

Return to the Engineer

MILLS COUNTY
SUBDIVISION REGULATIONS
AND
COUNTY ROAD STANDARDS AND SPECIFICATIONS

SUBDIVISION

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SUBDIVISION REGULATIONS

AND

COUNTY ROAD STANDARDS AND SPECIFICATIONS

THE STATE OF TEXAS X

COUNTY OF MILLS X

On this the 28 day of January, 1985, the Commissioners Court of Mills County, Texas convened in regular session at the Courthouse in Goldthwaite, Texas with the following members present to-wit:

T. W. Johnson	County Judge, Presiding
Marvin Lindsay	Commissioner, Precinct #1
Lewis Watson	Commissioner, Precinct #2
Lee Roy Schwartz	Commissioner, Precinct #3
Hawley B. Jernigan	Commissioner, Precinct #4

* and, among other proceedings, said Court passed the following resolutions relating to the County road standards and specifications, whether or not in a subdivision.

* WHEREAS, the Commissioners Court of Mills County, Texas considering the matter, deemed it appropriate to enter its Order relating to approval and authorization of subdivision plats for recording, and public roads within and without said subdivision; and,

WHEREAS, by virtue of Article 6626a, VATS, it is incumbent upon the Commissioners Court of Mills County, Texas, to approve and authorize the plats of subdivisions within Mills County, Texas, under certain conditions, before same can be recorded and,

WHEREAS, the Commissioners Court of Mills County, Texas, deems it necessary to adopt a set of standards stipulating the condition under which the Court, in the future, will approve and authorize plats of subdivisions for recording, in order to assist the County in providing for the safety of the public, in protecting the health of the public, in overseeing the welfare of the public and to facilitate the identification of land within the subdivision for the purpose of placement on the tax rolls.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF MILLS COUNTY, TEXAS, that all subdivisions in Mills County shall meet the standards set forth in these regulations as a condition of the approval and authorization of subdivision plats by the Commissioners Court of Mills County, Texas, and superseding and in lieu of all previous orders pertaining to the approval and authorization of subdivision plats.

A. The owner or owners of any tract of land situated outside of the boundaries of any incorporated town or city in Mills County, Texas, and who may hereafter divide the same in two or more parts for the purpose of laying out any subdivision of any such tract of land, or for laying out suburban lots or building lots and streets, alleys, or other portions intended for public use, for the use of lessees, purchasers or owners of lots in such tract of land

for the purpose of leasing such lots to the public, shall comply with the rules and regulations as set forth herein.

B. Any party undertaking a subdivision, as herein set out, in violation of these regulations shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed \$1,000.00 or confined in the county jail not to exceed one hundred eighty (180) days, or both such fine and imprisonment, and each act of violation shall constitute a separate offense.

SECTION I. Definition of terms.

A. County, or the county shall mean the County of Mills, Texas.

B. Subdivision shall mean the division of a tract or parcel of land into two (2) or more parts or lots for the purpose of sale or building development or transfer of ownership, whether immediate or future and shall include re-subdivision.

C. Re-subdivision shall mean the division of an existing subdivision together with any change of lot size therein, or the relocation of any street lines.

D. The word "shall" shall be deemed as mandatory.

E. The word "may" shall be deemed as permissive.

F. Plat shall mean a map or chart of the subdivision. It shall include plan, plat, or replat, in both singular or plural.

G. Developer shall mean the owner of the proposed subdivision.

SECTION II. Preliminary Plats

Six (6) prints of a preliminary plat of any proposed subdivision shall be submitted to the County Judge for presentation to the Commissioners Court at least fifteen (15) days before the meeting at which approval is requested. The preliminary plat shall show or be accompanied by, the following:

A. The names, addresses and telephone numbers of the owner and/or owners of the proposed subdivision and the names, addresses and telephone numbers of the Engineer, Surveyor, or Landscape Architect responsible for the survey and design.

B. Designation of the proposed uses of land in the subdivision, whether for residential, commercial, industrial, or public use, such as parks, churches, etc.

C. Accurate location of the land by reference to the volume and page in the deed records of the County or Counties in which the land is located, including record access.

D. Preliminary plats shall be presented on standard size sheets of 18 inches by 24 inches and shall be drawn to a scale of one hundred (100) feet to an inch. If the proposed subdivision is too large to be accommodated by a single standard sheet size, two or more sheets may be used, with match lines clearly shown.

E. Names of adjacent subdivisions, if any, and the name of the proposed subdivision, which shall not conflict with the name of any other subdivision in the county.

F. North point, graphic scale, and date.

G. The location of boundary lines in relation to an original corner of the original survey, together with a vicinity map.

H. An outline of adjacent properties, and record owner, for a distance of at least one hundred (100) feet, and how the streets, alleys or highways in the proposed subdivision may connect with adjacent land or with adjacent subdivisions which are of record and other features of importance to the lot and street layout.

I. Where streets in an adjoining subdivision end at the property line of a new subdivision, streets and roads in the new subdivision shall be constructed so as to be a continuation and extension of said existing streets in said adjoining subdivision.

J. The preliminary plat shall show the physical features of the property, including water courses, flood plain boundaries for a 100 year frequency flood, ravines, bridges, culverts, present structures and shall show the drainage plan of the proposed subdivision, and a street profile.

K. The location and width of existing and proposed streets, roads, lots, alleys, building lines, easements, parks, and school sites.

L. Number of linear feet of roadway.

M. List number of acres in each survey and number of acres or fraction thereof, in each lot or tract. If subdivision is split by County Line, list the number of acres in each survey in each County and number of acres or square feet in each lot or tract that is split by the County Line.

N. The developer shall submit a plan for providing utility service for the proposed subdivision and shall show the same on the plat. The proposed water supply shall be clearly indicated, i.e., municipal water, rural water system, individual wells, etc., including location of fire plugs, if any, within the subdivision for fire protection. Also the plan for sewage disposal should be clearly indicated, i.e., municipal sewer service, privately owned sewage disposal system, individual septic tank, etc.

O. If the location of the subdivision is within the extraterritorial jurisdiction of any city, town or village within Mills County, the preliminary plat shall be approved by that public body prior to submission to the Commissioners Court. If such regulations conflict with county regulations, the more stringent provisions of such regulations shall govern.

If the Commissioners Court does not approve, disapprove or ask for clarification of the preliminary plat within fifteen (15) days of the day of initial meeting for consideration of the plat, the plat shall be deemed approved and so endorsed by the Commissioners Court.

Approval of the preliminary plat does not constitute acceptance of the subdivision, but it is merely an authorization to proceed with the preparation of the final plat for record.

No grading of streets or construction shall be done in the subdivision before the final plat is tentatively approved by the Commissioners Court, except by special permission of the Commissioners Court.

SECTION III. Final Plat.

After approval of a preliminary plat by the Commissioners Court, a final plat prepared by a Registered Public Surveyor, and bearing his seal, shall be submitted to the County Judge at least five (5) days before the County Judge presents the plat to the Commissioners Court for approval. The final plat shall be submitted to the County Judge fifteen (15) days before the date scheduled for approval by the Commissioners Court. Such plat shall reflect all data, to include all changes and alterations, that was required on the previously submitted preliminary plat.

A. The plat shall be drawn to a scale of one hundred (100) feet to the inch on photographic quality mylar, consisting of one or more sheets measuring eighteen (18) inches by twenty four (24) inches. Scale variance may be granted by a County appointed Registered Public Surveyor. If two or more sheets are used, a key map showing the entire area shall be drawn on the first sheet. The County shall be furnished two (2) copies of all sheets. All figures and letters shall be plain, distinct and of sufficient size to be easily read, and shall be of sufficient density to make a lasting and permanent record.

B. The plat presented for recording shall show the following information:

a. The name of the subdivision, graphic scale, date, North point and linear feet of roadway.

b. The name of adjacent subdivisions, if any, and the names of streets within the subdivision, and the lot, block, and section numbers within the subdivision.

c. The perimeter boundary of the subdivision shall be shown with bearing and distance, referenced to a corner of the original survey. If the subdivision is within a two (2) mile radius of any Horizontal Control Station set by the United States or the State of Texas, at least four diagonally opposed corners of the subdivision shall have State Plane Coordinates, with scale and grid factors, datum used and name and type of station used, shown on the plat.

d. Location of lots, streets, roads, public highways, utility easements, parks, flood plain boundaries for a 100 year frequency flood, and other features, shall be shown with accurate dimension in feet and decimals of feet, and bearing, with length, radii, and chord data of curves and all other information necessary to duplicate the plat on the ground.

e. The location of building set back lines on all streets, and the location and dimension of utility and drainage easements, flood plain boundaries and other public right-of-way access.

f. If it is the developer's intent that each lot purchaser shall provide an individual septic tank to serve his needs, copies of percolation tests performed on ten percent (10%) of all lots over one and one-half (1 1/2) acres and on ALL lots less than one and one-half (1 1/2) acres, by a Registered Professional Engineer, Registered Sanitarian or a reputable testing laboratory, shall be provided together with a letter stating recommendations as to the type of septic tank to be installed. The location of each percolation test, and the area covered by that test shall be outlined clearly on the plat. The septic tank

and all lateral lines shall be outside the flood plain boundaries and no closer than fifty (50) feet of a public road or twenty (20) feet of a property line. Effluent from septic tanks shall not be permitted to run on the adjoining property. A plan prepared by the person charged with performing the percolation tests on the subdivision shall show areas not suitable for ordinary septic tank systems. Such areas shall require special systems approved by a Registered Sanitarian and the Commissioners Court.

g. Certification by the developer, and by all parties who may have lease rights, mortgage, or lien interest in the property, of their dedication of all streets, public highways, alleys, utility and drainage easements, parks if any, and other land dedicated for public use forever, signed and acknowledged before a Notary Public.

h. Certification of a Registered Public Surveyor to the effect that the plat correctly represents a survey made by him, and that all lot corners and boundary markers are correctly placed as shown thereon, and the proper monuments are set at their respective corners. The dimension, bearing, and other technical data needed for re-plating each lot, shall be shown on the subdivision plat.

i. Certificate of approval signed by the appropriate representative of any city having extraterritorial jurisdiction over the area in which the subdivision is located.

j. A space shall be provided for the approval of the County Judge acting in behalf of and for the Commissioners Court.

C. The Commissioners Court may, at its own discretion, appoint a Registered Public Surveyor as the designated representative of the Court to examine the subdivision on the ground to assure itself, that the plat and related documents accurately represent the subdivision. The cost of the above inspection shall be charged to the developer and shall be paid prior to final approval of the plat.

D. All ad valorem taxes due for current and prior years must be paid, before the Commissioners Court will consider the approval of the request for a subdivision or re-subdivision. The developer shall obtain a tax certificate from the Mills County Appraisal District to show compliance.

E. After examination of the final plat, the Commissioners Court shall notify the developer, in writing, as to its intent to approve or disapprove the plat. It shall be clearly understood, however, that no plat will be finally approved for recording until such time as all streets, culverts and other drainage facilities, utilities, etc., have been installed and inspected within the subdivision. It shall be the responsibility of the Precinct Commissioner and a Registered Professional Engineer, appointed by the Commissioners Court, to make the inspection of streets, culverts and other drainage facilities, utilities, etc., and he shall report his findings to the Commissioners Court. The cost of the above inspections shall be charged to the developer and shall be paid prior

to the final approval of the plat. If the construction of the above mentioned items are satisfactory to the Commissioners Court, the developer shall be notified that the plat is ready to be filed for record and the County Judge acting in behalf of and for the Commissioners Court, shall at that time sign the plat indicating their approval.

F. The filing fee for the final plat shall be sixty dollars (\$60.00) plus thirty dollars (\$30.00) for each additional sheet.

SECTION IV. General Specifications.

General specifications pertaining to the subdivision within Mills County, having been considered by the Commissioners Court, shall be as follows:

A. A copy of the restrictions imposed within the subdivision by the developer shall accompany the final plat.

B. No subdivision plat shall be approved for filing by this court unless provisions have been made for suitable site for garbage disposal. The site shall be of proper size and location and otherwise meet State Health Department regulations and the Commissioners Court or the developer shall show to the court (and the court approve) that proper arrangements have been made for disposal of garbage by and through the use of existing garbage disposal means.

C. All block corners and angles in streets and alleys shall be marked with one-half (1/2) inch steel pin approximately two (2) feet in length, or with a permanent marker approved by the County Surveyor. All lot corners, not block corners or perimeter corners, shall be marked with one-half (1/2) inch steel pin approximately one (1) foot long. Perimeter and all patent corners, within and adjacent to this subdivision, shall be monumented with a permanent concrete marker, five (5) inches in diameter, minimum, with brass or aluminum disk denoting the corner, not less than eighteen (18) inches in the ground, and extending sufficiently above the ground so as to be readily observed, and shall have a 18" X 1/2" steel pin in monument, or a permanent marker approved by a County appointed Registered Public Surveyor.

D. Street Arrangement:

a. Where streets in an adjoining subdivision end at the property line of a new subdivision, streets and roads in the new subdivision shall be constructed so as to be a continuation and extension of said existing streets in said adjoining subdivision.

b. Proposed streets shall conform to the existing topography as nearly as possible, in order that drainage shall be provided.

c. All streets shall be named and marked by the developer with permanent metal signs with letters at least four (4) inches high, and the developer shall make sure there is no conflict with the name of another public road or street within the unincorporated part of the County or nearest city.

d. A list of named streets and roads in the unincorporated area of the County will be kept in the office of the County Clerk.

e. Where a County Road abuts the subdivision, the developer shall set back the subdivision line thirty (30) feet from the centerline of the existing County Road.

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f. Cul-de-sacs may be permitted where the contour of the land makes it difficult to plat with connecting streets and shall be no longer than six hundred (600) feet, except in conditions of unusual topography. Such cul-de-sacs shall provide access to all lots and shall have a turn-around at the end with a radius of at least fifty (50) feet.

E. Lots: All lots, so far as practicable shall have the side lines at right angles to the street on which the lot faces, or radial to curved street lines.

F. Building Lines: Building set-back lines shall be shown on all lots intended for residential use, and shall provide for a minimum set-back of at least thirty (30) feet. A building set-back line from the flood plain boundary of the 100 year frequency flood shall be shown.

G. Drainage Easements: Provisions shall be made for drainage easements, to allow for proper control of drainage, and for future maintenance within the easement area.

H. Utility Easements:

a. Whenever possible, no manholes shall be placed in or under the street.

b. No utility lines shall be placed under the street except at perpendicular crossings.

c. All lots fronting on such streets or roads shall have a minimum fifteen (15) foot utility easement at the rear of each lot.

I. Street Widths: "Street Width" shall be measured from front lot line to front lot line of opposite lots.

a. All major streets or roads within subdivisions covered by this order shall have right-of-way of not less than sixty (60) feet nor more than one hundred (100) feet in width.

b. All other streets in such subdivision shall have a right-of-way of not less than fifty (50) feet nor more than sixty (60) feet in width.

c. The designation of a street or road as a main artery street or road shall be made by the Commissioners Court in its order granting or denying preliminary authorization of the plat.

J. This specification has been prepared as a guide to contractors and developers to provide a long lasting road, an adequate drainage system and to protect the public from septic tank sewage disposal systems that do not function properly. It is understood that although not all details of construction are included, developers are expected to provide a high quality road and drainage system in the subdivision herein regulated.

SECTION V. Construction:

Prior to beginning any construction within the subdivision, the developer shall contact the Precinct Commissioner or a County appointed Registered Professional Engineer, who shall go over the construction plans with the developer. All streets shown on the plat shall meet the following specifications:

A. Major streets which serve vehicular traffic beyond the limits of the subdivision:

Minimum right-of-way	60.0'
Minimum crown of roadway	20.0'
Minimum curved section if curbed (back to back of curbs)	30.0'
Maximum allowable grade	10%

B. Secondary or other streets or roads which serve as collectors:

Minimum right-of-way	50.0'
Minimum crown of roadway	20.0'
Minimum curved section if curbed (back to back of curbs)	30.0'
Maximum allowable grade	10%

C. The centerline of major and secondary streets in every subdivision shall have an elevation of at least six (6) inches above the elevation of the edges of said street, except intersections and superelevated portions of the street. At all times, street design shall maintain proper drainage.

D. The preparation of the subgrade shall follow good engineering practices. The subgrade shall be prepared and allowed to reach Proctor Density of 80% through natural cycles of consolidation and shall be rolled and watered where placement of the base material is to be done immediately. The subgrade shall be inspected and approved by the Precinct Commissioner and County Appointed Registered Professional Engineer, prior to the application of the base.

E. Road beds constructed over seep areas.

a. Seep areas are to be marked by visual inspection by the Precinct Commissioner and the County Appointed Registered Professional Engineer.

b. Seep areas shall be drained to a depth of at least two (2) feet below subgrade elevation by use of subsurface drainage.

c. After seep areas are drained, the subgrade is to be compacted as described herein above.

F. The base shall have a minimum thickness of six (6) inches after compaction of the authorized base material. The base material shall be pit run or crushed rock to be approved by Precinct Commissioner or County Appointed Registered Professional Engineer.

G. Drainage calculations shall be made using Manning's Formula or other methods satisfactory to the Precinct Commissioner and County Appointed Registered Professional Engineer. All data and calculations shall be presented to the Precinct Commissioner and County Appointed Registered Professional Engineer, upon request, for inspection and approval prior to application of any base material.

H. Permanent drainage structures, including, but not limited to, culverts, pipes, drainage boxes and bridges, shall be installed at all crossings of drainage courses, including drainage ditches, driveways, roads and streets.

I. Upon completion of construction of each street, road and alley, all trees, brush, rocks, and other material created by said construction shall be removed.

J. In order to insure that the streets and alleys in approved and authorized subdivision plats are constructed in accordance with the above specifications, the developer shall file a Construction Bond executed by some Surety Company authorized to do business in this State, payable to the County Judge of Mills County, Texas, or to his successors in office. The Construction Bond shall be in such an amount as may be determined by the Commissioners Court, not to exceed the estimated cost of construction of such roads and streets.

The conditions of said Construction Bond shall be that the developer shall begin construction of such streets and alleys, as are shown on the subdivision plat, within a period of ninety (90) days from the date the letter of intent for approval and authorization of the plat of said subdivision by the Commissioners Court of Mills County, Texas, and shall complete such construction, in accordance with the specifications herein provided, within a reasonable number of working days to be determined and agreed upon by the developer and the County Commissioners Court. Said construction bond shall remain in full force and effect until all the streets and alleys on said approved and authorized subdivision plat have been completed to the satisfaction of the Commissioners Court. After said streets have been constructed in accordance with the specifications set forth herein, any Construction Bond proceeds remaining shall be returned to the developer.

In the event any or all of the streets and alleys, as constructed by the developer, fail to meet the requirements of the specifications herein provided and are not accepted and approved by the Commissioners Court, and said developer fails or refuses to correct the defects called to his attention in writing by said County Commissioners Court, the unfinished improvements shall be completed at the cost and expense of obligees as in said orders provided.

CHECKLIST

Subdivision Name _____

Date Information Received _____

Preliminary Plat Requirements:

- _____ Six (6) Copies of Plat
- _____ Names, Addresses and Telephone Numbers of Owner and/or Owners
(See Paragraph A)
- _____ Names, Addresses and Telephone Numbers of Surveyor and/or Engineer
(See Paragraph A)
- _____ Designation of Proposed Uses of Land (See Paragraph B)
- _____ Accurate Location - Deed Records (Volume and Page) - (See Paragraph C)
- _____ Plat Size - 18" X 24" - Scale Size (Use 1" = 100') - (See Paragraph D)
- _____ Name of Proposed Subdivision and Adjacent Subdivisions (If Any)
(See Paragraph E)
- _____ North Arrow, Graphic Scale and Date (See Paragraph F)
- _____ Original Corner of Original Survey (See Paragraph G)
- _____ Vicinity Map (See Paragraph G)
- _____ Outline of Adjacent Properties and Record Owner - Distance of
100 Feet (See Paragraph H)
- _____ Outline of Connection of Streets, Alleys or Highways to Adjacent
Properties (See Paragraph I)
- _____ Outline of Continuation and Extension of Streets and Roads in
Adjoining Subdivisions (See Paragraph I)
- _____ Physical Features Property List - Drainage Plan and Street Profile
(See Paragraph J)
- _____ Location and Dimensions - Roads, Streets, Lots, Alleys, Easements,
Building Lines, Parks and School Sites (See Paragraph K)
- _____ Number of Linear Feet of Roadway (See Paragraph L)
- _____ Number of Acres in each Survey in each Lot or Tract (See Paragraph M)
- _____ Number of Acres in each Survey in each Lot or Tract in each
County (See Paragraph M)
- _____ Plan for Providing Utility Service, Water Supply and Sewage Disposal
(See Paragraph N)
- _____ City Approval (If in Extraterritorial Jurisdiction) - (See Paragraph O)

*Paragraphs mentioned above are listed under SECTION II. Preliminary Plats.

Checked By: _____

Date: _____

*If Final Plat is being presented, see Page 2 for requirements.

M. When installing tin horns for entrance to county roads, tin horns must be placed at least twenty four (24) feet from center of road bed. Tin horns to be furnished by developer or landowner and size of horn to be at the discretion of the Commissioners Court.

APPROVED this the 28 day of January, 1985.

T. W. Johnson

T. W. Johnson
County Judge

Marvin Lindsay

Marvin Lindsay

Commissioner, Precinct #1

Lewis Watson

Lewis Watson

Commissioner, Precinct #2

Lee Roy Schwartz

Lee Roy Schwartz

Commissioner, Precinct #3

Hawley B. Jernigan

Hawley B. Jernigan

Commissioner, Precinct #4

CHECKLIST

Subdivision Name _____

Date Information Received _____

Additional Requirements for Final Plat:

- _____ Two (2) Copies of Plat on Photographic Quality Mylar - 18" X 24"
(See Section III, Paragraph A)
- _____ Key Map (If Two or More Sheets are Used) - (See Section III, Paragraph A)
- _____ Linear Feet of Roadway (See Section III, Paragraph B,a)
- _____ Names of Streets (See Section III, Paragraph B,b)
- _____ Lot, Block and Section Numbers (See Section III, Paragraph B,b)
- _____ Perimeter Boundary (With Bearing and Distance Referenced to a Corner of Original Survey) - (See Section III, Paragraph B,c)
- _____ State Plane Coordinates, with Scale and Grid Factors, Datum Used, and Names and Types of Station Used (See Section III, Paragraph B,c)
- _____ Location and Dimensions of Lots, Streets, Roads, Public Highways, Utility Easements, Parks and Flood Plain Boundaries (See Section III, Paragraph B,d)
- _____ Location of Building Set Back Lines on All Streets (See Section III, Paragraph B,e)
- _____ Location and Dimensions of Utility and Drainage Easements, Flood Plain Boundaries and Other Public Right-of-Way Access (See Section III, Paragraph B,e)
- _____ Copies of Percolation Tests together with a Letter of Recommendation as to Type of Septic Tank to be Installed (See Section III, Paragraph B,f)
- _____ Dedication, by Developer, of All Streets, Public Highways, Alleys, Utility and Drainage Easements, Parks and Other Land for Public Use (See Section III, Paragraph B,g)
- _____ Certification of a Registered Public Surveyor (See Section III, Paragraph B,h)
- _____ Certification of Approval (If in Extraterritorial Jurisdiction) - (See Section III, Paragraph B,i)
- _____ County Surveyor Approval Block (See Section III, Paragraph B,j)
- _____ County Judge Approval Block (See Section III, Paragraph B,k)
- _____ Registered Public Surveyor's Inspection of Subdivision's Plat and Related Documents (See Section III, Paragraph C)
- _____ Ad Valorem Tax Certificate (See Section III, Paragraph D)
- _____ Copy of Restrictions Imposed Within Subdivision (See Section IV, Paragraph A)

Checked By: _____

Date: _____