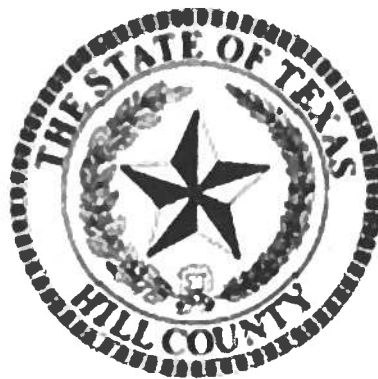


SUBDIVISION RULES AND REGULATIONS OF HILL COUNTY, TEXAS

AMENDED AND APPROVED

March 4, 2025



Justin Lewis, County Judge

Jim Holcomb, County Commissioner, Pct. 1

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Scotty Hawkins, County Commissioner, Pct. 3

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HILL COUNTY

Subdivision Rules and Regulations

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SECTION I – INTRODUCTION

- 1.1 These Subdivision Rules and Regulations have been adopted by an Order of the Hill County Commissioners Court to promote public health and safety and the general welfare of the County, and to provide a framework for an orderly, safe, and efficient development of the unincorporated areas of Hill County.
- 1.2 These regulations are intended to govern the subdivision and development of land in the unincorporated areas of Hill County, and they apply to all unincorporated areas of the County, except whereby written agreement between a city and the County has modified these Regulations within Extra Territorial Jurisdiction of that city, or delegated its responsibility for subdivision oversight to that city, or delegated its responsibility for subdivision oversight to that city.
- 1.3 These Subdivision Rules and Regulations have been adopted based on the following findings:
 - 1.3.1 Whereas, Hill County’s location near the Dallas/Fort Worth metroplex puts it in proximity to one of the nation’s largest urban areas, the effects of which have been seen in the significant subdivision of land and rapid population growth in the County over the past several years; and
 - 1.3.2 Whereas, rapid population growth and land development, without proper regulation and management, have caused economic, health and environmental problems in other communities, and would be likely to cause similar problems in Hill County, Texas; and
 - 1.3.3 Whereas, rapid population growth and land development will further strain the County infrastructure, devalue existing property, impose unwanted tax burdens on the citizens of the County, impede road maintenance, 911 addressing, emergency response, water and other utility availability, the healthful disposal of wastewater, the control of disease, flood plain management, and generally have an adverse effect on the health and safety of Hill County; and
 - 1.3.4 Whereas, the State of Texas has authorized the Commissioners Courts of Texas Counties, including Hill County, to regulate subdivision of land pursuant to Texas Local Government Code §232.071, subchapter C, et. seq.; and
 - 1.3.5 The Commissioners Court of Hill County has been designated by the Texas Commission on Environmental Quality as the authorized agent for the licensing and regulation of on-site sewage facilities within Hill County and these regulations are a necessary component of such regulations; and
 - 1.3.6 The Commissioners Court of Hill County has the authority and obligation to exercise general control over the roads, bridges and related drainage structures and development within Hill County; and
 - 1.3.7 The Commissioners Court of Hill County has been granted the authority and responsibility under the Federal Emergency Management Act to administer flood plain developmental regulations within the County and to regulate

associated development; and

- 1.3.8 These Rules and Regulations are enacted to implement the powers conveyed to counties under the laws of the State of Texas, including but not limited to; Texas Local Government Code Chapters 232 and 233; Texas Transportation Code Chapter 251 (general control over all roads, highways and bridges); Texas Health and Safety Code, Chapter 364 (regulation of gas utility lines within county right-of-way); Texas Health and Safety Code, Section 181.021- 026 (regulation of public highways for litter control); Texas Health and Safety Code, Chapter 366 (authority to adopt standards for on-site sewage facilities); Texas Local Government Code, Chapter 242.001 (authority to regulate subdivisions pursuant to all statutes applicable to counties within the Extra Territorial Jurisdiction of municipalities); Texas Health and Safety Codes 121.003 and 122.001 (authority to enforce laws and appropriate funds necessary to protect public health); Texas Water Code Section 16.311 (authority to set standards for construction within a floodplain and to guide future development to minimize damage caused by floods); Texas Water Code Chapter 26 (water quality control by counties); 31 Texas Administrative Code Chapter 364 (model subdivision rules). These statutes, among others, empower the County to enact subdivision rules and regulations and to provide for its administration, enforcement, and amendment; and
- 1.3.9 The Commissioners Court has considered the potential burden to private property rights, to property owners, and to taxpayers, of these rules and regulations, and has further considered the potential burden to property owners and taxpayers of substandard development, of poor-quality roads and infrastructure development, flooding, and development that is detrimental to the public health and safety that might reasonably be expected to occur in the absence of the regulations;

1.4 The Commissioners Court of Hill County, having consulted with professionals in the fields of engineering, community development, water planning, on-site septic facilities, and flood plain management among others, and following public notice and hearing, hereby declares these regulations necessary and appropriate to protect the public health, and resources of Hill County, to safeguard the private property rights of Hill County, and to accomplish the purposes and goals enumerated in the findings above.

1.5 DEVELOPMENT SUPPORT TEAM:

In order to foster a greater understanding of the regulations set forth herein, a Development Support Team shall be established to conduct meetings with Owners, Applicants, Developers or other interested persons. All Owners & Developers will be required to schedule and attend a minimum of one (1) meeting with said Team. The Team shall be composed of representatives as appointed by the County Judge to include the County Surveyor, and the County Clerk. The County Judge or his designee shall act as the presiding officer at all meetings of the Team.

SECTION II – DEFINITIONS

- 2.0 The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise. If a word or term used in this chapter is not contained in this section, it shall have the same definition and meaning as used in the practices applicable to regulation of subdivisions in this state.
- 2.1 APPLICANT: A natural person or other legal entity who is authorized in writing to present matters to the County Commissioners Court, or Development Support Team regarding any plat, plan or study submitted pursuant to these Rules and Regulations.
- 2.2 ARCHITECT: A person duly registered, licensed and authorized under the provisions of the Texas Regulation of Practice of Architecture Act to practice the profession of architecture.
- 2.3 BENCH MARKS: A surveyor's mark made on a reasonably stationary object at a designated position and elevation.
- 2.4 BUSINESS DAY: A day other than Saturday, Sunday, or a holiday recognized by this state and/or county.
- 2.5 CERTIFICATE OF COMPLIANCE: A Certificate signed by the Hill County Judge on behalf of the Hill County Commissioners Court, and filed with the Hill County Clerk's Office, stating that infrastructure for a specific Recreational Vehicle Park, Temporary Rental Community or Short-Term Rental Community has been constructed in strict compliance with the approved Development Plan for such Recreational Vehicle Park, Temporary Rental Community or Short-Term Rental Community.
- 2.6 COMMISSIONERS COURT: Commissioners Court of Hill County, Texas.
- 2.7 COUNTY or HILL COUNTY: Hill County, Texas a political subdivision of the State of Texas.
- 2.8 COUNTY JUDGE: County Judge of Hill County, or in his/her absence, his/her authorized designee.
- 2.9 COUNTY ROAD (STREET): A public road or street which has been accepted by the County, through prescription, dedication or statutory means for maintenance purposes, or is a road or street that was constructed and maintained by the County. The term "road" and "street" are used interchangeably for the purpose of these regulations.
- 2.10 DEVELOPMENT – RECREATIONAL VEHICLE PARK, TINY HOME COMMUNITY, TEMPORARY RENTAL COMMUNITY, SHORT TERM RENTAL COMMUNITY, OR COMBINED DEVELOPMENT: Any lot or tract of land designed to accommodate more than two (2) Recreational Vehicles (as defined herein), Tiny Houses (as defined herein), or a combination of Recreational Vehicles and/or Tiny Houses; and which exists as a privately owned and operated enterprise, with or without charges, occupied or intended to be occupied for dwelling or sleeping purposes for any length of time.
- 2.11 DEVELOPMENT SUPPORT TEAM: Team members as appointed by the County Judge to schedule meetings with Owners, Applicants, Developers or other interested persons. Any other County official or employee who may be requested to participate by the County

Judge shall be designated ex officio members.

- 2.12 DEVELOPMENT REVIEW COMMITTEE: Shall consist of the County Surveyor, the County 9-1-1 Coordinator, the County Commissioner in whose precinct the project is located, the County Clerk and other members as appointed by the Hill County Judge.
- 2.13 EASEMENT: A grant by the property Owner to the public, a corporation or persons, for the use of land for specific purposes.
- 2.14 ENGINEER: A person duly licensed and authorized under the provisions of the Texas Engineering Practice Act to practice the profession of engineering.
- 2.15 ENGINEERING DEPARTMENT: The designated County Consultant.
- 2.16 EXTRA TERRITORIAL JURISDICTION (ETJ): That area outside a City's limits so designated to fall in the City's "sphere of influence".
- 2.17 FINAL PLAT: A map of a land subdivision or re-subdivision prepared in a form suitable for filing or recording with the necessary affidavits, dedications and acceptances and with complete bearings and dimensions of all lines defining lots and blocks, streets, public areas and incorporating all other requirements as set forth in the subdivision requirements of Hill County, Texas.
- 2.18 F.I.R.M.: Flood Insurance Rate Map.
- 2.19 FLAG LOTS: known as "panhandle lots," are defined as lot configurations where the perimeter lot geometry reflects the shape of a "flag" or "panhandle" where the narrow or elongated part of the lot abuts a public or private street and widens at the building setback line to accommodate a buildable development site.
- 2.20 FLOODWAY: The channel of a stream, plus any adjacent floodplain areas, within which no obstruction to flow would be allowed so that the one hundred year (100) flood may pass without cumulatively increasing the one hundred year (100) flood elevation more than one (1) foot, provided that hazardous velocities are not produced. The floodway limits are to be defined based on standard engineering practices or as determined by the Development Support Team, the Federal Emergency Management Agency and the Federal Insurance Administration.
- 2.21 GEOMETRIC DESIGN STANDARDS: Minimum allowable engineering geometry standards adopted by Hill County affecting the functional traffic level operations, service and safety of highways, roads and streets in Hill County.
- 2.22 GRANDFATHERED RECREATIONAL VEHICLE PARK, TEMPORARY RENTAL COMMUNITY, OR SHORT TERM RENTAL COMMUNITY: A Recreational Vehicle Park, Temporary Rental Community, or Short Term Rental Community that was either in operation before the adoption of these regulations or for which a written application for a permit was filed with Hill County, TX before the adoption of the rules.
- 2.23 HIGH DENSITY DEVELOPMENT: Any development that exceeds one home per acre.
- 2.24 HILL COUNTY OSSF RULES: The Rules and Regulations of Hill County, TX for On-Site Sewage Facilities adopted by the Hill County Commissioners Court effective on April 11, 2011, and as amended from time to time.

- 2.25 HUD-CODE MANUFACTURED HOME: Means a structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one (1) or more sections, which, in the travelling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site is three hundred and twenty or more square feet (320²), and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle.
- 2.26 INFRASTRUCTURE DEVELOPMENT PLAN: A set of plans, drawings, sketches, or blueprints which describe, show, locate and define the improvements to be constructed which will provide for adequate drainage, culverts, any Special Flood Hazard Area (SFHA), public or community water supply, water supply lines, sanitary sewer lines and facilities, roads, streets, alleys, parks and any other significant improvements.
- 2.27 INSPECTOR: The Individual designated from time to time by the Hill County Commissioners Court to act and serve as the Hill County Inspector.
- 2.28 INSTALLATION: When used in reference to manufactured housing, means the construction of the foundation systems, whether temporary or permanent, and the placement and erection of a manufactured home or manufactured home components on the foundation system and includes supporting, blocking, leveling, securing, anchoring, and proper connection of multiple or expandable sections or components, and minor adjustments.
- 2.29 LOT LINES: The property lines of any given tract or parcel of land which circumscribe the area divided by any plat of record in the plat records of Hill County, Texas or in the absence of such a plat, the lot lines shall mean those property lines circumscribing the lot independently isolated on the official plat on the file in the Hill County records.
- 2.30 MOBILE HOME: Means a structure that was constructed before June 15, 1976, transportable in one (1) or more sections, which, in the travelling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site, is three hundred and twenty or more square feet (320²), and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.
- 2.31 MANUFACTURED HOME RENTAL COMMUNITY (MHRC): A plot or tract of land that is separated into two (2) or more spaces or lots that are rented, leased, or offered for rent or lease. For a term of less than sixty months (60) without a purchase option, for the installation of manufactured homes for use and occupancy as residences.
- 2.32 MINOR PLAT: A map of a land subdivision prepared in a form suitable for recording or filing with complete metes and bounds descriptions of all lines defining the lot(s) and other dimensions of land and incorporating all other subdivision requirements of Hill County, Texas.
- 2.33 OPERATOR: Includes the person in charge of operating any Recreational Vehicle Park, Temporary Rental Community, or Short-Term Rental Community, either under written or verbal (oral) lease, or any other arrangement whereby he or she exercises control over the premises.

- 2.34 ORIGINAL TRACT: An area of land including all contiguous and adjacent tracts, title to which is held under common ownership.
- 2.35 OWNER: The person, corporation, partnership or other legal entity holding fee simple title to the tract of land or property subject to regulation under these Subdivision Rules & Regulations.
- 2.36 PERSON: Any natural individual, firm, trust, partnership, association, or corporation.
- 2.37 PRELIMINARY PLAT: A map of a proposed land tract showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.
- 2.38 PRESCRIPTIVE EASEMENT: Any area, parcel or strip of land which provides vehicular access to adjacent property or land whether designated as a street, highway, freeway, thoroughfare, avenue, lane, boulevard, road, place, drive or however otherwise designated which has been used by the general public over a ten-year (10) period. This area is typically defined as that portion lying between fence lines including all roadways, shoulders, and drainage ditches. In the absence of fences, this area will be that portion extending thirty (30') feet from the centerline of the roadway.
- 2.39 PRIVATE SEWAGE FACILITY: All systems and methods used for the disposal of sewage, other than organized disposal systems operated under a valid permit issued by the Texas Commission On Environmental Quality and /or Texas Department of Health.
- 2.40 PUBLIC STREET/ROADWAY: Any area, parcel or strip of land which provides vehicular access to adjacent property or land whether designated as a street, highway, or freeway, and which is either dedicated or granted for that purpose or acquired for public use by prescription.
- 2.41 RECREATIONAL VEHICLE: Includes any of the following:
- 2.41.1 Camping Trailer – A folding structure mounted on wheels and designed for travel, recreation, and vacation use.
 - 2.41.2 Motor Home – A portable, temporary dwelling to be used for travel, recreation and vacation; constructed as an integral part of a self-propelled vehicle.
 - 2.41.3 Pickup Coach – A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.
 - 2.41.4 Travel Trailer – A vehicular structure built on a chassis with body width not to exceed eight feet (8') and body length less than forty-six feet (46'), and designed to be transported and intended for human occupancy as a dwelling for short periods of time and containing limited or no kitchen or bathroom facilities.
 - 2.41.5 Tiny House on Wheels – See Definition
- 2.42 RECREATIONAL VEHICLE PARK/TEMPORARY RENTAL COMMUNITY: Any lot or tract of land designed to accommodate more than two (2) recreational vehicles as defined, and which exist 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 periods less than one hundred and eighty days (180) (without renewal of lot lease).

- 2.43 RECREATIONAL VEHICLE SPACE: A plot of land within a Recreational Vehicle Park designed for the accommodation of one (1) recreational vehicle.
- 2.44 RE-SUBDIVIDE / REPLAT: The alteration of an existing subdivision, including but not limited to any changes of lot size therein, or the relocation of any street or lot lines.
- 2.45 SHORT TERM RENTAL COMMUNITY: A community of lots, developed or undeveloped, intended to be rented or leased to individuals and the ownership remains with the rentor/lessor with no transfer of ownership to the individual renting or leasing the lot/property. There is no time-frame associated with this definition as it references the impermanence of the renter and not a time factor.
- 2.46 SPACE: A plot or tract of land within a Development designed for the accommodation of one (1) Tiny House.
- 2.47 SPECIAL FLOOD HAZARD AREA (SFHA): The land in the floodplain within a community subject to a one percent (1%) or greater chance of flooding in any given year according to the FEMA Flood Insurance Rate Map (FIRM).
- 2.48 STREETS/ROADS: A public road, a private drive, or any other avenue of ingress or egress intended to provide access to all or any part of a Short-Term Rental Community, Temporary Rental Community, Tiny Home Community or Recreational Vehicle Park consisting of more than one (1) space.
- 2.49 SUBDIVIDER OR DEVELOPER: Any person, partnership, firm association corporation (or combination thereof), or any officer, agent employee, servant or trustee thereof, who performs or participates in the performing of any act toward subdivision of the land within the intent, scope and purview of these regulations.
- 2.50 SUBDIVISION: The division of any tract or parcel of land into two (2) or more parts for the purpose of conveying one (1) or more of said tracts or parcels.
- 2.51 SUBSTANDARD COUNTY ROAD OR STREET: A County maintained road or street which was not constructed according to the specifications set forth in these Rules and Regulations or is determined to be substandard by the Development Support Team.
- 2.52 SURVEY: For the purposes of Section IX, plans, drawings, sketches, or blueprints which identify and /or locate the boundaries of the subdivision, location of lots or spaces, utilities easements, dedications of right of ways and any other significant features of the community.
- 2.53 SURVEYOR: A person duly licensed and authorized under the provisions of the Texas Surveyors Registration Act to practice the profession of surveying.
- 2.54 TCEQ: Texas Commission On Environmental Quality.
- 2.55 TINY HOUSE: Any residential structure under four hundred square feet (400 sq ft), whether on wheels or secure to a foundation. *A Tiny House on wheels shall be treated as a recreational vehicle for purposes of these requirements. A Tiny House secured to a foundation shall be treated as a Short-Term Rental for purposes of these requirements.*

2.56 TX DOT: Texas Department of Transportation.

2.57 VARIANCE: A variance is a waiver of any portion of these requirements and may only be granted by the Hill County Commissioners Court or their designee.

SECTION III – PRELIMINARY PLAT

- 3.0 PRELIMINARY PLATS AND PLANS REQUIRED: Preliminary Plats shall be required for all subdivisions, except those submitted as Minor Plats or as Re-Plats. Engineering plans and a Traffic Impact Analysis, if the proposed Subdivision proposes ten (10) total lots or more, or will have streets dedicated to public use, or requires drainage improvements, or will have access from an existing Feeder Road, will be required for all improvements at time of Preliminary Plat submittal. When the Development Support Team determines that no improvements are to be constructed and no engineering plans are required, the Developer shall prepare a Preliminary Plat and submit two (2) prints along with all required accompanying forms and documentation to the Development Support Team for presentation to the Team members. Any revisions or changes required by the Development Support Team of the Preliminary Plat may delay submission to the Commissioners Court. The Preliminary Plat shall show or be accompanied by the following information:
- 3.1 SUBDIVISION NAME: The proposed name of the subdivision, which shall not conflict with the name of any other subdivision in the County, and the names of adjacent subdivisions.
- 3.2 OWNER IDENTIFICATION: The names, addresses and telephone numbers of the Owner and/or Owners of the proposed subdivision and the names, addresses and telephone numbers of the Engineer or Surveyor, responsible for the preparation of the plat or engineering plans. If the Owner is a corporation, partnership or joint venture, the name and address of the corporate officers, partners or joint ventures shall be provided.
- 3.3 BOUNDARY LINES: The location of boundary lines and their relation to a corner of the original survey, a corner of a platted subdivision, or other known and locally recognized reference point, together with a vicinity map. All bearings and distances shall be shown in Texas Plane Coordinate System, North Central Zone 4202. The point of beginning (POB and at a minimum of one (1) additional corner shall be labeled in State Plane Coordinates (NAD 83).
- 3.4 STREETS LAYOUT: The location and width of existing and proposed streets, roads, lots (accurate dimensions and acreage) and alleys, building lines, easements, parks, school sites, and any other feature relating to the proposed subdivision shall be shown. The plat shall show the outline of adjacent properties for a distance of at least two hundred (200') feet and how the streets, alleys, or highways in the proposed subdivisions may connect with adjacent land or with adjacent subdivisions which are of record. The combined width of all easements or rights of way for streets shall have a minimum width of sixty feet (60'). The road shall be centered as closely as possible within the sixty feet (60') width defined above. No streets or roads will be accepted by the County for maintenance that do not connect or intersect an existing County Road or state highway. Approval of a plat does not guarantee the County will accept the proposed roads for maintenance. Subdivisions adjoining existing County Roads will be required to dedicate a minimum of thirty feet (30') measured from the existing centerline to the public for use as right of way. This area shall be deducted from any lot size calculation.

Where a new subdivision is adjacent to existing County Roads, the County will require additional right-of-way for future widening of the roadway due to the increase in traffic

created by the subdivision. To ensure public safety, the County may require up to a sixty foot (60'), 30 foot (30') normal, dedication to the public of an area off of the centerline of the existing roadway to be utilized for future right-of-way and roadway development.

Where a proposed subdivision is bisected by an existing State Highway, additional dedication of right-of-way shall be required as approved by TxDOT. A "Waiver of Takings Impact Assessment" may be requested for all dedications. If a new roadway is intended to be dedicated to the public, the total length of said new road shall be indicated on the Plat.

Area of any right-of way dedicated to the public shall be noted on the Plat and will not be included in computing area in Lots.

3.5 **TxDOT PERMITS:** Any Permits from TxDOT for access to the proposed subdivision shall be provided.

3.6 **MINIMUM LOT SIZE:** The acreage of the proposed subdivision shall be indicated on the plat. All lots shall be one-acre (1) minimum net, The County may grant a variance to the minimum lot size for high density developments if the developer constructs, and maintains, a sanitary sewer system to service the proposed high-density development. Lot numbers and block designations, as applicable, shall be shown on the Preliminary Plat. Proposed street names shall be clearly printed on the Preliminary Plat. Such names shall not conflict with existing County Roads or streets.

3.7 **FLAG LOTS:** Flag lots are expressly prohibited, unless:

3.7.1 The proposed lot configuration is needed to abate an unusual property accessibility constraint, not created by the Applicant;

3.7.2 The property has acute topographical conditions and constraints; or

3.7.3 The unusual adjacent property boundary configuration constrains the arrangement of an otherwise standard lot configuration.

3.7.4 Where any of the above items are present, the Commissioners may grant a variance to allow such configuration, provided the following conditions are met:

3.7.4.1 The variance does not circumvent the normal platting of streets for public and emergency access;

3.7.4.2 The variance does not prevent the extensions of streets to adjacent un-subdivided property;

3.7.4.3 The lot width is not less than sixty feet (60') in width at its frontage connection with the adjacent public or approved private street.

3.8 **DRAINAGE AND TOPOGRAPHY:** The Preliminary Plat must show the preliminary drainage plan, the physical features of the property including water courses, the one hundred-year (100) floodplain boundaries, and structures, benchmarks, and other features of importance of lot and street layout, prepared by a Texas Licensed Professional Engineer or Surveyor. Topography of the tract shall be shown on the Preliminary Plat by means of contours of two foot (2') intervals tied to United States Geological Survey (USGS) datum.

3.8.1 Where drainage within the subdivision forms a part of or is within a SFHA or where drainage must be conveyed on private land and not within a dedicated public right-of-way, provisions shall be made for drainage easement(s) to allow for proper control of drainage and, if specifically approved by the Commissioners Court, for maintenance by the County within the easement area. See Section IV, Subsection 11. No drainage will be allowed to be conveyed to property downstream that increases or decreases flow quantities.

- 3.9 **DRAWING REQUIREMENTS:** North arrows shall be shown on all applicable drawings and figures as well as the scale (shown both in numeric and bar formats) and date. The Preliminary Plat shall be drawn to a scale not exceeding one inch equals two hundred feet (1" = 200'). Preliminary Plats shall be presented on standard size sheets of eighteen inches by twenty-four inches (18"x24"). If the proposed subdivision is too large to be accommodated by a single standard size sheet, two (2) or more sheets may be used, with match lines clearly shown. The Developer shall provide two (2) hard copies on standard bond paper and an electronic copy in both CAD and PDF formats.
- 3.10 **UTILITY SERVICE:** The Owner must submit copies of letters and/or plans, signed by each utility company, along with the Preliminary Plat, stating their plans for providing utility service within the proposed subdivision, i.e., electric, telephone, water and sewer service. Utility easements of not less than ten feet (10') shall be provided as needed. The intended use of the easement shall be clearly indicated, i.e. municipal sewer service, privately owned sewage disposal system, individual septic tanks, etc. For any owner of a specific lot to be able to drill for a "Groundwater Well" said lot MUST be a two-acre (2) minimum net. Further, a plat application for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under that land must have attached to it a statement that is prepared by an engineer licensed to practice in this state or a geoscientist licensed to practice in this state and certifies that adequate, suitable and sustainable groundwater is available for the subdivision as per Texas Local Government Code 232.0032.
- 3.11 **PUBLIC WATER SYSTEMS:** (A) Where water supplies are to be provided by an existing public water system, the Subdivider shall furnish an executed contractual agreement between the Subdivider and the retail public utility. Before Final Plat approval, plans and specifications for the proposed water facilities shall have been approved by all entities having jurisdiction over the proposed project and shall be constructed. (B) Where there is no existing retail public utility to construct and maintain the proposed water facilities, the Subdivider shall establish a retail public utility and obtain a Certificate of Convenience and Necessity (CCN) and include evidence of the CCN issuance with the plat. Before Final Plat approval, plans and specifications for the proposed water facilities shall have been approved by all entities having jurisdiction over the proposed project and constructed. If groundwater is to be the source of the water supply, the final engineering report shall include a groundwater availability study which shall include an analysis of the long term (30 years) quantity and quality of the available groundwater supplies relative to the ultimate needs of the subdivision. If surface water is the source of supply then the final engineering report shall include evidence that sufficient water rights have been obtained and dedicated, either through acquisition or wholesale water supply agreement, that will provide a sufficient supply to serve the needs of the subdivision for a term of not less than 30 years.
- 3.12 **NON-PUBLIC WATER SYSTEMS:** Where individual wells are proposed for the supply of drinking water to residences, the final engineering report shall include the quantitative

and qualitative results of sampling the test wells in accordance with applicable regulations. The results of such analyses shall be made available to the prospective property owners. If the water quality of the test well required does not meet the water quality standards as set forth by the appropriate jurisdictions without treatment by an identified and commercially available water treatment system, then the final engineering report must state the type of treatment system that will treat the water produced from the well to the specified water quality standards, the location of at least one commercial establishment within the County at which the system is available for purchase, and the cost of such system, the cost of installation of the system, and the estimated monthly maintenance cost of the treatment system. The engineer shall issue a statement concerning the availability of groundwater supplies to serve the fully developed subdivision over the next 30 years. Such statement may be based on information available from the Texas Water Development Boards Office of Planning. The description of the required sanitary control easement shall be included.

3.13 BUILDING SETBACKS/LINES: Minimum building setbacks shall be required on all lot lines as follows: Front – 30 feet (30’)

Side and Rear – 10 feet (10’)

3.14 UTILITY AND DRAINAGE EASEMENTS: Minimum utility and drainage easements along all lot lines shall be ten feet (10’).

3.15 DEVELOPMENT IN SFHA: The Owner or Developer of a tract of land that contains SFHA shall comply with all applicable provisions of Hill County Flood Damage Prevention Ordinance.

3.16 SUBDIVISION WITHIN EXTRA TERRITORIAL JURISDICTION (ETJ): If the location of the subdivision is within the ETJ of any city or town within Hill County, Texas, exclusive of the Cities of Hillsboro and Whitney, review of the Preliminary Plat shall be conducted by the County. In proposed subdivisions in the City of Hillsboro ETJ or City of Whitney ETJ, approval by the City of Hillsboro or City of Whitney, respectively, shall precede but not preclude the necessity of conforming to all rules and regulations of Hill County. If the proposed subdivision is in the City of Whitney ETJ, the “Professional Services Compensation Agreement” located in the attachments of these Subdivision Rules and Regulations, must be completed and submitted to the appropriate entities. The more stringent regulations of the two (2) governing bodies shall apply.

3.17 APPROVAL BY HILL COUNTY COMMISSIONERS COURT: After examination of the administratively complete application for a Preliminary Plat, the Development Support Team shall make a recommendation to the Court to approve or disapprove the Preliminary Plat. If the Preliminary Plat is disapproved, it will be returned to the Owner with the reason(s) for the disapproval.

3.18 THE PRELIMINARY PLAT: Shall be approved by the Commissioners Court prior to submission of the Final Plat and prior to any construction activities. Interior/perimeter roadway and drainage improvements must be completed, inspected and approved by the County prior to submission of the Final Plat. No lots shall be sold prior to Final Plat approval, unless an escrow agreement is approved between the County and the Developer, in compliance with this section and it shall meet the following requirements:

3.18.1 The escrow agreement between the County and the Owner/Developer shall be approved by the Commissioners Court and the escrow account created by the

Commissioner's Court, pursuant to the escrow agreement, managed by the County Treasurers Office. As the project is completed, the Owner/Developer may ask for payment from the escrow account upon inspection and approval by the County.

3.18.2 The escrow amount shall be in an amount determined by the Commissioners Court to be adequate to ensure proper construction or installation of the public or non-public water facilities, and wastewater facilities to service the subdivision, including reasonable contingencies, but in no event shall the amount required for escrow be less than the total amount needed to serve the subdivision as established by the Engineer who certifies the plat.

3.18.3 An escrow agreement between the County and the Owner/Developer may be entered into in lieu of the bond. The terms and form of the escrow agreement will be prescribed by the County and its attorneys. The amount to be held in escrow shall be in an amount determined by the Commissioners Court to be adequate to ensure proper construction or installation of the public or non-public water facilities, and wastewater facilities to service the subdivision, including reasonable contingencies, but in no event shall the amount of the bond be less than the total amount needed to serve the subdivision as established by the Engineer who certifies the plat.

3.19 FIELD MODIFICATIONS/CHANGE ORDERS: All changes that modify the information provided with the drainage study or engineering plans shall be submitted to, the Development Support Team, in writing allowing reasonable time prior to the execution of said field modifications for review and approval.

3.20 EXPIRATION OF PRELIMINARY PLAT APPROVAL: The approval of a Preliminary Plat shall continue for twenty-four (24) months following the date of approval by the Commissioners Court and will expire after that time if Owner or Applicants have taken no action to proceed with the platting and development process. If a Preliminary Plat expires any and all materials related to the application will be returned to the Developer or Applicant. If Preliminary Plat approval expires, the Owner or Applicant will be required to resubmit the Preliminary Plat and pay all applicable fees.

3.21 PLAN/PLAT/REPLAT FEES: Each Applicant shall pay a fee according to the Fee Schedule which is attached to these Rules and Regulations and which may be amended, adjusted or changed by the Commissioners Court from time to time.

3.22 NO CONSTRUCTION WORK SHALL BEGIN ON THE PROPOSED SUBDIVISION UNTIL APPROVAL OF THE PRELIMINARY PLAT BY COMMISSIONERS COURT.

SECTION IV – FINAL PLAT AND REPLAT

4.0 PLAT AND PLANS REQUIRED: After the Preliminary Plat (and engineering plans if appropriate) has been approved by the Commissioners Court, and after preliminary acceptance of the construction of perimeter and interior improvements, or after a Final Plat has been approved and a re-subdivision is proposed, two copies of a Final Plat for review, without signatures, shall be prepared and submitted to the Development Support Team. Upon approval by the Development Support Team, a Final Plat for recording shall be submitted and shall consist of one (1) eighteen inches by twenty-four inches (18" x 24") blackline with original seals and signatures. The Final Plat shall show or be accompanied by the following information.

4.1 DRAWING REQUIREMENTS: The North arrow shall be shown with scale (shown in both in numeric and bar formats) and date. The Final Plat shall be drawn on eighteen inch by twenty-four inch sheets (18" X 24") drawn to a maximum scale of one-inch equals two hundred feet (1" = 200'). Developer shall provide two (2) hard copies and electronic copies in both CAD and PDF formats.

4.2 SUBDIVISION NAME: The name of the subdivision, name of streets, and lot, block and section numbers within the subdivision shall be shown. Adjacent subdivisions shall also be shown and identified.

4.3 OWNER IDENTIFICATION: The names, addresses, and telephone numbers of the Owner or Owners of the proposed subdivision and the name, address and telephone number of the Surveyor responsible for the preparation of the Final Plat shall be shown. If the Owner is a corporation, partnership or joint venture, the names and addresses of the corporate officers, partners or joint ventures shall be provided.

4.4 BOUNDARY LINES: The perimeter boundary of the subdivision shall be shown with bearings and distances, referenced to a corner of the original survey or other established point, and shall be described by metes and bounds. The area of each lot and the total project area must be shown in each survey. A vicinity map must also be shown. All bearings and distances shall be shown in Texas State Plane Coordinate System, North Central Zone 4202 (NAD 83). The point of beginning (POB) and at a minimum of one (1) additional corner shall be labeled in State Plane Coordinates.

4.5 LOTS, STREETS, EASEMENTS, SET BACK LINE LAYOUT AND DRAINAGE: Location of lots, streets, roads, public highways, utility easements, parks, benchmarks, one hundred-year (100) floodplain boundaries and other pertinent features, shall be shown with accurate dimensions in feet and decimals of feet and bearing, with radii, deflection angle (delta), length, chord bearing and chord length of all curves, and with all other information necessary to duplicate the plat on the ground. The location of drainage easements, and other public right-of-way or future right-of-way shall be shown. The names and locations of all streets and roads, as approved in the Preliminary Plat, shall be clearly shown. All lots shall be one-acre (1) minimum net of all right-of-way and SFHA, unless a variance has been granted by the County under the terms laid out herein. Lot numbers and block designation shall be shown on the Final Plat. A minimum of thirty-foot (30') front and 10 foot (10') side and rear setback lines shall be provided for each lot which shall have a minimum sixty-foot (60') frontage.

4.6 CERTIFICATION AND DEDICATION BY OWNER: Certification by the Owner of his

dedication of all streets, highways, alleys, utility and drainage easements, parks, if any, any other land dedicated for public use forever, signed and acknowledged before a notary public by said Owner shall be placed on the face of the Final Plat.

4.7 CERTIFICATION BY A REGISTERED PROFESSIONAL LAND SURVEYOR:

Certification that the plat correctly represents a survey made by the Surveyor, and that all the lot corner markers and boundary markers are correctly placed as shown thereon and all markers shall be shown on the face of the Final Plat. Markers shall be at least one half -inch (1/2") iron rods at least eighteen-inches (18") in length, with caps, when practical, firmly placed in the ground on the corners of each lot so as to be reasonably permanent. The dimensions, bearings, acreage and other technical information needed for platting each lot shall be shown on the subdivision plat. A Final Plat shall not be approved until all pins and benchmarks are placed and placement of same is certified by the Surveyor.

4.8 RESTRICTIONS OF SUBDIVISION: A copy of the restrictions, if any, within the subdivision shall accompany the Final Plat, shall be properly signed and notarized, and filed for record in the office of the County Clerk.

4.9 DEVELOPMENT IN SFHA: The Owner or Developer of a tract of land that contains a SFHA must comply with all provisions of the Hill County Regulations for Floodplain Management and supply sufficient hydrological/hydraulic data suitable to determine floodplain and floodway limits and to determine base flood elevations.

4.10 APPROVAL BY COMMISSIONERS COURT: After completion of all construction and examination of the Final Plat, the Planning Representative shall submit same to the Commissioners Court, directly to the Formal Agenda. The Commissioners Court shall approve or disapprove the Final Plat. If the plat is disapproved, it shall be returned to the Owner with reasons for the disapproval. Lots may not be sold prior to Final Plat approval and recording or the Owners complying with Section IV, Subsections 16 and 17 of these rules. Final Plat approval does not constitute acceptance of any maintenance obligations of any improvements by Hill County. A space shall be provided on the Final Plat, for approval by the County Judge and Commissioners of Hill County, Texas.

4.11 RECORDATION: Within ten (10) business days after Final Plat approval, the Owner or Applicant shall file the Final Plat and deed restrictions, if any, with the County Clerk. Failure to comply with this section shall void ANY approval previously granted.

4.12 STATUS OF AD VALOREM TAXES: Each Owner or Applicant will provide a tax certificate for the subdivision as furnished through the Hill County Tax Assessor-Collector office, Hill County Appraisal District, and any other applicable Hill County Taxing Jurisdiction demonstrating there are no delinquent taxes owed and that taxes imposed for the current year have been paid. An original certificate from each taxing unit with jurisdiction of the real property indicating that no delinquent ad valorem taxes are owed on the real property must be attached to and recorded with the Final Plat.

4.13 IMPROVEMENTS STATEMENT: Each plat shall have the following statements placed on the face.

“Water service to be provided by XXXX.”

All utility providers’ names, addresses and phone numbers.

“Sanitary sewer to be handled by facilities approved by the Hill County On-site Sewage Facilities (OSSF) Agent.” All fees and permits will be the responsibility of the Developer.

“The maintenance of paving, grading and drainage improvements and/or easements shown on this plat are the responsibility of the individual property owners and do not constitute acceptance of same for maintenance purposes by Hill County.”

“All surface drainage easements shall be kept clear of fences, buildings, foundations, plantings, and other obstructions to the operation and maintenance of the drainage facility.”

“Blocking the flow of water or constructing improvements in surface drainage easements, and filling or obstructing the floodway is prohibited.”

“Hill County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.”

“The existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual property owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across the lots.”

“Construction not complete within two (2) years of the Commissioners Court approval shall be subject to current County Subdivision Rules and Regulations.” If applicable.

“The owner of each lot must obtain approval for a driveway culvert from the Hill County 911 Address Coordinator, prior to the construction, installation or placement of any driveway access improvements within the dedicated right-of-way.”

“No construction, without written approval from Hill County shall be allowed within an identified “FIRM” floodplain area, and then only after a detailed floodplain development permit, including engineering plans and studies, show that no rise in the Base Flood Elevation (BFE) will result, that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all Owners of the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of one foot (1') above the one hundred-year (100) flood elevation.”

When engineering plans are provided, the engineer shall execute on the face of the plat the following statement:

“I, _____, a Texas Licensed Engineer, do hereby affirm that to the best of my knowledge, information, and belief and based upon the information provided, the drainage improvements shown on this plat will have no adverse effect on any property adjacent to the property shown. I further declare that I will accept full responsibility for the drainage design and will defend and hold harmless Hill County from any claim or litigation arising out of any errors, omissions or other acts of negligence in the preparation of same.”

The following statement shall appear on any Plat containing private streets, drives, emergency access easements, recreation areas and open spaces.

“Hill County shall not be responsible for maintenance of private streets, drives, emergency access easements, recreation areas and open spaces; and the Owner(s)

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shall be responsible for the maintenance of private streets, drives, emergency access easements, recreation areas and open spaces, and said Owner(s) agree to indemnify and hold harmless Hill County, from all claims, damages and losses arising out of or resulting from the performance of the obligations of said Owner(s) set forth in this paragraph.”

- 4.14 DEVELOPMENT PERMIT: The requirements, as recommended to the Commissioners Court by the Development Support Team, may include, but are not limited to, the following:

4.14.1 The posting of a performance bond or escrow agreement in an amount to cover the cost of the engineering/surveying process, construction costs, and twenty percent (20%) contingency.

4.14.2 A copy of the professional services agreement between the Engineer/Surveyor and Developer/Owner must be provided. The professional service agreement must contain at least the following terms:

4.16.2.1 A date of completion, if a date of completion was not provided at the preconstruction meeting;

4.16.2.1.1 Total cost of construction and cost within the right of way;

4.16.2.1.2 A sufficient description of the services to be performed for the Development Support Team to determine that all improvements provided in the engineering plans will be constructed pursuant to said plans.

4.14.3 All platting fees payable to the Development Support Team must be paid with all necessary applications completed.

- 4.15 FORFEITURE: If the Owner, Applicant or Developer fails to complete construction of all interior and perimeter improvements within the time as noted in a schedule provided by the Developer’s contractor at the pre-construction meeting (The “Completion Date”), the County shall give written notice to the Owner, Applicant and/or Developer of the failure to timely complete the improvements. The Development Support Team shall send notice by Certified U.S. Mail; Return Receipt Requested, to the address provided by the Owner, Applicant and/or Developer. Notice to the Owner, Applicant or Developer shall be deemed sufficient notice to all persons involved in said subdivision. The notice shall be sent no later than ten (10) business days prior to the completion date. The notice shall specify the improvements or any portion thereof which remain to be completed. The notice shall also state that if the improvements are not completed by the completion date or an extension thereof, with adequate assurances to the County, and approved by the Commissioners Court, the Applicant will forfeit the bond or escrow agreement, whichever is applicable, and the County will proceed to complete the improvements with the available funds.

SECTION V – AMENDMENTS

- 5.0 AMENDMENTS: The Development Support Team may recommend to the Hill County Commissioners Court an amended plat which may be approved by the Court and recorded. The amended plat is controlling over the preceding plat without vacation of that plat. An amended plat is solely for one or more of the following purposes:
- 5.0.1 To correct an error in a course or distance shown on the preceding plat;
 - 5.0.2 To add a course or distance that was omitted on the preceding plat;
 - 5.0.3 To correct an error in a real property description shown on the preceding plat;
 - 5.0.4 To indicate monuments set after the death, disability, or retirement from practice of the Engineer or Surveyor responsible for setting monuments;
 - 5.0.5 To show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
 - 5.0.6 To correct any other type of scrivener or clerical error or omission previously approved by the Commissioners Court, including lot numbers, acreage, street names, and identification of adjacent recording plats;
 - 5.0.7 To correct an error in courses and distance of lines between two adjacent lots if:
 - 5.0.7.1 Both lot owners join in the application for amending the plat;
 - 5.0.7.2 Neither lot is abolished;
 - 5.0.7.3 The amendment does not attempt to remove recorded covenants or restrictions; and
 - 5.0.7.4 The amendment does not have a material adverse effect on the property rights of the other owners in the plat.
 - 5.0.8 To relocate a lot, to eliminate encroachment of a building or other improvement on a lot line easement;
 - 5.0.9 To relocate one (1) or more lot lines between one (1) or more adjacent lots if:
 - 5.0.9.1 The owners of all those lots join in the application for amending the plat;
 - 5.0.9.2 The amendment does not attempt to remove recorded covenants or restrictions;
 - 5.0.9.2.1 The amendment does not increase the number of lots; and
 - 5.0.9.2.2 The amendment does not create or require the creation of a new street or make necessary the extension of utility easements.
 - 5.0.10 To Replat one (1) or more lots fronting on an existing street if:
 - 5.0.10.1 The owners of all those lots join in the application for amending the plat;
 - 5.0.10.2 The amendment does not attempt to remove recorded covenants or restrictions;
 - 5.0.10.2.1 The amendment does not increase the number of lots; and
 - 5.0.10.2.2 The amendment does not create or require the creation of a new street or make necessary the extension of utility easements.

5.1 Notice, a hearing, and the approval of other lot owners are not required for the approval and issuance of an amending plat.

SECTION VI – MINOR PLATS

6.0 MINOR PLATS ALLOWED: No Preliminary or Final Plat shall be required where the provisions of this section apply. A Minor Plat will be allowed for any subdivision in which only one (1) lot is being platted (One Lot Minor Plat) or in which no road or drainage improvements are required and each lot contains less than ten-acres (10). The signature of the Owner is required on all Minor Plats. An Owner and the Owner's successors in title shall not be allowed more than three (3) Minor Plats in any original tract. The total of all three (3) Minor Plats shall not exceed seventy-five percent (75%) of the total area of the original tract. Minor plats shall not be accepted for a subdivision in which any portion of the platted lots are located within a SFHA.

6.0.1 The provisions of this section shall not apply to any subdivision in which a portion of the original tract is to be dedicated to public streets or roads and the development involves the construction of public improvements, including roads and/or drainage improvements.

6.1 MINOR PLAT REQUIREMENTS: All of the requirements of Section IV Final Plat and Replat shall apply to all Minor Plats.

6.2 PLAT FEES AND MISCELLANEOUS: See Appendix A for the Fee Schedule.

6.3 APPROVAL BY COMMISSIONERS COURT: A Minor Plat shall be submitted by the Development Support Team to the Commissioners Court within thirty (30) business days of the submission of an administratively complete application for Minor Plat to the Development Support Team. If the Owner or Applicant has failed to provide additional information or make corrections requested in writing by the Development Support Team, submission to the Commissioners Court shall be held until the information or corrections are received and approved by the Development Support Team. Submission to the Commissioners Court shall be made within fourteen (14) business days after the review of a Minor Plat, and/or corrections are received by the Development Support Team. After review of a Minor Plat, the Commissioners Court shall approve or disapprove the Minor Plat. If the Minor Plat is approved, the Minor Plat is recorded; the Owner may sell the lot. The Commissioners Court shall advise the Owners in writing of the reasons for the disapproval of a Minor Plat. A space shall be provided on a Minor Plat for the approval by the County Judge and Commissioners of Hill County.

6.4 RECORDATION: After final approval and prior to any sale of the lots, a Minor Plat will be recorded by the Owner pursuant to the provisions of Section IV, Final Plats, Subsection 11.

SECTION VII – MANUFACTURED HOME RENTAL COMMUNITY (MHRC)

- 7.0 SURVEY AND INFRASTRUCTURE DEVELOPMENT PLANS REQUIRED: The Owner of a tract of land intended to be used as a MHRC shall have prepared and submitted to the Development Support Team a survey and an Infrastructure Development Plan (IDP). The Owner shall submit two (2) copies, both with original seals and signatures, and one electronic print. The survey and an IDP shall show or be accompanied by the following information:
- 7.1 DRAWING REQUIREMENTS: The North arrow shall be shown with scale (in figures and a bar) and date. The final survey shall be drawn on eighteen inch by twenty-four inch sheets (18" x 24") to a scale not exceeding one-inch equals two hundred-feet (1" = 200'). All figures and letters shown must be plain, distinct, and of sufficient size as to be easily read, and must be of sufficient density to make a lasting and permanent record.
- 7.2 MANUFACTURED HOME COMMUNITY NAME: The name of the community, scale, date and North arrow, name or numbers of streets, and lot or space numbers within the community shall be shown. Adjacent communities and platted subdivisions shall also be shown and identified.
- 7.3 OWNER IDENTIFICATION: The names, addresses and telephone numbers of the Owner or Owners of the proposed community and the name, address and telephone number of the Surveyor responsible for the preparation of the final survey shall be shown. If the Owner is a corporation, partnership or joint venture, the names and addresses of the corporate officers, partners or joint ventures shall be provided.
- 7.4 BOUNDARY LINES: The perimeter boundary of the community shall be shown with bearings and distances, referenced to a corner of the original survey, and shall be described by metes and bounds. The area of each lot or space and the total project area must be shown in each survey. A vicinity map must also be shown. The Point of Beginning (POB) shall be shown in state plane coordinates (NAD 83).
- 7.5 UTILITIES SERVICE: All utility service providers shall approve the survey and IDP in writing and provide the Development Support Team with a letter certifying its approval and its ability to provide service to the community.
- 7.6 LOTS, STREETS, EASEMENTS, SET BACK LINE LAYOUT AND DRAINAGE: Location of lots, spaces, streets, roads, public highways, utility easements, parks, benchmarks, one hundred-year (100) floodplain boundaries and other pertinent features, shall be shown with accurate dimensions in feet and decimals of feet and bearing, with length, radii and central angle of all curves, and with all other information necessary to duplicate the survey on the ground. The location of drainage easements, and other public right-of-way or future right-of-way shall be shown. The names and locations of all streets and roads shall be clearly shown. All lots shall be one-acre (1) minimum net of all right-of-way and SFHA, unless a variance has been granted by the County. Lot numbers and block designation shall be shown on the Final Survey. A minimum of a thirty-foot (30') setback line shall be provided for each lot which shall have a minimum sixty-foot (60') frontage.

- 7.7 CERTIFICATION AND DEDICATION BY OWNER: Certification by the Owner of his dedication of all streets, highways, alleys, utility and drainage easements, parks, if any, any other land dedicated for public use forever, signed and acknowledged before a notary public by said Owner shall be placed on the face of the Final Survey.
- 7.8 CERTIFICATION BY REGISTERED PROFESSIONAL LAND SURVEYOR: Certification that the survey correctly represents a survey made by him, and that all the lot corner markers and boundary markers are correctly placed as shown thereon and all markers shall be shown on the face of the survey. Markers shall be at least one half-inch (1/2") iron rods at least eighteen-inches (18") in length, with caps, firmly placed in the ground on the corners of each lot so as to be permanent. The dimensions, bearings, acreage and other technical information needed for platting each lot shall be shown on the community survey. A Final Survey shall not be approved until all pins and benchmarks are placed and placement of same is certified by the Surveyor.
- 7.9 CERTIFICATION AND APPROVAL BY CITY: Certification of approval signed by the appropriate representatives of any city having Extra Territorial Jurisdiction over the area in which the community is located shall be placed on the face of the Final Survey. All city required information, i.e. plans and specifications, that was necessary for the City's approval, shall also be submitted to the Hill County Development Support Team along with a Final Survey.
- 7.10 RESTRICTIONS OF COMMUNITY: A copy of the restrictions, if any, within the community shall accompany the Final Survey, shall be properly signed, notarized and filed for record in the office of the County Clerk.
- 7.11 DEVELOPMENT IN SFHA: The Owner or Developer of a tract of land that contains a SFHA must comply with all provisions of the Hill County Regulations for Floodplain Management and supply sufficient hydrological / hydraulic data suitable to determine floodplain and floodway limits and to determine base flood elevations. Lots that extend into the floodway must be adequately sized to ensure that no encroachments will occur in the floodway.
- 7.12 STATUS OF AD VALOREM TAXES: STATUS OF AD VALOREM TAXES: Each Owner or Applicant will provide tax certificates for the subdivision as furnished through the Hill County Tax Assessor-Collector office, Hill County Appraisal District, and other applicable Hill County Taxing Jurisdictions demonstrating there are no delinquent taxes owed and that taxes imposed for the current year have been paid. An original certificate from each taxing unit with jurisdiction of the real property indicating that no delinquent ad valorem taxes are owed on the real property must be furnished.
- 7.13 IMPROVEMENTS STATEMENT: Each survey shall have the following statement placed on the face.
- "Water service to be provided by XXXX."
- All utility provider's names, addresses and phone numbers.
- "Sanitary sewer to be handled by facilities approved by the Hill County On-site

Sewage Facilities (OSSF) Agent.” All fees and permits will be the responsibility of the Developer.”

“The maintenance of paving, grading and drainage improvements and/or easements shown on this survey are the responsibility of the individual property owners and do not constitute acceptance of same for maintenance purposes by Hill County.”

“All surface drainage easements shall be kept clear of fences, buildings, foundations, plantings, and other obstructions to the operation and maintenance of the drainage facility.”

“Blocking the flow of water or constructing improvements in surface drainage easements, and filling or obstructing the floodway is prohibited.”

“Hill County will not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.”

“The existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual property owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across the lots.”

“Construction not complete within two (2) years of the Commissioners Court approval shall be subject to current County Subdivision Rules and Regulations.”

“The owner of each lot must obtain approval for a driveway culvert from the Hill County 911 Address Coordinator, prior to the construction, installation or placement of any driveway access improvements within the dedicated right-of-way.”

“No construction, without written approval from Hill County shall be allowed within an identified “FIRM” floodplain area, and then only after a detailed floodplain development permit, including engineering plans and studies, show that no rise in the Base Flood Elevation (BFE) will result, that no flooding will result, that no obstruction to the natural flow of water will result; and subject to all Owners of the property affected by such construction becoming a party to the request. Where construction is permitted, all finished floor elevations shall be a minimum of one foot (1') above the one hundred-year (100) flood elevation.”

When engineering plans are provided, the engineer shall execute on the face of the survey the following statement:

“I, _____, a Texas Licensed Engineer, do hereby affirm that to the best of my knowledge, information, and belief and based upon the information provided, the drainage improvements shown on this survey will have no adverse effect on any property adjacent to the property shown. I further declare that I will accept full responsibility for the drainage design and will defend and hold harmless Hill County from any claim or litigation arising out of any errors, omissions or other acts of negligence in the preparation of same.”

The following statement shall appear on any Survey containing private streets,
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drives, emergency access easements, recreation areas and open spaces.

“Hill County shall not be responsible for maintenance of private streets, drives, emergency access easements, recreation areas and open spaces; and the Owner(s) shall be responsible for the maintenance of private streets, drives, emergency access easements, recreation areas and open spaces, and said Owner(s) agree to indemnify and hold harmless Hill County, from all claims, damages and losses arising out of or resulting from the performance of the obligations of said Owner(s) set forth in this paragraph.”

- 7.14 APPROVAL OF SURVEY AND IDP: After examination of the survey, the Development Support Team shall make a recommendation to Commissioners Court to approve or reject the survey and IDP within sixty (60) days of being submitted. A rejection shall be in writing and shall be served when placed in the mail addressed to the Owner. Failure to reject the plan within the time prescribed shall constitute the Commissioners Court’s acceptance of the plan. Construction of the community is prohibited until the plan is approved.
- 7.15 INSPECTIONS REQUIRED: Prior to the commencement of construction, the Owner, Owner’s engineer, the Owner’s contractor, and representatives of the County shall meet in a pre-construction meeting to discuss and establish timing of inspections by the County during all phases of construction. The final inspection shall occur no later than two (2) business days after the Owner delivers written confirmation that all improvements have been completed.
- 7.16 CERTIFICATE OF COMPLETION: If the Inspector determines that the infrastructure complies with the IDP, the Commissioners Court shall issue a Certificate of Completion no later than thirty (30) business days after final completion.
- 7.17 UTILITY SERVICES: A utility may not provide services, including water, sewer, gas, and electric services, to a community subject to an IDP or a manufactured home in the community unless the Owner provides the utility with a copy of the Certificate of Completion issued under Subsection 7.16 above. This subsection applies to:
- 7.17.1 A municipality that provides utility services;
 - 7.17.2 A municipality owned or municipality operated utility that provide services;
 - 7.17.3 A public utility that provides services;
 - 7.17.4 A non-profit water supply or sewer service corporation organized and operating under Chapter 67, Texas Water Code, that provides utility services;
 - 7.17.4.1 A county that provides utility services, and
 - 7.17.4.2 A special district or authority created by state law that provides utility services.

SECTION VIII – RECREATIONAL VEHICLE PARK, TINY HOME COMMUNITY, TEMPORARY RENTAL COMMUNITY OR SHORT TERM RENTAL COMMUNITY

8.0 RECREATIONAL VEHICLE PARKS, TINY HOME COMMUNITIES, TEMPORARY RENTAL COMMUNITIES & SHORT-TERM RENTAL COMMUNITIES:

- 8.0.1 The Owner of land in Hill County outside the limits of a municipality who intends to use the ground for a Recreational Vehicle Park, Tiny Home Community, Temporary Rental Community or Short-Term Rental Community must have an Infrastructure Development Plan prepared that complies with the minimum infrastructure standards set out below in Section 8, Subsection 1.
- 8.0.2 The standards listed herein are applicable to all new developments and/or substantial remodel or expansion of such communities upon the adoption of this order. All pre-existing parks, or previously permitted parks are exempt from the more stringent standards listed until or unless they remodel or expand. **Grandfathered parks are not exempt from prior existing State and County regulations as it applies to health and safety, nuisance, septic, water and other public health concerns.**
- 8.0.3 Prior to beginning any construction, the Owner must submit the plan to the Hill County Commissioners Court or its designee for approval. Construction may begin after the plan is approved.
- 8.0.4 Not later than the 30th day after the date the complete park application is submitted, the County Commissioners Court or its designee shall approve or reject the development plan in writing. If the plan is approved, construction may begin immediately. If the plan is rejected, the written rejection shall specify the reasons for the rejection and the actions required to approve the plan. **The failure to reject a plan within the period prescribed by this subsection constitutes approval of the plan.**
- 8.0.5 The County Commissioners Court, its designee, and any other person designated by either the County Commissioners Court, or its designee of the Commissioners Court, may inspect the infrastructure at any reasonable time during construction, and the Owner and his agents shall not hinder such inspections.
- 8.0.6 On completion of construction, the Owner shall certify in writing to the County Commissioners Court that the infrastructure is complete, and a final inspection must be completed not later than the fifteenth (15th) business day

after the Commissioners Court receives the notice. If the Inspector determines that the infrastructure does not fully comply with the plan, the Owner shall be given thirty (30) days from the date of notification to cure the defects. On completion of curative construction, the Owner shall recertify in writing to the County Commissioners Court that the infrastructure is complete.

8.0.7 When the Inspector determines that the infrastructure complies with the plan, the County Judge shall issue a Certificate of Compliance on behalf of the Commissioners Court not later than the thirtieth (30th) business day after the final inspection is completed.

8.0.8 A utility may not provide utility services, including water, sewer, gas, and electric services, to a Recreational Vehicle Park, Tiny Home Community, Temporary Rental Community or Short-Term Rental Community in the County unless the Owner provides the utility with a copy of the Certificate of Compliance.

8.1 **INFRASTRUCTURE REQUIREMENTS:** The Infrastructure Development Plan for a Recreational Vehicle Park, Tiny Home Community, Temporary Rental Community or Short-Term Rental Community must include each of the following:

8.1.1 A survey identifying the proposed community's boundaries and any significant community feature, 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.

8.1.2 Reasonable specified plans to provide adequate drainage in accordance with standard engineering practices, including specifying necessary drainage culverts and identifying areas included in the one hundred-year (100) flood plain. The placement of any structure within the regulatory floodplain shall be in accordance with the Hill County Floodplain Regulations.

8.1.3 Reasonable specified plans 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. If water is to be provided by a well, the Developer must provide TCEQ Public Water System Identification Number.

8.1.4 Certification that adequate groundwater is available for the development. If ground-water 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 plan that groundwater is to be the source of water.

8.1.5 Either:

8.1.5.1 Reasonably specified plans 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

8.1.5.2 Reasonably specified plans for providing on-site sewage facilities in accordance with Chapter 366, Texas Health and Safety Code, if the estimated sewage flow does not exceed five thousand (5,000) gallons per day (gpd). These plans must meet minimum standards established under the OSSF rules and Hill County Commissioners Court local order. An approved Hill County OSSF Permit must be attached to the plan.

8.1.6 Reasonably specified plans for providing sewage treatment and disposal under Chapter 26 of the Texas Water Code if the estimated flow exceeds five thousand (5,000) gpd. Approval by Texas Commission on Environmental Quality must be attached to the plan.

8.1.7 Reasonably specified plans for streets or roads in the Recreational Vehicle Park, Tiny Home Community, Temporary Rental Community or Short Term Rental Community to provide ingress and egress for fire and emergency vehicles.

8.1.7.1 The road design and construction standards contained in the Hill County Subdivision Rules and Regulations, as amended from time to time, are 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.

8.1.8 Building setbacks shall be as specified in the Hill County Subdivision Rules and Regulations

8.1.9 Drainage design for the development shall comply with the Hill County Subdivision Rules and Regulations.

8.2 Commissioners Court may grant a variance when strict application of these standards would cause an unusual hardship and granting the variance will not negatively impact health and safety of residents.

8.3 RECREATIONAL VEHICLE PARK, TINY HOME COMMUNITY,

TEMPORARY RENTAL COMMUNITY OR SHORT-TERM RENTAL COMMUNITY REGULATIONS: *The regulations described herein govern the development, operation, and maintenance of Recreational Vehicle Parks, Tiny Home Communities, Temporary Rental Communities and Short-Term Rental Communities as previously defined.*

8.3.1 Park/Community development requirements. Recreational Vehicle Parks, Tiny Home Communities, Temporary Rental Communities and Short-Term Rental Communities shall be developed to conform to those requirements as herein delineated.

8.3.2 Recreational Vehicle Parks, Tiny Home Communities, Temporary Rental Communities and Short-Term Rental Communities shall be designed so as not to exceed a maximum of ten (10) units per acre.

8.3.3 Parking facilities shall be provided at the park office as will accommodate at least two (2) Recreational Vehicles (parking spaces determined by the size of the spaces available for lease at the park).

8.3.4 Each Recreational Vehicle, Tiny Home, Temporary Rental or Short-Term Rental space shall afford parking and maneuvering space sufficient so that the parking, loading, and the like, of Recreational Vehicles, Tiny Homes, Temporary Rentals or Short-Term Rentals shall not necessitate the use of any public right-of-way or privately-owned property which may abut the park/community.

8.3.5 Each Recreational Vehicle, Temporary Rental or Short-Term Rental space provided with electrical service shall be so served through an underground distribution system. The park office and service buildings may receive electrical service as provided through overhead facilities.

8.3.6 Each park shall provide Recreational Vehicle parking or placement spaces, and each such space shall be clearly defined. Twenty percent (20%) of the parking spaces shall be not less than eighteen feet (18') by fifty feet (50'). There must be at least a ten foot (10') clearance of space between adjacent rows of parking spaces.

8.3.6.1 Be improved with compacted crushed road base material and asphalt, two course chip seal, or concrete adequate to support the weight of the recreational vehicle.

8.3.6.2 Not heave, shift, or settle unevenly under the weight of the Recreational Vehicle, Tiny Home, Temporary Rental or Short-Term Rental due to frost action, inadequate drainage, vibration, or other forces acting on the structure.

8.3.7 The entrance to the Park/Community shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets.

8.3.8 Impervious surface private streets adequate to provide access to each Recreational Vehicle, Tiny Home, Temporary Rental or Short Term Rental

space shall be constructed and maintained in good condition by the licensee and the width of which shall be not less than twenty-four feet (24’).

8.3.9 The Park/Community shall comply with state and federal standards for accessibility for the mobility impaired. The Applicant shall show proof of compliance.

8.3.10 Service buildings; laundry and sanitation facilities. Each Recreational Vehicle Park, Tiny Home Community, Temporary Rental Community or Short-Term Rental Community with at least nine (9) Recreational Vehicle, Tiny Home, Temporary Rental or Short Term Rental spaces shall provide one or more service buildings for the use of Park/Community patrons.

8.3.10.1 The service buildings shall provide for:

8.3.10.1.1 One (1) flush toilet for women;

8.3.10.1.2 One (1) flush toilet for men;

8.3.10.1.3 One (1) lavatory for each sex;

8.3.10.1.4 One (1) shower and dressing accommodation for each sex, provided in an individual compartment or stall;

8.3.10.1.5 One (1) washing machine; and One (1) slop sink, not less than fourteen inches by fourteen inches (14” X 14”) square and fourteen inches (14”) deep.

8.3.10.2 The aforementioned amenities shall accommodate not more than fifty (50) Recreational Vehicle, Tiny Home, Temporary Rental or Short-Term Rental spaces. For each additional thirty (30) Recreational Vehicle, Tiny Home, Temporary Rental or Short-Term Rental spaces or fraction thereof, one (1) flush toilet, one (1) shower with individual dressing accommodations, and one (1) lavatory shall be provided for each sex, with laundry and slop sink facilities to be provided for each additional fifty (50) Recreational Vehicle, Tiny Home, Temporary Rental or Short Term Rental spaces, or a fraction thereof.

8.3.11 All unisex bathrooms shall comply with the Americans with Disabilities Act. (ADA).

8.4 SERVICE BUILDING REQUIREMENTS: Service buildings providing the forenamed facilities shall satisfy the requirements as include:

8.4.1 Service buildings housing sanitation or laundry facilities shall be permanent structures that comply with all applicable laws and ordinances regulating buildings, electrical installation, plumbing, and sanitation systems;

8.4.2 Service buildings shall afford appropriate illumination, shall be well ventilated with screened openings, shall be constructed of moisture-proof materials, to include painted woodwork, shall permit frequent cleaning and

washing, and shall be maintained at a temperature of 68° F during the period October 1 through May 1. Floors shall be constructed of concrete or other equally impervious material, easily cleanable, and provided with floor drains that are connected to the sanitary sewer; If connected to On-Site Sewage Facilities, chemical cleaners should be used on a limited basis.

8.4.3 The toilet and other sanitation facilities for males and females either shall be in separate buildings or shall be separated, if in the same building, by a soundproof wall;

8.4.4 All service buildings and Park/Community grounds shall be maintained in a clean, sightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance; and

8.4.5 Service buildings housing sanitation facilities shall be located not closer than fifteen feet (15') nor farther than three hundred feet (300') from any Recreational Vehicle / Temporary Rental or Short-Term Rental space within the Park/Community.

8.5 **GARBAGE RECEPTACLES:** Each Recreational Vehicle Park, Tiny Home Community, Temporary Rental Community or Short- Term Rental Community shall provide a minimum of two (2) fly-tight, water-tight, rodent-proof dumpsters for the first fifty (50) spaces with one (1) additional dumpster for each fifty (50) spaces or fraction thereof.

8.5.1 Refuse collection stands shall be provided for all refuse containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to clean around them.

8.5.2 The storage, collection, and disposal of refuse in the Recreational Vehicle Park, Tiny Home Community, Temporary Rental Community or Short-Term Rental Community shall be so conducted as to create no health hazards.

8.5.3 The dumpster(s) shall be screened from public view

8.6 FUEL

8.6.1 Bottled gas for cooking purposes shall not be used at individual Recreational Vehicle, Tiny Home, Temporary Rental or Short Term Rental spaces unless the containers are properly connected by copper or another suitable metallic tubing.

8.6.2 Bottled gas cylinders shall be securely fastened in place.

8.6.3 No cylinders containing bottled gas shall be located inside a Recreational Vehicle, Tiny Home, Temporary Rental or Short Term Rental or within five feet (5') of a door thereof.

- 8.6.4 State and local regulations applicable to the handling of bottled gas and fuel oil shall apply.

8.7 FIRE PROTECTION

- 8.7.1 Every Park/Community shall be equipped at all times with fire extinguishing equipment in good working order of such type, size, and number and so located within the Park/Community as to satisfy the fire code and other applicable regulations of the County.

- 8.7.2 No open fires shall be permitted, except that this shall not be construed to prevent barbecuing with charcoal in an approved pit or grill.

- 8.7.3 All sites and any part of a Recreational Vehicle Park, Tiny Home Community, Temporary Rental Community or Short-Term Rental Community shall not exceed one hundred fifty feet (150') from the hard surface streets.

- 8.8 DRY VEGETATION: The Park/Community operator shall be responsible for maintaining the entire area of the Park/Community free of dry brush, leaves, and weeds.

- 8.9 OTHER REGULATIONS: Persons developing Recreational Vehicle Parks, Tiny Home Communities, Temporary Rental Communities or Short-Term Rental Communities should be aware that this order is not the exclusive law or regulation controlling development in Hill County. The following is only a partial list of regulations that may apply.

- 8.9.1 Recreational Vehicle Parks, Tiny Home Communities, Temporary Rental Communities and Short-Term Rental Communities are subject to Hill County Subdivision Rules and Regulations. All subdivisions within the Extra Territorial Jurisdiction (ETJ) of an incorporated municipality may also be subject to municipality subdivision regulations, or as per any mutually (County-Municipality) agreed upon regulations as approved and accepted under an inter-local cooperation agreement.

- 8.9.2 All Recreational Vehicle Parks, Tiny Home Communities, Temporary Rental Communities and Short-Term Rental Communities are subject to regulations of general applicability, including public health nuisances under Chapters 341 and 343 of the Texas Health and Safety Code. The Developer must address solid waste disposal, rodent/insect harboring, fly breeding, and improper water disposal in accordance with these Chapters.

- 8.9.3 Other agencies with regulatory authority that may apply to a Recreational Vehicle Park, Tiny Home Communities, Temporary Rental Communities and Short-Term Rental Communities include, but are not limited to, Emergency Services Districts, the Texas Commission on Environmental Quality, the Public Utilities Commission, the United

States Parks and Wildlife Service, the Environmental Protection Agency and the U.S. Army Corp. Of Engineers.

8.9.4 Issuance of a Certificate of Compliance under this order does not indicate compliance with any of these requirements.

8.10 FEES: Retainer for Engineer Review and Inspection Fees: All engineer review fees will be paid by the Owners/Subdividers/Developers. A retainer of \$5,000 made out to Hill County must be deposited with the County Judge's Office for engineering review of the development application and associated fees

8.11 PENALTIES: The requirements of this order have been established by and adopted by the Hill County Commissioners Court under Chapter 232 of the Texas Local Government Code. All the civil and criminal penalties under that chapter shall apply to violations of this order.

8.12 RENEWAL AND CANCELLATION OF CERTIFICATE OF COMPLIANCE: On the fifth (5th) anniversary of the issuance of a Certificate of Compliance under this section, the Hill County Inspector or another person designated by the Commissioners Court shall, within sixty (60) days of said anniversary, inspect the development for which the Certificate of Compliance was issued to ensure continued compliance with the minimum infrastructure standards for Recreational Vehicle Parks, Tiny Home Communities, Temporary Rental Communities and Short Term Rental Communities that have been adopted by the County. If said development is in compliance, the Certificate of Compliance shall, upon payment of the \$40 inspection fee and \$26 filing fee, automatically renew for a subsequent five (5) year period. If said development is not in compliance, the Inspector shall, within ten (10) business days of said inspection, notify the Developer of such non- compliance, at which time the Developer shall have thirty (30) days to cure the defect(s). If the defect(s) are not cured within thirty (30) days of notification the County may, at its sole discretion, cancel the Certificate of Compliance. However, cancellation should be done as a last resort and all reasonable efforts should be made to allow the defect(s) to be cured. Once the defect(s) are cured, the Certificate of Compliance shall, upon payment of the \$40 inspection fee and \$26 filing fee, automatically renew for a subsequent five (5) year period.

SECTION IX – ENGINEERING PLANS

- 9.0 PLANS REQUIRED: Engineering Plans shall be submitted for all improvements required such as new roads, drainage ditches, open channels, detention ponds, erosion control devices or structures and all other required improvements. The engineering plans shall convey the existing and proposed conditions for the site being developed. Three (3) sets of engineering plans shall be submitted simultaneously with the Preliminary Plat. The total cost for such engineering plans shall be borne by the Owner/Developer. The Developer is prohibited from disturbing any natural soils or constructing any improvements prior to acceptance and approval of the engineering plans by the Commissioners Court. Any improvements constructed prior to this approval shall be removed at the Owner / Developer's expense. All plans shall be compiled in accordance with the following requirements:

The portions of the tract designated for use as roads, drainage facilities and structures in and adjacent to a proposed subdivision shall be platted, regardless of whether the Owner intends to dedicate the same to Hill County for maintenance. All such dedications or designations are subject to acceptance and approval by the Commissioners Court, whether dedicated public right-of-way easements or designated as private easements. All said improvements shall be constructed to the standards required by these regulations and a certificate stating substantial compliance shall be provided by the Engineer responsible for the plans in addition to being subject to inspections by Hill County to ensure compliance with these regulations.

- 9.0.1 Hill County will not accept any drainage easement if any portion thereof lies within a SFHA.
- 9.0.2 The Developer of a subdivision shall be responsible for the cost of the construction of all roads, drainage improvements, and all other required improvements in the development, whether or not the streets were already County Roads.

9.1 GENERAL REQUIREMENTS:

- 9.1.1 All plan sheets shall be drawn at a horizontal and vertical scale that sufficiently and clearly depicts all pertinent design elements.
- 9.1.2 All sheets shall be eighteen inches by twenty-four inches (18" x 24") in size and shall be signed, and sealed by a Texas Licensed Professional Engineer.
- 9.1.3 A North arrow indicating the direction of North.
- 9.1.4 Benchmarks shall be required to be placed in at least two (2) locations within every subdivision and shown for reference in the plans. In all there shall be a minimum of one benchmark for each twenty (20) acres in the

development. The actual elevation of each benchmark and the GPS coordinates in Texas State Plane Coordinate System, North Central Zone 4202, NAD 83 shall be included on the Final Plat.

- 9.1.5 The Developer shall provide copies of all permits required by TxDOT, TCEQ, EPA, or any other governmental entity with jurisdiction of the real property or adjacent roads, streets or highways. TCEQ and EPA permits shall include, but are not limited to, a Stormwater Pollution Prevention Plan process permit. For Notice of Intent (NOI), a copy of the application shall be deemed in compliance with these regulations. Notice of Terminations (NOT) shall also be submitted at the end of the project.
- 9.1.6 An erosion control plan for the site shall be submitted with the engineering plans. A note stating that "seventy-five percent (75%) grass coverage of all disturbed areas shall be required before the construction activities will be accepted" is to be placed on the erosion control plan. If the contractor is unable to obtain this coverage with a standard TxDOT winter / summer (rye/Bermuda) mix or by sodding the affected areas, a bond may be posted to ensure compliance and conditioned upon reaching compliance with this subsection within six (6) months of approval of said bond by Commissioners Court. If the grass has not achieved the seventy-five percent (75%) coverage over the affected areas the bond may be forfeited by the Applicant and the Commissioners Court will complete the project with the remaining funds. The bond shall be in the amount of \$400 per disturbed acre.
- 9.1.7 Construction plans shall show all proposed utilities in both plan and profile view for all utilities in County right-of-way or easements. Underground utility lines may be permitted to cross County right-of-way, but will not be permitted longitudinally in the right-of-way. All utilities crossing under existing roadways must be bored and encased in a casing pipe. Utilities crossing proposed roadways may not be open cut. Utility lines four inch (4") and greater in diameter shall be encased in schedule forty (40) steel pipe. Utility lines less than four inch (4") in diameter shall be encased in schedule eighty (80) (PVC) pipe. All utility lines crossing existing or proposed roadways shall be encased. The ends of all casing pipes shall be sealed with end caps. Backfill may be native material from the trench excavations, or may be select granular material. Backfill shall be placed in maximum eight inch (8") loose lifts and compacted to a minimum ninety-five percent (95%) standard proctor density at negative two percent (-2%) to four percent (+4%) optimum moisture. At least one (1) density test shall be taken on each lift for each crossing. Tests shall be ordered by the County, but all cost associated with testing shall be borne by the Developer. Trench backfill not placed and documented as described will be replaced. Alternatively, a flowable backfill may be used to backfill trenches. Flowable backfill must be in accordance with TxDOT Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges, current edition or as

approved by the designated County Engineer. No pavement subgrade preparation may proceed until trench backfill has been approved. No water jetting of trenches will be allowed. Utilities shall have a minimum forty-two inch (42") cover, measured from the lowest point of the adjacent roadside ditch. The minimum allowable width for all drainage is twenty feet (20') and utility easements shall be fifteen feet (15').

9.2 The Hill County Development Support Team will review the construction plans for their conformance to this ordinance, and return one (1) set of the construction plans to the Developer stating:

9.2.1 That the plans have been approved or

9.2.2 Comments stating the changes that will need to be made before the plans will be approved. If any changes are required, the Developer shall have the necessary changes made and submit two (2) copies of the corrected plans to the Development Support Team. If all necessary changes have been made, the Team will return one (1) set of the corrected plans to the Developer stating that the plans have been approved.

9.3 PAVING PLANS: General

9.3.1 All materials and construction methods shall conform to the latest edition of the TxDOT Standard Specifications for Construction of Highways, Streets and Bridges, plus any other TxDOT specifications referenced herein. Other standard specifications may be approved as determined acceptable by the Development Support Team.

9.3.2 The geometric design of roads shall conform to the latest edition of The American Association of State Highway and Transportation Officials (AASHTO) "Policy on Geometric Design of Highways and Streets"

9.3.3 The Owner shall pay for and utilize the services of a geotechnical engineer to sample and test right-of-way site soils. The Owner's engineer shall make recommendations for soil stabilization in report form and shall design the roadway section for a minimum thirty (30) year service life. The minimum acceptable wearing surface shall be Type 'D' HMA with a two inch (2") minimum thickness or three thousand (3,000) psi minimum Portland Cement Concrete with a minimum six inch (6") thickness. The developer may apply for a variance to this section and request that the wearing surface of the roadway, excluding culs-de-sac, be a two course chip seal. The Owner's engineer shall design the road sections based on projected traffic volume and type and soil conditions to comply with the performance criteria. The pavement design provided in the geotechnical report shall specify a minimum allowable tolerance to be applied during construction to the "As-Built" pavement thickness and for each item shown in the pavement cross section. If no tolerance is allowed, then the constructed pavement thickness must be equal to or greater than that specified in the design and a statement to that effect must be provided in the report.

9.4 PERIMETER IMPROVEMENTS:

- 9.4.1 When a proposed subdivision of land abuts both sides of an existing road, street, highway, or drainage easement that is substandard according to the current Hill County Standard Specifications, the Developer shall be required to improve the existing road and drainage to Hill County standards. The Developer shall also be required to dedicate the necessary right-of-way for the particular roadway, which shall be no less than sixty feet (60').
- 9.4.2 When the proposed addition or subdivision is located adjacent to a County Road or street, the Developer shall be required to upgrade the perimeter road to current standards.

9.5 LAYOUT REQUIREMENTS:

- 9.5.1 For lots with on-site septic systems, minimum lot size shall be one-acre (1) net. Net acreage is defined as the total acreage minus any area included in designated drainage easements, SFHA, floodplain easements, or right-of-way dedication.
- 9.5.2 Side lot lines should normally be at a ninety-degree (90°) angle to the street.
- 9.5.3 Any land which, in its natural state, is subject to a one hundred-year (100) flood or which cannot be properly drained shall not be subdivided, re-subdivided or developed until receipt of evidence that the construction of specific improvements proposed by the Subdivider can be expected to yield a usable building site. Thereafter, Commissioners Court may approve the plat; however, construction upon such land shall be prohibited until the specific improvements have been planned and construction guaranteed.
- 9.5.4 All roads designed to intersect shall intersect at a minimum centerline distance of three hundred feet (300') from the closest adjacent intersecting road.
- 9.5.5 The reservation of private ownership of strips of land intended solely or primarily for the purpose of avoiding abutment to a County maintained road shall be prohibited.
- 9.5.6 Provision must be made for the extension of existing dead-end streets within recorded adjacent subdivisions. Proposed streets must conform to existing topography as nearly as possible in order that drainage may be provided. Streets should follow valleys or depressions so as to form a collection system for surface runoff. Streets extending further than one thousand feet (1,000') shall provide for an emergency vehicle turn-around at least every one thousand feet (1,000').
- 9.5.7 The system of streets designated for the subdivision must connect with streets already dedicated in any adjacent subdivision and, where no adjacent connections are platted, must be continued to the boundaries of the tracts subdivided, so that other subdivisions may connect therewith.

- 9.5.8 No dead-end streets without a cul-de-sac will be approved unless such dead-end streets are provided to connect with future streets on adjacent land.
- 9.5.9 Culs-de-sac may be permitted where the form or contour of the land makes it difficult to plat with connecting streets. Such culs-de-sac shall provide an outside right-of-way radius of at least sixty feet (60') and an outside edge of pavement radius of at least forty feet (40'). Culs-de-sac shall be constructed one (1) cul-de-sac or cul-de-bubble per every one thousand feet (1000') along the entire length of each dead-end street.
- 9.5.10 In subdivisions constructed in more than one (1) phase, temporary culs-de-sac shall be required at the end of a street or road which is intended to connect to future streets. The materials of which the temporary cul-de-sac shall be constructed shall conform to those required for the street itself in the geotechnical report.
- 9.5.11 The need to provide access for emergency services or align road and street right-of ways to provide the safe flow of traffic may require an additional entrance to a subdivision from a Hill County Road or a State Highway or an altered alignment of the roads and streets within the subdivision.
- 9.5.12 Where an existing County Road abuts the subdivision, the Owner shall set back the subdivision line (road R.O.W. line) a minimum of one-half ($\frac{1}{2}$) the total R.O.W. width as established for that road.
- 9.5.13 All roads or streets shall have a minimum grade of five-tenths percent (0.5%). Grades of more than ten percent (10%) shall only be allowed upon approval of the Hill County Development Team.
- 9.5.14 Roads or streets which are continuation of any existing road or street shall take the name of the existing road or street.
- 9.5.15 All roads or streets preferably shall intersect at a ninety-degree (90°) angle. Where this is not possible, the intersection, on the side of the acute angle, shall be rounded with a curve or a cutback, but in no case, shall the curve have less than twenty-five foot (25') radius.
- 9.5.16 No decorative ornamental entrances or any other obstruction to traffic shall be constructed or preserved within the right-of-way of a road dedicated to the public without the written permission of Hill County. If landscaping and/or irrigation are proposed within the right of way, the Owner shall create a body (municipal utility district, homeowner's association, neighborhood association, etc.) that will be responsible for the maintenance and liability of the landscaping and/or irrigation system. This body shall have assessment authority to ensure the proper funding for maintenance.
- 9.5.17 Private Roads
- 9.5.17.1 Private roads cannot be included in a subdivision without prior approval of the Commissioners Court. When a request for a

private road is received it will be presented to Commissioners Court for their approval or disapproval.

9.5.17.2 Private streets, roads, emergency access easements, etc. shall be termed as a vehicular access way under private ownership and maintenance.

9.5.17.3 Private roads shall meet the same construction standards and specifications as public roads and streets.

9.5.18 If new roads are constructed over existing petroleum pipeline crossings, the pipelines must meet the following requirements:

9.5.18.1 Encased pipe must be at least forty-two inches (42") below the deepest proposed ditch grade

9.5.18.2 Non-cased pipe (of extra wall thickness meeting Federal Regulations) must be at least four feet (4') below the deepest proposed ditch.

9.5.19 Drainage easements shall generally be located along the existing drainage way, and shall have 4:1 side slopes. All easements shall be so designed to allow maintenance equipment to enter the easement from public property, and be able to perform routine maintenance.

9.6 STREET SIGNS:

9.6.1 All street signs, posts and mounting hardware shall be furnished by the Developer, Applicant or Owners (at his or her expense).

9.6.2 The following information shall be obtained from the County and lettered on all street signs:

9.6.2.1 the block range (written in lower right-hand corner)

9.6.2.2 street name (with the suffix)

9.6.3 All signs shall be constructed of material conforming to the requirements of the Texas Manual on Uniform Traffic Control Devices, latest edition, and installed by the Developer or Owner.

9.6.4 Street names will not be approved if said names conflict with or will cause confusion with existing street names. The information regarding street names and addressing of structures shall be reviewed by the Development Support Team in order to facilitate use of said information by Hill County's Emergency 9-1-1 System.

9.7 ROADWAY PLAN REQUIREMENTS:

9.7.1 Centerline stationing beginning at an intersecting roadway centerline.

9.7.2 Station and elevation references shall be provided on plan and profile sheets at PT's, PC's, PI's, centerline intersections, VPT's, VPC's, VPI's, culvert crossing and other locations deemed necessary. Station and elevation shall be

provided at the bottom of each profile at each one hundred foot (100') station mark.

9.7.3 Spot elevations.

9.7.4 A joint spacing plan (concrete paving only).

9.7.5 Typical cross-section of the roadway showing each type of material to be used.

9.7.6 All lots shall have frontage on a dedicated public right-of-way or a private road which intersects a public right-of-way.

9.8 DRAINAGE DESIGN:

9.8.1 Drainage Plan/Map

9.8.1.1 A drainage plan/map shall be required for all subdivisions.

9.8.1.2 When calculating the runoff, the drainage plan shall show the boundary of the drainage area contributing runoff into the proposed system. The area shall be further divided into sub-areas to determine flow at concentration points.

9.8.2 The drainage plan should show all boundary lines, lot lines, drainage easements and labels, the location of all proposed or existing detention ponds, open channels, swales and riprap, streets, street names, any zoning, zoning boundaries, existing ground on five foot (5') contours and a hydraulic summary table. The hydraulic summary table shall show for each sub-area the following information:

9.8.2.1 concentration point numbers or designations

9.8.2.2 area and or sub-area number

9.8.2.3 total acres in each area or sub-area

9.8.2.4 runoff coefficient "C"

9.8.2.5 time of concentration "Tc"

9.8.2.6 design rainfall intensity "I"

9.8.2.7 design discharge "Q"

9.8.3 Direction of flow within streets, alleys, natural and man-made drainage-ways and at all systems intersections shall be clearly shown on the drainage area map. This includes sags, crests and corners.

9.8.4 The rainfall intensity "I" shall be shown for a ten (10), fifty (50) and one hundred (100) year event when no detention pond is required and for a two (2), five (5), ten (10), twenty-five (25), fifty (50), & one hundred (100) year event when detention is required.

9.9 Drainage Design Criteria:

- 9.9.1 Open Channel Design: Open channels are to be used whenever concentrated flows greater than twenty-five (25) cfs occur. The use of existing channels in their condition is encouraged when possible. In such cases, an adequate drainage easement shall be dedicated to meet flow requirements. The design water surface in an open channel is shown in this section. All plan sheets for Open Channels shall show the one hundred (100) year hydraulic grade line (HGL) in the profile, centerline stationing, and elevation information at one-hundred foot (100') station intervals.
- 9.9.2 Roadway Ditch Design: Barrow Ditches are to be used along all roadways to convey drainage in accordance with the following criteria:
- 9.9.2.1 Ditches shall be designed to carry a ten (10) year storm and the backwater effects of the most restrictive culvert to be placed in the ditch.
 - 9.9.2.2 The entire ditch should be contained within the ROW of the road. If the ditch cannot be contained additional ROW may be required.
 - 9.9.2.3 The side/front-slopes of all ditches shall have a maximum slope of 4:1 with a maximum allowable back slope of 3:1.
 - 9.9.2.4 The minimum allowable bottom slope in any roadway ditch shall be one percent (1.0%). Bottom slopes of less than one percent (1%) shall require rip-rap or other structural surface approved by the Development Team.
- 9.9.3 Drainage Swale Design: When concentrated flows occur on the property developed that are less than twenty-five (25) cfs a drainage swale may be used. The primary function of a drainage swale is to intercept water and convey it to a drainage channel or other drainage facility. Swales shall be designed in accordance with the following criteria:
- 9.9.3.1 The minimum allowable bottom slope in a swale shall be five-tenths percent (0.50%).
 - 9.9.3.2 The side-slopes of all swales shall be 4:1 maximum.
 - 9.9.3.3 The depth of all swales shall be a minimum of eighteen-inches (18") or one and one-half feet (1.5').
- 9.9.4 Culvert Design: There are two (2) principal categories of culverts that are used in roadway design, driveway culverts and crossing culverts. The following design criteria shall be used for each:
- 9.9.4.1 Subgrade, bedding and backfill material for all culverts shall be compacted in accordance with Hill County specifications prior to final acceptance.
 - 9.9.4.2 Drainage design for all culverts shall consider the backwater effects

of inlet and outlet control. The size and depth shall be adjusted if necessary to accommodate and contain the downstream culvert backwater.

9.10 Driveway Culverts:

- 9.10.1 All driveways and driveway culverts are the responsibility of the individual lot owner or Developer. It is the Developer's responsibility to ensure that all lot owners are aware of this requirement. Driveway culverts shall be made of corrugated metal pipe (CMP), sixteen (16) gauge or better. They shall have a minimum bottom slope of one percent (1.0%) and be no less than twenty-four feet (24') in length and no greater than fifty feet (50'). The minimum allowable driveway culvert size shall be eighteen inches (18") in diameter.
- 9.10.2 Concrete-Safety-Treatments (ends) are required for all new culverts in accordance with TxDOT standard details.
- 9.10.3 A minimum of six inches (6") of cover shall be placed above all new culverts.
- 9.10.4 Where multiple culverts occur in ditches, the ditch bottom must be widened to have a bottom width that is six inches (6") greater on each side than the distance from the outside walls of the outer two (2) culverts. Each culvert shall also be separated by six inches (6") of compacted fill material.
- 9.10.5 Driveway culverts shall be shown at the most restrictive section to be anticipated for each lot, in the roadway plan and profile. The Hydraulic Grade Line (HGL) shall reflect the effects of backwater in the profile. Proposed upstream and elevations for proposed culverts shall be shown in the plan and profile as well.
- 9.10.6 All driveway culverts must be installed in compliance with the County's Driveway Culvert Setting Policy prior to issuance of building permits or commencement of construction activities on the individual lot.

9.11 Crossing Culverts:

- 9.11.1 Crossing culverts shall be placed to relieve drainage at all low-points and drainage crossings. They shall be constructed of Class-III or better, Reinforced Concrete Pipe (RCP).
- 9.12 The minimum bottom slope in all crossing culverts shall be five-tenths percent (0.50%). The minimum allowable crossing culverts size shall be eighteen-inches (18") in diameter or as approved by the Development Team.
- 9.13 Safety ends or headwalls shall be constructed at the ends of all Crossing Culverts to protect the embankment from erosion and culvert from displacement. The safety ends or headwalls shall be constructed in accordance with TxDOT standards as required by the physical conditions of the particular installation. Rock rip-rap or other suitable erosion control may be required at each location as supplemental protection.

9.12 STORMWATER RUNOFF MANAGEMENT:

Hill County Stormwater Policy- It is the intent of Hill County to have zero impact on properties adjacent to and or downstream of new subdivisions or developments. This shall be required of all new developments regardless of size. There is one (1) condition that will serve as an exception to this requirement and that is when a “point discharge” would result if a detention pond or other drainage structure were to be constructed.

Therefore, in cases where the overland distance of flow across the entire portion of the property being platted is less than three hundred feet (300') and can be clearly shown to have only sheet flow that does not concentrate flow, a drainage plan clearly showing this condition will be all that is required to be submitted. If it is known that the final usage of such a property will result in a drainage runoff coefficient greater than zero point five zero (0.50) this exception will not apply and some form of stormwater management will be required. There are several accepted methods of providing protection and safety for these downstream properties that can be used. They are:

- 9.12.1 Stormwater Detention: This involves collecting excess runoff before it enters the main drainage systems. It can be used effectively and economically to reduce peak flow rates and mitigate problems of flooding, pollution, soil erosion issues.
- 9.12.2 Design Criteria: The Modified Rational Method shall be used for drainage areas of ten (10) acres or less. HEC-HMS latest version is allowed for basins less than ten (10) acres and is required for all drainage basins greater than ten (10) acres. The pond and its outlets shall be designed to accommodate the two (2), five (5), ten (10), twenty-five (25), fifty (50) & one hundred (100) year storm events.
- 9.12.3 Pond Layout: Side slopes of berms and drop offs shall be 4:1 maximum and the bottom of all dry bottom ponds shall have a minimum one percent (1.00%) slope. A minimum six inch (6") freeboard above the one hundred (100) year event must be provided. Spot elevations for proposed and existing grades in the pond area and for at least one hundred and fifty feet (150') downstream of all outlet structures shall be shown on the plans.
- 9.12.4 Outlet Structures: In all cases an earthen or concrete (if preferred) overflow structure must be provided above the one hundred (100) year flood event and have a minimum depth of twelve inches (12").
- 9.12.5 Construction: All ponds shall be seeded or sodden with rye or Bermuda grass (or native grass as appropriate to the season) and attain a seventy-five percent (75%) gross coverage prior to final acceptance. All outlet elevations and pond geometry shall be verified for elevation and dimensions by the Owner's/Developer's surveyor and approved by the County Engineer.

9.12.6 Drainage Easements: It is to be clearly understood that all drainage easements must be minimum of twenty feet (20') in width and shall be on a single lot and not split by lot lines.

9.13 GENERAL DESIGN CONSIDERATIONS:

9.13.1 Storm water systems should be planned and designed so as to generally conform to natural drainage patterns and discharge to natural drainage pathways within a drainage basin. These natural drainage pathways should only be modified as a last resort to contain and safely convey the peak flows generated by the development.

9.13.2 Runoff must be discharged in a manner that will not cause adverse impacts on downstream properties or storm water systems. In general, runoff from development sites within a drainage basin should be discharged at the existing natural drainage outlet or outlets. If the Developer wishes to change discharge points he or she must demonstrate that the change will not have any adverse impacts on downstream properties.

9.13.3 It is important to ensure that the combined on-site flood control system and major storm water system can handle blockages and flows in excess of the design capacity to minimize the likelihood of nuisance flooding or damage to private properties. If failure of minor stormwater systems and/or major stormwater structures occurs during these periods, the risk to life and property could be significantly increased.

9.13.4 In establishing the layout of storm water systems, it is essential to ensure that flows are not diverted onto private property during flows up to the major storm water system design capacity.

9.13.5 Headwalls are required for all metal culverts and where buoyancy protection is necessary. If high headwater depths are to be encountered, or the approach velocity in the channel will cause scour, a short channel apron should be provided at the toe of the headwall. This apron should extend at least one pipe diameter upstream from the entrance, and the top of the apron should not protrude above the normal streambed elevation.

9.14 CULVERT SIZES: The minimum allowable pipe diameter shall be eighteen-inches (18").

9.15 WATER AND SEPTIC SYSTEM REQUIREMENTS:

The Owner(s) must submit a plan for providing utility service within the proposed subdivision. The proposed water supply should be clearly indicated, i.e. municipal water, rural water supply corporation, privately owned water system, individual well, etc., including location of fire hydrants, if any. The Owner(s) /

Developers must provide an approval letter from the water supply company or municipality stating that water is available and the utility has agreed to provide the minimum domestic water needs as required by TCEQ.

A plat application for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under that land must have attached to it a statement that is prepared by an engineer licensed to practice in this state or a geoscientist licensed to practice in this state; and certifies that adequate groundwater is available for the subdivision.

The plan for sewage disposal should be clearly indicated, i.e. municipal sewer service, privately owned/organized sewage disposal system, private sewage facilities, etc. If it is the Owner's intent that each lot purchaser shall provide private sewage facilities, those facilities must meet the requirements of the Hill County On-site Sewage Facilities (OSSF) Agent.

Persons proposing residential subdivision, manufactured housing communities, multi-unit residential development, business parks, or other similar uses and utilizing On-site Sewage Facilities (OSSF) for sewage disposal must submit planning materials for these developments to the permitting authority. The planning materials must include an overall site plan, detailing the types of OSSF's to be considered and their compatibility with area wide drainage and groundwater. A comprehensive drainage and one hundred -year (100) floodplain impact plan must also be included in these planning materials. Planning materials shall also address potential replacement areas.

9.16 STORMWATER POLLUTION PREVENTION PLAN (SWP)

A site's Stormwater Pollution Plan shall govern the control measures necessary to prevent and control soil erosion, sedimentation, and water pollution which may degrade receiving waters including rivers, streams, lakes, reservoirs, groundwater and wetlands. The control measures contained herein shall be installed and maintained throughout the construction contract, and coordinated with any permanent or temporary pollution control features specified elsewhere on the plans, and in the specification to assure effective and continuous water pollution control throughout the construction and post construction periods. These control measures shall not be used as a substitute for the permanent pollution controls may include silt fences, rock berms, diversion dikes, interceptor swales, sediment traps and basins, pipe slope drains, inlet protection, stabilized construction entrances, seeding, siding, mulching, soil retention blankets, or other structural or non-structural stormwater pollution controls. Additional information regarding these controls can be found in NCTCOG's guidance manual entitled Stormwater Quality Best Management Practices for Construction Activities – North Central Texas. The Contractor is responsible for obtaining all permits required for Storm Water Pollution Prevention.

The construction plans must include a Stormwater Pollution Prevention Plan (SW3P). A copy of the plans, as approved by the Department of Public Works and any applicable permits must be available for review at the construction site.

Drainage ditches shall be seeded or sodden within fourteen days (14) of final grading.

All erosion control measures will be maintained in good working order. Disposal areas and stockpiles shall not be located in any wetland, waterbody, or streambed.

The Contractor shall clean paved surfaces as necessary to remove sediment which has accumulated on the roadway.

Hill County reserves the right to inspect any construction site and request changes be made to a SW3P if the site is causing pollution to the environment.

9.17 HIGH DENSITY DEVELOPMENT-
TOWNHOUSE/CONDOMINIUM/APARTMENT/TINY HOME
SUBDIVISION

High Density Development subdivisions shall be approved only when both a state approved central water system and a county and state approved sewage disposal system will be available to each lot and such residential development does not overly burden existing and proposed streets and other public facilities. Such subdivisions shall comply with the following regulations and all other subdivision regulations of the County, not in conflict with this section.

High Density Developments (except apartment complexes) contemplated by these regulations will generally have certain characteristics which distinguish them from general or traditional single home residential lot subdivisions. Among such characteristics are the following:

- 9.17.1 Shared Ownership such as driveways, parking areas, common grounds, recreational areas, and the like.
- 9.17.2 Shared Amenities such as maintenance, storage facilities, management, services, membership and the like.
- 9.17.3 Shared Governance such as home owner's association, rules and regulations, maintenance agreements and fees, and the like.

In addition, the developer of a high density development will be responsible for the cost of engineering and construction of any required improvements to county roads to access the proposed high density development.

While not every High-Density Development (Townhouse/Condominium/Tiny Home Subdivision) will necessarily contain all of the foregoing characteristics, application for approval as a High Density Development will be reviewed with these criteria as a guide.

Homeowner's association rules, maintenance agreements, deed restrictions, or the like shall be submitted for review by the Commissioners Court prior to final approval of such subdivision plat.

SECTION X – CONSTRUCTION REQUIREMENTS

- 10.1 Pre-Construction Meeting: The Owner or Applicant and the Owner's engineer and contractor shall attend a pre-construction meeting which shall occur after approval of the Preliminary Plat and engineering plans by the Commissioners Court and before any construction of improvements begin. All matters on the Pre-Construction Checklist shall be discussed at said meeting.
- 10.2 Beginning Construction: Prior to beginning any construction within the subdivision, the Owner shall contact in writing the Reviewing Engineer. No construction may commence prior to Preliminary Plat and plan approval and the completion of the Pre-Construction Meeting.
- 10.3 Testing: Testing is required to determine conformance to specifications and shall be performed by a qualified engineering laboratory. The following tests will be required:
 - 10.3.1 Subsurface Investigation: A subsurface investigation to evaluate sub-grade characteristics, stabilization requirements, and pavement section thickness is required.
 - 10.3.2 Materials: Pavement materials and mix designs shall be analyzed and evaluated for their suitability for pavement usage.
 - 10.3.3 Construction: Materials, engineering testing and inspection services shall conform to Texas Council of Engineering Laboratories (TCEL) recommended scope of services.
 - 10.3.4 Soil stabilization (lime & cement), flex- pavement compaction, and concrete testing shall be required for all pavements.
 - 10.3.5 The cost of all testing shall be borne by the Owner/Developer of the subdivision.

10.4 PRELIMINARY ACCEPTANCE OF CONSTRUCTION:

As each phase of the road, drainage and utility construction is completed, the Developer shall notify the County Engineer or designee, in writing and pay the inspection fee for each required inspection.

The County, or the County's designee, shall then inspect the improvements and give written notice of any deficiencies. Should it be deemed necessary to ascertain compliance with county construction specifications, the County or the County's designee, may require copies of test results performed by a certified laboratory.

Upon rectification of deficiencies and re-inspection, the County or the County's designee, shall recommend to the Commissioners Court to issue a Statement of Preliminary Acceptance of Construction and shall establish a date considered to be the date of completion of public improvements.

10.5 DRIVEWAY/CULVERT APPLICATION AND PERMIT:

10.5.1 Culvert Permit Application – The Property Owner will complete the culvert permit application and pay the required fee. The Property Owner may not begin installation of the culvert until the application is approved by the County. If it is determined a culvert is to be constructed in a Flood Safety Hazard Zone, a Development Permit will also be required. The culvert permit will not be granted until the requirements set forth in the application have been met.

10.5.2 Sizing will be conducted by the County Commissioner in whose Precinct the project is located utilizing acceptable engineering practices and taking into consideration the constraints of ROW, extent of downstream grading required, finished floor elevation of proposed residential structures and existing structures, and the overall lay of the land for the best end result. The minimum driveway culvert size is eighteen- inch (18") diameter. All culverts are required to have concrete safety end treatments (SET's) having a 6:1 maximum slope.

10.5.3 Culvert Permit – Once the requirements of the permit application have been met the County will issue a Culvert Permit.

10.5.4 Double driveway permits are considered one location. However, both culverts must be completed prior to final acceptance.

10.5.5 The Property Owner is responsible for placing a stake to mark the proposed location of the driveway/culvert. After the stake has been set the Property Owner/Contractor is responsible for notifying the Precinct Commissioner and/or Development Team so the location can be researched for proper sizing of the culvert to proceed. The culverts and/or safety ends are not allowed to cross property lines without a written agreement between both Property Owners.

10.5.6 All Driveway culverts shall be corrugated steel only (CMP). The length shall in no case be less than twenty-four feet (24') or more than fifty feet (50') (not inclusive of the length of the safety ends).

10.5.7 The Owner is required to call forty-eight hours (48) in advance for inspections.

10.5.8 "Temporary" driveway/culverts are not permitted on County Roads without permission being requested in writing and granted by the County.

10.6 PERMIT FEES:

See attached fee schedule.

10.7 COUNTY ROADWAY UTILITY CROSSING SPECIFICATIONS:

- 10.7.1 The Hill County Commissioners Court hereby authorizes the Development Support Team to review and approve utility requests.
- 10.7.2 An application for a utility permit must be completed with the County, including a written request detailing the utility installation and specific location of said utility. The aforementioned application must be submitted to the County Engineer or his designee. A schematic of the proposed installation is required along with a profile view of the bore if applicable to your request. Please include with your request, a map outlining the County Road in which the utility will be located.
- 10.7.3 Specifications for utility installations within County ROW are set forth from the Texas Practice, County and Special District Law Section 40.14 Utility Lines.
- 10.7.4 Authorization for utility installation is also based on the requesting company adhering to the policies stated in the Hill County Subdivision Rules and Regulations,” Utility Installation Specifications.”
- 10.7.5 Traffic control devices i.e. signs, cones, etc. must be used when work is being performed in the County ROW.
- 10.7.6 All utility lines shall be installed as near as practical to the outside limits of the County Road ROW. This is also to include above ground installation and the setting of utility poles. No ditching machinery shall be operated upon the crown of any roadway unless specifically permitted.
- 10.7.7 All utility lines shall be buried at a depth of not less than thirty-six inches (36”) from the lowest point of bar ditch depth.
- 10.7.8 All utility lines crossing a County Road shall be bored and encased with a minimum schedule forty (40) steel and the ends shall be sealed with end caps.
- 10.7.9 At all points where borings are made in public ROW, the Applicant will replace and re-compact the subgrade and will restore the roadway section to the same or better condition as existed prior to the bore.
- 10.7.10 The Applicant will remove and relocate its utility lines should it become necessary in order to accommodate widening, realigning, and/or improving County Roads at no cost to Hill County.
- 10.7.11 The Applicant shall, from the commencement of the installation of utility lines and thereafter for a period of twelve (12) months from the date the installation is completed and accepted, assume all responsibility for damages resulting from the landowner to any other person caused by the installation of the utility lines and shall hold Hill County harmless from any obligation, claim, or damages that may be alleged or result from such utility construction or

operation. Applicant agrees to indemnify Hill County for any costs or expenses including, but not limited to, reasonable attorney's fees, which Hill County may be legally required to pay, resulting from damages caused by the installation. The indemnity by the Applicant shall cover claims occurring during the twelve-month (12) period. The Applicant shall also reimburse Hill County for its costs and expenses in repairing a bore during the twelve-month (12) warranty period.

10.7.12 A copy of the Applicant's Letter of Approval must be on location at each job site at all times.

10.7.13 Before commencing any work on County Roads or County ROW under the authority of this Letter of Approval or by any other claimed authority (including such work as trimming and/or cutting trees, etc.), the Applicant Company shall notify the County of the approximate time that work will commence, said notice shall be submitted at least forty-eight hours (48) prior to commencing said work.

10.7.14 Should Commissioners Court find it necessary to employ an Inspector or Inspectors to enforce these provisions, a charge will be made by the County to the Applicant to pay the costs of employing said Inspector or Inspectors.

10.8 PROJECT COMPLETION: Before the project improvements are accepted as complete, a final walk through and inspection shall be completed by the Inspector. In all cases, regardless of size, seventy-five percent (75%) grass coverage of all disturbed areas shall be required before the construction activities will be accepted. If the contractor is unable to obtain this coverage with a standard TxDOT winter/summer (rye/Bermuda) mix or by sodding the affected areas, a bond, may be posted to ensure compliance and conditioned upon reaching compliance with this subsection within six months (6) of approval of said bond by Commissioners Court. If the grass has not achieved the seventy-five percent (75%) coverage over the affected areas the bond may be forfeited by the Applicant. The bond shall be in the amount of four hundred dollars (\$400) per disturbed acre.

10.9 Construction and Maintenance Bonds / Escrow Accounts:

10.9.1 Construction Bonds: All construction shall be complete within two years (2) after approval of preliminary plat. To ensure roads, streets and required drainage and drainage structures are constructed in a timely manner, and in accordance with the terms and specifications contained in this Order, the Developer shall file a Construction Bond, executed by a Surety Company authorized to do business in this State, and made payable to the County Judge of Hill County, Texas.

The bond amount shall be equal to one hundred percent of the estimated cost of construction including streets, alleys, roads, on-site septic facilities, drainage and drainage structures.

The construction bond shall be presented to the Commissioners Court with the Preliminary Plat.

The construction bond shall remain in full force and in effect until all the roads, street, drainage and drainage structures in the subdivision have been completed to the satisfaction of the County and the construction bond has been released by a Court Order from the Commissioners Court.

In the event any or all of the streets, roads, alleys, on-site septic facilities, drainage and drainage structures as constructed by the Owner, fail to meet the requirements of the foregoing specifications and said Owner fails or refuses to correct the defects called to his attention in writing by the County, the unfinished improvements shall be completed at the cost and expense of the Owner.

10.9.2 Maintenance Bonds: To ensure roads, streets, alleys, on-site septic facilities, required drainage and drainage structures are maintained to the satisfaction of the Commissioners Court of Hill County, a maintenance bond executed by a Surety Company authorized to do business in this state, and made payable to the County Judge of Hill County, Texas, and shall be substituted for the construction bond at the time of release of said construction bond.

The bond amount shall be equal to ten percent (10%) of the estimated cost of construction including drainage structures.

The conditions of the maintenance bond shall be that the Owner shall guarantee to maintain, to the satisfaction of the County, all of the streets, roads, alleys, on-site septic facilities, drainage structures, drainage ditches and channels which have been constructed to specification with construction security released by Court Order from Commissioners Court, in a good state of repair for a period of two years (2) from the date of official release of construction security.

Periodical inspection of all the streets, roads, alleys, on-site septic facilities, drainage and drainage structure for which maintenance security is held, will be made by the County during the period of liability covered by the maintenance bond. In the event any or all of the streets, roads, alleys, on-site septic facilities, drainage and drainage structures are not being maintained in a good state of repair, the Owner will be so advised in writing and, if after sixty days (60), he fails or refuses to repair said items, they shall be maintained by the County at the cost and expense of the Owner.

The release of any bond shall be by Order of the Commissioners Court. To request a release, the Developer who posted the bond in question shall present a written request to release said bond. The request shall contain a statement by the Engineer responsible for the design of said work stating that he has made inspections of such improvements and recommends their acceptance by the County. Attached to his letter shall be one (1) set of "as built" drawings and digital media containing the "as built" plan sheets in the format and medium specified by the County showing the work to be accepted for use by the County.

10.9.3 ESCROW IN LIEU OF BOND:

To ensure roads, streets, on-site septic facilities, required drainage and drainage structures are constructed in a timely manner, and in accordance with the terms and specifications contained in this Order, the Developer may, in lieu of the above referenced construction and maintenance bonds, apply to the Commissioners Court to create an Escrow Account in which funds for the construction and maintenance shall be placed under the County's name and which may be distributed upon the completion and certification of such completion by the County's designee.

The escrow amount shall be equal to one hundred percent (100%) of the estimated cost of construction including streets, alleys, roads, on-site septic facilities, drainage and drainage structures.

The request for an escrow account shall be presented to the Commissioners Court with the Preliminary Plat.

Funds from the escrow account shall not be released until all the roads, streets, on-site septic facilities, drainage and drainage structures in the subdivision have been completed to the satisfaction of the County and has been released by a Court Order from the Commissioners Court.

In the event any or all of the streets, roads, alleys, on-site septic facilities, drainage and drainage structures as constructed by the Owner fail to meet the requirements of the foregoing specifications and said Owner fails or refuses to correct the defects called to his attention in writing by the County, the unfinished improvements shall be completed at the cost and expense of the Owner.

SECTION XI – SUBDIVISION PLAT CANCELLATION

- 11.1 A person owning real property in the County that has been subdivided into lots and blocks or into small subdivisions may apply to the Commissioners Court of the County in which the property is located for permission to cancel all or part of the subdivision, including a dedicated easement or roadway, or to reestablish the property as acreage tracts as it existed before the subdivision. If on the application, it is shown that the cancellation of all or part of the subdivision, or it is shown that the purchaser agrees to the cancellation, the Commissioners Court by Order shall authorize the Owner of the subdivision to file an instrument cancelling the subdivision in whole or in part. The instrument must describe the subdivision or the part of it that is cancelled. The Commissioners Court shall enter the Order in its minutes. After the cancellation instrument is filed and recorded in the deed records of the County, the County Tax Assessor-Collector shall assess the property as if it had never been subdivided.
- 11.2 The Commissioners Court shall publish notice of an application for cancellation. The notice must be published in a newspaper in the County, in the English language for at least three weeks (3) before the date on which action is taken on the application. The Commissioners Court shall take action on an application at a regular term. The published notice must direct any person who is interested in the property and who wishes to protest cancellation to appear at the time specified in the notice.
- 11.3 If delinquent taxes are owed on the subdivision tract for any preceding year, and if the application to cancel the subdivision is granted as provided by this section, the Owner of the tract may pay the delinquent taxes on an acreage basis as if the tract had not been subdivided. For the purpose of assessing the tract for a preceding year, the County Tax Assessor-Collector shall back-assess the tract on an acreage basis.
- 11.4 An application for cancellation of a subdivision or any phase or identifiable part of a subdivision, including a dedicated easement or roadway, by the Owner of seventy-five percent (75%) of the property included in the subdivision, phase, or identifiable part, the Commissioners Court by Order shall authorize the cancellation in the manner and after notice and hearing. However, if the Owners of at least ten percent (10%) of the property affected by the proposed cancellation file written objections to the cancellation with Court, the grant of an Order of cancellation is at the discretion of the Commissioners Court.
- 11.5 To oppose the cancellation or closing of a roadway or easement in a subdivision, a person must own a lot or part of the subdivision that:
 - 11.5.1 Abuts directly on the part of the roadway or easement to be cancelled or closed; or

11.5.2 Is connected by the part of the roadway or easement to be cancelled or closed, by the most direct feasible route, to:

- 11.5.2.1 The nearest remaining public highway, County Road, or access road to the public highway or County Road; or
- 11.5.2.2 Any common amenity of the subdivision which has not been cancelled.

11.6 A person who appears before the Commissioners Court to protest the cancellation of all or part of a subdivision may maintain an action for damages against the person applying for the cancellation and may recover as damages an amount not to exceed the amount of the person's original purchase price for property in the cancelled subdivision or part of the subdivision. The person must bring the action within one year (1) after the date of the entry of the Commissioners Court Order granting the cancellation.

SECTION XII – VARIANCES

12.1 VARIANCES GRANTED - Variances may be granted by the Commissioners Court upon recommendation from the Development Support Team.

12.2 A variance may be granted when the Commissioners Court finds:

- 12.2.1** That there are special circumstances or conditions applying to the land or building for which the variance is sought, circumstances or conditions are peculiar to such land or building and do not apply generally to land or buildings in the same district or neighborhood, and that said circumstances or conditions are such that the strict application of the provisions of these Rules and Regulations would deprive the Applicant of the reasonable use of such land or building; and
- 12.2.2** The granting of such variance will not be detrimental to the public welfare.
- 12.2.3** The granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Court is the minimum variance that will accomplish this purpose; and
- 12.2.4** The literal enforcement and strict application of the provisions of these Rules and Regulations will result in an unnecessary hardship inconsistent with the general provision and intent of these Rules and Regulations and that in granting such variance the spirit of these Rules and Regulations will be preserved and substantial justice done.

SECTION XIII – ENFORCEMENT

- 13.1 COMMISSIONERS COURT AUTHORITY: The Commissioners Court of Hill County shall have the authority to refuse to approve and authorize any map or plat of any such subdivision, unless such map or plat meets the requirements as set forth in these Subdivision Rules and Regulations.
- 13.2 REQUEST FOR PROSECUTION: At the request of the Commissioners Court of Hill County, the County Attorney or other prosecuting attorney representing the County may file an action in a court of competent jurisdiction to:
- 13.2.1 Enjoin the violation or threatened violation of a requirement established by or adopted under these Rules and Regulations; or
 - 13.2.2 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 under these Rules and Regulations.
- 13.3 A person commits an offense if the person knowingly or intentionally violates a requirement established by or adopted under this Act by the Commissioners Court. An offense under this subsection is a Class B misdemeanor.
- 13.4 A requirement that was established by or adopted under Chapter 435, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 6626a, Vernon's Texas Civil Statutes), or Chapter 151, Acts of the 52nd Legislature, Regular Session, 1951 (Article 2372k, Vernon's Texas Civil Statutes), before September 1, 1983, and that, after that date, continues to apply to a subdivision of land is enforceable under subsection (a). Knowing or intentional violation of these requirements are an offense under subsection (c).

SECTION XIV – SEVERABILITY

- 14.1 If any provision of these Rules and Regulations or the application thereof to any person or circumstances is held valid, the validity of the remainder of the Rules and Regulations and the application thereof to other persons and circumstances shall not be affected.

APPROVED this the 4th day of March, 2025



Hill County Judge



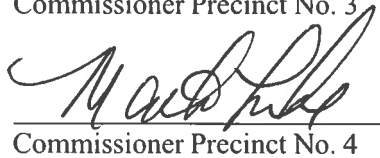
Commissioner Precinct No. 1



Commissioner Precinct No. 2



Commissioner Precinct No. 3



Commissioner Precinct No. 4

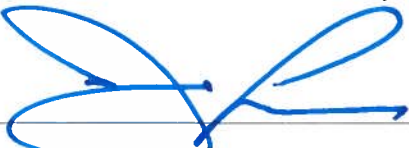
ATTACHMENTS

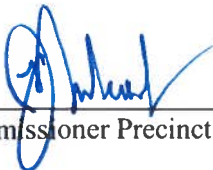
Platting/Replat Fee Schedule

County Preliminary Platting Fees	\$250.00 plus filing fee
Minor Plat	\$250.00 plus filing fee
County Final Plat / Replat Fees	\$500.00 plus filing fee
Professional Services Review Retainer	\$5,000.00
Engineering Plan Review Fee	\$450.00 + \$25.00 per parcel 1st review and \$200.00 for each subsequent review
Replatting Fee	\$200.00 + \$20.00 per parcel 1st review and for each subsequent review
Variance	\$200.00
(nonrefundable) Road & Drainage Inspection Fee \$250.00 per site visit	

*Plats/Replats and plans must be submitted on USB thumb drive or other acceptable media in PDF format.

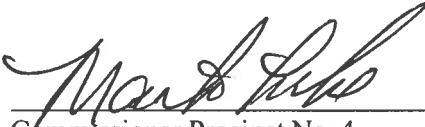
APPROVED By Hill County Commissioners Court this the 4th day of March, 2025.



Hill County Judge

Commissioner Precinct No. 1

Commissioner Precinct No. 2

Commissioner Precinct No. 3

Commissioner Precinct No. 4

Administratively Complete Checklist for Plats/Replats

A COMPLETE APPLICATION FORM MUST ACCOMPANY NEW PLAT/REPLAT SUBMITTAL

Preliminary Plat _____ Minor Plat _____ RePlat _____ Final Plat _____ Fees Paid \$ _____

Description of Property:

Subdivision Name: _____

Total Numbers of Lots: _____ Total Acreage: _____

Property Location: _____

Applicants:

Owner(s): _____

Complete Address: _____

Phone Number: _____

Applicant: _____

Complete Address: _____

Phone Number: _____

PAGE TWO OF THIS APPLICATION MUST BE COMPLETED

ADMINISTRATIVELY COMPLETE PROCESS FOR PLATS/REPLATS CHECKLIST (PAGE 2)

Applicant must check each item submitted with the plat:

REQUIRED FOR ALL PLATS AND REPLATS:

☐ Project Name	☐ Tax Certificate (NOT RECEIPT)
☐ Application Form & Fees	☐ Notes as Required (See Attached)
☐ Water and Utility Company Approval	☐ North Arrow
☐ "E.T.J." note or Approval by City	☐ Scale Figure & Scale Bar
☐ Vicinity Map	☐ Size 18"x24"
☐ Owners Name, Address & Phone	☐ Boundary Lines Identified
☐ Surveyor/Engineer Name, Address & Phone	☐ Lots & Blocks Identified
☐ Adjacent Properties Identified	☐ Easements
☐ 30' Front Bldg. Lines	☐ All Dimensions
☐ Flood Plain Statement/Boundary	☐ Approval Letter from TXDOT for entrance on State Roads
☐ Plat Certifications	☐ On-Site and Off Site Drainage Study
☐ Two (2) Copies of Plat for review	

ADDITIONAL REQUIREMENTS FOR PRELIMINARY PLAT ONLY:

☐ Engineering Plans	☐ Contour Lines
☐ Physical Features	☐ Drainage Easements
☐ Street & Road Interconnect	☐ Scale not larger than 1" = 300'

ADDITIONAL REQUIREMENTS FOR REPLAT, MINOR & FINAL PLAT:

☐ Deed Restrictions	☐ 2 x 3 Recording Block
☐ P & Z Note & Yards	☐ Co. Judge Signature Block
☐ Monuments, Pins & B.M.'s Set	☐ Required Signatures
☐ Street & Road Interconnect	☐ Owners Certificate
☐ RPLS Certificate	☐ Acreage Shown
☐ Drainage Easements	☐ Scale not larger than 1" = 200'
☐ Metes & Bounds	☐ Match Lines
☐ 16' Easements	☐ Street Names
☐ Contour Lines if Required	☐ Utility Providers

Approval Submitted By: _____ Date: _____

Signature: _____

EXTRA TERRITORIAL JURISDICTION (ETJ) AFFIDAVIT

I _____ DO HEREBY SWEAR OR AFFIRM THAT THE
PROPERTY WITHIN THE _____
SUBDIVISION, TO MY KNOWLEDGE IS
____ WITHIN THE TERRITORIAL JURISDICTION OF _____.
(CITY NAME)

____ NOT WITHIN THE EXTRA TERRITORIAL JURISDICTION OF ANY CITY
OR TOWN.

SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____,
_____.

NOTARY PUBLIC, _____ COUNTY TEXAS.

Professional Services Compensation Agreement

This Professional Services Compensation Agreement, (this “Agreement”), effective as of _____, 2025 (the “Effective Date”), is entered into by and between Hill County, Texas (the “County”), and (INSERT DEVELOPER NAME HERE) (the “Developer”). The County and Developer are sometimes each referred to herein as a “Party” or collectively as the “Parties.”

WHEREAS, Developer desires to develop approximately (IDENTIFY SCOPE OF PROJECT), (the “Property” or “Project”); and

WHEREAS, Developer has been negotiating with the County for certain development incentives for the Project that require City to expend funds on outside consultants; and

WHEREAS, the County has determined that it is advisable to retain the following consultants, (each a “Consultant” and collectively the “Consultants”), (1) legal services; (2) financial advisor services; and (3) engineering services (the “Professional Services”); and

WHEREAS, Developer intends to fund the cost of the Professional Services incurred by County; and

WHEREAS, the County, by and through this Agreement, shall maintain sufficient controls to ensure that the public purpose and best interests of the County are carried out in connection with performance of the Professional Services.

NOW, THEREFORE, in consideration of the mutual benefits and promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Recitals.** The representations, covenants, and recitations set forth in the foregoing Recitals and in this Agreement are material to this Agreement and are hereby incorporated into and made a part of this Agreement as though they were fully set forth herein.

2. **Payment for Professional Services.** Developer agrees to fund the reasonable fees incurred by the County for the Consultants’ performance of the Professional Services, including any and all Professional Services for the Project that have already been paid for by the County. No later than fifteen (15) days after Developer’s execution of this Agreement, Developer shall deliver to the County a check made payable to the County for \$5,000.00. (“Developer Payment”) Fees for all Professional Services to be covered by Developer Payment shall be evidenced by periodic invoices that describe the work performed by date and time entries, exclusive of any privileged communications, copies of which shall be provided to Developer. The funds to cover the Professional Services shall be held by the County in a segregated account and applied only to the Professional Services fees.

When the initial \$5,000.00 deposit, or any additional deposit, has been reduced to \$1,000.00 and Developer has received a copy of all detailed invoices, excluding attorney-client privileged information, funded with such deposit, Developer will deliver an additional \$5,000.00 deposit to the County to be applied to the Professional Services fees. Developer shall deliver any required additional \$5,000.00 deposit within five (5) business days after receiving a written request from the County. Following such five (5) day notice period, the County is not required to use Professional Services or work on the Project until any required additional deposit is received from Developer.

If the cost of Professional Services exceeds Developer Payment, Developer shall pay the full amount due over and above the Developer Payment within thirty (30) days of receipt of invoice. If

Developer fails to pay the amount due within thirty (30) days, the County may file a lien against the Property. The lien attaches to the Property upon filing of a lien statement and it may foreclosed by the County in accordance with Subchapter E of Chapter 33 of the Texas Tax Code. The lien does not expire. The payments made by Developer under this Agreement are not contingent upon any outcome of negotiations between the County and Developer.

3. **Termination.** This Agreement shall terminate on, or an earlier date upon Developer's delivery of five (5) calendar days' prior written notice of termination to the County (the "Termination Date"); provided, however, fees for Professional Services incurred by the County on or before the Termination Date shall be paid in full by Developer upon the effective date of termination. The Parties may extend this Agreement in writing at any time prior to the Termination Date.

4. **Entire Agreement.** This Agreement contains the entire agreement between the Parties with respect to the subject matter hereof. There have not been and are no arrangements, covenants, representations or warranties between the Parties, either oral or written, relative to such subject matter other than those expressly stated or provided herein.

5. **Amendment.** This Agreement may be amended only by a written agreement signed by Developer and the County. No course of dealing on the part of the County or Developer and no failure or delay by the County or Developer with respect to exercising any right, power or privilege pursuant to this Agreement will operate to be construed as a waiver thereof.

6. **Notice.** Any notice and/or statement required and permitted to be delivered under this Agreement shall be sent by depositing same in the United States mail, certified, return receipt requested, postage prepaid, or sent by overnight courier, or hand-delivered, addressed to the appropriate Party at the following addresses, or at such other addresses provided by the Parties in writing:

IF TO THE COUNTY:

Hill County, Texas
Attn: County Judge
P.O. Box 457 Hillsboro, Texas 76645

IF TO THE DEVELOPER:

7. **Applicable Law.** This Agreement is made and shall be construed in accordance with the laws of the State of Texas. The Parties agree that Hill County, Texas, is the place of performance of this Agreement. Exclusive venue for any legal proceeding related to this Agreement shall lie in a court of competent jurisdiction in Hill County, Texas.

8. **Invalidity and Severability.** The provisions of this Agreement are severable, and if any word, phrase, clause, sentence, paragraph, section, or other part of this Agreement, or the application thereof to any person or circumstance, are ever held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such word, phrase, clause, sentence, paragraph, section, or other part of this Agreement to other persons or circumstances will not be affected thereby to the extent reasonably possible.

9. **Assignment.** Neither Party shall have the right to assign its rights and/or obligations under this Agreement, or any interest herein, without the prior written consent of the other Party.

10. **Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be considered an original, but all of which shall constitute one instrument. A facsimile signature will also be deemed to constitute an original if properly executed.

11. **Binding Effect**. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns, as allowed herein as of the Effective Date, even if later executed.

CITY:

By: _____
Name: _____
Title: County Judge
Date: _____

DEVELOPER:

By: _____
Name: _____
Title: _____
Date: _____

Pre-Construction Conference Agenda

1. Owner/Developer will furnish the Reviewing Engineer with a minimum of three (3) sets of the approved construction plans for authorization and distribution to the respective parties at the preconstruction meeting.
2. Owner/Contractor will provide the Reviewing Engineer with a schedule of work to be done.
3. Owner will provide the Reviewing Engineer spec sheets showing test results for roadway materials.
4. Owner will furnish Reviewing Engineer with the name and telephone number of the project representative, contractor, job superintendent and a 24-hour emergency contact number. The Reviewing Engineer will provide the Owner with the name of the Inspector assigned to the project. Before any testing is to be performed, this Inspector must be personally notified 48 hours in advance.
5. Proper barricading, traffic control and erosion control will be the responsibility of the Contractor in accordance with the plans and /or the minimum required of the Manual of Uniform Traffic Control Devices (MUTCD) For Streets and Highways as published by the U.S Department of Transportation and Federal Highway Administration. All items for each must be in place in accordance with the plans and specifications, prior to beginning any construction activities.
6. Upon completion of the final phase of construction, the Reviewing Engineer will perform a thorough walk through of the project and provide the Owner / Developer and Contractor with a detailed final punch list of all deficiencies requiring rectification prior to preliminary acceptance.
7. The Contractor should be advised that seventy-five percent (75%) grass coverage of all disturbed areas shall be required before the construction activities will be accepted. If the Contractor is unable to obtain this coverage with a standard TxDOT winter/ summer (rye/Bermuda) mix or by sodding the affected areas, a bond, as set forth in Section IX, Subsections 2.6, may be posted to ensure compliance and conditioned upon reaching compliance with this subsection within 6 months of approval of said bond by Commissioners Court. If the grass has not achieved the seventy-five percent (75%) coverage over the affected areas the bond may be forfeited. The bond shall be in the amount of four hundred dollars (\$400) per disturbed acre.
8. Upon satisfactory completion of all phases and rectification of deficiencies and re-inspection, the Reviewing Engineer will issue to the Owner/Developer a written statement of preliminary acceptance of the construction. The date which will be considered the date for the official completion of construction, will be the date Commissioners Court approves the Final Plat.
9. After completion of construction and receipt of preliminary acceptance, the Owner may submit a Final Plat.
10. Once a date of completion is established, the Owner will be responsible for all maintenance until final acceptance of the public improvements. The process shall

commence upon the earlier of the sale and build-out of sixty percent (60%) of the Subdivision's lots or two years (2) from the date of completion.

11. Upon notification of any deficiencies and re-inspection, the Reviewing Engineer will provide a recommendation to the Commissioners Court regarding final acceptance of the improvements by Hill County.

Signature (Owner)

Signature (Contractor)

Signature (Reviewing Engineer)

Hill County Subdivision Process

1. Owner or Applicant submits a Preliminary Plat and, if interior roadways and/or drainage improvements are associated with the development, engineering plans hereinafter *Submittal Package* along with all required fees, application forms, and associated information, to the County Commissioners Court for review at least thirty (30) days prior to the next scheduled Commissioners Court session. Plats/Replats and plans will be prepared in conformance to the Hill County Subdivision Ordinance.
2. The Development Support Team shall review the Submittal Package to determine if the submission is administratively complete in accordance with HILL COUNTY ADMINISTRATIVELY COMPLETE CHECKLIST FOR PLATS/REPLATS.
3. If the submittal package is deemed administratively complete, the Development Support Team responsible for approving plats/replats shall take the following action with regard to the “initial approval” of a plan, plat or replat within thirty (30) days after the date the plan or plat is filed: (1) approve, (2) approve with conditions, or (3) disapprove with explanation. [Note: If the package is approved with conditions or disapproved with explanation, the Owner/Applicant process shall start over with item 1.]
4. By special permission of the Commissioners Court, an Owner, whose lot or parcel has not been platted, may secure a development permit under the procedures stated in Section IV, Subsection 17.
5. The Development Support Team reviews and identifies any deficiencies, and makes recommendations to Commissioners Court for approval of the plat and plans, after all corrections are addressed and required information is submitted.
6. Upon Commissioners Court approval of the submitted documents, the Applicant is authorized to begin construction of perimeter and interior improvements. Twelve (12) months after approval of documents, the approval will expire if Owner or Applicant fails to proceed with platting or development process.
7. County and/or its designee shall make periodic construction visits to visually observe and verify that development is progressing in accordance to the submittal package. The Owner or Developer upon substantial completion shall notify County to request substantial completion verification. Preliminary acceptance of the improvements is issued after a satisfactory verification is complete. The Owner or Applicant maintenance period begins at the beginning of the following week.
8. Applicant submits a Final Plat to the Development Support Team for review after substantial completion verification and approval.
9. The Development Support Team reviews the Final Plat, identifies any deficiencies and after all corrections are addressed, makes recommendations to the Commissioners Court for approval of the Final Plat.
10. Final Plat is submitted directly to the formal agenda for Commissioners Court action.

11. The Plat is recorded by the Owner or Applicant and copies are distributed after approved by Commissioners Court.
12. Applicant begins lot sales, unless the Owner is approved to proceed under Section IV, Subsection 17 of these Rules and Regulations.
13. If any portion of a platted lot lies in a special flood hazard area, prior to actual structure construction, the lot owner submits an application with all information required under Regulations for Floodplain Management for a development permit for each structure to be built.
14. If the proposed structure complies with Hill County Regulations for Flood Plain Management, the Applicant is issued a development permit.
15. After construction/establishment of the finished floor is completed, (if in a FEMA Flood Zone, A) and prior to the construction of the finished structure and/or the construction of a private sewage facility Applicant must submit a post-construction finished floor elevation certification. This certification must be made by a Texas Registered Professional Surveyor, Engineer or Architect and must confirm that the finished floor of the actual construction is at or above elevation established in the Elevation Certificate.
16. Lot owner submits application for a permit to construct a private sewage facility with all the information required in the Rules and Regulations covering private sewage facilities. Applicants will also be required to submit a copy of the development permit application, the development permit, plat map, floodplain map, elevation certificate, and post-construction finished floor certification.
17. The permit, including specifications for construction will be issued to the lot owner.
18. Lot owner requests a county inspection of the sewage facilities after construction.
19. An inspection sheet and license to operate is issued to the Owner after construction of the sewage facility is satisfactory to the County Inspector.