



NO. 08102021-6H

**RESOLUTION**  
**ORDER ADOPTING SUBDIVISION REGULATIONS**  
**OF GUADALUPE COUNTY, TEXAS**

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**IT IS ORDERED** herein that Guadalupe County, Texas, pursuant to Chapter 232 of the Texas Local Government Code, hereby adopts the attached Subdivision Rule Book; and

**IT IS FURTHER ORDERED** that Guadalupe County, Texas, pursuant to Subchapter E of Chapter 232 of the Texas Local Government Code, adopts those regulations contained in the attached Subdivision Rule Book that are allowed to be adopted by a County pursuant to said Subchapter E; and

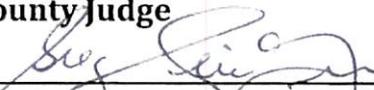
**IT IS FURTHER ORDERED** that Guadalupe County, Texas, pursuant to the authority granted by Section 232.108 of the Texas Local Government Code, hereby adopts the regulatory authority set forth in Section 232.023 of the Texas Local Government Code and all regulations contained in the attached Subdivision Rule Book consistent therewith.

**PASSED AND APPROVED** by the Commissioners Court of Guadalupe County on the 10th day of August 2021.



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**Kyle Kutscher**  
County Judge



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**Greg Seidenberger**  
Commissioner, Precinct 1



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**Michael Carpenter**  
Commissioner, Precinct 3

Attest:



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**Teresa Kiel**  
County Clerk



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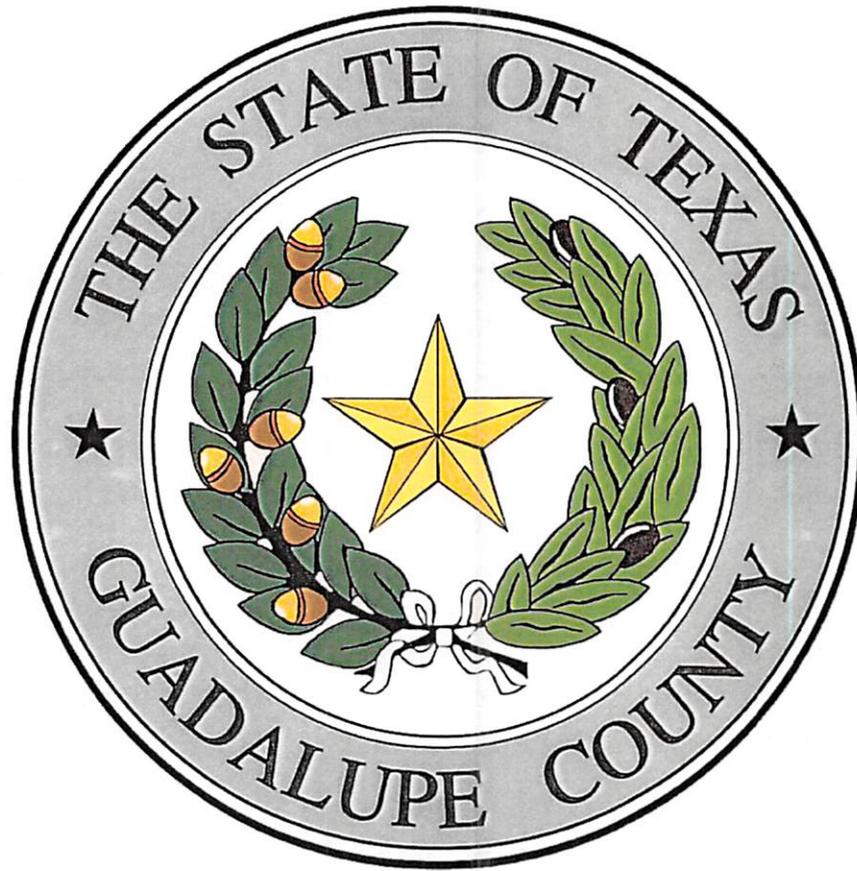
**Drew Engelke**  
Commissioner, Precinct 2



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**Judy Cope**  
Commissioner, Precinct 4





# **GUADALUPE COUNTY SUBDIVISION REGULATIONS**

Amended August 10, 2021

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## **SECTION I**

### **AUTHORITY AND PURPOSE**

#### **A. REGULATORY AUTHORITY**

These Regulations have been adopted by Order of the Commissioners Court acting in its capacity as the governing body of Guadalupe County, Texas pursuant to and in conjunction with appropriate statutes and regulations including, but not limited to:

**Texas Local Government Code**, Chapters 232: County Regulations of Subdivisions, and Chapter 242: Authority of Municipality and County to Regulate Subdivisions in and outside Municipality's ETJ

**Texas Transportation Code**, Chapter 251: County Authority Relating to Roads and Bridges

**Texas Property Code**, Section 12.002: Subdivision Plat; Penalty

**Texas Water Code**, Section 16.315: Political Subdivisions: Compliance with Federal Requirements

FEMA and Guadalupe County Flood Damage Prevention Regulations

TCEQ and Guadalupe County On-Site Sewage Facilities Regulations

#### **B. DENIAL OF DRIVEWAY PERMITS TO OWNERS NOT IN COMPLIANCE**

1. The County shall issue no driveway permit for any lot or tract abutting a county road created in violation of these regulations, unless the lot or tract owner has received a variance plat approval.
2. Any County employee or official who has a question as to whether a particular tract was created in violation of these regulations may delay actions on issuing a driveway permit and refer the question to the Guadalupe County Road & Bridge Department.
3. Issuance of a driveway permit by Guadalupe County Road & Bridge Department does not constitute an acknowledgement by Guadalupe County that a tract was created in compliance with these regulations. Guadalupe County maintains the right to contend that any tract was created in violation of these regulations, unless:
  - a. the tract is an unaltered tract created prior to the adoption of these regulations;
  - b. the tract is an unaltered tract that was created by a subdivision platted under these regulations; or
  - c. a variance plat approval has been obtained and approved.

#### **C. RESPONSIBLE DEPARTMENTS**

The Commissioners Court designates the Guadalupe County Environmental Health Department (Department), and specifically the Director of the Department, as agent for receiving and reviewing Applications submitted under these Regulations and as custodian of records for all information received, acquired or developed during the exercise of these rules. The Department may coordinate with any other County departments, agency or personnel in the performance of the duties required and allowed under these Regulations.

#### **D. DELEGATION OF AUTHORITY**

The Department and Director are delegated the authority by the Commissioners Court to conduct the activities required on behalf of the County under these Regulations. All officials and employees of Guadalupe County, Texas, having duties under these Regulations are authorized to perform such duties as are required of them under these Regulations. The Commissioners Court reserves the final authority for approval or denial of any Application submitted under these Regulations.

## **E. ENFORCEMENT IN GENERAL; PENALTY**

1. At the request of the commissioners court, the county attorney or other prosecuting attorney for the county may file an action in a court of competent jurisdiction to:
  - a. enjoin the violation or threatened violation of a requirement established by, or adopted by the commissioners court under a preceding section of this chapter; or
  - b. recover damages in an amount adequate for the county to undertake any construction or other activity necessary to bring about compliance with a requirement established by, or adopted by the commissioners court under a preceding section of this chapter.
2. A person commits an offense if the person knowingly or intentionally violates a requirement established by, or adopted by the commissioners court under a preceding section of this chapter. An offense under this subsection is a Class B misdemeanor. This subsection does not apply to a violation for which a criminal penalty is prescribed by Section 232.0048.
3. A requirement that was established by or adopted under Chapter 436, Acts of the 55th Legislature, Regular Session, 1957 (Article 6626a, Vernon's Texas Civil Statutes), or Chapter 151, Acts of the 52nd Legislature, Regular Session, 1951 (Article 2372k, Vernon's Texas Civil Statutes), before September 1, 1983, and that, after that date, continues to apply to a subdivision of land is enforceable under Subsection a. A knowing or intentional violation of the requirement is an offense under Subsection b.

## **F. PURPOSE**

These Regulations have been prepared in general to aid in the orderly development of the unincorporated areas of Guadalupe County, Texas, and to provide and provide guidelines which lead to a desirable environment. Specifically they have been prepared for the following purposes:

1. To furnish the Owner with guidance and assistance in the expedient preparation and approval of his or her plat.
2. To protect the citizens of Guadalupe County by providing subdivision and development guidelines for residential, commercial, and industrial subdivisions.
3. To provide for the welfare of the public by providing guidelines for the location, design, and construction of streets, intersections, drainage improvements and other features that provide for the safety of the general public.
4. To provide for the proper arrangement and construction of roads, and to ensure the proper relationship of roads to existing or planned roads.
5. To ensure adequate access for emergency response vehicles.
6. To ensure that the Guadalupe County will not be burdened with substandard roads in the future.

## **G. CODIFICATION & REVISION OF PRIOR RULES/ORDERS**

1. These rules constitute a re-codification and revision of existing Guadalupe County Subdivision Regulations and shall supersede and replace any prior subdivision regulation wherein there exists any conflict.
2. Any application received prior to the adoption of these subdivision rules will be governed by the rules in place at date of application.

## SECTION II

### DEFINITIONS

**Certain terms used in these Subdivision Rules are defined as follows:**

- 1. 10-year Storm Event** - a flood that statistically has a 10 percent chance of occurring in any given year. More specifically, a storm event that has an Annual Exceedance Probability (AEP) of 0.10.
- 2. 25-year Storm Event** - a flood that statistically has a 4 percent chance of occurring in any given year. More specifically, a storm event that has an Annual Exceedance Probability (AEP) of 0.04.
- 3. 100-year Floodplain** - a flood that statistically has a 1 percent chance of occurring in any given year. More specifically, a storm event that has an Annual Exceedance Probability (AEP) of 0.01.
- 4. Applicant/Developer** – a person seeking approval of an application submitted pursuant to these Regulations.
- 5. Application** – a submittal that includes a completed plat along with all required attachments which may be required as part of that submittal and appropriate review fee. These attachments may include, but not limited to, drawings, drainage or geotechnical reports or electric data files.
- 6. Base Flood Elevation (BFE)** – the water surface elevation resulting from the flood that has a one percent chance of equaling or exceeding that level in any given year.
- 7. Building Set-Back-Lines** - the lines within a property defining the minimum horizontal distance between a building and the adjacent property line.
- 8. Business Days**- any recognized business day that the County offices are routinely open for business, specifically excluding weekends and holidays recognized by the County.
- 9. Cabin-type Rental Development** – a platted lot or unplatted tract of land with two or more dwelling units under common ownership, including but not limited to duplexes, triplexes, quadplexes, or groups of detached dwelling units, offered for rent.
- 10. Commissioners Court** – the Commissioners Court of Guadalupe County.
- 11. Common Area/Common Elements** - includes all of the project property in a condominium declaration, except the individual condominium units.
- 12. Condominium** - the separate ownership of single units or apartments in a multiple structure or in structures with common elements.
- 13. Condominium Development** – a form of real property with portions of the real property designated for separate ownership or occupancy, and the remainder of the real property designated for common ownership or occupancy solely by the owners of those portions. For the purposes of these Regulations a Condominium shall be developments created under Chapter 82 of the Texas Property Code aka the Uniform Condominium Act.
- 14. Contour Lines** - elevation lines drawn upon the plat illustrating general topography and drainage flow.

- 15. County** - Guadalupe County, Texas.
- 16. Dedicate or Dedication** - the express, written transfer of property from private to public ownership.
- 17. Development** – all land modification activity, including the construction of buildings, streets, paved storage areas, parking lots, storm water management facilities and other impervious structures or surfaces.
- 18. Drainage Easement** – all natural and manmade watercourses, conduits, and storage basins that must remain unobstructed in order to prevent flood damage.
- 19. Driveway** – an access constructed within a public right-of-way, connecting a public street with adjacent property and intended to provide vehicular access into that property in a manner that will not cause the blocking of any sidewalk, border area, or streets.
- 20. Dwelling Unit** – one or more rooms designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of one household. Dwelling units may include:
  1. A Single-Family Residence;
  2. An Apartment;
  3. A Tiny Home;
  4. A Cabin-type;
  5. A Recreational Vehicle;
  6. A Condominium Unit; or
  7. A Manufactured Home within a Manufactured Home Rental Community.
- 21. Existing County Road** - a road is a public road that has been accepted for maintenance by the Commissioners Court pursuant to the standards set by the Commissioners Court.
- 22. Extraterritorial Jurisdiction (ETJ)** - authority granted to municipalities to exercise development regulations for a specific distance outside its boundaries in unincorporated areas.
- 23. FEMA** – the Federal Emergency Management Agency, a federal agency of the Department of Homeland Security.
- 24. Floodplain**- any area in the 100-year floodplain that is susceptible to being inundated by water from any source or that is identified by FEMA under National Flood Insurance Act of 1968.
- 25. Licensed Professional Engineer** – a Registered Professional Engineer as authorized by the State of Texas Statutes to practice the profession of engineering.
- 26. Lot** – any tract to be created by the division of the Original Tract pursuant to a proposed Subdivision Application or a Manufactured Home Rental unit or space including the remainder of the Original Tract, as well as existing platted and un-platted tracts, and exempt subdivision.

- 27. Manufactured Home Rental Community** - a tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than 60 months without a purchase option, for the placement of manufactured homes for use and occupancy as residences.
- 28. Major Thoroughfare** – major thoroughfare shall mean an arterial road defined herein, and all streets included either now or in the future in the Guadalupe County Major Thoroughfare Plan.
- 29. Multi-unit Residential Development** – a platted lot or unplatted tract of land with two or more dwelling units under common ownership, including but not limited to duplexes, triplexes, quadplexes, or groups of detached dwelling units, offered for rent.
- 30. Original Tract** – the original tract of land owned by an Owner prior to the proposed Subdivision.
- 31. Owner(s)** - the holder(s) of a legal or equitable interest in real property as shown by the deed records of the county in which the property is located, and which has been included in an Application under these Regulations.
- 32. Pavement width** - the paved portion of a street available for vehicular traffic.
- 33. Plat** - A subdivision plan submitted for approval to the Commissioners Court in conformity with the provisions of these rules and which, if given the approval, will be submitted to the County Clerk of Guadalupe County for recording. An Amended or Replat plat will be considered a "plat" as defined herein.
- 34. Public Sewage system** - any publicly or privately owned system for the collection, treatment, and disposal of sewage that is operated in accordance with the terms and conditions of a valid waste discharge permit issued by the Texas Commission on Environmental Quality (TCEQ).
- 35. Public Water System** – a system, approved by the Texas Commission on Environmental Quality (TCEQ), for the provision to the public of water for human consumption through pipes and other constructed conveyances.
- 36. Public Utility Easement** - easement dedicated by the Applicant/Developer of the proposed subdivision in perpetuity for the installation and maintenance of utilities and all the necessary appurtenances thereto installed above, on, or below the surface of the ground.
- 37. Recreational Vehicle** - a vehicle primarily designed as temporary living quarters for recreation camping or travel use. The term includes a travel trailer, park units, camping trailer, truck camper and motor home.
- 38. Recreational Vehicle Park (RVP)** - means any lot, tracts or parcel of land upon which accommodation is provided for three or more recreational vehicles used as living or sleeping quarters by the day, week or month whether a charge is or not made for the use of the lot, tract or parcel.

- 39. Regulated Streets** - Those streets or roadways, including the associated right-of-way and features constructed in the right-of-way, located within the County but outside the incorporated limits of any municipality in the County, associated with the Application under these Regulations, including the following:
1. Existing dedicated public streets that are improved or on which construction or tie-ins are made in association with the proposed development for which an Application is submitted under these regulations;
  2. New streets dedicated to the public through any action of the County;
  3. New streets dedicated to the public to be maintained by the County including streets constructed as a part of a subdivision, Manufactured Home Rental Community or other type of Application approved under these Regulations; and
  4. Existing private streets not dedicated to the public and not maintained by the County, but used for emergency services access and general egress/ingress by the public or owners of property adjacent to any such private street, as a part of any Application approved under these Regulations.
- 40. Residential Use** - shall be construed to include single-family residential uses, two-family uses, and multi-family residential (i.e. apartments, condominiums).
- 41. Right-of-way** - that portion of a public or private subdivision dedicated to public or private use for streets and roads.
- 42. Street;** includes but not necessary limited to, 232.001(a)(3) -
1. A public or private thoroughfare, which provides vehicular access to adjacent land.
  2. Arterial Streets - serve high volume through traffic from collector and secondary street with considerable route continuity usually at higher constant speeds.
  3. Connector Streets - intermediate streets that serve to connect secondary streets with arterial streets.
  4. Secondary Streets - serve primarily to provide access to property abutting the public right-of-way so designed as to prevent through traffic.
- 38. Structure** - any habitable structure constructed on, or brought to, its site and occupied by members of a family, including but not limited to manufactured homes situated on leased property.
- 39. Subdivision** - any division of a tract of land situated within Guadalupe County and outside the corporate limits of any municipality into two or more lots to lay out or identify:
1. A subdivision of a tract, including an addition.
  2. 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.

3. Division of the property for the purposes of establishing a security interest or a financial severance.
4. Guadalupe County hereby deems any situation consists of the place or construction of residential dwelling units of any type that constitute a permanent residence to be a subdivision of land. If any residential dwelling units are to be served by an on-site sewage facility, the on-site sewage facility must meet the TCEQ wastewater usage rate based on single family dwellings.
5. Guadalupe County hereby deems any situation consists of the place or construction of residential dwelling units of any type that constitute a permanent rental dwelling unit to be a subdivision of land. If any rental dwelling units are to be served by an on-site sewage facility, the on-site sewage facility must meet the TCEQ wastewater usage rate and Section 10 Amendments of the Guadalupe County On-Site Sewage Facilities Order.

It is the intent of the Commissioners Court of Guadalupe County that the term "subdivision" be interpreted to include all divisions of the land to the fullest extent permitted under the laws of the State of Texas.

40. **Surveyor** - a Registered Professional Land Surveyor as authorized by the State of Texas Statutes to practice the profession of surveying.
41. **Time Share** – interval ownership of a piece of real estate (commonly a condominium unit, but may be any real estate) for a certain interval or time period (example: one week each year). Said interval ownership can be either for a term of year (such as 20 years), or fee simple (absolute ownership).
42. **Utility**- a person, including a legal entity or political subdivision, that provides the services of:
  1. An electric utility, as defined by Section 31.002 (Definition), Utility Code;
  2. A gas utility, as defined by Section 101.003 (Definitions), Utility Code; and
  3. A water and sewer utility, as defined by Section 13.002 (Definition), Water Code
43. **Variance** – is a departure from the Guadalupe County Subdivision Regulations that is requested as a part of the standard platting process.
44. **Water Distribution Facility** – a system or network of pipes and valves designated to deliver potable water to users.

## **SECTION III**

### **EXEMPTIONS**

#### Text of Local Government Code Section 232.001(a)

*Sec. 232.001. PLAT REQUIRED. (a) The owner of a tract of land located outside the limits of a municipality must have a plat of the subdivision prepared if the owner 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.*

#### **A. EXEMPTED SUBDIVISIONS**

The following exemptions may allow a division of property without the preparation of a subdivision plat. Under these exemptions, a property owner may not be required to prepare a subdivision plat for their division of their property, but the division of property must still meet the minimum lot size requirements set forth in the Guadalupe County On-Site Sewage Facility Order.

1. The owner does not lay out a part of the tract described by Section 232.001(a)(3) Texas Local Government Code and the land is to be used primarily for agricultural use, as defined by Section 1-d- 1, 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.
2. If a tract described by Section III(a)(1) above, ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, the platting requirements of this subchapter apply.
3. A county may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into four or fewer parts and does not lay out a part of the tract described by Section 232.001(a)(3) Texas Local Government Code to have a plat of the subdivision prepared if each of the lots 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, Government Code. If any lot 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 platting requirements of this subchapter apply.
4. A county may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts to have a plat of the subdivision prepared if:
  - a. all of the lots of the subdivision are more than 10 acres in area; and
  - b. the owner does not lay out a part of the tract described by Section 232.001(a)(3) Texas Local Government Code.
5. A county may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts and does not lay out a part of the tract described by Section 232.001(a)(3) Texas Local Government Code to have a plat of the subdivision prepared if all the lots are sold to veterans through the Veterans' Land Board program.

- 6. The provisions of this subchapter shall not apply to a subdivision of any tract of land belonging to 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 the subdivision lays out a part of the tract described by Section 232.001(a)(3) Texas Local Government Code.**
- 7. A county may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts to have a plat of the subdivision prepared if:**
  - a. the owner of the land is a political subdivision of the state; and**
  - b. the land is situated in a floodplain; and**
  - c. the lots are sold to adjoining landowners.**
- 8. A county may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two parts to have a plat of the subdivision prepared if:**
  - a. the owner does not lay out a part of the tract described by Section 232.001(a)(3) Texas Local Government Code; and**
  - b. one new part is to be retained by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of this chapter.**
- 9. A county may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts to have a plat of the subdivision prepared if:**
  - a. the owner does not lay out a part of the tract described by Section 232.001(a)(3) Texas Local Government Code; and**
  - b. all parts are transferred to persons who owned an undivided interest in the original tract and a plat is filed before any further development of any part of the tract.**
- 10. The county may not require the owner of a tract of land divides the tract into no more than two parts in order to obtain a loan and comply with requirements of the lender and**
  - a. each part consist of at least 1 acre; and**
  - b. no part is conveyed to a third party; and**
  - c. does not lay out a part of the tract described by Section 232.001(a)(3) Texas Local Government Code.**

**SECTION IV**  
**COMMUNICATION**

**A. COMMUNICATION WITH PRECINCT COMMISSIONER**

The Applicant is required to contact the Commissioner in whose precinct the proposed Subdivision is located prior to the submission of the application. The purpose of this communication shall be for the Applicant to inform the Commissioner about the project and for the Commissioner to present to the Applicant any constraints or concerns associated with the project.

1. Documentation of contact or communication with the Commissioner, including the personal visit, if requested, shall be furnished to the Department in conjunction with an Application.
2. Proposed subdivision entrances entering off a county road shall meet the approval of Precinct Commissioner.

**B. VARIANCES**

The Commissioners Court of Guadalupe County shall have the authority to grant variances from these Regulations when the public interest or the requirements of justice demands relaxation of the strict requirements of the rules. The variance request must be presented to Commissioners Court and resolved prior to submission of the application

1. Any person who wishes to receive a variance shall apply to the Department.
  - a. No variance request will be granted for fees.
2. The decision of the Commissioners Court whether to grant or deny a variance is at its complete discretion, and shall be final.

**C. LETTER OF CERTIFICATION**

A Letter of Certification for plats, replats, or any other type of development where the Department and/or Commissioners Court is the approving authority, the Letter of Certification must be received in accordance with the Plat Checklist. The Letter of Certification is used to facilitate the County's plat application, development plan review, or other construction document review processes. Department reviewers may include: Environmental Health, Road & Bridge, Fire Marshal, and Commissioners Court. Other reviewers may include: Texas Department of Transportation, GBRA, a municipality, a public utility provider, or a third party consultant.

**D. COMMUNICATION WITH COUNTY FIRE MARSHAL**

The Applicant is required to contact the County Fire Marshal prior to the submission of the application. The purpose of this communication shall be for the Applicant to inform the County Fire Marshal about the project and for the County Fire Marshal to present to the Applicant any constraints or concerns associated with the project. Any commercial or public buildings to be constructed within the proposed subdivision must apply for a permit prior to construction.

1. Documentation of contact or communication with the County Fire Marshal, including the personal visit, if requested, shall be furnished to the Department in conjunction with an Application.

**E. INGRESS and EGRESS PERMITS**

1. If the proposed subdivision fronts on any State Highway, the Applicant shall comply with State requirements concerning driveways, drainage and other applicable requirements.
  - a. Owner/Developer shall submit the approval of the proposed subdivision along with all approved permits (lots with proposed access to a State Highway) given by the State Highway Department upon submittal of the Application.
2. If the proposed subdivision front on any County Maintained Road, the Applicant is required to contact the County Road & Bridge Administrator prior to submission of the application. The purpose of this communication shall be for the Applicant to inform the County Road & Bridge Administrator about the project and for the County Road & Bridge Administrator to present to the Applicant any constraints or concerns associated with the project.
  - a. Owner/Developer shall submit the approval of the proposed subdivision along with all approved permits given by the County Road & Bridge Administrator upon submittal of the Application.
  - b. The County Road & Bridge Administrator shall issue no driveway permit for any lot or tract fronting on any county road created in violation of these Regulations, unless the lot or tract owner has received a variance plat approval.

Issuance of a driveway permit by Guadalupe County does not constitute an acknowledgement by Guadalupe County that a tract was created in compliance with these Regulations.

**F. COMMUNICATION WITH COUNTY "911" COORDINATOR**

Prior to submitting an Application, the Applicant is required to contact the County "911" Coordinator to confirm the suitability of the naming and designation of proposed streets. The Applicant must submit evidence of approving by the County "911" Coordinator for the following:

1. The County "911" Coordinator is hereby authorized to withhold approval of names that the coordinator determines are very similar to existing names or which otherwise contribute to confusion in names in a way that may hinder emergency response.
  - a. When names are allowed to change on a continuous street, street signs must be placed in a clear and unambiguous manner, so as not to hinder emergency response.
2. If the development plan includes multiple habitable structures located on the same lot (e.g. a multi-unit residential housing unit, a Manufactured Home Rental Community, a multi-unit commercial development, etc.), a "911" address shall be established for each habitable structure. The "911" addresses shall be established by the County "911" Coordinator.

The Applicant shall provide a Letter of Approval for proposed street names upon submittal of the Application.

**G. POSTED NOTICE**

The Applicant shall be required to notify the public by posted notice. This notice shall be accomplished through posting signs at the Subject Property and remain in place no less than 30 days after the plat approval. The following requirements apply to Posted Notice, where required:

1. The signs must be erected prior to submission of the Application.
2. Signs shall be placed within 20 feet of all property boundaries fronting on a public street. Where the length of the boundary fronting on a public street exceeds 1,000 feet, the signs shall be spaced no further than 1,000 feet apart.

3. The background of the sign shall be white. The heading on the sign shall be black letters at least 3" high, with the remaining text black letters at least 2" high.
4. The signs contain the specific text required that includes the posted notice requirements:
  - a. The name of proposed Subdivision;
  - b. A diagram of proposed Subdivision;
  - c. The contact name and telephone number for any persons who might have questions regarding the proposed Subdivision; and
  - d. The contact County Department and telephone number for any persons who might have questions regarding subdivision regulations.
5. The signs shall be a minimum size of 4 feet by 6 feet and the bottom of the sign shall be placed at least 2 feet above ground level.
6. The signs shall be constructed of materials that are sufficiently durable to ensure the sign remains in place and legible during the entire period that posting is required.
7. Signs may also be supplied by Applicant. The Department is authorized to require review by the Department of any signs supplied by the Applicant. The Department may require that such signs supplied by the Applicant be replaced, at the Applicants expense, if the Department determines that the signs supplied by the Applicant do not strictly conform to the requirements of these Regulations.
8. It shall be the responsibility of the Applicant to submit documentation to the Department that the signs have been properly installed and to periodically check sign locations to verify that signs remain in place and have not been vandalized or removed. If signs are removed, damages or become illegible, the Applicant shall replace the signs within three (3) working days.

#### **H. WRITTEN NOTICE**

The Applicant shall be required to notify the owners of contiguous properties through written notice. The following provisions apply to Written Notice:

1. The written notice must include a map clearly showing the boundaries and general location of the proposed development and major streets in the vicinity.
2. The written notice must include a general description of the nature of the proposed development, including identification of the Applicant and a general description of the nature of the activities for which approval is being requested.
3. The written notice shall be sent certified with return receipt requested.
4. The Applicant shall provide copies of the returned receipts to the Department upon submittal of the Application.

## **SECTION V**

### **OUTSTANDING TAX LIABILITIES AND FEES**

#### **A. PROPERTY REQUIREMENTS**

Subject Properties for which an applicant is submitted under these Regulations shall not be delinquent on tax liabilities with the County.

1. Applications submitted under these Regulations shall provide any applicable property identification numbers from the Guadalupe Appraisal District or other appointed tax assessing entity for the Subject Property;
2. Applications submitted shall provide all tax certificates for the Subject Property; and,
3. The Department may independently investigate the status of payment of County taxes for the Subject Property. If found delinquent, the County may suspend processing of any Application submitted under these Regulations.

Payment of any delinquent (including penalties, interest, late fees, etc.) on behalf of Subject Property shall be required prior to plat approval.

#### **B. FEES**

1. The Commissioners Court shall establish fees for Applications, permits, inspections, reviews or other activities as required or allowed under these Regulations. These fees may be amended from time to time by the Commissioners Court without amending or affecting the remainder of these Regulations. The Department shall maintain and make available to the public a list of all fees established under these Regulations. Any dispute between the Applicant and the Department regarding the basis or amount of applicable fees may be appealed by either party to the Commissioners Court.
2. All fees paid to the County are non-refundable except under the following conditions:
  - a. fees collected for reviews and/or inspections that are not actually conducted; or,
  - b. fees collected where the Applicant surrenders or cancels the Application.

## **SECTION VI**

### **PLATTING GUIDELINES**

#### **A. GENERAL REQUIREMENTS**

Any person who subdivides a tract of land, creates a rental development/community, or creates a condominium style development shall:

1. Comply in all respects with these Regulations;
2. Prepare and submit to the Commissioners Court an Application for approval or registration of the proposed Subdivision in accordance with the terms and procedures set forth in these Regulations; and,
3. Comply in all respects with Guadalupe County's Specifications for Road Construction Requirements.

#### **B. PLAT REQUIRED**

1. The owner of a tract of land located outside the limits of a municipality must have a plat of the subdivision prepared if the owner divides the tract into two or more parts to lay out:
  - a. a subdivision of the tract, including an addition;
  - b. lots; or
  - c. 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.
2. A division of a tract under Subsection a. includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

## **SECTION VII**

### **HIGH DENISTY DEVELOPMENT**

#### **A. CONDOMINIUMS**

1. Condominiums shall be treated as high density development and shall meet all requirements for platting (to include boundaries and building locations, drainage, and utility easements).
2. Condominiums shall be approved over non-Edwards Aquifer Recharge Zone areas only when both a state approved central water system and a county and state approved sewage disposal system is available and does not overly burden existing and proposed streets and other public facilities.
3. Only one Condominium Regime shall be established per lot or tract as recorded by the Master Deed and Declaration as found in the Real Property Records of Guadalupe County.

## **SECTION VIII**

### **APPLICATION REVIEW AND APPROVAL PROCEDURE**

Applications to the Commissioners Court for platting and subdividing property pursuant to these Regulations are subject to the application review, approval procedures and plat requirements set forth in these Regulations.

1. If the property to be platted lies entirely within the limits of a city, the Owner shall consult directly with that city pertaining to all platting procedures and requirements.
2. If the property to be platted lies entirely outside of the limits of a city and all ETJs, platting procedures and requirements shall be in accordance with these Regulations.
3. If the property to be platted lies fully or partially within the ETJ of a city, the platting procedure shall be accomplished in accordance with the current, applicable interlocal agreement (HB 1445) between the County and that city.
4. For a condominium development, the development shall comply in all respects with these Regulations and an Application for plat approval of the proposed Subdivision shall be prepared submitted to the Department in accordance with the terms and procedures set forth in this Section.
5. For a Recreational Vehicle development, the development shall comply in all respects with these Regulations and an Application for plat approval of the proposed Subdivision shall be prepared and submitted to the Department in accordance with the terms and procedures set forth in this Section.
6. For a multi-unit residential development, the development shall comply in all respects with these Regulations and an Application for plat approval of the proposed Subdivision shall be prepared and submitted to the Department in accordance with the terms and procedures set forth in this Section.
7. For a small cabin-type rental units development, the development shall comply in all respects with these Regulations and an Application for plat approval of the proposed Subdivision shall be prepared and submitted to the Department in accordance with the terms and procedures set forth in this Section.
8. If the subdivision will contain on-site sewage facility (OSSF), an OSSF subdivision application shall be filed simultaneously with the Department. A tract that has been subdivided without compliance with the Guadalupe County Subdivision regulations will be ineligible to obtain a permit for the construction or modification of an On-Site Sewage Facility located on the tract.
9. In those ETJ's where the interlocal agreement provides for a joint review by both the city and the County, an Application shall be filed with the city and the County. If the subdivision will contain an on-site sewage facility (OSSF), an OSSF Subdivision Application must be filed simultaneously with the Department regardless, if the property is located within the city limits, ETJ, or in an unincorporated area of the county.
10. Since the County must approve, approve with conditions or disapprove an Application within 30 days, it is the obligation of the Owner to submit a complete application to allow for proper review by the County. If this is not done, the submission will be considered incomplete, and a new application must be filed.

11. Prior to any subdivision of land and any official submittal of a plat for review, it is recommended that the Owner set a pre-development meeting with the Department. The Owner would present a draft plan on paper showing the proposed road alignments and lots and discuss any special issues of concern regarding the subdivision.
12. The Owner shall then submit to the Department a completed application form, the appropriate application review fee and all other items listed in the plat completeness checklist. Confirmation of the receipt of a complete Application and fee will be provided to the Owner. Confirmation of receipt does not approve any portion of the Application, nor does it waive requirements for any additional information not contained as part of the Application which may also be needed as a part of the review process.
13. The County has 10 business days from the date the application was received to notify the Applicant of any missing items in order to be considered a complete application.
14. An Application is considered received by the Department on the date the submittal is determined complete.
15. In such cases where additional information is needed, the 30-day review period will begin only after receipt of a complete application.
16. In those ETJ's where the interlocal agreement provides for a joint review by both the city and the County, the applicable fee for county's review will be payable to County.
17. The Department will review the Application for compliance with these Regulations.
18. If the application is disapproved, the Department will return written comments and recommendations to the Owner or, in the case of a joint review, to the appropriate city.
19. The Owner shall address the comments and recommendations, provide documented responses to each comment, and document any changes made to the plat, and, if necessary, set a meeting with the Department to resolve the comments.
20. The Owner shall resubmit the Application with the appropriate changes for additional review and/or recommendation for approval by the Guadalupe County Commissioners Court. An additional 15-day review period will begin upon receipt of a complete revised Application.
21. An Application shall expire five years after the date of the Application if the project becomes dormant, as defined by Section 245.005 of the Texas Local Government Code, as amended.
22. The review cycle (Subsections 16 through 20) shall continue until all comments have been addressed. No approval in any form including, but not limited to, the Judge's signature or verbal Commissioners Court action shall be given on any subdivision until the Owner has provided all necessary recorded easements and has met every subdivision requirement or has obtained a variance.
23. After all comments have been addressed, and prior to the Departments recommending approval of the plat to the Commissioners Court, the Owner shall supply the Department with a paper copy and a digital file of the plat. The plat shall have original signatures in BLACK ink. Each signature shall have, immediately under it in legible lettering or typing in BLACK ink, the name corresponding to the original signature. All corporate, legal, license, and registration seals shall be affixed and darkened in such a manner as to be legible. The Commissioners Court members and County Staff signatures will be collected by the County.
24. After all comments have been addressed and the paper copy and the required digital files received, the Department will place the plat on the next available Commissioners Court agenda recommending approval.

- 25. If the owner desires to make any changes to the plat after it has been approved by the Guadalupe County Commissioners Court, but prior to recording, the Owner shall re-submit the plat including the changes for additional review and/or recommendation for approval by the Guadalupe County Commissioners Court.**
- 26. Following approval of the plat by the Guadalupe County Commissioners Court, the Owner (or authorized Agent) shall submit the plat to the County Clerk for recording in accordance with the requirements of the County Clerk's office.**

## **SECTION IX**

### **PLAT REQUIREMENTS**

#### **A. PLAT REQUIREMENTS**

Plats shall consist of one or more 18" x 24" black and white paper copy and supporting documents. In addition to the paper copy of the plat, a digital copy of the plat must be submitted to the Director. The plat and supporting documents shall contain the following information:

1. Name of the proposed Subdivision, which shall not be the same or deceptively similar to any other subdivision within the County unless the subdivision is an extension of a pre-existing, contiguous subdivision.
2. A legend with all acronyms, line work, and hatching defined and the plat must be legible with a minimum font size of 8-point type. Adequate space must be provided for time, date and instrument entries within signature blocks.
3. Boundary lines and total acreage of the Original Tract, the Subject Property and the proposed Subdivision.
4. Lot and block numbers for each lot, inclusive of designating all streets, roadways, or other public areas by lot and block number.
5. Listing of lots and acreage within the proposed subdivision.
6. Acreage of all lots, calculated to the nearest 0.01 of an acre.
7. Dimensions of each lot and streets.
8. Location of any proposed parks, squares, greenbelts, schools, open space or other public use facilities and acreage of streets, private or public.
9. Area map showing general location of the Subdivision in relation to major streets, towns, and cities.
10. Bearings and dimensions of the boundary of the Subdivision and all lots, parks, green belts, easements, or reserves. Dimensions shall be shown to the nearest 0.01 foot and bearings shall be shown to the nearest one second of angle (01"). The length of the radius and arc of all curves, with bearings and distances of all chords, shall be clearly indicated.
11. A description of monument used to mark all boundary, lot and block corners, and all points of curvature and the tangent on street rights-of-way.
12. Elevation contours of no greater than 10 feet intervals.
13. North arrow, scale and preparation date. The scale shall not exceed 1" = 200'.
14. GPS coordinates of at least 2 corners of subdivision.
15. Areas of the 100-year Flood Zone taken from the latest FEMA Flood Maps are to be delineated and shaded on the plat and labeled as "FEMA 100-year flood Zone " \_ ". The following note shall appear on the plat:
  - a. This property does (or does not) lie within a Special Flood Hazard Area, Zone " \_ ", the 100-year flood zone, as defined by the Flood Insurance Rate Map for Guadalupe County, Texas on Community Panel No. \_\_\_\_, effective date \_\_\_\_, as prepared by the Federal Emergency Management Agency.

16. For subdivisions within the 100-year flood zone, the base flood elevation shall be shown on the plat.
17. For subdivisions within the 100-year flood zone, the following statement shall appear on the plat: "No structure or land in this plat shall hereafter be located or altered without first obtaining a Floodplain Development Permit from the Guadalupe County Floodplain Administrator.
18. Boundary lines of any incorporated municipality and the limit of the extraterritorial jurisdiction of any municipality.
19. Indicate location of any existing structures (buildings, wells, cemeteries, etc.) in the subdivision.
20. Indicate the school district and current county precinct in which the Subdivision is located. In the event any lot lies within more than one school district or precinct then the plat shall clearly state the number of acres within the lot that lies within each school district or precinct.
21. Street names (whether the street will be public or privately owned), pavement width and right-of-way width for all proposed streets within and all existing streets abutting the plat.
22. Certificate of dedication of all streets, roadways, parks or other land intended for public use, or for the use of purchasers or owners or other land intended for public use, or for the use of purchasers or owners of tracts fronting or adjacent thereto.
23. The location and size of all proposed drainage structures, including on-site retention or detention ponds and easements and the impact of lot and street layouts on drainage.
24. Location of existing and proposed water and sanitary sewer utilities.
25. If the source of water intended to supply a subdivision is groundwater, then a report must be prepared by an Engineer or Geoscientist, licensed in the State of Texas, that certifies that there is adequate groundwater available for the subdivision.
26. A statement indicating who shall be responsible for the maintenance of drainage structures, ponds, and easements designated within the Subject Property. Maintenance responsibility for drainage will not be accepted by the County other than that accepted in connection with draining or protecting the road system. Maintenance responsibility for storm water management controls will remain with the owner.
27. The following statement shall appear on the plat if roads and streets within the proposed subdivision are not to be conveyed to the County for maintenance:  
"(Owner), by filing this Record Document, and all future owners of this property, by purchasing such property, acknowledge and agree that Guadalupe County shall have no obligation whatsoever to repair or accept maintenance of the streets shown on this approved development plat until and unless (Owner) and/or the property occupants or tenants have improved the streets to the then current standards required by Guadalupe County and the streets have been accepted for maintenance by formal, written action of the County Commissions Court and the streets, with all required right-of-way and building setbacks, have been dedicated by the owners thereof, and accepted by the County, as public streets. Until such time, (Owner) and all future owners of property within the limits of the approved development plat shall look solely to the Owner, Developer or Entity created for that purpose for future maintenance and repair of the streets included in the development plat."

28. If a state approved disposal sewage system is not provided, the Applicant shall make site evaluations (location of site evaluations shall be shown on the plat) in accordance with the Guadalupe County On-Site Sewage Facilities Order and TCEQ regulations in effect for installation of on-site sewage facility.
29. An appropriate statement shall be shown on the plat indicating the types of on-site sewage facilities are required for the subdivision.
30. The following statement shall appear on the plat: "No structures, walls, or other obstruction of any kind shall be placed within the boundaries of drainage easements. No landscaping, fences, or other type of modifications which alter the cross sections of the drainage easement or decreases the hydraulic capacity of the easement shall be allowed".
31. The following statement shall appear on the plat: "In order to promote safe use of streets and preserve the condition of public streets, no driveway constructed on any lot within this subdivision shall be permitted access onto a publicly dedicated County right-of-way unless a Driveway Permit has been issued by the Guadalupe County Road & Bridge Department". The driveway shall be constructed to meet the Guadalupe County Road & Bridge Department specifications which shall be stated on the permit.
32. The following statement shall appear on the plat: "No structures/homes are to be built or brought onto the lot until an on-site sewage facility permit has been issued or public sewer has been provided and road construction is completed and approved".
33. The following statement shall appear on plat: "No fencing or structures that will interfere with adequate drainage flow will be allowed on or across such lines".
34. Area dedicated for the Commissioners Court and the County Clerk signatures and area for plat recording information by County Clerk.
35. Names of adjoining subdivisions or owners of property contiguous to the proposed Subdivision.
36. Name and address of the Texas licensed professional land surveyor and/or Texas licensed professional engineer preparing the Application materials. The following shall be signed by the Texas licensed professional land surveyor and/or Texas licensed professional engineer and notarized by a Notary Public, "I \_\_\_\_\_, do hereby certify that the information contained on this plat complies with the subdivision regulations adopted by Guadalupe County, Texas".
37. Name and address of the Owner(s) of Subject Property, and area for signatures to be notarized by a Notary Public.
38. A statement of each entity supplying utilities shall be displayed on the plat and area for signature. Plats must have the approval of utility providers as to proper location of public easements and that utilities intent to serve the subdivision.
39. The location of all proposed utility easements and/or infrastructure, including water well sanitary easements, if applicable.

**B. LOT RESTRICTIONS**

1. All lots shall have a 20 feet setback from a County right-of-way and a 10 feet side setback.
2. All lots shall have a minimum of 200 feet of frontage on an existing county road.
3. Lots located within the Edwards Aquifer shall comply with the TCEQ regulations for On-Site Sewage Facilities.

4. Access management shall be reviewed and in accord with design controls and criteria adopted by the American Association of State Highway and Transportation Officials (ASSHTO).

**C. SEWAGE**

Guadalupe County Commissioners Court has heretofore adopted certain rules for the construction of private sewage facilities. These subdivision rules must be read in conjunction with the requirements of the Guadalupe County On-Site Sewage Facilities Order.

**1. On-Site Sewage Facilities**

- a. The owner of the subdivision shall make site evaluations (location of the site evaluations shall be shown on the plat) in accordance with the Guadalupe County and Texas Commission on Environmental Quality (TCEQ) regulations in effect for installation of on-site sewage facilities.
- b. Representative soil sample of a minimum of 10 percent of the proposed lots will be tested and results approved by the Department. The Applicant/Developer shall submit a written site evaluation identifying the design and type of on-site sewage facilities required for the proposed subdivision. If the tests are not acceptable, corrective measures, as specified by the Department shall be required.

**2. Public Sewage Facilities**

- a. If a State approved sewage disposal system is available within 300 feet of any exterior boundary line of the proposed subdivision, the Applicant/Developer of the proposed subdivision shall:
  - i. Cause the system to be extended to serve the subdivision; and
  - ii. Submit a copy of an agreement between the Applicant/Developer and the Public Sewage Facility allowing the extension to the proposed subdivision.
- b. Developers who plan to install a public sewer system that falls outside of the authority of the Guadalupe County Environmental Health Department must present proof of:
  - i. Design;
  - ii. Approval of that design by TCEQ or other State body charged with regulating public sewer systems; and
  - iii. The existence of a financially secure organization to own and maintain the public sewer.

**3. Lot Size Determination**

- a. Lots served with Public Water:
 

<u>Wastewater Application</u>	<u>Minimum Lot Size</u>
Public Sewer	None
Septic	1.0 Acres
- b. Lots served by other than Public Water Supply Systems:
 

<u>Wastewater Application</u>	<u>Minimum Lot Size</u>
Public Sewer	1.0 Acres
Septic	1.0 Acres

#### **D. UTILITIES**

1. All underground water, telephone, gas, cable, and electric lines shall be buried to a minimum depth of 24".
2. All sewer lines shall be buried to a minimum depth of 24". Sewer lines may be buried deeper than 24" if necessary to provide for adequate variations in elevations so as to be functional.
3. Any utility provider main water distribution lines shall be located within 5 feet of a property line when placed in County right-of-way.
  - a. All utility provider water line valves shall be conspicuously marked;
  - b. Any conduits will be installed prior to applying base material and in a sufficient number and size to accommodate utilities needs for all anticipated development; and
  - c. All backfill shall be select fill, approved by the County Road Administrator.
4. If the width of the County right-of-way is insufficient to allow for the 5 feet requirement, then easements across private property must be obtained.
  - a. Applicant/Developer shall submit a copy of an agreement between the Applicant/Developer and the property owner(s) allowing easements across private property upon submittal of the Application.

#### **E. DRAINAGE AND STORM WATER MANAGEMENT**

Drainage and Storm water management shall be designed, constructed, and maintained to restrict the rate of drainage from the platted area to the rate of drainage of the land in its existing condition. The drainage plan must provide for drainage in the platted area to avoid concentration of storm drainage water from each lot to adjacent lots, provide positive drainage away from all structures, and coordinate individual lot drainage with the general storm drainage pattern for the area. The Plan shall be prepared, sealed, and signed by a Professional Engineer, currently registered in the State of Texas, and shall be reviewed by the Department. The plan shall also illustrate the following:

1. When calculating time of concentration values, the proposed time of concentrations shall remain the same or faster time than the existing conditions time of concentrations. Land cover roughness n-values, used to calculate time of concentration, should be consistent from existing to proposed conditions where applicable.
2. When calculating peak flows, the runoff curve number shall remain the same between existing and proposed conditions, using the assumption of raw (undeveloped) land with no impervious cover. The existing and proposed percentage of impervious cover shall be input individually for each condition. For the proposed conditions, the maximum potential percentage of impervious cover shall be used.
3. Detention volume shall be sized by comparing the existing peak runoff produced by the site versus the proposed peak runoff produced by the site, for the 2, 10, 25 and 100-year frequency rainfall event. Methods used to analyze the pre and post development conditions should focus on the proposed changes in impervious cover and time of concentration associated with development of the site. The points of analysis must be consistent between existing and proposed scenarios for a direct and accurate assessment of impacts. The timing of hydrographs may not be used to demonstrate a decrease of proposed peak flows from the developed site.

4. For detention design, NOAA Atlas 14 precipitation values shall be taken from the Guadalupe County rainfall zones for a 24-hour duration storm.
5. For detention design, major channel design and analysis, determination of peak flow rates for floodplain modeling, and hydrologic channel routing, the U.S. Army Corps of Engineers HEC-HMS software, utilizing NOAA Atlas 14 rainfall, a 24-hour storm duration storm, and the Frequency Storm distribution.
6. Impervious cover assumptions must be clearly stated within the drainage report.
7. For floodplain studies, major channel design and analysis, and determination of finished floor elevations, the U.S. Army Corps of Engineers HEC-RAS software must be utilized.
8. The anticipated flow of all drainage onto and from the subdivision and showing all major topographic features on or adjacent to the property including all water courses, 100-year flood zone boundaries, ravines, bridges and culverts shall be shown on the plat. The design of the plan shall negate any impact on adjacent properties greater than that which existed under pre-development conditions.
9. A drainage study shall be prepared for all subdivisions of any size within or outside of the SFHA. Flood/storm waters affecting the proposed subdivision or adjacent areas shall not be allowed to drain from or pond within area described in higher quantities or flow rates than existed under pre-development conditions. This shall be accomplished by the proper design and construction of detention/retention ponds, and/or drainage systems. The location of any historically known ponding of flood/storm waters within the proposed subdivision is to be delineated in the drainage study.
10. Depiction of all streams, rivers, ponds, lakes, other surface water features or any sensitive features (as defined by the Texas Commission on Environmental Quality (TCEQ) in 30 Texas Administrative Code 213.3) and a statement certified by the engineer under the professional seal that, to the best of his or her knowledge, the plat accurately reflects the general location (or absence) of all such features in accordance with the terms of these Regulations.
11. All drainage improvements including ditches, drainage pipes, street curbs, gutter inlets, driveways, road culverts, and storm sewers shall be designed to intercept and transport runoff from a 25 year storm event.
12. All drainage structures and appurtenances shall be designed by a Registered Professional Engineer. A profile shall be shown in the construction plans for all drainage structures. Each profile shall show the design flow, velocity, invert elevations, and the hydraulic grade line.
13. The use of thermoplastic pipes (including but not limited to Poly Vinyl Chloride (PVC) Pipe, High Density Polyethylene Pipe (HDPE), Polypropylene Pipe, etc.) is specifically prohibited from use for cross drainage, parallel drainage, storm drains and all other storm water conveyance within the right of way and/or easements in connection with draining or protecting the road system.
14. All pipe used for cross drainage, parallel drainage, storm drains, driveway culverts and all other storm water conveyances within the right of way and/or easements in connection with draining or protecting the road system shall be designed and constructed with reinforced concrete pipe (RCP), reinforced concrete box (RCB), corrugated metal pipe (CMP), or corrugated metal pipe arch (CMPA), and have a minimum interior diameter of 24" or equivalent. Junction boxes and manholes shall be designed and constructed with reinforced concrete. All other fittings and wyes shall be precast concrete and not cast-in-place, without prior approval from the Department.

**15. A drainage analysis which includes design calculations for all drainage improvements within the proposed subdivision, including drainage culvert locations and sizing, and an analysis of the upstream and downstream impact on adjacent property showing that the development has no impact on the water discharge from the property, based on the 100-year storm event, shall include, but not limited to:**

**a. 100-year Storm Event Indication Analysis**

- i. Provide an engineering analysis showing those areas within the platted area that are subject to storm water inundation during the 100-year storm event. This analysis should be in the form of engineering calculations and an overall plan review of the subdivision showing the areas of 100-year inundation with the areas shaded or crosshatched. The analysis shall be based on the anticipated fully developed conditions of the platted area, including any proposed building, paving, clearing, drainage, roadways, excavation, fill or other significant environment modifications affecting peak flow rates of storm water runoff. The analysis shall only consider watersheds greater than 10 acres.**
- ii. The analysis shall take into consideration all contributing watersheds to the extent that they affect or cause inundated areas within the platted area. A contributing watershed is a drainage area that drains storm water runoff to the platted area. Existing unplatted areas within contributing watersheds shall be analyzed considering their existing state of development. Existing platted areas within contributing watersheds shall be analysed considering their fully built intended use and accounting of the effects of any existing drainage improvements.**
- iii. The 100-year storm event inundation analysis shall be prepared, sealed, and signed by a Professional Engineer, currently registered in the State of Texas, and shall be reviewed for compliance with these rules by the Department.**
- iv. If the 100-year storm event inundation analysis results in any areas inundated other than are reflected in the most current Flood Insurance Rate Maps published by FEMA for Guadalupe County, it is the responsibility of the developer to submit the results of the 100-year storm event inundated analysis to FEMA for approval.**

**b. Downstream Impact Analysis**

- i. Provide an engineering analysis stating that the effect of modifying the platted area to the anticipated fully developed condition, including any proposed building, paving, clearing, drainage, roadway, excavation, fill or other significant environmental modifications, will not increase the peak 100-year storm water discharge rate from the platted area to any contiguous property.**
- ii. The analysis shall consider all contributing watersheds outside of the platted area to the extent that they affect the impact analysis. A contributing watershed is a drainage area that drains storm water runoff into the platted area. Existing unplatted areas within contributing watersheds shall be analyzed considering their existing state of development. Existing platted areas within contributing watersheds shall be analyzed considering their fully built intended use and accounting for the effects of any existing drainage improvements.**
- iii. The Downstream Impact Analysis shall be prepared, sealed, and signed by a Professional Engineer, currently registered in the State of Texas, and shall be reviewed by the Department.**

- c. Plans and Specifications for Storm Water Drainage Improvements**
  - i. Provide plans and specifications for all storm water drainage improvements proposed within the platted area. Storm Water Drainage Improvements are manmade facilities such as detention ponds, channels, storm sewer piping systems, culverts, catch basins, inlets, roadways, ditches, or other related facilities, which are constructed to control or modify natural storm water drainage.**
  - ii. Plans and specifications for Storm Water Drainage Improvements shall be prepared, sealed, and signed by a Professional Engineer; currently registered in the State of Texas, and shall be reviewed for compliance with these rules by the Department.**
- d. Drainage Easements and Right-of-Ways**
  - i. Storm Water Drainage Improvements shall be placed within private drainage easements or public right-of-ways adequately configured to properly accommodate facility operation, maintenance, and access. Storm Water Drainage Improvements, other than ditches in the County Right of Way, will not be maintained by the County and must be contained within private drainage easements. All required drainage easements shall be presented to scale on the plat. The person or entity responsible for maintenance of drainage improvements within the private drainage easements shall be identified on the plat.**

**17. Storm Water Drainage Improvements within the Road Right-of-Way**

- a. Provide an engineering analysis determining the 25-year storm event flow rate at all locations except as noted below in paragraph b, where storm water drainage is planned to cross a proposed roadway. Prepare plans and specifications for proposed drainage improvements showing that the proposed improvements will pass the 25-year storm event flow rate through the drainage improvements without over-topping the roadway surface. The engineering analysis, design, plans, and specifications shall be prepared, sealed, and signed by a Licensed Professional Engineer, currently registered in the State of Texas, and shall be reviewed for compliance with these rules by the Department.**
- b. Provide an engineering analysis determining the 25-year storm event flow rate at all locations where storm water drainage is within a FEMA Special Flood Hazard Area or in an area determined as being inundated in the 100-year storm event inundation analysis, and is planned to cross a proposed roadway. Prepare plans and specifications for proposed drainage improvements showing that the proposed improvements will pass the 25-year storm event flow rate through drainage improvements without over-topping the roadway surface. In addition, provide an engineering analysis determining the 100-year storm event flow rate and show that the effect of the proposed drainage and roadway improvements will not inundate areas outside the FEMA Special Flood Hazard Area, or any other area determined as being inundated in a 100-year storm event inundation analysis.**
- c. The engineering analysis, design, plans, and specifications shall be prepared, sealed, and signed by a Licensed Professional Engineer, currently registered in the State of Texas, and shall be reviewed for compliance with these rules by the Department.**

- 18. Easements shall be provided, where necessary, for all drainage courses and identified floodplains in and across property to be platted. The location and width shall be shown on the plat and marked "Drainage Easement". In general, a "Drainage Easement" shall be a minimum of 20 feet in width.**

19. Where drainage easements are centered along, or cross lot and/or property lines, a statement shall be added to the plat that no fencing or structures that will interfere with adequate drainage flow will be allowed on or across such lines. Fencing may be allowed across drainage easements only in accordance with the following restrictions:

- a. Bottom of fence shall be a minimum of the flow depth, plus freeboard above design flow line of channel or drain as shown in the table below.

**Fencing within Drainage Easements**

Design Depth of Flow	Required Freeboard
0 feet to 5 feet	0.5 foot
5 feet to 10 feet	1.0 foot
10 feet and over	10% of design depth

- b. A hinged gate, sufficient to pass debris from flood/storm water, shall be placed across the entire width (if drainage easement is crossing property lines) or length (if drainage easement is centered along property lines) of the drainage easement.
- c. Fence posts located within the easement must be structurally designed to resist damage from the flood water flows and impact from debris.
- d. A floodplain development permit will be required to construct a fence within an easement within the 100-year flood zone.

20. Maintenance responsibility for drainage will not to be accepted by the County other than that accepted in connection with draining or protecting the road system. Maintenance responsibility for storm water management controls will remain with the Owner.

21. All roadside ditches shall have a minimum depth, as measured from the edge of the street pavement, equal to the diameter of the driveway culvert pipe(s) plus 9", and a bottom width equal to the diameter of the driveway culvert pipe(s). The side slopes of the ditches are to be 3:1 or flatter.

22. Storm water management, including but not limited to detention or water quality ponds, shall not be designed or constructed against a street or roadway whereas the street or roadway embankment would serve the dual purpose of temporary or permanently impounding water for storm water management use. Storm water management infrastructure must be physically separate and distinct from roadway facilities, including culvert and inlet/outlet components.

**F. STREET AND RIGHT-OF-WAY INFORMATION**

- 1. Location, length, and right-of-way widths of all proposed roadways or streets and depiction of how all proposed roadways or streets shall connect with previously dedicated, platted, or planned streets within the vicinity of the subdivision. All roads or streets shall be identified by lot number.
- 2. Total length of all streets, to the nearest 0.10 of a mile.
- 3. Total acreage of all streets public or private.
- 4. Total area of all common areas to be dedicated to the public.
- 5. Location, size, and proposed uses of all proposed access easements, or shared access driveways, if any.

6. In some cases the Developer may be required to design and construct driveways to conform to County standards.

7. Major Thoroughfare Plan

a. Road Classifications

The Guadalupe County Major Thoroughfare Plan defines the streets or roads that function as major thoroughfares within Guadalupe County. These streets or roads are classified as the following – with a corresponding right-of-way requirement:

- i. Freeway – 250 feet to 500 feet
- ii. Super Arterial – 250 feet
- iii. Primary Arterial Type A – 144 feet
- iv. Secondary Arterial Type A – 120 feet
- v. Arterial/Collector Road – 100 feet
- vi. Connector/Local Road – 70 feet

All streets or roads, with a right-of-way requirement greater than 120 feet, are consistent with the Regional Corridor Plan adopted by the San Antonio Bexar County Metropolitan Planning Organization on May 19, 2003.

b. Right-of-Way Dedication

- i. When a proposed subdivision is adjacent to a street or road that is identified on the Major Thoroughfare Plan, the owner shall dedicate for the use of the public any and all right-of-way necessary in order to provide the right-of-way required by the Guadalupe County Major Thoroughfare Plan.
- ii. For existing streets or roads, the owner must dedicate public right-of-way that would provide one-half of the right-of-way width (measured from the centerline of the existing street or road) required by the Guadalupe County Major Thoroughfare Plan, or
- iii. The owner must dedicate the land as required by alignment schematic or plan adopted by the Texas Department of Transportation or Guadalupe County.
- iv. The right-of-way being dedicated shall be designated on the plat and the appropriate acreage shall be shown.

c. Revision Procedure

Any revisions to the Guadalupe County Major Thoroughfare Plan shall be done by an order adopted and entered in the minutes of the Commissioners Court and after notice is published in a newspaper of general circulation in the County.

d. Extra Territorial Jurisdictions (ETJ)

When a proposed subdivision is located within the ETJ of a municipality, the owner shall be required to dedicate right-of-way pursuant to the Guadalupe County Major Thoroughfare Plan.

- e. **Map**  
Major Thoroughfare Plan Map of Guadalupe County shows streets that have been identified as major thoroughfares and indicates the proposed right-of-way widths of the major thoroughfares.

Detailed maps showing locations of major thoroughfares are available at the Guadalupe County Road & Bridge Department.

## **SECTION X**

### **ROAD CONSTRUCTION**

#### **A. GENERAL REQUIREMENTS**

1. Roads to be constructed shall have a minimum right of way as set forth in Section X(C) plus public utility easements as required. Streets shall meet the design criteria described in Section X. Roads and streets to be constructed within a city's ETJ area will conform to either the city's code requirements for road/street construction or the County's requirements, whichever is applicable.
2. A Plat showing thereon the construction of a permanent dead-end street and/or road shall also show thereon that a turnaround (cul-de-sac) be provided at the closed end, constructed as follows:
  - a. Residential subdivisions: The turnaround shall have an outside finished paved street diameter of 100 feet and a road right-of-way of 130 feet.
  - b. Commercial subdivisions: For Roads within a Commercial Subdivision and which are to be ultimately turned over to the County for maintenance, Developer is to submit an engineered study/analysis showing the details for how such roads are to be built to withstand the type and volume of traffic on said roads. The study/analysis is to include a description of the type of vehicular traffic anticipated and the estimated daily volume.
3. The County does not accept streetlights or sidewalks for maintenance.
4. All roads and streets should intersect at a 90 degree angles and a 45 degree angle shall be provided at all corner lots adjacent to County maintained roads. The location of the 45 degree angle shall be determined by the County Road & Bridge Administrator.
5. No roads or streets shall have any abrupt offset(s), where avoidable.
6. In the event a road within the proposed subdivision is being developed as a continuation of what is the current end of a county maintained road, and such road will be the sole entrance and exit to the proposed subdivision, and the present county road right-of-way is less than 60 feet, the developer will be responsible for purchasing the needed right-of-way in order for there to be 60 feet of right-of-way from the entrance to the subdivision to the nearest intersection of the County right-of-way to another current public road.
7. No decorative squares, trees, islands, ornamental entrances or any other obstruction to traffic shall be constructed or preserved within the right-of-way of a road dedicated to the public.
8. Driveways will be constructed by the Developer or any Owner of a lot to be accessed via a County right-of-way. A permit for the driveway must be obtained at the County Road & Bridge Department at the cost set by Commissioner Court. Driveway permit shall be reviewed and in accord with design controls and criteria adopted by the American Association of State Highway and Transportation Officials (ASSHTO). In the event culverts are necessary, culvert pipe will be provided and installed by the Owner/Developer in strict compliance with County Road & Bridge specifications. Driveways shall not be less than 15 feet in width and extend from the paved portion of the road to the owner's property. Minimum size for driveway culvert pipe shall be 12" in diameter and 20 feet in length.  
Note: Pavement shall continue from County pavement to owner's property line.

## **9. Speed Limits for Regulated Streets**

- a. If not previously established, all Applications submitted to the Department that include a new or altered Regulated Street, shared access easement, or a shared access driveway shall establish an appropriate maximum speed limit for such street, easements or driveways. Such established maximum speed limits shall not be greater than the maximum speed limits authorized under TTC Chapter 245.352 but shall not be less than the lower maximum speed limits authorized under TTC Chapter 245.355 for the specific type of street under consideration. For streets with speed limits that are established at less than the maximum speed limits authorized under TTC Chapter 545.352. The Street Design Report shall include an explanation of the reasons for the reduced maximum speed limits.
- b. Speed limits shall not take effect until such time as the County approves and issues the Development Authorization under which those speed limits were established and signage indicating the established speed limit(s) is actually posted along the street.

## **B. COMPLIANCE, INSPECTIONS, AND TESTING**

1. It shall be the responsibility of the Developer, or a qualified agent employed by the developer, to inspect work as it is being performed to assure compliance with these Regulations.
2. Developer shall be responsible, determine and assure, that all completed work complies fully with all requirements of the Subdivision Regulations.
3. Developer's request for an inspection of any phase of work or two final inspection of the completed work, shall constitute notice and certification by said Developer that he, or a qualified agent employed by the developer, has inspected and found the work to be in compliance with all requirements of the Subdivision Rules.
4. Failure to comply with any testing required or failure to obtain the tests and inspections required before proceeding with the next phase of the work shall automatically cause a determination of noncompliance with the Subdivision Rules by default.
5. Determination of noncompliance caused by failure to obtain required tests and inspection may only be corrected by:
  - a. Complete removal of the work and reconstruction in conformance with the Subdivision Rules requirements; or
  - b. Testing or representative samples taken by core drilling or by removal of specified sections to reach the areas to be tested; or
  - c. Any reasonable method, approved in writing, by the Commissioners Court and County Road Administrator, that will prove complete compliance with the Subdivision Regulations.
6. All cost of work, repairs, or testing shall be solely at the expense of the Developer, and all such work, repairs, or testing shall be as follows:
  - a. In accordance with a plan which has been presented to and approved, in writing, by the County Road Administrator, and
  - b. Under the direction of the County Road Administrator, or his representative, and
  - c. Performed by a person or firm qualified to produce and furnish accurate results.

7. Guadalupe County shall perform visual inspection and testing, as set forth in these rules, to assure compliance. However, it is intended that the burden of inspection, testing and responsibility for compliance shall rest with the Developer.
8. Developer shall give the County Road Administrator at least 1 business day notice of any requested inspection.
9. Inspection, approval and acceptance by Commissioners Court shall not constitute a waiver of any rights, including the right to collect under any bonds/letter of credit furnished.

**C. MINIMUM REQUIREMENTS**

1. Arterial streets (roads) serve high volume through traffic from collector and secondary streets with considerable route continuity usually at higher constant speeds and have the following criteria:

- |    |   |      |
|----|---|------|
| a. | Minimum right-of-way                              | 100' |
| b. | Minimum width of base-grade crown                 | 36'  |
| c. | Minimum section if curbed (face to face of curbs) | 36'  |
| d. | Minimum compacted depth of base material          | 12"  |
| e. | Minimum pavement width                            | 30'  |
| f. | Maximum allowable grade                           | 9%   |

2. Collector streets are intermediate streets that serve to connect secondary streets with arterial streets and have the following criteria:

- |    |  |     |
|----|--|-----|
| a. | Minimum right-of-way                     | 70' |
| b. | Minimum width of base-grade crown        | 30' |
| c. | Minimum section (face to face of curbs)  | 26' |
| d. | Minimum compacted depth of base material | 10" |
| e. | Minimum pavement width                   | 24' |
| f. | Maximum allowable grade                  | 9%  |

3. Secondary streets serve primarily to provide access to residential property abutting the public right-of-way so designed as to prevent through traffic and have the following criteria:

- |    |  |     |
|----|--|-----|
| a. | Minimum right-of-way                     | 70' |
| b. | Minimum width of base-grade crown        | 30' |
| c. | Minimum section (face to face of curbs)  | 26' |
| d. | Minimum compacted depth of base material | 10" |
| e. | Minimum pavement width                   | 24' |
| f. | Maximum allowable grade                  | 9%  |

4. Where the subdivision affects a state or county road, the right-of-way requirement shall be in compliance with the Guadalupe County Major Thoroughfare Plan established by Order of the Guadalupe County Commissioners Court. Any improvements proposed by the developer for existing county roads shall be approved by the Commissioners Court in writing prior to the construction of such improvement.

#### **D. DRAINAGE**

1. All drains, drainage structures, and appurtenances shall be designed by a Licensed Professional Engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Road Administrator.
2. Drainage calculations shall be made using the "Rational Method" or by other generally accepted engineering standards. Drainage for streets and roads shall be designed to withstand a 25-year storm event frequency, and shall be subject to the approval of the County Road Administrator.
3. Minimum pipe diameter under streets is 24". Drainage structures shall be backfilled in accordance with Item 400.5 of the TXDOT Standard Specifications. Concrete slabs may be required as directed by the County Road Administrator. Pipe ends will be protected by safety end treatments. Rip Rap or other concrete structures shall be approved by the County Road Administrator.
4. All required drainage easements shall be represented to scale on the plat.
5. All data and calculations shall be presented to County Road & Bridge Department upon request.
6. Before final acceptance for a subdivision is given by the County for street and drainage work, the Engineer responsible for the design of said work shall issue a letter to the County stating that he has made an inspection of such improvements and recommends their acceptance by the County. Attached to his letter shall be one set of "as built" drawings showing the work to be accepted for use by the County.

#### **E. SUBGRADE**

1. Subgrade preparation shall consist of scarifying, blading and rolling the subgrade to obtain a uniform texture and provide as nearly as practicable a uniform density for the top 6" of the subgrade.
2. All preparation of the right-of-way and clearing and grubbing shall be completed before starting the subgrade preparation. The subgrade shall be scarified and shaped in conformity with the typical sections and the lines and grades indicated or as established by the Developer's Engineer by the removal of existing material or addition of approved material. All unsuitable material shall be removed and replaced with approved material.

All foundations, walls or other objectionable material shall be removed to a minimum depth of 18" under all structures and 12" under areas to be vegetated. All holes, ruts and depressions shall be filled with approved material. The surface of the subgrade shall be finished to the lines and grades as established and be in conformity with the typical sections indicated. Any deviation in excess of .5" cross section and in a length of 10 feet measured longitudinally shall be corrected by loosening, adding or moving material, and reshaping and compacting by sprinkling and rolling. Sufficient subgrade shall be prepared in advance to insure satisfactory progression of the work. The Developers Contractor will be required to set blue tops for the subgrade at subgrade crown and on centerline at intervals not exceeding 100 feet.

3. All suitable material moved may be utilized in the subgrade with the approval of the Developer's Engineer. All other material required for completion of the subgrade shall also be subject to approval by the County Road Administrator.
4. Subgrade materials shall be compacted by approved equipment to a dry density of the total material of not less than 95 percent of the maximum dry density as determined in accordance with TXDOT Test Method Tex-114-E. Tests for density will be made as soon as possible after compacting operations are complete. If the material fails to meet the density specified it shall be reworked as necessary to obtain the density required. Just prior to placing any base materials, density and moisture content of the top 6" of compacted subgrade shall be checked and if tests show the density to be more than 2 percent below the specified minimum or the moisture content to be more than 3 percent above or below the optimum, the subgrade shall be reworked as necessary to obtain the specified compaction and moisture content.
5. When a fill is required to achieve the prescribed subgrade elevation, such fill shall be placed in uniform lifts covering the entire width of the cross section. Prior to compaction, the layers shall not exceed a 6" depth. Each lift shall be compacted to the required density before succeeding lifts are placed and tested by certified laboratory.
6. When utility lines extend across a street, they shall be installed prior to the placement of base so that the roadbed is not disturbed subsequent to road construction.
7. The subgrade shall be inspected and approved by the County Road Administrator, or his representative, prior to density tests being taken. Should approved subgrade for any reason lose the required density or finish before it is covered with base, the Developer's Contractor shall rework the subgrade in accordance herewith and retest prior to placing base.

**F. BASE MATERIAL**

1. All roads and streets shall receive base material in the minimum amounts as shown in Section X (C).
2. Subgrade shall be approved before the placement of any base material.
3. Street base material shall conform to the current requirements of the TXDOT Standard Specification for Construction and Maintenance of Highways. Caliche or other material is strictly forbidden.
4. The quantity of base material shall be ascertained in a manner acceptable to the County Road Administrator. The following methods are suggested:
  - a. Certified truck tickets
  - b. Core samples at selected intervals
  - c. Pick and shovel samples at selected locations
5. Completed base shall be inspected and approved, in writing by the County Road Administrator or his representative, prior to placement of any pavement.

**G. CONSTRUCTION METHODS FOR BASE APPLICATION AND RIBBON CURB**

1. Base Material- "Flexible Base" shall not be placed until the Developer's Contractor has certified that the subgrade has been prepared and compacted in conformity with Section X (E)(4).

Blue tops shall be set by the Developer's Contractor for base on the centerline and base crown, at intervals not exceeding 100 feet.

2. **First Course-** Immediately before placing the base material, the subgrade shall be checked as to conformity with grade and section. The thickness of each base course shall not exceed 6", loose measure, and will be equal increments of the total depth.

The material shall be delivered in approved vehicles at legal weight limits. It shall be the responsibility of the Developer's Contractor that the required amount of specified material shall be delivered.

Material deposited upon the subgrade shall be spread and shaped the same day unless otherwise approved by the County Road Administrator. In the event inclement weather or other unforeseen circumstances render impractical spreading of the material during the first 24 hour period, the material shall be spread as soon as conditions allow. The material shall be sprinkled, if required, and shall then be bladed, dragged and shaped to conform to typical sections as indicated. All areas and "nests" of segregated course or fine material shall be corrected or removed and replaced with well-graded material. If additional binder is considered desirable or necessary after the material is spread and shaped, it shall be furnished and applied as required. Such binder material shall be carefully and evenly incorporated with the material in place by scarifying, harrowing, brooming or by other approved methods.

The course shall be sprinkled as required to bring it to optimum moisture content and compacted to the extent necessary to provide not less than the percent density as hereinafter specified under "Density." In no case shall the base be worked at more than 2 percent above or below optimum moisture. In addition to the requirements specified for density, the full depth of flexible base indicated shall be compacted to the extent necessary to remain firm and stable under construction equipment. After each section of flexible base is completed, tests as necessary will be made by the Developer's Engineer. If the material fails to meet the density requirements, it shall be reworked as necessary to meet these requirements. Throughout this operation the shape of the base course shall be maintained by blading and the surface, upon completion, shall be smooth and in conformity with the typical section indicated and to the established lines and grades. In that area on which pavement is to be placed, any deviation in excess of 1/4" in cross section and in length of 16 feet measured longitudinally shall be corrected by loosening, adding or removing material, reshaping, and re-compacting by sprinkling and rolling. All irregularities, depressions, or weak spots, which develop, shall be corrected immediately by scarifying the areas affected, adding suitable material as required, reshaping and re-compacting. Should the surface lose the required stability, density and finish before the surfacing is complete, it shall be re-compacted and refinished in accordance herewith.

3. **Succeeding Courses** Construction methods shall be the same as prescribed for the first course. Blue tops shall be set by the Developers Contractor for finished grade on the last course of base, at a minimum of 100 feet intervals. Approved and tested final course of base shall be primed within 24 hours, or will be re-tested prior to applying prime coat.
4. **Density** Each course of flexible base shall be compacted to not less than 98 percent density when tested in accordance with TXDOT Test Method Tex-113-E. Field density determination shall be made in accordance with approved methods. The completed Flexible Base will be tested by proof rolling in conformity with Item No.216 "Rolling (Proof)".
5. **Completed base** shall be inspected and approved, in writing by the County Road Administrator or his representative, prior to replacement of any pavement.
6. **Ribbon curb** shall be 3000# concrete, 12" depth and 8" wide with a continuous #3 rebar. Top of curb to be at top of pavement grade.

## **H. PAVEMENT**

All roads and streets shall be paved to the requirements as follows:

### **1. Prime Coat / Tack Coat**

- a. The asphalt material for Prime Coat shall meet the requirements for Prime Coat. Current prime coat shall be applied as directed by the County Road Administrator, with an approved sprayer, at a rate not to exceed 0.35 gallon per yard of surface.
- b. The asphalt material for Tack Coat shall meet the requirements for Coat Item 340.6 Par. 2 THDS Dated 1995. Tack Coat shall be applied when and as directed by the County Road Administrator, with an approved sprayer, at a rate not to exceed 0.10 gallon per yard of surface.

### **2. Hot Mix Asphaltic Concrete Pavement ("HMAC")**

- a. The compacted surface course shall be applied at the minimum of 165 pounds per square yard to 1.5" thickness.
  - i. For industrial roads it shall be applied at 190 pounds per square equal to 1.75" thickness.
  - ii. Measurement by weight shall be via truck scales approved by the County Road Administrator.
  - iii. Records shall be kept on the tare load, total load, and net load of the mixture for each load of same.
3. The paving mixture and construction methods shall conform to Item 340, "Hot Mix Asphaltic Concrete, Type D" of the Standard Specifications by TXDOT, March 1, 1995.

## **I. CONSTRUCTION METHODS FOR PAVEMENT**

1. General Methods- It shall be the responsibility of the Developer's Contractor to produce, transport, place and compact the specified paving mixture in accordance with these specifications and provide a safe environment to enable inspection forces to take samples and check the plant.

Prior to placing HMAC, the base shall be proof rolled and any soft spots repaired and the area proof rolled again.

All asphaltic mixtures shall be placed with a spreading and finishing machine. If, after being removed from the mixer and prior to placing, the temperature of the asphaltic mixture is 50° degrees F or more below the temperature established, all or any part of the load may be rejected. Any material placed which is too cool to compact properly shall be removed and replaced with material that meets the specifications.

Adjacent to flush curbs, gutters, liners and structures, the asphalt surface shall be finished so that when compacted it will be slightly above the edge of the curb. The compacted thickness of the asphaltic concrete courses shall be as indicated. Where the thickness of the surface course is specified to be more than 2", the work shall be accomplished in equal lifts, unless otherwise indicated. When the surface is to be in stages and traffic is permitted on the initial layer, each layer shall be not less than 1".

2. Compacting- The mix shall be compressed thoroughly and uniformly compacted to the required density immediately after placing. All compaction rolling shall be complete before the material cools below 175° F. Minor polishing rolling may be undertaken on the material

below the above temperature. All rollers must be in good mechanical condition. Necessary precautions shall be taken to prevent the dropping of gasoline, oil, grease, or other foreign matter on the pavement, either when the rollers are in operation or when standing.

3. **Surface Tests-** The surface of the pavement, after compaction, shall be smooth and true to the established line, grade and cross section, and when tested with a 10 feet straight edge placed parallel to the centerline of the street or tested by other equivalent and acceptable means, except as provided herein, the maximum deviation shall not exceed 1/16" in 10 feet at any point. The completed surface shall meet the approval of the Developer's Engineer for riding surface, finish and appearance.
4. **Density-** HMAC shall be compacted as specified in Item 340 TXDOT standard specifications 1995. Tests will be taken as directed by County Road Administrator or his representative.

**J. TWO COURSE SURFACE TREATMENT PAVEMENT**

1. All construction methods, materials, and workmanship shall conform to Item 316 of the TXDOT Standard Specifications for street construction dated 1995:
  - a. First course stone shall be Grade 3, Type B or Type PB
  - b. Second course stone shall be Grade 4, Type PB
2. The minimum rate of application for the AC-5 shall be 0.25-0.35 gallon per square yard for the first course and 0.20 - 0.25 gallon per square yard for the second course. The rate of application for HFRS-2P shall be 0.35-0.40 gallon per square yard for the first course and 0.30 - 0.35 gallon per square yard for the second course.
3. Rock will be applied at the minimum rate of 1 cubic yard per 90 square yards for the first course and 1 cubic yard per 100 square yards for the second course.
4. Rolling is required to achieve a uniform embedment and the Developers contractor shall broom off loose aggregate remaining. If bleeding occurs, the contractor shall apply sand to the finished surface for whatever period is required to absorb the excess asphalt.
5. The type and grade of all asphaltic material and aggregate shall be approved by the County Road Administrator prior to application. Variations in asphaltic material must receive prior approval by the County Road Administrator.

**K. TRAFFIC SIGNS AND GUARD POSTS**

1. Signs and guard posts shall be installed by the Developer in accordance with the manual on Uniform Traffic Control Devices for Streets and Highways and as directed by the County Road Administrator.
2. The Developer shall consult with the County Road Administrator prior to the placement of any traffic signs or guard posts.

**L. TRAFFIC SIGN REQUIREMENTS**

1. Engineer Grade Reflective Sheeting on .080 Aluminum as follows:
  - a. Octagon (Stop) 30" x 30"
  - b. Triangle (Yield) 30" x 30"

- c. Square (Regulatory Signs) 24" x 24"
- d. Rectangle (Speed Limit) 24" x 18"
- e. Rectangle (Large Arrows) 48" x 24"
- f. Chevrons 18" x 24"

**M. STREET NAME SIGNS**

1. Engineer Grade Reflective Sheeting on Flat Blade Aluminum as follows:
  - a. White lettering on Green Background for County Roads
  - b. White lettering on Red Background for Private Roads
  - c. Use 4" Series C or B upper-case Letters on 6" Street Name Sign Blank (Flat Blade)
  - d. Use 2" Series C or B upper-case Letters for Street, Lane, Road, etc.

**N. STREET SIGN REQUIREMENTS**

1. Reflecting street signs shall be installed by the Developer at all intersections and at other points where appropriate within or abutting the subdivision.
2. Street signs shall be placed in a uniform manner throughout the subdivision.
3. Signs shall be placed on approved metal posts 7 feet above the pavement in accordance with the TXDOT Standards and at the expense of the developer.

**O. SPEED LIMIT SIGNS**

1. Speed limits shall be posted as needed throughout subdivision.
  - a. Prior to placing speed limit signs, contact the County Road & Bridge Department to ascertain proper speed. NOTE: Unless agreed to by the Guadalupe County Sheriff or other appropriate law enforcement agency, speed limits are not enforced by law enforcement on private streets.
  - b. Speed limit signs shall be 18" x 24" engineering grade reflective sheeting on aluminum; installed on "U" channel posts or other TXDOT approved posts.
  - c. All Traffic Regulatory Signs for streets to be maintained by the County must be approved by the Guadalupe County Commissioners Court in accord with the statutory requirements for notice, public hearing and action item.

**P. "U" CHANNEL POSTS**

1. Length: 10' - 2 pounds per foot weight
2. Color: Green

**Q. GUARD POST REQUIREMENTS**

1. 4" square reflective yellow delineator on "U" channel post
2. 6' - 1.12 pounds per foot, galvanized

**R. RIGHT-OF-WAY EROSION CONTROL**

This item shall consist of preparing a seed bed to the lines and grades indicated, sowing of seeds, fertilizing, mulching with straw, cellulose fiber, and other management practices in the right-of-way from street to property line and across such areas as are indicated or as directed by the County Road Administrator or his representative.

1. **Preparing the Seed Bed-** After the designated areas have been rough graded to the lines, grades and typical sections indicated on the plans and any other soil area disturbed by the construction, a suitable seedbed shall be prepared. The seedbed shall consist of either 4" of approved topsoil or 4" of approved salvaged topsoil cultivated and rolled sufficiently to a state of good tilth, which could prevent the seed from being covered too deep for optimum germination. The optimum depth for seeding shall be .25". Water shall be applied as required to prepare the seedbed. Seeding shall be performed in accordance with the requirements herein after described.
2. **Watering-** The seeded areas shall immediately be watered with a minimum of 5 gallons of water per square yard or as needed. Water shall be applied at a minimum rate of 10 gallons per square yard weekly, except when rainfall of .5" or greater occurs on the site, until the grass is uniformly 1.5" in height.
3. **Broadcast Seeding-** The seed or seed mixture in the quantity specified shall be uniformly distributed over the prepared seed bed areas indicated or where directed. If the sowing of seed is by hand, rather than my mechanical methods, the seed shall be sown in two directions at right angles to each other. If mechanical equipment is used, all varieties of seed, as well as fertilizer, may be distributed at the same time, provided that each component is uniformly applied at the specified rate. After planting, the planted area shall be rolled with a corrugated roller of the "Cultipacker" type. All rolling of the slope areas shall be on the contour.
4. **Hydraulic Planting-** The seedbed shall be prepared, as specified above and hydraulic planting equipment, which is capable of placing all materials in a single operation, shall be used.

**March 1 to September 1**

Hydraulic planting mixture and minimum rate of application per 1000 square feet:

- a. Hull Bermuda Seed (PLS+0.83) - 1 lb.
- b. Water Soluble Fertilizer - 15 lb.
- c. Cellulose Fiber Mulch - 45.9lb.
- d. Soil Testifier- 1.4 lb.

**September 15 to March 1**

Add 7 pounds per 1000 square feet of winter rye with a PLS = 0.83 to above mixture

5. **Alternative Seeding-** Other methods or types of grasses may be used with the permission of the County Road Administrator

**S. FINAL INSPECTION AND ACCEPTANCE**

1. The Developer, upon completion of drainage, infrastructure, roads, streets, and other facilities intended for the use or benefit of the public, shall request, in writing, that the County Road Administrator conduct a final inspection.
2. The County Road Administrator or his representative will, within 15 business days, inspect the completed work for compliance.
3. The Developer will be notified, in writing, of any work not found in compliance with the Subdivision Rules. The County Road Administrator will establish a reasonable time for correction of the defective work and the Developer shall make the necessary corrections within the time set, or such corrections will be made by action taken upon the performance bond or letter of credit.
4. Upon a finding by the Guadalupe County Road & Bridge Administrator that the drainage infrastructures, roads, streets and any other structure/construction intended for use by the public have been completed in conformity with these subdivision regulations, and upon a tender of a 2 year Maintenance Bond to the County Road Administrator, the County will approve final completion of the roads and appurtenant improvements.
5. If the County chooses to accept them, title to all streets and roads to be maintained by the County shall be conveyed to the County by a warranty deed.

**T. GUARANTEE AGAINST DEFECTIVE WORK**

1. The owner shall warrant the work for a period of 2 year from the date of approval of the work by the County.
2. Said warranty shall bind the Owner to correct any defects in:
  - a. materials;
  - b. workmanship (including utility backfills); or
  - c. design inadequacies, which may be discovered within the said 2 year period.
3. The Owner shall correct or cause his Contractor to correct at his own expense, such defects within 30 days after receiving written notice of such defects from the County Road Administrator. Should the Owner fail or refuse to correct such defects within the said 30 day period or to provide acceptable bonds that such work will be completed within a reasonable time thereafter, the County may correct or cause to be corrected any such defects at the expense of the Owner or his bond.

**U. PRIVATE ROADS AND STREETS IN A SUBDIVISION**

1. Roads and streets within proposed subdivision to remain private shall be constructed in the same manner as required in the Section X Road Construction Requirements.
2. The following statement shall appear on plat:  
(Owner), by filing this Record Document, and all future owners of this property, by purchasing such property, acknowledge and agree that Guadalupe County shall have no obligation whatsoever to repair or accept maintenance of the streets shown on this approved development plat until and unless (Owner) and/or the property occupants or tenants have improved the streets to the then current standards required by Guadalupe County and the streets have been accepted for maintenance by formal, written action of the County Commissions Court and the streets, with all required right-of-way and building setbacks,

have been dedicated by the owners thereof, and accepted by the County, as public streets. Until such time, (Owner) and all future owners of property within the limits of the approved development plat shall look solely to the Owner, Developer or Entity created for that purpose for future maintenance and repair of the streets included in the development plat.

3. Any restrictive covenants establishing a responsibility for street operation and maintenance shall be placed on record concurrently with the recording of the Record Documents.
4. If entrances to private roads are installed with electric gates, then each gate shall be equipped a Siren Operated Sensor (SOS) system (Section 503.6.2 IFC 2018), and a KNOX key override switch for operating the gate by first responders for emergency access.

#### **V. FIRE APPARATUS ACCESS ROADS**

1. Fire Apparatus Access Roads shall comply with Section 503 Fire Apparatus Roads and Appendix D in the unincorporated Guadalupe County, Texas.
2. Where two Fire Apparatus Access Roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.
3. Fire Apparatus Access Road width with a hydrant:
  - a. The minimum road width shall be 26 feet (7925 mm); and
  - b. The County shall require all development to install hydrants.
4. Gates securing the fire apparatus access roads shall comply with all of the following criteria:
  - a. Where a single gate is provided, the gate width shall be not less than 20 feet (6096 mm). Where a fire apparatus road consists of a divided street, the gate width shall be not less than 14 feet (4267 mm).
  - b. Gates shall be of the swinging or sliding type.
  - c. Construction of gates shall be of materials that allow manual operation by one person.
  - d. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
  - e. Electric gates shall be equipped with a Siren Operated Sensor (SOS) system (Section 503.6.2 IFC 2018) and a KNOX key override switch for operating the gate by first responders for emergency access.
  - f. Emergency opening devices shall be approved by the fire code official.
  - g. Methods of locking shall be submitted for approval by the fire code official. Manually (not electric) opened gates shall not be locked with a padlock or chain and padlock unless a KNOX key box containing the key(s) to the lock is installed at the gate location. A KNOX padlock interlocked with the owner's padlock may also be used.



## **SECTION XI**

### **UTILITY AND FIRE SUPPRESSION**

No subdivision lots may be sold, offered for sale or otherwise conveyed and the plat will not be approved unless either a public utility or private utility are available of adequate quality to meet State and County requirements is available.

#### **A. WATER**

1. If a developer contracts with a public water provider to provide water, the subdivision water distribution system shall be engineered to meet the requirements of Title 30, Chapter 290 of the Texas Administrative Code, and shall submit the engineered plans of the water distribution systems of the proposed subdivision.
2. If a developer contracts with a public water provider to provide water, the developer shall furnish an executed contract, agreement, or certified letter from the public water provider stating that water is available to the subdivision sufficient in quality and quantity to meet minimum state standards, and shall be available to the point of delivery to all lots in the subdivision.
3. If the proposed subdivision is to be served by a water well or a water well on each lot in the subdivision, a developer shall cause a test well(s) to be drilled in accordance with TCEQ regulations to show evidence potable water is available in quality and quantity for the proposed development.
  - a. The location of each water well or well must be noted on the plat.

#### **B. SEPTIC**

1. If a developer constructs a wastewater treatment facility, it must meet state standards to fulfill the wastewater requirements of the subdivision. The developer shall submit the permit issued from TCEQ and shall submit the engineered plans of the wastewater treatment facility of the proposed subdivision.
2. If a developer proposes individual on-site sewage facilities, a registered site evaluator or sanitarian shall submit a certified suitability letter identifying the design and type of on-site sewage facilities and locations of the site evaluations on the plat.

#### **C. ELECTRIC SERVICE / GAS SERVICE**

1. The developer shall submit a certified letters from electric and gas providers stating that electric and gas are available to the subdivision sufficient in quality and quantity to meet minimum state standards, and shall be available to the point of delivery to all lots in the subdivision.

#### **D. FIRE SUPPRESSION**

Fire suppression shall be supplied in accordance with Section 507 of The Adopted Fire Code of Unincorporated Guadalupe County, Texas.

## **SECTION XII**

### **BONDS**

#### **A. PERFORMANCE BOND**

Commissioners Court requires that the owner of the tract to be subdivided execute a good and sufficient bond (Texas Local Government Code Section 232.004). Example of approved terminology can be obtained from the County Road & Bridge Administrator. All developers, prior to the acceptance of any plans, must file a Performance Bond, Letter of Credit, or an Escrow Account with the County Judge in the following form and amount:

1. Bond or alternative financial guarantee, must be payable to the county judge of the county in which the subdivision will be located or to the judge's successors in office. The bond must be in an amount determined by the Commissioners Court to be adequate to ensure proper construction of the roads and streets in and drainage requirements for the subdivision, but not to exceed the estimated cost of construction of the roads, streets, and drainage requirements.
2. The bond or alternative financial guarantee, must be executed with sureties as may be approved by the court; or be executed by a company authorized to do business as a surety in this state if the court requires a surety bond executed by a corporate surety and be conditioned that the roads, streets, easements and drainage structures for the subdivision will be constructed:
  - a. in accordance with the specifications adopted by the court; and
  - b. within a reasonable time set by court; and
  - c. shall be a guaranty latent defects in the roads, streets, easements and drainage structures.
3. A surety Bond issued by a licensed Surety Company in the State of Texas, to the County Judge or his successor for the purpose of providing bond for the construction of the roads and drainage system in said subdivision. Said Bond to run for a period of 2 years from the approval of the subdivision plat by the Court, and said bond to be in a form acceptable to Commissioners Court.
4. The developer shall provide an estimate for the construction of any roads, streets, easements and drainage structures. The estimate is to include material and labor and is subject to approval by the County Road & Bridge Administrator and County Commissioner.
5. The condition of said Performance bond shall be that the owner of said approval and accepted subdivision shall begin construction of such roads and drainage system as are shown on the subdivision plat within 90 days from the date of approval of the plat by Commissioners Court. Construction of said roads and drainage system shall be complete and said roads and drainage system shall be accepted by Commissioners Court not more than one year from the date of the approval of the plat.
6. The Performance Bond shall remain in full force and effect until it expires or until said roads and drainage systems have been accepted by Guadalupe County, to insure the County against defects in design, materials and construction, in the roads.
7. The Developer and County may, upon written request by the Developer, extend these deadlines, but any such extension must include an extension of the performance bond, or other financial guarantee.

8. The County may waive the Performance Bond requirement if the interlocal agreement (HB 1445) between the County and that city states a Performance Bond is not required.

**B. MAINTENANCE BOND**

1. The owner shall execute or require his Contractor to execute a maintenance bond in the total sum of \$5.00 per square yard of pavement, guaranteeing the work and the warranties. The County will not approve the roads until such bonds are furnished and approved by the Commissioners Court.
2. The Surety Company underwriting the bonds shall be acceptable if on the latest list of companies holding certification of authority from the Secretary of the Treasury of the United States and shall be licensed to write such bonds in the State of Texas.

**C. TWO YEAR MAINTENANCE BOND RELEASE**

1. After the final Acceptance Letter is issued, the County Road Administrator will monitor the construction for needed construction failures and if repairs are required the owner will be notified of the required repairs.
2. On the completion of the two year warranty with no outstanding warranty claims, the Owner and his Bond Company will be given a letter of bond release.

## **SECTION XIII**

### **RECORD PLAT**

Once the plat has been approved by Commissioners Court it shall be submitted to the County Clerk for recording.

1. One original 18"x 24" plat which must have black printing, typing, or handwriting on a white background, commonly known as a positive print with original signatures; and
2. An original tax certificate from each taxing unit with jurisdiction of the real property indicating that no delinquent or roll back ad valorem taxes are owed on the property.

Recording fees must be arranged with County Clerk prior to the plat approval by Commissioners Court. The County Clerk shall establish fees for recording the plats and may be amended from time to time by the Commissioners Court without amending or affecting the remainder of these Regulations.

## **SECTION XIV**

### **REPLAT, AMENDMENT, AND CANCELLATION ALL OR PART OF A RECORDED SUBDIVISION**

#### **A. REPLAT PROCESS**

The following procedure will need to be complied with in the event a replat is required.

1. Meet all requirements of County Subdivision Regulations in regards to Plat requirements.
2. An application fee in the amount as specified within the fee schedule of the County, as amended.
3. Insure that a representative is present in Commissioners Court on court date.
4. The replat will not interfere with the established rights of any owner of a part of the subdivided land, covenants or restrictions.

#### **B. AMENDMENT PROCESS**

1. Any person who owns property in a platted subdivision that is subject to the subdivision controls of the county may file an amended plat, for one or more of the following purposes:
  - a. to correct an error in a course or distance shown on the preceding plat;
  - b. to add a course or distance that was omitted on the preceding plat;
  - c. to correct an error in a real property description shown the one preceding plat;
  - d. 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;
  - e. to correct any other type of scrivener or clerical error or omission of the previously approved plat, including lot numbers, acreage, street names, and identification of adjacent recorded plats; or
  - f. To correct an error in courses and distances of lot lines between two adjacent lots if:
    - i. both lot owners join in the application for amending the plat;
    - ii. neither lot is abolished
    - iii. the amendment does not attempt to remove recorded covenants or restrictions; and
    - iv. the amendment does not have a material adverse effect on the property rights of the other owners of the property that is the subject of the plat.
2. The amendment plat controls over the preceding plat without the vacation, revision, or cancellation of the preceding plat.
3. Notice, a hearing, and the approval of other lot owners are not required for filing, recording, or approving of an amending plat.

### **C. CANCELLATION PROCESS FOR SUBDIVISION**

This section applies only to real property located outside municipalities and the extraterritorial jurisdiction of municipalities, as determined under Chapter 42.

1. A person owning real property in this state that has been subdivided into lots and blocks or into small subdivisions may apply to the commissioners court of the county in which the property is located for permission to cancel all or part of the subdivision, including a dedicated easement or street, to reestablish the property as acreage tracts as it existed before the subdivision. If, on the application, it is shown that the cancellation of all or part of the subdivision does not interfere with the established rights of any purchaser who owns any part of the subdivision, or it is shown that the purchaser agrees to the cancellation, the commissioners court by order shall authorize the owner of the subdivision to file an instrument canceling the subdivision in whole or in part. The instrument must describe the subdivision or the part of it that is canceled. The court shall enter the order in its minutes. After the cancellation instrument is filed and recorded in the deed records of the county, the county tax assessor-collector shall assess the property as if it had never been subdivided.
2. The commissioners court shall publish notice of an application for cancellation. The notice must be published in a newspaper, published in the English language, in the county for at least three weeks before the date on which action is taken on the application. The court shall take action on an application at a regular term. 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.
3. If delinquent taxes are owed on the subdivided tract for any preceding year, and if the application to cancel the subdivision is granted as provided by this section, the owner of the tract may pay the delinquent taxes on an acreage basis as if the tract had not been subdivided. For the purpose of assessing the tract for a preceding year, the county tax assessor-collector shall back assess the tract on an acreage basis.
4. On application for cancellation of a subdivision or any phase or identifiable part of a subdivision, including a dedicated easement or street, by the owners of 75 percent of the property included in the subdivision, phase, or identifiable part, the commissioners court by order shall authorize the cancellation in the manner and after notice and a hearing as provided by Subsections (1) and (2). However, if the owners of at least 10 percent of the property affected by the proposed cancellation file written objections to the cancellation with the court, the grant of an order of cancellation is at the discretion of the court.
5. To maintain an action to enjoin the cancellation or closing of a street or easement in a subdivision, a person must own a lot or part of the subdivision that:
  - a. abuts directly on the part of the street or easement to be canceled or closed; or
  - b. is connected by the part of the street or easement to be canceled or closed, by the most direct feasible route, to:
    - i. the nearest remaining public highway, county road, or access road to the public highway or county road; or
    - ii. any uncanceled common amenity of the subdivision.
6. A person who appears before the commissioners court to protest the cancellation of all or part of a subdivision may maintain an action for damages against the person applying for the cancellation and may recover as damages an amount not to exceed the amount of the person's original purchase price for property in the canceled subdivision or part of the subdivision. The person must bring the action within one year after the date of the entry of the commissioners court's order granting the cancellation.

7. Regardless of the date land is subdivided or a plat is filed for a subdivision, the commissioners court may deny a cancellation under this section if the commissioners court determines the cancellation will prevent the proposed interconnection of infrastructure to pending or existing development as defined by Section 232.0085.

**D. CANCELLATION PROCESS FOR OBSOLETE SUBDIVISION**

1. This section applies only to a subdivision for which:
  - a. a plat has been filed for 75 years or more;
  - b. the most recent plat describes at least a portion of the property as acreage tracts;
  - c. a previous plat described at least a portion of the property as lots and blocks; and
  - d. the county tax assessor-collector lists the property in the subdivision on the tax rolls based on the description in the previous plat and assesses taxes on the basis of that description.
2. A person owning real property in the subdivision may apply to the commissioners court of the county in which the property is located for permission to cancel an existing subdivision plat in whole or part and to reestablish the property using lots and blocks descriptions that, to the extent practicable, are consistent with the previous subdivision plat.
3. After notice and hearing, the commissioners court may order the cancellation of the existing subdivision plat and the reestablishment of the property in accordance with the application submitted under Subsection (2) if the court finds that:
  - a. the cancellation and reestablishment does not interfere with the established rights of:
    - i. any owner of a part of the subdivision; or
    - ii. a utility company with a right to use a public easement in the subdivision; or
  - b. each owner or utility whose rights may be interfered with has agreed to the cancellation and reestablishment.
4. The commissioners court shall publish notice of an application for the cancellation and reestablishment. The notice must be published at least three weeks before the date on which action is taken on the application and must direct any person who is interested in the property and who wishes to protest the proposed cancellation and reestablishment to appear at the time specified in the notice. The notice must be published in a newspaper that has general circulation in the county.
5. If the commissioners court authorizes the cancellation and reestablishment, the court by order shall authorize the person making the application under this section to record an instrument showing the cancellation and reestablishment. The court shall enter the order in its minutes.

## **SECTION XV**

### **MISCELLANEOUS**

- 1. The County will not issue On-Site Sewage Facility (OSSF) and/or Floodplain Development Permits on any parcel of land unless the OSSF planning material and/or floodplain development plan are in compliance with the requirements of these Regulations, Guadalupe County On-Site Sewage Facilities Order and TCEQ Regulations, and Guadalupe County Flood Damage Prevention Order and FEMA Regulations.**
- 2. No authority for the enforcement of subdivision deed restrictions shall lie with Guadalupe County. Such enforcement, if any, shall rest solely with the property owner, purchaser, or homeowners association.**
- 3. The responsibility for all costs of improvements as required by these Regulations shall be borne by the Applicant/Developer.**
- 4. Performance bonds/letter of credit shall be submitted as a prerequisite for plat approval and the full amount of the bond/letter of credit shall remain in force until required construction is completed and approved by the Commissioners Court.**
- 5. Guadalupe County shall not repair or maintain streets or roads that have not been accepted as a County Maintenance Road by the Commissioners Court.**
- 6. Access to all new platted subdivisions shall be from an adequate County maintained road or a state or federally maintained road.**
- 7. All roads constructed in subdivisions located in Guadalupe County shall adhere to the regulations and standards as approved by Commissioners Court whether public or private.**

## **SECTION XVI**

### **SEPARABILITY OF PROVISIONS**

**It is hereby declared to be the intension of the Guadalupe County Commissioners Court that the several provisions of these Regulations are separate, in accordance with the following:**

- 1. If any sentence, phase, paragraph, Section or any part of these rules, regulations and requirements is declared invalid, unenforceable or unconstitutional for any clause or reason, such invalidity, unenforceable or unconstitutionality shall not be held to affect, invalidate or impair the validity, force or effect of any sentence, phase, paragraph, Section or any other part of these rules, regulations and requirements.**

## **SECTION XVII**

### **MANUFACTURED HOME RENTAL COMMUNITIES**

#### **SECTION I**

##### **INFRASTRUCTURE DEVELOPMENT PLAN**

**A. In accordance with Texas Local Government Code §232.007, an Infrastructure Development Plan (IDP) is required for all rental communities.**

1. The development shall have a minimum of 200 feet fronting a street or street that has been previously dedicated to the public for the public's use and benefit as a street or roadway. Access roads to the individual rental spaces must be constructed according to the standards defined in the Section X of the Guadalupe County Subdivision Regulations.
2. No space may contain more than one single-family residential unit. No common driveways shall be allowed. Each space shall have separate and individual access.
3. A survey of the property shall be submitted to the Department prior to the request by the owner or occupier of the lot for any permit and/or utility services.
4. The owner shall submit a letter of transmittal, signed by the owner that stipulates the intention of the owner; name, address, phone number of the owner; name, address, phone number of the engineer/surveyor; names of water and electricity providers; and name of wastewater provider or type and usage of on-site sewage facilities.
5. The IDP shall be approved by the Guadalupe County Commissioners Court and filed in the minutes of the records of Commissioners Court of Guadalupe County, Texas.
6. IDP shall consists of one or more 18" x 24" black and white paper copy.
7. Approvals of the IDP by other regulatory and governing bodies are required.

**B. The Rental Community Infrastructure Development Plan (IDP) shall show at minimum the following:**

1. Name of the proposed rental community, which shall not be the same or deceptively similar to any other rental community or subdivision within the County unless the rental community is an extension of a pre-existing, contiguous rental community.
2. A legend with all acronyms, line work, and hatching defined and the plan must be legible with a minimum font size of 8-point type. Adequate space must be provided for time, date and instrument entries within signature blocks.
3. Boundary lines and total acreage of the Original Tract, the Subject Property and the proposed rental community.
4. Lot and block numbers for each lot, inclusive of designating all streets, roadways, or other public areas by lot and block number.
5. Location of any proposed parks, squares, greenbelts, schools, open space or other public use facilities and acreage of streets, private or public.
6. Area map showing general location of the rental community in relation to major streets, towns, and cities.

7. Bearings and dimensions of the boundary of the rental community and all lots, parks, green belts, easements, or reserves. Dimensions shall be shown to the nearest 0.01 foot and bearings shall be shown to the nearest one second of angle (01"). The length of the radius and arc of all curves, with bearings and distances of all chords, shall be clearly indicated.
8. A description of monument used to mark all boundary, lot and block corners, and all points of curvature and the tangent on street rights-of-way.
9. Elevation contours of no greater than 10 feet intervals.
10. North arrow, scale and preparation date. The scale shall not exceed 1" = 200'.
11. GPS coordinates of at least 2 corners of rental community.
12. Areas of the 100-year Flood Zone taken from the latest FEMA Flood Maps are to be delineated and shaded on the plan and labeled as "FEMA 100-year flood Zone "\_"). The following note shall appear on the plan:
  - a. This property does (or does not) lie within a Special Flood Hazard Area, Zone "\_", the 100-year flood zone, as defined by the Flood Insurance Rate Map for Guadalupe County, Texas on Community Panel No. \_\_\_\_, effective date \_\_\_\_, as prepared by the Federal Emergency Management Agency.
13. For rental communities within the 100-year flood zone, the base flood elevation shall be shown.
14. For rental communities within the 100-year flood zone, the following statement shall appear on the plan "No structure or land in this plat shall hereafter be located or altered without first obtaining a Floodplain Development Permit from the Guadalupe County Floodplain Administrator.
15. Boundary lines of any incorporated municipality and the limit of the extraterritorial jurisdiction of any municipality.
16. Indicate location of any existing structures (buildings, wells, cemeteries, etc.).
17. Indicate the school district and current county precinct in which the rental community is located. In the event any lot lies within more than one school district or precinct then the plan shall clearly state the number of acres within the lot that lies within each school district or precinct.
18. Street names (whether the street will be public or privately owned), pavement width and right-of-way width for all proposed streets within and all existing streets abutting the rental community.
19. Certificate of dedication of all streets, roadways, parks or other land intended for public use, or for the use of purchasers or owners or other land intended for public use, or for the use of purchasers or owners of tracts fronting or adjacent thereto.
20. Location and size of all proposed drainage structures, including on-site retention or detention ponds and easements and the impact of lot and street layouts on drainage.
21. Location of existing and proposed water and sanitary sewer utilities.
22. If the source of water intended to supply the rental community is groundwater, then a report must be prepared by an Engineer or Geoscientist, licensed in the State of Texas, that certifies that there is adequate groundwater available for the subdivision.

23. A statement indicating who shall be responsible for the maintenance of drainage structures, ponds, and easements designated within the Subject Property. Maintenance responsibility for drainage will not be accepted by the County other than that accepted in connection with draining or protecting the road system. Maintenance responsibility for storm water management controls will remain with the owner.
24. The following statement shall appear on the plat if roads and streets within the proposed subdivision are not to be conveyed to the County for maintenance:  
“(Owner), by filing this Record Document, and all future owners of this property, by purchasing such property, acknowledge and agree that Guadalupe County shall have no obligation whatsoever to repair or accept maintenance of the streets shown on this approved development plan until and unless (Owner) and/or the property occupants or tenants have improved the streets to the then current standards required by Guadalupe County and the streets have been accepted for maintenance by formal, written action of the County Commissions Court and the streets, with all required right-of-way and building setbacks, have been dedicated by the owners thereof, and accepted by the County, as public streets. Until such time, (Owner) and all future owners of property within the limits of the approved development plan shall look solely to the Owner, Developer or Entity created for that purpose for future maintenance and repair of the streets included in the development plan.”
25. If a state approved disposal sewage system is not provided, the Applicant shall make site evaluations (location of site evaluations shall be shown on the plan) in accordance with the Guadalupe County On-Site Sewage Facilities Order and TCEQ regulations in effect for installation of on-site sewage facility.
26. An appropriate statement shall be shown on the plan indicating the types of on-site sewage facilities are required for the subdivision.
27. The following statement shall appear on the plan: “No structures, walls, or other obstruction of any kind shall be placed within the boundaries of drainage easements. No landscaping, fences, or other type of modifications which alter the cross sections of the drainage easement or decreases the hydraulic capacity of the easement shall be allowed”.
28. The following statement shall appear on the plan: “In order to promote safe use of streets and preserve the condition of public streets, no driveway constructed on any lot within this subdivision shall be permitted access onto a publicly dedicated County right-of-way unless a Driveway Permit has been issued by the Guadalupe County Road & Bridge Department”. The driveway shall be constructed to meet the Guadalupe County Road & Bridge Department specifications which shall be stated on the permit.
29. The following statement shall appear on the plan: “No structures/homes are to be built or brought onto the lot until an on-site sewage facility permit has been issued or public sewer has been provided and road construction is completed and approved”.
30. The following statement shall appear on plan: “No fencing or structures that will interfere with adequate drainage flow will be allowed on or across such lines”.
31. Names of adjoining subdivisions or owners of property contiguous to the proposed rental community.
32. Name and address of the Texas licensed professional land surveyor and/or Texas licensed professional engineer preparing the Application materials. The following shall be signed by the Texas licensed professional land surveyor and/or Texas licensed professional engineer and notarized by a Notary Public, “I \_\_\_\_\_, do hereby certify that the information contained on this plat complies with the regulations adopted by Guadalupe County, Texas”.
33. Name and address of the Owner(s) of Subject Property, and area for signatures to be notarized by a Notary Public.

34. A statement of each entity supplying utilities shall be displayed on the plan and area for signature. Plans must have the approval of utility providers as to proper location of public easements and that utilities intent to serve the subdivision.

35. Location of all proposed utility easements and/or infrastructure, including water well sanitary easements.

**C. The IDP submittal shall also include the following documents:**

1. Digital copy of the IDP sent to the Department.
2. Provide an applicable property identification numbers from the Guadalupe Appraisal District or other appointed tax assessing entity for the Subject Property. Subject Properties for which an applicant is submitted under these Regulations shall not be delinquent on tax liabilities with the County.
3. Provide all tax certificates for the Subject Property.
4. Current original Guadalupe County property tax certificates showing a zero balance due for all property included in the plat.
5. A copy of the deed or deeds documenting current ownership of Subject Property.
6. On-site Septic Facility Soil Analysis.
7. Engineering Road Construction Plans for street access to each rental space for fire and emergency vehicles.
8. Any associated bonds or letters of credit.
9. Letters signed and dated from the water, wastewater, and electric utilities of service commitment and availability to the point of delivery to all rental spaces and statement of approval of existing and proposed utility easements, or letter of certification as required.
10. A letter or other written documentation from the Texas Department of Transportation showing the Developer's compliance with Section IV(E)(1).
11. An application fee.
12. All other documents or reports required pursuant to these Regulations.

**D. Inspection of Improvements**

Construction of a proposed Manufactured Home Rental Community may not begin before the date the County approves the IDP. Periodic inspection of improvements may be required, as directed by the Department. If the Department directs that a final inspection is required, it must be completed not later than the second business day after the date the Department received a written confirmation from the owner that construction of the infrastructure is complete. If the inspector determines that the infrastructure improvements comply with the IDP, then the Department shall issue a Certificate of Compliance not later than the fifth business day after the date the Department receives written confirmation from the owner that the infrastructure has been completed and in compliance with the IDP.

## **E. Utilities**

5. All underground water, telephone, gas, cable, and electric lines shall be buried to a minimum depth of 24".
6. All sewer lines shall be buried to a minimum depth of 24". Sewer lines may be buried deeper than 24" if necessary to provide for adequate variations in elevations so as to be functional.
7. Any utility provider main water distribution lines shall be located within 5 feet of a property line when placed in County right-of-way.
  - d. All utility provider water line valves shall be conspicuously marked;
  - e. Any conduits will be installed prior to applying base material and in a sufficient number and size to accommodate utilities needs for all anticipated development; and
  - f. All backfill shall be select fill, approved by the County Road Administrator.
8. If the width of the County right-of-way is insufficient to allow for the 5 feet requirement, then easements across private property must be obtained.
  - b. Applicant/Developer shall submit a copy of an agreement between the Applicant/Developer and the property owner(s) allowing easements across private property upon submittal of the Application.

## **SECTION II**

### **ENGINEERING REPORT FOR RENTAL COMMUNITIES**

This report, which shall be signed, dated and sealed by a Licensed Professional Engineer, currently registered in the State of Texas, shall contain detailed and definitive information on the following:

#### **A. Drainage and Storm Water Plans**

Drainage and Storm Water Plans Study be prepared according to the standards defined in Section IX (E) of the Guadalupe County Subdivision Regulations.

#### **B. Water**

1. If a developer contracts with a public water provider to provide water, the rental community water distribution system shall be engineered to meet the requirements of Title 30, Chapter 290 of the Texas Administrative Code, and shall submit the engineered plans of the water distribution systems of the rental community.
2. If a developer contracts with a public water provider to provide water, the rental community shall furnish an executed contract, agreement, or certified letter from the public water provider stating that water is available to the subdivision sufficient in quality and quantity to meet minimum state standards, and shall be available to the point of delivery to all lots in the rental community.
3. If the rental community is to be served by a water well or a water well on each lot in the rental community, a developer shall cause a test well(s) to be drilled in accordance with TCEQ regulations to show evidence potable water is available in quality and quantity for the proposed development.
  - a. The location of each water well or well must be noted on the plan.

**C. Electric / Gas**

1. The developer shall submit a certified letters from electric and gas providers stating that electric and gas are available to the rental community sufficient in quality and quantity to meet minimum state standards, and shall be available to the point of delivery to all lots in the rental community.

**D. Fire Suppression**

Fire suppression shall be supplied in accordance with Section 507 of The Adopted Fire Code of Unincorporated Guadalupe County, Texas.

**E. Sewage**

**1. On-Site Sewage Facilities**

- a. The owner of the rental community shall make site evaluations (location of the site evaluations shall be shown on the plan) in accordance with the Guadalupe County and Texas Commission on Environmental Quality (TCEQ) regulations in effect for installation of on-site sewage facilities.
- b. Representative soil sample of a minimum of 10 percent of the proposed rental spaces will be tested and results approved by the Department. The Applicant/Developer shall submit a written site evaluation identifying the design and type of on-site sewage facilities required for the proposed rental community. If the tests are not acceptable, corrective measures, as specified by the Department shall be required.

**2. Public Sewage Facilities**

- a. If a State approved sewage disposal system is available within 300 feet of any exterior boundary line of the proposed rental community, the Developer of the proposed rental community shall:
  - i. Cause the system to be extended to serve the rental community; and
  - ii. Submit a copy of an agreement between the Applicant/Developer and the Public Sewage Facility allowing the extension to the proposed rental community.
- b. Developers who plan to install a public sewer system that falls outside of the authority of the Guadalupe County Environmental Health Department must present proof of:
  - i. Design;
  - ii. Approval of that design by TCEQ or other State body charged with regulating public sewer systems; and
  - iii. The existence of a financially secure organization to own and maintain the public sewer.

**3. Lot Size Determination**

- |    |   |                         |
|----|---|-------------------------|
| a. | <b>Lots served with Public Water:</b>                         |                         |
|    | <u>Wastewater Application</u>                                 | <u>Minimum Lot Size</u> |
|    | Public Sewer  | None                    |
|    | Septic  | 1.0 Acres               |
| b. | <b>Lots served by other than Public Water Supply Systems:</b> |                         |
|    | <u>Wastewater Application</u>                                 | <u>Minimum Lot Size</u> |
|    | Public Sewer  | 1.0 Acres               |
|    | Septic  | 1.0 Acres               |

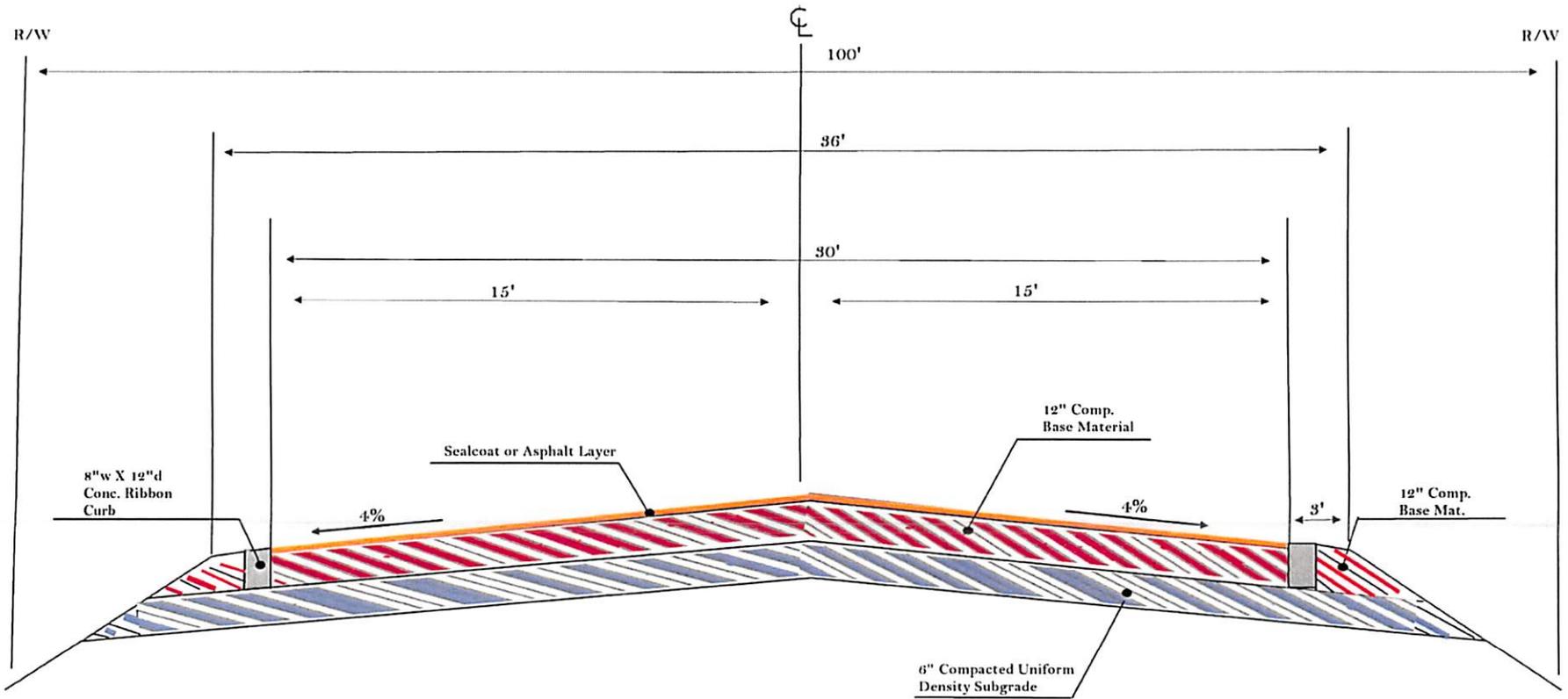
**F. Road Construction**

Roads to be constructed shall be prepared according to the standards defined in Section X of the Guadalupe County Subdivision Regulations.

**G. Signs and Posts**

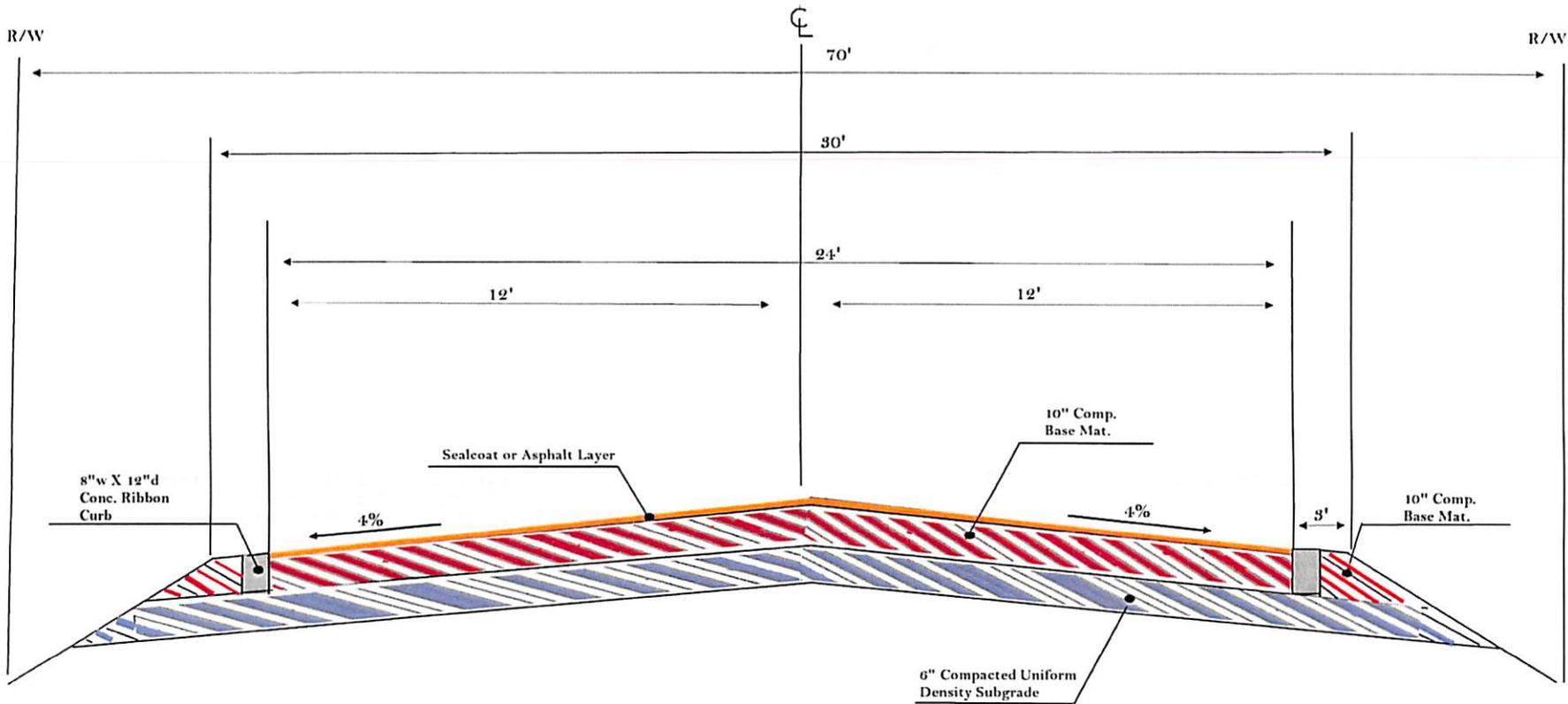
Signs and post requirements shall be prepared according to the standards defined in Section X of the Guadalupe County Subdivision Regulations.

Figure 1:



**Arterial Streets**  
Minimum Requirement  
(Ref: Sec. X)

**Figure 2:**



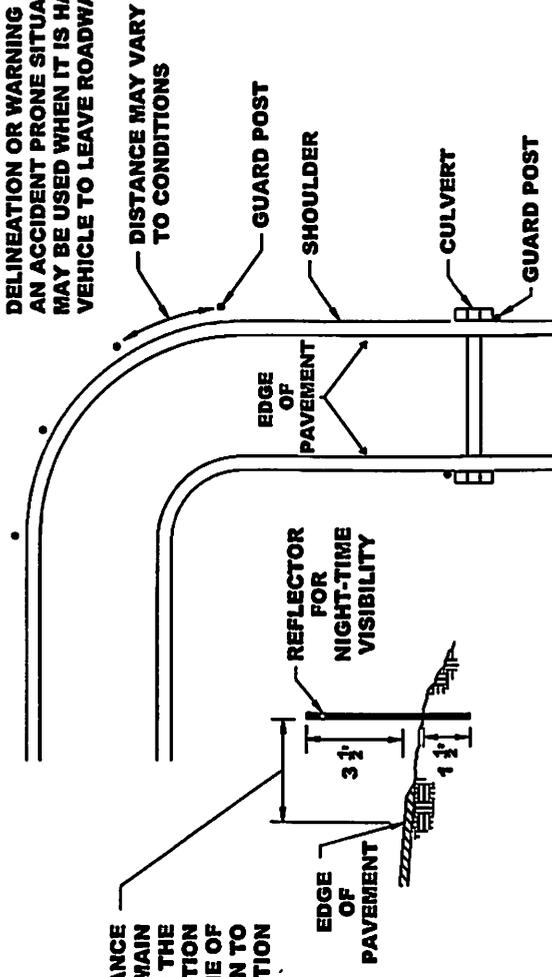
**Collector Streets/Secondary Streets**

Minimum Requirement  
(Ref: Sec. X)

# FIGURE 3

GUARD POST MAY BE USED TO PROVIDE DELINEATION OR WARNING OF A HAZARD OR AN ACCIDENT PRONE SITUATION. GUARDRAIL MAY BE USED WHEN IT IS HAZARDOUS FOR VEHICLE TO LEAVE ROADWAY

3' MINIMUM OF USEABLE SHOULDER, DISTANCE MAY VARY TO CONDITIONS, BUT SHOULD REMAIN AT A CONSTANT FROM THE EDGE OF THE PAVEMENT; EXCEPT WHEN AN OBSTRUCTION EXISTS NEAR THE PAVEMENT EDGE, THE LINE OF DELINEATORS MAKES A SMOOTH TRANSITION TO THE INSIDE EDGE OF THE OBSTRUCTION

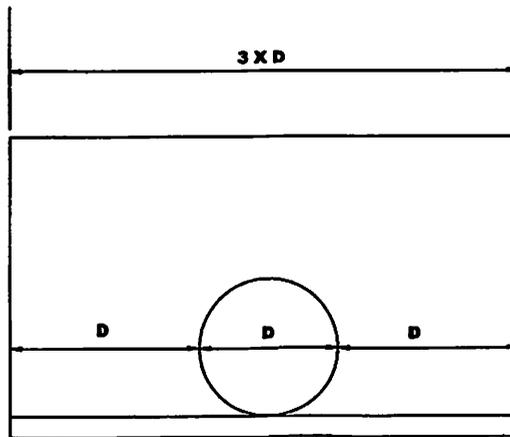
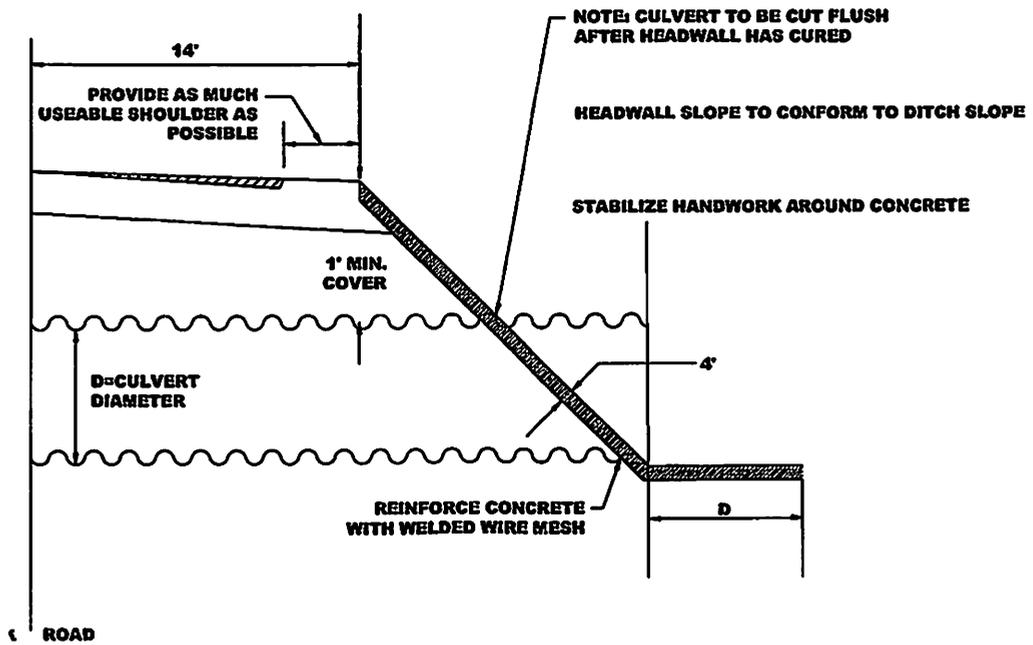


NOTE: THESE ARE GENERAL SPECIFICATIONS ONLY - LOCAL CONDITIONS MAY REQUIRE CONSULTATION WITH THE GUADALUPE COUNTY ROAD DEPARTMENT

## TYPICAL GUARD POST

(N.T.S.)

# FIGURE 4



NOTE: THESE ARE MINIMUM CONDITIONS ONLY - LOCAL CONDITIONS MAY REQUIRE ADDITIONAL AMOUNTS OF PAVING.

## CULVERT HEADER

(N.T.S.)



# ENVIRONMENTAL HEALTH

## GUADALUPE COUNTY

SHELLY REED JACKSON, DIRECTOR

2605 N. GUADALUPE ST.  
SEGUIN, TEXAS 78155  
OFFICE: (830) 303-8858  
MON-FRI 7:30AM – 4:00PM  
[permits@co.guadalupe.tx.us](mailto:permits@co.guadalupe.tx.us)

### PRE-DEVELOPMENT MEETING REQUEST FORM

Instructions:

- In order for the meeting to be most effective, please provide as much information as possible.
- Meetings are held on Wednesday unless otherwise noted. Form must be turned in the Friday before your scheduled meeting.
- Include any additional information available for staff review (maps, plans, etc.)
- Deliver to Environmental Health Department or email: [permits@co.guadalupe.tx.us](mailto:permits@co.guadalupe.tx.us)

I. APPLICANT INFORMATION

Property Owner / Developer Name \_\_\_\_\_  
 Business Name \_\_\_\_\_  
 Email address \_\_\_\_\_  
 Phone # \_\_\_\_\_  
 Number of Meeting Attendees \_\_\_\_\_

II. PROPERTY INFORMATION

Street Address/Location/Legal \_\_\_\_\_  
 \_\_\_\_\_  
 Past or Present Use of Property \_\_\_\_\_  
 Proposed Use \_\_\_\_\_

III. QUESTIONS FOR STAFF (PLANNING/UTILITIES/ROAD & BRIDGE/FIRE MARSHAL/TXDOT)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I hereby understand and agree that any discussion taking place with regards to this meeting request are for informational purposes only and is not intended to be an application for development to the County. At this time, I am not making an application, request for provision of service, or seeking a commitment or agreement by Guadalupe County.

Signature of Applicant \_\_\_\_\_

Date \_\_\_\_\_

**OFFICE USE**

Date Received \_\_\_\_\_

By \_\_\_\_\_

\_\_\_\_\_  
Scheduled Meeting Date and Time



# ENVIRONMENTAL HEALTH

## GUADALUPE COUNTY

2605 N. GUADALUPE ST.  
SEGUIN, TEXAS 78155  
OFFICE: (830) 303-8858  
MON-FRI 7:30AM - 4:00PM  
[permits@co.guadalupe.tx.us](mailto:permits@co.guadalupe.tx.us)

### APPLICATION FOR LETTER OF CERTIFICATION

The Letter of Certification is used to facilitate the County's plat application, site plan review, or other construction document review processes. Department reviewers may include: Environmental Health, Road and Bridge, Fire Marshal, and Commissioners Court. Other reviewers may include: Texas Department of Transportation, GBRA, a municipality, a public utility provider, or a third party consultant.

#### APPLICANT INFORMATION

Applicant:		
Point of Contact:		
Email:	Phone:	
Project For Review: _____		
<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Final Plat	<input type="checkbox"/> Preliminary/Final Plat
<input type="checkbox"/> Replat	<input type="checkbox"/> Other: _____	

#### REVIEWER INFORMATION AND RECOMMENDATION

Department / Agency:	
Person Reviewing:	
Email:	Phone:
<input type="checkbox"/> I recommend approval of the following Project: _____	
<input type="checkbox"/> I recommend approval with the following conditions:	
_____	
_____	
_____	
Signature:	Date:
_____	_____

#### RETURN TO APPLICANT DATE

It is the applicant's responsibility to submit a completed Letter of Certification in person, or email to the referenced email address above. The applicant should assign a return date with the following in mind:  
A Letter of Certification for preliminary plats, final plats, and replats, or any other type of development where the Department and/or Commissioners Court is the approving authority, the Letter of Certification must be received in accordance with the Plat Checklist. A completed application may be submitted within the plat timeline.

**Return Date:**



# ENVIRONMENTAL HEALTH

## GUADALUPE COUNTY

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[permits@co.guadalupe.tx.us](mailto:permits@co.guadalupe.tx.us)

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### VARIANCE REQUEST FORM

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A variance is defined as a commission-approved deviation from the requirements of the Guadalupe County Subdivision Regulations, On-Site Sewage Order, or the Flood Damage Prevention Order. With this completed variance request form, also provide the Guadalupe Appraisal Card and a survey or aerial map of the whole property.

---

Property Owner Name \_\_\_\_\_

Property Address \_\_\_\_\_ City/ST/ZIP \_\_\_\_\_

Phone # (\_\_\_\_) \_\_\_\_\_ Email \_\_\_\_\_

Property Tax ID # \_\_\_\_\_ Property located within ETJ of a City \_\_\_\_\_

Section in the Guadalupe County Order requesting the variance \_\_\_\_\_

Reason for request:

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Signature of Requestor \_\_\_\_\_

Date \_\_\_\_\_

---

### **OFFICE USE**

Date Received \_\_\_\_\_

By \_\_\_\_\_



# ENVIRONMENTAL HEALTH

## GUADALUPE COUNTY

SHELLY REED JACKSON, DIRECTOR

2605 N. GUADALUPE ST.  
SEGUIN, TEXAS 78155  
OFFICE: (830) 303-8858  
MON-FRI 7:30AM – 4:00PM  
[permits@co.guadalupe.tx.us](mailto:permits@co.guadalupe.tx.us)

### APPLICATION FOR SUBDIVISION PLAT CONSIDERATION

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

Plat Type:  New Plat  Replat  Amending Plat  Cancellation of Plat

Plat Location:  City Limits  Extra-territorial jurisdiction (ETJ) of a city  Unincorporated & outside ETJ  
 Within the 100-year floodplain and/or floodway

\*\*\*\*\*  
Plat Data: Total acreage of plat \_\_\_\_\_ Total number of lots \_\_\_\_\_ Total acreage of roads \_\_\_\_\_

Total acreage dedicated to public as right-of-way \_\_\_\_\_  No dedication of right-of-way to public

Road Type:  Public  Private  No roads

Drainage System:  Open ditch  Curb and gutter  No roads

Storm Water:  Ponds  Easements  No Storm Water Management

Water System:  Individual wells  Public (TCEQ-certified public water system)

Wastewater System:  Public  On-site sewage facilities (OSSF)

\*\*\*\*\*  
Property Owners \_\_\_\_\_

Mailing Address \_\_\_\_\_ City/St/Zip \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Email \_\_\_\_\_

Have you filed Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity Permit and the associated fees with Texas Commission on Environmental Quality (TCEQ)? Yes No N/A

\*\*\*\*\*  
Applicant/ Authorized Agent \_\_\_\_\_

Mailing Address \_\_\_\_\_ City/St/Zip \_\_\_\_\_

Phone (\_\_\_\_) \_\_\_\_\_ Email \_\_\_\_\_

\*\*\*\*\*  
By signing this application, I certify that:

- The completed application and all additional information submitted does not contain any false information and does not conceal any material facts.
- I certify that I am the property owner or possess the appropriate land rights necessary to make the permitted improvements on said property.

*Construction of a proposed subdivision may not begin before the plat recordation date issued by Guadalupe County Clerk's Office*

\_\_\_\_\_  
Owner/Developer Signature

\_\_\_\_\_  
Date

**OFFICE USE:**

Received By: \_\_\_\_\_

Date/Time: \_\_\_\_\_

**COMPLETENESS CHECKLIST FOR PLAT**

All persons desiring to subdivide land within the areas of jurisdiction of Guadalupe County shall first prepare and submit the following information to constitute a complete submittal:

Plat Review		Form and Contents required with Plat submittal
Yes	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	A completed application for subdivision plat consideration
<input type="checkbox"/>	<input type="checkbox"/>	Completeness Checklist for Plat
<input type="checkbox"/>	<input type="checkbox"/>	Application review fee and all other associated fees
<input type="checkbox"/>	<input type="checkbox"/>	Any part of the proposed subdivision within the ETJ of an incorporated municipality?
<input type="checkbox"/>	<input type="checkbox"/>	Any part of the proposed subdivision within the 100-year floodplain or floodway?
<input type="checkbox"/>	<input type="checkbox"/>	Did the Owner/Developer receive any variances from the subdivision regulations?
<input type="checkbox"/>	<input type="checkbox"/>	18" x 24" paper copy of plat
<input type="checkbox"/>	<input type="checkbox"/>	Digital copy of plat submitted to the Director
<input type="checkbox"/>	<input type="checkbox"/>	Documentation of contact with the County Commissioner
<input type="checkbox"/>	<input type="checkbox"/>	LOC's from all department viewers, utility providers (electric, water, water well, sewer), State Departments, City, GBRA, City, etc..
<input type="checkbox"/>	<input type="checkbox"/>	Copy of issued permit(s) from County Fire Marshal
<input type="checkbox"/>	<input type="checkbox"/>	Copy of issued permit(s) from State Highway Department
<input type="checkbox"/>	<input type="checkbox"/>	Copy of issued permit(s) from County Road & Bridge Department
<input type="checkbox"/>	<input type="checkbox"/>	Documentation of contact with any approvals from the County "911" Coordinator
<input type="checkbox"/>	<input type="checkbox"/>	Photo of posted notification sign of the proposed subdivision
<input type="checkbox"/>	<input type="checkbox"/>	Copy of written notice sent to adjacent property owners of the proposed subdivision
<input type="checkbox"/>	<input type="checkbox"/>	Copy of the return receipts to the adjacent property owners
<input type="checkbox"/>	<input type="checkbox"/>	Recorded deed(s) indicating current ownership
<input type="checkbox"/>	<input type="checkbox"/>	Guadalupe Appraisal District records or other appointed tax assessing entity
<input type="checkbox"/>	<input type="checkbox"/>	Original certified tax certificate showing that all taxes have been paid
<input type="checkbox"/>	<input type="checkbox"/>	Copy of an agreement allowing easements across private property
<input type="checkbox"/>	<input type="checkbox"/>	Copy of an executed contract, agreement or letter from all Utilities (electric, water, sewer)
<input type="checkbox"/>	<input type="checkbox"/>	Engineered plans of the water distribution system
<input type="checkbox"/>	<input type="checkbox"/>	Copy of a report indicating that potable water is available if served by water wells
<input type="checkbox"/>	<input type="checkbox"/>	Copy of an agreement allowing extension of public sewage disposal system

<b>Plat Review</b>		<b>Form and Contents required with Plat submittal</b>
<b>Yes</b>	<b>N/A</b>	
<input type="checkbox"/>	<input type="checkbox"/>	<b>Soil sampling report and written site evaluation identifying type of sewage facility</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Engineered Storm Water Management</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Engineered Road &amp; Drainage Construction Plans</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>A Performance Bond, Letter of Credit, or an Escrow Account delivered to County Judge</b>



# ENVIRONMENTAL HEALTH

## GUADALUPE COUNTY

SHELLY REED JACKSON, DIRECTOR

310 IH 10 W  
SEGUIN, TEXAS 78155  
OFFICE: (830) 303-8858  
MON-FRI 7:30AM – 4:00PM  
[permits@co.guadalupe.tx.us](mailto:permits@co.guadalupe.tx.us)

### APPLICATION FOR INFRASTRUCTURE DEVELOPMENT PLAN (IDP) CONSIDERATION

IDP Name: \_\_\_\_\_

Plan Type:  New Plan  Expansion to existing IDP  Cancellation of Plan

Plan Location:  City Limits  Extra-territorial jurisdiction (ETJ) of a city  Unincorporated & outside ETJ

Within the 100-year floodplain and/or floodway

\*\*\*\*\*

Plan Data: Total acreage of plan \_\_\_\_\_ Total number of lots \_\_\_\_\_ Total acreage of roads \_\_\_\_\_

Total acreage dedicated to public as right-of-way \_\_\_\_\_  No dedication of right-of-way to public

Road Type:  Public  Private  No roads

Drainage System:  Open ditch  Curb and gutter  No roads

Storm Water:  Ponds  Easements  No Storm Water Management

Water System:  Individual wells  Public (TCEQ-certified public water system)

Wastewater System:  Public  On-site sewage facilities (OSSF)

\*\*\*\*\*

Property Owners \_\_\_\_\_

Mailing Address \_\_\_\_\_ City/St/Zip \_\_\_\_\_

Phone (\_\_\_\_\_) \_\_\_\_\_ Email \_\_\_\_\_

Have you filed Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity Permit and the associated fees with Texas Commission on Environmental Quality (TCEQ)? Yes No N/A

\*\*\*\*\*

Applicant/ Authorized Agent \_\_\_\_\_

Mailing Address \_\_\_\_\_ City/St/Zip \_\_\_\_\_

Phone (\_\_\_\_\_) \_\_\_\_\_ Email \_\_\_\_\_

\*\*\*\*\*

By signing this application, I certify that:

- The completed application and all additional information submitted does not contain any false information and does not conceal any material facts.
- I certify that I am the property owner or possess the appropriate land rights necessary to make the permitted improvements on said property.

*Construction of a proposed subdivision may not begin before the approval from Commissioners Court.*

\_\_\_\_\_  
Owner/Developer Signature

\_\_\_\_\_  
Date

**OFFICE USE:**

Received By: \_\_\_\_\_

Date/Time: \_\_\_\_\_