

**Amendment of
Mills County Subdivision Regulations**

Resolution & Order

On the 25th day of November, 2024, the Commissioners Court of Mills County Texas, at a regular court meeting at the Mills County Courthouse in Goldthwaite, Texas, at which a quorum was present, adopted and passed the following resolution relating to Mills County Subdivision Regulations and County Road Standards.

WHEREAS, the Commissioners Court of Mills County, Texas, deems it necessary to amend the Mills County Subdivision Regulations for technical modifications to provide for a more orderly review of the application and plat approval process as it relates to Mills County.

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE COMMISSIONERS COURT OF MILLS COUNTY, TEXAS, that all subdivisions in Mills County shall meet the standards set forth in these regulations as a condition of the approval of subdivision plats, superseding all previous orders, as hereby amended and republished.

PASSED, APPROVED AND ADOPTED THIS 25th day of November, 2024.



Jett J. Johnson, County Judge



Mike Wright, Commissioner, Precinct 1



Robert Head, Commissioner, Precinct 2



Dale Partin, Commissioner, Precinct 3

ABSENT:

Jason Williams, Commissioner, Precinct 4

Mills County Subdivision Regulations And County Road Standards

Texas Local Government Code Chapter 232 authorizes Counties to regulate the creation of subdivisions in the unincorporated areas of the County. Mills County finds it necessary to regulate the subdivision of land to:

- Protect public safety by making every lot accessible to emergency services.
- Protect Public Health by ensuring every lot has suitable land for the disposal of sewage and wastewater via an onsite septic system that is not adjacent or near natural or seasonal waterways, wells or well sites or other sources of ground water.
- Protect Public Health by ensuring that every platted subdivision includes designated pickup locations for household garbage and trash.
- Protect public health and safety by regulating road access and road standards to ensure safe intersections, passing, and adequate turn around space for emergency equipment, school buses, mail and delivery vehicles and road maintenance equipment as well as space for off roadway mailboxes including off roadway space for postal vehicles to deliver mail.
- Protect public safety by managing runoff, prohibiting residential dwellings within the inundation zone of flood control dams and controlling uses and minimum elevations in other flood hazard areas.
- Protect public health and safety by requiring dedicated electric and telephone line easement access to each platted lot.

This Ordinance (Rules/Standards and Regulations) applies to all subdivisions platted after the date of enactment.

As Amended November 25, 2024

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ARTICLE 1 – GENERAL PROVISIONS

Section A - Authority

These Regulations are adopted under the authority of the Constitution and laws of the State of Texas, including:

1. Texas Local Government Code
 - 1.1. Chapter 232, County Regulation of Subdivisions,
 - 1.2. Chapter 242, Authority of Municipality and County to Regulate Subdivisions In and Outside Municipality's Extraterritorial Jurisdiction, and
 - 1.3. Chapter 245, Issuance of Local Permits.
2. Texas Transportation Code
 - 2.1. Chapter 251, General County Authority Relating to Roads and Bridges,
 - 2.2. Chapter 252, Systems of County Road Administration,
 - 2.3. Chapter 253, County Improvement of Subdivision Roads,
 - 2.4. Chapter 254, Drainage on Public Roads, and
 - 2.5. Chapter 255, County Regulation of Sight Distances.

Section B - Purpose

These Regulations have been prepared in general to aid in the orderly Development of Mills County, Texas, and provide guidelines which will lead to a desirable environment. Specifically, they have been prepared for the following purposes:

1. To protect the citizens of Mills County by providing subdivision and Development guidelines for Subdivisions.
2. To provide for the ability to construct subdivisions within the County and provide Development guidance for the same.
3. To provide for the welfare of the public by providing guidelines for the location, design, and construction of roadways, roadway intersections, drainage Improvements and other features that provide for the safety of the general public.
4. To provide for the proper arrangement and construction of Roads, and to ensure the proper relationship of Roads to existing or planned Roads.
5. To ensure adequate access for emergency response vehicles.
6. To ensure that Mills County will not be burdened with substandard Roads in the future.
7. To establish orderly policies and procedures to guide Development of Mills County.
8. To protect the taxpayers of Mills County from an unreasonable tax burden resulting from substandard design and construction of public infrastructure or inadequate funding for maintenance of public facilities.

Section C - Interpretation

In the interpretation and application of these Regulations, it is the intention of the Mills County Commissioners that the requirements provided for herein shall be Minimum Requirements for the platting and developing of Subdivisions outside the corporate limits of a municipality and within Mills County, and, where other court orders of the County are more restrictive in their requirements, such other court orders shall control.

Mills County Subdivision Regulations are derived from Texas State statutes (Section A Authority) and any interpretations shall be in accordance with those statutes.

Section D - Coordination with other Jurisdictions

All authority specifically provided to Mills County, or agreed to between Mills County and other local, state and/or federal agencies, shall be applied to the fullest extent. Specific platting and permitting requirements are subject to interlocal agreements which may exist for governing the Extraterritorial Jurisdictions ("ETJs") surrounding incorporated cities within Mills County. In the event no inter-local agreement exists, all Development must be approved by both the municipality and Mills County with final approval to be granted by the County. To the extent that other laws conflict, the more stringent provision shall prevail.

In addition to compliance with the Subdivision Regulations of Mills County, and with municipalities having ETJ, the Development and use of real property in Mills County may be subject to regulation by other jurisdictions including, but not limited to, the Texas Commission on Environmental Quality ("TCEQ"), the US Corps of Engineers ("USACE"), Federal Emergency Management Agency ("FEMA"), United States Environmental Protection Agency ("EPA"), United States Fish and Wildlife Service ("USFW"), United States Department of Housing and Urban Development ("HUD") and other County regulations.

Section E - Invalidity

In the event that any portion of these Regulations should be held unconstitutional, or invalid, other parts hereof shall not be affected thereby and they shall be held in effect unless and until otherwise changed by the Commissioners' Court of Mills County, Texas, and so recorded in its minutes.

Section F - Health Issues

Owners of properties in Mills County subdividing or re-subdividing the same shall familiarize themselves with the rules for sanitation and avoidance of water, air, or other types of pollution as established by Federal or State statute or regulation.

Section G - Effective Date

These Regulations shall be in full force and effect immediately upon their adoption by the Mills County Commissioners' Court. Any Subdivision for which the Commissioners' Court has received a Preliminary Plat prior to the Effective Date of these Regulations shall be governed by those in effect at the time the plat was submitted for review.

Section H - Compliance Required

As per the Texas Local Government Code Section 232.001, the Owner of any tract of land located outside the boundaries of any incorporated town or city in Mills County, Texas that intends to subdivide a tract of land into two or more parts to lay out a Subdivision of the tract, including an addition, Lots, or 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, shall prepare and submit a plat for approval by the Commissioners' Court of Mills County.

A division of a tract shall include any division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method of conveyance of an interest in land.

ARTICLE 2 – DEFINITIONS OF TERMS

1. Access Point

A location for vehicular traffic to enter and exit the proposed Subdivision utilizing a connection to a Public Road in Mills County.

2. Aerobic On-site Wastewater System

An on-site system of sewage disposal, which has been licensed by Mills pursuant to the published rules of the Texas Commission on Environmental Quality (TCEQ) utilizing an aerobic treatment system designed to encourage use of the effluent for irrigation on the premises and with all effluent meeting the criteria established by TCEQ.

3. All-Weather Roadway

A road or driveway designed and constructed to be passable during all weather conditions. An all-weather roadway shall meet the same requirements of a County roadway as defined in the Construction Standards in this ordinance. All weather does not imply “paved” roadway.

4. Amending Plat

A plat solely for the purpose of correcting an error, omission, descriptions, minor relocations of Lot lines, scrivener or clerical errors. The Amending Plat must be approved by Commissioners’ Court, after which it shall be recorded and is controlling over the preceding plat without vacation of that plat.

5. Applicant

An individual seeking an action, a permit, or other approval under the provisions of these Regulations.

6. Application (Plat/Plan)

A submittal that includes a completed plat/plan Application form along with all required attachments which shall be required as part of that submittal. These attachments may include, but are not limited to, drawings, drainage or geotechnical reports or electronic data files.

7. Cancellation Plat

A Cancellation Plat is a plat as defined in Section 232.008 of the Texas Local Government Code and is utilized outside a municipality or it’s Extraterritorial Jurisdiction (ETJ).

8. Common Area

A parcel or parcels of land or an area of water, or a combination of land and water within a development site provided and made legally available for the use and enjoyment of residents of a proposed project.

9. County or The County

The County of Mills, Texas.

10. County Attorney

All references made in this document to “County Attorney” shall mean the Mills County Attorney’s Office.

11. County Road

A Public Road or Street which has been either: a) dedicated to public use and accepted for maintenance by the County, or b) acquired by the County through prescription, or c) constructed by and maintained by the County.

12. Cul-De-Sac

A Street having but one (1) outlet to another Street and terminating on the other end in a vehicular turnaround.

13. Daughter Tract/Daughter Parcel/Daughter Lots

Any of the tracts or Lots created by division of a Parent Tract, including the remainder of the Parent Tract itself.

14. Dead-End Street

A Street, other than a Cul-De-Sac, with only one outlet.

15. Developer

The owner of the proposed subdivision.

16. Development

Any manmade change to improved or unimproved real estate that requires a permit or approval from any agency of County, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, clearing, drilling operations, storage of materials or the subdivision of property. Routine repair and maintenance activities are exempted.

17. Easement

A grant of reservation by the Owner of land for the use of such land by others for a specific purpose or purposes, and which must be included in the conveyance of land affected by such Easement. An access easement is considered a Roadway.

18. Effective Date

An Effective Date is the date upon which these Regulations were adopted with an order by Commissioners' Court.

19. Engineer

A person duly authorized under the provisions of the Texas Engineering Practice Act, as heretofore or hereafter amended, to practice the profession of engineering and who is specifically qualified to design and prepare construction Plans and specifications for Subdivision development.

20. Engineering Plans

A set of drawings and/or specifications, which may include paving, water, wastewater, drainage, or other required Plans, submitted to the County for review in conjunction with a Subdivision or a Development that bear the seal and signature of a Licensed Engineer in the State of Texas. This person shall be designated as the Engineer of record.

21. Extraterritorial Jurisdiction (ETJ)

The unincorporated area that is contiguous to the corporate boundaries of a City, as defined by that City, and within various distances of the municipality depending on the number of inhabitants of a municipality. Within an Extraterritorial Jurisdiction (ETJ), cities have statutory authority to adopt rules governing plats and Subdivisions as described in Section 42.021 of Local Government Code.

22. Final Plat

A map of a Subdivision intended to be filed for record with the applicable County records showing the location and boundaries of individual parcels of land subdivided into Lots, with Streets, alleys, Easements, etc., drawn to scale; includes a Final Plat, Replat, Amending Plat, Simplified Plat, and Vacating Plat meeting the requirements of these Regulations.

23. Floodplain

Any land area susceptible to being inundated by flood waters from any source, as defined by the Federal Emergency Management Agency (FEMA) or the Mills County Soil & Water Conservation District.

24. Floodway

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without cumulatively increasing the water surface elevation more than one (1) foot. Also, the upstream maximum potential inundation zone of each flood control dam and the downstream potential inundation zone calculated based on water levels to the crest of each flood control dam.

25. Home Owners Association (HOA)

A legally formed non-profit organization operating under recorded land agreements through which (a) each lot and/or homeowner in a specific residential area is automatically a member and (b) each lot or property interest is automatically subject to a charge for a proportionate share of the expense for the organization's activities, such as the maintenance of Common Areas, and (c) the charge if unpaid, becomes a lien against the nonpaying member's property.

26. Improvements

Any or all roadways, drainage facilities, waterways and impoundments, topsoil, trees, grading, signs and crosswalks, or any other items normally considered as public Improvements.

27. Joint Review

The review and approval of a Subdivision plat by both Mills County and the municipality that also has jurisdiction over the proposed Subdivision.

28. Lot

The physical and undivided tract or parcel of land. The following represent the various platted Lot types:

a. Corner Lot

A Lot located at the intersection of and abutting upon two (2) or more Streets.

b. Interior Lot

A Lot other than a Corner Lot.

29. Minimum Requirements

Requirements when defined as minimum shall be the minimum acceptable requirements. Such requirements may be increased by the County due to unique issues pertaining to each Subdivision.

30. Non-Residential Development

Any area developed for a use other than Single-Family Residential Development

a. Off-site

Located outside the boundary of a Development.

b. On-site

Located within the boundary of a Development.

31. On-site Sewage Facility (OSSF)

One or more systems of treatment devices and disposal facilities that are used only for disposal of sewage produced on the site where the system is located.

32. Owner

The person(s), Developer, proprietor, Subdivider, or their successors, possessing title and/or lien to the property to be subdivided. This can also refer to the Owner's surveyor, Engineer, lawyer, or planner who has been given authority to represent the Owner.

33. Parent Tract/Parent Parcel

The original tract/parcel owned by the Owner prior to any division.

34. Phased Subdivision / Phased Development

Any land Subdivision that is developed with more than a single phase of construction.

35. Plans

Construction drawings, specifications, bidding forms and other documents required for construction.

36. Plat

A map or chart of the subdivision. It shall include plan, plat, or replat, in both singular or plural and includes both paper and electronic media.

37. Precinct Commissioner

The Mills County Commissioner(s) in whose precinct(s) the Subdivision is located.

38. Preliminary Plat

A map or drawing of a proposed Subdivision prepared and meeting the requirements of these Regulations. The purpose of this map is to show the phasing of proposed Improvements to the Owner's property, as well as any proposed or future planned Improvements on any adjacent properties. This map is also intended to show the existing topography to evaluate the existing and proposed drainage patterns.

39. Private Water Supply

A drinking water supply that is not a public source of drinking water.

40. Public Road

Any road that is open to public travel although it may or may not be accepted or maintained by a public authority.

41. Public Sanitary Sewer System

Any public or private sewage system for the collection of sewage that flows into a treatment and disposal system that is regulated pursuant to the rules of the Texas Commission on Environmental Quality and Chapter 26 of the Texas Water Code.

42. Public Water System

A Public Water System which provides the public piped water for human consumption, which includes all uses described under the definition of drinking water. Such a system must have a potential for at least fifteen (15) service connections or serve at least twenty-five (25) individuals at least sixty (60) days out of the year, or in accordance with the most recent TCEQ guidelines.

43. Registered Professional Land Surveyor (RPLS)

A person licensed, as of the date of the plan being presented, to practice land surveying by the Texas Board of Professional Land Surveying.

44. Regulations

The Mills County Subdivision Regulations (this document), as amended.

45. Replat

Any change to an approved plat to reflect any change in Street layout or other public improvement, Lot line, amount of land reserved for public use or the common use of Owners, or Easements shown.

46. Re-subdivision

The division of an existing subdivision together with any change of lot size, number of lots or the relocation of property lines.

47. Road

The terms “Street” or “Road” are interchangeable and mean a vehicular way (including access easements, roadway cross culverts and bridges) and are used to describe all vehicular ways regardless of any other designation they may carry. Access easements are considered Roads. All Roads shall be categorized into one of the following functional classifications:

a. Arterial Roads

Arterial Roads are those that are principally regional in nature and are used for through or high-volume traffic and shall be divided into the following sub-classifications:

- i. Roads which may serve vehicular traffic beyond the limits of the Subdivision; and/or connect one Collector or Arterial with one or more Collectors or Arterials.
- ii. Roads included as an Arterial on a County or city thoroughfare plan.

b. Collector Roads

Collector Roads are those which connect Arterial Roads with Local Roads.

c. Local Roads

Local Roads are those which principally provide direct access to Lots within a Subdivision and include access easements.

48. Subdivision

The division of a tract of land 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 (4) 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 (Sec 232.001, Texas Local Government Code). The Mills County Commissioners’ Court has adopted guidelines and published them as the Mills County Subdivision Regulations. A Subdivision has the same meaning as an addition. As used herein, the term “Subdivision” is a reference to and has the meaning of a division of a tract of land into two or more parts as described in Section 232.001 of the Texas Local Government Code, as that Section may be amended.

49. TCEQ

The Texas Commission on Environmental Quality and its successors.

50. TxDOT

The Texas Department of Transportation.

51. Utility Provider

All persons, firms, corporations, partnerships, municipality or other private authorities providing gas, electric, water, sewer, drainage facilities, telecommunications, cable television or other services of a similar nature for public consumption.

52. Vacating Plat

A Vacating Plat is a plat as defined in Section 212.013 of the Texas Local Government Code and is utilized within a municipality or it’s Extraterritorial Jurisdiction (ETJ).

53. Variance

A permit or approval that allows for a departure from the required standards of these Regulations. Variances are intended to resolve practical difficulties or unnecessary physical hardships that may

result from the size, shape or dimensions of a site, location of existing structures on the site, or geographic, topographic, or other physical conditions on the site or in the immediate vicinity. Financial and/or economic hardships are not sufficient grounds for the granting of a Variance.

54. Working Day

Any day Monday through Friday exclusive of a state or federal holidays and exclusive of days on which work cannot be conducted due to weather conditions.

ARTICLE 3 – GENERAL SUBDIVISION REQUIREMENTS AND EXEMPTIONS

Section A Subdivision of Property

The Owner or Owners of any tract of land situated outside the boundaries of any incorporated town or city in Mills County, Texas, who, subsequent to the Effective Date of these Regulations, has divided or will divide the same in two (2) or more parts for the purpose

- (i) of laying out any Subdivision of any such tract of land, or
- (ii) for laying out Lots, or
- (iii) to lay out, Streets, parks, alleys, or squares, including an addition, or other portion intended for public use, or for the use of the purchasers or Owners of such Lots fronting on or adjacent to the Streets, alleys, squares, parks or other parts of such tract,

must comply with the rules and Regulations adopted herein and as provided in Texas Local Government Code Section 232.001. Any amendment of Section 232.001 will be applicable to these Regulations, notwithstanding language in these regulations to the contrary.

A division of a tract includes a division regardless of whether it is made by metes and bounds description in a deed of conveyance, or in a contract for deed or other executory contract to convey or by using any other method of conveyance of an interest in land.

Section B Exceptions to Plat Requirement

A Subdivision plat is not required if the Subdivision meets one or more of the Exceptions to Plat Requirement described in Texas Local Government Code Section 232.0015 as that section may be amended.

Section C Requirements for Exempted Property

Even if a particular division of land is not subject to the requirement of platting, aspects of the Development and sale of the land will be subject to the following:

The applicable portions of the County's current Regulations and Development permit procedures including but not limited to rules for driveway permits, OSSF, and 9-1-1 addressing.

Section D Loss of Exception

A tract which has qualified for an exception from these plat requirements shall lose such exception if it ceases to meet the requirements set forth in Section B above.

ARTICLE 4 – TYPES OF PLATS

There are several types of plats that may be used to subdivide or alter boundaries of a property. A description and the proper use of each of these plats is described below.

1. Survey on the Ground

The subdivision plat must be made from an actual recent on the ground survey by or under the supervision of a Registered Professional Land Surveyor licensed by the State of Texas, and his certificate to the effect must appear on said plat or map.

2. Methodology

Boundary lines must be shown by bearings and distances, calling for the lines of established surveys and land marks, sufficient to locate the property on ground. In order to add a measure of permanence to the locations of all the lot corners and lot lines, all curve points, angle points and block corners should be monumented with permanent monuments. Said monuments reflecting the Surveyor's name and registrations number according to the rules and regulations of the Texas Board of Professional Engineering and Land Surveying. There shall be at least two (2) monuments set in concrete on a control boundary line of said Subdivision. These monuments should be protected by any means possible, and should survive the construction of streets, utilities, houses, etc. In addition, the entire subdivision should be tied and oriented to the Texas State Coordinate Systems using NAD 83 in English measurements. This control system can use G.P.S. surveying methods, either by actual G.P.S. shots or by using control set using G.P.S. or other monuments referenced in said system. The accuracy of said subdivision should meet specifications set out by the Texas Board of Professional Engineering and Land Surveying or exceed said requirements. A coordinate list containing the coordinates of each and every corner, including curve points, radius points, etc should be filed for record along with the plat. The plat should show the location of every Concrete Monument set and permanent markers of each corner. This same coordinate list shall also be furnished to the County in digital form as part of the filing process and with a hard copy or print out of said coordinates. Said digital form is to be on ASCII format. To accompany the coordinate list in addition to an electronic drawing will be furnished of the final plat in one of the three formats being: .DWG, .DGN, or .DXF., with the coordinates being on ASCII. This will permit the various County Departments to upgrade their base maps to show the subdivision in its proper location. All Rules and Regulations set out by the Texas Board of Professional Engineering and Land Surveying should be followed.

3. Preliminary Plat

A Preliminary Plan is required for all Subdivisions that do not meet the definition of a, Replat, Amending Plat, or a Vacating Plat. A Preliminary Plan is required for all Subdivisions. A Preliminary Plat is considered withdrawn 12 months after initial submission unless a Final Plat application is filed, approved and the plat recorded. Lot and Block monumentation is not required on the preliminary Plat.

The purpose of the Preliminary Plan is to allow the Commissioner's Court to

review the overall layout of the Development with respect to Roads, water, sewer or OSSF, and drainage.

Preliminary Plans shall include all required information as stated on the Application. A copy may be found in Appendix A.

Prior to filing, a certificate from all Appraisal Districts having jurisdiction over the property must accompany the plat to be recorded, showing that all taxes owing to the state, County, school district, and/or any other political subdivision have been paid in full to date.

4. Final Plat

The Final Plat is a legal document defining the physical configuration and rules governing Development and operation of a Subdivision. The Final Plat shall be approved and recorded prior to the sale of any Lots in a Subdivision, or commencement of any construction activities on the proposed Lots created by the plat. The Final Plat shall not be approved prior to approval of the Preliminary Plat

The Final Plat shall be submitted concurrently with the construction Plans. The Final Plat shall not be recorded prior to completion of the Construction of the required public Improvements in a manner sufficient to satisfy County infrastructure design requirements.

Every Final Plat shall include all required information as stated on the Plat Application

The Final Plat shall not be approved until all Lot and Block monumentation has been set by a registered Professional Surveyor before recordation.

5. Replats

A Replat is the process of creating a new land Subdivision, thereby changing the number of Lots or modifying the Lot configuration, from a previously platted parcel. All restrictions which were applicable on the original Subdivision shall apply to the Replat. All covenants, Easements, notes and/or restrictions shown on the original Subdivision cannot be removed through the Replat process. Replats shall not be approved unless,

- a. All applicable requirements of Section 232.040 of the Texas Local Government Code, as amended, are met; and
- b. All applicable requirements of Section 232.041 of the Texas Local Government Code, as amended, are met; and
- c. Every Replat shall include all required information as stated on the Application

6. Amending Plats

An Amending Plat is a Replat addressing minor changes, correction of clerical errors, or limited modifications affecting a limited number of property Owners or

Lots.

- a. It is commonly used to:
 - i. Correct errors and omissions in course or distance, real property descriptions, monuments, Lot numbers, acreage, Street names, adjacent recorded plats, and other clerical error or omission.
 - ii. Move a Lot line between adjacent Lots (with various limitations depending on the circumstances).
 - iii. Replat Lots on an existing Street if:
 1. all Owners join in the Application.
 2. the amendment does not remove deed restrictions.
 3. the number of Lots is not increased; and
 4. new Streets or municipal facilities are not required.
- b. The Owner of a previously recorded Lot may create an Amending Plat so long as;
 - i. the changes do not affect these Regulations or any other applicable County regulations; and
 - ii. the changes do not attempt to amend or remove any existing covenants or restrictions; and
 - iii. all applicable requirements of Section 232.011 of the Texas Local Government Code, as amended, are met.
- c. Every Amending Plat shall include all required information as stated on the Application.

7. Vacating / Cancellation Plats

A Vacating or Cancellation Plat is a Replat to eliminate the Subdivision of property reflected by a prior plat. Vacating Plats shall not be used without the consent of all property Owners in the plat, even if only a portion of the plat is to be vacated.

- a. The vacation or cancellation of an existing plat shall be accomplished in accordance with the applicable provisions outlined in Section 212.013, 232.008, 232.0083 and/or 232.0085 of the Texas Local Government Code.
- b. Every Vacating / Cancellation Plat shall include all required information as stated on the Application

If a Simplified Plat, Final Plat, Replat, Amending Plat or a Vacating Plat is not recorded within five (5) years of the approval by the Commissioner's Court, the approval of the plat expires. A single six (6) month extension may be granted by the Commissioner's Court.

ARTICLE 5 – SUBDIVISION REQUIREMENTS

SECTION A - SUBDIVISION DEVELOPMENT PROCEDURE

Any Owner or Developer of any Lot, tract, or parcel of land located outside the corporate limits of a city and within the County jurisdiction who creates a Subdivision of land shall conform to the procedure described as follows unless indicated otherwise herein:

1. Preliminary Plat and payment of applicable fees
2. Submission of Final Plat, Engineering Plans and any required reports
3. Construction of Improvements
4. County Inspection, payment of inspectors, Final Approval & Acceptance of Improvements
5. Filing of the Final Plat within 12 months of the Preliminary Plat

SECTION B - PRELIMINARY PLAT

Persons, Corporations, Partners, or others contemplating the conversion of raw or other type of lands into subdivisions or acreage as defined herein, shall develop and submit a Preliminary Plat to the County. A Preliminary Plat is required for all Subdivisions to allow the Commissioners' Court to review the overall layout of the Development with respect to roads, water, sewer or OSSF, and drainage. Preliminary Plats shall include all required information as stated on the Plat Application found in Appendix A and shall be submitted on paper and as a pdf. Following review, the County will inform and discuss the results of the review with the developer prior to the preparation of the Final Plat.

1. Requirements to be shown on the Preliminary Plat
 - 1.1. Subdivision & Street Names - The name of the proposed Subdivision must not be the same or similar to any other Subdivision in Mills County. Roads must be named in a manner to avoid confusion with other roads in the County. Roads that are extensions of existing roads must carry the same name. Roads that are not continuous or contain a ninety (90) degree bend shall have different names. All road names must be approved by the 911 Office administered by the Central Texas Council of Governments.
 - 1.2. Masterplan of the entire development if more than one phase is planned.
 - 1.3. Adjacent public roadways.
 - 1.4. Topographic contours (2 ft intervals).
 - 1.5. All natural drainage pathways.
 - 1.6. Floodplain and inundation zone boundaries.
 - 1.7. Layouts of proposed utilities and drainage features.
 - 1.8. Layout of Lots and their sizes.
2. The proposed deed restrictions, if any, to be imposed within the subdivision by the developer shall accompany the Preliminary Plat.
3. A Preliminary Plat will be considered withdrawn if a Final Plat has not been submitted to the County within 12 months.

SECTION C - FINAL PLAT

The Final Plat is a legal document defining the physical configuration and rules governing Development and operation of a Subdivision. It shall be prepared by a Registered Professional Land Surveyor licensed by the State of Texas from a recent ground survey in accordance with all applicable regulations.

1. The Final Plat shall be submitted on a scale of not more than 400 feet per inch and certified as to accuracy by the surveyor preparing the subdivision plat. It shall be drawn with a durable permanent ink on Mylar Drafting file consisting of one or more sheets not to exceed measuring 24" wide by 36" long in size. If the area being subdivided will not fit within these dimensions, two or more sheets shall be used. In addition, electronic copies are required – one as a pdf and the other in common mapping software compatible with the appraisal district and emergency services district mapping software.
2. A key map with a scale of one inch to 2,000 feet shall show the entire area and be drawn on the first sheet or on a separate sheet.
3. The Plat must include:
 - 3.1.1. The subdivision boundaries shall be described by Metes and Bounds on the plat and located with the respect to an original corner of the parent tract, and/or the adjoining tract, giving the dimensions of all lots, streets, alleys, easements, or other portions that are intended to be sold or dedicated for public use.
 - 3.1.2. Boundary lines must be shown by bearings and distances, calling for the lines of established surveys and landmarks, sufficient to locate the property on ground.
 - 3.1.3. Lot and block numbers are to be arranged in a systematic order on the plat in distinct and legible figures. The area of each lot must be shown to the nearest 100th of an acre.
 - 3.1.4. The total number of lots or tracts.
 - 3.1.5. A list containing the coordinate points of each lot corner, curve points, radius points, or other similar points necessary to identify the location of property lines. Coordinate points shall be developed using the NAD 83 State Plane Coordinate System.
 - 3.1.6. The location of every Concrete Monument set and permanent markers of each corner
 - 3.1.7. References must be made to the original patented survey and the number of tracts in each survey with the abstract number of same and reference made to the volume and page in the deed records of the tract being subdivided. Reference must also be made to the number of acres in each survey with the numbers of same for all dedicated areas. Deed references of all of the adjoining properties of the Subdivision shall be shown. Listing of owner's name, deed reference and date signing of the proper instrument according to the Rules and Regulations of the Texas Board of Professional Land Surveying. If the subdivision spans multiple counties – the plat must reflect the acreage, number of lots and feet of roads in each county. The lot lines should be laid out to avoid crossing county lines
 - 3.1.8. A certificate of ownership, certifying ownership and proper authorization to sign must accompany the plat to be recorded. Authorized agents for the owner and/or developer must also provide proof of their authority to sign for the owner. Tax Certificates from each applicable appraisal district must be submitted with the Plat reflecting no ad valorem taxes due and the current year taxes, including rollback taxes if applicable, as having been paid,
 - 3.1.9. The required certificates shall be executed and attached to the plat sheet evidencing ownership, acceptance, and approval by the developer and by the governmental entity having regulatory authority over the subdivision. If the subdivision lies the extraterritorial jurisdiction of that city, the approval shall be evidenced by the appropriate signature of the Mayor. If the subdivision lies outside the city limits or extraterritorial jurisdiction of any city, acceptance and approval of the plat shall be evidenced by the appropriate signatures of the Commissioners' Court of Mills County.
 - 3.1.10. A "North Arrow" and a graphical scale.
 - 3.1.11. The file name that the Surveyor has it stored in his company records.
 - 3.1.12. The Surveyor's name, Texas registration number, company name, address, and phone number.
 - 3.1.13. Public Utility Easements
 - 3.1.14. Pipeline easements

- 3.1.15. Wind or solar facility easements
- 3.1.16. Minimum finished floor elevation when the floodplain encroaches onto a lot.
- 3.1.17. Minimum finished floor elevation when the lot is downslope from the street and runoff will flow toward the building area.

SECTION D - MINIMUM STANDARDS OF DESIGN

1. Lots

- 1.1. There is no minimum lot size, but all lots must be designed to meet all regulations from TCEQ and any regulatory agency with jurisdiction regarding spacing between water wells, setbacks, entrances and or sewage disposal facilities.
- 1.2. Lots must have a minimum Road frontage of one hundred twenty-five (125) feet.
- 1.3. Lots must front on a Road.
- 1.4. The Building Setback Line on any Road maintained by TxDOT or the County shall be fifty (50) feet from the edge of the Right-of-Way.
- 1.5. If 1.4 is not applicable, the minimum front Building Setback Line shall be twenty-five (25) feet from the edge of the Right-of-Way.
- 1.6. The minimum rear Building Setback Line on all properties shall be twenty-five (25) feet.
- 1.7. The minimum side Building Setback Line on all properties shall be twenty-five (25) feet.
- 1.8. The minimum side Street Building Setback Line on all properties shall be twenty-five (25) feet.
- 1.9. All Corner Lots or Double Frontage Lots shall take access to the lesser of the two Streets.

2. Roads and Streets

2.1. Right-of-Way

- 2.1.1. Roads and streets shall have a minimum right of way width of 60 feet and must provide unhampered circulation through the subdivision.
- 2.1.2. The entrance road(s) into a subdivision shall not be constructed in the floodplain unless it is elevated at least one foot above the floodplain elevation.
- 2.1.3. Subdivisions with more than 50 lots must have at least two entrances from a public roadway for ingress and egress by emergency responders.

2.2. Cul-de-sacs and Dead-End Streets

- 2.2.1. Dead-End Streets may be platted where the Commissioners' Court deems appropriate and where the land adjoins property not subdivided, in which case, the Streets shall be carried to the boundaries thereof.
- 2.2.2. Dead End Streets and Cul-de-sacs shall terminate at a turn-around with a finished, all-weather roadway surface of 80 feet in diameter and a street right-of-way of 100 feet.
- 2.2.3. Roads terminating in a Cul-De-Sacs shall not exceed two thousand five hundred (2,500) feet in length nor provide primary access to more than 30 lots.
- 2.2.4. No driveway access to the turn-around of a dead-end street will be allowed.
- 2.2.5. Dead end streets that may be extended into an adjoining tract in the future may include a note allowing the chords of the circular right of way to revert to the adjoining lot owners.

- 2.2.6. Where Cul de sacs are used for lot entrances - driveways must be separated by a minimum of 125 feet (measured on the circumference on the cul de sac)

2.3. Roadway Intersections

- 2.3.1. All roads and streets should intersect at perpendicular angles, but in no case shall it exceed 15-degrees from perpendicular.
- 2.3.2. Roads shall not have abrupt offsets or jogs at intersecting roads and should align with any new or existing road on the opposite side. Maximum roadway offset shall be 30 feet.
- 2.3.3. Where a part of a road or street has been dedicated and deeded in an adjoining subdivision adjacent to and along the common property line of the two subdivisions, sufficient additional right of way must be dedicated in the new subdivisions to provide the minimum width specified above.
- 2.3.4. Squares, "islands" or other obstructions to traffic shall not be reserved within the right of way.

2.4. Driveways/Entrance Drives

- 2.4.1. The Commissioners' Court may deny a plat for final approval if the Lots within such Subdivision provide for direct entrance onto and off highways and Arterials.
- 2.4.2. Entrances onto public roads shall be limited to one per lot.
- 2.4.3. Driveway culverts are required for all entrances and shall be designed by an Engineer and shown in a table on the plat. The table shall include the Lot number, culvert length, size and invert elevations. This information shall also be placed in the deed restrictions, if any, for the Lots in the Subdivision.

3. Utilities

Locations and dimensions of utilities and easements must be coordinated with the utility provider. All utility easements shall be shown on the plat and located outside of the right of way. Documentation indicating approval from the utility provider must be submitted with the Final Plat.

4. Drainage

- 4.1. A Drainage Plan prepared by a licensed engineer is required in the Engineering Plans showing ditch flowlines, structure locations, sizes and invert elevations.
- 4.2. A Drainage Report prepared by a licensed engineer is required showing methodology and design calculations for all structures.
- 4.3. Designs for drainage culverts that cross the primary access into a subdivision shall be designed to pass the 100-year rainfall event. All other drainage structures in the subdivision shall be designed to pass the 25-year rainfall event or larger.
- 4.4. The County may request the review of the drainage plan by a County designated Engineer. The cost of that review shall be paid by the applicant.

5. Fire Hazard Mitigation

In a subdivision that is not served by a municipal, public or community water system certified by the Texas Commission on Environmental Quality as meeting minimum standards for water utility service, a limited fire suppression system is required including:

- (1) for a subdivision of fewer than 50 lots, 2,500 gallons of storage; or

- (2) for a subdivision of 50 or more lots, 5,000 gallons of storage.
 - 5.1.1. Access to storage tanks or impoundments shall be provided via an all-weather roadway that is accessible from a public roadway.
 - 5.1.2. Water storage tanks shall be fitted with 2 1/2" National Hose (NH) male fittings with freeze protection approved by the Fire Chief of the area in which the subdivision is located.
 - 5.1.3. Maintenance of the tanks shall be the responsibility of the HOA.

6. Solid Waste Disposal

- 6.1. A plan for solid waste disposal shall be submitted with the Final Plat for consideration by the County.
- 6.2. Disposal of solid waste must apply with all applicable TCEQ and County requirements.

SECTION E - CONSTRUCTION STANDARDS

The following construction standard shall be required for all infrastructure within the subdivision.

1. Road Construction

1.1. Dimensions

All streets shown on the plat shall meet the following specifications and be annotated on the Plat as *"not maintained by Mills County"*

Roadways that serve vehicular traffic within the subdivision

Minimum right-of-way	60 ft
Minimum width of roadway	24 ft
Maximum allowable grade	10%.

1.2. Subgrade

The minimum subgrade requirements are:

- 1.2.1. For existing soils with a Plasticity Index (PI) of 12 or below: 6" of cement stabilized soil using 4% Portland cement by weight compacted to 95% Standard Proctor Density (ASTM D698) with a moisture content of 0 to +4% of optimum moisture content.
- 1.2.2. For existing soils with a PI of 13 to 18: no chemical stabilization is required. Existing soil shall be scarified to a depth of 6" and recompact to 95% Standard Proctor Density (ASTM D698) with a moisture content of 0 to +4% of optimum moisture content.
- 1.2.3. For existing soils with a PI greater than 18: 6" of lime stabilized soil using 6% hydrated lime by weight compacted to 95% Standard Proctor Density (ASTM D698) with a moisture content of 0 to +4% of optimum moisture content.

1.3. Road Base

- 1.3.1. The minimum road base requirements is 6" of crushed limestone meeting requirements for TxDOT 247, Type A, Grade 1-2, compacted to 95% of the Modified Proctor Density (ASTM D1557) with a moisture content of 0 to +4% of optimum moisture content.
- 1.3.2. The road base shall be graded to achieve a uniform thickness across the entire road surface.
- 1.3.3. The crown of the road shall be at the center of the road except where superelevation is required around curves.
- 1.3.4. The cross-slope of the road shall be no less than 3%.

2. Testing

The developer shall provide laboratory test results for the subgrade, base and surface courses showing that all tests have met the criteria listed above. Any areas that do not meet these criteria shall be reworked and retested until they pass.

- If the county elects an engineering review by a county designated engineer, the applicant shall pay the cost of the review

3. Drainage

A Drainage Plan shall be submitted with the Engineering Plans showing details for all drainage structures such as ditches, culverts, inlets, bridges or other similar structures. A Drainage Report shall also be submitted with the Engineering Plans describing the methods, assumptions and calculations used in the design of the drainage structures. The designs shall be prepared using industry standard software & methods for hydrology and hydraulics such as HEC-HMS, HEC-RMS, Rational Equation, NRCS Methods, Manning's Equations or others as selected by the Engineer of Record. If the county incurs a cost for review of the drainage plan, the applicant shall reimburse the county for the cost.

4. Roadway and Driveway Culverts

(See Also County Road Access Agreement Document)

- 4.1. Culverts may be constructed using corrugated metal pipe (CMP), reinforced concrete pipe (RCP) or corrugated thermoplastic pipe (such as ADS Pipe).
- 4.2. Minimum culvert diameter along County roadways is 18".
- 4.3. Culverts shall have a minimum slope of 2%.
- 4.4. Culverts shall have a minimum cover of 6" of crushed limestone road base.
- 4.5. All culverts shall be fitted with a Safety End Treatment (SET). SETs for culverts parallel to the roadway shall be 6:1 slope. SETs for culverts crossing the roadway shall be 4:1.

5. Public Water Systems

Any public, municipal or community water system in a subdivision shall be owned and maintained by an entity licensed by the TCEQ. Water lines shall be designed in accordance with the standards of that entity and shall be installed in a PUE outside of the County right-of-way.

6. Public Natural Gas Systems

Any public natural gas system in a subdivision shall be owned and maintained by an entity licensed by the Texas Railroad Commission. Gas lines shall be designed in accordance with the standards of that entity and shall be installed in a PUE outside of the County right-of-way.

7. Roadway Crossings

All utilities and pipelines that cross a County roadway shall be installed in a steel or PVC casing pipe that has an inside diameter at least one standard diameter size larger than the bell connectors of the utility line. The casing pipe shall extend beyond the limits of the County right-of-way and be at least one foot below the flowline of the roadside ditches or other drainage structures.

8. Fire Protection

For subdivisions that have a public, private or community water system, the following requirements shall be met:

- 8.1. The system shall be designed to provide sufficient fire flow requirements (pressure and flowrate) meeting the standards of the International Fire Code and TCEQ and
- 8.2. Hydrant spacing shall be determined by the Mills County Director of Emergency Management.

SECTION F - CERTIFICATION OF WATER AVAILABILITY

The Mills County Commissioners' Court has determined that the adoption of Water Availability Regulations is necessary to prevent current and/or projected water use in Mills County from exceeding the safe sustainable yield of the County water supply.

If groundwater is the source of water supply for the subdivision, 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 subdivision, according to the certification form and content as promulgated by the TCEQ (30 §TAC 230). (Lack of certification that suitable and adequate groundwater is available is grounds for denial of plat approval). ***The completed Certification document (30 §TAC 230.3(c)) shall be submitted with the Final Plat and recorded as part of the dedication instrument. A note shall be placed on the plat that groundwater is to be the source of water.*** (See Appendix C Page 42 - Groundwater Availability Certification for Platting)

THE MILLS COUNTY COMMISSIONERS' COURT MAKES NO REPRESENTATION OR WARRANTY, EITHER EXPRESS OR IMPLIED, THAT SUBDIVISIONS THAT COMPLY WITH THESE WATER AVAILABILITY REGULATIONS WILL MEET THE CURRENT AND/ OR FUTURE WATER NEEDS OF PURCHASERS OF PROPERTY WITHIN THE SUBDIVISION.

SECTION G - REVIEW AND FILING PROCEDURES

1. The Commissioners Court may, at its own discretion, appoint a designated representative of the Court to review all submitted documents for the Preliminary and Final Plats and to examine the constructed improvements to assure that the plats, engineering plans and related documents have been accurately followed in the subdivision.
2. The Final Plat shall include all required information as stated on the Plat Application found in Appendix A.
3. All fees outlined in the Fee Schedule shown in Appendix B must be paid at the time of application for the Final Plat.

4. All ad valorem taxes due for current and prior years, including any roll backs associated with the loss of Agricultural or other exemptions must be paid before the Commissioners Court will consider the approval of the request for a subdivision or re-subdivision. The developer shall obtain a tax certificate from the Mills County Appraisal District and other Districts as applicable to show compliance.
5. The developer shall submit one 24"x 36" paper copy and six 11"x 17" copies to the County for distribution to the Commissioners' Court. The developer shall also submit a digital file of the plat in both .pdf and CAD (.dwg) on a portable storage device such as a flash drive.
6. After examination of the Final Plat, the Commissioners' Court shall notify the developer, in writing, as to its intent to approve or disapprove the plat. If the construction of the above-mentioned items is satisfactory to the Commissioners Court, the developer shall be notified that the plat is ready to be filed for record and the County Judge acting on behalf of and for the Commissioners' Court, shall at that time sign the plat indicating their approval.
7. If the subdivision is located within the city limits or within the extraterritorial jurisdiction of any city, a copy of the Final Plat shall be presented to the City Manager of that city for review and approval before filing.
8. The developer is responsible for obtaining all signatures and notarizations on the plat for the certifications from owners, municipalities, engineers, surveyors and any other individuals as described in one or more of the Certifications shown in Appendix C.
9. Upon notification that the Final Plat has been approved, the developer shall submit three mylar copies with all necessary signatures to the County Judge for recording.
10. The Final Plat shall be approved and recorded prior to the sale of any Lots in a Subdivision, or commencement of any construction activities on the proposed Lots created by the plat. The Final Plat shall not be approved prior to approval of the Preliminary Plat. The Final Plat shall be submitted concurrently with the Engineering Plans and all required reports. The Final Plat shall not be recorded prior to:
 - 10.1. Construction of the required public Improvements in a manner sufficient to satisfy County infrastructure design requirements and approval by a county designated engineer at the applicant's expense.

ARTICLE 6 – VARIANCES

SECTION A - VARIANCES

1. The Commissioners' Court of Mills County shall have the authority to grant variances from these Regulations when the public interest or the requirements of justice demand relaxation of the strict requirements of the rules, as the laws of the United States and the State of Texas permit.
2. Application for a variance must be in writing with adequate explanation and supporting information
3. Any person who wishes to receive a variance should apply to a member of the Mills County Commissioners' Court for placement of the matter on the agenda of the Court.
4. The fee must be paid prior to the variance being placed on the agenda
5. The decision of the Court to grant or deny a variance shall be final. The Commissioners' Court may seek a recommendation from a Third-Party Consulting Firm when considering a variance and the Developer shall reimburse the County for the cost.
6. A variance may be granted on the basis of the following criteria:
 - 6.1. The grant of a variance is not simply a matter of convenience, cost savings or expedience but is founded on the principles of reasonableness and substantial justice.
 - 6.2. The Developer offers evidence that the variance will not be detrimental to the health, safety and general welfare of real property in Mills County; and
 - 6.3. The existence of circumstances or conditions affecting the property in such a manner that strict application of these regulations would deprive the developer of the reasonable use of that property.

APPENDIX A
PLAT APPLICATIONS

MILLS COUNTY PLAT APPLICATION

SUBJECT PROPERTY INFORMATION	
APPLICATION DATE *:	RESUBMITTAL: <input type="checkbox"/> YES <input type="checkbox"/> NO
PROJECT / SUBDIVISION NAME:	
PROJECT ADDRESS OR LOCATION:	
LEGAL DESCRIPTION:	
IF RESUBMITTAL, PROJECT FORMERLY KNOWN AS:	
NUMBER OF LOTS:	TOTAL ACREAGE
JURISDICTION: <input type="checkbox"/> _____ ETJ <input type="checkbox"/> OUTSIDE ALL CITY LIMITS AND ETJs	

**Notification of Application completeness will be given within 10 days of Application date. All incomplete Applications will be rejected.
This Application shall expire five (5) years from the Application date of the project.**

TYPE OF APPLICATION		
<input type="checkbox"/> MASTER PLAN		<input type="checkbox"/> PRELIMINARY PLAN
<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> AMENDING PLAT	<input type="checkbox"/> REPLAT

APPLICATION PURPOSE		
<input type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> MANUFACTURED HOME RENTAL COMMUNITY	<input type="checkbox"/> COMMERCIAL
<input type="checkbox"/> OTHER (Please explain):		

FLOODPLAIN		
IS ANY OF THE PROPERTY LOCATED IN A FLOODPLAIN OR FLOOD HAZARD AREA? <input type="checkbox"/> YES <input type="checkbox"/> NO		
<p>Acknowledgment: The flood hazard boundary maps and other flood data used by Mills County in evaluating flood hazards to proposed Developments are considered reasonable and accurate for regulatory purposes and are based on the best available scientific and engineering data. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. Issuance of a Floodplain Permit in accordance with the Mills County Flood Damage Prevention Ordinance does not imply that Development outside the areas of special flood hazard will be free from flooding or flood damage. Issuance of a permit shall not create liability on the part of Mills County or any officer or employee of Mills County in the event flooding or flood damage does occur.</p>		

TxDOT RIGHT-OF-WAY		
WILL ANY CONSTRUCTION OCCUR IN TxDOT RIGHT-OF-WAYS? <input type="checkbox"/> YES <input type="checkbox"/> NO		

DIGITAL FILE SUBMISSION			
	<input type="checkbox"/> ADOBE (.pdf file)	<input type="checkbox"/> AutoCAD (.dwg file)	(Email To: plats@Millscountytx.gov)
911 ADDRESSING	<input type="checkbox"/> ADOBE (.pdf file)	<input type="checkbox"/> AutoCAD (.dwg file)	(Email To: gis@Millscountytx.gov)

**CONTACT
INFORMATION**

APPLICANT INFORMATION

FIRM NAME:

CONTACT:

ADDRESS:

CITY:

STATE:

ZIP:

PHONE:

FAX:

EMAIL:

PROPERTY OWNER INFORMATION

FIRM NAME:

CONTACT:

ADDRESS:

CITY:

STATE:

ZIP:

PHONE:

FAX:

EMAIL:

ENGINEER INFORMATION

FIRM NAME:

CONTACT:

ADDRESS:

CITY:

STATE:

ZIP:

PHONE:

FAX:

EMAIL:

SURVEYOR INFORMATION

FIRM NAME:

CONTACT:

ADDRESS:

CITY:

STATE:

ZIP:

PHONE:

FAX:

EMAIL:

**PROPERTY OWNER CONSENT / AGENT
AUTHORIZATION**

By my signature, I hereby affirm that I am the property Owner of record, or if the Applicant is an organization or business entity, that authorization has been granted to represent the Owner, organization or business in this Application. I certify that the preceding information is complete and accurate, and it is understood that I agree to the Development/Subdivision of this property.

SIGNATURE:	PRINTED NAME:	DATE:
SIGNATURE:	PRINTED NAME:	DATE:

By signing this form, the Owner of the property authorizes Mills County to begin proceedings in accordance with the process for this type of Application indicated on page one of this Application. The Owner further acknowledges that submission of an Application does not in any way obligate the County to approve the Application and that although County staff may make certain recommendations regarding this Application, the Commissioner's Court may not follow that recommendation and may make a final decision that does not conform to the staff's recommendation.

CALCULATIONS OF FEES

MASTER PLAN:		PRELIMINARY PLAN:
FINAL PLAT:	AMENDING PLAT:	REPLAT: \$200+50 per lot

Variance Fee \$5,000 plus \$100 per lot with variance

RECEIPT BY MILLS COUNTY (Official Use Only)

DATE APPLICATION RECEIVED: ____/____/____	DATE APPLICATION RECEIVED / REJECTED: ____/____/____
SIGNATURE:	SIGNATURE:

Receipt of this Application by Mills County does not provide confirmation or acceptance of a complete Application, nor does it waive requirements for any additional information not contained as part of this Application which may also be needed as a part of the review process.

Application Check List:

Copies of finished plat with corrections (if any):

- Three (3) hard copies to Mills County
- One (1) .pdf copy to Mills County
- One (1) .dwg copy to Mills County

Letters of approval (to be sent by the approving institution directly to Mills County)

- Letter from Mills County 911 - For Road names.
- Letter from Water District or Company. - Stating water availability, etc.

If property is within an Extraterritorial Jurisdiction (ETJ) of a City:

- Approval notification from appropriate City.

Applicant attests that they have signed this Application in the capacity designated, if any, and further attests that they have read document and the statement contained herein and any attached are true and factual. All Applicants are encouraged to review the County Regulations prior to any plat submittal. It is understood that this Application is not finished or dated until all documents listed above are filed at the Mills County and all applicable blanks are filled in the Application above.

PRELIMINARY PLAT REQUIREMENTS

Preliminary Plan shall include all of the following:

- Title Block with the following information:
 - Name, address, telephone and email address of Subdivider, recorded Owner, Engineer and surveyor.
 - Proposed name of Subdivision. (Subdivision name & Street names will be approved through the Mills County 911.)
 - Date of preparation. (Include the date of any revisions on the plan.)
 - Engineer's scale in feet.
 - Total area intended to be developed.
 - Proposed number of Lots to be developed.
 - Abstract name and number.
- The Preliminary Plan shall carry the legend "PRELIMINARY PLAN FOR REVIEW PURPOSES ONLY".
- North arrow.
- Drawn on 24" x 36" sheet to scale of 100-feet per inch or larger.
- Subdivision boundary indicated by heavy lines. Boundary must include all of Parent Tract.
- All horizontal control and vertical elevations depicted on the plan shall be tied to NAD83 and NAVD 1988 Datum.
- A vicinity map, drawn at a scale appropriate to show all nearby major Roadways and sufficient in detail to identify the location of the proposed plan.
- All adjacent property Owner's names, deed record, or Subdivision name, Block and Lot number, and existing use.
- All parcels within the boundary of the Subdivision shall have a Block and Lot number shown on the face of the plan drawing.
- County boundaries, City limits, Extraterritorial Jurisdiction (ETJ) boundaries, school district boundaries and Subdivision section and/or phase boundaries.
- Road names and Road designation, pavement width and Right-of-Way width for all proposed Roads within and all existing Roads abutting the plan. (Proposed and existing)
- All existing and proposed plan boundary lines, phase/section lines, and Lot lines with bearings and dimensions.
- Utility Services. (Water, wastewater, electrical, natural gas, cable, phone, etc.) (Existing and proposed.)
- Pipelines: label company with volume and page.
- The Preliminary Plan (including the entire Parent Tract if only a portion of that tract is to be subdivided) shall be shown on a single sheet, regardless of its acreage. The Preliminary Plan may also be shown on multiple sheets if necessary to show all detail and required information as required by this section.

- Size, in acres, of all Daughter Tracts.
- Boundary lines for all Roads.
- Easements and rights-of-way shall be dedicated to the public. The dedication of all Easements and rights-of-way shall be accomplished free of liens.
- All proposed Easements and existing Easements of record that have a designated route shall be shown on the plat with bearings and dimensions. The Owner shall be responsible for coordinating with all Utility Providers the location of all utility Easements that are shown on the Final Plat.
- Building Setback Lines for each proposed Lot as defined herein. For Subdivisions located within an Extraterritorial Jurisdiction (ETJ), this may be shown on the drawing or included as a plan note.
- Metes and bounds description of the property to be subdivided shall be certified by a Registered Professional Land Surveyor (RPLS), describing a beginning point and reciting bearings and distances to a corner of the original land grant survey of which the Subdivision is a part, according to the best available data. (Shown on drawing; not separate description)
- Primary control points or descriptions and ties to such control points, to which, later, all dimensions, angles, bearings, Block numbers, and similar data shall be referred. The plat shall be located with respect to a corner of the surveyor tract, or an original corner of the original survey of which it is a part. All boundaries shall be tied to a County control monument.
- The plat note regarding Owner's responsibilities as found in Appendix G.4, if not contained in the Owner's dedication.
- If the plat contains a water well site, there shall be a depiction of the TCEQ separation requirements per Title 30, Part 1, Chapter 290, Subchapter D Rule §290.41.
- It is the responsibility of the Owner to assure that the proposed name of the Subdivision is not duplicated. Subdivisions with different sections are considered unique.
- The Owner shall provide a letter of serviceability from an entity or entities providing water service or a letter stating that no service is available within 300 feet of the Subdivision and certifying that the Lots are suitable for private wells.
- If entrances or driveways are proposed fronting Texas Department of Transportation (TxDOT) controlled highways, farm-to-market Roads, or others, copies of correspondence with TxDOT are required to be submitted with the Preliminary Plat stating that the general entrance or driveway configuration is within TxDOT's guidelines. Formal approval of the layout from TxDOT is required prior to approval of Final Plat.
- For Road widening and drainage purposes the Owner shall dedicate the Right-of-Way. In the case of drainage that is provided for the Lots, it shall be located outside of the Right-of-Way in a private drainage Easement. In the case of drainage that is provided for the Roadway, it shall be located within the Right-of-Way.
- Locations of existing and proposed public areas.
- Locations of other public Improvements, including but not limited to parks, schools and other public facilities.
- The location of proposed cluster mailboxes, as required.
- Proposed phasing. Each phase must be able to stand alone to meet requirements of these Regulations.
- This check list along with the required copies of the plan shall be submitted to the County for approval.

FINAL PLAT APPLICATION REQUIREMENTS

Every Final Plat must include all of the following:

- Title Block with the following information:
 - Name, address, telephone and email address of Subdivider, recorded Owner, Engineer, and surveyor.
 - Proposed name of Subdivision. (Subdivision name & Street names will be approved through the Mills County 911.) (Replats need to retain original Subdivision name.)
 - Date of preparation. (Include the date of any revisions on the plat.)
 - Engineer's scale in feet.
 - Total area intended to be developed.
 - Proposed number of Lots to be developed.
- North arrow.
- Drawn on sheet to scale as may be appropriate per Texas Board of Professional Engineering and Land Surveying standards.
- Subdivision boundary indicated by heavy lines. Boundary must include all of Parent Tract.
- A vicinity map, drawn at a scale appropriate to show all nearby major Roadways and sufficient in detail to identify the location of the proposed plat.
- All adjacent property Owner's names, deed record, or Subdivision name, Block and Lot number, and existing use.
- All parcels within the boundary of the Subdivision shall have a Block and Lot number shown on the face of the plat drawing.
- County boundaries, City limits, Extraterritorial Jurisdiction (ETJ) boundaries, school district boundaries and Subdivision section and/or phase boundaries.
- Road names and Right-of-Way width for all Roads. (Existing and proposed)
- All existing and proposed plat boundary lines, phase/section lines, and Lot lines with bearings and dimensions.
- Utility Services. (Water, wastewater, electrical, natural gas, cable, phone, etc.)
- Pipelines: label company with volume and page.
- All certification language as found in Appendix C.
- Easements and rights-of-way shall be dedicated to the public. The dedication of all Easements and rights-of-way shall be accomplished free of liens. The dedication shall be accompanied by the Certificate of Ownership and Dedication language found in Appendix C. The Owner's and any lien holder's dedication, and restrictions if any duly acknowledged in the manner required for acknowledgement of deeds, shall also be provided.
- All proposed Easements and existing Easements of record that have a designated route shall be shown on the plat with bearings and dimensions. The Owner shall be responsible for coordinating with all Utility Providers the location of all utility Easements that are shown on the Final Plat.
- Building Setback Lines for each proposed Lot as defined herein. For Subdivisions located within an Extraterritorial Jurisdiction (ETJ), this may be shown on the drawing or included as a plat note.

- Metes and bounds description of the property to be subdivided shall be certified by a Registered Professional Land Surveyor (RPLS), describing a beginning point and reciting bearings and distances to a corner of the original land grant survey of which the Subdivision is a part, according to the best available data. (Shown on drawing; not separate description)
- All Subdivision external corners, angle points, points of curvature and points of tangency shall be set by a Registered Professional Land Surveyor (RPLS) before the plat is recorded
- Primary control points or descriptions and ties to such control points, to which, later, all dimensions, angles, bearings, Block numbers, and similar data shall be referred. The plat shall be located with respect to a corner of the surveyor tract, or an original corner of the original survey of which it is a part. All boundaries shall be tied to a County control monument.
- The plat notes regarding Owner's responsibilities if not contained in the Owner's dedication.
- The On-site Sewage Facility (OSSF) setback as required by TCEQ
- The certification language as found in Appendix C for the Commissioner's Court certificate shall be located on the face of the plat. These signatures shall be obtained after approval by the Mills County Commissioner's Court.
- If any Lot within the plat will be served by a well or an On-site Sewage Facility (OSSF), a letter must be provided by a TCEQ DER stating they have examined the plat and that it is in compliance with the Mills County On-site Sewage Facility (OSSF) Regulations, Construction Standards for On-site Sewage Facility (OSSF) Regulations as published by the Texas Commission on Environmental Quality (TCEQ). This letter must be signed by the DER designate a water well site, there shall be a depiction of the TCEQ separation requirements per Title 30, Part 1, Chapter 290, Subchapter D Rule §290.41.
- Driveway culverts for all Lots shall be designed by a Licensed Professional Engineer.
- If entrances or driveways are proposed fronting Texas Department of Transportation (TxDOT) controlled highways, farm-to-market Roads, or others, copies of correspondence with TxDOT are required to be submitted with the Preliminary Plat stating that the general entrance or driveway configuration is within TxDOT's guidelines. Formal approval of the layout from TxDOT is required prior to approval of Final Plat.
- This check list along with the required copies of the plat shall be submitted to the County for approval.
- For Road widening and drainage purposes the Owner shall dedicate the Right-of-Way. In the case of drainage that is provided for the Lots, it shall be located outside of the Right-of-Way in a private drainage Easement. In the case of drainage that is provided for the Roadway, it shall be located within the Right-of-Way.
- Indicate the Boundary lines of each Road in the proposed Subdivision.
- Locations of existing and proposed public areas.
- Locations of other Public Improvements, including but not limited to parks, schools and other public facilities.
- In the case of an On-site Sewage Facility (OSSF), the Developer shall be responsible for providing a Development Plan, as performed by a Professional Sanitarian, a Licensed Professional Engineer, or person certified as required by TCEQ Title 30 TAC Chapter 285. The sewage disposal plan shall be performed according to rules and regulations established by the Mills County On-site Sewage Facility (OSSF) Order and TCEQ Title 30 TAC Chapter 285.
- If applicable, evidence of compliance with or exempt status with the Interstate Land and Sales Disclosure Act, as amended ("HUD").

- A plan for solid waste disposal in the subdivision has been submitted.
- For subdivisions with five or more lots, location(s) for dumpsters are shown on the plat.

APPENDIX B

FEE SCHEDULE

(NB – these are application fees. Recording and copying fees assessed by County Clerk are in accordance with the Clerks posted fee schedule)

In addition to the Application Fees in this schedule and the Recording & Filing Fees of the County Clerk, every applicant for a plat shall reimburse the county for its direct expenses of professional services retained by the county to review the application/plat/construction and professional reports proffered by the developer).

Platting Services	Effective January 1, 2022
Preliminary Plat	\$300 + \$100 per lot (\$1,000 Minimum Fee)
Final Plat	\$500 + \$50 per lot (\$1,000 Minimum Fee)
Amending Plat	\$300
Replat	\$500
Vacating Plat (right-of-way or easements)	\$300
Variance Request	\$200 per variance per lot
Development and Inspection Services	
Subdivision Construction Inspection	2% of Infrastructure Cost
Re-Inspection	\$200

APPENDIX C

**CERTIFICATIONS TO BE INCLUDED ON THE FINAL PLAT
AS APPROPRIATE FOR THE LOCATION OF THE SUBDIVISION**

OWNER'S CERTIFICATE

THE STATE OF TEXAS:
COUNTY OF MILLS:
CITY OF GOLDTHWAITE:

THAT _____ being the owner of the above tract described as _____ to the City of Goldthwaite, Mills County, Texas, either individual as owner of tract or by and through the authorized agent of the owner of the tract does hereby certify that owner is the owner of the tract, that the undersigned is authorized to execute this Certificate, and owner and does hereby dedicate to the public use forever the streets, alleys, and easements shown hereon. These easements shown hereon are hereby reserved for the purposes as indicated. The utility easements shall be open for all City or franchised public utilities for each particular use. No buildings or auxiliary structures shall be constructed, reconstructed, or placed upon, over, or across the easements shown. Said easements being hereby reserved for the mutual use and accommodations of all public utilities using, or desiring to use same. Any City or franchised utility shall have the full right to remove and keep removed all or parts of any fences, trees, shrubs, or other improvements or growth which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the easements and all City or franchised utilities shall at all times have the full right of ingress and egress to and from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective system without the necessity at any time of procuring the permission of anyone. This plat is subject to all platting ordinances, rules, regulations, and resolutions of the City of Goldthwaite, Mills County, Texas.

WITNESS MY HAND this the ____ day of _____, 20 ____.

(Signature of Owner)

(Title)

THE STATE OF TEXAS:
COUNTY OF MILLS:

BEFORE ME, the undersigned Notary Public in and for the County, and State, on this day appeared, _____, known to be the person or persons whose names are subscribed to the foregoing instrument and acknowledge to me that the same was the acts of said persons for the purpose and considerations herein expressed as in the capacity herein stated.

Given under my hand and seal of this office, this ____ day of _____, 20 ____.

NOTARY PUBLIC IN AND FOR
MILLS COUNTY, TEXAS
MY SEAL EXPIRES _____

OWNER'S CERTIFICATE

THE STATE OF TEXAS:
COUNTY OF MILLS:
CITY OF MULLIN:

THAT _____ being the owner of the above tract described as _____ to the City of Mullin, Mills County, Texas, either individual as owner of tract or by and through the authorized agent of the owner of the tract does hereby certify that owner is the owner of the tract, that the undersigned is authorized to execute this Certificate, and owner and does hereby dedicate to the public use forever the streets, alleys, and easements shown hereon. These easements shown hereon are hereby reserved for the purposes as indicated. The utility easements shall be open for all City or franchised public utilities for each particular use. No buildings or auxiliary structures shall be constructed, reconstructed, or placed upon, over, or across the easements shown. Said easements being hereby reserved for the mutual use and accommodations of all public utilities using, or desiring to use same. Any City or franchised utility shall have the full right to remove and keep removed all or parts of any fences, trees, shrubs, or other improvements or growth which in any way endanger or interfere with the construction, maintenance, or efficiency of its respective system on the easements and all City or franchised utilities shall at all times have the full right of ingress and egress to and from and upon said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective system without the necessity at any time of procuring the permission of anyone. This plat is subject to all platting ordinances, rules, regulations, and resolutions of the City of Mullin, Mills County, Texas.

WITNESS MY HAND this the ____ day of _____, 20 ____.

(Signature of Owner)

(Title)

THE STATE OF TEXAS:
COUNTY OF MILLS:

BEFORE ME, the undersigned Notary Public in and for the County, and State, on this day appeared, _____, known to be the person or persons whose names are subscribed to the foregoing instrument and acknowledge to me that the same was the acts of said persons for the purpose and considerations herein expressed as in the capacity herein stated.

Given under my hand and seal of this office, this ____ day of _____, 20 ____.

NOTARY PUBLIC IN AND FOR
MILLS COUNTY, TEXAS
MY SEAL EXPIRES _____

OWNER'S CERTIFICATE

NOW, THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That _____, being the owner of the above tract described as _____ to Mills County, Texas, either individually as owner of the tract or by and through the authorized agent of the owner of the tract, do hereby adopt this plat or map know as _____ being situated in Mills County, Texas and do dedicate to the public the streets, alleys, and easements as shown hereon, or on the attached plat or map.

WITNESS UNDER MY HAND THIS THE ____ DAY OF _____ 20 ____.

By: OWNER OR AGENT

THE STATE OF TEXAS:
COUNTY OF MILLS:

BEFORE ME, the undersigned Notary Public in and for the County, and State, on this day appeared, _____, known to be the person or persons whose names are subscribed to the foregoing instrument and acknowledge to me that the same was the acts of said persons for the purpose and considerations herein expressed as in the capacity herein stated.

Given under my hand and seal of this office, this ____ day of _____, 20 ____.

NOTARY PUBLIC IN AND FOR
MILLS COUNTY, TEXAS
MY SEAL EXPIRES _____

CITY OF GOLDTHWAITE

THE DEDICATION FILED IN CONNECTION WITH THIS PLAT is hereby approved, all streets, alleys, easements and public areas shown hereon or on attached plat or map are accepted on behalf of the public by the City Council of THE CITY OF GOLDTHWAITE, TEXAS, and this Plat is approved for recording.

APPROVED BY THE CITY COUNCIL OF CITY OF GOLDTHWAITE

DATED: _____

MAYOR

CITY OF MULLIN

THE DEDICATION FILED IN CONNECTION WITH THIS PLAT is hereby approved, all streets, alleys, easements and public areas shown hereon or on attached plat or map are accepted on behalf of the public by the City Council of THE CITY OF MULLIN, TEXAS, and this Plat is approved for recording.

APPROVED BY THE CITY COUNCIL OF CITY OF MULLIN

DATED: _____

MAYOR

COMMISSIONERS' COURT

THE DEDICATION FILED IN CONNECTION WITH THIS PLAT is hereby approved, all streets, alleys, easements and public areas shown hereon or on attached plat or map are accepted on behalf of the public by the Commissioners' Court of the County of Mills Texas, and this Plat is approved for recording.

APPROVED BY THE CITY COUNCIL OF CITY OF MULLIN

Date: _____ County Judge: _____

COUNTY INSPECTOR

Based upon the representation of the Engineer, Surveyor, and or Registered Sanitarian attached to the submitted plat, and after a review of the plat and planning materials as prepared by the said Engineer, Surveyor, and/ or Registered Sanitarian, I find that this plat complies with the requirements of Mills County On-Site Sewage Facilities Order and Mills County Flood Damage Prevention Order. This certification is made solely upon such representations and should not be relied upon for verifications of the facts alleged. Mills County disclaims any responsibility to any member of the public or independent verifications of the representation, factual, or otherwise, contained in this plant and the documents associated with it.

Date: _____ Approved By: _____

DISGNATED REPRESENTATIVE FOR MILLS COUNTY

This subdivision is in compliance with the Texas development review regulations for on-site sewage facilities and FEMA Floodplain Administration.

Date: _____ Approved By: _____

SURVEYOR

I, _____, Registered Public Land Surveyor Number _____, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and the property markers and monuments were placed under my supervision on the ground, and that the metes and bounds describing said subdivision will describe a closed geometric form.

_____ R.P.L.S. No. _____ (affix seal)

CERTIFICATION OF GROUNDWATER AVAILABILITY

I, _____, Texas Licensed Professional Engineer or Texas Licensed Professional Geoscientist (circle which applies), license or certificate number _____, based on best professional judgement, current groundwater conditions, and the information developed and presented in this form, certify that adequate groundwater is available from the underlying aquifer(s) to supply the anticipated use of the proposed subdivision.

Date: _____ (affix seal & signature)