

**Coryell County**  
Subdivision Regulations  
&  
Permitting Requirements

Approved and Accepted by  
Coryell County Commissioners Court  
On  
8 June, 2021

FILED  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M

JUN 08 2021

*Carlene Simpson*  
COUNTY CLERK, CORYELL CO., TEXAS

## INTRODUCTION

The purposes of these Subdivision Regulations & Permitting Requirements are to provide for the safety, health, and well-being of the general public by requiring that adequate streets, storm drainage, water, and sewage facilities be installed in all residential subdivisions and to provide guidelines for the construction and installation of such streets and facilities in a manner that will allow for the efficient maintenance and upkeep without imposing an extraordinary burden on the taxpayers of Coryell County, Texas.

In specific cases where a literal interpretation of any section would create an undue economic hardship on the builder or developer, variances may be sought, provided the overall performance standards are met. It should not be inferred, however, that specific requirements might be ignored. Enforcement authority and penalties for violations are outlined and the Commissioners Court will pursue its legal rights to gain compliance.

In any case where questions arise as to the interpretation of the language in any section (s) of these regulations, then such question(s) will be directed to the County Attorney for resolution. If a resolution is not forthcoming the Applicant can appear before the Coryell County Commissioners Court for a final resolution.

Applications for any subdivision approval shall be processed on a case-by-case basis and a given application may name only one (1) Subdivision as the subject for approval. The Commissioners Court may amend these rules to make non-substantive changes from time-to-time following notice and the vote of a simple majority of the Commissioners Court, and may adopt new, substantive requirements pursuant to this Order following public notice, hearing and compliance with the requirements of law.

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**Chapter 1**  
**GENERAL AND ADMINISTRATIVE PROVISIONS**

REGULATING THE FILING FOR RECORD OF SUBDIVISION PLATS AND OTHER REQUIREMENTS PERTINENT THERETO AND ESTABLISHING CONSTRUCTION STANDARDS FOR ALL SUBDIVISIONS SITUATED OUTSIDE THE BOUNDARIES OF ANY INCORPORATED CITY IN CORYELL COUNTY, TEXAS.

**THE STATE OF TEXAS, COUNTY OF CORYELL, IN THE COMMISSIONERS COURT OF CORYELL COUNTY, TEXAS, \_\_\_\_\_, 2021:**

**WHEREAS:** The Commissioners Court finds it is in the best interest of Coryell County to establish and update its standards and specifications for the development of subdivisions of land, as defined by Chapter 232, Texas Local Government Code, including for the provision of utilities, the construction of roads and drainage, the provision of drinking water, the disposal of waste-water, and development within the floodplain; and,

**WHEREAS:** These regulations are enacted to implement the powers granted to counties under the laws of the State of Texas, including but not limited to: Texas Local Government Code, Chapter 232 (granting counties authority to adopt and enforce subdivision regulations and to require plat approval); Texas Local Government Code, Chapter 233, Subchapter B, (granting counties authority to establish building set-back lines on the public roads); Texas Local Government Code, Chapter 242 (governing the power of counties to regulate subdivisions within the extraterritorial jurisdiction of municipalities); Texas Transportation Code, Chapter 251 (granting counties general control over all roads, highways and bridges); Texas Health and Safety Code, Chapter 364 (authorizing counties to cooperate with other entities for the safe and economical collection, transportation, and disposal of solid waste); Texas Health and Safety Code, Chapter 366 (granting counties authority to adopt standards for on-site sewerage facilities); Texas Water Code, Chapter 16 (granting counties authority to set standards for the provision of water, sewage, and waste-water disposal, and construction within floodplains and to guide development of future development to minimize damage caused by floods); and Texas Water Code, Chapter 26 (governing water quality control). These statutes, listed here as illustrative and not exclusive grants of authority, empower the County to enact certain subdivision rules and regulations and to provide for their administration, enforcement, and amendment; and,

**WHEREAS:** The Commissioners Court is empowered to formulate these regulations by the foregoing authorities, and the Commissioners Court has favorably received and voted on these regulations to preserve and protect the resources, public health and private property interests of the citizens of Coryell County; and,

**WHEREAS:** Following public notice, investigation, and public hearing, the Commissioners Court declares these regulations to be necessary and appropriate to accomplish the purposes and goals enumerated above.

**NOW, THEREFORE, IT IS ORDERED BY THE COMMISSIONERS COURT OF CORYELL COUNTY, TEXAS, THAT THE FOLLOWING REGULATIONS ARE ADOPTED:**

## 1.1. Authority

- a. Notwithstanding any provision to the contrary, these regulations apply to any subdivision of land in Coryell County which divides the tract into two or more parts to lay out:
  1. A subdivision of the tract, including an addition;
  2. Lots; or
  3. 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.
- b. A division of a tract to which these regulations apply includes any division regardless of whether it is made by using a metes and bounds description, or any description of less than the whole tract, in a deed of conveyance, executory contract, or by using any other method to transfer title.
- c. A division of a tract to which these regulations apply includes any division to lay out lots within the tract, regardless of whether there is a change of ownership of any part of the tract.

## 1.2. Definitions

- a. The following words and terms, when used in these regulations, have the following meanings, unless the context clearly indicates otherwise.
  1. **Application:** A plat application for subdivision approval under these regulations, which must include a complete plat, a survey, and all other materials and information detailing infrastructure (including utilities, drainage structures, and roads) to be constructed within a subdivision, to be submitted by a developer with their application as required by these regulations, and as published in the application checklist as required by the Commissioners Court, which may be amended and republished from time to time, and is attached to these regulations as Appendix A.
  2. **Area of Special Flood Hazard** - is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, AI-30, AE, A99, AR, AR/ AI-30, AR/ AE, AR/ AO, AR/ AH, AR/ A, va, VI-30, VE or V.
  3. **Collector Street:** A street designed to serve equally the functions of access and movement. Collector streets serve as links between local streets and arterial.

4. **Commissioners Court:** The Commissioners Court of Coryell County, Texas.
5. **County:** Coryell County, Texas.
6. **Cul-de-Sac:** A local street having one end open to vehicular traffic and having one closed end terminated by a turnaround.
7. **Designated Representative:** The person designated to review permit applications, site evaluations, or planning materials, or to inspect on-site sewage disposal systems, by the Texas Natural Resource Conservation Commission or the local governmental entity authorized by that Commission to implement and enforce the rules under Chapter 366 of the Texas Health and Safety Code.
8. **Developer:** Any owner of land in the County who proposes to divide the land so as to constitute a subdivision of any kind.
9. **Drinking water:** All water distributed by any agency or individual, public or private, for the purpose of human consumption, use in the preparation of foods or beverages, cleaning any utensil or article used in the course of preparation or consumption of food or beverages for human beings, human bathing, or clothes washing.
10. **Engineer:** A person licensed and authorized to practice engineering in the State of Texas under the Texas Engineering Practice Act.
11. **Local Street:** A neighborhood or minor street whose purpose is to provide access to abutting properties.
12. **Non-public water system:** Any water system supplying water for domestic purposes which is not a public water system.
13. **OSSF:** On-site sewage facilities as that term is defined in rules and regulations adopted by TCEQ, including but not limited to 30 TAC Chapter 285.
14. **Petition for road maintenance:** A petition filed with the Commissioners Court by a developer or property owner to accept a private road for public maintenance by the County.
15. **Plat application:** All documents.
16. **Platted:** Recorded in the Official Plat Records of Coryell County, Texas.

17. **Precinct Commissioner:** The County Commissioner representing the precinct in which a majority of a subdivision is situated.
18. **Primary Arterial:** An expressway, freeway, or street or road whose function is the movement of traffic through the County.
19. **Private driveway--**An improved surface which permits ingress/egress to a particular lot or tract from a public road or street, and used for ingress and egress by the owners of the lot or tract or their invitees, whether the ownership or license of the property upon which the private driveway sits is in fee simple or by easement or use agreement. A private driveway, as defined herein, is not a road or street for the purposes of these regulations, but any entrance from a public road under county maintenance will conform to the minimum dimensions required by this regulation 1.5 (d)(5), and shall not provide access to another lot or tract not adjoining the public road.
20. **Private Roads:** Roads/Streets that are **NOT** maintained with public funds. Generally, the developer may create a "Homeowner's Association", among whose responsibilities is the collection of dues/fees for the maintenance of the roads/streets and any "Common areas." (Road construction must adhere to the specifications and provisions set forth herein.)
21. **Public water system:** A system for the provision to the public of drinking water through pipes or other constructed conveyances. Such a system must have at least 15 service connections or serve at least 25 individuals at least 60 days out of the year. This term includes any collection, treatment, storage, and distribution facilities under the control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Two or more systems with each having a potential to serve less than 15 connections or less than 25 individuals but owned by the same person, firm, or corporation and located on adjacent land will be considered a public water system when the total potential service connections in the combined systems are 15 or greater or if the total number of individuals served by the combined systems total 25 or more at least 60 days out of the year. Without excluding other meanings of the terms "individual" or "served," an individual is deemed to be served by a water system if they live or work in a place to which drinking water is supplied from the system.
22. **Purchaser:** Includes purchasers of land by a deed of conveyance, an executory contract, or by using any other method to transfer title to real property.
23. **Regulatory Floodway -** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

24. **Retail public utility:** Any entity meeting the definition of a retail public utility as defined in Section 13.002, Texas Water Code.
  25. **Roadway:** That portion of any street or road, between curbs or shoulders, designated for vehicular traffic.
  26. **Road/Street:** Any public thoroughfare which affords the principal means of access between various land use activities.
  27. **Secondary Arterial:** A primary street or road whose predominate function is the movement of traffic, but which provides more access than normally associated with a primary arterial.
  28. **Sewerage facilities:** The devices and systems which transport domestic wastewater from residential property, treat the wastewater, and dispose of the treated water in accordance with the minimum state standards contained or referenced in these regulations.
  29. **TAC:** Texas Administrative Code, as compiled by the Texas Secretary of State.
  30. **TCEQ:** the Texas Commission on Environmental Quality and any of its predecessor or successor entities.
  31. **Water facilities:** Any devices and systems which are used in the supply, collection, development, protection, storage, transmission, treatment, and/or retail distribution of drinking water.
- b. Use of either the singular or the plural form of a word will be interpreted, when necessary, to include the other form.

### **1.3. Plat and application required**

- a. A developer must present an application in compliance with these regulations to the Commissioners Court for approval, unless the subdivision is exempt by state law, these regulations, or by an act of the Commissioners Court in response to a request for a discretionary exemption.
- b. Presentation to the Commissioners Court shall be achieved by delivering the application to the Coryell County Road and Bridge Department at 3701 US Hwy 84 West, Gatesville, Texas 76528.
- c. All applications shall be made in printed format and be accompanied by an electronic copy in PDF format, in accordance with Section 7.3.

- d. Two full-sized bound sets of construction plans shall be delivered to the Road and Bridge Department.

**1. Requirements of construction plans:**

- a. Plat,
  - b. Control points on overview,
  - c. Storm Water Pollution Prevention Plan, (SWPPP),
  - d. SWPPP details,
  - e. General notes,
  - f. Drainage area map with lot lines and 2-foot contours in floodplain and 5-foot contours outside of floodplain,
  - g. Typical sections,
  - h. Drainage details,
  - i. Roadway details,
  - j. Cross section for every 200-foot,
  - k. Cross section for every drainage structure that crosses the proposed road,
  - l. Utility lay out, (including the location of any existing utilities),
  - m. Detail showing all Areas of Special Flood Hazard and Regulatory Floodways,
  - n. Geotechnical/Soils Testing Report, and
  - o. Sign details (To include sign placement, and proposed speed limits.
- e. Unless otherwise exempt, no subdivided land may be sold or conveyed until the developer:
    - 1. Has received approval of an application; and,
    - 2. Has filed for record an approved plat of the subdivision with the Coryell County Clerk's Office.
  - f. A utility may not provide utility services, including water, sewer, gas, and electric services, to property within a subdivision, unless the developer or owner provides the utility with a copy of a certificate of approval or a certificate of exemption from the Commissioners Court or the Road and Bridge Department, as applicable, to confirm compliance with these regulations.
  - g. If a subdivision is located within the extraterritorial jurisdiction of a municipality, the developer is responsible for complying with the applicable regulations of the municipality, and the provisions of any applicable inter-local agreements between the County and the municipality.
  - h. The placement of any structure within the regulatory floodplain shall be in accordance with the Coryell County Floodplain regulations. Pursuant to the Flood Control Insurance Act, Texas Water Code, §16.315, Coryell County has adopted an ordinance governing construction in the flood plain, as shown by the current

Flood Hazard Boundary Maps as authorized by FEMA. Any plat presented that contains area within the flood plain, shall note on the face of the plat that there are restrictions on construction in any area designated as being in the flood plain.

For those subdivisions in which special flood hazard areas are identified, the placement of an elevation benchmark with the location, description, and elevation of the benchmark is required to be identified on the face of the plat. The elevation of this benchmark shall be tied into a benchmark shown on the FIRM panel. All subdivision designs shall adhere to the current Coryell County ordinance governing construction in the flood plain. A completed Floodplain Permit Application shall be included with every plat application that has improvements located in a flood plain.

- i. Each developer must submit a written, affirmative acknowledgement of the requirements of this section with their application.

#### 1.4. General exceptions to Platting Regulations

- a. Pursuant to Section 232.0015, Texas Local Government Code, if a proposed division of land is described by one or more of the following exemptions, the platting requirements of these regulations are not applicable to that division of land.

- b. **Agricultural Tracts:** A division of a tract of land into agricultural tracts is exempt if:

1. The owner does not lay out a part of the tract as 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 of the tract; and,
2. The land is to be used primarily for agricultural use, as defined by Section 1-d, Article VIII, Texas Constitution, or for farm, ranch, wildlife management, or timber production use within the meaning of Section 1-d-1, Article VIII, Texas Constitution.
3. If a tract described by this exemption ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, the requirements of these regulations will apply.

- c. **Family Tracts:** A division of a tract of land into family tracts is exempt if:

1. The division divides the tract into four or fewer parts; and,
2. The division does not lay out a part of the tract as 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,

3. Each of the parts is to be sold, given, or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity, as determined under Chapter 573 of the Texas Government Code.
  4. If, within two years of the division, any part of the subdivided tract is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree by consanguinity or affinity, the requirements of these regulations apply.
- d. **Rural Tracts:** A division of a tract of land into rural home tracts is exempt if:
1. All of the divided tracts are more than ten (10) acres in area; and,
  2. The owner does not lay out a part of the tract as 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.
- e. **Veterans' Land Board Program:** A division of a tract of land into veterans' tracts is exempt if:
1. The owner does not lay out a part of the tract as 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,
  2. All the lots are sold to veterans through the Veterans' Land Board program.
- f. **Public Entities:** A division of a tract of land into public tracts is exempt if:
1. The land is owned by the state or any state agency, board, or commission or owned by the permanent school fund or any other dedicated funds of the state; unless,
  2. The subdivision lays out a part of the tract as 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.
- g. **Floodplain Tracts:** A division of a tract of land into public floodplain tracts is exempt if:
1. The owner of the land is a political subdivision of the state; and,
  2. The land is situated in a floodplain; and,
  3. All of the divided tracts are sold to adjoining landowners.

- h. **Future Development Tracts:** A division of a tract of land into a tract for future development is exempt if:
  - 1. The owner does not lay out a part of the tract as 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,
  - 2. One new part is to be retained by the owner, and the other new part is to be transferred to a developer who will further subdivide the tract subject to these regulations.
  
- i. **Partitioned Tracts:** A division of a tract of land into partitioned tracts is exempt if:
  - 1. The owners do not lay out a part of the tract as 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,
  - 2. All parts of the subdivided tract are transferred to persons who owned an undivided interest in the original tract.
  - 3. Any further development of any part of the partitioned tract must comply with these regulations.

### **1.5. Development tiers**

- a. Any subdivision of land in the County established after the effective date of these regulations will be classified as either a Tier 1 development or a Tier 2 development.
- b. A Tier 1 development is any subdivision of a tract of land that lays out a part of the tract as 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 such internal streets, alleys, squares, parks, or other parts.
- c. A Tier 2 development is any subdivision of land that involves not more than four (4) lots or tracts, with each lot or tract having direct frontage or side-access to an existing, publicly maintained road or highway, and the developer does not propose to lay out, as a portion of the subdivision, any other internal 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 such parts.
- d. Any developer seeking to establish a Tier 2 development that is intended for residential purposes must provide the Commissioners Court with the following:

1. A plat of the subdivision showing the linear dimensions and area/acreage of each lot or tract.
  2. A certificate from the developer confirming the availability of water and sewage service in compliance with these regulations.
  3. A certificate from the developer confirming compliance with set-back lines in compliance with these regulations.
  4. A certificate from the developer confirming the dedication of all necessary utility easements.
  5. A certificate from the developer confirming the installation of culverts in compliance with the minimum length dimension of twenty-four (24') and such diameter dimension as may be required by the Road and Bridge Administrator, based upon the topographical requirements of that location. If sufficient right of way is not available to achieve drainage and placement of culverts, additional right of way will be required. Appendix "J" contains the permit to construct a driveway for a Tier 2 Subdivision.
  6. A survey that shows sufficient topographic information adequate to demonstrate that the proposed subdivision will adequately drain and that any proposed development will not alter the natural flow of water to adjoining properties.
  7. A completed Mailbox Permit Application for each lot shown on the plat. Application is shown in Appendix "R".
  8. If OSSF is proposed for the Tier 2 subdivision, a certificate from the Coryell County Designated Representative for OSSF stating that the subdivision plans comply with all applicable TCEQ rules, including housing density requirements.
- e. All other requirements in these regulations for plat submittals are applicable to Tier 1 developments, and not applicable to Tier 2 developments.
- f. A property owner or developer may request the issuance of a certificate of exemption from the Commissioners Court for any subdivision of land covered by the exemptions in these regulations.
- g. Lots of ten acres or less are presumed to be for residential purposes unless the land is restricted to nonresidential uses on the plat and all instruments of conveyance.

## 1.6. Other Development; Permits Required.

- a. **Driveway Permits:** Notwithstanding any other regulation herein, all development within Coryell County that accesses a County maintained roadway will be subject to permitting requirements as follows:
1. Driveway permits are required for any access from a County maintained roadway onto private property. Sufficient right of way to install a culvert and maintain adequate drainage will be required. Additional right of way will be required prior to issuance of a driveway permit where necessary in the opinion of the Road and Bridge Administrator. (Application for Permit attached as Exhibit "O")
  2. Prior to issuance of a driveway permit on a tract or tracts of land that is being divided that otherwise does not require a plat under these regulations, the following will be required:
    - i. Plat of the property showing frontage of lots onto any County maintained roadway, to include all existing drainage structures, proposed structures, and a drainage report on the tract or tracts, as well as, a completed Application for Permit, attached as Exhibit "O". All lots must have 60 feet of frontage on to an existing county-maintain roadway. All driveways must be a minimum of 200 feet apart, except where exception is granted.
    - ii. The drainage report must consider surrounding area that the tract or tracts drain onto, and any structures that drain onto the tract or tracts and shall take into account sizing of any existing culverts affected by drainage. A drainage easement may be required.
    - iii. A development fee will be required to upgrade any existing county-maintained drainage structures that are adversely affected by the proposed development, or the relocation of existing utilities. The development fee will be set by the Road and Bridge Administrator based on required upgrades to existing County maintained roads and drainage structures, including the cost of relocating existing utilities. Any contest involving the development fee set by the Road and Bridge Administrator will be heard by the Coryell County Commissioners Court.
    - iv. A plat hereunder shall contain all information required in Section 1.3 (d)(1); (a), (f), (h), (l), and (m), and shall show the location approved by the United States Postal Service for a cluster box location, or be accompanied by an application for a mailbox permit for each tract.
  3. Any additional right of way required by the County will be made by Warranty Deed or Grant of Right of Way.

**b. Utility/Excavation Permits:**

Placement of new utilities in the right of way of a county-maintained road must comply with these regulations. Any utility repair or replacement that occurs in the right of way of a county-maintained road must comply with these regulations.

1. All utility companies or other entities wanting easements to install or upgrade utilities along or across Coryell County maintained roadways or rights-of-way shall submit a written request and receive written approval from the Coryell County Road and Bridge Administrator before engaging in any construction of utility lines.
2. All utility companies or other entities performing any repair of an existing utility along or across a county-maintained roadway or right of way shall submit a written request and receive written approval from the Coryell County Road and Bridge Administrator before engaging in any repair of utility lines.
3. All requests shall have the following information:
  - i. Name, address and telephone numbers of Utility Company or Entity and the type of utility construction being requested.
  - ii. Location map or drawing, description of the proposed utility line, and appurtenances fully shown with distance of utility lines being installed, replaced, or repaired, in relationship with County Roads.
  - iii. Show on map or drawing the location of any road bore, length of bore and size of encasement that the utility line will be passing through.
  - iv. Estimated start date and completion date of construction.
  - v. All easements crossing county-maintained roads shall be bored from ditch line to ditch line and encased. Any exception to that order would be at the discretion of the Coryell County Road and Bridge Administrator.
  - vi. When repair work performed on uncased utilities that are located under the roadway of a county-maintained road cause the surface of the roadway to be disturbed, the utility crossing under the county road shall be brought up to current casing specifications during the course of the repair.
  - vii. All utilities shall be placed at a minimum depth of 24", including where crossing ditches or ditches, the depth of the utilities shall be at a minimum of 24".

4. At any place where a communications line crosses over a county road, it shall be constructed and maintained at least eighteen (18) feet above the surface of the traffic lane.
5. Any brush, trees, etc., that are cut will be disposed of in accordance with the law and will not be left in the right-of-way. Rocks exposed from construction shall be removed from the right of way.
6. All work performed in the County right-of-way by the Utility Company or other entity shall be of current construction standards for installation of utility lines. The installation work shall not damage any part of the road and its appurtenances, and the Utility Company or other entity shall make adequate provisions to cause a minimum of inconvenience to traffic and adjacent property owners.
7. The Utility Company or other entity in consideration of the approval of the request by the Coryell County Road and Bridge Administrator agrees, upon completion of the placement of the utilities, to return the County Road, its right-of-way and any improvements, additions or appurtenances to a condition which, in opinion of the Coryell County Road and Bridge Administrator, equals or exceeds the condition of said County Road or right-of-way prior to the time the Utility Company or other entity started construction.
8. The Utility Company or other entity agrees should Coryell County, for any reason, need to work, improve, relocate, widen, increase, add to, decrease, or in any manner change the structure of the road or right-of-way, the utility, if affected, will be moved by the Utility Company or other entity at the direction of the Coryell County Road and Bridge Administrator and shall be relocated at the complete expense of the Utility Company or other entity.

**c. On Site Sewage Facilities:**

1. Any development of property that includes the installation of an OSSF must meet the requirements of the County's Order Adopting Rules for On-Site Sewage Facilities.

**d. Mailbox Permits:**

1. Any mailbox to be placed in the County right of way, must be permitted in accordance with Appendix "R".
2. For purposes of public safety, the County requires the use of clustered or community mail facilities whenever possible to reduce collision hazards.
3. Mailboxes shall be set at least one (1') foot back from the curb on curb and gutter streets.

4. Mailboxes shall be set at least two (2') feet, but no further than three feet back from the edge of pavement on all other roads.
5. Mailboxes in subdivisions must meet U.S. Post Office requirements and must be placed in a manner that does not interfere with the efficient movement of traffic or with visibility from driveways, side streets, and other access points.

### **1.7. Subdivision names**

The name of a subdivision may not conflict in spelling, pronunciation, or in any way with the name of any other subdivision within the County and may not be so similar in spelling or pronunciation to the name of any existing subdivision in the County as to cause confusion, unless the subdivision is contiguous to an existing subdivision and is an additional phase of that development.

### **1.8. Conflict of laws**

- a. These regulations supersede any prior regulations of subdivisions adopted by the Commissioners Court.
- b. If any other rule or regulation adopted under the authority of proper legal jurisdiction is in conflict with these regulations, the most stringent rules will apply.
- c. These regulations will not be interpreted to permit actions which would otherwise be prohibited by another valid County regulation which has not been superseded by these regulations.

### **1.9. Severability**

If any part or provision of these regulations, or any application of these regulations, to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment will be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment will have been rendered and will not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Commissioners Court hereby declares that it would have enacted the remainder of these regulations without any such invalidated part, provision, or application.

### **1.10. Agents**

Whenever an act is required by any person or entity under these regulations, that act may be performed by an agent of that person or entity.

### **1.11. Effective date**

- a. These regulations apply to all subdivisions which are made subsequent to the effective date of these regulations.

- b. Any subdivision existing prior to the effective date of these regulations, whether or not a plat of the subdivision has been filed in the records of the County, and for which the owner or owners of lots within said subdivision wish to modify, expand, alter or otherwise change in any way the actual layout of the subdivision, must comply with these regulations.

**Chapter 2**  
**Minimum Standards for Water and Sewage Service**

**2.1. Scope of standards**

The establishment of any subdivision with two or more lots where the water supply and sewer services do not meet the minimum standards of these regulations is prohibited.

**2.2. Water facilities development**

- a. A subdivision must provide for an adequate supply of drinking water, either by connecting to an existing public water system, establishing a new public water system, drilling individual wells, or through any other non-public water system in accordance with these regulations.
- b. Developers who propose to supply drinking water by connecting to an existing public water system must provide a written agreement with the retail public utility. The agreement must:
  1. Provide that the retail public utility has or will have the ability to supply the total flow anticipated from the ultimate development and occupancy of the subdivision.
  2. Reflect that the developer will pay the costs associated with connection to the public water system so that service is available to each lot or tract within the subdivision upon completion of construction of the water facilities described in the plat application and detail the costs to be paid by the purchasers of lots or tracts within the subdivision pursuant to the tariff of the retail public utility.
- c. Where there is no existing retail public utility to provide adequate drinking water to a subdivision, a developer may provide drinking water by establishing a retail public utility and obtaining a certificate of convenience and necessity from the Texas Public Utility Commission.
- d. Where individual wells or other non-public water systems are proposed for the supply of drinking water to a subdivision, the developer must include in their plat application a groundwater availability study that complies with the requirements of 30 TAC Chapter 230, or in such other rules as may be published by TCEQ, and certifies the long-term quantity and quality of available groundwater supplies relative to the ultimate needs of the subdivision for a term of not less than 30 years. The water quality of the water produced from the test well must meet the standards of water quality required for community water systems as set forth in 30 TAC, Sections 290.104, 290.106, 290.108 and 290.109, either: without any treatment to the water; or, with treatment by an identified and commercially available water treatment system. The requirements of this section may be certified by an engineer, or by a water well driller licensed in Texas and in good standing pursuant to Chapter 1901, Texas Occupations Code.

- e. The conveyance of drinking water by transport truck or other mobile device to supply the domestic needs of the subdivision is not an acceptable method of supplying drinking water, except on an emergency basis. Absence of a water system meeting the standards of these regulations due to the negligence of the developer does not constitute an emergency.

### **2.3. Wastewater disposal**

- a. A subdivision must provide for adequate sewage and wastewater disposal, either by connecting to a public sewage disposal system, connecting to a privately owned sewage disposal system, or allowing purchasers to install OSSF which are compliant with TCEQ rules and these regulations.
- b. The plan for sewage and wastewater disposal shall be shown on the face of the plat. Developers who propose that each lot is to be serviced by an OSSF, must provide a Site Evaluation Letter prepared by a licensed OSSF site evaluator to the County's DR. The County's DR shall review the Site Evaluation Letter. If the Site Evaluation Letter meets with the DR's approval, the DR shall sign the plat approving the proposed sewage disposal plan outlined in the Site Evaluation Letter. The Site Evaluation Letter shall be submitted with the plat application to the Commissioners' Court. No plat shall be accepted until the County's DR has approved the sewage disposal plan, certifying that the plat application complies with all applicable state statutes and TCEQ rules.
- c. Developers who propose to dispose of wastewater by connecting to existing sewerage facilities operated by a retail public utility must provide a certificate from the utility that:
  - 1. Provides that the retail public utility has or will have the ability to treat the total flow anticipated from the ultimate development and occupancy of the subdivision for a minimum of 30 years.
  - 2. Reflects that the developer will pay the costs associated with connection to the sewerage system so that service is available to each lot or tract within the subdivision upon completion of construction of the sewerage facilities described in the plat application and detail the costs to be paid by the purchasers of lots or tracts within the subdivision pursuant to the tariff of the retail public utility.
- d. Developers who propose to establish a sewerage system must obtain a permit to dispose of wastes from TCEQ in accordance with 30 TAC Chapter 305 and obtain approval from TCEQ of engineering planning materials for such systems under 30 TAC Chapter 317.
- e. Sewerage facilities for the disposal of sewage in an amount no greater than 5,000 gallons per day must comply with 30 TAC Chapter 285.

- f. Sewerage facilities for the disposal of sewage in the amount of 5,000 gallons per day or greater must comply with 30 TAC Chapter 317.
- g. In addition to the unsatisfactory on-site disposal systems listed in 30 TAC § 285.3(i), pit privies and portable toilets are not acceptable waste disposal systems within a subdivision, except on an emergency basis not to exceed thirty-days (30) in duration. Absence of a waste disposal system meeting the standards of these regulations due to the negligence of the developer or owner does not constitute an emergency.

#### **2.4. Greywater systems for sludge and reuse of treated wastewater**

- a. Any plat application including the provision of sewage collection, treatment, and disposal which includes greywater reuse must meet minimum criteria of 30 TAC Chapter 210, and any other applicable rules published by TCEQ.
- b. Any proposal for on-site sewage disposal which includes provisions for greywater use must meet the minimum criteria of 30 TAC Chapter 285, and any other applicable rules published by TCEQ.
- c. The disposal of sludge from water treatment and sewerage facilities must meet the criteria of 30 TAC Chapter 312 and Chapter 317, and any other applicable rules published by TCEQ.

#### **2.5. Public utility easements**

- a. A developer must provide for utility service within a subdivision, with utility easements of no less than fifteen (15) feet to be provided along each property line of all lots and located outside of publicly dedicated right of ways.
  - 1. Surface utilities are to be placed within five (5) feet of the property line.
  - 2. Subsurface utilities are to be placed within ten (10) feet of the property line or in conformity with other law.
- b. All utility easements are to be described in any deed to any purchaser of a portion of a subdivision and must be depicted on the plat.

#### **2.6. Public utility easements and fire-fighting standards**

- a. If water is provided to a subdivision by a public water system with adequate water capacity to support fire hydrants or filler plugs, fire hydrants or filler plugs must be installed, and shall have a proper hose connection every 750 feet to fit the equipment of the fire department serving the area of the subdivision.
- b. If fire hydrants or filler plugs are proposed to be installed in a subdivision in a plat application, the application must include a certificate from the public utility serving

the subdivision to confirm sufficient water capacity is available to operate the fire hydrants or filler plugs.

**2.7. Housing density**

- a. A subdivision that will rely upon OSSF and water wells must comply with TCEQ regulations and state law regarding the density of housing units.
- b. If OSSF or water wells or both are included in a plat application, the developer must provide with the application a statement that the subdivision complies with TCEQ density requirements or limitations.

## **Chapter 3**

### **Minimum Standards for Roads and Streets**

#### **3.1. General requirements**

- a. A developer shall establish a set-back line of twenty-five (25') from the lot line adjoining any public road, or fifty-feet (50') from the lot line adjoining a major road. A "major road" is understood to include all state or federal highways, and any county-maintained road specifically designated by the Commissioners Court as a major highway.
- b. All lots must have a minimum of sixty-feet (60') of frontage adjoining a road.
- c. All streets, roads, and alleys must be paved in conformity with the construction standards set out in these regulations.
- d. All material used in constructing roads and streets must be inspected and approved by the Road and Bridge Administrator.
- e. No utility lines may be placed under a road or street except at 90-degree angles, installed before the subgrade is in place, and cased at a depth of no less than thirty-six (36") inches below drainage ditches. Any other crossing must be bored and cased beneath a road or street.
- f. The actual right-of-way for alleys must not be less than twenty (20) nor more than thirty-five (35) feet in width.
- g. All permanent dead-end or cul-de -sac roads or streets must have a turn-a-round with a right-of-way diameter of not less than one hundred forty feet (140') with a radius of fifty-feet (50') of improved surface with a minimum of six inches (6") of compacted rock.
- h. All driveway entrances from County maintained roadways must be permitted through the Coryell County Road and Bridge Department. Where sufficient right of way does not exist to provide adequate drainage or culvert installation, additional right of way will be required.

#### **3.2. Intersections**

- a. Roads and streets must be designed and constructed to intersect with each other at ninety (90°) degree angles.
- b. Where the terrain makes it impossible to design and construct roads and streets to intersect at ninety-degree (90°) angles, the developer may request a variance contemporaneously with the submission of the application.
  1. The request for a variance shall state concisely why the condition of the terrain makes it impossible to comply with this regulation.

2. The Commissioners Court shall rule on the variance at the time the plat application is considered.
- c. If a variance for intersection construction is granted, the portion of the intersection on the side of the acute angle must be cut back to eliminate the point of the acute angle. The intersection must be cut back a minimum of twenty-five (25) feet away from the point where the streets would have otherwise intersected. The Commissioners Court will specify the exact size of the cut-back, up to a maximum of fifty (50) feet, in its order granting or denying authorization of an application. No road or street may be constructed with an abrupt offset or "jog" in it.

### **3.3. Location of roads and streets**

- a. Where streets of an existing subdivision end at the property line, any new subdivision which is intended to utilize connecting roads and streets in the existing subdivision must be constructed to be a continuation and extension of said existing streets in said adjoining subdivision.
- b. When possible, roads and streets must be designed and constructed so as to permit the continuation or extension of said roads and streets in other subdivisions in the future.
- c. No streets, roads, or alleys may be constructed across dams or embankments used for purpose of holding water.
- d. Where a road or street intersects with an existing County maintained road or street, all such intersections must be permitted through the Coryell County Road and Bridge Department. Where sufficient right of way does not exist to provide adequate drainage or culvert installation, additional right of way will be required.

### **3.4. Plat Approval is Not Acceptance of roads and streets for public maintenance**

- a. Approval of a developer's application does not mean that the Commissioners Court accepts any roads or streets within the subdivision for maintenance by the County. The decision to accept one or more roads or streets within a subdivision will be made only upon a petition for road maintenance and a separate order entered of record by the Commissioners Court.
- b. No petition for road maintenance will be considered any earlier than after two (2) years have elapsed from the date of completion of construction of the roads and streets of a subdivision, said date to be certified by the Commissioners Court.
- c. A petition for road maintenance may be made by a developer or by the owners of a majority of the lots or tracts within a subdivision.
- d. The Commissioners Court may grant a petition for road maintenance and accept one or more of the roads and streets of the subdivision upon a finding that the roads

and streets to be taken into the County maintenance program serve a public purpose greater than the private benefit realized by persons living within the subdivision. Typically, subdivision roads to be deemed suitable for public maintenance will be limited to primary arterial or connecting streets that provide efficient interconnectivity with existing County or State maintained roads.

- e. An application must contain a certificate stating that the developer understands that approval of the application and filing of the plat does not mean that the County will be responsible for maintenance of subdivision roads and streets.

### 3.5 Street Design Criteria

Street design requirements shall be based on the nature of the subdivision, specifically housing density. An “Urban” subdivision shall be one in which the lots are 1.0 acres or less in size. A “Rural” subdivision shall be one in which the lots are greater than one acre in size. A subdivision may be required to follow the standards of an “Urban” subdivision even if all lots are over one acre in size if the street frontage requires it, or if the subdivision is a continuation of a road constructed in the manner that is required of an “Urban” subdivision herein.

Streets shall be constructed in accordance with the specifications set out below, based on the designation of the subdivision as “Urban” or “Rural”.

#### a. Local Road/Street:

	URBAN	RURAL
Pavement:	28’ width, 1 ½ HMAc	22’ width 1 ½ HMAc or 2-crs surf trt
Right of Way:	50 ft. (Min) (Additional ROW may be required if adequate drainage cannot be accommodated within the minimum right of way set forth herein.)	60 ft. (Min)
Shoulder/Edge:	N/A	4 ft. compacted base (2 feet each side) Or 12” x 8” concrete
Curb & Gutter:	yes (required)	no (optional)

**(NOTE: If curb and gutter is installed, the minimum width, back of curb to back of curb, is 32 feet. Must have 6” of compacted base under all curb & gutter.)**

**(NOTE: Concrete edge beam shall be built with 2 ea. 3/8” Rebar and with ½”x 24” smooth dowels at construction joints, 40’ max. spacing. All Curb & Gutter and Edge Beam shall be constructed with a minimum of 6” compacted base beneath and**

**extending 1' back of the curb or beam. The concrete edge beams are included in the pavement width.)**

Minimum Design Speed:	30 mph	30 mph
Minimum Compacted Depth of Base:	6"	6"
Maximum Allowable Grade:	12%	12%
Minimum Intersection Curve Radii:	12' w/curb & gutter	15' w/curb & gutter 20' w/o curb & gutter
Maximum Ditch Fore Slope:	N/A	3:1

(Where terrain allows, sheet flowing is allowed to minimize the need for ditches or curb & gutter)

**b. Collector Road/Street**

	<b>URBAN</b>	<b>RURAL</b>
Pavement:	32' width 1 ½" HMAC	24' width 1 ½" HMAC Or 2-crs surf trt.
Right of Way:	60 ft. min. (Additional ROW may be required if adequate drainage cannot be accommodated within the minimum right of way set forth herein.)	70 ft. min.
Shoulder/Edge:	N/A	4 ft. compacted base (2 feet each side) Or 12"x8" concrete
Curb and Gutter:	yes (required)	no (optional)

**(NOTE: If curb and gutter is installed, the minimum width, back of curb to back of curb, is 36 feet.)**

**(NOTE: Concrete edge beam shall be built with 2 ea. 3/8" Rebar and with ½"x 24" smooth dowels at construction joints, 40' max. spacing. All Curb & Gutter and Edge Beam shall be constructed with a minimum of 6" compacted base beneath and extending 1' back of the curb or beam. The concrete edge beams are included in the pavement width.)**

Minimum Design Speed:	40 mph	40 mph
Minimum Compacted Depth of Base:	6"	6"
Maximum Allowable Grade:	9%	9%
Minimum Intersection Curve Radii:	20 ft.	20ft.
Maximum Ditch Fore Slope:	N/A	4:1
	(Where terrain allows, sheet flowing is allowed to minimize the need for ditches or curb & gutter)	

**(Whether a road is classified as Local or Collector will depend Not only on the number of lots served by the Subdivision under consideration, but will also depend on the potential for development of land adjacent to the subdivision.)**

- c. **Arterial Streets:** The design parameters for arterial roads and streets shall be determined on a case-by-case basis, taking into account all relevant factors. The ultimate design will be that which is approved by the Commissioners' Court.
1. Residential lots shall not be platted fronting proposed arterials.
  2. The platting of residential lots fronting existing roads that are maintained by TXDOT is discouraged and will not be approved unless extenuating circumstances preclude the construction of an interior street in the development.
  3. Where it can be shown that no alternative exists, lots may be platted so as to maintain a minimum 250 feet between driveway openings. The minimum building setback shall be established at 50 feet. (Final approval of all driveway locations rests with TXDOT. Because of sight distance, some locations may not be approved for construction of a driveway.)
- d. **Cross Streets and Dead-End Streets:** Cross streets shall be provided at a maximum spacing of 1,500 feet to facilitate the movement of emergency vehicles except when such streets are impractical because of unusual terrain, streams, cliffs, or barriers (railroads). Dead end streets, that may subsequently be developed, may remain as dead-end streets but the right of way shall be extended to the subdivision property line. Dead end streets that will remain as dead-end streets shall end on a cul-de-sac with a minimum right of way of 70-foot radius, and a pavement width of 50-foot radius or an approved design alternative.

### 3.6 Geotechnical/Soils Testing

The construction standards established for roads in Coryell County by Section 3 of these regulations are minimums and will only be applicable to construction of roads for certain subgrade and drainage conditions. The Subdivider or his engineer shall contract with a recognized soils laboratory to conduct sufficient testing of the natural, in place soils, to determine the minimum street/pavement design for a particular set of roads in a proposed subdivision. One copy of the report from the soil laboratory shall be furnished to the County Road and Bridge Administrator, said report to be signed and sealed by a registered Professional Engineer, registered in the State of Texas. This recommended street/pavement design will take into account the existing geotechnical/soil conditions.

### 3.7 Materials Specifications

#### a. Subgrade:

1. Subgrade shall be constructed and finished with a minimum density of 95% of standard proctor (ASTM D698) for in place materials or as specified in the pavement report prepared by a soils lab. Moisture shall be maintained within +/-2% of optimum for materials with a liquid limit (LL) = 50 or below. If LL>50, moisture shall be at or above optimum.
2. Test reports showing density compliance, from a certified testing laboratory, shall be submitted to the County Road and Bridge Administrator. Minimum tests made and submitted shall be one for each 500 linear feet of roadway crown surface to a depth of at least 6 inches (6") with a minimum of one report per project, street, or road. Such tests shall be conducted by and at the expense of the owner.
3. The subgrade shall be inspected and approved in writing by the County Road and Bridge Administrator or his designated representative prior to the placement of any base on subject subgrade.

#### b. Base Material:

1. All roads and streets shall receive base material in the minimum amounts shown in Section 3.5 of these regulations or as specified in the pavement report prepared by a soils lab.
2. Subgrade must be approved in writing before the placement of any base material.
3. Roadway base material shall conform to the requirements of the Texas Department of Transportation Department Item 247, Type A, Grade 2 Flexible Base.

#### **Retained on Square Sieve (%) Sieve**

0-10 1-3/4"

45-75 #4

60-85 #40

Max. Liquid Limit (L.L.)=40

Max. Plasticity Index (P.I.) = 12

Triaxial Class: 1 to 2.3

**(NOTE: Tests certifying that the base material meets these specifications shall be submitted prior to application of the material to the subgrade.)**

- c. Riprap:** Minimum bulk specific gravity required is 2.4. Has a weight loss of no more than 20% after 5 cycles of magnesium sulfate solution.

<b>Size</b>	<b>Maximum Size (lb.)</b>	<b>90% Size<sup>1</sup> (lb.)</b>	<b>50% (lb.)</b>	<b>Size<sup>2</sup></b>	<b>8% Size<sup>3</sup> Minimum (lb.)</b>
<b>12 in.</b>	<b>200</b>	<b>80-180</b>	<b>30-75</b>		<b>3</b>

1. Defined as that size such that 10% of the total riprap stone, by weight, is larger and 90% is smaller.
2. Defined as that size such that 50% of the total riprap stone, by weight, is larger and 50% is smaller.
3. Defined as that size such that 92% of the total riprap stone, by weight, is larger and 8% is smaller.

- d. Casing Specs:** Casing under roadways shall be PVC schedule 40, Poly SDR26, or steel casing for up to a 2-inch line. Any casing that will carry over a 2-inch line is required to be steel ¼ -inch thick wall pipe, that is twice (2 x's) the size of the line running through it. Visual inspection of the casing by the Road and Bridge Department is required prior to back filling.

### **3.8 Construction Methods**

- a.** Crushed stone flexible base material shall be placed in uniform courses with the compacted thickness of a course to be no more than 6 inches or less than 3 inches. The material shall be dumped, spread, mixed, windrowed, watered, and other operations necessary to produce a uniformly blended mixture of the desired course thickness, moisture condition, and gradation. Shaping of the blended mixture to the required grade and line shall follow the mixing procedure and precede the compaction. Compaction of each course of crushed stone flexible base material shall be accomplished by suitable equipment to obtain a minimum density of 98% of ASTM D698 (Standard Proctor). Moisture content shall be maintained near (+/-2%) optimum during compaction. Soft spots that develop during compaction will be removed and replaced to the required density. Areas that show evidence of segregation shall be replaced before the compaction of the course is completed. The same procedures shall be used in the construction of each course.
- b.** Test reports from a certified testing laboratory, showing base material compliance, shall be submitted to the County Road and Bridge Administrator. Minimum tests made and submitted shall be one for each 500 linear feet of material placed, with a minimum of one per project, street or road. Such tests shall be made by and at the expense of the owner.

- c. Compliance test reports shall be submitted prior to request for inspection of completed base.
- d. Completed base shall be inspected and approved in writing by the County Road and Bridge Administrator or his designated representative, prior to placement of any pavement.

### **3.9 Pavement**

All roads and streets shall be paved with one of the following three types and shall conform to the requirements for the respective type used.

#### **a. Hot Mix Asphaltic Concrete Pavement:**

Compacted depth of hot mix asphaltic pavement shall be a minimum of 1 ½ inches. Asphaltic concrete shall conform to the requirements of the TXDOT Item 340, Hot Mix Asphaltic Concrete Pavement, Class A Type D. Hot Mix asphaltic concrete pavement shall not be placed when general weather conditions, in the opinion of the County Road and Bridge Administrator, are not suitable. Test reports from a certified testing laboratory, showing material compliance, shall be submitted to the County Road and Bridge Administrator. Minimum tests made and submitted shall be one for each day production, or one per 1,000 tons placed, whichever is least, with a minimum of one per project. Such tests shall be made by and at the expense of the owner. Additional tests may be required. Construction methods shall conform to Item 340.6 to include installation of a Prime Coat.

#### **b. Surface Treatment Pavement:**

Surface treatment pavement (when approved) shall consist of a minimum of a prime coat and two-course surface treatment. Surface treatment type pavement shall not be applied when the air temperature is below 60°F and falling, but it may be applied when the air temperature is 50°F and rising. Surface treatment will not be applied when the temperature of the roadway surface is below 60°F.

All work shall conform to requirements of the TXDOT Item 310 for Prime Coats and Item 302 for aggregate and Item 322 for Surface Treatments. The type and grade of all asphaltic material and aggregate shall be approved by the County Road and Bridge Administrator prior to application. Variations in asphaltic materials may be required due to various conditions. Certified reports showing the type, grade, and quantities of asphaltic material and aggregates used must be furnished to the County Road and Bridge Administrator.

##### **1. Prime Coat:**

Prime coat asphaltic material shall be applied at a minimum rate of 0.25 gallons per square yard.

##### **2. Surface Treatment:**

Surface treatment asphaltic material shall be applied at a minimum rate of 0.3 gallons per square yard, per course.

### **3. Cover Aggregates:**

Approved aggregate, complying with the TXDOT Item 302, Types A OR B, Grade 4 for cover material shall be applied at a rate of not less than 1 cubic yard per 110 square yards, per course.

### **3.10. Road crown**

The center line of the improved surface of each road and street must have a minimum elevation of 2% minimum cross slope from the elevation of the edge of said road or street, unless otherwise designed by an engineer when necessitated by terrain.

### **3.11. Seep areas**

- a. Seep areas must be marked by visual inspection made by the Road and Bridge Administrator and the developer during the pre-application meeting.
- b. Seep areas must be drained to a depth of a least eighteen (18") inches below subgrade elevation by use of subsurface drainage.
- c. After seep areas are drained, the subgrade is to be compacted as described in these regulations.

### **3.12. Street numbers, signage, and dedication**

- a. All roads and streets must be numbered and marked by the developer in compliance with these regulations, the Coryell County addressing protocols, and the regulations of the regional 9-1-1 network managed by the Central Texas Council of Governments ("CTCOG").
- b. The application must include a certificate from CTCOG confirming the private road numbers or names reserved for roads laid out in the subdivision.
- c. All road signs must be designed in conformity with the Texas Manual on Uniform Traffic Control Devices, and approved by the Road and Bridge Administrator.
- d. A developer must dedicate any new roads, streets, rights-of-way, alleys, or easements, in the manner required by law to set aside such roads, streets, rights-of-way, alleys, or easements to public use, or for the private use of owners of lots in the subdivision.

### **3.13. Setbacks**

- a. The Commissioners Court finds that the establishment of set-back lines from all public roads in the County will promote the general welfare, pursuant to Section 233.032, Texas Local Government Code.
- b. The Commissioners Court prohibits the construction or location of a new building any closer than 25 feet from the edge of the right-of-way of any public road in the

County other than major highways and roads; and no closer than 50 feet from the edge of the right-of-way of any major highways and roads in the County.

- c. The Commissioners Court reserves the right to designate public roads that presently have, or are anticipated to have, higher densities of traffic as a result of development or other changes in the normal traffic burden previously experienced on any particular roadway as a major highway. The commissioners Court shall give public notice of any such designation prior to such designation. The following roads are, on the date of adoption of this regulation, deemed to be major highways:
  1. Any state or federal highway, or farm to market road.
- d. The Commissioners Court may designate as major highways and roads additional public roads that abut a subdivision at the time of the approval of an application for the subdivision.

## **Chapter 4**

### **Minimum Standards for Drainage**

#### **4.1. General requirements**

- a. Lots in a subdivision must be graded so that surface drainage from the lots will flow to drainage courses as directly as possible.
- b. Drainage water from roads and streets must flow to defined drainage courses as directly as possible.
- c. Roads and streets may not be used as drainage courses.
- d. Blocking the natural flow of water, constructing improvements in the area of a drainage easement, or filling in floodways within a subdivision are all prohibited.
- e. The location, dimension, description, and flow lines of existing drainage structures and drainage structures proposed to be installed within a subdivision must be shown on the survey, including existing topography of the subdivision by use of contour lines.
- f. If the contour lines on the survey indicate that a lot or lots within a subdivision may not drain, the Commissioners Court may not approve the application without establishing the conditions that must be corrected to address the potential failure of drainage.
- g. A subdivision must not alter the flow of surface water to the detriment of any adjacent landowner, and must, to the extent necessary by prudent engineering design, provide for the diversion of surface water into natural drainage courses or holding ponds constructed within the subdivision for the purpose of diffusing runoff.
- h. A development fee will be required to upgrade any existing county-maintained drainage structures that are adversely affected by the proposed development, or the relocation of existing utilities. The development fee will be set by the Road and Bridge Administrator based on required upgrades to existing County maintained roads and drainage structures, including the cost of relocating existing utilities. Any contest involving the development fee set by the Road and Bridge Administrator will be heard by the Coryell County Commissioners Court.

#### **4.2. Drainage ditches and structures**

- a. All roads and streets without curbs and gutters must have drainage ditches adjacent to and running parallel to said roads and streets. Said drainage ditches depth must be as set out in the drainage report, except where sheet flowing is approved.

- b. Permanent drainage structures including, but not limited to, culverts, pipes, drainage boxes, and bridges, must be installed at all crossings or drainage courses, including drainage ditches with driveways, roads, and streets.
- c. Each tract or lot within a subdivision must have at least one permanent entrance entry from a road or street within the subdivision for a private drive, including sufficient drainage structures where necessary in conformity with the requirement of this regulation.
- d. Permanent water velocity dissipaters must be installed on the sloping sides of drainage ditches and drainage courses to prevent erosion for any road or street constructed as a water crossing, and where specifically designated by the Commissioners Court.
- e. Open drainage channels and ditches must be constructed with a proper cross slope grade and alignment which will facilitate proper functioning without destruction velocities of drainage waters.
- f. Any construction within the right-of-way of a road maintained by the County must be conducted pursuant to a permit for construction within the right-of-way.

#### **4.3. Drainage easements**

- a. A developer must dedicate drainage easements of adequate size to permit drainage and flood control for all lands whose natural drainage runs through the subdivision, to allow for future maintenance of such drainage easements within the subdivision.
- b. Reference to drainage easements must be included in each instrument of conveyance from a developer to a purchaser.

#### **4.4 SWPPP**

- a. A SWPPP must be completed for each subdivision application in Coryell County. The right of way must be seeded and established to 80% prior to release of construction bond.

**Chapter 5**  
**Minimum Standards Applicable to Recreational Vehicle Parks**

**5.1. Definitions**

- a. The following words and terms, when used in these regulations, have the following meanings, unless the context clearly indicates otherwise.
  - 1. Operator--The person in charge of operating any recreational vehicle park, whether they are the owner of the recreational vehicle park or the occupant under a written or oral lease, or by any other arrangement whereby they exercise control over the recreational vehicle park.
  - 2. Recreational vehicle--Includes any of the following:
    - A. Camping trailer--A folding structure for temporary shelter mounted on wheels and designed for travel, recreation, and vacation use.
    - B. Motor home--A portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
    - C. Pickup coach--A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
    - D. Travel trailer--A vehicular structure built on a chassis with body width not to exceed eight feet and body length less than 46 feet, that structure designed to be transported and intended for human occupancy as a dwelling for short periods of time and containing limited or no kitchen or bathroom facilities.
  - 3. Recreational vehicle park--Any land designed to accommodate four or more recreational vehicles, and which exists as a privately owned and operated enterprise with or without charges for the parking of recreational vehicles occupied or intended to be occupied for dwelling or sleeping purposes for any length of time. Hunting camps that are temporary are also excluded from this definition.
  - 4. Recreational vehicle space--A plot of land within a recreational vehicle park designed for the accommodation of one recreational vehicle.
- b. Use of either the singular or the plural form of a word will be interpreted, when necessary, to include the other form.

**5.2. Regulation of recreational vehicle parks**

- a. A recreational vehicle park existing in the County prior to the adoption of these regulations is exempt, unless expanded or altered in operations or intended purpose.

Any recreational park developed after the effective date of this regulation is a subdivision subject to these regulations.

- b. A developer of a recreational vehicle park must have a plat prepared that complies with these regulations.
- c. These regulations do not apply to a property owner accommodating no more than three recreational vehicles on their property at any one time.
- d. Prior to commencement of any construction, the owner/developer must consult with the County Road and Bridge Administrator for review.

### **5.3. Infrastructure Requirements for Recreational Vehicle Parks**

The subdivision application for a Recreational Vehicle Park must include each of the following:

- a. A survey identifying the proposed community's boundaries and any significant feature of the community, including the proposed location of lots or spaces, utility easements and dedication of rights-of-way. The survey may also contain features to help provide the additional information required by this order.
- b. Reasonable specified description of means and methods to provide adequate drainage in accordance with standard engineering practices, including specifying necessary drainage culverts and identifying areas included in the 100-year flood plain. The placement of any structure within the regulatory floodplain shall be in accordance with the Coryell County Floodplain regulations.
- c. Reasonable specified description of means and methods to provide an adequate public or community water supply, including specifying the location of supply lines, in accordance with Subchapter C, Chapter 341, Health and Safety Code. If water is to be provided by a utility, a certification by the utility that water is available for each of the planned spaces or lots must be attached to the plan.
- d. Certification that adequate groundwater is available for the development. If groundwater is the source of water supply for the development, the developer is required to obtain certification, by a licensed professional engineer (or other professionals designated by State law) registered to practice in Texas, that adequate groundwater is available for the development, according to the certificate form and content as promulgated by the Texas Commission On Environmental Quality (Lack of certification that suitable and adequate groundwater is available is grounds for denial of plat approval, if groundwater is the proposed source of water). The certification document shall be recorded as part of the dedication instrument and a note shall be placed on the plat that groundwater is to be the source of water.
- e. Certification of adequate sewerage:

1. Reasonably specified description of means and methods to provide access to sanitary sewer lines, including specifying the location of sanitary sewer lines. If sewage treatment is to be provided by a utility, a certification by the utility that service for each of the planned spaces or lots is available must be attached to the plan. If the sewage is to be treated in some other way, approval by the relevant government agency that is to license or inspect the treatment facilities must be attached; or
  2. Reasonably specified description of means and methods for providing on-site sewage facilities in accordance with Chapter 366, Texas Health and Safety Code if estimated sewage flow does not exceed 5,000 gallons per day (gpd). These description of means and methods must meet minimum standards established under Chapter 285.4 of the OSSF rules and Coryell County local order. Approval by the Coryell County On-Site Sewage Facility (OSSF) Inspector's certificate must be attached to the plat. See Appendix F.
  3. Reasonably specified description of means and methods for providing sewage treatment and disposal under Chapter 26 of the Texas Water Code if estimated flow exceeds 5,000 gpd. approval by Texas Commission on Environmental Quality must be attached to the plan.
- f. Reasonably specified description of means and methods for streets or roads in the Recreational Vehicle Park to provide ingress and egress for fire and emergency vehicles. Therefore, the Commissioners Court finds that it is reasonably necessary that streets in these communities should be built to a standard no more stringent than the requirements adopted by the Commissioners Court for subdivisions, as approved by the Road and Bridge Administrator. The road design and construction standards contained in the Coryell County Subdivision Regulations, as amended from time to time, are therefore incorporated by reference into this order as fully and completely as if set out verbatim herein. The street or road specifications in the infrastructure development plan must comply with those standards to the maximum degree practicable. Building Set-Backs shall be as specified in this Coryell County Subdivision Regulations. Drainage design for the development shall comply with this Coryell County Subdivision Regulations.
- g. Only the Commissioners' Court may grant a variance when strict application of these standards would work an unusual hardship. Variances for OSSF can only be granted by Coryell County OSSF Designated Representative.
- h. Each recreational vehicle park must provide recreational vehicle spaces, and each such space must be clearly defined.
- i. Recreational vehicle parks must be designed so as not to exceed a maximum of 20 recreational vehicle spaces per acre.
- j. Each recreational vehicle space must afford parking and maneuvering space sufficient so that the parking, loading, and movement of recreational vehicles will not necessitate

the use of any public right-of-way or privately owned property which may abut the recreational vehicle park.

- k. Each recreational vehicle space that is provided with electrical service must be so served through an underground distribution system. Other buildings within a recreational vehicle park may receive electrical service through overhead facilities.
- l. Twenty percent (20%) of the recreational vehicle spaces within a recreational vehicle park must be not less than eighteen feet (18') by fifty feet (50').
- m. There must be at least ten feet (10') of open space between parallel rows of recreational vehicle spaces.
- n. Recreational vehicle spaces must be improved sufficient to support the weight of a recreational vehicle.
- o. Recreational vehicle spaces must not heave, shift, or settle unevenly under the weight of a recreational vehicle due to frost action, inadequate drainage, vibration or other forces acting on the structure.

#### **5.4. Recreational vehicle park roads**

- a. All weather private roads adequate to provide access to each recreational vehicle space must be laid out, constructed, and maintained in good condition by the owner or operator of a recreational vehicle park.
- b. An entrance to a recreational vehicle park must be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets.

#### **5.5. Recreational vehicle park service building requirements**

- a. A plat application for a recreational vehicle park subdivision must address the minimal standards established in this subchapter.
- b. Each recreational vehicle park must provide and maintain one or more service buildings for the use of park patrons. The service buildings must include:
  - 1. One lavatory for women;
  - 2. One lavatory for men;
  - 3. One shower and dressing accommodation for each sex, provided in an individual compartment or stall;
  - 4. One washing machine; and
  - 5. One slop sink, measuring not less than 14 by 14 inches square and 14 inches deep.

- c. The aforementioned service buildings will accommodate not more than 50 recreational vehicle spaces.
  - 1. For each additional 1 to 30 recreational vehicle spaces after the first 50, the operator must provide and maintain one flush toilet, one shower with individual dressing accommodations, and one lavatory.
  - 2. For each additional 1 to 50 recreational vehicle spaces after the first 50, the operator must provide and maintain one additional washing machine and one additional slop sink.
- d. All lavatories must comply with the Americans with Disabilities Act (ADA).
- e. Service buildings housing sanitation or laundry facilities must be permanent structures which comply with all applicable laws and ordinances regulating buildings, electrical installation, plumbing and sanitation systems, and conform to the following minimum standards:
  - 1. Service buildings must afford appropriate illumination, be well ventilated with screened openings, and be constructed of moisture-proof materials so as to permit frequent cleaning and washing.
  - 2. Floors must be constructed of concrete or other equally impervious material, so as to permit frequent cleaning and washing, and include floor drains which are connected to the sanitary sewer.
  - 3. Chemical cleaners used in a recreational vehicle park must be used only in accordance with TECQ rules.
  - 4. The lavatory and other sanitation facilities for males and females either must be in separate buildings or separated, if in the same building, by soundproof walls.
  - 5. All service buildings must be maintained in a clean, slightly condition and kept free of any condition that will menace the health of any person or constitute a nuisance.
- f. An operator must provide and maintain garbage receptacles as follows:
  - 1. The storage, collection, and disposal of refuse in a recreational vehicle park must be conducted as to create no health hazards.
  - 2. All dumpsters must be screened from public view.
- g. Fuel containers in a recreational vehicle park must comply with the following restrictions:

1. Bottled gas must not be used at individual recreational vehicle spaces unless the containers are properly connected by copper or other suitable tubing.
  2. Bottled gas cylinders must be securely fastened in place.
  3. No cylinders containing bottled gas may be located in a recreational vehicle or within five (5) feet of a door thereof.
- h. An operator must provide and maintain fire protection equipment as follows:
1. A recreational vehicle park must be equipped at all times with fire extinguishing equipment in good working order of such type, size, and number and so located within the recreational vehicle park as to satisfy applicable regulations.
  2. No open fires will be permitted within a recreational vehicle park, except that this will not be construed to prevent barbecuing in a secure pit or grill.
- i. An operator must maintain the entire area of a recreational vehicle park free of dry brush, leaves, and weeds.

#### **5.6. Further recreational vehicle park regulations**

- a. Persons developing recreational vehicle parks should be aware that this order is not the exclusive law or regulation controlling development in the County. The following is only a partial list of regulations that may apply:
1. All subdivisions within the extra territorial jurisdiction of a municipality may also be subject to city subdivision regulations, or as per any interlocal cooperation agreements.
  2. All recreational vehicle parks are subject to regulations of general applicability, including public health nuisances under Chapter 341 and 343 , Texas Health and Safety Code. The developer must address solid waste disposal, rodent and insect harboring, fly breeding, and improper water disposal in accordance with these Chapters.
  3. Other agencies with regulatory authority that may apply to a recreational vehicle park include, but are not limited to, Emergency Services Districts, TCEQ, the Public Utilities Commission, the United States Parks and Wildlife Service, the Environmental Protection Agency and the U.S. Army Corps of Engineers.
- b. To the extent it does not conflict with these regulations, the Coryell County Infrastructure Requirements for Manufactured Home Rental Communities, a copy of which is recorded as Order No. 2009-2 in the Official Public Records of Coryell County, Texas, is still in effect. To the extent the Coryell County Infrastructure Requirements for Manufactured Home Rental Communities differs with these regulations, the more stringent regulations will control.

## **Chapter 6**

### **Applications for Subdivision Approval**

#### **6.1. Pre-application meeting**

The Developer shall request in writing a meeting with the Road and Bridge Administrator in sufficient time to allow a meeting with a developer at least fifteen (15) days prior to submission of an application to the Commissioners Court, as set out in §1.3, to visually inspect the property, review the developer's intentions, establish any special requirements for the plat application, and to discuss the application process.

#### **6.2. Applications for subdivision approval**

- a. Before a subdivision is approved under these regulations, the developer must file an application with the Commissioners Court, including a plat, a survey, and all other documentation or other information listed in Appendix "A", or as may be amended and republished from time to time.
- b. Each plat required by this subdivision regulation shall identify and detail compliance with required drainage to address a 100-year flood, provide a statement of compliance with street construction standards, and state the dimensions of the subdivision and of each lot, street, alley, square, park, or other part 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 street, alley, square, park, or other part.
- c. If a developer submits an application to the Commissioners Court that does not include all of the documentation or other information required by these regulations, the Road and Bridge Administrator will notify the developer of the missing documents or other information, not later than the 10th business day after the date of receiving the incomplete application. The Commissioners Court must allow a developer reasonable time to submit the missing documents or other information.
- d. An application is considered complete when all documentation or other information required by these rules is received (Appendix "A").
- e. Acceptance by the Commissioners Court of a completed application will not be construed as approval of the documentation or other information.

#### **6.3. Plat application**

- a. A developer must submit a plat application including detailed documentation of all infrastructure to be constructed in a subdivision, including plans, drawings, and statements of the estimated costs to make each category of proposed improvements (i.e. water, wastewater, drainage, roads, etc.).
- b. All engineering plans submitted as part of a plat application must bear the signed and dated seal of a professional engineer registered in the State of Texas, and a certificate in substantially the form as Appendix "E".

- c. A plat application must discuss the availability and methodology of providing drinking water, sewerage, and electrical service to each individual lot within a subdivision,
- d. A plat application must include a construction schedule for each significant element of construction, including the start dates and completion dates.
- e. Where water, sewerage, and electricity are to be provided by an existing public utility, the developer must submit an executed public utility certificate in substantially the form as Appendix "C".
- f. Tax certificates must be produced confirming that no property taxes are due and unpaid for any area contained in the subdivision.

#### **6.4. Oversight**

- a. A developer, by submitting an application, acknowledges the authority of the County and state agencies to lawfully enter and inspect the subdivision property for purposes of execution of their statutory duties and the enforcement of these regulations.
- b. Any inspection of a subdivision will not release the developer from any obligation to comply with these regulations.
- c. The Commissioners Court may refuse to approve or authorize any application, unless such application meets the full requirements as set forth in these regulations.

#### **6.5. Application fees**

- a. All fees due to the County for the filing of an application must be paid to the County Treasurer contemporaneously with the submission of the application, with a copy of the receipt to be provided with the submission to the Road and Bridge Administrator.
- b. All filing fees due to the County after the approval of an application must be paid to the County Clerk upon filing of the plat or re-plat.
- c. Fees are published in these regulations under Appendix "N", which may be amended and republished from time to time by the Commissioners Court.

## Chapter 7 Plat and Survey Requirements

### 7.1. Subdivision plat and survey requirements

- a. A plat and a survey depicting the subdivision must be submitted with each application.
- b. A plat must contain, at a minimum, the following information on the face of the plat, or attached to the plat by referenced addendum:
  1. Name and mailing address of the developer.
  2. Name of the subdivision.
  3. North directional indication arrow.
  4. Location map showing the subdivision in relation to major roads, towns, cities, and topographic features.
  5. A description of the exterior boundary of the subdivision by metes and bounds, which locates the subdivision with respect to a corner of the original survey of which it is a part ("corner of the original survey" refers to a properly monumented survey point as determined by the surveyor suitable to recognition as the original corner of the tract being subdivided by commonly accepted surveying practice).
  6. Total area/acreage within the subdivision.
  7. Total number of lots within the subdivision.
  8. Area/acreage of roads, including:
    - a. Length of roads.
    - b. Street right-of-way widths.
    - c. The area/acreage of each lot.
  9. The bearing and distance for each lot boundary line.
  10. Areas dedicated for public use.
  11. Rights-of-way or easements, including all alleys, drainage easements, and utility easements.
  12. Proposed land use of all lots being subdivided, as follows:
    - a. Single family residential.

- b. Multi-family residential.
  - c. Agricultural.
  - d. Commercial.
  - e. Dedicated for public use.
13. All 100-year floodplains.
14. Private road numbers for all roads or streets.
15. Lot and block numbers, arranged in a systematic order and shown on the plat in a distinct and legible manner.
- c. The survey must contain, at a minimum, the following information on the face of the survey or attached to the survey by referenced addendum:
- 1. The real property records index information (instrument number or volume and page) and names of all current owners of property contiguous to the subdivision.
  - 2. The location of all existing permanent, man-made structures within the subdivision, including houses, barns, shacks, other buildings and structures, fences, walls, ponds and stock tanks.
  - 3. All major topographic features on or adjacent to the property as well as elevation contours at no greater than five-foot (5') intervals if in a floodplain, and no greater than twenty-foot (20') intervals if not in a floodplain.
  - 4. The approximate location of all wells, water, oil, and natural gas, when such wells are either visible and apparent or reflected in the applicable public records (whether maintained by the Texas Railroad Commission, TCEQ, or in the Official Public Records of Coryell County). If public records reflect that a well is capped or plugged, that information must be included as well.

**7.2. Registered professional land surveyor**

- a. The plat and survey must be prepared from an actual survey made on the ground by, or under the direct supervision of, a registered professional land surveyor, and their certificate to that effect must appear on said plat and survey.
- b. An application must include a certificate from the surveyor who prepared the plat and survey in substantially the form as Appendix "D".
- c. The land surveying firm's name and license number, address, and telephone number must be listed on the plat and the survey.

### **7.3. Plat scale and filing**

- a. Plats must be based on a scale of not more than one inch (1") equals two hundred feet (200'). A plat must be drawn on paper measuring no less than eleven inches (11") by seventeen inches (17") and no longer than twenty-four inches (24") by thirty-six inches (36").
- b. If two or more pages are needed to depict a plat, a key (may be drawn to larger scale) showing the entire area must be drawn on the first page, and each page must be numbered in a way as to note its location within the set.
- c. A developer must submit the following copies of the plat, in addition to the construction plan requirements of Section 1.3(d):
  1. Two full size copies on bond paper in black ink for filing, one for filing within the County Clerk's records, and the other for use by the Coryell Central Appraisal District's mapping department.
  2. Six (6) reduced size (not to scale) copies of the plat submitted with the application to be used by the Commissioners Court.
  3. Digital copy in PDF compatible format.

## **Chapter 8**

### **Application Approval Procedure**

#### **8.1. Approval procedure**

- a. The Commissioners Court must approve, approve with conditions, or disapprove an application not later than the 30th day after the date the completed application is received by the Commissioners Court.
- b. An application is deemed approved by the Commissioners Court without conditions unless the application is disapproved within 30 days. This 30-day period may be extended for a period not to exceed 30 days, if not later than the 20th day after the date a completed application is received:
  1. Such extension is requested in writing by the developer and approved by the Commissioners Court; or Chapter 2007, Government Code, requires the County to perform a takings impact assessment in connection with the application; and
  2. The extension applies only to a decision wholly within the control of the Commissioners Court.
- c. If the Commissioners Court fails to timely approve, approve with conditions, or disapprove an application as required by these regulations:
  1. The Commissioners Court must refund the greater of the unexpended portion of any application fee or deposit, or 50 percent of an application fee or deposit that has been paid;
  2. The application is granted by operation of law; and
  3. The developer may apply to the District Court for a writ of mandamus to compel the Commissioners Court to issue documents recognizing the application's approval.
- d. The Commissioners Court may not require a developer to waive the time limits or approval procedures contained in this chapter.

#### **8.2. Conditional approval or disapproval**

- a. If the Commissioners Court conditionally approves or disapproves an application, it must provide the developer a written statement of the conditions for the conditional approval or the reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.
- b. Each condition or reason specified in the written statement may not be arbitrary and must include a citation to the provision of these regulations, or another statute or order, that is the basis for the conditional approval or disapproval.

### **8.3. Response to conditional approval or disapproval**

- a. After the conditional approval or disapproval of an application, the developer may submit to the Commissioners Court a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided.
- b. The Commissioners Court may not establish a deadline for a developer to submit their response.

### **8.4. Approval or disapproval after response**

- a. If the Commissioners Court receives a written response to a conditional approval or disapproval pursuant to 232.0027 Texas Local Government Code, it must determine whether to approve or disapprove the developer's previously conditionally approved or disapproved application not later than the 15th day after the date the response was submitted.
- b. If the Commissioners Court receives a written response to a conditional approval or disapproval, the application will be approved if:
  - 1. The response adequately addresses each condition for the conditional approval or each reason for the disapproval; and,
  - 2. The Commissioners Court does not disapprove the application on or before the 15th day after the date the response was submitted and in accordance with Section 232.0026, Texas Local Government Code.
  - 3. If the Commissioners Court conditionally approves or disapproves an application following the submission of a response by a developer, the Commissioners Court:
    - a. Must comply with Section 232.0026 Texas Local Government Code; and
    - b. May disapprove the application only for a specific condition or reason provided to the developer for the original application under Section 232.0026, Texas Local Government Code.

### **8.5. Deadlines for completion of construction**

- a. The Commissioners Court may specify that construction of infrastructure must be started and completed within a reasonable time after the approval of an application.
- b. A deadline for completion may not exceed twenty-four (24) months and must be specified by the Commissioners Court in its order granting or denying an application.

## Chapter 9 Financial Guarantees

### 9.1. Financial guarantees for the construction of improvements

- a. In its order granting approval of a subdivision, the Commissioners Court may require a developer to provide a financial guarantee sufficient to cover the cost of construction of all of the improvements to be constructed per the plat application. A required financial guarantee may be by bond, letter of credit, or deposit of cash for 100% of the estimated cost of construction estimated by the engineer, and approved by the Coryell County Road and Bridge Administrator. The financial guarantee must be provided to the County within 30 days of the date of approval of the plat application.
- b. A bond that is submitted for a financial guarantee must meet the following requirements:
  1. The bond must be payable to the County Judge of the County, or the Judge's successor in office, in their official capacity.
  2. The bond must be executed with sureties as may be approved by the Commissioners Court. The County will accept surety companies issuing bonds based on the following factors:
    - A. Registration with the Secretary of State and authorization to do business in Texas,
    - B. Authorization to issue bonds in the amount required by the Commissioners Court, and
    - C. Being listed as a surety company in the most current United States Department of Treasury Circular 570.
  3. The bond must be conditioned upon construction or installation of the improvements established in an approved plat application, and upon construction of facilities within the time stated in the plat application, or within any extension of time granted by the Commissioners Court.
- c. A letter of credit that is submitted for a financial guarantee must meet the following requirements:
  1. A letter of credit submitted as a financial guarantee for combined amounts less than \$250,000 must be from a bank or savings and loan which meets the following qualifications:
    - A. Bank qualifications:
      - i. Must be federally insured; and



f. A financial guarantee for construction of improvements will remain in full force and in effect until all the roads, streets, street signs, underground utilities, required drainage structures and all other construction in the subdivision established in the plat application has been completed to the satisfaction of the Road and Bridge Administrator.

1. In the event progress and final inspections indicate no departure from these regulations, the Road and Bridge Administrator will certify completion to the Commissioners Court, and the Commissioners Court will release the financial guarantee.
2. It is the responsibility of a developer to advise the Road and Bridge Administrator of the status of construction prior to expiration of any construction deadline.

## **9.2. Financial guarantees for maintenance**

- a. In its order granting approval of a subdivision, the Commissioners Court may require a developer to provide a financial guarantee sufficient to cover the cost of maintenance of some or all of the improvements to be constructed per the plat application. A required financial guarantee may be by bond, letter of credit, or deposit of cash for 20% of the estimated cost of construction estimated by the engineer, and approved by the Coryell County Road and Bridge Administrator.
- b. The conditions of a financial security for maintenance will be that the developer guarantees to maintain, to the satisfaction of the Road and Bridge Administrator, all the streets, roads, drainage structures and drainage ditches and channels as described in the plat application, in a good state of repair for a period of two (2) years from the date of official release of construction security.
  1. The responsibility for maintenance of roads includes the repair of such items as drainage, spilled concrete, mud and debris on roads, damage from unknown springs, pumping, unraveling, etc.
  2. The responsibility for maintenance of the drainage improvements includes removing debris, resodding eroded areas, and the installation of additional concrete riprap where designated by the Road and Bridge Administrator.
- c. The Road and Bridge Administrator will make periodic inspections of infrastructure construction for which maintenance security is held during the period of liability covered by the security. In the event any or all of the infrastructure construction are not being maintained in a good state of repair, the Road and Bridge Administrator will notify the developer in writing and, if after a reasonable time, the developer should fail or refuse to repair said items, such improvements will be maintained at the cost and expense of obligees on the financial guarantee for maintenance.

- d. In the event progress and final inspections indicate no departure from these regulations, the Road and Bridge Administrator will certify completion of the term of maintenance by the developer to the Commissioners Court, and the Commissioners Court will release the financial guarantee.

### **9.3. Bond Extensions**

- a. Where good cause exists, the Commissioners Court may extend the deadline for completion of construction for additional periods of time not to exceed six (6) months.
- b. The Commissioners Court may grant an extension to the deadline for completion of construction if the Commissioners Court finds the extension is reasonable and not contrary to the public interest.
- c. No extension may be granted for construction secured pursuant to these regulations unless the developer provides additional security to cover the extended period of time.

**Chapter 10**  
**Revision and Cancellation of Plats**

**10.1. Petition for plat revision**

- a. A developer or an owner of property within a platted subdivision (referred to in this Chapter as "petitioner"), may submit an application to revise all or a portion of the existing plat, unless prohibited by restrictive covenants or plat notes filed pursuant to these regulations.
  - 1. A developer may apply for a revision to any part of their subdivision.
  - 2. An owner of property within a platted subdivision may apply for a revision affecting their portion of the subdivision.
- b. Petitioners must submit the following to the Commissioners Court:
  - 1. Copies of the proposed revised plat, conforming in all respects to the requirements of these regulations clearly setting forth the desired amendment.
  - 2. A statement explaining why the proposed revision is being sought.
  - 3. A certificate that the petitioner has complied with the requirements of Section 232.009, Texas Local Government Code.
  - 4. A filing fee, as specified in Appendix N, which may be amended and republished from time to time by the Commissioners Court. The amount of the fee must be based on the cost of processing the application, including publishing notices by the County as required under this chapter.
- c. After a petition for revision or cancellation of a plat is filed with the Commissioners Court, the Commissioners Court must publish a notice of the application in a newspaper of general circulation in the County.
  - 1. The notice must include a statement of the time and place at which the Commissioners Court will meet to consider the application for revision or cancellation and to hear protests of same.
  - 2. The notice must be published at least three times during the period that begins on the 30th day and ends on the seventh day before the date of the meeting.
- d. If all or part of a subdivision is owned by persons other than a developer, the Commissioners Court must also give notice to each of those owners by certified or registered mail, return receipt requested, at their address within the subdivision.

1. The Commissioners Court is not required to give notice by mail if the plat revision only combines existing tracts.
- e. If the Commissioners Court determines that a requested revision to a plat does not affect a public interest or public property of any type, including, but not limited to, a park, school, or road, the above notice requirements will not apply to the petition and the applicant will:
  1. Provide written notice of the petition to the owners of the lots that are within 200 feet of the subdivision plat to be revised, at the mailing addresses for those owners as maintained by the Coryell County Appraisal District; and,
  2. The applicant will provide appropriate notice of the petition to the County, who will post notice of the petition continuously on the County website for at least 30 days preceding the date of the meeting to consider the petition for revision or cancellation until the day after the meeting.
- f. During a regular term of the Commissioners Court, the Commissioners Court must permit the revision of a subdivision plat if it is shown to the Commissioners Court that:
  1. The revision will not interfere with the established rights of any owner of a part of the subdivided land; or,
  2. Each owner whose rights may be interfered with has agreed to the revision.
- g. If a petitioner obtains unanimous written consent from all owners of the property within a subdivision agreeing to the proposed amendment, the necessity for notice under this subchapter are waived.

## **10.2. Petition for cancellation of subdivision**

- a. A developer or an owner of a portion of a subdivision may petition the Commissioners Court for permission to cancel all or part of a subdivision.
- b. A petition for cancellation must show that the cancellation of all or part of the subdivision will not interfere with the established rights of any person who owns any part of the subdivision or that the other owners agree to the cancellation.
- c. A filing fee, as specified in Appendix N, which may be amended and republished from time to time by the Commissioners Court. The amount of the fee must be based on the cost of processing the application, including publishing notices by the County as required under this chapter.
- d. Notice of an application for cancellation must be published by the County in a newspaper of general circulation within the County one day each week for at least three (3) consecutive weeks. The published notice must direct any person who is interested

in the property and who wishes to protest the proposed cancellation to appear at the time specified in the notice.

- e. The review and authorization of a petition for the cancellation of a plat by the Commissioners Court will be conducted as specified in Section 232.008, Texas Local Government Code.

### **10.3. Approval of petition**

- a. The Commissioners Court may approve a petition to revise or cancel a subdivision upon finding that the revision or cancellation will not interfere with the established rights of any owner of any part of the subdivision, or that each owner whose rights may be interfered has agreed to the revision; and that the plat as revised conforms to the requirements of these regulations.
- b. Following the approval of the Commissioners Court, the petitioner may file with the County Clerk a revised plat, or part of plat, or another instrument that indicates the changes made to the original plat.

### **10.4. Vacating plat**

- a. A developer may vacate a plat at any time before any lot in the subdivision is sold to a purchaser. The plat is vacated when a signed, acknowledged instrument declaring the plat vacated is recorded in the manner prescribed for the original plat.
  - 1. If any lots or tracts in the subdivision have been sold, the plat, or any part of the plat, may be vacated on the application of all the owners of all parts of the subdivision.
  - 2. The County Clerk will write legibly on a vacated plat the word "Vacated" and enter on the plat a reference to the volume and page at which the vacating instrument is recorded.
- b. On the execution and recording of a vacating instrument, the vacated plat has no effect.

### **10.5. Amending plat by owners**

- a. The Commissioners Court may approve an amended subdivision plat, which may be recorded and is controlling over the preceding plat without vacation of that plat, if the amended plat is signed by the developer or owner of the subject property, and is solely 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 indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments.
5. 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.
6. To correct any other type of scrivener or clerical error or omission in the plat previously approved pursuant to these regulations, including lot numbers, acreage, street numbers, and identification of adjacent recorded plats.
7. To correct an error in courses and distances of lot lines between two adjacent lots if:
  - A. Both lot owners join in the petition 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 the other owners in the plat.
8. To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement.
9. To relocate one or more lot lines between one or more adjacent lots if:
  - A. The owners of all those lots join in the petition for amending the plat;
  - B. The amendment does not attempt to remove recorded covenants or restrictions; and,
  - C. The amendment does not increase the number of lots.
10. To replat one or more lots adjacent to an existing road or street if: ,
  - A. The owners of all those lots join in the petition for amending the plat;
  - B. The amendment does not attempt to remove recorded covenants or restrictions;

C. The amendment does not increase the number of lots; and,

D. The amendment does not create or require the creation of a new road or street, or make necessary the extension of utility facilities.

- b. Notice, a hearing, and the approval of other owners of property within a subdivision are not required for the approval and issuance of an amended plat under this subchapter 10.5.
- c. Corrections under this subchapter may be made by a surveyor by filing a certificate of correction in the plat records.

## **Chapter 11**

### **Variance**

#### **11.1. Conditions of Variance**

- a. The Commissioners Court may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance.
  - 1. Any person who wishes to receive a variance may apply to the Commissioners Court with a list of, and a detailed justification for, each variance requested.
  - 2. The decision of the Commissioners Court whether to grant or deny a variance is at its complete discretion and will be final.
- b. In approving a variance, the Commissioners Court may prescribe conditions that it deems necessary or desirable to protect the public interest. In making their findings, the Commissioners Court will take into account the nature of the proposed use of the land involved and the probable effect of such variances upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity.
- c. No variance will be granted unless the Commissioners Court finds:
  - 1. That there are special circumstances or conditions affecting the land involved such that the strict application of these regulations would deprive the applicant of the reasonable use of their land; and,
  - 2. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area; and,
  - 3. That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of these regulations.
- d. Variances may be granted only when in harmony with the general purposes and intent of these regulations so that the public health, safety, and welfare may be secured and substantial justice done. Pecuniary hardship to the developer, standing alone, will not be deemed to constitute hardship.

## Chapter 12 Enforcement

### 12.1. Terms of enforcement

- a. No part of any subdivision may be sold or transferred until the plat is approved and recorded, and all these regulations have been complied with in full.
- b. A utility may not provide utility services, including water, sewer, gas, and electric services, to any structure located within a subdivision unless the owner or developer provides the utility with a copy of a certificate of county approval of subdivision to demonstrate compliance with these regulations.
- c. The Commissioners Court may institute appropriate action in a court of competent jurisdiction to enforce the provisions of these regulations, or the other standards referred to herein. The County reserves the right to seek all remedies, including injunction, prohibition, damages, and criminal penalties in the enforcement of these rules and regulations.
- d. If deeds, contracts of sale, transfers of title, or other transactions dealing with real property in the County do not comply with these regulations, the Commissioners Court may notify the transacting parties to comply with these regulations. In the event the notified party refuses to comply with the requirements of these regulations, the Commissioners Court may take appropriate action to obtain compliance.
- e. Any person violating any provisions of these regulations will be guilty of a Class B misdemeanor, and each act of the violation will constitute a separate offense.

### 12.2. Required disclosures

- a. The following notations, to be printed in a bold font, in not less than 14-point type, shall be noted on the plat, and included within all instruments of conveyance from a developer to a purchaser for any part of a subdivision:

**Approval of the subdivision plat for filing does not indicate any agreement or understanding that Coryell County will assume responsibility for maintenance of roads, streets, alleys or other areas dedicated to public use on the plat.**

- b. Where a lot or tract in a subdivision is to be served by a private OSSF, an instrument of conveyance for that lot or tract from a developer must bear the following notations in bold, 14-point type:

**"Coryell County makes no representation that adequate sewerage facilities will be legally feasible within this subdivision."**

**"All OSSF systems must comply with regulations published by TCEQ."**

- c. Where a lot in a subdivision is to be served by a private water supply, an instrument of conveyance for that lot or tract from a developer must bear the following notation in bold, 14-point type:

**"Coryell County makes no representation that adequate water suitable for human consumption will be available within this subdivision."**

Passed and approved by Coryell County Commissioners Court this 8<sup>th</sup> day of June 2021.

Kyle Matthews  
Kyle Matthews, Pct. 1

Daren Moore  
Daren Moore, Pct. 2

Ryan Basham  
Ryan Basham, Pct. 3

Ray Ashby  
Ray Ashby, Pct. 4

Roger Miller  
Roger Miller, County Judge

Barbara Simpson  
Barbara Simpson, County Clerk

FILED  
AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M

JUN 08 2021

Barbara Simpson  
COUNTY CLERK, CORYELL CO., TEXAS

## Appendix A

### SUBDIVISION APPLICATION CHECKLIST

**The following tasks must be completed by the developer prior to filing any application for subdivision approval:**

\_\_\_\_\_ Meet with the Road and Bridge Administrator at least 15 days prior to the date of filing the application at the subdivision property, to visually inspect the property, review the developer's intentions, establish any special requirements for the plat application, and to discuss the application process. (§6.1)

\_\_\_\_\_ Confirm whether the planned subdivision will be classified as Tier 1 or Tier 2. (§1.5)

\_\_\_\_\_ Check the proposed subdivision name for conflicts. (§1.7)

**The following items must be included in any application for approval of a Tier 1 subdivision:**

\_\_\_\_\_ A plat of the proposed subdivision in compliance with these regulations.

\_\_\_\_\_ Six (6) reduced size (not to scale) copies of the plat. (§7.3(c)(2))

\_\_\_\_\_ A digital map or a certificate regarding the availability of a digital map. (7.3(c)(3))

\_\_\_\_\_ A survey of the proposed subdivision in compliance with these regulations. (§7.2)

\_\_\_\_\_ A certificate from the surveyor who prepared the plat and survey in substantially the form as Appendix D. (pg. 67)

\_\_\_\_\_ A description by the developer of the manner and means of providing drinking water, sewerage, and electrical service. (§6.3(c))

\_\_\_\_\_ All engineering specifications, drawings, and plans for infrastructure to be constructed comprising a plat application in compliance with these regulations. (§1.3(d))

\_\_\_\_\_ A certificate from each engineer confirming compliance of their specifications, plans, and drawings, in substantially the form as Appendix E. (pg. 68)

\_\_\_\_\_ A certificate from CTCOG confirming the private road names or numbers reserved for roads laid out in the subdivision. (§3.12)

\_\_\_\_\_ Tax certificates confirming that no property taxes are due and unpaid for the subdivision. (§6.3(f))

\_\_\_\_\_ A certificate from the developer confirming that approval of the application and filing of the plat does not mean that the County will be responsible for maintenance of subdivision roads and streets. (§3.4(e))

\_\_\_\_\_ If water, sewerage, and electricity are to be provided by a public utility, the developer must submit an executed public utility certificate in substantially the form as Appendix C. (pg. 66)

\_\_\_\_\_ If OSSF is included in the plat application, a certificate from the Coryell County Designated Representative stating that the subdivision plans comply with all applicable TCEQ rules, including housing density requirements, in substantially the form as Appendix F. (pg. 69)

\_\_\_\_\_ If fire hydrants or filler plugs are included in a plat application, a certificate from the public utility serving the subdivision to confirm sufficient water capacity is available to operate the fire hydrants or filler plugs. (§2.6)

\_\_\_\_\_ All fees due to the County for the filing of an application must be paid to the County Treasurer contemporaneously with the submission of the application. (Appendix N, pg. 78)

**The following items must be included in any application for approval of a Tier 2 subdivision:**

\_\_\_\_\_ A plat of the subdivision showing the area/acreage of each lot or tract. (§7.1)

\_\_\_\_\_ Certificates from the developer confirming the following:

\_\_\_\_\_ Availability of water and sewage service. (Appendix C, pg. 66)

\_\_\_\_\_ Compliance with set-back lines. (§3.1(a))

\_\_\_\_\_ Dedication of all necessary utility easements. (§2.5)

\_\_\_\_\_ Confirming the installation of culverts in compliance with the County ordinance on culverts. (§1.6(a))

\_\_\_\_\_ If OSSF is proposed for the Tier 2 subdivision, a certificate from the Coryell County Designated Representative stating that the subdivision plans comply with all applicable TCEQ rules, including housing density requirements. (§1.5(d)(7), Appendix F, pg. 69)

\_\_\_\_\_ A survey that shows sufficient topographic information adequate to demonstrate that the proposed subdivision will adequately drain and that any proposed development will not alter the natural flow of water to adjoining properties. (§1.5(d))

\_\_\_\_\_ All fees due to the County for the filing of an application must be paid to the County Clerk contemporaneously with the submission of the application. (Appendix N, pg. 78)

**After an application is approved, the developer must:**

\_\_\_\_\_ File a plat of the proposed subdivision in compliance with these regulations.

\_\_\_\_\_ Deliver a copy of the approved plat to CTCOG.

\_\_\_\_\_ Meet with the Road and Bridge Administrator to review all materials used in constructing roads in the subdivision. (§3.6 - §3.12)

\_\_\_\_\_ Ensure that the work described in the plat application is completed in a good and workmanlike manner, in accordance with these regulations, the plat application, and any conditions of the order approving the application.

\_\_\_\_\_ Advise the Road and Bridge Administrator of the status of construction prior to expiration of any construction deadline. (§8.5)

\_\_\_\_\_ All fees due to the County for an approved application must be paid to the County Clerk upon filing of approved plat.

\_\_\_\_\_ Submit proof of any required financial security to the Road and Bridge Administrator no later than thirty (30) days after the approval of the application. (§9.1)

**Appendix B (1)**

**CERTIFICATE OF DEDICATION BY DEVELOPER**

(When the developer is an individual)

**KNOW ALL MEN BY THESE PRESENT**, that I, \_\_\_\_\_, ("Developer") am the developer of certain real property ("the Property"), being \_\_\_\_\_ acres of land out of the \_\_\_\_\_ Survey, Coryell County, Texas, as conveyed by deed dated \_\_\_\_\_, and recorded as Instrument No.: \_\_\_\_\_, in the Real Property Records of Coryell County, Texas.

*(Note: if the subdivision lies in more than one survey, determine an acreage in each survey and submit a unique certificate for each portion of the subdivision in each original survey.)*

**I DO HEREBY SUBDIVIDE THE PROPERTY**, and henceforth it shall be known as the \_\_\_\_\_ Subdivision, in accordance with the plat shown hereon, subject to any and all easements or restrictions heretofore granted and do hereby dedicate to the public (or "owners of the property shown hereon" for private streets) the use of the streets and easements shown hereon.

**WITNESS MY HAND**, this the \_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_.

\_\_\_\_\_  
Developer

**THE STATE OF TEXAS**           §  
**COUNTY OF CORYELL**       §

**BEFORE ME**, the undersigned authority, on this day personally appeared \_\_\_\_\_, known by me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration of therein stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

**Appendix B (2)**

**CERTIFICATE OF DEDICATION BY DEVELOPER**

(When developer is a corporation or other legal entity)

**KNOW ALL MEN BY THESE PRESENT**, that \_\_\_\_\_, ("Developer") is an entity organized and existing under the laws of the State of Texas, with its registered office located at \_\_\_\_\_, and is the developer of certain real property ("the Property"), being \_\_\_\_\_ acres of land out of the \_\_\_\_\_ Survey, in Coryell County, Texas, as conveyed by deed dated \_\_\_\_\_ and recorded as Instrument No.: \_\_\_\_\_, in the Real Property Records of Coryell County.

*(Note: if the subdivision lies in more than one survey, determine an acreage in each survey and submit a unique certificate for each portion of the subdivision in each original survey.)*

**DEVELOPER DOES HEREBY SUBDIVIDE THE PROPERTY**, and henceforth it shall be known as the \_\_\_\_\_ Subdivision, in accordance with the plat shown hereon, subject to any and all easements or restrictions heretofore granted and does hereby dedicate to the public (or "developer of the property shown hereon" for private streets) the use of the streets and easements shown hereon.

**IN WITNESS WHEREOF** Developer has caused this certificate to be executed by \_\_\_\_\_, duly authorized to act on behalf of Developer, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signatory for Developer

**THE STATE OF TEXAS**            §  
**COUNTY OF CORYELL**         §

**BEFORE ME**, the undersigned authority, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the foregoing instrument as an officer of \_\_\_\_\_ ("Developer") and acknowledged to me that the foregoing was executed in such capacity as the act of said corporation for the purposes and considerations therein stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

**Appendix C**

**PUBLIC UTILITY CERTIFICATE**

Public Utility: \_\_\_\_\_

Public Utility Address: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_

"No structure in the subdivision may be occupied until it is connected to facilities maintained by the public utility, subject to approval by the Coryell County Commissioners Court."

"The plans for construction of improvements to access service from the public utility comply with all applicable laws and rules, including the Coryell County subdivision regulations."

"All fees to be paid by the developer and by the purchasers of parts of the subdivision are detailed in materials attached to this certificate."

"The public utility has or will have the capacity to meet the anticipated needs of the ultimate development and occupancy of the subdivision for a minimum of 30 years."

\_\_\_\_\_  
Signature of Agent for the Public Utility

\_\_\_\_\_  
Date

**Appendix D**

**CERTIFICATE OF SURVEYOR**

Subdivision Name: \_\_\_\_\_

Surveyor's Name: \_\_\_\_\_

Surveyor's License No.: \_\_\_\_\_

**KNOW ALL MEN BY THESE PRESENT**, that I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that the plat and survey of the subdivision comply with the plat and survey related requirements of the Coryell County Subdivision Regulations, and I further certify that the plat is true and correctly made and is prepared from an actual survey of the property made under my supervision on the ground and that the corner monuments were properly placed under my supervision.

\_\_\_\_\_  
Registered Professional Land Surveyor

\_\_\_\_\_  
Date

**Appendix E**

**CERTIFICATE OF ENGINEER**

Subdivision Name: \_\_\_\_\_

Engineer's Name: \_\_\_\_\_

Engineer's License No.: \_\_\_\_\_

**KNOW ALL MEN BY THESE PRESENTS**, that I, the undersigned, a Registered Professional Engineer in the State of Texas, hereby certify that the plans I have created for the above-named Subdivision comply with the engineering related requirements of the Coryell County Subdivision Regulations.

\_\_\_\_\_  
Registered Professional Engineer

\_\_\_\_\_  
Date

**Appendix F**

**CERTIFICATE OF COUNTY DESIGNATED REPRESENTATIVE ON OSSF'S**

Subdivision Name: \_\_\_\_\_

I, \_\_\_\_\_, Coryell County Designated Representative for OSSF's, have reviewed the Site Evaluation Letter submitted with this Final Plat, and hereby approve the sewage disposal plan set out therein.

\_\_\_\_\_  
Designated Representative

**Appendix G**

**CERTIFICATE OF PRIVATE ROAD MAINTENANCE**

(When roads are to be maintained as Private Roads)

Subdivision Name: \_\_\_\_\_

"Upon approval of the plat of the subdivision by the Commissioners Court of Coryell County, Texas, it is understood that all roads shown thereon are private roads and shall remain the property of the developer and the subsequent owners of the property. The construction, repair, and maintenance of these roads and any associated drainage improvements will be the responsibility of the developer, then of subsequent owners of the subdivision, and will not be the responsibility of Coryell County."

\_\_\_\_\_  
Developer

\_\_\_\_\_  
Date

**Appendix H**

**CERTIFICATE OF ROAD MAINTENANCE**

(When roads may, in the future, be accepted by Coryell County for maintenance)

Subdivision Name: \_\_\_\_\_

"Upon approval of the plat of the subdivision by the Commissioners Court of Coryell County, Texas, it is understood that all roads shown thereon are private roads and shall remain the property of the developer and the subsequent owners of the property until such time as the Commissioners Court approves the dedication of the roads to the County for maintenance. Acceptance of the plat of the subdivision does not constitute acceptance of the roads shown hereon by Coryell County."

\_\_\_\_\_  
Developer

\_\_\_\_\_  
Date

**Appendix I**

**CERTIFICATE OF COUNTY APPROVAL OF PLAT**

**THE STATE OF TEXAS           §**  
**COUNTY OF CORYELL           §**

I, \_\_\_\_\_, County Clerk of Coryell County, Texas, do hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Commissioners Court of Coryell County, Texas, passed an Order authorizing the filing for record of the plat of \_\_\_\_\_, a subdivision of Coryell County, Texas, that said Order has been duly entered in the minutes of the said Court in \_\_\_\_\_, and that the plat of the subdivision has been recorded at \_\_\_\_\_, in the Plat Records of Coryell County, Texas.

**WITNESS MY HAND AND SEAL OF OFFICE** this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Clerk, Coryell County, Texas

**Appendix J**

**CORYELL COUNTY  
PERMIT TO CONSTRUCT DRIVEWAY WITHIN  
COUNTY ROAD RIGHT-OF-WAY**

Subdivision Name: \_\_\_\_\_

Developer: \_\_\_\_\_

County Road: \_\_\_\_\_

I, \_\_\_\_\_, of the Coryell County Road and Bridge Department, authorize \_\_\_\_\_, hereinafter called the Developer, to construct an access driveway within the County Road right of way abutting the County Road; subject to the following terms:

- A. The Developer is responsible for the culvert costs and installation.
- B. All construction and materials shall be subject to inspection and approval by the Road and Bridge Administrator.
- C. The County reserves the right to require any changes, maintenance, or repairs as may be necessary to provide protection of life or property on or adjacent to the County Road. Changes in design will be made only with approval of the Road and Bridge Administrator.
- D. Developer shall hold harmless the County and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.
- E. Developer shall not erect any sign on, or extending over, any portion of the County Road right of way.
- F. Entrances must be constructed in such a way as to keep obstructions from being present in the right of way.
- G. Mailboxes must be installed in accordance with a Mailbox Permit.
- H. This permit will become null and void if the above referenced driveway facilities are not constructed within six (6) months from the issuance date of this permit.
- I. Developer will contact the Road and Bridge Administrator at least forty-eight (48) hours prior to beginning construction which is authorized by this permit.

\_\_\_\_\_  
Road and Bridge Administrator

\_\_\_\_\_  
Date

The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction of an access driveway on the County Road right of way.

\_\_\_\_\_  
Developer

\_\_\_\_\_  
Date

**Appendix K**

**REVISION TO PLAT**

Subdivision Name: \_\_\_\_\_  
Lots or Tracts to be revised: \_\_\_\_\_  
Petitioner: \_\_\_\_\_  
Petitioner's Mailing Address: \_\_\_\_\_  
Petitioner's Phone Number: \_\_\_\_\_  
Lienholder (if any): \_\_\_\_\_

(If there is a Lienholder, attach an executed Lienholder's Acknowledgement, Appendix L)

**IF A REVISED PLAT INCLUDES ANY CHANGES TO AN EXISTING UTILITY EASEMENT, RELEASE OF SAID EASEMENTS BY THE UTILITY PROVIDERS IS REQUIRED BEFORE APPROVAL OR FILING OF SAID PLAT.**

The signature affixed below will certify that the owner of the described property does hereby request to revise the plat of the property. The owner certifies that any and all lienholders have acknowledged this revision as per the attached Lienholder's Acknowledgement, if applicable.

\_\_\_\_\_  
Petitioner

**THE STATE OF TEXAS           §  
COUNTY OF CORYELL         §**

**BEFORE ME**, the undersigned authority, on this day personally appeared \_\_\_\_\_, known by me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration of therein stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

**APPROVED BY THE COMMISSIONERS COURT ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.**

\_\_\_\_\_  
County Judge

\_\_\_\_\_  
County Clerk

**Appendix L**

**LIENHOLDER'S ACKNOWLEDGEMENT OF PLAT REVISION**

Lienholder: \_\_\_\_\_

Lienholder is the holder of a lien against the property described within the Revision to Plat, said lien being evidenced by instrument of record at Instrument No.: \_\_\_\_\_, of the Real Property Records of Coryell County, Texas, do hereby in all things subordinate to said Revision of Plat said lien. Lienholder hereby confirms that it is the present owner of said lien and have not assigned the same nor any part thereof.

\_\_\_\_\_  
Signatory on behalf of Lienholder

**THE STATE OF TEXAS           §**  
**COUNTY OF CORYELL         §**

**BEFORE ME**, the undersigned authority, on this day personally appeared \_\_\_\_\_, known by me to be the person with authority to execute this instrument on behalf of \_\_\_\_\_ ("Lienholder") whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration of therein stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

**Appendix M**

**CERTIFICATE OF DEVELOPER**

Subdivision Name: \_\_\_\_\_

Lots or Tracts to be revised: \_\_\_\_\_

Applicant: \_\_\_\_\_

Applicant's Mailing Address: \_\_\_\_\_

Applicant's Phone Number: \_\_\_\_\_

Lienholder (if any): \_\_\_\_\_

(If there is a Lienholder, attach an executed Lienholder's Acknowledgement)

**IF A REVISED PLAT INCLUDES ANY CHANGES TO AN EXISTING UTILITY EASEMENT, RELEASE OF SAID EASEMENTS BY THE UTILITY PROVIDERS IS REQUIRED BEFORE APPROVAL OR FILING OF SAID PLAT.**

The signature affixed below will certify that the owner of the described property does hereby request to revise the plat of the property. The owner certifies that any and all lienholders have acknowledged this revision as per the attached Lienholder's Acknowledgement, if applicable.

\_\_\_\_\_  
Applicant

**THE STATE OF TEXAS           §  
COUNTY OF CORYELL       §**

**BEFORE ME**, the undersigned authority, on this day personally appeared \_\_\_\_\_, known by me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration of therein stated.

**GIVEN UNDER MY HAND AND SEAL OF OFFICE** this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

**Appendix N**

**SUBDIVISION DEVELOPMENT FEES**

The following are a list of development fees for Coryell County. These fees are subject to change.

**Application Fees:**

New Tier 1 Subdivision:	\$3,000.00
New Tier 2 Subdivision	\$500.00
Petition for Revision of Existing Subdivision (Replat)	\$250.00
Petition for Cancellation	\$500.00

The fee for recording of the Approved Plat or Replat shall be submitted to the County Clerk in an amount set by the Clerk in accordance with law.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
County Judge

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Commissioner, Precinct 1

\_\_\_\_\_  
Commissioner, Precinct 2

\_\_\_\_\_  
Commissioner, Precinct 3

\_\_\_\_\_  
Commissioner, Precinct 4

**Appendix 0**

**APPLICATION FOR PERMIT TO CONSTRUCT ACCESS  
DRIVEWAY ON COUNTY RIGHT OF WAY**

Date of Application: \_\_\_\_\_

Requester Name: \_\_\_\_\_

Requester Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Location of access driveway to be installed, address or physical description:

\_\_\_\_\_

**NOTE: IF A PHYSICAL ADDRESS IS NOT AVAILABLE FOR THE LOCATION THE ACCESS DRIVEWAY IS TO BE INSTALLED, PLACE A STAKE WITH RIBBON ATTACHED AT THE CENTER POINT OF PROPOSED CULVERT LOCATION.**

**NOTIFICATION: IT SHALL BE THE REQUESTER'S RESPONSIBILITY TO OBTAIN DIGGING PERMIT PRIOR TO EXCAVATION TO DETERMINE IF THERE ARE ANY UTILITIES IN THE AREA OF PROPOSED CULVERT LOCATION.**

**NOTIFY TEXAS 811 @ 1-800-344-8377**

**Procedure:**

Once the application is received from the requestor, a representative of the Coryell County Road and Bridge Department will visit the location and determine the diameter and length of the culvert pipe to be installed.

**NOTE: 24 FEET WILL BE THE SHORTEST LENGTH ALLOWED.**

The requester shall sign and receive a copy of the application with the size and notes before proceeding with the purchase of the culvert pipe or installation.

**NOTE TIDS APPLICATION IS ONLY GOOD FOR 6 MONTHS. IF THE CULVERT IS NOT INSTALLED WITHIN 6 MONTHS THIS APPLICATION IS VOID AND THE REQUESTER WILL HAVE TO APPLY AGAIN.**

**Appendix 0**

**APPLICATION FOR PERMIT TO CONSTRUCT ACCESS  
DRIVEWAY ON COUNTY RIGHT OF WAY**

Date of Application: \_\_\_\_\_

Requester Name: \_\_\_\_\_

Requester Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Location of access driveway to be installed, address or physical description:

\_\_\_\_\_

**NOTE: IF A PHYSICAL ADDRESS IS NOT AVAILABLE FOR THE LOCATION THE ACCESS DRIVEWAY IS TO BE INSTALLED, PLACE A STAKE WITH RIBBON ATTACHED AT THE CENTER POINT OF PROPOSED CULVERT LOCATION.**

**NOTIFICATION: IT SHALL BE THE REQUESTER'S RESPONSIBILITY TO OBTAIN DIGGING PERMIT PRIOR TO EXCAVATION TO DETERMINE IF THERE ARE ANY UTILITIES IN THE AREA OF PROPOSED CULVERT LOCATION.  
NOTIFY TEXAS 811 @ 1-800-344-8377**

**Procedure:**

Once the application is received from the requestor, a representative of the Coryell County Road and Bridge Department will visit the location and determine the diameter and length of the culvert pipe to be installed.

**NOTE: 24 FEET WILL BE THE SHORTEST LENGTH ALLOWED.**

The requester shall sign and receive a copy of the application with the size and notes before proceeding with the purchase of the culvert pipe or installation.

**NOTE THIS APPLICATION IS ONLY GOOD FOR 6 MONTHS. IF THE CULVERT IS NOT INSTALLED WITHIN 6 MONTHS THIS APPLICATION IS VOID AND THE REQUESTER WILL HAVE TO APPLY AGAIN.**

PERMIT NO. \_\_\_\_\_

**DRIVEWAY ACCESS CULVERT REQUIREMENTS FOR REQUESTED LOCATION:**

Address: \_\_\_\_\_

Purpose of driveway: : Residential : Ranch : Commercial

Diameter: \_\_\_\_\_ inches Length: \_\_\_\_\_ feet

The culvert must be set \_\_\_\_\_ feet from the center line of the road.

Additional ROW will be required to meet the drainage requirements in the area, the additional right of way will need to extend \_\_\_\_\_ feet from the centerline of the roadway, for a distance of \_\_\_\_\_ feet on the \_\_\_\_\_ side of culvert and \_\_\_\_\_ feet on the \_\_\_\_\_ side of the culvert.

Notes: \_\_\_\_\_

All construction and material shall be subject to inspection and approved by the County. The County reserves the right to require any changes, maintenance or repairs as may be necessary to protect drainage along county right of way, provide protection of life or property on or adjacent to the county road. Changes in design will be made only with approval of the County.

**SPECIFICATIONS FOR INSTALLATION OF CULVERTS AND ACCESS DRIVEWAY FACILITIES ON COUNTY RIGHT OF WAY**

Specifications for culvert pipe and fill material:

1. Culvert pipe shall be galvanized corrugated metal pipe, 16 gauge with spiral of 2.66 inches.
2. Fill material shall be flex base or caliche.
3. A connecting band shall be used when connecting 2 sections of culvert pipe together.
4. All culvert pipes shall have a minimum of 6" compacted fill over the top of the culvert.
5. The cross slope of the driveway shall be constructed and maintained so that no water is channeled onto the County roadway by way of driveway.

The requester is responsible for all cost associated with the construction of this driveway.

The requester shall hold harmless Coryell County and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.

\_\_\_\_\_  
Coryell County Representative

\_\_\_\_\_  
Date

PERMIT NO. \_\_\_\_\_

**- ACCEPTANCE OF PERMIT REQUIREMENTS AND SPECIFICATIONS**

The undersigned hereby agrees to comply with the terms and conditions set forth in this application and specifications for installation of culvert pipe and access driveway on the county right of way and dedicates to the County the additional right of way described in the permit above.

\_\_\_\_\_  
Requester or Owner's Representative

\_\_\_\_\_  
Date

**(NOTE: If right of way is being given to the County, the Owner of the property must sign above, and their signature must be notarized.)**

**THE STATE OF TEXAS           §  
COUNTY OF CORYELL       §**

**BEFORE ME**, the undersigned authority, on this day personally appeared \_\_\_\_\_, known by me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration of therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the \_\_\_\_\_ 20\_\_ , day of

\_\_\_\_\_  
Notary Public, State of Texas

## Appendix Q

### REGULATIONS FOR THE INSTALLATION OF UTILITIES ON CORYELL COUNTY MAINTAINED ROADWAYS AND RIGHT OF WAYS

All Utility Companies or Entities wanting easements to install or upgrade utilities along or across Coryell County maintained roadways or right of ways shall submit a written request and receive written approval from the Coryell County Road and Bridge Administrator before engaging in any construction of utility lines.

All requests shall have the following information:

1. Name, address and telephone numbers of Utility Company or Entity
2. Type of utility construction being requested.
3. Location map or drawing, description of the proposed utility line and appurtenances fully shown with distance of utility lines being replaced or installed in relationship with County Roads.
4. Show on map or drawing the location of any road bore, length of bore and size of encasement that the utility line will be passing through.
5. Estimated start date and completion date of construction.

All easements crossing county-maintained roads shall be bored from ditch line to ditch line and encased. Any exception will be at the discretion of the Coryell County Road Administrator. Casings shall be constructed as follows:

1. **Casing Specs:** Casing under roadways shall be PVC schedule 40, Poly SDR26 or steel casing for up to a 2-inch line. Any casing that will carry over a 2-inch line is required to be steel 1/4-inch thick wall pipe that is twice (2x's) the size of the line running through it. Visual inspection of the casing by the Road and Bridge Department is required prior to back filling.
2. When repairing a leak in the road the Entity will be allowed to "CUT" the road to make said repair. Waterline shall be brought to code during the time of repair. Casing ends must remain uncovered for Road and Bridge Department inspection. Upon completion of repair the Entity shall backfill ditch with "**state grade road base**" and contact the county representative to repair asphalt. All right of ways must be clean: **there shall not be any mud, dirt, rocks, or debris of any kind left in right-of-way.**
3. All utilities shall be placed at a minimum depth of 24".
4. Where crossing ditches or ditches, the depth of the utilities shall be at a minimum of 24".
5. At any place where a communications line crosses over a county road, it shall be constructed and maintained at least eighteen (18) feet above the surface of the traffic lane.
6. Any brush, trees, etc., that are cut will be burned or disposed of and not left in the right-of-way. Rocks exposed from construction shall be disposed of.
7. All work performed in the County right-of-way by the Utility Company or Entity shall be of current construction standards for installation of utility lines. The installation work shall not damage any part of the road and its appurtenances, and the Utility Company or Entity shall make adequate provisions to cause a minimum of inconvenience to traffic and adjacent property owners.

In consideration of the approval of this request by the Coryell County Road and Bridge Administrator, the Utility Company or Entity, does hereby agree, upon completion of the placement of the utilities as set forth in this request, to return the County Road, its right of way and any improvements, additions or appurtenances to a condition which, in opinion of the Coryell County Road Administrator, equals or exceeds the condition in which said County Road or right-of-way was in prior to the time the Utility Company or Entity started construction.

The Utility Company or Entity agrees should Coryell County, for any reason, need to work, improve, relocate, widen, increase, add to, decrease, or in any manner change the structure of the road or right of way, the utility, if affected, will be moved by the Utility Company or Entity at the direction of the Coryell County Road and Bridge Administrator and shall be relocated at the complete expense of the Utility Company or Entity.

Coryell County will not be held liable at any future date for accidental damages to the buried utilities by road working equipment such as motor graders, posthole diggers, shredders, brush cutters, drainage ditch cleaning equipment, etc.

In the event any of such damages should occur, the Utility Company or Entity will be notified immediately.

All requests shall be submitted in duplicate (2) copies with one (1) self-addressed envelope to send approved copy of request back to requestor.

Note: If the utility request is disapproved by the Coryell County Road and Bridge Administrator the requester has the recourse to appeal the utility request to the Coryell County Commissioners' Court for review.

**Mail Requests to:**

Road Administrator  
Coryell County Road & Bridge Department  
3701 US Highway 84 W  
Gatesville, Texas 76528

Appendix R

**APPLICATION FOR PERMIT TO CONSTRUCT MAILBOX IN  
COUNTY RIGHT OF WAY**

Date of Application: \_\_\_\_\_

Requester Name: \_\_\_\_\_

Requester Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Location mailbox to be installed, address or physical description:

\_\_\_\_\_

**NOTIFICATION: IT SHALL BE THE REOUESTER'S RESPONSIBILITY TO OBTAIN DIGGING PERMIT PIOR TO EXCAVATION TO DETERMINE IF THERE ARE ANY UTILIES IN THE AREA OF PROPOSED MAILBOX LOCATION.**

**NOTIFY TEXAS 811 @ 1-800-344-8377**

**Procedure:**

Once the application is received from the requestor, a representative of the Coryell County Road and Bridge Department will visit the location and determine the location of mailbox installation.

The requester shall sign and receive a copy of the application with the location of mailbox installation prior to placement of the mailbox.

**NOTE THIS APPLICATION IS ONLY GOOD FOR 6 MONTHS. IF THE MAILBOX IS NOT INSTALLED WITHIN 6 MONTHS THIS APPLICATION IS VOID AND THE REQUESTER WILL HAVE TO APPLY AGAIN.**

PERMIT NO. \_\_\_\_\_

**MAILBOX PERMIT REQUIREMENTS FOR REQUESTED LOCATION:**

**Address:** \_\_\_\_\_

**The mailbox must be set \_\_\_\_\_ feet from the center line of the road.**

**Or**

**The mailbox must be set \_\_\_\_\_ feet from the edge of the improved surface of the roadway.**

**Notes:** \_\_\_\_\_

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All construction and material shall be subject to inspection and approved by the County. The County reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the county road. Changes in design will be made only with approval of the County.

**SPECIFICATIONS FOR INSTALLATION OF MAILBOXES  
IN THE COUNTY RIGHT OF WAY**

The requester is responsible for all cost associated with the construction of the mailbox.

All mailboxes must be mounted on a single stem, no larger in diameter than four inches outside diameter, or four inches square. No mailboxes constructed of brick, stone, masonry, or other similar material may be placed in the County Right of Way.

The requester shall hold harmless Coryell County and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.

\_\_\_\_\_  
Coryell County Representative

\_\_\_\_\_  
Date