

Wharton County Subdivision Policy
Check-off List
01/23/2023

1. Contact Wharton County Engineer and the Commissioner's office within the precinct that the land is located. A copy of the Subdivision Policy will be emailed to you. The contact numbers are as follows:

Precinct 1 – 979/532-1991

Precinct 2 – 979/335-7541

Precinct 3 – 979/543-0091

Precinct 4 – 979/543-3561

County Engineer, Eric C. Scheibe, PE, CFM – 713-859-5744; escheibe@scheibeconsulting.com

2. Platting fee – see page 13
3. Drainage Review Fee – see Drainage Review Fee Ordinance
4. A minimum of 30 days (*) prior to action requested, owner shall submit a plat/design to:

County Commissioner

County Engineer (*digitally via PDF to County Engineer's Email*)

County Attorney

Permit & Inspection Dept. 9-1-1 Rural Addressing

See page 7 for details

The plat will be reviewed at the next regularly scheduled Commissioners Court meeting after review and approval by the above listed departments.

If the plat falls under a short-form plat approval process, plat approval will be at the next regularly scheduled Commissioners Court meeting. Items required in addition to the plat requirements are:

- a. **ORIGINAL CURRENT TITLE REPORT**, see page 10 of Policy
- b. **ORIGINAL CURRENT TAX CERTIFICATE**, see page 12 item 16 of Policy
- c. **Two (2) Mylars, Two (2) Blue line copies and one (1) 8-1/2" x 14" reduce paper copy of plat.**

If the plat falls under the definition of a standard plat, then the developer must follow-up with a set of construction plans along with the plat layout for the proposed public improvements. Construction plans and plat shall be submitted to the Wharton County Engineer for review. Upon approval of the construction plans and plat by the Wharton County Engineer, the plat approval will be at the next regularly scheduled Commissioners Court meeting. Items required in addition to the plat requirements are:

- a. **ORIGINAL CURRENT TITLE REPORT**, see page 10 of Policy
- b. **ORIGINAL CURRENT TAX CERTIFICATE**, see page 12 item 16 of Policy
- c. **Two (2) Mylar, Two (2) Blue Line copies, and One (1) 8 ½" x 14" reduce paper copy of plat.**

d. Completed Bond for public improvements

5. Plat size – refer to Form and Content page 10
6. Filing Fee must be paid at time of filing. See page 13 item 23 of Policy.
7. A bond for the proposed construction as stipulated in Section V (Bond Requirements). See page 22.
8. Subdivisions located within the ETJ of the Cities of East Bernard (1/2 mile), El Campo (1 mile), or Wharton (1 mile) will follow the Policy of those cities.
9. For divisions of property of four (4) or fewer lots, see the Short Form Plat requirements. See page 21, item E of Policy to see if division qualifies for short form platting.

For all other information regarding form, content, and other requirements, refer to Policy.

****plats requiring drainage analysis may require additional time.***

WHARTON COUNTY SUBDIVISION PLATTING POLICY

REVISED: January 23, 2023

WHARTON COUNTY SUBDIVISION PLATTING POLICY

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DEFINITIONS

For the purpose of this Manual, the definition of various terms, phrases, words, and their derivations will have the meaning ascribed to them herein. When not consistent with the context, words used in the present tense include the future, words used in the singular number include the plural number, and words used in the plural number include the singular number. Any office referred to herein by title will mean the person employed or appointed for that position or his duly authorized deputy or representative. Definitions not expressly authorized herein are to be considered in accordance with customary usage. The definition of specific terms, phrases, words, and their derivations applicable to matters contained in the Manual are as follows.

Alley: A public right-of-way which is used only for secondary access to individual properties which otherwise have primary access from an adjacent public street or approved common open space or courtyard which is adjacent to a public street.

Amending Plat: A plat submitted by the applicants for the purpose of improving or making changes for the better by removing defects or faults.

Block: A numbered tract or parcel of land established and identified within a subdivision which is surrounded by streets or a combination of streets and other physical features and intended to be further subdivided into individual lots or reserves.

Bonds: The approved form of security furnished by the Principal and his sureties conditioned upon the faithful performance of the work in strict accordance with all applicable regulations, plans, and specifications.

Building Setback: A defined area designated on a subdivision plat in which no building structure may be constructed and is located between the adjacent street right-of-way and the proposed face of a building.

Collector Street: A public street that consists of two or more lands, divided or undivided roadway that is used as a collector for residential streets and originates and terminates outside of the subdivision boundaries.

Commissioners Court: The Commissioners Court of Wharton County, Texas.

Construction Completion: A point in time when all construction is complete and the roads or streets are in a condition to be used by the public.

Construction Document: Complete set of construction documents including plans and specifications required to fully define the scope of work and limits of construction.

County: Wharton County, Texas.

County Engineer: The Wharton County Engineer or his designated representative.

Development: A subdivision of a tract of land or a change in land use.

Drainage Criteria: The Wharton County Drainage Criteria adopted by the Wharton County Commissioners Court.

Drainage Easement: An area intended for restricted use on property upon which an authorized governmental agency shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or operation of any of its respective drainage system within any of these easements. An authorized governmental agency shall at all times have the right of unobstructed ingress and egress to and from and upon the drainage easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective drainage systems without the necessity at any time of procuring the permission of anyone.

Engineer: Project Engineer or Developer Engineer responsible for the preparation of the plat and/or construction documents.

Extraterritorial Jurisdiction (E.T.J.): The unincorporated territory extending beyond the city limits of a city and which has been established as a result of the provisions of the Texas Municipal Annexation Act and the State Subdivision Acts (Article 970 and Article 974 VX's Annotated Texas Civil Statutes).

Filing Fee: A charge for filing documents with the Wharton County Clerk. The fee for filing plats is set by the Commissioners Court.

Final Acceptance: Road acceptance by Wharton County into the County Maintenance system.

Frontage: That portion of any tract of land which abuts a public street right-of-way and from where the primary access to said tract is derived.

General Plan: A map of a planned development showing intended land uses within its' boundaries.

Infrastructure Development Plan: An infrastructure development plan is a set of construction documents that clearly defines the proposed improvements located within a tract of land that is not necessarily being platted or required to be platted as part of these subdivision regulations. An infrastructure development plan is required for RV parks, mobile home, tiny home, and manufactured home developments that may not otherwise require a plat. All engineering associated with an infrastructure development plan shall adhere to the subdivision regulations and the Wharton County Drainage Criteria Manual (whichever is more restrictive).

Interior Street: Any public street within a subdivision designed to serve only those properties within the boundaries of the subdivision in which it is dedicated and established. Cul-de-sacs and loop streets or street systems beginning from streets within a subdivision may be considered as interior streets. Interior streets may not, however, be any street which would allow access through the subdivision to other properties or directly connect with other streets outside the plat boundary.

Letter of Credit: An irrevocable standby letter of credit furnished by the Principal and his sureties

conditioned upon the faithful performance of the work in strict accordance with all applicable regulations, plans, and specifications.

Local Street: Any public street not designated as a major thoroughfare, freeway, or highway.

Lot: A physically undivided tract or parcel of land having frontage on a public or private street or other approved facility and which is or in the future may be offered for sale, conveyance, transfer, or improvements; which is designated as a distinct and separate tract; and which is identified by a tract or lot number or symbol on an approved subdivision plat which had been recorded.

Major Thoroughfare: A public street designed for fast, heavy traffic and intended to serve as a traffic artery of considerable length and continuity throughout the community.

One-Year Maintenance Period: A mandatory one-year period between the date of construction completion and the date of final acceptance in the County Maintenance System.

Plat: A map or drawing of a proposed subdivision prepared in a manner suitable for recording in the County Clerk's records and containing accurate and detailed engineering data, dimensions, and dedicatory statements and certificates.

Private Street: Any street that is not specifically designated or dedicated as a public street.

Project: A project is defined as a development or improvements to a tract of land. A project is not necessarily locked-in to a specific subdivision plat or tract of land, but may rather be associated with multiple subdivision plats and tracts of land.

Public Street: A public right-of-way, however designated, dedicated, or acquired which provides vehicular access to adjacent private or public properties.

Replat: A change to the previous plat of a subdivision, or part of a subdivision, not amending or removing any covenants or restrictions, signed and acknowledged by the owners of the property.

Residential Street: A public street that consists of a two-lane undivided roadway primarily used by local single-family residents and originates and terminates within the subdivision boundaries.

Specifications: These will include but not be limited to descriptive, performance, reference, and proprietary specifications approved by the County Commissioner and the Commissioners Court.

Standard Plat: A plat that does not meet the requirements of a Short Form Plat as determined by the County Engineer and as stipulated in these regulations.

Street Dedication Plat: A map or drawing illustrating the location of a public street passing only through a specific tract of land and suitable for recording.

Street Name: The unique name of a street.

Stub Street: A public street ending adjacent to the undeveloped property or acreage and intended

to be extended at such time the adjacent undeveloped property or acreage is subdivided.

Subdivider (Developer): Any person or authorized agent thereof proposing to divide or dividing land so as to constitute a subdivision according to the terms and provisions set out in this Policy. The term *developer* shall mean the same as *subdivider* for the purposes of this Policy.

Subdivision: The division of any tract or parcel of land by plat, map, or description into two or more parts for the purpose, whether immediate or future, of sale, rental or lease, or division of ownership that includes any dedication and laying out of new public or private streets (or realignment of existing streets), parks, alleys, or other public or private access ways, with or without laying out the lots. Subdivision shall also include the subdivision, replating, or other alterations of any tract of land, reserve, or lot which is part of a previously recorded subdivision.

Subdivision shall not include the division of land for agricultural purposes only, land divided by partition deeds executed by co-tenants for the purpose of effecting a partition of land, division of land for the purpose of settling family estates providing that the division does not include any dedication or layout of streets or other public or private access ways, or joint-use access easements, and division of a tract of land separated into two or more spaces or lots that are to be rented, leased, or offered for rent or lease for a term of less than 60 months without a purchase option, for installation of manufactured homes for use and occupancy as residences.

Subdivision *may* include the division of any tract of land into two or more parts that does not involve any streets or realignment of existing streets if the subdivision will have an adverse effect on existing drainage of adjacent areas or if sufficient capacity of existing roads and streets are not available for the increased traffic demand.

Title Certificate: A certificate prepared and executed by a title company authorized to do business in the state or an attorney licensed in the state describing all encumbrances of record which affect the property. Such certificate shall include all property within the platted area.

Wharton County Design Standards and Details: Standards which describe the general requirements for the preparation and contents of construction documents required for approval by Wharton County.

WHARTON COUNTY SUBDIVISION PLATTING POLICIES

I. GENERAL REQUIREMENTS

- A. Every owner of any tract of land situated outside the corporate limits of any city in the County of Wharton, Texas, who may hereafter divide the same into two (2) or more parts for the purpose of laying out a subdivision, or an addition outside the corporate limits of any town or city, or for laying out suburban lots or building lots, and for the purpose of laying out streets, alleys, parks, easements, or other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto, or any area developed for the lease or rental of two or more RVs, mobile homes, tiny homes, or manufactured homes, shall cause a plat to be made thereof, which shall accurately describe all of said subdivision or addition by metes and bounds and locate the same with respect to an original corner of the original survey of which it is a part, giving the dimensions of all lots, streets, alleys, parks, or other portions of same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto; provided, however, that no plat shall be recorded until said plat is completed in accordance with the requirements herein and all other data required by this Policy is submitted to and approved by the Wharton County Commissioners Court.
- B. Every plat shall be duly acknowledged by owners/developers, surveyors, and engineers in the format proved herein and the plat recorded in the office of the County Clerk of the County of Wharton. One copy of the approved mylar plat will also be furnished for the Plat Book Records. It shall be the duty of the owner/developer to verify that subdivision and street names are not duplicated with existing subdivision/developments. All street names are to be approved by the Wharton County 9-1-1 Addressing Coordinator to assure no duplication of road names. Road names shall be approved prior to submission of plat to Commissioners Court.
- C. The Commissioners Court shall have the authority to renew, approve, issue variances, or disapprove of any Plat submitted under this Policy.
- D. Any developer of a subdivision planned within the extra-territorial jurisdiction of an incorporated city of the County shall be required to submit plans for the subdivision for review by the appropriate board of the incorporated city. The approval, change recommendations, or rejection of the plan by that organization will then be submitted by the developer to the Commissioners Court. The Commissioners Court will grant the approval for all plats for the county and within the extra-territorial jurisdiction of a city of the county where there is not an interlocal agreement with the city.
- E. These Policies may be amended at any regularly scheduled meeting of the Commissioners Court after giving notice required by Chapter 232 of the Texas Local Government Code.
- F. It shall be the duty of the developer or his engineer to see that layout and construction follow

the plans as presented with the subdivision plat. The Precinct Commissioner shall be notified at least forty-eight (48) hours prior to the start of construction work. A proposed subdivision of land that is adjacent to a previously approved subdivision of land and is deemed to be part of the same Project, as determined by the County Engineer, shall require full compliance to these regulations, as though both subdivisions were associated with one project, but in multiple phases. This does not mean that an adjacent and separate subdivision has approval to tie roadways into a previously approved subdivision but rather allows the County to review these two separate applications as though they are one.

II. PROCEDURE

- A. Thirty (30) days prior to action requested by the Commissioners Court, the owner/developer shall submit the following to the County:
1. One (1) digital copy of the plat is submitted to the County Engineer to review. If a Short Form Plat is Approved, then the County Engineer will sign an approval letter, and then the required copies of the plat will need to be submitted to the County Judge's office to be put on an agenda. All hard copies of the plat must be at the County Judge's Office by noon the Wednesday prior to the next scheduled Commissioners Court. If Short Form Plat is not approved, or if a Standard Plat is required, then proceed to Step 2.
 2. One (1) digital copy of the plat, construction drawings, design information, subdivision and street name verification, engineering report, hydraulic and hydrologic models, and other pertinent information is submitted to the County Engineer to review.
 3. One (1) hard copy of the subdivision plat and additional information that may be required to the County's Permit & Inspection Department for approval concerning flood data and "Onsite Sewage Facility Regulations."
 4. A copy of the subdivision plat and a list of proposed new street names listed in alphabetical order to Wharton County 9-1-1 Addressing Coordinator to assure no duplication of new street and subdivision name.
 5. After approval has been received from those indicated above, the subdivider/owner will submit the required hard copies of the final plat and the required bonds to the Commissioners Court for their consideration.
- B. Prior to approval by the Commissioners Court and fulfillment of all the requirements of this Policy, the subdivider/owner will furnish two (2) mylar original plats, Two (2) blueline or blackline copies, and one (1) 8-1/2" X 14" reduced paper copy of plat to the Judge's Office by noon on the Wednesday prior to the next Commissioners Court.

III. VARIANCES

- A. The Commissioners Court shall review the variance request and authorize a variance from these regulations when in its opinion undue hardship will result from requiring strict compliance. The applicant shall have the responsibility of proving that compliance would create a hardship. In granting a variance, the Commissioners Court may prescribe conditions that it deems necessary or desirable to the public interest. Any conditions that are prescribed shall be deemed continuing and shall be placed of record in the office of the county clerk either on the face of the subdivision plat or as an attachment thereto.

The Commissioners Court shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon public health, safety, convenience, and welfare in the vicinity. No variance will be granted unless the Commissioners Court finds that an undue hardship exists. The following conditions must be present for consideration:

1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land;
 2. The granting of the variance will not be detrimental to the public safety or welfare, or injurious to other property in the area;
 3. The granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter; and
 4. A more appropriate design solution exists which is not currently allowed in this regulation.
- B. A variance may not be granted in such cases where the only evidence for the granting of the variance is the loss of a potential profit at the time of the lot development and build out. Economic hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship.
- C. Such findings of the Commissioners Court, together with the specific facts on which such findings are based, shall be incorporated in the official minutes of the Commissioners Court meetings at which such variance is recommended or granted. Variances may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice done. The Commissioners Court may reach a conclusion that a hardship exists if it finds that:
1. The applicant complies strictly with the provisions of this chapter, and no other reasonable use of the property may be made except for the use that is proposed and

recommended;

2. The hardship to which the applicant complains is one suffered by the applicant rather than by neighbors or the general public;
 3. The hardship relates to the applicant's land, rather than personal circumstances;
 4. The hardship is unique to the property, rather than one shared by many surrounding properties; and
 5. The hardship is not the result of the applicant's own actions or neglectful conduct.
- D. In granting variances, the County may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties. All conditions as are imposed shall be placed of record on the face of the subdivision plat or may, as an alternative thereof, be placed of record by separate instrument duly filed for record with the subdivision plat in the office of the County Clerk.
- E. A variance may, at the sole discretion of the Commissioners Court, be issued for an indefinite duration or for a specified period of time.
- F. All conditions imposed by the Commissioners Court are enforceable in the same manner as any other applicable requirement of this variance.

IV. PLAT REQUIREMENTS

A. Title and Survey

1. A certification by a registered Texas Land Surveyor certifying to the accuracy of the survey and plat.
2. The developer/owner, or his legal representative, will provide adequate proof of title for the property involved in the proposed subdivision. The Developer and/or Owner shall submit a current title report, statement or opinion, title policy or certificate or letter from a title guaranty company authorized to do business in the State of Texas or an attorney licensed as such in the State of Texas shall be provided with the plat, certifying that a search of the appropriate records was performed covering the land proposed to be platted and providing the following information concerning the title to said land:
 - a. The date of the examination of the records.
 - b. A legal description of the property proposed to be subdivided including a metes and bounds description of the boundaries of said land.
 - c. The name of the owner of record owning fee simple title as of the date of the examination of the records, together with the recording information of the instruments whereby such owner acquired fee simple title.
 - d. The names of all lienholders together with the recording information and dates of the instruments by which such lienholder acquired their interest.
 - e. A description of the type and boundaries of all easements and fee strips not owned by the subdivider of the property in question together with the recording information and date of the instruments whereby the owner of such easements or fee strips acquired their interest.
 - f. A statement certifying that no delinquent ad valorem taxes are due on the property being platted.
 - g. The title report must be an original and signed by an officer of the title company.

B. Form and Content

The plat shall be drawn with ink on linen or equal on sheets 24" wide and 36" long, with margins of not less than one-half inch (1/2"). All drawings, printing and signatures must be in permanent black ink. Ink must be on mylar with image on top. The recording plat shall be 3 mil or greater matte finish mylar material. When more than one sheet is necessary to

accommodate the entire area, an index sheet showing the entire subdivision at an approximate scale shall be attached to the plat. The plat shall show the following:

1. Name, address, and telephone number of the subdivider, record owner, engineer, and surveyor.
2. The proposed names of the subdivision, development or streets which shall not be a duplicate of any other subdivision, development or street name respectively on record in Wharton County.
3. Names of contiguous subdivisions and other owners of contiguous parcels of unsubdivided land, and indicate if such contiguous properties are platted.
4. Metes and bounds of the subdivision.
5. Primary control points or descriptions, and ties to such control points or descriptions, to which all dimensions, angles, bearings, block numbers, and similar data shall be referred.
6. A key location map located in the upper right-hand corner or on a cover sheet, showing the location of the subdivision with respect to well-known points, highways, etc., within the County.
7. Subdivision boundary lines, indicated by heavy lines and the computed acreage of the subdivision.
8. Existing sites as follows:
 - a. The exact location, dimension name, and description of all existing or recorded streets, alleys, reservation easements, or other public rights-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries.
 - b. The exact location, dimension, description, and name of all existing or recorded residential lots, parks, public areas, permanent structures, and other sites within or contiguous with the subdivision.
9. The exact location, dimension, description, and name of all proposed streets, alleys, drainage structures, parks, other public areas, reservation easements, or other rights-of-way, blocks, lots, and other sites within the subdivision.
10. Date of preparation, scale of plat, graphic scale and North arrow.
11. Topographical information which shall include contour lines on a basis of two (2) vertical feet in terrain with a slope of two percent (2%) or more, and on a basis of

one (1) vertical foot in a terrain with a slope of less than two percent (2%).

12. Street names, lot numbers, and alphabetical identification of reserves shall be shown on the plat. All lots are to be numbered consecutively within each block. All blocks are to be numbered consecutively within the overall plat or sections of an overall plat as recorded. Reserves (land to be used for other than residential purposes) are to be labeled A, B, C, etc., rather than numbered as blocks and lots. The installation of all street signage shall be the responsibility of the developer.
13. Front building set-back lines on all lots and side set-back requirements.
14. All lot elevations taken at the center of the lot.
15. Label and identify permanent benchmark at the two extremes of the subdivision with the elevation being based on NAVD 88 vertical and NAD 83, State Plane, Southcentral survey, latest date. (Specify benchmark reference and year of elevation datum.)
16. Tax Certificates - the Developer and/or Owner shall provide an original certificate, for the current year, from each tax collector of each political subdivision in which the property is located and shall accompany the plat, indicating that no delinquent ad valorem taxes are owed on the real property.
17. For the purpose of on-site sewage facilities, as required by Title 30, Texas Administrative Code, Chapter 285 On-Site Sewage Facilities, planning materials for developments must be submitted to the Wharton County Permit & Inspection Department with the subdivision plat. The planning materials shall be prepared by a professional engineer or professional sanitarian and shall include an overall site plan, topographic map, 100-year floodplain map, soil survey, location of water wells, locations of easements, and a complete report detailing the types of OSSF's to be considered and their compatibility with area-wide drainage and groundwater. A comprehensive drainage plan shall also be included in these planning materials.
18. Flood plain designation with all lots located in the 100-year flood plain so designated and base flood elevations clearly shown on plat. For any development located in flood zone areas without base flood elevations provided, it shall be the developer's responsibility to have an engineer or surveyor estimate said base flood elevations.
19. As per the Floodplain Ordinance, a new floodplain (Zone AE) and base flood elevation shall be established for subdivision proposals and manufactured homes, mobile home parks, tiny home parks, and/or RV Parks that are greater than 50 lots or 5 acres, whichever is lesser. This effort may require a Letter of Map Revision through FEMA, prior to plat approval, and at the discretion of the County Engineer. Where impacts to the floodplain are anticipated, a Conditional Letter of Map Revision will be required prior to Plat approval. New floodplains shall be delineated

up to a 64-acre drainage area limit. No new floodplain is required to be defined if the contributing drainage area is less than 64 acres.

20. All pipelines and/or pipeline easements shall be shown on the plat. Pipelines having no defined easement location or widths shall be tied and dimensioned to all adjacent lots and tract corners. If no agreement can be reached on a defined easement, then building set back lines shall be shown at a minimum distance of 25 feet from and parallel to the center of the pipeline.
21. Boundaries - The boundaries of the plat shall be described with the complete and overall dimensions and bearings and be tied to an original corner of the original survey of which the subdivision is a part, or to the nearest possible street intersection.
22. Extensional Data - The location, width, and name of existing streets and subdivisions and the location of existing lots, easements, pipelines, fee strips, survey lines, building lines, water courses, or other important information shall be shown on all sides of the subdivision for a distance of not less than 200 feet. The lines of such indication beyond the plat boundary shall be dashed.
23. Platting Fees - A Cashier's check or money order, payable to the County of Wharton, or cash, in the Amount specified as follows: Subdivision - A base fee of seventy five dollars (\$75.00), plus thirty dollars (\$30.00) per sheet, plus three dollars (\$3.00) per lot for single family residential development, or two dollars (\$2.00) per unit for multi-family development, plus fifteen dollars (\$15.00) per acre for any land within the boundaries of the plat not divided into normal single family residential lots, but reserved or intended for apartments, commercial, industrial, open space reserve, etc.

Short Form platting fee will be a flat fee of thirty dollars (\$30.00).

Engineering Review fee shall also be paid at the time of application. The application is not considered submitted until all fees are paid. Reference *An ordinance of Wharton County, Texas, Revising the Drainage Fee*. All platting fees are due at the time of application. All inspection fees, as noted in the *An ordinance of Wharton County, Texas, Revising the Drainage Fee* shall be paid prior to final plan approval.

C. **Acknowledgments**

The following acknowledgments will be placed on the plat or on the cover sheet if required in the format indicated below. The County Clerk will not accept the plat for filing until all such acknowledgments have been completed.

1. **Owner's Acknowledgment**

THE STATE OF TEXAS
COUNTY OF WHARTON

I (or we), {name(s) of owner(s) if individual(s)} or (name of president and secretary or authorized trust officer of a company or corporation) being officers of (name of company or corporation), owner (or owners) of the (number of acres) tract described in the above and foregoing map of (name of subdivision or development), do hereby make and establish said subdivision and development plat of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself (or ourselves), my (or our) heirs and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, I (or we) do hereby dedicate for public utility purposes an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, I (or we) do hereby declare that all parcels of land designated as lots on this plat are intended for the construction of single-family residential dwelling units thereon (or the placement of mobile homes, RVs, tiny homes, or manufactured homes) and shall be restricted for same under the terms and conditions of such restrictions filed separately.

FURTHER, I (or we) do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tanks into any public or private street, road or alley or any drainage ditch, either directly or indirectly.

ADDITIONAL PARAGRAPHS TO BE ADDED AS NEEDED:

(When streets within the plat are to be developed with open ditches).

FURTHER, I (or we) do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters (1 3/4) square feet (24" diameter). Furthermore, I (or we) do hereby covenant and agree that all of the property within the boundaries of this plat be restricted to provide that all portions of driveways located with public (or private) ROW shall have a minimum of 6-inches of gravel cover and shall have a minimum of 6-inches of cover over a drainage culvert.

(When subdivision contains natural drainage ways such as bayous, creeks, gullies, ravines, draws or drainage ditches).

FURTHER, I (or we) do hereby dedicate to the public a strip of land fifty (50) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws and drainage ditches located in said subdivision, as easements for drainage purposes. Wharton County or any other governmental agency shall have the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, I (or we) do hereby covenant and agree that all of the property within the boundaries of this subdivision and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, excessive vegetation and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

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

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

2. **Execution of Owner's Acknowledgment**

Example Form

(When owner is an individual or individuals)

WITNESS my (or our) hand in the County of _____, Texas, this
(number) day of (month) , (year).

_____ (signature of owner or owners)
(names to be printed)

(When owner is a company or corporation)

IN TESTIMONY WHEREOF, the (name of company) has caused these presents to be signed by (name of president or vice-president), its (president or vice-president), hereunto authorized, attested by its Secretary (or authorized trust officer), (name of secretary or authorized trust officer), and its common seal hereunto affixed this (number) day of (month), (year).

(name of company)

By: _____ (signature) _____
(president or vice-president)

Attest: _____ (signature of secretary or authorized trust officer)

Title:

(affix corporate seal)

Note: All owners' signatures shall be acknowledged by a Notary Public.

3. **Lienholder's Acknowledgment and Subordination Statement**

Note: Holders of all liens against the property being platted must be a part of the plat or prepare separate instruments which shall be filed for record with the plat.

Example Form

I, (or we), (name of mortgagee or names of mortgagees), owner and holder (or owners and holders) of a lien (or liens) against the property described in the plat known as (name of plat), against the property described instrument of record in Volume __, Page __, of the Official Records (or Deed of Trust Records) of Wharton County, Texas, do hereby in all things subordinate to said plat said lien(s) and I (or we) hereby confirm that I am (or we are) the present owner (or owners) of said lien(s) and have not assigned the same nor any part thereof.

By: (signature of lienholder)
(name to be printed)

Note: All lienholder signatures shall be acknowledged by a Notary Public.

4. **Notary Public Acknowledgment for all Signatures**

STATE OF TEXAS
COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared (names of persons signing the plat, owners, corporation officers and lienholder), (corporation titles if appropriate), known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purposes and considerations therein expressed (add for corporations "and in the capacity therein and herein set out, and as the act and deed of said corporation.")

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS (number) day of (month), (year).

(signature of notary public)

Notary Public in and for the State of Texas

(affix Notary Seal)

5. **Certificate for Surveyor**

I, _____, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct, was prepared from an actual survey of the property made under my supervision on the ground and that all boundary corners, angles, points of curvature, and other points of reference have been marked with iron (or other suitable permanent ferrous metal) pipes and a length of not less than three (3) feet.

(signature of surveyor)
(print name)

Texas Registration No. _____

(Affix Seal)

6. **Commissioners Court Certificate**

STATE OF TEXAS
COUNTY OF WHARTON

The above and foregoing Plat was approved by the Commissioners Court of Wharton County, Texas, this the _____ day of _____, 20_____.

Pct 1, County Commissioner

Pct 2, County Commissioner

Pct 3, County Commissioner

Pct. 4, County Commissioner

County Judge

7. **County Clerk Certificate**
STATE OF TEXAS
COUNTY OF WHARTON

I, _____, County Clerk of the Wharton County, Texas,
do hereby certify the foregoing Plat was filed in my office on the _____
day of _____, 20_____, at _____ o'clock _____.m., in the Plat
Records, Plat Cabinet No. _____, Slide No. _____ of Wharton County,
Texas.

County Clerk

D. Filing Fees

Filing fee to County Clerk must be paid at the time of filing. Filing fee is \$150.00 per plat plus \$150.00 per 2nd sheet same plat plus local fees. Contact County Clerk's office for local fees. Plat sizes shall be 24" x 36" with a reduced plat of legal size 8-1/2" X 14".

E. Short Form Plat

If the County Engineer determines that it would be unreasonable to require an owner of property in an unincorporated area of the county where these regulations are applicable to comply with all of the platting requirements of these rules in order to subdivide property, the owner may submit a short form plat to the County Engineer and Commissioners Court. A short form platting procedure may be requested, if the plat meets the following requirements:

1. No more than four (4) lots, tracts or reserves are included.
2. The area to be platted has access to an existing public street already approved and accepted by the County.
3. The plat does not propose to vacate public street right-of-way or easements.
4. The plat does not propose creation or extension of public street rights-of-way.
5. The proposed development does not require any significant drainage improvements, and does not lie within the 100-year flood plain as determined by the County Engineer.
6. The proposed development creates no significant traffic congestion on the existing public street system as determined by the County Engineer.
7. The short form plat shall meet all of the requirements for plat requirements in Section IV with the following exceptions:
 - a. Topographical information, including elevation contour lines will not be required.
 - b. Labeling and identifying permanent benchmarks will not be required.
 - c. Elevations taken at the center of lot will not be required.
 - d. A drainage analysis will not be required.

Approval of a short form plat shall be based upon the recommendation of the County Engineer and shall be approved at the discretion of the Commissioners Court.

V. BOND REQUIREMENTS

- A. The Commissioners Court will not approve any plat of any subdivision or re-subdivision unless such plat is accompanied by a bond, where required, the amount of which shall be determined by the Commissioners Court from time to time and shall be made payable to the County Judge. The bond will guarantee that the owner or owners will construct and maintain the roads, streets, and all storm drainage and detention facilities in the subdivision in accordance with the specifications set out herein and as shown on the approved plat, construction plans and specifications and other county requirements. The form of the bond must be approved by the County's attorney. Refer to **Appendix J** for the approved bond form.
- B. The bond requirements for the roads and streets are as follows:
1. For asphalt or gravel open ditch sections – current rate at the time of submission for approval.
 2. For curb and gutter sections - current rate at the time of submission for approval.
 3. For boulevard sections (major thoroughfares) - current rate at the time of submission for approval.
 4. For each bridge of two-lane width - current rate at the time of submission for approval.
- C. The drainage construction bond shall cover 100 percent of the design engineer's approved estimate of construction cost for the open ditch and detention facilities shown on the approved construction plans. The said cost estimate shall be reviewed and approved by the County Engineer.
- D. All bond costs shall be developed by the design engineer and shall be signed and sealed by the design engineer and approved by the County Engineer. Cost estimates generated by a contractor may suffice with the approval of the County Engineer, but shall be itemized with quantities and unit costs.
- E. The bond shall remain in full force and effect until all roads, streets, and all storm drainage and detention facilities in the subdivision have been completed and approved by the County Engineer. Roads and streets (both public and private) shall be bonded for a one (1) year maintenance period. Private roads, once maintained for the minimum one (1) year maintenance period (following final inspection and review of testing by the County Engineer), shall be accepted for maintenance by the Homeowners Association or parties responsible for the maintenance. For public roads, at the end of twelve (12) months from the date the project is completed, the developer may make a request for final inspection by the County Engineer and an official petition shall be submitted to the Commissioners Court to consider taking over the maintenance of said roads, streets, and drainage ditches. In no

way will the Commissioners Court be obligated to take over a public or private road.

- F. All public or private streets, whether dedicated to county maintenance or to private maintenance (Homeowners Association or others), shall be subject to the same specifications for construction.

VI. ACCEPTANCE OF IMPROVEMENT WITHIN SUBDIVISIONS

A. General Acceptance Procedures

1. Prior to construction of the roads, streets, utilities, and drainage facilities, the contractor/developer shall coordinate with the County Engineer on inspection intervals, and review of tests. The County Engineer shall have the discretion to inspect construction of improvements during the course of construction activities, as agreed to at the time of the plat. All inspection fees will be paid for by the developer at the rates stipulated in the *Wharton County Drainage Review Fee Ordinance*, and communicated at the time of (or prior to) plat approval. The County Engineer shall also have the discretion to inspect and approve or deny an existing “oil field”, “farm road”, or other similar improvement that is proposed to be converted to a private or public road as part of a subdivision plat.
2. When construction of the roads, streets, utilities, and drainage facilities is complete the project engineer shall notify the County Engineer and request an inspection of the work. The following documents must be submitted for review and approval prior to the scheduled inspection date:
 - a. Development Engineer Affidavit of Construction Compliance.
 - b. Independent Testing Laboratory Report of Materials Compliance, including subgrade and base material densities, compaction tests and compressive strength.
 - c. Contractor/Contractors Affidavit of Construction Compliance.
 - d. One complete set of Record Documents of all underground utilities, streets, and drainage improvements that have been constructed.
 - e. All public improvements that were required by a city or the E.T.J. of a city may be referred to the city for their review and action.
3. The County Engineer will inspect the improvements (for both public and private roads) and issue a punch list of any deficiencies.
 - a. The inspection shall document the existing condition of all roads, streets, bridges, sidewalks, and pedestrian access structures, related roadside drainage facilities, signage and traffic control devices, and all other appurtenances related to a complete system of public roads or streets. The complete system of public roads, streets along with all related

appurtenances must be in strict compliance with all Federal, State, County, and applicable Municipal regulations, codes, statutes, and policies in effect at the time of the request for acceptance. Conditions that will be notified on this inspection report will consist of, but not be limited to:

- 1) Curb and Gutter roads: pavement cracks, pavement settlement, “bird baths”, lack of joint sealing, spalling joints, other pavement irregularities, cracked curbing, missing curbs, dirt, trash, or other debris in right-of-way, broken, cracked, sunken or debris-filled storm sewer inlets, broken driveways or sidewalks.
 - 2) Open Ditch roads: depth, width, and type of base material and of any black top material; crown width, shape of road cross section, ditches holding water, undersized driveway entrance culverts, and other adverse drainage conditions.
 - 3) Bridges, drainage structures, utilities, and all construction located within the road or street right-of-way or directly affecting the proper function of the system of public streets.
 - 4) A complete system of street signage and traffic control devices in compliance with the *Texas Manual on Uniform Traffic Control Devices*.
 - 5) Any and all other items related to the safe operation and maintenance of a complete system of public streets and drainage.
 - 6) Driveways: culvert sizes too small, culvert lengths exceeding 40-ft, spacing between driveways less than 40-ft, and inadequate cover over driveway culverts.
4. After notification that all deficiencies have been corrected and a final inspection has been completed, the County Engineer will issue a recommendation to the Commissioners Court for the preliminary acceptance of construction and to establish the date of construction completion.
 5. Final inspection should be scheduled within sixty (60) days of the initial inspection. A complete reinspection and a new punch list may be required after the sixty (60) day period.
 6. Upon approval of the Commissioners Court, the bond for the roads and street may be reduced as shown in Section V of these regulations and the bonds for the drainage facilities may be reduced as shown herein.

B. One-Year Maintenance Period

1. To qualify for acceptance into the County Road Maintenance System, the roads or streets and subdivision drainage and detention systems must be maintained by the Developer for a minimum of one (1) year after the date of construction completion; however, the County is not required to accept roadways for long-term maintenance.
2. A one (1) year maintenance period is also required for private roads, prior to release of bond.

C. Acceptance into the County Road Maintenance System

1. Requests for County acceptance of roads and streets shall be directed to the County Engineer by the developer or lot owners.
2. The County Engineer will perform an inspection and will develop and issue a composite list of deficiencies. The inspection will cover all the items noted above for the construction completion inspection.
3. After the deficiencies are corrected and following an additional 3-month time-frame, the County Engineer will perform a scheduled follow-up site inspection and if all previously identified deficiencies and corrections remain corrected then the County Engineer may issue a list of the road or street names and length, and bond number, amount, and bond release information. If at the completion of the 3-month time-frame, the deficiencies remain or return, then additional repairs may be warranted prior to final approval.
4. Upon approval and recommendation of the County Engineer, the Commissioners Court may consider accepting road(s) into the County Road Maintenance System.

D. Conditions of Acceptance

1. Acceptance of the road(s) and street(s) into the County Road Maintenance System will only constitute acceptance of roads, streets, bridges, open ditch drainage and their related appurtenances. Wharton County does not accept or assume maintenance, liability, or responsibility of sidewalks and utilities, located within public right-of-way.
2. Detention facilities will not be accepted for maintenance by Wharton County. All drainage and detention pond facilities will be maintained by the Homeowner's Association and/or adjacent lot owners.

E. Release of Bond

1. The bond will be released when the roads are accepted into the County Road Maintenance System and/or have been approved.
2. The bond will be released when the drainage facilities covered by such bonds have been inspected and approved.

F. Plat Notes

1. Approval of plat does not require the County to accept roadways for long-term maintenance or into the County roadway system, whether a public or private roadway.
2. All detention facilities shall be maintained by an approved HOA or by the lot owners, who's land the detention facility is located in.
3. A drainage easement dedicated to the public does not obligate the County to maintain said drainage channel, ditch, or swale in perpetuity. Any proposed or future drainage structures, culverts, driveways, or other structures proposed within a dedicated easement shall be reviewed and approved by the County Engineer prior to installation. In the event a structure, culvert, driveway, or drainage structure is installed without approval by the County Engineer, then the County may remove said structure from the drainage easement at the expense of the landowner.
4. Wharton County will not maintain any private roadways or drives. Maintenance of all private roadways and drives shall be provided by an approved HOA or by the lot owners of the subdivision.
5. Wharton County may, but is not obligated to, provide long-term maintenance of a public roadway or drive within the subdivision.
6. This property is not located within any city limits or it's ETJ.
7. Driveway Requirements:
 - a. On publicly dedicated roadways, the County may install driveway culverts but is not obligated to install them.
 - b. The County will not install driveway culverts on private roadways.
 - c. The County is not required to grant more than one driveway per tract.
 - d. All culvert lengths for driveways shall be limited to 40-ft (max.), and driveways shall be spaced a minimum distance of 40-ft from each other (measured from driveway culvert to driveway culvert).
 - e. Portions of driveways within County ROW shall be constructed with a minimum of 6-inches of compacted gravel and have a minimum of 6-inches of cover over the culvert.

VII. ENGINEERING REQUIREMENTS

A. Minimum Lot Sizes

1. All lots in a subdivision platted for single family residences with both potable water and sewage disposal facilities provided by on-site units shall contain a minimum surface area of one (1.0) acre of land. The 1.0-acre minimum size must be clear, free from any drainage easements, roads, ponds, or lakes pursuant to state requirements for water well and septic systems. The minimum lot width for 1.0 acre shall be 125 feet wide. Each proposed lot in a platted subdivision shall have no more than one single-family residence per lot. The County (through Commissioners' Court action) may grant a variance to this requirement if lot size is two (2) acres or greater.
2. All lots in a subdivision platted for single family residences served with public water systems and on-lot disposal of sewage shall contain a minimum surface area of 21,780 square feet (0.5 acre) with minimum lot width of 100 feet.
3. All single-family residences in a platted subdivision served by both public water and public sewage disposal systems shall contain a minimum of 70-foot frontage, 120-foot depth, and 8,400 square foot surface area.
4. All lots for condominium, townhouse, or other multi-family developments shall be reviewed by Commissioners Court to ensure adequate property size for parking, fire protection, emergency vehicles, or other required services.
5. All lots related to mobile home parks, RV parks, tiny home parks, and/or manufactured home parks shall conform to the same requirements as single-family residences contained herein.
6. In addition to the minimum requirements in this Section, all lots shall meet the minimum requirements for the placement of individual water wells and on-site sewage disposal system, as required by Title 30, Texas Administrative Code, Chapter 285 On-site Sewage Facilities.
7. Lot Shapes - Lots should be designed, so far as possible, with side lot lines being at right angles or radial to any adjacent street right-of-way line. No key or flag lots shall be allowed.
8. Minimum Building Lines
 - a. Front building lines on minor and collector streets - 25 feet
 - b. Front building lines on major thoroughfare streets - 35 feet.

B. Utilities

1. All public utilities serving part or all of any proposed subdivision shall be approved by the appropriate local or state agency and shall be constructed as shown on the plans.
2. Utility easement shall be provided for proposed or future utilities with a minimum overall width of twenty feet (20'), whether adjoining other lots or not.
3. A minimum ten foot (10') wide utility and drainage easement shall be dedicated adjoining both sides of a public and/or private street right-of-way.

C. Drainage Design

1. The objective of the Wharton County Drainage Policy is to minimize the threat of flooding to all areas of the County and to comply with the requirements of the National Flood Insurance Program. The ultimate goal is intended to be accomplished by the construction and maintenance of drainage facilities and implementation of flood control measures to provide 100-year flood protection in all areas of Wharton County. Additionally, it is the County's intent to ensure that adequate facilities are constructed to accommodate new development while protecting other properties from increased storm runoff and flooding, and so as not to increase the limits of the flood plains as shown on the flood insurance rate maps for Wharton County. The County's policy is intended to limit ponding in the street systems of the County, and more importantly, to require that minimum new house and building slab elevations are set a minimum of 18 inches above the base 100-year flood elevation, or a minimum of 18 inches above natural grade or a minimum of 18 inches above the minimum anticipated ponding levels, whichever is higher. Where development occurs adjacent to existing drainage channels, the developer must provide right-of-way for the ultimate channel section, as determined by the County or by an appropriate engineering study, at no cost to the County.
2. Prior to the submission of any plat of a proposed subdivision to the Commissioners Court, a complete Engineering Drainage Design Report and Construction Drawings including drainage calculations, shall be prepared (signed and sealed) by the Design Engineer, a professional engineer licensed in the State of Texas. The Report, calculations, and construction drawings shall be submitted to the County Engineer, for his/her review and approval a minimum of thirty (30) days prior to the requested date of action by the Commissioners' Court. At a minimum, the Engineering Report shall address storm runoff before and after development for the 2-, 10-, 25-, and the 100-year storm events. When a development increases flow rates to the downstream waterways, with limited drainage capacity as determined by the County Engineer, the Report shall address mitigation of the increased runoff using offsite or onsite improvements, and/or detention ponds.

3. Drainage Design shall meet or exceed the following criteria:
 - a. Roadside ditches shall be constructed with a minimum of 3:1 side slopes and with a minimum flowline slope of 0.10 feet of fall per 100 feet of length.
 - b. Gutter flow lines on curb and gutter streets shall be constructed with a minimum slope of 0.30 feet of fall per 100 feet of length.
 - c. Culverts shall be Corrugated Pipe (either Aluminized Steel Type 2 or Polymer-Coated), 14-gauge min.
 - d. Detention basins shall be constructed for all development projects that require onsite mitigation of increased storm runoff.
 - e. Off-site runoff shall be accommodated within the development and managed through the development via a drainage easement and open channel capable of conveying the 100-yr off-site flow with 6-inch freeboard.
 - f. Detention facilities shall drain in less than 24-hrs. This is also the case for detention facilities with pump stations.
 - g. Detention facilities shall be located within a drainage easement of a lot that is owned by the HOA or by a lot owner that is required to maintain the facility.

4. Computation of Storm Runoff

Peak storm runoff rates may be estimated using the Rational Method (with the latest Atlas 14 rainfall statistics). In larger, complex watersheds, other methods of hydrologic analysis may be used, when approved by the Commissioners' Court. The peak runoff before and after development will be calculated using the Rational Method equation:

$$Q = CiA$$

Where:

- Q is the peak runoff rate (cubic feet per second).
- C is the runoff coefficient for the watershed (unitless).
- i is the rainfall intensity for the critical time of concentration for the watershed (inches per hour).
- A is the area of the contributing watershed (acres).

The runoff coefficient and rainfall intensity shall be computed using the Texas Department of Transportation Hydraulic Design Manual (current revision as available on the Texas Department of Transportation Manual System Website).

Roadside ditches within the development shall be designed to convey developed runoff from the 10-year storm. Internal drainage channels and diversion channels shall be designed to convey the 25-yr storm plus 6-inch freeboard. Consideration must be given for conveyance of the 100-year runoff through the development without creating excess flooding within or adjoining the development. All runoff calculations shall adhere to NOAA Atlas 14 rainfall statistics.

5. Detention Design

Detention facilities, if required, shall be sized to detain the peak developed runoff, while allowing discharge at a maximum rate not to exceed the undeveloped runoff rate for the 2-, 10-, 25-, and 100-year storm (Atlas 14). The Design Engineer shall confirm that the downstream waterway has adequate capacity to accommodate the entire contributing watershed at the proposed detention discharge rate or the detention discharge rate shall be reduced to the pro rata share of the downstream waterway capacity.

Detention may be computed using the following Simplified Method (*or other methods as defined in the Wharton County Drainage Criteria Manual*):

The simplified inflow hydrograph shall have a peak runoff rate computed using the Rational Method at the critical time of concentration for the contributing drainage area. The minimum critical time of concentration for the computation of the detention volume shall be 20 minutes. The discharge versus time graph of the simplified inflow hydrograph shall be triangular in shape with a base equal to four times the critical time of concentration.

The simplified outflow hydrograph shall be represented by a line that extends from the origin of the hydrograph to the point at which the allowable discharge rate intersects the descending leg of the simplified inflow hydrograph. The detention volume may be computed as the difference between the simplified inflow and outflow hydrograph as follows:

$$V = 4 * t_c * (Q_{DEV} - Q_{ALLOW})$$

V = detention volume required (cubic feet)

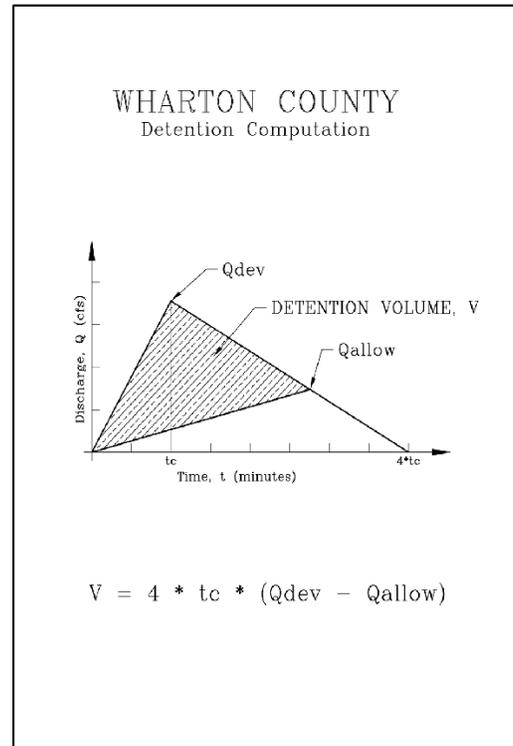
t_c = developed time of concentration (seconds)

Q_{DEV} = developed peak storm runoff (cubic feet per second)

QALLOW = allowable peak storm runoff for the development
(cubic feet per second)

A graphical representation of this Simplified Method for computation of the detention volume is attached. Other acceptable methods for computing detention are provided in the *Wharton County Drainage Criteria Manual (latest edition)*.

Detention and related drainage facilities shall have a gravity discharge and shall be designed and constructed with consideration for long-term maintenance and operation. Detention facilities must be owned and maintained by a permanent, privately funded property owners association, private corporation, or lot owner acceptable to the County. In special circumstances pumped detention systems will be accepted. All pumped systems shall have a primary pump and a back-up pump (should the primary pump fail). All pumped systems shall have a maintenance plan developed, approved by the County Engineer, and recorded as an affidavit with the County Clerk's Office.



6. Drainage outfalls from ditches into natural or constructed drainage ways shall enter 6-inches above the grade of the existing drainage channel. If necessary, drop or other type outfall structures shall be installed to prevent erosion. These structures shall be placed so as to not interfere with maintenance of the channel.
7. Drainage Easement Widths - all necessary drainage easements shall be furnished at no expense to Wharton County and meet the following standards and widths:
 - a. Top channel widths from 0 to 50 feet require top width plus 15 feet on each side.
 - b. Over 50 feet top channel widths require top width plus 25 feet on each side.
8. This note shall be placed on all plats to be recorded dedicating drainage easements:

“All drainage easements shall be kept clear of fences, buildings, plants, and other obstructions for the operation and maintenance of the drainage facility, and abutting property shall not be permitted to drain into this easement except by an approved means.”

D. General Street Location Standards

All proposed streets shall provide satisfactory alignment for continuation of existing platted streets with which they are to connect, and shall compliment any comprehensive plan adopted by the Court.

1. Basic Consideration - Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient. Proposed streets shall be extended to the boundary lines of the land included in the subdivision submitted for approval, when extension is required to provide for normal circulation of traffic within the vicinity.
2. Specific Considerations
 - a. Alleys - Alleys may be provided to serve business, commercial and industrial areas, for service access, off-street loading, unloading and parking consistent with and adequate for the uses permissible on the property. The right-of-way width of an alley shall be twenty feet (20') or more. Changes in alignment of alleys shall be made on the centerline radius of not less than fifty feet (50'). Dead-end alleys shall be avoided where possible, but, if unavoidable, shall be provided with adequate turnaround facilities for service trucks at the dead end, with a minimum external R.O.W. diameter of one hundred feet (100').
 - b. Arterial Streets - Where a subdivision abuts or contains an existing or proposed arterial street, the County Commissioner may require marginal access streets, to afford separation of through and local traffic.
 - c. Arterial and Collector Intersections - New street entrances on roads designated or classified as major arterials shall not be less than one thousand - seven hundred feet (1,700') apart, and new street entrances on roads, designated or classified as collector streets, shall not be less than five hundred feet (500') apart; provided, however that the County Engineer may reduce these requirements whenever it is determined that such action will not be contrary to the purpose of this regulation.
 - d. Cul-de-sacs - Cul-de-sac streets shall not exceed two thousand feet (2000') in length except in those cases where the pavement is constructed twenty-four feet (24') wide for the entire length of the roadway and in no case longer than four thousand feet (4000') without a variance being granted by Commissioners Court. In addition, for cul-de-sac streets exceeding one thousand feet (1000') in length, the developer shall provide stub streets every one thousand feet (1000'), right and left, to the plat boundary if the contiguous properties are undeveloped. Turnaround shall be provided at the closed end (cul-de-sac) having an outside roadway paving diameter of at

least one-hundred feet (100') and a property line diameter of at least one hundred twenty feet (120').

- e. Curvilinear Streets - Whenever a street changes direction or connecting street lines deflect from each other by more than ten (10) degrees, there shall be a horizontal curve. To ensure adequate sight distances, minimum center line radii for horizontal curves shall be as follows:

Minor and Collector Streets - 300 feet

Major Arterial Streets - 750 feet

- f. Dead End Streets - Temporary dead-end streets may be permitted upon approval by the County Engineer. Temporary cul-de-sacs, meeting the above requirements, shall be provided for streets exceeding one lot depth.
- g. Ditch Grades - The grades on all ditches shall conform to the following requirements:
 - 1) Maximum Grade 6%
 - 2) Minimum Grade 0.10%
- h. Half Streets - Unless contiguous to an existing subdivision with a half street, half streets shall not be permitted.
- i. Minor (or local) Streets - Minor streets within subdivisions should be so laid out and designed that their use by through traffic and speeding traffic will be discouraged.
- j. Private Roads - Private Roads are permitted in Wharton County.
- k. Reverse Curves - A tangent of at least one hundred feet (100') shall be introduced between reverse curves on major arterial and collector streets.
- l. Street Jogs - Street jogs, or centerline offsets in the horizontal alignment of streets across intersections of less than one hundred twenty-five feet (125') shall be prohibited.
- m. Street Names and Numbers - All streets within a subdivision hereafter established shall be named. No name shall be used which will duplicate or be confused with existing street names, and all shall be approved by the 9-1-1 Addressing Coordinator.
- n. Street Signs - Street name or number markers and stop signs (Texas MUTCD R1-1) which meet County specifications shall be installed at all street

intersections when streets are accepted for maintenance and curve signs (Texas MUTCD W1-2R or 2L, W1-4R or 4L) shall be erected where the degree of curve exceeds 5 degrees. Stop ahead signs (Texas MUTCD W3-1 or W3-1a) shall be erected when the stop sign is not visible for a sufficient distance to permit the driver to stop. Dead end signs (Texas MUTCD W14-1) shall be erected for each cul-de-sac street. Type III barricades (Texas MUTCD) shall be erected at the end of each temporary dead-end street.

3. Installation of Improvements - Where applicable, all the underground work for water mains, sanitary sewers, storm sewers, gas mains, electric power, telephone services, conduits, and any other utilities including all service connections shall be installed completely and approved through the length of the road to a point at least two feet (2') outside of the back of the curb, or edge of the pavement prior to placement of base materials. All underground improvements so installed for the purpose of future service connections, shall be properly capped and back filled.

E. Design, Inspection and Completion of Improvements

1. Design and Inspection of Improvements

A Texas Registered Professional Engineer shall be employed by the developer to design required physical improvements to include but not be limited to streets, drainage facilities, bridges, sidewalks, bulkheads and utilities. All plans for improvement submitted both at the preliminary and final stage of development shall be prepared by an engineer.

All physical improvements (including all utilities) shall be installed under the direction, supervision, and coordination of the developer's engineer. After required improvements have been installed, such engineer shall submit certification that the improvements have been constructed according to approved plans and specifications along with such changes requested in writing and approved by the County Engineer. The County Engineer shall inspect all construction subject to these regulations. He shall be authorized to call to the attention of the developer's engineer or owner any failure of work or materials to conform with the plans and specifications. Inspection by the County Engineer or failure by him to inspect construction as required herein shall not in any way impair or diminish the obligation of the developer to install improvements in the subdivision in accordance with plans and specifications as approved by the County in accordance with the County's standards. The required laboratory tests and field measurements are as follows:

- a. Subgrade - width, depth, density and plasticity index.
- b. Base - width, depth, density, crown.
- c. Surface - width, depth, extraction and stability.

- d. Concrete - Compressive strength.
- e. Other tests as stipulated in the specifications associated with the activity.

Such tests to be made by approved testing laboratory at the developers expense and in keeping with good engineering practice.

The developer may delay the placement of the wearing course (or blacktopping) until just prior to the final inspection at the end of the 12 month's maintenance period by the developer. Wharton County reserves the right to inspect and approve the base course (prior to priming and application of the wearing surface) and may require that additional materials be incorporated into the base course to bring it up to required standards.

Prior to final inspection by Wharton County, the developer's engineer shall submit a statement to the County Engineer that all materials used meet Texas Department of Highways and Public Transportation current specifications and that the tests and measurements performed by him meet the requirements of the plans and specifications. To accomplish this requirement, it is suggested that the developer's engineer require that all material suppliers submit certifications of their material to him.

Copies of all test reports, including subgrade densities, base densities, asphalt testing, and compression tests, shall be submitted to the County Engineer as they are prepared.

At the expiration of a minimum of one year, following completion and approval of construction, the developer will notify the County Commissioner and County Engineer by letter, that these improvements have been maintained at his expense for a period of one year. This one-year period shall begin following completion and approval (by the County Engineer) of the construction of the roads, driveways (in ROW), streets, utilities, and drainage facilities.

Upon receipt of said request, the County Engineer will make a final inspection of the improvements and if they are in conformance with the approved plans and these Regulations, the Commissioners Court, upon recommendation of the County Engineer, may consider acceptance of said roads for County Maintenance.

F. Right-of-Way Provisions for Dedicated Roads

- 1. Right-of-Ways - Shall be sufficiently wide to fully encompass:
 - a) Major arterial streets (100' to 120')

- b) Collector streets (80' Min.)
- c) Local or minor streets (rural streets to be governed by cross-section - 60' Min.) (50' Min. with curb and gutter)
- d) Construction and utility easements for all of the above (10' wide each side) outside of and contiguous to right-of-way.
- e) Classification Chart

Type of Road Required	When # of Lots Relating to Road Traffic Exceeds:
local (or minor)	required as a minimum
collector	400 lots
2 lane arterial	1000 lots
4 lane arterial	5400 lots

- 2. Additional Right-of-Way - a proposed subdivision that adjoins or encompasses an existing public street, that does not conform to minimum right-of-way requirements of these regulations, shall provide for the dedication of additional right-of-way along either or both sides of said street so that the minimum right-of-way required by these regulations can be established. If the proposed subdivision abuts only one side of said street, then a minimum of half of the required right-of-way shall be dedicated by such subdivision.

G. Road Construction Specifications

The following shall be the minimum specifications for the preparations and construction of streets dedicated to the public, in said street right-of-way. This section shall also apply to existing “farm roads”, “oil field” roads, and/or other similar facilities that are proposed to be converted to a private road or public road within a proposed dedicated right-of-way, via a plat. All work, methods, materials and equipment, not covered by these "Regulations", shall conform to the most current issue of "Standard Specifications and Construction of Highways, Streets and Bridges" of the Texas Department of Highways and Public Transportation.

- 1. Clearing and Grubbing - Shall consist of the removal and disposal of trees, stumps, brush, roots, vegetation, logs, rubbish and other objectionable matter.
- 2. Backfilling - Excavations and depressions must be properly backfilled and compacted in accordance with good engineering practice.

3. Disposal of Waste Material

- a) Muck and peat shall be completely removed within the area between points five feet (5') outside the edges of the pavement and spread uniformly two inches (2") loose, on shoulders and front slopes, or disposed of by the developer.
- b) Trash, brush, trees, etc., may be burned within the rights-of-way limits provided no local, county, state, or federal law is violated.

4. Grading - The fill section shall be constructed in eight inch (8") maximum lifts to provide 95% density to a minimum thirty-two foot (32') wide road crown.

5. Subgrade

- a) Width - The subgrade shall be four feet (4') wider than the base material course (2 feet each side) and in the case of curb and gutter, shall extend to the back side of the curb two feet (2').
- b) Stabilization - The plasticity index of the subgrade soil shall be determined by the A.A.S.H.T.O. method of testing. When the plasticity index exceeds twenty (20), the percentage of hydrated lime shall be determined by a geotechnical engineer at the expense of the developer, shall be added to the subgrade, which shall be stabilized to a compacted depth of a minimum of six inches (6"). After curing, the stabilized section will be tested again (prior to placement of the base material) by the same testing laboratory, to determine if the desired plasticity index was reached. The stabilized area will then be compacted to a density of not less than 95% standard proctor by standard A.A.S.H.T.O. methods. Density tests shall be provided to the County Engineer.

6. Base

- a) When accepted by the County Engineer, a gravel roadway may be allowed. Gravel roads may be allowed only when a proposed private roadway is coming off of an existing gravel roadway maintained by the County or for an RV Park. Gravel roadways will need to be compacted minimum 10" thick Gravel or equivalent. Compaction shall be less than 95% standard proctor as per AASHTO methods.
- b) Acceptable Base Material - All suitable base materials (limestone, caliche, stabilized shell or other materials suitable to the County Engineer) will be compacted to a depth as determined by a geotechnical engineer at the expense of the developer, or as directed by the County Engineer, to a density

of not less than 95% standard proctor by standard A.A.S.H.T.O. methods. Design computation on roads where heavy traffic or loads can be expected may be required by the County Engineer. Design computations, when required, will be submitted with Improvement Plans. All base materials and construction methods shall meet TxDOT Specification Item 247.

- c) Compacted Depth min. - Note that all depths shall be verified by a geotechnical engineer at the expense of the developer.
 - Arterials - 12" limestone, or equal
 - Collectors - 10" limestone, or equal
 - Local - 10" limestone or equal
- d) Width - All bases shall be two feet (2') wider (1' each side) than the finished surface or to the face of the curb.
- e) Forms - No form board will be required unless, in the opinion of the County Engineer, the developer is not taking precautions to obtain the full depth at the edges.
- f) Prime Coat - Shall consist of 0.20 of a gallon MC-30 per square yard.

7. Surface

- a) Acceptable Types
 - 1) Where acceptable by the County Engineer, gravel roads may be used as the final surface finish, and shall adhere to the base specification noted above.
 - 2) Bituminous Surface Treatment (Double surface treatment minimum) - First course shall be grade 3 and second course shall be grade 4 aggregates. Reference TxDOT Specification Item 302.
 - 3) Asphaltic Concrete - Hot Mix, Hot Laid, one and one-half inches (1-1/2") thick minimum. (Type "D") – if approved by the County Engineer. Reference TxDOT Item 341. HMAC roadways are only allowed on private roads or drives.
 - 4) Portland Cement Concrete - All concrete pavement materials and construction shall adhere to TxDOT Item 360. PC Concrete thickness, reinforcing steel requirements, and spacing shall adhere to the pavement design recommendations of the geotechnical engineer, but at a minimum shall be 7-inches thick. PC Concrete shall have a minimum compressive strength of 4,000 psi at 28 days and a minimum flexural strength of 570 psi at 28-days. In addition, the

following requirements shall apply:

- (a) Minor-Subdivision Streets - Minimum width, back-to-back of curb shall be 28'-0" (4,000 PSI). In developments where no curbs are to be used, a thickened edge pavement is required. The thickened edge shall be a min. of 6" at a point 4' from the edge of pavement. Minimum width to be 20'.
- (b) Collector Subdivision Streets - (No Median) Minimum width for roadway section to be 29'-0" back-to-back of curb. In development where no curbs are used, a thickened edge pavement is required. The thickened edge to be a min. thickness of 7" at a point 4' from the edge of the pavement. Minimum width of pavement will be 11' for each one-half roadway section.
- (c) Major Arterial Streets - (2 Lane - No Median) Minimum width for roadway section to be 27'-0" back-to-back of curb. With parking, width shall be 43'-0" back-to-back of curb. In developments where no curbs are used, a thickened edge pavement is required. The thickened edge to be a min. of 7" at a point 4' from the edge of pavement. Minimum width of pavement will be 12' for each one-half roadway section.
- (d) Major Arterial Streets - (4 Lane) - Minimum width of roadway section to be 51'-0" back-to-back of curb. With parking, width shall be 67'-0" back-to-back of curb. In developments where no curbs are used, a thickened edge pavement is required. The thickened edge shall be a min. of 7" at a point 4' from the edge of pavement. Minimum width of pavement will be 24' for each one-half roadway section.
- (e) The developer's engineer will have his survey party establish blue tops and tack points on offsets at intervals not exceeding 50' on tangents and 25' on all vertical and horizontal curves to which the pavement is to be laid, set radius points, and will be required to check the subgrade, form lines and grade immediately prior to the pour, in order to attain both a true line, a uniform thickness and a smooth riding surface. No concrete shall be laid at any time unless the County Engineer's Office is notified 24 hours in advance. Expansion joints with standard load transmission device, or equal, are to be placed a maximum of 60' center to center. All joints are to be poured with an asphaltic compound as quickly as possible

after the concrete has been laid.

- (f) All concrete pavement is to be laboratory controlled by a recognized laboratory. The laboratory shall inspect and test concrete batch design at the plant site before beginning each day's pour. A beam shall be made for each 1,000 square yards of pavement or part thereof for each day's pour and/or one beam on each street. The beam shall be tested at 7 days. Minimum flexural strength shall be 450 psi at 7 days. One core shall be taken for each 1,000 linear feet of pavement, except that not less than one core shall be taken for each 2,500 square yard of pavement and/or one core on each street. Each core shall be checked for thickness. Minimum compressive strength shall be 3200 psi respectively at 7 days. Cores shall not be tested until concrete is a minimum of 28 days old, unless approved by the County Engineer. Complete reports shall be furnished on all tests, a copy of which shall be submitted to the County Engineer.
- (g) A minimum of 72 hours shall elapse from the time the pavement is finished and any construction traffic is allowed onto the pavement. Prior to allowing construction traffic on the pavement, a TxDOT Fast Track Concrete Pavement Test shall be conducted meeting the TxDOT specifications under TxDOT Item 360.
- (h) Weakened plane (or dummy) joints shall be sawed transversely, 1" deep, every 20 feet, i.e.: 3 per each 60-foot slab, unless otherwise directed by the project geotechnical engineer and approved by the County Engineer.

b) Surface Widths (Flexible Base & Surface)

The following are minimum roadway surface widths:

Classification	Width No Curbs	Curbed Section Width
(1) Four Lane Major Arterial	48'	48' (plus 2-8' parking lanes in municipal section.)
(2) Two Lane Major Arterial	24'	24' (plus 2-8' parking lanes in municipal section.)
(4) Collector	24'	36'
(5) Local or Minor	20'	28'

(6) Cul de sacs	50' radius, 20' wide pavement	50' radius, 28' wide pavement
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8. Miscellaneous Details

1. Shoulders (Rural Sections):
 - 4 Lane Major Arterial – 8’
 - 2 Lane Major Arterial – 8’
 - Collector – 6’
 - Local – 5’
 - Cul-de-Sac – 5’
2. Sidewalks - Four feet paved sidewalks, if installed, shall be constructed to County Standards.
3. Sprigging, Seeding, and Mulching - Shall be done between edges of pavement and ditch bottoms in rural sections and between curb and sidewalks in urban areas, if need is evident at the end of the twelve (12) month maintenance period, by the developer.
4. Concrete Specifications - Concrete shall have a minimum compressive strength of 4000 psi at 28 days, as per TxDOT Specification Item 360.

9. Driveway Requirements:

1. On publicly dedicated roadways, the County may install driveway culverts but is not obligated to install them.
2. The County will not install driveway culverts on private roadways.
3. The County is not required to grant more than one driveway per tract.
4. All culvert lengths for driveways shall be limited to 40-ft (max.), and driveways shall be spaced a minimum distance of 40-ft from each other (measured from driveway culvert to driveway culvert).
5. Portions of driveways within County ROW shall be constructed with a minimum of 6-inches of compacted gravel and have a minimum of 6-inches of cover over the culvert.

G. **Utility and Pipeline Crossing:**

1. All new liquid fuel, high pressure and low-pressure gas lines shall be buried a minimum of sixty inches (60") below ditch grade, cased and vented. By specific exception, the County Engineer may allow encasement to be omitted in the event

the road crossed is a low volume County Road and the line is protected by reinforced concrete pad. In addition to the concrete pad, the un-encased lines shall employ welded steel carrier pipe and the following additional protective measures:

- a) heavier wall thickness and/or higher factor of safety in design
 - b) adequate coating and wrapping
 - c) cathodic protection
2. All cable TV and telephone lines shall be buried a minimum of thirty-six inches (36") below the ditch grade.

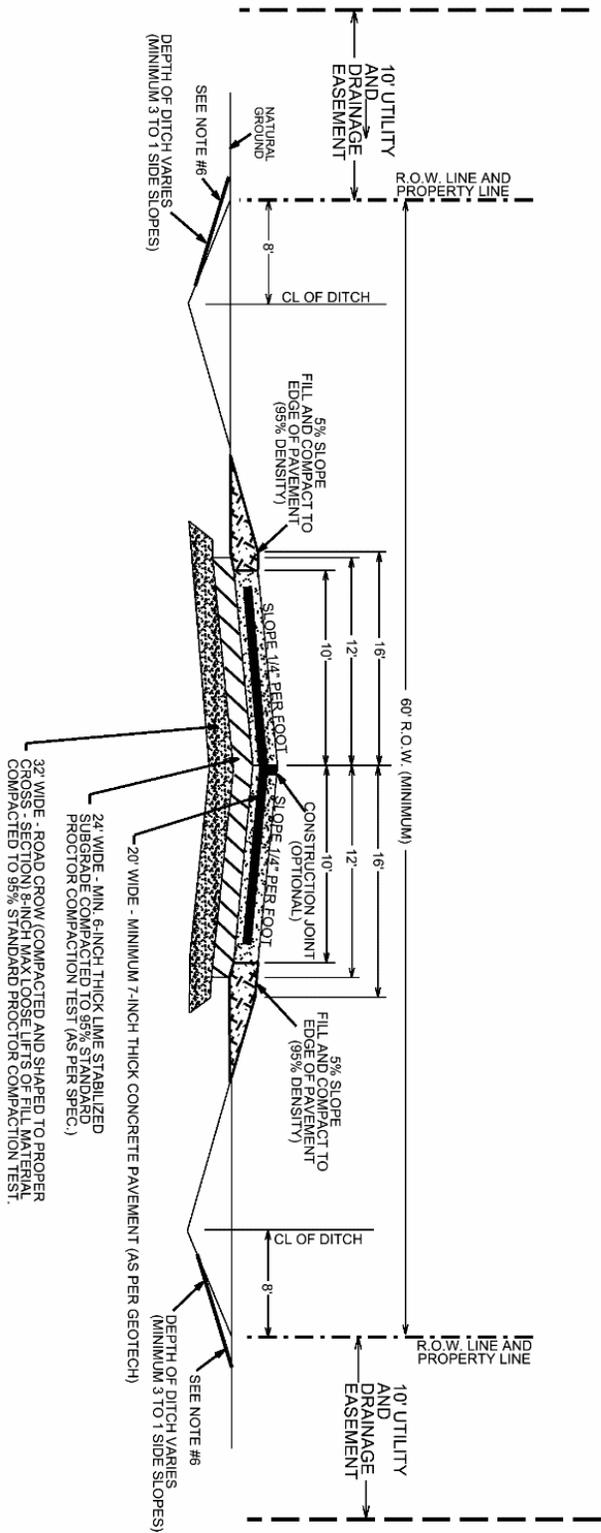
VIII. OTHER CONDITIONS/GENERAL

The following section is optional to the County. Not all circumstances that are defined below will be allowed and the final decision to allow a division of land without a plat will be at the discretion of the County.

- A. In accordance with Local Government Code Section 232.0015, a Subdivision Plat may not be required if the owner of a tract of land divides the tract into two or more parts and does not lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts, and:
1. The land is 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; however, if a tract ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, the platting requirements of these subdivision regulations will apply; or
 2. Two adjacent tracts of land are involved and one tract sells a portion of the tract to the adjacent landowner, under the condition that all remainder tracts are greater than 1 Acre; or
 3. The tract is divided into four or fewer parts and the parts are sold, given, or otherwise transferred to an individual who is related to the owner within the third degree of consanguinity or affinity, as determined under Chapter 573, Government Code; or
 4. All of the lots of the subdivision are more than 10 acres in area, there are no flag lots, and there are no public, private, or access easements proposed; or
 5. All of the lots of the subdivision are more than 10 acres in area, and there are less than 2 lots being subdivided; or
 6. All of the lots are sold to veterans through the Veterans' Land Board program; or
 7. The tract is owned by the state or other state agency, board, or commission or owned by the permanent school fund or any other dedicated funds of the state; or
 8. The owner of the land is a political subdivision of the state, the land is situated in a flood plain, and the lots are sold to adjacent landowners; or

9. One new part is to be retained by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of these regulations; or
 10. All parts of the tract are transferred to persons who owned an undivided interest in the original tract, and a plat is filed before any further development of any part of the tract.
- B. Effective May 9, 2011, a Subdivision Plat is not required if the owner of a tract of land divides the tract for the purposes of creating a private family cemetery of less than ten acres and abides by all state law requirements for the creation of such.
- C. If the tract described in Sections A-1, 2, 3, 4, 5, 6, 7, 8 or B ceases to meet the exemption described therein, then platting requirements shall immediately apply.
- D. Subject to the exemptions stated above, no land shall be divided and sold or conveyed until the Subdivider:
1. Has received approval of a Plat of the tract; and
 2. Has filed with the County Clerk a legally approved plat for recordation in the Map Records of the County.
- E. These rules and any preceding rules shall apply to land which has been divided on or after September 1, 1999. A division of a tract referenced in this section is defined assuming a metes and bounds description in a deed of conveyance or in a contract for a deed, using a contract of sale or other executory contract, purchase option rental agreement, or using any other method to convey property.
- F. Approval of a Plat by the Commissioners Court shall not be deemed an acceptance of the proposed dedications, if any shown thereon, and shall not impose any duty upon the County concerning maintenance or improvements of any such dedications. The Commissioners Court determines which dedications will be accepted for County maintenance after the Owner maintenance period has expired.
- G. A property developed as an RV Park (as defined in the RV Park Infrastructure Plan) and not subdivided from another tract as defined in these Regulations may not be subject to the subdivision regulations established herein (at the discretion of the County Engineer). However, the owner who intends to use the land for an RV Park must have an infrastructure development plan prepared that complies with the minimum infrastructure standards established in these Regulations. An RV Park (as defined in Appendix N of these regulations) is any land designed to accommodate two 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.

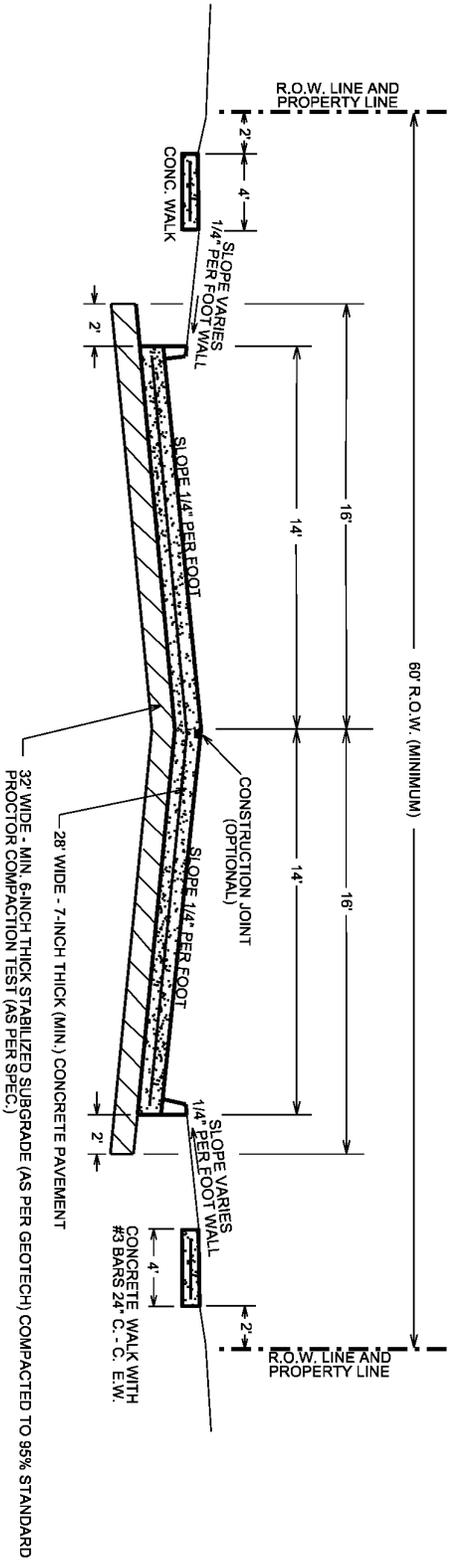
IX. APPENDICES



- NOTES
1. REINFORCING SHALL CONFORM TO ASTM A615, CURRENT REVISION, GRADE 60. MINIMUM LAP AT ALL SPLICES SHALL BE FIFTEEN INCHES (15"). NO. 4 BARS @ 24" O.C.E/W.
 2. CONCRETE SHALL BE 4000 P.S.I. AT 28 DAYS, AND 570 P.S.I. FLEXURAL STRENGTH AT 7 DAYS.
 3. EXPANSION JOINTS SHALL BE SPACED AT 60' O.C. (MAXIMUM) WITH LATERAL, SAWED JOINTS AT APPROXIMATELY 20'-0" O.C. ALL JOINTS SHALL BE SEALED. THE LOCATION OF CONSTRUCTION JOINTS MAY BE VARIED, WITH THE APPROVAL OF THE COUNTY.
 4. MIN. 6-INCH STABILIZED SUBGRADE (AS PER GEOTECH) SHALL BE APPROVED BY THE COUNTY.
 5. THE SLOPE BEHIND PAVEMENT MAY BE INCREASED, WITH APPROVAL FROM THE COUNTY.
 6. EXTEND BACK SLOPE OF DITCH BEYOND THE R.O.W. LINE IF NECESSARY TO MAINTAIN 3 TO 1 SIDE SLOPE (TYP)
 7. TESTING - DENSITY TESTING AND COMPACTION TESTS OF SUBGRADE, FLEXIBLE BASE, ASPHALT, AND COMPRESSIVE TESTS OF CONCRETE ARE REQUIRED. (COPY TO BE PROVIDED TO COUNTY ENGINEER).

MINOR CONCRETE STREET WITH OPEN DITCH DRAINAGE

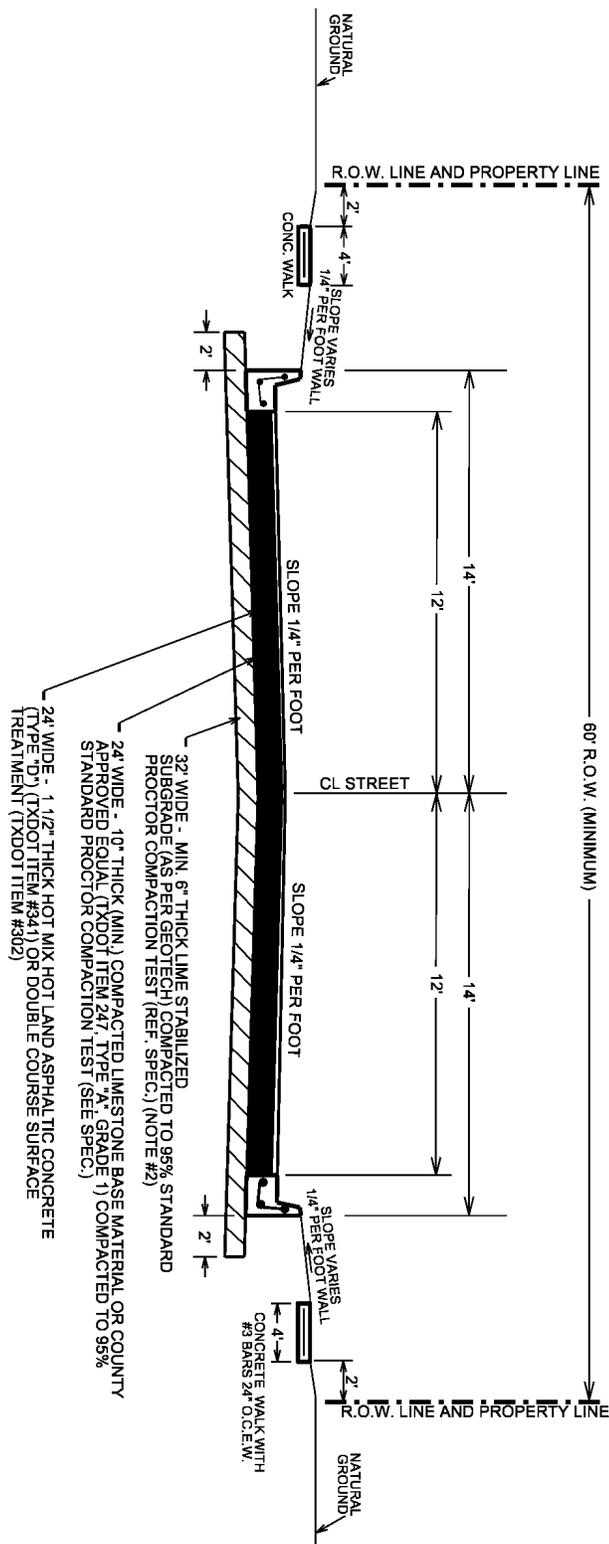
SCALE: N.T.S.



- NOTES:
1. ALL REINFORCING SHALL CONFORM TO ASTM-615, CURRENT REVISION, GRADE 60. MINIMUM LAP AT ALL SPLICES SHALL BE FIFTEEN INCHES (15"). NO. 4 BARS @ 24" O.C. E.W.
 2. CONCRETE SHALL BE 4000 P.S.I. AT 28 DAYS, AND 570 P.S.I. FLEXURAL STRENGTH AT 7 DAYS, AND MINIMUM FIVE (5) SACKS OF CEMENT PER CUBIC YARD OF CONCRETE.
 3. EXPANSION JOINTS SHALL BE SPACED AT 80'-0" O.C. (MAXIMUM) WITH LATERAL, SAWED JOINTS AT APPROXIMATELY 20'-0" O.C. ALL JOINTS SHALL BE SEALED. THE LOCATION OF CONSTRUCTION JOINTS MAY BE VARIED, WITH THE APPROVAL OF THE COUNTY ENGINEER.
 4. 6-INCH (MIN.) STABILIZED SUBGRADE SHALL BE CONSTRUCTED AS PER GEOTECHNICAL ENGINEER AND APPROVED BY THE COUNTY ENGINEER.
 5. THE SLOPE BEHIND PAVEMENT MAY BE INCREASED, WITH APPROVAL FROM THE COUNTY.
 6. EXTEND BACK SLOPE OF DITCH BEYOND THE R.O.W. LINE IF NECESSARY TO MAINTAIN 3 TO 1 SIDE SLOPE (TYP.)
 7. TESTING - DENSITY TESTING AND COMPACTION TESTS OF SUBGRADE, FLEXIBLE BASE, ASPHALT, AND COMPRESSIVE TESTS OF CONCRETE ARE REQUIRED. (COPY TO COUNTY ENGINEER)

MINOR CONCRETE STREET WITH CONCRETE CURB AND GUTTER

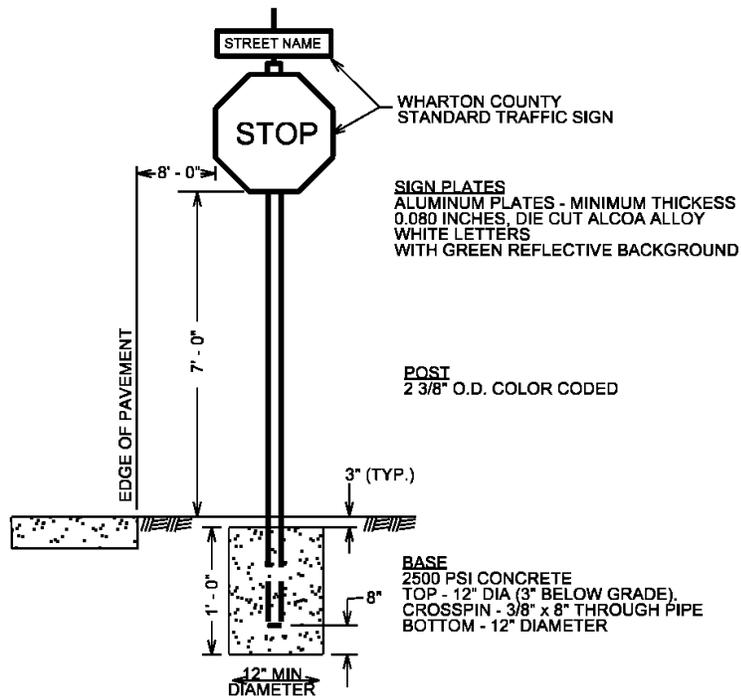
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- NOTES:
1. MIN. 6-INCH THICK STABILIZED SUBGRADE (AS PER GEOTECH) AND APPROVED BY THE COUNTY ENGINEER.
 2. TESTING - DENSITY TESTING AND COMPACTION TESTS OF SUBGRADE, FLEXIBLE BASE, ASPHALT, AND COMPRESSIVE TESTS OF CONCRETE ARE REQUIRED. (COPY TO COUNTY ENGINEER)
 3. HMA/C ROADS ARE ONLY ALLOWED ON PRIVATE ROADWAYS. ALL PUBLIC ROADWAYS SHALL BE 2-COURSE CHIP SEAL.

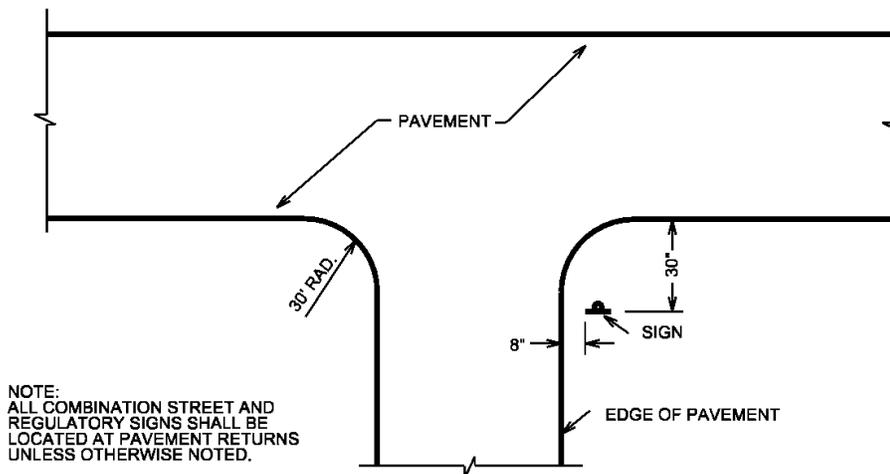
MINOR ASPHALT STREET WITH CONCRETE CURB AND GUTTER

SCALE: N.T.S.



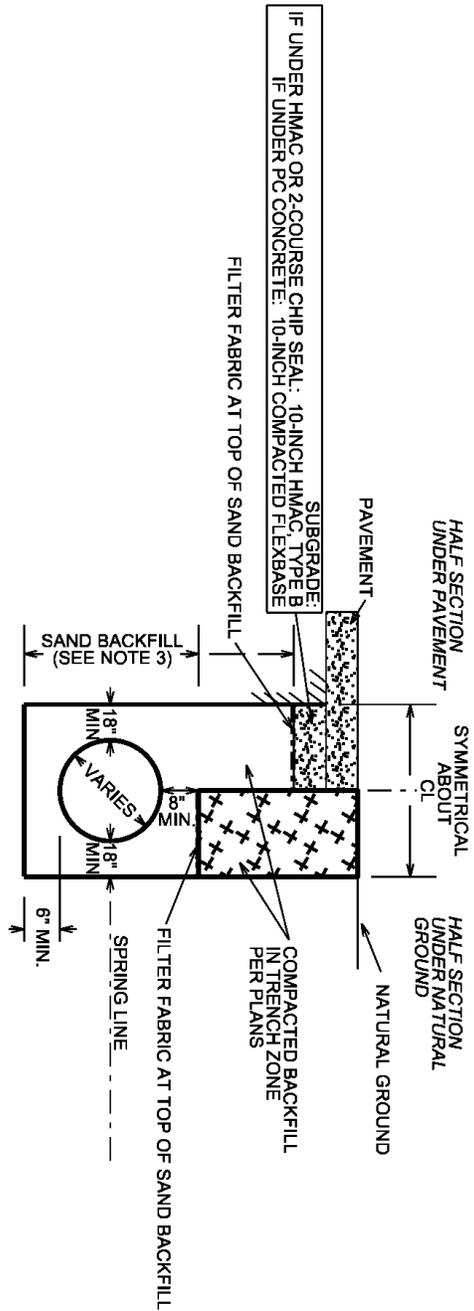
TYPICAL SIGN MOUNT DETAIL

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TYPICAL SIGN LOCATION DETAIL

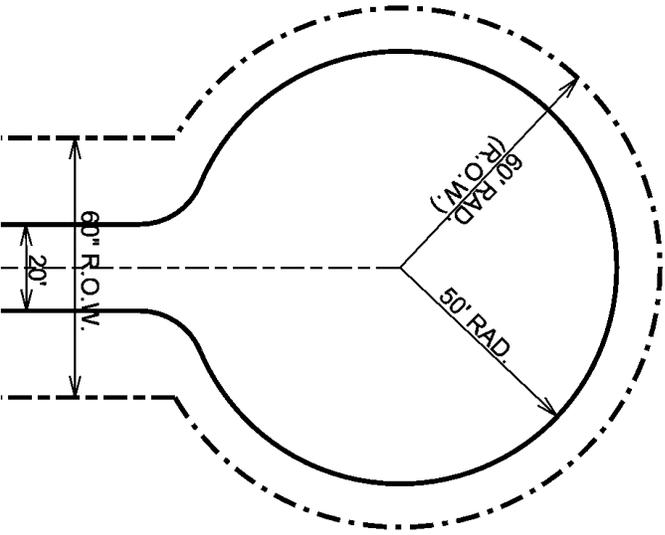
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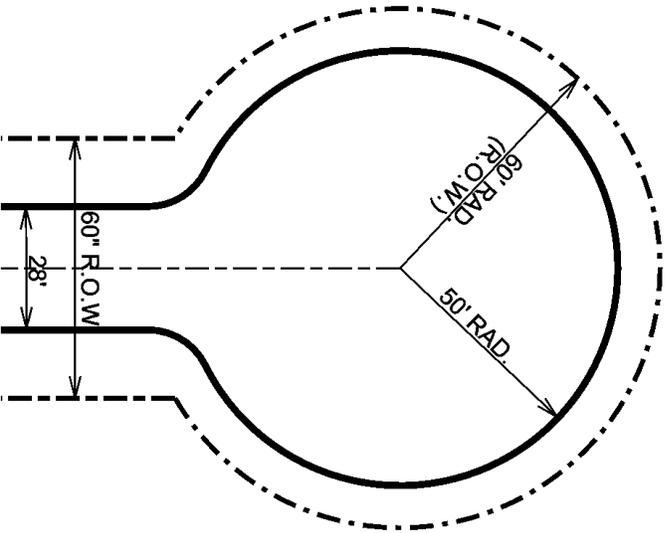
- NOTES:**
1. BACKFILL SHALL BE NATIVE SOIL, FREE OF DEBRIS, COMPACTED TO 95% STANDARD PROCTOR DENSITY.
 2. INITIAL BACKFILL SHALL BE UNIFORMLY GRADED MATERIAL (MAXIMUM SIZE, 3" DIAMETER,) PLACED IN 8" LIFTS AND COMPACTED TO 95% STANDARD PROCTOR DENSITY.
 3. WHEN NOT UNDER PAVEMENT, THE INITIAL BACKFILL AROUND THE PIPE SHALL BE PLACED UP TO A MIN. OF 8" ABOVE THE PIPE AND COMPACTED TO 95% STANDARD PROCTOR DENSITY. WHEN UNDER PAVEMENT, THE INITIAL BACKFILL AROUND THE PIPE SHALL BE INSTALLED UP TO THE SUBGRADE (BEING HMAC TYPE B OR FLEXBASE). ALL SAND SHALL BE SAND COMPACTED TO 95% STANDARD PROCTOR DENSITY.
 4. TRENCH SHORING, IN ACCORDANCE WITH OSHA, SHALL BE INSTALLED WHERE REQUIRED.
 5. DETAIL ASSUMES THAT NATIVE SOIL IN THE PIPE ZONE CONSISTS OF NON-WATERBEARING, COHESIVE SOILS WITH A SHEAR STRENGTH OF 1,000 PSI OR GREATER. WHEN WET SAND EXISTS IN THE PIPE ZONE, MODIFIED BEDDING SHALL BE INSTALLED.

STORM SEWER BEDDING AND BACKFILL

SCALE: N.T.S.



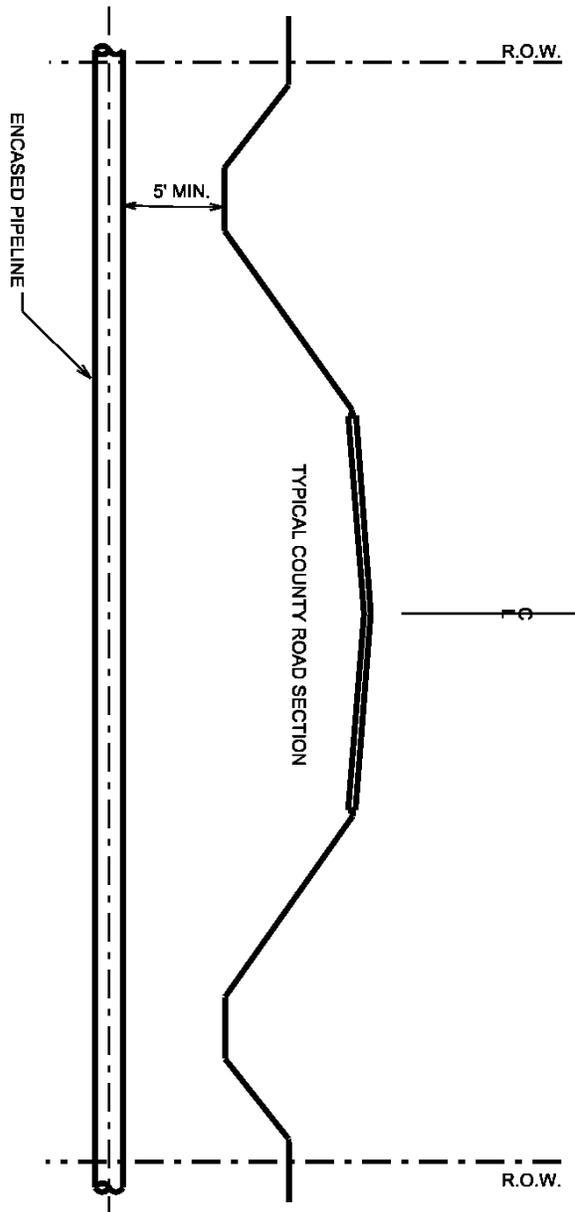
ASPHALT OR CONCRETE
UNCURBED STREETS



ASPHALT OR CONCRETE
CURBED STREETS

**MINIMUM CUL-DE-SAC
SPECIFICATIONS**

SCALE: N.T.S.



TYPICAL UTILITY CROSSING
 SCALE: N.T.S.

BOND

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WHARTON §

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

WHEREAS, the said Principal is the owner of the following Subdivision(s): located in Wharton County, Texas; and,

WHEREAS, the Commissioners Court of Wharton County, Texas, has promulgated certain rules, regulations, and requirements relating to Subdivisions in Wharton County, Texas, as more specifically set out in "Wharton County Subdivision Platting Policy" as amended; same being made a part hereof for all purposes, as though fully set out herein; wherein it is provided, among other things, that the owner of a Subdivision will construct the roads, streets, bridges, and drainage in the right-of-way depicted on the plat thereof, in accordance with the specification setout therein, and maintain such roads, streets, bridges, and drainage in the right-of-way until such time as said roads, streets, bridges, and drainage in the right-of-way have been accepted for maintenance by the Commissioners Court of Wharton County, Texas.

It is further stipulated and understood that the approval of the map or plat of the above-named Subdivision(s) is conditioned upon and subject to the strict compliance by the Principal herein with the aforesaid specifications, and that the terms of said specifications, including all deletions, additions, changes, or modifications of any kind or character, constitute and contract between the County of Wharton and Principal; and it is understood by the Principal that the approval of said map per plat of the above Subdivision(s) was obtained only by the undertaking of the Principal to so comply with the said regulations and specifications within a reasonable time, as set by the Commissioners Court of Wharton County, Texas, and that without such undertaking such approval would not have been granted. Now the condition of this obligation is such that if the above-bounded Principal, his, her, their, or its heirs, executors, administrators, successors, assigns, and legal representatives, and each and every one of them to do in all things well and truly observe, perform, fulfill, keep and comply with all and singular the rules, regulations, requirements, and specifications above referred to, including any deletions, additions, changes or modifications of any kind

or character, in the construction and maintenance of all roads, streets, bridges, and drainage in the right-of-way in the above-named Subdivision(s) and that upon approval of the construction of said roads, streets, bridges, and drainage in the right-of-way by the County Commissioner, and upon the approval of such maintenance by the County Commissioner, and upon acceptance of such roads, streets, bridges, and drainage in the right-of-way by the Commissioners Court of Wharton County, Texas, then this obligation to be void and of no force and effect.

The Principal and Surety hereon each agree, bind, and obligate themselves to pay to County Judge of Wharton County, Texas, or his successors in office, for the use and benefit of Wharton County, all loss or damages to it occasioned by reason of the failure of the Principal to comply strictly with each and every provision contained in the rules, regulations, requirements, and specifications above-referred to relating to the construction and maintenance of roads, streets, bridges, and drainage in the right-of-way in the above-named Subdivision(s), and further agree, bind, and obligate themselves to defend, save, and keep harmless the County of Wharton from any and all damages, expenses, and claims of every kind and character which the County of Wharton may suffer, directly or indirectly, as a result of the Principal's failure to comply with the rules, regulations, and specifications relating to the construction and maintenance of the roads, streets, bridges, and drainage in the right-of-way in the above-named Subdivision(s).

The word *Principal* when used herein means Principal or Principals whether an individual, individuals, partnership, corporation, or other legal entity having the capacity to contract. The words *roads, streets, bridges, and drainage in the right-of-way* used herein mean each and every road, street, bridge, and drainage in the right-of-way in said Subdivision(s). The word *maintenance* as used herein means all needful, necessary, and proper care and repair from completion of the roads or streets and approval thereof by the County Commissioner until acceptance of the roads and streets by the Commissioners Court. The word *surety* when used herein means Surety or Sureties, and it is understood by the parties that any and all liabilities of any kind or character assumed or imposed upon the Principal by the terms hereof extend in full force and vigor to each and every Surety jointly and severally.

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

ATTEST:

Secretary

Principal

By: _____

Surety

Attorney in Fact

APPROVED this _____ day of _____, 20__.

ATTEST:

County Clerk
Wharton County, Texas

County Judge
Wharton County, Texas

ENGINEER'S CONSTRUCTION COMPLIANCE STATEMENT

I, _____, a professional engineer registered in the State of Texas, do hereby certify that _____ (project name) was completed on _____, 20_____.

This project was under periodic inspection during construction and was constructed in accordance with and includes all items in the plans and specifications as approved by Wharton County and complies with all Wharton County requirements.

(Signature and Title)

(Seal)

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ (name), _____ (title if appropriate), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed (add for corporations "and in the capacity therein and herein set out, and as the act and deed of said corporation").

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

APPENDIX L

CONTRACTOR/CONTRACTOR'S AFFIDAVIT OF CONSTRUCTION COMPLIANCE

I, _____, do hereby certify that the construction of this project complies with the construction documents and meets or exceeds the specifications and requirements of Wharton County.

Signature

Date

Title, Company Name

(A separate Affidavit will be required for each Contractor, unless all work was assigned to a General Contractor who accepts responsibility for all work. Each affidavit may be qualified by a description of work performed by the applicable contractor.)

(Seal)

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ (name), _____ (title if appropriate), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed *(add for corporations "and in the capacity therein and herein setout, and as the act and deed of said corporation")*.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

NOTARY PUBLIC ACKNOWLEDGMENT FOR ALL SIGNATURES

STATE OF TEXAS

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____ (name), _____ (title if appropriate), known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and considerations therein expressed *(add for corporations "and in the capacity therein and herein setout, and as the act and deed of said corporation")*.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 20_____.

Notary Public in and for the State of Texas

MINIMUM STANDARDS APPLICABLE TO RECREATIONAL VEHICLE PARKS**N.1. Definitions**

- a. The following words and terms, when used in these regulations, have the following meanings, unless the context clearly indicates otherwise.
1. Operator--The person in charge of operating any recreational vehicle park, whether they are the owner of the recreational vehicle park or the occupant under a written or oral lease, or by any other arrangement whereby they exercise control over the recreational vehicle park.
 2. Recreational vehicle--Includes any of the following:
 - A. Camping trailer--A folding structure for temporary shelter mounted on wheels and designed for travel, recreation, and vacation use.
 - B. Motor home--A portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
 - C. Pickup coach--A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
 - D. Travel trailer--A vehicular structure built on a chassis with body width not to exceed eight feet and body length less than 46 feet, that structure designed to be transported and intended for human occupancy as a dwelling for short or long periods of time.
 - E. Manufactured Home – A manufactured home that is used for temporary or permanent dwelling.
 - F. Tiny Home – A small home that is for temporary or permanent use, that may fit within a smaller footprint to that of a traditional home and is typically on wheels (but not necessarily).
 3. Recreational vehicle park--Any land designed to accommodate two or more recreational vehicles, and which exists as a privately owned and operated enterprise with or without charges for the parking of recreational vehicles occupied or intended to be occupied for dwelling or sleeping purposes for any length of time. Hunting camps that are temporary are also excluded from this definition.

4. Recreational vehicle space--A plot of land within a recreational vehicle park designed for the accommodation of one recreational vehicle.
- b. Use of either the singular or the plural form of a word will be interpreted, when necessary, to include the other form.

N.2. Regulation of recreational vehicle parks

- a. A recreational vehicle park existing in the County prior to the adoption of these regulations is exempt, unless expanded or altered in operations or intended purpose. Any recreational park developed or expanded after the effective date of this regulation is a subdivision subject to these regulations.
- b. A developer of a recreational vehicle park must have a plat prepared that complies with these regulations.
- c. These regulations do not apply to a property owner accommodating no more than one recreational vehicle on their property at any one time.
- d. Prior to commencement of any construction, the owner/developer must consult with the County Engineer for review.

N.3. Infrastructure Requirements for Recreational vehicle parks

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

- a. A survey identifying the proposed community's boundaries and any significant feature of the community, including the proposed location of lots or spaces, utility easements and dedication of rights-of-way. The survey may also contain features to help provide the additional information required by this order.
- b. Reasonable specified description of means and methods to provide adequate drainage in accordance with standard engineering practices, including specifying necessary drainage culverts and identifying areas included in the 100-year flood plain. The placement of any structure within the regulatory floodplain shall be in accordance with the County Floodplain regulations.
- c. Reasonable specified description of means and methods to provide an adequate public or community water supply, including specifying the location of supply lines, in accordance with Subchapter C, Chapter 341, Health and Safety Code. If water is to be provided by a utility, a certification by the utility that water is available for each of the planned spaces or lots must be attached to the plan.

- d. Certification that adequate groundwater is available for the development. If groundwater is the source of water supply for the development, the developer is required to obtain certification, by a licensed professional engineer (or other professionals designated by State law) registered to practice in Texas, that adequate groundwater is available for the development, according to the certificate form and content as promulgated by the Texas Commission On Environmental Quality (Lack of certification that suitable and adequate groundwater is available is grounds for denial of plat approval, if groundwater is the proposed source of water). The certification document shall be recorded as part of the dedication instrument and a note shall be placed on the plat that groundwater is to be the source of water.
- e. Certification of adequate sewerage:
 - i. 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
 - ii. Reasonably specified description of means and methods for providing on-site sewage facilities in accordance with Chapter 366, Texas Health and Safety Code if estimated sewage flow does not exceed 5,000 gallons per day (gpd). These description of means and methods must meet minimum standards established under Chapter 285.4 of the OSSF rules and County local order. Approval by the County On Site OSSF Inspector's certificate must be attached to the plat. See Appendix H.
 - iii. Reasonably specified description of means and methods for providing sewage treatment and disposal under Chapter 26 of the Texas Water Code if estimated flow exceeds 5,000 gpd. approval by Texas Commission on Environmental Quality must be attached to the plan
- f. Reasonably specified description of means and methods for streets or roads in the Recreational Vehicle Park to provide ingress and egress for fire and emergency vehicles. Therefore, the Commissioners Court finds that it is reasonably necessary that streets in these communities should be built to a standard no more stringent than the requirements adopted by the Commissioners Court for subdivisions, as approved by the County Engineer. The road design and construction standards contained in the 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 County Subdivision Regulations. Drainage design for the development shall comply with this County Subdivision Regulations.

- g. Only the Commissioners' Court may grant a variance when strict application of these standards would work an unusual hardship. Variances for OSSF can only be granted by County OSSF Designated Representative.
- h. Each recreational vehicle park must provide recreational vehicle spaces, and each such space must be clearly defined.
- i. Recreational vehicle parks must be designed so as not to exceed a maximum of 20 recreational vehicle spaces per acre.
- j. Each recreational vehicle space must afford parking and maneuvering space sufficient so that the parking, loading, and movement of recreational vehicles will not necessitate the use of any public right-of-way or privately owned property which may abut the recreational vehicle park.
- k. Each recreational vehicle space that is provided with electrical service must be so served through an underground distribution system. Other buildings within a recreational vehicle park may receive electrical service through overhead facilities.
- l. Twenty percent (20%) of the recreational vehicle spaces within a recreational vehicle park must be not less than eighteen feet (18') by fifty feet (50').
- m. There must be at least ten feet (10') of open space between parallel rows of recreational vehicle spaces.
- n. Recreational vehicle spaces must be improved with either:
 - 1. Compacted crushed road base material and 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.

N.4. Recreational vehicle park roads

- a. All weather private roads adequate to provide access to each recreational vehicle space must be laid out, constructed, and maintained in good condition by the owner or operator of a recreational vehicle park.
- b. All roads within a recreational vehicle park must be at least twenty-four (24) feet wide.

- c. An entrance to a recreational vehicle park must be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets.

N.5. Recreational vehicle park service building requirements for parks in excess of 30 spaces.

- a. A plat application for a recreational vehicle park subdivision containing 30 or more spaces must address the minimal standards established in this subchapter.
 - i. Service buildings will accommodate not more than 30 recreational vehicle spaces.
 - ii. For each additional 1 to 30 recreational vehicle spaces after the first 30 spaces, the operator must provide and maintain one flush toilet, one shower with individual dressing accommodations, and one lavatory.
 - iii. For each additional 1 to 30 recreational vehicle spaces after the first 30, the operator must provide and maintain one additional washing machine and one additional slop sink.
- b. Each recreational vehicle park must provide and maintain one or more service buildings for the use of park patrons. The service buildings must include:
 - i. One lavatory for women;
 - ii. One lavatory for men;
 - iii. One shower and dressing accommodation for each sex, provided in an individual compartment or stall;
 - iv. One washing machine; and
 - v. One slop sink, measuring not less than 14 by 14 inches square and 14 inches deep.
- c. The aforementioned service buildings will accommodate not more than 30 recreational vehicle spaces.
 - i. For each additional 1 to 30 recreational vehicle spaces after the first 30, the operator must provide and maintain one flush toilet, one shower with individual dressing accommodations, and one lavatory.
 - ii. For each additional 1 to 30 recreational vehicle spaces after the first 30, the operator must provide and maintain one additional washing machine and one additional slop sink.
- d. All lavatories must comply with the Americans with Disabilities Act (ADA).

- e. Service buildings housing sanitation or laundry facilities must be permanent structures which comply with all applicable laws and ordinances regulating buildings, electrical installation, plumbing and sanitation systems, and conform to the following minimum standards:
 - i. 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.
 - ii. 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.
 - iii. Chemical cleaners used in a recreational vehicle park must be used only in accordance with TCEQ rules.
 - iv. 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.
 - v. All service buildings must be maintained in a clean, slightly condition and kept free of any condition that will menace the health of any person or constitute a nuisance.
- f. An operator must provide and maintain garbage receptacles as follows:
 - i. A minimum of one (1) fly tight, water tight, rodent proof dumpster for the first thirty (30) recreational vehicle spaces, with one (1) additional dumpster for each additional thirty (30) recreational vehicle spaces or fraction thereof.
 - ii. 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.
 - iii. The storage, collection, and disposal of refuse in a recreational vehicle park must be conducted as to create no health hazards.
 - iv. All dumpsters must be screened from public view.
- g. Fuel containers must comply with the following restrictions:
 - i. Bottled gas must not be used at individual recreational vehicle spaces unless the containers are properly connected by copper or other suitable tubing.
 - ii. Bottled gas cylinders must be securely fastened in place.
 - iii. No cylinders containing bottled gas may be located in a recreational vehicle or within five (5) feet of a door thereof.

- h. An operator must provide and maintain fire protection equipment as follows:
 - i. A recreational vehicle, mobile home, and/or manufactured home park must be equipped at all times with fire extinguishing equipment in good working order of such type, size, and number and so located within the recreational vehicle park as to satisfy the applicable regulations of the County.
 - ii. No open fires will be permitted, except that this will not be construed to prevent barbecuing in a secure pit or grill.
- i. An operator must maintain the entire area of a recreational vehicle park free of dry brush, leaves, and weeds.

N.6. Further recreational vehicle park regulations

- a. Persons developing recreational vehicle parks should be aware that this order is not the exclusive law or regulation controlling development in the County. The following is only a partial list of regulations that may apply:
 - i. 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.
 - ii. 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.
 - iii. 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.