a complete application.
6.	Upon approval, the plat is recorded with the Burleson County Clerk.

AMENDING PLAT	
1.	The applicant must complete a Pre-Application Consultation with the Development Services Department.
2.	Submit a complete Amending Plat application to the City Administrator or designee.
3.	Staff reviews for completeness and may circulate for departmental review if needed.
4.	The City Administrator or designee may approve the plat or refer it to the Planning and Zoning Commission (P&Z).
5.	Action must be taken within 30 days of a complete submittal.
6.	Once approved, the plat is recorded with the Burleson County Clerk.

REPLAT	
1.	Applicant must attend a Pre-Application Consultation with Development Services staff.
2.	Submit a Replat Application and required documents to the City Administrator or designee.
3.	Staff reviews the application for completeness and circulates it to other departments.
4.	If a variance or waiver is requested, and if the lots were previously restricted to two or fewer residential units, a public hearing and mailed notice to adjacent property owners within 200 feet is required.
5.	The City Administrator or designee may approve the replat or refer it to the Planning and Zoning Commission (P&Z).
6.	A decision must be made within 30 days of a complete application.
7.	If protested by 20% or more of adjoining landowners, three-fourths (¾) of the P&Z Commission must vote to approve.

VACATING PLAT	
1.	Applicant must complete a Pre-Application Consultation.
2.	Submit a Vacating Plat Application and required materials to the City Administrator or designee.
3.	Staff conducts a completeness check and may circulate the application for review.
4.	The City Administrator or designee may approve, conditionally approve, deny, or forward to P&Z.
5.	Decision must be made within 30 days of complete application.
6.	If denied, the applicant may submit a revised response or appeal to P&Z.

5.11.7 SUBMITTAL ITEMS

5.11.7.1 MINOR PLAT

- Completed Minor Plat Application
- Plat drawing prepared by a registered surveyor including:
 - Lot lines and dimensions
 - Existing and proposed easements
 - Adjoining property info and current plat references
 - Utility and drainage certifications (if applicable)

- Tax certificates showing no delinquent taxes
- Certification of Exhibits (if required)
- Filing fees as established in the fee schedule

5.11.7.2. AMENDING PLAT

- Completed Amending Plat Application
- Plat prepared by a registered surveyor identifying:
 - Area(s) of amendment
 - Existing and proposed lot lines
 - Relevant corrections or changes
- Signed acknowledgments from all affected property owners
- Tax certificates showing no delinquent taxes
- Justification narrative for the amendment
- Filing fees per City's adopted schedule

5.11.7.3. REPLAT

- Completed Replat Application
- Surveyor-prepared plat showing:
 - Reconfigured lots and dimensions
 - Existing and proposed easements
 - Street and utility alignments
- Signed consent by all affected property owners
- Narrative explaining purpose and justification
- Tax certificates showing all taxes paid
- Public hearing mailing list (if required)
- Filing fees per current schedule

5.11.7.4. VACATING PLAT

- Completed Vacating Plat Application
- Copy of the original recorded plat
- Narrative describing the reason for vacation
- Signed acknowledgments from all property owners within the plat
- Legal descriptions and drawings showing areas to be vacated
- Tax certificates from applicable taxing entities showing all taxes are paid
- Easement or ROW conveyance documents, if requested by the City
- Filing fees per current fee schedule

5.11.7.5 RECORDATION

Following approval and confirmation of infrastructure acceptance or execution of a development agreement (if applicable), the plat is recorded in the County Clerks Office. The City may retain utility easements or ROW at its discretion, and those must be conveyed by separate legal documents as directed by the City Attorney's Office.

Following approvals the subdivider will need to print 3 paper and 3 mylar copies (24"x36") and obtain all signatures from the property owner, surveyor/engineer and notary. Then the plats need to be delivered to 114 S. Echols St. Caldwell, TX 77836 for City Official signatures. If County Signatures are needed the City will obtain those on behalf of the subdivider and record the plat documents with the County Clerks Office.

- 3 Paper and 3 Mylar Printed Copies
- Tax Certificate
- Title Report

The detailed Checklist along with the plat standard language and format guide for each type of project can be found on the website www.caldwelltx.gov/development under the checklists tab. All Plat applications can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Subdivision category.

5.12 PLAT WAIVER

5.12.1 OVERVIEW

The purpose of a plat waiver is to offer flexibility in applying subdivision regulations while ensuring that the overall intent of the ordinance—protecting public health, safety, and welfare maintained. Waivers are not automatic and are granted only when clearly justified and consistent with the public interest.

5.12.2 TYPICAL PROCESS

1.	Application Submittal - Applicant submits a formal request for a waiver as part of a plat application (preliminary, final, or replat), identifying the specific provision(s) from which relief is sought. - A detailed explanation must accompany the request, describing the hardship, the rationale for the waiver, and any mitigating measures.
2.	Public Notice
3.	Planning and Zoning Commission Review - The P&Z Commission evaluates the request during a posted public meeting. - In granting a waiver, the Commission may attach conditions it finds necessary or desirable to protect the public interest. <i>*Public Hearing for certain replats if applicable.</i>
4.	Required Findings for Approval - The P&Z Commission must make and record the following findings in its official meeting minutes: - That the waiver will not be detrimental to public health, safety, or welfare, or injurious to other property in the area; and - That the waiver will not prevent the orderly subdivision of surrounding land in compliance with the ordinance.
5.	Decision - If the P&Z Commission determines the waiver is in harmony with the purpose and intent of the ordinance, it may approve the waiver with or without conditions. - The findings and justification must be documented in the official minutes of the meeting.
6.	Upon approval the applicant shall provide two (24" x 36") physical copies of the site plan.

5.12.3 CONSIDERATIONS

When evaluating waiver requests, the Planning and Zoning Commission considers:

- The nature of the proposed use of the land;
- Existing land uses in the surrounding area;
- The number of residents or employees who will occupy the subdivision;

- Potential impacts on traffic, public health, safety, and welfare in the vicinity.

The Plat Waiver application can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Plat Waiver category.

5.13 COMPREHENSIVE MASTER PLAN AMENDMENT

5.13.1 OVERVIEW

The Comprehensive Master Plan is the City of Caldwell's long-range planning document that outlines the vision, land use patterns, infrastructure priorities, and development goals for the community. Amendments to the Comprehensive Master Plan may be initiated by the City Council, City Administrator, or a property owner. A property owner may request an amendment to the Future Land Use Map, Master Thoroughfare Plan, or other applicable maps in order to pursue development that aligns with updated planning goals or changed site conditions.

Approval of a master plan amendment allows the applicant to submit subsequent zoning or subdivision applications consistent with the newly approved designation.

5.13.2 TYPICAL PROCESS

1.	Pre-Application Consultation (required): Applicant meets with the Planning Department to discuss the request, review applicable regulations, and determine supporting documentation required.
2.	Application Submission: - Property owner submits a Comprehensive Master Plan Amendment Application to the Planning Department, along with required materials. Applications may be accompanied by a: - Zoning change request (for properties within city limits); or - Subdivision Master Plan (for properties in the ETJ).
3.	Completeness Review: The City Administrator or designee reviews the application for completeness and may consult other departments or consultants.
4.	Public Notification: - Written notice to affected property owners prior to Planning and Zoning Commission (P&Z) consideration; - Published notice before City Council hearing (for both city-initiated and private applications).
5.	Planning and Zoning Commission Public Hearing: P&Z holds a public hearing, deliberates, and makes a written recommendation to City Council (approve, approve with conditions, or deny).
6.	City Council Public Hearing and Decision: City Council considers the recommendation and may approve, approve with modifications, or deny the amendment.

5.13.3 CONSIDERATIONS

In evaluating a proposed Comprehensive Master Plan amendment, the Planning and Zoning Commission and City Council may consider the following:

- Whether the amendment promotes the health, safety, and general welfare of the community.

2. Consistency with the goals, policies, and objectives of the current Comprehensive Master Plan.
3. Whether the amendment corrects a mapping error, addresses a plan deficiency, or reflects changed circumstances since the plan's last adoption or revision.
4. Whether the amendment enhances the City's ability to implement its adopted land use, infrastructure, and mobility strategies.
5. Compatibility of the proposed amendment with surrounding development patterns and infrastructure capacity.
6. Other relevant factors at the discretion of the P&Z Commission and City Council.

5.13.4 SUBMITTAL ITEMS

Applicants requesting a Comprehensive Master Plan amendment must submit the following:

1. Completed Comprehensive Plan Amendment Application
2. Narrative statement outlining the purpose of the request and justification for the amendment
3. Map clearly showing the proposed amendment area
4. For Future Land Use Map changes: include existing and proposed land use categories
5. For Thoroughfare Plan changes: include changes to street designations or alignments
6. Supporting documentation, including:
 7. Existing zoning and land use information
 8. Infrastructure availability (roads, water, wastewater)
 9. Environmental or traffic assessments (if applicable)
10. Mailing list of affected property owners within notification area
11. Filing fee per the current fee schedule

The Comprehensive Master Plan Amendment (CMP) application can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Comprehensive Master Plan Amendment (CMP) category.

5.14 DEVELOPMENT AGREEMENT

5.14.1 OVERVIEW

A Development Agreement is a legal agreement between the City of Caldwell and a property owner for land located within the City's Extraterritorial Jurisdiction (ETJ). Its purpose is to establish a clear framework for development expectations and obligations, including:

- Land use regulations
- Environmental and infrastructure standards
- Timing and provision of public facilities
- Annexation provisions

Development Agreements allow the City to manage growth in a coordinated and responsible manner, while providing developers with predictability during long-term, phased projects. These agreements are authorized under Texas Local Government Code § 212.172.

5.14.2 TYPICAL SUBMITTAL PROCESS

1.	Pre-Application Consultation (Required) • The applicant meets with the Development Services Department to discuss the scope, intent, and required materials for the agreement.
2.	Application Submittal • The applicant submits a Development Agreement Application along with a Preliminary Plat prepared per Section 10.02.014.
3.	Completeness Review • The City Administrator or designee reviews the application for completeness and coordinates internal staff review.
4.	Agreement Drafting and Legal Review • The application and supporting materials are forwarded to the City Attorney's Office. • A draft agreement is prepared collaboratively between the City and applicant.
5.	Planning and Zoning Commission Public Hearing: • The Planning and Zoning Commission holds a public hearing. • The Commission may recommend approval, approval with conditions, or denial.
6.	City Council Public Hearing and Decision: • The City Council holds a public hearing and votes to approve, approve with conditions, or deny the agreement. • If approved, the Council authorizes the City Administrator to execute the agreement once signed by the property owner.
7.	Execution and Recordation • The property owner must execute the agreement within 10 working days of Council approval. • Once executed, the agreement is recorded in the county land records where the property is located.

5.14.3 CONSIDERATIONS FOR APPROVAL

When evaluating a Development Agreement, the Planning and Zoning Commission and City Council may consider:

- Consistency with the Comprehensive Master Plan and other long-range policies
- Whether the agreement promotes the health, safety, and general welfare of the City
- The agreement's provisions for timing, location, and financing of public infrastructure
- Impact on future annexation and utility service planning
- Whether the terms of the agreement support efficient and responsible development
- Legal and procedural compliance with LGC § 212.172

5.14.4 APPLICATION ITEMS

Applicants must submit the following items for a Development Agreement:

- Completed Development Agreement Application
- Preliminary Plat of the proposed development
- Narrative description of the proposed development, land uses, infrastructure needs, and public benefit
- Draft proposed agreement terms, if available
- Any known environmental, drainage, or traffic studies relevant to the site
- Annexation request (if applicable)
- Current property ownership documentation
- Required application fees, per the City's adopted fee schedule

The Development Agreement application can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Development Agreement category.

5.15 SITE DEVELOPMENT (PUBLIC INFRASTRUCTURE, CONSTRUCTION PLANS, AGREEMENTS)

What are Construction Plans, and when are they required?

Construction Plans are detailed engineering drawings prepared by a licensed professional engineer that outline the design and specifications for public infrastructure improvements such as streets, water and sewer lines, drainage systems, detention ponds, and erosion control. These plans are required prior to the construction of any public improvements and typically follow Preliminary Plat approval.

How long are approved Construction Plans valid?

Approved Construction Plans remain valid for two (2) years from the date of approval. If construction has not commenced within this period, the approval will expire unless a 6-month extension is granted.

Can I record a Final Plat before completing the infrastructure improvements?

Typically, all public infrastructure improvements must be completed and accepted by the City before the Final Plat can be recorded. However, developers may request to defer construction by entering into a Subdivision Improvement Agreement (SIA) and posting financial security, subject to City Council approval.

What is a Subdivision Improvement Agreement (SIA)?

An SIA is a legal agreement between the developer and the City that allows the **deferral of public infrastructure installation** until after the Final Plat is recorded. The agreement outlines construction obligations, timelines, bonding requirements, and warranty terms.

What type of financial security is required for deferred improvements?

The developer must provide financial security in the form of a performance bond, letter of credit, surety bond, or cash escrow in the amount of 125% of the approved cost estimate for the deferred improvements.

Is a warranty required after the improvements are completed?

Yes. All public infrastructure must be warranted for two (2) years after acceptance by the City. A warranty bond equal to 110% of the cost of improvements is required to cover any necessary repairs or deficiencies during the warranty period.

What happens if the improvements are not constructed according to the agreement?

If the developer fails to meet the obligations of the SIA:

- The City may declare the agreement in default;
- Use the posted security to complete the improvements;

Or assign the rights to another party (e.g., a subsequent property owner) willing to complete the improvements and post new security.

Can I request changes to my Construction Plans after approval?

Minor modifications may be approved by the City Administrator during construction. However, significant changes may require a resubmittal and full review.

When are public improvements officially accepted by the City?

Improvements are accepted once:

- Construction is completed in accordance with approved plans;
- All inspections are passed;
- As-built plans and digital files are submitted; and
- The City issues a Certificate of Acceptance.

5.15.1 OVERVIEW

In addition to the platting process, subdivisions and site developments within the City of Caldwell may be required to submit Construction Plans to the Development Services Department for engineering and interdepartmental review. Construction Plans are prepared and sealed by a licensed professional engineer and include detailed designs for all required public infrastructure improvements necessary to serve the development. These typically include, but are not limited to:

- Streets and sidewalks
- Water and wastewater lines
- Storm drainage systems
- Detention and water quality facilities
- Environmental protection measures
- Tree protection and erosion control

All public improvements must be designed in accordance with the City's adopted engineering standards and specifications and are subject to approval prior to any construction. Public infrastructure improvements must be:

- Constructed and accepted by the City before Final Plat recordation, or
- Deferred through execution of a Subdivision Improvement Agreement (SIA), with approved financial security, subject to City Council approval.

The full list of required documents for Construction Plan submittal can be found in the Site Development section of this manual.

5.15.2 TYPICAL PROCESS

1.	Pre-Application Consultation (Required) • Applicants must consult with the City Administrator or designee to review project scope, phasing, and identify required improvements.
2.	Construction Plan Submittal • Submit construction plans to the City Administrator or designee in accordance with adopted City standards. Plans may be reviewed by departments and external consultants.
3.	City Review and Decision • The City Administrator may approve, approve with conditions, or deny construction plans. • Approval is based on consistency with the plat and compliance with engineering standards. • If denied, applicants may revise and resubmit or appeal the decision to City Council.
4.	Timing of Improvements • Improvements must generally be completed before final plat recordation. • A developer may request deferral of improvements by submitting a written request and entering into a Subdivision Improvement Agreement.
5.	Improvement Agreement and Security (if deferring improvements) • Agreement reviewed and approved by the City Administrator and any necessary departments. • The developer provides financial security to guarantee completion (e.g., letter of credit, cash escrow, surety bond).

6.	Pre-Construction Meeting The Developer, General Contractor, City Engineer and Utility Departments will meet prior to construction beginning to go over important construction project milestones, inspections and general procedures.
7.	Construction and Inspections Public improvements are installed in accordance with approved plans and inspected by the City.
8.	Design Engineer Final Inspection and Concurrence Letter - Design engineer requests a final inspection walkthrough and provides a concurrence letter. - After satisfactory completion, as-built plans and digital files (CAD or GIS) must be submitted.
9.	Final Walkthrough Inspection - The city will walk through the site and inspect according to the As-Built Plans. - The Design engineer will need to provide a punch list of items to correct following that meeting. - The city will schedule a follow-up inspection on a date determined by the Design engineer to review completed punch list.
10.	Follow-up Inspection & Preliminary Acceptance - The Design engineer will review the punch list items with the city onsite. - Following no issues the city will issue a preliminary acceptance letter for the improvements and requesting the warranty and bond.
11.	Maintenance & Warranty - Developer provides a two-year warranty for all accepted improvements. - A warranty bond equal to 110% of the construction cost must be submitted.
12.	Certification and Acceptance - Following the two (2) year warranty another inspection will be scheduled with the city. - The City issues acceptance certification and assumes ownership and maintenance.

5.15.3 CONSIDERATIONS

The City Administrator (or City Council on appeal) considers the following when approving construction plans:

- Compliance with the approved Preliminary or Final Plat
- Compliance with the City's engineering standards and subdivision ordinance
- Financial feasibility and long-term impact on City utility infrastructure
- Timely and safe delivery of public infrastructure
- Whether deferral and bonding of improvements are acceptable in the context of the development
- Any potential environmental impact or effect on public services

5.15.4 SUBMITTAL ITEMS

To process construction plans or an improvement agreement, applicants must submit:

- For Construction Plans:
 - Construction Plan Application

- Full set of civil engineering plans (streets, water, sewer, drainage)
- Engineer's cost estimate for improvements
- Documentation of plat approval (if applicable)
- Drainage study and/or traffic impact analysis (if required)
- Erosion control and stormwater protection plan
- Driveway Permit or Permit Application (TxDOT, County)
- Parkland Dedication fee (if applicable)
- Landscape and Irrigation Plans (required in the City Limits)
- Plan review fee payment

For Improvement Agreements (If Deferring Installation):

- Improvement Agreement signed by all property owners and lienholders
- Written request identifying improvements to be deferred
- Security instrument (cash escrow, performance bond, or letter of credit)
- Must be 125% of the approved cost estimate
- Warranty bond in the amount of 110% of construction cost (or 20% if deferred)
- Description of the financing method (private, City participation, etc.)
- Any necessary off-site easement documents for utility access

The Site Development Permit application can be found at www.caldwelltx.gov/development go to Cloudpermit and complete the online application form by creating an account, logging in, select the planning application, then the Site Development Permit category.

6 BUILDING DEPARTMENT

6.1 BUILDING PERMITS

6.1.1 OVERVIEW

Building permitting is the final stage of the development process, after the applicant has received approval of all other development permits. Once a developer or property owner has received approval of zoning, subdivision, and site plan/construction plans permits, then building permits can be obtained. Depending on whether your property is in the City or within the extraterritorial jurisdiction (ETJ), building permitting may have different requirements. Based on the uniqueness of each building project – we may need to consult back through a planning process before proceeding with construction. All building permits are submitted electronically through Cloud Permit. Applicants can apply, track their plan review, and pay for all permits online.

6.1.2 TYPICAL PROCESS

Residential Projects:

- 2 days to accept online application
 - Fees must be paid after applicant receives invoice
- Allow up to 5-7 business days to receive first round of plan review comments or approval
 - If approved, permit will be processed for issuance within 3 business days.
 - If pending approval or denied, resubmit
 - After resubmittal received, expect an additional 5 business days to conduct 2nd review.

Commercial Projects:

- 2 days to accept online application
 - Fees must be paid after applicant receives invoice
- Allow up to 10-12 business days to receive first round of plan review comments or approval
 - If approved, permit will be processed for issuance within 3 business days.
 - If pending approval or denied, resubmit
 - After resubmittal received, expect an additional 10 business days to conduct 2nd review

****Project plan review may not require the time indicated above. The time limits provided are based on a high permit volume. Based on special requirements for the projects there may be other plan reviewers and professional consultants included on the project for review.***

6.1.3 BUILDING PERMITS

- Building
 - Residential
 - Commercial
 - Manufactured Home
- Driveway
- Electrical
- Fence
- Fire Protection System
- Infrastructure
 - Water Tap
 - Sewer Tap
 - Electric Service
 - ROW Permit
- Irrigation
- Mechanical
- Plumbing Gas
- Plumbing (No Gas)
- Pool/Spa
- Re-Roof
- Signs
- Solar

The Building application can be found at www.caldwelltx.gov/permits go to Cloudpermit and complete the online application form by creating an account, logging in, select the building application, then the appropriate category.

6.2 CONTRACTOR REGISTRATION

6.2.1 OVERVIEW

Contractor Registration is required for all professional trades, including Electrical Master, Electrical Journeyman, Plumbing Master, Plumbing Journeyman, Landscape Irrigator Master, Landscape Irrigator Journeyman, HVAC Master, and HVAC Journeyman. All contractors are required to fill out the following form, pay associated fees, and provide copies of their state identification card/Government Issued Identification in order to register as a contractor to do work under the city's jurisdiction.

6.2.2 SUBMITTAL DOCUMENTS

1. Contractor Registration Application
2. Copy of Master License and other Licensees with company
3. Copy of Insurance
4. Copy of Driver License for registered contractor

The Contractor Registration application can be found at www.caldwelltx.gov/permits go to Cloudpermit and complete the online application form by creating an account, logging in, select the building application, then the New or Renewal category.

6.3 INSPECTION INFORMATION

6.3.1 OVERVIEW

The City of Caldwell requires building permit inspections at key stages of construction to ensure that all work complies with adopted building codes, local ordinances, and approved plans. These inspections help verify that structures are built safely, correctly, and in accordance with all applicable regulations.

All inspections must be scheduled in advance through Cloudpermit, the City's online permitting portal. Inspections must be requested before 4:00 PM on the business day prior to the desired inspection date.

6.3.2 IMPORTANT REMINDERS

- Do not cover work (e.g., concrete, framing, utilities) before it has been inspected and approved.
- Re-inspection fees may apply if work is not ready at the time of inspection or fails repeatedly.
- Separate permits are required for plumbing, electrical, and mechanical systems.
- All construction must comply with current adopted codes (e.g., 2021 IBC, 2021 IRC, 2023 NEC, 2021 IEBC, 2021 IPC, 2021 IECC, 2021 IPMC).

5. APPEALS

The Appeals Process allows individuals or municipal entities to formally challenge a decision made by a zoning or administrative official. Appeals are reviewed by the Zoning Board of Adjustment (ZBA) in accordance with due process and public hearing procedures.

7.1 APPEAL OF A ZONING DECISIONS

7.1.1 WHO MAY APPEAL

- a. Any person aggrieved by the final decision of an administrative official (e.g., Zoning Administrator or Building Inspector); or
- b. Any officer, department, board, or bureau of the municipality affected by the decision.

Note: Members of the City Council who serve on the ZBA are not permitted to file appeals under this section.

7.1.2 HOW TO FILE AN APPEAL

- c. A written notice of appeal must be filed within fifteen (15) days of the administrative decision.
- d. The notice must specify the grounds of appeal and be submitted to both the administrative officer and the Zoning Board of Adjustment.
- e. Upon receiving the appeal, the administrative officer must transmit all relevant records to the ZBA.

7.1.3 EFFECT OF FILING AN APPEAL

- f. Filing an appeal generally pauses all related actions or enforcement.
- g. However, if the administrative official determines that a stay would pose an imminent risk to life or property, they may certify that the appeal should not delay enforcement.

7.1.4 PUBLIC HEARING & BOARD ACTION

- h. The Zoning Board of Adjustment must hold a public hearing following the city's public notice procedures (§6.02).
- i. Parties may appear in person, by agent, or by attorney to present their case.
- j. The Board may:
 - i. Reverse, affirm, or modify the decision in whole or in part.
 - ii. Exercise the same authority as the administrative official.
- k. A written finding of fact must accompany the Board's decision, including the reasons for the outcome.
- l. A concurring vote of 75% of ZBA members is required to overturn or modify the administrative decision.

7.2 APPEAL OF ZONING BOARD OF ADJUSTMENT (ZBOA) DECISION

7.2.1 HOW TO FILE AN APPEAL

- a. Any party aggrieved by a final decision of the Zoning Board of Adjustment may appeal to a court of competent jurisdiction. This must be

done by filing a verified petition stating that the Board’s decision is illegal in whole or in part and detailing the grounds for such a claim.

7.3 APPEAL OF SUBDIVISION/PLATTING DECISIONS

The City of Caldwell provides specific procedures for appealing administrative decisions related to subdivision plat processes, including construction plans, infrastructure improvements, improvement agreements, and plat approvals. Appeals are routed based on the type of decision being challenged.

7.3.1 WHO MAY APPEAL

An appeal may be initiated by:

- Any person aggrieved by the final decision of an administrative official (e.g., Development Services Director, City Engineer); or
- Any officer, department, board, or bureau of the municipality affected by the decision.

Note: Members of the City Council may not initiate appeals in which they have a decision-making role.

7.3.2 APPEAL ROUTING BASED ON DECISION TYPE

A. Appeals Heard by the City Council (Administrative Decisions)

Administrative decisions related to the following must be appealed to the City Council:

1. Public Infrastructure Improvements
2. Construction Plans
3. Subdivision Improvement Agreements (SIAs)

These are technical and contractual components tied to development and require City Council review upon appeal.

B. Appeals Heard by the Planning and Zoning Commission (Administrative Decisions)

Administrative decisions related to the following must be appealed to the Planning and Zoning Commission:

1. Final Plats
2. Replats
3. Vacating Plats
4. Access Management

These decisions affect land use configuration, circulation, and legal records of subdivision and are under the Commission’s planning oversight.

C. Appeals Heard by the City Council (Planning and Zoning Commission Decisions)

Decisions made by the Planning and Zoning Commission related to the following may be appealed to the City Council:

1. Preliminary Plats
2. Plat Waivers

These are higher-level land development decisions and exceptions to the subdivision ordinance, and are subject to final review by the

governing body.

7.3.3 HOW TO FILE AN APPEAL

- A written notice of appeal must be submitted within fifteen (15) days of the administrative decision.
- The notice must clearly identify the specific decision being appealed, cite the grounds for the appeal, and include any relevant supporting documents.
- Appeals must be filed with the Development Services Department, which will route the appeal to the appropriate review body (City Council or Planning and Zoning Commission).

7.3.4 EFFECT OF FILING AN APPEAL

- Filing an appeal generally pauses any enforcement or further action related to the decision being appealed.
- However, if the administrative official certifies in writing that delaying action would pose an imminent risk to life or property, the appeal will not stay enforcement.

7.3.5 PUBLIC HEARING AND REVIEW BODY ACTION

- A public hearing will be scheduled in accordance with the City's public notice procedures.
- The applicant or appellant may appear in person, by agent, or by attorney to present their case.
- The review body (City Council or Planning and Zoning Commission) will consider the appeal and may:
 - Affirm, reverse, or modify the decision, in whole or in part.
 - Impose conditions as deemed necessary to uphold the intent of the Subdivision Ordinance.
- All decisions must be accompanied by written findings of fact specifying the reasoning for the decision.

The Appeals application can be found at www.caldwelltx.gov/development go to Cloudpermit and login to your account. Click on the project application that you are appealing and then click on the file appeal request.

8 UTILITIES

8.1 UTILITY SERVICE EXTENSION

8.1.1 OVERVIEW

A Utility Service Extension request is required when a property owner seeks to extend electric, water, or wastewater services from the City of Caldwell to support a proposed development located within the City's Extraterritorial Jurisdiction (ETJ). Approval of the extension authorizes the applicant to proceed with development applications and authorizes the City to pursue voluntary annexation of the subject property. All utility extensions must be consistent with City infrastructure planning, capacity, and financial feasibility.

8.1.2 TYPICAL SUBMITTAL PROCESS

1.	Pre-Application Consultation (required): The applicant must meet with City staff (Planning and/or City Engineer) to review the scope of the project and identify requirements for service extension and annexation.
2.	Application Submission: The applicant submits a Utility Service Extension Application to the City Engineer, including the required Development Application form and all supporting documentation.
3.	Completeness Review: The City Engineer conducts a completeness review in accordance with Section 10.02.002 and distributes the application to relevant City departments for feedback.
4.	Interdepartmental Review & Recommendation - Staff evaluates service demand, infrastructure capacity, environmental impact, and financial feasibility. - The City Engineer prepares a written recommendation to the City Council, including technical feedback and policy considerations.
5.	City Council Decision - The City Council holds a public meeting to review the request and staff recommendation. - Council may approve, approve with conditions, or deny the request.
6.	Subsequent Development Once approved, the applicant may proceed with zoning, subdivision master plan, or plat applications consistent with the utility service plan.

8.1.3 CONSIDERATIONS FOR APPROVAL

When reviewing a Utility Service Extension request, the City Council considers the following criteria:

- Consistency with the Comprehensive Master Plan
- Compliance with City codes, ordinances, and infrastructure standards

- Feasibility of annexation of the subject and any intervening property
- Impacts on the City's capacity to serve existing properties
- Potential for premature development without adequate roadway, drainage, or park infrastructure
- Financial feasibility of extending utilities based on the proposed funding method
- Potential for environmental degradation or impacts to water quality
- Whether the request includes wastewater extension without City water
- The degree to which the request promotes public health, safety, and orderly development

8.1.4 APPLICATION ITEMS

Applicants must submit the following documentation for a complete Utility Service Extension request:

- Completed Utility Service Extension Application
- Development Application Form
- Narrative describing the proposed project, service needs, and rationale for the extension
- Voluntary Annexation Request form
- Utility Service Layout Plan, showing proposed connections, extensions, and service areas
- Preliminary cost estimates and proposed financing method (e.g., developer-funded, cost-sharing)
- Environmental or drainage analysis, if applicable
- Subdivision Master Plan, if development will be phased or if the property is located in the ETJ
- Supporting documents or studies requested during the pre-application meeting
- Required application fees, per the City's fee schedule