

AMENDMENT to the Subdivision and Manufactured Home Rental Community Regulations for Gillespie County, Texas effective on December 23, 2024.

1. Article 4, Section 4.1(L)(4)(d)(i) shall be revised to read as follows:
 - (i) *The total number of lots permitted in a subdivision shall not exceed the total acreage in the subdivision divided by **eight (8)** when individual water wells are planned to be the primary source of potable water. Any future request for a replat of a subdivision, or any part thereof, approved under this regulation shall not be approved if the resulting average lot size in the whole subdivision is less than the total subdivision acreage divided by **eight (8)**.*

2. Article 4, Section 4.1(L)(4)(d)(ii)(1) shall be revised to read as follows:
 - (1) ***Six (6)** acres for lots where individual water wells are planned to be the primary source of potable water;*

3. Article 4, Section 4.2(A)(2)(c) shall be revised to read as follows:
 - (c) *a subdivision plat is not required if: (i) the division of land is by sale or exchange with an adjoining owner; and (ii) the smaller of the resulting tracts is at least **6 acres** and the average size of the resulting tracts is at least **8 acres**; but provided however that (iii) this exception does not apply if the division of land will (1) change the boundary between two legally platted lots, or (2) decrease the area of land described in a legally platted subdivision; and*

4. Article 5, Section 5.1(C) shall be amended to include paragraph 5 as follows:
 - (5) *In accordance with Texas Water Code §35.019 to protect, conserve, and manage groundwater resources in Gillespie County, the total number of manufactured homes permitted in a MHRC shall not exceed the tract's development acreage times four (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.*

5. Article 5 shall be amended to include Section 5.6 as follows:

§5.6 MHRC Waiver.

 - (A) *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.*

- (B) *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.).*
- (C) *The criteria listed in Section 5.6(A) 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.*
- (D) *If a MHRC Waiver is granted, an MHRC Application must still be submitted for review and approval under the processes described in this Article. An MHRC with an approved MHRC Waiver must*
- 1. submit a site plan of the development as described in paragraph (B) above,*
 - 2. construct a 20' wide paved or unpaved road meeting the construction requirements in Exhibit J,*
 - 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.*

6. Appendix D, Section (1)(b), (c), and (d) shall be revised to read as follows:

(b) *MHRC application fees shall be paid to the County by the Developer at the time of MHRC application submission – but recording fees pertaining to an approved MHRC infrastructure development plan shall be paid to the County clerk by the Developer upon plan recordation.*

(c) *The County shall require: (i) financial reimbursement regarding all third-party engineering review fees and inspection costs, if any, incurred by the County for its review of a Developer's submitted subdivision plat (including a replat) or MHRC application and the supporting documents pertaining thereto; and (ii) said financial reimbursement shall be paid by the Developer after having received written notice from the County of the incurred fees and costs, and before a decision is made by the County regarding approval of the submitted plat (including a replat) or MHRC application.*

(d) *All fee and cost amounts shall be paid in full by cashier's check or money order, payable to the order of Gillespie County, Texas, and shall be timely delivered by hand, courier, or mail to : (i) regarding subdivision plat (including replat) and MHRC application fees and costs – to the office of the County Judge described in §1.3 of the Regulations; and (ii) regarding recording fees for approved subdivision plats (including replats) and approved MHRC infrastructure development plans – to the office of the Gillespie County Clerk, Gillespie County Courthouse, 101 West Main Street, Mail Unit 13, Room 109, Fredericksburg, Texas 78624-3700 (telephone 830-997-6515).*

7. Appendix D, Section (2)(a) shall be revised to read as follows:
 - (a) Regarding a subdivision plat *(including a replat, but not an amending plat) or MHRC application*, the following fees are required:
8. Appendix D, Section (2)(a)(ii) shall be revised to read as follows:
 - (ii) The reimbursement of all third-party engineering review and inspection costs, if any, incurred by the County regarding its review of the Developer submitted plat *or MHRC application* and supporting documents; and
9. Appendix D, Section (2)(b) shall be revised to read as follows:
 - (b) Regarding a subdivision *amending plat* the following fees are required:
10. Appendix D, Section (2)(b)(i) and (ii) shall be revised to read as follows:
 - (i) A base application fee of \$100.00 per affected lot on the *amending plat*
 - (ii) The reimbursement of all third-party engineering review and inspection costs, if any, incurred by the County regarding its review of the submitted *amending plat* and supporting documents; and

County Judge
Gillespie County, Texas

ATTEST:

County Clerk
Gillespie County, Texas