

# **COUNTY OF WILSON, TEXAS**



## **SUBDIVISION AND DEVELOPMENT RULES AND REGULATIONS**

**APPROVED BY COMMISSIONERS COURT**

**April 13, 2026**

ORDER ADOPTING RULES OF WILSON COUNTY, TEXAS  
FOR SUBDIVISIONS AND DEVELOPMENT

SATTE OF TEXAS \*

COUNTY OF WILSON \*

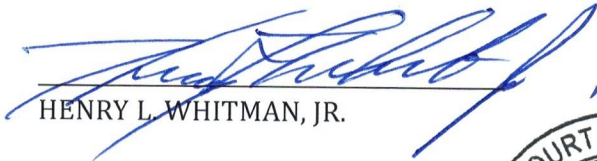
The Commissioner's Court of Wilson County, Texas, convened in Regular Session, sitting as the governing body of Wilson County, Texas at the Wilson County Courthouse in the City of Floresville, Texas on the 13 day of April, 2026, with the following members present, to-wit: Commissioner Gary Martin, Precinct 1; Russell King, Precinct 2; Jeffrey Pierdolla, Precinct 3; John "Scott" Akin, Precinct 4; County Judge, Henry L. Whitman, Jr. with the following business transacted:

Commissioner King introduced an order and made a motion that this same be adopted. Commissioner Pierdolla seconded the motion for the adoption of the order, prevailed by the following vote:

HENRY L WHITMAN, JR.  
GARY MARTIN  
RUSSELL KING


JEFFERY PIERDOLLA  
JOHN "SCOTT" AKIN

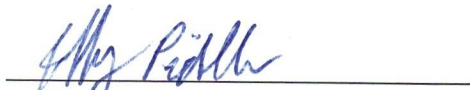
The County Judge there upon announced that the order had been duly and lawfully adopted. The Order thus follows:


  
HENRY L. WHITMAN, JR.

ABSENT  
GARY MARTIN  
COMMISSIONER, PRECINCT 1

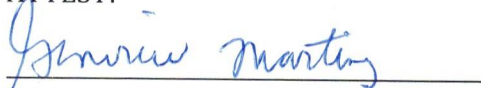


  
RUSSELL KING  
COMMISSIONER, PRECINCT 2

  
JEFFREY PIERDOLLA  
COMMISSIONER, PRECINCT 3

  
JOHN "SCOTT" AKIN  
COMMISSIONER, PRECINCT 4

ATTEST:

  
GENEVIEVE MARTINEZ  
COUNTY CLERK

**Wilson County**  
Subdivision Regulations

Approved and Accepted by  
Wilson County Commissioners Court  
On  
April 13, 2026

**INTRODUCTION**

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

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

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

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

### Record of Changes

<b>CHANGE NUMBER</b>	<b>DATE OF APPROVAL</b>	<b>PAGE NUMBER</b>	<b>ITEM NUMBER</b>	<b>TOPIC</b>
001	4/27/2026	21	<b>Chapter 3 Minimum Standards for Roads and Streets</b>	3.1 MINIMUM REQUIREMENTS- MINIMUM PAVEMENT WIDTH FOR DENSE LOTS (1/2 ACRE OR LESS)

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

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

**THE STATE OF TEXAS, COUNTY OF WILSON, IN THE COMMISSIONERS COURT OF WILSON COUNTY, TEXAS, APRIL 13, 2026:**

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

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

**WHEREAS:** The Commissioners Court has determined that rural fire prevention is a worthwhile goal conducive to the public health and safety, and therefore has determined that these rules shall to the maximum extent possible incorporate the current\*\* International Fire Code, and as periodically amended, unless specifically excluded.

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

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

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

**1.0 Administration.**

The Commissioners Court of Wilson County shall administer these rules and delegates the review process to the Wilson County Development Review Committee.

1. The Commissioners Court of Wilson County appoints a seven (7) member committee to serve as initial review committee for the purpose of reviewing each plat to ensure that all proposed subdivisions are in compliance with these regulations prior to recommendation to Commissioners Court.
  - a. If the Wilson County Development Review Committee is inactive or unable to convene, the Wilson County Permitting and Development Office will conduct the review process to ensure that all proposed subdivisions are in compliance with these regulations. The Permitting and Development Director will forward the results of the initial review and its recommendation with respect to the application to Commissioners Court.
2. The Wilson County Development Review Committee shall be composed of two Commissioners, the Fire Marshal, Permitting and Development Director, the County Engineer on staff and two (2) public members at large. A quorum shall consist of four (4) members, unless two or more seats are vacant, in which case a quorum shall be three members.
3. The Wilson County Development Review Committee is scheduled to meet on an as needed basis. Agendas will be publicly posted with the County Clerk's Office in accordance with the Open Meetings Act. Copies of the agenda will be issued to the County Judge, each committee member, and to each potential developer scheduled for the review process.
4. The public members at large shall each be appointed to a two (2) year term by Commissioners Court. Said members shall be adult citizens of Wilson County and property owners who have no interest in any development that may come before the Wilson County Development Review Committee.
5. The public members at large may be removed by Commissioners Court for misconduct or neglect of duties. When there is no County Engineer on the county payroll, as a salaried employee, the Commissioners Court shall appoint an additional public member. The public member appointed in lieu of the County Engineer shall be treated exactly the same as the other public members at large, except that if a County Engineer is hired, as a salaried employee, the public member appointed in lieu of the County Engineer is immediately removed as a member of the Wilson County Development Review Committee.

## **1.1 Definitions.**

The following words and terms, when used in these regulations, have the following meanings, unless the context clearly indicates otherwise.

### **AGRICULTURAL OPERATIONS—**

- (a) producing crops for human food, animal feed, planting seed, or fiber;
- (b) floriculture, viticulture, horticulture, or silviculture;
- (c) raising or keeping livestock or poultry;
- (d) wildlife management; or
- (e) planting cover crops or leaving land idle for the purpose of participating in any governmental program or normal crop or livestock rotation procedure.

**APPLICATION**—a plat application for subdivision approval under these regulations, which must include a complete plat, a survey, and all other materials and information detailing infrastructure (including utilities, drainage structures, and roads) to be constructed within a subdivision, to be submitted by a developer with their application as required by these regulations, and as published in the application checklist as required by the Commissioners Court, which may be amended and republished from time to time, and is attached to these regulations as ATTACHMENT 2.

**BLOCK**—one or more lots, tracts, or parcels of land bounded by streets, railroads, or subdivision boundary lines.

**COMMON AREA**—an area held, designed, or designated for the common use of the owners or occupants of a townhouse project, planned unit development, apartment, condominium, mobile home park, or subdivision. Common areas are to be clearly marked.

**COMMISSIONERS COURT**—The Commissioners Court of Wilson County, Texas.

**COUNTY**—Wilson County, Texas

**COUNTY ENGINEER**—a person licensed and authorized to practice engineering in the State of Texas under the Texas Engineering Practice Act, and either retained or hired to represent the interests of Wilson County.

**DEVELOPER**—any owner of land in the County who proposes to divide the land so as to constitute a subdivision of any kind, whether by sale, contract for sale, executory contract, rental agreement or other arrangement.

**DEVELOPMENT**—the construction or reconstruction of a building or road; the placement of a structure on land; the excavation, mining, dredging, grading, or filling of land; the removal of vegetation from land; or the deposit of refuse or waste on land. Development does not include:

- (a) lawn and yard care, including mowing, gardening, tree care, and maintenance of landscaped areas;
- (b) removal of trees or vegetation damaged by natural forces;

- (c) removal of vegetation or cultivating the soil for agricultural operations; or
- (d) the repair, maintenance, or installation of a utility, drainage or street system that does not dilute or increase impervious cover.

**DRINKING WATER**—all water distributed by any agency or individual, public or private, for the purpose of human consumption, use in the preparation of foods or beverages, cleaning any utensil or article used in the course of preparation or consumption of food or beverages for human beings, human bathing, or clothes washing.

**DRIVEWAY**—a surfaced area providing vehicular access between a street and an off-street parking or loading area. A driveway to a single-family residential structure is not a street.

**DRIVEWAY APPROACH**—an area between the roadway and private property designed for and intended to provide vehicular access from the roadway to private property.

**DWELLING UNIT**—a residential unit providing complete, independent living facilities including permanent provisions for living, sleeping, eating, and cooking.

**ENGINEER**—a person licensed and authorized to practice engineering in the State of Texas under the Texas Engineering Practice Act.

**EUWCD**—Evergreen Underground Water Conservation District

**FLAG LOT**—a lot that abuts a street by means of a strip of land that does not comply with the requirements of this chapter for minimum lot width, is not less than 40 feet wide, and is used for access.

**FRONTAGE**—A lateral dimension required for each lot to accommodate reasonable standards for minimum lot frontages on existing or proposed public roads or streets and establish reasonable standards for the lot frontages in relation to curves in the road.

**FRONT LOT LINE**—

- (a) for an interior lot, the lot line abutting the street;
- (b) for a corner lot, the lot line designated as the front lot line by a subdivision or parcel map, or, if none, the shorter lot line abutting a street;
- (c) for a through lot, the lot line abutting the street that provides the primary access to the lot; and
- (d) for a flag lot, the lot line designated as the front lot line by a subdivision or parcel map, or if none, the line determined by the engineer to be the front lot line.

**LOT**—a parcel of real property with a unique designation shown on a plat, record of survey, parcel map, or subdivision map recorded in the office of the county clerk; or a parcel of real property established under zoning or subdivision regulations. Each lot must have a forty (40') feet of frontage or front or side lot line to the adjoining street.

**MASTER PLANNED COMMUNITY**—A master plan is a guideline for the future physical development of a community. It helps align the use and creation of land, public infrastructure projects, and buildings with the values of a locality.

**NON-PUBLIC WATER SYSTEM**—Any water system supplying water for domestic purposes which is not a public water system.

**OSSF**—On-site sewage facilities as that term is defined in rules and regulations adopted by TCEQ, including but not limited to 30 TAC Chapter 285.

**PETITION FOR ROAD MAINTENANCE**—A petition filed with the Commissioners Court by a developer or property owner to accept a private road for public maintenance by the County.

**PLAT APPLICATION**—All documents necessary for compliance with this regulation.

**PLAT OF SURVEY**—A detailed, licensed, and legally approved map, often referred to as a boundary survey, that defines property boundaries, dimensions and existing improvements.

**PLATTED**—Recorded in the Official Plat Records of Wilson County, Texas.

**PRECINCT COMMISSIONER**—The County Commissioner representing the precinct in which a majority of a subdivision is situated.

**PRIVATE ACCESS DRIVEWAY**—An improved surface which permits ingress/egress to a particular lot or tract from a public road or street, and used for ingress and egress by the owners of the lot or tract or their invitees, whether the ownership or license of the property upon which the private driveway sits is in fee simple or by easement or use agreement. A private driveway, as defined herein, is not a road or street for the purposes of these regulations, but any entrance from a public road under county maintenance will conform to the minimum dimensions required by the PIP ROW regulations, and shall not provide access to another lot or tract not adjoining the public road.

**PUBLIC DATA**—Data compiled by the State of Texas, the United States or agencies of either the state or federal government for use by surveyors.

**PUBLIC WATER SYSTEM**—A system for the provision to the public of drinking water through pipes or other constructed conveyances. Such a system must have at least 15 service connections or serve at least 25 individuals at least 60 days out of the year. This term includes any collection, treatment, storage, and distribution facilities under the control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system.

Two or more systems with each having a potential to serve less than 15 connections or less than 25 individuals but owned by the same person, firm, or corporation and located on adjacent land will be considered a public water system when the total potential service connections in the combined systems are 15 or greater or if the total number of

individuals served by the combined systems total 25 or more at least 60 days out of the year. Without excluding other meanings of the terms "individual" or "served," an individual is deemed to be served by a water system if they live or work in a place to which drinking water is supplied from the system.

**PURCHASER**—Includes purchasers of land by a deed of conveyance, an executory contract, or by using any other method to transfer title to real property.

**RENTAL PROPERTY**—a house, duplex or apartment complex serving full-time as a rental. A development built with the intention of use as rental property is a subdivision subject to this regulation.

**RENTAL-SHORT TERM**—a rental property if rented for less than two weeks within a calendar year.

**RETAIL PUBLIC UTILITY**—Any entity meeting the definition of a retail public utility as defined in Section 13.002, Texas Water Code.

**RIGHT-OF-WAY**—land dedicated or reserved for streets, utilities, or other public facilities.

**ROADWAY**—the portion of a street right-of-way used for vehicular travel.

**SEWERAGE FACILITIES**—The devices and systems which transport domestic wastewater from residential property, treat the wastewater, and dispose of the treated water in accordance with the minimum state standards contained or referenced in these regulations.

**SUBDIVIDE**—to divide land into two or more lots or sites for the purpose of sale or development; to re-subdivide an existing lot; or to combine two or more lots into the same number or fewer lots with different boundaries.

**TAC**—Texas Administrative Code, as compiled by the Texas Secretary of State.

**TCEQ**—the Texas Commission on Environmental Quality and any of its predecessor or successor entities.

**WATER FACILITIES**—Any devices and systems which are used in the supply, collection, development, protection, storage, transmission, treatment, and/or retail distribution of drinking water.

1. Use of either the singular or the plural form of a word will be interpreted, when necessary, to include the other form.

## **1.2. Authority**

1. Notwithstanding any provision to the contrary, these regulations apply to any subdivision of land in Wilson County which 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. Common areas are to be clearly marked.
2. A division of a tract to which these regulations apply includes any division regardless of whether it is made by using a metes and bounds description, or any description of less than the whole tract, in a deed of conveyance, executory contract, or by using any other method to transfer title.
3. A division of a tract to which these regulations apply includes any division to lay out lots within the tract, regardless of whether there is a change of ownership of any part of the tract.

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

1. A developer must present an application in compliance with these regulations to the Commissioners Court for approval, unless the subdivision is exempt by state law, these regulations, or by an act of the Commissioners Court in response to a request for a discretionary exemption or variance, (Attachment 25) filed with the County Clerk.
2. Unless otherwise exempt, no subdivided land may be sold or conveyed until the developer:
  - A. Has received approval of an application; and,
  - B. Has filed for record an approved plat of the subdivision with the Wilson County Clerk's Office.
3. A utility may not provide utility services, including water, sewer, gas, and electric services, to property within a subdivision in accordance with Attachment 4 submitted with application.
4. If a subdivision is located within the extraterritorial jurisdiction of a municipality, the developer is responsible for complying with the applicable regulations of the municipality, and the provisions of any applicable inter-local agreements between the County and the municipality. Generally, in cases where the County and a municipality have regulations that differ, the more stringent regulations will control unless the City releases property from the ETJ.
5. A subdivision intended for rental or short-term rental property is subject to this regulation. Recreational vehicles, Tiny Homes and Campgrounds are subject to this provision.
6. Each developer must submit a written, affirmative acknowledgement of the requirements of this section with their application. See Attachment 2 to Subdivision Regulations.
7. Master Planned Completed checklists in the current form promulgated by these Subdivision Regulations. (ATTACHMENT 2)
  - A. For master planned developments, a copy of the master plan must be submitted with the application for the initial phase of the development.
  - B. All other documents, Attachments or reports required pursuant to these Regulations and any associated financial guarantee.

- C. Appropriate application fees and application materials must be submitted by appointment to the Wilson County Permitting and Development Office along with Attachment 20.

#### **1.4. General exceptions to these regulations**

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

1. A division of a tract of land into agricultural operation tracts is exempt if Attachment 24 is filed with the County Clerk and:
  - A. The owner does not lay out a part of the tract as streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use. And,
  - B. The land is to be used primarily for agricultural use, as defined by Section 1-d, Article VIII, Texas Constitution, or for farm, ranch, wildlife management, or timber production use within the meaning of Section 1-d-1, Article VIII, Texas Constitution.
  - C. If a tract described by this exemption ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, the requirements of these regulations will apply.
2. A division of a tract of land into family tracts is exempt if Attachment 18 is filed with the County Clerk and:
  - A. The division divides the tract into four or fewer parts; and,
  - B. The division does not lay out a part of the tract as streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use. and,
  - C. Each of the parts is to be sold, given, or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity, as determined under Chapter 573 of the Texas Government Code.
  - D. If, within two years of the division, any part of the subdivided tract is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree by consanguinity or affinity, the requirements of these regulations apply. There shall be a record maintained of any family tract application to ensure compliance with this regulation.
3. A division of a tract of land into rural home tracts is exempt if:
  - A. All of the divided tracts are more than ten (10) acres in area; and,
  - B. The intent is to lay out a subdivision of the tract, including an addition, or lots,
  - C. The owner does not lay out a part of the tract as streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use.
4. A division of a tract of land into veterans' tracts is exempt if:
  - A. The owner does not lay out a part of the tract as streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public and,
  - B. All the lots are sold to veterans through the Veterans' Land Board program.

5. A division of a tract of land into public tracts is exempt if:
  - A. The land is owned by the state or any state agency, board, or commission or owned by the permanent school fund or any other dedicated funds of the state; unless,
  - B. The subdivision lays out a part of the tract as streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use.
6. A division of a tract of land into public floodplain tracts is exempt 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. All of the divided tracts are sold to adjoining landowners.
7. A division of a tract of land into a tract for future development is exempt if:
  - A. The owner does not lay out a part of the tract as streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use.  
and
  - B. One new part is to be retained by the owner, and the other new part is to be transferred to a developer who will further subdivide the tract subject to these regulations.
8. A division of a tract of land into partitioned tracts is exempt if:
  - A. The owners do not lay out a part of the tract as streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use.  
and
  - B. All parts of the subdivided tract are transferred to persons who owned an undivided interest in the original tract.
  - C. Any further subdivision of a partitioned tract must comply with these regulations.

### **1.5. Development Tiers**

1. Any subdivision of land in the County established after the effective date of these regulations will be classified as either a First-Tier development or a Second-Tier development.
2. A First-Tier development is any subdivision of a tract of land that lays out a part of the tract as streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use.
3. A Second-Tier development is any subdivision of land that involves not more than four (4) lots or tracts, with each lot or tract having direct frontage or side-access to an existing, publicly maintained road or highway, and the developer does not propose to lay out, as a portion of the subdivision, any other internal streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use. Driveways or Driveway Approaches or Private Driveways within the county road right-of-way must be approved by the Commissioners Court or designee and any permits required by the same must be satisfied.
4. Any developer seeking to establish a Second-Tier development that is intended for dwelling units or residential purposes must provide the Commissioners Court or designee with Attachment 3 and the following:
  - A. A plat of the Survey showing the linear dimensions and area/acreage of each lot or tract.
  - B. A certificate from the developer confirming the availability of water and sewage service in compliance with these regulations.

- C. The certificate from the developer shall confirm compliance with set-back lines in compliance with these regulations.
  - D. The developer shall confirm the dedication of all necessary utility easements.
  - E. The developer shall also confirm the installation of culverts in County Road right-of-way for purposes of a driveway or driveway approach in compliance with our current PIPROW Regulations and such diameter dimension as may be required by the County Commissioners with jurisdiction over the development site, based upon the topographical requirements of that location.
  - F. A survey that shows sufficient topographic information adequate to demonstrate that the proposed subdivision will adequately drain and that any proposed development will not alter the natural flow of water to adjoining properties. A surveyor may rely upon current public data for this purpose.
  - G. If OSSF is proposed for the Second-Tier subdivision, a certificate from the Wilson County Septic Inspector stating that the subdivision plans comply with all applicable TCEQ rules, including housing density requirements. See ATTACHMENT 7 of subdivision regulation.
5. All other requirements in these regulations are applicable to First Tier developments, and not applicable to Second Tier developments.
  6. Lots of five acres or less are presumed to be for dwelling units or residential purposes, unless the land is restricted to nonresidential uses on the plat and all instruments of conveyance.

## **1.6. Subdivision Names**

The name of a subdivision may not conflict in spelling, pronunciation, or in any way with the name of any other subdivision within the County, and may not be so similar in spelling or pronunciation to the name of any existing subdivision in the County as to cause confusion, unless the subdivision is contiguous to an existing subdivision and is an additional phase of that development. Attachment 8 must be signed by the 911 Addressing Coordinator approving subdivision and road names.

## **1.7. Conflict of Laws**

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

## **1.8. Severability**

If any part or provision of these regulations, or any application of these regulations, to any person or circumstance is adjudged invalid by any court of competent jurisdiction, such judgment will be confined in its operation to the part, provision, or application directly

involved in the controversy in which such judgment will have been rendered and will not affect or impair the validity of the remainder of these regulations or the application thereof to other persons or circumstances. The Commissioners Court hereby declares that it would have enacted the remainder of these regulations without any such invalidated part, provision, or application.

### **1.9. Agents**

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

### **1.10. Effective Date**

1. These regulations apply to all subdivisions which are made subsequent to the effective date of these regulations.
2. Any subdivision existing prior to the effective date of these regulations, whether or not a plat of the subdivision has been filed in the records of the County, and for which the owner or owners of lots within said subdivision wish to modify, expand, alter or otherwise change in any way the actual layout of the subdivision, must comply with these regulations.
3. If the Commissioners Court determines that the proposed revision to a subdivision existing prior to the effective date of this regulation does not affect a public interest or public property of any type, see §232.009(c-1) et seq. of Texas Local Government Code.

## **Chapter 2**

### **Minimum Standards for Water and Sewage Service**

#### **2.1. Scope of Standards**

The establishment of any subdivision with two or more lots where the water supply and sewer services do not meet the minimum standards of these regulations is prohibited. The developer shall acknowledge their obligation to provide potable water to all residents of the subdivision in sufficient quantity to satisfy this regulation. Compliance with rules of this section is required. A certificate of compliance must be issued by these agencies, and must be included in the original application of the Developer.

#### **2.2. Water Availability Requirements**

1. General: These Water Availability Requirements are adopted pursuant to Section 35.019 of the Texas Water Code, IFC 2021 and Section 232.0032 of the Local Government Code. The Wilson County Commissioners Court determined that the adoption of Water Availability Requirements is necessary to prevent current and future water use in Wilson County from exceeding a safe and sustainable yield. TCEQ Rules are applicable. These water Availability Requirements apply to all applications for approval of a plat for a Subdivision wholly or partially within Wilson County, except for the following situations.
  - A. Replats and Amending Plats that do not increase the number of lots within the subdivision; and
  - B. Subdivisions that have one well on each lot provided that a well log report for every well is furnished to the County and to prospective buyers of each lot.
2. Before any subdivision plat is approved, the developer must establish to the reasonable satisfaction of the Commissioners Court that an adequate quantity and quality of ground water, or water from surface water sources which meet the standards established by the TCEQ, exists to support the development and occupation of the subdivision. The CCN holder shall oversee the implementation of this Section, and may, if sufficient data is readily available, make recommendations to the Commissioners Court to waive any of the requirements of this Section. Any supplier of potable water to the subdivision must comply with this section. Failure to satisfy the requirements shall result in the rejection of a subdivision plat application. In cases where a private well will supply water, the lot owner shall be responsible for compliance with this section.

#### **2.3. Water Facilities Development**

1. A subdivision must provide for an adequate supply of drinking water, either by connecting to an existing public water system, establishing a new public water system, drilling individual wells, or through any other non-public water system in accordance with these regulations.
2. Developers who propose to supply drinking water by connecting to an existing public water system must provide a written agreement with the retail public utility. The agreement must:
  - A. Provide that the retail public utility has or will have the ability to supply the total flow anticipated from the ultimate development and occupancy of the subdivision while fire suppression flow remains in conformity with the current IFC adopted. Flow calculations must be anticipated and incorporated.

- B. Reflect that the developer will pay the costs associated with connection to the public water system so that service is available to each lot or tract within the subdivision upon completion of construction of the water facilities described in the plat application, and detail the costs to be paid by the purchasers of lots or tracts within the subdivision pursuant to the policy or regulation of the retail public utility.
- 3. Where there is no existing retail public utility to provide adequate drinking water to a subdivision, a developer may provide drinking water by establishing a retail public utility and obtaining a certificate of convenience and necessity from the Texas Public Utility Commission and complying with the requirements of Subchapter C, Chapter 341, Texas Health and Safety Code and as defined by current rules and regulations of the TCEQ 30 TAC Chapter 290.
  - A. If the public or community water system will have more than fifteen (15) connections, the developer shall present documentation to the Commissioners court showing that the requirements as specified in Section 2.3 (3) of these Water Availability Requirements have been met and approved by the TCEQ. In addition, a letter or other document from TCEQ's Rate Analysis and Plan Review Team, Water Utilities Division, shall be supplied approving the business plan and the plans and specifications for the proposed water system. If the proposed water system will have fewer than fifteen (15) connections, the developer shall present a letter from the EUWCD stating that the EUWCD has reviewed the plans and specifications for the proposed system, along with any technical data required in subsection 2.3 (3) of these Water Availability Requirements and finds the proposed system adequate for its intended use.
  - B. Expansion of an Existing Public or Community Water System. If the developer proposed to utilize an existing public or community water system, the developer shall present to the Commissioners Court in satisfaction of these requirements a copy of the executed agreement between the developer and the owner of such existing system for such water. If the total number of connections served by the existing public or community water system as defined above is more than fifteen (15), including the additional lots, the developer shall present a letter from TCEQ's Rate Analysis and Plan Review Team, Water Utilities Division, stating that the existing water system has sufficient capacity to service the additional connections. In addition, the developer shall present to the Commissioners Court documentation that has been approved by the EUWCD or TCEQ which shows that subsection 2.3(3) of these Water Availability Requirements have been met. If the proposed water system will have fewer than fifteen (15) connection, the developer shall present a letter from the EUWCD or TCEQ stating that the EUWCD or TCEQ has reviewed the plans and specifications for the proposed system, along with any technical data required in subsection 2.3(3) of these water Availability Requirements and finds the proposed system adequate for its intended use.
- 4. Where individual wells or other non-public water systems are proposed for the supply of drinking water to a subdivision, the developer must include in their plat application a groundwater availability study that complies with the requirements of 30 TAC Chapter 230, or in such other rules as may be published by TCEQ, and certifies the long-term quantity and quality of available groundwater supplies relative to the ultimate needs of the subdivision for a term of not less than 30 years. The water quality of the water produced

from the test well must meet the standards of water quality required for community water systems as set forth in 30 TAC, Sections 290.104, 290.106, 290.108 and 290.109, either: without any treatment to the water; or, with treatment by an identified and commercially available water treatment system. The requirements of this section must be certified by an engineer or geoscientist licensed to practice in this state, or by a water well driller licensed in Texas and in good standing pursuant to Chapter 1901, Texas Occupations Code.

5. Water Availability Certification. If the developer proposes groundwater as the primary source of water for the tracts in a subdivision, whether by individual private or community wells, the following requirements shall be met:
  - A. Projected Water Demand Estimates as specified in TCEQ Groundwater Availability Certification of Platting, Ch. 230.6
  - B. General Groundwater Resource Information as specified in TCEQ Ch. 230.7.
  - C. Aquifer Testing as specified in TCEQ Ch. 230.2(2); Aquifer testing is a test involving the withdrawal of measured quantities of water from or an addition of water to a well and the measurement of resulting changes in water level in the aquifer both during and after the period of discharge or addition for the purpose of determining the characteristics of the aquifer. Bail and slug test are not considered to be aquifer tests. The required aquifer testing parameters shall be as specified in TCEQ Ch. 2230.8 Obtaining Site-Specific Groundwater Data.
  - D. Determination of Groundwater Quality as specified in TCEQ Ch. 230.9.
  - E. Determination of Groundwater Availability as specified in TCEQ Ch. 231.10.32.
  - F. Sufficiency of Water and Certification. In addition to the test results required above, submit to the Commissioners Court a certification from a registered professional engineer licensed by the State of Texas or a licensed professional geoscientist. Said certificate shall be based on the pump test results and any other information available, which information shall be detailed, and shall state the opinion of the certifier that sufficient groundwater exists beneath such subdivision of a quantity and quality adequate for the use of the persons purchasing tracts in such subdivision. In addition, a letter is required from the EUWCD (CCN or Supplier) that based on the pump tests results and other information available to the EUWCD the development after full build-out will not cause an aquifer mining condition to exist. Specifically, sufficient quantity of groundwater is defined as meeting or exceeding a sustainable well production capacity of ten (10) gallons per minute per lot after full build-out. In areas where ten (10) gallons per minute per lot is marginal, additional aquifer test may be required. For those areas where well production capacity is less than ten (10) gallons per minute, lot frontage shall be adjusted accordingly. The developer shall provide to each purchaser or potential purchaser of tract located in such subdivision a summary of the water quality and quantity test results prior to concluding the sale of any tract. If the developer is unable to obtain the certificate that water of sufficient quantity and quality exists, or the Commissioners Court receives a letter from the EUWCD reporting that sufficient water is not available, the Commissioners Court shall deny that specific plat request.
  - G. Groundwater Availability Determination Conditions, as specified in TCEQ Ch. 230.11(b). The assumptions and uncertainties that are inherent in the determination of groundwater availability should be clearly identified. These conditions must be

identified to adequately define the basis for the availability and usability statements. These bases may include, but are not limited to uncontrollable and unknown factors, such as:

1. Future pumpage from the aquifer or from interconnected aquifers from area wells outside of the subdivision or any other factor that cannot be predicted that would affect the storage of water in the aquifer.
  2. Long-term impacts to the aquifer based on climatic variations.
  3. Future impacts to usable groundwater due to unforeseen or unpredictable contamination.
6. The conveyance of drinking water by transport truck or other mobile device to supply the domestic needs of the subdivision is not an acceptable method of supplying drinking water, except on an emergency basis. Absence of a water system meeting the standards of these regulations due to the negligence of the developer does not constitute an emergency.
  7. MUDS-A Municipal Utility District can be created by either (1) adoption of a district creation bill by the Texas Legislature or (2) by the Texas Commission on Environmental Quality (TCEQ) following a petition and consent process described in the Texas Water Code. Developers shall notify the Commissioners Court by certified mail prior to filing a proposal to create a MUD supplying service to any proposed subdivision.

#### **2.4. Wastewater Disposal**

1. A subdivision must provide for adequate sewage and wastewater disposal, either by connecting to a public sewage disposal system, connecting to a privately owned sewage disposal system, or allowing purchasers to install OSSF which are compliant with TCEQ rules and these regulations. If OSSF systems are to be utilized, the Plat must bear a notation that all such systems must comply with TCEQ regulations.
2. Developers who propose to dispose of wastewater by connecting to existing sewerage facilities operated by a retail public utility must provide a certificate from the utility that:
  - A. Provides that the retail public utility has or will have the ability to treat the total flow anticipated from the ultimate development and occupancy of the subdivision for a minimum of 30 years.
  - B. Reflects that the developer will pay the costs associated with connection to the sewerage system so that service is available to each lot or tract within the subdivision upon completion of construction of the sewerage facilities described in the plat application, and detail the costs to be paid by the purchasers of lots or tracts within the subdivision pursuant to the tariff of the retail public utility.
3. Developers who propose to establish a sewerage system must obtain a permit to dispose of wastes from TCEQ in accordance with 30 TAC Chapter 305 and obtain approval from TCEQ of engineering planning materials for such systems under 30 TAC Chapter 317 and provide documentation to Wilson County Development Office.
4. Sewerage facilities for the disposal of sewage in an amount no greater than 5,000 gallons per day must comply with 30 TAC Chapter 285.
5. Sewerage facilities for the disposal of sewage in the amount of 5,000 gallons per day or greater must comply with 30 TAC Chapter 317.

6. The Wilson County Septic Inspector, or another authorized agent of TCEQ, must review proposals for OSSF; Make inspections of such systems as necessary to ensure adequate service for a subdivision; and,
7. The Wilson County Fire Marshall- Shall certify that a plat application is in compliance with all applicable state statutes and rules, including lot frontage, street width and all-weather capacity to handle emergency vehicles and availability of sufficient area within each lot for OSSF.
8. In addition to the unsatisfactory on-site disposal systems listed in 30 TAC § 285.3(i), pit privies and portable toilets are not acceptable waste disposal systems within a subdivision, except on an emergency basis not to exceed thirty-days (30) in duration. Absence of a waste disposal system meeting the standards of these regulations due to the negligence of the developer or owner does not constitute an emergency.

## **2.5. Greywater Systems for Sludge and Reuse of Treated Wastewater**

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

## **2.6. Public Utility Easements**

1. A developer must provide for utility service within a subdivision, with utility easements of no less than twenty (20) feet on front and (15) fifteen on side lot, unless a variance has been obtained to be provided along each property line of all lots.
  - A. Surface utilities are to be placed within five (5) feet of the property line.
  - B. Subsurface utilities are to be placed with ten (10) feet of the property line or in conformity with other law.
2. All utility easements are to be described in any deed to any purchaser of a portion of a subdivision, and must be depicted on the plat.

## **2.7. Public Utility Easements and Fire-Fighting Standards**

1. If water is provided to a subdivision by a public water system with adequate water capacity to support fire hydrants or filler plugs, such fire hydrants or filler plugs must have a proper hose connection in compliance to fit the equipment of the fire department serving the jurisdiction. IFC 507.5.1
2. If fire hydrants or filler plugs are proposed to be installed in a subdivision in a plat application, the application must include a certificate from the public utility serving the subdivision to confirm sufficient water capacity is available to operate the fire hydrants or filler plugs to current IFC standards.

3. Six-inch mains shall be required or in accordance with the current IFC.
4. No 90° back to back access easements.
5. The Wilson County Fire Marshal- Shall perform a plan review and certify that a plat application is in compliance with all applicable state statutes and rules, including lot frontage, street width and all-weather capacity to handle emergency vehicles and availability of sufficient area within each lot for OSSF.

## **Chapter 3**

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

#### **3.0. General Requirements**

All references to Tx DOT specifications and test procedures shall be in accordance with the latest edition of standards.

1. Roads and streets to be constructed shall have a minimum right-of-way of seventy feet (70'), and a cleared right-of-way, centered on road to accommodate public utility easements as required.
2. Streets that are curbed shall have a minimum right-of-way of seventy feet (70') with thirty feet (30') of asphalt pavement and sixteen inch (16") wide curb and gutter on both sides so as to provide unhampered circulation through the subdivision.
3. The County does not accept curbs, gutters, streetlights or sidewalks for maintenance.
4. Where a dead-end street and/or road is designed, a turn-around (cul-de-sac), as shown in Illustrations Chapter 13 Section. E., shall be provided at the closed end. The turn-around shall have an outside finished paved roadway diameter of ninety six feet (96') and road right-of-way of one hundred and forty feet (140').
5. All roads and streets shall intersect at 90° angles, and flare corners will be provided at all corners. All flare corners shall have a minimum twenty-five-foot (25') radius.
6. In cases where new roads as platted intersect with established roads, the new roads shall be, if practical, a continuation without offset of any intersecting road on the opposite side of the established road.
7. No roads or streets shall have any abrupt offset(s).
8. 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.
9. Driveways shall be provided by the Developer or any Owner of the lot to be so accessed. A driveway permit as required in accordance with the PIPROW Regulations must be obtained from Wilson County.
10. Casing will be installed under streets/roads at a minimum depth of thirty-six inches (36") below ditch grade and extend from edge of right-of-way to edge of right-of-way. The casing will be installed prior to applying base material and in a sufficient number and size to accommodate utilities needs for all anticipated development. All backfill shall be select fill (Tx DOT Item 274-A1-2) approved by the County Engineer, and compacted to 95% density as established in TEX-113E.
11. No water meters or fire hydrants shall be placed more than two feet (2') inside of the county right-of-way.
12. The developer shall provide culvert size for driveways for each lot prepared, sealed and signed by a professional engineer. The developer shall include, as a table made part of the Plat, the size culvert required for the driveway of each lot. If a culvert is not required, it must be indicated as such in the table.
13. No parking on collector and arterial streets.
14. Ingress and egress will be dictated by Current IFC.

### 3.1. Minimum Requirements

1. Minimum right-of-way	70'
2. Minimum Sub-grade Crown	36'
3. Minimum Sub-base Crown	30'
4. Minimum width Base Crown	26'
5. Usual compacted depth of sub-base material	6"
6. Usual compacted depth of top-base material	20"
7. Minimum ditch depth (below shoulder of sub-grade)	18"
8. Minimum pavement width	24'
9. Minimum pavement width for dense lots (1/2 acre or less)	32'
10. Maximum allowable grade	9%
11. Minimum diameter of Cul-de-sac ROW	140'
12. Minimum outside finished paved Cul-de-sac diameter	96'

### 3.2. Drainage

1. All drains, drainage structures, and appurtenances shall be designed by a person authorized to practice the profession of engineering under the provisions of the Texas Engineering Act, and amendments thereto.
2. Drainage calculations shall be made using the Rational Method or by other accepted methods. Drainage for streets and roads shall be designed for a 25 -year storm frequency, and shall be subject to the approval of the County Engineer.
3. All roads or streets shall have ditches, which are a minimum depth of eighteen inches (18") below the shoulder of the sub-grade. Greater depths shall be provided as required to accommodate the design flow. All street widths and grades shall be indicated.
4. Drainage structures shall be backfilled in accordance with Item 400 of the Tx DOT Standard Specifications. Concrete slabs may be required as directed by the County Engineer. Pipe ends will be protected by headwalls. Rip Rap or other concrete structures shall be approved by the County Engineer. Culvert crossings that are greater than 4 feet deep or where culvert size does not have sufficient room to install the culverts at a 4:1 slope will require a guardrail. The guardrail shall be designed using accepted engineering practices, installed according to TxDOT standard details and submitted for review by the County Engineer.
5. All required drainage easements shall be represented to scale on the final plat.
6. All data and calculations shall be presented to the County Engineer upon request.
7. 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 inspected such improvements and recommends their acceptance by the County.

than bar ditches, may be utilized, unless the developer creates a mandatory HOA/POA, with mandatory assessments. The HOA/POA must own the detention /retention ponds, detention/retention tanks, or other drainage structures, other than bar ditches, outright. The HOA/POA must have the duty to maintain the detention/retention ponds, detention/retention tanks, or other drainage structures, other than bar ditches.

### 3.3 Road Regulations

1. The developer has the following options for pavement designs used within the development:
  - A. They may provide pavement designs which are detailed in Chapter 3.16.

A geotechnical work plan shall be submitted to the County a minimum of two (2) weeks prior to commencing field operations.  
For master planned developments, the road design must include all phases of the development.
2. Roadway Construction
  - A. All material sources constructed in the roadway and a contractor's construction Quality Control Plan (QCP) for each material shall be submitted to the County for review and approval 2 weeks prior to commencing construction. The QCP shall be specific to the project. Sources include lime, cement, flexible base, prime and tack coats, seal coat aggregate and asphalt, and hot mix designs.
  - B. Sub-Grade Material:
    1. All unstable or otherwise objectionable material (trees, brush, stumps and unstable sub-base) of the sub-grade shall be removed and replaced with approved material. All holes, ruts, and depressions shall be filled with approved material and, if required, the sub-grade shall be thoroughly moisture conditioned with water, reshaped, and rolled to the extent directed in order to place the sub- grade in an acceptable condition to receive the base material.
    2. When a fill is required to achieve the prescribed sub-grade elevation, fill as described in the QCP shall be placed in uniform lifts covering the entire width of the cross section. Prior to compaction, the lifts shall not exceed a six-inch (6") depth.
    3. Flat bottom ditches, grass retards, rock filter dams, and silt screens shall be utilized as needed to control soil erosion on road grades greater than two percent (2%).
    4. The maximum allowable road grade shall be no more than nine percent (9%).
    5. The surface road area shall be constructed as shown in Illustrations Chapter 13.D
    6. All ditches and bank slopes shall be cut to grade, shaped, and approved before any utility poles, water lines, or other permanent infrastructures are installed. Culvert locations shall be marked in the right-of-way to accommodate road balancing. A super elevated road section, in lieu of a crowned road section, may be appropriate for certain sections of the road due to elevations and field conditions. Blue-tops are required on the sub-

grade for balancing, with a minimum ditch depth of twelve inches (12"). Blue-tops are set on centerline with a four (4) tenths (equivalent to five inches) crown and sixteen feet (16') on both sides of the centerline. A control station marker is utilized outside of the right-of-way when resetting blue-tops are necessary during road construction. Blue-tops are to be set for the sub-grade on centerline, both edges of sub-grade and a control station marker outside of right-of-way, at intervals not to exceed one hundred feet (100'). After balancing the road, the culverts shall be installed at the designated locations in accordance with Illustrations Chapter 13 Section C. Culvert pipe ends shall have a minimum of a 4:1 slope. After installing the culverts, the roadway shall be bladed again in accordance with the blue-tops.

7. The sub-grade material shall be proof rolled, moisture conditioned, bladed, and compacted to the required density. The "Density Control" method of compaction will be required in the top six inches (6") of sub-grade material. Not less than ninety-five percent (95%) of the density, as determined by TEX 113-E will be required. Maintain moisture content within +/- 3% as determined by TEX 113-E or in accordance with the geotechnical report's recommendations. Density tests will be performed (1) test per five hundred feet (500') of roadway, with a minimum of two (2) tests for each roadway regardless of its length of less than one thousand feet (1000') for each lift. Review of the density testing shall be done at a time convenient to the County. The County may waive the requirement for density testing in sandy sub-grade areas.
8. Upon inspection of the sub-grade, the County Commissioner and/or County Engineer shall evidence approval by signing the County Road Construction and Inspection Certification Form, as shown in ATTACHMENT 17. This inspection form must also be signed by the Developer/Owner and Road Contractor. The fully executed inspection form must be received by the Wilson County Permitting and Development Office prior to placement of any base material.

#### C. Flexible-Base:

1. The flexible base shall conform with TxDOT's Item 247, Type A, Grades 1 or 2 or as shown in Chapter 13 Section D. The top-base material shall be constructed as shown in Illustration D. The sub-grade shall be moisture conditioned prior to the first and each sequential courses of base materials shall be placed in lifts which do not exceed six inches (6"), loose measure. Material deposited upon the sub-grade shall be spread and shaped as soon as practical. After the first lift of base material is placed and moisture conditioned and graded, compaction of the material with rollers to achieve the specified density and not degrade the material. Grades are to be verified at the centerline and at the breaks of the slope on both sides of the centerline. Any excess or deficiency of base material shall be addressed during the final grading. During the grading process, the moisture of the base shall be maintained within the specified moisture content.

2. Density Control will be required in the entire cross section of the top base material. Not less than ninety-five percent (95%) of the density as determined by TEX 113-E will be required. Maintain moisture content within +/- 3% as determined by TEX 113-E. Density tests and top base depth tests shall be performed at the rate of one (1) test per five hundred feet (500') of roadway, with a minimum of two (2) tests for each roadway regardless of length per lift. The County may witness the tests and copies of the density and moisture tests shall be provided to the County.
3. Review of the density testing shall be done at a time convenient to the County. Upon inspection of the base material, the County shall evidence approval by signing the County Road Construction and Inspection Certification Form, as shown in Attachment 17. This inspection form must also be signed by the Developer/Owner and Road Contractor. The fully executed inspection form must be received by the Wilson County Permitting and Development Office prior to paving the road.

D. Hot Mix Asphaltic Concrete (HMAC)

1. The HMAC shall be a Tx DOT Item 341 or most current specification used by Tx DOT. The surface mix shall be a Type D with a PG 64-22 asphalt and no Recycled Shingles Asphalt (RAS) will be allowed in the mix.
2. If a more current Tx DOT specification is submitted and placed, there will be no allowance for bonus/penalty.
3. The test frequency shall be every 500 tons placed or day's production/placement. The producer is required to submit Quality Control test results to the County within 48- hours of production of the mix.

E. Test Tolerances:

1. In the event a base density test fails to meet the 95% requirement, that particular identified area will be reworked and re- compaction.
2. The base shall be constructed as herein specified in one or more courses in conformity with the geotechnical recommendations and specifications and to the line and grades approved by the County and should be slush rolled. The Developer shall furnish an analysis of the proposed base material made by an approved Engineering Laboratory if so directed. The Developer's contractor will be required to set blue tops for the flexible base on centerline and crown-line at intervals not to exceed one hundred feet (100')

F. All roads constructed in any subdivision must be paved with a HMAC Type D to a width of at least twenty-four feet (24') or thirty-two feet (32') for dense lot subdivisions.

1. Concrete paving must be of a grade equivalent or longer durability as the asphalt paving required above and shall be evaluated and utilized only upon consultation and approval by the Commissioners Court of Wilson County.

All drainage culverts shall utilize riprap or concrete headwalls as approved by the County (Chapter 13 Section C). Culvert pipe ends shall have a minimum of a 4:1 slope.

- G. After installing the culverts, the roadway shall be bladed again in accordance with the blue tops. Upon completion of road construction, the fully executed inspection form must be received by the Wilson County Permitting and Development Office prior to acceptance of the roads by Commissioners Court (Attachment 17 – County Road Construction and Inspection Certification Form).

#### **H. SUMMARY OF WILSON COUNTY ROAD CONSTRUCTION AND 4 INSPECTIONS:**

##### **Prior to any construction, the contractor shall have all SWPPP BMPs in place and inspected by the Commissioner and/or Engineer**

1. Inspection #1- Sub-grade inspection:
  - a. Precinct Commissioner and/or County Engineer shall inspect the sub-grade and density. Density tests shall be performed, (1) test per five hundred feet (500') with a minimum of two (2) tests for each roadway less than one thousand feet (1000'). A copy of the density testing shall be submitted to the County for their review prior to any further roadway construction. The County may waive the requirement for density testing in sandy sub-grade areas.
  - b. Depth and Density Test. Precinct Commissioner and/or County Engineer shall inspect the fill material before more lifts are applied. There should be 100' stations and appropriate road crowning. Density tests are not required for sand fill. Density tests are required for clay or similar materials placed as fill. After the fill inspection, the road contractor can proceed with placing base material in lifts not to exceed (6') six inches in approximate equal portions as indicated in the road design.
2. Inspection #2- Finished base inspection:
  - a. Precinct Commissioner and/or County engineer shall review the base testing meets specifications. The finished base must have a minimum density of 95% test within the moisture allowance for the installed material and recommended and minimum depth of finished base as shown in the road design.
3. Inspection #3- Paving Inspection:
  - a. Submit "As built" and field notes to the Development Department.
  - b. Precinct Commissioner and/or County Engineer shall review the road construction for the following: Roadway culverts and detention pond culverts are clear of debris, proper road right of way drainage, street signs installed, completion of detention pond area, and completion of road paving, chipped and fog sealed, etc.
4. Inspection #4- Final Inspection prior to release of bond or letter of credit:
  - a. Precinct Commissioner and/or County Engineer shall complete the final inspection for any paving repairs, (including pot holes, surface

scars, mars and road damage) adequate grass coverage in the road right of ways, and detention ponds, street signs are in place, and roadway culverts and detention pond culverts are clear of debris. All pavement repairs shall conform with TxDOT Items 330, 351 and 700 and as recommended by the County Engineer. After approval of the final maintenance inspection, Commissioner's Court will vote to release the bond or letter of credit back to the subdivision developer.

- b. Potholes and road damage are to be saw cut a minimum of (6") six inches larger in all directions than the damaged area in a uniform square for damage less than (6") six-inches in diameter. For damage larger than (6") six-inches in diameter, the patch shall be a minimum of (12") twelve-inches larger than the damage. In areas where there is less than (12") twelve- inches between patches, the entire area shall be saw cut to encompass all the damage with a minimum of (12") twelve-inches in all directions. All cracks in the road surface shall be repaired as follows: 1) for cracks less than 1/16", fog seal the area using Tx DOT Item 315; for cracks larger than 1/16", shall be repaired using Tx DOT Item 300 Table 20 and Item 712.4.
- c. Sufficient Vegetation established in drainage systems as shown on plans.

### **3.4. Storm Water Controls**

The developer is to provide a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review by the County Engineer. Before construction begins, the developer/contractor shall install storm water controls, post notices, and submit a Notice of Intent (NOI) and provide a copy of the NOI to the Wilson County Permitting and Development Office. The Developer/Contractor is reminded that it is their responsibility to install, inspect and maintain the storm water plan during the entire construction period of the development, not just during road construction. This includes but is not limited to storm water controls, bar ditches and detention ponds. Vegetation shall be installed per Tx DOT Item 164, San Antonio District 15, Table 1. Once 70% vegetation is established and the development is 70% completed, the Developer shall call for an inspection. It is the developer's responsibility to water seeded areas to establish vegetation. Once vegetation is confirmed, the Developer shall submit a Notice of Termination and provide a copy to the Wilson County Permitting and Development Office.

### **3.5. Traffic signs**

Traffic signs are to be provided by the Developer to establish the required traffic safety standards in the Subdivision. The Developer shall indicate the location of all (regulatory, warning and caution) signs within the Subdivision on the plans for the safety of the traveling public for review by the County Engineer. All signs must be installed at the time the road is opened for use. The installation of signs shall comply with the Texas Manual on Uniform Traffic Control Devices, most recent edition.

### 3.6. Traffic Sign Requirements

1. Engineer Grade Reflective Sheeting on .080 Aluminum as follows:
  - a. Octagon (Stop) 30" x 30"
  - b. Triangle (Yield) 36" x 36" x 36"
  - d. Rectangle (Speed Limit) 24" x 30"
  - e. Rectangle (Large Arrows) 48" x 24"
  - f. Chevrons 18" x 24"

Note: For signs not listed above, use a minimum dimension of 24" or confer with the County Engineer for requirements. Sign mounting heights shall be in conformance with the Texas Manual on Uniform Traffic Control Devices, latest edition.

### 3.7. Street Name Signs

1. High Intensity Prismatic HIP Sheeting on Flat Blade Aluminum
  - A. White lettering on Green Background for County Roads
  - B. White lettering on Blue Background for Private Roads
  - C. Use 4" Series C (or B) upper-case Letters on 6" Street Name Sign Blank (Flat Blade)

### 3.8. Street Sign Requirements

1. Reflective 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.

### 3.9. Speed Limit Signs

1. Speed limits shall be posted as needed throughout subdivision.
2. Speed limits within subdivisions are 30 MPH unless approved by Commissioners Court. If the Developer wants to propose speed limits other than 30 MPH, it is the Developers responsibility to perform an analysis for review by the County Engineer. If the proposed speed limit is recommended by the County Engineer, it is the Developers responsibility to contact the County Commissioner in that Precinct to be placed on the agenda for the next Commissioners Court meeting. Once approval is granted by the Court, the Developer may install the speed limit signs. If this approval is not granted by the time the Developer opens the road for public use, 30 MPH speed limits signs must be posted.
3. Install signs in compliance with Chapter 3.6

### 3.10. "2-7/8" Sign Posts

1. Posts for all signs shall be 2-7/8" Schedule 10 break-a-way sign posts with stub and appropriate mounting hardware.
2. Posts shall be installed and plumb in all directions in accordance with the manufacturer's

recommendations.

3. Posts shall be installed with a height in conformance with the Texas Manual on Uniform Traffic Control Devices, latest edition.

### **3.11. Other Signs**

1. Object Markers – Object markers shall be installed in accordance with the MUTCD manual. Markers shall be round, flexible type and shall be mounted on concrete surfaces when available.
2. Children at Play Sign - A Children at Play sign shall be installed at any entrance to the subdivision..

### **3.12. Final Inspection and Acceptance**

1. Construction on all roads and drainage improvements must commence as soon as practical, but not later than ninety (90) days, after the approval of the final plat by Commissioners Court. All roads and drainage improvements must be completed within one (1) year of the date of plat approval. Commissioners Court, upon written request, may grant extensions of time by the applicant for good cause shown. Good cause expressly includes, but is not limited to delays caused by weather conditions. Good cause does not include difficulties by the applicant in obtaining financing for the construction of the roads when the amount of financing was reasonably foreseeable at the time the subdivision plat was submitted for approval. If the roads are not completed within the time period required herein the Commissioners Court and/or the County Attorney will draft collection on the letter of credit or bond herein or pursue their other remedies hereunder.
2. The Developer, upon completion of drainage improvements, roads, streets, and other facilities intended for the use of the public, shall provide as built plans and any drainage improvements and submit them along with a request, in writing, that the County Engineer conduct a final inspection. Upon completion of inspection of the roads, driveways and drainage improvements, the fully executed inspection form must be received by the Wilson County Permitting and Development Office prior to scheduling the acceptance of the roads by Commissioners Court (Attachment 17 – County Road Construction and Inspection Certification Form). The as built survey plans shall be provided as follows: one (1) hard copy in full size format (D or E size) and one (1) electronic copy in PDF format.
3. The County Engineer, within fifteen (15) days, shall inspect the completed work for compliance.
  - A. The Developer will be notified, in writing, of any work not found in compliance with the Subdivision Rules. The County Engineer 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 financial guarantee.
  - B. If all the work is found to be in compliance, the County Engineer’s written recommendation to accept the construction will institute the process of acceptance of the roads by Commissioners Court.
  - C. Prior to presentation of the roads for acceptance by the Commissioners Court, the Developer shall provide a tax certificate or certificates or statement of account

indicating that all taxes are paid in full and current. The developer shall also provide a signed and dated statement that the taxes for the roads of the subdivision will be paid upon notice from the Wilson County Tax Office.

4. Upon final approval, the title to all streets' right-of-way and roads shall be conveyed to the County, subject to the warranty requirements, by execution of Attachment 19, Dedication and Conveyance of Roads. Accompanying such deed shall be an adequate description of all streets and roads, either by reference to approved subdivision plat or by field note description prepared by a registered professional engineer or registered professional land surveyor of a survey on the ground.

### **3.13. Guarantee Against Defective Work**

1. The owner shall warrant the work until the expiration of the 2-year financial guarantee.
2. Said warranty shall bind the Owner to correct any defects in:
  - A. materials; and signs
  - B. workmanship (including utility backfills); or
  - C. design inadequacies, which may be discovered within the said two (2) year period.
3. The Commissioner may require the owner to reseal the roads before the warranty expires.
4. The Owner/Developer shall correct or cause his Contractor to correct, at his own expense, such defects within thirty (30) days after receiving written notice of such defects from the County Engineer. Should the Owner fail or refuse to correct such defects within the said thirty (30) day period or to provide acceptable assurances 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 or alternative financial guarantee.
5. If within seven (7) business days prior to financial guarantee expiration any noted issues have not been corrected it will be cause for cashing the financial guarantee.

### **3.14. Private Roads and Streets in a Subdivision**

1. In accordance with the variance procedure under Chapter 11 Section 11.1, a developer can request that the roads and streets in a subdivision not be dedicated to the use and benefit of the public.
2. If such roads and streets are not to be so dedicated, the plat must clearly state that such roads and streets are not to become public roads, Attachment 10 must be submitted to the permitting and Development Department. Roads will not be maintained by Wilson County or any other governmental entity unless and until:
  - a. The roads and streets are constructed in accordance with the requirements and current specifications of Wilson County and any municipality into whose E.T.J. the subdivision may lie concerning subdivision road construction;
  - b. A letter of final inspection has been issued by the County Engineer;  
If so approved, such roads and streets are conveyed to Wilson County by the rightful owner thereof by a warranty deed in form and substance acceptable to Wilson County.
  - c. Roads and streets that are platted to remain private shall be constructed in the same

manner as required in the Wilson County Subdivision and Development Rules and Regulations.

3. In consideration for granting a variance by allowing the construction of private roads in the subdivision, the developer shall, on the final plat, grant to Wilson County a one-foot (1') wide non-access easement around all private roads in the subdivision.
4. When the developer shall have demonstrated to Wilson County, in the same manner as a developer constructing subdivision roads that are to be dedicated to Wilson County, that all roads and drainage structures shown on the plat have been constructed to the standards of these rules, the Commissioners Court shall release, in writing, the non-access easement.
5. The developer shall place the following disclaimer on the final plat:
  - a. THERE IS DEDICATED TO WILSON COUNTY, TEXAS, A ONE-FOOT NON-ACCESS EASEMENT AROUND THE RIGHT-OF-WAY OF ANY ROAD ON THIS PLAT THAT IS NOT DEDICATED TO WILSON COUNTY. THE NON-ACCESS EASEMENT MAY NOT BE CROSSED FOR THE PURPOSE OF CONSTRUCTING ANY BUILDING. WHEN THE ROADS AND DRAINAGE STRUCTURES SHOWN ON THIS PLAT HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE WILSON COUNTY SUBDIVISION REGULATIONS, THE WILSON COUNTY COMMISSIONERS COURT SHALL RELEASE THE NON-ACCESS EASEMENT, AND NOTE SUCH RELEASE IN ITS MINUTES.
6. If entrances to private roads are gated, then each such gate must be equipped with both an automatic gate opener, which automatically opens the gate when an emergency vehicle approaches with its siren and emergency lights on, and a lock box that provides keys to the gate or a remotely operated key switch for emergency personnel. Such a lock box must be approved by the Fire Department having jurisdiction. A letter shall be provided by that Fire Department indicating approval of the lock box. Any gates shall not be located closer than 30 ft. from an intersection and shall open in the direction of emergency vehicle traffic unless other provisions are made for safe personnel operation, or the entryway, including the paved surface area lying between the road providing access to the subdivision and the gates, shall include a turning radius of not less than forty (40) feet to facilitate a turnaround in front of the gates in the area outside of the gated property. The clear opening through the gates shall have a usable width at least 2 feet wider than the means of access it controls.
7. No private roads may be built unless the subdivision has a HOA/POA, which collects mandatory assessments sufficient to maintain the private roads, the automatic gate sensors, and the lockbox.
8. The HOA/POA must also be required by its bylaws to maintain the private roads, the automatic gate sensors, and the lockbox.
9. The developer shall erect a clearly visible and legible sign at the entrance to the subdivision, which states, "The roads in this subdivision are private. These roads are maintained by the XYZ Subdivision HOA/POA". The sign font shall be a minimum of three inches (3") tall and in all capital letters.

### **3.15. HOA/POA Responsibility**

1. HOME OWNER/PROPERTY OWNER ASSOCIATIONS-No land in a subdivision, except lands for cluster mail boxes, and lands dedicated to, and accepted by, Wilson County, may be designed for public use, or use in common by the property owners, or a portion of the property owners, unless the covenants of the subdivision establish a homeowner/property owners association with mandatory assessments, with a duty to maintain the commonly used lands, and title to the commonly used lands is transferred to the homeowner/property owners association (hereinafter referred to as HOA/POA).
  - A. All common use land within the subdivision must be deeded to the HOA/POA. Proof of conveyance must be provided to County prior to acceptance of the roads. If roads are to remain private, proof of conveyance must be provided prior to release of the non-access easement.
  - B. In accordance with Chapter 3.2 section 8 all detention/retention ponds, detention/retention tanks, or other drainage structure, other than bar ditches, must be deeded to the HOA/POA. Proof of conveyance must be provided to County prior to acceptance of the roads. If roads are to remain private, proof of conveyance must be provided prior to release of the non-access easement.
  - C. As part of the application for subdivision development, a Developer shall provide a recommended maintenance plan with estimated costs for use by the HOA/POA in determining assessments. The plan and estimated costs shall take into consideration all common use land, drainage structures, and roads, if applicable, to be maintained by the HOA/POA.
  - D. If a HOA/POA dissolves or becomes inactive, the maintenance of detention ponds and drainage easement will be the responsibility of property owners directly adjacent to the detention ponds and drainage easements. Any property owners that own a lot which contains a detention pond or drainage easement are responsible for the maintenance of that detention pond or drainage easement.

### **3.16. Pavement Design Guide**

1. STREET CLASSIFICATION
  - A. Collector streets/roadways are defined as systems which carry 2,000,000 and more ESALs and is the primary street/roadway.
  - B. Local streets/roadways are defined as systems which carry less than 2,000,000 ESALs and primarily fronts the residences or small businesses.
2. There are two (2) options for pavement designs:
3. Option one (1), Geotechnical Designed:
  - A. SUBSURFACE EXPLORATION
    1. A soil investigation must be performed for the design of pavement structures. The number of borings and locations shall be sufficient to accurately determine the stratum along the proposed street(s) and roadway(s) infrastructure. The geotechnical engineering firm providing the service must present a copy of the current, official accreditation by the American Association for Laboratory Accreditation (A2LA) or the American Association of State Highway and Transportation Officials (AASHTO – through the AASHTO Materials Reference Laboratory (AMRL)).

## 2. Borings.

- a. Prior to performing geotechnical field investigations, the geotechnical engineer or representative should identify the soil series in the NRCS Soil Survey that may be encountered in the field investigation and coordinate with the design engineer to identify areas of cuts and fills. Additionally, field reconnaissance to determine site access should be performed along with identifying existing pavement conditions and traffic conditions where applicable prior to conducting the field sampling.
- b. At least one bore shall be made within each soil series identified in the NRCS Soil Survey. Additional bores shall be located in areas where proposed roads are crossing or in close proximity to drainage pathways, creek beds, stock ponds, or natural lows. Bore spacing will be determined by the project geotechnical engineer, but in no cases will the spacing exceed 1,000 linear feet.
- c. Depth of Sampling: Record the coordinates of the location and the surface elevation where the soil boring is being taken. Identify soils at 2.5-foot intervals or at every change in the physical characteristics of the soil to a depth of at least 10 feet. Where cuts are required that exceed the minimum bore depth, bores will be continued to a depth of 5 feet below proposed roadway subgrade.
- d. Backfilling of Test Borings: Bore holes must be filled or plugged to prevent injury to livestock or people in the area and to minimize the entry of surface water into the bore hole. If surface contamination of lower aquifers or cross contamination is a concern, the backfill material will be bentonite pellets or grout. Backfill of all borings drilled over any aquifer must conform to 30 TAC §213.7. Where borings penetrate asphalt and/or concrete, the borings must be patched with similar materials.

## 3. Fill

- a. In areas where fill is required to establish the street/roadway subgrade, specifications and testing information must be developed to address the existing soil interface between the fill materials that is brought in or the existing soils on the site. Additional testing must be performed on fill material to confirm the assumed Soil Modulus value and plasticity index.

### B. DESIGN PARAMETERS

The design of pavement structures shall be in accordance with the American Association of State Highway and Transportation officials (AASHTO) Guide for Design of Pavement Structures, 1993 or latest approved edition. The pavement design report must be signed by a professional engineer registered in the State of Texas. However, the report may be prepared under the supervision of a professional engineer registered in the State of Texas. The following design requirements shall be used for flexible pavement design: Equivalent Single Axle Loading (ESAL)

1. Residential – A minimum of 100,000 ESALs shall be used in the design.

2. Collector– A minimum of 2,000,000 ESALs shall be used in the design. If the street will have more than 152 daily truck trips, an ESAL calculation for the expected truck traffic must be submitted.  
For further information and reference, see Wilson County’s Typical Section of Roadway Construction, Chapter 13, Illustration D.
3. Service Life – Twenty (20) years
4. Standard Deviation (So) – 0.45
5. Serviceability
  - a. Initial Serviceability (po) – 4.2 (flexible pavements); 4.5 (Rigid Pavements)
  - b. Terminal Serviceability (pt) –2.0 (Local Streets); 2.5 (Collector and Arterial Streets)
6. Reliability Level
  - a. 70 (Local Streets)
  - b. 90 (Collector Streets)
7. Hot Mix – The street structural for hot mix shall not be less than the following:  
Minimum HMAC Thickness (Sc= 0.44) Local: 2”  
Collector: 3”

C. SUBGRADE TREATMENT/STABILIZATION

1. Subgrade treatment or stabilization is required when the subgrade (regardless if the soil is in-situ or fill material) has a plasticity index (PI) greater than 20. If only treatment (unconfined compressive strength (UCS) less than 160 psi for lime; or UCC less than 250 psi for cement) is provided, no structural credit will be given to the treated layer. A layer stabilized using lime or cement can be calculated with a structural coefficient (Sc) of 0.08 for lime or 0.11 for cement following the testing and sampling requirements listed on page 3.
2. Mechanically Stabilized Layers
  - a. Mechanically stabilized layers may be used, however, if the subgrade’s PI is greater than 20, lime treatment is still required (see above). No structural credit will be given to bi-axial geogrid material. Uni-axial geogrid is not allowed. A structural credit may be given to the aggregate base course that is mechanically stabilized with tri-axial geogrid material. The structural credit will only be given to the aggregate material layer above the geogrid material at a value determined using AASHTO’s mechanistic-empirical modeling methods.
3. Lime Stabilization
  - a. To include a lime stabilized layer as part of the structural pavement system, the application rate of lime shall be determined based on laboratory testing and shall be the lowest percentage of lime that provides:
  - b. a pH of 12.4 or the highest pH achieved in accordance with ASTM D6276 Standard Test Method for Using pH to Estimate the Soil-Lime Proportion Requirement for Soil Stabilization,

- c. a PI of less than 20 in accordance with ASTM D4318 Standard Test Methods for Liquid Limit, Plastic Limit, and Plasticity Index of Soils,
- d. an unconfined compressive strength (UCS) at 7-days of at least 160 psi in accordance with ASTM D5102 Standard Test Methods for Unconfined Compressive Strength of Compacted Soil-Lime Mixtures (Procedure B) (In addition, curing should occur for 7 days at 40°C and specimens should be subjected to 24-hr capillary soak prior to testing), and
- e. [For Expansive Soils] a three-dimensional expansion of less than 1%.
- f. For construction verification the following shall be conducted in the field:
  - 1. After initial mixing the soil-lime mixture shall mellow for a minimum period of two to three (2 – 3) days. Maintain moisture during curing (mellowing);
  - 2. After curing (mellowing) and final mixing, the pulverization shall be checked using the following criteria (remove non-slaking aggregates retained on the ¾ inch sieve from the sample):
 

i. Minimum passing 1 ¾” sieve	100
ii. Minimum passing ¾” sieve	85
iii. Minimum passing No. 4 sieve	60
  - 3. Additionally, after curing (mellowing), the PI of the mix shall be verified.
  - 4. Sample soil-lime mixture for determination of Maximum Dry Density (MDD). In the laboratory, mold specimens to 95% of MDD at optimum moisture content and verify UCS to be at least 160 psi in accordance with procedure outlined above for mixture design.
  - 5. Compact and check field density (minimum of 95% of MDD required);
  - 6. Cure for an additional 2 to 5 days (total curing (mellowing) time should total at least 5 days).
  - 7. Verify depth of lime stabilized layer to depth as noted on plan to within +/- 1.0 inch.

4. Cement Stabilization

- a. To include a cement stabilized layer as part of the structural pavement system, the application rate of cement shall be determined based on laboratory testing and shall be the lowest percentage of cement that provides:
  - 1. a PI of less than 25 in accordance with ASTM D4318 Standard Test Methods for Liquid Limit, Plastic Limit, and Plasticity Index of Soils,
  - 2. an unconfined compressive strength (UCS) at 7-days of at least 250 psi in accordance with ASTM D1633

Compressive Strength of Molded Soil-Cement Cylinders.  
(Curing should occur for 7 days in a damp room and  
without capillary soaking), and

3. a three-dimensional expansion of less than 1%.
- b. For construction verification the following shall be conducted in the field:
  1. Sieve Analysis of the final mix:
    - i. Minimum passing 1 ¾" sieve 100
    - ii. Minimum passing ¾" sieve 85
    - iii. Minimum passing No. 4 sieve 60
  2. Sample soil-cement mixture for determination of MDD. In the laboratory, mold specimens to 95% of MDD at optimum moisture content and verify UCS to be at least 250 psi in accordance with procedure outlined above for mixture design.
  3. After mixing, compact the soil-cement mixture and cure for a period of three (3) days. Maintain moisture during curing;
  4. Additionally, after curing, the PI of the mix shall be verified.
  5. Compact and check field density (minimum of 95% of MDD required);
  6. Run three (3) passes of a 12-ton roller after the three (3) day curing time to create micro cracks, if UCS at 7-days exceeds 500 psi.
  7. Verify depth of cement stabilized layer to depth as noted on plan to within +/- 1/8 inches using TxDOT Test Method TEX-140-E Measuring Thickness of Pavement Layer.

### **3.17. Plat Approval is Not Acceptance of Roads and Streets for Public Maintenance**

1. Approval of a developer's plat application does not mean that the Commissioners Court accepts any roads or streets within the subdivision for maintenance by the County. The decision to accept one or more roads or streets within a subdivision will be made only upon a petition for road maintenance and a separate order entered of record by the Commissioners Court.
2. No petition for road maintenance will be considered any earlier than after two (2) years have elapsed from the date of completion of construction of the roads and streets of a subdivision, said date to be certified by the Commissioners Court.
3. Wilson County reserves the right to deny an application for acceptance of any subdivision street or road for permanent public maintenance by the County. No roads or streets will receive consideration for final **acceptance** into the County Road System by the Commissioners Court until at least **two (2) years** after original construction of streets and roads are **completed**. In Subdivisions in which insufficient development or building has taken place after the two-year period and where there has been insufficient use of the streets and roads to ensure their stability, then such streets and roads will not be accepted by the Commissioners Court until such time as there is sufficient development to ensure street and road stability. Sufficient development shall be defined as fifty percent (50%)

occupancy of the total lots or tracts within said subdivision. Upon final approval, title to all streets and roads shall be conveyed to the County for their maintenance by a Warranty Deed, Grant of Right-of-Way in the form of Attachment 19 for the Dedication and Conveyance of roads through Commissioners Court. Accompanying such deed shall be an adequate description of streets and roads, either by reference to the approved subdivision plat or by field notes prepared by a Registered Professional Engineer from a survey made on the ground. **From the date of adoption of this Order forward, all streets and roads in any subdivision for which a plat has been filed shall adhere to the Road Construction Specifications which follow, whether or not an eventual request for County maintenance is planned.**

4. In subdivisions that are developed as "gated communities," or private sub-divisions it is the responsibility of the Owner/subdivider/developer, property/homeowner's association and/or the individual property owners to provide a means of access to emergency responders.
5. A petition for road maintenance may be made by a developer or by the owners of a majority of the lots or tracts within a subdivision.
6. The Commissioners Court may grant a petition for road maintenance and accept one or more of the roads and streets of the subdivision upon a finding that the roads and streets to be taken into the County maintenance program serve a public purpose greater than the private benefit realized by persons living within the subdivision. Typically, subdivision roads to be deemed suitable for public maintenance will be limited to primary arterial or connecting streets that provide efficient interconnectivity with existing County or State maintained roads.
7. A plat application must contain a certificate (Attachment 9) stating that the developer understands that approval of the plat application and filing of the plat does not mean that the County will be responsible for maintenance of subdivision roads and streets

### **3.18. Road Crown**

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

### **3.19. Seep Areas**

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

### **3.20. Setbacks**

1. The Commissioners Court finds that the establishment of set-back lines from all public roads in the County will promote the general welfare, pursuant to Section 233.032, Texas Local Government Code.
2. The Commissioners Court prohibits the construction or location of a new building any closer than 25 feet from the edge of the right-of-way of any public road in the County and no closer than 50 feet from the edge of the right-of-way of any major highways and roads in the County.
3. The Commissioners Court reserves the right to designate public roads that presently have, or are anticipated to have, higher densities of traffic as a result of development or other changes in the normal traffic burden previously experienced on any particular roadway as a major highway. The commissioners Court shall give public notice of any such designation prior to such designation. The following roads are, on the date of adoption of this regulation, deemed to be major highways.
  - a. Any state or federal highway.
  - b. The Commissioners Court may designate as major highways and roads additional public roads that abut a subdivision at the time of the approval of a plat application for the subdivision.

**Chapter 4**  
**FLOODPLAIN AND DRAINAGE INFORMATION**

**4.0. General Floodplain Requirements**

1. Elevation contours of no greater than ten-foot (10') intervals shall be shown on the plat. Flood prone areas, or areas as required by engineer, shall be shown at two-foot (2') intervals.
2. All Special Flood Hazard Areas (SFHA) identified by the most current Flood Insurance Rate Maps published by the Federal Emergency Management Agency (FEMA) or based on current San Antonio River Authority (SARA) floodplain mapping shall be shown on the plat. The distances from the block corners to the floodplain line shall be shown on the plat.
3. For subdivisions with existing 100-year floodplain, or 100-year floodplain resulting from the drainage analysis, required Finished Floor Elevations (FFE) of each lot affected by the 100-year floodplain shall be shown on the plat. The following note shall appear on the plat: *The FFE is calculated with a XX ft. freeboard in effect at the time the subdivision development was approved. It is the responsibility of the property owner to verify the current freeboard. No construction shall commence within a SFHA without an approved floodplain development permit.*
4. Benchmark elevations shall be established and certified by developer's engineer/surveyor near the flood zone, for each unit developed with the locations shown on the plat.
5. Each lot in the 100-year floodplain shall contain on the plat sufficient additional contours to identify and delineate the 100-year floodplain and regulatory floodway, if any. If base flood elevations have not been established, they shall be established by performing a detailed study as required in the Wilson County Flood Damage Prevention Order. It is the responsibility of the developer to submit the results of the detailed study to FEMA for approval. Each lot affected by the 100 -year floodplain shall be identified in the notes section of the plat.
6. A drainage plan depicting 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 floodplain boundaries, ravines, bridges and culverts shall be submitted. The proposed development shall consider the impact of the development on surrounding properties. All drainage improvements shall be constructed within the boundary of the platted development.
7. The location and size of all proposed drainage structures, including culverts, shall be shown on the plat. A drainage easement shall be shown on each affected lot on the plat.
8. Depiction of all streams, rivers, ponds, lakes, other surface water features or any Sensitive Features (as defined by the Texas Commission On Environmental Quality in 30 Texas Administrative Code §213.3) and a statement certified by the developer's surveyor or engineer under his or her 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.
9. All drainage facilities including ditches, drainage pipes, street curbs, gutter inlets, driveways, road culverts, and storm sewers shall be designed to intercept and transport runoff from 25-year frequency.
10. A drainage analysis which includes design calculations for all facilities within the subdivision including drainage culvert location and sizing, and an analysis of the upstream

and downstream impact on adjacent properties showing that the development has no impact on the water discharged from the property, based on the 100-year flood, shall be submitted as follows:

A. Engineering Design of Storm Water Drainage and Management Plan

1. 100-year Storm Event Inundation Analysis

- a. 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 view 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 condition of the platted area, including any proposed building, paving, clearing, drainage, roadway, excavation, fill or other significant environmental modifications affecting peak flow rates of storm water runoff. The analysis shall only consider watersheds greater than ten (10) acres. A preliminary design and plan is required to be submitted to the Wilson County Engineer for review prior to the delivery of any proposed development submittal package. A preliminary design meeting with the Wilson County Engineer can be requested for additional discussions regarding the drainage analysis of the site at the expense of the developer.
- b. 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 analyzed considering their fully built intended use and accounting for the effects of any existing drainage improvements. The analysis shall utilize all existing studies and information available.
- c. 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 and accepted by the County Engineer.
- d. If the 100-year Storm Event Inundation Analysis results in any area inundated other than is reflected in the most current Flood Insurance Rate Maps published by FEMA for Wilson County, it is the responsibility of the developer to submit the results of the 100-year Storm Event Inundation Analysis to FEMA for approval.
- e. The subdivision plat shall have drainage easements containing all areas identified as being inundated by the 100-year storm event. A note shall be placed on the plat stating the following:

*A drainage study has been completed for this plat and is available for review at the Wilson County Permitting and Development*

*Office. Areas identified by the study as being inundated during certain storm events have been placed within drainage easements.*

- f. The most currently available rainfall data from Atlas 14 must be used for all calculations.

2. Downstream Impact Analysis

- a. 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.
- b. 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.
- c. 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 and accepted by the County Engineer.
- d. When storm water leaves the development in a concentrated manner, a scour analysis shall be conducted downstream of the development using the USDA Technical Supplement 14B.

3. Plans and Specifications for Storm Water Drainage Improvements

- a. 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.
- b. 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 and accepted by the County contracted Engineer.

4. Drainage Easements and Right-of-Ways

- a. 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, 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 final plat. **All required drainage**

**easements shall be shown using shading or cross-hatching.**

- B. Storm Water Drainage Improvements within the Road Right-of-Way
1. Provide an engineering analysis determining the 25-year storm water flow rate at all locations. Prepare plans and specifications for proposed drainage improvements showing that the proposed improvements will pass the 25-year storm water 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 professional engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Engineer.
  2. Provide an engineering analysis determining the 100-year storm water 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 100-year storm water flow rate through the drainage improvements without over-topping the roadway surface. In addition, provide an engineering analysis determining the 100-year storm water flow rate and show that the effect of the proposed drainage and roadway improvements will not inundate areas outside of the FEMA Special Flood Hazard Area, or area determined as being inundated in the 100-year Storm Event Inundation Analysis. The engineering analysis, design, plans, and specifications shall be prepared, sealed, and signed by a professional engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Engineer.
  3. A proposed subdivision in which a road(s) being constructed crosses a FEMA Special Flood Hazard Area, or an area determined as being inundated in the 100-year Storm Event Inundation Analysis, shall abide by the following:
    - a. Where there is only one entrance/exit, the developer shall design the roadway in such a manner that no water will overtop the roadway surface and unimpeded ingress/egress shall be possible during the 100-year storm event.
    - b. Where there is more than one entrance/exit, the developer shall design at least one road in the subdivision in such a manner that no water will overtop the roadway surface and shall provide unimpeded ingress/egress from each lot during the 100-year storm event.
    - c. Design for a 25-year storm and check 100-year storm to make sure entire roadway will remain free of water, including ponding.
    - d. Documentation regarding the determination of the elevation and calculations demonstrating that the roadway(s) is of sufficient elevation to be passable under the 100-year storm event shall be submitted along with the plat.
- C. 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:

1. 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.

**Drainage Freeboard for Channels**

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

2. A hinged gate, sufficient to pass debris from 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.
3. Fence posts located within the easement must be structurally designed to resist damage from the storm water flows and impact from debris.
4. A floodplain development permit will be required to construct a fence within an easement within the 100-year flood plain.

**Chapter 5**  
**Minimum Standards Applicable to Tiny Homes,  
Recreational Vehicle Parks, Manufactured Home Rental Communities  
or Campground Facilities**

**5.1 Definitions**

1. The following words and terms, when used in these regulations, have the following meanings, unless the context clearly indicates otherwise.
  - A. Operator--The person in charge of operating any recreational vehicle park, whether they are the owner of the recreational vehicle park or the occupant under a written or oral lease, or by any other arrangement whereby they exercise control over the recreational vehicle park.
  - B. Recreational vehicle--Includes any of the following:
    1. Camping trailer--A folding structure for temporary shelter mounted on wheels and designed for travel, recreation, and vacation use.
    2. Motor home--A portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
    3. Pickup coach--A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
    4. Travel trailer--A vehicular structure built on a chassis with body width not to exceed eight (8) feet and body length less than forty-six (46) feet, that structure designed to be transported and intended for human occupancy as a dwelling for short periods of time and containing limited or no kitchen or bathroom facilities.
  - C. Recreational vehicle park--Any land designed to accommodate three or more recreational vehicles, and which exists as a privately owned and operated enterprise with or without charges for the parking of recreational vehicles occupied or intended to be occupied for dwelling or sleeping purposes for any length of time. Hunting camps that are temporary are also excluded from this definition.
  - D. Recreational vehicle space--A plot of land within a recreational vehicle park designed for the accommodation of one recreational vehicle.
  - E. Tiny Home--a dwelling unit or residential structure of less than 500 square feet.
  - F. Manufactured Home Rental Community- managed plot of land divided into four or more spaces leased to individuals for residing in manufactured homes.
  - G. Campground--an area intended for camping and is intended to address campgrounds for tents, temporary structures, or permanent structures intended to provide a camping experience.
2. Use of either the singular or the plural form of a word will be interpreted, when necessary, to include the other form.

**5.2 Regulation of Recreational Vehicle Parks**

1. A recreational vehicle park, tiny home development, or campground existing in the County prior to the adoption of these regulations is exempt, unless expanded or altered in

operations or intended purpose, at such time compliance with these rules is required. Any recreational park developed after the effective date of this regulation is a subdivision subject to these regulations.

2. A developer of a recreational vehicle park, tiny home development or campground must have an Infrastructure Development Plan (IDP) prepared that complies with these regulations.
3. These regulations do not apply to a property owner accommodating no more than two recreational vehicles or tiny homes on their property at any one time intended for family use. Rental properties are subject to this regulation.
4. Prior to commencement of any construction, the owner/developer must consult with the County Commissioner having jurisdiction over the site for review.

### **5.3 Infrastructure Requirements for Recreational Vehicle Parks, Tiny Homes, Manufactured Home Rental Communities or Campgrounds**

1. The subdivision plat application for a Recreational Vehicle Park, Tiny Home development, Rental Community or a Campground must include each of the following:
  - A. A survey identifying the proposed community's boundaries and any significant feature of the community, including the proposed location of lots or spaces, utility easements and dedication of rights-of-way. The survey shall also contain features to help provide the additional information required by this order.
  - B. Specified description of means and methods to provide adequate drainage in accordance with standard engineering practices, including specifying necessary drainage culverts and identifying areas included in the 100-year flood plain. The placement of any structure within the regulatory floodplain shall be in accordance with the Wilson County Floodplain regulations.
  - C. Specified description of means and methods to provide an adequate public or community water supply, including specifying the location of supply lines, in accordance with Subchapter C, Chapter 341, Health and Safety Code. If water is to be provided by a utility, a certification by the utility that water is available for each of the planned spaces or lots must be attached to the plan (Attachment 4).
  - D. Certification that adequate groundwater is available for the development by the CCN or water/sewer provider. Evergreen Underground Water Conservation District approval is required for any wells associated with the IDP. If groundwater is the source of water supply for the development, the developer is required to obtain certification, by a licensed professional engineer or geoscientist registered to practice in Texas, that adequate groundwater is available for the development, according to the certificate form and content as promulgated by the Texas Commission On Environmental Quality (Lack of certification that suitable and adequate groundwater is available is grounds for denial of plat approval, if groundwater is the proposed source of water). The certification document shall be recorded as part of the dedication instrument and a note shall be placed on the plat that groundwater is to be the source of water.
  - E. Certification of adequate sewerage:
    1. Reasonably specified description of means and methods to provide access to sanitary sewer lines, including specifying the location of sanitary sewer

lines. If sewage treatment is to be provided by a utility, a certification by the utility that service for each of the planned spaces or lots is available must be attached to the plan. If the sewage is to be treated in some other way, approval by the relevant government agency that is to license or inspect the treatment facilities must be attached; or

2. Reasonably specified description of means and methods in the form of a septic permit, for providing on-site sewage facilities in accordance with Chapter 366, Texas Health and Safety Code if estimated sewage flow does not exceed 5,000 gallons per day (gpd). This description of “means and methods” must meet minimum standards established under Chapter 285.4 of the OSSF rules and Wilson County local order. Approval by the Wilson County of OSSF Inspector’s or Development Officer certificate must be attached to the plat. See Attachment 7.
  3. Reasonably specified description of means and methods for providing sewage treatment and disposal under Chapter 26 of the Texas Water Code if estimated flow exceeds 5,000 gpd. approval by Texas Commission on Environmental Quality must be attached to the plan.
- F. Specified description of means and methods for streets or roads in the Recreational Vehicle Park, Tiny Home development or Campground to provide ingress and egress for fire and emergency vehicles in accordance with the current IFC. Therefore, the Commissioners Court finds that it is reasonably necessary that streets in these communities should be built to a standard no more stringent than the requirements adopted by the Commissioners Court for subdivisions, as approved by the precinct commissioner. The road design and construction standards contained in the Wilson County Subdivision Regulations, as amended from time to time, are therefore incorporated by reference into this order as fully and completely as if set out verbatim herein. The street or road specifications in the infrastructure development plan must comply with those standards to the maximum degree practicable. Building Set Backs shall be as specified in this Wilson County Subdivision Regulations. Drainage design for the development shall comply with the Wilson County Subdivision Regulations.
- G. Only the Commissioners’ Court may grant a variance when strict application of these standards would work an unusual hardship. Variances for OSSF can only be requested by Wilson County OSSF Inspector or Development Officer.
- H. Each recreational vehicle park must provide recreational vehicle spaces, and each such space must be clearly defined.
- I. Recreational vehicle or Tiny Home parks must be designed so as not to exceed a maximum of 20 recreational vehicle/Tiny Home spaces per acre.
- J. Each recreational vehicle space must afford parking and maneuvering space sufficient so that the parking, loading, and movement of recreational vehicles will not necessitate the use of any public right-of-way or privately owned property which may abut the recreational vehicle park.
- K. Each recreational vehicle space that is provided with electrical service must be so served through an underground distribution system. Other buildings within a recreational vehicle park may receive electrical service through overhead facilities.

- L. Twenty percent (20%) of the recreational vehicle spaces within a recreational vehicle park must be not less than eighteen feet (18') by fifty feet (50').
- M. There must be at least ten feet (10') of open space between parallel rows of recreational vehicle spaces.
- N. Recreational vehicle spaces must be improved with either:
  - 1. Compacted crushed road base material or asphalt; or,
  - 2. Concrete adequate to support the weight of a recreational vehicle.
- O. Recreational vehicle spaces must not heave, shift, or settle unevenly under the weight of a recreational vehicle due to frost action, inadequate drainage, vibration or other forces acting on the structure.
- P. IDP application must include Fire Marshal plan review and approval.

**5.4 Recreational vehicle park, Tiny Home development, Manufactured Home Rental Communities or Campground Roads and Access**

- 1. All weather private roads adequate to provide access to each recreational vehicle space, tiny home or camping space must be laid out, constructed, and maintained in good condition by the owner or operator of a recreational vehicle park, tiny home development, or camping space. Manufactured home rental communities shall build internal roads to subdivision standards.
- 2. All roads within a recreational vehicle park, tiny home development, or campground must have an improved traffic surface at least twenty-four (24) feet wide.
- 3. An entrance to a recreational vehicle park must be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets. Access off a county-maintained road will require a PIPROW permit and must meet current IFC standards.

**5.5 Recreational vehicle park, Tiny Home development or Campground service building requirements**

- 1. A plat application for a recreational vehicle park, tiny home or campground must address the minimal standards established in this subchapter.
- 2. Each recreational vehicle park, tiny home or campground must provide and maintain one or more service buildings for the use of patrons. The service buildings must include:
  - A. One lockable lavatory (a room or compartment with a toilet and washbasin) for women.
  - B. One lockable lavatory (a room or compartment with a toilet and washbasin) for men;
  - C. One shower and dressing accommodation for each sex, provided in an individual lockable compartment or stall; Lavatory and shower accommodations may be combined in a lockable enclosure
  - D. One clothes washing machine and one clothes drying machine; and
  - E. One slop sink, measuring not less than fourteen inches (14") by fourteen inches (14") square and fourteen inches (14") deep.
- 3. The aforementioned service buildings will accommodate not more than fifty (50) recreational vehicle spaces or tiny home sites.

4. The aforementioned service buildings will accommodate not more than fifty (50) recreational vehicle spaces or tiny home sites.
5. For each additional 1 to 30 recreational vehicle, tiny home or campground spaces after the first 50, the operator must provide and maintain an additional lockable lavatory (a room or compartment with a toilet and washbasin for women; and additional lockable lavatory for men with an additional lockable shower accommodation for each.
6. For each additional 1 to 30 recreational vehicle or tiny home spaces after the first 50, the operator must provide and maintain one additional washing machine and drying machine and one additional slop sink.
7. All lavatories must comply with the Americans with Disabilities Act (ADA).
8. Service buildings housing sanitation or laundry facilities must be permanent structures which comply with all applicable laws and ordinances regulating buildings, electrical installation, plumbing and sanitation systems, and confirm to the following minimum standards:
  - A. Service buildings must afford appropriate illumination, be well ventilated with screened openings, and be constructed of moisture-proof materials so as to permit frequent cleaning and washing.
  - B. Floors must be constructed of concrete or other equally impervious material, so as to permit frequent cleaning and washing, and include floor drains which are connected to the sanitary sewer.
  - C. Chemical cleaners used in a recreational vehicle park must be used only in accordance with TCEQ rules.
  - D. The lavatory and other sanitation facilities for males and females either must be in separate buildings or separated, if in the same building, by soundproof walls.
  - E. All service buildings must be maintained in a clean, slightly condition and kept free of any condition that will menace the health of any person or constitute a nuisance.
9. An operator must provide and maintain garbage receptacles as follows:
  - A. A minimum of one (1) fly tight, water tight, rodent proof dumpster for the first fifty (50) recreational vehicle spaces, with one (1) additional dumpster for each additional fifty (50) recreational vehicle spaces or fraction thereof.
  - B. Refuse container stands must be provided for all refuse containers. Such container stands must be designed so as to prevent their containers from being tipped, to minimize spillage and container deterioration.
  - C. The storage, collection, and disposal of refuse in a recreational vehicle park must be conducted as to create no health hazards.
  - D. All dumpsters must be screened from public view.
10. Fuel containers in a recreational vehicle park, tiny home development or campground must comply with the following restrictions:
  - A. Bottled gas must not be used at individual recreational vehicle, tiny home or campground space unless the containers are properly connected by copper or other suitable tubing.
  - B. Bottled gas cylinders must be securely fastened in place.
  - C. No cylinders containing bottled gas may be located in a recreational vehicle or tiny home within five (5) feet of a door thereof.
11. An operator must provide and maintain fire protection equipment as follows:

- A. A recreational vehicle park, tiny home development or campground must be equipped at all times with fire extinguishing equipment in good working order of such type, size, and number and so located within the recreational vehicle park, tiny home development or campground as to satisfy the applicable regulations of the County Fire Marshal.
- B. No open fires will be permitted within a recreational vehicle park or tiny home development, except that this will not be construed to prevent barbecuing in a secure pit or grill.
- C. An operator must maintain the entire area of a recreational vehicle park, tiny home development or campground free of dry brush, leaves, and weeds.

### **5.6 Further Recreational Vehicle Park Regulations**

1. Persons developing recreational vehicle parks should be aware that this order is not the exclusive law or regulation controlling development in the County. The following is only a partial list of regulations that may apply:
  - A. All subdivisions within the extra territorial jurisdiction of a municipality may also be subject to city subdivision regulations, or as per any interlocal cooperation agreements.
  - B. All recreational vehicle parks are subject to regulations of general applicability, including public health nuisances under Chapter 341 and 343, Texas Health and Safety Code. The developer must address solid waste disposal, rodent and insect harboring, fly breeding, and improper water disposal in accordance with these Chapters.
  - C. Other agencies with regulatory authority that may apply to a recreational vehicle park include, but are not limited to, Emergency Services Districts, TCEQ, the Public Utilities Commission, the United States Parks and Wildlife Service, the Environmental Protection Agency and the U.S. Army Corps of Engineers or local utility provider regulations.

## **Chapter 6**

### **Plat Applications for Subdivision Approval**

#### **6.1 Pre-application Meeting**

1. The Developer shall request in writing a meeting with the Precinct Commissioner and Development Officer in sufficient time to allow a meeting with a developer at least fifteen (15) days prior to submission of a plat application to the Development Office, to visually inspect the property, review the developer's intentions, establish any special requirements for the plat application, and to discuss the application process.
2. Preliminary Storm Water Management Plan due at least (15) fifteen days prior to application submission.

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

1. Before a subdivision is approved under these regulations, the developer must file a plat application with the Commissioners Court designee, the Permit and Development Department, including a plat, a survey, and all other documentation or other information listed in Attachment 2, which may be amended and republished from time to time.
2. Each plat required by this subdivision regulation shall identify and detail compliance with required drainage to address a 100-year flood, provide a statement of compliance with street construction standards, and state the dimensions of the subdivision and of each lot, street, alley, square, park, or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park, or other part.
3. If a developer submits a plat application to the Permit and Development Department that does not include all of the documentation or other information required by these regulations, the development officer must notify the developer of the missing documents or other information, not later than the 10th business day after the date the Development Department receives the incomplete plat application. The Development officer must allow a developer reasonable time to submit the missing documents or other information.
4. A plat application is considered complete when all documentation or other information listed in Attachment 2 is received and signed off on by the Development Officer and all fees are paid.
5. Acceptance by the Development Department of a completed plat application will not be construed as approval of the documentation or other information.

#### **6.3 Plat Application**

1. A developer must submit a plat application including detailed documentation of all infrastructure to be constructed in a subdivision, including plans, drawings, and statements of the estimated costs to make each category of proposed improvements (i.e. water, wastewater, drainage, roads, etc.).
2. All engineering plans submitted as part of a plat application must bear the signed and dated seal of a professional engineer registered in the State of Texas, and a certificate in the form of Attachment 6.

3. A plat application must discuss the availability and methodology of providing drinking water, sewerage, and electrical service to each individual lot within a subdivision.
4. A plat application must include a construction schedule for each significant element of construction, including the start dates and completion dates.
5. Where water, sewerage, and electricity are to be provided by an existing public utility, the developer must submit an executed public utility certificate in substantially the form as Attachment 4.

#### **6.4 Oversight**

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

#### **6.5 Plat Application Fees**

1. All fees due to the County for the filing of a plat application must be paid to the County Clerk contemporaneously with the submission of the application.
2. All fees due to the County after the approval of a plat application must be paid to the County Permit and Development Department within ten (10) days of approval of the application.
3. Fees are published in these regulations under Attachment 1, which may be amended and republished from time to time by the Commissioners Court.

## Chapter 7 Plat and Survey Requirements

### 7.1 Subdivision plat and survey requirements

1. A plat and a survey depicting the subdivision must be submitted with each application.
2. A plat must contain, at a minimum, the following information on the face of the plat, or attached to the plat by referenced addendum:
  - A. Name and mailing address of the developer.
  - B. Name of the subdivision.
  - C. North directional indication arrow.
  - D. Location map showing the subdivision in relation to major roads, towns, cities, and topographic features.
  - E. A description of the exterior boundary of the subdivision by metes and bounds, which locates the subdivision with respect to a corner of the original survey of which it is a part ("corner of the original survey" refers to a properly monumented survey point as determined by the surveyor suitable to recognition as the original corner of the tract being subdivided by commonly accepted surveying practice).
  - F. Total area/acreage within the subdivision.
  - G. Total number of lots within the subdivision.
  - H. Area/acreage of roads, including:
    1. Length of roads
    2. Street right-of-way widths
  - I. The area/acreage of each lot.
  - J. The bearing and distance for each lot boundary line, with a minimum frontage of seventy (70') feet to the adjoining street.
  - K. Areas dedicated for public use.
  - L. Rights-of-way or easements, including all alleys, drainage easements, and utility easements.
  - M. Location of Fire Hydrants
  - N. Proposed land use of all lots being subdivided must be noted on the plat, as follows:
    1. Single family dwelling unit or residential. On site-built homes must be noted on the plat.
    2. Multi-family dwelling unit or residential.
    3. Agricultural operations.
    4. Commercial
    5. Dedicated for public use
  - O. All 100-year floodplains.
  - P. Road names or numbers for all roads or streets submitted after review and approval of 911 Address Coordinator for compliance with all protocols.
  - Q. Lot and block numbers, arranged in a systematic order and shown on the plat in a distinct and legible manner.
  - R. Culvert Table

1. The survey must contain, at a minimum, the following information on the face of the survey or attached to the survey by referenced addendum:
  - A. The real property records index information (instrument number or volume and page) and names of all current owners of property contiguous to the subdivision.
  - B. The location of all existing permanent, man-made structures within the subdivision, including houses, barns, shacks, other buildings and structures, fences, walls, septic systems, ponds and stock tanks.
  - C. All major topographic features on or adjacent to the property as well as elevation contours at no greater than five-foot (5') intervals if in a floodplain, and no greater than twenty-foot (20') intervals if not in a floodplain.
  - D. The approximate location of all wells, water, oil, and natural gas, when such wells are either visible and apparent or reflected in the applicable public records (whether maintained by the Texas Railroad Commission, TCEQ, or in the Official Public Records of Wilson County). If public records reflect that a well is capped or plugged, that information must be included as well.

## **7.2 Registered professional land surveyor or Engineer.**

1. The plat and survey must be prepared from an actual survey made on the ground by, or under the direct supervision of, a Texas registered professional land surveyor or engineer, and their certificate to that effect must appear on said plat and survey.
2. A plat application must include a certificate from the surveyor who prepared the plat and survey in substantially the form as Attachment 5.
3. The land surveying firm's name and license number, address, and telephone number must be listed on the plat and the survey signed and stamped within the borders of the plat.

## **7.3 Plat Scale and Filing**

1. Plats must be based on a scale of not more than one inch (1") equals two hundred feet (200'). A plat must be drawn on paper measuring no less than eleven inches (11") by seventeen inches (17") and no larger than twenty-four inches (24") by thirty-six inches (36").
2. If two or more pages are needed to depict a plat, a key (may be drawn to larger scale) showing the entire area must be drawn on the first page, and each page must be numbered in a way as to note its location within the set.
3. A developer must submit the following copies of the plat:
  - A. Two full size copies for filing, one on mylar paper in black ink for filing within the County Clerk's records, and the other on bond paper in black ink for use by the Wilson County Appraisal District's mapping department.
  - B. Ten (10) reduced size (letter size) copies of the plat submitted with the plat application to be used by the Review Committee.

## **7.4 Digital Map**

1. A plat application must include a digital map, shapefile that is compatible with mapping systems that geo-references the subdivision plat and related public infrastructure using the Texas Coordinate Systems adopted under Section 21.071, Texas Natural Resources Code.
2. A digital map required under this subchapter may be required only in a format widely used by common geographic information system software. A digital map in a format that is accepted by the Wilson County Appraisal District at the time of the application will be suitable for compliance with this subchapter.
3. A developer is exempt from the requirements of this subchapter if they submit with the application an acknowledged statement indicating that the digital mapping technology necessary to submit a map that complies with this subchapter was not reasonably accessible.

## **Chapter 8**

### **Plat Application Approval Procedure**

#### **8.1 Approval Procedure**

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

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

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

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

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

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

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

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

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

## Chapter 9 Financial Guarantees

### 9.1 Financial guarantees for the construction of improvements

1. In its order granting approval of a subdivision, the Commissioners Court will require a developer to provide a financial guarantee sufficient to cover the cost of construction of all of the improvements to be constructed per the plat application. A required financial guarantee may be by bond, irrevocable letter of credit, or deposit of cash for 100% of the estimated cost of construction estimated by the engineer.
2. A bond that is submitted for a financial guarantee must meet the following requirements:
  - A. The bond must be payable to the County Judge of the County, or the Judge's successor in office, in their official capacity.
  - B. The bond must be executed with sureties as may be approved by the Commissioners Court. The County will establish criteria for acceptability of the surety companies issuing bonds, including but not limited to:
    1. Registration with the Secretary of State and be authorized to do business in Texas;
    2. Authorization to issue bonds in the amount required by the Commissioners Court; and,
    3. Being listed as a surety company in the most current United States Department of Treasury Circular 570.
  - C. The bond must be conditioned upon construction or installation of the improvements established in an approved plat application, and upon construction of facilities within the time stated in the plat application, or within any extension of time granted by the Commissioners Court.
3. A letter of credit that is submitted for a financial guarantee must meet the following requirements:
  - A. A letter of credit submitted as a financial guarantee for combined amounts less than \$250,000 must be from a bank or savings and loan which meets the following qualifications:
    1. Bank qualifications
      - a. Must be federally insured; and
      - b. Total assets of at least \$25 million.
    2. Savings and loan association qualifications:
      - a. Must be federally insured; and,
      - b. Tangible capital must be at least 1.5% of total assets if total assets are greater than \$25 million; or tangible capital must be at least 3.0% of total assets if total assets are less than \$25 million.
  - B. Any letter of credit submitted as a financial guarantee for combined amounts greater than \$250,000 must be from a bank or savings and loan which meets the following qualifications.
    1. Bank qualifications
      - a. Must be federally insured;
      - b. Total assets must be at least \$75 million and primary capital must be at least 7.0% of total assets.

2. Savings and loan association qualifications:
  - a. Must be federally insured;
  - b. Tangible capital must be at least 3.0% of total assets if total assets are greater than \$75 million; or tangible capital must be at least 5.0% of total assets if total assets are less than \$75 million.
4. In the event any or all of the streets, roads, drainage and drainage structures, or other infrastructure within a subdivision as constructed by the developer should fail to meet the requirements of the plat application, the unfinished improvements may be completed at the cost and expense of obligees on the financial guarantee as provided.
5. Should there be any deficiency or failure to comply with these regulations, or should any guaranteed construction not be completed prior to the construction deadline, if any, the Commissioners Court will notify the developer of such deficiency or failure by certified mail. Should the condition not be corrected within thirty (30) days following receipt of notice, the Commissioners Court may declare the bond or surety forfeited and order any active construction operations suspended. The Commissioners Court reserves the right to complete the work by means most advantageous to the citizens of the County and the ultimate owners of the subdivision, utilizing any or all of the financial guarantee as may be necessary to accomplish such completion.
6. A financial guarantee for construction of improvements will remain in full force and in effect until all the roads, streets, street signs, underground utilities, required drainage structures and all other construction in the subdivision established in the plat application has been completed to the satisfaction of the Precinct Commissioner.
  - A. In the event progress and final inspections indicate no departure from these regulations, the Precinct Commissioner will certify completion to the Commissioners Court, and the Commissioners Court will release the financial guarantee.
  - B. It is the responsibility of a developer to advise the Precinct Commissioner of the status of construction prior to expiration of any construction deadline.

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

1. In its order granting approval of a subdivision, the Commissioners Court may require a developer to provide a financial guarantee sufficient to cover the cost of maintenance of some or all of the improvements to be constructed per the plat application. A required financial guarantee may be by bond, irrevocable letter of credit, or deposit of cash. Draft of the documents must be submitted with the plat application with Attachment 14.
2. The conditions of a financial security for maintenance will be that the developer guarantees to maintain, to the satisfaction of the Precinct Commissioner, all of the streets, roads, drainage structures and drainage ditches and channels as described in the plat application, in a good state of repair for a period of two (2) years from the date of official release of construction security.
  - A. The responsibility for maintenance of roads includes the repair of such items as drainage, spilled concrete, mud and debris on roads, damage from unknown springs, pumping, unraveling, etc.

- B. The responsibility for maintenance of the drainage improvements includes removing debris, resodding eroded areas, and the installation of additional concrete riprap where designated by the Precinct Commissioner.
3. The Precinct Commissioner will make periodic inspections of infrastructure construction for which maintenance security is held during the period of liability covered by the security. In the event any or all of the infrastructure construction is not being maintained in a good state of repair, the Precinct Commissioner will notify the developer in writing and, if after a reasonable time, the developer should fail or refuse to repair said items, such improvements will be maintained at the cost and expense of obligees on the financial guarantee for maintenance.
4. In the event progress and final inspections indicate no departure from these regulations, the Precinct Commissioner will certify with Attachment 17 completion of the term of maintenance by the developer to the Commissioners Court, and the Commissioners Court will release the financial guarantee.

### **9.3 Bond Extensions**

1. Where good cause exists, the Commissioners Court may extend the deadline for completion of construction for additional periods of time not to exceed six (6) months.
2. No extension may be granted for construction secured pursuant to these regulations unless the developer provides additional security to cover the extended period of time.

## **Chapter 10**

### **Revision and Cancellation of Plats**

#### **10.1 Petition for plat revision**

1. A developer or an owner of property within a platted subdivision (referred to in this Chapter as "petitioner"), may submit an application Attachment 23 to revise all or a portion of the existing plat, unless prohibited by restrictive covenants or plat notes filed pursuant to these regulations.
  - A. A developer may apply for a revision to any part of their subdivision.
  - B. An owner of property within a platted subdivision may apply for a revision affecting their portion of the subdivision
2. Petitioners must submit the following to the Permitting and Development Department as delegated by Commissioners Court:
  - A. Attachment 23, Copies of the proposed revised plat, conforming in all respects to the requirements of these regulations; or, if submitted by a private homeowner who is not the developer of the subdivision, other materials acceptable to the Commissioners Court clearly setting forth the desired amendment.
  - B. A statement explaining why the proposed revision is being sought.
  - C. A certificate that the petitioner has complied with the requirements of Section 232.009, Texas Local Government Code.
  - D. A filing fee, as specified in Attachment 1 which may be amended and republished from time to time by the Commissioners Court. The amount of the fee must be based on the cost of processing the application, including publishing notices by the County as required under this chapter.
3. After a petition for revision or cancellation of a plat is filed with the Commissioners Court, the Commissioners Court must publish a notice of the application in a newspaper of general circulation in the County.
  - A. The notice must include a statement of the time and place at which the Commissioners Court will meet to consider the application for revision or cancellation and to hear protests of same.
  - B. The notice must be published at least three times during the period that begins on the 30th day and ends on the seventh day before the date of the meeting
4. If all or part of a subdivision is owned by persons other than a developer, the Commissioners Court must also give notice to each of those owners by certified or registered mail, return receipt requested, at their address within the subdivision.
  - A. The Commissioner's Court is not required to give notice by mail if the plat revision only combines existing tracts.
5. If the Commissioners Court determines that a requested revision to a plat does not affect a public interest or public property of any type, including, but not limited to, a park, school, or road, the above notice requirements will not apply to the petition and the applicant will:
  - A. Provide written notice of the petition to the owners of the lots that are within 200 feet of the subdivision plat to be revised, at the mailing addresses for those owners as maintained by the Wilson County Appraisal District; and,

- B. The applicant will provide appropriate notice of the petition to the County, who will post notice of the petition continuously on the County website for at least 30 days preceding the date of the meeting to consider the petition for revision or cancellation until the day after the meeting.
- 6. During a regular term of the Commissioners Court, the Commissioners Court must permit the revision of a subdivision plat if it is shown to the Commissioners Court that:
  - A. The revision will not interfere with the established rights of any owner of a part of the subdivided land; or,
  - B. Each owner whose rights may be interfered with has agreed to the revision.
- 7. If a petitioner obtains unanimous written consent from all owners of the property within a subdivision agreeing to the proposed amendment, the necessity for notice under this subchapter are waived.

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

- 1. A developer or an owner of a portion of a subdivision may petition the Commissioners Court for permission to cancel all or part of a subdivision with Attachment 21.
- 2. A petition for cancellation must show that the cancellation of all or part of the subdivision will not interfere with the established rights of any person who owns any part of the subdivision or that the other owners agree to the cancellation.
- 3. A filing fee, as specified in Attachment 1, which may be amended and republished from time to time by the Commissioners Court. The amount of the fee must be based on the cost of processing the application, including publishing notices by the County as required under this chapter.
- 4. Notice of an application for cancellation must be published by the County in a newspaper of general circulation within the County one day each week for at least three (3) consecutive weeks. The published notice must direct any person who is interested in the property and who wishes to protest the proposed cancellation to appear at the time specified in the notice.
- 5. The review and authorization of a petition for the cancellation of a plat by the Commissioners Court will be conducted as specified in Section 232.008, Texas Local Government Code.

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

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

#### **10.4 Vacating a Plat by Developer.**

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

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

1. The Commissioners Court may approve an amended subdivision plat, which may be recorded and is controlling over the preceding plat without vacation of that plat, if the amended plat is signed by the developer or owner of the subject property, and is solely for one or more of the following purposes ATTACHMENT 22:
  - 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 on the preceding plat.
  - D. To indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments.
  - E. 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.
  - F. To correct any other type of scrivener or clerical error or omission in the plat previously approved pursuant to these regulations, including lot numbers, acreage, street numbers, drainage description and identification of adjacent recorded plats.
  - G. To correct an error in courses and distances of lot lines between two adjacent lots if:
    1. Both lot owners join in the petition for amending the plat;
    2. Neither lot is abolished;
    3. The amendment does not attempt to remove recorded covenants or restrictions; and,
    4. The amendment does not have a material adverse effect on the property rights of the other owners in the plat.
  - H. To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement.
  - I. To relocate one or more lot lines between one or more adjacent lots if:
    1. The owners of all those lots join in the petition for amending the plat;
    2. The amendment does not attempt to remove recorded covenants or restrictions; and,
    3. The amendment does not increase the number of lots.
  - J. To replat one or more lots adjacent to an existing road or street if:

1. The owners of all those lots join in the petition for amending the plat;
  2. The amendment does not attempt to remove recorded covenants or restrictions;
  3. The amendment does not increase the number of lots; and,
  4. The amendment does not create or require the creation of a new road or street, or make necessary the extension of utility facilities.
2. Notice, a hearing, and the approval of other owners of property within a subdivision are not required for the approval and issuance of an amended plat under this subchapter 10.5.
  3. Corrections under this subchapter may be made by a surveyor by filing a certificate of correction in the plat records.

## **Chapter 11 Variance**

### **11.1 Conditions of Variance**

1. The Commissioners Court may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance.
  - A. Any person who wishes to receive a variance may apply to the Commissioners Court with Attachment 25 and a list of detailed justification for each variance requested.
  - B. The decision of the Commissioners Court whether to grant or deny a variance is at its complete discretion and will be final.
2. In approving a variance, the Commissioners Court may prescribe conditions that it deems necessary or desirable to protect the public interest. In making their findings, the Commissioners Court will take into account the nature of the proposed use of the land involved and the probable effect of such variances upon traffic conditions and upon the public health, safety, convenience, and welfare in the vicinity.
3. No variance will be granted unless the Commissioners Court finds:
  - A. That there are special circumstances or conditions affecting the land involved such that the strict application of these regulations would deprive the applicant of the reasonable use of their land; and,
  - B. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area; and,
  - C. That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of these regulations.
4. Variances may be granted only when in harmony with the general purposes of intent of these regulations so that the public health, safety, and welfare may be secured and substantial justice done. Pecuniary hardship to the developer, standing alone, will not be deemed to constitute hardship.
5. A variance may require notifying neighbors, typically via mailed notices for a public hearing.

## Chapter 12 Enforcement

### 12.1 Terms of enforcement.

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

### 12.2 Required disclosures

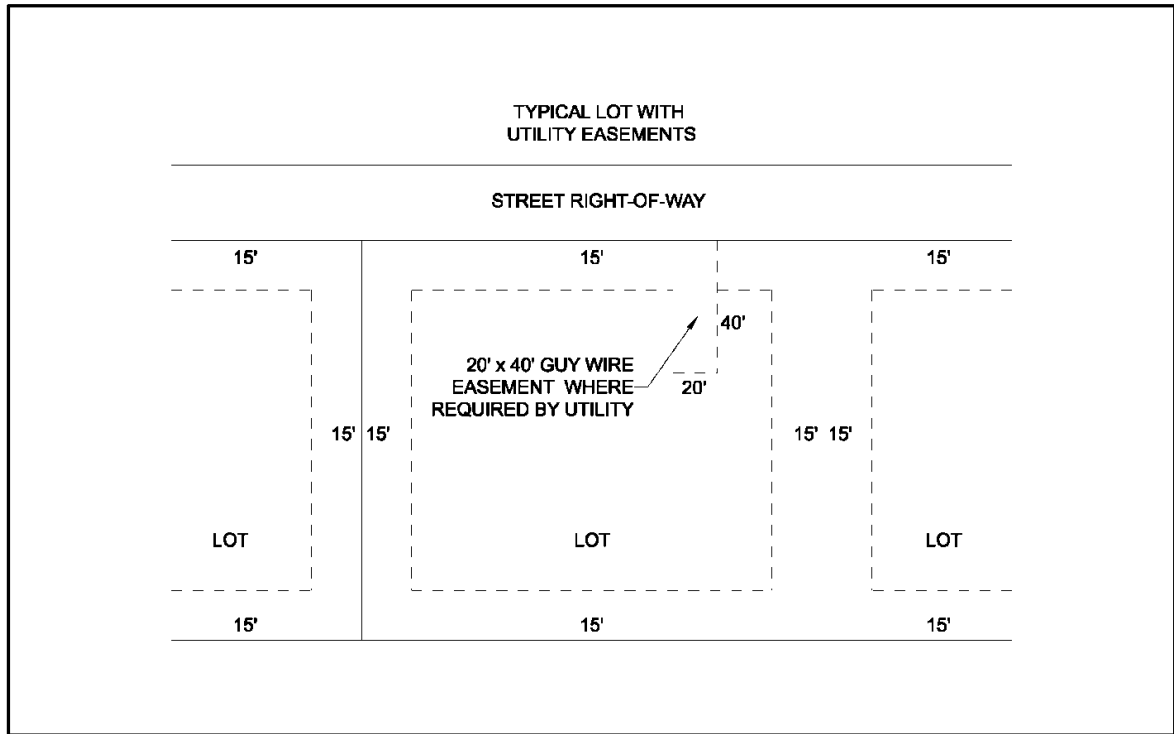
1. The following notations, to be printed in a bold font, in not less than 14-point type, shall be noted on the plat, and included within all instruments of conveyance from a developer to a purchaser for any part of a subdivision:  
**Approval of the subdivision plat for filing does not indicate any agreement or understanding that Wilson County will assume responsibility for maintenance of roads, streets, alleys or other areas dedicated to public use on the plat.**
2. Where a lot or tract in a subdivision is to be served by a private OSSF, an instrument of conveyance for that lot or tract from a developer must bear the following notations in bold, 14-point type:  
**"Wilson County makes no representation that adequate sewerage facilities will be legally feasible within this subdivision."  
"All OSSF systems must comply with regulations published by TCEQ."**
3. Where a lot in a subdivision is to be served by a private water supply, or water sourced by property owner, an instrument of conveyance or that lot or tract from a developer must bear the following notation in bold, 14-point type:  
**"Wilson County makes no representation that adequate water suitable for human consumption will be available within this subdivision."**

## Chapter 13 Illustrations

### A. UTILITY EASEMENT

#### Items required on plat for electric service to subdivisions

##### 1. Utility Easement Diagram



##### 2. Signature Block

This plat of (*name of subdivision*) has been submitted to and approved by (*name of utility company*) for easements.

Agent for (*name of utility company*)

##### 3. Notes on plat:

Electric service is to be provided by: (*name of utility company*)

There is hereby dedicated a fifteen foot (15') wide electric distribution line easement along all front, side and rear lot property lines. There is hereby dedicated a thirty foot (30') easement centered on all existing lines.

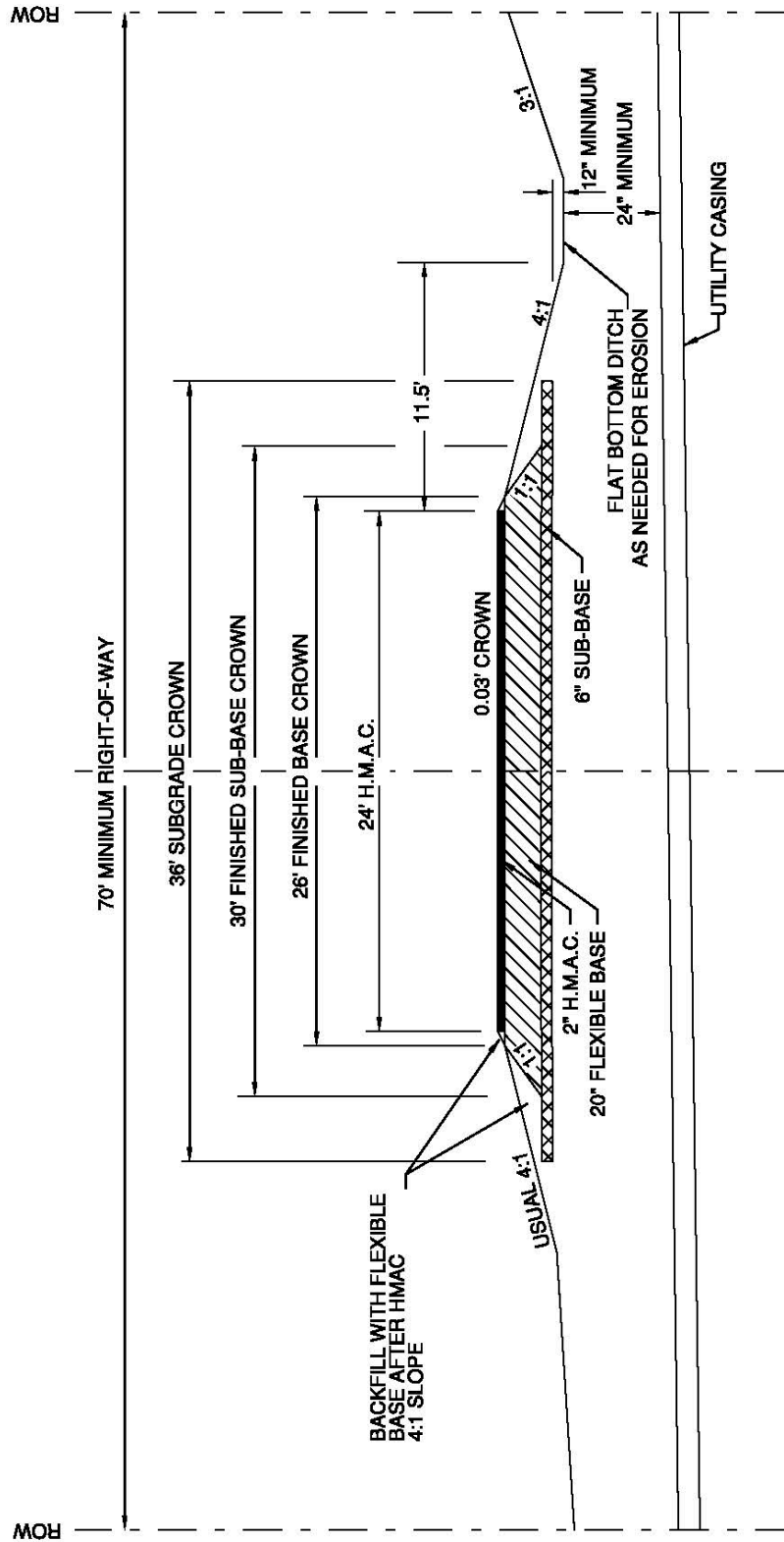
Each lot is also subject to a floating twenty foot (20') wide by forty foot (40') long electric guy wire easement as required by the electric utility.

All electric utility easements are for the construction, maintenance (including but not limited to removal of trees and other obstructions), reading of meters and repair of all overhead and underground electric utilities. No buildings or other obstructions or well of any kind shall be placed on any electric easements, nor shall any trees be planted thereon.





D. ROADWAY CONSTRUCTION DIAGRAM

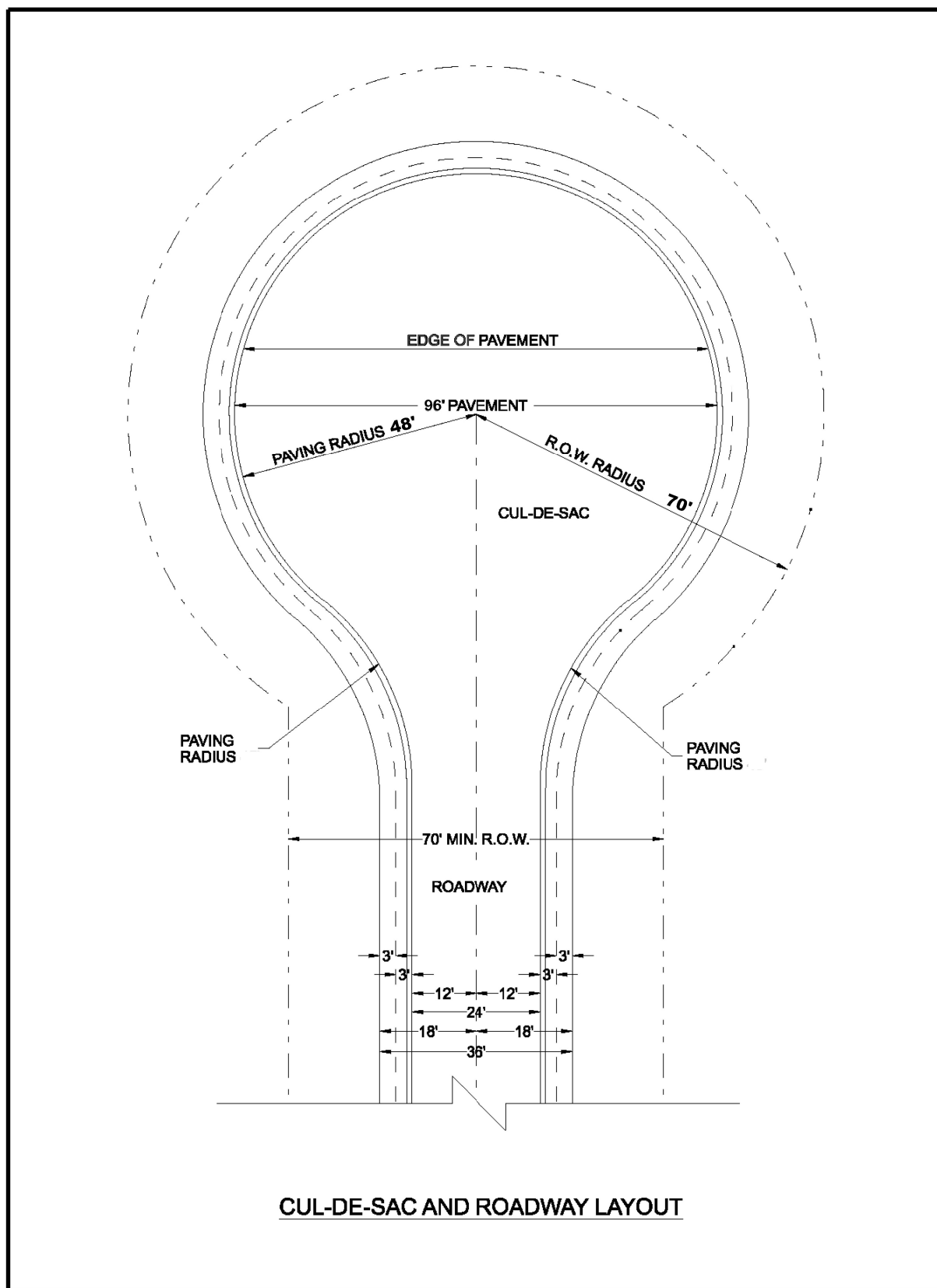


TYPICAL SECTION OF ROADWAY CONSTRUCTION

WILSON COUNTY

SUBDIVISION REGULATIONS

# CUL-DE-SAC DIAGRAM



CUL-DE-SAC AND ROADWAY LAYOUT

**ATTACHMENT 1**

<b>SUBDIVISION DEVELOPMENT FEES</b>
-------------------------------------

<b>TIER 2</b>	<b>\$500</b>
Per Lot	\$100
Plus Drainage Review Fee, <i>if applicable</i>	\$750
<b>TIER 1</b>	<b>\$5,000</b>
Includes preliminary meeting	
Pre-construction meeting	
4 Inspections <i>Re Inspections are billed separately</i>	
Per Lot	\$100
Geotechnical Work Plan Review Fee, <i>if applicable</i>	\$300
*Impact fees, when applicable will be determined by capital improvements identified in an approved CIP	
Application to Amend a Plat	\$500
Application to Revise (Re-Plat) <i>includes publication cost</i>	\$500
Per Lot	\$100
Cancel a Plat <i>includes publication cost</i>	\$500
Lodging Application	\$1,000
Per Lot	\$100
Per Space	\$10
Plus Drainage Review Fee, <i>if applicable</i>	\$750
Application fee for variance	\$500
Plat recordation fees paid to County Clerk	
Fire plan review, fire Inspections and Certificates Paid to Fire Marshal's Office	
Hard Copy of Subdivision Regulations	\$25
<b><i>These fees are subject to change. It is the responsibility of the holder of the copy of these regulations to maintain a current copy.</i></b>	

**ATTACHMENT 2**

<b>SUBDIVISION APPLICATION CHECKLIST</b>
--

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

	Submit <b>Attachment 20</b> and meet with the Precinct Commissioner, Development Officer and County Fire Marshal at least 15 days prior to the date of filing the application of the subdivision property, to visually inspect the property, review the developer's intentions, establish any special requirements for the plat application, and to discuss the application process.
	Confirm whether the planned subdivision will be classified as First, Second Tier or Lodging IDP
	Check the proposed subdivision name for conflicts or similarly named subdivision that is not a subsequent phase of an existing subdivision with <b>Attachment 8</b>
	Submit Preliminary SWMP

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

	A plat of the proposed subdivision in compliance with these regulations.
	Ten (10) copies of the plat.
	A digital plat.
	Copy of the recorded deed
	A letter from Tx DOT for State Road Access if Applicable or County PIPROW Application
	Letter from the Emergency District (If the roads are to remain private, a letter from the fire department including approval of the lock box and approved variance).
	A survey of the proposed subdivision in compliance with these regulations.
	A certificate from the surveyor who prepared the plat and survey in substantially the form as <b>Attachment 5</b> .
	All engineering specifications, drawings, and plans for infrastructure to be constructed comprising a plat application in compliance with these regulations including road designs both in paper and digital.
	A certificate from each engineer confirming compliance of their specifications, plans, and drawings, in substantially the form as <b>Attachment 6</b> .
	A certificate from 911 Addressing Coordinator confirming the road names or numbers reserved for roads laid out in the subdivision in the form of <b>Attachment 8</b>
	Tax certificates confirming that no property taxes are due and unpaid for the subdivision.

	A certificate from the developer confirming that approval of the plat application and filing of the plat does not mean that the County will be responsible for maintenance of subdivision roads and streets. <b>Attachment 9</b>
	If water, sewerage, and electricity are to be provided by a public utility, the developer must submit for each an executed public utility certificate in substantially the form <b>Attachment 4</b> .
	If water is to be provided by private well, a Disclosure Statement shall be provided to the buyer prior to closing disclosing the nature of provision of water, together with certification of water availability and quality.
	Soil Evaluation of site for proposed subdivision.
	If OSSF is included in the plat application, a certificate from the Wilson County TCEQ Representative stating that the subdivision plans comply with all applicable TCEQ rules, including housing density requirements in the form of <b>Attachment 7</b>
	If fire hydrants or filler plugs are included in a plat application, a confirmation from the public utility serving the subdivision to confirm sufficient water capacity is available to operate the fire hydrants or filler plugs on <b>Attachment 4</b> .
	Approved Plat review from the Fire Marshal.
	Waiver approval from the City for development occurring in the ETJ- <i>if applicable</i>
	Acknowledgment by the US Postmaster in the form of <b>Attachment 11</b>
	Drainage Analysis to include all maps and calculations to support the study including electronic copy of Drainage Analysis/Study
	Copy of document establishing HOA/POA- <i>if applicable</i>
	Construction Costs Estimate Review and Acceptance, Including cost breakdown and calculations.
	Traffic Impact Analysis - <i>if applicable</i>
	All applicable fees due to the County for the filing of an application must be paid to the County Permit and Development Department.
	<b>Complete Application received by:</b> _____ <b>Date:</b> _____

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

	File a plat of the proposed subdivision in compliance with these regulations. Fees payable to the County Clerk no later than ten (10) days after the approval for filing
	Meet with the Precinct Commissioner to review all materials used in constructing roads in the subdivision in a pre-development meeting
	Advise the Precinct Commissioner of the status of construction prior to expiration of any construction deadline.
	Submit any required financial security to the County Treasurer no later than thirty (30) days after the approval of the application

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

	A plat or plat of survey of the subdivision showing the area/acreage of each lot or tract. Lots must have a minimum of forty feet (40') of frontage to the adjoining street.
_____	<b>Certificate, (Attachment 5,6) from the developer/engineer/surveyor confirming the following:</b>
_____	Availability of water and sewage service.
_____	Compliance with set-back lines.
_____	Disclosure and Dedication of all necessary utility easements.
_____	Confirming the installation of culverts in compliance with the County ordinance on culverts.
	If OSSF is proposed for the Second-Tier subdivision, a certificate from the Wilson County OSSF Inspector or Development Officer stating that the subdivision plans comply with all applicable TCEQ rules, including housing density requirements. <b>Attachment 4</b>
	A survey that shows sufficient topographic information adequate to demonstrate that the proposed subdivision will adequately drain and that any proposed development will not alter the natural flow of water to adjoining properties.
	Copy of the recorded deed
	A letter from Tx DOT for State Road Access <i>if Applicable</i> Or County PIPROW Application
_____	<b>*Properties within a platted subdivision will be considered a re-plat and require the following:</b>
_____	Subdivision Covenants, Conditions and Restrictions
_____	If Subdivision Covenants, Conditions and Restrictions do not exist, a signed and dated statement from the applicant stating they do not exist.
_____	If the property is within a subdivision, a statement from the HOA indicating the division of the tract of land is not in violation of the Covenants Conditions and Restrictions.
_____	If the property is within a subdivision but a HOA does not exist than certified letters must be sent to any adjacent properties within the subdivision with notice of a public hearing.
_____	Draft of publication to run in the newspaper for 3 weeks before public hearing.
	Fire Marshal Review to comply with Current IFC adopted

ATTACHMENT 3

APPLICATION FOR SUBDIVISION PLAT CONSIDERATION

Date Received: \_\_\_\_\_ Commissioner Pct. #: \_\_\_\_\_  
Check #: \_\_\_\_\_ Receipt #: \_\_\_\_\_

**Subdivision Name:** \_\_\_\_\_ **Property ID#** \_\_\_\_\_

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

Plat Type:  Tier 1  Tier 2  Revision (Vacate and Replat)

Total Acreage of Plat: \_\_\_\_\_ Total # of Lots: \_\_\_\_\_

Roads:  Public  Private  None

Water System:  Individual Wells  Public: Provider: \_\_\_\_\_

Wastewater system:  On Site Sewage facilities (OSSF)  Public

Within the 100-year flood plain:  Yes  No

**Owner:**

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Developer (If not same as Owner):**

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Contact Person (If not same as Owner):**

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Name of Nearest Public Road/Street to Subdivision:** \_\_\_\_\_

**School District(s):** \_\_\_\_\_

**Electric Utility Provider:** \_\_\_\_\_

**Engineer**

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Surveyor**

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

-----  
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 Wilson County Clerk's Office

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

\_\_\_\_\_  
**Date**

ATTACHMENT 4

**PUBLIC UTILITY CERTIFICATE**

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

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

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

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

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

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

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

- The public utility confirms sufficient water capacity is available to operate the fire hydrants or filler plugs.

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

\_\_\_\_\_  
Date

ATTACHMENT 5

CERTIFICATE OF SURVEYOR

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

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

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

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

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

\_\_\_\_\_  
Date

ATTACHMENT 6

CERTIFICATE OF ENGINEER

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

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

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

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

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

\_\_\_\_\_  
Date

ATTACHMENT 7

CERTIFICATE OF ON-SITE SEWAGE FACILITY INSPECTOR

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

OSSF Inspector's Name: \_\_\_\_\_

OSSF Inspector's License No.: \_\_\_\_\_

Date of Review: \_\_\_\_\_

**KNOW ALL MEN BY THESE PRESENTS**, that I, the undersigned, a licensed On-Site Sewage Facility Inspector in the State of Texas, hereby certify that I have reviewed the On-Site Sewage Facilities in the plat application for the Subdivision, and the same complies with the related requirements of the Wilson County Subdivision Regulations and rules published by TCEQ.

\_\_\_\_\_  
OSSF Inspector

\_\_\_\_\_  
Date

ATTACHMENT 8

9-1-1 ADDRESSING ROAD NAME VERIFICATION

Name of Proposed Subdivision: \_\_\_\_\_

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

<u>Road Names</u>	<u>Length in Linear Ft.</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name \_\_\_\_\_

Signature \_\_\_\_\_

***(DO NOT WRITE BELOW THIS LINE)***

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

Wilson County 911 Addressing

ESN: \_\_\_\_\_ Fire: \_\_\_\_\_

EMS: \_\_\_\_\_

Law Enforcement: \_\_\_\_\_

***911 Addresses will be issued upon presentation of approved and filed Final Plat.***

**ATTACHMENT 9**

**CERTIFICATE OF ROAD MAINTENANCE**

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

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

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

\_\_\_\_\_  
Developer

\_\_\_\_\_  
Date

**ATTACHMENT 10**

**CERTIFICATE OF PRIVATE ROAD MAINTENANCE**

(When roads are to be maintained as Private Roads)

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

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

\_\_\_\_\_  
Developer

\_\_\_\_\_  
Date

ATTACHMENT 11

ACKNOWLEDGMENT BY U.S. POSTMASTER

**To be filled out by developer:**

Name of Proposed Subdivision: \_\_\_\_\_

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**To be filled out by Postmaster:**

I have been provided a copy of the Plat and Master Plan (if it is a multi-unit/phase development). I have discussed the requirements with the developer for postal delivery to the subdivision.

The developer is required to install centralized mailboxes  
OR

Individual mailboxes for each lot are allowed

Special Requirements (if any): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Postmaster Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Postmaster Signature

U.S. Postmaster, \_\_\_\_\_ Post Office  
City/Town

**ATTACHMENT 12**

**WATER STORAGE TANK APPROVAL AND INSPECTION**

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

Name of Proposed Subdivision: \_\_\_\_\_

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

1. Total No. of Lots in subdivision: \_\_\_\_\_

2.  Centralized Water System                      **OR**                       Private Water Wells

3. Water storage required:  2,500 gallons       5,000 gallons

4. If 5,000 gallons water storage required, No. of water storage tanks: \_\_\_\_\_

---

---

*To be completed and submitted along with plat application.*

The location(s) of the water storage tank(s) has been reviewed and approved. The location(s) of the water storage tank(s) and its access easement(s) are shown on the plat.

\_\_\_\_\_  
Wilson County Fire Marshal

\_\_\_\_\_  
Date

---

---

*To be completed after installation is complete.*

The installed water storage tank(s) meets the requirements of the Wilson County Subdivision and Development Rules and Regulations.

\_\_\_\_\_  
Wilson County Fire Marshal

\_\_\_\_\_  
Date

**ATTACHMENT 13**

**CONSTRUCTION COSTS ESTIMATE REVIEW and ACCEPTANCE**

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

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

Construction costs estimate for roads and drainage structures, including stormwater controls and vegetative cover: \_\_\_\_\_

Construction costs estimate for sewage facility, if applicable: \_\_\_\_\_

*Construction costs breakdown and calculations must be attached.*

Reviewed and submitted by: (Must provide signatures of BOTH the developer/owner and Engineer)

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Engineer for Developer

\_\_\_\_\_  
Date

**THE ESTIMATES PROVIDED HAVE BEEN REVIEWED AND ACCEPTED BY:**

(Signatures of BOTH the Engineer and appropriate Commissioner must be provided)

\_\_\_\_\_  
County Engineer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Commissioner Pct. # \_\_\_\_\_

\_\_\_\_\_  
Date

ATTACHMENT 14

**CONSTRUCTION BOND OR ALTERNATIVE FINANCIAL GUARANTEE  
REVIEW and APPROVAL FORM**

Date Submitted: \_\_\_\_\_

Name of Proposed Subdivision: \_\_\_\_\_

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

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

Phone (Office): \_\_\_\_\_ Cell: \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

***The following is attached:***

Construction Bond Amount: \_\_\_\_\_

Letter of Credit Amount: \_\_\_\_\_

Alternative Financial Guarantee Amount: \_\_\_\_\_

DRAFT REVIEWED AND APPROVED AS TO FORM BY:

\_\_\_\_\_  
NAME Date \_\_\_\_\_  
County Attorney

ORIGINAL RECEIVED BY:

\_\_\_\_\_  
NAME Date \_\_\_\_\_  
County Treasurer

**ATTACHMENT 15**

**SIGNATURE BLOCK FOR FINAL APPROVED PLAT**

*This is the signature block to be shown on the plat:*

STATE OF TEXAS           §  
COUNTY OF WILSON      §

\_\_\_\_\_  
Chairperson, Wilson Co Development Review Committee

\_\_\_\_\_  
Date

Approved by the Commissioners Court of the County of Wilson, Texas this the \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
*NAME*, County Judge

\_\_\_\_\_  
*NAME*., Commissioner, Pct. No. 1

\_\_\_\_\_  
*NAME*, Commissioner, Pct. No. 2

\_\_\_\_\_  
*NAME* Commissioner, Pct. No. 3

\_\_\_\_\_  
*NAME*, Commissioner, Pct. No. 4

ATTACHMENT 16

COUNTY CLERK RECORDING ACKNOWLEDGMENT

*This is the recording acknowledgment to be shown on the plat:*

I, \_\_\_\_\_, COUNTY CLERK OF WILSON COUNTY, TEXAS, DO  
HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_  
DAY OF \_\_\_\_\_, \_\_\_\_\_ A.D. AT \_\_\_\_\_ O'CLOCK \_\_\_M AND DULY  
RECORDED IN CABINET\_\_\_\_, PAGE(S) \_\_\_\_\_, PLAT RECORDS OF WILSON  
COUNTY, TEXAS.

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS \_\_\_\_  
DAY OF \_\_\_\_\_, \_\_\_\_\_ A.D.

\_\_\_\_\_  
NAME  
COUNTY CLERK, WILSON COUNTY, TEXAS

ATTACHMENT 17

COUNTY ROAD CONSTRUCTION & INSPECTION CERTIFICATION FORM

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

Platted Linear Feet: \_\_\_\_\_ Financial Guarantee Amount: \$ \_\_\_\_\_

**CHECK APPLICABLE INSPECTION:**

- Sub-Base Inspection                       Depth and Density Test
- Finished Base Inspection
- Paving and Drainage Improvements Inspection (2-year Maintenance begins)
- Final Inspection prior to release of bond       Vegetation inspection prior to SWPPP Notice of Termination

Contractor has completed \_\_\_\_\_ (lf) linear feet, which represents \_\_\_\_\_ % of the total linear footage.

\_\_\_\_\_  
Contractor Signature

\_\_\_\_\_  
Date

**INSPECTED AND APPROVED BY**

\_\_\_\_\_  
Wilson County Engineer

\_\_\_\_\_  
Date

and/or

\_\_\_\_\_  
Wilson County Commissioner, Precinct #\_

\_\_\_\_\_  
Date

**ACKNOWLEDGED BY DEVELOPER/OWNER**

\_\_\_\_\_  
Developer Signature

\_\_\_\_\_  
Date

***This form is to be fully executed at the end of each phase of road construction and provided to the Wilson County Permitting and Development Office prior to commencing with the next phase.***

**ATTACHMENT 18**

**AFFIDAVIT THAT CONVEYANCE IS TO A RELATIVE**

**STATE OF TEXAS** §  
**COUNTY OF WILSON** §

**BEFORE ME**, the undersigned authority, personally appeared \_\_\_\_\_  
and \_\_\_\_\_, each being duly sworn by me, who state the following:

“I/We own the following tract of land: all of that certain \_\_\_\_\_ acre tract of  
land conveyed to me/us in a Deed (or other instrument), dated \_\_\_\_\_, of  
record at Volume \_\_\_\_\_, Page \_\_\_\_\_, Official Public Records of Wilson County, Texas.

“I/We are conveying, by a separate Deed, \_\_\_\_\_ acre(s) of land, described in  
a Plat and/or Metes and Bounds attached as Exhibit A, to \_\_\_\_\_  
\_\_\_\_\_ and \_\_\_\_\_. The relationship between me/us and the  
persons(s) the land is being conveyed to is \_\_\_\_\_  
\_\_\_\_\_, and I/we swear or affirm  
that at least one of us is related to at least one of them within the third degree of affinity or  
consanguinity, including step relationships.

“Further Affiant(s) Sayeth not.”

\_\_\_\_\_  
(Signature of Affiant/Grantor) (Signature of Affiant/Grantor)

**STATE OF TEXAS** §  
**COUNTY OF WILSON** §

**BEFORE ME**, the undersigned authority, on the \_\_\_\_\_ day of \_\_\_\_\_,  
personally, appeared \_\_\_\_\_ and \_\_\_\_\_  
\_\_\_\_\_ and state upon their oath that the facts stated above are true and correct.

\_\_\_\_\_  
Notary Public – State of Texas

**ATTACHMENT 18 (cont.)**

**Table for Determining Degree of Relationship**

Note: "Step" relationships, from a current marriage or a marriage terminated by the death of a spouse, are included within the meaning of each definition.

<b>Degree of Nepotism</b>	<b>Consanguinity (Blood) Land Owner</b>	<b>Affinity (Marriage) Land Owner's Spouse</b>
First Degree	Father  Mother  Son  Daughter	Father in Law  Mother in Law  Son in Law  Daughter in Law
Second Degree	Brother /Sister  Grandfather/ Grandmother  Grandson/Granddaughter	Brother/Sister in Law  Grandfather / Grandmother in Law  Grandson/ Granddaughter in Law
Third Degree	Great Grandfather/Great Grandmother  Uncle/Aunt  Nephew/Niece  Great Grandson/Great Granddaughter	Spouse's Great Grandfather/Great Grandmother  Spouse's Uncle/Aunt  Spouse's Nephew/Niece  Spouse's Great Grandson/Great Granddaughter

**ATTACHMENT 19**  
**DEDICATION AND CONVEYANCE OF ROADS**

---

**(Owner of Development)**  
**TO**  
**COUNTY OF WILSON, TEXAS**

**STATE OF TEXAS           §**  
**COUNTY OF WILSON       §**

WHEREAS, \_\_\_\_\_, the undersigned, is the developer of \_\_\_\_\_ Subdivision, as shown by plat of record of Volume \_\_\_ Page \_\_\_\_\_ of the plat records of the County of Wilson, Texas; and

WHEREAS, it is the desire of such developer to dedicate and convey all of the roads shown on such plat to the County of Wilson; and

WHEREAS, the County of Wilson, finding the public interest has been established, desires to accept such dedication as is evidenced by the signature of the County Judge, and attestation by the County Clerk attached hereto;

NOW THEREFORE, the undersigned does hereby dedicate and convey, in accordance with the provisions of Chapter 281, Texas Transportation Code, all of the following roads, streets, highways, alleys and right-of-ways to wit: all roads, streets, highways, alleys as shown or delineated on the plat of the \_\_\_\_\_  
\_\_\_\_\_ Subdivision filed for record in Volume \_\_\_ Page \_\_\_\_\_ of the plat records of the County of Wilson, Texas.

This dedication shall be effective only upon acceptance by the County of Wilson, as evidenced by the signature of the County Judge and the attestation by the County Clerk attached hereto.

Notwithstanding the terms of this instrument, however, nothing contained herein shall in any way waive or alter the obligation upon the developer to maintain and comply with the bonding requirements contained in the Wilson County Subdivision and Development Rules and Regulations, nor shall it in any manner excuse any violation of such subdivision regulations, but rather, as a portion of the consideration for the acceptance of this dedication, the grantor agrees and binds himself to comply with all the regulations of the subdivision regulations of the Commissioners Court of the County of Wilson, Texas, as the same or currently in force as of the date of this Acceptance, including the obligation to reimburse the County for ad valorem taxes due, or to become due, for this road right-of-way. However, nothing contained herein shall in any manner make additional requirements nor obligations of the grantor other than or as expressly stated in the date hereof.

To have and to hold all of such roads, streets, highways, alleys and right-of-ways unto the County of Wilson, acting through Commissioners Court of the County of Wilson, absolutely and forever, and the undersigned does hereby bind itself/himself, its/his successors and assigns to forever warrant and forever defend title to such roads, streets, highways, alleys and right-of-ways unto the County of Wilson, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Signed this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

(CORPORATE ACKNOWLEDGEMENT)

STATE OF TEXAS §  
COUNTY OF WILSON §

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_, by \_\_\_\_\_, \_\_\_\_\_  
(name of officer) (title of officer)

of \_\_\_\_\_ a \_\_\_\_\_ corporation, on behalf of said  
(name of corporation) (state)

\_\_\_\_\_  
Notary Public in and for the State of Texas

My commission expires: \_\_\_\_\_

*(INDIVIDUAL ACKNOWLEDGMENT)*

STATE OF TEXAS           §  
COUNTY OF WILSON       §

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas  
My commission expires: \_\_\_\_\_

**ACCEPTANCE:**

This dedication is hereby accepted by the Commissioners Court of the County of Wilson, Texas, on this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Henry L. Whitman Jr., County Judge

ATTEST:

\_\_\_\_\_  
Genevieve Martinez, County Clerk

STATE OF TEXAS           §  
COUNTY OF WILSON§

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by Henry L. Whitman Jr., County Judge of the County of Wilson, Texas.

\_\_\_\_\_  
Notary Public in and for the State of Texas  
My commission expires: \_\_\_\_\_

**ATTACHMENT 20**

**REQUEST FOR PRELIMINARY MEETING**

*This form is to be used to request a preliminary meeting with the County Engineer prior to submission of the subdivision development application.*

Name of Proposed Subdivision: \_\_\_\_\_

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

I request a preliminary meeting with the County Engineer. I understand that when there is no County Engineer on the county payroll, as a salaried employee, all professional fees charged by the County Engineer for the requested meeting shall be my responsibility for payment.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

ATTACHMENT 21

APPLICATION FOR CANCELLATION OF A SUBDIVISION

\*\*\*\*Appointments must be scheduled to submit plat applications. \*\*\*\*

Date of appointment: \_\_\_\_\_ Appointment time: \_\_\_\_\_

Date Received: \_\_\_\_\_ Cancellation Fee: \_\_\_\_\_

Check #: \_\_\_\_\_ Receipt #: \_\_\_\_\_

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

Plat Recording Information:

Date: \_\_\_\_\_ Volume: \_\_\_\_\_ Page: \_\_\_\_\_ Map and Plat Records

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Total # of Lots: \_\_\_\_\_ How many lots have been sold? \_\_\_\_\_

Reason for Cancellation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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



Wilson County Development Review Committee

Review Date: \_\_\_\_\_ Committee Recommendation:  Favorable  
 Unfavorable

\_\_\_\_\_  
Development Review Committee Chairman

ATTACHMENT 22

APPLICATION TO AMEND A SUBDIVISION PLAT

\*\*\*\*Appointments must be scheduled to submit plat applications. \*\*\*\*

Date of appointment: \_\_\_\_\_ Appointment time: \_\_\_\_\_

Date Received: \_\_\_\_\_ Amendment Fee: \_\_\_\_\_

Check #: \_\_\_\_\_ Receipt #: \_\_\_\_\_

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

Plat Recording Information:

Date: \_\_\_\_\_ Volume: \_\_\_\_\_ Page: \_\_\_\_\_ Map and Plat Records

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Reason for Amending the plat: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

**Wilson County Development Review Committee**

Review Date: \_\_\_\_\_ Committee Recommendation:  Favorable  
 Unfavorable

\_\_\_\_\_  
Development Review Committee Chairman

ATTACHMENT 23

APPLICATION TO REVISE A SUBDIVISION PLAT

\*\*\*\*Appointments must be scheduled to submit plat applications. \*\*\*\*

Date of appointment: \_\_\_\_\_ Appointment time: \_\_\_\_\_

Date Received: \_\_\_\_\_ Revision Fee: \_\_\_\_\_

Check #: \_\_\_\_\_ Receipt #: \_\_\_\_\_

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

Plat Recording Information:

Date: \_\_\_\_\_ Volume: \_\_\_\_\_ Page: \_\_\_\_\_ Map and Plat Records

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

No. of lots being revised: \_\_\_\_\_ No. of lots being created: \_\_\_\_\_

Reason for Revising the plat: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Drainage Analysis required and submitted:  Yes  N/A

Applicant Signature

Wilson County Development Review Committee

Review Date: \_\_\_\_\_ Committee Recommendation:  Favorable  Unfavorable

Development Review Committee Chairman

**ATTACHMENT 24**

**AFFIDAVIT THAT CONVEYANCE IS FOR AGRICULTURAL USE**

**STATE OF TEXAS**                    §  
**COUNTY OF WILSON** §

**BEFORE ME**, the undersigned authority, personally appeared \_\_\_\_\_  
and \_\_\_\_\_, each being duly sworn by me, who state the following:

“I/We own the following tract of land: all of that certain \_\_\_\_\_ acre tract of land conveyed to me/us in a Deed (or other instrument) dated \_\_\_\_\_ of record at Volume \_\_\_\_\_, Page \_\_\_\_\_, Official Public Records of Wilson County, Texas.

“I/We are conveying, by a separate Deed, \_\_\_\_\_ acre(s) of land, described in a Plat and/or Metes and Bounds attached as Exhibit A, to \_\_\_\_\_ and \_\_\_\_\_. I/we swear or affirm that the tract of land to be conveyed is to be used primarily for agricultural use, as defined by Section 1-d, Article VIII, Texas Constitution, or for farm, ranch, wildlife management, or timber production use within the meaning of Section 1-d-1, Article VIII, Texas Constitution. If this tract of land ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, the platting requirements of Chapter 232, Subchapter A of the Texas Local Government Code apply.

“Further Affiant(s) Sayeth not.”

\_\_\_\_\_  
(Name of Affiant/Grantor)

\_\_\_\_\_  
(Name of Affiant/Grantor)

**STATE OF TEXAS**                    §  
**COUNTY OF WILSON** §

**BEFORE ME**, the undersigned authority, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared \_\_\_\_\_ and \_\_\_\_\_ and state upon their oath that the facts stated above are true and correct.

\_\_\_\_\_  
Notary Public – State of Texas

**ATTACHMENT 25**

**VARIANCE APPLICATION**

*Variance approval is to be obtained by the owner of the property. County fee applicable.*

Date Received: \_\_\_\_\_ Commissioner Precinct #: \_\_\_\_\_

Check #: \_\_\_\_\_ Receipt #: \_\_\_\_\_

**Owner Contact Information:**

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

Address of Property: \_\_\_\_\_

Mailing Address of Owner: \_\_\_\_\_

Phone Number: \_\_\_\_\_

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

**Alternate Contact Information:**

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

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

- 1. Relief Requested (Reference the specific Section/Paragraph of the current Wilson County Subdivision and Development Rules and Regulations):

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

- 2. Reason for Requesting Relief

- a. What special circumstances or conditions affect the land involved such that the strict interpretation of the provisions of these regulations would deprive you of the reasonable use of this land.

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

- b. Why is relief necessary for the preservation and enjoyment of a substantial property right of yours?

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

- c. Will the granting of relief not be detrimental to the public's health, safety, and welfare? Please explain.

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- d. Will the granting of relief not have the effect of preventing the orderly subdivisions of other land in the area? Please explain.

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Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(For office use only. Do not write below this line)

**Wilson County Development Review Committee**

Review Date: \_\_\_\_\_ Committee Recommendation:  Favorable  
 Unfavorable

**This Non-Standard Plat/Variance Request was heard as Agenda Item No. \_\_\_\_ by the Wilson County Development Review Committee on \_\_\_\_\_, \_\_, \_\_\_\_\_. The minutes reflect the following:**

(INSERT THE MINUTES FROM THE MEETING)

\_\_\_\_\_  
Development Review Committee Chairman

**Wilson County Commissioners Court**

Review Date: \_\_\_\_\_ Commissioners Court:  Approved  
 Rejected

\_\_\_\_\_  
Henry L. Whitman, County Judge

Attest:

\_\_\_\_\_  
Genevieve Martinez, County Clerk

STATE OF TEXAS           §  
COUNTY OF WILSON     §

This instrument was acknowledged before me on this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by Henry L. Whitman Jr., County Judge of the County of Wilson, Texas.

\_\_\_\_\_  
Notary Public in and for the State of Texas

My commission expires: \_\_\_\_\_

ATTACHMENT 26

LODGING APPLICATION

Date Received: \_\_\_\_\_ Commissioner Pct. #: \_\_\_\_\_  
Check #: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Development Name: \_\_\_\_\_ Property ID# \_\_\_\_\_

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

Development Type:  RV Park/ Campground  Tiny Homes  Rental Communities

Other: \_\_\_\_\_

Total Acreage of Plat: \_\_\_\_\_ Total # of Lots/Spaces: \_\_\_\_\_

Roads:  Public  Private  None

Water System:  Individual Wells  Public: Provider: \_\_\_\_\_

Wastewater system:  On Site Sewage facilities (OSSF)  Public

Electric Provider: \_\_\_\_\_ Natural Gas Provider: \_\_\_\_\_

Within the 100-year flood plain:  Yes  No

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**Owner: As shown on Deed**

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Developer (If not same as Owner):**

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Operator (If not same as Owner):**

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

Individual

Corporation

LLC

(If not individual, must provide copy of incorporation papers and assumed name certificate)

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Engineer**

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Surveyor**

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

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

Phone (Office): \_\_\_\_\_ (Cell): \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

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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 Wilson County Clerk's Office

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

\_\_\_\_\_  
**Date**