

# TITUS COUNTY SUBDIVISIONS AND PLATS REGULATIONS

## PURPOSE

These standards have been prepared to aid in the orderly development of Titus County, Texas and to promote the general health, safety and welfare of the public. Using this standard will remind surveyors of important elements to be included in plats and will remind County Clerks or other Responsible County Officials of items which should be included before the plat is accepted for recording in the Public Record.

## AUTHORITY

In all matters of interpretation and application of this Standard the final authority will be the Titus County Commissioner's Court. This standard may be modified, amended or voided by Commissioner's Court, at its sole discretion, without notification or obligation to others.

## DEFINITIONS

- 1) **SUBDIVISION:** The division of any tract of land within this jurisdiction into multiple tracts, parcels, or lots (1) for development or for sale to the public, or (2) for the dedication and definition of streets, alleys, parks, or other portions intended for public use.
- 2) **PLAT:** A map, drawing or chart on which a plan of subdivision is shown graphically

## PRELIMINARY SUBMITTAL

- 1) Preliminary submittal shall be made at least fifteen (15) days prior to a Commissioner's Court meeting. Two (2) identical paper copies of the plat shall be submitted for review to each of the following:
  - a. The Commissioner's Court
  - b. Each other governmental agency having jurisdiction

The Preliminary submittal shall be accompanied by a remittance in the amount of \$\_\_\_\_\_ payable to Titus County as a nonrefundable submittal fee.

- 2) One copy of the preliminary plat as approved, or marked to show the changes necessary for approval, will be returned to the subdivider or his designated representative.
- 3) Approval of the preliminary plat by the Commissioner's Court will indicate their approval of the rights-of-way of streets, alleys, parks and lots as shown in plat. Approval for recording may depend on acceptance of completed parks, streets, sanitary and water facilities.
- 4) Approved preliminary plats shall be noted in the minutes of the meeting at which approval was given.

5) Approval of the preliminary plat by the Commissioner's Court shall expire and become null and void twelve (12) months after the date of approval. Upon good cause shown, an extension of time may be requested; however, if the request is denied, then a new preliminary plat must be submitted for consideration and approval.

#### FINAL SUBMITTAL

1) One mylar copy of the Final Plat on proper sheet size and six paper copies shall be submitted to the Commissioner's Court at least fifteen (15) days prior to the regular scheduled Commissioner's Court meeting.

2) Commissioner's Court shall determine that the Final Plat conforms to conditions of the Preliminary Plat and that requirements of these Standards have been met. All required signatures (other than Commissioner's and/or County Judge) shall be in place when submitted to this Court.

3) Upon approval by Commissioner's Court, the plat shall be signed and delivered to the County Clerk. The following working day, the County Clerk shall notify the subdivider of the Court's action. Upon payment of the required filing fee, the County Clerk shall then cause the plat to be filed in the Plat Records of Titus County. As a courtesy, the County Clerk shall make paper copies available to the local County Tax Office, appraisal district, title companies and Registered Professional Land Surveyors.

#### STANDARDS

1) The plat and property description must bear the dated certification, seal and signature of a Registered Professional Land Surveyor reflecting the fact that the subdivision was surveyed on the ground by said surveyor and that all lot and block corners and other points shown on the plat were monumented with permanent stakes. Each monument shall be described in detail on the plat.

2) The Perimeter Boundary of the subdivision shall be shown with all bearings and distances needed for a mathematical check of closure. If the perimeter of this subdivision is not exactly as described by deed of the subdivider, then a metes and bounds description of the tract must be included on the plat. All monuments shown on the plat must be set before approval of subdivision will be granted.

A. Required closure ratios:

1) If smallest lot in the subdivision is to be larger than 5 acres, then perimeter closure of total tract must be 1:5,000 or better.

2) If smallest lot is to be less than 5 acres, then perimeter closure of total tract must be 1:10,000 or better.

B. Allowable positional error of monuments shall be:

1) No more than 0.10 feet on lots of 2 acres or smaller.

2) No more than 1:10,000 ratio on lots larger than 2 acres (Perimeter of the Lot ÷ 10,000 = Allowable Error)

3) The subdivision must be tied on the ground to at least one and preferably more corners of the parent tract or tracts from which it is severed. The plat shall indicate those corners and describe the monuments set or found at each parent tract corner.

- 4) Plat dimensions and bearings must be complete and without ambiguity so that each lot, block, park, street, alley or easement is fully described and is subject to one (and to only one) reasonable interpretation of intended boundaries by examination of the plat. Dimensions and areas of lots, streets, alleys, set-backs, and easements shall conform to local regulations and to State health regulations.
- 5) Each block and lot shall be uniquely numbered or lettered. Each street shall be named. The scale of the drawing and a north arrow (with basis of orientation) shall be shown.
- 6) The plat shall include the name of the subdivision, name and abstract number of the original survey, and name of the owner.
- 7) The plat shall show all existing abutting or adjoining streets, roads or highways (if any), and the names of all adjoining recorded subdivisions or unrecorded additions if known. Access to an existing public street, road or highway is required and shall be shown.
- 8) A small location map at a legible scale shall be shown. This map shall include sufficient detail of generally recognized land features so as to make the location of the subdivision readily discernable by the general public.
- 9) All recorded easement, recorded right-of-way, visible encroachment or other proven or possible limitations of use which are revealed after diligent search shall be shown and described on the plat.
- 10) The plat shall include appropriate signed certifications, dedications, and statements of acceptance and/or approval of all parks, streets, alleys and/or easements on said plat by the following entities (as appropriate):
  - a. Owner/subdivider, notarized; if owner is a corporation, President and Secretary must sign unless another officer of the corporation is authorized.
  - b. Registered Professional Land Surveyor, notarized.
  - c. County Judge (and individual Commissioners, if required).
  - d. City Planning Commission or other appropriate city official.
  - e. County Health Officer.
  - f. Water District.
  - g. Others that may exercise jurisdiction at the site.
- 11) The final Plat submitted for recording must be on a permanent, transparent, reproducible media (such as mylar) on a sheet size not greater than 18 x 24. If the drawing is larger than this size the subdivider shall cause his plat to be indexed and divided into separate sheets as necessary to be no larger than 18 x 24. Approved signatures are to be affixed before the Final Plat is presented for filing. The filing fee is to be paid before the Final Plat is recorded.
- 12) The Final Plat of subdivision shall be prepared at a legible scale no smaller than 1" = 100 ft. "Reduced" copies are not acceptable. Plats submitted for preliminary review and approval may be on an oversized single sheet.

SAMPLE CERTIFICATIONS

State of Texas )            Owner's Acknowledgment and Dedication  
County of Titus )

I, the undersigned Owner of the land shown on this plat and the area indicated by the metes and bounds description as shown hereon and designated herein as \_\_\_\_\_ and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, easements, rights-of-way and public places shown here.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
OWNER'S NAME (typed or printed)

State of Texas )  
County of Titus )

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes therein stated.

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS  
My commission expires: \_\_\_\_\_

I, \_\_\_\_\_, Registered Professional Land Surveyor No. \_\_\_\_\_, do hereby certify the Plate and Metes and Bounds Description as shown hereon represents a survey made by me on the ground.

Given under my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
REGISTERED PROFESSIONAL LAND SURVEYOR NO. \_\_\_\_\_

Subscribed and sworn to before me, a Notary Public in and for the State of Texas, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS  
My Commission Expires: \_\_\_\_\_

Accepted by the Planning Commission of the City of \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
Chairman

Accepted by the \_\_\_\_\_ Water District this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
PRESIDENT

Accepted by the \_\_\_\_\_ County Health Officer this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
COUNTY HEALTH OFFICER

I hereby certify this plat with dedication of parks, streets, alleys and easements was approved by action of Commissioner's Court for filing with County Clerk on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the Titus County Commissioner's Court.

\_\_\_\_\_  
COUNTY JUDGE

Attest: \_\_\_\_\_  
County Clerk

## ROAD REGULATIONS FOR SUB-DIVISIONS

1. All thru roads will have 50 ft. easements, with a minimum 20 ft. surface.
2. All dead end roads will have a minimum 40 ft. easement, with a minimum 16 ft. surface and a 50 ft. radius cul-de-sac at the end of the road.
3. All roads will have a surface base of six (6) inches after compaction with crushed or native iron ore. The surface base will be over laid with two (2) inches of oil dirt (or material equal to or greater quality, with prior approval of precinct commissioner).
4. All developers are required to have a bond equal to estimated cost of construction.
5. All utility lines will be cased or sleeved that cross the county road easement.

## SUBDIVISION CONSTRUCTION AUTHORIZATION

Any person desiring to create a subdivision, including mobile home parks that will utilize on-site sewerage facilities, in whole or in part, must obtain a Subdivision Construction Authorization from the designated representative prior to commencing or continuing construction in the subdivision.

## APPLICATION

- 1) An applicant for a Subdivision Construction Authorization shall submit an application to the designated representative containing information that is adequate to establish:
  - a. That it is not feasible for the applicant to provide sewer service to the subdivision by means of an organized disposal system, and
  - b. That on-site sewerage facilities may be used in the specified subdivision without causing, or threatening to cause, individual or collectively, pollution, injury to the public health, or nuisance conditions. This information will include as a minimum:
    - 1) A map locating a subdivision relative to on- and off-site:
      - a. Surface Water
      - b. Watersheds
      - c. Floodplains
      - d. Existing and proposed individual and public water supply wells, and
      - e. Existing and proposed organized disposal systems.
    - 2) An accurate plat of the subdivision that details the size and intended use of each lot and that details roads and utility right-of-ways. This plat shall show all areas of the subdivision where the groundwater table is less than (6) feet below the surface as the surface exists or as it will be after grading and filling that may be required in the subdivision development.
    - 3) A list that specifies the type and maximum size (floorspace, bedrooms, seating, etc.) of the intended construction that will be allowed on each lot. Based on this list, the applicant shall provide further information to confirm that an on-site sewerage facility

that meets all of the requirements of these Rules and the Standards can be constructed on each lot. This information shall include:

- a. Preliminary locations and distances between sewage generating units, treatment units, disposal units, water wells, and lot boundaries. These distances shall be shown between these items on each lot and to any existing or proposed water supply wells on adjacent lots.
- b. Average daily wastewater volume to be generated by the specified maximum size construction.
- c. Capacity and/or size of the treatment (tank) and disposal (drainfield) units. The disposal area size shall be calculated assuming a specific type of drainfield (absorption trench or bed or evapotranspiration bed) and using adequately documented permeability measurements taken at or in reasonable proximity to the drainfield locations.

- 4) At the discretion of the designated representative and in consideration of the size and density of the proposed subdivision and other conditions known to exist in the vicinity of the proposed subdivision, one or more geological cross-sections may be required from the applicant. These cross-sections shall illustrate the geologic formations that make up the subsurface below the subdivision down to the first aquifer that supplies, or may be used to supply, drinking water in the area. These cross-sections shall illustrate the primary dip and characteristics (permeable, impermeable, water bearing, etc.) of each formation and the elevation of any water table.
- 2) The required fee shall accompany the application.
  - 3) Within forty-five (45) days after a proper and complete application has been made, the designated representative shall make a recommendation on the issuance of a Subdivision Construction Authorization, based upon the information contained in the completed application and any other information available to the designated representative. When made, said recommendation for approval, with appropriate restrictions, if any, or denial shall be submitted to the clerk of Commissioners Court and mailed to the applicant within five (5) days.
  - 4) When a recommendation is submitted, the clerk of the Commissioners Court shall notify the presiding official who shall place the matter on the Agenda of the Commissioners Court for review at its next meeting that is at least ten (10) days after the date of the submission of the recommendation. The clerk shall notify the designated representative and the applicant that the matter is on the Agenda.
    - a. Upon the approval of a Subdivision Construction Authorization by the Commissioners Court, the authorization shall be issued to the applicant. A Subdivision Construction Authorization does not constitute either a Permit to Construct or a License to Operate a specific on-site sewerage facility. An approved Subdivision Construction Authorization however, is a prerequisite for obtaining a permit or license for a specific on-site sewerage facility in a subdivision.
    - b. Upon the disapproval of a Subdivision Construction Authorization by the commissioners court, the designated representative shall so notify the applicant in writing within ten (10) days of the disapproval and shall include the reasons for denying the approval of the authorization.

NOTICE

- 1) Upon the approval of a Subdivision Construction Authorization, the authorization, the application therefor, and any other critical evaluation information shall be filed as a deed record for the subdivision lots.
- 2) Any person, or his agents and assignees, desiring to create a subdivision that will utilize on-site sewerage facilities, in whole or in part, and sell, lease, or rent the lots therein shall inform each prospective purchaser, lessee, or renter:
  - a. That the subdivision is subject to all of the terms and conditions of these Rules:
  - b. That a Permit to Construct shall be required before an on-site sewerage facility can be constructed in the subdivision,
  - c. That a License to Operate shall be required for the operation of such an on-site sewerage facility, and
  - d. That an application for a Subdivision Construction Authorization has been made and whether or not it has been approved, including any restrictions placed on any such approval.

#### INFORMAL

- 1) The designated representative may routinely inspect on-site sewerage facilities to assure continued compliance with these Rules.
- 2) The designated representative shall inspect any on-site sewerage facility that is reasonable believed to be causing pollution, a threat to the public health, or nuisance conditions, or to have been substantially modified without complying with these Rules based on a credible complaint or other information available to the designated representative and may inspect any new on-site sewerage facility should the conditions existing at the time of licensing be found to have changed. If upon such inspection it is found that pollution, a threat to public health, or nuisance conditions is occurring, or an unpermitted substantial modification was performed, the designated representative shall so notify the owner of the on-site sewerage facility in writing and include what problems must be remedied in order to achieve compliance. The on-site sewerage facility shall be reinspected at the expiration of the allotted time.
  - a. If the facility is found to be compliant, a license therefor may be issued or the existing license may be modified.
  - b. If the facility is found to be noncompliant, appropriate enforcement shall be taken.

#### CRIMINAL PENALTIES

- 1) A person who violates any of these Rules, is guilty of a misdemeanor and on conviction is punishable by a fine of not less than \$10 nor more than \$500. Each day that a violation occurs constitutes a separate offense.
- 2) Jurisdiction for prosecution of a suit under this section is in the justice of the peace courts.
- 3) Venue for prosecution of a suit under this section is in the justice of the peace precinct in which the violation is alleged to have occurred.

#### CIVIL (TEXAS WATER CODE 26.124)



1) Whenever it appears that a violation or the threat of a violation of any of the terms and conditions of these Rules has occurred or is occurring, the designated representative may have a suit instituted in a district court through its own attorney for injunctive relief or civil penalties or both against the person who committed, is committing or is threatening to commit the violation.

2) Such suits may not be instituted by the designated representative unless the Commissioners Court has adopted a resolution authorizing the institution of the suit.

### SUBDIVISIONS, MANUFACTURED HOMES AND MOBILE HOMES

Minimum lot sizes and structural conditions of units:

- 1) There will be no less than one half acre per unit.
- 2) There is no defect or deterioration in or damage to the home that creates a dangerous situation, plumbing, heating, air-conditioning and electrical systems are in safe working order. The walls, floor, and roof are free from any substantial opening that was not part of the design, is structurally sound and all exterior doors and windows must be in place and in good condition.
- 3) A person may not repair, rebuild or otherwise alter a salvaged manufactured or Mobile home unless the person holds a re-builder's or retailers license, nor bring it into Titus County before all necessary repairs have been made and it is habitable.

### MANUFACTURED HOME RENTAL COMMUNITY CONSTRUCTION AUTHORIZATION

Any person desiring to create a Manufactured Home Rental Community, including mobile home parks that will utilize on-site sewerage facilities, in whole or in part, must obtain a Manufactured Home Rental Community Construction Authorization from the designated representative prior to commencing or continuing construction in the community.

### APPLICATION

- 1) An applicant for a Manufactured Home Rental Construction Authorization shall submit an applicant to the designated representative containing information that is adequate to establish:
  - a. That it is not feasible for the applicant to provide sewer service to the community by means of an organized disposal system, and
  - b. That on-site sewerage facilities may be used in the specified community without causing, or threatening to cause, individual or collectively, pollution, injury to the public health, or nuisance conditions. This information will include as a minimum:
    - 1) A map locating the community relative to on- and off-site:
      - a. Surface Water
      - b. Watersheds
      - c. Floodplains
      - d. Existing and proposed individual and public water supply wells, and
      - e. Existing and proposed organized disposal systems.
    - 2) An accurate plat of the community that details the size and intended use of each lot and that details roads and utility right-of-ways. This plat shall show all areas of the

community where the groundwater table is less than (6) feet below the surface as the surface exists or as it will be after grading and filling that may be required in the community development.

- 3) A list that specifies the type and maximum size (floorspace, bedrooms, seating, etc.) of the intended construction that will be allowed on each lot. Based on this list, the applicant shall provide further information to confirm that an on-site sewerage facility that meets all of the requirements of these Rules and the Standards can be constructed on each lot. This information shall include:
  - a. Preliminary locations and distances between sewage generating units, treatment units, disposal units, water wells, and lot boundaries. These distances shall be shown between these items on each lot and to any existing or proposed water supply wells on adjacent lots.
  - b. Average daily wastewater volume to be generated by the specified maximum size construction.
  - c. Capacity and/or size of the treatment (tank) and disposal (drainfield) units. The disposal area size shall be calculated assuming a specific type of drainfield (absorption trench or bed or evapotranspiration bed) and using adequately documented permeability measurements taken at or in reasonable proximity to the drainfield locations.
- 4) At the discretion of the designated representative and in consideration of the size and density of the proposed community and other conditions known to exist in the vicinity of the proposed community, one or more geological cross-sections may be required from the applicant. These cross-sections shall illustrate the geologic formations that make up the subsurface below the community down to the first aquifer that supplies, or may be used to supply, drinking water in the area. These cross-sections shall illustrate the primary dip and characteristics (permeable, impermeable, water bearing, etc.) of each formation and the elevation of any water table.

2) The required fee shall accompany the application.

3) Within forty-five (45) days after a proper and complete application has been made, the designated representative shall make a recommendation on the issuance of a Manufactured Home Rental Community Construction Authorization, based upon the information contained in the completed application and any other information available to the designated representative. When made, said recommendation for approval, with appropriate restrictions, if any, or denial shall be submitted to the clerk of Commissioners Court and mailed to the applicant within five (5) days.

4) When a recommendation is submitted, the clerk of the Commissioners Court shall notify the presiding official who shall place the matter on the Agenda of the Commissioners Court for review at its next meeting that is at least ten (10) days after the date of the submission of the recommendation. The clerk shall notify the designated representative and the applicant that the matter is on the Agenda.

- a. Upon the approval of a Manufactured Home Rental Community Construction Authorization by the Commissioners Court, the authorization shall be issued to the applicant. A Manufactured Home Rental Community Construction Authorization does not constitute either a Permit to Construct or a License to Operate a specific on-site sewerage facility. An approved Manufactured Home Rental Community Construction Authorization however, is a prerequisite for obtaining a permit or license for a specific on-site sewerage facility in a Manufactured Home Rental Community.

- b. Upon the disapproval of a Manufactured Home Rental Community Construction Authorization by the commissioners court, the designated representative shall so notify the applicant in writing within ten (10) days of the disapproval and shall include the reasons for denying the approval of the authorization.

#### NOTICE

- 1) Upon the approval of a Manufactured Home Rental Community Construction Authorization, the authorization, the application therefor, and any other critical evaluation information shall be filed as a deed record for the community lots.
- 2) Any person, or his agents and assignees, desiring to create a Manufactured Home Rental Community that will utilize on-site sewerage facilities, in whole or in part, and sell, lease, or rent the lots therein shall inform each prospective purchaser, lessee, or renter:
  - a. That the community is subject to all of the terms and conditions of these Rules:
  - b. That a Permit to construct shall be required before an on-site sewerage facility can be constructed in the community.
  - c. That a License to Operate shall be required for the operation of such an on-site sewerage facility, and
  - d. That an application for a Manufactured Home Rental Community Construction Authorization has been made and whether or not it has been approved, including any restrictions placed on any such approval.

#### DEFINITIONS

- 1) Mobile home parks being defined herein as any plot or parcel of land on which there is located or to be located thereon more than one mobile home or trailer.
- 2) Manufactured Home Rental Communities being defined herein as a plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than 60 months without a purchase option, for the installation of manufactured homes for use and occupancy as residences.

#### INFORMAL

- 1) The designated representative may routinely inspect on-site sewerage facilities to assure continued compliance with these Rules.
- 2) The designated representative shall inspect any on-site sewerage facility that is reasonably believed to be causing pollution, a threat to the public health, or nuisance conditions, or to have been substantially modified without complying with these Rules based on a creditable complaint or other information available to the designated representative and may inspect any new on-site sewerage facility should the conditions existing at the time of licensing be found to have changed. If upon such inspection it is found that pollution, a threat to public health, or nuisance conditions are occurring, or an unpermitted substantial modification was performed, the designated representative shall so notify the owner of the on-site sewerage facility in writing and include what problems must be remedied in order

to achieve compliance. The on-site sewerage facility shall be reinspected at the expiration of the allotted time.

- a. If the facility is found to be compliant, a license therefor may be issued or the existing license may be modified.
- b. If the facility is found to be noncompliant, appropriate enforcement shall be taken.

#### CRIMINAL PENALTIES

- 1) A person who violates any of these Rules, is guilty of a misdemeanor and on conviction is punishable by a fine of not less than \$10 nor more than \$500. Each day that a violation occurs constitutes a separate offense.
- 2) Jurisdiction for prosecution of a suit under this section is in the justice of the peace courts.
- 3) Venue for prosecution of a suit under this section is in the justice of the peace precinct in which the violation is alleged to have occurred.

#### CIVIL (TEXAS WATER CODE 26.124)

- 1) Whenever it appears that a violation or the threat of a violation of any of the terms and conditions of these Rules has occurred or is occurring, the designated representative may have a suit instituted in a district court through its own attorney for injunctive relief or civil penalties or both against the person who committed, is committing or is threatening to commit the violation.
- 2) Such suits may not be instituted by the designated representative unless the Commissioners Court has adopted a resolution authorizing the institution of the suit.

A rural water supplier may not install a new water meter to a newly constructed house, mobile home or a travel trailer within Titus County without being furnished a "Certificated of Authorization" issued by the Designated Representative.