



LLANO COUNTY SUBDIVISION REGULATIONS

Approved and Adopted by Commissioners Court

_____ , ____ , 2020

(October 27, 2008; May 12, 2008; June 11, 2007; July 24, 2006; September 12, 2005; May 23, 2005; November 13, 1995)





THE COUNTY OF LLANO

LLANO, TEXAS 78643

**ORDER ADOPTING CHAPTER 232, SUBCHAPTER E, TEXAS LOCAL GOVERNMENT CODE
FOR THE UNINCORPORATED AREA OF LLANO COUNTY**

WHEREAS, the Llano County Commissioners Court and citizens of Llano County desire to promote the health, safety, morals and general welfare for the unincorporated area of the county, and;

WHEREAS, the Llano County Commissioners Court and the citizens of Llano County desire the safe, orderly and healthful development of the unincorporated area of the county, then;

BE IT HEREBY ORDERED, by majority vote of the Llano County Commissioners Court, that Chapter 232, Subchapter E of the Texas Local Government Code and the attached Subdivision Regulations including all appendixes be utilized by Llano County to promote the health, safety, morals and general welfare of the county and the safe, orderly and healthful development of the unincorporated area of the county. So be it ordered this ___ day of _____, 2020.

Ron Cunningham, Llano County Judge

Attest: _____
Marci Hadel, Llano County Clerk

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LLANO COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS

ARTICLE 1. INTRODUCTION

1. Preamble and Purpose

- A. These Subdivision and Development Regulations including Appendixes have been adopted by Order of Llano County Commissioners Court to provide a framework for the orderly and efficient development of rural and suburban Llano County.
- B. These Subdivision Regulations have been adopted based on the following findings:
- (1) The Commissioners Court of Llano County has the authority to regulate the subdivision process pursuant to Local Government Code § 232.001 et. seq.;
 - (2) The Commissioners Court of Llano County has been designated by the Texas Commission on Environmental Quality as the authorized agent for the licensing and regulation of on-site sewerage facilities within Llano County and these Regulations are a necessary component of such regulation;
 - (3) The Commissioners Court of Llano County has the authority and obligation to exercise general control over the roads, highways, bridges and related drainage structures and development within Llano County;
 - (4) The Commissioners Court of Llano County has been granted the authority and responsibility under the Federal Emergency Management Act to administer floodplain development regulations within the County and to regulate associated development;
 - (5) The Commissioners Court of Llano County has considered the potential pollution, nuisances and injury to public health that could be caused by the use of private sewerage facilities within the County and has adopted these Regulations to abate or prevent the potential pollution, nuisances or injury to public health;
 - (6) The Commissioners Court of Llano County has the authority and obligation to protect the public health, safety and welfare of the citizens of Llano County;
 - (7) These Regulations are enacted to implement the powers conveyed to counties under the laws of the State of Texas, including but not limited to:
Tex. Transportation Code Ann., Chapter 251 (general control over all roads, highways and bridges);
Tex. Health and Safety Code Ann., Chapter 364 (County solid waste disposal systems);
Tex. Utilities Code Ann., Sections 181.021-.026 (regulation of gas utility lines within county right-of-way);
Tex. Health and Safety Code Ann., Chapter 366 (authority to adopt standards for on-site sewerage facilities);
Tex. Health and Safety Code Ann., Chapter 365 (regulation of public highways for litter control), Tex. Local Gov't Code Ann. Chapter 232 (Authority to adopt and enforce subdivision regulations and require plat approval), Tex. Local Gov't Code Ann. Section 242.001 (authority to regulate subdivisions pursuant to all statutes applicable to counties within the extraterritorial jurisdiction of municipalities), Tex. Health and Safety Code Sections 121.003 and 122.001 (authority to enforce laws and appropriate funds necessary to protect public health), Tex. Water Code Ann. Section 16.311, et seq. (authority to set standards for construction within floodplain and to guide development of future development to minimize damage caused by

floods), Tex. Water Code Ann. Chapter 54 (municipal utility districts), Tex. Water Code Chapter 26 (Water Quality Control), and Tex. Water Code Sections 26.171 and 26.175 (regulation of water quality by counties);

- (8) The Commissioners Court has considered the potential burden on landowners and taxpayers of substandard development or poor quality road construction; and
 - (9) These Regulations are enacted to preserve, protect and promote the health, safety, morals or general welfare of the county and the safe, orderly, and healthful development of the unincorporated area of the county.
- C. The Commissioners Court of Llano County, following public notice, investigation and hearing, has declared and hereby declares these Regulations to be necessary and appropriate to accomplish the purposes and goals enumerated above.
- D. Approval/Disapproval Authority: All required actions under these Regulations including but not limited to Reporting, Plans, Platting, Re-platting, Permitting, shall be processed for Approval/Disapproval decision by the Commissioners Court unless approval/disapproval is specifically delegated in writing by the Commissioner's Court.
- (1) Delegation of Authority is an administrative procedure internal to the County and may be changed from time to time if approved by the Commissioners Court. Such changes do not require a public hearing and is solely at the discretion of the Commissioners Court. Authority is shown at FIGURE 1 – Llano County Approval/Disapproval Authority Matrix.
 - (2) If there is question about authority to Approve/Disapprove an action, then it shall be submitted by written and signed letter to the County Judge.
 - (3) Applicants may appeal any delegated decision to the Commissioners Court by written and signed letter to the County Judge.

FIGURE 1: Llano County Approval/Disapproval Authority Matrix

LLANO COUNTY APPROVAL/DISAPPROVAL MATRIX

The purpose of this matrix is to direct individuals to the correct departments of Llano County for specific types of development.

<u>Action</u>	<u>County Staff</u>	<u>Precinct Commissioner</u>	<u>Commissioners Court</u>	<u>Others</u>
Non-fee general development Applications	X			
Fee Permits	X			X
Plans (Land rentals for commercial use, MHR, Non-residential/ mixed use - Commercial)	X	X –Comments & Info	Info Only if Precinct Commissioner Requests Briefing to CC	X
Plats			X	
Re-Plats			X	
Floodplain Development Permits	X			X
Road and Bridge specifications	X			
911 Addressing	X			
Septic Permits	X			X
Variances			X	
Appeals			X	

NOTE: “Others” may include Texas Commission on Environmental Quality(TCEQ) Lower Colorado River Authority (LCRA), Texas Water Development Board (TWDB), and Federal Emergency Management Agency / Texas Division of Emergency Management (FEMA/TDEM). FIGURE 1 – Llano County Approval Matrix, is an internal County administrative procedure; and may be changed from time to time by the Commissioner’s Court without a public hearing.

Figure 2: Office and Staff Participation Matrix

LLANO COUNTY OFFICE AND STAFF PARTICIPATION MATRIX

The purpose of this matrix is to indicate what County Offices or other Agencies roles are in specific types of development in Llano County.

Office & Staff	A	B	C	D	E	F	G	H	I	J	Notes: A = Action; L = Lead; R = Review; M = Meeting; I = Info;
1 Applications		L	R				M				Appendix E, F, G, H
2 Non-Floodplain		L	R				I				
3 Floodplain Determination		L	R	R			I				
4 OSSF		L					I				
5 911 Addressing		R	L				I				
6 Platting, Replatting	L	R	R	R			R	A	A		Appendix E, F
8 Variances	R	L	R	R			R	A	A		Appendix I
9 Cancellation of Subdivision	R	L	R	R	R	R	R	A	A		Appendix J

- A. County Surveyors Office
- B. Development Services Department
- C. 911 & Emergency Management
- D. Road and Bridge
- E. Sheriff's Office
- F. EM / Fire Marshall
- G. Precinct Commissioners
- H. Commissioners Court
- I. County Judge
- J. Other

NOTE: "Others" may include TCEQ (Texas Commission on Environmental Quality), LCRA (Lower Colorado River Authority), TWDB (Texas Water Development Board), and FEMA/TDEM (Federal Emergency Management Agency / Texas Division of Emergency Management). FIGURE 3 – Office and Staff Participation Matrix, is an internal County administrative procedure; and may be changed from time to time by the Commissioner's Court without a public hearing.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF LLANO TEXAS, AS FOLLOWS:

2. **General Provisions**

- A. **Short Title.** This order and subsequent amendments shall be known as the "Subdivision Regulations" of Llano County, Texas.
 - B. **Jurisdiction.** No person shall create a subdivision in Llano County outside of the corporate limits of any municipality without complying with the provisions of this Order. If the County and a municipality enter into a written agreement under Section 242.001 of the Local Government Code which authorizes the municipality to regulate subdivision plats and approve related permits in the municipality's extraterritorial jurisdiction, then the land in the municipality's extraterritorial jurisdiction is not considered to be within the jurisdiction of the County. All plats and subdivisions of any such land within the County's jurisdiction shall conform to the rules and regulations herein set forth.
 - C. **Interpretation and Purposes.** In the interpretation and application, the provisions of this Order shall be deemed to be the minimum requirements, and whenever the principles, standards or requirements of other orders of Llano County, the more restrictive order shall control.
 - D. **Applicability.** Platting Requirements apply when the tract of land being divided meets the definition of a subdivision as defined by these rules.
 - E. **Acceptance of Road Dedications.** Approval of a plat by the Commissioner's Court shall not be deemed an acceptance of the proposed dedications, if any, shown thereon, and shall not impose any duty upon the County concerning maintenance or improvements of any such dedications. The Commissioners Court will determine which dedications will be accepted for county maintenance. The enforcement of any plat or deed restrictions is the responsibility of the Subdivider and property owners in the subdivision. It is the obligation of the developer to organize the Property/Homeowners Association for the purpose of infrastructure maintenance.
3. **Definitions.** For the purpose of this Order, the terms, phrases, words, and their derivations used in these regulations shall have the meaning as stated in Appendix A. When not inconsistent with the context, words used in the present tense include the future; words used in the plural include the singular number. The word "shall" and "will" are always mandatory, while the word "may" is merely permissive. As used herein, singular nouns and pronouns shall include the plural, and the masculine gender shall include the feminine gender, where necessary for a proper understanding of these Rules. Definitions not expressly prescribed herein are to be construed in accordance with customary usage in governmental planning and engineering practices.
4. **Enforcement.** In addition to any other remedy provided by law, at the request of the Commissioner's Court, the County Attorney or other attorney may file an action in a court of competent jurisdiction to:
- (1) enjoin the violation or threatened violation of a requirement established by, or adopted by the commissioners court under a preceding section of this chapter; or
 - (2) recover damages in an amount adequate for the county to undertake any construction or other activity necessary to bring about compliance with a requirement established by, or adopted by the commissioner's court under a preceding section of this chapter.

Pursuant to Chapter 232.005(b), an offense under these regulations is a Class B misdemeanor punishable by fine or imprisonment or both.

5. **Special Provisions.**

It shall be unlawful for the Llano County Clerk to record the Final Plat or replat, unless and until the same shall have been approved by the Llano County Commissioners Court and signed by the County Judge.

6. **Legal Provisions.**

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

B. **Severability Clause.** If any provision of this Order, or the application thereof to any person or circumstance(s) is held invalid, the remainder of the Order, and the application of such provision to other persons or circumstances, shall not be affected thereby.

7. **Guarantee of Performance.** No plat of any subdivision shall receive final approval unless the subdivider has complied or provided for compliance with the policies and procedures set forth in these regulations as they may be applicable. Until these policies and procedures have been complied with by the subdivider and the plat approved by the Commissioners Court as herein required, no septic system permit or development permit shall be issued by the Llano County Development Services Department as to any property in an unrecorded subdivision developed subsequent to this Order.

8. **Acceptance by Commissioners Court of Subdivision Streets built prior to June 26, 2006 for County maintenance and Public Subdivision streets subsequent to the date of this Order.**

A. Main arterial roads within any subdivision established prior to June 26, 2006 must have been dedicated to the public.

B. Only the main arterial roads with a minimum 50 foot right-of-way in a subdivision will be considered for maintenance acceptance.

C. Request for acceptance as county roads, must be by written petition signed by a majority of the property owners and/or the authorized representative of the subdivision association and/or the governmental trustees or entity.

D. It shall be unlawful for commissioners to maintain the streets and roads in any subdivision, and Llano County will not accept or maintain said street and roads in any subdivision, unless and until such streets and roads have been constructed as specified in these regulations or regulations in effect at the time subdivision was established and the required utilities and drainage facilities have been installed, and such improvements have been accepted by order in writing by the Llano County Commissioners Court in open session.

9. **Exceptions to Plat Requirement**

Persons dividing property based on the following section should be aware of lot sizing requirements based on regulations relating to the Llano County Regulations for On-site Sewage Facilities.

A. All provisions of Section 232.0015 of the Texas Local Government Code, as now in effect or hereafter amended, are hereby incorporated by reference. If a conflict exists between these Rules and the provisions of said statute, the provisions of said statute shall control over these Rules. In accordance with Local Government Code, a subdivision plat is not required if the owner of a tract of land divides the tract into two or more parts as follows:

- (1) the owner does not lay out a part of the tract for streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts; and
 - (2) the land is to be used primarily for agricultural use, as defined by Section 1-d, Article VIII, Texas Constitution, or for farm, ranch, wildlife management, or timber production use within the meaning of Section 1-d-1, Article VIII, Texas Constitution.
 - (3) If a tract described by Subsection 2 ceased to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, the platting requirements of this regulation apply.
- B. The division of a tract of land located outside the limits of a municipality into four or fewer parts and does not lay out a part of the tract for streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts, and if each of the lots is to be sold, given, or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity, as determined under Chapter 573, Government Code. If any lot is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree by consanguinity or affinity, the platting requirements of this regulation shall apply.
- C. The division of a tract of land located outside the limits of a municipality into two or more parts if:
- (1) all of the lots of the subdivision are more than 10 acres in area; and
 - (2) the owner does not lay out a part of the tract for streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts
- D. The division of a tract of land located outside the limits of a municipality into two or more parts and does not lay out a part of the tract for streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts if all the lots are sold to veterans through the Veteran's Land Board Program.
- E. The provisions of these regulations shall not apply to a subdivision of any tract of land belonging to the state or any state agency, board, or commission or owned by the permanent school fund or any other dedicated funds of the state unless the subdivision lays out a part of the tract for streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.
- F. The division of a tract of land located outside the limits of a municipality into two or more parts if:
- (1) the owner of the land is a political subdivision of the state; and
 - (2) the land is situated in a floodplain; and
 - (3) the lots are sold to adjoining landowners.
- G. The division of a tract of land located outside the limits of a municipality into two or more parts if:

- (1) the owner does not lay out a part of the tract for streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts; and
 - (2) one new part is to be retained by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of these regulations.
- H. The division of a tract of land located outside the limits of a municipality into two or more parts if:
- (1) the owner does not lay out a part of the tract for streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts; and
 - (2) 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.
- I. An Owner whose subdivision is exempt from the platting requirements of these Regulations shall provide the following items to the Development Services Department and to the county clerk;
- (1) A duplicate copy of the recorded conveyance instrument, with legible metes and bounds description attached hereto;
 - (2) A survey or sketch showing the boundaries of the Lots, adjacent roads and adjacent property owners;
 - (3) An executed registration form in the form promulgated by the County which shall require the Owner to acknowledge that all Lots remain subject to the on-site wastewater rules and development permit requirements of the County. See Appendix D.

10. CHAPTER 245 DETERMINATIONS

Chapter 245 of the Texas Local Government Code refers to the Issuance of Local Permits. See Appendix A Item L. Refer to Chapter 245 of the Texas Local Government Code for complete regulations under this code.

A. Expiration of Existing Permits (Dormant Projects)

Any permit that does not have an expiration date, and where no progress towards completion of the project has occurred shall expire on the first anniversary of the date that the Llano County Commissioner's Court approved the permit.

B. Expiration of Existing Projects

Any project that does not have an expiration date, and where no progress towards completion of the project has occurred shall expire on the second anniversary of the date that the Llano County Commissioner's Court approved the project. Progress towards the completion of the project shall include any of the following:

- (1) An application for a final plat is submitted to the Llano County Commissioner's Court.
- (2) A good faith attempt is made to file with a regulatory agency an application for a permit necessary to begin or continue towards completion of a project.
- (3) Costs have been incurred for developing the project including, without limitation, costs associated with roadway, utility, and other infrastructure facilities designed to serve, whole or in part, the project (but exclusive of land acquisition) in the aggregate amount of five percent of the most recent appraised market value of the real property on which the project is located.
- (4) Fiscal security is posted with Llano County to ensure the performance of an obligation required by Llano County.
- (5) Utility connection fees or impact fees have been paid to a regulatory agency.

C. Application for Establishment of Chapter 245 Rights

The provisions of this section shall apply to any application for a subdivision permit or project for which an applicant desires to establish rights under Chapter 245 of the Texas Local Government Code.

A subdivision application shall be submitted to the County, and shall be initially reviewed for completeness to ensure that all required items are available for technical review purposes. The application shall state the proposed date of applicable rules for the first in the series of permits, and the applicant shall supply documentation in support of the request. The following items may be considered as part of the application documentation:

- (1) Proof that a good-faith attempt was previously made to file with a regulatory agency an application for a permit necessary to begin or continue towards completion of the project;
- (2) Documentation of costs that have been incurred for developing the project including, without limitation, costs associated with roadway, utility, and other infrastructure facilities designed to serve, in whole or in part, the project (but exclusive of land acquisition) in the aggregate amount of five percent of the most recent appraised market value of the real property on which the project is located;
- (3) Documentation of fiscal security posted with a regulatory agency to ensure performance of an obligation required by the regulatory agency; or
- (4) Documentation of utility connection fees or impact fees for the project paid to a regulatory agency.

- D. If no portion of the land subdivided under a plat approved under these regulations is sold or transferred before January 1 of the 51st year after the year in which the plat was approved, the approval of the plat expires, and the owner must resubmit a plat of the subdivision for approval. A plat resubmitted for approval under this subsection is subject to the requirements prescribed by these regulations at the time the plat is resubmitted.

The provisions of this section shall only apply to the specified land uses, densities and intensities set forth in the Fair Notice documentation provided by the applicant. Any modification of the land uses, densities or intensities shall be considered a new project subject to current County regulations.

ARTICLE 2. General Subdivision Requirements

*THIS SECTION REFERS TO REAL PROPERTY THAT HAS NOT BEEN LAID OUT IN AN EXISTING PLATTED SUBDIVISION CURRENTLY ON FILE WITH THE COUNTY CLERK.

1. **General Requirements.** Any Owner who subdivides a tract of land shall:
 - A. Comply in all respects with these regulations; and
 - B. Prepare and submit to the Commissioners Court an application for approval of the proposed Subdivision in accordance with the terms and procedures set forth in these regulations.
2. **Transmittal Materials.** All submissions to the Commissioners Court pursuant to these regulations, including amendments or supplemental materials, shall be filed with the Development Services Department, including the official application form to be provided by the County.
3. **Application Materials.**
 - A. **Application.** Each application for Plat shall be filed as herein directed and include the following:
 - (1) Official County Application (See Appendix E);
 - (2) Three 18" x 24" black line copies of the Plat and digital file;
 - (3) the application fee;
 - (4) A tax certificate showing all taxes currently due with respect to the Original Tract have been paid;
 - (5) All other documents or reports required pursuant to these regulations and any associated bonds.
 - (6) Any requests for variances to these regulations shall be made in writing and submitted with the application. The request shall state all reasons for such request for a variance. (See Appendix E.1)
 - B. **Recorded Plat.** Upon approval by the Llano County Commissioner's Court, three 18" x 24" black line copies on Mylar of the Final Plat along with an original, current tax certificate shall be presented to the County Clerk for recording as the Record Plat. All writing and drawings on the Record Plat must be large enough to be easily legible. An electronic copy of the plat shall be submitted to the 911 coordinator. The electronic copy of the plat shall be drawn at Texas State Plane Coordinate System Central Zone (4203) NAD 83' and scaled to grid values based on the origination x,y,z=0,0,0. The scale factor used shall be

clearly marked on the face of the plat. An electronic copy of the plat shall be presented to Llano County at Texas State Plane Coordinate System Central Zone (4203) NAD 83' and at grid values. All rights-of-way and easements shall be based on grid values.

- C. **Fee.** The County may impose an application fee and inspection fee as set forth in Appendix C to cover the cost of the County's processing of the application and inspection of street, road, and drainage improvements described by the plat. The fee may vary based on the number of proposed lots in the subdivision, the acreage described by the plat, the type or extent of proposed street and drainage improvements, or any other reasonable criteria as determined by the County Commissioners Court. The owner of the tract to be subdivided must pay the fee at the time of the submission of an application before the County conducts a review of the plat. The application shall be deemed incomplete if the fee is not paid at the time of submittal.
- D. **Subdivisions within the ETJ of a Municipality.** The Plat must indicate whether the land covered by the plat or replat is in the extraterritorial jurisdiction of a municipality. If so, it must be approved by the appropriate municipal authorities prior to being filed as determined by any written agreement entered into by the County and municipality under Section 242.001 of the Local Government Code if the agreement authorizes the municipality to regulate subdivision plats and approve related permits in the municipality's extraterritorial jurisdiction. The County Clerk shall require written proof of exemption from a municipality to be filed with the Record Plat. In the event the land is subject to both municipal subdivision regulations and these regulations, then the stricter standard shall apply and may be enforced by either the city or the County or both.
- E. **Wastewater and Development Permits.** The County shall not issue an On-Site Sewage Facility or development permit, if any, on any parcel of land unless that property is in compliance with all the requirements of these Regulations and the Llano County Rules of On-Site Sewage Facilities.
- F. **Privately Maintained Roads/Streets. Subdivision roads and streets, unless accepted by the County for maintenance, must meet the following criteria:**
 - (1) The roads must be constructed to the same standards as required for County roads.
 - (2) The following note shall be conspicuously displayed on the plat:
"By filing this Plat [Owner], and all future owners of property within this subdivision, by purchasing such property acknowledge and agree that the County shall have no obligation whatsoever to repair or accept maintenance of the roads in this subdivision."
 - (3) Restrictive covenants establishing a homeowners association, whose purpose shall be, but not limited to, the maintenance and repair of roads in the subdivision shall be filed in the Official Public Records of Llano County concurrently with the recording of the Plat.

4. **Plat Requirements.**

- A. **Shall submit a plat to Commissioners Court.** On review and comment of a proposed subdivision by the Commissioners Court, the subdivider shall submit a plat and a completed subdivision application, as promulgated on the form on file with the County, to the court prior to making any street and road improvements or installation of utilities within any roadway. A copy of the Plat shall be filed (but not recorded) with the Development Services Department thirty (31) days prior to the hearing to consider plat. On review and comment by the court of said plat the subdivider may proceed with the preparation of a final plat and such other plans and documents required by this Regulation.

- B. The plat shall be prepared by a licensed engineer or licensed land surveyor, registered to practice in the State of Texas, in accordance with these regulations and should depict the entire layout showing layouts of street blocks and drainage for subdivision. Where the proposed subdivision constitutes a unit of a larger tract owned by the subdivider which is intended to be subsequently subdivided as additional units of the same subdivision, the subdivision plat should be accompanied by a layout of the entire area showing the tentative layout of streets, blocks, drainage for such use. The overall layout, if approved by the Commissioners Court, shall be attached to and filed with a copy of the approved subdivision plat in the permanent files of Llano County.
- C. An adequate drainage plan shall be designed and prepared by a professional engineer registered in the State of Texas, including the design of drainage facilities, culverts, and/or systems using a minimum ten (10) year storm frequency (unless otherwise directed by the Llano County Commissioner's Court), such that the drainage out of the subdivision does not have a negative drainage impact on neighboring properties. The placement of any structure within the regulatory floodplain shall be in accordance with the Llano County Flood Damage Prevention Order.
- D. The plat shall provide the following information:
- (1) Legal description. The legal description of the land to be subdivided shall be sufficient for the requirements of title examination, including the current deed.
 - (2) Statement of conformance or list of variances. The statement of conformance shall declare that the plat (including its supporting information) conforms to these Rules (including the associated Appendices) or shall list the instances in which it does not comply with these Rules, the reason for each such non-compliance, and whether a variance is requested.
 - (3) Location Map. A location map or sketch at a scale of not more than four thousand (4,000) feet to one (1) inch shall show the proposed subdivision, existing adjacent subdivisions, school district lines, and roads in the vicinity.
 - (4) Vicinity Map. A vicinity sketch or map at approximately one (1) inch = four hundred (400) feet scale shall show existing subdivisions, streets, easements, right-of-way, parks and public facilities, tracts of acreage in the vicinity, the general drainage plan and ultimate destination of water, and possible storm sewer, water, gas, electric, and sanitary sewer connections by arrows.
 - (5) Location with respect to any municipal ETJ line. A statement indicating whether any part of the proposed subdivision lies within any extraterritorial jurisdiction of a municipality (under Texas Local Govt. Code §§ 42.021 or 212.001) shall be provided. If an ETJ line traverses the subdivision, it shall be delineated and identified upon the plat.
 - (6) Map of earlier plat. If the subdivision is part of a previously filed subdivision plat, a map shall be provided showing the portion of the earlier-filed plat that is owned by the applicant and included in the plat.
 - (7) Restrictive covenant. Any restrictive covenants proposed to be imposed for the subdivision should be attached for reference. It should be noted whether these are existing or proposed and if proposed, at what time they will be recorded, prior to or concurrently with the recording of the final plat.

- (8) Certification by the owner of conformance or submittal for review. The owner shall certify that the plat has been reviewed and conforms to the requirements of the Lower Colorado River Authority, Texas Commission on Environmental Quality, municipal utility districts, 911 addressing, the gas, electricity, water, telephone, and television cable companies, irrigation, ground water, or water control and improvement districts; or that the agencies mentioned in the preceding paragraph were given at least ten (10) working days to review the proposed plat. This certification shall be in letter form and shall include the name, title, address, and telephone number of the person to whom the applicant delivered the plat for review.
- (9) The plat shall include the name, address, and telephone number of the record owner(s) of lands being subdivided, and of the engineer, the surveyor, and any other persons responsible for the preparation of the data and information being submitted.
- (10) The plat shall include the subdivision name, which shall not duplicate the spelling or the pronunciation of any existing subdivision in the County.
- (11) The plat shall delineate and define the boundary of the subdivision by metes and bounds sufficiently for the requirements of title examination. Subdivision boundaries shall be indicated by a heavy line at least one sixteenth (1/16) inch wide. The total acreage in the subdivision shall be noted.
- (12) The plat shall locate the subdivision with respect to an original corner of an original survey of which it is a part.
- (13) The plat shall show the primary control points or description used to establish the subdivision. The description, location, and tie to such control points, including all dimensions, angles, bearings, block numbers, and summary data, shall be noted.
- (14) The plat shall note the existing conditions within or immediately adjacent to the subdivision, including the location, dimension, name, and description of each existing or recorded street; alley, reservation, easement, or other public rights-of-way or visible private encumbrance upon the land within or adjacent to the subdivision, intersecting or contiguous with its boundaries, or forming such boundaries (include the name of the subdivisions in which a street, alley, etc. is located); location, dimension, description, and flow line of any existing watercourses, drainage structures, or irrigation structures within the subdivision or within one hundred and fifty feet (150 feet) of the boundary of the subdivision; location, dimension, description, and name of all existing or recorded lots and blocks, parks, public areas, or permanent structures within the subdivision or contiguous with the subdivision; and, location, dimension, description, and name of all existing water, sewer, electric, gas, telephone, television cable, irrigation or other utilities including water wells, capped water wells, electrical lines, capped oil and gas wells, underground or overhead transmission/pipeline easements.
- (15) The plat shall show the adjoining property owners' names and references to the deeds under which they hold ownership, or if the adjoining property is within a recorded subdivision, state the subdivision's name and provide the reference for where its plat is recorded in the Official Public Records of Llano County.
- (16) The plat shall note the date of preparation, date of survey, the scale of the plat, state whether distances are grid or ground, if distances are grid, provide combined scale factor basis of bearings, and North arrow.

- (17) The plat shall include topographic information, including contour lines for every ten vertical foot. The information shall include the flow lines of existing gutters and drainage ways. It shall be sufficiently detailed to determine the existing drainage to and from the proposed subdivision and to determine the adequacy of the proposed drainage plan. Elevations shall be based on published NAVD 88' (North American Vertical Datum and the benchmark used shall be noted on the plat.
- (18) The plat shall provide a general plan for storm water drainage to efficiently manage the flow of storm water in the subdivision and coordinate the subdivision drainage with the general storm drainage pattern for the area. Post development runoff shall not exceed pre-development runoff based on a 100 year event.
- (19) The plat shall show the location, dimensions, and description of all proposed street rights-of-way, alleys, drainage structures, parks, squares, other public areas, reservations, easements, other rights-of-way, blocks, lots (lettered or numbered consecutively), permanent survey monuments, and other sites within the subdivision. The proposed width of each proposed street shall be measured at right angles, or radially where curved. Provide linear footage and combined acreage of roads.
- (20) The plat shall show the name of the proposed subdivision or any of the physical features (such as streets, parks, etc.). The name of a proposed street shall conform to the name of an existing street of which it may become an extension but otherwise shall not duplicate or conflict with the recognized name of any other street located in the area subject to these Rules. Street and subdivision names will be coordinated through the 911 coordinator to ensure no duplication of street names. This coordination with 911 is the responsibility of the developer. The street names must not be so similar in spelling or in pronunciation to the names of any similar features in Llano County or in any incorporated city therein, as to cause confusion.
- (21) The plat shall show building setback lines (front, side, and rear). For corner lots, the front setback line shall be located on only one of the public streets or roads. The following building set back lines apply:
 - a) Building Set Back Lines shall be at least twenty-five feet (25') from the right-of-way lines, and ten feet (10') from back and side property lines on lots of 0.5 acres or more.
 - b) Building Set Back Lines shall be at least twenty-five feet (25') from the edge of pavement (and in no instance less than fifteen feet (15') from the right-of-way lines) and five feet (5') from back and side property lines on lots of less than 0.5 acres.
- (22) The plat shall show the net area contained within each lot or tract to the nearest one hundredth (1/100) of an acre.
- (23) The plat shall show the limits of any flood hazard areas as indicated by the respective Llano County Flood Insurance Rate Map(s) and the proposed finished floor elevation of any building within these flood hazard limits.

THE FOLLOWING APPLY TO PROPOSED SUBDIVISIONS UTILIZING CENTRALIZED WATER AND/OR WASTEWATER:

- (24) The plat shall include or have attached a document containing a description in English of the water and sewer facilities and roadways and easements dedicated

for the provision of water and sewer facilities that will be constructed or installed to service the subdivision and a statement specifying the date by which the facilities will be fully operational.

- (25) The plat shall have attached a certified letter from a water utility provider that water is available to the proposed subdivision sufficient in quality and quantity to meet the minimum state standards required by Section 16.343, Water Code, and that water of that quality and quantity will be made available to the point of delivery to all lots in the subdivision.
- (26) The plat shall have attached a certified letter from a sewer utility provider that sewage treatment facilities meet minimum state standards to fulfill the wastewater requirements of the subdivision or furnish certification by the Llano County Development Services Department indicating that the lots in the subdivision can be adequately and legally served by septic systems as provided under Chapter 366, Health and Safety Code.
- (27) The plat shall have attached a design for roads that meet or exceed the minimum standards as adopted by the county and contained herein and provide adequate drainage meeting standard engineering practices.
- (28) The plat shall have attached certification that electrical connections and gas connections, if available, will meet minimum state standards.

E. **Designation of subdivision as public or private.** The plat shall show the designation of the proposed subdivision improvements as public or private.

F. **Floodplain and Drainage Information.**

- (1) Each plat shall include base flood elevation data.
- (2) All subdivision proposals shall have adequate drainage provided to reduce-exposure to flood hazards.
- (3) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- (4) All subdivision plats shall have the flood hazard area as indicated on the respective flood insurance rate map(s) clearly delineated on the plat and where appropriate, each lot shall be shaped and sized so as to provide adequate building space.
- (5) The developer, builder, seller or agent shall inform in writing, each prospective buyer of subdivision lots located in flood hazard areas that such property is in an identified flood hazard area and that a Floodplain Development Permit will be required before a structure can be placed on the property. The Llano County Flood Damage Prevention Order can be found in the Development Services Department or at www.co.llano.tx.us for further rules and requirements.

G. **Water, Wastewater and Utilities Information.** The following information must be provided to the Court.

- (1) Designation of the entity supplying electric, phone and gas utilities or a statement that such utilities are not available.

- (2) The location of all proposed utility easements and/or infrastructure, including water well sanitary easements, if applicable.
 - (3) Designation of the water and sewer utility provider and the source of the water intended to serve each Lot within the subdivided area or, if the source of water is underground well(s), compliance with the Texas Commission on Environmental Quality regulations.
 - (4) Certification that all Lots have been designed in compliance with the Rules of Llano County for On-Site Sewage Facilities. The Llano County On-Site Sewage Facility Order can be found in the Development Services Department or at www.co.llano.tx.us for further rules and requirements.
- H. **Proof of Ownership.** The Developer shall provide proof of ownership of the property to be developed.
- I. **County Liability.** The Plat shall contain the following two provisions: “The County shall not be responsible for the quantity or quality of a reliable water source”; and for plats which propose private roads, the plat shall state the following: “The County shall not accept all or a portion of the roads in this subdivision for maintenance except by express and specific order of the Commissioners Court in a separate Order apart from any order approving the plat.”

5. **Review and Approval of Final Plat.**

Scope of Review

- A. The commissioners court of a county or a person designated by the commissioner’s court shall issue a written list of the documentation and other information that must be submitted with a plat application. The documentation or other information must relate to a requirement authorized under this section or other applicable law. An application submitted to the commissioner’s court or the person designated by the commissioner’s court that contains the documents and other information on the list is considered complete.
- B. If a person submits a plat application to the commissioners court that does not include all of the documentation or other information required by Subsection (A), the commissioners court or the court’s designee shall, not later than the 10th business day after the date the commissioners court receives the application, notify the applicant of the missing documents or other information. The commissioners court shall allow an applicant to timely submit the missing documents or other information.
- C. An application is considered complete when all documentation or other information required by Subsection (A) is received. Acceptance by the commissioner’s court or the court’s designee of a completed plat application with the documentation or other information required by Subsection (A) shall not be construed as approval of the documentation or other information.
- D. Except as provided by Subsection (F), the commissioners court or the court’s designee shall approve, approve with conditions, or disapprove a plat application not later than the 30th day after the date the completed application is received by the commissioner’s court or the court’s designee. An application is approved by the commissioners court or the court’s designee unless the application is disapproved within that period and in accordance with Section 232.0026 Texas Local Government Code.

- E. Notwithstanding Subsection (D), if a groundwater availability certification is required under Section 232.0032 Texas Local Government Code, the 30-day period described by that subsection begins on the date the applicant submits the groundwater availability certification to the commissioners court or the court's designee, as applicable.
- F. The 30-day period under Subsection (D):
 - (1) may be extended for a period not to exceed 30 days, if:
 - a) requested and agreed to in writing by the applicant and approved by the commissioner's court or the court's designee; or
 - b) Chapter 2007, Government Code, requires the county to perform a takings impact assessment in connection with the plat application; and
 - (2) applies only to a decision wholly within the control of the commissioner's court or the court's designee.
- G. The commissioner's court or the court's designee shall make the determination under Subsection (F)(1) of whether the 30-day period will be extended not later than the 20th day after the date a completed plat application is received by the commissioner's court or the court's designee.
- H. The commissioner's court or the court's designee may not require an applicant to waive the time limits or approval procedure contained in this sect.
- I. If the commissioner's court or the court's designee fails to approve, approve with conditions, or disapprove a plat application as required by this section:
 - (1) the commissioner's court shall refund the greater of the unexpended portion of any application fee or deposit or 50 percent of an application fee or deposit that has been paid;
 - (2) the application is granted by operation of law; and
 - (3) the applicant may apply to a district court in the county where the tract of land is located for a writ of mandamus to compel the commissioner's court to issue documents recognizing the plat application's approval.

6. Approval Procedure: Conditional Approval or Disapproval Requirements.

- A. A commissioner's court or designee that conditionally approves or disapproves of a plat application under this subchapter shall provide the applicant a written statement of the conditions for the conditional approval or the reasons for disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.
- B. Each condition or reason specified in the written statement:
 - (1) must:
 - a) be directly related to the requirements of this subchapter; and
 - b) include a citation to the law, including a statute or order, that is the basis for the conditional approval or disapproval, if applicable; and
 - (2) may not be arbitrary.

7. Approval Procedure: Applicant Response to Conditional Approval or Disapproval.

After the conditional approval or disapproval of a plat application under Section 232.0026, Texas Local Government Code, the applicant may submit to the commissioners court or designee that conditionally approved or disapproved the application a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided. The commissioners court or designee may not establish a deadline for an applicant to submit the response.

8. Approval Procedure: Approval or Disapproval of Response.

- A. A commissioners court or designee that receives a response under Section 232.0027 Texas Local Government Code shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved plat application not later than the 15th day after the date the response was submitted under Section 232.0027 Texas Local Government Code.
- B. A commissioners court or designee that conditionally approves or disapproves a plat application following the submission of a response under Section 232.0027 Texas Local Government Code:
 - (1) must comply with Section 232.0026 Texas Local Government Code; and
 - (2) may disapprove the application only for a specific condition or reason provided to the applicant for the original application under Section 232.0026 Texas Local Government Code.
 - (3) A commissioners court or designee that receives a response under Section 232.0027 Texas Local Government Code shall approve a previously conditionally approved or disapproved plat application if the applicant's response adequately addresses each condition for the conditional approval or each reason for the disapproval.
 - (4) A previously conditionally approved or disapproved plat application is approved if:
 - a) the applicant filed a response that meets the requirements of Subsection (C); and
 - b) the commissioners court or designee that received the response does not disapprove the application on or before the date required by Subsection (A) and in accordance with Section 232.0026 Texas Local Government Code.

9. Prerequisites to approval.

Plat approval shall not be granted unless the subdivider has accomplished the following:

- A. dedicated the sites for the adequate water and sewerage facilities identified in the final plat to the appropriate retail public utility responsible for operation and maintenance of the facilities; and
- B. provided evidence that the water facilities and sewerage facilities have been constructed and installed in accordance with the criteria established within these rules and the approvals from the commission of the description of means and methods and specifications for such construction, including any change orders filed with these agencies; or

- C. obtained all necessary permits for the proposed water facilities and sewerage facilities (other than for OSSF permits on individual lots within the proposed subdivision) and has entered into a financial agreement with the county secured by a bond or other alternative financial guarantee such as a cash deposit or letter of credit for the provision of water and sewerage facilities with the bond or financial guarantee meeting the criteria established in Division 3 of this subchapter.

ARTICLE 3. Revision of Subdivision Plats (REPLATS)

*THIS SECTION REFERS TO THE REVISION OF REAL PROPERTY IN AN EXISTING PLATTED SUBDIVISION FILED WITH THE COUNTY CLERK.

1. Revision of Subdivision Plats

A. Replat means a revision of a subdivision plat on file with the County Clerk.

B. **Requirements:**

- (1) Application to Commissioner's Court requesting the revision. (See Appendix F)
- (2) Notice to be published by the applicant as herein specified.
- (3) Cost of publication to be paid by applicant.
- (4) Letter from the applicant stating the revision is not in violation of existing deed restrictions to Commissioners Court.
- (5) Letter from Property Owners Association President stating they have no objection to the revision or replat.
- (6) If no Property Owners Association, the applicant shall provide notice to each lot owner located within 200 feet of said tract by certified mail, return receipt requested, and presented to the Commissioner's Court at the time of presentation of application.
- (7) Persons replatting property within the service area of a water or sewer utility provider shall have the written consent of the provider.

C. **Application.** A person who owns subdivided land that is subject to this order may apply in writing to the Commissioners Court of the county for permission to revise the subdivision plat that has been filed for record with the County Clerk.

D. The replat shall provide the following information:

- (1) Legal description. The legal description of the land to be subdivided shall be sufficient for the requirements of title examination, including the current deed.
- (2) Statement of conformance or list of variances. The statement of conformance shall declare that the plat (including its supporting information) conforms to these Rules (including the associated Appendices) or shall list the instances in which it does not comply with these Rules, the reason for each such non-compliance, and whether a variance is requested. A variance request must be approved by the Commissioner's Court prior to presentation for approval of the plat revision. (See Article 5, Section 4)

- (3) Location Map. A location map or sketch at a scale of not more than four thousand (4,000) feet to one (1) inch shall show the proposed subdivision, existing adjacent subdivisions, school district lines, and roads in the vicinity.
- (4) Vicinity Map. A vicinity sketch or map at approximately one (1) inch = four hundred (400) feet scale shall show existing subdivisions, streets, easements, right-of-way, parks and public facilities, tracts of acreage in the vicinity, the general drainage plan and ultimate destination of water, and possible storm sewer, water, gas, electric, and sanitary sewer connections by arrows.
- (5) Location with respect to any municipal ETJ line. A statement indicating whether any part of the proposed subdivision lies within any extraterritorial jurisdiction of a municipality (under Texas Local Govt. Code § 42.021 or 212.001) shall be provided. If an ETJ line traverses the subdivision, it shall be delineated and identified upon the plat.
- (6) Map of earlier plat. If the subdivision is part of a previously filed subdivision plat, a map shall be provided showing the portion of the earlier-filed plat that is owned by the applicant and included in the plat.
- (7) Restrictive covenant. Any restrictive covenants proposed to be imposed for the subdivision should be attached for reference. It should be noted whether these are existing or proposed and if proposed, at what time they will be recorded, prior to or concurrently with the recording of the final plat.
- (8) The owner shall certify, if applicable, that the plat has been reviewed and conforms to the requirements of the Lower Colorado River Authority, Texas Commission on Environmental Quality, municipal utility districts, 911 addressing, the gas, electricity, water, telephone, and television cable companies, irrigation, ground water, or water control and improvement districts; or that the agencies mentioned in the preceding paragraph were given at least ten (10) working days to review the proposed plat. This certification shall be in letter form and shall include the name, title, address, and telephone number of the person to whom the applicant delivered the plat for review.
- (9) The replat shall include the name, address, and telephone number of the record owner(s) of lands being subdivided, and of the engineer, the surveyor, and any other persons responsible for the preparation of the data and information being submitted.
- (10) The replat shall include the subdivision name, which shall not duplicate the spelling or the pronunciation of any existing subdivision in the County.
- (11) The replat shall delineate and define the boundary of the subdivision by metes and bounds. Subdivision boundaries shall be indicated by a heavy line at least one sixteenth (1/16) inch wide. The total acreage in the subdivision shall be noted.
- (12) The replat shall locate the subdivision with respect to an original corner of an original survey of which it is a part.
- (13) The replat shall show the primary control points or description used to establish the subdivision. The description, location, and tie to such control points, including all dimensions, angles, bearings, block numbers, shall be noted.

- (14) The replat shall note the date of preparation, date of survey, the scale of the plat, combined scale factor basis of bearings, and North arrow.
- (15) The replat shall show building setback lines (front, side, and rear). For corner lots, the front setback line shall be located on only one of the public streets or roads. Except as provided in Subsection (c) the following building set back lines apply.
 - a) Building Set Back Lines shall be at least twenty-five feet (25') from the right-of-way lines, and ten feet (10') from back and side property lines on lots of 0.5 acres or more.
 - b) Building Set Back Lines shall be at least twenty-five feet (25') from the edge of pavement (and in no instance less than fifteen feet (15') from the right-of-way lines) and five feet (5') from back and side property lines on lots of less than 0.5 acres.
 - (c) Replats of lots in an existing platted subdivision shall conform to the building setback lines set forth in the original subdivision plat or found in the original subdivision deed restrictions or conditions, covenants and restrictions on file with the County Clerk. In the event there are no building setback requirements set forth in the original subdivision plat then Subsections (a) and (b) shall apply.
- (16) The replat shall show the net area contained within each lot or tract to the nearest one hundredth (1/100) of an acre.
- (17) The replat shall show the limits of any flood hazard areas as indicated by the respective Llano County Flood Insurance Rate Map(s) and the proposed finished floor elevation of any building within these flood hazard limits.
- (18) The replat shall include or have attached a document containing a description in English of the water and sewer facilities and roadways and easements dedicated for the provision of water and sewer facilities that will be constructed or installed to service the subdivision and a statement specifying the date by which the facilities will be fully operational.
- (19) The replat shall have attached a certified letter from a water utility provider that water is available to the proposed replat sufficient in quality and quantity to meet the minimum state standards required by Section 16.343, Water Code, and that water of that quality and quantity will be made available to the point of delivery to all lots in the subdivision.
- (20) The replat shall have attached a certified letter from a sewer utility provider that sewage treatment facilities meet minimum state standards to fulfill the wastewater requirements of the replator furnish certification by the Llano County Development Services Department indicating that the lots in the subdivision can be adequately and legally served by septic systems as provided under Chapter 366, Health and Safety Code.
- (21) The replat shall have attached certification that electrical connections and gas connections, if available, will meet minimum state standards.

E. **Notice.**

- (1) After the application is filed with the Commissioners Court, the Court shall require a notice by the applicant to be printed in a newspaper of general circulation in the county. The notice must include a statement of the time and place at which the Commissioners Court will meet to consider the application and to hear protests to the revision of the subdivision plat.
- (2) The notice must be published at least three times within the period beginning on the 30th day and ending on the 7th day before the date of the meeting. All costs of publication shall be paid by the applicant.
- (3) If all or part of the subdivided tract has been sold to non-developer owners, notice shall also be given to each owner, at his address on said tract, by certified mail or registered mail; return receipt requested.

F. **Hearing.** The Commissioners Court, during a regular meeting of the court, shall adopt an order permitting the person to revise the subdivision plat if it is shown to the court:

- (1) That the revision will not interfere with the established rights of any owner of a part of the subdivided land;
- (2) If the revision interferes with the rights of an owner of a part of the subdivided land, the owner has agreed to the revision;
- (3) That the revision is not a violation of any existing deed restriction(s); or
- (4) That the applicant has complied with Section 232.009, Texas Local Government Code.

G. **Filing.** If the Commissioners Court permits a person to revise a subdivision plat, the person shall make the revision by filing for record with the County Clerk a revised plat or part of a plat showing the changes made to the original plat.

ARTICLE 4. Design Standards and Requirements

1. **General Design Principles and Objectives**

- A. **Conformity with the General Plan.** All subdivisions shall conform to a general plan for orderly and unified development of streets, utilities within roadways and public land facilities, as well as other provisions of this and other present regulations and codes.
- B. **Standards for Site Improvements.** All roads and streets, alleys, utility installations and other site improvements required to be installed by the subdivider under the provisions of these regulations shall conform to the requirements of this Section and to the then current policies, specifications, and regulations of Llano County, or other approved agencies responsible for design, construction methods and standards, payment, refunds, credits, and other financial arrangements.

C. Construction and Specifications of Roads and Drainage.

- (1) General. The specifications for construction of roads and streets are based on the requirement that a flexible base with an asphalt pavement, chip seal or a hauled base road constructed to county specifications and subject to Commissioners Court approval will be constructed. The materials, design, specification and procedure shall conform to those of the County for similar construction. This also applies if a concrete pavement is used instead of the flexible base with asphalt pavement. Base material used for roads or streets shall conform to the requirements of Llano County or as approved by the Road and Bridge Commissioner.
- (2) Base Material. The base material shall meet the following minimum requirements and must be inspected and approved by the Road and Bridge Commissioner: State grade base or other approved base by Llano County. 9" compacted to 6" finished base product acceptable.
- (3) Width of Streets and Right-of-Ways.
 - a) See Appendix B for Right-of-Way specifications.
 - b) Width of alleys shall not be less than twenty (20) feet.
- (4) Width of County Road. A proposed subdivision that enjoins or encompasses an existing or proposed public street, that does not conform to minimum right-of-way requirements of these regulations, shall provide for the dedication of additional right-of-way along the side of said street from the center of the existing public road to establish at least one-half of the required right of way so that the minimum right-of way required by these regulations can be established, being defined herein as fifty (50') feet.
- (5) Drainage, Minimum Grades, Retards, Headwalls, etc.
 - a) All drainage requirements must comply with the Lower Colorado River Authority's Upper Highland Lakes Watershed Order where applicable. Generally it is desired that surface drainage from private property to be taken to roads and streets, or drainage courses as quickly as possible, but the practice of using roads and streets as major drainage courses is prohibited. Minimum grades of roads and streets shall be three-tenths of one percent. All drains, drainage structures and appurtenances shall be designed by a registered professional engineer. Drainage calculations shall be made using the Rational Method (HEQ-HMS and HEQ-RAS are acceptable for larger acreages) for determining storm water runoff and Manning's Equation for ditch and pipe capacities. All data and calculations shall be presented with the plat.
 - b) All roads and streets shall try to accommodate drainage using sheet flow. Where this is not possible, roads and streets shall have ditches which are a minimum depth of 12" below the shoulder of the subgrade. Greater depths shall be provided as required to accommodate greater flows. Concrete or rock retards shall be installed in ditch lines in areas where needed. Drainage structures of a permanent type shall be provided at crossings of drainage courses with roads and streets where needed in order that a minimum of inconvenience and hazard to the traveling public will occur, and in order to maximize drainage to and excessive maintenance of public property. Such drainage structures shall have a

minimum of 40 feet clear roadway. Type, size, and length of drainage shall conform to standard engineering practices.

c) All roadways crossing streams or roadways subject to flooding must be rip-rapped and/or have concrete headwalls on both sides or a concrete crossing or slab.

d) Open channels and ditches shall be constructed to proper cross section, grade and alignment so as to function properly and without permitting destructive velocities. Grades exceeding six percent (6%) may, as determined by the respective precinct commissioner, require concrete chutes and/or flow restrictive devices.

(6) Surface Treatment.

a) Where road or street sections without curbs are constructed, the flexible base shall comply with county standards.

b) Should the road surface be “double asphalt or emulsion surface treatment” or two course surface treatments, it shall conform to the following:

i. Prime coat shall be MC-30 or its equivalent with “plant mix” hot mix.

ii. Recommended Asphalt and Rock Distribution:

– 2 COURSE ROCK AND ASPHALT PENETRATION SURFACE:

- i) Rock: 1st course grade 3 rock, 1 cu. yd. per 80 sq. yd.
- ii) 2nd course grade 5 rock, 1 cu. Yd. per 120 sq. yd.

– Asphalt: HF-RS-2 or CRS 2

- i) 1st course, 0.35 gal per sq. yd.
- ii) 2nd course, 0.42 gal per sq. yd.

or

– Asphalt: A.C.5

- i) 1st course, 0.32 gal per sq. yd.
- ii) 2nd course, 0.42 gal per sq. yd.

– Any other method or mixture approved by Road and Bridge Commissioner

i) The pavement shall be at least twenty (20') feet wide of a “double asphalt or emulsion surface treatment” or of a minimum of one and one-half (1 ½”) inch of “plant mix” compacted with a seal coating asphalt treatment under the “plant mix”.

c) Rolling is required to achieve a uniform embedment and the contractor shall broom off loose aggregate remaining. If bleeding occurs, the contractor shall apply sand (ag lime) or #5 grade topping rock to the finished surface for whatever period is required to absorb the excess asphalt.

d) Concrete pavement shall have a minimum thickness of 6” and a minimum compressive strength of 3000 psi (pounds per square inch) at 28 days. Design

plans for concrete paving must be submitted by a registered professional engineer and reviewed by the county and approval given in writing before construction may begin.

(7) Requirements for Roads and Streets.

a) All dead-end streets or interior cul-de-sacs shall be provided with a properly crowned and sloped asphalt paved turnaround at the end thereof, with a diameter of not less than one hundred twenty-five (125) feet of right of way. Diameter of paving shall be sixty-two and one half (62.5) feet centered in right-of-way. Hammerhead type turnarounds will be considered on an as required basis and shall be considered as a variance.

b) In a subdivision where water lines or other utilities are installed on rights-of-way, they shall be located off and away from the roadways (paved center portion and shoulders) and buried to a minimum depth of 30" and within three feet of property line.

c) The installation of any water or utility lines, side roads, culverts, curb cuts, driveways, etc. on county right of way shall be prohibited unless expressly permitted in writing by the county commissioner.

d) Subdivisions which may have adjoining privately owned properties that shall be subject to future subdividing may provide fifty (50) feet rights-of-way not more than one-half (½) mile apart at feasible locations for connecting future possible roadways with such adjacent properties. Unnatural drainage created by such connecting roadways and rights-of-ways shall be resolved beforehand by the land owners concerned through drainage easements or other lawful methods.

e) Uniform traffic control signs, guard rails and other safety features, as recommended by the Developer's engineering firm or the Precinct Commissioner or his designee, should be installed at required locations on all subdivision rights-of-way dedicated for public use at the Developer's expense. Culverts and bridges shall be at least as wide as the roadway portions (pavement and shoulder) of the streets and roads. Bridge abutments or other drop-offs located at the edge of the shoulder portions of any road or street should be indicated by installation of protective posts or other devices equipped with reflectorized markers.

f) Rights-of-way dedicated to public use shall be kept clear of tall weeds and brush so that property lines, drainage ditches and other hazardous conditions shall be readily distinguishable. Large trees which lend natural beautification to an area may be left in place and a right-of-way provided so that safety on the streets and roads is not impaired.

g) Streets and roads must provide unhampered circulation through the subdivision. Where dead-end streets are designed to be so permanently, a turnaround shall be provided at the closed end having an outside finished paved roadway diameter of sixty-two and one half (62.5) feet and a street right-of-way diameter of one hundred twenty-five (125) feet. Dead-end streets may be platted where the Commissioner concerned deems it desirable and where the land adjoins property not subdivided, in which case, the street shall be carried to the boundaries thereof.

h) All roads and streets should intersect at a ninety (90) degree angle or within the designated limits of Appendix B of this order.

i) Where roads and streets in an adjoining subdivision dead-end at the property line of a new subdivision, the said roads and streets shall be continued through the new subdivision, either in a straight line or a curve as provided elsewhere herein. Where no adjacent connections are platted, the roads and streets in the new subdivision must in general be the reasonable projections of roads and streets in the adjacent subdivided-tract. All roads and streets in new subdivisions should be platted so that a continuation of said roads and streets may be made in other subdivision in the future.

D. Lots and acreage tracts in Subdivision pursuant to Chapter 285, Texas Administrative Code (TAC), relating to On-site Sewage Systems. (Proposed developments situated wholly or partially within the Lower Colorado River Authority (LCRA) Water Quality Zone should refer to the LCRA On-site Sewage Facility requirements for lot sizing.)

(1) General Layout. The size, width, shape and orientation of lots shall be appropriate for the area of the county in which the subdivision is located, and for the type of development and use contemplated, and must insure compliance with Section 285.4 of the Standards for On-Site Sewerage Facilities promulgated by the TCEQ under authority of the Texas Sanitation and Health Protection Law, Texas Revised Civil Statutes, Article 4477-1; portions of which are set out and adopted herein:

(2) Residential Lot Sizing.

a) General considerations. The failure of an on-site sewerage system may be caused by a large number of circumstances, including inadequate soil percolation, improper construction, design, installation, and misuse. The single most important factor concerning public health problems resulting from these failures is the residential dwelling density which is primarily a function of lot size. The failure of a system in a highly populated area is the fundamental cause of public health hazards resulting from on-site sewage disposal. Surfacing sewage provides a medium for the transmission of disease and the fact that many people are in the vicinity causes concern over the spreading of disease. Sewerage systems using soil absorption for effluent disposal are more likely to malfunction in high population density situations because the soil available to absorb or evaporate the effluent is limited. The failure of an absorption system on a small lot can be financially disastrous to the owner because the lot may not contain sufficient room to construct a new absorption field in a new location.

b) Minimum lot dimensions shall conform to the following conditions:

i) When the lot will have no community water and sewage systems, the area shall be one (1) acre or more. The shape and size of the lot shall be large enough to meet the following requirement: Any proposed site for septic tanks and absorption systems must be located at the prescribed distance from water wells, streams, dry washes, etc.

ii) When the lot will have community water system but no community sewage system, the area of the lot must be one-half (0.5) acre or more, provided a septic tank system meets the minimum set-back distance requirements stated.

iii) When the lot will have both community water and sewage systems, the area of the lot may be less than one-half (0.5) acre.

iv) All size requirements shall be exclusive of easements and/or roadways.

c) Platted subdivisions served by a public water supply. Subdivisions of a single family dwellings platted or created after January 1, 1988, and served by a public water supply but utilizing individual OSSF methods for sewage disposal, shall provide for individual lots having surface areas of at least one-half acre, or shall have a site-specific sewage disposal plan submitted by a registered professional engineer or Registered Professional Sanitarian and approved by the Permitting Authority or its designee. In no instance, shall the area available for such system be less than two times the design area. The location of an OSSF under this paragraph shall be in accordance with TAC 285.91 (10) of the TCEQ Regulations.

d) Platted subdivisions served by individual water systems. In subdivisions platted or created after January 1, 1988, for single family residences where each lot maintains an individual water supply well and an OSSF, the plat shall show the approved well location and a sanitary control easement around the well within a 100-foot radius in which no subsurface sewerage system may be constructed. A watertight sewerage unit or lined evapotranspiration bed with leak detection capability may be placed closer to the water well than 100 feet, provided the minimum separation stated in Table I of the Standards for On-Site Sewerage Facilities of the TCEQ is not violated. To minimize the possibility of the transmission of waterborne diseases due to the pollution of the water supplied for domestic use, each lot in a subdivision shall contain not less than one acre, or shall have site-specific planning materials prepared by a Registered Professional Engineer or a Registered Professional Sanitarian and approved by the Permitting Authority or its designee. In no instance shall the area available for such systems be less than two times the design area.

e) Approval of existing small lots or tracts. Existing small lots or tracts, subdivided prior to January 1, 1988, and not conforming to the minimum lot size requirements, may be approved for an OSSF provided the following conditions are met:

i) Minimum separation distances in TAC 285.91 (relating to Separation/Setback Requirements) of the TCEQ Regulations are maintained.

ii) The site has been evaluated by the site evaluator in accordance with TAC 285.30 (relating to Site Evaluations) of the TCEQ Regulations.

E. Llano County On-Site Sewage Facility Regulations. All subdivisions shall comply with the Llano County On-Site Sewage Facility Regulations which can be found in the Development Services Department or at www.co.llano.tx.us. Subdivisions located wholly or partially within the LCRA on-site sewage facility water quality zone shall comply with the LCRA on-site sewage facility regulations.

F. Manufactured housing communities or multi-use residential developments served by a central sewage collection system for on-site disposal. Manufactured housing communities and multi-use residential developments which are owned or controlled by an

individual and which rents or leases space may utilize smaller lots than stated herein above provided a sewage disposal plan addressing replacement area is submitted to the permitting authority and approved. Developments of this type which connect living units to a sewage collection system for on-site disposal must provide planning materials for the system prepared by a registered professional engineer or registered sanitarian. The total anticipated sewage discharge shall not exceed 5,000 gallons per day from the connected homes and the OSSF must conform to the definition of OSSF's in TAC 285.30 of the TCEQ Regulations.

- G. Exemptions and variances. Requests for exemptions or variances of any part or parts of these Standards for the design, installation or operation of any on-site sewerage system shall be considered on an individual basis. The burden of proof is the responsibility of the Registered Professional Engineer, Registered Professional Sanitarian or other qualified individual responsible for the design or installation of the system under consideration. This individual must demonstrate to the satisfaction of the TCEQ or licensing authority, that the exemption or variance has been requested because conditions are such that equivalent protection of the public health and environment can be provided by alternate means or construction features. Any such request must be accompanied by sufficient engineering or applicable data to meet the TCEQ or licensing authority's satisfaction. The TCEQ shall, at the request of local authorities, provide evaluation and comment services for any such local authority.

2. Additional Requirements

A. Compliance.

- (1) Plans. One (1) complete set of plans and an electronic digital copy, specifications and contracts covering construction of subdivision infrastructure, in the form of plans, or other satisfactorily written descriptions shall be filed with Llano County Development Services Department upon filing of final plat. When required by the Commissioners Court these plans shall show such features as roadways, 100-year floodplain, cross-sections, and longitudinal slope for drainage, full description of proposed pavement or street improvement, its grade and slope, dimensions and specifications concerning public utilities to be installed showing proposed position on the ground when within street right-of-way, specifications of materials and constructions, and profile maps of all storm sewers showing both ground surface and flow line and any other pertinent information of similar nature.
- (2) Inspection of Improvements. The authorized representative of Llano County shall from time to time inspect the construction of all utility facilities in street right-of-way in the subdivision during the course of construction to see that the same comply with the plats and standards governing the same. In this regard, free access to the subdivision shall be accorded Llano County's duly authorized representative by the subdivider, his agents and employees. Failure of the County's representative to inspect will not diminish the obligation of the subdivider to install improvements in the subdivision in accordance with plans and specifications as approved by the Commissioners Court.
- (3) As-Built Plans. After all required improvements have been completed by the owner or subdivider of the subdivision, two sets of "record drawings" of all underground utilities that have been constructed shall be filed with the Llano County Development Services Department within thirty (30) days after completion of all required improvements.

- (4) Street Improvements. All road and street improvements shall meet the current requirements of the Subdivision Regulations.
- (5) Water Systems.
 - a) General. All public water supply, treatment, storage and distribution facilities shall be furnished and installed in compliance with the requirements of the Texas Commission on Environmental Quality.
 - b) Water Wells and Water Quality. If a sewage system is to be installed, it must meet the requirements of the Texas Commission on Environmental Quality.
 - c) County Liability. The County shall not be responsible for the quantity or quality of a reliable water source.
 - d) Subdivisions utilizing underground water supplies shall comply with the requirements set forth by the Texas Commission on Environmental Quality.
- (6) Floodplain and Drainage. Pursuant to Chapter 5 of the Texas Property Code, no lot that falls within the federally designated 100-year floodplain shall be sold by the original developer in any subdivision unless it is so noted by agreeing parties.
- (7) Changes to Road Names. Any changes to any subdivision road name shall be in accordance with the Llano County Street\Road Name and Address Assignment Policy Procedures.
- (8) Obstacles to Subdividing. The Owner or Owners of any such tract of land shall provide the Commissioners Court with proof that there are no obstacles to subdividing, including but not limited to any prohibitions of transfer of property under any lien document.

Article 5. Other Provisions.

1. Construction and Maintenance Bonds

A. Construction Bonds

- (1) All construction shall be complete within 2 years after approval of final plat in a timely manner, and in accordance with the terms and specifications contained herein, the developer shall file a Construction Bond, executed by a Surety Company authorized to do business in this State, and made payable to the County Judge of Llano County, Texas or his successors in office.
- (2) The bond shall be equal to one hundred percent (100%) of the estimated cost of construction of roads, streets, street signs, water and/or wastewater utilities, required drainage structures and all other construction.

- (3) The Construction Bond shall be submitted to the Commissioner's Court with the final plat.
- (4) The Construction bond shall remain in full force and in effect until all the roads, streets, street signs, underground utilities, required drainage structures and all other construction in the subdivision have been completed to the satisfaction of the Precinct Commissioner, and the Construction Bond has been released by a Court order from the Commissioner's Court.
- (5) In the event any or all of the streets, roads, drainage and drainage structures, as constructed by the Owner, fail to meet the requirements of the foregoing specifications, and the said Owner fails or refuses to correct the defects called to his attention in writing by the County, the unfinished improvements shall be completed at the cost and expense of obligee as provided.
- (6) The Llano County Treasurer shall hold the bond until the bond is released by written order of the Llano County Commissioners Court.

B. Maintenance Bond

- (1) To insure roads, streets, street signs, underground utilities, required drainage structures and all other construction are maintained to the satisfaction of the precinct Commissioner, a Maintenance Bond executed by a Surety Company authorized to do business in this state, and made payable to the County Judge of Llano County, Texas or his successors in office, shall be substituted for the Construction Bond at the time of release of said Construction Bond.
- (2) The Maintenance Bond shall be equal to fifteen percent (15%) of the estimated cost of all construction based on the cost of construction to minimum county standards. This cost will be derived using an engineer's estimate.
- (3) The conditions of the Maintenance bond shall be that the Owner shall guarantee to maintain, to the satisfaction of Llano County, all of the streets, roads, drainage structures and drainage ditches and channels which have been constructed to specifications with construction security released by Court order from the Commissioners Court, in a good state of repair for a period of two years from the date of official release of construction security.
- (4) Periodic inspection of roads, streets, street signs, underground utilities, required drainage structures and all other construction, for which maintenance security is held, will be made by the precinct Commissioner or his designee during the period of liability covered by the Maintenance Bond. In the event any or all of the roads, streets, street signs, underground utilities, required drainage structures and all other construction are not being maintained in a good state of repair, the Owner will be so advised in writing and, if after a reasonable time, he fails or refuses to repair said items, they shall be maintained at the cost and expense of obligee as in said orders provided.
- (5) The release of any bond shall be by order of the Commissioner Court. To request a release the developer who posted the bond in question shall present a written request to release said bond.
- (6) If substantial patching is required during the two-year maintenance period, roads or streets must be resurfaced with a two-course surface treatment.

- (7) The Llano County Treasurer shall hold the maintenance bond until the maintenance bond is released by written order of the Llano County Commissioners Court.

2. Cash Bonds

- A. Cash bonds may be accepted in lieu of surety bonds and shall be held by the County Treasurer. The developer shall enter into a formal written and signed agreement for the performance of construction of the roads, streets, street signs, underground utilities, required drainage structures and all other construction related to the development. This agreement shall be approved by the county attorney. The amount of the cash bond is to be determined by the average of three (3) bona fide bids from competent contractors. The cash bond shall be held in the depository of the county's choice. The precinct commissioner in whose precinct the development is occurring shall have signatory responsibility and responsibility for the disbursement of the bond. Reductions or refunds from the cash bond shall be based on a 20/40/40 percentage completion of development. Upon completion of phases, the developer shall present a letter of completion from the project engineer and lien releases to Development Services stating the completed work and upon majority approval of the commissioner's court may be granted a partial release of funds in the above specified amounts. The final forty percent (40%) shall not be released until a maintenance surety bond or a cash bond agreement and deposit for maintenance is received by the county. Final release of cash bonds are subject to majority approval from the commissioner's court. Variance from the specified refund amounts may be available by special consideration and a majority approval from the commissioner's court. The commissioner's court may accept a cash bond for one hundred and fifteen percent (115%) of the amount of construction withholding the extra fifteen percent (15%) in lieu of the maintenance bond for a period of two (2) years from the completion and approval of the subdivision construction. Each cash bond agreement may be unique and will require written approval from the county attorney and a majority approval from the commissioner's court.

3. Final Inspection

- A. The Developer, upon completion of drainage, roads, streets or other facilities intended for the use of the public, or purchasers or owners of lots fronting or adjacent there to, shall request from the Development Services Department, a final inspection. Development Services or their designee will inspect, within 10 days, the completed work for compliance. The Developer will be notified in writing, within 10 days of the final inspection, of approval or disapproval due to non-compliance with these Subdivision Regulations.

4. Variances and Plat Notes

- A. Variance may be authorized by the Llano County Commissioners Court when the filed variance request (See Appendix I) shows that undue hardship will result from requiring strict compliance. A written request for a variance must be submitted to the Llano County Commissioners' Court prior to the approval of the plat. In granting variances, the Commissioners Courts shall prescribe only conditions that it deems necessary or desirable for the public interest. In making their findings, the Commissioners Court shall take the following into account:

- (1) The nature of the proposed use of the land involved;
- (2) Existing uses of land in the vicinity of the proposed subdivision;

- (3) The number of persons who will reside or work in the proposed subdivision; and
 - (4) The probable effect of such variance upon traffic conditions, drainage, public health, and the safety of the existing and future residents.
- B. No variance shall be granted unless the Llano County Commissioners Court determines, from a written request:
- (1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of these Regulations would deprive the applicant of the reasonable use of the land; and,
 - (2) That the variance is necessary for the protection and enjoyment of a substantial property right of the applicant; and,
 - (3) That the granting of the variance will not be detrimental to the public health or safety or injurious to other property in the area; and,
 - (4) That the granting of the variance will not have the effect of preventing orderly division of other land in the area in accordance with these Regulations.
- C. Such findings of the Llano County Commissioners Court, together with the special facts upon which the findings are based, shall be incorporated into the official minutes of the meeting at which the variance is granted only when in harmony with the general purpose and intent of these Regulations.
- D. Application materials. Any person who wishes to receive a variance should apply to the Department using Appendix I, with a list of, and a detailed justification, for each variance requested.
- E. Commissioners Court may accept a plat note, in lieu of a variance, per the following criteria;
- (1) The revision of the plat will result in an existing building, portion of a building or driveway encroaching (hereafter "encroachment") into an established building setback by not more than 50% of the building setback lines. Documentation must be submitted with the application showing the encroachment on the proposed plat.
 - (2) The encroachment will not be into an existing right of way or, utility easement, unless written permission of the utility is obtained and provided in the application for the plat note.
 - (3) The encroachment must have been in compliance with existing setbacks at the time the encroachment was created unless the applicant can provide documentation that the setbacks did not exist at that time.
 - (4) In the event that smaller lots in an existing platted subdivision created and filed with the County Clerk prior to January 1, 1988 are being combined will not meet the minimum lot size for septic.
 - (5) The applicant agrees that no further addition or encroachment will occur and that once the encroachment is removed no subsequent construction shall be allowed within the building setback lines.

- (6) The plat note is reviewed and approved by the County Surveyor, County Engineer or designee prior to plat approval.

5. Cancellation of Subdivisions

Pursuant to 232.008, Texas Local Government Code, an application may be submitted to the County to request the cancellation of a subdivision and shall be processed according to the provisions stated below. All fees must be paid and accompany the application. (See Appendix L)

DIVISION 1. ALL PLATTED SUBDIVISIONS

A. A person owning real property that has been subdivided in this County into lots and blocks or into small subdivisions may apply to the County Commissioners Court for permission to cancel all or part of the subdivision, including a dedicated easement or roadway, to reestablish the property as acreage tracts as it existed before the subdivision. If, on the application, it is shown that the cancellation of all or part of the subdivision does not interfere with the established rights of any purchaser who owns any part of the subdivision, or it is shown that the purchaser agrees to the cancellation, the County Commissioners Court by order shall authorize the Owner of the subdivision to file an instrument canceling the subdivision in whole or in part. The instrument must describe the subdivision or the part of it that is cancelled. The County Commissioners Court shall enter the Order in its Minutes. After the cancellation instrument is filed and recorded in the Official Public Records of the County, the Llano County Chief Appraiser shall assess the property as if it had never been subdivided.

B. The applicant shall publish notice of an application for cancellation. The notice must be published in a newspaper, published in the English language, in the County for at least three weeks before the date on which action is taken on the application. The County Commissioners Court shall take action on an application at a regular term. The published notice must direct any person who is interested in the property and who wishes to protest the proposed cancellation to appear at the time specified in the notice.

C. If delinquent taxes are owed on the subdivided tract for any preceding year, and if the application to cancel the subdivision is granted as provided by this Division, the Owner of the tract may pay the delinquent taxes on an acreage basis as if the tract had not been subdivided. For the purpose of assessing the tract for a preceding year, the Llano County Chief Appraiser shall back assess the tract on an acreage basis.

D. On application for cancellation of a subdivision or any phase or identifiable part of a subdivision, including a dedicated easement or roadway, by the owners of seventy-five (75) percent of the property included in the subdivision, phase, or identifiable part, the County Commissioners Court by Order shall authorize the cancellation in the manner and after notice as provided for herein. However, if the Owners of at least ten (10) percent of the property affected by the proposed cancellation file written objections to the cancellation with the County Commissioners Court, the grant of an order of cancellation is at the discretion of the County Commissioners Court.

E. To maintain an action to enjoin the cancellation or closing of a roadway or easement in a subdivision, a person must own a lot or part of the subdivision that:

- (1) abuts directly on the part of the roadway or easement to be canceled or closed; or
- (2) is connected by the part of the roadway or easement to be canceled or closed, by the most direct feasible route, to (1) the nearest remaining public highway, county road, or access road to the public highway or county road; or (2) any un-canceled common amenity of the subdivision.

F. A person who appears before the County Commissioners Court to protest the cancellation of all or part of a subdivision may maintain an action for damages against the person applying for the cancellation and may recover as damages an amount not to exceed the amount of the person's original purchase price for property in the canceled subdivision or part of the subdivision. The person must bring

the action within one year after the date of the entry of the County Commissioners Court Order granting the cancellation.

G. The County Commissioners Court may deny a cancellation under this section if the County Commissioners Court determines the cancellation will prevent the proposed interconnection of infrastructure to pending or existing development.

This Order regulating the development of subdivisions within the unincorporated area of Llano County is hereby adopted this the _____ day of _____, 2020.

Ron Cunningham, Llano County Judge

Peter Jones, Commissioner, Precinct 1

Linda Raschke, Commissioner, Precinct 2

Mike Sandoval, Commissioner, Precinct 3

Jerry Don Moss, Commissioner, Precinct 4

Attest: _____
Llano County Clerk

APPENDIX A DEFINITIONS

- A. **Applicant** refers to an Owner or its lawfully authorized representative submitting an application and seeking approval of a proposed Subdivision pursuant to these Regulations.
- B. **AASHTO** means the American Association of State Highway and Transportation Officials.
- C. **Commissioners Court** refers to the Commissioners Court of Llano County.
- D. **County** refers to Llano County, Texas.
- E. **Engineer** is a licensed engineer, as authorized by the State Statutes to practice the profession of engineering.
- F. **Development Services** is the county department established by the commissioner's court which, among other functions, administers the county subdivision process including but not limited to OSSF, floodplain development, permitting, 911 addressing and mapping.
- G. **Final Plat** refers to a map of a proposed Subdivision of land prepared as described in these rules and in a form suitable for filing of record with all necessary survey drawings, notes, information, affidavits, dedications and acceptances as required by these Regulations.
- H. **Floodplain** is based on the Llano County Flood Damage Prevention Order and the current Flood Insurance Rate Maps for the unincorporated areas of Llano County; the area adjacent to a stream or watercourse which, on average, has a one percent chance of being inundated by flood water in any given year.
- I. **Lot** refers to a parcel into which land that is intended for residential use is divided.
- Parent Tract** the original tract owned by the developer prior to any division of property
- Daughter Tract** any of the tracts created by division of a parent tract, including the remainder of the parent tract itself.
- J. **Main Artery, Street or Road** refers to a traffic artery of minimum 50 feet right of way acting as a principal connecting street with a county road, state or federal highway, with the consent and permission of the federal or state highway department. Any portion of a lot used for access must be a minimum of 50 feet in width.
- K. **Owner** refers to the owner of the land subject to the proposed Subdivision, including a person or entity constituting an owner and subdivider of land who divides a tract of land into two or more parts, as defined by Section 232.001 of the Texas Local Government Code, as now in effect or hereafter amended.
- L. **Permit** means a license, certificate, approval, registration, consent, permit, contract or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, ordinance, that a person must obtain to perform an action or initiate, continue, or complete a project for which a permit is sought.
- M. **Project** means an endeavor over which a regulatory agency exerts its jurisdiction and for which one or more permits are required to initiate, continue, or complete the endeavor; refers to the map, drawing, or chart on which subdivider's plan of a subdivision is presented, which he submits for approval, and all copies of it, including all components

described by Chapter 232 of the Texas Local Government Code, as now in effect or hereafter amended.

- N. **Plat** refers to a plat of a subdivision which is under review by the Llano County Commissioners Court in accordance with the requirements of these regulations and which has been filed with the Llano County Development Services Department.
- O. **Private Street/Road** refers to any right-of-way not dedicated to the public and restricted to the use of certain property owners and their needs.
- P. **Private Subdivision** refers to any subdivision with no dedications to the public and restricted to the use of certain property owners and their needs.
- Q. **Public Maintained Street/Road** refers to any public right-of-way owned or, controlled by a city, the county, or state and maintained by same for use of vehicular traffic. This definition does not include streets dedicated to the public use and not accepted for maintenance by the aforesaid governmental entities.
- R. **Public Street/Road** refers to any right-of-way dedicated to the public use and not owned, controlled or accepted for maintenance by a city, the county or state.
- S. **Regulations** refers to the Llano County Subdivision Regulations.
- T. **Replat** means a revision of a subdivision plat on file with the County Clerk.
- U. **Secondary Streets and Roads** refers to minor streets or roads which principally provide access to abutting property, other than arterial roads and alleys.
- V. **Subdivider, Developer or Owner** are synonymous and are used to include any person, partnership, firm, association, corporation (or combination thereof), or any officer, agent, employee, servant, or trustee thereof, who performs, or participates in the performance of, an act toward the subdivision of land within the intent, scope and purview of this Order.
- W. **Subdivision** means a division of land situated within Llano County and outside the corporate limits of any municipality, 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 or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.
 - 4. A division of tracts under Subsection P includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for deed, by using a contract of sale or other executory contract to convey or by using any other method, including a condominium or multi-family scheme.Subdivision also includes a division of land or subdivision as described in Chapter 232 of the Texas Local Government Code, as now in effect or hereafter amended.
- X. **Surveyor** is a licensed State Land Surveyor or Registered Public Surveyor, as authorized by the State Statutes to practice the profession of surveying.
- Y. **Utility Easement** means an interest in land granted to the county, to the public generally, and/or to a private utility corporation, for installing utilities across, over or under private or public land, together with the right to enter thereon with machinery and vehicles necessary for the maintenance of said utilities.
- Z. **Variance** means any departure from any regulation or requirement.

**APPENDIX B
SUMMARY OF LLANO COUNTY ROAD STANDARDS**

Average Daily Traffic (one-way trips)**	0-1000	1001-2500	2501-5000	5001-15000
Functional Classification	Local Street	Minor Collector	Major Collector	Minor Arterial
Design Speed	25 - 35mph	35 mph	45 mph	55 mph
Number of Lanes	2	2	2	4
ROW Width	50'	60'	70'	100'
Width of Traveled Way	20'	22'	24'	48'
Width of Shoulders	4'	5'	6'	8'
Minimum Centerline Radius	175'	375'	675'	975'
Minimum Tangent Length between Reverse Curves Or Compound Curves	75'	150'	300'	500'
Minimum Radius for Edge of Pavement At intersections	25'	25'	25'	25'
Intersecting Street Angle	80-100	80-100	80-100	80-100
Maximum Grade *	11%	10%	9%	8%
Minimum Street Centerline Offset at Adjacent Intersections	125'	125'	125'	125'
Minimum Stopping Sight Distance	175'	250'	350'	550'
Minimum Intersection Sight Distance	250'	350'	450'	550'
Steepest Ditch Foreslope Grade	3:1	4:1	4:1	5:1
Flood Design (year event)	10	15	25	25

- * Any deviation from these standards must be the subject of an approved variance.
- ** Lots that are restricted by plat note to one single-family residence shall be presumed to generate 10 one-way trips per day. Average daily traffic for all other lots shall be determined by the precinct commissioner of their designee. Factors to consider are lot size, other plat restrictions and the potential for future development.
- The entire side ditch shall be totally contained within the road right-of-way or a dedicated drainage easement. Guardrails shall be required wherever the ditch depth exceeds 8' from the edge of the shoulder to the bottom of the ditch on local streets, 6' from the edge of the shoulder to bottom of the ditch on minor collectors and 4' from the edge of the shoulder to the bottom of the ditch on all others larger than a minor collectors.
- Any development generating more than 15000 average daily traffic will be designed according to TxDot standards.
- Shoulder to shoulder widths on streets utilizing sheet flow drainage shall extend 4 feet beyond the edge of the pavement or the outer edge of the ribbon curb on either side.

APPENDIX C
Development Fees and Payment Methods

The following are a list of development fees for Llano County. These fees are subject to change.

Plat without a designated floodplain:	\$300 + \$10 per lot
Plat with a designated floodplain:	\$500 + \$10 per lot
Variance / Plat Note request:	\$100 per request type *(without a legal opinion)
Replat:	\$100
RV Park:	\$250 + \$10 per RV site
MHRC	\$250 + \$10 per Mobile Home lot/space
Non-Compliance Re-Inspection Fee	\$60.00
Cancellation of a Subdivision	\$100 + fee for public notices

Engineering Review Fee
(Engineering fees are the responsibility of the developer)

This fee schedule has been reviewed and approved by the Commissioner's County of Llano County, Texas this _____ day of _____, 2020.

County Judge

Attest: _____
County Clerk

The current means of fee payment shall be a check, money order or cashier's check payable to Llano County.

Additional fees shall be required by the Llano County Clerk's Office for the filing of the plat in the Official Public Records of Llano County upon final approval by the Llano County Commissioners Court.

There shall be a \$200 fee for any plat that does not have an electronic copy compatible with the Llano County base map. It is recommended that you meet with the GIS/Technology Coordinator prior to filing to assure the data being submitted is compatible.

*Costs incurred for any outside legal opinion(s) shall be reimbursed to Llano County by the developer.

**APPENDIX D
REQUEST FOR EXEMPTION FROM
LLANO COUNTY SUBDIVISION REGULATIONS**

Date: _____
Owner _____
Mailing address _____
City _____ State _____ Zip _____
Telephone _____ Email _____

Property ID from C.A.D. _____

Property Description: _____

Reason for Request (Add pages if necessary): _____

A copy of my Deed with full metes and bounds description, attached along with a survey or sketch of the property showing the boundaries of the lots, adjacent roads, and adjacent property owners are attached hereto. A variance request requires Commissioner Court approval.

I hereby acknowledge that all lots will remain subject to the on-site wastewater rules and development permit requirements of the County. I am also aware that other entities may have restrictions to the division of property that may limit the use of that property. Those entities include but are not limited to the Texas Commission on Environmental Quality (TCEQ) and the Lower Colorado River Authority (LCRA).

Signature (Notarized)

Printed Name

**STATE OF TEXAS
COUNTY OF LLANO**

This instrument was sworn to before me on the ____ day of _____, 20__.

Notary Public, State of Texas

Variance Approval: _____ Date: _____
County Judge



APPENDIX E
SUBDIVISION PLAT APPLICATION
(REFER TO ARTICLE 2)

A completed application must be received by Llano County 30 days prior to any scheduling of preliminary plat hearings in Commissioner's Court. The application should be completed in all applicable aspects and contain the required signatures from the respective entities concerned. It is the responsibility of the developer to obtain a current set of subdivision regulations from the County Clerk's office and to provide all materials and to follow all guidelines contained therein. Any constructions of roads or improvements for proposed development prior to approval from the Llano County Commissioner's Court are at the developer's own risk.

APPLICATION DATE: _____ APPLICATION # _____
PROJECT NAME: _____
PRECINCT NO: 1 2 3 4
JURISDICTION: _____ CITY LIMITS _____ ETJ OUTSIDE ALL CITY
LIMITS AND ETJs
DATE PAID: _____ AMOUNT \$ _____ CHECK # _____ RECEIPT # _____

PLAT

CURRENT LEGAL DESCRIPTION: _____

CURRENT LAND AREA IN ACRES: _____ CITY ETJ: _____
PROPOSED NAME OF SUBDIVISION: _____
PUBLIC SUBDIVISION: PRIVATE SUBDIVISION:
TOTAL NUMBER OF PROPOSED LOTS: _____
PROPOSED ACREAGE OF EACH LOT: _____
TOTAL ACREAGE: _____

MINIMUM LOT SIZE BEING MET: Yes No
BUILDING SETBACKS: FRONT _____ FEET; SIDE _____ FEET; BACK _____ FEET
UTILITY EASMENTS: FRONT _____ FEET; SIDE _____ FEET; BACK _____ FEET

LOT USE-RESIDENTIAL: _____ COMMERCIAL / INDUSTRIAL: _____

ROAD FRONT: COUNTY STATE: PRIVATE:
PROPOSED ROAD TYPE: _____; ___' RIGHT OF WAY; ___' ROAD WIDTH; ___ MPH;

ESTIMATED / PROPOSED COST OF ALL-INFRASTRUCTURE: _____

NAME OF PROPERTY OWNER: _____
ADDRESS: _____
TELEPHONE NUMBER: _____

CONTACT PERSON TO APPEAR IN COMMISSIONER’S COURT

NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

STATEMENT OF CONFORMANCE OR LIST OF VARIANCES ATTACHED (Approval required prior to plat approval): Yes No

ITEMS TO BE INCLUDED WITH PLAT SUBMITTAL (Please check items attached)

- COMPLETE PLAT
- PROOF OF OWNERSHIP
- LOCATION MAP
- VACINITY MAP INCLUDED
- ENGINEERED DRAINAGE PLAN
- STATEMENT OF CONFORMANCE / LIST OF VARIANCES ATTACHED (Approval required prior to application submittal)
- OWNER CERTIFICATION OF CONFORMANCE
- RESTRICTIVE COVENANT, CODES
- ROAD DESIGN (TxDOT APPROVAL REQUIRED)
- FLOODPLAIN INFORMATION
- CONSTRUCTION BOND
- MAINTENANCE BOND
- CASH BOND

UTILITY LETTERS:

- WATER
- SEWER
- ELECTRIC
- GAS
- PHONE
- OTHER

APPLICANT’S ACKNOWLEDGEMENT:

Incomplete applications or a lack of planning materials required will delay the scheduling of hearings for development property. It is the applicant’s responsibility to assure all required conditions are met prior to scheduling any plat hearings. Llano County will have 31 days to review all applications and supplied planning materials and must be granted access to proposed development property to ensure adequate review of materials. Any request for additional planning materials or material not supplied in the original submittal will be done by certified mail and the review period of 31 days will begin again when the requested material is received by the proper county official.

APPLICANT’S SIGNATURE: _____

DATE: _____

PLAT REVIEW COUNTY SIGNATURES

DEVELOPMENT SERVICES SIGNATURE:

NAME: _____ TITLE: _____ DATE: _____

9-1-1 COORDINATOR SIGNATURE:

NAME: _____ DATE: _____

COUNTY SURVEYOR: _____

NAME: _____ DATE: _____

COUNTY ENGINEER (IF APPLICABLE):

NAME: _____ DATE: _____

ROAD AND BRIDGE COMMISSIONER SIGNATURE:

NAME: _____ DATE: _____



APPENDIX F
SUBDIVISION REPLAT APPLICATION
(REFER TO ARTICLE 3)

A completed application must be received by Llano County 30 days prior to any scheduling of preliminary plat hearings in Commissioner's Court. The application should be completed in all applicable aspects and contain the required signatures from the respective entities concerned. It is the responsibility of the developer to obtain a current set of subdivision regulations from the County Clerk's office and to provide all materials and to follow all guidelines contained therein. Any constructions of roads or improvements for proposed development prior to approval from the Llano County Commissioner's Court are at the developer's own risk.

APPLICATION DATE: _____ APPLICATION # _____
PROJECT NAME: _____
PRECINCT NO: 1 2 3 4
JURISDICTION: _____ CITY LIMITS _____ ETJ OUTSIDE ALL CITY
LIMITS AND ETJs
DATE PAID: _____ AMOUNT \$ _____ CHECK # _____ RECEIPT # _____
PUBLIC NOTICES: DATES RUN: _____

AMENDED PLAT / REPLAT

CURRENT LEGAL DESCRIPTION:

CURRENT LAND AREA IN ACRES: _____ CITY ETJ: _____
TO BE KNOWN AS: _____
TOTAL NUMBER OF PROPOSED LOTS: _____ PROPOSED ACREAGE OF EACH LOT: _____
TOTAL ACREAGE: _____

MINIMUM LOT SIZE BEING MET: Yes No
BUILDING SETBACKS: (Existing Yes No) FRONT _____ FEET; SIDE _____ FEET; BACK
_____ FEET
UTILITY EASEMENTS: (Existing Yes No) FRONT _____ FEET; SIDE _____ FEET; BACK
_____ FEET

LOT USE-RESIDENTIAL: _____ COMMERCIAL / INDUSTRIAL: _____

ROAD FRONT: COUNTY STATE: PRIVATE:

NAME OF PROPERTY OWNER: _____
ADDRESS: _____
TELEPHONE NUMBER: _____

CONTACT PERSON TO APPEAR IN COMMISSIONER’S COURT

NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

STATEMENT OF CONFORMANCE OR LIST OF VARIANCES ATTACHED (Approval required prior to plat approval): Yes No

ITEMS TO BE INCLUDED WITH REPLAT SUBMITTAL (Please check items attached)

- COMPLETE PLAT
- EXISTING DEED RESTRICTIONS
- EXISTING PLAT
- PROOF OF OWNERSHIP
- POA / HOA APPROVAL; if no POA / HOA certified receipt from all property owners within 200’ required
- LOCATION MAP
- VACINITY MAP INCLUDED
- ENGINEERED DRAINAGE PLAN
- STATEMENT OF CONFORMANCE / LIST OF VARIANCES ATTACHED (Approval required prior to application submittal)
- OWNER CERTIFICATION OF CONFORMANCE
- RESTRICTIVE COVENANT
- ROAD DESIGN (TxDOT APPROVAL REQUIRED) (NO ROAD MODIFICATION INVOLVED)
- FLOODPLAIN INFORMATION
- PLAT NOTE; REASON:

UTILITY LETTERS:

- WATER
- SEWER
- ELECTRIC
- GAS
- PHONE
- OTHER

APPLICANT’S ACKNOWLEDGEMENT:

Incomplete applications or a lack of planning materials required will delay the scheduling of hearings for development property. It is the applicant’s responsibility to assure all required conditions are met prior to scheduling any plat hearings. Llano County will have 31 days to review all applications and supplied planning materials and must be granted access to proposed development property to ensure adequate review of materials. Any request for additional planning materials or material not supplied in the original submittal will be done by certified mail and the review period of 31 days will begin again when the requested material is received by the proper county official.

APPLICANT’S SIGNATURE: _____

DATE: _____

REPLAT REVIEW COUNTY SIGNATURES

DEVELOPMENT SERVICES SIGNATURE:

NAME: _____ TITLE: _____ DATE: _____

9-1-1 COORDINATOR SIGNATURE:

NAME: _____ DATE: _____

COUNTY SURVEYOR:

NAME: _____ DATE: _____

COUNTY ENGINEER (IF APPLICABLE):

NAME: _____ DATE: _____

ROAD AND BRIDGE COMMISSIONER SIGNATURE:

NAME: _____ DATE: _____

**APPENDIX G
MANUFACTURED HOME RENTAL COMMUNITY REGULATIONS**

DIVISION 1. GENERAL AND ADMINISTRATIVE PROVISIONS

1.1 Applicability. In accordance with Local Government Code §232.007, no formal plat shall be required for a manufactured home rental community. For the purposes of these Rules, a “manufactured home rental community” (MHRC) means a plot or tract of land that is separated into two or more spaces or lots that are rented, leased, or offered for rent or lease, for a term of less than sixty (60) months without a purchase option, exclusively for the installation of manufactured homes for use and occupancy as residences.

1.2 General Requirements. The developer, owner or owners of a tract of land proposed to be developed as a MHRC shall prepare an Infrastructure Development Plan (IDP) and associated Engineered Drainage Report prepared by a professional engineer registered in the State of Texas to be submitted to the Llano County Development Services Department. Review and approval of the MHRC IDP shall be timely and in accordance with **Section 3.3** below.

DIVISION 2. MINIMUM STANDARDS

2.1 MHRC IDP Design Standards. Development of the MHRC IDP shall include, at a minimum, the following design standards:

2.1.1 Streets. There shall be a minimum sixty (60) feet fronting a street or roadway which has been previously dedicated to the public for the public’s use and benefit as a street or roadway. Access roads to the individual rental spaces must be constructed and paved to a minimum width of twenty (20) feet. The pavement structure shall include:

- (a) An eight inches (8 in) thick crushed stone base or County approved base material, and a one and one-half inches (1 ½ in) thick hot mix asphaltic concrete (HMAC) paved surface, or
- (b) An eight inches (8 in) thick crushed stone base or County approved base material, and a “double asphalt or emulsion surface treatment” (2 course chip seal) per Article 4 of the Llano County Subdivision Regulations or alternative pavement structure as designed by a professional engineer registered in the State of Texas and approved by the Road and Bridge Commissioner.

2.1.2 Rental Space. No space may contain more than one (1) single family residential unit. Each space shall have separate and individual access; no common driveways will be allowed.

2.1.3 Emergency Access. Layout and design of access roadways shall accommodate fire and emergency vehicles.

2.1.4. Traffic Control Devices. All traffic control (signing, markings, etc.) shall be in accordance with the Texas Manual on Uniform Traffic Control Devices.

2.1.5 Drainage. An adequate drainage plan shall be designed and prepared by a professional engineer registered in the State of Texas, including the design of drainage

facilities, culverts, conveyances, outfalls and/or systems using a minimum ten (10) year storm frequency (unless otherwise directed by the Llano County Commissioner's Court), such that the drainage out of the MHRC does not have a negative drainage impact on neighboring properties. The placement of any structure within the regulatory floodplain shall be in accordance with the Llano County Flood Damage Prevention Order.

2.1.6 County Road Right of Way. If the MHRC is adjacent to a County road, and if additional right-of-way is required for an existing County road for drainage and access as determined by the Road and Bridge Commissioner, the owner shall dedicate these rights-of-way to the County.

2.1.7 Water and Wastewater. All water and wastewater design shall be prepared by a professional engineer registered in the State of Texas, and shall be in accordance with industry standards and the Texas Commission on Environmental Quality.

DIVISION 3. STANDARD SUBMISSION AND REVIEW PROCEDURES

3.1 MHRC IDP Submittal Package Requirements. The MHRC IDP shall include the following minimum requirements.

3.1.1 MHRC IDP Preliminary Submittals. Preliminary submittals shall include the following:

- (a) A survey of the property shall be submitted to the Llano County Development Services Department prior to the request by the owner or occupier of the lot for any permit and/or utility services.
- (b) The owner shall submit a letter of application, signed by the owner that stipulates the intention of the owner; name, address, phone number of the owner; names of water and electricity providers; and name of wastewater provider or type and usage of on-site sewerage facility.

3.1.2 MHRC IDP Layouts. The drawings associated with the MHRC IDP shall include, at a minimum, the following:

- (a) The drawings shall be on eighteen (18) inches x twenty-four (24) inches plan sheets at a maximum scale of one (1) inch = one hundred (100) feet.
- (b) If more than two (2) sheets are needed, an index of sheets shall be provided on the first sheet.
- (c) Names, locations, dimensions (bearings and distances), and layouts of existing and proposed streets, alleys, easements, and other public rights-of-way and public/private encumbrances (deed restrictions, etc.) on the property and any proposed street right-of-way, easement, alley, park, or other public dedication.
- (d) Dimensions, bearings and distances, of the proposed rental spaces.
- (e) Signatures and date of approval and certifications as required under these Rules. These approval signatures shall be not more than six (6) months prior to the submission.

- (f) Legal description, acreage, and name of the proposed MHRC. The proposed MHRC's name shall not be spelled or pronounced similarly to the name of any existing MHRC or subdivision located within Llano County.
- (g) The boundary of the MHRC shall be indicated by a heavy line and described by bearings and distances.
- (h) The scale, legend, north arrow, spot elevations on one hundred (100) feet or an appropriate grid, with two (2.0) foot contour lines. Alternate contour intervals may be submitted, based on terrain, with approval from the Llano County Development Services Department.
- (i) Deed record, name of owner, volume and page number of adjoining properties.
- (j) Dates of survey and preparation of MHRC IDP.
- (k) Identification code, location, description, and elevation of USGS or appropriate benchmark used in the survey.
- (l) Front building setback lines; back and side building setback lines by note.
- (m) Location of any City's corporate limit line or ETJ line.
- (n) Vicinity map with streets, ditches, general drainage flow directions to the ultimate outfall, city limits and ETJ's, and other major land features.
- (o) Net area (gross area less easements) of rental spaces to the nearest one hundredth (1/100th) of an acre for lots using OSSF and/or well water.
- (p) Limits of flood hazard areas as defined by the appropriate FEMA FIRM panel and the proposed finished floor elevation of buildings within these flood hazard areas on each space.
- (q) A Certificate by a surveyor or engineer describing any area of the MHRC that is in a floodplain or stating that no area is in a floodplain, as delineated by the appropriate FEMA FIRM panel and date.
- (r) A surveyor's signature and seal on the MHRC IDP for certification.
- (s) The description of the water and sewer facilities, electricity and gas utilities, and roadways and easements dedicated for the provision of water and sewer facilities that will be constructed or installed to serve the MHRC and a statement of the date by which the facilities will be fully operable, prepared by an engineer (may be included in an attached document). A certification must be included that the water and sewer facilities described by the MHRC IDP, or document attached to the MHRC IDP, are in compliance with these Rules.
- (t) Approvals by other regulatory and governing bodies, as required

3.1.3 MHRC IDP Attachments. The MHRC IDP submittal shall also include the following documents:

- (a) Letters signed and dated from water, wastewater, and electric utilities of service commitment and availability and statement of approval of existing and proposed utility easements.
- (b) A tax certificate showing that all taxes currently due with respect to the original tract have been paid.
- (c) Results of a soil analysis certified by a qualified site evaluator (as defined by 30 TAC Chapter 285) for on-site sewage facilities.
- (d) Plans, specifications and estimates for construction of proposed water and wastewater facilities.
- (e) Plans, specifications and estimates for construction of proposed street improvements and associated traffic control and signing.
- (f) Engineering plans, specifications and estimates for construction of adequate drainage off of the rental spaces to drainage channels and out of the MHRC, including the design and construction of drainage facilities, culverts, and/or systems using a ten (10) year storm frequency, such that the drainage out of the MHRC does not have a negative drainage impact on neighboring properties.
- (g) An electronic copy of the layout of the lots and streets (to scale and with state plane coordinates) within the MHRC shall be submitted to the 911 coordinator for incorporation into the County-wide map.

3.2 MHRC Submittal Package Requirements

3.2.1 Water Supply

3.2.1(a) Water Supply – Public Water Systems. If the water supplier is a political subdivision of the state: a city, municipality, utility district, water control and improvement district, nonprofit water supply corporation, etc., the developer, owner or owners shall furnish a signed letter of service availability from the water supplier to provide the State's minimum requirements of quality and quantity of water to the proposed MHRC.

Where there is no existing facility or owner intending to construct and maintain the proposed water supply facilities, the developer, owner or owners may establish an investor-owned utility or create a municipal utility district and obtain a Certificate of Convenience and Necessity (CCN) from the Texas Commission on Environmental Quality and include evidence of the CCN issuance for the MHRC. Prior to IDP approval, plans and specifications for the construction of the proposed water facilities system shall have been approved by all entities having jurisdiction over the proposed MHRC and facilities, including the Texas Commission on Environmental Quality.

Water service must be extended into the MHRC to each lot or rental space if the existing water lines are located within three hundred (300) feet of the MHRC and if there is sufficient water available by the water supplier.

3.2.1(b) Water Supply – Private Wells or Non-Public Water Systems.

Quantitative and Qualitative results of sampling test wells in accordance with requirements promulgated by the Texas Commission on Environmental Quality and the Texas Department of Health shall be included where individual wells are proposed for the supply of drinking water to residences and other establishments. The results of the analyses shall be made available to the prospective property owners or renters.

3.2.1(c) Water Supply – Other Approvals. Prior to IDP approval, plans and specifications for the construction of the proposed water facilities system shall have been approved by all entities having jurisdiction over the proposed MHRC including the Texas Commission on Environmental Quality.

3.2.2 Wastewater Disposal Facilities

3.2.2(a) Wastewater Disposal Facilities – Centralized Sewerage Facilities. If wastewater treatment is provided by a political subdivision of the State: city, municipality, utility district, water control and improvement district, nonprofit water supply corporation or an existing investor-owned water supply corporation, etc., the developer, owner or owners shall furnish a signed letter of service availability to provide the State's minimum wastewater treatment standard for the proposed MHRC from the utility. Where there is no existing entity or owner to build or maintain the proposed wastewater treatment and collection facilities, the developer, owner or owners may establish an investor-owned utility or a municipality district by obtaining a CNN from the Texas Commission on Environmental Quality. Prior to IDP approval, an appropriate permit to treat and/or dispose of wastes for the ultimate build-out of the MHRC shall have been obtained from the Texas Commission on Environmental Quality and plans and specifications for the construction of the proposed wastewater collection and treatment facilities shall have been approved by all entities having jurisdiction over the proposed MHRC including the Texas Commission on Environmental Quality. Wastewater disposal service must be extended into the development to each lot or rental space if the existing wastewater lines are within two hundred (200) feet of the MHRC and there is sufficient wastewater capacity available from the wastewater service provider.

3.2.2(b) Wastewater Disposal Facilities – On-Site Sewerage Facilities. A soils analysis shall be prepared with results as required under the Llano County Regulations for On-Site Sewerage Facilities and the rules of the Texas Commission on Environmental Quality governing the use of on-site sewerage facilities.

3.2.3 Streets and Roadways. The MHRC plan shall include a description of the streets and roadways within the MHRC, and include information on the roadway cross section, pavement width and thickness, base thickness, subgrade treatment, material specification, and other information as required in these Rules.

3.2.4 Traffic Control Devices Plan. A traffic control devices plan for the streets to be constructed, if any, is to be included in the IDP.

3.2.5 Drainage. A Licensed Professional Engineer shall include information regarding drainage, culverts, conveyances, outfalls, and other information as required to properly convey storm water within and away from the MHRC.

3.3 Timely Approval of MHRC IDP. The MHRC IDP approval timeline is summarized as follows:

(a) If an application submission for a MHRC IDP is incomplete, the Llano County Development Services Department, not later than the tenth (10th) business day from receiving the MHRC IDP application submission, shall notify the applicant of the missing documents or information. No further action will be taken on the application until all documentation or other information contained in the notice is submitted to the Llano County Development Services Department.

(b) Acceptance by the Llano County Development Services Department of a complete MHRC IDP application shall not be construed as approval of the application or the information or documentation contained therein.

(c) If the Llano County Development Services Department disapproves an application submission for a MHRC IDP, the applicant shall be given a complete list of reasons for disapproval.

(d) The sixty (60) day period under Local Government Code §232.007 5(f):

(1) May be extended for a reasonable period, if agreed to in writing by the applicant and approved by the Llano County Development Services Department or the Llano County Commissioner's Court.

(2) May be extended sixty (60) additional days if Chapter 2007, Government Code, requires the County to perform a takings impact assessment in connection with the MHRC IDP application; and

(3) Applies only to a decision wholly within the control of the Llano County Development Services Department or the Llano County Commissioners Court.

(e) The Llano County Development Services Department shall make the decision under (d)(2) of whether the sixty (60) day period will be extended not later than the twentieth (20th) day after the date a completed MHRC IDP application is received by the Llano County Development Services Department.

(g) Not later than the 60th day after the date the owner of a proposed manufactured home rental community submits an infrastructure development plan for approval, the Llano County Development Services Department shall approve or reject the plan in writing. If the plan is rejected, the written rejection must specify the reasons for the rejection and the actions required for approval of the plan. If the County Engineer or its designee fails to take final action on the MHRC IDP as required in Local Government Code §232.007 5(f):

(1) The Llano County Commissioners Court shall refund the greater of the unexpended portion of any MHRC IDP application fee or deposit or fifty (50) percent of a MHRC IDP application fee or deposit that has been paid;

- (2) The MHRC IDP application is granted by operation of law; and,
- (3) The applicant may apply to a District Court in the County where the tract of land is located for a writ of mandamus to compel the Llano County Commissioners Court to issue documents recognizing the MHRC IDP's approval.

3.4 Construction and Inspection of MHRC Improvements.

3.4.1 Construction of Improvements. Construction of a proposed MHRC may not begin before the date the Llano County Development Services Department has approved the MHRC IDP.

3.4.2 Inspection of Improvements. The Llano County Development Services Department reserves the right to perform periodic and final inspection of improvements. If the Llano County Development Services Department directs that a final inspection is required, it must be completed not later than the second (2nd) business day after the date the Llano County Development Services Department receives a written confirmation from the owner that the construction of the MHRC infrastructure is complete. If the inspector determines that the infrastructure improvements comply with the MHRC IDP, then the Llano County Development Services Department shall issue a Certificate of Compliance not later than the fifth (5th) business day after the date the Llano County Development Services Department receives written confirmation from the owner that the infrastructure has been completed and in compliance with the MHRC IDP.

3.4.3 Utilities. A utility owner shall not provide utility services, including water, sewer, gas and electric services, to a MHRC subject to an IDP or to a manufactured home in the community unless the owner provides the utility with a copy of the Certificate of Compliance issued by the Llano County Development Services Department. This requirement applies to:

- (a) A municipality that provides utility services;
- (b) A municipally owned or municipally-operated utility that provides utility services;
- (c) A public utility that provides utility services;
- (d) A nonprofit water supply or sewer service corporation organized and operating under the Texas Water Code, Chapter 67 that provides utility services;

Responsibility for Cost. The developer, owner or owners of the MHRC shall be responsible for costs of improvements as required by these Rules.



APPENDIX H
MANUFACTURED HOME RENTAL COMMUNITY APPLICATION
(REFER TO APPENDIX G)

A completed application and Infrastructure Development Plan (IDP) along with all other required documents must be received by Llano County Development Services for review. The application should be completed in all applicable aspects. If an application submission for a MHRC IDP is incomplete, the Llano County Development Services Department will send a written notice of deficiency. It is the responsibility of the developer to obtain a current set of subdivision regulations from the County Clerk's office and to provide all materials and to follow all guidelines contained therein. Any constructions of roads or improvements for proposed development prior to approval from the Llano County Commissioner's Court are at the developer's own risk.

APPLICATION DATE: _____ APPLICATION # _____
PROJECT NAME: _____
PRECINCT NO: 1 2 3 4
JURISDICTION: _____ CITY LIMITS _____ ETJ OUTSIDE ALL CITY
LIMITS AND ETJs
DATE PAID: _____ AMOUNT \$ _____ CHECK # _____ RECEIPT # _____

MHRC

CURRENT LEGAL DESCRIPTION: _____
CURRENT LAND AREA IN ACRES: _____ CITY ETJ: _____

PROPOSED NAME OF MHRC: _____
TOTAL NUMBER OF PROPOSED RENTAL SPACES: _____
PROPOSED ACREAGE OF EACH SPACE: _____
TOTAL ACREAGE: _____

MINIMUM LOT SIZE BEING MET: Yes No
BUILDING SETBACKS: FRONT _____ FEET; SIDE _____ FEET; BACK _____ FEET
UTILITY EASMENTS: FRONT _____ FEET; SIDE _____ FEET; BACK _____ FEET

LOT USE-RESIDENTIAL: _____ COMMERCIAL / INDUSTRIAL: _____

ROAD FRONT: COUNTY STATE: PRIVATE:
PROPOSED ROAD TYPE: _____; _____' RIGHT OF WAY; _____' ROAD WIDTH; _____ MPH;
ESTIMATED / PROPOSED COST OF ALL-INFRASTRUCTURE: _____

NAME OF PROPERTY OWNER: _____
ADDRESS: _____
TELEPHONE NUMBER: _____

BUILDER NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

STATEMENT OF CONFORMANCE OR LIST OF VARIANCES ATTACHED (Approval required prior to MHRC approval): Yes No

ITEMS TO BE INCLUDED WITH MHRC SUBMITTAL (Please check items attached)

- COMPLETE APPLICATION
- MHRC IDP SIGNED AND SEALED BY A LICENSED SURVEYOR
- PROOF OF OWNERSHIP
- LOCATION MAP
- MHRC IDP LAYOUT
- ENGINEERED DRAINAGE PLAN
- STATEMENT OF CONFORMANCE / LIST OF VARIANCES ATTACHED (Approval required prior to application submittal)
- SURVEY OF PROPERTY
- WATER DESIGN
- WASTEWATER DESIGN
- ROAD DESIGN (TxDOT APPROVAL REQUIRED)
- FLOODPLAIN INFORMATION
- TAX CERTIFICATE
- SOIL ANALYSIS
- TRAFFIC CONTROL DEVICES PLAN

UTILITY LETTERS:

- WATER
- SEWER
- ELECTRIC
- GAS
- PHONE
- OTHER

APPLICANT'S ACKNOWLEDGEMENT:

Incomplete applications or a lack of planning materials required will delay the approval for development of property. It is the applicant's responsibility to assure all required conditions are met. Llano County will review all applications and supplied planning materials and must be granted access to proposed development property to ensure adequate review of materials. Any request for additional planning materials or material not supplied in the original submittal will be done by certified mail and the review period will begin again when the requested material is received by the proper county official.

APPLICANT'S SIGNATURE: _____

DATE: _____

MHRC REVIEW COUNTY SIGNATURES

DEVELOPMENT SERVICES SIGNATURE:

NAME: _____ TITLE: _____ DATE: _____

9-1-1 COORDINATOR SIGNATURE:

NAME: _____ DATE: _____

COUNTY SURVEYOR:

NAME: _____ DATE: _____

COUNTY ENGINEER (IF APPLICABLE):

NAME: _____ DATE: _____

ROAD AND BRIDGE COMMISSIONER SIGNATURE:

NAME: _____ DATE: _____

**APPENDIX I
LLANO COUNTY INFRASTRUCTURE
REQUIREMENTS FOR
RECREATIONAL VEHICLE PARKS**

I. PURPOSE

HEALTH AND SAFETY: It is the primary purpose of these Recreational Vehicle Park Requirements to promote the health, safety, morals, or general welfare of the county and the safe, orderly, and healthful development of the unincorporated area of the county. RV Parks present a special need for regulation due to their transitory nature, the typically very close proximity of the Recreational Vehicles to each other, and the high density of occupation.

II. APPLICABILITY

These Requirements are intended to supplement the Llano County Regulations, Rules, and Specifications for Plats, Roads, Subdivisions and Manufactured Homes. To the extent of any conflict with those prior regulations, these Requirements will apply to Recreational Vehicle Parks in Llano County, Texas. Temporary use of recreational vehicles for lodging of hunting parties while hunting on the property on which the recreational vehicles are located is exempt from these requirements.

III. DEFINITIONS:

CERTIFICATE OF COMPLIANCE: A certificate, from Llano County, that the operator of a Recreational Vehicle Park is in compliance with the Llano County Infrastructure Requirements for Recreational Vehicle Parks.

OPERATOR: The person in charge of managing a recreational vehicle park under written lease. The Owner of a recreational vehicle park may also be the Operator.

OWNER: Includes the person whose name the title to the lot, block, tract, or parcel of land is shown to be in and the only person who can apply for an RV Park.

PERSON: Any natural individual, firm, trust, partnership, association, or corporation.

RECREATIONAL VEHICLE: A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. Includes any of the following:

a) **CAMPING TRAILER:** A folding structure mounted on wheels and designed for travel, recreation, and vacation use.

b) **MOTOR HOME:** A portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.

c) **PICKUP COACH:** A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.

d) **TRAVEL TRAILER:** A vehicular structure built on a chassis with body width not to exceed eight (8) feet and body length less than 46 feet, that structure designed to be transported and intended for human occupancy as a dwelling for short periods of time and containing limited or no kitchen or bathroom facilities.

e) **RECREATIONAL VEHICLE:** A recreational vehicle exempt per 24 CFR 3282.15 (i.e. Park Model recreational vehicle).

RECREATIONAL VEHICLE PARK: Any lot or tract of land designed to accommodate two or more recreational vehicles, as defined, and which exist as a privately owned and operated enterprise with or without charges for the parking of recreational vehicles occupied or intended to be occupied for dwelling or sleeping purposes for any length of time. Hunting camps that are temporary are excluded.

RECREATIONAL VEHICLE SPACE: A plot of land within a recreational vehicle park designed for the accommodation of one recreational vehicle.

IV. RECREATIONAL VEHICLE PARK INFRASTRUCTURE DEVELOPMENT PLAN

(A) The owner of land located in Llano County outside the city limits of a municipality, or outside of the extra territorial jurisdiction of a municipality that regulates recreational vehicle parks in its extra territorial jurisdiction, who intends to use the land for Recreational Vehicle Park must have an infrastructure development plan (IDP) prepared that complies with the minimum infrastructure standards that are set out below in Section 5.

(B) Prior to beginning any construction, the owner must submit one (1) hard copy, and one digital copy in PDF format, of the IDP, along with the items required by these regulations and any required fees (See Appendix C Development Fees and Payment Methods) to the Llano County Development Services Department for review and consideration for placement on the following month's scheduled Llano County Commissioners' Court meeting agenda. An incomplete IDP will not be considered and will be returned with a list detailing the missing items. Once a completed IDP has been submitted, the IDP will be taken up for consideration 30 days after the IDP is submitted. A public notice must be prepared and published in the Llano News newspaper at least 15 days prior to the scheduled Commissioners' Court meeting at which the IDP will be presented.

(C) After the IDP is submitted; the Llano County Commissioners' Court shall approve or reject the IDP in writing. If the IDP is approved, construction may begin after necessary permits are obtained. If the IDP is rejected, the written rejection shall specify the reasons for the rejection and the actions required for approval of the IDP.

(D) The Llano County Commissioners' Court, as well as any other person designated by the Commissioners' Court or its designee, may inspect the infrastructure at any reasonable time during construction, and the owner and his agents shall not hinder such inspections. Hindering or interfering with the inspection or inspectors may be grounds for withholding the issuance of a certificate of compliance.

(E) On completion of construction, the owner shall confirm in writing to the Llano County Development Services Department or its designee that the infrastructure is complete, and a final inspection must be completed no later than the 5th business day after the notice is received by the Llano County Development Services Department. If the inspector determines that the infrastructure does not fully comply with the IDP, the owner shall be given an opportunity to cure the defects. On completion of curative construction, the owner should request another inspection.

(F) When the inspector determines that the infrastructure complies with the IDP, the Development Services Department shall issue a Certificate of Compliance no later than the seventh business day after the final inspection is completed.

V. INFRASTRUCTURE REQUIRMENTS

The Infrastructure Development Plan for a Recreational Vehicle Park (RV Park) must include each of the following:

(A) **PLAT:** A plat identifying the proposed RV Park's boundaries by metes and bounds and any significant feature of the community, including the proposed location of:

- 1) recreational vehicle spaces, which shall be numbered sequentially,
- 2) utility easements,
- 3) water and wastewater lines
- 4) roads and right of way which provide access to RV Park from a public road.

(B) **DRAINAGE:** An adequate drainage plan shall be designed and prepared by a professional engineer registered in the State of Texas, including the design of drainage facilities, culverts, and/or systems using a minimum ten (10) year storm frequency (unless otherwise directed by the Llano County Commissioner's Court), such that the drainage out of the MHRC does not have a negative drainage impact on neighboring properties. The placement of any structure within the regulatory floodplain shall be in accordance with the Llano County Flood Damage Prevention Order.

(C) **WATER:** The IDP must require either:

1) **Public Water:** Reasonably specified plans to provide an adequate public or community water supply, including specifying the location of supply lines, in accordance with Subchapter C, Chapter 341, Texas Health and Safety Code. If water is to be provided by a utility, a certification by the utility that water is available for each of the planned spaces or lots must be attached to the IDP; or,

2) **Private Water:** Certification that adequate groundwater is available for the development. If groundwater is the source of water supply for the development, the developer is required to obtain certification, by a licensed professional engineer (or other professionals designated by State law) registered to practice in Texas, that adequate groundwater is available for the development, according to the certificate form and content as promulgated by the Texas Commission On Environmental Quality (Lack of certification that suitable and adequate groundwater is available is grounds for denial of plat approval, if groundwater is the proposed source of water). The certification document shall be recorded as part of the dedication instrument and a note shall be placed on the plat that ground water is to be the source of water.

(D) **UTILITIES:** A letter from the local electrical utility, and natural gas utility, if natural gas connections will be furnished, that sufficient service for all recreational vehicle spaces is available.

(E) **SEWAGE:** Either:

(1) **PUBLIC SEWAGE:** Reasonably specified plans to provide access to sanitary sewer lines, including specifying the location of sanitary sewer lines. If sewage treatment is to be provided by a utility, a certification by the utility that service for each of the planned spaces or lots is available must be attached to the IDP. If the sewage is to be treated in some other way, approval by the relevant government agency that is to license or inspect the treatment facilities must be attached; or

(2) **PRIVATE SEWAGE:** Reasonably specified plans for providing on-site sewage facilities in accordance with Chapter 366, Texas Health and Safety Code if estimated sewage flow does not exceed 5,000 gallons per day (gpd). These plans must meet minimum standards established under Chapter 285.4 of the OSSF rules and Llano County On-Site Sewage Facility Order. Approval by the Llano County Development Services must be attached to the IDP.

(3) **TCEQ APPROVAL:** Reasonably specified plans for providing sewage treatment and disposal under Chapter 26 of the Texas Water Code if estimated flow exceeds 5,000 gallons per day, at an estimated minimum of 50 gallons per day per recreational vehicle site. Approval by Texas Commission on Environmental Quality must be attached to the IDP.

(F) **ROADS:** Reasonably specified plans for streets or roads in the Recreational Vehicle Park to provide ingress and egress for fire and emergency vehicles, providing, at a minimum, that:

1) Rights of way serving as access to Recreational Vehicle Park shall be at least 20 feet wide and must be free of restrictions and obstructions such as fence posts, gates, trees or any other impediment to the free passage of emergency vehicles and any oncoming traffic they may

encounter including a Recreational Vehicle either arriving or leaving the Recreational Vehicle Park. In all cases, emergency vehicles must be able to pass unobstructed from the public road which serves as the access means of the Recreational Vehicle Park unobstructed by traffic in the same or opposite direction. Once in the Recreational Vehicle Park, any emergency vehicle must be able to access each Recreational Vehicle unit without obstruction.

2) The improved surface of two-way roads shall be at least 20 feet wide.

3) Roads shall be designed, constructed and maintained so as to be passable to recreational vehicles, or emergency vehicles, at all times, in all weather. Primary access roads shall either be paved or constructed with crushed stone base of sufficient depth and raised to allow water to run off and not accumulate on road surface or cause rutting in wet weather. These road design features shall be in accordance with standard engineering practices.

4) The entrance to the park shall be designed to minimize congestion and hazards and allow free movement of traffic on adjacent streets.

(G) **SET BACKS:** Building Set Backs, including any part of a recreational vehicle parked on a recreational vehicle space, shall be:

1) Not less than 25 feet from a public right of way,

2) Not less than 15 feet from a property line,

3) Not less than 15 feet from an internal road,

4) Not less than 10 feet between each recreational vehicle, with slide outs extended.

(H) **RECREATIONAL VEHICLE SPACES:** Each recreational vehicle space shall:

1) Afford parking and maneuvering space sufficient so that the parking, loading, and the like, of recreational vehicles shall not necessitate the use of any public right-of-way or privately owned property which may abut the park.

2) If provided with electrical service, be so served through an underground distribution system.

3) Include a hardened area of not less than 12 feet by 40 feet, improved with compacted crushed road base material, adequate to support the weight of the recreational vehicle, so as to not heave, shift, or settle unevenly under the weight of the recreational vehicle due to frost action, inadequate drainage, vibration or other forces acting on the structure.

(I) **GARBAGE:** Each recreational vehicle park shall provide one fly tight, watertight, rodent proof three (3) cubic yard dumpster for the first eight (8) recreational vehicle spaces, and one (1) additional dumpster of the same size for each eight (8) additional recreational vehicle spaces, or fraction thereof.

(J) **UTILITIES BURIED:** All water, sewage, gas and electrical lines servicing recreational vehicle spaces, or servicing buildings, shall be buried.

(K) **IDENTITY OF OPERATOR:** The Operator shall identify its self by name, address and telephone number. The Operator has a continuing obligation to keep the Llano County Commissioners' Court informed, in writing, of any changes in this information.

(L) **VARIANCES:** See Llano County Subdivision Regulations Article 4 for variance requirements.

(M) **RECOMMENDATION FOR APPROVAL, OR DISAPPROVAL, AND ISSUANCE OF A CERTIFICATE OF COMPLIANCE:** The Llano County Development Services Department will review the materials submitted by the Owner and county staff.

(N) **ISSUANCE, OR REFUSAL, OF CERTIFICATE OF COMPLIANCE:** The Llano County Development Services Department will make the final decision to issue, or not issue, a certificate of compliance. The Owner may appeal the refusal by Development Services to the Commissioners Court by filing a letter of protest with the Precinct Commissioner. The Commissioner may overrule the determination of Development Services or may transfer the matter to Commissioners' Court for a review and decision.

VI. RECREATIONAL VEHICLE PARK REGULATIONS

The regulations described herein govern the development, operation, and maintenance of recreational vehicle parks, as previously defined.

(A) DEVELOPMENT AND OPERATION OF RECREATIONAL VEHICLE PARK:

Recreational vehicle parks shall be developed, and operated, to conform to those requirements:

1) The Operator shall mark with a sign each recreational vehicle space, with its number, taken from the Survey. Recreational vehicle parks that do not have named internal roads shall be numbered just like apartments, with the main house number assigned and secondary numbers assigned to spaces.

2) The characters on each recreational vehicle space sign shall be: reflective, at least 3 inches high, and plainly visible from the road.

3) The Operator shall maintain each recreational vehicle space sign, and shall not allow it to be obscured by weeds, vehicles, or anything else.

4) The Operator shall display the name of the Recreational Vehicle Park with a sign.

5) The Operator shall maintain the Recreational Vehicle Park sign, each recreational vehicle space sign, and shall not allow them to be obscured by weeds, vehicles, or anything else.

6) The Operator shall keep all internal roadways clear of obstructions, including parked vehicles, at all times.

7) The Operator shall require that water discharged in the Recreational Vehicle Park, by a recreational vehicle, except air conditioning condensation, flow into the sewage system.

8) The Operator shall not allow the waste tanks of a recreational vehicle to be flushed in the Recreational Vehicle Park unless the flush water flows into the sewage system, or into a holding tank the contents of which are removed in compliance with State law and regulations. Furthermore, the Operator shall not allow water hoses connected to the fresh water supply to come into contact with wastewater in holding tanks of Recreational Vehicles or any other wastewater on the Recreational Vehicle Park premises.

9) The Operator shall keep the area around the dumpsters, and garbage receptacles, clean at all times.

10) The Operator shall have the dumpsters, and garbage receptacles emptied when full, or when they become a nuisance.

11) The Operator shall not allow, or engage in, any burning of garbage, or other disposal of garbage, except into the dumpsters. For the purposes of this section, dry materials that have been segregated, and stored in a sanitary manner, for recycling, shall not be considered garbage.

VII. OTHER REGULATIONS

Persons developing Recreational Vehicle Parks should be aware that this order is not the exclusive law or regulation controlling development in Llano County. The following is only a partial list of regulations that may apply.

(A) Recreational Vehicle Parks are subject to Llano County Subdivision Regulations. All Recreational Vehicle Parks within the Extra Territorial Jurisdiction (ETJ) of an incorporated city may also be subject to city regulations, or as per any mutually (County-City) agreed upon regulations as approved and accepted under an interlocal cooperation agreement.

(B) All Recreational Vehicle Parks are subject to regulations of general applicability, including public health nuisances under Chapter 341 and 343 of the Texas Health and Safety Code. The developer must address solid waste disposal, rodent/insect harboring, fly breeding and improper waste disposal in accordance with these Chapters.

(C) Other agencies with regulatory authority that may apply to a Recreational Vehicle Park include, but are not limited to, several Emergency Services Districts, the Texas Commission on Environmental Quality, the Public Utilities Commission, the United States Parks and Wildlife Service, the Environmental Protection Agency and the U.S. Army Corporation of Engineers. Issuance of a Certificate of Compliance under this order does not indicate compliance with any of these requirements.

VIII. ENFORCEMENT AND PENALTIES

CATEGORY OF OFFENSE: A person commits an offense if the person knowingly or intentionally violates a requirement of these regulations, including the Road Design and Construction Specifications incorporated into these regulations. An offense under this provision is a Class B Misdemeanor.

ENFORCEMENT ACTIONS: At the request of the Commissioners' Court, the county attorney or other prosecuting attorney for the County may file an action in a Court of competent jurisdiction to:

a) Enjoin the violation or threatened violation of a requirement established by, or adopted by the Commissioners' Court under a preceding section of this chapter (Local Government Code Chapter 232).

b) Recover damages in an amount adequate for the county to undertake any construction or other activity necessary to bring about compliance with a requirement established by , or adopted by Commissioners' Court under a preceding section of the chapter (Local Government Code Chapter 232).

EXISTING SUBDIVISIONS:

Lawful subdivisions of land that are in current operation and that may be affected by these regulations will be permitted to continue operations in their current locations as long as they are not enlarged or expanded.

IX. SEVERABILITY

Should any portion of these rules be found, or held, to be illegal, unenforceable, or void, the remainder of these rules shall remain in full force and effect.



APPENDIX J
RECREATIONAL VEHICLE PARK APPLICATION
(REFER TO APPENDIX I)

A completed application and Infrastructure Development Plan (IDP) along with all other required documents must be received by Llano County Development Services for review. The application should be completed in all applicable aspects. If an application submission for a Recreational Vehicle Park IDP is incomplete, the Llano County Development Services Department will send a written notice of deficiency. It is the responsibility of the developer to obtain a current set of subdivision regulations from the County Clerk's office and to provide all materials and to follow all guidelines contained therein. Any constructions of roads or improvements for proposed development prior to approval from the Llano County Commissioner's Court are at the developer's own risk.

APPLICATION DATE: _____ APPLICATION # _____
PROJECT NAME: _____
PRECINCT NO: 1 2 3 4
JURISDICTION: _____ CITY LIMITS _____ ETJ OUTSIDE ALL CITY
LIMITS AND ETJs
DATE PAID: _____ AMOUNT \$ _____ CHECK # _____ RECEIPT # _____

RV PARK

CURRENT LEGAL DESCRIPTION: _____
CURRENT LAND AREA IN ACRES: _____ CITY ETJ: _____

PROPOSED NAME OF RV PARK: _____
TOTAL NUMBER OF PROPOSED RENTAL SPACES: _____
PROPOSED ACREAGE OF EACH SPACE: _____
TOTAL ACREAGE: _____

MINIMUM LOT SIZE BEING MET: Yes No
BUILDING SETBACKS: FRONT _____ FEET; SIDE _____ FEET; BACK _____ FEET
UTILITY EASMENTS: FRONT _____ FEET; SIDE _____ FEET; BACK _____ FEET

LOT USE-RESIDENTIAL: _____ COMMERCIAL / INDUSTRIAL: _____

ROAD FRONT: COUNTY STATE: PRIVATE:
PROPOSED ROAD TYPE: _____; _____' RIGHT OF WAY; _____' ROAD WIDTH; _____ MPH;

ESTIMATED / PROPOSED COST OF ALL-INFRASTRUCTURE: _____

NAME OF PROPERTY OWNER: _____
ADDRESS: _____
TELEPHONE NUMBER: _____

BUILDER NAME: _____
ADDRESS: _____
TELEPHONE NUMBER: _____

STATEMENT OF CONFORMANCE OR LIST OF VARIANCES ATTACHED (Approval required prior to RV Park approval): Yes No

ITEMS TO BE INCLUDED WITH RV PARK SUBMITTAL (Please check items attached)

- COMPLETE APPLICATION
- PLAT
- RV PARK IDP
- PROOF OF OWNERSHIP
- LOCATION MAP
- RV PARK IDP LAYOUT
- ENGINEERED DRAINAGE PLAN
- STATEMENT OF CONFORMANCE / LIST OF VARIANCES ATTACHED (Approval required prior to application submittal)
- SURVEY OF PROPERTY
- WATER DESIGN
- WASTEWATER DESIGN
- ROAD DESIGN (TxDOT APPROVAL REQUIRED)
- FLOODPLAIN INFORMATION
- TAX CERTIFICATE
- SOIL ANALYSIS
- TRAFFIC CONTROL DEVICES PLAN

UTILITY LETTERS:

- WATER
- SEWER
- ELECTRIC
- GAS
- PHONE
- GARBAGE
- OTHER

APPLICANT'S ACKNOWLEDGEMENT:

Incomplete applications or a lack of planning materials required will delay the approval for development of property. It is the applicant's responsibility to assure all required conditions are met. Llano County will review all applications and supplied planning materials and must be granted access to proposed development property to ensure adequate review of materials. Any request for additional planning materials or material not supplied in the original submittal will be done by certified mail and the review period will begin again when the requested material is received by the proper county official.

APPLICANT'S SIGNATURE: _____

DATE: _____

RV PARK REVIEW COUNTY SIGNATURES

DEVELOPMENT SERVICES SIGNATURE:

NAME: _____ TITLE: _____ DATE: _____

9-1-1 COORDINATOR SIGNATURE:

NAME: _____ DATE: _____

COUNTY SURVEYOR:

NAME: _____ DATE: _____

COUNTY ENGINEER (IF APPLICABLE):

NAME: _____ DATE: _____

ROAD AND BRIDGE COMMISSIONER SIGNATURE:

NAME: _____ DATE: _____

**APPENDIX K
REQUEST FOR VARIANCE FROM
LLANO COUNTY SUBDIVISION REGULATIONS**

Date: _____
Owner _____
Mailing address _____
City _____ State _____ Zip _____
Telephone _____ Email _____

Property ID from C.A.D. _____

Property Description: _____

Reason for Request (Add pages if necessary): _____

A copy of my Deed with full metes and bounds description, attached along with a survey or sketch of the property showing the boundaries of the lots, adjacent roads, and adjacent property owners are attached hereto. A variance request must be submitted to the Development Services Department and then to the Precinct Commissioner at the time of application submittal. A variance request requires Commissioner Court approval.

I hereby acknowledge that all lots will remain subject to the on-site wastewater rules and development permit requirements of the County. I am also aware that other entities may have restrictions to the division of property that may limit the use of that property. Those entities include but are not limited to the Texas Commission on Environmental Quality (TCEQ) and the Lower Colorado River Authority (LCRA).

Signature (Notarized)

Printed Name

**STATE OF TEXAS
COUNTY OF LLANO**

This instrument was sworn to before me on the ____ day of _____, 20__.

Notary Public, State of Texas

Variance Approval: _____ Date: _____
County Judge

**APPENDIX L
APPLICATION FOR CANCELLATION OF A SUBDIVISION**

Date: _____ Cancellation Fee: _____

Check #: _____ Receipt #: _____

Name of Subdivision: _____

Plat Recording Information: _____

Date: _____ Volume: _____ Page: _____ Map and Plat Records

Developer Name: _____

Address: _____

Phone (Office): _____ (Cell): _____

Fax: _____ Email: _____

Total # of Lots: _____ How many lots have been sold? _____

Reason for Cancellation: _____

Applicant Signature

Commissioners Court Date: _____

Approved Not Approved

**APPENDIX M
COUNTY CONTACTS**

LLANO COUNTY JUDGE.....(325) 247-7730
rcunningham@co.llano.tx.us

COMMISSIONER, PRECINCT 1.....(830) 598-2296
commpct1@co.llano.tx.us

COMMISSIONER, PRECINCT 2.....(512) 793-6181
linda.raschke@co.llano.tx.us

COMMISSIONER, PRECINCT 3.....(512) 793-2007
commissioner3@co.llano.tx.us

COMMISSIONER, PRECINCT 4.....(325) 247-2788
jerrydonmoss@hotmail.com

DEVELOPMENT SERVICES, 9-1-1 ADDRESSING AND EMERGENCY MANAGEMENT
.....(325) 247-2039
floodadmin@co.llano.tx.us
911addressing@co.llano.tx.us

COUNTY SURVEYOR.....(325) 247-4510
jaa@llanosurvey.com

ROAD AND BRIDGE.....(325) 247-4352
radmin@co.llano.tx.us

COUNTY CLERK.....(325) 247-4455
coclerk@co.llano.tx.us