

Washington County Texas



Subdivision Rules and Regulations



Chapter 232 Texas Local Government Code

2010



DEVELOPMENT CHRONOLOGY

WASHINGTON COUNTY Road and Bridge Department

The following is an example of a basic chronological order of a typical subdivision development. It is not intended to replace or supersede the specific provisions of the listed rules and regulations.

General Information Sheet of Proposed Development – Developer provides information for location and contact.
Pre-Development Discussion – Determines what type of development is forthcoming and what platting requirements are required.

Preliminary Submittal: Development Application
Preliminary Plat
Fees
Drainage Plan if applicable

Preliminary Plat Review

Preliminary Plat Results

Preliminary Plat Presented to Commissioners Court

Final Plat Authorization

Final Plat Submittal with all required documents/attachments:

- Tax certificate (original)
- Title Information
- Easement Coordination (If applicable)
- Restrictive Covenants (If applicable)
- Plans and Specifications for Roadway and Drainage
- Security (Bond or Letter of credit)
- Warranty (maintenance period)
- Environmental OSSF (Compliance Letter)
- Floodplain Administrator (Compliance Letter)
- 911 Rural Addressing (Road name approval and Subdivision name approval)
- County Attorney (Approval of Security)
- Fees

Final Plat Review – Correct any deficiencies

Final Plat presented to Commissioners Court for approval

Record Final Plat – County Clerk's Office

Lot sales and transactions commence

Written Notification to Road and Bridge Administrator – of road construction beginning date

Construction of improvements begin with periodic construction reviews made by county or county representative

Written notice of construction completion

Final inspection of improvements made by county or county representative

Remedial work (if required)

Re-Inspect (if required)

Initial acceptance by Commissioners Court to begin (1) one year maintenance period

Bond Reduction (Or Letter of Credit Reduction)

Re-seal -Third course treatment prior to end of (1) year maintenance period

Notify Road and Bridge Dept. for final inspection (10th Month (estimate) of (1) one year maintenance)

Inspection by county - or County Representative

Re-medial work (If necessary)

Re-Inspect (If necessary)

Final acceptance - Commissioners Court approval

Release of Bonds and or security

TABLE OF CONTENTS

	Page
Washington County Order of Adoption	6
• Separability	8
ETJ Development Procedures	9
• City of Brenham	9
• City of Burton	9
Definitions and Terms	10
Fee Schedule	14
Inspection/Review Fees	14
Penalties	14
Exceptions to Plat Requirements	15
Variance	
• From Rules and Regulations	16
On Site Sewage Facilities/Floodplain Management	
• OSSF Procedures	16
• Floodplain Management	17
Preliminary Plat	
• General Procedures	18
• Review/Informal Discussion	19
• Submittal	19
• Commissioners Court Presentation	19
• Specifications	20
Final Plat	
• General Procedures	21
• Specifications	22
• Submittal	24
• Required Attachments	25
• Security	25
• Approval	26
• Recording	26
• Post Recording	27
• Monuments	27
• Benchmarks	27
Re-Plat – Consolidation	28
Amending Plat	28

	Page
Subdivision Design Standards	
• General Principles	29
• Road Design Recommendations	29
• Minimum Right of Way Width	29
• Curves	30
• Offsets	30
• Intersections	30
• Cul-de-sac	30
• Provisional Reserves	30
• Street Names	30
• Lots	30
• Rear and Side Driveway Access	30
• Double Frontage Lots	31
• Minimums for Residential Lots	31
• Single Family and Duplexes	31
• Townhouses	31
• Multi Family Apartments	31
• Cluster Developments	31
• Condominiums	31
• Manufactured Home Rental Communities	31
• Building Setback Lines	32
• Compensating Common Open Space	32
• Private Restrictions	32
• Gated Communities	32
Drainage and Utilities Easements	33
Construction Requirements	34
• Approval Prior to Construction	34
• Construction and Maintenance Security	34
• Observation During Construction	34
• Revision to Regulations	34
• Record Construction Plans(Underground Utilities)	34
• Traffic Control Devices	34
• Subdivision Sign	34
• Street Signs	34
• Traffic Signs	34
• Signalization	34
• Speed Limit	34
• Change in Plans	34
• Mailbox/Structure Placement	35
Minimum Standards for Improvements of Roads	35
• Curb and Gutter	35
• Open Ditch	35
• Sub-grade	35
• Flexible Base Course	36
• Surface Course	36
• Concrete Pavement	37
• Materials Testing	37
• Supervision of Construction	37
• Record Drawings	37

	Page
Drainage, Storm Sewers and Culverts	38
Drainage Plans	39
Sediment and Erosion	40
Permanent Erosion Control	39
Road Acceptance	
• Acceptance into 1 Year Maintenance Period	40
• Final Road Acceptance	40

APPLICATIONS/FORMS

Dedications, Certifications, Acknowledgments	41
Owner Dedication	41
Dedication for Corporation	42
Alternative Paragraphs	43
Lien Holder Acknowledgment	44
Notary Public Acknowledgment for Individual	44
Notary Public Acknowledgment for Corporations	44
Surveyor Acknowledgment	45
Incorporated City Acknowledgment	45
Commissioners Court Acknowledgment	45
County Clerk Filing Acknowledgment Statement	46
Directions for Proper Dedication Execution	46
Notation for All Plats	46
Development Chronology	2, 47
Variance Sample	48
General Information Sheet	49
Rural Addressing - Letter of Approval for Subdivision Name	50
Rural Addressing - Letter of Approval for Subdivision Road Name(s)	51
Environmental Department - Letter of Approval	52
Flood Plain Administrator – Letter of Approval	52
County Attorney - Letter of Approval	53
Development Application	54
Preliminary Checklist	55
Final Plat Checklist	56
Final Plat Authorization/Denial	57
Construction and Maintenance Bond	58
Sample Letter of Construction Beginning	60
Sample Letter of Construction Complete	61
Sample Letter of Maintenance Period Ending	62
Rules for Manufactured Homes Rental Communities	63

Washington County

ORDER OF ADOPTION

*Rules, regulations and requirements relating to the approval and acceptance
of improvements in subdivision
or re-subdivisions*

**STATE OF TEXAS
COUNTY OF WASHINGTON**

On this the 31st day of December 2009 at a regular meeting of the Commissioners Court, sitting as the governing body of Washington County, Texas, came on to be considered the necessity of adopting rules, regulations and requirements providing for the supervision of the development of new subdivisions or re-subdivisions in Washington County, Texas, outside the legal limits of any incorporated city or town in Washington County in accordance with Chapter 232 of the Texas Local Government Code, Chapter 12 of the Property Code and VTCA.


Upon due consideration, the Court was of the opinion that there exists a necessity for establishing such rules, regulations and requirements and that these rules, regulations and requirements shall supersede all existing rules, regulations or requirements heretofore passed by the Commissioners Court;


Now, therefore, by and under the authority vested in the Commissioners Court, upon the motion of Commissioner Henth seconded by Commissioner Fuchs duly put and carried, it is ordered, adjudged and decreed that the following rules, regulations and requirements relating to the supervision of new subdivisions or re-subdivisions in Washington County are hereby adopted as conditions precedent to the approval, by the Commissioners Court, of plat or subdivisions and re-subdivisions for recording and shall be in full force and effect from January 1st 2010 to wit:


1. Whenever the Court in its judgment deems it to be in the best interest of the public to change any part of these rules and regulations, the Commissioners Court may amend the regulations at any time, upon proper publication of notice of adopting the amendment.
2. These rules, regulations and requirements, any and all future additions thereto and changes thereof, will be binding on all new subdivisions or re-subdivisions in Washington County. Said rules, regulations and requirements must be complied with before approval or acceptance of the streets, roads, storm sewers, drainage ditches and drainage easements of a subdivision or re-subdivision and may be recorded with the County Clerk after same has been first approved by the Commissioners Court as set forth herein.
3. The roads and/or streets that have not been taken into the County Road System for maintenance by the County, in previously approved subdivisions shall be considered on individual merits. This policy shall not apply to any roads now being maintained by Washington County, Texas.
4. Plats of each proposed subdivision or re-subdivision must be submitted in compliance with the following sections hereof to the Commissioners Court of Washington County. All plans and plats shall be drawn to conform to the requirements set forth herein.
5. In all newly developed subdivisions a final plat will be submitted and approved by the Commissioners Court of Washington County prior to the issuance of permits or authorization of inspection.
6. It shall be the duty of the developer to see that layout and construction, subject to inspection by the County or its designated Representative thereof, follow the approved plans as presented with the final subdivision plat.
7. Access to all new subdivisions shall be from an adequate County maintained road or street; or a state or federally maintained road or street.
8. All roads providing principal access to and within subdivisions shall be public roads subject to the rules and regulations provided herein.

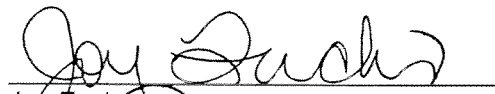
Approved by Commissioners Court, of Washington County, Texas, this 31st day of December
2009


Dorothy Morgan
County Judge


Zeb Heckmann
Commissioner, Pct. 1


Donald Ahrens
Commissioner, Pct. 2


Kirk Hanath
Commissioner, Pct. 3


Joy Fuchs
Commissioner, Pct. 4

SEPARABILITY
Of
Provisions and Effective Date

SEPARABILITY

It is hereby declared to be the intention of the County Commissioners Court that the several provisions of these regulations are separable, in accordance with the following:

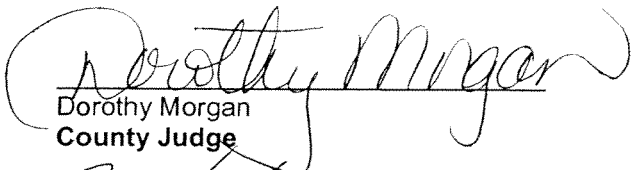
A. If any sentence, phrase, section, paragraph, article or any part of these rules, regulations and requirements is declared invalid, unenforceable or unconstitutional for any cause of reason, such invalidity, unenforceable or unconstitutionality shall not be held to affect, invalidate or impair the validity, force or effect of any other sentence, phrase, section, paragraph, article or any other part of these rules, regulations and requirements.

B. If any court of competent jurisdiction shall judge invalid the application of any provisions of these regulations to a particular property, such judgment shall not affect the application of said provisions to any other property not specifically included in said judgment.

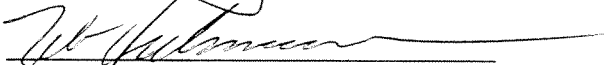
EFFECTIVE DATE

Whereas an emergency is apparent for the immediate preservation of good order, good government and the general public safety and welfare, these regulations shall become effective and applicable immediately upon its passage and it is accordingly so ordained.

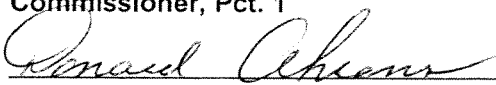
Passed and adopted by the Commissioners Court of Washington County, Brenham, Texas on the 31st
day of December, 2009.



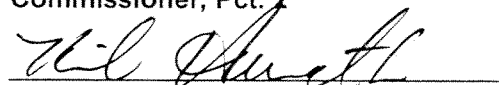
Dorothy Morgan
County Judge




Zeb Heckmann
Commissioner, Pct. 1



Donald Ahrens
Commissioner, Pct. 2



Kirk Hanath
Commissioner, Pct. 3



Joy Fuchs
Commissioner, Pct. 4

ETJ

Extra Territorial Jurisdiction

The ETJ being an invisible line extending one mile from the City limits line.

All developers are to make the appropriate contact to the correct municipality to determine if the proposed development lies within the ETJ.

The City of Burton has entered into an agreement to allow Washington County to regulate subdivision developments within the ETJ of the city of Burton.

Washington County has entered into an agreement to allow The City of Brenham to regulate subdivision developments within the ETJ of the city of Brenham.

It is the duty of the developer, or the designated representative, to make the appropriate municipality contact for determination of the ETJ lines.

DEFINITIONS

For the purpose of these regulations, the following terms, phrases, words and their derivations shall have the meaning given in this article. When not consistent with the context, words used in the present tense include the future, words used in the singular number include the plural number, and words used in the plural number include the singular number. Definitions not expressly prescribed herein are to be determined according to customary usage in planning and engineering practices.

ACCEPTABLE OUTFALL - Tidewater or that point as determined by the developers Engineer and approved by the County where storm water can be released to a channel without causing erosion or resulting sedimentation to the receiving channel or its flood plain. Where necessary, the outlet shall include structural and vegetative measures to assure non-erosive velocities.

ALLEY- An 'alley" is a minor public right-of-way which provides a secondary means of vehicular access to abutting property and which is used primarily for vehicular traffic to the rear or side of properties which otherwise abut on a 'public street" as that term is defined herein.

BENCHMARK - Permanent marker with elevation established on U.S.C. & G.S. Data Plane or other governmental agency, acceptable to the Commissioners Court of Washington County, Texas.

BUILDING SETBACK LINE - A building setback line is a line on a plat generally parallel to any property line and the street right-of-way, indicating the limit beyond which buildings or structures may be erected and the area between the property lines and the building setback line within which no structure may be permitted.

CLUSTER DEVELOPMENT - A method of development for land that permits variation in lot sizes without a significant increase in the overall density, due consideration shall be given to open space provided within the plat boundary and in other portions of the total development. Each lot in a cluster sequence should be considered in relation to the entire group of which it is a part. This allows subdivisions with varying lot sizes so as to provide homebuyers a choice of lot sizes according to their needs, and preserves open space, tree cover, scenic vistas, natural drainage ways and outstanding topography. Such measures prevent soil erosion by permitting development according to the nature of the terrain, which provides for larger open areas with greater utility for rest and recreation, and encourages the development of more attractive and economic site design.

COLLECTOR STREETS - Public streets that provide for expeditious movement of vehicular traffic within a neighborhood collecting traffic from minor streets and connecting to a major street.

COMMISSIONERS COURT - The words "Commissioners Court" shall refer to the County Commissioners Court of Washington County, Texas.

COMPENSATING OPEN SPACE - Those areas designated on a plat which are restricted from development, except for landscaping and recreational uses and which all owners of residential properties within the plat have a legal common interest or which is retained in private ownership and restricted from development, except for landscaping and recreational uses for the exclusive use of all owners of residential property within the plat. The terms compensating open space and common open space may be used interchangeably and can be considered the same.

CONSOLIDATION - The combining of two, or more, lots in a recorded subdivision, into one larger lot, which will change, the previously recorded lot dimensions.

COUNTY - The word County shall refer to the County of Washington.

COUNTY OF WASHINGTON STANDARDS - County of Washington Standards as used herein shall mean the regulations for streets and alleys, storm sewer lines and appurtenant structures, which are set forth herein, and such additional standards as may be adopted by the Commissioners Court, and which may be amended from time to time, and are hereby referred to.

COUNTY ROAD/STREET - "County Street" is defined as a public street or public road, which has been accepted by the County for maintenance purposes or is a street or road that was constructed and is maintained by the County.

CUL-DE-SAC - A short public road/street having but one (1) opening or access to another public road/street and is terminated by a permanent vehicular turn-around.

DEAD- END - That portion of a public road/street, that initially has only one (1) opening or access to another public road/street and which will be extended at a later date.

DEVELOPER OR SUBDIVIDER - These terms are synonymous and are used interchangeably and shall include any person, partnership, firm association, corporation (combination thereof) or any officer, agent, employee, servant or trustee thereof, who performs or participates in the performing of any act toward the subdivision of land within the intent, scope and purview of these regulations.

DETENTION POND- A reservoir which functions to reduce the peak flow of the stream or streams downstream from the reservoir by temporarily storing the runoff within the reservoir by means of a limited outflow structure.

EASEMENT- An easement is the area for a right granted thereon for the purpose of limited private, public or semi- public use across, over, or under private property for a specified purpose or purposes.

FLOOD HAZARD BOUNDARY MAP - The maps or plats prepared by the U, S. Department of Housing and Urban Development, Federal Insurance Administration, effective date May 24, 1977 for Washington County, Texas (Community No. 481188) which identifies Special Flood Hazard Areas, or latest version thereof.

FLOOD INSURANCE RATE MAP - The maps or plats previously and more commonly known as flood hazard boundary maps which identifies Special Flood Hazard Areas, or latest version thereof, to comply with FEMA update dated December 1, 2007.

FLOODPLAIN ADMINISTRATOR – The administrator for Washington County of the Flood Plain Management Program, as required by the Federal Emergency Management Agency (FEMA), as a necessary requirement for the National Flood Insurance Program.

GENERAL OVERALL PLAN - A map or plat designed to illustrate the general design features, and street layout, of a proposed subdivision proposed to be developed and platted in sections. This plan, when approved by the County, constitutes a guide that the County will refer to in the subsequent review of more detailed sectional plats as contained within the general overall plan and adjacent properties.

HOME OWNERS ASSOCIATION - An association created for a subdivision development to enforce bylaws, covenants and restriction as set forth by developer.

LOOP ROAD - A minor road/street that serves the purpose of providing circulation with its beginning and ending being at the same road/street or thoroughfare.

MANUFACTURED HOUSING OR MANUFACTURED HOME - Means a HUD Code manufactured home or a mobile home and collectively means and refers to both as defined in the Manufactured Housing Standards Act.

MANUFACTURED HOUSING PARK - A contiguous development of land sites, which have been planned and improved for the placement of rental manufactured housing.

MANUFACTURED HOUSING SUBDIVISION - A subdivision of land as defined herein where the lots are divided and specifically planned for sale and/or ownership and intended for manufactured housing use.

MINOR ROAD/STREET - Used primarily for access and circulation to abutting residential properties and which is intended to serve traffic within a limited area.

MODULAR OR RECONSTRUCTED HOME - A structure, transportable in one (1) or more sections, Which is eight (8) body feet or more in width and is thirty- two (32) body feet or more in length, and which is built to be placed on a permanent slab foundation, when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical system contained herein.

PARTITION- Partition is defined as the division of land into two (2) or more parts without a change of ownership or between persons related within the second degree of consanguinity or affinity.

PLAT- A plat is a subdivision plan submitted for preliminary or final approval to the Commissioners Court in conformity with the provisions of these regulations and which if given final approval, will be submitted to the County Clerk of Washington County for recording. A re-plat or re-subdivision shall be considered a plat as defined herein.

PRIVATE ROAD/STREET- A private road/street is defined as any road/street that is not a public road/street including roads/streets designated as private at the time of original platting. Notwithstanding the foregoing definitions however, the following shall not be considered public roads/streets within the purview of these regulations, namely:

- A. Any driveway designed or used principally to provide vehicular access to the outbuildings appurtenant to any principal building, or to provide vehicular access to delivery platforms or entrance of a building appropriate for the delivery thereto of goods of merchandise, and located wholly on private property.
- B. An area appurtenant to a store, a group of stores, a theater, a church or any similar establishment, designed or used primarily for a vehicular parking lot or vehicular parking facilities by customers, patrons or employees of the establishment or group of establishments in question.
- C. An entrance or roadway designed or used to provide either vehicular entrance to or communication or passage between the several units of a single industrial or commercial establishment or a group of such establishments which are under common control of management; provided such industrial or commercial entranceway or roadway shall be considered a public street under the terms of these regulations if it has entrance upon two or more public streets unless there are at each of such entrances, gates, chains or watchmen by which all persons are prevented from using the same except those employed by or having business to conduct at such industrial or commercial establishments in question.
- D. An entrance or driveway designed or used to provide principal or primary vehicular access to an apartment building or a group of apartment buildings designed for multi- family occupancy and under one (1) ownership. Such entrance or driveway shall not be used to provide public road/street access to adjacent areas.

PUBLIC ROAD/STREET- A "public road/street" is an area, parcel or strip of land which provides vehicular access to adjacent property or land whether designed as a street, highway, freeway, thoroughfare, avenue lane, boulevard, road, place, drive or however otherwise designated and which is either dedicated or granted for public purposes or acquired for public use by prescription. Access to and within proposed subdivisions shall be by way of public roads/streets.

RECREATIONAL VEHICLE- A vehicular, portable structure built on a chassis, designed by the manufacturer as a temporary dwelling for travel, recreational and vacation use.

RESIDENTIAL USE- The term "residential use" shall be construed to include single- family residential uses; two- family uses; and multi- family residential apartment, townhouse uses or condominiums.

SHALL AND MAY- As used herein, the word "shall" is mandatory and the word "may" is permissive.

SHOULD AND WILL- As used herein, the word "should" is a recommendation and is preferred. The word "will" is mandatory.

SPECIAL FLOOD HAZARD AREAS- Those areas shown by the Flood Hazard Boundary Maps to be subject to flooding conditions; generally accepted as the 100- year flood plain based on available data.

SUBDIVISION- A subdivision is the division of any lot, tract or parcel of land into two (2) or more parts to lay out: 1) a subdivision of the tract, including an addition; 2) lots; or 3) roads/streets, alleys squares, parks or other pads of the tract intended to be dedicated to public use or for the use of purchasers, or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts.

SUBDIVIDER OR DEVELOPER- These terms are synonymous and are used interchangeably and shall include any person, partnership, firm association, corporation (combination thereof) or any officer, agent, employee, servant or trustee thereof, who performs or participates in the performing of any act toward the subdivision of land within the intent, scope and purview of these regulations.

TBLPE- Texas Board of Licensed Professional Engineers

TBPLS - Texas Board of Professional Land Surveyors

TCEQ – Texas Commission of Environmental Quality

TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) STANDARDS- Refers to those standard specifications set forth in the TxDOT Standard Specifications for Construction of Highways, Streets and Bridges.

THIRD CONSANGUINITY- Relationships defined and determined under Texas Government Code Chapter 573.023 (c) An individual's relatives within the third degree by consanguinity are the individual's:

- (1) Parent or child (relative of 1st degree)
- (2) Brother, sister, grandparent, or grandchild (relative of 2nd degree)
- (3) Great-grandparent, great-grandchild, aunt who is a sister of a parent of the individual, uncle who is a brother of a parent of the individual, nephew who is a child of a brother or sister of the individual, or niece who is a child of a brother or sister of the individual (relative of 3rd degree)

THOROUGHFARES- Streets or roads are those that are principally regional in nature, and are used for through or heavy traffic. Streets or roads which will serve vehicular traffic beyond the limits of the subdivision and/or connect one (1) collector or arterial with one (1) or more collectors or arterials.

WCED – Washington County Environmental Department

Fee Schedule

ALL fees shown are subject to change

All required fees as specified herein shall be paid with the submittal of the plat, and all necessary documents, as categorized below. These fees are in addition to Inspection/Review fees listed below. All payments shall be made payable to Washington County in the form of a check, money order or a cashiers check. Fee's are to be submitted to the Road and Bridge Department, excluding recording fees which are paid upon recording in the County Clerk's Office.

Infrastructure Development Plan – for Manufactured Home Rental Communities

\$100.00 plus \$10.00 per rental space

Preliminary and Final Plat Fee's: [Based on Total Development Acres]

Up to 10 acres \$ 150.00

Up to 25 acres \$ 250.00

Up to 50 acres \$ 350.00

Up to 75 acres \$ 450.00

\$200.00 for each additional increment of 25 acres

Variance Request:

\$50.00 per request

Recording Fees:

Shall be the amount as determined by the County Clerk of Washington County and are subject to change.

Benchmarks:

Washington County will supply brass benchmarks as needed with developer reimbursing Washington County for the cost.

INSPECTION/REVIEW FEES

The owner/developer shall bear the expense, throughout the entire subdivisions construction and development, for ALL inspection and review fees associated by outside firm, or an individual designated by Washington County to perform such duties, as deemed necessary and are subject to the rates of the county selected representative.

PENALTIES

Section 232.005 of the Texas Local Government Code provides for the enforcement of these Regulations. Under Chapter 7 of the Texas Penal Code, a person may be responsible as a party to an offense if the person (acting with intent to promote or assist the commission of the offense) solicits, encourages, directs, aides, or attempts to aide another person to commit the offense. Thus, a real estate agent or broker, a lender, an attorney, a surveyor, an engineer, a title insurer, or any other person who assists in violating these Regulations may also face criminal penalties. Besides prosecuting a criminal complaint, the District Attorney or County Attorney may file a civil action to enjoin any violation or threatened violation of these regulations, and to recover damages.

PLAT REQUIREMENT EXCEPTIONS

As set forth by
Texas Local Government Code 232.0015

When the owners of a tract of land divides the tract into two or more parts and **does not** lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts

AND: (must meet at least one of the categories listed below)

- 1.) The land is used primarily for agricultural uses, or for farm, ranch, wildlife management, or timber production use {subsection (c) 2}; or
- 2.) The tract is divided into four or fewer parts and the parts are sold, given, or otherwise transferred to an individual who is related to the owner within the third consanguinity or affinity {subsection (e)}; or
- 3.) All of the lots of the subdivision are more than 10 acres in area; {subsection (f)}; or
- 4.) All of the lots are sold to veterans through the Veterans' Land Board Program subsection (g); or
- 5.) The tract owned by the State or other State agency, board, or commission, or owned by the permanent school fund, or any other dedicated funds of the State {subsection (h)}; or
- 6.) The owner of the land is a political subdivision of the State, the land is situated in a flood plain, and the lots are sold to adjacent landowners {subsection (i)}; or
- 7.) One new part is to be retained by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of these regulations {subsection (j)}; or
- 8.) All parts of the tract are transferred to persons who owned an undivided interest in the original tract, and a plat is filed before any further development of any part of the tract {subsection(k)}.

Although it is not a requirement, Washington County requests a courtesy notification letter from a land owner/developer who believes his/her division is an exception to the Platting requirements, a survey or sketch of the division would be helpful. The Washington County Road and Bridge Department shall forward to the appropriate Commissioner for review.

NOTE!! All divisions being made under the exceptions **must** comply with any and all requirements as specified by the TCEQ, (ie.OSSF); and determination of the extra territorial jurisdiction is the responsibility of the landowner, as specified by Local Government Code. Any divisions not following the rules and requirements are subject to penalties as outlined in LGC 232.005.

VARIANCE

From Rules and Regulations

The Commissioners Court may grant variances from these regulations. All variances must be passed by motion in Commissioners Court.

Anyone who wishes to request a variance must apply in writing to the County Road Administrators Office who will coordinate with the appropriate commissioner and request it be placed on the agenda of the court with a recommendation whether the variance should be granted or denied. All variance request submitted must be specific and in a written format. A detailed description should be attached with the written request, along with all pertinent information and fees. The variance request must be signed and dated by the land owner/developer, or their designated representative. For sample variance request see page 48

If the variance affects a city's ETJ the land owner/developer must contact the appropriate jurisdiction as stated in the Inter-local agreement under local government code 242.001(c)(d)(4).

The decision of the Commissioners Court to grant or to deny a variance is at their sole discretion.

SEE VARIANCE REQUEST SAMPLE ON PAGE 48

.....

ON SITE SEWAGE FACILITIES

Ossf Procedures

Washington County adopted an order for On Site Sewage Facilities (OSSF) as shown on the following page(s). Commissioners Court has assigned the responsibility to the Washington County Environmental Department to insure each development adheres to the most recent up to date laws as regulated by the Texas Commission of Environmental Quality.

All developments or subdivisions, which include the use of on-site sewage facilities (OSSF), shall comply with the latest editions of 30 Texas Administrative Code (TAC) Chapter 285 On-site Sewage Facilities and the Rules of Washington County, Texas for Private Sewage Facilities. This reference shall be construed to include the most current edition, latest revisions, additions or amendments thereof, and any other laws passed regarding OSSF.

All developers, landowners and developments must be in compliance with State laws regarding on site sewage facility (OSSF) laws as regulated by the Texas Commission of Environmental Quality (TCEQ).

Upon compliance, the Washington County Environmental Department will issue a statement of compliance, which must accompany the Final Plat when presented before Commissioners Court for approval.

All developers must contact the Washington County Environmental Department for current policies, procedures and State Laws regarding

ON SITE SEWAGE FACILITIES (OSSF).

FLOODPLAIN MANAGEMENT

Washington County Commissioners Court adopted an order for Floodplain Management and has assigned the responsibility to the Washington County Environmental Department to insure each development adheres to the most recent up to date laws as regulated by FEMA, Federal Emergency Management Agency. [44Code of Federal Regulations]

Each developer must contact the Floodplain Administrator of the Washington County Environmental Department to be certain all requirements are met. Upon compliance the Washington County Environmental Department will issue a statement of compliance, which must accompany the Final Plat when presented before Commissioners Court for approval.

ANY development showing any property which lies within the floodplain, as determined by the flood insurance rate map (FIRM), previously known as the flood hazard boundary map (FHBM), has specifications which are in addition to the subdivision platting requirements, and these specifications must be shown on the preliminary and final plat. To obtain these specifications and requirements the developer must contact the Floodplain Administrator of Washington County.

**All developers must contact the Floodplain Administrator of
Washington County Environmental Department for current policies, procedures and
State Laws regarding
Floodplain Management.**



PRELIMINARY PLAT

GENERAL PROCEDURES

When a landowner or developer desires to create a subdivision, and or development of a tract of land, in Washington County, which does not qualify for an exception, and is required by Texas Local Government Code Subchapter 232 to be platted, it is required that a pre-development discussion be held. At this discussion, the developer, the County Commissioner (for which the proposed development is situated), and the County representative(s) will outline the development, correct deficiencies to reach an accomplished plan so that the developer may continue forward to the Final Plat. The preliminary plat is not required to be approved by Commissioners Court; however, it is a requirement to be presented before Commissioners Court for public awareness. It is recommended the developer have his surveyor and or engineer at this pre-development discussion to insure compliance and an understanding of the basic platting requirements and to assist in achieving a coordinated plat layout. The preliminary plat should be presented at this time and be as complete as possible, see **Preliminary Checklist under applications and forms**.

Plan specifications for Roadway and drainage will be necessary for any development that consists of any new roads, streets or alleys to be constructed at any stage of development.

After the Preliminary Plat has met all specifications and requirements the developer shall be given written authorization by the designated county representative to proceed to the Final Plat. Preliminary Plat approval remains in effect for a period of (1) one year. Once written authorization to proceed to Final Plat has been granted, the Final Plat of the subdivision or a section thereof must be filed within this (1) one year period or the approval of the Preliminary Plat shall be null and void.

Chronology of Preliminary Plat:

- ❖ Submittal (With roadway and drainage plan specifications if applicable.)
- ❖ Review
- ❖ Informal discussion/pre-development
- ❖ Presentation before Commissioners Court
- ❖ Written authorization to proceed to final

PRELIMINARY PLAT SUBMITTAL

For acceptance of the preliminary plat, the developer, or their designated representative, shall submit to the County Road and Bridge Administrator's Office the following for consideration and scheduling of the informal discussion prior to the final plat submittal:

1. Five (5) black line or blue line copies covering the proposed development and all the contiguous land owned or controlled by the developer intended to be developed at any time, even though it is intended by the developer to file final plats and install improvements for parts of said tract by sections or units.
2. Development Application (Page 54)
3. Roadway and Drainage Plan (2 copies) for any development, which consist of adding new roads, streets or alleys.
4. Preliminary plat fees. (See Fee Schedule on page 14)

REVIEW/INFORMAL DISCUSSION

Upon completion and submittal of all required documents, the county's designated representative will review the preliminary plat and other required information. A meeting shall be scheduled for the Developer/Landowner, Developer's surveyor and or Engineer, County Commissioner, and the County's designated Representative for the informal discussion regarding the decision of the approval of the preliminary plat. Length of review time shall vary based on the developments characteristics. At this meeting, all issues and discrepancies will be discussed, noted, addressed and or corrected. Such decisions may consist of approval, disapproval or conditional approval. Conditional approval shall be considered to be approval of a plat subject to conformity with prescribed conditions. All objections made to the preliminary plat, or conditions imposed, shall be furnished to the developer in writing.

After the preliminary plat has met all specifications and requirements the developer shall be given written authorization to proceed to the Final Plat after presented before Commissioners Court.

COMMISSIONERS COURT PRESENTATION

The developments finalized preliminary plat shall be presented before Commissioners Court. This process may not require a vote of the court but it shall keep all apprised of developments and shall give the public an opportunity to be aware of future developments within the County.

PRELIMINARY PLAT SPECIFICATIONS

The scale of the preliminary plat should be 1 inch = 100 feet, 200 feet or 400 feet.

The following shall be shown on the Preliminary Plat:

1. **Title or name of the subdivision.** The name of the subdivision shall be coordinated with the Rural Addressing Coordinator to avoid duplication. The Rural Addressing Coordinator shall provide a written statement of the name approval of which must be submitted with the Final Plat.
2. **Names and address of owners** and or developers.
3. **Names and addresses or persons or firms preparing plat.**
4. **Topographic contours** of not more than five-foot (5') intervals based on U.S.G.S. or accepted County datum.
5. **North point and scale.**
6. **Key map** showing location of subdivision in relation to existing streets and highways, railroads, watercourses.
7. The **boundary of the subdivision** and scaled dimensions, both linear and angular, of the boundary tied to an original survey corner or two corners of the subdivision tied to and labeled with Texas State Plane coordinate values.
8. Within 200 feet of the boundaries of the subdivision, all **existing utilities, streets and lots**, as to size and location and property lines, survey lines and **adjacent subdivisions, easements, etc.**
9. **All proposed blocks, lots, alleys, streets, easements** and purposes thereof, drainage or water courses, recreation and special use areas, reserves, setback lines, proposed dedication of areas for public use other than streets and easements and the approximate dimension of all proposed items shall be shown. Public facilities and easements included in any city, county or regional plan that are included or adjacent to the land being subdivided shall be shown.
10. **Road/Street names, lots, sections and or block numbers.** The name(s) of the roads/streets within the subdivision shall be coordinated with the 911 Addressing Coordinator to avoid duplication. The 911 Addressing Coordinator shall provide a written statement of approved names, which must be submitted with the Final Plat.
11. **Area in subdivision**, proposed sectioning if any, total number of lots and total area of reserves.
12. **Special Flood Hazard Areas** to be clearly identified as determined by the latest version of FIRM/FHBM for Washington County and required by the Floodplain Administrator of Washington County.
13. A general statement of the **proposed uses of the land within the subdivision**, including an outline or brief form of proposed restrictions.
14. This plat must meet all rules, regulations, and minimum standards as set forth by the **Texas Board of Professional Land Surveyors**, where applicable; and must meet all rules, regulations and minimum standards as set forth by the **Texas Board of Professional Engineers**, where applicable.
15. All existing surface improvements, including water wells, and dwellings to be shown.



FINAL PLAT

GENERAL PROCEDURES

Each development has characteristics unique to that development alone and special attention should be placed on areas such as drainage, soil, location, and these items may present special requirements. Some developments may lie within an area that may require detention ponds, and yet another may require hydrants. Commissioners' Court may adopt rules governing plats and subdivisions of land within unincorporated area of the county to promote the health, safety, morals, or general welfare of the county and the safe, orderly, and helpful development of the unincorporated area of the county [LGC 232.101(a)].

Once a preliminary plat has met all specifications as required, and permission granted to proceed to the final plat preparation, the developer's representative shall submit two blue, or black, line copies to the County Road and Bridge Administrators Office for a review by the County's representative to insure all areas have been properly addressed.

After the final plat has been completed and is acceptable by the County's representative, it is to be submitted in mylar form with all necessary supporting documents and fees. The Final Plat may then be requested to be placed on an agenda for the Commissioners Court to render a decision within 60 days.

Once approved, the plat must be filed for record in the County Clerks Office. Prior to construction of improvements, written notification must be given to the County Road Administrator. Lot sales and transactions may begin after the final plat has been filed for record.

Chronology of Final Plat:

- ❖ Authorization
- ❖ Submittal
- ❖ Review
- ❖ Correct deficiencies if applicable
- ❖ Present to Commissioners Court for approval with all required and pertinent documents
- ❖ Record Final Plat in County Clerks Office with all required and pertinent documents

FINAL PLAT

FINAL PLAT SPECIFICATIONS

- 1) **Scale** - Accurate dimensions, both linear and angular, of all items on the plat shall be indicated and shown on the final plat at a scale of at least 1" = 100' or 1" = 200' for lots equal to or greater than 2.5 acres or 1" = 400' for lots (tracts) equal to or greater than twenty (20) acres. Linear dimensions shall be expressed in feet and decimals of a foot; angular dimensions may be shown by bearings.
- 2) **Plat dimensions** shall be eighteen (18) inches by twenty-four (24) inches (or smaller).
- 3) **Multiple sheet** plats must have subdivision name and sheet number located in lower right hand corner of each sheet. A key map must be provided on the dedication sheet showing individual sheet relationship.
- 4) The name of the subdivision, **name(s)** and **addresses** of owner(s) and/or developers, name and addresses of surveyor preparing plat, and engineer where applicable; legal description of plat, date of preparation or revision to facilitate flood plain checking and County mapping.
- 5) Proposed **location of drainage easements** for purposes of sediment traps or detention ponds, if any, to be constructed for temporary or permanent purposes in streams and other drainage ways.
- 6) **Legal description** of location of subdivision. This description shall be sufficient for the requirements of title examination.
- 7) **North point, scale and vicinity** map.
- 8) All certification **statements**, covenants, dedication restrictions and other inscriptions as required.
- 9) **All lots, blocks, streets, alleys, pipelines**, fee strips, water courses, easements, reserves and total area, number of lots and number of blocks, where applicable.
- 10) **Setback** lines.
- 11) **Street names, block numbers**, lot numbers and alphabetical identification of reserves.
 - a) **Blocks**, if any, are to be Roman numbered consecutively within the overall plat or sections of an overall plat as recorded.
 - b) **Lots** are to be numbered consecutively within the overall plat as recorded.
 - c) **Reserves** (land to be used for other than residential purposes) are to be labeled A, B, C, etc., rather than numbered as blocks and lots.
- 12) **Dimensions**
 - A.) **Streets, Roads and Alley Rights-of-Way**
 - (1) Complete curve data (radius, delta angle, arc length, chord bearing, chord length) shown on each side of roads, streets and alleys and centerline of streets.
 - (2) Length and bearings of all tangents on street centerline and on each side of streets and roads.
 - (3) Dimensions from all angle points and points of curve to an adjacent side lot line.
 - (4) Actual right-of-way width of all streets and alleys, measured at right angles or radially where curved.
 - B.) **Lots** - Complete bearings and dimensions for front, rear and side lot lines.
 - C.) **Water Courses and Easements** - Distances to be provided along the side lot lines from the front lot line to the point where the side line crosses the drainage easement line or the high bank of a stream. Transverse line shall be provided along the edge of all large watercourses in a convenient location, preferably along a utility easement if paralleling the drainage easement of a stream.

D.) **Pipelines** - Pipelines having no defined easement location or width shall be tied to dimensions to all adjacent lot and tract corners. If no agreement can be reached on a defined easement, then building setback lines shall be shown at a minimum distance of twenty-five (25) feet from and parallel to the centerline of the pipeline.

- 13.) **Boundaries** - Ownership or outlines of the tract or tracts the plat is proposed to subdivide shall be shown with heavy, solid lines. The boundaries of the plat shall be described with complete and overall dimensions and bearings and be tied to an original corner of the original survey of which the subdivision is a part or to the nearest possible street/road intersection.
- 14.) **Standards** – This plat must meet all rules and regulations, minimum standards as set forth by the Texas Board of Professional Land Surveyors where applicable, and must meet all rules and regulations, minimum standards as set forth by the Texas Board of Professional Engineers where applicable.
- 15.) **Extension Data** - The location, width and name of existing streets, roads and subdivisions and the location of existing lots, easements, pipelines, fee strips, survey lines, building lines, water courses or other important information shall be shown on all sides of the subdivision for a distance of not less than 200 feet. Recording information shall be provided on the plat. The lines of such indication beyond the plat boundary shall be dashed.
- 16.) **Special Flood Hazard Areas** to be clearly identified as determined by the latest version of FIRM/FHBM for Washington County and required by the Floodplain Administrator of Washington County.
- 17.) No “**stick ons**” may be used on the final plat.

FINAL PLAT SUBMITTAL

Prior to submitting the final plat in mylar form, two blue line or black line copies shall be submitted to the County Road and Bridge Administrators Office for a review to insure all areas have been properly addressed.

After the foregoing procedure has been complied with, the owner/developer shall prepare and submit to the County Road and Bridge Administrators Office the following information:

- (a) ONE original (mylar) of a final plat meeting all applicable requirements as set forth herein and certified by a surveyor registered by the State of Texas shall be presented to Commissioners Court. The plat shall be drawn on mylar, plastic or their equivalent with waterproof black tracing ink or reproduced by photographic process on vellum, mylar, plastic, or their equivalent to scale from an accurate survey made on the ground, and in all respects shall be neat. The final plat shall not show construction features, cross-section, or other structures not involved in the title covenant.
- (b) Eight (8) black line or blue line copies of the plat shall be distributed as follows:
 - (1) County Judge,
 - (1) County Commissioner,
 - (1) County Tax Appraisal District,
 - (1) County Clerk,
 - (1) County Road and Bridge Administrator,
 - (1) County Environmental Department,
 - (1) 911 Addressing and
 - (1) Extra copy for review.

FINAL PLAT SUBMITTAL REQUIRED ATTACHMENTS

Before approval of a Final Plat by Commissioners Court, and before recording of the plat shall be permitted by Commissioners Court, compliance with the following requirements is mandatory; these documents are to be submitted with the final plat presentation.

- a) **TAX CERTIFICATES** – Original tax certificate (certified tax receipt) shall accompany the plat, indicating that all taxes have been paid, as required by Texas Property Code 12.002.
- b) **TITLE INFORMATION** – A certificate or letter from a title guaranty company or from an attorney duly licensed to practice law in Texas certifying to at least the following concerning the title to the land: A statement of records examined and date of examination within thirty (30) days of submittal. Name of the fee owner as of the date of examination and the date, file number, and volume and page or the recording of the deed involved; the name of any lien-holder together with the date of filing and volume and page of such lien and a general description of any easements or fee strips granted, along with the file number, date of filing, and volume and page of recording. The County Attorney to review.
- c) **EASEMENT COORDINATION** -In the event any public road/street is to be platted across any conflicting exclusive-use surface easement or right-of-way or any land not owned by the developer, the owner of such land or conflicting exclusive-use surface easement or right-of-way must join in the dedication of such public road/street. A letter of consent shall be provided for the crossing of any easement or right-of-way where a non-exclusive-use interest is held.
- d) **RESTRICTIVE COVENANTS** - A general statement of the proposed uses of the land and a copy of the restrictive covenants, if any, to accompany the filing of the plat if approved. The restrictive covenants shall be forwarded to the County Attorney for review. Subordinations to be filed separately shall accompany the final plat.
- e) **PLANS AND SPECIFICATIONS** – Three copies of complete plans and specifications prepared and sealed by a Professional Engineer, licensed by the State of Texas, for all roadway, drainage and utility improvements within or extending to the proposed subdivision.
- f) **SECURITY** – The owner or developer of the proposed subdivision shall file a performance/security bond or a Letter of Credit approved by the County Attorney as to form and surety and sureties on such bond guaranteeing the completion of such improvements (in addition to road construction cost, bridge's and any other structures must be included in the security amount) and as are required to be constructed by the owner or developer under county policies in effect, and as required by this article. Such bond or Letter of Credit shall be in an amount equal to the estimated construction cost, and the County Road Administrator shall approve the amount of the bond. Such bond shall be payable to the County and shall guarantee completion of all required improvements within two (2) years from the date of final approval of such plat.

Where for good cause shown to the satisfaction of the Commissioners Court, the developer or owner has not completed the required site improvements within the two (2) years from the date of approval of the final plat, the Commissioners Court, upon a written request, may grant additional time, not to exceed a period of one (1) year, within which to complete said improvements. A written request for a extension must be requested prior to expiration of initial two year construction term. No such extension shall be granted unless the developer or owner has filed new security in conformance with the conditions applied to the original bond/letter of credit.

After all construction is complete, the developer and or his representative shall submit a written request for the improvements to be accepted into the one year maintenance period. A reduced bond or letter of credit to secure the one year maintenance period to the principal and/or surety only after all the subdivision requirements have been fulfilled or the money sum of the bond or amount of the work required yet to be finished has been paid to the county. The reduced security amount is to be equal to ten percent (10%) of total construction cost. The County's Road Administrator shall certify to the County Judge that all the required work has been accepted and completed as inspected by the County's selected representative.

In the event that a money settlement is paid to the county in lieu of performing the required work, the county's selected representative shall certify to the County Judge that such sum is adequate compensation and that it is in their opinion the bond or Letter of Credit should be released to the county. If any deviations of record plans or designs are made after bonding is approved, County may at its discretion require additional bonding amounts as deemed necessary

g) **WARRANTY** - The developer or owner should require performance and payment bonds from the contractor for one hundred percent (100%) of the cost of all improvements. The developer or owner shall also provide to the county a one (1) year warranty bond against defective materials or workmanship on the improvements constructed while under the one year maintenance period.

h) **ENVIRONMENTAL-OSSF** – A statement from the Environmental Department that the development has met all criteria, and is in compliance with all required regulations set forth by TCEQ, and any other governing state regulations.

i) **FLOOD PLAIN MANAGEMENT** – A statement from the Flood Plain Administrator stating the development has met all criteria, and is in compliance with all required regulations as set forth by FEMA and any other governing state regulations.

j) **9-1-1 ADDRESSING** – Subdivision name and road/street name(s) approved by the 911 Addressing Coordinator of whom shall provide a written statement of approval to avoid duplication with previous recorded subdivision and road/street names.

k) **FEES** – All fees as shown on the Fee Schedule and in the amounts specified therein must accompany final plat. Final plat fees are separate from preliminary plat fees, review and inspection fees. Recording fees are separate and are paid at the time of recording in the County Clerk's Office.

l) **DIGITAL CAD FILE** - In dwg format.

FINAL PLAT APPROVAL

An application is considered complete when all documentation or other information required is received. Acceptance by the County Road Administrators Office of a completed plat application with all the required documentation, or other information required, shall not be construed as approval. Upon receipt of the final plat, the bond and all other required information, the County Road Administrators Office shall have a review performed prior to coordinating with the appropriate Commissioner for placement on a Commissioners Court agenda to render a decision. Such decisions may consist of approval or disapproval. Reasons for disapproval shall be stated to the developer in writing. When a plat is disapproved, it is the duty of the developer to correct the objections, or imposed conditions, before resubmitting the final plat for Commissioners Court.

On approval of the plat, said plat being otherwise fully and properly endorsed, the County Judge and Commissioners Court shall sign in the spaces provided. This approval, by the Commissioners Court shall be on the same sheet as the plat itself, and each sheet of the final plat shall be numbered consecutively such as 1 of 1, 1 of 2, 2 of 2, etc. and identifying the subdivision on each individual sheet. In no case shall the County Clerk allow said plat to be recorded until all plats and planning documents for the subdivision as herein required and the appropriate bonds have been submitted by the developer, and approved by Commissioners Court.

FINAL PLAT RECORDING

After approval of the final plat, the final plat which shall consist of (1) one original signed Mylar, (3) blue or black lines along with an original tax certificate, and all required supporting documents for recording must be filed for record with the County Clerk before lot sales and transactions can begin. The maximum size plat to be recorded is 18" X 24". Failure to file a final plat and supporting documents, as required by Texas Property Code, will require resubmission to the Commissioners Court, and a **forfeiture of fees**. All required recordation fees are to be paid by the developer.

Except as provided by Section 232.0025, subsection (f), the commissioners court shall take final action on a development application, including the resolution of all appeals, not later than the 60th day after the date a completed development application has been received by Commissioners Court. If the Commissioners Court should disapprove a development application, the applicant shall be given a complete list of the reasons for the disapproval.

After final approval and proper endorsement have been obtained and all requirements of these regulations have otherwise been complied with, the plat and all other instruments may be recorded. No changes, erasures, modifications or revisions shall be made in any plat of a subdivision or to any required instrument after approval has been given to the plat and endorsed on the plat in writing, unless such changes, modifications or revisions are first submitted to and approved by the Commissioners Court.

It is the responsibility of the developer or his/her designated representative to complete the recording transaction. **No land sale, contract for sale; contract for deed, intent to purchase or other commitment shall be entered into prior to recordation of the final plat.**

POST RECORDING OF FINAL PLAT

During this phase it is imperative the Developer maintain a maintenance bond or Letter of Credit until final acceptance of improvements into the county road system. At the 10th month of the maintenance period the developer or his representative shall be responsible for submitting a written notification, prior to the end of the one-year maintenance period, for a final review to determine acceptance into the county road system. Prior to the one (1) year maintenance period expiration, the Commissioners Court will again act by separate motion to formally accept (or reject) the improvements, roads and drainage facilities, into the County system. SEE ROAD ACCEPTANCE PROCEDURES page 40.

MONUMENTS

Before submittal to the Commissioners Court for recordation, all final plats must be in full accordance with the required certification made upon the plat by a Registered Professional Land Surveyor ascertaining that the plat represents a survey made by him and that all necessary monuments are accurately and correctly shown. The surveyor shall place monuments at all corners and angle points of the boundaries of the original tract to be subdivided and at all street intersections, angle points in street lines and points of curve and at such intermediate points as may be required. Such monuments shall be of iron pipe or rod not less than *5/8-inch* in diameter and thirty inches (30") in length, driven securely into solid earth with the grades of same being at grade with established sidewalk or if walk is not established, flush with natural grade of earth's surface.

BENCHMARKS

When applicable, each contractor or developer will be required to establish a permanent elevation benchmark in the development. The county will supply the brass benchmark disk, with the Developer responsible for reimbursing this cost to Washington County.

The benchmark is to be mounted in concrete three (3) feet deep x one (1) foot diameter. The benchmark is to be in relationship to the closest standard USGS standard elevations. A database of closest benchmarks can be acquired from the Flood Plain Administrator. The benchmarks shall be installed in a public area and in a visible location, such as the entrance to the development. Any development over forty (40) acres or 1500 foot distance shall have additional markers as per the Floodplain Administrator.

RE-PLAT, REVISIONS AND AMENDING PLATS

RE-PLAT - CONSOLIDATION OF LOTS

For owners that intend to re-plat or revise a lot in a recorded subdivision into one (1) single larger lot, the requirements for final platting and submittal apply.

AMENDING PLAT

As stated in Local Government Code, Sec. 232.011. Amending Plat –

- A. The commissioner's court may approve or issue an amending plat, if the amending plat is signed by the applicants and filed for one or more of the following purposes:
 - (1) to correct an error in a course or distance shown on the preceding plat;
 - (2) to add a course or distance that was omitted on the preceding plat;
 - (3) to correct an error in a real property description shown on the preceding plat;
 - (4) to show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
 - (5) to correct any other type of scrivener or clerical error or omission of the previously approved plat, including lot numbers, acreage, street names, and identification of adjacent recorded plats; or
 - (6) to correct an error in courses and distances of lot lines between two adjacent lots if:
 - (a) both lot owners join in the application for amending the plat;
 - (b) neither lot is abolished;
 - (c) the amendment does not attempt to remove recorded covenants or restrictions; and
 - (d) the amendment does not have a material adverse effect on the property rights of either owners of the property that is subject to the plat.
- B. The amending plat controls over the preceding plat without vacation, revision or cancellation of the preceding plat.
- C. Notice, a hearing, and the approval of other lot owners are not required for the filing, recording, or approval of an amending plat.



SUBDIVISION DESIGN STANDARDS

GENERAL PRINCIPLES OF ACCEPTABILITY

The subdivision shall REASONABLY conform to the existing and projected future transportation plan; and the subdivision layout shall make reasonable provisions for development or protection of adjacent lands.

Section I. - ROAD/STREET AND ALLEYS, DESIGN RECOMMENDATIONS

The road/street pattern of a neighborhood must provide adequate circulation within the subdivision and yet discourage excessive through traffic on minor or local roads/streets. The arrangement, character, extent, width, grade and locations of all roads/streets should be considered in their relation to existing and planned roads/streets, to topographical conditions, to public safety and convenience and in their appropriate relation to the proposed uses of the land to be served by such roads/streets. The layout should be devised for the most advantageous development of the entire neighborhood development and shall conform to connecting roads/streets in land adjacent to the new subdivision. Provision shall be made within the subdivision to provide roads/streets access to adjacent undeveloped acreage in such a way as to assure adequate circulation for future development.

Subdivisions with residential lots may provide a protected (reserved) right-of-way to within one (1) foot of the adjacent properties by means of dedicated roadway easements. Dead-end roads/streets and those which do not conform to adjacent established roads/streets are to be avoided whenever possible. Where a subdivision abuts or contains an existing or proposed road/street and reverse frontage lots are designated, residential access should be denied to the major roads/streets, and approved screen planting or screening device, should be provided along the rear property line abutting such existing or proposed major roads/streets. Paved alleys should be provided in commercial and industrial developments, except where other definite and assured provision is made for service access, such as off street loading, unloading and parking consistent with and adequate for the uses proposed.

The road/street system layout should be so designed insofar as practicable to preserve natural features such as trees, brooks hilltops, scenic views and other such features while placing safety issues first. The road/street system layout shall provide for the acceptable disposal of storm water and provision must be made by the developer to handle storm water to comply with provisions elsewhere in these regulations in the County.

1.) MINIMUM RIGHT-OF-WAY WIDTH

The minimum right-of-way requirements for various road/street classifications are as follows:

Type	Minor (local)	Cul-De--Sac	Collector	Thoroughfare
Right of Way Width Requirements				
Without Curb and Gutter	60'	120'(60' radius)	90'	Case by case
With Curb and Gutter	55'	110'(55' radius)	70'	Case by case

Where proposed roads/streets are extensions of existing or planned roads/streets having a right-of-way width greater than sixty (60) feet, the proposed roads/streets shall be the same widths as the existing or planned roads/streets. Alleys, where provided, should not be less than twenty (20) feet wide. Intersecting alleys should have corner cut-offs of at least twenty (20) feet on a slider or radius of twenty-five (25) feet. Alleys with only one point of access should have a turn-around with a minimum radius of twenty (20) feet at their closed ends.

2.) CURVES

Minor roads/streets shall have a minimum centerline radius of 300 feet.
Collector roads/streets shall have a minimum centerline radius of 800 feet.
Thoroughfare roads/streets shall have a minimum centerline radius of 1,200 feet.
The maximum tangent separation between points of reverse or compound curves shall be 100 feet. The horizontal and vertical geometric requirements of individual roads shall be designed based on projected traffic characteristics using generally accepted transportation engineering standards.

3.) OFFSETS

Road/Street offsets should be offset a minimum distance of 125 feet on centerline. Offset distance shall be indicated on the final plat.

4.) INTERSECTIONS

a.) All streets and alleys should intersect at a ninety-degree (90°) angle with variations of ten degrees (10°).
b.) Acute angle intersections as may be approved should have thirty-foot (30') or greater radii at acute corners.
c.) Road/Street or alley intersections extending to meet an existing road or alley should be tied to the existing road or alley on centerline with dimensions and beatings to show relationship.

5.) CUL-DE-SAC

a.) Turn-a-rounds shall have a minimum right-of-way radius of sixty feet (60').
b.) Maximum length of cul-de-sac roads shall be based on a case-by-case evaluation, considering the subject road/street and overall plan.
c.) Temporary turn-a-rounds conforming to the minimum radii requirements shall be used at the end of a road/street, which will be extended in the future. [The following note shall be provided on the final plat when a temporary turn-around is used: "Cross-hatched area is temporary easement for turn-around until street is extended (direction) in a recorded plat."]

6.) PROVISIONAL RESERVES

A provisional one-foot (1') reserve may be used along the side or end of roads/streets that abut undeveloped acreage tracts; when used, the following note shall be shown on the face of the final plat: "A one-foot (1') strip is reserved as a buffer separation along and between the side or end of all roads/streets in this subdivision plat where such roads/streets abut adjacent tracts. At such time as the adjacent property is subdivided in a recorded plat, the one-foot (1') reserves at such locations that abut the land in adjoining tracts that has been dedicated to the public for street right-of-way purposes and is shown for such purpose on a recorded plat shall thereupon become vested in the public for street right-of-way purposes."

7.) STREET NAMES

The names of proposed roads/streets should conform to the names or numbers of existing roads/streets of which they may be or become extensions and shall not duplicate or conflict with the recognized name of any other road/street located in the county and be in coordination with local postal service, rural addressing and County 911 recommendations.

8.) LOTS

The lot design should provide for adequate width, depth and shape to provide open area to eliminate overcrowding and to be appropriate for the location of the subdivision and for the type of development and use contemplated. Lots should have the side lot lines at right angles to the roads/streets on which the lot faces or radial to curved road/street lines. The depth-to-width ratio for lots should generally range between, 1.5:1 and 2.5:1. Flag type lots should be avoided; however, if this is the design, all lots must have a minimum right-of-way width of sixty feet (60'). Lot size shall comply with the requirements outlined by the Rules of Washington County, Texas for Private Sewage Facilities and the Texas Commission on Environmental Quality (TCEQ), Construction Standards for On-site Sewage Facilities.

9.) REAR AND SIDE DRIVEWAY ACCESS- Rear and side driveway access to roads/streets, major thoroughfares or freeways should be avoided.

10.) DOUBLE FRONTAGE LOTS- Double frontage lots should be avoided except when they back on major thoroughfares or freeways, where access is to be denied.

11.) MINIMUMS FOR RESIDENTIAL LOTS

A.) Single-Family and Duplexes

- (1) Minimum width at building setback line – sixty feet (60’).
- (2) (a) Minimum width at front lot line of all lots shall be sixty feet (60’).
(b) Minimum width at front lot line of pie-shaped lots – forty feet (40) Cul-de-sac or curve.
- (3) Minimum area of lots serviced with a central sanitary sewer and water system – 7,000 square feet.
- (4) Minimum area of lots for approved individual septic facilities and individual water systems shall be no less than one and a half (1 1/2) acre; Excluding any land which is situated in the flag pole area of a flag lot.
- (5) Minimum area of lots for approved individual septic facilities and public water supply shall be no less than one (1) acre; excluding any land which is situated in the flag pole area of a flag lot.
- (6) Corner lots siding on minor roads/streets should have a minimum width at the building setback line of not less than sixty feet (60’).
- (7) Corner lots siding on major thoroughfare or freeway should have a minimum width at the building setback line of not less than seventy-five feet (75’).
- (8) Minimum length or depth of lots should be 115 feet (115’) except lots facing or backing on a major thoroughfare or freeway should be not less than 125 feet (125’) deep.
- (9) Minimum lot dimensions for manufactured, modular and mobile home subdivisions shall follow all subdivision rules and regulations.

B.) Townhouses

Townhouses included as cluster developments should be evaluated on their own merits.

- (1) Only one (1) townhouse should be constructed per lot.
- (2) Townhouses should be served by central sanitary sewer system.
- (3) Minimum Width - Twenty (20) feet, except the end unit or unit which occupies a corner lot shall provide an additional ten feet (10) per side.
- (4) Minimum Lot Area – 1,400 square feet.
- (5) Minimum Number of Lots in a Townhouse Project - Two (2).

C.) Multi-Family Apartments

- (1) No lot to be used for multi-family or apartment purposes should contain an area of less than 7,000 square feet plus an additional 1,500 square feet for each dwelling unit in excess of two (2) dwelling units within structures to be constructed or occupied upon such a lot.
- (2) Each lot containing a multi-family complex or apartment should be served by a central sanitary sewer system.

D.) Cluster Developments

- (1) Each lot should be served by a central sanitary sewer system.
- (2) Each lot should have a minimum width at front lot line - twenty-five (25) feet.
- (3) Lots may be of various sizes and widths but in no event should the minimum area of any individual lot be less than 1,400 square feet.

E.) Condominiums

- (1) All residential condominium projects or condominium projects containing residential uses as well as a combination of any other use or uses should be served by a central sanitary sewer system.
- (2) Only one (1) condominium regime should be established per lot as recorded by the “master deed,” “master lease” or “declaration” as found in the Official Records of the County.

F.) Manufactured Home Rental Communities

Requirements are found and referenced and shall follow procedures as outlined in the Infrastructure Standards for Development Plan for Manufactured Home Rental Communities as established in accordance with Local Government Code Section 232.007.

G.) Building Setback Lines

For subdivision of single-family and two-family dwellings, building setback lines adjacent to roads/streets should be shown and labeled on all plats, both preliminary and final, and should be not less than twenty-five feet (25').

Front set back lines for collector and thoroughfare streets shall be fifty feet (50').

Building setback lines in single-family and two-family dwelling subdivisions from side lot lines, except corner lots, as set forth above should be noted on the plat to be not less than ten feet (10') from a side lot line for the main residential building and five feet (5') for a garage or other out-building.

Building setback lines for apartment or multi-family developments should not be less than twenty-five feet (25') from any collector or thoroughfare streets.

The minimum street setback line for a townhouse lot should be twenty-five feet (25').

H.) Compensating Common Open Space (Green Space)

In those instances where the proposed lot has a gross area of less than the specified requirement, compensating common open space should be established and provided within the plat boundary or in the other portions of the total development and based upon the following schedule:

Compensating Open Space Requirements
(Lots Less Than 5,000 Square Feet in Area)

Average Area of Lots (Sq. Ft.)	Compensating Open Space Required Per Lot (Square Ft.)
1,400 -2,000	720
2,001-2,500	600
2,501-3,000	500
3,001-3,500	400
3,501-4,000	300
4,001-4,500	200
4,501-less Than 5,000	100

In no instance, however, should the compensating open space contained within any subdivision having special lots be less than 21,780 square feet (1/2 acre) or shall the compensating open space required be in excess of twenty-five percent (25%) of the gross area of the property within the plat boundary exclusive of any public road or street rights-of-way involved. This does not apply to subdivisions having special lots and containing less than ten (10) acres.

Subdivisions having special lots and containing less than ten (10) acres should, however, provide compensating open space in accordance with the schedule. If a plat containing lots requiring compensating open spaces is less than ten (10) acres, but is a part of a latter tract being planned and developed as an overall design, the Commissioners Court may take into determination of compensating open space requirements provided for herein.

12.) PRIVATE RESTRICTIONS

A copy of the private restrictions (covenants) of the subdivision is to be recorded with the final plat and shall be submitted for review and comments by the Commissioners Court. It is recommended a Home Owners Association be created and organized to maintain compliance of restrictions and covenants, including subdivision sign and open area(s) maintenance.

13.) GATED COMMUNITIES

Any residential subdivision or housing development with a vehicular or pedestrian gate that contains two or more dwellings not under common ownership shall be subject to the requirements of Local Government Code, Chapter 352 Subchapter E.

Section II. - DRAINAGE AND UTILITIES EASEMENTS

A. Drainage

Where conditions require, there should be provided a storm water drainage easement adequate for the purposes, as determined by the developer based on a drainage plan by a Registered Professional Engineer and reviewed and approved by the County. Where such easement is adjacent to lots, tracts or reserves, the easement shall be noted on the final plat as follows:

This easement shall be kept clear of fences, buildings, plants and other obstructions to the operation and maintenance of the drainage facility, and abutting property shall not be permitted to drain into this easement.

B. Utilities

1. When not located in alleys having a width of not less than twenty feet (20'), the location or width or other necessary utility easements should be determined by the public and private utility companies and should connect with easements established in adjoining properties. Each easement shall be shown on the plat and appropriately dedicated.
2. There also shall be shown on the plat and dedicated for utilities, unobstructed aerial easements and guide wire easements.
3. Easements as set forth in any applicable County or regional plan for the location of future sewerage or utility facilities shall be provided and indicated upon the plat.
4. Easements providing for sanitary control shall be shown on any plat where individual sanitary sewer facilities and private water wells are to be utilized.

C. Underground Utilities

If the following matters relating to utility service to the subdivisions are not reviewed by other local governmental entities having jurisdiction over the same, the information shall be submitted to the County for review:

- 1.) The water distribution system showing the size and location of all existing and proposed water mains, service lines, valves, fire hydrants, if provided, and all other water distribution appurtenances within the proposed subdivision, also the location and method of connecting the proposed water lines, water mains and water services to any existing system. Fire hydrants where provided must have a six-inch (6") main fire rated service.
- 2.) The sanitary sewer system showing by plan and profiling the size, location and the gradient of all existing and proposed sanitary trunk lines, laterals, manholes and service within the proposed subdivision and the location and method of connecting the proposed sewer system into any existing sanitary sewer system or the proposed location, type, capacity and schematic of operation of proposed treatment plant; such plans, specifications, and permits shall also be approved by the TCEQ or other appropriate reviewing authority.

Section III. - CONSTRUCTION REQUIREMENTS

1.) General Requirements

A. APPROVAL PRIOR TO CONSTRUCTION - After final plat recordation and before beginning any construction of proposed roadways, public utilities, drainage facilities or structures pertaining to any subdivision coming under the provisions of these regulations, the developer shall coordinate the specifications and construction methods for such improvements with the County to achieve mutual agreement and compliance with County standards. Developer is to submit a written notification to County Road and Bridge Administrator prior to beginning any road construction improvements. All improvements shall be constructed in conformity with the provisions of this order.

B. CONSTRUCTION AND MAINTENANCE SECURITY - Road and drainage improvements shall be installed with a security guaranteeing same for all of the area of any subdivision or portion thereof given final approval and filed for record.

C. OBSERVATION DURING CONSTRUCTION - The County shall from time to time observe the construction of all drainage structures and roads/streets in the subdivision during the course of construction to see that they comply with the regulations governing the same. In this regard, free access to the subdivision shall be accorded the County by the owner/developer, his agent and employees. Inspection by the County, or their representative, shall not in any way impair or diminish the obligation of the developer to install improvements in the subdivision in accordance with the County's Regulations. The developer shall bear the expenses for these periodic reviews as specified in the Fee Schedule.

D. REVISION TO REGULATIONS - The regulations for roads/streets, parkways, driveway entrances and curbs and gutters are established and set forth herein. The Commissioners Court may alter all other regulations, which are referred to herein, but not included, from time to time without requiring an amendment to this order; such regulations being subject to change from time to time by motion duly adopted by the Commissioners Court. Any such changes or alterations shall be immediately noted upon such regulations.

E. RECORD CONSTRUCTION PLANS (Underground Utilities)- After all required improvements have been completed by the owner or developer of the subdivision, one (1) set of record construction plans of all underground utilities and street improvements that have been constructed shall be filed with the County within ninety (90) days after completion of all required improvements.

F. TRAFFIC CONTROL DEVICES - The subdivision developer will be required to properly install (in conformance with the Texas Manual on Uniform Traffic Control Devices for Streets and Highways) the following signs:

1. **Subdivision Sign**: A subdivision sign bearing the name of the development shall be provided at the public entrance in a clearly visible location. The sign shall be composed of a durable, all-weather design, with a minimum of fifty (50) square feet in surface area, and shall be reflective, or internally/externally lighted. Sign placement should be in a designated sign easement or reserve. The Developer or Homeowners Association will be responsible for the maintenance and upkeep of sign and area.
2. **Street Signs**: At each street intersection, one (1) minimum 1-1/2 inch inside diameter galvanized pipe standard, with stubs set in concrete, on which is attached, acceptable four (4) way assembly hardware, engineer grade aluminum plate road name signs with four-inch (4") letters on six-inch (6") background made of high-intensity prismatic material, or approved equivalent. Height of sign above natural ground shall be approximately seven (7) feet.
3. **Traffic Signs**: At intersections and locations designated by the Texas Manual on Uniform Traffic Control Devices for Streets and Highways or at the request of the County "Stop" signs and "Yield" signs made of high-intensity prismatic material, or approved equivalent, mounted on galvanized pipe, shall be installed.
4. **Signalization**: Signalization of intersections will be reviewed and approved on an individual basis with proper warrant studies submitted to the County.
5. **Speed Limit**: Any and all speed limit signage must be in accordance with the Texas Traffic Laws Subchapter H Speed Restrictions.

G. CHANGE IN PLANS - In the event construction necessitates change in plans and specifications, approval by the County will be required.

H. MAILBOX/ STRUCTURE AND PLACEMENT (To be included in HOA)

The following guidelines and requirements are for mail/newspaper receptacles placed within the road right-of-way. Proper placement is an essential key in providing ease and safety for postal carriers and other motorists. Every effort should be taken to use safe materials. Washington County encourages property owners to exercise caution in determining the materials to be used. The receptacle should be constructed of light sheet metal or plastic conforming to the U.S. Postal Service requirements.

Placement of receptacles;

- Should be discussed with postal carrier,
- Should not obstruct the view of any traffic signage,
- Should not create a hazard, and
- Must not interfere with traffic.

All receptacles are to meet requirements set forth by the USPS.
No arm extensions are to extend into the roadway area.

2.) Minimum Standards for Improvement of Roads and Streets

A. Curb And Gutter Sections - Streets or roads with curb and gutter sections shall be constructed of portland cement concrete or asphaltic surfaced flexible base sections.

1. Local streets or roads shall have a minimum width of thirty feet (30') back-to-back of curb.
2. Collector streets or roads shall have a minimum width of forty feet (40') back-to-back of curb.
3. Major streets, roads or thoroughfares shall be considered on a case- by-case basis and shall be designed in accordance with generally accepted engineering standards to meet the traffic demands thereof.
4. Each of the facilities described in 1-3 shall be constructed of concrete or flexible pavement in accordance with the standards outlined herein.

B. Open Ditch Sections – Streets/roads with an open ditch section shall have a roadway base crown and surface with the following minimum widths:

1. Local streets or roads shall have a minimum base width of twenty two (22) feet, a minimum paved surface of twenty (20) feet and a minimum cross slope of 1/4 inch per foot.
2. Collector streets or roads shall have a minimum base width of forty- two (42) feet, a minimum paved surface of forty (40) feet and a minimum cross slope of 1/4 inch per foot.
3. Major streets or thoroughfares shall be considered on a case-by-case basis and shall be designed in accordance with generally accepted engineering standards to meet the traffic demands thereof.
4. Each of the facilities described in 1-3 shall be constructed of concrete or flexible base in accordance with the standards outlined herein.

MINIMUM REQUIREMENTS

Type	<u>ROW Width</u>	<u>Ditch Area</u>	<u>Road Base</u>	<u>Surface Course</u>
Local Road	60'	38'	22'	20'
Cul-de-Sac	120'	28'	92'	90'
Collector	90'/60'radius	48'	42'	40'
Thorough Fare	Case	BY	Case	**

** Case by Case

C. Sub-grade

1. Lime treated sub-grade shall be provided, placed and constructed in accordance with the provisions of Item 260 - Lime Treatment for Materials in Place and Item 264 - Hydrated Lime and Lime Slurry of the TxDOT Standards.
2. Sub-grades for all types of roads shall be accurately shaped prior to placing base material or pavement thereon and shall be compacted to provide for uniform density capable of supporting the pavement loads to be imposed there upon. Unstable sub-grade is to be carefully stabilized by the addition of lime or cement or removing the unstable area and placing therein-suitable sub-grade material. Sub-grade stabilization requirements shall be determined in accordance with the following table:

Sub-Grade Stabilization Requirements

P.I. = Plasticity Index

L.L. = Liquid Limit

If P.I. >20 and L.L. =35, Lime Stabilize Sub-grade

If P.I. >15 and L.L. =36, Lime Stabilize Sub-grade

If P.I. =-5, Cement Stabilize Sub-grade

Acceptable soils other than those defined by the limits above do not require stabilization.

Percent & Lime Or Cement Required (By Weight)

P. I.	Percentage Required	Material
=5	5	Cement
<25	5	Lime
26 to 33	6	Lime
34 to 40	7	Lime
>40	Determine by ASTM C977	Lime

3. All sub-grades shall be compacted to ninety-five percent (95%) Standard Procter Density. Compaction shall be accomplished by use of approved and acceptable mixing and rolling equipment and construction methods.

D. Flexible Base Course

1. Flexible base course shall be provided, placed and constructed in accordance with the provisions of Item 247 - Flexible Base of the TxDOT Standards.
2. Flexible base shall consist of a Type A, Grade 2 as set forth by the TxDOT Standards.
3. Flexible base course shall be a minimum of six-inch (6") compacted depth for local or minor road facilities. For collector or thoroughfare facilities, a pavement design section should be prepared by a Registered Professional Engineer and submitted to the County for approval.
4. Flexible base material shall be approved by the County prior to the beginning of construction.
5. Flexible base material shall be compacted to one hundred percent (95%) of Modified Proctor density.

E. Surface Course

For local or minor roadways, a surface or wearing course shall be provided using hot mix asphaltic concrete or in lieu of the hot mix pavement, a two (2) course surface treatment, with a re-seal prior to the road being accepted into the county road system, shall be placed and constructed in accordance with the provisions of Item 316 of the TXDOT Standards. For collector or thoroughfare facilities, a surface or wearing course is required and limited to the use of hot mix asphaltic concrete.

1. Hot mix asphaltic concrete shall be provided, placed and constructed in accordance with the provisions of Item 340 - Hot Mix Asphaltic Concrete Pavement and of related items of the TXDOT Standards. Local roads or streets shall have a compacted depth of not less than 1.5 inches. Collectors and thoroughfares shall have a compacted depth of not less than 2.0 inches. Hot mix shall be compacted to ninety-six percent (96 percent) or greater of the laboratory density as determined by Texas Method 207-F.
2. The County prior to construction shall approve hot mix material sources.
3. Asphalt paving shall be applied only under acceptable temperature and surface conditions.
4. For local or minor roads, a two (2) course surface treatment may be used in lieu of the hot mix pavement. A two (2) course surface treatment shall be provided, placed and constructed in accordance with the provisions of Item 316 of the TxDOT Standards. A single course re-seal shall be performed prior to the road being accepted into the county road system.
5. Aggregate sources shall be approved by the County prior to construction.

F. Concrete Pavement

1. Concrete pavement shall be provided, placed and constructed in accordance with the provisions of Item 360 - Concrete Pavement and related items of the TxDOT Standards.
2. Minimum thickness shall be six-inch (6") uniform thickness for Portland cement concrete construction. Unless otherwise approved, Class A (3,000 psi) concrete shall be provided.
3. Expansion Joints - All slabs shall be provided with an acceptance load transmission device at expansion joint, with expansion joints at approximately eighty-foot (80') intervals. Expansion joints shall also be placed at all structures and at curb return at street intersections. Material for expansion joints shall be redwood or equal material.
4. Contraction joints (dummy joints) shall have an approximate spacing of twenty feet (20').
5. Construction joints (transverse), when not placed at expansion or contraction joints, shall not be closer than ten feet (10') to an expansion or contraction joint. Longitudinal construction joints shall be at the centerline of the pavement and at approved locations for greater width pavements.
6. Reinforcing Steel - Concrete pavement shall be reinforced with 3/8" inch round deformed steel bars spaced not more than eighteen inches (18") center-to-center each way.
7. Curbs shall be constructed monolithic or shall be doweled to the pavement.
8. Minimum gutter gradients and inlet spacing shall be in accordance with drainage requirements.
9. Hot-poured asphaltic-joint sealing compound or equivalent shall be used at all expansion joints, construction joints and contraction joints. Expansion joints made with 3/4" inch (Crowned Section) asphalt saturated fiberboard shall have hot-poured asphaltic joint sealing or its equivalent in top one-inch (1").

G. Materials Testing

1. All tests and retests shall be by an approved commercial testing laboratory. All related costs are to be borne by the developer.
2. Copies of all materials test reports shall be submitted to the County.
3. Sub-grade shall be tested a minimum of every 500 feet for density. Base courses shall be tested a minimum of every 500 feet for density and depth. Proctor curves will be required for each specific material type.
4. Hot mix shall be tested a minimum of every 500 feet for density and depth. The job mix formula shall be designed in accordance with TxDOT Standards.
5. Surface course thickness shall be tested by the coring method.
6. Concrete shall be tested for compressive strength at seven (7) and twenty-eight (28) days. One (1) set of cylinders [three (3)] shall be tested for each 1,000 square yards of pavement. Structures shall be tested on the basis of one (1) set (3) per 100 cubic yards.
7. Concrete pavement shall be tested by coring a minimum of every 1,000 feet for thickness; minimum of three (3) tests are required.

H. Supervision and Monitoring Of Construction

The developer shall provide adequate on-site superintendence to projects connected to the subdivision in order that adherence to plans and specifications may be assured. Careful and particular inspection must be made of the sub-grade, form lines and grades prior to and while the base material or pavement is being laid in order to attain a true line, a uniform thickness, and a smooth riding surface. One (1) complete set of record construction drawings, certified to by the project design Engineer, shall be furnished for the County.

I. Record Drawings - The record drawings shall be accompanied by a certification from a Registered Professional Engineer that all work was in substantial accordance with plans and specifications as outlined in the drawings.

Section IV. – DRAINAGE, STORM SEWERS AND CULVERTS

A. RUNOFF CALCULATIONS -The rational method of determining the runoff shall be used for areas both inside subdivision and outside subdivision.

B. VELOCITY - Sewers shall be designed to carry the discharges, but must have a design velocity of not less than 3.0 feet per second nor more than 10.0 feet per second.

C. MANHOLE SPACING - At all sewer intersections, street intersections and a maximum spacing of 750 feet on straight lines.

D. TYPES OF CONSTRUCTION -

1. Reinforced pre-cast concrete pipe shall be used as specified by the manufacturer as to depth of fill. Jointing of pipe may be either an approved mastic or rubber gasket joint.
2. Monolithic, reinforced concrete sewers may be used for all storm sewers forty-two inches (42") in diameter or larger.
3. Corrugated Galvanized Pipe may be used for culverts in accordance with TxDOT Standards.
4. All culverts and open-ended storm sewers shall be terminated with 6:1 sloping ends in proposed rights-of-way and headwall structures of discharge points.

E. MINIMUM SIZE - Design of storm sewers shall follow acceptable engineering practice.

F. EXCAVATION AND BACKFILL - The bottom of the storm sewer trenches shall be accurately hand graded and the pipe properly bedded. The backfilling shall be done in such a manner as to not disturb the pipe or the jointing material. The compaction across future roadway sections shall be comparable to the specified pavement section density.

G. STREETS WITH CURB AND GUTTER SECTION

1. Location of Storm Sewers - Storm sewers shall not be placed under pavement unless specifically authorized by the County; when authorized to be placed under pavement, the excavation shall be backfilled with cement stabilized processed sand, a 1-1/2 sack per ton minimum, or cement stabilized bank-sand 1-1/2 sack per ton minimum to within one foot (1') of sub-grade.
2. Grades
 - a. Minimum Gradient on Gutters - 0.25%.
 - Maximum Gradient on Gutters - 7.00%.
 - b. Minimum Drop Around Curb Return -0.10 feet.
 - c. When a curb and gutter section intersects a drainage ditch, the grade of the gutter shall be above the design water surface of the ditch.
3. Inlets - Inlets spaced to serve runoffs from the area at a rate consistent with drainage design requirements.
 - a. Inlets shall be spaced so that maximum travel distance of water in gutter will not exceed 750 feet.
 - b. Inlets shall be placed at all low points on gutter gradient.
4. Inlet Size and Allowable Design Discharge
 - a. Throat 5" x 5'O" Capacity - 5.0 cfs.
 - b. Throat 6" x 3'O" Capacity - 3.5 cfs.
5. Leads from inlets to be of such size as to be able to carry the design discharge of the inlet served, but not less than eighteen-inch (1 8") diameter.
6. Valley Gutters are not permitted; except valley gutter curb grades through intersections, with approval by the County.

H. ROAD SECTION WITH OPEN DITCHES

1. Minimum Grade on Ditches - 0.15 percent, 0.30 percent desirable.
Maximum Grade on Ditches - 7.00 percent.
2. Ditch section to handle design discharge as derived by the rational method, or as may be determined by study of the drainage area.
3. Side slopes of ditch not steeper than 3:1 front slope, or 2:1 back slope.
4. Culverts
 - a. Designed to carry ditch discharge and not less than the equivalent of an eighteen-inch (18") pipe.
 - b. All driveways to have culverts if determined by drainage analysis.

I. OUTFALL - Outfalls from sewers and ditches into drainage ways or natural navigable waterways shall enter at the grade of the drainage channel. If necessary, riprap and/or drop type outfall structures shall be used to prevent erosion. When the drop type outfall structure is used, it shall be placed so that the structure will not interfere with maintenance of the channel.

J. MAJOR STRUCTURES - If the developer proposes to construct major structures, such as box culverts or bridges across drainage channels, such structures shall conform to current standards for culverts and bridges and specifications of TxDOT.

1. Bridge plans and Inspection: It shall be the responsibility of the developer to obtain and supply a detailed plan of the Bridge Design and supply certification.
2. All bridges are to be designed to minimum HS-20 load design.
3. Bridge Widths
 - a. Where there are no curbs on approach pavement, the width of bridge from curb face to curb face, shall be the

width of approach road pavement edges, plus four (4) feet.

b. Where curbs are on approach pavement, the width of the bridge from curb face to curb face shall be the same as the width between curb faces on the approach road.

Section V. – DRAINAGE PLAN

Two (2) copies of a complete and detailed drainage plan prepared and sealed by a Professional Engineer, registered by the State of Texas, shall be submitted to the County Road Administrators Office along with the preliminary plat and for any and all developments which shall be constructing any new roads/streets or alleys.

This drainage plan shall provide for the handling of runoff entering the development from adjacent property, runoff within the development and runoff leaving the development to an acceptable outfall. An inset should be shown on the drainage plan at a scale that will allow any off-site drainage areas to be shown in their entirety.

The drainage plan should show contour lines of the existing property, any natural drainage ways, proposed ditches and culverts with the direction of flow indicated and the drainage areas clearly marked and numbered. At each proposed drainage structure the following information should be shown:

- a.) The drainage area number or numbers which will flow through the proposed structure,
- b.) The total acreage of the drainage area and the calculated flow rate.

Typical sections of the proposed roadway and ditches as well as typical sections of all proposed drainage easements will also be required. The proposed section of the ditches and drainage easements must be based on hydraulic computations to provide adequate capacity.

Drainage calculations shall be made using the Rational Method or some other acceptable method.

Drainage for major thoroughfares shall be designed using: (a) twenty-five (25)-year design frequency for open ditch drainage and (b) ten (10)-year frequency for curb and gutter and/or storm sewer drainage.

Drainage for collector streets, minor streets, loop roads and cul-de-sacs shall be designed using: (a) ten (10) year frequency (or open ditch drainage and (b) five (5) year frequency for curb and gutter and/or storm sewer drainage.

All outfall ditches shall be designed to handle a 100-year frequency rainfall.

For curb and gutter streets, storm water drainage system by plans and profile the means and methods of draining the proposed subdivision, showing in detail all existing and proposed drainage structures and the means and method of connecting the proposed drainage system into any existing drainage system and the means and methods of sediment control shall be shown.

Where open ditch drainage is proposed, an adequate number of outfall ditches should be provided to prevent any road ditch from being deeper than four (4) feet below natural ground with three (3) feet being desirable. The characteristics of an individual development may be such that additional calculations plans and details may be required both for proper review and for construction. The County shall notify the developer as this need becomes evident. Detention Ponds will be required as deemed necessary.

The developer shall present on the Drainage Plan all proposed driveway culvert sizes for each lot. This plan, when approved by the County, shall be used as a guide to new driveway construction. Prior to acceptance into the County road system it is the duty and responsibility of the developer to notify each purchasing landowner of driveway pipe construction requirements and responsibilities. The subdivision developer will be held responsible to notify builders or lot owners of this requirement by placing it in the deed restrictions. The placement of driveway pipe shall be controlled by the County or other responsible public entity, etc., to insure proper size and grade once accepted into the County road system. It shall be demonstrated in the drainage plan that any increased runoff from the proposed development, under typical hydrologic and meteorological conditions, will not result in significant increases in flood damage to downstream property. Detention Ponds will be required as necessary.

The two (2) copies of the Drainage Plan shall be distributed to the County Road and Bridge Administrator.

Section VI. – SEDIMENT AND EROSION

The subdivider shall provide effective sediment control measures in the planning and construction of subdivisions. These measures shall comply with the latest TxDOT guidelines and requirements of the Environmental Protection Agency National Pollution Discharge Elimination System (NPDES) program.

Section VII. – PERMANENT EROSION CONTROL

At such time as construction of roads is complete the right-of-way shall be seeded from the roadway crown to the right-of-way line for open ditch sections. Curb and gutter sections shall be seeded from curb line to right-of-way line.

Seeding Rates:		Fertilizer & Rate
<i>October through February</i>	<i>March through September</i>	<i>All Seasons</i>
Rye 20 lb/acre	Bermuda (Hulled) 20 lb/acre	13-13-13 or approved alternate
Bermuda (Hulled) 15 lb/acre		500 lb/acre
Bermuda (Unhulled) 15 lb/acre		

Section VIII. – ROAD ACCEPTANCE PROCEDURE

All conditions of final plat approval must be met prior to roads being placed into the one year maintenance period. All constructions must be in accordance with approved plans and construction standards set forth herein, or as amended and adopted by Commissioners Court.

ACCEPTANCE INTO ONE (1) YEAR MAINTENANCE PERIOD –The developer shall notify the County Road and Bridge Department in writing, prior to the completion of the road construction improvements. The developer shall provide copies of the quality control test results performed by a certified testing laboratory (all at the developer’s expense). The County Commissioner and/or the county representative shall then inspect the roads and improvements and give written notice of any observed deficiencies. Upon rectification of deficiencies, the request to place the improved roads into the one year maintenance period shall be forwarded to Commissioners Court for approval or denial. Upon acceptance into the one year maintenance period, the security, bond or Letter of Credit shall then be reduced to an amount equal to 50% of total construction cost of improved roads.

FINAL ROAD ACCEPTANCE - into County Road System – After the newly created roads have been maintained by the developer for a period of a minimum of ten months, it is the duty of the developer or his/her representative to notify the county in writing that it is their request to have the county accept the road(s) into the County Road System.

The county will then perform an inspection and reply to the developer such findings. If deficiencies are observed, they shall be forwarded to the developer for correction. Once the deficiencies have been corrected, the request will be placed on the agenda as required for the acceptance into the county road system before commissioners’ court. Upon acceptance into the county road system, the required security shall then be released.

DEDICATIONS, CERTIFICATIONS, ACKNOWLEDGMENTS

**THE FOLLOWING IS THE FORM OF DEDICATION
TO BE UTILIZED ON SUBDIVISION AND RE-SUBDIVISION PLATS**

CHOOSE THE APPROPRIATE FORM FOR THE DEVELOPMENT PLATTED WHERE APPLICABLE.

I - OWNER DEDICATION

A. DEDICATION FOR INDIVIDUAL(S)

THE STATE OF TEXAS §
COUNTY OF _____ §

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

(The following paragraph is to be used when the subdivision is outside the corporate limits of any city and within Washington County:)

This is to certify that I (or we), (*name(s) of owner(s)*), have complied with or will comply with all regulations heretofore on file with the County and adopted by the Commissioners Court of Washington County."

(The following paragraph is required for overhead lines in easements:)

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

(The following paragraphs are to be used when the subdivision is outside the corporate limits of any city and in Washington County:)

"FURTHER, I (or we), do hereby dedicate forever to the public a strip of land a minimum of fifteen (15) feet wide on each side of the centerline of any and all gullies, ravines, draws, sloughs or other natural drainage courses located in said subdivision, as easements for drainage purposes, giving Washington County and/or any other public agency the right to enter upon said easement at any and all times for the purpose of construction and/or maintaining drainage work and/or structure".

"FURTHER, all of the property subdivided in the above and foregoing map shall be restricted in its use, which restrictions shall run with the title of the property, and shall be enforceable, at the option of Washington County, by Washington County or any citizen thereof, by injunction as follows:

- 1.) The drainage of septic tanks into road, street, alley or other public ditches, either directly or indirectly, is strictly prohibited.
- 2.) Drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater.

(The following paragraph is to be used when applicable for all residential subdivisions:)

"FURTHER, I (or we) do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of residential dwelling units thereon (or the placement of manufactured housing subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately, unless otherwise noted.

WITNESS my hand (or our hands) in _____, Washington County, Texas, this ____ day of ____.

2_____.

(Signature of owner)

(Printed name of owner)

(Signature of owner(s))

(Printed name of owner(s))

***** Note: All owner(s) signature(s) shall be acknowledged by a Notary Public. *****

B. DEDICATION FOR CORPORATIONS

THE STATE OF TEXAS §
COUNTY OF _____ §

We, (*name of President*) and (*name of Secretary*), President and Secretary, respectively of (*name of company*), owner of the property subdivided in the above and foregoing map of (*name of subdivision*), do hereby make subdivision of said property for and on behalf of said (*name of company*) according to the lines, streets, lots, alleys, parks, building lines and easements thereon shown and designate said subdivision as (*name of subdivision*), located in the (*name of survey*), Washington County, Texas, and on behalf of said (*name of company*) and dedicate to public use, as such, the streets, alleys, parks and easements shown thereon forever, and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades; and do hereby bind ourselves, our successors and assigns to warrant and forever defend the title to the land so dedicated.

(The following paragraph is to be used when the subdivision is outside the corporate limits of any city and within Washington County :)

"This is to certify that we, (*name of President*) and (*name of Secretary*), president and secretary, respectively of (*name of company*) owner of the property subdivided in the above and foregoing map of (*name of subdivision*) have complied or will comply with all regulations heretofore on file with the County and adopted by the Commissioners Court of Washington County, Texas."

(The following paragraph is **required for overhead lines in easements**):

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

(The following paragraphs are to be used when the subdivision is outside the city limits of any city and within Washington County:)

"FURTHER we, (*name of company*), do hereby dedicate forever to the public a strip, a minimum of land fifteen (15) feet wide on each side of the centerline of any and all gullies, ravines, draws, sloughs or other natural drainage courses located in the said subdivision, as easements for drainage purposes, giving Washington County and/or any other public agency the right to enter upon said easements at any and all times for the purpose of constructing and/or maintaining drainage work and/or structures."

"FURTHER, all of the property subdivided in the above and foregoing map shall be restricted in its uses, which restrictions shall run with the title to the property, and shall be enforceable, at the option of Washington County, by Washington County or any citizen thereof, by injunction, as follows:

1. That drainage of septic tanks into road, street, alley or other public ditches, either directly or indirectly, is strictly prohibited.

2. Drainage structures under Private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater.

(The following paragraph is to be used when applicable for all residential subdivisions;)

"FURTHER, I (or we) do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of residential dwelling units thereon (or the placement of manufactured housing subdivision) and shall be restricted for same under the terms and conditions of such restrictions filed separately, unless otherwise noted."

IN TESTIMONY WHEREOF, the (*name of company*) has caused these presents to be signed by (*name of President*) its President, thereunto authorized, attested by its Secretary, (*name of Secretary*), and its common seal hereunto affixed this _____ day of _____ 20__.

(Name of Company)

By: _____
(Signature of Company President)

(Printed name of Company President)

ATTEST: _____
(Signature of Company Secretary)

(Printed name of Company Secretary)

* * * * * Note: All owner(s) signature(s) shall be acknowledged by a Notary Public * * * * *

C. ALTERNATIVE PARAGRAPHS TO BE USED AS APPROPRIATE AND AS FOLLOWS:

1. When private roads/streets are established within the plat.

FURTHER, ((or we) do hereby covenant and agree that those streets located within the boundaries of this plat specifically noted as private streets, shall be hereby established and maintained as private streets by the owners, heirs and assigns to property located within the boundaries of this plat and always available for the general use of said owners and to the public for fireman, fire fighting equipment, police and other emergency vehicles of whatever nature at all times and do hereby bind myself (or ourselves), (or our) heirs and assigns to warrant and forever defend the title to the land so designed and established as private streets.

2. When plat indicates building setback lines and public utility easements are to be established in adjacent acreage owned by the developer.

FURTHER, I (or we) do hereby certify that I am (or we are) the owners of all property immediately adjacent to the boundaries of the above and foregoing plat of (*name of subdivision*) where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing plat and do hereby make and establish all building setback lines and dedicate to the use of the public forever all public utility easements shown in said adjacent acreage.

II - LIEN HOLDER ACKNOWLEDGMENT AND SUBORDINATION STATEMENT

Holders of all liens against the property being platted must be made a part of the final plat or prepared as separate instruments which shall be filed for record with the plat.

I (or we), (*name(s) of mortgager(s)*) owner(s) and holder(s) of a lien(s) against the property described in the plat known as (*name of plat*) said lien(s) being evidenced by instrument of record in Volume ____ Page _____, of the Official Records of Washington County, Texas, do hereby in all things subordinate to said plat said lien(s), and I (or we) hereby confirm that I am (or we are) the present owner(s) of said lien(s), and have not assigned the same nor any part thereof. .

By: _____
(Signature of Lien Holder)

(Printed name of Lien Holder)

****** Note: All lien holder(s) signature(s) shall be acknowledged by a Notary Public ******

III - NOTARY PUBLIC ACKNOWLEDGMENT

A. ACKNOWLEDGMENT FOR INDIVIDUAL(S)

The STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day
of _____ .20____ by _____.

NOTARY PUBLIC, STATE OF TEXAS

Notary Signature

Notary Printed name

Notary Commission Expiration

(Seal)

B. ACKNOWLEDGMENT FOR CORPORATIONS

The STATE OF TEXAS §
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day
of _____ .20____ by _____.

NOTARY PUBLIC, STATE OF TEXAS

Notary Signature

Notary Printed name

Notary Commission Expiration

(Seal)

IV - SURVEYOR'S ACKNOWLEDGMENT

This is to certify that I, *(name of surveyor)* a Registered Professional Land Surveyor of the State of Texas, Registration No. _____ have platted the above subdivision from an actual survey on the ground meeting all minimum standards as set forth by the TBPLS; and that all easements as appear of record in the office of the County Clerk of Washington County, Texas, are depicted thereon and that all lot corners, angle points and points of curve are properly marked with iron rods of minimum 5/8 inch diameter and thirty (30) inches long, and that this plat correctly represents that survey made by me.

(Seal)

 (Surveyor Signature)

 (Texas Registration No)

V - INCORPORATED CITY ACKNOWLEDGMENT

(The following paragraph is to be used when the subdivision is inside the corporate limits of any city or within any city's extraterritorial jurisdiction. Any specific city's declaration may vary some what:)

"This is to certify that the City Commission (or Council) of the City of _____ Texas, has approved this plat and subdivision of *(name of subdivision)* as shown hereon."

"IN TESTIMONY WHEREOF, witness the official signature of the Mayor and Secretary of the City Commission (of Council of the City of _____ Texas, this _____ day of _____ 20____."

 City Secretary

 Printed name

 City Mayor

 Printed name

VI - COMMISSIONERS COURT ACKNOWLEDGMENT

The following paragraph is to be used when the subdivision is outside any city limits and within Washington County:

"APPROVED by the Commissioners Court of Washington County, Texas, this _____ day of _____, 20____."

 County Judge

 Commissioner, Precinct 1

 Commissioner, Precinct 3

 Commissioner, Precinct 2

 Commissioner, Precinct 4

VII - COUNTY CLERK FILING ACKNOWLEDGMENT STATEMENT

THE STATE OF TEXAS §
COUNTY OF WASHINGTON §

I, _____, Clerk of the County Court of Washington County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on the _____ day of _____, 2_____, at _____ o'clock. __.M, and duly recorded on the _____ day of _____, 2_____, at _____ o'clock. __.M, in plat cabinet _____ sheet _____ of record in the Plat Records of Washington County, Texas.

WITNESS MY HAND AND SEAL OF OFFICE, at Brenham, Washington County, Texas, the day and date last above written.

Clerk of the County Court
Washington County, Texas

VIII - DIRECTIONS FOR PROPER DEDICATION EXECUTION

All plats submitted for approval, and recording, shall have original signatures in black ink. Each signature shall have, immediately under it in legible lettering or typing in black ink, the name corresponding to the original signature. All corporate, legal, license and registration seals shall be affixed and darkened in such as manner as to be legible.

IX – NOTATION FOR ALL PLATS

“No road, street or passageway set aside in this Plat shall be maintained by Washington County, Texas in the absence of an express Order of the Commissioners Court entered of record in the minutes of the Commissioners Court of Washington County, Texas specifically accepting such road, street or passageway for county maintenance.”



DEVELOPMENT CHRONOLOGY

WASHINGTON COUNTY Road and Bridge Department

The following is an example of a basic chronological order of a typical subdivision development. It is not intended to replace or supersede the specific provisions of the listed rules and regulations.

General Information Sheet of Proposed Development – Developer provides information for location and contact.

Pre-Development Discussion – Determines what type of development is forthcoming and what platting requirements are required.

Preliminary Submittal: Development Application
Preliminary Plat
Fees
Drainage Plan if applicable

Preliminary Plat Review

Preliminary Plat Results

Preliminary Plat Presented to Commissioners Court

Final Plat Authorization

Final Plat Submittal with all required documents/attachments:

- Tax certificate (original)
- Title Information
- Easement Coordination (If applicable)
- Restrictive Covenants (If applicable)
- Plans and Specifications for Roadway and Drainage
- Security (Bond or Letter of credit)
- Warranty (maintenance period)
- Environmental OSSF (Compliance Letter)
- Floodplain Administrator (Compliance Letter)
- 911 Rural Addressing (Road name approval and Subdivision name approval)
- County Attorney (Approval of Security)
- Fees

Final Plat Review – Correct any deficiencies

Final Plat presented to Commissioners Court for approval

Record Final Plat – County Clerk's Office

Lot sales and transactions commence

Written Notification to Road and Bridge Administrator – of road construction beginning date

Construction of improvements begin with periodic construction reviews made by county or county representative

Written notice of construction completion

Final inspection of improvements made by county or county representative

Remedial work (if required)

Re-Inspect (if required)

Initial acceptance by Commissioners Court to begin (1) one year maintenance period

Bond Reduction (Or Letter of Credit Reduction)

Re-seal -Third course treatment prior to end of (1) year maintenance period

Notify Road and Bridge Dept. for final inspection (10th Month (estimate) of (1) one year maintenance)

Inspection by county - or County Representative

Re-medial work (If necessary)

Re-Inspect (If necessary)

Final acceptance - Commissioners Court approval

Release of Bonds and or security

Landowner Name
Address
City, State zip
Phone

June 1st, 2008

Washington County Commissioners' Court
Commissioner
100 East Main St.
Brenham, TX 77833

Dear Commissioner's Court:

I am currently working on selling approximately 5.0 acres of my 15.0 acres in the C.C. Sample Survey, A-239. This division fronts Sample Rd., in Precinct 5, and is outside the ETJ of any city limits. To the best of my knowledge this property has not been granted a variance of this nature prior to my request, of which I do understand it is my responsibility to determine.

The division of the subject property will meet or exceed the minimum requirement (60') of road frontage by having approximately 120 feet on Sampler Rd.; water shall be supplied by well systems since the availability of community water is not present [1]; and shall be serviced by an on site sewage system. This property does not lie in any flood hazard area [2]. I have attached a drawing to better explain my division.

Instead of submitting a formal plat which would create an financial burden [3], I am requesting a variance from the Subdivision Platting Requirements to allow me to sell this portion by metes and bounds rather than the formal subdivision platting process. I do understand that any further division of said tract would require me to follow the Subdivision Rules and Regulations as set forth by Commissioners Court. Once this variance has been granted my surveyor will be allowed to process my request meeting the above mentioned requirements.

Sincerely,

Landowner Signature

- [1] List community water supply Company if it is in the area and available.
- [2] List and show any flood hazard areas if applicable.
- [3] Briefly explain reason for variance request.



**GENERAL INFORMATION SHEET
FOR PROPOSED DEVELOPMENT**

**WASHINGTON COUNTY
Road and Bridge Department**

Date: _____ Pct. _____ Commissioner: _____

Property Address/Location: _____

Acreage: _____

Legal Description: _____

Applicant/Representative: _____

Developer: _____

Address: _____

Phone Numbers: _____

Representative: _____

If applicable

Phone Number: _____

Primary contact: _____

Brief description of proposed development and/or division _____

This is a notification and contact list for a proposed land development within Washington County.

This is not a Plat Application, and does commit the Applicant to file any future documents should he/she decide to not develop.



LETTER OF APPROVAL
RURAL ADDRESSING OFFICE
Subdivision Name

WASHINGTON COUNTY
Road and Bridge Department

I, _____ of the **RURAL ADDRESSING OFFICE** do hereby confirm that according to the records in the County Clerks Office the subdivision proposing the name of:

_____, located in Precinct _____, does not create a duplication nor conflict with any existing recorded subdivision.

Date Acknowledged: _____

By: _____

Print Name

Signature: _____

Title: _____



**LETTER OF APPROVAL
RURAL ADDRESSING OFFICE
Subdivision ROAD Name(s)**

**WASHINGTON COUNTY
Road and Bridge Department**

I, _____ of the **Rural Addressing Office** do hereby confirm and approve that the subdivision with the proposed name of _____ proposing the road name(s) listed below, located in Precinct _____, does not create any duplication nor substantially conflict with any existing road within Washington County.

Date Acknowledged: _____

By: _____

Print Name

Signature: _____

Title: _____



**LETTER OF APPROVAL
ENVIRONMENTAL DEPARTMENT**

**WASHINGTON COUNTY
Road and Bridge Department**

I, _____ of the **Environmental Department** do hereby confirm the Plat, for the proposed development listed below, has been reviewed, and meets the current requirements for **On-Site-Sewage-Facilities (OSSF)** as set forth by the Texas Commission on Environmental Quality (TCEQ) and Washington County.

Subdivision _____ Precinct _____

Date Acknowledged: _____

By: _____

Print Name

Signature: _____

Title: _____



**LETTER OF APPROVAL
FLOODPLAIN ADMINISTRATOR**

**WASHINGTON COUNTY
Road and Bridge Department**

I, _____ of the **Environmental Department** do hereby confirm that the Plat for the proposed development listed below, has been reviewed, and meets the current requirements for **Floodplain Management** as set forth by the Federal Emergency Management Agency (FEMA) and Washington County.

Subdivision _____ Precinct _____

Date Acknowledged: _____

By: _____

Print Name

Signature: _____

Title: _____



LETTER OF APPROVAL
COUNTY ATTORNEY'S OFFICE

WASHINGTON COUNTY
Road and Bridge Department

I, _____ of the **COUNTY ATTORNEY'S** Office do hereby confirm and acknowledge that the security document(s), title information, covenants or restrictions (when applicable), for the proposed subdivision; _____ located in Precinct _____, have been received and reviewed as required by the Subdivision Rules and Regulations of Washington County.

Date Acknowledged: _____

By: _____

Print Name

Signature: _____

Title: _____



**DEVELOPMENT APPLICATION
WASHINGTON COUNTY ROAD & BRIDGE DEPT.**

1405 East Blue Bell Rd.
Brenham, Texas 77833
Phone (979)277-6275
Fax (979)277-6276

Email: washingtonrbd@sbcglobal.net

Proposed (or existing) Name of Subdivision:

Landowner(s) Name:

Landowner(s) Representative:

Address:	List City ETJ or None:	Property ID	R#	Place <input type="checkbox"/> next to plat type
			Preliminary Plat	
Property Location:			Amending Plat	
			Re-Plat	
Phone Number:			Consolidation	
Fax #:			Final Plat	
Email:			Master Planned Community	

Total Acreage	Community water availability	Yes	No
Number of Sections	Private Water System	Yes	No
Number of Blocks/Lots	Private Sewage Facilities	Yes	No
Average Lot size	Property Taxes Current	Yes	No
Residential Lots	Covenants/Restrictions	Yes	No
Reserve acreage	Infrastructure Development Plan (Mobile Home Rental Comm.)	Yes	No
Roads Required	Located in 100 yr Flood Plane	Yes	No
Amount of Road(s) (length)	Residual Acreage		

New Road(s) to access State? **YES** or **NO** If Yes answer→

What State Road?

New Road(s) to access County? **YES** or **NO** If Yes answer→

What County Road?

Surveyor name, address and phone number:	Engineer name, address and phone number:

I acknowledge, by my signature below, that I have the legal authority to make this application and have read and understand the Subdivision Rules and Regulations of Washington County and all that apply. I understand and agree I am responsible for all fees associated with this application and with this development. I understand this is only an application and does not constitute an approval until it has been approved in a scheduled Commissioners Court session, of which I must submit a plat a minimum of 15 working days prior to being placed on an agenda.

Date

Signature



SUBDIVISION REVIEW
Preliminary Plat Checklist

√	Requirement:	Notes:
	1. Subdivision name	
	2. Developer name	
	3. Developer address	
	4. Engineer/surveyor name	
	5. Engineer/surveyor address	
	6. Scale	
	7. North point	
	8. Key map	
	9. Topographic contours	
	10. Boundaries	
	11. Corner tie's	
	12. Existing utilities. Etc.	
	13. Proposed sectioning	
	14. Proposed blocks, lots, easements, etc.	
	15. Road/Street names	
	16. Area- total lots/reserves.	
	17. Road/Street names	
	18. Special flood hazard areas	
	19. Proposed land use	
	20. TBPLS & TBPE compliant	
	21. Submittal date	
	22. Plat copies	
	23. Plat application	
	24. Filing fee's	



**SUBDIVISION REVIEW
Final Plat Checklist**

This checklist may or may not contain all requirements for a final plat; It is a basic checklist. This form shall not release developer/representative for completing plat to the full extent necessary or required.

1. Subdivision name			Design standards:
2. Developer name			1. Circulation/pattern
3. Developer address			2. R.O.W. Width
4. Engineer/surveyor name			3. Maximum curvature
5. Engineer/surveyor address			4. Offsets
6. Scale			5. Intersections
7. North points.			6. Cul-de-sac length and width
8. Key map			7. Temporary turnarounds
9. Legal description			8. Provisional Reserves
10. Title information			9. Road/Street Names
11. Easement consent			10. Block Length
12. Drainage easements			11. Lot shape/access/frontage
13. Certifications, dedications, covenants			12. Lot size
14. Lots, blocks, streets, roads			13. Setback lines
15. Total area and lots			14. Restrictive covenants
16. Setback lines			15. Easements
17. Street names			16. Utilities Plan
18. Lot and or block numbers			
19. Dimensions			
20. Curve data			
21. Lot shape			*Plat Notations
22. Water courses/easements			
23. Pipelines			
24. Boundaries			
25. Corner ties			
26. Extension information			
27. Plat copies			
28. Plat originals			
29. Tax certification			
30. Filing fees			
31. Covenants			
32. Land use			
33. Drainage plan			
34. On-site sewage facilities			
35. Securities / bonds			
36. Staking on ground			



FINAL PLAT AUTHORIZATION/DENIAL

The plat for the Subdivision/Development named _____ was reviewed and authorization to proceed to Final Plat is hereby **GRANTED**. This authorization is not a formal acceptance by Commissioners Court, but only authorization to proceed to FINAL PLAT preparation which must be approved by a majority of the votes of Commissioners Court.

Reviewed by: _____

Date: _____

An outline of discrepancies noted for correction on the preliminary plat is listed below (see preliminary plat mark-up);

_____	_____
_____	_____
_____	_____

.....

The plat for the Subdivision/Development named _____ was reviewed and authorization to proceed to Final Plat was **DENIED**. Outlines of the reasons are listed below (See preliminary plat mark-up);

_____	_____
_____	_____
_____	_____

This is only a denial of a preliminary plat and corrections should be made and a preliminary plat re-submitted.

Reviewed by: _____

Date: _____

CONSTRUCTION AND MAINTENANCE BOND
WITH SURETY

STATE OF TEXAS §
COUNTY OF WASHINGTON §

That _____ of _____ County, Texas, hereinafter called the Principal, and _____, a Corporation existing under and by virtue of the laws of the State of _____ and authorized to do an indemnifying business in the State of Texas, acting herein by and through the signatory agent and attorney in fact, and whose Principal office is located in the City of _____, State of _____, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State, is _____, residing in the City of _____ at _____ hereinafter called the Surety, are held and firmly bound unto _____, County Judge of Washington County, Texas or his/her successors in office, in the full sum of _____ dollars (\$) current lawful money of the United States of America, to be paid to County Judge of Washington County, Texas, or his successors in office, to which payment well and truly to be made and done, we, the undersigned, bind ourselves and each of us, our heirs, executors, administrators, successors, assigns and legal representatives, jointly and severally, by these presents.

WHEREAS the said Principal is the owner of the following subdivision(s):

located in Washington County, Texas, as per Plat Cabinet No. _____ Plat Records of Washington County, Texas; and WHEREAS, the Commissioners Court of Washington County, Texas, has promulgated certain rules, regulations and requirements relating to subdivisions in Washington County, Texas, and all revisions and additions as may be adopted by separate action prior to the date of this bond; same being made a part hereof for all purposes, as though fully set out herein, wherein it is provided, among other things, that the owner of a subdivision will construct the roads and streets therein shown in accordance with the specifications set out therein and maintain such roads and streets for a period of not less than one (1) year following the completion and initial acceptance thereof.

It is further stipulated and understood that the approval of the map or plat of the above subdivision(s) is conditioned upon and subject to the strict compliance by the Principal herein with the aforesaid specifications, including all deletions, additions, changes or modifications of any kind or character, such and it is understood by the Principal that the approval of said map or plat of the above subdivision(s) was obtained only by the undertaking of the Principal to so comply with the said regulations and specifications, and that without such undertaking such approval would have not been granted.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bonded Principal, his, their, or its heirs, executors, administrators, successors, assigns and legal representatives and each and every one of them to do in all things well and truly observe, perform, fulfill, keep and comply with all and singular the rules, regulations, requirements and specifications above referred to, including any deletions, additions, changes or modifications of any kind or character, in the construction and maintenance of all roads and streets in the above named subdivision(s), and that upon approval of the construction of said roads or streets by the County, upon the expiration of one (1) year thereafter, the time required for proper maintenance thereof, and the approval of such maintenance by the County, then this obligation to be void and of no force and effect.

The Principal and the Surety hereon each agree, bind and obligate himself and themselves to pay to the County Judge of Washington County, State of Texas, for the use and benefit of Washington County, all

loss or damages to it occasioned by reason of failure of the Principal to comply strictly with requirements and specifications above referred to relating to the construction of roads and streets in the above named subdivision(s), and further agree, bind and obligate themselves to save and keep harmless the County of Washington from any and all damages, expenses and claims of every kind and character which the County of Washington may suffer, directly or indirectly, as a result of the Principal's failure to comply with the rules, regulations and specifications relating to the construction and maintenance of the roads and streets in the above named subdivision(s).

The word "Principal" when used herein means Principal or Principals whether an individual, individuals, partnership, corporation, or other legal entity having the capacity to contract. The words "Roads" or "Streets" used herein mean each and every road or street in said subdivision(s). The word "Maintenance" as used herein means all needful, necessary and proper care and repair for a period of one (1) year from the completion of the roads or streets and the approval thereof by the County. The word "Surety" when used herein means Surety or Sureties and it is understood by the parties that any and all liabilities of any kind or character assumed or imposed upon the Principal by the terms hereof extends in full force and vigor to each and every Surety jointly and severally.

In the event of suit hereunder, such suit shall be brought in Washington County, Texas. Executed this _____ day of _____, A.D., 20_____.

ATTEST:

Secretary

Principal

Address: _____

Surety

Address: _____

APPROVED this _____ day of _____, 20_____.

County Judge of Washington County, Texas

Sample Notice of CONSTRUCTION BEGINNING

Landowner Name

Address
City, State zip
Phone

June 1st, 2009

Washington County
Road Administrator
1405 E. Blue Bell Rd.
Brenham, TX 77833

Dear Road Administrator:

This written notification is being sent in accordance with the Washington County Subdivision Rules and Regulations to inform you that construction of XYZ Development shall begin on Jan. 12, 2012.

We intend to communicate all phases of construction and are listing contact numbers below.

Sincerely,

Developer Signature

[1] Developer 123-555-1234
[2] Engineer 234-555-4321

SAMPLE

Sample Notice of CONSTRUCTION COMPLETE

Landowner Name

Address
City, State zip
Phone

June 1st, 2009

Washington County
Road Administrator
1405 E. Blue Bell Rd.
Brenham, TX 77833

Dear Road Administrator:

This written notification is being sent in accordance with the Washington County Subdivision Rules and Regulations to inform you that construction of XYZ Development is approaching completion. We are requesting a Final Inspection of all improvements to satisfy the requirements and thus have the road improvements placed into the one year maintenance period.

Please contact myself at the number listed below.

Sincerely,

Developer Signature

[1] Developer 123-555-1234

[2] Engineer 234-555-4321

SAMPLE

Sample Notice of MAINTENANCE PERIOD ENDING

Landowner Name
Address
City, State zip
Phone

June 1st, 2009

Washington County
Road Administrator
1405 E. Blue Bell Rd.
Brenham, TX 77833

Dear Road Administrator:

This written notification is being sent in accordance with the Washington County Subdivision Rules and Regulations to inform you that THE MAINTENACE PERIOD FOR xyz Development is approaching. We are in the tenth month and request an inspection prior to the end of this phase. We are requesting a Final Inspection of all improvements to satisfy the requirements and thus have the road improvements placed into the COUNTY ROAD SYSTEM.

Please contact myself at the number listed below.

Sincerely,

Developer Signature

[1] Developer 123-555-1234

[2] Engineer 234-555-4321

These rules were adopted on June 16th, 2000 and a copy is placed here for convenience.

RULES FOR MANUFACTURED HOME RENTAL COMMUNITIES



ORDER ESTABLISHING MINIMUM INFRASTRUCTURE STANDARDS FOR MANUFACTURED HOME RENTAL COMMUNITIES and Setting out Regulations Applicable to Manufactured Home Rental Communities

In accordance with Local Government Code Section 232.007, an Infrastructure Development Plan (IDP) is required for all manufactured home rental communities, as defined in Section 232.007, Local Government Code.

The Washington County Commissioners Court finds that minimum infrastructure standards for manufactured home rental communities are necessary to promote public health and safety, to provide adequate emergency access, to provide for orderly growth within the County, and to ensure that the ultimate residents in manufactured home rental communities have adequate access, proper utilities and other health and safety assurances.

For purposes of this Order, Manufactured Home Rental Community shall mean a plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than sixty (60) months without a purchase option, for the installation of manufactured homes for use and occupancy as residences, and as defined in Section 232.007, Local Government Code, VTCA.

I. PROCEDURES

For the purposes of this Order, owner shall mean the owner of a proposed manufactured home rental community or the owner's designated representative. On or after the effective date of this Order, all owners of proposed Manufactured Home Rental Communities shall submit an infrastructure development plan to Commissioners Court which complies with the minimum infrastructure development standards by this Commissioners Court.

A. PLAN TO BE SUBMITTED - A manufactured home rental community infrastructure plan shall be submitted along with a copy of the proposed infrastructure plan to the Washington County Road and Bridge Dept. along with a development application. All preliminary infrastructure plans submitted to the Road and Bridge Dept. shall be accompanied by the appropriate filing fees.

1. The infrastructure development plan shall include a plat which identifies the proposed manufactured home rental community's boundaries, proposed utility locations, proposed locations of manufactured home rental community spaces, roads and streets, and dedications of rights of way.

2. The plat shall be prepared substantially in accordance with the Final Plat Requirements of Washington County as set out in the current SUBDIVISION REGULATIONS OF WASHINGTON COUNTY, TEXAS, adopted by Commissioners Court.

3. The infrastructure development plan shall also include written narrative which provides explanation as to how the owner proposes to satisfy the various requirements of the infrastructure development plan and this Order.

B. DESIGNATED COUNTY OFFICIAL - Washington County designates the Commissioners Court as that County body responsible for approval or rejection of the manufactured home rental community plan. During the review of the plan, the Road and Bridge Administrator shall consult with an outside engineering firm, the County Attorney, the County Environmental Dept. and the Commissioner in whose precinct the proposed Manufactured Home Rental Community is located. The expense of the contracted engineering firm to oversee the preliminary and final Infrastructure Development Plans will be at the developer's expense.

C. TIMELY APPROVAL OF INFRASTRUCTURE DEVELOPMENT PLANS - Not later than the 60th business day after the date the owner of a proposed manufactured home rental community submits a preliminary infrastructure development plan for approval to the County with appropriate fees paid, the County shall approve or reject the plan in writing. If the plan is rejected, the written rejection must specify the reasons for the rejection and the actions required for approval of the plan. The failure to reject the plan within the period prescribed herein constitutes approval of the plan.

D. APPROVAL - Failure to reject the infrastructure plan by the Commissioners Court within the sixty (60) days constitutes approval of the plan.

E. CONSTRUCTION PROHIBITED WITHOUT APPROVED PLAN - Construction of a proposed manufactured home rental community may not begin before the Commissioners Court approve the proposed manufactured home rental community final infrastructure plan.

F. FINAL INSPECTION - A final inspection of the manufactured housing rental community infrastructure upon its completion is required. Final inspection shall be made by the County Representative, the Road and Bridge Administrator, and the Commissioner in whose precinct the manufactured home rental community is situated. Final inspection shall be made prior to the Commissioners Court's approval and issuance of a Certificate of Compliance. The County Representative and the Road and Bridge Administrator, shall make the final inspection not later than the second (2nd) business day after the Road and Bridge Administrator, receives written confirmation of completion from the owner.

G. CERTIFICATE OF COMPLIANCE BY COMMISSIONERS COURT - If the Road and Bridge Administrator, advises the Commissioners Court that the infrastructure plan has been properly carried out, Commissioners Court shall issue a Certificate of Compliance not later than the fifth (5th) business day after the County Representative's final inspection is completed. Commissioners Court may delegate issuance of the Certificate of Compliance to the County Judge's Office.

H. CORRECTIVE ACTION IF CONSTRUCTION IS NOT APPROVED - If the County Representative determines that the manufactured home rental community infrastructure plan has not been properly carried out, then the owner shall be advised in writing and shall have thirty (30) days from the date of notification to make the required corrections or to perform the additional work required. On completion of the corrective work, the owner shall again follow the procedures set out in this Order, before the owner is eligible to receive a Certificate of Compliance.

I. FEES - Preliminary/Final/IDP's and bonds shall be in accordance with current Subdivision Rules and Regulations Manual, and shall be paid prior to approval by the Commissioners Court.

II. MINIMUM STANDARDS FOR PLANS

Washington County adopts the following minimum standards for manufactured home rental community infrastructure and infrastructure plans. No Manufactured Home Rental Community infrastructure plan shall be approved unless it complies with the following standards:

A. Roads and Streets

1. Road and street layout, width, design standards:

- a.) The development shall have a minimum of sixty (60) feet fronting a street or roadway which has been previously dedicated to the public for the public's use and benefit as a street or roadway.
- b.) Connections required - The arrangement of roads in a manufactured housing rental community shall provide for the continuation of arterial roads. Provision for the continuation of collector roads between adjacent properties shall be provided when such continuation is necessary for convenient movement of traffic, effective fire protection or for efficient provision of utilities.
- c.) Conformance to Topography - Roads and their construction shall be appropriate to the topography of the area. Roads shall be laid *out* and built so that, to the maximum extent possible, all building sites will be higher than the average elevation of the abutting road. Combinations of steep grades and curves are to be avoided.
- d.) Right-of-Way Width - The minimum right-of-way widths in all manufactured home rental communities shall not be less than sixty (60) feet for local roads, seventy (70) feet for collector roads, or eighty (80) feet for arterial roads.
- e.) Traffic Surface Widths - The improved traffic surface of roads shall be centered within the right-of-way, and shall have a minimum improved width of twenty (20) feet for local roads, forty (40) feet for collector roads, and fifty (50) feet for arterial roads.
- f.) Angle of Intersection - All streets and alleys should intersect at a ninety (90) degree angle with variations often (10) degrees. Acute angle intersections as may be approved should have thirty (30) feet or greater radii at the acute corners.
- g.) Street Off-Sets - Proposed new intersections along one side of an existing road shall, wherever practicable, coincide with any existing intersections on the opposite side of such road. Road jogs with center-line offsets of less than one hundred twenty-five (125) shall not be permitted.
- h.) Cul-de-Sac Roads - When a road terminates in a cul-de-sac, the minimum right-of-way radius shall be sixty (60) feet and the maximum length shall be on a case-by-case evaluation in the judgment of the County Representative.
- i.) Road Surfacing and Improvements - Roadways within a manufactured home rental community shall be constructed in accordance with the Washington County Subdivision Rules and Regulations Manual. No space may contain more than one single family residential unit. No common driveway shall be allowed. Each space shall have separate and individual space and be paved in accordance with the subdivision manual.

B. EASEMENTS

1. Utility easements - easements for utilities are required across parts of lots, or along lot lines. The owner of a manufactured home rental community shall coordinate with utility service providers to determine the locations and widths of required easements. Evidence of such coordination will be required as a condition of manufactured home rental

community approval. No manufactured home rental community infrastructure plan shall be approved until the owner has obtained a satisfactory agreement with utility service providers regarding utility easements. At minimum, utility service companies which must be consulted include; electric service, telephone service and any water or wastewater district or other utility which has jurisdiction.

2. Other Recorded Easements - Other prior existing recorded easements in a manufactured home rental community shall be clearly identified in the infrastructure plan.

C. DRAINAGE

1. No manufactured home rental community infrastructure plan shall be approved which does not make adequate provision for storm water runoff. A drainage plan shall be prepared, in accordance with standard engineering practice, as part of the manufactured home rental community infrastructure plans. No manufactured home rental community infrastructure plan will be allowed if it will result in an increase in the rate of flow of storm water and would thereby endanger downstream properties or residents of the manufactured home rental community.

2. Drainage design plans to ensure adequate drainage off of the rental spaces to drainage channels and out of the development, including the design of drainage structures, culverts, and/or systems using a ten (10) year storm frequency, such that the drainage out of the development does not have a negative drainage impact on neighboring properties. If additional right of way is required for existing county road drainage and access as determined by the outside engineer to achieve a sixty (60) foot wide right of way, the owner shall dedicate these areas of right of way to the County.

3. Requirements of the drainage plan can be found in the Washington County Subdivision manual.

D. UTILITIES

1. A utility may not provide utility services, including water, sewer, gas and electric services to a manufactured home rental community subject to an IDP or to a manufactured home in the community unless the owner provides the utility with a copy of the Certificate of Compliance issued by the County. This requirement applies to:

- a.) A municipality that provides utility services;
- b.) A municipality owned or municipally operated utility that provides utility services;
- c.) A public utility that provides utility services;
- d.) A nonprofit water supply or sewer service corporation organized and operating under Chapter 67, Water Code, that provides utility services;
- e.) A county that provides utility services; and
- f.) A special district or authority created by state law that provides utility services.

III. ENGINEERING REPORT FOR MANUFACTURED HOME RENTAL COMMUNITIES

This report, which shall be signed, dated and sealed by a licensed professional engineer registered in Texas, shall contain detailed and definitive information on the following:

A.) Water Supply Facilities - Public Water Systems

1. If the water supplier is a political subdivision of the state: a city, municipality, utility district, water control and improvement district, nonprofit water supply corporation, etc., the developer shall furnish a signed letter of service availability from the water supplier to provide the state's minimum requirements of quality and quantity of water to the proposed development.
2. Where there is no existing facility or owner intending to construct and maintain the proposed water supply facilities, the developer may establish an investor-owned utility or create a municipal utility district and obtain a Certificate of Convenience and Necessity (CCN) from the Texas Natural Resources Conservation Commission (TNRCC) and include evidence of the CCN issuance for the development area. Prior to IDP approval, plans and specifications for the proposed water facilities system shall have been approved by all entities having jurisdiction over the proposed project, including TCEQ.
3. Water service must be extended into the development to each lot or rental space if the existing water lines are located within three hundred (300) feet of the development and if there is sufficient water available by the water supplier.

B.) Private Wells (or non-public water systems)

1. Quantitative and qualitative results of sampling test wells in accordance with requirements promulgated by the TCEQ and the Texas Department of Health shall be included where individual wells are proposed for the supply of drinking water to residences and other establishments. The results of the analysis shall be made available to the prospective property owners or renters.
2. Prior to IDP approval, plans and specifications for the proposed water facilities system shall have been approved by all entities having jurisdiction over the proposed project, including TCEQ. Evidence of the approvals shall be included in the engineering report.

C.) Wastewater Disposal Facilities

1. Centralized Sewerage Facilities:

- a.) If wastewater treatment is provided by a political subdivision of the state (*city, municipality, utility district, water control and improvement district, nonprofit water supply corporation or an existing investor-owned water supply*

corporation, etc.) the developer shall furnish a signed letter of service availability to provide the state's minimum wastewater treatment standard for the proposed development from the utility.

b.) Where there is no existing entity or owner to build or maintain the proposed wastewater treatment and collection facilities, the developer may establish an investor-owned utility or a municipal utility district by obtaining a Certificate of Convenience and Necessity (CNN) from the TCEQ.

c.) Prior to IDP approval, an appropriate permit to treat and/or dispose of wastes for the ultimate build-out of the development shall have been obtained from the TCEQ and plans and specifications for the proposed wastewater collection and treatment facilities shall have been approved by all entities having jurisdiction over the proposed project, including the TCEQ. Evidence of the approvals shall be included in the engineering report.

d.) Wastewater disposal service must be extended into the development to each lot or rental space if the existing wastewater lines are within two hundred (200) feet of the development and there is sufficient wastewater capacity available from the wastewater service provider.

2. On-Site Sewage Facilities

a.) The engineering report shall include soils analysis results as required under the Washington County Rules and Regulations for On-Site Sewage Facilities – through the Washington County Environmental Department.

D. Street Names and Signs;

1.) **Street names** - new streets and roads in manufactured home rental communities shall be named so as to provide continuity of name with existing streets and so as to prevent conflict with identical or similar street and road names in other parts of Washington County. Street names for new manufactured home rental community streets *may* be suggested by the owner. Street names shall be reasonable and not similar to existing names of streets and roads in Washington County. Suggested names shall be approved by the Rural Addressing Coordinator for approval as a part of the proposed manufactured home rental community infrastructure plan.

2.) **Street and Road Name Signs required** - the owner shall install street or road name signs at all intersections in the manufactured home rental community. The proper installation of these signs is a part of the required construction standards of Washington County. Final approval of construction will not be given by Commissioners Court until signs are installed.

3.) **Street and Road Name Sign** - Street and road name signs shall be of the same standard and quality as required by Washington County.

4.) **Placement**- Street and road name sign assembly will be placed on a post and located two (2) feet behind the curb on curbed roadways, or six (6) to ten (10) feet beyond the edge of the pavement on non-curbed roadways. Signs should be placed as near to the tangent point of the edge of the less important roadway with the radius of the curve at the intersection.

E. The Manufactured Home Rental Community Infrastructure Development Plan shall show at minimum the following:

1. Only 18" x 24" sheets will be acceptable and at a maximum scale of 1" = 200' (1" = 100' preferred). An index on the first sheet is required when more than two sheets are required for the IDP.

2. Names, locations, dimensions (bearings and distances) and layouts of existing and proposed streets, alleys, easements, and other public rights-of-way and public/private encumbrances (deed restrictions, etc.) on the property and any proposed street right-of-way, easement, alley, park, or other public dedication.

3. Dimensions, bearings and distances, of the proposed rental spaces.

a.) Minimum Width – Sub-lots of a condominium or manufactured housing park should be fifty-five (55) feet if double-wide mobile homes are to be placed upon such sub-lots; forty (40) feet if only single-wide mobile home units are to be placed on such sub-lot.

b.) Minimum Distance - between each outside dimension shall be no less than twenty (20) feet.

4. Signatures and date of approval and certifications on the IDP. These approval signatures shall be not more than six (6) months prior to the submission.

5. Legal description, acreage, and name of the proposed development. The development's name shall not be spelled or pronounced similarly to the name of any existing development or subdivision located within the county.

6. The boundary of the development indicated by a heavy line and described by bearings and distances.

7. Scale, legend, north arrow, spot elevations on 100' or an appropriate grid, with two (2) foot contour lines. Alternate contour intervals may be submitted based on terrain, with approval from the county.

8. Deed record, name of owner, volume and page number of adjoining properties.

9. Dates of survey and preparation of IDP.

10. Identification code, location, description, and elevation of the USGS or appropriate benchmark used in the survey.

11. Front building setback lines must be twenty-five (25) feet from the property line. Back and side building setback lines not less than ten (10) feet.

12. Location of any City's corporate limits line or extra territorial jurisdiction line. If located within the extra territorial jurisdiction (ETJ) approval of the IDP must be by the city.

13. Vicinity map with streets, ditches, general drainage flow directions to the ultimate outfall, city limits and ETJ's, and other major land features.

14. Net area (gross area less easements) of rental spaces to the nearest 1/100 of an acre for lots using On Site Sewage Facilities and/or well water.

15. Limits of flood hazard areas as defined by the appropriate FEMA FIRM panel and the proposed finished floor elevation of buildings within these flood hazard areas on each space.
16. A certification by a Surveyor or Engineer describing any area of the development that is in a flood plain or stating that no area is in a flood plain, as delineated by the appropriate FEMA FIRM panel and date. In addition, a flood permit must be obtained from the county environmental department.
17. A surveyor's signature and seal on the IDP for certification.
18. The description of the water and sewer facilities, electricity and gas utilities, the roadways and easements dedicated for the provision of water and sewer facilities that will be constructed or installed to serve the development and a statement of the date by which the facilities will be fully operable, prepared by an engineer (may be included in an attached document). A certification must be included that the water and sewer facilities described by the IDP, or document attached to the IDP, are in compliance with these regulations.
19. Approvals by other regulatory and governing bodies, as required.
20. Letters signed and dated from water, wastewater, and electric utilities of service commitment and availability and statement of approval of existing and proposed utility easements.
21. A clear title and a tax certificate showing that all taxes currently due with respect to the original tract have been paid.
22. Results of soils analysis certified by a qualified site evaluator (as defined by 30 TAC Chapter 285) for on-site sewage facilities (OSSF).
23. Engineering Design Construction Plans for roadway access to each rental space for fire and emergency vehicles.
24. Traffic impact study. For manufactured home rental communities of 100 spaces or greater, the engineering report may, at the request of the county, be required to include a Traffic Impact Study to assess the effects of additional traffic on the existing and proposed transportation system.

IV. APPLICABILITY

- A. Effective Date** - This Order is effective upon the date of final approval by the Washington County Commissioners court.
- B. Date Construction Commenced** - This Order applies only to a manufactured home rental community for which construction is commenced on or after the date infrastructure standards are adopted by this Commissioners Court.
- C. Expansion of Existing Manufactured Home Community Rentals** - These regulations are applicable to any expansion of existing manufactured home rental communities on or after the effective date of these regulations.
- D. Applicable Outside City Limits** - These regulations are applicable in Washington County outside the City limits of any incorporated City.

V. INTERPRETATION - CONFLICT, SEVERABILITY, SAVINGS AND AMENDMENTS

- A. Interpretation** - In their interpretation and application, the provisions of these Regulations shall be held to be minimum requirements for the promotion of the public health, safety, and general welfare. These regulations shall be construed broadly to promote the purposes for which they are adopted.
- B. Public Provisions** - These Regulations are not intended to interfere with, abrogate, or annul any other County regulation, state statute, or other provision of law except as provided in these Regulations. Where any provision of these Regulations or any other rule or regulation or other provisions of law are in conflict, the provision which is more restrictive or imposes higher standards shall control.
- C. Private Provisions** - These Regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these Regulations are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement or restriction, the requirements of these Regulations shall govern.
- D. Severability** - If any part or provision of these Regulations, or the application of these Regulations to any person or circumstance is adjudged invalid by any court of competent jurisdiction, the judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these Regulations or application of them to other persons or circumstances. The Commissioners Court hereby declares that it would have enacted the remainder of these Regulations, even without any such part, provision, or application which is judged to be invalid.
- E. Saving Provision** - These Regulations shall not be construed as abating any action now pending under or by virtue of; prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving the right of the State or County under any section or provision existing at the time of adoption of these Regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation by lawful action of the County except as shall be expressly provided for in these Regulations.
- F. Amendments** - For the purpose of protecting the public health, safety and general welfare or for any other valid purpose, the Commissioners Court may, from time to time, amend these Regulations at a public meeting following public notice in the manner prescribed by law.

This Order supersedes any previous rules and regulations pertaining to mobile home rental communities as may be stated in Washington County Subdivision Rules and Regulations.

ORDER TO ESTABLISH MINIMUM INFRASTRUCTURE STANDARDS FOR MANUFACTURED HOME RENTAL COMMUNITIES adopted on this 16th, day of June, 2000, the Washington County Commissioners Court, pursuant to section 232.007, Local Government Code, adopted the above minimum infrastructure standards for manufactured home rental communities located in the county outside the limits of a municipality, with a vote of 5 ayes and 0 nays.