

# Gaines County

## Subdivision Regulations

**APPROVED AND ADOPTED MAY 23, 2016  
BY  
THE GAINES COUNTY  
COMMISSIONERS' COURT**

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GAINES COUNTY, TEXAS  
SUBDIVISION REGULATIONS

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

THE STATE OF TEXAS, COUNTY OF GAINES, IN COMMISSIONERS' COURT OF GAINES COUNTY, TEXAS.

Whereas: Gaines County has established standards and specifications for construction of roads and drainage, private sewage facilities and development within the floodplain, and

Whereas: Chapters 232 and 233, Texas Local Government Code, empower the County to enact subdivision rules and regulations and to provide for its administration, enforcement, and amendment, and

Whereas: Chapter 232, Subchapter E of the Texas Local Government Code provides the capability for the Commissioners' Court to adopt rules governing plats and subdivisions of land within the unincorporated area of the county to promote the health, safety, morals, or general welfare of the county and the safe, orderly, and healthful development of the unincorporated area of the county, and;

Whereas: Chapter 232.105 of the Texas Local Government Code authorizes the Commissioners' Court require the developer of the subdivision to execute performance bonds for the construction of improvements to ensure completion of the project; and

Whereas: Chapter 232.106 of the Texas Local Government Code authorizes the Commissioners' Court to impose the requirements of Section 232.029 and 232.0291 to prevent the development of colonias anywhere within the state; and

Whereas: The Commissioners' Court of Gaines County, empowered with the authority to formulate such rules and regulations by Chapter 232 and 233, has favorably received and voted on these rules, the Commissioners Court does recommend that these regulations be adopted, and entered as an order of the Commissioners' Court in the minutes of the court as the Subdivision Regulations of Gaines County;

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS' COURT OF GAINES COUNTY, TEXAS AS FOLLOWS:

## STANDARD SUBDIVISION PROCEDURE

Every owner (hereinafter called "Sub-divider and/or developer") of any tract of land situated without the corporate limits of any city in Gaines County, Texas who may hereafter divide the same into two (2) or more parts for laying out lots or for the purpose of laying out streets, roads, alleys, or parks or other portions intended for public use shall cause a plat to be made thereof which shall accurately describe all of said subdivision or addition by metes and bounds and/or legal description from a certified plat survey; 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, roads, or other portions intended to be dedicated to public use or for the use of purchasers and/or owners of said lots. Said map or plat shall be prepared by a licensed registered surveyor with the State of Texas in compliance with this order and with the subdivision statutes of the state of Texas and shall be submitted to the Commissioners' Court for approval prior to filing with the County Clerk. Owners/Developers of projects falling under the rules of the Texas Condominium Regime must also submit their plans to the County in the same order and timetable as provided herein prior to filing with the County Clerk.

In areas within the Extraterritorial Jurisdiction of a City, no plat shall be filed with the County Clerk without the authorization of both the City and the County. If any conflicts exist between the requirements of this County and those of the City in whose ETJ the proposed subdivision is located, the more stringent provisions shall govern.

In the event that the proposed development is a re-subdivision or re-plat of a recorded subdivision, the Sub-divider/developer will be required to meet the requirements of this Order for re-subdivisions, as well as these specifications. An existing subdivision plat may be vacated by the owners thereof in conformance with this Order and upon approval by the Commissioners' Court.

**It shall be unlawful for all individual(s), Sub-divider(s)/Developer(s) to cause to be recorded any such plat, vacating plat, or re-plat, unless and until the same shall have been approved by the Commissioners' Court of Gaines County.**

With the inception of this Order, no permit shall be issued by Gaines County for the installation of septic systems on any lot in a subdivision for which a final plat has not been approved and filed for record, or on any lot in a subdivision in which the standards contained herein or referred to herein have not been complied with in full.

Either a Sub-divider/Developer must furnish roads/streets that satisfy the minimum standards adopted by the Commissioners of Gaines County within these Subdivision Guidelines, or the plat must be clearly marked, and all relevant advertising materials must clearly state that the Sub-divider / Developer is NOT going to attempt to satisfy County road standards and the subdivision will NEVER be eligible for adoption into the County Road system.

Gaines County shall not repair and/or maintain any streets and/or roads in any subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein or referred to therein have not been complied with in full, nor shall Gaines County repair and/or maintain any streets and/or roads until such time as the roads and/or streets have been accepted by the Commissioners' Court.

PLEASE NOTE: FOR THE ROADS/STREETS IN ANY SUBDIVISION TO BE CONSIDERED FOR ADOPTION INTO THE COUNTY ROAD SYSTEM, AND TO BE MAINTAINED BY THE COUNTY, THOSE ROADS/STREETS MUST BE PAVED IN ACCORDANCE WITH THESE SUBDIVISION REGULATIONS AND THESE GUIDELINE SPECIFICATIONS. THE SUBDIVISION ROADS/STREETS WILL ONLY BE CONSIDERED FOR ADOPTION INTO THE COUNTY ROAD SYSTEM AFTER A TWO YEAR ANNIVERSARY OF ALL SAID ROADS/STREETS IN THE SUBDIVISION BEING PAVED, AND PASSING AN INSPECTION BY THE RELEVANT COUNTY COMMISSIONER. WITH NO EXCEPTIONS IMPLIED, ALL SUBDIVISIONS WILL BE REQUIRED TO HAVE ALL ROADS/STREETS PAVED WITHIN THE AREA OF THE PLAT FOR ANY CONSIDERATION TO BE GIVEN FOR ADOPTION INTO THE COUNTY ROAD SYSTEM AND INCLUSION IN THE MAINTENANCE SCHEDULE FOR COUNTY ROADS.

A Sub-divider/Developer must make a reasonable effort to have electric utility service installed and available to each lot by a recognized utility provider.

## **LEGAL PROVISIONS**

### **ENFORCEMENT**

On behalf of Gaines County, the County Attorney or other attorney may, when directed by the Commissioners' Court, institute appropriate action in a court of competent jurisdiction to enforce the provisions of this Order or the standards referred to herein with respect to any violation thereon which occurs within Gaines County's jurisdiction. In addition to any other remedy provided by law, the County and its officers have the right to enjoin any violation of this Order by any lawful procedure.

In accordance with § 232.036 paragraphs (b) and (d) Texas Local Government Code, a Sub-divider/Developer commits an offense if the Sub-divider allows the conveyance of a lot in the subdivision without having made a reasonable effort to have electric utility service installed by a utility as required by § 232.032. In accordance with the law, this offense is a Class A misdemeanor. Each lot conveyed constitutes a separate offense. For the purpose of this provision, in accordance with 232.036, venue for prosecution of a violation under this regulation is in Gaines County or in Travis County.

**Conflicting Orders.** If any other County Order is in conflict with this Order, the most stringent rules will apply. Nothing will be permitted under the provisions of this Order that is in violation with another valid Order of the County.

**Severability Clause.** If any provisions of this Order or the application thereof to any person or circumstance, are held invalid, the remainder of the Order and the application of such provision to their persons or circumstances shall not be affected thereby.

**Penalty for Violation.** The Commissioners' Court of Gaines County will cause an employee of the Court or any other person or persons it so designates to review periodically those deeds, or sales contracts, being recorded in the County Clerk's Office to see that subdivisions affected thereby shall comply with requirements of Chapters 232 and 233 of the Texas Local Government Code.

If deeds, contracts of sale, transfers of title, or other transactions do not comply with the plat requirements as set forth in this Order, and in the State Statutes, the Commissioners' Court of Gaines County or its representative can so notify the party selling or transferring title in whole or in part to comply with the said requirements. In the event the said notified party refuses to comply with the requirements of the order and the State Statutes, the Commissioners' Court can take appropriate action to obtain compliance. Any party violating any provision of this Order shall be guilty of a Class C misdemeanor and each act of the violation shall constitute a separate offense. To which, it will be at the commissioner's court discretion to proceed, under county attorney advisement, as to how far the commissioners want to pursue the violation until it is brought into and/or back up to compliance.

## **BOND REQUIREMENTS**

The Commissioner's Court may require the Sub-divider and/or developer to cause the execution of a bond to take place prior to the approval of the subdivision of the tract unless, a bond is not required due to the nature of required work; or an alternative financial guarantee is provided; or the required work is completed prior to the subdivision and subsequent sale of any tracts therein.

The bond must:

1. be payable to the County Judge of Gaines County,
2. be in an amount determined by the Commissioners' Court to be adequate to ensure proper construction of the roads and/or streets in the subdivision,
3. be in an amount determined by the Commissioners' Court to be adequate to ensure proper provision of electrical infrastructure to the individual tracts
4. be executed with sureties as may be approved by the Court,
5. Be conditioned that the roads and/or streets will be constructed in accordance with the specifications adopted by the Court and within a reasonable time as set by the Court.

In lieu of the bond a Sub-divider and/or developer may deposit cash, a letter of credit issued by a federally insured financial institution, or other acceptable financial guarantee. If a letter of credit is used, it must:

1. List as the sole beneficiary the County Judge of Gaines County,
2. Be conditioned that the Sub-divider / Developer will construct any roads and/or streets in accordance with the specifications adopted by the Court and within a reasonable time as set by the Court.
3. Be conditioned that the Sub-divider / Developer will install adequate electrical infrastructure for each lot, within a reasonable time as set by the Court.

## EXCLUDED TRANSACTIONS (Exemptions)

The following types of transaction will not be considered a subdivision as defined in this order but ***SHALL*** be required to apply for Commissioners Court approval by utilizing the subdivision "VARIANCE/EXEMPTION FORM" (see Appendix i) application process. The following list is not to be considered exclusive of similar transactions and is in addition to the general rules set out in this order, to-wit:

1. Intra family transfers
2. Boundary line transactions
3. Court ordered partitions
4. Partitions between husband and wife, partners, stockholders of a corporation, and other types of joint tenants
5. **Tracts over ten (10) acres in size regardless of number of tracts created, providing each tract must have direct access (fee simple) of at least 40 feet frontage to an existing Private or Public Road.**
6. Transfer of rights-of-way or easements

## **(OSSF) On Site Sewage Facilities**

**Subdivision construction authorization:** Any person desiring to create a subdivision, including mobile home parks, utilizing and/or requiring on-site sewerage facilities, in whole or in part, must obtain authorization from the Designated Representative prior to commencing or continuing construction in the subdivision. (see the attached form: (SOUTH PLAINS PUBLIC HEALTH DIST. ON SITE SEWAGE FACILITY (OSSF) PROGRAM )

**Application:** Each prospective purchaser and/or lot owner(s) are to be informed by the subdivider and/or developer that a Permit to construct shall be required before an on-site sewer system can be constructed in the subdivision, and after the construction an inspection is required by the Designated Representative to assure compliance with the Standards of the State of Texas and this County's order.

### **SOUTH PLAINS PUBLIC HEALTH DISTRICT (SPPHD) ON-SITE SEWAGE FACILITY (OSSF) PROGRAM Subdivision Review Guidelines**

ALL PROPOSED SUBDIVISIONS OR DEVELOPMENT PLANS, wherein the wastewater is to be disposed of by means of on-site sewage facilities (OSSF), are required to be reviewed by the permitting authority and MUST HAVE THE FOLLOWING MINIMUM INFORMATION SUBMITTED:

- An overall site plan that provides individual lot sizes and any existing water well locations. Areas for replacement OSSF systems are generally considered adequate when minimum lot sizes, as required by Title 30 Texas Administrative Code (TAC) Chapter 285, are provided. However, if ground surface features or topographies limit a lot's suitable area for an OSSF system smaller than the minimum lot size, then the replacement OSSF area on impacted lots needs to be addressed.
- A topographic map with the proposed subdivision location imposed on the map. The map shall be an original or legible copy of a "7.5 degree" map (Department of the Interior Geological Survey map with 5 foot contour intervals). Surface drainage and direction of drainage influenced by slope and other improvements planned for the subdivision shall be indicated on the map. Indicate subsurface horizons down to a depth of at least 7 feet
- A Federal Emergency Management Agency (FEMA) 100-year flood plain map with the proposed subdivision location imposed on the map. The map will be an original or legible copy. If a floodplain or floodway limits a lot's suitable area for an OSSF system, then a Registered Sanitarian or Professional Engineer, licensed in the State of Texas, must address the OSSF's impact during highwater events.
- A soils survey which includes:
  - (a) An original or legible copy of an existing official USDA Natural Resources Conservation Service soil survey map, if one has been completed, with the proposed subdivision location imposed on the map. The soil class and texture information must address each major soil association named by the USDA in the proposed subdivision and must be in accordance with current 30 TAC Chapter 285 rules for class and texture. If there is no official Natural Resources Conservation Service soil survey information available, then soils information as



described in the current 30 TAC Chapter 285 rules must be submitted by class and texture. This includes a soil texture analysis for each different USDA soil association and subsurface horizons down to 7 feet.

(b) Soil drainage and groundwater information and soil limitations that could affect OSSF disposal, identified by soil scientists in any official soil surveys.

- The types of OSSF disposal systems suitable for the soils in the proposed subdivision. A statement may be included to the effect that individual OSSF system selection will be made in conjunction with the site evaluation with respect to the individual site permitting process, in accordance with the 30 TAC Chapter 285 OSSF rules.

- An official county road map with directions to the proposed subdivision. •A

fee of \$100.00 per lot.

Submittals including all of the above information will be considered administratively complete. Upon determination that the submittal is administratively complete, SPPHD will provide a technical review of the submittal to determine compliance with 30 TAC §285 regarding individual lot size requirements and overall site suitability. Additional information may be requested by the SPPHD on a case-by-case basis. SPPHD will provide a written response to the sender regarding approval within 45 days of receipt of administratively complete planning materials.

## REQUIREMENTS OF LOT SALES

INSTALLATION OF AN OSSF SYSTEM PER RESIDENTIAL LOT IS REQUIRED FOR EACH PROPOSED SUBDIVISION PER GAINES COUNTY AND THE SOUTH PLAINS PUBLIC HEALTH DISTRICT AS PER TITLE 30 TEXAS ADMINISTRATIVE CODE CHAPTER 285.4 (c).

IT SHALL BE A RECOMMENDATION THAT WELLS, AS PRACTIAL AS POSSIBLE, ARE TO BE LOCATED TO THE REAR OF THE PROPERTY AND THE OSSF CONSTRUCTED TO THE FRONT OF THE PROPERTY. ***(THE CONSISTENT PLACEMENT OF WELLS AND OSSF'S THROUGHOUT THE SUBDIVISION ENSURES THAT ALL PROPERTY OWNERS ARE ABLE TO FULLY UTILIZE THEIR PROPERTY AND ELIMINATES THE POSSIBILITY OF AN INDIVIDUAL CONSTRUCTING AN OSSF TOO CLOSELY TO A NEIGHBORS WELL.)***

PLEASE INCLUDE A DESCRIPTION OF THE TYPES OF SEPTIC SYSTEMS WHICH WILL BE INSTALLED IN **THIS DEVELOPMENT**. ***(THE TYPES OF OSSF'S APPROVED BY THE STATE OF TEXAS AND INSTALLED MOST FREQUENTLY IN GAINES COUNTY INCLUDE STANDARD PIPE AND GRAVEL, EZFLOW, GRAVELLESS PIPE AND LEACHING CHAMBERS. THESE TYPES OF SYSTEMS MAYBE INSTALLED BY THE HOMEOWNER IF THE SYSTEM(S) WILL SERVE HIS/HER PRIMARY RESIDENCE.***

***THESE TYPES OF SYSTEMS ARE ALSO APPROVED BY TCEQ AND THE STATE OF TEXAS BUT ARE USED LESS FREQUENTLY AND MAY REQUIRE THE INSTALLER TO POSSESS A CUSS II LICENSE: ABSORPTIVE MOUNDS, DRIP IRRIGATION, EVAPOTRANSPIRATION BEDS, LOW PRESSURE DOSING, PTI SYSTEMS AND SURFACE APPLICATIONS.***

***OSSF'S SERVING STRUCTURES CONSIDERED RENTAL OR LEASE PROPERTIES MUST BE INSTALLED BY A LICENSED INSTALLER AND NOT THE HOMEOWNER***

OWNER OF LOT WILL AGREE TO INSTALL AN APPROVED SYSTEM AND ABIDE BY THE RULES OF THE SOUTH PLAINS PUBLIC HEALTH DISTRICT OSSF PROGRAM. FOR INFORMATION ON PERMITTING AND INSTALLATION PLEASE CONTACT THE SPPHD DESIGNATED REPRESENTATIVE AT 432 758 4022. INDIVIDUALS FOUND VIOLATING OSSF PROGRAM RULES COULD POSSIBLY BE FINED IF THERE IS A FINDING OF NEGLIGENT ACT(S) .

## Gaines County Subdivision Regulations

### **PLATTING PROCEDURES**

The following procedures shall be followed in the process of review and approval of all subdivision plats by the Gaines County Commissioners' Court:

#### **APPROVAL OF PLATS**

(a) The Commissioners' Court of Gaines County or a person designated by the Commissioners' Court shall issue a written list of the documentation (Check List) and other information that must be submitted with a plat application. The documentation or other information must relate to a requirement authorized under this section or other applicable law. An application submitted to the Commissioners' Court or the person designated (County Commissioner) by the Commissioners' Court that contains the documents and other information on the list is considered complete.

(b) If a person submits a plat application to the Commissioners' Court that does not include all of the documentation or other information required by Subsection (a), the Commissioners' Court or the Court's designee (County Commissioner) shall, not later than the 10TH business day after the date the Commissioners' Court receives the application, notify the applicant of the missing documents or other information. The Commissioners' Court shall allow an applicant to timely submit the missing documents or other information.

(c) An application is considered complete when all documentation or other information required by Subsection (a) is received. Acceptance by the Commissioners' Court or the Court's designee (County Commissioner) of a completed plat application with the documentation or other information required by Subsection (a) shall not be construed as approval of the documentation or other information.

(d) Except as provided by Subsection (f), the Commissioners' Court or the Court's designee (County Commissioner) shall take final action on a plat application, including the resolution of all appeals, not later than the 60th day after the date a completed plat application is received by the Commissioners' Court or the Court's designee (County Commissioner).

(e) If the Commissioners' Court or the Court's designee (County Commissioner) disapproves a plat application, the applicant shall be given a complete list of the reasons for the disapproval.

(f) The 60-day period under Subsection (d): (1) may be extended for a reasonable period, if agreed to in writing by the applicant and approved by the Commissioners' Court or the Court's designee (County Commissioner); (2) may be extended 60 additional days if Chapter number 2007, Government Code, requires the county to perform a takings impact assessment in connection with a plat application; and (3) applies only to a decision wholly within the control of the Commissioners' Court or the Court's designee (County Commissioner).

(g) The Commissioners' Court or the Court's designee (County Commissioner) shall make the

determination under Subsection (f)(2) of whether the 60-day period will be extended not later than the 20th day after the date a completed plat application is received by the Commissioners' Court or the Court's designee (County Commissioner).

(h) The Commissioners' Court or the Court's designee (County Commissioner) may not compel an applicant to waive the time limits contained in this section.

(i) If the Commissioners' Court or the Court's designee (County Commissioner) fails to take final action on the plat as required by Subsection (d): (1) the County shall refund the greater of the unexpended portion of any plat application fee or deposit or 50 percent of a plat application fee or deposit that has been paid; (2) the plat application is granted by operation of law; and (3) the applicant may apply to a district court in the county where the tract of land is located for a writ of mandamus to compel the Commissioners' Court to issue documents recognizing the plat's approval.

Subdivision plats shall be submitted to the Commissioners' Court for review and approval on two (2) readings before they may be recorded with the County Clerk.

All initial submissions of information required herein shall be made a minimum of 14 days prior to a regularly scheduled Commissioners' Court meeting at which action is requested. The information will be deemed to have been submitted when it is delivered to the County Commissioner. A copy of the plat and check lists must be submitted to the County Commissioner. A copy of the plat, checklist, and all other required information shall be submitted.

Prior to official filing of a preliminary plat, the sub-divider/developer shall consult with and present a preliminary plan in sketch form to the responsible utility companies.

It shall be required that the Sub-divider/developer meet with the Commissioner in whose precinct the proposed project is located prior to submitting a plat to the County. Said meeting shall be a minimum of seven (7) days prior to submitting plans to the County.

## **Gaines County Subdivision Regulations**

### **PRELIMINARY PLAT**

(First Reading)

The Subdivider/developer shall have a Preliminary Plat of the proposed development which shall show:  
(See PLATTING CHECKLIST-FIRST READING (PRELIMINARY), Appendix A)

- 1 Typical lot dimensions.
- 2 Street/road right-of-way widths.
- 3 Areas for recreational use, such as parks or greenbelts.
- 4 Proposed land use of all lots being subdivided.
- 5 Provide Vol. & Page, and Reference of all owners of property surrounding the proposed subdivision with the current land use of all contiguous tracts, i.e. undeveloped, subdivided, etc
6. All major topographic features such as rivers, creeks, bluffs, etc., on or adjacent to the property as well as elevation contours as follows:
  - Tracts of five (5) acres or more at twenty feet (20') intervals.
  - Tracts of one (1) to five (5) acres at five feet (5') intervals.
  - Tracts of less than one (1) acre at two feet (2') intervals
- 7 On Site Sewage Facility (OSSF) compatibility with area-wide drainage and groundwater
- 8 Location of water wells
- 9 Master Development Plan. (If subdivision is portion of a larger tract of land, exterior boundary of the parent tract shall be shown on the Preliminary Plat and future plans for the remaining property noted. If the parent tract is larger than 320 acres, the Preliminary Plat may be prepared at a scale no smaller than one inch (1") equals one thousand feet (1000'), with the area proposed to be subdivided detailed at a scale no smaller than one inch equals two hundred feet (1' -200').
- 10 Location map showing the location of the proposed subdivision in relation to major roads, towns, cities, and topographic features. Indicating a north arrow on the map
- 11 Name and address of the developer and/or owner of the property.
- 12 Total number of lots and acreage within the proposed subdivision.
- 13 Total area within street/road rights-of-way and length of street/roads.
- 14 Statement as to the jurisdiction with responsibility for the maintenance of street/roads within the subdivision.
- 15 Name of proposed subdivision, with said numbers not conflicting in spelling, pronunciation, or anyway with the name of any other subdivision/development within Gaines County, unless the proposed subdivision/development is contiguous to an existing subdivision and is an additional phase of that development.
- 16 Numbers of street/roads, with said numbers not duplicating any other streets/roads within Gaines County unless they are extensions of said streets/roads, and comply with requirements of 911 addressing regulations.
- 17 Lots with direct access to all State highways need Texas Department permission/approval.
- 18 Provide proof of execution of bond(s), if required by Commissioners' Court, or completion of requirements for construction of roads and/or electrical infrastructure.

## Gaines County Subdivision Regulations

### RECORD PLAT (Second Reading)

Upon approval of the Preliminary Plat, the Subdivider/developer(s) shall revise the plat in accordance with the requirements and/or recommendations of the Commissioners' Court and shall cause to be prepared a Final Plat of the proposed subdivision, with an original of which shall be supplied to the County Commissioner, such plat having incorporated any changes.

The Final Plat shall contain all information required herein for the Preliminary Plat as well as the following: (*SUBDIVISION PLATTING CHECKLIST SECOND READING (FINAL), Appendix B*)

- 1 Name of proposed subdivision
- 2 Lot and Block numbers
- 3 Proposed street/road numbers which shall not duplicate the name of any existing street/road unless the proposed street/road is an extension thereof with all street/road addresses and placement of signs are required to be in accordance with 911 regulations.
- 4 Acreage, ***with two decimal points***, of all lots and tracts.
- 5 Name and address of the surveyor and/or tracts.
- 6 Location and size of all proposed drainage structure.
- 7 Location, size, and proposed use of all easements required for the proper utility service
- 8 **On Site Sewage Facilities compatibility with area-wide drainage and groundwater**
- 9 Location of water wells
- 10 Boundaries of incorporated city limits and/or EJTs and a statement that "This property is/is not located within the municipal limits or EJT boundaries of any community."
- 11 Statement of how utilities will be provided to the development, including names of utilities companies, i.e., water, sewer, power, etc. If not available, a statement so indicating shall be placed on the plat.
- 12 Description of monumentation used to make all boundary, lot and block corners, and all points of curvature and tangency on street rights-of-way
- 13 Certificate of Road Maintenance (*see Appendix H*)
- 14 Water Supply Certification (*see Appendix E*)

## Gaines County Subdivision Regulations

In addition, the Sub-divider/ Developer shall submit with the Final Plat the following:

- 1 Proposed restrictive covenants/restrictions, if any
- 2 Tax certificate showing that all taxes are currently paid on the property to be subdivided. These would include Rollback Tax Receipts on platted lots or tracts of less than 25 acres that do not otherwise qualify.
- 3 Although it is not a mandated requirement, in the event the Sub-divider/developer proposes to use privately maintained roads, the proposed Articles of Incorporation and By-Laws of the Homeowner's Association or other entity responsible for road maintenance, ***IF APPLICABLE***.
- 4 Construction Plans of all required streets and/or road drainage improvements.
- 5 Road Construction Security as specified herein.
- 6 When lots exceed 10 acres in size, **and each tract has direct access (fee simple) of at least 40 feet frontage to an existing private and/or public road**, the filing of Preliminary Plats and Final Plats shall be excused. However, **the owner must submit a request to the County for approval by Commissioners court, for which** a plat containing a map of the subdivision shall be filed with the County Clerk, along with any filing fees as required.
- 7 The Final Plat shall be submitted for approval in the form of one copy, bearing all necessary signatures in blue/black ink. Each signature shall have, immediately under it in legible lettering or typing in black/blue ink, the name corresponding to the original signature and mailing address. All corporate, legal, license and registration seals shall be affixed in such a manner as to be legible. Signatures of all persons joining in dedication of the plat shall be notarized. The original copy of the Final Plat may be submitted by the sub-divider/developer or his agent for signing by the County Judge and recording by the County Clerk when the Final Plat is considered by the Commissioners' Court.

### REPLATTING PROCEDURES

Any application to the Commissioners' Court for REPLATTING of a RECORDED SUBDIVISION must first be posted by notice for three (3) weeks on the bulletin board in the GAINES COUNTY COURTHOUSE.

Any application for REPLATTING must be preceded by publication in a newspaper of local publication for three (3) weeks, with final publication to appear no less than the prior to the meeting at which the MOTION FOR REPLATTING will be considered by the Commissioners' Court.

The Commissioners' Court, at the meeting at which said REQUEST FOR REPLATTING shall be heard, shall be presented with a Publisher's Affidavit as proof of publication.

## Gaines County Subdivision Regulations

### DESIGN STANDARDS

The following criteria shall be deemed the *minimum* standard by which subdivisions in Gaines County shall be designed.

#### LOTS

The size, width, depth, shape, and orientation of lots shall be appropriate for the area of the County in which the subdivision is located, and for the type of development and use contemplated.

Minimum lot dimensions shall conform to the following conditions:

1. When the lot will have no community water and sewage systems, the area shall be one (1) acre or more. The shape and size of the lot shall be large enough to meet the following requirement: Any proposed site for septic tanks and absorption systems must be located at the prescribed distance from water wells, streams, dry washes, etc.
- 1 When the lot will have a community water system but no community sewage system, the area of the lot must be one-half (0.5) acre or more, provided a septic tank system meets the minimum set-back distance requirements stated.
- 2 When the lot will have community water and sewage systems, the area of the lot may be less and one-half (0.5) acre.
- 3 All size requirements shall be exclusive of easements and/or roadways.

If the Sub-divider/developer chooses to plat lots with minimum lot size of less than one-half acre, he shall cause the cost of community water and sewage system improvements to be included in the Guarantee of Performance to be posted with the County Judge. If the Subdivider/developer chooses to plat lots of between one-half and one acre, he shall cause the cost of the community water system to include in the Guarantee of Performance.

*Building Set Back Lines* shall be at least twenty-five feet (25') from the right-of-way lines, and ten feet (10') from back of property line on lots of 0.5 acres or more.

*Building Set Back Lines* shall be at least twenty-five feet (25') from the right of way lines and five feet (5') from back of property lines on lots of less than 0.5 acres.

#### ROADWAYS

**Dedication of Maintenance of Streets.** Disapproval of a plat by the Commissioners' Court shall be deemed a refusal by Gaines County to accept the offered dedications shown thereon. Approval of a plat shall not be deemed an acceptance of the proposed dedications and shall not impose any duty upon the county concerning the maintenance of or improvements to any such dedicated parts until the Commissioners' Court has actually accepted the streets/roads. It shall be unlawful for Commissioners to maintain the streets/ roads in a subdivision, and Gaines County will not accept or maintain said streets/ roads, unless and until such streets/ roads have been constructed as specified, the required



utilities and drainage facilities have been installed and such improvements have been accepted in writing by the Commissioners' Court.

All roads/streets will not receive consideration for final approval by Commissioners' Court until at least two (2) years after original construction of streets/roads is/are completed and paved. Upon final approval, title to all paved streets/roads shall be conveyed to the County for their maintenance by either a warranty deed, or a grant of right-of-way which shall be acceptable to the Commissioners' Court. Accompanying such deed/grant shall be an adequate description of paved streets/ roads, either by reference to the approved subdivision plat or by field notes prepared by a Registered Professional Engineer surveyor from a survey made on the ground. From the date of adoption of this Order forward, all paved streets/roads in any subdivision for which a plat has been filed shall adhere to the Road Construction Specifications which follow, whether or not an eventual request for County maintenance is planned.

ROAD CONSTRUCTION SPECIFICATIONS

Roads:

- Minimum right-of-way ..... 80'
- Minimum crown width of uncurbed section..... (All categories)..... 30'
- Minimum width of base material..... (All categories) ..... 30'
- Minimum depth of compacted base material..... (All categories)..... 8"
- Minimum height of crown..... (All categories) ..... 1/8" per foot
- Maximum height of crown..... (All categories) ..... 3/8" per foot
- Minimum width of each uncurbed on-way lane surface... (All categories)..... 24'
- Minimum type surfaces..... (All categories).....

Asphalt Prime Coat with 2 course asphalt treatment

Base material used for roads or streets shall conform to the requirements of the *Texas Department of Transportation*, or other materials obtained from sources approved by the Commissioners' Court or their designated representative.

The entire right-of-way will be cleared of all timber, roots, brush, fences, boulders or other obstructions, unless a variance is granted by the Commissioners' Court. Upon completion of all construction, the right-of-way may be seeded with native grasses, or other plants as approved by the Commissioners' Court.

Subgrade. The preparation of the Subgrade shall follow engineering practices commonly used in Gaines County, Texas. The Subgrade shall be compacted by ordinary compaction by any method, type, and size of equipment, which will give the required compaction. The Subgrade must be inspected and approved by the Commissioners' Court or their designated representative prior to any application of base material. *Refer to TxDOT criteria and specifications.*

## Base Material

The material shall be thoroughly wetted, mixed, manipulated, and bladed, so as to secure a uniformly wetted material and pulled in over the Subgrade in courses and set under the action of blading and rolling. All irregularities, depressions, or weak spots which develop shall be corrected immediately by scarifying the area affected, adding suitable material as required, reshaping and recompact by sprinkling and rolling. The base must be inspected and approved by the Commissioners' Court or their designated representative prior to the application of any surface treatment. *Refer to TxDOT specifications.*

## Surface Treatment. *Refer to TxDOT specifications*

In a subdivision where water lines or other utilities are installed on rights-of-way, they shall be located off and away from roadways (paved center portion and shoulders). Fire Hydrants shall be equipped with connections for standard fire-fighting equipment

## RECOMMENDED ASPHALT AND ROCK DISTRIBUTION

### 2 COURSE ROCK AND ASPHALT PENETRATION SURFACE:

Rock: 1<sup>st</sup> course grade 3 rock, 1 cu. Yd. per 80 sq. yd.

2<sup>nd</sup> course grade 4 rock, 1 cu. Yd. per 120 sq. yd.

Asphalt: The finished base shall be primed prior to application of chip seal with AE-P diluted 50% with water or MC-30 as per manufacturer recommendation. The asphalt emulsions for the double pen chip seal shall be CRS-2P or HFE-100P polymer modified emulsion or equivalent that complies with TxDOT item 300 specifications for asphalt emulsions.

1<sup>st</sup> course: 0.48 gal. per sq. yd.

2<sup>nd</sup> course: 0.46 gal. per sq. yd.

Or

Asphalt: A.C.5

1<sup>st</sup> course, 0.30 gal per sq. yd.

2<sup>nd</sup> course, 0.40 gal per sq. yd.

Rock to meet T.x.D.O.T. specifications. Asphalt to meet T.x..D.O.T. specifications.

Specifications can be found at: (<http://www.dotstate.tx.us/txdot.htm>)

## **Gaines County Subdivision Regulations**

After paved roads/streets have been dedicated to and accepted by Gaines County so that future maintenance responsibilities become a function under the Gaines County Commissioners' Court, the installation of any further water or utility lines, side roads, etc., on rights-of-way shall be prohibited unless expressly permitted in writing by the Commissioners' Court.

Subdivisions must have control signs, guardrails, and other safety features installed at required locations on all subdivision rights-of-way dedicated for public use. Culverts and bridges shall be at least as wide as the roadway portions (pavement and shoulders) of the paved streets/ roads. Bridge abutments or other drop-offs located at the edge of the shoulder portions of any road/street shall be indicated by installation of protective posts or other devices equipped with reflectorized markers.

Rights-of-way dedicated to public use shall be kept clear of tall weeds and brush so that property lines, drainage ditches, and hazardous conditions shall be readily distinguishable.

In cases where the new roads/streets as platted intersect with established roads and streets, the new roads/streets shall be, if practicable, a continuation without offset of any intersecting road and/or street on the opposite side of said established road and/or street.

Adequate off-street parking space must be provided in business or commercial areas.

The County has no traffic control authority on roads, streets, or thoroughfares not accepted by the County for maintenance.

Generally, it is desired that surface drainage from private property taken to roads/streets, along the natural course of drainage is desired but the practice of using roads and/or streets as major drainage courses is prohibited.

Design of channels shall consider velocities and shall be shaped, graded, lined, or protected to minimize or prevent scour and erosion from excessive velocities. This requirement shall extend to roadside drainage ditches often called 'bar' ditches. All drainage structures shall be of permanent type, either concrete or metal. Drainage calculations shall be made using Talbot's Formula or other methods satisfactory to the Commissioners' Court. Drainage structures shall be designed using a ten (10) year flood frequency. The size of the culverts shall be subject to the approval of the Commissioners' Court.

All roadway crossing streams and/or roadways subject to flooding must be rip-rapped on both sides as specified by the County. Concrete used as rip-rap must test 2500 *psi*.

**Gaines County Infrastructure Regulations**  
**For Manufactured Home Rental Communities**  
**Preamble**

- A. The Legislature has enacted legislation amending Section 232.007, Local Government Code, Subsection (a) and adding Subsections (c) through (h) Enabling Commissioners Courts to adopt requirements for Infrastructure regulations for manufactured home rental communities.
- B. Due notice was given of a meeting and public hearing to determine Whether the Commissioners Court of Gaines County, Texas should enact An order establishing infrastructure regulations for manufactured home Rental communities.
- C. The Commissioners Court of Gaines County, Texas finds that these Requirements help to insure safe access of fire and emergency vehicles, Protect against flood damage to properties and possible loss of life, and Insure adequate water and wastewater facilities.
- D. The Commissioners Court of Gaines County, Texas has considered the matter and deems it appropriate to enact an Order adopting minimum infrastructure regulations for manufactured home rental communities.

**Order**

- A. Construction of a proposed manufactured home rental community may not begin before the infrastructure plan has been approved by the commissioners' court.
- B. A utility may not provide utility services, including water, sewer, gas, and electric services to a manufactured home rental community subject to infrastructure development plan requirements until the plan is approved by commissioners' court.
- C. Minimum Standards and submission requirements:
  - 1) All internal roads/streets and associated drainage facilities shall be designed and constructed to minimum standards that are reasonably necessary to permit ingress and egress access by fire and emergency vehicles as designed by a registered professional engineer. The drainage facilities shall not be required to exceed the standards and specifications as adopted within the county's subdivision regulations.
  - 2) All developments to be served by On-Site Sewage Facilities shall comply with 30 TAC Chapter 285 Section 285.4, "Facility Planning" and Section, 285.5 "Submittal Requirements for Planning Materials" and the "Gaines County Rules for On-site Sewage Facilities".
  - 3) A drainage plan in accordance with standard engineering practices which meets the standards and specifications as adopted within the Gaines County Subdivision Regulations.
  - 4) Certification by the water and/or wastewater service provider that they agree to provide service, if applicable, and
  - 5) A boundary survey of the proposed development site which identifies the proposed location of all rental spaces, utility easements, drainage easements, water and wastewater lines, and floodplain boundaries.
- D. The Gaines County Road Department shall inspect all roads and associated drainage structures for compliance with these minimum standards.
- E. Tenants may not occupy rental spaces until all construction requirements of the infrastructure plan have been approved and completed.
- F. Fees for Infrastructure Plans for Manufactured Home Rental Communities shall be based on the number of lots and/or rental spaces and shall be the same as Gaines County Subdivision Review Fees.
- G. This change in law made by the 76th Texas Legislature applies only to a manufactured home rental community for which construction is commenced on or after the effective date of the order.
- H. Enforcement; Penalties.

- 1) Category of Offense. A person commits an offense if the person knowingly or intentionally violates a requirement of these Regulations, including the Road Design and Construction Specifications incorporated in these Regulations, the Rules of Gaines County for On-Site Sewage Facilities and any appendices attached to these Regulations. An offense under this provision is a Class B misdemeanor punishable by fine or imprisonment or both.
- 2) Enforcement Actions. At the request of the Commissioners Court, the county attorney or other prosecuting attorney for the County may file an action in a court of competent jurisdiction to:
  - a) Enjoin the violation or threatened violation of a requirement established by or adopted by the Commissioners Court under these Regulations; or
  - b) Recover damages in an amount adequate for the County to undertake any construction or other activity necessary to bring about compliance with a requirement established by or adopted by the Commissioners Court under these Regulations.

**GAINES COUNTY SUBDIVISION  
PLATTING CHECKLIST  
FIRST READING (*PRELIMINARY*)**

- \_\_\_\_\_ Name of proposed Subdivision
- \_\_\_\_\_ Name and Address of Owner/Sub-divider/Developer
- \_\_\_\_\_ Names and land use of Adjoining Owners
- \_\_\_\_\_ Master Development Plan (if subdivision is a portion of a larger tract)
- \_\_\_\_\_ Location Map
- \_\_\_\_\_ Scale (not smaller than 1"=200')
- \_\_\_\_\_ North Arrow Contour Information (if applicable)
- \_\_\_\_\_ Major Topographic Features
- \_\_\_\_\_ Total Acreage and number of lots in proposed Subdivision
- \_\_\_\_\_ Typical Lot Dimensions
- \_\_\_\_\_ OSSF Plans as required in Title 30 TAC Chapter 285
- \_\_\_\_\_ Land use of Lots, Parks, Greenbelts
- \_\_\_\_\_ Total length of Roads/streets
- \_\_\_\_\_ Width of Right-of-Way
- \_\_\_\_\_ Special Flood Hazard Areas/Note Road
- \_\_\_\_\_ Maintenance (County/Property Owners Assn)
- \_\_\_\_\_ Letter from Utility Providers
- \_\_\_\_\_ Provide certified estimated costs for construction of roads and/or electrical infrastructure
- \_\_\_\_\_ 9-1-1 Coordinators Signature
- \_\_\_\_\_ County Commissioner Signature
- \_\_\_\_\_ Texas Department of Transportation

## **Gaines County Subdivision Regulations**

### ***Appendix B***

#### **GAINES COUNTY SUBDIVISION PLATTING CHECKLIST SECOND READING (FINAL)**

- \_\_\_\_\_ All Information Required for Preliminary Plat
- \_\_\_\_\_ All Information Required for Preliminary Plat
- \_\_\_\_\_ Lot and Block Numbers
- \_\_\_\_\_ Acreage of Each Lot or Parcel
- \_\_\_\_\_ Location and Size of Drainage Structures
- \_\_\_\_\_ Location, Size, and Proposed Use of Easements
- \_\_\_\_\_ Incorporated Cities Boundary/ETJ/Note
- \_\_\_\_\_ Servicing Utilities Companies Note
- \_\_\_\_\_ Proof of Bond for Roads and / or Electrical Infrastructure
- \_\_\_\_\_ Restrictive Covenants
- \_\_\_\_\_ Tax Certificates
- \_\_\_\_\_ Home Owners Assn' Incorporation Articles/By-Laws
- \_\_\_\_\_ OSSF Plan Approved by Gaines County Representative
- \_\_\_\_\_ Street Ranges Assigned
- \_\_\_\_\_ Street Numbers Approved by 9-1-1 Coordinator
- \_\_\_\_\_ 9-1-1 Emergency Zone (ESN) Assigned by 9-1-1 Coordinator
- \_\_\_\_\_ 9-1-1 Coordinator Signature
- \_\_\_\_\_ County Commissioner Signature
- \_\_\_\_\_ County Commissioner Signature

## **Gaines County Subdivision Regulations**

### *Appendix C*

#### **GAINES COUNTY SUBDIVISION RE-PLATTING CHECKLIST**

- \_\_\_\_\_ Proof of Publication and Posting as required
- \_\_\_\_\_ Copy of existing Plat
- \_\_\_\_\_ Proposed Lot and Block Numbers
- \_\_\_\_\_ Acreage of Each Proposed Lot or Parcel
- \_\_\_\_\_ Location and Size of Drainage Structures
- \_\_\_\_\_ Location, Size, and Proposed Use of Easements
- \_\_\_\_\_ Complies with Existing Restrictive Covenants (If Applicable)
- \_\_\_\_\_ Complies with Home Owners Assn' Articles/By-Laws
- \_\_\_\_\_ OSSF Plan Approved by Gaines County Representative
- \_\_\_\_\_ Street Ranges Assigned (If Applicable)
- \_\_\_\_\_ Street Numbers Approved by 9-1-1 Coordinator (If Applicable)
- \_\_\_\_\_ 9-1-1 Coordinator Approval (If Applicable)
- \_\_\_\_\_ County Commissioner Signature



**Gaines County Subdivision Regulation**

*Appendix E*

**WATER SUPPLY CERTIFICATE**

*(Public Water Supply System)*

\_\_\_\_\_, *(name of water company)* an approved public water supply system has adequate quantity to supply this subdivision and provisions have been made to provide service to each lot in accordance with the policies of the water supply system.

\_\_\_\_\_  
**Name and Title of Official  
Water Supply Company**

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

## **Gaines County Subdivision Regulations**

*Appendix H*

### **CERTIFICATE OF ROAD MAINTENANCE**

*(When Roads are to be Retained as Private Roads)*

**"In approving this plat by the Commissioners' Court of Gaines County, Texas, it is understood that all roads shown hereon are private roads and shall remain the property of the Sub-divider and/or subsequent owners of the property. The construction, repair, and maintenance of these streets/ roads and any associated drainage improvements will be the responsibility of the Sub-divider and/or subsequent owners of the subdivision and will not be the responsibility of Gaines County."**

---

**Sub-divider or Representative**

**Date**

### **CERTIFICATE OF ROAD MAINTENANCE *(When Roads***

***are to be Dedicated to Gaines County for Maintenance)***

**"In approving this plat by the Commissioners' Court of Gaines County, Texas, it is understood that all roads shown hereon are private roads and shall remain the property of the sub-divider and/or developer and/or subsequent owners of the property until such time as the Commissioners' Court approves the dedication of the paved roads to the County for maintenance by way of a Warranty Deed and/or grant of rights-of- way. Acceptance of this plat does not constitute acceptance of the roads shown hereon by Gaines County."**

---

**Sub-divider or Representative**

**Date**

**Gaines County Subdivision Regulations**

*Appendix i*

**REQUEST FOR VARIANCE/EXEMPTION FORM**

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

**Owners(Seller) Name** \_\_\_\_\_

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

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

**E-Mail** \_\_\_\_\_

**Petitioners Name (If different from above)** \_\_\_\_\_

**Purchaser Name** \_\_\_\_\_

**Mailing Address** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_ **Telephone:** \_\_\_\_\_

**Property Description:** \_\_\_\_\_

**Reason for request**

A copy of my Deed with full legal description, including metes and bounds, along with a survey of the proposed property showing boundaries of the lots, adjacent roads, adjacent property owners, any streams, creeks, rivers, and lakes or other features that may inhibit emergency vehicles from a timely response.

I do hereby acknowledge that all lots will remain subject to County and State OSSF (Septic) and Development Permit requirements.

**Signature of owner** \_\_\_\_\_

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

**STATE OF TEXAS COUNTY OF  
GAINES**

This instrument was sworn to before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

**Recommended for approval:**

**Department: Yes**\_\_\_\_ **No**\_\_\_\_ **If no, Reason:** \_\_\_\_\_

**COURT ACTION: Yes**\_\_\_\_ **No**\_\_\_\_

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

## **Gaines County Subdivision Regulations**

### **PLATTING-REPLATTING. FEE SCHEDULE**

**Effective April 10, 2006 fees are \$100.00 per project that covers the Preliminary and Final plat \$100 for REPLATS.**

**If a project has to be resubmitted by no fault of the county, each additional time will result in a \$25 per project fee. Fees are subject to change with Court approval**

#### **COMMERCIAL DEFINITION**

- 1. Multi-family consisting of two or more units, office, industrial or retail properties.**
- 2. Income producing property including, but not limited to, office buildings, gasoline stations, restaurants, shopping centers, hotels and motels, stores and warehouses.**

**PERMIT FEES/PENALTY -when development is started without the correct permit, the total fee normally charged for the permit will be doubled. The county office in charge of issuing development permits will consider the following factors when enforcing this provision:**

- 1. Prior violations of county development regulations**
- 2. Lack of a timely response to the county's request for submitting a development permits application.**

ENTERED AND APPROVED in open session of the Gaines County  
Commissioner Court on the 23<sup>rd</sup> day of May, 2016.

---

Tom N. Keyes, Gaines County Judge

---

Danny Yocom  
Commissioner Precinct 1

---

Craig Belt  
Commissioner Precinct 2

---

Blair Tharp  
Commissioner Precinct 3

---

Biz Houston  
Commissioner Precinct 4

---

Vicki Phillips  
County Clerk

# **Addendum to Gaines County Subdivision Regulations**

**Dated 26 June 2017**

The Gaines County Subdivision Regulations, adopted May 23, 2016, made the following statement concerning the acceptance of subdivision road(s) into the County Inventory of roads:


Approval of a plat **shall not** be deemed an acceptance of the proposed dedications and **shall not** impose any duty upon the county concerning the maintenance of or improvements to any such dedicated parts until the Commissioners' Court has actually accepted the streets/roads. It shall be unlawful for Commissioners to maintain the streets/ roads in a subdivision, and Gaines County will not accept or maintain said streets/ roads, unless and until such streets/ roads have been constructed as specified, the required utilities and drainage facilities have been installed and such improvements have been accepted in writing by the Commissioners' Court.

As there seems to be some confusion among developers, and an unwarranted expectation that the Commissioners' Court will automatically accept every subdivision road into the County Inventory, the following criteria are provided to guide developers as they seek to have their roads accepted by the County.

## **Principles for the Acceptance of Subdivision Road(s) into the County Inventory**

1. General Principle: the road must serve more than just the subdivision from which it arises. A road that starts from a county or state road and ends within the subdivision, or curves around to re-connect to the same county or state road, will not be accepted.
2. General Principle: the road must enhance the flow(s) of commerce within the county. For example, for the road to be accepted into the County Inventory, the road must connect other county, or state, roads in a manner that offers improvement in the movement of products to market, supplies and services to production sites, or safe transportation of children to and from school.
3. Developers must apply in writing to the Commissioners' Court to have a road accepted into the County Inventory. In the application the Developer must demonstrate that the General Principles have been met. Then the Commissioners' Court must validate that acceptance of the road is within the financial capability of the County within the immediate fiscal year, and for the near term (five year minimum) future. It would be fiscally irresponsible for the County to accept roads during periods of time when the taxpayers of the Gaines County are being challenged, and revenues are flat or shrinking. However, developers should note, refusal of a road due to this criteria does not prevent a future application for acceptance if the general principles have all been met.

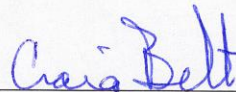
APPROVED and ENTERED in open session of the Gaines County Commissioner Court on the  
26<sup>th</sup> day of June, 20 17.



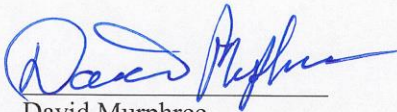
Tom N. Keyes  
Gaines County Judge



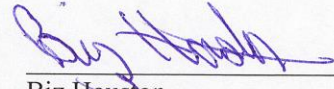
Brian Rosson  
Commissioner Precinct 1



Craig Belt  
Commissioner Precinct 2



David Murphree  
Commissioner Precinct 3



Biz Houston  
Commissioner Precinct 4



Vicki Phillips  
County Clerk



## SOUTH PLAINS PUBLIC HEALTH DISTRICT ON-SITE SEWAGE FACILITY (OSSF) PROGRAM Subdivision Review Guidelines

SUBDIVISION NAME: \_\_\_\_\_

SUBDIVISION LOCATION: \_\_\_\_\_

TOTAL # OF LOTS: \_\_\_\_\_ APPROX. LOT SIZE: \_\_\_\_\_ (Lots must be at least 1 acre in size.)

TOTAL # OF WATER WELLS: \_\_\_\_\_ TOTAL # OF EXISTING WATER WELLS: \_\_\_\_\_

DEVELOPMENT COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ CONTACT: \_\_\_\_\_

SITE EVALUATOR: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ LICENSE #: \_\_\_\_\_

REGISTERED SANITARIAN/ENGINEER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ LICENSE #: \_\_\_\_\_

NOTE: Per Title 30 Chapter 285.4 (c) of the Texas Administrative Code, the following is a checklist of required documents that must be provided with this application for Subdivision Review. ALL items must be submitted with the application. Please provide photo copies of all documents to SPPHD for record keeping purposes.

**Incomplete packets will be returned.**

- ☐ An overall site map of development (Mylar copy of map must be submitted to the SO and SPPHD for signature)
- ☐ A topographical map
- ☐ A FEMA 100 year floodplain map with development superimposed on the map or a ...
- ☐ Statement from RS or PE indicating degree of risk for the occurrence of highwater events in this area
- ☐ Soil Survey which includes sub surface horizons to a depth of at least 7 feet
- ☐ A complete report detailing the types of OSSF systems to be considered
- ☐ Statement as to lot size, soil suitability, slope, placement of wells to OSSF, compliance with TAC, (see attachment)
- ☐ Official county road map with directions
- ☐ Official survey copy of the entire plat to be signed by the Sheriff's Office and South Plains Public Health District
- ☐ A check made payable to the South Plains Public Health District totaling \$10.00 per lot