



CHAMBERS COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS

Adopted by the Commissioners Court: xxx, xx, 2024

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ARTICLE 1: STATUTORY AUTHORIZATION, FINDING OF FACT AND PURPOSE AND INTENT

SECTION A1. TITLE

This Order shall be known as the “Chambers County Subdivision and Land Development Regulations”. As a short title, these Regulations shall be known and may be cited as the “Subdivision Regulations”.

SECTION B1. AUTHORITY

These subdivision regulations are adopted pursuant to the authority granted by the U.S. Constitution, the Texas Constitution and the laws of the State of Texas, specifically including the Texas Local Government Code (TLGC) Chapter 232, as amended.

SECTION C1. EFFECTIVE DATE

The effective date of these subdivision regulations shall be

SECTION D1. TRANSITIONAL PROVISIONS

APPLICATIONS SUBMITTED BEFORE EFFECTIVE DATE

- A. Complete applications for approvals required under these regulations that are pending before the effective date specified in Section C must be reviewed and approved in accordance with the subdivision regulations in effect before the effective date of these Subdivision Regulations.
- B. Incomplete applications submitted before the Effective Date will not be reviewed until they are complete. Once complete, the application must be reviewed and approved in accordance with the regulations in effect at the time that the application is deemed complete.

ON GOING DEVELOPMENT ACTIVITY

- A. Any subdivision or development activity for which a plat or County development authorization has been issued before the Effective Date may be completed in conformance with the regulations in effect at the time that the application was approved by the County even if such development does not fully comply with these Subdivision Regulations (referring to the regulations adopted after the Effective Day)
- B. If the permitted construction or development activity is not commenced and diligently pursued within the time constraints allowed within the County’s regulations before the Effective Date of these Subdivision Regulations, then the original approval or any

extension that is granted can require such subdivision or development activity to comply with the regulations effective after the Effective Date.

PREVIOUS VIOLATIONS

The adoption of these Subdivision Regulations does not affect nor prevent any pending or future prosecution of, or action to abate, violations of the previous subdivision regulations that occurred before the Effective Date.

SECTION E1. COMPLIANCE REQUIRED

PURPOSE AND INTENT

It is the purpose of these Subdivision Regulations to promote, protect and improve the public health, safety, comfort, convenience, prosperity and general welfare of the citizens of Chambers County. Similarly, it is the intention of these Subdivision Regulations to SECURE:

1. The establishment of standards of subdivision design which will encourage the development of sound and economically stable communities, and the creation of healthful living environments, including drainage, transportation, water treatment and distribution, and sewage treatment and disposal;
2. The efficient, adequate and economic supply of utilities and services to new land development;
3. The provision of safe and convenient traffic circulation, both vehicular and pedestrian, in new land development;
4. Accurate land record for the convenience and protection of the public and for adequate identification and permanent location for real estate boundaries and those structures erected pursuant to these Subdivision Regulations; and
5. Equitable handling of all subdivision plats by providing uniform procedures and standards applicable to both the subdivider and the County.
6. Ensuring that new development adequately and fairly participates in the dedication and construction of Public Improvements and infrastructure that are necessitated by or attributable to the development.

AND TO REDUCE: Hazards due to flooding; and Hazards due to inadequate traffic management and congestion.

GENERAL

It is hereby declared to be the policy of the County to consider the subdivision and development of land as subject to the control of the County to promote the orderly, planned, efficient and economical development of the County.

SUBDIVISION AND DEVELOPMENT OF LAND POLICIES

- A. Land shall not be subdivided or developed until proper provision has been made for drainage, water, wastewater, transportation and other facilities required by these Subdivision Regulations.
- B. These subdivision regulations shall supplement and facilitate the enforcement of standards for land uses requiring a Site Development Permit and building codes adopted by the County where applicable.

REQUIREMENT TO PLAT FOR THE SUBDIVISION OF LAND

Per Texas Local Government Code Section 232.001, the owner or owners of any tract of land outside the limits of a municipality that is located within the County or within the ETJ of a municipality must have a plat of the subdivision prepared, if the owner or owners divides or divide the tract of land into two (2) or more parts to lay out:

1. A subdivision of the tract of land, including 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.

A division of a tract of land under this subsection 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 a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

EXCEPTIONS TO PLAT REQUIREMENTS

Authority for these Regulations is given in Texas Local Government Code Section §232.0015.

A property that fronts on a public street whose boundary has not changed since February 1, 2000 is considered a legal lot. *[Texas Court of Appeals, Elgin Bank v. Travis County]*

No property owner and/or developer will be required to have a plat of the subdivision if the property owner and/or developer does not lay out a part of the tract by laying out 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 meets one of the following requirements:

DIVISION FOR MORTGAGE OR TAX PURPOSES

The division of a tract of land into two (2) parts solely for one of the following purposes shall not be considered a division subject to platting regulations:

1. To establish a lien upon a portion of the tract, said lien being required by a financial institution to grant a loan for construction of a residence or related structure on said portion;
or

2. To establish a different tax status on a portion of the tract (for example, to obtain a homestead exemption).
3. Both tracts created must have access to a publicly maintained road by frontage, public easement, or private ingress and egress easement.

Under this exception, ownership of the divided portion may not be conveyed separately from the remainder of the tract unless said conveyance is due to foreclosure on a loan or due to a tax sale. Any other separate conveyance will require compliance with subdivision regulations in effect at that time.

The County shall require the property owner and/or developer to adhere to the terms of these Subdivision Regulations with regards to setbacks and lot frontages.

The property owner and/or developer must present to the County Engineer the following:

1. A letter requesting an exception under this section;
2. A copy of the deed for the tract to be divided; and
3. A plat of survey prepared and sealed by a land surveyor showing the division with legal descriptions of both tracts.

The County Engineer will present the exception request to the Court.

Upon approval of the Court, the County Engineer will supply the property owner and/or developer with a letter granting approval with the original court order attached, which shall be filed along with the plat of survey signed and sealed by the land surveyor.

DIVISION TO CHANGE LINE BETWEEN TWO EXISTING TRACTS AND/OR TO RECONFIGURE EXISTING TRACTS

The division of a tract of land solely to change the line between two (2) or more existing tracts or to reconfigure two (2) or more tracts shall not be considered a division subject to platting regulations.

This exception applies only if the portion divided off of one (1) tract is conveyed to the property owner and/or developer of the adjoining tract or both tracts are owned by the same individual. Any conveyance of the divided portion separate from the adjoining tracts will require compliance with subdivision regulations in effect at that time.

The property owner and/or developer of the affected tracts are responsible for ensuring that the resulting tracts are of appropriate size and condition to comply with water and wastewater regulations.

The access to either tract cannot diminish in importance due to this division (meaning public road to public easement, public easement to private easement, etc.).

County may require developer to adhere to the terms of these Subdivisions Regulations with regards to setbacks and lot frontages.

In order to qualify for this exception, the property owner and/or developer must present to the County Engineer:

1. A letter requesting an exception under this section;
2. A copy of the deed for the tract to be divided; and
3. A plat of survey prepared by a land surveyor showing the division with legal descriptions to both tracts.

Once these items are delivered to the County Engineer's Office, the proposed subdivision will be brought before the Court.

Upon approval of the Court, the County Engineer will supply the property owner and/or developer with a letter granting approval with the original court order attached, which shall be filed along with the plat of survey signed and sealed by the land surveyor.

DIVISION FOR FAMILY

Per [TLGC Section 232.0015\(e\)](#), the County may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into four (4) or fewer parts and does not lay out a part of the tract described by ([TLGC Section 232.001\(a\)\(3\)](#)) to have a plat of the subdivision prepared 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.

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 (parent, child, grandparent, grandchild, sister, brother, great- grandparent, great-grandchild, aunt, uncle, niece, nephew) or affinity (the spouse of anyone listed above, or so related to the Owners spouse) for their personal use; provided, however, that each daughter tract is either located on a public road or has access to such a road, the platting requirements of these Subdivision Regulations apply.

DIVIDING LAND FOR AGRICULTURAL, WILDLIFE MANAGEMENT, OR TIMBER

Per [TLGC Section 232.0015 \(c\)](#), the County may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts to have a plat of the subdivision prepared if:

1. The owner does not lay out a part of the tract described by Sec. TLGC Section 232.001 (a)(3);
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, the platting requirements of these Subdivision Regulations apply.

MORE THAN 10 ACRES

Property owner and/or developer divides tract of land into two (2) or more parts and all of the lots of the subdivision are more than 10 acres in area.

Per [TLGC Section 232.0015\(f\)](#), the County may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two (2) or more parts to have a plat of the subdivision prepared if:

1. All the lots of the subdivision are more than ten (10) acres in area; and
2. The owner does not lay out a part of the tract described by [Sec. 1.5.4.A.3 \(TLGC Section 232.001\(a\)\(3\)\)](#)

ALL LOTS SOLD TO VETERANS

Per [TLGC Section 232.0015\(g\)](#), the County may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two (2) or more parts and does not lay out a part of the tract described by [Sec. 1.5.4.A.3 \(TLGC Section 232.001\(a\)\(3\)\)](#) to have a plat of the subdivision prepared if all the lots are sold to veterans through the Veterans' Land Board program.

LAND OWNED BY THE STATE OR PERMANENT SCHOOL FUND

Per [TLGC Section 232.0015\(h\)](#), the provisions of these Subdivision 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 described by [\(TLGC Section 232.001\(a\)\(3\)\)](#)

LAND OWNED BY POLITICAL SUBDIVISION IN A FLOODPLAIN

Per [TLGC Section 232.0015\(i\)](#), the County may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two (2) or more parts to have a plat of the subdivision prepared if:

1. The owner of the land is a political subdivision of the state;
2. The land is situated in a floodplain; and
3. The lots are sold to adjoining landowners.

DIVISIONS OF TRACT TRANSFERRED TO EXISTING OWNERS OF TRACT

Per [TLGC Section 232.0015\(k\)](#), the County may not require the owner of a tract of land located outside the limits of a municipality who divides the tract into two (2) or more parts to have a plat of the subdivision prepared if:

1. The owner does not lay out a part of the tract described by [\(TLGC Section 232.001\(a\)\(3\)\)](#); 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.

LAND FOR PURPOSE OF SELLING PART TO SUBDIVIDER

Property owner and/or developer divides the tract into two (2) or more parts and one (1) new part is retained by the property owner and/or developer and one (1) new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements.

NOTIFICATION TO THE COUNTY ENGINEER

The property owner and/or developer shall provide written notification to the County Engineer of the intent to divide the land. Said notice must identify the exception said division qualifies and provide a sketch illustrating the division. The County Engineer will provide property owner and/or developer notification of receipt and acceptance of exception based upon the representations and information received. The County Engineer will require the preparation and filing of restrictions running with the land ensuring that any subsequent conveyance of any property resulting from the above referenced division shall be made in compliance with these rules.

ADDITIONAL EXCEPTIONS

The Commissioners Court has adopted the following additional policy guidelines stating when the division of an existing tract shall be considered exempt from the requirements for filing of a plat:

- A. A plat is not required when daughter tracts are created solely for purposes of platting them as individual subdivisions in their own right. The Owner must submit to the Court the preliminary plat for the project as a whole before claiming this exception.
- B. A plat is not required when two adjacent landowners adjust or change the property lines which separate their respective tracts, so long as there is the same number of tracts and Owners after the transaction as existed before it. (and does not create other plat issues) This exemption applies whether the transaction requires an exchange of land by both Owners, or only a transfer of land from one Owner to the other, and whether the transaction takes the form of a sale or of an exchange in kind.
- C. Any land added to a tract through such a transaction shall become an integral part of that tract, and may not be separately conveyed except in compliance with the subdivision laws. Each resulting tract shall, of course, be subject to the minimum lot size requirements of these Regulations and other applicable laws. This exception does not apply if the adjustment will change the boundary between two legally platted lots, or add or subtract land from a legally platted subdivision. This exemption may not be exercised within two years of exercising another exemption.
- D. A plat is not required when a smaller tract is surveyed out of the parent tract solely for the purposes of obtaining financing for purchase or improvement of that part of the property, provided that possession and primary beneficial ownership of the entire parent tract are intended to remain unified.
- E. A plat is not required when a smaller tract is created by the legitimate foreclosure of a valid lien on a part of the parent tract. This provision does not exempt sham transactions or foreclosures staged to avoid the platting requirement.
- F. A plat is not required if the property has been divided by the final decree of a court of record with appropriate jurisdiction.
- G. All exemptions in this subsection must be approved in writing by the County Engineer prior to the division of the property. To claim any exemption, the person or entity who claims to be entitled to any exclusion to platting set out in these Guidelines must provide:

- a. An affidavit claiming the exemption and setting out the detailed basis for exclusion from the platting requirement, subject to penalties of perjury
- b. A copy of the deeds or other instruments creating the daughter tracts referenced in the affidavit.

SECTION F1. SPECIAL PROVISIONS, ENFORCEMENT, AND VIOLATIONS

PROVISIONS SELLING OR TRANSFERRING LOTS PROHIBITED UNTIL COMPLETION

No lot in any Subdivision shall be sold or transferred until the Subdivision Plat is approved, recorded, and all the standards, specifications or requirements contained or referred to herein have been complied with in full.

PLATTING WITHIN THE EXTRATERRITORIAL JURISDICTION (ETJ) BOUNDARIES OF AN ADJACENT MUNICIPALITY

A plat for property within the ETJ of a municipality shall comply with the Subdivision Regulations and engineering standards of the municipality and County. In the event regulations and standards contradict the most stringent will govern.

DEDICATIONS

Approval of a plat shall not impose any duty upon the County concerning maintenance of any proposed County Roadways. The County shall formally accept proposed County Roadways into maintenance through a court order approved by the Commissioners Court once all necessary requirements have been met.

ENFORCEMENT

The Commissioners Court shall have the authority to not approve any plat that does not meet the requirements set forth in these Subdivision Regulations; and

Pursuant to Texas Local Government Code ([TLGC](#)) [Section 232.005](#), at the request of the Commissioners Court, the County Attorney or other prosecuting attorney representing the County 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 Texas Local Government Code (TLGC) Chapter 232; 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 the Commissioners Court under Texas Local Government Code (TLGC) Chapter 232.

Pursuant to Texas Local Government Code (TLGC) Section 232.005, a person who commits an offense if the person knowingly or intentionally violates a requirement established by or adopted by the Commissioners Court under Texas Local Government Code (TLGC) Chapter 232. An offense under this Section is a Class B Misdemeanor.

Pursuant to Texas Local Government Code (TLGC) Section 232.005, a requirement that was established by or adopted under Chapter 436, Acts of the 55th Legislature, Regular Session 1957, as amended (Article 6626a, Vernon’s Texas Civil Statutes), or Chapter 151, Acts of the 52nd Legislature, Regular Session 1951 (Article 2372k Vernon’s Texas Civil Statutes), before September 1, 1983, and that, after that date, continues to apply for subdivision of land is enforceable under Section 1.08.B.2. A knowing or intentional Violation of the requirement is an offense.

SECTION G1. JURISDICTION AND APPLICATION

The regulations established herein shall be applicable to all unincorporated area of Chambers County, Texas, and shall be construed to be minimum requirements. They may also apply to any municipality in Chambers County that elects to use them.

Encompassed in this County are other entities, which may have other regulations applicable to developing land, which include, but are not limited to, cities located within Chambers County and drainage districts created by the Texas Legislature.

Chambers County recognizes extra-territorial jurisdictions (E.T.J.) for all incorporated areas of the County. Each city’s E.T.J. boundaries are determined by the following chart;

Population	Distance
Less than 5,000	One Half (½) Miles
5,000 – 25,000	One (1) Mile
25,000 – 50,000	Two (2) Miles
50,000 – 100,000	Three and One-Half (3-½) Miles
100,000 – or More	Five (5) Miles

Many of the municipalities’ E.T.J. are governed by the subdivision regulations of the individual municipality and County. It is the property owner and/or developer’s responsibility to determine if the tract lies within a city’s E.T.J. and to determine if that city enforces its authority for subdividing/platting within its E.T.J. In the event municipality standards contradict one another the most stringent requirement will govern. All roads, if dedicated to the public, shall ultimately be maintained by the County and therefore the County shall review plans for those roads and their construction.

Within the jurisdiction of these Subdivision Regulations, except as hereinbefore and hereinafter provided, no subdivision shall be made, platted, or recorded, nor shall any building permit be issued, unless such subdivision meets all requirements of these Subdivision Regulations and has been approved in accordance with the requirements as hereinafter provided. Further, no subdivision street will be accepted for maintenance unless that street exists in a platted subdivision.

SECTION H1. CONFLICTING PROVISIONS

CONFLICT WITH STATE OR FEDERAL REGULATIONS

If the provisions of these Subdivision Regulations are inconsistent with state or federal law, the more restrictive provision governs, to the extent allowed by law. The more restrictive provision is the one that imposes more stringent controls.

CONFLICT WITH PRIVATE AGREEMENTS AND COVENANTS

These Subdivision Regulations do not interfere with, abrogate, or annul any easement, covenant, deed restriction or other agreement between private parties. If the provisions of these Subdivision Regulations impose a greater restriction than imposed by an agreement or covenant among private parties, the provisions of the subdivision regulations govern. The County is not responsible for monitoring or enforcing agreements or covenants among private parties

SECTION II. LEGAL STATUS

SEVERABILITY

It is the intention of these Subdivision Regulations that the sections, paragraphs, sentences, clauses and phrases of these Subdivision Regulations are severable; and if any section, paragraph, sentence, clause or phrase of these Subdivision Regulations shall be declare void, ineffective or unconstitutional by a valid judgment or final decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases hereof, since the same would have been enacted by this Court without the incorporation herein of any such unconstitutional section, paragraph, sentence, clause or phrase.

If any portion of the Subdivision Regulations is held to be invalid or unconstitutional by a court of competent jurisdiction that portion is to be deemed severed from the subdivision regulations and in no way affects or diminishes the validity of the remainder of these subdivision regulations

ARTICLE 2: DEFINITION OF TERMS

Except where specific definitions are used within a specific article or section of these Subdivision Regulations for the purpose of such section, the following terms, phrases, words and their derivation shall have the meaning given herein when not inconsistent with the context. Words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number.

Usage of Terms

The following terms contained in these subdivision regulations shall be defined as follows:

- The words “must,” “will,” “shall” and “may not” are mandatory.
- The word “may” is permissive, not mandatory or required.
- The word "person" includes a firm, association, organization, partnership, limited liability company, trust, or corporation, as well as an individual.

Computation of Time

References to “days” are to calendar days unless otherwise expressly stated. Reference to “business days” are references to regular County government working days.

A day concludes at the close of business. Any materials received after the close of business will be considered to have been received the following day.

Abandon - To relinquish the public’s right of way and use of the road.

Abutting - Adjacent, adjoining and contiguous to. It may also mean having a lot line in common with a Right of Way or easement, or with a physical improvement such as a street, waterline, park, or open space.

Access - A mean of approaching or entering a property, or the ability to traverse a property (such as a in the use of the phrase “pedestrian access easement”).

Alleys – A road or street provided to serve as a secondary access to a business, commercial, industrial, and/or residential areas, for the purpose of service access, off-street loading, unloading and/or parking consistent with and adequate for the uses permissible on the property.

Applicant – The person or entity responsible for the submission of an application. The applicant must be the actual owner of the property for which an application is submitted or shall be a duly authorized representative of the property owner. Also refer to Developer.

Application – a submittal that includes a completed Plat Applications form along with all required attachments which may be required as part of the submittal and the appropriate review fee. These

attachments may include, but are not limited to, drawings, drainage or geotechnical reports or electronic data files.

Approval – Approval means that plans submitted are in compliance with the associated entity requirements but does not constitute as a building permit. Automotive Wrecking and Salvage Yard Per TLGC 234.001.(1), a business other than a business classified as a salvage pool operator under Chapter 2302, Occupations Code that stores three or more wrecked vehicles outdoors for the purpose of:

- Selling the vehicles whole; or
- Dismantling or otherwise wrecking the vehicles to remove parts for sale or for use in an automotive repair or rebuilding business.

BFE (Base Flood Elevation) – The elevations shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, VE, or SHADED X for 500 Year, that indicates that the water surface elevation resulting from the flood that has a 1% (100 Year) or 0.2% (500 Year) chance of being equaled or exceeded in any given year – also called the Base Flood. New residential development shall be constructed so that the top of slab is 1 Ft above the 500 Year BFE.

Benchmark – A land surveyor’s mark made on stationary object of previously determined position and elevation and used as a reference point in tidal observations and surveys.

Block – A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines of waterways, and any other definite barrier or boundary of a city, town, or village.

Building - Any structure built for support, shelter or enclosure of persons, animals, personal property, records or other movable property and when separated in a manner enough to prevent fire, each portion of such building shall be deemed a separate building

Building Line/Setback Line – A established, in general, parallel to the property line. No building or structure may be permitted in the area between the building line and the street right-of-way.

Certificate of Ownership – Either (1) an opinion of an attorney at law based upon an examination of an abstract or title, showing that the person submitting a plat for approval is the owner(s) of the real estate included in said proposed plat; or (2) the certificated of an abstract company or title insurance company licensed to do business in the State of Texas, certifying that the property owner and/or developer submitting a plat for approval, is the owner or legal representative of the owner of the tract included in said proposed plat. Such opinion of attorney or certificate of an abstract or title insurance company shall show the names of all persons or entities holding recorded liens on said.

Clerk – The County Clerk of Chambers County.

Collector Street - A street designed or used to carry traffic from Local Streets to Collector Streets.

Commercial Development - All types of business development including industrial, commercial and retail projects. Shall include a visual screen and sound buffer when adjacent to residential development or roadways adjacent to residential development.

Commissioner Court – The duly elected governing body of Chambers County, Texas.

Comprehensive Plan - The plans, or parts thereof, prepared and adopted by the Court for guiding the County's future physical development in regard to transportation, public facilities, utilities and other physical needs. This includes, but is not limited to, the Thoroughfare Plan, Mobility Plan, Drainage Criteria Manual, and any other regulation, ordinance, plan, study, code, and/or order approved/accepted and added to the comprehensive plan added by the Commissioners' Court.

Condominium Development - A form of real property with portions of the real property designated for separate ownership or occupancy, and the remainder of the real property designated for common ownership or occupancy solely by the owners of those portions. For the purposes of these Regulations, Condominiums shall include all developments created under Chapter 82 of the Texas Property Code, also known as the Uniform Condominium Act.

Construction Plans - A set of drawings and specifications, including paving, water, wastewater, drainage, or other required plans, submitted to the County for review in conjunction with a subdivision or a development.

County - Land area within the jurisdictional boundaries of Chambers County not in a municipality; or, Chambers County, the governmental entity established pursuant to Texas Local Government Code § 71.001.

County Engineer - The County Engineer of Chambers County or his duly authorized representative. The County Engineer may issue certificates as required by these rules subject to general policies of the Commissioners Court or to specific orders of the Court.

Cul-De-Sac Streets - Local streets having only one (1) open-end providing access to another street; the closed end provides a turnaround circle for vehicles.

Dead End Street - A road that has no outlet, without a cul-de-sac.

Developer - A person or entity, limited to the property owner or duly authorized representative thereof, who proposes to undertake or undertakes the division, developments, or improvement of land and other activities covered by these Subdivision Regulations.

The word Developer is intended to include the terms Subdivider, property owner, and, when submitting platting documents, Applicant.

Development - Any manmade change to improved or unimproved real estate, including buildings and other structures, paving, drainage, utilities, storage, and agricultural activities.

DRC (Development Review Committee) - Required meeting with County officials to review the Preliminary Plan, layouts and sketches. This meeting is required for all new subdivisions or developments.

Development Controls - These Subdivision Regulations, Building Permit Regulations, Fire Code, On-Site Sewage Facility Permitting, Drainage Criteria Regulations, and Manufactured Home Ordinance, etc., and any other ordinances/regulations adopted or used by Chambers County with respect to development.

Dwelling - A building or portion thereof designed or used primarily for residential occupancy.

Drainage Plan – A plan to show compliance with the County’s Drainage Criteria Manual.

Driveway Approach - The area between the roadway of a public street and private property intended to provide access for vehicles from the roadway of a public street to a definite area of the private property (e.g., parking area or driveway) and used for ingress and egress of vehicles.

Dwelling Unit - One or more rooms, which are arranged, designed, used, or intended to be used for occupancy by a single-family or group of persons living together as a family or by a single person.

Easement - Right given by the owner of a parcel of land to another person, the general public, a public agency, or private corporation for the specific and limited use of that parcel. It usually constitutes a privilege or right-of-use or enjoyment granted on, above, under, or across a particular tract of land by one owner to another.

Engineer - A qualified person registered and currently licensed to practice civil engineering in the State of Texas.

Environmental Department - The Chambers County Environmental Health Department.

ETJ (Extraterritorial Jurisdiction) - The unincorporated territory extending beyond the city limits of a city as set forth by Chapter 42.021, Local Government Code. The unincorporated area, which is contiguous to the corporate boundaries of the municipality.

Existing Manufactured Home Park or Subdivision - A Manufactured Home park or subdivision for which the construction of facilities for serving the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the Floodplain Management adopted by a community.

Existing Structure - For the purposes of determining rates, structures for which the “Start of Construction” commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. “Existing structures” may also referred to as “Existing construction.”

Expansion to an Existing Manufactured Home Park or Subdivision - The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Fee Schedule - A listing of fees for various County applications, and may be amended periodically. The fee schedule is approved separately from these Subdivision Regulations

FEMA - The Federal Emergency Management Administration.

Fire apparatus Road – Road that provides fire apparatus access from a fire station to a facility, building, or portion thereof. Fire Apparatus Roads are to be a minimum of 24 ft wide paved surface meaning concrete or asphalt.

Fire Hydrants - Fire hydrants shall be red in color, coded according to the flow available at the hydrant, subject to approval by the County Fire Marshal. Fire hydrants, as required by these regulations, shall be in place before construction of structures in the subdivision may begin.

Light Blue	1500 GPM or Greater
Green	1000 to 1499 GPM
Orange	500 to 999 GPM
Red	Less than 500 GPM

Blue pavement reflectors shall be installed by the developer on roadways and streets near the center strip of the roadway, on the side of the stripe which the hydrant is located.

Floodplain Administrator - Enforces the building regulations established pursuant to the Federal Emergency Management Administration regulations and the Texas Water Code for the benefit of Chambers County.

Foundation - Lowest level of a residence whether it is a masonry slab, or a pier and beam structure, that is partly or wholly below the surface of the ground and on which the residential structure rests or will rest.

Frontage - The length of the property lines of lots, or tracts of land abutting a public street, road, highway or undeveloped right-of-way.

Final Acceptance - The acceptance by the County of all infrastructure improvements constructed by the Developer in conjunction with the development of land.

Final Plat -The one official and authentic map of any given subdivision of land prepared from actual field measurement and staking of all identifiable points by a Surveyor or Engineer with the subdivision location referenced to a survey corner and all boundaries, corners and curves of the land division sufficiently described so that they can be reproduced without additional references.

- The Filing Plat of any lot, tract, or parcel of land shall be recorded in the Plat Records of Chambers County, Texas.
- A Final Plat may also be referenced as a Record Plat or Filing Plat.

Flea Market - Per TLGC 234.001.(3), an outdoor market for selling secondhand articles or antiques.

Floodplain - The area subject to be inundated by water from the Base Flood.

Grade - The slope or inclination of a feature with respect to the horizontal, generally expressed by stating vertical rise or fall as a percentage of the horizontal distance. This term is generally used in these Subdivision Regulations to describe the slope of planes, ridges, and inverts found on roads, ditches, ponds, and unimproved land.

Green Space - Green Space Requirements Authority for these regulations is given in V.T.C.A., Local Government Code §232.101. Subchapter E (SB873).

A. Subdivision plats that are filed in Chambers County shall contain a community green space dedication at a ratio of 1/4 acre of green space for every 100 lots. Green space areas must be no smaller in size than 1/4 acre and must be at least 20 feet in width in order to provide access and sufficient useable area.

1. Landscape setbacks and ditch rights-of-way along roadways, will not be considered green space unless they are wider than required by County regulations.
2. Pipeline easements will be accepted as green space if they contain an improved walking trail as defined above.
3. Detention easements, excluding the actual detention pond area, will be accepted as green space if they contain an improved walking trail as defined above.

B. Subdivision plats that contain less than 100 lots shall dedicate a minimum of 1/4 acre of green space.

C. Plats that have single-family residential lots 1 acre in size or larger are exempt from the green space requirement.

D. In projects that have multiple sections of lots, the green space requirement may be set outside the plat boundaries provided that the multiple plats previously recorded meet the dedication requirements and definition.

1. Access to green space areas outside the boundaries of the plat must not have an at-grade crossing of a major thoroughfare in order to receive credit.

2. Access to green space areas outside the boundaries of the plat shall be located within a maximum 1/4 mile radius of all residences within the subdivision plat.

Any public or private land that would serve as an area to provide relaxation or recreation to all residents within a specific subdivision. Green space may be used for active or passive activities. It may be an open field and may or may not have improvements such as benches, shade structures, playground equipment, or trails located within the boundaries of the property. In the case of commercial/industrial subdivisions, green space shall include green space buffers for both sight and sound walls when adjacent to residential areas or roads in which residential development exists.

Maintenance and Ownership For the purposes of upkeep, permanent maintenance and ownership responsibilities of dedicated green space shall be conveyed to either an existing or newly formed property owners or other approved entity established for the subdivision and must be identified upon the recording of the final plat.

The green belt for commercial and industrial development is intended to serve as a sight barrier and sound barrier. Industrial development must have a 50 Ft green space starting from the property line. Commercial development must have a 20 Ft green space starting from the property line.

Hammerhead Road - Local streets having only one (1) open end providing access to another street; the closed end being a "T"-shaped turnaround adequate for vehicular turnaround.

Homeowners' or Property Owners' Association - A formal organization operating under recorded land agreements through which:

- Each lot or property owner in a specific area is automatically a member; and
- 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 areas; and
- The charge, if unpaid, becomes a lien against the nonpaying member's property.

HUD-Code Manufactured Home - Per the Texas Occupations Code Chapter 1201.003(12), HUD-Code Manufactured Home:

- Is a structure:
 - Constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development;
 - Built on a permanent chassis;
 - Designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
 - Transportable in one or more sections; and
 - In the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet;
- Includes the plumbing, heating, air conditioning, and electrical systems of the home; and
- Does not include a Recreational Vehicle (RV) as defined by 24 C.F.R. Section 3282.8(g).

Illumination - Required for all subdivisions with maximum spacing of luminaires is 200 FT apart.

Improvements - May include, but are not limited to, street pavement, curbs and gutters, sidewalks, alley pavements, walkway pavements, water mains, water systems, sanitary sewers, storm sewers or drains, or facilities that efficiently manage the flow of storm water runoff in the subdivision and coordinate subdivision drainage with the general storm drainage pattern for the area, street name signs, landscaping, permanent reference monuments (P.R.M.'s), permanent control points (P.C.P.'s), or any other improvement required by the Court.

Joint Use Agreement - A letter from the utility company stating that they have no objection to the proposed road crossing their easement. If the utility company operates a pipeline within the easement, the letter shall further state that the pipeline either meets the requirements in Article 7, Section I — Pipeline Crossing -- or has been adjusted to meet these requirements.

Land Surveyor - A surveyor registered under Chapter 1071, Texas Occupation Code, who is in good standing with the Texas State Board of Professional Land Surveying.

Lot - A portion of a surface of land contained within property lines of a specific area, including land within easements and building setback lines of said area, but excluding any land within a street right-of-way. The word "lot" includes the words "plot," "parcel" or "tract."

Corner Lot - A lot abutting upon two (2) or more streets at a street intersection or abutting upon two (2) adjoining and deflected lines of the same street.

Double Frontage Lot - A lot having two (2) or more of its non-adjoining property lines abutting upon a street or streets.

Lot Depth - The average horizontal distance between the front and rear property lines of a lot.

Lot Width - The distance, measured along the building setback lines, between the two (2) side property lines of a lot.

Manufactured Home Rental Community - 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 60 months without a purchase option, for the installation of manufactured homes for use and occupancy as residences. These communities shall conform to subdivision requirements.

Municipality - Any incorporated city or town.

OSSF (On Site Sewage Facility) - Must meet all requirements found in 30 Texas Administrative Code (TAC) 285.4(c).

Permanent Control Point - Which shall be a secondary horizontal control monument and shall be a 1/2-inch iron rod (24 inches long) set flush on centerline of pavement (if flexible base) or "x" mark (concrete pavement).

Plan

Preliminary Plan - The first official submission of a subdivision scheme to the County Engineer which consists of an application and drawing showing general lot and street layout and other pertinent features of a proposed subdivision for the purpose of discussion prior to the formal subdivision platting process. Normally reviewed at the County Development Review Committee (DRC) meeting which is the first step in the subdivision process.

Plat - A map or drawing of a proposed subdivision prepared in a manner suitable for recording in the Clerk's records and containing accurate and detailed engineering data, dimensions, and dedicatory statements and certificates.

Preliminary Plat - Preliminary map or drawing of a proposed subdivision with sufficient detail to fully describe or convey the full intent of the proposed subdivision including, but not limited to, thoroughfares, local and interior streets.

Final Plat - The final map or drawing completed to the specifications of this Ordinance with all necessary dedications, approvals, and requirements for recording with the Clerk's Office as an official document. Final plats will be approved by commissioner's court prior to selling of lots.

Private Road / On Public Row - Publicly accessible private road constructed and maintained by others; NOT by the County.

PRM (Permanent Reference Monument) - Such monument can be (1) a one-half inch iron rod at least 24 inches long; or (2) a 1.5 inch diameter metal pipe at least 24 inches long. The monument shall be encased in concrete. The concrete shall be a minimum of 6 inches in diameter and extend at least 18 inches below the top of the monument. A metal cap marker with the reference marked thereon shall bear the registration of the land surveyor certifying the plat of record and the letters PRM shall be placed in the top of the monument.

Property Owner - An individual, partnership, corporation, or other legal entity recognized by Texas law, or agent thereof, which undertakes the activities covered by these Subdivision Regulations. The term "property owner and/or developer" includes "subdivider," "owner," "builder," etc., even though the person and their precise interests may vary at different project stages.

ROW (Right Of Way) - A dedication of land to be used generally for streets, alleys, drainage, canals, lakes, or other public uses, wherein the owner gives up his rights to the property.

Road/Street - The terms "street" or "road" are interchangeable and mean a vehicular way, including culverts and bridges, and are used to describe all vehicular ways regardless of any other designation they may carry. All roads shall be categorized into one of the following functional classifications:

Arterial Road - 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 three sub-classifications:

Roads which will serve vehicular traffic beyond the limits of the subdivision; and/or connect one collector or arterial with one or more collectors or arterials.

Roads which are existing county roads, are at least one mile in length, and carry a numerical designation.

Roads included as an arterial on a county or city transportation plan.

Collector Road - Collector roads are those which connect arterial roads with local roads.

Local Road - Local roads are those which principally provide direct access to lots within a subdivision. All roads shall also be classified as follows:

Curb & Gutter/Urban Road - For the purposes of this ordinance, an urban road is any road situated such that the average spacing of driveways is less than 100 feet when measured over a distance of one-quarter (1/4) mile. Any road with concrete curb and gutter will be considered an urban road. All subdivisions with curb and gutter streets shall have a minimum 5 FT sidewalk on each side of roadway and have curb ramps meeting ADA accessibility requirements.

Open Ditch /Rural Road - For the purposes of this ordinance, a rural road is any road situated such that the average spacing of driveways is 100 feet or more when measured over a distance of one-quarter (1/4) mile.

Sewage System - A system for collection, treatment and disposal of sewage, whether said system is a wastewater treatment plant permitted by the TCEQ (Texas Commission on Environmental Quality) or an OSSF (on-site sewage facility) permitted by the Chambers County Environmental Health Department or the TCEQ.

Sidewalk - Required for all subdivisions that have curb and gutters. A minimum of 60-inch wide reinforced concrete path that meets the slope requirements of the Texas Accessibility Standards along with required ramps. Sidewalks are ***not*** maintained by the County.

Small Subdivision (Minor Plat) - A parcel of land divided into four (4) or fewer parts and meeting the requirements set out in Article 3, Section E.

Subdivider - See "property owner" and "developer" in these definitions.

Subdivision - The division of any tract of land, situated outside the corporate limits of any city located in Chambers County, Texas, into two (2) or more parts, for the purpose of laying out a subdivision of any tract of land, including an addition, creation of lots, or the laying out of streets, alleys, squares, or parks, or other portions intended for public use or for the use of purchasers, rentals, or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts. Tiny homes will be regulated as a subdivision regardless of whether an actual transfer of ownership occurs.

TCEQ - Texas Commission on Environmental Quality.

TIA (Traffic Impact Analysis) - Provides information on the projected traffic expected from a proposed development. A neighborhood TIA is limited to an evaluation of existing and projected operating levels of residential streets and an identification of mitigation measures needed to minimize traffic impacts. Note that a TIA can be required for any developments along State Highways, Thoroughfares or County Roads.

Thoroughfare - A minor or major arterial that is on the Chambers County Thoroughfare Plan, which may presently exist or is to be built in the future.

Thoroughfare Plan - The most recent Chambers County Thoroughfare Plan adopted by the Commissioners Court.

Tract - A specified parcel of land.

TxDOT - The Texas Department of Transportation.

TxDot STANDARD SPECIFICATIONS - Current version of Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges.

TMUTCD - The latest edition of the Texas Manual on Uniform Traffic Control Devices.

Utility - an entity as defined herein, engaged in this State in the:

Production, generation, transmission, distribution, sales, or furnishing of electric power;

Transportation, conveyance, distribution, sales through a local distribution system of natural or other gas for domestic, commercial, industrial, or other use;

Ownership, management, operation, leasing or controlling of a pipeline for the transmission, conveyance, distribution, delivery, or sale of natural or other gas, natural gas liquids, crude oil or petroleum products to other pipeline companies, refineries, local distribution systems, municipalities, or industrial consumers;

Conveyance, transmission, or receiving communications over a telephone system and providing telephone or telegraph service to others including fiber optic, cable, or any other telecommunication technology implemented;

Production, transmission, distribution, or sale of steam or water;

Operation of a railroad; and/or

The provision of sewer service to others.

Variance - Is a grant of relief to a person from the requirements of these Subdivision Regulations when specific enforcement would result in unnecessary hardship. A variance permits construction or development in a manner otherwise prohibited by these Subdivision Regulations. Any variance request shall be submitted to the County engineer for approval. If approved, then a recommendation will be submitted to Commissioners Court.

Walking Trail - An improved 6 feet-wide minimum path, consisting of a material conducive to walking, running, strolling, or cycling. Crushed granite, concrete, and asphalt are considered appropriate surface materials for walking trails. Walking trails should be incorporated as part of the maintenance berm around all residential drainage ponds.

Water System - A system for the supply of potable water, whether said system is publicly- owned, community-owned, or privately owned.

ARTICLE 3: SUBDIVISION PLATS

As a guide to the public in determining when it is necessary to file a plat and comply with these Regulations (as amended), the Commissioners Court (as an incident of its power to enforce the subdivision laws and regulations under Chapter 232, Texas Local Government Code, as amended) has adopted the following policy guidelines stating when the division of an existing tract shall be considered by the Court to be a subdivision requiring the filing of a plat by law, and thus requiring compliance with these Regulations:

SECTION A3. PLATTING REQUIRED FOR LAND SUBDIVISION

PLATS REQUIRED FOR LAND SUBDIVISION

Per TLGC Chapter 232 a Final Plat shall be approved prior to any land division that is subject to these regulations and prior to commencement of any new development.

In the case of minor revisions to recorded plats or lots, an Amending Plat or Replat may also be utilized.

A division of a tract includes a division 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 the property, or by using any other method which divides the tract into two (2) or more parcels.

PRIVATE REAL PROPERTY RIGHTS PRESERVATION ACT

The County acknowledges a duty to comply with the Texas Real Property Rights Preservation Act ("Act"). In compliance with the Act, the County will prepare, periodically update and approve a Takings Impact Analysis, after requisite public hearings and notice.

SECTION B3. SUBDIVISIONS LOCATED IN OR ADJACENT FLOODPLAIN

Development in Areas of Special Flood Hazard is prohibited.

Properties in, adjacent to or near an area of special flood hazard must show the following information on the plat for the Floodplain Manager to determine whether the property being platted is in an area of special flood hazard.

The Applicant shall refer to the Flood Insurance Rate Map (FIRM) to determine the FEMA-designated classification of special flood hazard areas;

The applicant shall provide a floodplain note on the plat confirming the flood insurance map number, and as follows:

“According to Flood Insurance Rate Map (FIRM) Map No. XXXXX dated XXXXXXXX prepared by the Federal Emergency Management Agency (FEMA) for Chambers County, Texas, this property is within zone A, AE, X>.”

Permanent type benchmarks shall be set in appropriate locations with the description and elevation shown on the plat. The elevation of the benchmark shall be tied to a benchmark shown on the FIRM panel.

The plat shall show contours at five (5) foot intervals.

The finished floor elevation must be shown for each lot located in and adjacent to the Base Flood elevation.

The area of the lot that is situated in the floodplain will be provided on the plat.

A private drainage easement will be dedicated over the limits of the floodplain that will either be maintained by the owner of the property on which the drainage easement is located or a Homeowners' or Property Owners' Association as required

The County may require that the owner provide, at the owner's expense, a floodplain study of the proposed development if within a flood hazard area delineated by the current Flood Insurance Rate Map (FIRM) as provided by FEMA.

If the development is situated within a FEMA designated floodway, a Floodplain Permit will be required.

SECTION C3. SUBDIVISIONS WITHIN ETJ

These procedures are the County's requirements. The property owner and/or developer must also comply with the requirements of the appropriate city ETJ and/or drainage district. The Property owner and/or developer must determine those requirements. In the event requirements contradict the most stringent will govern.

SECTION D3. SUBDIVISION NOT WITHIN ETJ

These procedures are the County's requirements. The property owner and/or developer must consult with the appropriate drainage and utility district to determine its policies, procedures and requirements.

SECTION E3. SMALL SUBDIVISIONS (MINOR PLAT)

The County Engineer will recommend that the Court approve a small subdivision if:

1. The property owner and/or developer does not lay out 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 street, alley, square, park, or other parts;
2. No more than four (4) parts result from the subdivision of a tract of land and each part is at least one (1) net acre in area; (i.e. easements do not count as part of tract)
3. The original parcel to be divided cannot be the result of a division using the small subdivision process within five (5) years from the date of application;

4. Each part has adequate, separate (not shared) access to a publicly maintained road, with at least 60 feet of frontage along such road;
5. The proposed division is not expected to have adverse impact on drainage as confirmed in writing by the drainage district in which it is located (or by the County Engineer if not located in a drainage district);
6. Each part is suitable size and condition to allow the provision of adequate water systems and sewer service facilities as confirmed in writing by the Environmental Department;
7. The owner submits an "Application for Variance from Platting Requirements" in the format prepared by the County Engineers Office, along with the required information and documents;
8. The property owner and/or developer provides adequate right-of-way or easements for existing and proposed road and drainage facilities, if such are required by the County Engineer or the relevant drainage district. The property owner and/or developer additionally shall provide proof that all parties holding an interest in the tract have consented to such right- of-ways or easements; and
9. Property owner and/or developer shall provide necessary right-of-way dedications and setbacks.

Procedure

1. The property owner and/or developer shall meet with the County Engineer as part of a mandatory DRC meeting. Property owner and/or developer shall provide to the County Engineer a sketch of what is proposed and a copy of the deed of the tract being divided.
2. If the proposed division meets the County's requirements, the property owner and/or developer will then be responsible for getting a letter from the Environmental Department, the appropriate drainage district (or the County Engineer if not within a drainage district), and a tax certificate showing that all taxes are paid on the tract. The property owner and/or developer will also be responsible for obtaining a "plat of survey" from a land surveyor containing a legal description of all tracts created.
3. Once these items are delivered to the County Engineer's Office, the proposed subdivision will be brought before the Court.
4. Upon approval of the Court, the County Engineer will supply the property owner and/or developer with a letter granting approval with the original court order attached, which shall be filed along with the plat of survey signed and sealed by the land surveyor.

SECTION F3. REQUIRED PLAT INFORMATION

All subdivision plat shall comply with the provisions of this section

A Registered Public Land Surveyor shall prepare a subdivision plat submitted to the County.

The County's subdivision application will contain the following information:

- Application fees;

- Plat recordation fees with County Clerk;
- Review Fees;
- Plat checklist(s) documenting:
- The information required on each plat type;
 - The drawing size of a plat in either a hard copy or electronic copy (PDF);
 - The number of copies to be included with a plat application (applicable only if hard copies are required);
 - The submission of AutoCAD files (provided with a DWG file extension);
 - GIS Shapefile; and
 - Any information deemed necessary by the County with the submission of a subdivision plat application

A Preliminary Plat shall comply with the following minimum requirements in addition to the information required in the preliminary plat checklist included with the County plat application:

- The name, address and telephone number of the owner, Developer, surveyor and engineer (if applicable).
- The name of the subdivision and the number of all lots and blocks arranged in systematic order, clearly shown in the title block, and on the plat in a distinct and legible figure.
- The size of each lot shall be indicated on the plat in square feet and in acreage.
- The names, locations, width, dimensions of all proposed and existing roads within the property and total linear feet of roadway.
- The location of setback lines on each lot
- The date the plat was prepared by the Surveyor.
- A north arrow and the scale of the plat.
- A location or vicinity map showing the location of the proposed subdivision within the County.
- The location of existing property lines with bearings and distances to accurately locate the property.
- The accurate location, material and size of all monuments and benchmarks of the proposed subdivision.
- The geographic location and width of any visible and apparent easements within the property
- The name and location of all adjacent subdivisions and roads. Where there are no adjacent subdivisions, the preliminary plat shall show:
 - The name of all adjacent property owners with property deed recording information.
 - The dimensions of the Right-of-Way width abutting the property.
 - The location and distance to the nearest subdivisions and how the roads in the proposed subdivision may connect with those in the nearest subdivisions or other roads in the area.
- The location of FEMA designated floodway(s) (if applicable).

- Existing and proposed contour lines at the following intervals:
 - When the land has less than five (5) percent slope, the contour interval shall be no greater than two (2) feet; or
 - When the land has more than five (5) percent slope, the contour interval shall not be greater than five (5) feet.
- Any subdivision proposed to be constructed in phases shall provide a phasing plan to show that each phase will have adequate egress and ingress in accordance with the Chambers County Fire Code, access to water and wastewater utilities, and access to public Right-of-Way as required by these Subdivision Regulations

All other plat applications, including a Final Plat, Amending Plat, Plat Vacation, and Replat, shall comply with the following minimum requirements in addition to the information required in the corresponding plat checklist included in the County plat application:

- The seal and signature of the surveyor responsible for surveying the subdivision and/or the preparation of the Plat.
- A space for the signature of the County Judge and County Clerk.
- The following statements shall be provided on the face of the plat:
 - “Blocking the flow of water, constructing improvements in drainage easements, areas of natural stream flow or areas with specific drainage design and filling or obstruction of the floodway is prohibited.”
 - “The existing creeks or drainage channels traversing along or across the subdivided tracts will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.”
 - “Chambers County will not be responsible for the maintenance and operation of said drainage ways for the control of erosion located on private property.”
 - “Chambers County will not be responsible for any property damage, property loss, personal injury or loss of life or property occasioned by flooding or flooding conditions.”
 - “All culverts within any right-of-way shall meet minimum County standards and require County permit approval.”
 - “No road, street, or public improvement dedicated by this plat shall be maintained by Chambers County in the absence of an express Order of the Commissioners Court, entered of record in the minutes of the Commissioners Court of Chambers County, specifically identifying any such road, street, or public improvement and specifically accepting such for County maintenance.”

Notes are required on the plat requiring drainage and other improvements outside of county road right of way to be maintained by the subdivision homeowners association, the subdivision owner and or developer.

- No lots or conveyance of any property within the area of an unrecorded plat may be made until the improvements necessary to ensure access, utilities and drainage have

been completed to a point that the land or lots to be conveyed have full public services available directly to such property.

Subdivision Developer/ Owner shall dedicate forever to the public a strip of land 15 feet wide on each side of any and all gullies, ravines, draws; sloughs, rivers, or other natural drainage conveyances located in or adjacent to said subdivision as easements for drainage purposes, giving the County or any public agency the right to enter upon said easement at any and all times for any public purpose.

- Subdivision Developer/ Owner shall relinquish all rights of access to major streets or thoroughfares shown hereon except by way of the platted streets shown.
- All drainage reserves and easements shall be kept clear of fences, buildings, tree, shrubs, and other obstructions to the operations and maintenance of the drainage facility and abutting property shall not be permitted to drain to the easement except by means of an approved drainage structure. All reserves and easements shall be maintained by the Homeowners Association, Subdivision Developer/ Owner.

Authority for these Regulations is given in V. T.C.A., Local Government Code § 232.002.

Approval

The Court must approve, by an order entered in the minutes of the Court, a plat as required under Article 4 of these Subdivision Regulations.

Disapproval

The Court may refuse to approve a plat if:

- It does not meet the requirements prescribed by these Subdivision Regulations or the Texas Local Government Code, Chapter 232; or
- If any bond required by these Subdivision Regulations or the Texas Local Government Code, Chapter 232, is not filed with the County.

ARTICLE 4: PROCEDURE FOR SUBDIVIDING LAND

The purpose of this section is to establish a systematic procedure in preparing, reviewing and approving subdivision plans and plats.

Transmittal Letters - All submissions made to the County Engineer's Office must be accompanied by a transmittal letter giving the purpose of the submission such as: for information only, preliminary or final review, the name and location of the project, and the controlling jurisdiction such as city, ETJ, or County. A listing of all enclosed documents and drawings must be included.

SECTION A. PRE-APPLICATION PROCEDURE

Before any preliminary work is prepared, the property owner and/or developer of any land within the County should become familiar with the various provisions and requirements of subdivision requirements. This should help avoid heavy expenditures of time, effort, and money, only to find that costly changes are required to make the plans conform to all County requirements (Fire, Environmental, etc.) It is property owner and/or developer responsibility to review all applicable County standards and manuals.

A mandatory Development Review Committee meeting is required prior to submitting any documents for review. This meeting is intended to allow for the exchange of non-binding information between the applicant and County staff to ensure that the applicant is informed of pertinent County development regulations and processes.

Plans shall be submitted online through MyGovernmentOnline to the County Engineer for review before the tract is subdivided establishing more than one (1) lot, any street, alley, easement or public rights-of-way or before any building, street, drainage, or utility construction can begin.

Considerations and Requirements:

For Commercial/Industrial Development - All development and plats shall include a visual screen and sound buffer (Green Belt) when the Commercial Development is proposed to be located adjacent to existing or expected residential development, or adjacent to roadways ROW, Easement, reserves adjacent to residential development or vacant land that is reasonably expected to be developed as residential. Green Belt dedication must be shown on the plat.

- Industrial Development plats shall include a minimum of a 50-foot wide Green belt and shall have a minimum of a 20-foot setback between the Green Belt and all Buildings.
- Commercial Development other than Industrial shall require a minimum 20-foot wide Green Belt.
- For Industrial Development the Green Belt shall include a minimum 36-inch high earthen berm and shall include trees at least 6-foot tall from the top of the roots at the time of planting and be moderate to fast growing trees (Tree types shall include but are not limited to, Lacebark Elm, Southern Magnolia, Live Oak, American holly, Montezuma cypress, Eastern Red Cedar, Wax

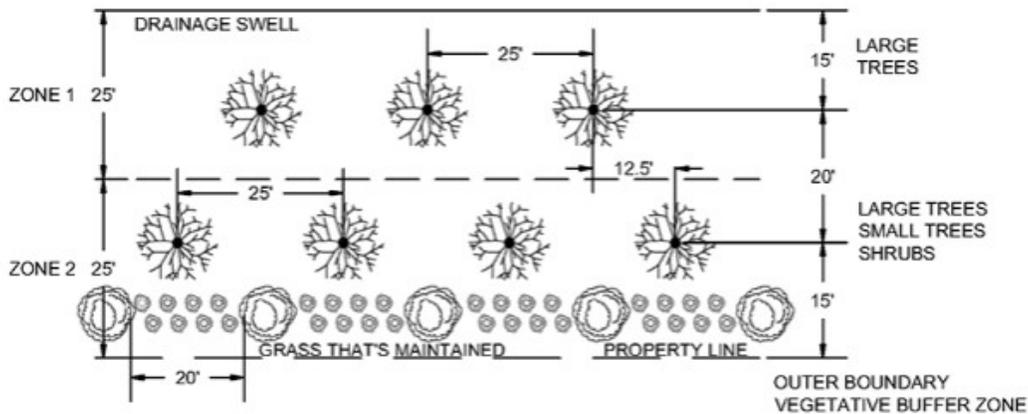
Myrtle, Leyland Cypress, and/or American Holly). All landscape screening plans must be contained in the application papers requesting plat approval submitted to the Commissioners Court as part of the plat submittal process.

Green Belt Design Requirements

The following are Green Belt Design Requirements for Industrial and Commercial Developments in County.

Industrial 50 FT Minimum Green Belt Perimeter Screen Requirement when bordering residential:

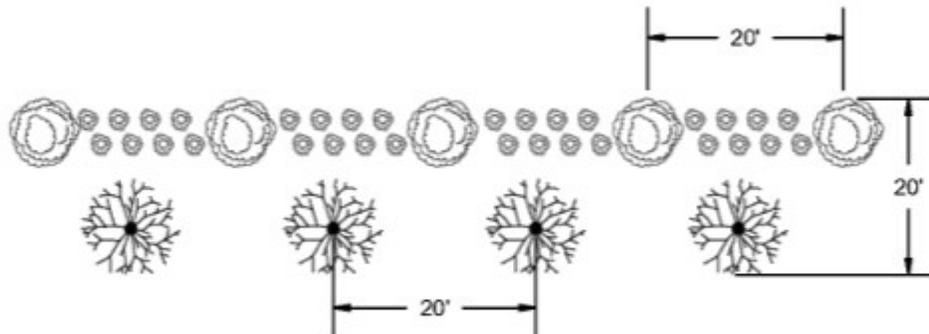
- A staggered double row of landscaping consisting of small evergreen trees on the front row, and large trees on the back row. The front row of trees shall be planted 20 feet on center.
- A minimum of 50% of the back row shall consist of large evergreen trees. The back row shall be planted 25 feet on center.
- A minimum of 8 shrubs, not less than two feet in height from the root when planted, for every 20 feet forming an intermediate hedge, shall be planted in the front row along the right-of-way.
- Groundcover extending for 25 feet measured from the outside boundary of the zone 1, which groundcover shall be maintained.
- Zone 2 shall include an area adjacent to zone 1, beginning at the interior boundary of zone 1 and extending into the property for a minimum distance of 25 feet.
- In zone 2, the owner shall plant and maintain at least the following:
 - A row of large trees planted 15 feet from the inner boundary of zone 2.
 - The trees shall be planted 25 feet on center and such trees shall be offset 12.5 feet from the trees in the back row of zone 1.



Commercial 20 FT Minimum Green Belt Perimeter Screen Requirement when bordering residential:

- The trees shall be planted as a staggered double row consisting of small evergreen trees on the front row, and large trees on the back row.
- The front row of trees shall be planted 20 feet on center.
- A minimum of 50% of the back row shall be planted with evergreen trees. This row shall consist of large trees planted 20 feet on center.
- A minimum of 8 shrubs, not less than two feet in height from the top of the root when planted, for every 20 feet forming an intermediate hedge, shall be planted in the front row.

(Tree types shall include, but are not limited to, Lacebark Elm, Southern Magnolia, Live Oak, American Holly, Montezuma Cypress, Eastern Red Cedar, Wax Myrtle, Leyland Cypress, and/or American Holly).



All Development -The enforcement of plat restrictions is the responsibility of the developer and other owners in the subdivision; however, in an Extraterritorial Jurisdiction or Limited Purpose Annexation both the city and the Commissioners Court of Chambers County shall have the right and authority to enforce plat restrictions through appropriate legal procedure to prohibit the construction or connection of utilities, or issuing of permits unless or until the requirements of the plat requirements have been complied with by owner or developer. Until approval of final plat is made and approved by Commissioner's Court, no conveyances of any property shall be made.

The County will assume no responsibility for drainage ways or easements in the subdivision, other than those running on or along the streets and roads under the County’s ownership or control. Maintenance and liability of landscaped areas, Green Belts, sidewalks, illumination, utilities and other improvements within the right-of-way will be the responsibility of the developer, the municipal utility district, neighborhood association, home owner’s association, or other legal entity assuming this responsibility for such maintenance and liability.

Notes to Include in Final Plat:

Drainage and other improvements outside of County Road right of way will be maintained by the subdivision developer, the municipal utility district, neighborhood association, home owner’s association, or other legal entity assuming this responsibility for such maintenance and liability.

All drainage reserves and easements shall be kept clear of fences, buildings, tree, shrubs, and other obstructions to the operations and maintenance of the drainage facility and abutting property shall not be permitted to drain to the easement except by means of an approved drainage structure. All reserves and easements shall be maintained by the subdivision developer, the municipal utility district, neighborhood association, home owners' association, or other legal entity assuming this responsibility for such maintenance and liability.

No driveway constructed on any Lot within any subdivision shall be permitted access onto a public or private roadway unless:

- A Permit for use of the County Roadway Right-Of-Way has been issued;
- The County Road & Bridge Department has approved the culvert size and grade; and
- The driveway satisfies the minimum spacing requirement in these Subdivision Regulations or the County's then current spacing requirements for such driveways.

No lots or conveyance of any property within the area of an unrecorded plat may be made until the improvements necessary to ensure access, utilities and drainage have been completed to a point that the land or lots to be conveyed have full public services available directly to such property.

Subdivision Developer/ Owner shall dedicate to the public a strip of land 20 feet wide on each side of any and all gullies, ravines, draws, sloughs, rivers, or other natural drainage conveyances located in or adjacent to said subdivision as easements for drainage purposes, giving the County or any public agency the right to enter upon said easement at any and all times for any public purpose, including drainage improvement, operations, repair and maintenance.

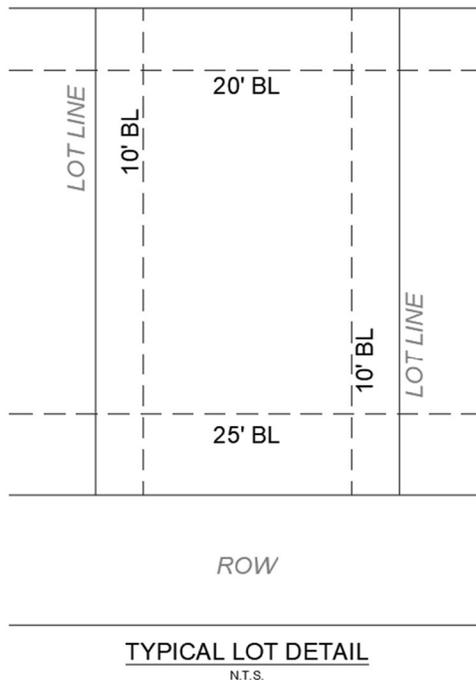
Subdivision Developer/ Owner shall relinquish all rights of access to major streets or thoroughfares shown hereon except by way of the platted streets shown.

For Commercial / Industrial Developments - All types of business development including industrial, commercial and retail projects shall include a visual screen and sound buffer when adjacent to residential development or roadways adjacent to residential development.

All Development -The enforcement of plat restrictions is the responsibility of the developer and other owners in the subdivision; however, in an Extraterritorial Jurisdiction both the city and the Commissioners Court of Chambers County shall have the right and authority to enforce plat restrictions through appropriate legal procedure to prohibit the construction or connection of utilities, or issuing of permits unless or until the requirements of the plat restrictions have been achieved.

The County will assume no responsibility for drainage ways, reserves or easements in the subdivision, other than those running on or along the streets and roads that have been accepted by the Commissioners Court.

Maintenance and liability of landscaped areas, sidewalks, illumination, utilities and other improvements within the right-of-way will be the responsibility of the developer, the municipal utility district, neighborhood association, or other legal entity.



The County Engineer shall inspect and approve completion of infrastructure to be dedicated and recommend approval to the Commissioners' Court. Until approval of final plat is made and approved by Commissioners' Court, no conveyances of any property shall be made.

SECTION B4. PROCEDURE FOR VARIANCES

A variance may be granted when specific enforcement would result in unnecessary hardship based on unforeseen consequences that on balance, would cause these Chambers County Regulations to have unintended consequences.

Any variance granted will only be applicable to the specific site and conditions for which the variance was granted and will not modify or change any standards as they apply to other sites or conditions. The applicant must clearly demonstrate that the variance request meets the intent of the regulation, minimum acceptable engineering and safety standards, and is not detrimental to the health, safety, and welfare of the public.

The property owner and/or developer shall file an application to the County Engineers office stating clearly and definitely the reason for a request of variance. If approved by the County Engineer, the variance application will be submitted to the Commissioners Court for action.

The Commissioners Court of Chambers County shall have the authority to grant variances from these Regulations

The decision of the Commissioner's Court whether to grant or deny a variance is at its complete discretion, and shall be final.



CHAMBERS COUNTY - ENGINEERING DEPARTMENT

201 AIRPORT ROAD - ANAHUAC, TEXAS 77514

409.267.2708 www.chamberscountytexas.gov

VARIANCE REQUEST APPLICATION

This form is used to request a variance to Chambers County Regulations (One application per variance request). A variance may be granted when specific enforcement would result in unnecessary hardship based on unforeseen consequences that on balance, would cause these Chambers County Regulations to have unintended consequences. Any variance granted will only be applicable to the specific site and conditions for which the variance was granted and will not modify or change any standards as they apply to other sites or conditions. The applicant must clearly demonstrate that the variance request meets the intent of the regulation, minimum acceptable engineering and safety standards and that the variance is not detrimental to the health, safety, and welfare of the public.

Instructions: Complete all fields below. Additional sheets may be attached, however, all Variance Request Overview and Justification Information requested below must be provided with the Variance Application.

PROPERTY OWNER INFORMATION		APPLICANT INFORMATION	
Name:		Name:	
Mailing Address:		Mailing Address:	
City, State, Zip:		City, State, Zip:	
Email:		Email:	
Phone:		Phone:	

Location of Parent Tract, Parce ID, And Legal Description:

Address of Property: _____ Property ID # _____ Acreage _____
 Project Number: _____

PLEASE PROVIDE THE FOLLOWING:

- Sketch, drawing, boundary survey or CCAD map noting proposed
- Copy of Recorded Deed

VARIANCE REQUEST OVERVIEW & JUSTIFICATION (ITEMS 1 THRU 6 REQUIRED INFORMATION)

1. List the Specific Chambers County Regulation(s); 2. List the Specific Criteria from which the applicant is seeking a variance; 3. Provide the specific, undue hardship resulting from compliance with the Chambers County Regulation; 4. Provide the proposed alternative to the County Regulation; 5. Provide a comparison of the County Regulation to the proposed alternative as it relates to the undue hardship resulting from compliance with the established criteria; 6. Provide how the requested variance meets the intent of the County Regulation; and 7. Provide any potential effects on the health, safety, welfare and convenience of the general public of the requested variance. (Attach additional sheets as needed)

CHAMBERS COUNTY

APPROVAL DATE

OWNER/APPLICANT CERTIFICATION & ACKNOWLEDGEMENT

The owner and applicant declare under the penalty of perjury, and any other applicable state or federal law, that all information provided on this form and submitted attachments are true, factual, and accurate. The owner and applicant also hereby acknowledge any false misleading information contained herein is grounds for variance denial and/or permit revocation.

Printed Owner/Applicant Name	Signature Owner/Applicant	Date
------------------------------	---------------------------	------

OFFICE USE ONLY

	NOTES
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Chambers County Judge	Date
Commissioners Court Approval Date:	

ARTICLE: 5 DOCUMENT SPECIFICATIONS

SECTION A5. PRELIMINARY PLAT

The purpose of a Preliminary Plat shall be to determine the general layout of the subdivision, the adequacy of public facilities needed to serve the intended development, and the overall compliance of the land division with applicable requirements of these Subdivision Regulations.

In cases where road and drainage public improvements are not needed or will not be installed, the Applicant may proceed to the Final Plat process.

The property owner and/or developer shall have a land surveyor or engineer prepare the preliminary plat in conformance with the format, design and improvement requirements of these Subdivision Regulations. If more than one sheet must be used, the scale shall not exceed 200 feet to 1 inch.

Where OSSFs are proposed, the plat shall provide the planning materials required by the Texas Health and Safety Code, Chapter 366 and 30 Texas Administrative Code Chapter 285 as well as a permit application delivered to the Environmental Health Department verifying compliance with same.

The Environmental Health Department shall make a determination on such compliance within 45 days of receiving the plat as required by 30 T.A.C. 285.4(c).

The preliminary plat shall provide the following items:

1. The abstract and survey in which the property is located;
2. A description of the boundary survey of the property having a maximum error of closure of 1:15,000;
3. Names and mailing addresses of the property owner and/or developer, engineer, land surveyor and registered sanitarium, if any;
4. Scale;
5. North point (with North being at the top of the map, if feasible);
6. Date of preparation;
7. Other pertinent legend data;
8. Total area, number of lots and approximate linear feet in streets;
9. Vicinity sketch or key map at a scale of not more than 2,000 feet to the inch showing the position of the subdivision with relation to the surrounding streets and properties and other important features such as railroads, corporate limits of an adjacent city;
10. Lotting design scheme (details below);
11. Boundary closure calculation (computer printout or calculation sheet); 100-year and 500-year flood plain map showing proposed plat boundary; Topographic map showing proposed plat boundary;
12. Soil survey showing proposed plat boundary, Geotechnical Report or USGS survey;
13. Report of compatibility of proposed OSSF with area-wide drainage and groundwater.

14. Street layout including designations of private or public, concrete or asphalt, two (2) lane - four (4) lane - divided, etc.;
15. Commercial and residential designations
16. Right-of-way for streets;
17. Average lot sizes (for each section if more than one (1) section);
18. Utilities designations (water system and sewer system) of private or public;
19. Detention/mitigation areas;
20. Parks, squares, common areas, and other places to be dedicated as green space; and

Lot Design Scheme

The design scheme will be drawn on a scale of not more than 100 feet to the inch (except where the minimum size lot is one (1) acre or more), in which case a scale of 200 feet per inch may be used. The following features shall be shown:

- The location of existing property lines, boundaries of incorporated areas, existing easements, streets, buildings, lakes, water courses, and culverts within the tract or immediately adjacent within 200 feet thereof;
- The proposed location and width of street rights-of-way;
- Street names;
- Lot lines and numbers must be shown;
- The names and boundaries of all adjoining subdivisions;
- Location of existing and proposed water systems, location and type of proposed O.S.S.Fs and their potential replacement areas in the event of such facilities' failure; and
- Contours with intervals of 1 foot or less, when the general grade is less than 3%, and at interval of 5 feet or less when the general grade exceeds 3% (shall refer to M.S.L. data). Benchmarks shall be provided at convenient points with locations and elevations indicated on the preliminary plan.

Preliminary Plats are not recorded with the County Clerk.

SECTION B5. PRELIMINARY PLAT SUBMITTAL

Preliminary Plats are submitted online through Chambers County Permitting Portal for review with all with all applicable materials and plans.

SECTION C5. CONSTRUCTION PLANS, STUDIES, AND MATERIAL

The purpose is to review compliance with the Subdivision Regulations, Chambers County Drainage Criteria Manual, and all other applicable material. The Construction Plans shall include all specifications, drawings and details needed for bidding and construction of the subdivision. The Construction plans shall follow Specifications adopted by the Texas Department of Transportation June 1, 2014.

IMPROVEMENT PLANS

All improvement plans shall be approved by the County Engineer who shall certify that the plan is in conformance with these Subdivision Regulations and requirements.

Variance from the requirements shall be permitted only by Court action and must be listed on the improvement plans cover page if approved.

The developer shall have an engineer prepare the improvement plans in conformance with the format, design, and improvement standards required by these Subdivision Regulations. Utility companies and other concerned public agencies should be consulted before these plans are prepared.

CONSTRUCTION DRAWINGS

The sheet size shall be 24"x 36". The drawings shall be referenced to the name and unit number of the proposed subdivision, shall show elevations based on M.S.L. datum plan, and shall be in compliance with the following information:

Road Connections - Per Local Government Code Ch. 232.0034(c), [which allows Commissioners' Court to adopt more stringent standards](#), at least two means of ingress and egress to subdivisions are required in subdivisions consisting of ~~100~~500 or more lots. The ingress and egress points shall be located as remotely from each other as possible. A traffic impact analysis will need to be submitted to support the spacing and safety of each access point. The Traffic impact analysis should take into consideration one access point being shut down in order to plan for needed safety measures. If the development has less than 250 FT of frontage, then at a minimum roadway connection shall be created to adjoin with adjacent properties at a rate of 1 connection for every 100 lots.

Street Plan Profile - The plan of each proposed street indicating the existing ground elevations and proposed street grade surface including existing street grade for a distance of 100 feet beyond the tract boundary at a scale of not more than 100 feet per inch.

Typical Street Sections - A typical section of each proposed street, if all are not the same, not to scale, but having horizontal and vertical measurements showing the width of proposed stabilization, road base, wearing surface, curbs, shoulders, ditches, etc.

All streets shall comply with the Design Standards herein with regard to rights of way, lane widths, geometry, structure, markings, signing, median design and widths and the specific requirements of the County Engineer when, in his judgment, safety or functionality alteration are required.

Half Roads - Half-Roads shall be prohibited, except when essential to the reasonable development of the subdivision in conformance with the other requirements of these regulations and the County Thoroughfare Plan, and where the Commissioner's Court finds it will be practical to require the dedication of the other one-half when the adjoining property is subdivided. Whenever a partial street previously has been platted along a common property line, the other portion of the street shall be dedicated.

Cul-de-Sac's - Cul-de-Sac termination of residential streets may be no longer than 800 feet and serve only single family residences. Turnarounds shall be a minimum of 100 Ft Diameter. The 100 Ft diameter is pavement surface.

Dead end or stub Roads - Dead-end or stub Roads are to provide access to adjacent land areas and in no case shall be more than two hundred fifty (250) feet in length or equal to one lot depth, whichever is greater. A temporary turnaround shall be provided and indicated on the plat and built in accordance with the design standards.

New Roads - New streets which are an extension of existing streets shall bear the names of existing streets and shall be constructed with appropriate transitions and widths.

Fire apparatus Road – Fire Apparatus Roads are to be a minimum of 24 ft wide paved surface meaning concrete or asphalt.

Road Names- New street names shall not be named to duplicate or cause confusion with existing street names. New street names shall be approved by the County Rural Addressing Coordinator.

The naming convention for streets is as follows:

- Avenues - Run east to west;
- Streets - Run north to south;
- Ways - Are straight streets that run northeast to southwest or southeast to northwest and are less than 1000 feet in length;
- Roads - Are continuous streets that run northeast to southwest or southeast to northwest and are major facilities;
- Courts - Are streets that run east to west and are less than 1000 feet in length;
- Lane or Circle - May be used for Cul-de-Sac's and are less than 800 feet in length;

- **Place** - Is a straight street than runs north to south that is less than 1000 feet in length

Road addresses - Street addresses will be assigned by the County 911 Coordinator or public utility at the time of processing of the final plat or other recordable plat.

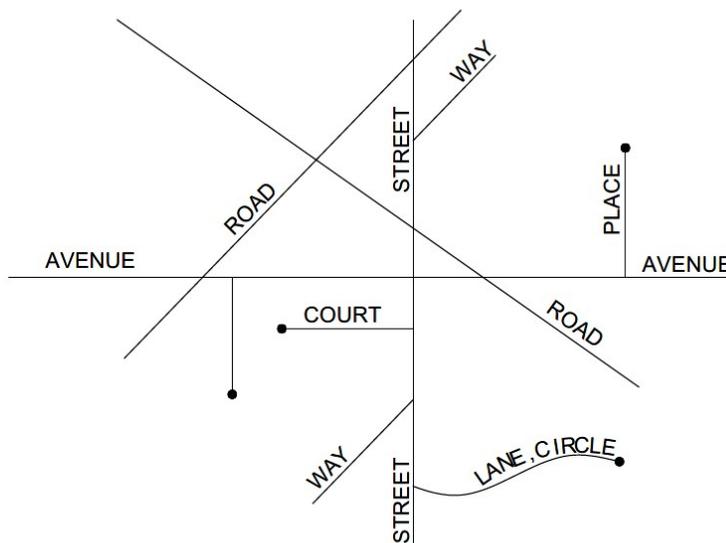
Water System and Sanitary Sewer System - The plans and profiles of proposed and existing water systems and sewer systems, if submitted to the required state agencies for approval, shall be submitted to the County Engineer prior to commencement of construction. Water service will be provided by public systems where reasonably available, defined as within 1/2 mile of any subdivision containing 10 or more lots, or within 500 feet of any subdivision containing between four lots and 10 lots. The agency providing water services shall define the requirements for each subdivision and Fees shall be established in accordance with the adopted regulations, ordinances or resolutions of these providers.

Storm Sewer Drainage - The size, location and typical sections of drainage ditches (or storm sewers, if used) including drainage reserves, shall be shown. All drainage plans, profiles and computations shall be submitted to the County Engineer for approval prior to construction. Storm Sewer located within a MUD will be maintained by the MUD district not the County.

Existing Utilities - Plans and profiles of existing utilities shall be shown where applicable.

Benchmarks - One or more shall be provided for all subdivisions as approved by the County Engineer, with description, location and M.S.L. elevations indicated on the improvement plan prepared in reference to NAD 83 Texas State Plane South Central Texas (foot).

Comprehensive Drainage and Flood Plain Impact Plan - Shall conform to the Chambers County Drainage Criteria Manual and these Subdivision Regulations.



Fire Hydrants - Required at a maximum spacing of 500 FT and at every intersection and cul-de-sac. Fire hydrants shall ~~be color-coded according to the flow available at the hydrant, subject to approval by the County Fire Marshal:~~ red in color. Fire hydrants, as required by these regulations, shall be in place before construction of structures in the subdivision may begin.

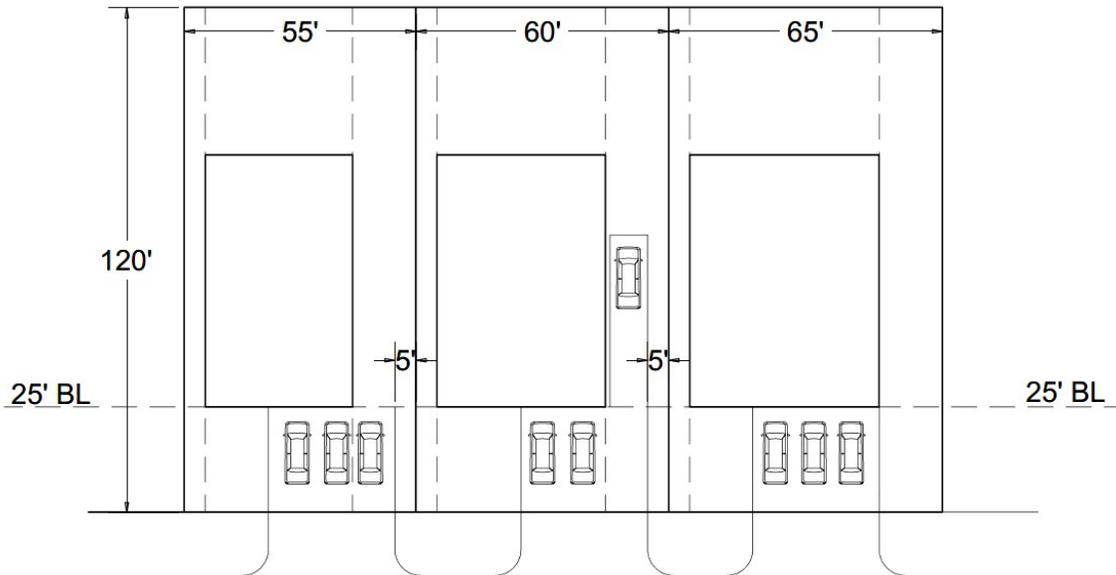
Light Blue	1500 GPM or Greater
Green	1000 to 1499 GPM
Orange	500 to 999 GPM
Red	Less than 500 GPM

Blue pavement reflectors shall be installed by the developer on roadways and streets near the center strip of the roadway, on the side of the stripe which the hydrant is located.

Additional requirements - Access control devices for a private street shall meet regulations adopted by the county (Chambers County Fire Code), including redundancy requirements (battery backup or manual over-ride). The description and specifications for the access control devices shall be submitted for approval with the plat. The developer shall provide all equipment necessary to operate the access control devices, which shall consist of Knox key devices compatible with the Chambers County Fire Marshal's Office Knox key pattern.

Building Lines and Setbacks - All structures shall be a minimum of 20 feet from any structure on adjacent properties. All commercial and industrial shall be 50 ft. back from and street right of way. *Both this section and International Building Code 2018, Table 602, shall determine building setback lines of buildings and structures subject to county fire code. The most stringent regulation shall apply. In general, variances will not be granted for this section.

Front Building Lines	Residential/Minor Streets	25 feet
	Collector/Arterial Street Commercial/Industrial	50 feet
	County/State Thoroughfare	50 feet
Side lot setbacks		
Single Family Detached Residential	Lots > 7,200 sq. ft. in area	15 feet & 5 feet or 10 feet either side
	Lots > 7200 square feet in area but < 10,000 sq. ft.	15 feet & 5 feet or 10 feet either side
	Lots > 10,000 sq. ft.	15 feet & 5 feet or 10 feet either side



*Non-Residential		20 feet when abutting a residential platted lot; residentially developed property. May be reduced to 10 feet when the common property line abuts a non-residential developed or plat restricted lot.
Rear lot setbacks		
Single Family Detached Residential	Lots > 7,200 sq. ft. in area	10 feet
	Lots > 7200 square feet in area but < 10,000 sq. ft.	10 feet
	Lots > 10,000 sq. ft.	10 feet
Non-Residential		20 feet

Per Local Government Code Ch. 232.109:

In a subdivision that is not served by fire hydrants as part of a centralized water system, the developer shall be required to construct: (1) for a subdivision of fewer than 50 houses, 2,500 gallons of fire water storage; or (2) for a subdivision of 50 or more houses, 2,500 gallons of fire water storage with a centralized water system or 5,000 gallons of fire water storage. On-site storage of firewater shall consist of tanks, ponds, and dry fire hydrants as approved by the County Fire

Marshal. The location of water connections shall be accessible to fire apparatus and compatible with the local fire department. Such storage systems shall be maintained, and have a means to maintain water level, such as a water well with float switch. [Fire water, as required by these regulations, shall be in place before construction of structures in the subdivision may begin.](#)

AS BUILT PLANS

A blackline set of the original drawings showing the "as- built" plans of the installed improvements shall be provided at the request of the County Engineer.

Closed circuit television (CCTV) Sewer Inspection Report and Video when using storm sewer shall be provided.

Shape File of all utilities, storm sewer, and roads shall be provided.

SECTION D5. COMPLETION OF IMPROVEMENTS

Before construction of improvements begins and permit is issued, a mandatory preconstruction meeting shall be held. The County's Engineering Inspector or Consultant shall oversee all construction of roads and drainage to ensure they are completed to the satisfaction of the County. The County will assign a inspector and lab testing company to the project and provide the developer an estimate of applicable fees. Inspections cost for the subdivision will have to be paid prior to the pre-construction meeting.

If an owner or developer desires to file the Plat prior to roads and drainage improvements being completed, then the owner or developer shall provide a bond of 115% cost of all remaining roads, drainage elements and other improvements to be constructed for Commissioners Court approval.

Once construction is complete to the satisfaction of the County Engineer, the property owner and/or developer's engineer shall request that the final plat be released for recordation.

The request must contain:

1. A letter requesting the release;
2. If the optional warranty period is desired, a 50% warranty bond must be provided to the County. The bond will be held for a specified warranty period which must be at least 2 years and until 50% of the homes are complete;
3. The property owner and/or developers engineer's certification certifying that the improvements were made in accordance with the approved improvement plans and County regulations or as-built drawings and an engineer's certification certifying that the changed improvements were made in accordance with the County's regulations. Any major deviations from the plan of improvement shall be approved by the County;
4. A letter signed and sealed by the engineer certifying that the elevations and grades were taken by an on-site survey on a certain date that all pavement, inlets, manholes and appurtenances are constructed to grade as shown on the record drawings, and in compliance with the approved plans and specifications. The letter shall also certify that all trunk storm

sewers and leads are of the proper size and that all improvements are capable of performance as designed and approved. Any deviations from the approved construction drawings to actual construction shall be noted for evaluation by the County Engineer;

5. If the subdivision is in a drainage district, then a letter from the drainage district stating that the drainage facilities are constructed in accordance with the approved plans and the specifications are acceptable.

Electronic Submittals

The County Engineer may require that plats and improvement plans be submitted electronically.

SECTION E5. FINAL PLAT SUBMITTAL

PURPOSE

The purpose of the Final Plat is to ensure:

- A. That the proposed subdivision and development of the land is consistent with all standards of these Subdivision Regulations pertaining to the adequacy of public facilities, FEMA Building Regulations, 911 Regulations, Environmental Health Regulations, and applicable standards.
- B. That Public Improvements to serve the subdivision or development have been installed and approved by the County; and
- C. That all other County requirements and conditions have been satisfied or provided for to allow the Final Plat to be recorded

Property owner and/or developer must deliver to the County Engineer's Office and submit online through Chambers County Permitting the following:

1. Final Plat
2. As built drawings with Engineering Certification Letter
3. Applicable bonds
 1. Application for Plat Approval;
 2. Final Design Plans
 3. Final Drainage Study;
 4. TIA and any required approval from TXDOT if along a State Highway
 5. Joint Use Agreement, if applicable;
 6. Certificate of Ownership;
 7. Maintenance Plan for Drainage Infrastructure; video inspection/report of storm sewer
 8. Letter from the Texas Department of Transportation - If the proposed subdivision is along a state right-of-way, then an approval letter from the State in reference to access onto the state right-of-way as well as right-of-way requirements will be necessary; and

After the appropriate city has approved the final plat and released it to the property owner and/or developer, the property owner and/or developer SHALL file the final approved plat with the Clerk and submit a Mylar copy to the County Engineer.

FINAL PLAT MATERIALS

The final plat materials, which all property owners and/or developers are required to submit, shall consist of two (2) groups of materials — plats(s) for recording and forms filed with the County Engineer. The property owner and/or developer shall have a land surveyor prepare the final plat in conformance with the format, design, and improvement requirements of these Subdivision Regulations. The Final plat will not be recorded until all construction of streets, drainage and improvements are completed in accordance with County specifications and requirements unless a bond is provided as described here in.

The drafting of this plat shall be such that the original, presented to the Court for signing, will be on mylar or stable base film (0.004 inches thick, minimum) and shall contain dark, stable India ink lines which cannot be smudged or removed by ordinary handling. The overall sheet size shall be 24"x36" with a half inch margin on all sides. If necessary, more than one sheet may be used as long as a key map is shown to relate each sheet to the entire platted area. The information required on the face of this sheet is as follows:

1. Title Block.
2. Legal Description - A written legal description of the property platted, tied to an original corner of the original survey and placed at an appropriate location of the face of the plat.
3. Location Sketch - A sketch or "key map" at a scale of not more than two (2) miles to the inch showing the position of the subdivision with relation to surrounding streets and properties and also showing other important features such as railroads and corporate limits of an adjacent city.
4. Dedication - The dedication shall:
 - a. Be per Appendix A (for corporations), Appendix B (for individuals), and Appendix C (Lien Holder Acknowledgment); and
 - b. Be approved by the County Attorney.
5. Lotting Design Scheme - The design scheme shall be drawn at a scale of not more than 100 feet to the inch, unless lots are one (1) acre or more in size; then a scale of 1 inch = 200 feet may be used with North oriented to the top of the sheet when possible and shall show the following:
 - a. Street lines - with names and widths, control point references;
 - b. Subdivision plat - boundary lines of tract, monuments of tract, street centerlines with bearings and distances, easements, lot lines with accurate dimensions, street names, lot numbers, blocks lettered alphabetically or numbered, reservations and dedications; and
 - c. The size of each lot.
 - d. Finished Floor Elevations for all subdivisions.
 - Lots shall be graded to drain to a street, swale, or ditch at a minimum slope of one-percent.

- Wherever possible, sheet flow from individual lots shall not cross adjacent lots before entering a street, swale, ditch, or other drainage facility.
- All finished floor elevations shall be at least 12 inches above the highest finished ground elevation immediately adjacent to the slab, 2 feet above the centerline of the road for curb and gutter.
- For lots draining to a street, the finished floor elevation shall be at least 2 feet above the highest point along the centerline of the road immediately adjacent to the building for open ditch.
- All finished floor elevations shall be at least two feet above the design water surface elevation or computed base flood elevation in any adjacent drainage facility.
- All Finish Floor elevations located in a Special Flood Hazard shall be 2 feet above the 100 year or 1 foot about the 500 year BFE.

Commercial and industrial finished floor elevation shall be at or above the 100-year BFE or 1 foot above the most adjacent storm sewer inlet/manhole whichever is greater.

6. Benchmarks - One or more shall be provided for all subdivisions at convenient points with description as approved by County Engineer, location and M.S.L. elevations indicated on the plat prepared in reference to NAD 83 Texas State South Central Texas (foot).
7. Certificate of Land Surveyor - Per Appendix D.
8. Certificate of County Engineer - Per Appendix E if not within city E.T.J.
9. Approval by Plat Room Recorder
10. Certificate of the Court - Per Appendix F if not within city E.T.J.
11. Certificate of Clerk - Per Appendix G.
12. Certificate of City Council - Per city instruction if within city's E.T.J
13. Pipeline Note - Per Appendix H.
14. Flood Plain Certificate - Per Appendix I.
15. Drainage District Approval - A signature block for any appropriate drainage district to sign.
16. Application - Attach appropriate forms:
 - a. For final plat approval;
 - b. For small subdivision approval; and
 - c. For variance
17. Joint Use Agreement (if applicable) - A letter from the utility company stating that they have no objection to the proposed road crossing their easement. If the utility company operates a pipeline within the easement, the letter shall further state that the pipeline either meets the requirements in Article 7, Section I - Pipeline Crossing - or has been adjusted to meet these requirements.
18. Certificate of Ownership - See Article 2 - "Definitions."
19. Additional Plat Statements - The following statements shall be noted on the face of the final plat:

“I do hereby dedicate forever to the public a strip of land ___ feet wide on each side of any and all gullies, ravines, draws; sloughs, rivers, or other natural drainage conveyances located in or adjacent to said subdivision as easements for drainage purposes, giving the County or any public agency the right to enter upon said easement at any and all times for any public purpose.

FURTHER, I hereby relinquish all rights of access to major streets or thoroughfares shown hereon except by way of the platted streets shown.

All drainage reserves and easements shall be kept clear of fences, buildings, tree, shrubs, and other obstructions to the operations and maintenance of the drainage facility and abutting property shall not be permitted to drain to the easement except by means of an approved drainage structure.

All reserves and easements shall be maintained by the Homeowners Association, Subdivision Developer/ Owner or applicable entity other than the County.”

RECORDING FINAL PLAT

The final plat shall be recorded immediately after approval of the improvements by the County.

Property owner and/or developer must provide a tax certificate from each tax collector of a political subdivision in which the property is located, with the plat to be recorded, showing that all taxes owing to the county, school district, drainage district and/or all other political subdivisions have been paid in full to date.

The property owner and/or developer shall furnish three (3) copies to be distributed as follows:

1. Clerk's Office - Original Mylar; and
2. County Engineers Office - One (1) Mylar copy and one (1) paper copy. Original and copies shall conform to "Final Plat."

OWNER DEDICATION

STATE OF TEXAS §

§ KNOW ALL MEN BY THESE PRESENTS;

COUNTY OF CHAMBERS §

(Separate statements may be made for each owner, or a joint statement made for all owners.)

I (or We), (name of owner or owners, or in the case of corporations, name of President and Secretary, together with the words “President” and “Secretary” respectively of name of corporation) owner (or owners) of the property subdivided in the above and foregoing map of the (Name of subdivision), do hereby make subdivision of said property (in case of corporation use

works "for and on behalf of said name of company") according to the lines, streets, alleys, parks, reserves and easements shown herein, and designate said subdivision as (name of subdivision) in the (name of Head right survey), Abstract (number), an addition in Chambers County Texas; and (in case of corporation use words "for and on behalf of said name of company") Do dedicate to public use, the streets, alleys, parks, reserves and easements shown thereon forever except where noted on the map for private streets; and do hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of the streets or alleys to conform to such grades; and do hereby bind myself (or ourselves), my (or our) successors and assigns to warrant and forever defend the title of the land so dedicated.

(to be added if overhead utilities are used for service to the subdivision):

There is also dedicated for utilities an unobstructed aerial easement five feet wide from a plane 20 feet above the ground upward located adjacent to each side of all utility easements shown hereon.

I (or We) do hereby dedicate forever to the public all drainage easements indicated on this map for drainage purposes, giving the County, Trinity Bay Conservation District (as applicable), or any public agency the right to enter upon said easements at any and all times for any public purpose.

Further, I (or We) hereby relinquish all rights of access to major streets or thoroughfares shown hereon except by way of the platted streets shown.

I (or We) certify that the plat of this subdivision complies with all the applicable Ordinances, Laws, and Statutes of Chambers County, the State of Texas and the United States of America as they may apply to this property.

WITNESS MY (or OUR) HAND(S) IN Chambers County, Texas,

this ____ day of _____ 20__.

_____ <Owner's signature>

Before me, the undersigned authority on this day personally appeared (name of President or authorized officer), and (name of Secretary), Secretary of (Name of corporation) known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, as the act and deed of said corporation.

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

is/ _____ Notary Public in and for (County), Texas

SURVEYOR CERTIFICATION

This is to certify that I; (name of surveyor), a Registered Professional Land Surveyor (or Texas State Land Surveyor); in the State of Texas; have platted the above subdivision from an actual survey made under my supervision on the ground on or during (date); that all monuments, block corners; angle points and points of curve are, or will be properly marked with iron rods a minimum of 1/4 inch

in diameter and 24 inches in length with cap stamped _____ . This subdivision is located in Flood Zone ("C" and/or "P1/44") according to FIRM

Community Panel No. _____ dated _ . (If A# give Base Flood Elevation)

Date

Signature of Surveyor Printed Name and Title Texas Registration No.

COUNTY ENGINEER'S APPROVAL

County Engineer's Certification

I, (name of County Engineer), do hereby certify that the plat of this subdivision complies with the Subdivision Regulations of Chambers County, Texas and Design Standards applicable thereto, this day of, 20__.

Date

/s/P.E.

Signature Of County Engineer Printed Name and Title

COUNTY JUDGE'S CERTIFICATION

COUNTY JUDGE APPROVAL CERTIFICATION

I, (name of County Judge, Chambers County Judge, upon approval and recommendation by the County Engineer and in accordance with the Chambers County Subdivision Regulations, do hereby certify that this subdivision plat complies with the aforementioned regulations as such and order said plat filed of record in the Office of the County Clerk of Chambers County, Texas this

day of _____ 20 .

County Judge

HEALTH DISTRICT APPROVAL

Based upon the above representations of the engineer or surveyor whose seal is affixed hereto, and after a review of the plat as represented by the said engineer or surveyor, I find that this plat complies with the requirements of Edwards Aquifer Regulations for Chambers County and Chambers County On-Site Sewage Facility Regulations. This certification is made solely upon such representations and should not be relied upon for verifications of the facts alleged. The Chambers County and Cities Health District (WCCHD) and Chambers County disclaim any responsibility to any member of the public for independent verification of the representations, factual or otherwise, contained in this plat and the documents associated with it.

<name of director, deputy or assistant> Date

<title>, Environmental Health Services, WCCHD

FLOODPLAIN ADMINISTRATOR APPROVAL

Based upon the representations of the Engineer or Surveyor whose seal is affixed hereto, and after review of the plat as represented by the said Engineer or Surveyor, I find that this plat complies with the Chambers County Floodplain Regulations. This certification is made solely upon such representations and should not be relied upon for verifications of the facts alleged. Chambers County disclaims any responsibility to any member of the public for independent verification of the representations, factual or otherwise, contained in this plat and the documents associated within it.

<name of current floodplain administrator> Date

Chambers County Floodplain Administrator

ROAD NAME AND 911 ADDRESSING APPROVAL

Road name and address assignments verified this the day of , 20 A.D.

Chambers County Addressing Coordinator

COUNTY CLERK’S CERTIFICATION

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS;

COUNTY OF CHAMBERS

I, _____ <name of current clerk>, Clerk of the County Court of said County, do hereby certify that the foregoing instrument in writing, with its certificate of authentication was filed for record in my office on the ___ day of ___, 20__ A.D., at _____ o'clock, __.M., and duly recorded this the day of ___, 20__ A.D., at _____ o'clock, __.M., in the Official Public Records of said County in Instrument No. .

TO CERTIFY WHICH, WITNESS my hand and seal at the County Court of said County, at my office in Anahuac, Texas, the date last shown above written.

By, _____ Deputy <name of current clerk>, Clerk County Court of
Chambers County, Texas

SECTION F3. PLAT APPLICATION

PLAT APPLICATION

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

*This application shall expire five (5) years from the Application date if the project becomes dormant, as defined by Sec. 245.005, Texas Local Government Code, as amended. This application shall expire forty five (45) days from the date the Application is submitted if, after proper notification, the Application remains incomplete, as defined by Sec. 245.002e, Texas Local Government Code, as amended.

TYPE OF APPLICATION		
<input type="checkbox"/> PRELIMINARY PLAT	<input type="checkbox"/> FINAL PLAT	<input type="checkbox"/> AMENDED PLAT / REPLAT

DIGITAL FILE SUBMISSION	
<input type="checkbox"/> ADOBE .pdf and	<input type="checkbox"/> AutoCAD .dwg to COUNTY ENGINEER
<input type="checkbox"/> ADOBE .pdf and	<input type="checkbox"/> AutoCAD .dwg to 911 ADDRESSING

CONTACT INFORMATION					
AGENT INFORMATION			PROPERTY OWNER INFORMATION		
FIRM NAME:			OWNER NAME:		
CONTACT:			CONTACT:		
ADDRESS:			ADDRESS:		
CITY:	STATE:	ZIP:	CITY:	STATE:	ZIP:
PHONE: ()	FAX: ()		PHONE: ()	FAX: ()	
EMAIL:			EMAIL:		
DEVELOPER INFORMATION			SURVEYOR INFORMATION		
FIRM NAME:			FIRM NAME:		
CONTACT:			CONTACT:		
ADDRESS:			ADDRESS:		

CITY:	STATE:	ZIP:	CITY:	STATE:	ZIP:
PHONE: ()	FAX: ()		PHONE: ()	FAX: ()	
EMAIL:			EMAIL:		
ENGINEER INFORMATION			OTHER CONTACT INFORMATION (IF DIFFERENT)		
FIRM NAME:			OWNER NAME:		
CONTACT:			CONTACT:		
ADDRESS:			ADDRESS:		
CITY:	STATE:	ZIP:	CITY:	STATE:	ZIP:

PHONE: ()	FAX: ()	PHONE: ()	FAX: ()
EMAIL:		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 owner authorizes Chambers 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.

CALCULATION OF FEES

PRELIMINARY PLAT: \$500 + lots x \$30 per lot = \$	FINAL PLAT: \$500 + feet road x \$1.00 per foot + \$25 per lot= \$	AMENDED PLAT / REPLAT: \$500
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RECEIPT BY CHAMBERS COUNTY (Office use only)

Date Application Received: / / 20	Date Application Accepted / Rejected: / / 20
Signature:	Signature:

Receipt of this application by Chambers 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.

SECTION F3. PRIVATE SUBDIVISION

If an Owner wishes to create a subdivision utilizing private roads, it must meet the following requirements:

1. Private roads must meet all county road standards, except where specific variances have been granted by Commissioner's Court for adequate cause in each case.
2. The title of the final plat for private subdivisions shall contain the phrase, "A Private Subdivision".
3. The subdivision plat and restrictions must contain a statement that Chambers County will never accept or maintain the roads.
4. A homeowners association with assessment authority shall be formed in conjunction with the recording of the final plat. Membership in the association shall be mandatory for each lot owner. The association shall be responsible for the maintenance of the roads in the subdivision.

5. The subdivision plat must contain a statement that the roads shall be maintained to such a standard which will allow emergency vehicles access for the roadway design speed in perpetuity by the homeowners association, and must contain a mechanism for assessing the Owners within the subdivision to produce adequate revenue for perpetual maintenance.
6. The plat must contain a requirement that every deed contain notice to the grantee that all roads are private, that the homeowners association shall be perpetually liable for maintenance, that the County will never accept them for maintenance, and that the quality of the roads must be maintained as to not affect access by public service agencies such as police, fire, and emergency medical services.
7. All arterial roads must be dedicated to the public and constructed to County standards. Other roads shall be dedicated to the homeowners association for the use of the property owners, their assigns and successors, and emergency response agencies.
8. A sign shall be placed at the entrance of the subdivision clearly stating that the roads in this subdivision are private roads. The location of this sign shall be shown in the construction plans.
9. The Owner shall provide a maintenance schedule for the roads to the County Engineer for approval prior to placement of the final plat on the Commissioners Court agenda for approval. The schedule shall include the maintenance activities, their cycle of occurrence, and the current cost of providing the maintenance activity. The total cost of the activities along with a rate of inflation shall be used to determine the annual assessment per lot.
10. Any Owner that gates the entrances to the subdivision shall provide the County with a crash gate or a lock box and letter of approval from all of the affected emergency response agencies stating their approval of full-time access to and from the subdivision.
11. The County will not be responsible for providing enforcement of traffic control within private subdivisions.

SECTION G5. ACCEPTANCE OF COUNTY ROADS FOR MAINTENANCE

Once the Subdivider(s) have received all necessary approvals, completed all subdivision improvements, have reimbursed the County for any outstanding fees (Review fees, Inspection fees, testing fees, Legal fees etc.) provided the necessary bond(s) and documentation, and the Engineering Certification Letter signed and sealed, the Final Plat will be presented to Commissioners Court for approval and recordation.

By accepting a subdivision plat for filing, the Commissioners Court does not thereby accept for ownership purposes or maintenance of the streets and roadside drainage in the subdivision. Rather, the Commissioners Court is merely accepting the plat for filing and recordation. The following provisions of these Subdivision Regulations specify when the roads and drainage reflected in the plat are accepted by County for ownership and maintenance.

The owner or owners of the platted lots are responsible for maintenance of all streets or roads within the subdivision until such time as County accepts the roads and drainage and places the roads and drainage into the County's maintenance system. County will not accept the roads and drainage into the County's maintenance system until the requirements below are completed or met:

1. Developer makes a written request to the County through its Engineering Department for the County to accept the roads into the County's maintenance system with a maintenance plan for drainage facilities that are to be maintained by a separate entity (HOA, MUD, etc.); and
 - a. Fifty percent (50%) or more of the subdivision has been built out and completed AND two years have elapsed from the date of the Plat being accepted by Commissioners Court for filing and recordation, unless failure of workmanship or material has occurred during such period.
 - b. Alternatively, if fifty percent (50%) of the subdivision has not been built out and completed within two years from the date the Commissioners Court accepted the plat for filing and recordation, the developer will have the option to extend the period in one-year increments until fifty percent (50%) build out and completion of the buildings or homes in the subdivision has occurred. After the two years, or more by extension, 50% or more build out and completion of homes or buildings, and a request to accept the subdivision roads and drainage dedicated to the public into the County maintenance system, the County Engineer or his or her designated employees or agents, will inspect the subdivision improvements and provide a written punch list to the owner/developer for repair, construction or implementation. Supplemental new punch lists will be required if punch list items are not completed within three (3) months. Once all items are inspected, completed and approved as compliant, then the County Engineer shall make a recommendation to the Commissioners Court to accept the roads and road drainage into the County maintenance system.
2. As an option, the County can accept the roads and road drainage into the County maintenance system before the time period required above if owner or developer complies with the bond requirements set forth in §232.004-232.0045 of the Texas Local Government Code. The bond must:
 - a. Be payable to the county judge of County or the judge's successors in office;
 - b. Be in an amount determined by the commissioner's court to be adequate to ensure proper construction of the roads and drainage requirements for the subdivision, but not to exceed the estimated cost of the construction of the roads, streets, and drainage requirements;
 - c. Be executed with sureties as may be approved by the Court.
3. In lieu of the bond an owner may use a letter of credit issued by a federally insured financial institution, or another acceptable financial guarantee. If a letter of credit is used, it must, list the sole beneficiary the county judge of County and be conditioned that the owner of the tract of land to be subdivided will construct any roads or streets in the subdivision in accordance with the Development Requirements, including the Subdivision Regulations adopted by the commissioners' court and within a reasonable time set by the Court.
 - a. Be executed by a company authorized to do business as a surety in this state if the Court requires a surety bond executed by a corporate surety; and

- b. Be conditioned that the roads and streets and the drainage requirements for the subdivisions will be constructed:
 - In accordance with the specifications adopted by the Court in these Development Requirements, including Subdivision Regulations; and
 - Within a reasonable time set by the Court
4. County's General Guidelines and Requirements on bonds. The following guidelines and requirements must be met to comply with these Development Requirements, including these Subdivision Regulations.
 - a. The principal of the bond must be listed as the developer or owner who filed the plat and seeks to have the County accept the roads and road drainage into the County's maintenance system.
 - b. The bond must specifically reference:
 - i. The name of the subdivision or property subject to the bond, including the location of the subdivision, property and roads;
 - ii. A general description of the roads and drainage improvements covered by the bond, which should include all the subdivision roads and drainage subject to the Development Requirements and Subdivision Regulations;
 - iii. In the description of the bond, the obligation of the principal will be reflected to require the principal to construct, improve, maintain and repair all the roads and drainage improvements in the name of the subdivision in complete compliance with the County's Development Requirements, including County's Subdivision Regulations, until such time as the County releases the bond; and
 - iv. That if the principal fails to perform, or if the roads and drainage improvements do not comply with the County's Development Requirements, including the County's Subdivision Regulations in the time frame set forth in the Development Requirements, the surety of the bond will be responsible and liable to the County up to the penal amount of the bond. The term of the bond will continue for a period of at least 2 years in length, plus additional time to allow for at least 50% of the homes or buildings in the subdivision to be completed in compliance with the Development Requirements. Once the roads and drainage improvements have been in place for a minimum of 2 years in length and at least 50% of the homes or buildings of the subdivision have been completed, and no defects in the roads and drainage improvements are discovered, and the roads and drainage improvements meet the requirements of the Development Requirements, including these Subdivision Regulations, then County will release and return the bond back to the principal ,owner or developer, and the bond surety, at which time, the term of the bond will expire.

SECTION H5. MAINTENANCE

1. By accepting a subdivision plat for filing, the Commissioner's Court does not thereby accept the roads in the subdivision for ownership or maintenance by the County. The Owner of the platted lots is responsible for maintenance of all roads within subdivision until such time as the construction of the roads have been accepted by the County which is after a minimum of 2 years from completion and 50% build out of homes.
2. The County will consider accepting a road for maintenance only after dedication to the public of an fee interest in the roadway.
3. In addition, written certification from a Registered Professional Engineer is required, stating that the facilities were constructed in accordance with the applicable subdivision regulations with any approved variances in effect when the subdivision was recorded (or has been upgraded to those standards). If a final plat for the subdivision where the facilities are located was never recorded, the facilities must meet the current applicable subdivision regulations with any approved variances.
4. The enforcement of plat restrictions is the responsibility of the Owner(s) of the subdivision; however, in an Extraterritorial Jurisdiction both the city and the Commissioner's Court of Chambers County shall have the right and authority to enforce plat restrictions through appropriate legal procedure to prohibit the construction or connection of utilities, or issuing of permits unless or until the requirements of the plat restrictions have been achieved.
5. The County will assume no responsibility nor has the obligation of maintaining drainage ways, reserves, or easements in the subdivision outside of the County roadway right-of-way.
6. If HOA, MUD, property owners or responsible entity fail to maintain drainage reserves or easements throughout the subdivision, the county reserves the right to use all legal methods and authority available.
7. Maintenance and liability of improvements including but not limited to landscaping, illumination, sidewalks, water quality features, or any other improvements shall not be the responsibility of the County.

SECTION 15: DECLARATION OF MAINTENANCE COVENANT FOR STORMWATER STRUCTURAL CONTROLS

This Declaration of Maintenance Covenant for Stormwater Structural Control(s) (“Declaration”) executed on _____, is by and between _____ (“Declarant”) and Chambers County (“County”).

WHEREAS, Declarant is the owner of the real property described on Exhibit A attached hereto and incorporated by reference (the “Property”); and

WHEREAS, Declarant intends to construct and thereafter maintain stormwater structural controls (the “Controls”) on the Property including, but not limited to, conduits, inlets, channels, pipes, retention or detention ponds and other devices and measures, necessary to collect, convey, store and control stormwater runoff, to be used for conveying stormwater from the Property to the County’s municipal separate storm sewer system (MS4).

WHEREAS, to ensure that the Controls continue to function according to the design and performance standards to which they were constructed, Declarant is imposing upon the Property, as a covenant running with the land, the obligation to maintain the Controls until such time, if ever, as the obligation to maintain the Controls is properly terminated;

NOW, THEREFORE, in consideration of the foregoing premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant declares as follows:

1. **Covenant Running with the Land.** Declarant covenants that the burdens and benefits made and undertaken under this Declaration constitute covenants running with the Property, binding all successors and assigns.
2. **Declarant’s Responsibility to Construct and Maintain.** Declarant shall be responsible for the construction of the Controls. Declarant, its successors and assigns will at all times be responsible for the maintenance, repair and inspection of the Controls. The Controls are to be constructed in accordance with all applicable laws, ordinances, regulations, rules, and directives of appropriate governmental authorities.
3. **Location of the Controls.** The Controls shall be located on, over, across or under the Declarant’s Property.
4. **Chambers County.** The County, or its designee, is authorized to access the Property as necessary to conduct inspections of the Controls to ascertain compliance with this Declaration and the County’s stormwater management program requirements (“County Requirements”) and if necessary or desirable, to maintain the Controls as provided under Paragraph 6 below. The County is relieved of all responsibility for the maintenance of the Controls for the term of this Declaration. In no event shall this Declaration be construed to impose any such obligation on the County.

5. **Maintenance of Controls.** The Declarant shall be entirely responsible for all maintenance activities associated with the Controls. The Declarant shall implement appropriate maintenance activities immediately if any of the following instances occur: obstructions of inlets/outlets, mechanical failures (valves, pumps, gates, etc.), accumulation of trash, erosion or instability of slopes, accumulated sedimentation of 25% or more of the original design capacity, excessive growth of vegetation/trees, and/or if written notice from the County is issued requesting maintenance on the Control. The Declarant shall retain documentation of all maintenance activities performed on the Control and make the records available to the County for review upon request.

6. **Failure to Maintain.** If Declarant or its successors or assigns fails to maintain the Controls as required by this Declaration after 30 days written notice thereof, the County, may, but is not obligated to, cause any and all maintenance to be taken and performed and otherwise to take whatever steps the County deems necessary to maintain the Controls at the Declarant's expense. Declarant shall reimburse the County within 10 days from

receipt of written demand from the County all costs incurred by the County together with interest thereon from the date incurred by the County at the lesser of (i) the maximum lawful rate of interest or (ii) 15% per annum until paid in full. Nothing in this paragraph or this Declaration, shall create or impose any liability on the County, its agents, employees, successors or assigns, for damages alleged to result from or to be caused by stormwater drainage from the Property.

7. **Conflicts.** The County Requirements control over any inconsistent provisions of this Declaration. As applicable provisions of the County Requirements are amended, modified, revised, deleted or moved to different sections, this Declaration is deemed to be revised so as to conform to the provisions of the County Requirements as they may exist from time to time and are applicable to the Property or any part thereof.

8. **Successors and Assigns Bound.** Declarant hereby agrees and acknowledges that maintenance of the Controls as set forth herein, the cost of maintenance, the County's access to the Controls, the County's rights of ingress and egress to the Controls and the County's right to recover all costs if Declarant fails to maintain the Controls are a burden and restriction on the use of the Property and the provisions of this Declaration shall be binding upon the Declarant, its successors and assigns and upon any future owners of the Property.

Every person who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property is and shall be conclusively deemed to have consented and agreed to every covenant contained in this Declaration, whether or not any reference to this Declaration is contained in the instrument by which the Property was conveyed to such person. Whenever in this Declaration a reference is made to a party, such reference is deemed to include a reference to the heirs, executors, legal representatives, successors and assigns of such party.

9. **Negation of Partnership.** None of the terms or provisions of this Declaration shall be deemed to create a partnership between or among Declarant and the County or any owners, mortgagees, occupants or otherwise; nor shall it cause them to be considered joint ventures or members of any

joint enterprise. This Declaration is not intended nor shall it be construed to create any third party beneficiary rights in any person, except as expressly stated herein.

10. **Enforcement.** If any person, persons, corporation or entity of any other type shall violate or attempt to violate this Declaration, it shall be lawful for the County or its successors to prosecute proceedings at law, or in equity, against the person or entity violating or attempting to violate this Declaration and to prevent the person or entity from violating or attempting to violate the Declaration. The failure at any time to enforce this Declaration by the County or its successors whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so in the future.

11. **Entire Agreement.** This Declaration contains all the representations and the entire agreement of Declarant with respect to the subject matter. Any prior correspondence, memoranda or agreements or superseded by this Declaration. The provisions of this Declaration shall be construed as a whole according to their common meaning and not strictly for or against Declarant.

12. **Notices.** All notices required or permitted under this Declaration shall be served by certified mail, return receipt requested, to a party at its last known address or its principal place of business. Date of service of notice shall be the date on which such notice is deposited in a post office of the United States Postal Service or successor governmental agency.

13. **Governing Law; Performance.** This Declaration and its validity, enforcement and interpretation shall be governed by the laws of the State of Texas without regard to any conflict of laws principles and applicable federal law. This Declaration is performable only in Chambers County, Texas.

14. **Amendment.** This Declaration may not be amended or abrogated in part or whole, without the express written consent of the County.

15. **Rights of Mortgagees, Trustees or Lienholders.** No violation of any of these restrictions, covenants or conditions shall affect or impair the rights of any mortgagee, trustee or lienholder under any mortgage or deed of trust, or the rights of any assignee of any mortgagee, trustee or lienholder under any such mortgage or deed of trust.

16. **Gender and Grammar.** The singular wherever used herein shall be construed to mean or include the plural when applicable, and the necessary grammatical changes required to make the provisions hereof apply

either to corporations or other entities or individuals, male or female, shall in all cases be assumed as though in each case fully expressed.

17. **Titles.** The titles of sections contained herein are included for convenience only and shall not be used to construe, interpret or limit the meaning of the term or provision contained in this Declaration.

18. **Recording of Agreement.** This Declaration shall be recorded in the Official Public Records of Chambers County, Texas and shall constitute notice to all successors and assigns of the title to the Property of the rights and obligations contained herein.

DECLARANT

Organization: _____

Signature: _____

Print Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____, known to me or proved to me through proper documentation to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

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

Notary Public in and for the State of _____

My commission expires: _____

SECTION 15. DISPUTES AND DISCREPANCIES

To prevent disputes and litigation, the County Engineer shall decide all questions and difficulties, of whatever nature, which may arise relative to the interpretations of the plans, construction, prosecution and fulfillment of the contract. In the event a dispute or discrepancy in the plans or specifications cannot be resolved, an arbitration committee, comprised of the developer's engineer, the County Engineer and an independent third-party engineer, agreeable to both, will resolve the dispute/discrepancy. Such resolution shall be final. The fee of the third engineer shall be submitted to the County and paid by the County. The fee shall be reimbursed to the County by the property owner and/or developer.

SECTION 15. FINANCIAL RESPONSIBILITIES AND GUARANTEES

1. To protect the public interest, the Commissioner's Court of Chambers County hereby decrees under the provisions of Chapter 232, Local Government Code, that the Owner of any tract of land that desires to obtain approval of a subdivision plat for recording a plat in the County records shall construct all roads and drainage facilities, including storm water detention, and any other items required by other governmental agencies, in said subdivision to the standards and specifications set forth in the Engineering Guidelines incorporated as of these Regulations before offering said plat for approval.
2. If the owner desires to have the plat placed on record before completion of construction of the roads and drainage, then the owner shall give a good and sufficient bond, cash, or letter of credit. This security must be payable to the County Judge, or his successors in office, of Chambers County, Texas, for the estimated cost of rebidding and proposed construction according to the calculations of a Registered Professional Engineer. The security shall be 115% of the cost for rebidding and proposed construction. Release of the security shall be conditioned on the completion (in compliance with the Engineering Guidelines) of all the roads and drainage facilities shown on the plat. The surety will be required for the construction of the detention facility prior to beginning construction of the subdivision improvements. This surety will be released upon completion of the construction of the detention facility and acceptance of the construction by the County Engineer.
3. In areas within the ETJ of a city, the city letter of credit policy may apply if the Commissioners' Court finds that the City policy provides adequate protection of the County's and public's interest in the land development and construction of infrastructure, and the County is named with the City on the financial document.
4. The Owner shall be entitled to partial reductions of the security requirement upon written approval by the County Engineer and the County Judge, and in accordance with the City ordinance when the subdivision lies inside the ETJ of a city.

5. Security shall expire after a period of two years, and shall automatically renew for subsequent two- years periods until construction of all roads and 50% build out of homes has been completed and the security is released. At the end of each two-year renewal period, an increase in the surety amount may be required due to cost increases in construction labor and materials, and administrative costs, experienced over the previous two-year period.
6. The Owner shall submit construction plans for roads, drainage, traffic, signage and utilities within a platted subdivision to the County Engineer for approval prior to beginning construction. Digital submission and other hard copy requirements as specified within this manual is required for review. These plans shall show the location of water, sanitary sewer and storm sewer utilities, and shall show proposed easements for privately-owned utilities (electric, cable television, gas, telephone, etc.) These plans shall include the design requirements as described in Article 6, Engineering Guidelines. d The cover sheet of the construction plans shall contain a signature block for approval of the County Engineer.
7. Upon approval of the construction plans, the Owner shall pay an inspection fee in the amount of 2% of the estimated construction cost for the roads and drainage facilities, according to calculations by a Registered Professional Engineer. These calculations must be approved by the County Engineer.
8. When submitting the construction plans for approval by the County Engineer, an electronic version of the construction plans (.pdf format) shall accompany the construction cover sheet.
9. For all landscaping, irrigation, sidewalks, illumination, water quality features, etc. within the right-of-way, the Owner shall create a mandatory homeowners association that shall be responsible for the maintenance and liability of these features. This organization shall have assessment authority to insure the proper funding for maintenance. A maintenance agreement shall be executed between the County and the organization prior to acceptance of the construction.
10. Once the construction has been completed and the County Engineer has approved the construction, the Owner shall provide the County Engineer with a digital file of the "As Built" plans showing the original approval signatures and the seal of a Registered Professional Engineer. A paper copy is not required. These plans are to show the improvements as they were actually built. The file shall be in an Adobe .pdf format. After the "As Built" plans are received and all construction deficiencies have been satisfied, the County Engineer will provide the Owner with a letter accepting County maintenance of the roads within the subdivision.
11. When traffic signal and additional turn lanes are required due to anticipated future traffic generated by the subdivision as determined by the County Engineer or an independent traffic engineer, the cost of future traffic signals shall be deposited with the County. Installation of such signals shall be the responsibility of the Owner. Turn lanes shall be constructed in conjunction with the roadways.

SECTION K5. PENALTIES

1. Section 232.005 of the Texas Local Government Code, as amended, provides for the enforcement of the state subdivision laws and of these Regulations.
2. A person commits an offense if the person knowingly or intentionally violates a requirement of these Regulations, including the Engineering Guidelines and other appendices incorporated herein. Such offense is a Class B Misdemeanor, punishable by (1) a fine not to exceed \$2,000; (2) confinement in jail for a term not to exceed 180 days; or (3) both such fine and confinement. (Texas Penal Code, Title 3, Ch. 12, Sec. 12.03, as amended).
3. A person may be jointly responsible as a party to an offense if the person (acting with intent to promote or assist the commission of the offense) solicits, encourages, directs, aids, or attempts to aid another person to commit the offense (Texas Penal Code, Title 2, Sec. 7.01, as amended). Thus, a real estate agent or broker, a lender, an attorney, a surveyor, an engineer, a title insurer, or any other person who assists in violating these Regulations may also face criminal penalties.
4. Besides prosecuting a criminal complaint, the County Attorney or other prosecuting attorney for the County may file a civil action in a court of competent jurisdiction to enjoin any violation or threatened violation of these Regulations, and to recover damages.
5. A tract that has been subdivided without compliance with these Regulations will be ineligible to obtain a permit for the construction or modification of an On-Site Sewage Facility located on the tract.

ARTICLE 6: ENGINEERING GUIDELINES

B1. LOT REQUIREMENTS

Lots **Shall** be a minimum of 0.75 acres (32670 square feet).

Lots with Curb and Gutter Streets shall be a minimum of 60feet in width as measured at the front property line. Lots with open ditch streets shall be a minimum of 1020 feet in width as measured at the front property line.

For determining the area required for an on-site sewage facility, the minimum lot size shall be in accordance with the current regulations of Chambers County or with the requirements of any other agency responsible for issuing permits for on-site sewage disposal as may be designated by the Chambers County Commissioner's Court. Drainage easements, beds and banks of wet weather creeks, bodies of water, and road widening easements shall not be included when calculating the lot area.

B2. SETBACK REQUIRMENTS

The building setback line on all TxDOT highways and major County roads shall be 50 feet from the edge of the right- of-way unless otherwise defined by the Thoroughfare Plan.

The following roads are designated as major highways and roads. The Commissioner's Court may specify additional roadways upon recommendation by the County Engineer:

- All state and federal system roadways
- All County thoroughfares

B2. ROAD ALIGNMENTS

B2.1 Roads shall be laid out so as to align with existing roads in adjoining or nearby subdivisions. No gaps between the subdivision and the public roadway system may be left. Arterials shall be placed and designed in accordance with the HGAC plan, the Chambers County Long Range Transportation Plan, or any other arterial roadway plan that contains the subdivision. Collectors and arterials shall be placed to facilitate the safe and efficient movement of traffic and in consultation with the County Engineer.

B2.2 New roadways that do not connect to an existing public road will not be approved.

B2.3 The County may require an internal road system that minimizes driveways and cross streets to existing County or other public roadways. The County may also require that lots bordering on an existing arterial road have access to an internal platted road and the final plat shall contain a restriction requiring driveways to connect only to an internal platted road.

B3. MINIMUM ROAD DESIGN REQUIREMENTS

B3.1 The Owner must improve all existing roads within the plat, as well as all boundary roads to which the proposed subdivision will have direct access, to meet the requirements of these Regulations. The exclusion from the plat of a road that would provide access to future plats will not be permitted. Lots intended specifically for future roads will not be approved.

B3.2 Unless otherwise stated in these Regulations, all roads shall be designed in accordance with the latest version of the Institute of Texas Department of Transportation, "Roadway Design Manual", the latest version of the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets. Should there be a conflict between these publications, the more stringent value shall overrule. All references to "mountainous terrain" shall not apply to the County.

B3.3 For purposes of this Appendix, ADT shall be defined as the anticipated average daily traffic at the time of complete build out of the subdivision, including any future development that may be served by a given road. For planning purposes, it shall be assumed that any future residential lots will generate 8 ADT. If an area of future development consists of two or more acres, it shall be assumed that such development will produce an ADT of 32 per acre, unless there is a note prohibiting future subdivision.

B3.4. Arterial roads shall be designed as follows:

B3.4.1.If the arterial is included in the HGAC plan or the Chambers County Long Range Transportation Plan, either now or in the future, the right-of-way and pavement cross section shall be as required in the said plans.

B3.4.2.The maximum right-of-way width for all other arterial roads shall be 120 feet.

B3.5. Collector roads shall be designed as follows:

B3.5.1.If the collector is included in a roadway or transportation plan, the right-of-way and pavement cross section shall be as required in the plan.

B3.6. Local Roads shall be designed as follows:

B3.6.1.The minimum right-of-way width shall be 70 feet for rural residential subdivisions and 50 feet for urban residential subdivisions and all nonresidential subdivisions.

B3.7. The following standards apply to all roads:

B3.7.1.Roads shall be dedicated to the public except as indicated in this manual. The Owner will dedicate the fee Ownership in the land for a road, drainage and utility purposes, at the Owners' option.

B3.7.2.Where concrete curb and gutter are constructed, they shall be 6 inches in width. Where concrete laydown curbs are constructed, they shall be 12 inches in width. For both

types of curb, the pavement base course shall extend 18 inches beyond the back of the curb. All urban subdivisions shall utilize concrete curb and gutter. All concrete curb shall contain steel reinforcement.

B3.7.3. Approaches to intersections shall have a minimum pavement width of 39 feet, for a minimum length of 50 feet, when it is anticipated that, at full build out of the subdivision, the number of left turns from the approach will exceed 100 vehicles per hour.

B3.7.4. Driveway spacing on roads without curb and gutter shall be approximately 100 feet measured from center to center.

B3.7.5. In new subdivisions, the Owner shall install cluster mailboxes at location(s) approved by the County Engineer. The placement of individual or cluster mailboxes along arterial and collector roads shall not be permitted in new subdivisions, unless specifically approved by the County Engineer. Mailboxes shall not encroach in any fashion on or over sidewalks or other public walks or ways in the County rights-of-way and shall be installed in accordance with applicable postal regulations.

B3.8. The following requirements apply to dead end roads and cul-de-sacs:

B3.8.1. Dead end roads in developments that are not proposed to be extended at some time in the future and have a throat length of 150 feet or less shall have a cul-de-sac with a minimum radius of 50 feet paved.

B3.8.2. Cul-de-sacs shall be constructed on a sufficient grade to insure a minimum cross slope grade and along the flow line.

B3.8.3. "No Outlet" signs shall be placed at the entrance to the dead-end road, even if the road is planned to be extended at some time in the future.

B3.8.4. Dead end roads that end at undeveloped property must be extended to the property line. At the terminus, a temporary cul-de-sac shall be provided for all such streets having a throat length more than 150 feet, constructed in accordance with the requirements of this Appendix. Hammerhead design are not preferred; however, alternate designs, such as landscape center islands, may be considered by the County Engineer to ensure a sufficient turnaround area is provided.

B3.8.5. For all temporary cul-de-sacs, temporary easements shall be established for the portions of the cul-de-sac which lie outside the road right-of-way. Such easements which lie within the plat boundary shall be shown on the final plat. Easements which lie outside the boundary of the plat may be in the form of a separate document but must be recorded prior to construction of any roadway improvements.

B3.9. Additional Right of Way for Existing Roads

B3.9.1. When a subdivision is adjacent to an existing road, the County Engineer shall determine the right-of-way width that will be necessary for the maintenance and

improvement of the existing road. If the existing road is a major thoroughfare, as defined herein, the Owner shall dedicate to the public up to 120 feet in overall width of the right-of-way unless otherwise shown in the approved thoroughfare plan, as determined by the County Engineer. The Owner shall dedicate the fee ownership in the land for road, drainage and utility purposes, at the Owners' option.

B4. CONSTRUCTION – GENERAL

B4.1. A preconstruction meeting shall be scheduled prior to the start of construction. The Design Engineer, Owner, Contractor, Subcontractors, and County Engineer shall attend this meeting. All roads are to be constructed in accordance with the construction documents as approved by the County Engineer and in accordance with the specifications found in the current version of the "Texas Department of Transportation Manual Standard Specifications for Construction of Highways, Streets, and Bridges" unless otherwise stated on the construction documents approved by the County Engineer.

B4.2. All materials shall be sampled and tested by a County approved Independent Testing Laboratory in accordance with the construction documents approved by the County Engineer. The Owner shall pay for all testing services and shall furnish the County Engineer with certified copies of these test results. The County Engineer must approve the test results prior to constructing the next course of the roadway structure. Any material which does not meet the minimum required test specifications shall be removed and re-compacted or replaced unless alternative remedial action is approved in writing from the County Engineer.

B4.3. Except for electrical lines, all underground nonferrous utilities within a right-of-way or easement must be accompanied by ferrous metal lines to aid in tracing the location of said utilities through the use of a metal detector.

B4.4. All pavements shall meet requirements outlined in the appendix as a minimum. Alternatives for consideration by the County Engineer shall be designed by a Registered Professional Engineer. The design shall be based on a 20-year design life and in conjunction with recommendations based upon a soils report of samples taken along the proposed roadways. Test borings shall be placed at a maximum spacing of 500 feet or other sampling frequency approved by the County Engineer based on recommendations provided by the geotechnical engineer. The soils report and pavement design shall be submitted to the County Engineer for review. The pavement design must be approved by the County Engineer prior to or concurrently with the review and approval of the construction plans. In addition to the basis of the pavement design, the soils report shall contain the results of sampled and tested subgrade for plasticity index, pH, sulfate content, and maximum density.

B5. SUBGRADE

B5.1. The preparation of the subgrade shall follow good engineering practices as directed by the County Engineer in conjunction with recommendations outlined in the geotechnical report. When

the Plasticity Index (PI) is greater than 20, a sufficient amount of lime shall be added as described in Item 260 of the current edition of the TxDOT Standard Specifications for Construction until the PI is less than 20. If the addition of lime as described in Item 260 is not feasible, an alternate stabilizing design shall be proposed and submitted to the County Engineer for approval. The subgrade shall be prepared and compacted to achieve a dry density per TxDOT Item 132. In addition, proof rolling may be required by the County Engineer.

B5.2. The subgrade shall be inspected and approved by an Independent Testing Laboratory and a certified copy of all inspection reports furnished to the County Engineer, who must approve the report prior to application of the base material. All density test reports shall include a copy of the work sheet showing the percentage of the maximum dry (Proctor) density. The number and location of all subgrade tests shall be determined by the County Engineer.

B6. BASE MATERIAL

B6.1. Base material shall conform to Item 247 of the current edition of the TxDOT Standard Specifications for Construction, "Flexible Base". The base material shall be Type A Grade 1, Type A Grade 2, or as approved by the County Engineer.

B6.2. Each layer of base course shall be tested for in-place dry density and measured for compacted thickness. The number and location of all base test samples shall be determined by the County Engineer.

B6.3. The base shall be prepared and compacted to achieve a minimum of 100% of the maximum (Proctor) dry density or as approved by the County Engineer upon recommendation by the testing laboratory. The maximum lift shall not exceed six inches. The base must be inspected and approved by an Independent Testing Laboratory and a certified copy of the test results furnished to the County Engineer for approval. Prior to the placement of the first lift of base, the stockpile shall be tested for the specifications found in Item 247 Table 1 and the result furnished to the County Engineer for approval

B7. BITUMINOUS PAVEMENT

B7.1. Roads require a wearing surface of HMAC Type D. The mix shall be from a TxDOT certified plant. The mix design shall be submitted to the County Engineer for approval prior to placement of the material. Contractor's Quality Control (CQC) test reports shall be submitted to the County Engineer on a daily basis. As a minimum, daily CQC testing on the produced mix shall include: Sieve Analysis TEX-200-F, Asphalt Content TEX-210-F, Hveem Stability TEX-208-F, Laboratory Compacted Density TEX-207-F, and Maximum Specific Gravity TEX-227-F. The number and location of all HMAC tests shall be determined by the County Engineer with a minimum of three, 6-inch diameter field cores secured and tested by the contractor from each day's paving. Each HMAC course shall be tested for in-place density, bituminous content and aggregate gradation, and shall be measured for compacted thickness. The number and location of all HMAC test samples shall be determined by the County Engineer.

B8. CONCRETE PAVEMENT

B8.1. Roads requiring a Portland cement concrete pavement may be used. In such cases, the pavement thickness shall be a JRCPC Jointed Reinforced Concrete Pavement in accordance with the detail included in Appendix J. The mix shall be from a TxDOT certified plant. The mix design shall be submitted to the County Engineer for approval prior to placement of the material.

B9. CONCRETE – GENERAL

B9.1. Unless otherwise specified, concrete shall be in accordance with Item 421 of the current edition of the TxDOT Standard Specifications for Construction and be placed in accordance with the applicable item.

B9.2. All concrete shall be tested for compressive strength. One set of three concrete test cylinders shall be molded for every 50 cubic yards of concrete placed for each class of concrete per day, or at any other interval as determined by the County Engineer. A slump test shall be required with each set of test cylinders. One cylinder shall be tested for compressive strength at an age of seven days and the remaining two cylinders shall be tested at 28 days of age.

B9.3 All concrete roadways shall have a heavy carpet drag. All other roadway finishes shall be approved by Chambers County.

B10. ROAD NAMES, SIGNS, AND MARKERS

B10.1. All roads shall be named, with prior approval for said name from the Chambers County 911 Addressing Coordinator. Roads must be named in a manner to avoid confusion in identification. Roads that are extensions of existing roads must carry the names of those in existence. Roads that are not continuous, or which have 90 degree turns, shall have different names. The Owner shall provide the Coordinator with two digital files of the plat. One file shall be in an Adobe .pdf format, and the other file shall be in an AutoCAD .dwg format georeferenced to NAD 1983 State Plane Grid Coordinate System, Texas Central Zone (4203), with drawing units of US feet. The road names shall be displayed on standard intersection road marker signs erected by the Owner in compliance with the TxMUTCD "Street Name Signs" and at the locations as indicated on the construction plans.

B10.2. Traffic control signs (such as stop, yield, and speed limit signs) shall be installed by the Owner of said subdivision in compliance with the TxMUTCD and at the locations as indicated on the approved construction plans. Other traffic control signs, as shown on the construction plans, shall be installed to indicate any unusual traffic or road hazard or conditions that may exist. All traffic control devices shall be placed in compliance with the TxMUTCD and the construction cost shall be borne by the Owner.

B10.3. A speed limit of 25 mph for local roads, 35 mph for collector roads and 45 mph for arterial roads within all platted subdivisions is hereby adopted. This limit may be changed only by

Commissioner's Court upon the basis of an engineering and traffic investigation showing that the prima facie maximum reasonable and prudent speed for a particular road (or part of a road) should be different. The placement of a stop sign or a yield sign on the minor road at intersections shall be evaluated on a case-by-case basis in accordance with the TxMUTCD.

B10.4. For any road that is proposed to be extended at some time in the future, a minimum of five metal channel posts, equally spaced, shall be placed at the end of the road. Each post shall have an 18"x18" red diamond object marker sign (type OM-4 per TxMUTCD) placed four feet above the existing ground.

B10.5. A future road extension sign shall be placed at the end of all roads and temporary cul-de-sacs that are proposed to be extended at some time in the future. The sign shall state the following: Future Extension of <name of road>.

B10.6. Signage that differs from the standard signage that is maintained by the County shall be maintained by the Owner. The signage shall be maintained in such a fashion to comply with the TxMUTCD requirements

B11. DRAINAGE AND FLOOD CONTROL

B11.1. General

B11.1.1. All drainage plans and construction shall meet or exceed the requirements of Chambers County, Trinity Bay Conservation District, Trinity River Authority and U.S. Army Corps of Engineers when proposed outfall occurs within their jurisdiction.

B.11.1.2. Public storm sewers are defined as sewers and appurtenances that provide drainage for a public right-of-way or more than one private tract and are located in public right-of-way or drainage reserves. Private storm sewers provide internal drainage for a reserve or other tract. Private storm sewer connections to public storm sewers shall occur at a manhole or at the back of inlet as approved by the County Engineer or TBCD. All construction and design shall conform to the Standard Details.

B11.1.3. All storm sewers shall meet or exceed the requirements of the "Drainage Criteria Manual for Chambers County, Texas" and the requirements of the Water Service Provider, as applicable.

B11.1.4 All storm water systems shall be designed, and be equipped with appropriate treatment facilities, to meet the Chambers County Texas Pollution Discharge Elimination System, Phase II Standards (CCTPDES).

B11.2. Storm Sewer Materials

B11.2.1. Reinforced Concrete pipe from an approved vendor is required for any future system to be maintained by the County.

B11.2.2. Storm sewer outfalls shall have slope protection to prevent erosion. Slope protection may be constructed of slope paving or riprap. Slope paving shall be four-inch (4"), five (5) sack concrete with # 3 steel rebar on twenty-four-inch (24") centers, each way. Rip-rap shall be a minimum of six-inch (6") broken concrete rubble with no exposed steel or well-rounded stone and shall be a minimum of eighteen inches (18") thick. Slope protection texturing shall be required where public access is likely. Refer to the Standard Details for minimum dimensions. In areas where public access is available such as trails, bikeways and green belts, slope paving and riprap shall be architecturally designed to complement the natural features of the drainage way. The Chambers County Engineer shall approve all outfall design features prior to installation in drainage facilities, bayous or wetland areas. Adequate safety features shall be installed to prevent and deter children and animals from entering outfalls.

B11.3 Alternate materials may be used with specific approval from the County Engineer or Water Service Provider, as applicable.

B12. STORM SEWER LOCATION

B12.1. Public storm sewers shall be located within a public street right-of-way or a storm sewer easement, dedicated to the public and adjoining a public street right-of-way.

B12.2 Recommended alignment with a public street right-of-way:

B12.2.1. Storm sewers in the boulevard pavement sections shall be aligned with the median along the centerline of the right-of-way.

B12.2.2. Storm sewers in undivided pavement sections shall be located five feet (5') inside the right-of-way. For all storm sewer located in a public street right-of-way, a minimum distance of two feet (2') shall be maintained inside the right-of-way line to the outside edge of the storm sewer unless otherwise accompanied by an adjacent easement. Alternate locations for a storm sewer may be permitted by the County Engineer when good cause is shown.

B12.2.3. Recommended alignment within an exclusive storm sewer easement:

B12.2.3.1. Storm sewers within a reserve shall be placed no closer than five feet (5') measured from the outside edge of the pipe to the edge of an easement, except when adjoining another easement or public right-of-way where the distance may be reduced to two feet (2'). The storm sewer shall be placed in the center of the easement. When the storm sewer easement adjoins a public right-of-way, the easement may be reduced to a minimum of ten feet (10') and the storm sewer may be aligned closer to the right-of-way line, as long as required clearances are met, with specific approval of the County Engineer.

B13. CONSTRUCTION PLAN REQUIREMENTS

B13.1. A Drainage Area Map shall be included in the construction plans. The drainage area map shall include:

B13.1.1. Drainage areas, including areas draining from off-site onto or adjoining the project.

B13.1.2. Design storm runoff.

B13.1.3. 100 & 500 Year storm runoff.

B13.1.4. Route of overland flow including the overflow to a drainage way sized to accommodate the 100-year flow.

B13.1.5. Elevations for the 25-year, 100-year and 500-year.

B13.1.6. Flow per inlet.

B13.1.7. Maximum 100-year and 500- year ponding elevation.

B13.1.8. Lot grading with flow alongside lot lines from back to front of property lines.

B13.1.9. Detailed drainage calculations shall be submitted with the construction plans.

B13.1.10. The hydraulic gradient for the design storm shall be shown on the construction drawings. Calculations for the elevation of the hydraulic gradient shall be provided with the design storm drainage calculations.

B13.1.11. TPDES techniques and facilities shall be noted on the plans sufficiently to establish that pollution discharges will be prevented, as much as is practical.

B14. DESIGN REQUIREMENTS

B14.1 Minimum depth of a storm sewer (measured to the top of pipe) shall be eighteen inches (18") below top of curb or finished grade, whichever is lower. Minimum size storm sewer for main and inlet lead shall be eighteen inches (18").

B14.2. Storm sewers shall be bedded using cement stabilized sand in accordance with the Standard Details.

B14.3. Pipe Requirements:

Reinforced concrete pipe shall meet or exceed the following minimum requirements listed in Table 6:

Table 6	
Pipe class	Maximum Cover (Ft)
III	15'
IV	30'

- a. Reinforced concrete pipe installed at a depth greater than thirty feet (30') shall be designed by the design engineer for the specific installation and approved by the County Engineer. Reinforced concrete pipe shall be designed in accordance with the American Concrete Pipe Association, "Concrete Pipe Design Manual". Maximum cover on the pipe shall be to the ultimate finished grade or natural ground, whichever is greater.
- b. Storm sewers shall have a minimum clearance of six inches (6") from all other utilities. The clearance shall be measured from the outside wall of the pipe. Design storm runoff shall be calculated in accordance with the "Drainage Criteria Manual for Chambers County, Texas".
- c. Storm sewers less than forty-two inches (42") in diameter shall be constructed on a straight horizontal and vertical alignment between manholes. Storm sewers greater than or equal to forty-two inches (42") in diameter may be laid along a curve using manufactured bends of less than or equal to 11-1/4". Camera inspection may be required on storm sewers constructed along a curve.

B15. HYDRAULIC REQUIREMENTS

B15.1. See chambers County Drainage Criteria Manual.

B16. APPURTENANCES

B16.1. MANHOLES

B16.1.1 Manholes shall be placed at all changes in vertical alignment (except sewers laid along a curve); at a change of size of storm sewers; at the intersection of two or more storm sewers; at all inlet leads; and at the end of all storm sewers.

B16.1.2. Maximum spacing between manholes shall be five hundred feet (500')

B16.1.3. Manhole covers shall be cast iron, traffic bearing, type ring and cover with the words "Storm Sewer" cast into the cover. See Standard Details.

B16.2. INLETS

B16.2.1. Curb inlets shall be spaced and sized to intercept the calculated runoff for the design storm. The water surface elevation at the inlet shall be less than or equal to the top curb for the design storm flow.

B16.2.2. Maximum travel distance of water in the street to a curb inlet shall be three hundred feet (300') on a major thoroughfare and in a commercial area. The maximum travel distance of water in the street permitted in a single-family residential area shall be five hundred feet (500').

B16.2.3. Curb inlets should be located on the intersecting side street at an intersection with major thoroughfare. Locations on the major thoroughfare at intersections shall be specifically approved by the County Engineer.

B16.2.4. Grated inlets will not be permitted in an open ditch.

B16.2.5. Backslope swale interceptors shall be placed in accordance with the requirements of the County Engineer when permitted.

B16.2.6. Curb inlets shall have grate inlet lids (see Standard Details).

B16.2.7. Backfill around inlets with 1.5 sacks per cubic yard of cement stabilized and to top of first stage inlet.

B.17. STORM WATER MANAGEMETN CONTROLS

B17.1. Storm water management controls, when needed, shall be designed, constructed and maintained to restrict the rate of drainage from the platted area to the rate of drainage of the land in its natural state. When a development shall have several sections, storm water management controls for the ultimate developed area shall be constructed if not located in the first platted section. Storm water management controls are to be designed by a Registered Professional Engineer using a basis of a 2, 10, and 100-year storm. Exceptions may be allowed when the Owner can demonstrate that downstream property shall not be adversely affected.

B18. DRAINAGE CALCULATIONS

B18.1. Drainage calculations shall be made using the edition of the Chambers County Drainage Criteria Manual in effect as of the date of these Regulations or other methods satisfactory to the County Engineer. All data and calculations must be presented to the County Engineer as part of the construction plans. The following requirements shall be incorporated into the design:

B18.1.1. Bridges and cross drainage structures for arterial and collector roads shall be designed to convey the 25-year storm without overtopping the facility.

B18.1.2. Bridges and cross drainage structures for local roads shall be designed to convey the 10-year storm without overtopping the facility.

B18.1.3. All longitudinal drainage structures shall be designed to convey the 10-year storm.

B18.1.4. On curb and gutter roadways, the roadway shall be designed so that no more than one half of one travel lane shall be inundated by the 10-year storm.

B18.2. All drainage structures and appurtenances shall be designed by a Registered Professional Engineer. A profile shall be shown in the construction plans for all drainage structures. Each profile shall show the design flow, velocity, invert elevations, and the hydraulic grade line.

B18.3. Driveway culverts shall have a minimum interior diameter of 24" or equal and a minimum length of 22 feet and shall include a concrete apron safety treatment in accordance standards. All driveway culverts shall have safety end treatments with concrete aprons.

B18.4. Maintenance responsibility for drainage will not to be accepted by the County other than that accepted in connection with draining or protecting the road system. Maintenance responsibility for storm water management controls will remain with the Owner, HOA, or MUD.

B18.5. Drainage Reserves shall be provided for all drainage courses in and across property to be platted. The location and width shall be shown on the plat and marked "Drainage Reserve" In general, a "Drainage Reserve" shall be a minimum of 30 feet in width. All named channels shall have a drainage reserve dedicated that is 60 FT either side of the centerline of the channel. Any existing unnamed channels shall have a minimum drainage reserve dedicated that is 30 Ft wide. Storm sewer outside of roadway right of way can be in a 20 FT minimum drainage reserve.

B18.6. All roadside ditches shall have a minimum depth of 3 FT, as measured from the edge of the road pavement, equal to the diameter of the driveway culvert pipe(s) plus nine inches, and a bottom width equal to the diameter of the driveway culvert pipe(s). The side slopes of the ditches are to be 3.5:1 on front slope and 3:1 for back slope or flatter.

B18.6. All detention, or retention ponds shall have a minimum 20 FT wide access berm around the perimeter. The side slopes for the area shall be a 3.5:1 or flatter. If articulating concrete blocks are used, then the side slope can be steeper, and the access berm eliminated.

B19.7. All detention ponds shall have a 6 FT paved walking path surrounding the pond.

B19.8. All ponds shall include a required DECLARATION OF MAINTENANCE COVENANT FOR STORMWATER STRUCTURAL CONTROLS.

DECLARATION OF MAINTENANCE COVENANT FOR STORMWATER CONTROLS

This Declaration of Maintenance Covenant for Stormwater Conveyance Ditches(s) (“Declaration”) executed on _____, is by and between _____ (“Declarant”) and Chambers County (“County”).

WHEREAS, Declarant is the owner of the real property described on Exhibit A attached hereto and incorporated by reference (the “Property”); and

WHEREAS, Declarant intends to construct and thereafter maintain stormwater Conveyance (the “Controls”) on the Property including, but not limited to inlets, channels, drainage ditches, pipes, retention or detention ponds and other devices and measures, necessary to collect, convey, store and control stormwater runoff, to be used for conveying stormwater from the Property to any Existing or new conveyance system for removal of stormwater from the property to existing Conveyance Ditches or natural ditches, gullies or bayou’s.

WHEREAS, to ensure that the Drainage continues to function according to the design and performance standards to which they were constructed, Declarant is imposing upon the Property, as a covenant running with the land, the obligation to maintain the Drainage until such time, if ever, as the obligation to maintain the Drainage is properly terminated.

NOW, THEREFORE, in consideration of the foregoing premises, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant declares as follows:

1. Covenant Running with the Land. Declarant covenants that the burdens and benefits made and undertaken under this Declaration constitute covenants running with the Property, binding all successors and assigns.

2. Declarant’s Responsibility to Construct and Maintain. Declarant shall be responsible for the construction of the Controls. Declarant, its successors and assigns will always be responsible for the maintenance, repair and upkeep of the “Controls” for the proposed plat. The Controls are to be constructed in accordance with all applicable laws, ordinances, regulations, rules, and directives of appropriate governmental authorities.

3. Location of the Controls. The Controls shall be located on, over, across or under the Declarant’s Property. Any natural gullies or non navigable streams utilized as a segment of the controls or as the only Control will be shaped per Chambers County Design parameters for Conveyance and thereafter become a Conveyance Ditch subject to this Declaration.

4. Chambers County. The County, or its designee, is authorized to access the Property as necessary to conduct inspections of the Controls to ascertain compliance with this Declaration and the County’s stormwater management program requirements (“County Requirements”) and if

necessary or desirable, to maintain the Controls as provided under Paragraph 6 below. The County is relieved of all responsibility for the maintenance of the Controls for the term of this Declaration. In no event shall this Declaration be construed to impose any such obligation on the County.

5. Maintenance of Controls. The Declarant shall be entirely responsible for all maintenance activities associated with the Controls. The Declarant shall implement appropriate maintenance activities immediately if any of the following instances occur: obstructions of inlets/outlets, mechanical failures, restrictor pipes, etc.), accumulation of trash, erosion or instability of slopes, accumulated sedimentation of 25% or more of the original design capacity, excessive growth of vegetation/trees, and/or if written notice from the County is issued requesting maintenance on the Conveyance Ditches. The Declarant shall retain documentation of all maintenance activities performed on the Controls and make the records available to the County for review upon request.

6. Failure to Maintain. If Declarant or its successors or assigns fails to maintain the Controls as required by this Declaration after 30 days written notice thereof, the County, may, but is not obligated to, cause any and all maintenance to be taken and performed and otherwise to take whatever steps the County deems necessary to maintain the Controls at the Declarant's expense. Declarant shall reimburse the County within 10 days from receipt of written demand from the County all costs incurred by the County together with interest thereon from the date incurred by the County at the lesser of (i) the maximum lawful rate of interest or (ii) 15% per annum until paid in full. Nothing in this paragraph or this Declaration, shall create or impose any liability on the County, its agents, employees, successors or assigns, for damages alleged to result from or to be caused by stormwater drainage from the Property.

7. Conflicts. The County Requirements control over any inconsistent provisions of this Declaration. As applicable provisions of the County Requirements are amended, modified, revised, deleted or moved to different sections, this Declaration is deemed to be revised so as to conform to the provisions of the County Requirements as they may exist from time to time and are applicable to the Property or any part thereof.

8. Successors and Assigns Bound. Declarant hereby agrees and acknowledges that maintenance of the Controls as set forth herein, the cost of maintenance, the County's access to the Controls, the County's rights of ingress and egress to the Controls and the County's right to recover all costs if Declarant or his successors fail to maintain the Controls are a burden and restriction on the use of the Property and the provisions of this Declaration shall be binding upon the Declarant, its successors and assigns and upon any future owners of the Property.

Declarant shall upon transfer of ownership of the property notify the purchaser of their obligation in writing either by inclusion into the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, any HOME OWNERS ASSOCIATIONS FORMED BY DEVELOPER OR OTHER RESTRICTIVE COVENANTS PREPARED BY THE DECLARANT OR HIS ASSIGNS or by the U. S . Postal Service certified mail return receipt requested.

Every person who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property is and shall be conclusively deemed to have consented and agreed to every covenant

contained in this Declaration, whether any reference to this Declaration is contained in the instrument by which the Property was conveyed to such person. Whenever in this Declaration a reference is made to a party, such reference is deemed to include a reference to the heirs, executors, legal representatives, successors and assigns of such party.

9. Negation of Partnership. None of the terms or provisions of this Declaration shall be deemed to create a partnership between or among Declarant and the County or any owners, mortgagees, occupants or otherwise; nor shall it cause them to be considered joint ventures or members of any joint enterprise. This Declaration is not intended nor shall it be construed to create any third party beneficiary rights in any person, except as expressly stated herein.

10. Enforcement. If any person, persons, corporation or entity of any other type shall violate or attempt to violate this Declaration, it shall be lawful for the County or its successors to prosecute proceedings at law, or in equity, against the person or entity violating or attempting to violate this Declaration and to prevent the person or entity from violating or attempting to violate the Declaration. The failure at any time to enforce this Declaration by the County or its successors whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so in the future.

11. Entire Agreement. This Declaration contains all the representations and the entire agreement of Declarant with respect to the subject matter. Any prior correspondence, memoranda or agreements are superseded by this Declaration. The provisions of this Declaration shall be construed as a whole according to their common meaning and not strictly for or against Declarant.

12. Notices. All notices required or permitted under this Declaration shall be served by certified mail, return receipt requested, to a party at its last known address or its principal place of business. Date of service of notice shall be the date on which such notice is deposited in a post office of the United States Postal Service or successor governmental agency.

13. Governing Law; Performance. This Declaration and its validity, enforcement and interpretation shall be governed by the laws of the State of Texas without regard to any conflict of laws principles and applicable federal law. This Declaration is performable only in Chambers County, Texas.

14. Amendment. This Declaration may not be amended or abrogated in part or whole, without the express written consent of the County.

15. Rights of Mortgagees, Trustees or Lienholders. No violation of any of these restrictions, covenants or conditions shall affect or impair the rights of any mortgagee, trustee or lienholder under any mortgage or deed of trust, or the rights of any assignee of any mortgagee, trustee or lienholder under any such mortgage or deed of trust.

16. Gender and Grammar. The singular wherever used herein shall be construed to mean or include then plural when applicable, and the necessary grammatical changes required to make the provisions hereof apply Chambers County, Texas - Subdivision Regulations either to corporations

or other entities or individuals, male or female, shall in all cases be assumed as though in each case fully expressed.

17. Titles. The titles of sections contained herein are included for convenience only and shall not be used to construe, interpret or limit the meaning of the term or provision contained in this Declaration.

18. Recording of Agreement. This Declaration shall be recorded in the Official Public Records of Chambers County, Texas and shall constitute notice to all successors and assigns of the title to the Property of the rights and obligations contained herein.

DECLARANT

Organization: _____

Signature: _____

Print Name: _____

Title: _____

STATE OF _____

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____, known to me or proved to me through proper documentation to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

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

Notary Public in and for the State of _____

My commission expires _____

APPENDIX F. ROADWAY FEATURES

Standard Specifications Table 9	LOCAL	LOCAL	COLLECTOR	COLLECTOR	ARTERIAL	ARTERIAL	MAJOR	MAJOR
	Open Ditch	Curb & Gutter	Open Ditch	Curb & Gutter	Open Ditch	Curb & Gutter	Open Ditch	Curb & Gutter
Total Street Width *	24'	29'	38'	40'	TBD	TBD	TBD	TBD
ADT RANGE**	0-1999	0-1999	2000-3999	2000-3999	4000-9999	4000-9999	10,000 plus	10,000 plus
Lane width	12'	12'	12'	12'	12'	12'	4 lanes 12'	4 lanes 12'
Paved Shoulder Width	NA	NA	8'	8'	8'	8'	8'	8'
Sod Shoulder Width***	6'	NA	3'	NA	3'	NA	3'	NA
Right of Way Width	70'	50'	80'	70'	100'	100'	120'	120'
Minimum Lot Width @ Right of Way line	100'	60'	100'	60'	100'	100'	100'	100'
Horizontal Clearance								
Minimum Design Speed	30 mph	30 mph	35 mph	35 mph	45 mph	45 mph	45 mph	45 mph
Cross Slope Range	1.5%-	2%-3%	1.5%-	2%-3%	2%	2%	2%	2%
Minimum Pavement Design All have 6" LIME SURGRADE	2" ACP 9" FLEX-BASE	7" JRCP	3" ACP 10" FLEX-	8" JRCP	2" ACP "D" 4" ACP "C"	9" JRCP 2" ACP "D"	TBD	TBD
Minimum Horizontal Clearance	10'	3'	10'	3'	10'	3'	TBD	TBD
Minimum Vertical Clearance	14'	14'	14'	14'	14'	14'	14'	14'
Roadway Design Loading	H-20	H-20	H-20	H-20	H-20	H-20	H-20	H-20
Bridge Design Loading	HS-20	HS-20	HS-20	HS-20	HS-20	HS-20	HS-20	HS-20

NOTES:

*TOTAL STREET WIDTH – IS MEASURED FROM BACK OF CURB TO BACK OF CURB FOR CURB AND GUTTER OR EDGE OF SURFACE TO EDGE OF SURFACE FOR OPEN DITCH

** ADT RANGE – EACH LOT REPRESENTS 8 ADT WITH EXCEPTION TO ANY COMMERCIAL LOTS

***SOD SHOULDER WIDTH – SHALL BE APPROXIMATELY 4 % CROSS SLOPE

TBD – SHALL BE DETERMINED THROUGH ENGINEER STUDY

ARTICLE 7: TRAFFIC IMPACT ANALYSIS GUIDELINES

SECTION A7. INTRODUCTION

The Traffic Impact Analysis (TIA) Guidelines for Chambers County have been developed to provide a comprehensive and consistent approach to assessing the impact of proposed developments on the transportation system. As Chambers County continues to experience growth and development, it is crucial to ensure new developments are evaluated in terms of their potential impact on safety, traffic flow, and access. These guidelines aim to assist the County, developers, engineers, and transportation professionals in preparing and reviewing traffic impact studies that comply with county regulations and provide meaningful information to decision-makers. By following these guidelines, this will provide for better managing the transportation impacts and promote sustainable growth in Chambers County.

The guidelines provide the technical standards for designation of the study area, site and background trip generation, analysis time frame, analysis methodology, and requirements to assess the traffic impacts of development proposals on the existing and future transportation system. This document shall be used along with an approved scoping letter to perform a TIA in Chambers County. Final approval will be at the County's discretion and be contingent upon whether the requirements outlined are met within a submitted TIA.

SECTION B7. THRESHOLD REQUIRING A TIA

A TIA is required if a new development or upgrade to an existing location is expected to generate **50 or more additional trips** during any hour of the day. The trip generation shall be based upon the appropriate land use code from the latest ITE Trip Generation Manual or approved trip generation rates by the County. For example, special generators may require a study of similar sites.

A scoping meeting or scoping letter is required to be submitted to the County before a study can commence to ensure both parties agree on the assumptions. A sample scoping document is attached to the end of this document. The meeting shall include a review and consent of the following:

Study area: freeways, roadways, and intersections.

1. Build out and/or opening year.
2. Clarification, justification, and agreement on all assumptions used in the report.
 - a. Trip generation
 - b. Trip distribution
 - c. Pass-by and internal trip capture.
 - d. Capacity analysis type
 - e. Adequate LOS standards
3. Approved preliminary site plans within the study area that will be included for estimation of background traffic.
4. Future funded roadway improvements that impact the subject site.

Only future roadway construction/improvements for which 100 percent of construction funding costs have been approved shall be accepted for future analysis. If the applicant fails to comply with the technical requirements and the scope of study outlined in the scoping meeting, the applicant will be advised that an addendum is required. All issues regarding the TIA and recommended improvements must be resolved before site plan approval may be granted.

For undeveloped corridors, or cases where multiple developments are occurring along a corridor, the developer will be required to perform a corridor study as a part of the TIA. The study will evaluate the corridor at full build out using similar land use, densities and traffic volumes as the developer’s property. The corridor study will identify overall improvements needed to maintain acceptable traffic condition as well as pavement quality. The developer’s consultant will be required to develop a cost estimate of the needed improvements (i.e. Turn lanes, traffic signals, additional main lanes, rehab of existing roadway, upgrade to concrete pavement) which will be approved by the County. The developer will be required to pay an impact fee that is proportional to their developments impact on the corridor, or designate improvements they will be responsible for as part of their project.

SECTION C7. STUDY AREA

The definition of the study area is dependent upon the size of the development. Table 1 describes how many intersections shall be included in the TIA. The scoping meeting will determine which intersections shall be analyzed.

Table 1. Study Area Definition

Size of Development	ITE Trip Generated Single Peak Hour Trips	Study Area
Minor	50-250	Site access driveway(s) and each intersection from the site access point(s) to and including intersections within ¼ mile of the property line. Key intersections as identified by the County during the scoping meeting.
Major	>250	Site access driveway(s) and each intersection from the site access point(s) to and including intersections within one mile of the property line. Freeway analysis may also be required as needed.

The analysis will take place for any signalized, multi-way stop and stop controlled intersection where site generated traffic is being added to stop control movement. Stop controlled intersections where traffic is being added to the through movement do not need to be analyzed.

SECTION D7. TRAFFIC DATA REQUIREMENTS

To conduct an effective Traffic Impact Analysis, a significant amount of traffic data is required. This data provides valuable information about the existing traffic conditions in the area surrounding the proposed development and helps to assess the potential impacts of the project on the transportation system. The data collected for a new Traffic Impact Analysis must be thorough and accurate to ensure that the conclusions drawn from the study are accurate. This section will discuss the various traffic data requirements for a TIA in Chambers County.

EXISTING TRAFFIC VOLUMES

All existing traffic counts shall be conducted **within one year in urban areas and two years in rural areas** of the TIA submission. If counts are not conducted within the same year as the study submission, adjustments must be made to bring the counts to the current year.

Traffic counts shall be taken on Tuesdays, Wednesdays, or Thursdays when Chambers County Schools are open with students and staff on site and operating on a normal schedule not prior to or following a holiday, and not during the last two weeks of December or Thanksgiving week unless otherwise requested. It is key to ensure counts are taken under fair weather conditions and with no roadway construction nearby. For locations within high density shopping districts, weekend counts may be required.

Turning movement counts shall be collected from 6:00 AM to 9:00 AM morning peak and the 3:00 PM to 7:00 PM afternoon peak at 15-minute intervals, unless otherwise requested. If signal warrant analysis is needed, then 12-hour counts are required (7 AM-7 PM). Saturday and Sunday peak hours are typically between 10 AM and 6 PM. Pedestrian and bicycle counts may also be required based on the study area and/or at the request of the County.

Traffic classification counts may be needed for a TIA, depending on the development and scale of the study area, for instance at industrial sites.

TRIP GENERATION

The estimated trip generation for each proposed land use shall be obtained by utilizing the **Institute of Transportation Engineers (ITE) Trip Generation Manual, Current Edition**. The land use shall be agreed upon at the TIA scoping meeting. Local data reviewed and approved by the County may be utilized, for land uses not compatible to the ITE Trip Generation Manual. In cases where land uses are not identified in the ITE Trip Generation Manual and local data is not available,

Chambers County will determine the appropriate trip generation, especially for special generators. In this case, a special study of similar sites may need to be conducted.

Table 2 displays the criteria for choosing either the fitted curve equation or the weighted average trip rate from the ITE Manual utilizing the peak hour of the adjacent street unless such data does not exist.

Table 2. ITE Trip Generation Criteria

Regression Equation	Weighted Average Trip Rate
<p>Use of the regression equation is recommended when:</p> <ul style="list-style-type: none"> • A regression equation is provided. • The independent variable is within the range of surveyed data. • Either the data plot has at least twenty data points or the regression equation has an R^2 value greater than or equal to 0.75 	<p>Use of the weighted average rate is recommended when:</p> <ul style="list-style-type: none"> • The regression equation has an R^2 value less than 0.75, or no equation is provided.

For commercial, parks and recreational facilities, and churches, weekend trip generation and capacity analysis may be included. This shall include Saturday or Sunday data, depending on which trip generation is larger. Pass-by trip reduction factor, per the ITE Trip Generation Manual, on major arterials may be considered for commercial developments upon concurrence with the county prior to preparation of the report. Internal capture rates for mixed-use developments shall be based on ITE guidance or the Mixed-Use Trip Generation Model by the Environmental Protection Agency.

For any multi-phase development, each proposed phase must be analyzed separately including the full build out year of the development.

A calculation for the number of parking spaces must be included based on the size of the development. This includes:

- Residential Single Family Dwelling Unit - Each residential lot shall provide sufficient off-street parking on an all-weather surface for at least two vehicles other than in garage space.
- Multifamily Dwelling Units- Each apartment or townhouse unit shall have off-street parking for two vehicles.
- Commercial and Institutional- Each lot plan for professional, commercial or institutional use shall have off-street parking at a ratio of not less than 0.75 square feet of parking space for each one square foot of gross building area, with the exception of family dining, which shall have one parking space for each six customer seats plus one parking space for each two employees on the maximum working shift.
- Industrial -One parking space shall be provided for each employee on the maximum working shift, plus space to accommodate all trucks and other vehicles in connection

therewith, but no less than one parking space for each 600 square feet of floor area.

The parking calculations are based on:

- Usable space shall mean the net floor area of all space of the specific use, including outside display or selling area.
- Where fractional spaces result, the parking spaces required shall be the nearest whole number.
- The parking space requirement for all other uses will be based on the ITE Parking Generation Handbook
- Whenever a building, regardless of the date of its construction, is enlarged in floor area, number of employees, seating capacity or number of dwelling units, which will increase the required number of parking spaces, such spaces shall be provided based on the enlargement or change, as set forth in this article.

BACKGROUND TRAFFIC

Growth in existing traffic used to develop the background condition shall be representative of the regional traffic growth in and around the study area. This factor shall be applied to the existing through traffic, and appropriate turning movements, before approved development traffic is applied. This will be based on historical growth from TxDOT volume counts.

Approved developments in the study area will need to be included as part of the background traffic. Trip generation for those developments shall agree with the traffic volumes developed in those approved TIA reports.

TRIP DISTRIBUTION/ASSIGNMENT

The proposed distribution for the study development must be submitted to the County and approved prior to submitting the traffic study. The trips must be assigned to the roadway network including intersections in a path that connects the origin and destination of the vehicular trips. Current directional distribution from the latest traffic counts can be used, although in some cases may be unacceptable if the directional distribution will change before the build year due to future changes in the land use or other transportation system improvements.

The county's agreement with the suggested traffic distribution must be achieved before preparing the TIA. Assignment of traffic to the network shall be in accordance with the percentage distribution and type of transportation facility.

Trip distribution for approved yet unbuilt development traffic shall match the approved TIA. If the study area of the approved TIA does not completely overlap with the proposed development's study area, then the approved development traffic shall be assigned in the new study area using the distribution from the most recent turning movement counts or other approved method.

SECTION E7. ANALYSIS

Capacity analysis shall be performed for all intersections (including new site access points) in the agreed upon study area outlined in the scoping letter/meeting. Additional analysis along roadways, freeways, internal circulation, etc. may be necessary based upon the analysis. The analysis shall be in accordance with the methodologies contained in the most current edition of the Highway Capacity Manual (HCM).

- Roundabouts shall be analyzed with the HCM through Synchro and/or Sidra Intersection (preferred)
- An adequacy of sight distance evaluation shall be conducted and the impacts and opportunities for bicycle, pedestrian, and transit modes of transportation shall be reviewed.
- For unsignalized intersections, SimTraffic can be used to determine simulated delay for the minor street approaches, where applicable, in addition to HCM. The simulated delay can provide more realistic delay values as opposed to the equation based HCM analysis. For example, microsimulation can capture the impact of gaps created by signalized intersections. The inclusion of this type of analysis shall be confirmed in the scoping meeting.
- In cases where the development type is categorized as “Minor,” per Table 1, it is possible that microsimulation analysis would not be needed. Such scenarios and analysis requirements can be discussed during the scoping process.
- Turn lane analysis shall be conducted in accordance with Table 3.

Table 3. Left and Right Turn Lane Criteria

Facility	Left Turn Lane	Right Turn Lane
Local street and two-lane collector	No left turn lane required	No right turn lane required.
Any roadway with raised median	Required	Use TxDOT Access Management Manual Table 2-3 below
Suburban two-lane arterial highway	Based on geometry, density, speeds, and volumes ¹	Use TxDOT Access Management Manual Table 2-3 below
Suburban multi-lane collector and arterial highway	Based on geometry, density, speeds, and volumes ¹	Use TxDOT Access Management Manual Table 2-3 below

Rural two-lane highway	Use TxDOT Roadway Design Manual Table 3-10 and Figure 3-8	Use TxDOT Access Management Manual Table 2-3 below
Rural multi-lane highway	Based on geometry, density, speeds, and volumes ¹	Use TxDOT Access Management Manual Table 2-3 below

¹- Final determination made by County.

Table 2-3: Auxiliary Lane Thresholds

Median Type	Left Turn to or from Property		Right Turn to or from Property ⁽⁵⁾	
	Acceleration	Deceleration	Acceleration	Deceleration
Non-Traversable (Raised Median)	(2)	All	Right turn egress > 200 vph (4)	<ul style="list-style-type: none"> ◆ > 45 mph where right turn volume is > 50 vph (3) ◆ ≤ 45 where right turn volume is > 60 vph (3)
Traversable (Undivided Road)	(2)	(1)	Same as above	Same as Above

Table 2-3 Notes:

- (1) Refer to Table 3-11, TxDOT Roadway Design Manual, for alternative left-turn-bay operational considerations.
- (2) A left-turn acceleration lane may be **required if it would provide a benefit to the safety and operation of the roadway**. A left-turn acceleration lane would interfere with the left-turn ingress movements to any other access connection.
- (3) Additional right-turn considerations:
 - ◆ Conditions for providing an exclusive right-turn lane when the right-turn traffic volume projections are less than indicated in Table 2-3:
 - High crash experience
 - Heavier than normal peak flow movements on the main roadway
 - Large volume of truck traffic
 - Highways where sight distance is limited
 - ◆ Conditions for NOT requiring a right-turn lane where right-turn volumes are more than indicated in Table 2-3:
 - Dense or built-out corridor where space is limited

- Where queues of stopped vehicles would block the access to the right turn lane
- Where sufficient length of property width is not available for the appropriate design

(4) The acceleration lane should not interfere with any downstream access connection.

- ◆ The distance from the end of the acceleration lane taper to the next unsignalized downstream access connection should be equal to or greater than the distances found in Table 2-2.
- ◆ Additionally, if the next access connection is signalized, the distance from the end of the acceleration lane taper to the back of the 90th percentile queue should be greater than or equal to the distances found Table 2-2.

(5) Continuous right-turn lanes can provide mobility benefits both for through movements and for the turning vehicles. Access connections within a continuous right turn lane should meet the spacing requirements found in Table 2-2. However, when combined with crossing left in movements, a continuous right-turn lane can introduce additional operational conflicts.

While any software that implements the **latest version** of the HCM can be used, the following are recommended:

- Synchro and SimTraffic for microsimulation
- Sidra Intersections for roundabouts
- Highway Capacity Software (HCS)

MODEL CALIBRATION SYNCHRO/SIMTRAFFIC

For microsimulation modelling, the model must be calibrated for existing conditions prior to analysis of any future condition. Common calibration requirements and techniques for the Synchro/SimTraffic software are provided below:

- Common data needed for Synchro model calibration includes travel time runs (at least five runs per direction during the AM and PM peak periods on a typical traffic day, usually Tuesday, Wednesday, or Thursday), which provide observed conditions regarding vehicular speeds and delays throughout the corridor. Existing queues and throughput can also be collected in the field during observations to aid in the calibration process. The extent of the calibration data necessary, or if alternative methods/data can be used, can be discussed at the scoping meeting.
- Model seeding time must allow a car to travel from one end of the network to the next. Customary simulation seeding times span from 900 seconds (15 minutes) to 1,800 seconds (30 minutes). Longer seeding times may be considered for excessively large networks or high congestion. Recording time must be at least one hour for each peak and must account for the peak hour factor.
- A minimum of five model runs must be completed before the average outputs of all runs can be used for analysis.

- Queues shall be observed over a couple of signal cycles at least, and queue lengths shall be recorded for each turning movement. Noting where queues are excessive (e.g., spill out of the turning bays, extend beyond the turning bays and to an adjacent intersection) can provide valuable information when calibrating the microsimulation model.
- If adverse outside operations impact the study area network, it is important to incorporate these impacts into the Synchro model; otherwise, the model may not reflect the existing conditions.
- Simulation travel time (from SimTraffic) is to be within 10% of observed travel time by roadway segment, by direction (e.g., from one major signalized intersection to another, by direction).
- Simulation turning movement queues must reflect observed queues.
- Changes to model calibration shall be documented and submitted for review.

ANALYSIS RESULTS

All analysis results shall be summarized in a comprehensive table, with separate tables for AM and PM peak hour results. The existing, background and total traffic conditions shall be compared in the same table for each time period.

The following section describes the results that are to be included in the TIA. These will be used to assess both the existing and future conditions as well as the overall impact of the proposed development.

- Highway Capacity Manual (HCM) methodologies within the software may be used to report various Measures of Effectiveness (MOEs), including Level of Service (LOS), intersection delay, and volume to capacity ratio for each intersection, and/or for turning movements at each intersection. In certain circumstances, as discussed during the scoping meeting, arterial LOS will be required for major roadway segments, by direction, within the study area.
- Queue shall be reported for each study intersection. The longest queue for each movement shall be reported **including through** and turning movements. Queues shall be reported along with the available storage capacity. When Synchro is used, the average and 95th percentile queues from SimTraffic shall be reported. If queues are excessive and extend beyond the storage length in the background condition, mitigation shall be recommended by the developer.
- In circumstances where 95th percentile queues for a particular turning movement block access to an adjacent travel lane (e.g., through queues blocking access to a right or left turn bay, left or right turn queues blocking access to a through lane), Percent Blocking times for 95th percentile queues must be reported (using SimTraffic outputs).
- For microsimulation that involves signalized intersections, submission of existing signal timing phase diagrams (hard copy or digital) will be required.

SECTION F7. OPERATIONAL REQUIREMENTS/MITIGATION

To promote sensible growth without restricting development, the minimum acceptable Total Traffic condition LOS requirement without mitigation, based on HCM methodologies, is **LOS D**. Mitigation may be necessary to manage queues and delays. The mitigation shall be required to improve the intersection operations back to the background condition and delay. Exceptions can be made at the discretion of the county. Developer mitigation shall be proposed in the TIA when the Total condition causes the facility to become inadequate as defined by the LOS requirements. Importantly, the comparison between the Background condition and the Total condition shall be used to determine if mitigation is necessary. Signal timing changes must be approved as an appropriate form of mitigation.

While the LOS and delay are key requirements for evaluating a TIA and determining the capacity of roadways, it does not provide a complete picture of the transportation impact in each area. Additional consideration shall be taken for all modes of transportation including pedestrian and bicyclist traffic. For example, if a proposed development could extend an existing sidewalk/bike lane facility, it is expected that the developer would work with the County to better the overall transportation network. Furthermore, queues, travel time, and movement availability are necessary to provide a more detailed analysis of traffic flow and potential issues. Queues, for example, can help identify areas where traffic is likely to back up, causing delays and potentially creating safety hazards. Turning movement availability is important if signal modifications need to be made to provide new phasing. By incorporating these additional operations into a Traffic Impact Analysis, planners and engineers can gain a more comprehensive understanding of the traffic impact in each area, which can inform decisions about geometrics and traffic operations.

If a roadway facility such as an intersection becomes inadequate exclusively from a proposed development, the developer is responsible to propose a mitigation strategy to provide improvements on the impacted facility such that it will operate at an adequate LOS. The mitigation must be applied to the facility or other transportation element that needs to be improved because of the proposed development. Mitigation by the developer is preferred, yet if circumstances deem that improvements will be infeasible, payment of impact fees or fees (if approved by the County) in lieu of construction towards an escrow account can be used to mitigate negative development effects on the roadway facilities. The payment shall be equal to the estimated cost of the improvement.

SECTION G7. SIGNAL WARRANTS

Performing signal warrants can be a crucial aspect of a TIA, as a new development may prompt the need for signalization to safely allow ingress/egress with the new facility. These criteria consider factors such as traffic volume, pedestrian activity, and safety concerns. A signal warrant analysis shall be included in the TIA if a traffic signal is proposed or if requested by the County. The analysis must be performed in accordance with the latest TxDOT Manual on Uniform Traffic Control Devices (MUTCD). Diurnal ITE trip generation rates shall be used if available.

Considerations such as left/right turn phase analysis, special operations (e.g., flashing signals) and pedestrian and bicycle accommodations shall be documented as well. After review of this analysis, the County may require additional study, including exploring other alternatives to signalization, before reaching a final determination as to the need for a signal. Meeting of a signal warrant(s) does not automatically guarantee the County will approve the new signal.

SECTION H7. TIA REPORT REQUIREMENTS

Prior to submitting a TIA, a Traffic Impact Analysis Scope of Work Agreement must be completed and agreed upon by both the County and the Developer/Consultant. Each TIA must be submitted in PDF format to the appropriate contact at Chambers County prior to any type of construction on the subject site. The document must contain the listed chapters/sections below. Additional sections may be included as needed based on the analysis.

1. Title Page
2. Executive Summary
3. Introduction and Study Area
4. Existing Conditions
5. Background Conditions
6. Projected/Total Conditions
7. Capacity Analysis
8. Sight Distance Analysis
9. Crash Analysis
10. Mitigation Measures
11. Conclusion
12. Appendix

TITLE PAGE

The title page must denote the name of the development, the address of the project, project number, application number, the date of submission, the developers name along with the consultant if applicable.

EXECUTIVE SUMMARY

This will include a summary defining the location and size of the development, the access points, the number of trips generated including by phase if needed, the year the development is anticipated to be complete, any CIP road program improvement and the general results of the traffic analysis including any mitigation measures. The scoping letter agreed to at the commencement of the study shall be included in the executive summary.

INTRODUCTION

This section must include the following information:

- A complete explanation of project including the type (land use) of development and proposed build year.
- A study area map displaying the site location, any new or existing proposed access points and all studied intersections analyzed in the report.

EXISTING CONDITIONS

The existing conditions refer to the current state of the transportation system, including the roadway network, traffic flow, safety, and other factors that affect the movement of vehicles through the study area. The purpose of this section is to establish a baseline condition for which the future scenarios can be compared. This scenario along with the background can help to determine if mitigation is necessary. This section shall include:

- A description of the traffic counts used in the study area, including the date/year the count was performed and location.
- A brief description of key roadways and intersections and road characteristics such as highway classification, AADT, typical cross-section, posted speed limit and non-motorized access including sidewalks.
- For warehouse, industrial or truck trip generators, the existing pavement section along the roadway fronting the site must be determined.
- Existing lane configuration and turning movement diagrams must be provided for the study area.
- Existing operations relating to the study area; These will include traffic operations and any queuing issues.
- The results of the traffic analysis for this condition shall also be included.
- A list of projects in the study area that are part of the Throughfare Plan

BACKGROUND CONDITIONS

The background refers to the future conditions including all nearby approved yet unbuilt developments and capital projects in the study area, *except* for the proposed development. This will include an annual growth rate based on TxDOT historical data for the last three years to develop the future year volumes. The calculation for the rate shall represent at least the last five years of data and be approved by the County. A minimum of 1% per year shall be used. The background traffic volume is defined below:

Background Traffic = Existing Traffic + Growth in Existing Traffic + Development Traffic

This section shall include the following:

- A description/list of any approved/funded capital projects impacting the study area.
- A background lane configuration and the following turning movement diagrams:
 1. Background growth traffic
 2. Approved yet unbuilt development traffic.

3. Total background traffic as defined above
 - A list of the approved yet unbuilt developments shall be included along with a map displaying the location of each new development.
 - The results of the traffic analysis for this condition with graphics or tables.

PROJECTED/TOTAL CONDITION

The projected condition is similar to the background, except the proposed development is included in the analysis. This future year's analysis will include the same background growth, approved yet unbuilt developments, and capital projects. The total traffic is defined as:

$$\text{Total Traffic} = \text{Background Traffic} + \text{Site Generated Traffic}$$

This section shall include the following information:

- The ITE land use code is used to forecast the trips generated by the site. A diagram with the approved trip distribution displaying only the trips generated by the site.
- The trip generation/pass by trips shall be noted.
- A diagram with the total traffic turning movement volumes shall be provided. If lane configurations are expected to change, a total condition lane configurations diagram shall also be provided.
- The results of the traffic analysis for this condition shall be displayed in graphics or tables.
- Depending upon the results of the analysis, an additional condition that includes any mitigation measures that are required to meet the TIA requirements.

TRAFFIC ANALYSIS

The procedures utilized to perform the capacity analysis will be identified. The capacity analysis results will be summarized in a table showing the existing, background, projected/total and projected/total with mitigation and include level of service and delay (seconds/vehicle). A chart will be provided showing queue lengths for signalized intersections. The analysis for determining the need for signals, multi-way stops and left, and right turn lanes as needed shall be included. Parking space requirements shall be included in the analysis.

SIGHT DISTANCE ANALYSIS

A sight-distance evaluation will be performed for the proposed access points. This shall identify the intersection sight distance for turns from the proposed access point and be compared to the recommended value based on the speed limit as shown in the American Association of State Highway and Transportation Officials (AASHTO) A Policy of Geometric Design of Highways and Streets 7th Edition or the latest.

CRASH ANALYSIS

The crash data shall be gathered and analyzed for the section of the roadway where the site entrances are proposed to be located.

PAVEMENT ANALYSIS (ON PUBLICLY MAINTAINED ROADWAYS)

For proposed developments that will generate truck traffic, an analysis of the pavement will need to be performed on the street(s) adjacent to the site entrance. This will include a determination as to the impact of the additional truck traffic will have on the roadways.

MITIGATION

If found to be needed, the consultant/developer will list improvements to mitigate the impacts generated by the site. The analysis results of these mitigation measures shall be included. Concept plans for both on-site and off-site improvements showing the proposed mitigation shall be developed. This includes the reserving of right-of-way to be in accordance with the Throughfare Plan.

CONCLUSION

The results of the study shall be concisely summarized. This shall include identifying the mitigation measures.

APPENDIX

The appendix shall include the following information in the following order:

- Approved Traffic Impact Analysis Scope of Work Agreement
- Latest development site plan (must be legible)
- Any relevant correspondence between the County and Developer/Consultant such as agreement to use a particular land use code, trip distribution, growth rate, etc., beyond the scoping document.
- All background development site trip generation diagrams
- All traffic counts used in the study.
- Synchro/SimTraffic and Sidra Intersection outputs

SECTION 17. CONCLUSION

In conclusion, a Traffic Impact Analysis is a crucial tool in assessing the potential impact of a development project on the surrounding transportation network. By providing detailed analysis of current traffic conditions and projecting future traffic patterns, such studies can inform the development process and ensure that appropriate mitigation measures are implemented to minimize adverse effects on traffic flow and safety. The guidelines presented in this document aim to provide a framework for conducting effective traffic impact studies, considering the unique characteristics of each project and the needs of the Chambers County. These guidelines will serve as a valuable resource for transportation planners, developers, and other stakeholders involved in the development process, helping to ensure that our transportation network continues to function efficiently and safely in the future.



Traffic Impact Analysis (TIA) Checklist

Instructions: Traffic Impact Analysis submissions shall contain the following information. Any submissions brought to the County with a missing or incomplete study may be rejected and not reviewed until all information has been provided. It shall be noted that not all items contained below will, necessarily, be required for every project.

The Consulting Engineer shall place one of the following marks (as appropriate) on each line (engineering reviewer shall verify each mark).

N/A - Not applicable **Y** - Provided

The following checklist is provided to assist the design professional in developing a complete Traffic Impact Analysis to expedite review by the Department. All final Traffic Impact Studies submitted for review are to include a copy of the checklist(s) signed by a design professional in responsible charge of the study. Submittals made that do not include the checklist(s) will be returned without review, comments, or approval. Compliance with the checklist, however, is not meant to relieve the design professional of responsibility for project design or the requirements outlined in the TIA Guidelines. The Traffic Impact Analysis shall contain the following:

- A. Cover sheet that contains:
 - 1) Title of Report
 - 2) Name of Project/Development
 - 3) Project Number and address of project
 - 4) Prepared for "name of developer"
 - 5) Date and application number of submission
 - 6) Name and Address of Traffic Consultant
- B. Executive summary which includes:
 - 1) Summary of location and size of proposed development, year development to be built, phases and trips generated
 - 2) Results of analysis
 - 3) Mitigation measures if needed
 - 4) Scoping letter
- C. An Introduction that consists of:
 - 1) Description of the project including proposed land use
 - 2) Study Area map and description of roadway/area

- D. Existing Conditions that include:
 - 1) A description of traffic counts
 - 2) Description of roadways and intersections
 - 3) Lane configuration and turning movement diagrams
 - 4) Report of field observations
 - 5) Pavement condition as applicable
 - 6) CIP road improvements
 - 7) Results of analysis
- E. Background Conditions containing:
 - 1) A list of nearby approved developments
 - 2) A list of nearby funded capital projects
 - 3) Background growth rate
 - 4) Lane configuration and turning movement diagrams
 - 5) Results of the analysis
- F. Projected/Total Conditions that include:
 - 1) Diagram with total traffic turning movement volumes
 - 2) Proposed lane configurations
 - 3) ITE trip generation summary and diagram with trip distribution
 - 4) Results of analysis
- G. Traffic Analysis which incorporates:
 - 1) Methodology
 - 2) Results of analysis for all conditions including turn lanes
 - 3) Parking needs
 - 4) Signal warrant analysis if needed
- H. Sight Distance Evaluation which consists of:
 - 1) Assessment of sight distance at access points
- I. Crash Analysis
 - 1) Evaluation of crash data
- J. Pavement Analysis
 - 1) Determine existing pavement section and impacts of truck traffic on roadways adjacent to site entrances.
- K. Mitigation which includes:
 - 1) Recommended measures including correlation to Throughfare Plan
 - 2) Results of analysis with mitigation measures
 - 3) Concept diagrams
- L. Conclusion consisting of:
 - 1) Summarize study and findings
 - 2) State if operations are expected to meet County guidelines
 - 3) Describe mitigation is applicable
- M. Appendix which includes:
 - 1) Approved Traffic Impact Analysis Scope of Work Agreement
 - 2) Latest development site plan

- 3) Relevant agreements from the County such as to use a particular land use code, trip distribution, growth rate, etc.
- 4) All background development site trip generation diagrams
- 5) All traffic counts used in the study
- 6) Synchro/SimTraffic, and if needed Sidra Intersection outputs

Applicant's Certification

I, the undersigned, hereby certify that the attached Traffic Impact Analysis has all items required by Chambers County Traffic Impact Analysis Guidelines. I understand that if any of the items required are deemed missing from the study, the study will not be acceptable for review and will be returned as incomplete. My client is aware of this criterion and will accept all responsibility for delays due to an incomplete study. I am enclosing an explanation for each item which I feel is not required and, therefore, has not been included in this study.

Design Professional's Signature _____ Date _____

NOTE: DESIGN PROFESSIONAL MUST SIGN THIS CHECKLIST

Reviewer's signature _____ Date _____

CHAMBERS COUNTY

TRAFFIC IMPACT ANALYSIS SCOPE OF WORK AGREEMENT

Contact Information		
Transportation Consultant (Company, contact, email, and phone number)	Click or tap here to enter text.	
Name of Applicant/ Developer	Click or tap here to enter text.	
Email	Click or tap here to enter text.	
Phone Number	Click or tap here to enter text.	
Project Information- Attach Tables/Graphics As Needed		
Project Name (include plan no. if known)	Click or tap here to enter text.	
Project Location (include address if known)	Click or tap here to enter text.	
Area Type	Click or tap here to enter text. <table border="1" style="float: right; margin-left: 20px;"> <tr> <td>Urban or Rural</td> </tr> </table>	Urban or Rural
Urban or Rural		
Project Description & Previous Approvals (Proposed ITE land uses, zoning, no. of units, square footage, construction phasing, prior approvals and proposals, existing uses, site operations, year built, other relevant info)	Click or tap here to enter text.	

CHAMBERS COUNTY

<p>Site Access</p> <p>(proposed access location(s), existing/adjacent/opposite curb cuts, interparcel connections, access configurations and restrictions, internal circulation, private roads, parking/loading areas,)</p>	<p>Click or tap here to enter text.</p>											
<p>Transportation Analysis Requirement</p> <p>(refer to Chambers County TIA guidelines)</p>	<p><input type="checkbox"/> Traffic Study</p> <p>Generates <u>50 or more</u> total weekday single peak hour trips</p>	<p><input type="checkbox"/> Traffic Study Exemption Statement</p> <p>Generates <u>49 or fewer</u> total weekday single peak hour trips. STOP HERE if this box is checked</p>										
<p>Traffic Impact Analysis Assumptions</p>		<p>Include Tables/Graphics, As Needed</p>										
<p>Study Years / Phases</p>	<p>Existing Year: Click or tap here to enter text.</p>	<p>Phases / Build-out Year(s): Click or tap here to enter text.</p>										
<p>Study Periods</p>	<p><input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> Mid-day <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday <input type="checkbox"/> Other: Click or tap here to enter text.</p>											
<p>Study Intersections</p> <p>(List all signalized & significant unsignalized intersections, and site driveways; traffic counts must be collected within 12-months in urban areas and 24 months in rural areas of completed TIA scope agreement)</p>	<p>Number of intersections to study: Click or tap here to enter text.</p> <p>For the purpose of determining the number of study intersections, refer to the TIA guidelines which outlines the study area based on the maximum ITE generated peak hour trips.</p> <table border="1" data-bbox="444 1507 1487 1724"> <tr> <td>1) Click or tap here to enter text.</td> <td>7) Click or tap here to enter text.</td> </tr> <tr> <td>2) Click or tap here to enter text.</td> <td>8) Click or tap here to enter text.</td> </tr> <tr> <td>3) Click or tap here to enter text.</td> <td>9) Click or tap here to enter text.</td> </tr> <tr> <td>4) Click or tap here to enter text.</td> <td>10) Click or tap here to enter text.</td> </tr> <tr> <td>5) Click or tap here to enter text.</td> <td>11) Click or tap here to enter text.</td> </tr> </table> <p>6) Click or tap here to enter text.</p> <p>add more rows if necessary</p>		1) Click or tap here to enter text.	7) Click or tap here to enter text.	2) Click or tap here to enter text.	8) Click or tap here to enter text.	3) Click or tap here to enter text.	9) Click or tap here to enter text.	4) Click or tap here to enter text.	10) Click or tap here to enter text.	5) Click or tap here to enter text.	11) Click or tap here to enter text.
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4) Click or tap here to enter text.	10) Click or tap here to enter text.											
5) Click or tap here to enter text.	11) Click or tap here to enter text.											

CHAMBERS COUNTY

<p>Trip Generation</p> <p>(ITE code(s), methodology, current approvals, proposed uses, trip reduction allowance)</p>	<p>Click or tap here to enter text.</p>		
<p>Proposed Total AM Peak Hour Trips</p>	<p>Click or tap here to enter text. Trips</p>	<p>Proposed Total PM Peak Hour Trips</p>	<p>Click or tap here to enter text. Trips</p>
<p>Reductions / Mode Split</p> <p>(Include justification and supporting documentation for internal capture, pass-by, diverted, bicycle/pedestrian)</p>			
<p>List Multimodal Transportation in Study Area</p> <p>(Include sidewalks, bicycle lanes)</p>			
<p>Trip Distribution</p> <p>(Show percentage distribution throughout study area with proposed percentages for new in/out trips)</p>			

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<p>List Background Developments to be considered as background traffic</p> <p>(Include name/description, land uses, and sizes for approved but unbuilt developments or concurrently pending applications)</p>	
<p>Approved Background Rate (TxDOT growth)</p> <p>Additional Growth Rate historical</p>	
<p>Capital Improvement Projects Included</p> <p>(Funded County, State developer projects, Thoroughfare Plan etc.)</p>	
<p>Additional Analysis or Software Required</p>	<p><input type="checkbox"/> Queuing Analysis</p> <p><input type="checkbox"/> Signal Warrant Analysis</p> <p><input type="checkbox"/> Freeway Analysis</p> <p><input type="checkbox"/> Crash Analysis</p> <p><input type="checkbox"/> Synchro</p> <p><input type="checkbox"/> SIDRA</p> <p><input type="checkbox"/> Sight Distance</p> <p><input type="checkbox"/> Other _____</p>
<p>Clarifications</p>	

CHAMBERS COUNTY

COMPANY

CHAMBERS COUNTY STAFF SIGNATURE

DATE

PRINT NAME

Please include a signed copy of this document and accompanying graphics with submitted traffic study or statement.



SECTION J7. GLOSSARY

ACCESS – is the ability to enter or leave a public street or highway from an abutting private property or other public street.

ACCESS MANAGEMENT – is the control and regulation of the spacing and design of driveways, ramps, medians, median openings, traffic signals, and intersections on arterial roads to improve safe and efficient traffic flow on the road system.

ADJACENT STREET – a public street that is adjacent to and/or abutting one or more sides of the proposed site.

APPLICANT/REPRESENTATIVE – owner or representative (e.g., traffic engineering consultant) actively involved in the permitting process and submitting the required checklist and/or traffic study to TxDOT.

AVERAGE ANNUAL DAILY TRAFFIC – is the average number of vehicles crossing a specific point on a roadway in a year divided by 365/366 days.

AVERAGE TRIP RATE – is the weighted average of the number of vehicle trip or trip ends per unit of independent variable used as part of the ITE Trip Generation Manual .

BACKGROUND TRAFFIC – refers to an estimate of future traffic within the vicinity of the proposed development, without the site development traffic, but with existing traffic adjusted for expected growth, and addition of traffic from other approved developments.

CAPACITY – means the maximum rate of flow at which persons or vehicles can be reasonably expected to traverse a point or uniform segment of a lane or roadway during a specific time period under prevailing roadway, traffic, and control conditions; usually expressed as vehicles per hour (VPH).

CRASH ANALYSIS – a summary of the crash history on a roadway during a specified period of time.

DIURNAL – percentage of average daily traffic on a hour by hour basis for a particular land use.

DRIVEWAY – an entrance used by vehicular traffic to access property abutting a street.

FULL BUILD-OUT YEAR – the expected year of completion of the proposed development, when its capacity for attracting and producing traffic is maximized.

INTERNAL CAPTURE – is the percentage of the total number of trips from a site that are contained within on-site circulation systems only.

ITE TRIP GENERATION – is the most widely used reference source, published by the Institute of Transportation Engineers (ITE) for trip generation data for site level planning and analysis.

LEVEL OF SERVICE – a qualitative measure describing the operational conditions within a section of roadway or at an intersection that includes factors such as speed, travel time, ability to maneuver, traffic interruptions, delay and driver comfort. Level of service is described as a letter grade system (similar to a school grading system) where delay (in seconds) is equivalent to a certain letter grade from A through F.

MODE SPLIT – the estimation of the number of trips made by each mode (automobiles, pedestrian, transit, etc.)



MITIGATION – the reduction of traffic impacts on roadways and/or intersections to an acceptable level of service by way of roadway construction improvements, the upgrade of existing traffic control devices, or the modification of the site plan. This could also include multi-modal improvements such as the construction of sidewalks, bike lanes or transit facilities such as shelters.

MITIGATION MEASURES – steps that can be taken or improvements that can be made to minimized the impacts of traffic from a proposed development on the adjacent street.

MULTI-PHASE-DEVELOPMENT – any proposed development that is developed with more than a single phase of construction.

MIXED-USE DEVELOPMENT – land development that includes two or more different types of land uses; for example residential, commercial and industrial.

MUTCD – (Manual on Uniform Traffic Control Devices) This federal publication established the methodology to study, design install and operate signs, signals and pavement markings on a uniform basis across the United States.

NEW DEVELOPMENT – any commercial, industrial, residential, or other project which involves new construction, enlargement, reconstruction, redevelopment, relocation, or structural alteration and which is expected to generate additional vehicular traffic.

OFF-SITE IMPROVEMENTS – those capital improvements which are not on-site improvements.

ON-SITE IMPROVEMENTS – all improvements constructed on the applicant’s property, or the improvements constructed on the property abutting the applicant’s property necessary for the ingress or egress to the applicant’s property, and required to be constructed by the applicant.

PASS-BY TRIPS – trips that are attracted to a site from existing traffic passing the site on the adjacent street or roadway that provides direct access to the site.

PEAK HOUR – the highest volume hour of use determined by the existing volumes along the roadway.

PEAK HOUR FACTOR (PHF) – is the ratio of the hourly volume to four times the peak 15-minutes volume within the analysis hour. A measure of traffic demand fluctuation within the analysis hour. The analyst shall calculate the peak hour factor by intersection.

PEAK PERIOD – the one hour in the morning and in the evening of a representative weekday or weekend day during which the highest volume of traffic is generated by a site (peak hour of generator) or is present on the adjacent roadway (peak hour of adjacent roadway); for example , the peak hour of adjacent roadway on a weekday is likely to occur in the 6:00–9:00 AM period (AM peak) and 3:00-7:00 PM (PM peak), while the peak hour of a trip generator such as a movie theater may occur in the 7:00-8:00 PM period on a Saturday).

REGRESSION EQUATION – as part of the ITE Trip Generation Manual one of two methods to determine the number of trips to be generated based on a fitted equation.

RURAL/URBAN AREA – the limits as established by the Houston Galveston Area Council for the adjusted urbanized areas.



SIGNALIZED INTERSECTION – an intersection under the operational control of a traffic signal having a designated cycle length with red, yellow, and green signal head assemblies.

SIGHT DISTANCE – the length of the roadway visible to the driver.

STORAGE LENGTH – the portion of an auxiliary lane used to store vehicles.

STUDY AREA – the street network and land uses within a -mile radius of the boundaries of the property under consideration, including the principal intersections, roadway segments and development, both existing and proposed.

TOTAL TRAFFIC – the addition of existing plus background traffic plus the site generated traffic.

TRAFFIC IMPACT – the effect of site traffic on highway and/or roadway operations and safety

TRAFFIC MODELING – the use of a computer model such as Synchro to provide detailed analysis of the interaction between traffic, roadway geometry and traffic control devices (sometimes referred to as Traffic Simulation).

TRAFFIC STUDY – an engineering analysis that meets all the requirements of the Houston District Traffic Study Guidelines.

TRAFFIC VOLUME – is the number of vehicles passing a point on a highway during a specific time period.

TRIP – is a single or one way directional movement.

TRIP ASSIGNMENT – the assignment of site plus non-site traffic to specific streets and highways.

TRIP DISTRIBUTION – is the arrival and departure patterns for trips to and from the site by geographic area.

TRIP GENERATION RATE – are average rates of vehicular travel to and from a development, usually cited per square foot, per housing units or per acre.

TRIP GENERATION – is the total number of vehicular trips going to and from a particular land use on a specific site during a specific time period.

TURN LANE ANALYSIS – an evaluation of the turning movements at a particular intersection, including the number of turning movements, the direction of turns, the time of day, etc. and the need for turn lanes or additional turn lanes.

UNSIGNALIZED INTERSECTION – an intersection under the operational control of stop sign(s) or yield sign(s).