



GILLESPIE COUNTY SUBDIVISION AND MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS GUIDEBOOK

THIS GUIDEBOOK IS INTENDED TO BE A SUMMARY OF THE POLICIES AND PROCEDURES REGARDING THE SUBDIVISION AND MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS WHICH WERE ADOPTED DECEMBER 19, 2022.

The purpose of this document is to clarify and summarize the procedures and requirements outlined in The Regulations adopted December 19, 2022 regarding plat and MHRC applications. This document was created to be helpful tool to understand the adopted Regulations and should not be interpreted as the regulatory authority. Should any information conflict with The Regulations, The Regulations shall govern.

Guidebook Page 1

REFER TO THE GILLESPIE COUNTY SUBDIVISION AND MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS FOR A FULL DESCRIPTION OF THE ADOPTED REGULATIONS

Updated 1/13/2025

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PART 1 ADMINISTRATIVE PROVISIONS

A. NOTICE

This Section is based on The Regulations §1.3(B).

1. The County's Contact Official and address regarding notice or document submissions required by The Regulations is below, unless directed otherwise:

Contact Official: County Judge
Gillespie County, Texas

Mailing Address: Gillespie County Courthouse
101 W Main Street
Mail Unit 9, Room 101
Fredericksburg, Texas 78624
Phone: 830-997-7502

B. ETJ REGULATION

This Section is based on The Regulations §1.7.

1. As of the Effective Date of The Regulations, Gillespie County has adopted the Agreement Providing for Subdivision Regulation between Gillespie County and the City of Fredericksburg (adopted in 2002). This document can be found on the City's website or requested from the County Judge's office. Should the Agreement be amended or revised, the most current version shall be used in the enforcement of these Regulations.
2. The document referenced above grants the enforcement of subdivision regulation within the ETJ to the City of Fredericksburg. Manufactured Home Rental Communities are not included in the Agreement and are subject to regulation by Gillespie County.

C. ADOPTED AUTHORITY

This Section is based on The Regulations §1.8. Please see The Regulations §1.8 for a full list of the adopted regulatory authorities.

1. Regulations regarding lot size and groundwater availability are adopted under the authority of Texas Water Code §35.019 to prevent current or projected water use from exceeding the safe sustainable yield of the county's water supply.

PART 2 DEFINITIONS, INTERPRETATION, AND APPENDIX

A. SPECIAL DEFINITIONS

This Section is based on The Regulations §2.1(B). Please see The Regulations §2.1(B) for a full list of the special definitions. The following definitions are provided to clarify the County's interpretation of such definitions.

1. "Floodplain" shall mean any area subject to a 1% or greater chance of flooding in any given year, typically identified by a FEMA FIRM map or other map adopted by Gillespie County as best available information.
2. "Manufactured Home" shall include a HUD-code manufactured home, mobile home, prefabricated building, trailer, vehicle, camper, tent, yurt, geodome, shipping container, recreational vehicle, or other similar structure that is fabricated in such a way to be re-assembleable or otherwise moveable in whole or in parts, as determined by the County Engineer, designed for use as a dwelling or for overnight accommodation or lodging of a person.
3. "Manufactured Home Rental Community" or "MHRC" is a plot or tract of land that is separated into two or more spaces or lots that are rented or leased (or offered for rent or lease) for the installation of manufactured homes, regardless of the person or entity who installs the manufactured home.
4. "The Regulations" or "Subdivision Regulations" shall mean the Gillespie County Subdivision And Manufactured Home Rental Community Regulations adopted December 19, 2022.

B. DEFINITIONS FOR MODEL SUBDIVISIONS

This Section is based on The Regulations Exhibit M. Please see The Regulations Exhibit M for a full list of the special definitions. The following definitions are provided to clarify the County's interpretation of such definitions.

1. "The Regulations" or "Subdivision Regulations" shall mean the Gillespie County Subdivision And Manufactured Home Rental Community Regulations adopted December 19, 2022.

PART 3 PLAT PROCEDURE

A. PLAT REQUIRED FOR DIVISION OF LAND

This Section is based on The Regulations §3.1.

1. The owner of a tract of land in Gillespie County, Texas located outside the limits of a municipality must have a plat of the subdivision prepared, and thereafter approved by the Commissioners Court, if the owner divides the tract into two or more parts to lay out: (1) a subdivision of the tract, including an addition; (2) lots; or (3) streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use.
2. Per The Regulations §3.1(B), a division of a tract of land is a subdivision for purposes of The Regulations regardless of whether it is made: (1) by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method; or (2) for the purpose of residential, business, commercial, industrial, or other development.
3. Condominium developments are regulated as subdivisions. For a condominium development, the development shall comply in all respects with these Regulations and a plat application shall be prepared and submitted to the Commissioner's Court in accordance with the terms and procedures set forth in The Regulations.
4. See **PART 5 MODEL SUBDIVISION RULES** for regulations applicable to a subdivision in which there are two or more lots of five acres or less.

B. PLAT SUBMISSION AND ADMINISTRATIVE REVIEW

This Section is based on The Regulations §3.2.

1. The County's Subdivision Plat Application Checklist is provided at the end of this Guidebook. The Subdivision Plat Application is located in the Regulations and available on the website, or a hard copy can be requested from the County Engineer's Office.
2. A completed Plat Application shall include all of the following in one complete application submittal:
 - a. The complete and executed application.
 - b. A final plat (1 mylar, 1 hard copy, and 1 digital copy) meeting all the requirements of The Regulations as described in this Guidebook. The digital copy must include one copy of the plat in pdf format and one copy in .dwg or .shp format georeferenced using State Plane Central Texas (NAD 1983) coordinate system, in US survey feet.
 - c. All supporting documents required, as listed on the Plat Application
 - d. Written evidence in the form of a tax certificate or other tax entity issued document that an ad valorem tax liability does not exist on the land being subdivided.
 - e. Payment of all required fees as described in the **FEE SCHEDULE**.
3. A completed Plat Application shall be submitted by the Developer to the County Engineer at the notice address provided in **PART 1**. County acceptance of a submitted Plat Application shall not constitute plat approval by the County.

4. The County will notify the Developer within 10 business days if the plat application is determined to be incomplete. The Developer must submit any missing documentation or information requested by the County in a timely manner, which is considered to be within 10 business days. If missing information is not submitted within this time frame, the application will be considered withdrawn and a new application must be submitted by the Developer.
5. The Commissioner's Court, or the Court's designee, shall approve, approve with conditions, or disapprove a plat application not later than the 30th day after the date the completed application is received in accordance with the following Sections.
6. After approval of a plat by the Commissioner's Court, or the Court's designee, the Developer must file and record the plat with the Gillespie County Clerk's Office.

C. PLAT APPROVAL

This Section is based on The Regulations §3.1(C) and Exhibit L.

1. The Commissioner's Court, or the Court's designee, shall approve a plat should the plat be the result of a completed plat application, supported by a good and sufficient bond or other financial security (if required), and in all things complete, sufficient, and in compliance with all the requirements of The Regulations.

D. PLAT APPROVAL WITH CONDITIONS OR DISAPPROVAL PROCEDURE

This Section is based on The Regulations §3.1(C) and Exhibit L.

1. If the Commissioners Court conditionally approves or disapproves a plat application, a written statement of the conditions for the conditional approval or reasons for disapproval will be provided that clearly articulates each specific condition for the conditional approval or reason for disapproval.
2. The Developer must submit a written response to the County Engineer with the revised plat application that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. There is no deadline for the applicant to submit this response.
3. The Commissioner's Court, or the Court's designee, shall approve or disapprove the revised plat application not later than the 15th day after the response was received.
4. The revised plat application will be approved if the applicant's response adequately addresses each condition for the conditional approval or each reason for the disapproval. A revised plat application that is conditionally approved or disapproved will follow the same procedure described in this Section until approved, expired, or withdrawn.

E. VOLUNTARY PRELIMINARY PLAT

This Section is based on The Regulations §3.1(D).

1. Preliminary plats are not required but are highly encouraged to obtain a preliminary review of the proposed subdivision prior to the expense and time that is incurred by the Developer in preparing and submitting a complete final plat application. Preliminary Plat reviews are voluntary and not required by law, therefore a preliminary plat review shall not be subject to the requirement for action within 30 days.

2. A Voluntary Preliminary Plat Review Form is provided at the end of this Guidebook. Should the developer choose to participate in the County's voluntary preliminary plat review, the developer must submit the Voluntary Preliminary Plat Review Form and all supporting documents required, as listed on the form, as one complete package to the County Engineer.
3. The County Engineer will notify the Developer within 10 business days if the preliminary plat submittal is determined to be incomplete. The Developer must submit any missing documentation or information requested by the County in a timely manner, which is considered to be within 10 business days. If missing information is not submitted within this time frame, the submittal will be considered withdrawn and a new review form and supporting documents must be submitted by the Developer.
4. The County Engineer will review complete submittals and coordinate comments/revisions with Developer, if any. Once all comments are satisfied, County Engineer will return the submittal to the Developer stating approval, approval with conditions, or disapproval. Preliminary Plat approval does not imply or constitute approval of the final plat by Commissioner's Court.
5. The Commissioner's Court shall approve, approve with conditions, or disapprove any preliminary plat submittals that include request(s) for a variance. After the County Engineer's comments are satisfied, the County Engineer will request for the plat submittal to be considered by the Commissioner's Court on the next available meeting date.

F. REVISION TO PLAT

This Section is based on The Regulations §3.3 and Exhibit K.

1. A replat is a subdivision of any portion of an already approved and recorded plat. Replats are required when there is a change to a subdivision including, but not limited to, changes in the size, dimension, or number of lots, changes to the direction or condition of the roads, or changes as a result of the forces of nature.
2. The plat application shall have the same requirements and review procedure as a final plat. Replats are considered a new project and must meet the Regulations in effect at the time the lots are replatted.
3. For replats that affect a public interest or property, notice must be published at least three times 7-30 days before the date of the meeting stating the time and place at which the Court will meet to consider the plat application. If all or part of the original subdivision has been sold to non-developer owners, notice will be sent by certified mail to each owner's address.
4. For replats that do not affect a public interest or property, notice must be provided to the owners of lots within 200 feet of the subdivision plat being revised stating the time and place at which the Court will meet to consider the plat application. Notice must also be posted on the County Website for at least 30 days preceding the meeting.
5. Notice is not required if the replat revision only combines existing tracts.
6. The developer is responsible for the cost of publishing and mailing the notices and must provide evidence prior to the public hearing that the notice was published and mailed in accordance with this Section.

G. AMENDMENT TO PLAT

This Section is based on The Regulations §3.3 and Exhibit K.

1. An amending plat may be filed for one or more of the following reasons:
 - a. To correct an error in a course or distance;
 - b. To add a course or distance that was omitted;
 - c. To correct an error in real property description shown on the preceding plat;
 - d. To show or correct a monument that has changed in location or character from the preceding plat;
 - e. To correct any other type of clerical error or omission, including lot numbers, acreage, street names, and identification of adjacent recorded plats, or
 - f. To correct an error in courses and distances of lot lines between two adjacent lots so long as both owners join in the application, neither lot is abolished, the recorded covenants or restrictions are not removed, and the amendment does not have a material adverse effect on the property rights of the other owners of the property that is the subject of the plat.
2. The plat application shall have the same requirements and review procedure as a final plat.

H. PLAT CANCELLATION

This Section is based on The Regulations §3.3 and Exhibit K.

1. The County adopts the following authority for use and application in these Regulations:
 - a. Plat procedure requirements specified by LGC §232.008 Cancellation of Subdivision,
 - b. Plat procedure requirements specified by LGC §232.0083 Cancellation of Certain Subdivision Plats if Existing Plat Obsolete, and
 - c. Plat procedure requirements specified by LGC §232.008 Cancellation of Certain Subdivisions if Land Remains Undeveloped.

I. PLAT EXPIRATION

This Section is based on The Regulations §3.3 and Exhibit K.

1. The approval of a preliminary plat expires 1 year from the date of approval if no progress has been made towards completion of the project. The owner may resubmit a preliminary plat of the subdivision for approval and is subject to requirements prescribed at the time the plat is resubmitted.
2. The approval of the final plat expires 2 years from the date of approval if no progress has been made towards completion of the project. Additionally, the approval of the final plat expires if no portion of the land subdivided is sold or transferred before January 1st of the 51st year after the year the plat was approved.

PART 4 PLAT SUFFICIENCY, EXCEPTIONS, AND VARIANCE

A. PLAT EXCEPTIONS

A subdivider who believes a subdivision to be exempt from the platting requirements of the County must complete and submit an Affidavit for Exception to Platting. The Affidavit is provided on the County's website or a hard copy can be requested from the County Engineer's Office.

STATE PLAT EXCEPTIONS

This Section is based on The Regulations §4.2(A)(1). A subdivision plat is not required if one or more of the following state exceptions apply.

THE FOLLOWING EXCEPTIONS DO NOT APPLY TO MODEL SUBDIVISIONS, SUBDIVISIONS WHICH LAY OUT A PART OF THE TRACT FOR STREETS, ALLEYS, SQUARES, PARKS, OR OTHER PARTS INTENDED TO BE DEDICATED TO PUBLIC USE, OR PLATTED LOTS.

1. The tract is divided into two or more parts used primarily for agricultural, farm, ranch, wildlife management, or timber production. Once the tract ceases to be used as such, the platting requirements of The Regulations shall apply.
2. The tract is divided into four or fewer parts and each lot is to be sold, given, or otherwise transferred to an individual related to the owner within the third degree by consanguinity or affinity. If any lot is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree of consanguinity or affinity, the platting requirements of The Regulations shall apply.
3. The tract is divided into two or more parts and each lot is more than 10 acres.
4. The tract is divided into two or more parts and all lots are sold to veterans through the Veterans' Land Board program.
5. A tract is subdivided by the state or any state agency, board, or commission, or owned by the permanent school fund or owned by any other dedicated funds of the state.
6. The owner of the land is a political subdivision of the state, the land is situated in a floodplain, and the lots are sold to adjoining landowners.
7. The tract is divided into two parts for one part to be retained by the owner and the other to be transferred to a person who will further subdivide the tract in accordance with the requirements of these Regulations.
8. The tract is divided into two or more parts and all parts are transferred to persons who owned an undivided interest in the original tract and a plat is filed before any further development of any part of the tract.

LOCAL PLAT EXCEPTIONS

This Section is based on The Regulations §4.2(A)(2). A subdivision plat is not required if one or more of the following local exceptions apply.

THE FOLLOWING EXCEPTIONS DO NOT APPLY TO MODEL SUBDIVISIONS OR PLATTED LOTS.

1. Land is divided pursuant to a final judgement issued by a court in a lawsuit or probate proceeding.
2. Land is divided between heirs or donees related to the testator or donor within the third degree of consanguinity or affinity who have acquired title by gift deed, and each of the resulting tracts meets the minimum lot size and maximum density of The Regulations.
3. Land is sold or exchanged with an adjoining owner, and each of the resulting tracts meets the minimum lot size and maximum density of The Regulations.
4. A smaller tract is surveyed out of the parent tract solely for the purpose of obtaining financing regarding that part of the property. The survey must boldly note that the survey was prepared solely for the purpose of obtaining financing and platting is required for the conveyance of the surveyed land in accordance with the current Gillespie County Development Regulations.

B. MINIMUM PLAT STANDARDS

This Section is based on The Regulations §4.1. The following information must be on the plat and truthful, accurate, correct, and prepared in compliance with The Regulations.

1. Layout:
 - a. All documentation shall be in accordance with standards regulated and enforced by the Texas Board of Professional Engineers and Land Surveyors.
 - b. Plat shall be drawn on 24"x36" sheets, with a north arrow pointing up unless otherwise approved by the County Engineer.
 - c. North arrow shall be the same on all sheets.
 - d. Scale shall be shown on all sheets and details
 - e. Location map shows the location of the subdivision in relationship to existing major public roadways.
 - f. When more than one sheet is required to accommodate the entire area, an index map is provided on each sheet showing the entire subdivision.
 - g. Page breaks avoid proposed structures or other critical features/measurements.
 - h. The plat must be prepared by an RPLS
2. Content:
 - a. Name, address, and contact information (phone and email) for the developer, record owner, surveyor, and engineer shall be provided.
 - b. Name of the subdivision
 - c. Legal description of adjoining properties and the owners
 - d. Effective plat date
 - e. Metes and bounds description of the subdivision boundary and the internal parts of the subdivision, including all lots, divisions of land, streets, alleys, squares, parks, or areas intended to be dedicated to public use.

- f. All lot corners shall be marked by a suitable monument.
- g. Building set-back lines
- h. Dimensions of lot frontages
- i. Metes and bounds description of easements and rights-of-way, whether of record, apparent, or proposed. Per The Regulations Exhibit J(2), any dedication to the public shall be accomplished either by deed conveying a fee simple interest or by a dedication on the plat conveying perpetual right of way in the property to Gillespie County. In no event shall any private lot extend into a dedicated roadway.
- j. Lot and block numbers are arranged in a systematic order and shown in distinct and legible figures
- k. Location of the subdivision with respect to an original corner of the original survey of which it is a part
- l. One exterior corner of the subdivision shall be defined on the plat and located by state plane coordinates
- m. Centerlines of natural drains and water courses, water bodies, and floodplain boundaries
- n. Location and components of the fire suppression system
- o. Description of references to restrictive covenants, restrictions, or reservations, whether of record or proposed.

3. Notes:

- a. Where the subdivision is located on a proposed or private road:
 "GILLESPIE COUNTY EXPRESSLY DOES NOT ACCEPT FOR CONSTRUCTION OR MAINTENANCE PURPOSES ANY LAND, ROAD, EASEMENT, IMPROVEMENT, FACILITY, OR OTHER PROPERTY OR INFRASTRUCTURE DEDICATED FOR PUBLIC USE ON THIS PLAT. UPON PLAT APPROVAL, THE CONSTRUCTION AND MAINTENANCE OF SAID PROPERTY AND INFRASTRUCTURE SHALL REMAIN THE RESPONSIBILITY OF ITS OWNER (INCLUDING THE OWNER'S SUCCESSORS AND ASSIGNS) IN ACCORDINACE WITH THE SUBDIVISION AND MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS OF GILLESPIE COUNTY, TEXAS"
- b. Where the subdivision is located on an existing public road:
 "GILLESPIE COUNTY EXPRESSLY ACCEPTS FOR MAINTENANCE PURPOSES ANY LAND, ROAD, PUBLIC RIGHT-OF-WAY, IMPROVEMENT, FACILITY, OR OTHER PROPERTY OR INFRASTRUCTURE DEDICATED TO GILLESPIE COUNTY FOR PUBLIC USE ON THIS PLAT."
- c. "GILLESPIE COUNTY EXPRESSLY DOES NOT ACCEPT FOR CONSTRUCTION OR MAINTENANCE PURPOSES ANY LAND, ROAD, EASEMENT, IMPROVEMENT, FACILITY, DRIVEWAY, RECREATION AREA, OPEN SPACE, OR OTHER PROPERTY OR INFRASTRUCTURE DESCRIBED ON THIS PLAT FOR PRIVATE OWNERSHIP OR USE. UPON PLAT APPROVAL, THE CONSTRUCTION AND MAINTENANCE OF SAID PROPERTY AND INFRASTRUCTURE SHALL BE OWNED BY AND REMAIN THE RESPONSIBILITY OF ITS OWNER (INCLUDING THE OWNER'S SUCCESSORS AND ASSIGNS) IN ACCORDINACE WITH THE SUBDIVISION AND MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS OF GILLESPIE COUNTY, TEXAS. SAID OWNERS AGREE TO INDEMNIFY, DEFEND, AND SAVE HARMLESS GILLESPIE

COUNTY, FROM ALL CLAIMS, DAMAGES AND LOSSES ARISING OUT OF OR RESULTING FROM PERFORMANCE OF THE OBLIGATIONS OF SAID OWNERS AS SET FORTH HEREIN.”

- d. “THERE SHALL BE NO RESERVE STRIPS (I.E. NEGATIVE EASEMENTS) BY PLAT, DEED, OR OTHER INSTRUMENT CONTROLLING THE ACCESS TO ANY LAND DEDICATED OR INTENDED TO BE DEDICATED FOR PUBLIC USE.”
- e. “WATER OR SEWER SERVICE - UNLESS OTHERWISE ALLOWED BY LAW OR COUNTY REGULATIONS, A UTILITY MAY NOT SERVE OR CONNECT ANY SUBDIVIDED LAND WITH WATER OR SEWER SERVICE UNLESS THE UTILITY RECEIVES A CERTIFICATE OF COMPLETION ISSUED BY THE COMMISSIONERS COURT, OR RECEIVES A DETERMINATION FROM THE COMMISSIONERS COURT THAT THE SUBDIVISION PLAT HAS BEEN REVIEWED AND APPROVED BY THE COUNTY.”
- f. “ELECTRICITY OR GAS SERVICE - UNLESS OTHERWISE ALLOWED BY LAW OR COUNTY REGULATIONS, A UTILITY MAY NOT SERVE OR CONNECT ANY SUBDIVIDED LAND WITH ELECTRICITY OR GAS SERVICE UNLESS THE UTILITY RECEIVES A CERTIFICATE OF COMPLETION ISSUED BY THE COMMISSIONERS COURT, OR RECEIVES A DETERMINATION FROM THE COMMISSIONERS COURT THAT ADEQUATE WATER AND SEWER SERVICES (OR OSSF FACILITIES) HAVE BEEN CONSTRUCTED OR INSTALLED TO SERVICE THE LOT OR SUBDIVISION.”
- g. The type and location of the proposed water and wastewater facilities shall be described, including references to all suitability/availability reports, calculations, and/or percolation test results.
- h. If public water and/or wastewater are proposed, the date by which said facilities will be fully operable shall be provided as well as a statement that all water and/or wastewater facilities will be constructed in compliance with minimum state standards, [the Gillespie County Model Subdivision Rules (if applicable),] and regulations of the HCUWCD.
- i. “ALL OSSF SYSTEMS TO BE CONSTRUCTED, USED, AND OPERATED IN THE SUBDIVISION SHALL BE IN COMPLIANCE WITH THE ACTIVE GILLESPIE COUNTY OSSF REGULATIONS.”
- j. State all recommendations and requirements listed by the HCUWCD based on their review of the groundwater availability study.
- k. “ALL WATER WELLS TO BE CONSTRUCTED, USED, AND OPERATED IN THE SUBDIVISION SHALL BE IN COMPLIANCE WITH THE ACTIVE HILL COUNTRY UWCD REGULATIONS.”
- l. “GILLESPIE COUNTY HEREBY MAKES NO CERTIFICATION, REPRESENTATION, OR GUARANTEE OF WATER AVAILABILITY, QUANTITY, OR QUALITY REGARDING THIS SUBDIVISION OR THAT A PRESENT OR FUTURE ADEQUATE WATER SUPPLY EXISTS TO SERVICE THIS SUBDIVISION.”
- m. “THE DEVELOPER IS RESPONSIBLE FOR INSTALLATION OF A FIRE SUPPRESSION SYSTEM MEETING THE REQUIREMENTS OF THE GILLESPIE COUNTY SUBDIVISION REGULATIONS SECTION 4.1(k).”
- n. Description of any area of the subdivision that is located in a floodplain, or state that no area of the subdivision is located in a floodplain.

- o. "DEVELOPMENT IN A FLOODPLAIN MUST COMPLY WITH NFIP MINIMUM STANDARDS AND THE COUNTY FLOODPLAIN MANAGEMENT REGULATIONS."
 - p. "GILLESPIE COUNTY WILL NOT BE RESPONSIBLE FOR ANY DAMAGE, PERSONAL INJURY OR LOSS OF LIFE OR PROPERTY OCCASIONED BY FLOODING OR FLOODING CONDITIONS."
 - q. "THE UNLAWFUL BLOCKING OF THE FLOW OF WATER, THE CONSTRUCTION OF ANY IMPROVEMENTS IN A DRAINAGE EASEMENT, AND THE FILLING OR OBSTRUCTION OF A DESIGNATED FLOODPLAIN, ARE PROHIBITED. THE EXISTING CREEKS OR DRAINAGE CHANNELS TRAVERSING ALONG OR ACROSS THE SUBDIVISION PROPERTY WILL REMAIN OPEN CHANNELS AND WILL BE MAINTAINED BY THE INDIVIDUAL OWNERS OF THE LOT OR LOTS THAT ARE TRAVERSED BY OR ADJACENT TO THE DRAINAGE COURSES ALONG OR ACROSS SAID LOTS. GILLESPIE COUNTY WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE AND OPERATION OF DRAINAGE WAYS, DRAINAGE EASEMENTS, OR THE CONTROL OF EROSION."
4. Certifications – the below owners, surveyors, and engineers certifications may be used if a variance to the certifications in the Regulations is requested and approved by the Commissioners Court:
- a. The plat shall contain statements, signed and acknowledged by the developer and any lienholder (with current contact information shown), which certify lienholder consent and lien subordination to all public dedications.
 - b. Where the subdivision is located on a proposed or private street:
 Owners Acknowledgement: "THE OWNER(S) OF LAND SHOWN ON THIS PLAT DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL LAND, ROADS, EASEMENTS, IMPROVEMENTS, FACILITIES, OR OTHER PROPERTY DESCRIBED ON THIS PLAT. THE OWNER ACKNOWLEDGES THAT UNTIL SUCH PUBLIC PLACES ARE ACCEPTED, IF EVER, BY THE COMMISSIONER'S COURT BY A SUBSEQUENT, SEPARATE ACCEPTANCE ORDER, THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF THESE ROADS AND DRAINAGE IMPROVEMENTS WILL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND/OR SUBSEQUENT OWNERS OF THE SUBDIVISION AND WILL NOT BE THE RESPONSIBILITY OF GILLESPIE COUNTY." (If the owner authorizes an agent, the owner shall file a notarized letter to that effect)
 - c. Where the subdivision is located on an existing public street:
 Owners Acknowledgement: "THE OWNER(S) OF LAND SHOWN ON THIS PLAT DEDICATE TO GILLESPIE COUNTY FOR THE USE OF THE PUBLIC FOREVER BY FEE SIMPLE TITLE, FREE AND CLEAR OF ALL LIENS AND ENUMBRANCES, ALL LAND, ROAD, PUBLIC RIGHT-OF-WAY, IMPROVEMENT, FACILITY, OR OTHER PROPERTY OR INFRASTRUCTURE DEDICATED TO GILLESPIE COUNTY FOR PUBLIC USE ON THIS PLAT. FURTHERMORE, THE OWNER(S) DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED." (If the owner authorizes an agent, the owner shall file a notarized letter to that effect)

- d. Surveyors Certification: "I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND ABILITY THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ON THE GROUND SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION AND COMPLETED ON [MONTH DD, YEAR]."
- e. Engineer's Certification: "I CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN IN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT. TO THE BEST OF MY KNOWLEDGE THIS PLAT SUBSTANTIALLY CONFORMS TO ALL ENGINEERING RELATED REQUIREMENTS OF THE GILLESPIE COUNTY DEVELOPMENT REGULATIONS." (An engineer's certificate is required in all cases except when the plat does not require engineering considerations)
- f. Commissioner's Court Approval: "I CERTIFY THE FOLLOWING: (1) THIS PLAT WAS APPROVED ON THE ____ DAY OF _____, 20__ BY THE COMMISSIONER'S COURT OF GILLESPIE COUNTY, TEXAS IN ACCORANCE WITH CHAPTER 232 OF THE TEXAS LOCAL GOVERNMENT CODE, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE (THE TEXAS OPEN MEETINGS ACT), AND OTHER AUTHORITY; AND (2) THIS PLAT IS AUTHORIZED FOR FILING AND RECORDING WITH THE COUNTY CLERK OF GILLESPIE COUNTY, TEXAS PURSUANT TO THE SUBDIVISION AND MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS FOR GILLESPIE COUNTY, TEXAS."
- g. Certificate of Recording: "I CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE AT _____ O'CLOCK __M ON THE ____ DAY OF _____, 20__, IN THE PLAT RECORDS OF GILLESPIE COUNTY, TEXAS, IN VOLUME _____, PAGE _____."

C. LOT REQUIREMENTS

This Section is based on The Regulations §4.1(J)(4) and §4.1(L)(d) and §4.1(N).

1. Minimum lot frontage on a major thoroughfare, primary road, secondary road, or state or federal highway is 200 feet. Minimum lot frontage on a cul-de-sac is 100 feet.
2. Minimum lot sizes are as follows:

	Min Lot Size	Max # of Lots
Individual Water and OSSF	6 acres	Parent Tract Acreage/8
Community/Public Water and OSSF	2 acres	Parent Tract Acreage/3
Community/Public Water and Community/Public Wastewater	1 acres	Parent Tract Acreage/2

3. Building setback lines shall be 20 feet from the front, sides, and rear of all lots or other divided parts in the subdivision. Where adjacent to a road, building setback lines shall be measured from the edge of the right-of-way or access easement.

D. FIRE SUPPRESSION SYSTEM REQUIREMENTS

This Section is based on The Regulations §4.1(K) for subdivisions not served by fire hydrants as part of a centralized water system certified by TCEQ.

1. In subdivisions with fewer than 50 lots, units, or dwellings, the Developer shall construct and maintain a fully operational fire suppression system containing a minimum of 2,500 gallons of

water storage to be supplied to the subdivision through a storage tank with a 2.5" NST pipe connection, or other connection as approved by the Fire Marshal.

2. In subdivisions with 50 or more lots, units, or dwellings, the Developer shall construct and maintain a fully operational fire suppression system containing either:
 - a. a minimum of 2,500 gallons of water storage with a centralized water system, or
 - b. a minimum of 5,000 gallons of water storage to be supplied to the subdivision through a storage tank with a 2.5" NST pipe connection, or other connection as approved by the Fire Marshal.

E. WATER AVAILABILITY REQUIREMENTS

This Section is based on The Regulations §4.1(L).

1. If the source of water supply intended for the subdivision is groundwater, the plat application must be accompanied with all of the following:
 - a. a letter from HCUWCD recommending approval or denial of the plat based on their review of the results of the Groundwater Availability Study.
 - b. certification from an Engineer that groundwater is available, submitted on the TCEQ Certification of Groundwater Availability for Platting Form (TCEQ-20982)
 - c. certification that the groundwater availability study has been submitted to the County, TWDB, and HCUWCD, submitted on the TCEQ Plat Attesting Form (TCEQ-20983)
2. If the source of water supply intended for the subdivision is surface water, the plat application must be accompanied with all of the following:
 - a. Statement prepared by an engineer or geoscientist licensed to practice in Texas that certifies through sufficient evidence that sufficient water rights have been obtained and dedicated, either through acquisition or wholesale water supply agreement, that will provide a sufficient supply of surface water to serve the needs of the subdivision for a term of at least 30 years.

F. ELECTRICITY AND GAS

This Section is based on The Regulations §4.1(W) and Exhibit F.

1. The Developer shall provide certification from the electric utility service provider that electric service is currently available to all lots of the subdivision, or can be made available in the future to all lots in the subdivision, and that the easements shown on the plat are of sufficient nature, shape, and size to accommodate electric utility service to all lots in the subdivision.
2. The Developer shall provide certification from the gas utility service provider, if provided, that gas service is currently available to all lots of the subdivision, or can be made available in the future to all lots in the subdivision, and that the easements shown on the plat are of sufficient nature, shape, and size to accommodate gas utility service to all lots in the subdivision.
3. Per Exhibit F, a utility may not serve or connect any subdivided land with electricity or gas unless the entity receives a Certificate of Compliance issued by the Commissioners Court, or receives a determination from the Commissioners Court that the that adequate water services (including

private wells) and sewer services (including septic or OSSF facilities) have been installed to service the lot or subdivision.

G. VARIANCES

This Section is based on The Regulations §4.(3).

1. Variances must be approved by the Commissioner's Court acting through a recorded vote at a public meeting.
2. A Developer may request a variance from the County by submission of a Variance Request Form provided at the end of this Guidebook.
3. The Commissioner's Court may not grant a variance regarding:
 - a. The necessity of an approved subdivision plat or MHRC infrastructure development plan
 - b. A required bond or other financial security
 - c. Payment of fees, unless the applicant is a government or non-profit entity
 - d. A variance from compliance with the model subdivision rules, unless expressly authorized by those rules.
4. The Developer must submit evidence that the circumstances establish the following:
 - a. A special circumstance exists which deprives the developer of a privilege, use, or safety enjoyed by similarly situated property owners with similarly timed developments
 - b. The variance does not create a special privilege, use, or safety that is not enjoyed by a similarly situated property owner with a similarly timed development
 - c. The variance will constitute only a minimum departure from The Regulations.
 - d. The variance is in the public interest.
 - e. The variance does not impair the safe, healthy, or orderly development of other land
 - f. An ad valorem tax delinquency does not exist regarding the land made the subject of the proposed development.

PART 5 MODEL SUBDIVISION RULES

A. APPLICATION

This Section is based on The Regulations Exhibit H(1).

These regulations are cumulative with the provisions described in **PART 3** and **PART 4**, but apply only to a subdivision in which there are two or more lots of five acres or less intended for residential purposes. Lots of five acres or less are presumed to be for residential purposes unless the land is restricted to nonresidential uses on the final plat and in all deeds and contracts for deeds.

B. PLAT SUBMISSION AND REVIEW

See **PART 3 PLAT PROCEDURE**.

C. MINIMUM PLAT STANDARDS

The following information must be on the plat and truthful, accurate, correct, and prepared in compliance with The Regulations.

1. Layout
 - a. See **MINIMUM PLAT STANDARDS** in **PART 4**
2. Content
 - a. See **MINIMUM PLAT STANDARDS** in **PART 4**
3. Notes
 - a. See **MINIMUM PLAT STANDARDS** in **PART 4**
 - b. If individual wells are proposed, reference the water quality report and provide information regarding required water treatment systems as described in **WATER AVAILABILITY REQUIREMENTS** below, or that no water treatment system is required.
 - c. "NO MORE THAN ONE SINGLE FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT."
4. Certifications
 - a. See **MINIMUM PLAT STANDARDS** in **PART 4**

D. LOT REQUIREMENTS

See **LOT REQUIREMENTS** in **PART 4**

Per Exhibit H(19), no more than one single family detached dwelling shall be located on each lot. A notation of this restriction shall be placed in all deeds and contracts for deeds for real estate sold within the subdivision.

E. FIRE SUPPRESSION SYSTEM REQUIREMENTS

See **FIRE SUPPRESSION SYSTEM REQUIREMENTS** in **PART 4**

F. WATER AVAILABILITY REQUIREMENTS

This Section is based on The Regulations Exhibit H(10)-(11) and Exhibit H(22)-(23).

1. Where a subdivider proposes to supply drinking water by connecting to an existing public water system, an executed agreement with a retail public utility in substantially the form attached in Appendix 1A of 31 TAC §364.32 shall be provided with the plat application.
2. Where a subdivider proposes to supply drinking water by establishing a new public water system or retail public utility, the subdivider shall obtain and provide an approved public water system permit from TCEQ and shall obtain and provide evidence of a Certificate of Convenience and Necessity issued by TCEQ or the Texas Public Utility Commission, and provide the documents required under **WATER AVAILABILITY REQUIREMENTS** in **PART 4**.
3. Where a subdivider proposes to supply drinking water by individual wells or a non-public water system, the subdivider shall provide the documents required under **WATER AVAILABILITY REQUIREMENTS** in **PART 4**, and an engineer's certification that the water quality of the water meets the standards set forth in 30 TAC §§290.104, 290.106, 290.108, and 290.109 either without treatment, or with treatment by an identified and commercially available water treatment system (identify system, system cost, and a purchase location within Gillespie County).

G. WASTEWATER FACILITY REQUIREMENTS

This Section is based on The Regulations Exhibit H(13)-(14) and Exhibit(24)-(25).

1. Where a subdivider proposes to dispose of wastewater by connecting to an existing permitted wastewater facility, an executed agreement in substantially the form attached in Appendix 1B of 31 TAC §364.33 shall be provided with the plat application.
2. Where a subdivider proposes to dispose of wastewater by establishing an organized wastewater collection and treatment system or retail public utility, the subdivider shall obtain and provide an approved permit to dispose of wastes from TCEQ and shall obtain and provide evidence of a Certificate of Convenience and Necessity issued by TCEQ or the Texas Public Utility Commission
3. Where a subdivider proposes to dispose of wastewater by individual OSSF, the subdivider shall provide a letter from the County OSSF Department stating that each lot can be adequately served by OSSF.

H. GREYWATER FACILITY REQUIREMENTS

This Section is based on The Regulations Exhibit H(15).

1. Any proposal for sewage collection, treatment, and disposal which includes greywater reuse shall meet the minimum criteria of 30 TAC Chapter 210 and be approved by TCEQ. The subdivider shall provide a permit issued by TCEQ for the greywater facilities.
2. Any proposal for on-site sewage disposal which includes greywater reuse shall meet the minimum criteria of 30 TAC Chapter 285 and be approved by the County OSSF Department or TCEQ, as applicable. The subdivider shall provide a permit issued by the appropriate entity for the greywater facilities.

I. ELECTRICITY AND GAS

See **ELECTRICITY AND GAS** in **PART 4**

J. VARIANCES

See **VARIANCES** in **PART 4**

K. ADDITIONAL REQUIREMENTS

1. The developer must submit the following documents at the time of plat application if water and/or wastewater facilities are not yet constructed. This includes subdivisions planned to be served by individual well and OSSF systems.
 - a. Per Exhibit H(9)(g), a certified estimate of the cost to install public water and wastewater service facilities,
 - b. Per Exhibit H(21), an engineering report discussing the availability and methodology of providing water and wastewater facilities to individual lots, including a construction schedule with start and completion dates,
 - c. Per Exhibit H(27), an agreement with the County in substantially the form attached in Appendix 2A of 31 TAC §364.54 secured by a bond for construction of water and wastewater facilities + 20% contingency
2. Per Exhibit H(33), time extensions for providing water or wastewater facilities must be approved by Commissioner's Court. Such time extension will only be approved if any financial guarantee provided with the final plat is effective for the time of the extension, the Court finds the extension is reasonable and not contrary to public interest, and an extension would not allow a residence to be inhabited without water or sewer services.

PART 6

MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS

A. MHRC APPLICATION REQUIRED

This Section is based on The Regulations §2.1, §5.2, and §5.3.

A MHRC Application is required when land is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than 60 months without a purchase option, for the installation of manufactured homes for use and occupancy as a residence. Please see **PART 2** for a definition of a manufactured home.

Any property with two or more manufactured homes is considered an MHRC unless an Affidavit for MHRC is completed and returned to the County Engineer, the affidavit is provided on the County's website or a hard copy can be requested from the County Engineer's Office; or

Construction of the MHRC may not begin (and the MHRC may not be occupied by tenants or lessees) before the date the application is approved by the County. The County may require inspection of the infrastructure during or on completion of construction. If the County determines that the infrastructure complies with the plan, the County shall issue a Certificate of Compliance.

A utility may not provide utility services (including water, sewer, gas, and electric services) to an MHRC unless the owner provides the utility with a copy of the Certificate of Compliance issued by the County.

B. MHRC SUBMISSION AND REVIEW

This Section is based on The Regulations §5.1.

1. The County's MHRC Application Checklist is provided at the end of this Guidebook. The MHRC Application is located in the Regulations and available on the website, or a hard copy can be requested from the County Engineer's Office.
2. A completed MHRC Application shall include all of the following in one complete application submittal:
 - a. The complete and executed application.
 - b. An infrastructure development plan meeting all the requirements of The Regulations as described in this Guidebook.
 - c. All supporting documents required, as listed on the MHRC Application
 - d. Written evidence in the form of a tax certificate or other tax entity issued document that an ad valorem tax liability does not exist on the land being developed.
 - e. Payment of all required fees as described in **FEE SCHEDULE**.
3. A completed MHRC Application shall be submitted by the Developer to the County Engineer at the notice address provided in **PART 1**. County acceptance of a submitted MHRC Application shall not constitute MHRC approval by the County.
4. The County Engineer will notify the Developer within 10 business days if the MHRC application is determined to be incomplete. The Developer must submit any missing documentation or information requested by the County in a timely manner, which is considered to be within 10 business days. If missing information is not submitted within this time frame, the application will be considered withdrawn and a new application must be submitted by the Developer.

5. The County Engineer shall approve or disapprove a MHRC application not later than the 60th day after the date the completed application is received.
6. If a MHRC application is disapproved, a written statement of the reasons for disapproval will be provided that clearly articulates each reason for disapproval. The applicant must submit a written response to the County Engineer that remedies each reason for disapproval provided. There is no deadline for the applicant to submit this response.
7. The County Engineer shall approve or disapprove the revised MHRC application not later than the 30th day after the response was received. The revised MHRC application will be approved if the applicant's response adequately addresses each reason for the disapproval. A revised MHRC application that is disapproved will follow the same procedure described in this paragraph until approved, expired, or withdrawn.
8. Inspections of infrastructure will be conducted during the construction process. The developer must notify the County Engineer at each milestone described in **INSPECTIONS AND TESTING** in **PART 8** to schedule an inspection.
9. A final inspection will be conducted after the developer provides written notification to the County Engineer upon completion of construction. If the infrastructure is found to be compliant with the Regulations, the Commissioner's Court shall issue a certification of completion. If the infrastructure is found to be noncompliant with the Regulations, the developer will receive a punch list of items to be remedied and the final inspection process will follow the same procedure described in this paragraph until the infrastructure is brought into compliance with the Regulations.

C. MINIMUM INFRASTRUCTURE DEVELOPMENT PLAN STANDARDS

This Section is based on The Regulations §5.1.

The plan shall be approved, signed, and dated by the Developer, Developer's engineer, and Developer's surveyor and include the following:

1. Land Survey of the MHRC performed by an RPLS identifying the MHRC boundaries, location of all spaces or other parts of the MHRC, proposed or existing utility, road, and drainage easements, and dedications of easements and rights-of-way. The survey must boldly note that "no conveyance of any part of the property is permitted unless the property is first platted in accordance with Gillespie County Subdivision and Manufactured Home Rental Community Regulations."
2. The total number of manufactured homes permitted in a MHRC shall not exceed the tract's development acreage times 4. The development acreage is defined as the tract's total acreage minus the acreage contained in access easements, public or private right-of-way, or otherwise allocated for road infrastructure.
3. Roads plans within the MHRC designed and constructed in accordance with **PART 8**. The developer shall comply with the road damage and repair provisions stated in The Regulations and described in this Guidebook.
4. Provisions of adequate drainage for the MHRC in accordance with **PART 7**.

5. Provisions of adequate public or community drinking water supply to the MHRC in accordance with minimum state standards and the active regulations of HCUWCD, including the location of all facilities and supply lines. This can be achieved by submitting the items indicated on the MHRC Checklist at the end of this Guidebook, including but not limited to providing a letter from the HCUWCD stating that the development can be adequately served by individual wells, and an approved permit for a public water system through TCEQ with the supporting plan materials.
6. Provisions of adequate sanitary sewer or OSSF facilities and lines in accordance with minimum state standards and the active County OSSF Regulations, including the location of all facilities and supply lines. This can be achieved by submitting the items indicated on the MHRC Checklist at the end of this Guidebook, including but not limited to providing a letter from the Gillespie County OSSF Department stating that the development can be adequately served by OSSF, or an approved permit for a public wastewater system through TCEQ with the supporting plan materials.
7. Per The Regulations §5.4, the electric and gas, if gas is provided, utility service providers must provide certification on the plan that electric and gas, if gas is provided, utility service will be available to all spaces in the MHRC.
8. The Plan must include an acknowledgement signed by the developer stating that “The Developer acknowledges that (1) construction of the MHRC may not begin and the MHRC may not be occupied by tenants or lessees before the date the Infrastructure Development Plan is approved by the County, and (2) a utility may not provide utility services, including water, sewer, gas, and electric, to an MHRC or a manufactured home in the MHRC until the owner provides the utility with a copy of the MHRC Certificate of Compliance issued by the County.”

D. MHRC WAIVER

This Section is based on The Regulations §5.6.

The Commissioner’s Court, or the Court’s designee, may consider a request from the developer to approve an MHRC waiver when all of the following apply:

1. Density is less than one manufactured home per acre of the tract (including manufactured homes used as permanent residences, long term rentals, etc.),
2. There are no more than 8 manufactured homes on the tract (including manufactured homes used as permanent residences, long term rentals, etc.),
3. All manufactured homes and improvements constructed for the development are at least 40 feet from the property lines,
4. No manufactured homes are located within a 100-year floodplain, and
5. A public water system and/or public wastewater system is not required for the MHRC.

The request shall state the circumstances that cause the waiver to be sought and include a site plan drawn to scale describing the existing and proposed: space boundaries and sizes, roadways, easements, water/sewer facilities, 100-year floodplain boundaries, and other proposed improvements (common areas, amenity centers, etc.).

The criteria listed above are minimum requirements to apply for the MHRC Waiver. The Commissioner’s Court, or the Court’s designee, may condition approval on additional requirements, which could include,

but are not limited to, increased setbacks from property lines, a groundwater availability study, and other considerations.

If a MHRC Waiver is granted, an MHRC Application must still be submitted for review and approval under the MHRC submission and review procedures. An MHRC with an approved MHRC Waiver must

1. submit a site plan of the development as described above,
2. construct a 20' wide paved or unpaved road meeting the construction requirements in **PART 8**,
3. provide a letter from HCUWCD stating that all dwellings in the development can be adequately served by a registered or permitted well and a public water system is not required, and
4. provide a letter from the Gillespie County Sanitation Department stating that all spaces can be adequately served by an OSSF in compliance with the County OSSF Ordinance.

PART 7 DRAINAGE STANDARDS

A. PLAT REQUIREMENTS

This Section is based on The Regulations §4.1(H).

The plat application must be accompanied by a drainage plan and drainage study, if required, signed and sealed by the Developers engineer.

B. CONSTRUCTION REQUIREMENTS

This Section is based on The Regulations §4.1(J)(1)(c).

The drainage plan and drainage study, if any, must be approved by the County prior to construction of any road, street, bridge, driveway, culvert, other drainage facility, or common use area.

C. NO ACCEPTANCE

This Section is based on The Regulations §4.1(J)(2).

The roads, bridges, culvert, other drainage facilities, driveways, and common use areas, whether private or dedicated to public use, shall not be dedicated as County property and are not accepted by the County for construction, operation, or maintenance. Approval of the subdivision plat shall not be interpreted as acceptance of any of the aforesaid facilities or infrastructure.

D. DRAINAGE PLANS REQUIRED

This Section is based on The Regulations Exhibit C(2) and is applicable to all subdivisions and MHRC's.

1. Construction plans for drainage facilities shall be provided for the proposed development area to ensure proper drainage. The plans shall include all necessary facilities to adequately handle all drainage water entering into and being generated as a result of the proposed development.
2. Additional right-of-way and drainage easements shall be obtained and dedicated/recorded for areas of shallow concentrated flow or concentrated flow.
3. Drainage from the proposed development area shall be extended to the natural drains in the area having the capacity to efficiently manage the flow of storm water runoff. Where an adequate outfall does not exist, the runoff shall be designed to return to sheet flow before leaving the property.
4. Design information and calculations for all culverts, bridges, low water crossings, and other drainage facilities and infrastructure shall be provided and in conformance with recognized engineering standards and practices.

E. DESIGN STANDARDS

This Section is based on The Regulations Exhibit C(3).

CALCULATIONS

- Storm drainage calculations shall be based on Manning's Equation for Flow:

$$Q = \frac{1.486}{n} A (R^{2/3}) (S^{1/2})$$

Where: Q = flow (cfs)

A = cross sectional area (sf)

N = roughness coefficient

R = hydraulic radius (ft)

S = hydraulic slope

- Runoff from the development area shall be based on the Rational Method:

$$Q = CIA$$

Where: Q = flow (cfs)

C = runoff coefficient

I = rainfall intensity (in/hr)

A = area (acres)

- Roughness coefficients shall be based on the following values, or alternative values used shall reference the source of the information used.

Material	n
Reinforced concrete pipe	0.012
Corrugated metal pipe	
• Asphalt coated	0.024
• Asphalt paved inert	0.020
• Fully asphalt lined	0.012
Smooth interior plastic pipe	0.012
Reinforced concrete boxes	0.012
Concrete lined open channels	0.012
Unlined open channels	
• Bottom width < 25 ft	0.040
• Bottom width > 25 ft	0.035

CHANNELS

- Design Criteria for unlined Open Channels is provided below. Drainage channels shall be designed based on the 10-year storm.

Minimum Velocity	2 fps
Maximum Velocity	4 fps
Minimum Free Board	1 ft
Maximum Side Slope	3H:1V
Bottom Width	As required
Minimum Easement Width	30 ft, or as otherwise required by County
Minimum Slope	0.1%

- Design Criterial for Lined Channels is provided below. Drainage channels shall be designed based on the 10-year storm.

Minimum Velocity	2 fps
Maximum Velocity	10 fps
Minimum Free Board	1 ft
Maximum Side Slope	1H:1V
Bottom Width	As required
Minimum Easement Width	30 ft, or as otherwise required by County
Minimum Slope	0.1%

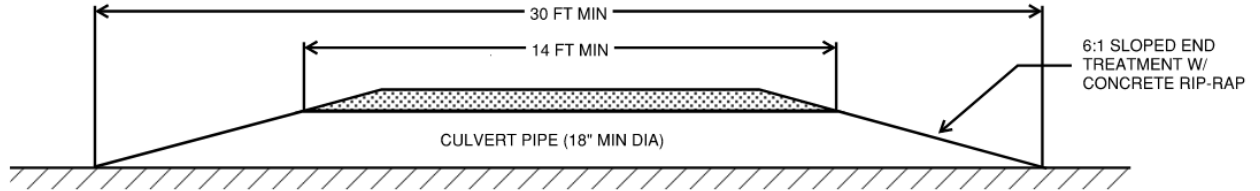
- Drainage channels shall be designed with proper cross slope grade and alignment which will facilitate proper functioning without destructive velocities. Destructive velocities are considered any velocity over the maximum velocity provided above.
- Where the maximum channel side slope cannot be maintained, permanent erosion controls such as concrete or riprap shall be installed on sloping sides of drainage ditches to prevent erosion.
- Drainage channels must be within a drainage easement of adequate width to permit drainage and flood control and access by maintenance equipment.

CULVERTS

- Permanent drainage structures such as culverts or bridges shall be installed at all crossings of drainage courses, including drainage ditches intersecting with driveways and streets.
- Culverts shall be sized to carry a minimum of 125% of the design requirement. The design requirements, per Exhibit J(5)(d)-(e), are as follows:

Watershed Area	Design Storm
Driveway culvert	5-year
100 acres or less	10-year
500 acres of less	25-year
Over 500 acres	50-year
River crossing culvert or bridge	100-year

- The minimum pipe culvert size shall be 18" diameter.
- Per Exhibit J(5)(d), the minimum box culvert size shall be 2ftx2ft.
- Per Exhibit J(5)(d), culverts may be standard reinforced concrete pipe, corrugated galvanized metal pipes, reinforced concrete boxes, or other material accepted by TxDOT.
- Outfalls into natural or constructed drainageways shall enter at or above the grade of the drainageway and shall be installed to prevent erosion.
- Per Exhibit J(5)(e), entrance culverts adjacent to county roads must be at least 14 ft in length with ends encased in concrete riprap so as to provide a 6:1 sloped safety end treatment, with a 30 ft overall minimum length.



8. Per Exhibit J(5)€, a right-of-way permit is required prior to construction of a culvert within the County’s right-of-way.
9. Driveways without culverts shall not obstruct the normal flow of water.

GRADING/STREETS

1. Lots, spaces, and other divided parts shall be graded so that drainage is conveyed to streets or drainage courses as directly as possible. Drainage water from streets shall be conveyed to a defined drainage course as directly as possible.
2. The cross slope of all streets shall be between 0.2% and 5%, and the maximum longitudinal slope shall be as defined in the **SCHEDULE OF MINIMUM DIMENSIONS** in **PART 8**.
3. Streets without curbs and gutters shall have bar ditches adjacent to and running parallel to the street designed for a 5-year storm and a minimum depth of 12 inches below the adjacent street.
4. Per Exhibit J(5)€, bar ditches with grades of more than 3% shall include erosion control by sodding, seeding, concrete, or rip rap.

BRIDGES

This Section is based on The Regulations Exhibit J(5)(f).

1. All bridges shall be designed for the 100-year storm and with 1’-6” of freeboard.
2. Bridges shall be designed with at least an HS-20 load rating.
3. Bridges shall be founded and protected by concrete rip rap to withstand the 100-year storm

FLOODPLAIN

1. If the proposed development area is within a floodplain, a Floodplain Development Permit is required to be obtained from the Gillespie County Floodplain Department prior to construction in accordance with the current Gillespie County Flood Damage Prevention Ordinance.

F. DRAINAGE STUDY REQUIREMENTS

This Section is based on The Regulations Exhibit C(5) and is applicable to all subdivisions and MHRC’s where the average lot or space size is less than 10 acres.

1. A drainage study prepared, signed, and sealed by an Engineer shall be submitted with the plat application and show calculations for:
 - a. Storm water runoff (existing and proposed) for the 5-, 10-, and 100-year storm.
 - b. Watershed area with contours and site plan superimposed
 - c. Time of concentration
 - d. Impervious cover percentage and runoff coefficients
 - e. Flow, velocity, and depth of runoff at outfall locations

2. The drainage in the subdivision shall be designed to have no adverse impact to adjacent property, whether private or public, or existing drainage systems. The post-construction runoff rates shall not exceed the pre-construction runoff rates for the 5-, 10-, and 100-year storm.

PART 8 ROAD DESIGN AND CONSTRUCTION STANDARDS

A. PLAT REQUIREMENTS

This Section is based on The Regulations §4.1(J).

The plat application must be accompanied by road construction plans and a traffic impact analysis, if required, signed and sealed by the Developers engineer.

B. CONSTRUCTION REQUIREMENTS

This Section is based on The Regulations §4.1(J)(1)€.

The road construction plans must be approved by the County prior to construction of any road, street, bridge, driveway, culvert, other drainage facility, or common use area. Per the Regulations Exhibit J(3)€, only minor grading to allow for soil testing, water availability, and septic test holes is allowed prior to approval of the construction plans.

The following shall be noted on the front page of the construction plans:

1. Contact information for the developer, engineer, surveyor, and contractor shall be provided.
2. Reference to any geotechnical reports obtained from an engineer or independent testing laboratory regarding pavement design (include a copy with the construction plan submittal).
3. "CONSTRUCTION MUST MEET THE INSPECTION AND TESTING REQUIREMENTS OF GILLESPIE COUNTY SUBDIVISION AND MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS, ANY MATERIAL DELIVERED OR INSTALLED WITHOUT INSPECTION OR TESTING SHALL BE REMOVED AND REPLACED."
4. "THE DEVELOPER IS RESPONSIBLE FOR REPAIR OF DAMAGE TO PUBLIC ROADS AND RIGHTS-OF-WAY AS DESCRIBED IN THE DEVELOPER ROAD DAMAGE AND REPAIR PROVISIONS OF THE GILLESPIE COUNTY SUBDIVISION AND MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS."

Per The Regulations Exhibit J(3)(d), a complete set of as-builts shall be provided to the County upon completion of construction and prior to issuance of the Certificate of Compliance.

C. NO ACCEPTANCE

This Section is based on The Regulations §4.1(J)(2) and Exhibit J.

The roads, bridges, culvert, other drainage facilities, driveways, and common use areas, whether private or dedicated to public use, shall not be dedicated as County property and are not accepted by the County for construction, operation, or maintenance. Approval of the subdivision plat shall not be interpreted as acceptance of any of the aforesaid facilities or infrastructure.

D. TRAFFIC IMPACT STUDY

This Section is based on The Regulations §4.1(J)(1)€.

Where adverse road issues exist, the County may require the Developer to provide a traffic impact study prior to plat approval. A development generating 100 or more peak hour trips is considered to create adverse road issues and will warrant a traffic impact study.

The traffic impact study shall show the existing trips, proposed trips by phase, and proposed trips at full build out. Intersection level of service, queuing, and turn lane requirements shall be described and mitigation requirements and recommendations listed by phase.

E. RIGHT-OF-WAY

DEDICATION

This Section is based on The Regulations Exhibit J(2).

Any dedication to the public shall be accomplished either by deed conveying a fee simple interest or by a dedication on the plat conveying perpetual right of way in the property to Gillespie County. In no event shall any private lot extend into a dedicated roadway.

REQUIREMENTS

This Section is based on The Regulations Exhibit J(3)(b).

1. A 60-foot right of way is required for new roadways, whether public or private, unless a greater right-of-way is required as described in paragraph 4.
2. When any tracts of a subdivision front on both sides of an existing county road, the tracts shall be laid out to provide a 60-foot right-of-way for the existing road.
3. When any tracts of a subdivision front on one side of an existing county road, the tracts shall be laid out to provide one half of the 60-foot right of way for the existing road.
4. Where an existing county road has a curvature less than set forth in **ROAD LAYOUT**, additional right-of-way shall be provided to accommodate a future change of curvature.
5. Within the City of Fredericksburg ETJ, or a distance of 2 miles measured along the roadway outside of the ETJ, a roadway right-of-way to match the width required by the city of Fredericksburg's Major Thoroughfare Plan is required.

F. ACCESS

NUMBER OF ACCESS POINTS

This Section is based on The Regulations §4.1(J)(1)(b).

1. The subdivision must have at least two points of entry/exit access to an external public road for a sufficient route of travel to and from each lot in the subdivision. The internal roads must be designed and constructed so that each lot in the subdivision shall have access to an internal road leading to the aforesaid entry/exit access points.
2. In accordance with International Fire Code, two points of entry/exit may only be required in a development where there are more than 30 dwellings proposed. Subdivisions with more than 15 lots are considered to have more than 30 dwellings unless a deed restriction is recorded for the subdivision limiting each lot to two dwellings.

LOT FRONTAGE

This Section is based on The Regulations Exhibit J(4).

1. Minimum lot frontage on a major thoroughfare, primary road, secondary road, or state or federal highway is 200 feet. Minimum lot frontage on a cul-de-sac is 100 feet.

G. ROAD LAYOUT

This Section is based on The Regulations Exhibit J(3)(b).

1. Where existing roads are extended through a subdivision, they shall be at least as wide as and in alignment with such existing roads and bear the name of the existing road.
2. Road intersections shall be as nearly at right angles as practicable, and always between 80 and 100 degrees.
3. Horizontal curves on primary roads shall have a minimum centerline radius of 400 feet.
4. Horizontal curves on secondary roads shall have a minimum centerline radius of 200 feet. A smaller radius may be approved if the wearing surface width is increased to 30 feet.
5. A sign placement plan in accordance with the latest issue of the Texas Manual of Uniform Traffic Control Devices issued by TxDOT shall be provided.
6. Roads to be dedicated to the public may be required to have a pavement design provided by a geotechnical engineer. Pavement design shall be based on two HS-20 loadings per day and an average daily traffic count equal to 4 trips per lot per day.
7. Roads indicated on the City of Fredericksburg Major Thoroughfare Plan shall be designed to city standards where more stringent than these regulations.

H. ROAD SPECIFICATIONS

SUBGRADE

This Section is based on The Regulations Exhibit J(5)(b).

1. The entire area of the right of way shall be cleared and grubbed to a depth of not less than one foot below natural ground in fill areas and one foot below sub-grade in excavated areas. Trees, brush and other debris shall be removed from the right of way and disposed of.
2. Earthen embankments shall be placed in lifts of not more than 8 inches loose depth and each lift shall be thoroughly compacted by sprinkling and rolling before placement of the succeeding lifts. Rock fill may be placed in lifts of not more than thirty (30) inches.
3. Unstable material encountered in either excavated sections or beneath embankments shall be removed to a depth of not less than one foot below natural ground or finished sub-grade and replaced with satisfactory material.
4. Sub-grade shall be proof rolled as directed by the County Engineer to assure uniformity of both cuts and fills. The County Engineer may require density tests to prove compaction has been adequate to obtain maximum density of 95% of AASTHO T180-61 (Standard Proctor).

BASE

This Section is based on The Regulations Exhibit J(5)(i).

1. Base material shall be in accordance with TxDOT standard specifications and be as follows:

Road Classification	Material
Primary	Type A, Grade 2
Secondary	Type A, Grade 2 Type C, Grade 2 Caliche, Grade 3

2. Prior to the delivery of base material to the road, the results of physical tests of the material proposed for use on the road shall be submitted to the County Engineer for approval.
3. The minimum base thickness is 10" on primary roads and 8" on secondary roads unless otherwise determined by the pavement design provided by a geotechnical engineer.
4. The base material shall be dumped, spread, mixed, wind rowed, watered and processed as necessary to produce a uniformly blended mixture of the desired course thickness, moisture condition, and gradation.
5. Compaction of each course of material shall be accomplished by suitable equipment to obtain maximum density of 95% of AASHTO T180-61 (Standard Proctor). Optimum moisture content as determined by proctor plus or minus two (2) percent shall be maintained during compaction.
6. The final course of base, upon which pavement is to be placed, shall be accurately finished to typical section and allowed to cure at least 24 hours before application of the prime coat.
7. Prime Coat shall be applied at approximately 0.2gal/SY of MC-30 cutback asphalt, or other acceptable product as approved by the County Engineer.
8. The prime coat shall be allowed to cure for at least 48 hours following application and before application of surface courses.

SURFACE TREATMENT

This Section is based on The Regulations Exhibit J(5)(k).

1. The wear surface shall be a two-course asphalt surface treatment or HMAC pavement.
2. For two course surface treatments, asphalt and aggregate requirements shall be in accordance with TxDOT standard specifications and be as follows:

Course	Aggregate	Rate	Emulsified Asphalt	Rate
First Course	Grade 4 Crushed limestone, crushed gravel, gravel or limestone rock asphalt	1 CY/85-95 SY	CRS-2P	0.42-0.45 gal/SY
Second Course	Grade 4 or 5 Crushed limestone, crushed gravel, gravel or limestone rock asphalt	1 CY/110-125 SY	CRS-2P	0.42-0.45 gal/SY

3. For Hot Mix Asphaltic concrete, asphalt shall be in accordance with TxDOT standard specifications and be placed so as to provide a minimum compacted depth of 1.5”.
4. Neither surface treatment nor Asphaltic Concrete shall be placed at any time between October 1st and April 1st or when the ambient air temperature is below 60 degrees Fahrenheit.
5. Untreated shoulders shall be bladed and dragged for uniformity after placement of the wearing surface and shall be smooth, stable, and well compacted. The thickness shall not vary by more than 1/2” at any point tested.

I. SCHEDULE OF MINIMUM DIMENSIONS

This Section is based on The Regulations Exhibit J(5)(n).

	Primary Road	Secondary Road
ROW width	60 ft	60 ft
ROW width at cul-de-sac	65 ft radius	65 ft radius
Maximum grade	10%	12%
Subgrade width	34 ft	30 ft
Base course thickness	10 in	8 in
Prime coat width	30 ft	26 ft
Wear surface width	24 ft	20 ft
Wear surface width at cul-de-sac	50 ft radius	50 ft
Shoulder width	3 ft	3 ft
Roadway width at bridge	30 ft	26 ft
Roadway width with overflow section	30 ft	26 ft
Roadway width with cattle guards	26 ft	22 ft
Culvert length (square crossing)	40 ft	36 ft

1. Right of way width on hillsides and in cuts shall be expanded to reach 10 feet beyond the toe of a slope or top of a cut.
2. Base course thickness for publicly maintained roads shall be determined by the pavement design provided by a geotechnical engineer.

J. ROAD DRAINAGE

1. See **PART 7** for drainage requirements regarding streets, culverts, bridges, etc.

K. PRIVATE ROADS

This Section is based on The Regulations Exhibit J(6) and (7).

1. All private roads shall be designed and constructed in accordance with The Regulations and shall only be permitted if constructed in accordance with the schedule of minimum dimensions and signed in accordance with The Regulations.
2. Private unpaved roads shall be designed and constructed in accordance with The Regulations, except for specifications pertaining to surface treatment, and shall only be permitted if all the following criteria are met:

- a. All tracts fronting the road are 10 acres or larger
- b. No more than 8 tracts use the road for access
- c. Access is restricted to single family residential use only
- d. All resulting tracts are prohibited by deed restriction from future re-subdivision into lots smaller than 10 acres unless the road is first constructed in accordance with The Regulations in effect at that time for paved roads.
- e. All roads are signed in accordance with The Regulations

L. UTILITIES

This Section is based on The Regulations Exhibit J(12)(b).

1. All utility services shall be shown on the road construction plans and all necessary easements dedicated or shown on the plat.
2. All utility lines passing under a proposed road shall be installed prior to placement of the road base material.
3. All utility lines passing under an existing road shall be placed by boring at a depth of 3 feet and at least 4 feet beyond the edge of pavement, or 1 foot beyond the edge of the shoulder on an unpaved road.
4. Above ground utility fixtures (poles, pedestals, transformers, etc.) shall be located within 2 feet of the right-of-way boundary unless otherwise approved by the County Engineer.
5. Underground utilities parallel to an existing or proposed road shall be a minimum of 3 feet below the surface and within 4 feet of the right-of-way boundary. Unless otherwise approved by the County Engineer.

M. CATTLE GUARDS

This Section is based on The Regulations Exhibit J(5)(o). The following requirements apply to all cattle guards on a road:

1. Cattle guards shall be at least 6 feet in length, measured along the center line of the road, and at least 2 feet wider than the width of the pavement.
2. Deck members shall be either weldable steel tubing 2 3/8 inches outside diameter or relayer rails weighing not less than 70 pounds per yard. Oil field tubing is not acceptable.
3. Support members shall be structural steel shapes of size and section adequate for HS-20 loading with 25% impact allowance. Support sections shall be spaced not more than 31 inches for tubing decks or 48 inches for rail decks.
4. Cattle guards shall be designed as an open flume with ends closed, except where the structure serves as a drainage structure. Closed end structures shall be provided with pit drainage.

N. MAILBOXES

This Section is based on The Regulations Exhibit J(12)(c).

The County encourages the use of clustered mail facilities whenever possible. If such facilities are used, the Developer shall contact the Precinct Commissioner and the United States Postal Service to

determine a suitable location. All mailboxes shall be placed in a manner that does not interfere with the line of vision of motorists.

O. INSPECTIONS AND TESTING

This Section is based on The Regulations Exhibit J(8) and (9).

Inspection and material testing is required at the following stages of development. Tests of all materials shall be performed by an Independent Testing Laboratory at the developer's expense. The developer shall notify the County Engineer to schedule an inspection upon completion of each phase of work described below.

1. Inspections may be performed as needed to confirm information shown on the construction plans before or after the plans are approved.
2. An inspection is performed when grading is complete and subgrade is prepared for receipt of base material. Sub-grade shall be proof rolled with approved compaction equipment to assure uniformity of both cuts and fills. The County Engineer may require density tests to prove compaction has been adequate to obtain maximum density of 95% of AASTHO T180-61 (Standard Proctor).
3. BEFORE delivery of base material to the site, developer shall submit material tests for the base materials indicating conformance with the Regulations, including but not limited to the liquid limit, plasticity index, linear shrinkage, and screen analysis.
4. DURING placement of base material, the developer shall have a sample of the delivered material tested to confirm the material delivered to the site meets the requirements in The Regulations.
5. AFTER base material is compacted, the County Engineer shall witness density testing for each course of compacted base. The base material shall be compacted to a maximum density of 95% of AASHTO T180-61 (Standard Proctor). Optimum moisture content as determined by proctor plus or minus two (2) percent shall be maintained during compaction. Testing shall be performed every 500 linear feet in an alternate lane pattern.
6. A final inspection of completed work shall be performed by the county Engineer as a prerequisite for recommending a certificate of compliance and release of the performance bond. At the final inspection, the following must be completed:
 - a. roads shall be broomed to remove loose material
 - b. all damage shall be satisfactorily repaired
 - c. culverts and ditches shall be clean and free of obstructions
 - d. the right-of-way must be recently mowed
 - e. all signs are installed and in very good condition
 - f. any erosion damage has been satisfactorily repaired
 - g. for public roads, 80% vegetation is established in ditches and right-of-way and temporary erosion control measures have been removed
7. For public roads, interim maintenance and condition inspections will occur during the first year following acceptance of the work by Commissioner's Court.

P. DEVELOPER ROAD DAMAGE AND REPAIR PROVISIONS

This Section is based on The Regulations §4.1(J)(1)(d) and Exhibit E. The Developer shall comply with these road damage and repair provisions.

COUNTY ROAD SYSTEM

The Road System includes the County's: roads, easements, and rights of way; bridges and abutments; driveways, fencing, and gates; bar-ditches, culverts, and drainage areas; traffic signals, delineators, road signs, and other traffic control devices; and all other land, infrastructure, facilities, equipment, and personal property owned or used by the County for its public road and bridge system.

DEVELOPER OBLIGATIONS

The road damage and repair obligations of the Developer described in these provisions shall begin on the date of the subdivision plat or MHRC infrastructure development plan approval, if any, and said obligations shall be effective and enforceable for the periods of project construction, operations, and maintenance.

ROAD SYSTEM USE AND REPAIR

1. Developer is authorized to use all County roads and bridges in the County's Road System for its development project operations.
2. While using the Road System, the Developer shall obtain and maintain in full force and effect all licenses and permits required by federal or state law for the operation of its vehicles, equipment, and accompanying weight loads.
3. Developer shall minimize the disruption to the road system caused by project construction, operation, or maintenance and notify the affected County Commissioner of any proposed disruptions. The developer must submit a temporary traffic control plan and construction schedule to the affected County Commissioner at least 5 business days in advance of a proposed lane closure or 15 business days in advance of a proposed road closure.
4. Developer shall repair at its sole expense (including all required labor, materials, and equipment) any part of the County's Road System which is damaged by a developer-caused damage event during project construction, operation, or maintenance. Repair of said damage shall be completed by the developer within 90 days from the occurrence of the damage event, unless an extension is granted by the County, and must restore the road system to the same or better condition as existing before the damage event.
5. The Developer shall replace any road signs, delineators, or other traffic signals or devices of the County's Road System damaged by the Developer during project construction, operations, or maintenance.
6. Within 10-days after the completion of repairs, the developer shall provide to the County a signed and sealed letter from the developers engineer stating that the repairs and any related improvements were constructed in accordance with Gillespie County Regulations.
7. Developer shall maintain the following insurance coverage, and shall provide insurance coverage certificates to the affected County Commissioner confirming such coverage prior to commencement of any repair activities conducted on the Road System:

- a. liability coverage (naming the County as an additional insured) regarding death, personal injury, and/or property damage in the minimum amount of \$1,500,000.00 per occurrence;
- b. workers' compensation coverage regarding the employees of the Developer (or its contractors or subcontractors) in the minimum amounts required by state law (including self-insurance, if any, authorized by Texas law); and
- c. motor vehicle coverage regarding all vehicles used by the Developer in the minimum amounts required by Texas law.

PART 9 BOND OR OTHER FINANCIAL GUARANTEE REQUIREMENTS

A. PLAT REQUIREMENTS

Per The Regulations §4.1(J)(3), a plat application must be accompanied by a good and sufficient bond for the construction and maintenance of publicly dedicated roads, bridges, culverts, other drainage facilities, or common use areas.

Per The Regulations Exhibit H, in addition to the bond required under §4.1, a plat application for a model subdivision where water and wastewater facilities are not yet constructed must be accompanied by a good and sufficient bond for the construction of the water and wastewater facilities.

B. BOND REQUIREMENTS

This Section is based on The Regulations Exhibit G and Exhibit H(28).

1. Bonds shall be executed by the subdivider and the Surety and shall be payable to the County Judge or his successor.
2. In all subdivisions, a bond shall be provided in an amount equal to the estimated cost of construction of the roads, streets, bridges, culverts, and other drainage facilities. Cost of construction shall include a project management cost equal to at least 10% of the total cost of materials and labor. The cost of construction shall be evidenced by a certified cost estimate provided by an engineer.
3. The bond in paragraph 2 above shall be conditioned on the construction of the roads, streets, bridges, culverts, and other drainage facilities in compliance with The Regulations and that such construction will be completed within 2 years from the date of plat approval.
4. In model subdivisions, an additional bond shall be provided in an amount equal to the construction cost of the water and wastewater facilities + 20% contingency.
5. The bond in paragraph 4 above shall be conditioned on the construction and installation of water and wastewater facilities in compliance with The Regulations and that such construction will be completed within the time stated on the plat, or within any extension of time granted by the Commissioner's Court.
6. The Surety must:
 - a. Be registered with the Texas Secretary of State and be authorized to do business in Texas
 - b. Have authority to issue bonds in the amount required
 - c. Have a rating of at least B from Best's Key Rating Guide or demonstrate eligibility to participate in the surety bond guarantee program of the Small Business Administration of the United States
 - d. Be an approved surety company listed in the current United States Department of Treasury Circular 570

C. FINANCIAL GUARANTEE/LETTER OF CREDIT

This Section is based on The Regulations Exhibit G and Exhibit H(29).

1. A LOC may not be used unless the LOC is irrevocable and issued by an institution guaranteed by the Federal Deposit Insurance Corporation.

2. The LOC shall be executed by the subdivider and the financial institution and shall name the County Judge or his successor as the sole beneficiary.
3. In all subdivisions, a LOC shall be provided in an amount equal to the estimated cost of construction of the roads, streets, bridges, culverts, and other drainage facilities. Cost of construction shall include a project management cost equal to at least 10% of the total cost of materials and labor. The cost of construction shall be evidenced by a certified cost estimate provided by an engineer.
4. The LOC in paragraph 3 above shall be conditioned on the construction of the roads, streets, bridges, culverts, and other drainage facilities in compliance with The Regulations and that such construction will be completed within 2 years from the date of plat approval.
5. In model subdivisions, the LOC shall be in an amount equal to the construction cost of the water and wastewater facilities + 20% contingency.
6. The LOC in paragraph 3 above shall be conditioned on the construction and installation of water and wastewater facilities in compliance with The Regulations and that such construction will be completed within the time stated on the plat, or within any extension of time granted by the Commissioner's Court.
7. For an amount between \$10,000 and \$250,000, the financial institution must meet the following qualifications:
 - a. Banks must be federally insured with a Sheshunoff rating of 10 or better, with primary capital of at least 6% of total assets, and with total assets of at least \$25 million
 - b. Savings and loan associations must be federally insured with a Sheshunoff rating of 30 or better, with tangible capital of at least 1.5% of total assets with total assets greater than \$25 million, or with tangible capital of at least 3% of total assets if total assets are less than \$25 million
 - c. For other financial institutions, the LOC must be 110% collateralized by an investment instrument that would meet the qualifications for a county investment, and the investment instrument must be registered in the County's name, and the County must receive safekeeping receipts for all collateral before the LOC is accepted
8. For an amount over \$250,000, the financial institution must meet the following qualifications:
 - a. Banks must be federally insured with a Sheshunoff rating of 30 or better, with primary capital of at least 7% of total assets, and with total assets of at least \$75 million
 - b. Savings and loan associations must be federally insured with a Sheshunoff rating of 30 or better, with tangible capital of at least 3% of total assets with total assets greater than \$75 million, or with tangible capital of at least 5% of total assets if total assets are less than \$75 million
 - c. For other financial institutions, the LOC must be 110% collateralized by an investment instrument that would meet the qualifications for a county investment, and the investment instrument must be registered in the County's name, and the County must receive safekeeping receipts for all collateral before the LOC is accepted.

D. MAINTENANCE BOND

This Section is based on The Regulations Exhibit G.

Guidebook Page 40

GUIDEBOOK ONLY - REFER TO THE GILLESPIE COUNTY SUBDIVISION AND MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS FOR A FULL DESCRIPTION OF THE ADOPTED REGULATIONS

Updated 1/13/2025

1. Before release of the performance bond or financial guarantee, the Developer shall furnish the County a maintenance bond for any infrastructure being dedicated to and accepted by Gillespie County for maintenance.
2. The maintenance bond must be:
 - a. Executed by the subdivider and a surety company holding a license to do business in the State of Texas,
 - b. Made payable to the County Judge or his successor in office,
 - c. In an amount equal to 30% of the total construction cost, and
 - d. Have an effective date for a period of at least 1 year after final acceptance by the Commissioner's Court.
3. The maintenance bond shall provide for the proper maintenance of all roads, streets, bridges, culverts, and other drainage facilities dedicated to Gillespie County.
4. Proper maintenance shall include, but not be limited to:
 - a. Repair of degradation of or damage to the road surface caused by traffic, weather events, or drainage by others
 - b. Removal of spilled concrete, mud, and other debris on the road or in drainage ways
 - c. Repair of damage caused by unknown springs, pumping, and unraveling
 - d. re-sodding eroded areas
 - e. the installation of additional concrete riprap where designated by the County to permanently prevent erosion

PART 10 ENFORCEMENT AND INSPECTION

A. ENFORCEMENT

This Section is based on The Regulations §6.1.

See The Regulations for more information on enforcement remedies and penalties.

All applicable civil enforcement remedies and penalties, criminal enforcement remedies and penalties, and litigation recovery rights (whether legal, equitable, or mixed) authorized by these Regulations, or by Texas or federal law, are hereby adopted, approved and shall be implemented for a violation or threatened violation of these Regulations. See The Regulations §6.1 for more information.

B. INSPECTION

This Section is based on The Regulations §6.2.

See The Regulations for more information on inspection authorization.

The County's officers, employees, agents, or consultants, as determined by the Commissioners Court, are authorized to: inspect proposed or active development projects to determine compliance with these Regulations; and make recommendations to the Commissioners Court regarding violations or threatened violations of the Regulations or other applicable authority pertaining to land development in the unincorporated area of Gillespie County, Texas.

VOLUNTARY PRELIMINARY PLAT REVIEW FORM

A PRELIMINARY PLAT REVIEW IS NOT REQUIRED BUT HIGHLY ENCOURAGED DUE TO THE EXPENSE AND TIME THAT IS INCURRED BY THE DEVELOPER IN PREPARING AND SUBMITTING A COMPLETE FINAL PLAT APPLICATION

PROPOSED SUBDIVISION NAME: _____

GCAD PROPERTY ID(s): _____

COMMISSIONER PRECINCT: _____

TOTAL TRACT SIZE: _____

NUMBER OF LOTS/PARTS: _____

SMALLEST LOT/PART SIZE: _____

WATER/SEWER PROVIDED BY: _____

ELECTRIC/GAS PROVIDED BY: _____

DEVELOPER

NAME, TITLE _____

COMPANY _____

ADDRESS _____

EMAIL/PHONE _____

ENGINEER

NAME _____

COMPANY _____

ADDRESS _____

EMAIL/PHONE _____

SURVEYOR

NAME _____

COMPANY _____

ADDRESS _____

EMAIL/PHONE _____

The documents listed on the next page are required to be submitted to Gillespie County for review with this Voluntary Preliminary Plat Review Form. Incomplete preliminary plat review forms will be returned to the developer without review. Please indicate whether each document was submitted (yes) or not applicable to this subdivision (n/a). Provide justification for all documents marked n/a.

THE DEVELOPER HEREBY CERTIFIES AND STATES THE FOLLOWING:

I request to obtain a preliminary review of the above-mentioned proposed subdivision. I acknowledge that participation in this procedure is strictly voluntary and submission of any site plans, plats, or other documents during this procedure does not imply or constitute the submission of a completed plat application as required by the Gillespie County Subdivision Regulations for final plat approval. I also acknowledge that approval of a preliminary plat does not imply or constitute approval of the final plat by Commissioner’s Court.

Developer _____ Date _____

Printed Name _____

PRELIMINARY PLAT CHECKLIST

Yes	N/A	
		This Preliminary Plat Review Form, completed and executed (1 pdf)
		A Preliminary Plat in accordance with The Regulations (1 pdf)
		Request(s) for Variance, or evidence of a previously approved variance (1 pdf)
		Preliminary Infrastructure Plans (1 pdf) showing: <ul style="list-style-type: none"> • existing and proposed contour lines at 5-foot intervals for terrain with a slope of 2% or more, 2-foot intervals for terrain with a slope less than 2%, and extending 100 feet into the area adjacent to the subdivision • flowlines of existing and proposed drainage areas • location of existing 100-year floodplain boundaries • existing and proposed outfall locations and structures • schematic layout and dimensions of proposed streets and driveways • schematic layout of proposed public water and sewer utilities, if applicable

COUNTY USE ONLY

RECEIVED BY:

Representative _____ Date _____

Administratively Complete Administratively Incomplete (not reviewed)

Action: Approved Approved with Conditions Denied No Action

ACTION BY COMMISSIONERS COURT (if required):

Date of Court Hearing: _____

Action: Approved Approved with Conditions Denied No Action

NOTES:

SUBDIVISION PLAT CHECKLIST

THE PLAT AND ALL SUPPORTING DOCUMENTS MUST BE IN COMPLIANCE WITH THE REGULATIONS.
PLEASE FILL OUT AND SUBMIT THE RELEVANT CHECKLIST WITH THE PLAT APPLICATION – ALL DOCUMENTS MAY BE
SUBMITTED IN .PDF FORMAT UNLESS OTHERWISE SPECIFIED.

[Remainder of this page intentionally left blank]

Yes	N/A	FINAL PLAT OR REPLAT (NOT MODEL SUBDIVISIONS)	Page 1 of 1
		Subdivision Plat Application, completed and executed	
		Final Plat (1 mylar, 1 hard copy, and 1 digital copy in .pdf and .shp or .dwg), completed and executed by all the proper parties	
		Request(s) for Variance, or evidence of a previously approved variance	
		Approval from Gillespie County Rural Addressing for all road names	
		Approval from TxDOT for all proposed access off of a state highway	
		Written evidence in the form of a tax certificate or other tax entity issued document that an ad valorem tax liability does not exist on the land being subdivided	
		Payment of plat review fee (3 rd party review fees are due prior to plat approval)	
		Executed performance bond in accordance with The Regulations (1 original copy)	
		Road and Drainage Construction Plans and Calculations	
		Drainage Study (required if the average lot size is less than 10 acres)	
		Flood Study in accordance with the County's Flood Damage Prevention Ordinance	
		Traffic Impact Study (required if 100 PHT are generated by the total development)	
		<p>IF THE SUBDIVISION IS SERVED BY PRIVATE WATER:</p> <ol style="list-style-type: none"> 1. Attach a copy of the Groundwater Availability Study. 2. TCEQ Certification of Groundwater Availability for Platting Form (TCEQ-20982) 3. TCEQ Plat Attesting Form (TCEQ-20983) 4. Provide a letter of recommendation from the HCUWCD for approval of the subdivision based on the results of a Groundwater Availability Study. 	
		<p>IF THE SUBDIVISION IS SERVED BY PRIVATE WASTEWATER:</p> <ol style="list-style-type: none"> 1. Attach all reports, studies, plans, drawings, and specifications related to the construction of the private wastewater facilities. 2. Provide a letter from the County Sanitation Department stating that each lot can be adequately served by OSSF. 	
		<p>IF THE SUBDIVISION IS SERVED BY PUBLIC WATER:</p> <ol style="list-style-type: none"> 1. Identify the service provider and attach all reports, studies, plans, drawings, and specifications related to the construction of the public water facilities. 2. Provide proof of TCEQ approval of the public water system. 3. Provide proof of a CCN issued by TCEQ or the Texas Public Utility Commission. 4. Provide a letter of recommendation from the HCUWCD for approval of the subdivision based on the results of a Groundwater Availability Study. 5. Provide the executed agreement with the service provider if connecting to an existing system. 	
		<p>IF THE SUBDIVISION IS SERVED BY PUBLIC WASTEWATER:</p> <ol style="list-style-type: none"> 1. Identify the service provider and attach all reports, studies, plans, drawings, and specifications related to construction of the public wastewater facilities. 2. Provide proof of TCEQ approval of the public wastewater system. 3. Provide the executed agreement with the service provider if connecting to an existing system. 	
		Certification from the electric utility service provider that electric service can be made available to all lots in the subdivision, and that the easements shown on the plat are of sufficient nature, shape, and size to accommodate electric utility service to all lots in the subdivision	
		Certification from the gas utility service provider, if provided, that gas service can be made available to all lots in the subdivision, and that the easements shown on the plat are of sufficient nature, shape, and size to accommodate gas utility service to all lots in the subdivision	

Yes	N/A	FINAL PLAT OR REPLAT (MODEL SUBDIVISION)	Page 1 of 2
		Subdivision Plat Application, completed and executed	
		Final Plat (1 mylar, 1 hard copy, and 1 digital copy in .pdf and .shp or .dwg), completed and executed by all the proper parties	
		Request(s) for Variance, or evidence of a previously approved variance	
		Approval from Gillespie County Rural Addressing for all road names	
		Approval from TxDOT for all proposed access off of a state highway	
		Written evidence in the form of a tax certificate or other tax entity issued document that an ad valorem tax liability does not exist on the land being subdivided	
		Payment of plat review fee (3 rd party review fees are due prior to plat approval)	
		Executed performance bond in accordance with The Regulations (1 original copy)	
		Road and Drainage Construction Plans and Calculations	
		Drainage Study (required if the average lot size is less than 10 acres)	
		Flood Study in accordance with the County's Flood Damage Prevention Ordinance	
		Traffic Impact Study (required if 100 PHT are generated by the total development)	
		<p>IF THE SUBDIVISION IS SERVED BY PRIVATE WATER:</p> <ol style="list-style-type: none"> 1. Attach a copy of the Groundwater Availability Study. 2. TCEQ Certification of Groundwater Availability for Platting Form (TCEQ-20982) 3. TCEQ Plat Attesting Form (TCEQ-20983) 4. Provide a letter of recommendation from the HCUWCD for approval of the subdivision based on the results of a Groundwater Availability Study. 5. Engineer's certification that the water quality of the water meets the standards set forth in 30 TAC §§290.104, 290.106, 290.108, and 290.109 	
		<p>IF THE SUBDIVISION IS SERVED BY PRIVATE WASTEWATER:</p> <ol style="list-style-type: none"> 1. Attach all reports, studies, plans, drawings, and specifications related to the construction of the private wastewater facilities. 2. Provide a letter from the County Sanitation Department stating that each lot can be adequately served by OSSF. 	
		<p>IF THE SUBDIVISION IS SERVED BY PUBLIC WATER:</p> <ol style="list-style-type: none"> 1. Identify the service provider and attach all reports, studies, plans, drawings, and specifications related to the construction of the public water facilities. 2. Provide proof of TCEQ approval of the public water system. 3. Provide proof of a CCN issued by TCEQ or the Texas Public Utility Commission. 4. Provide a letter of recommendation from the HCUWCD for approval of the subdivision based on the results of a Groundwater Availability Study. 5. Provide the executed agreement with the service provider if connecting to an existing system. 	
		<p>IF THE SUBDIVISION IS SERVED BY PUBLIC WASTEWATER:</p> <ol style="list-style-type: none"> 1. Identify the service provider and attach all reports, studies, plans, drawings, and specifications related to construction of the public wastewater facilities. 2. Provide proof of TCEQ approval of the public wastewater system. 3. Provide the executed agreement with the service provider if connecting to an existing system. 	

CONTINUED ON NEXT PAGE

Yes	N/A	FINAL PLAT OR REPLAT (MODEL SUBDIVISION)	Page 2 of 2
		<p>IF WATER AND/OR WASTEWATER FACILITIES ARE NOT YET CONSTRUCTED:</p> <ol style="list-style-type: none"> 1. Engineering OPCC to install water and wastewater service facilities 2. Engineering report discussing the availability and methodology of providing water and wastewater facilities to individual lots, including a construction schedule with start and completion dates 3. Agreement with the County in substantially the form attached in Appendix 2A of 31 TAC §364.54 secured by a bond for construction of water and wastewater facilities + 20% contingency 	
		<p>IF A GREYWATER SYSTEM(S) IS PROPOSED:</p> <ol style="list-style-type: none"> 1. An approved permit issued by TCEQ or the County OSSF Department for the greywater facilities, as applicable 	
		<p>Certification from the electric utility service provider that electric service can be made available to all lots in the subdivision, and that the easements shown on the plat are of sufficient nature, shape, and size to accommodate electric utility service to all lots in the subdivision</p>	
		<p>Certification from the gas utility service provider, if provided, that gas service can be made available to all lots in the subdivision, and that the easements shown on the plat are of sufficient nature, shape, and size to accommodate gas utility service to all lots in the subdivision</p>	

Yes	N/A	AMENDING PLAT	Page 1 of 1
		Subdivision Plat Application, completed and executed	
		Final Plat (1 mylar, 1 hard copy, and 1 digital copy in .pdf and .shp or .dwg), completed and executed by all the proper parties	
		Request(s) for Variance, or evidence of a previously approved variance	
		Approval from TxDOT for all proposed access off of a state highway	
		Written evidence in the form of a tax certificate or other tax entity issued document that an ad valorem tax liability does not exist on the land being subdivided	
		Payment of plat review fee (3 rd party review fees are due prior to plat approval)	
		Other documents as deemed necessary by the County Engineer based on the scope of the proposed amendment	

MANUFACTURED HOME RENTAL COMMUNITY CHECKLIST

THE MHRC APPLICATION AND ALL SUPPORTING DOCUMENTS MUST BE IN COMPLIANCE WITH THE REGULATIONS. PLEASE FILL OUT AND SUBMIT THE RELEVANT CHECKLIST WITH THE MHRC APPLICATION – ALL DOCUMENTS MAY BE SUBMITTED IN .PDF FORMAT UNLESS OTHERWISE SPECIFIED.

[Remainder of this page intentionally left blank]

Yes	N/A	MANUFACTURED HOME RENTAL COMMUNITIES	Page 1 of 1
		MHRC Application, completed and executed	
		Request(s) for Variance, or evidence of a previously approved variance	
		Approval from Gillespie County Rural Addressing for all road names	
		Approval from TxDOT for all proposed access off of a state highway	
		Written evidence in the form of a tax certificate or other tax entity issued document that an ad valorem tax liability does not exist on the land being developed	
		Payment of MHRC review fee (3 rd party review fees are due prior to MHRC approval)	
		Infrastructure Development Plan (1 hard copy, and 1 digital copy in .pdf and .shp or .dwg) including: <ol style="list-style-type: none"> 1. Road and Drainage Construction Plans and Calculations 2. Location and design of all water facilities and service lines 3. Location and design of all wastewater facilities and service lines 4. Developer acknowledgement of restrictions on construction, occupancy, and utility services. 5. Land Survey Including the (a) MHRC boundaries, (b) proposed location of all spaces, lots, or other parts of the MHRC, (c) proposed and existing utility, road, and drainage easements, (d) dedications of easements and ROW, (e) floodplain boundaries, and (f) a note prohibiting conveyance unless the development is platted. 	
		Drainage Study (required if the average space size is less than 10 acres)	
		Flood Study in accordance with the County's Flood Damage Prevention Ordinance	
		Traffic Impact Study (required if 100 PHT are generated by the total development)	
		IF THE MHRC IS SERVED BY PRIVATE WATER: <ol style="list-style-type: none"> 1. Attach a copy of the Groundwater Availability Study. 2. Provide a letter of recommendation from the HCUWCD for approval of the MHRC based on the results of a Groundwater Availability Study. 	
		IF THE MHRC IS SERVED BY PRIVATE WASTEWATER: <ol style="list-style-type: none"> 1. Attach all reports, studies, plans, drawings, and specifications related to the construction of the private wastewater facilities. 2. Provide a letter of recommendation from the County Sanitation Department for approval of the MHRC based on the reports, studies, and other information listed above. 	
		IF THE MHRC IS SERVED BY PUBLIC WATER: <ol style="list-style-type: none"> 1. Identify the service provider and attach all reports, studies, plans, drawings, and specifications related to the construction of the public water facilities. 2. Provide proof of TCEQ approval of the public water system. 3. Provide a letter of recommendation from the HCUWCD for approval of the MHRC based on the results of a Groundwater Availability Study. 4. Provide the executed agreement with the service provider if connecting to an existing system. 	
		IF THE MHRC IS SERVED BY PUBLIC WASTEWATER: <ol style="list-style-type: none"> 1. Identify the service provider and attach all reports, studies, plans, drawings, and specifications related to construction of the public wastewater facilities. 2. Provide proof of TCEQ approval of the public wastewater system. 3. Provide the executed agreement with the service provider if connecting to an existing system. 	
		Certification from the electric utility service provider that electric service can be made available to all spaces in the MHRC, and that the easements shown on the plan are of sufficient nature, shape, and size to accommodate electric utility service to all spaces in the MHRC	
		Certification from the gas utility service provider, if provided, that gas service can be made available to all spaces in the MHRC, and that the easements shown on the plan are of sufficient nature, shape, and size to accommodate gas utility service to all spaces in the MHRC	

FEE SCHEDULE

The fee schedule below is based on the fee schedule in The Regulations Exhibit D.

1. Application fees shall be paid at the time the application is submitted.
2. The County requires all third-party engineering review fees and inspections costs, if any, to be paid by the Developer prior to application approval.
3. Recording fees shall be paid to the County Clerk by the Developer upon application approval.
4. Fees are payable by check made payable to Gillespie County, or any other method of payment accepted by the County.

ITEM	FEE
Recording Fee	Contact the Gillespie County Clerk's Office
Third Party engineering review fee	Actual Cost
Inspection Fee	Actual Cost
Subdivision Plat and MHRC developments	
• 1-4 lots	\$500 + \$100/lot
• 5-20 lots	\$1,000 + \$100/lot
• 21-40 lots	\$2,000 + \$100/lot
• 41+ lots	\$3,000 + \$100/lot
Replat	
• 1-4 lots	\$500 + \$100/lot
• 5-20 lots	\$1,000 + \$100/lot
• 21-40 lots	\$2,000 + \$100/lot
• 41+ lots	\$3,000 + \$100/lot
Amending Plat	\$100/lot

VARIANCE REQUEST FORM

DEVELOPMENT NAME (if applicable): _____

GCAD PROPERTY ID(s): _____

COMMISSIONER PRECINCT: _____

REQUESTOR:

Name _____ Email _____

Company _____ Phone _____

DOCUMENT TYPE : Preliminary Plat Final Plat MHRC Other _____

REQUESTED VARIANCE:

Variance being Requested (reference the specific section/paragraph of the applicable regulations):

What special circumstances or conditions affect the land involved such that the strict interpretation of the provisions of these regulations would deprive you of a privilege or use enjoyed by similarly timed developments of the same nature and scope?

Does the variance constitute only a minimum departure from the regulations and comply with all other state or federal laws? Please explain.

Will the granting of relief not be detrimental to the public's health, safety, and orderly development of other land in Gillespie County? Please explain.

***FINANCIAL HARDSHIP IS NOT A PERMISSIBLE JUSTIFICATION**

***attach proof that an ad valorem tax delinquency does not exist on the subject property**

***attach exhibits/photos/evidence to this form as necessary**

Requestor Signature

Date