ELLIS COUNTY QUALITY GROWTH INITIATIVES



VOLUME I
SUBDIVISION & DEVELOPMENT STANDARDS

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SECTION I
GENERAL INFORMATION & ADMINISTRATION

A. OFFICIAL NAME

The official name of these regulations shall be the "**Ellis County Quality Growth Initiatives, Volume I—Subdivision and Development Standards**."

B. AUTHORITY

These regulations are adopted under the authority of the Constitution and Laws of the State of Texas, including but not limited to the Texas Local Government Code, as amended, and any other applicable laws, regulations, and approved orders.

C. PURPOSE

(1) The purpose of these regulations includes but is not limited to promoting quality growth and development within Ellis County and providing regulations leading to a desirable environment for all citizens, both residential and nonresidential.

(2) These regulations ensure to:

(i) Furnish the owner/applicant with guidance and assistance in the expedient preparation and approval of their development, project, etc., with a set of uniform regulations for all to follow, and

(ii) Protect the health, safety, and general welfare of the citizens of Ellis County by providing regulations and standards for all types of developments by planning infrastructure and assuring that adequate streets, drainage facilities, and structures are provided in subdivisions and maintained without imposing a burden on the taxpayers in the future, and;

(iii) Provide for the proper arrangement and construction of roads, and ensure the appropriate relationship of roads to existing and future roads, and;

(iv) Ensure adequate ingress and egress for all emergency response vehicles, and

(v) Provide standards for the approval and recording of all subdivision plats, and

(vi) Provide procedures in meeting the requirements of the Commissioners' Court for acceptance and approval of said plats and the improvements therein.

(3) These regulations are not intended to prohibit testamentary land divisions, a division of land as a result of the dissolution of a corporation or partnership, or subdividing land for agricultural purposes.

D. EFFECTIVE DATE

(1) These regulations shall become effective upon passage by the Commissioners Court, unless otherwise indicated. Subsequent amendments and changes may be found in the History Section of the regulations. Such amendments and changes shall also be effective as of the date of the passage by the Commissioners Court, unless otherwise indicated.

(2) Plats and other permits submitted before the effective date shall be subject to the regulations in effect at the time of submittal.

E. CONSISTENCY WITH OTHER REGULATIONS

(1) These regulations shall be consistent with the Drainage Design Manual (Ellis County Quality Growth Initiatives, Volume II) and the Standard Construction Details (Ellis County Quality Growth Initiatives, Volume III) and any other supplemental land use and community development policies that may be adopted by the Commissioners' Court.

(2) These regulations shall be cumulative of all other orders of Ellis County, Texas.

(3) If a conflict should arise with other applicable orders, the strictest shall apply until an updated order is approved by the County Commissioners' Court or as interpreted by the Director as outlined in Section I (G).

(4) If a permit, plat, or other item requiring approval is issued or approved in error and it violates the current adopted regulations, that permit does not invalidate the established regulations, and that permit, plat, or other item requiring approval shall be voided immediately upon notification to the applicant.

F. AMENDMENTS

(1) As needed, the Commissioners' Court may amend these regulations to reflect desired changes and updates in policy. The Commissioners Court shall hold a public hearing on all proposed written amendments in open session after publication in a newspaper of general circulation for at least fifteen (15) days before the public hearing date.

(2) As an exception to the notice and requirements above, the Director or designee may amend the illustrations or historical section within these regulations to better assist in graphically depicting portions of these regulations.

G. INTERPRETATIONS

(1) As needed, the Director shall provide interpretations of these regulations.

(2) Rulings made by the Director are issued on a case-by-case basis and shall not set a precedent for other similar situations.

(3) Should an applicant disagree with the interpretation provided, that decision may be appealed to the Commissioners' Court at a subsequent meeting.

H. DEED RESTRICTIONS

(1) Developer-initiated and development deed restrictions are considered private, and Ellis County cannot enforce any deed restrictions. Any enforcement of the developer's deed restrictions shall rest solely with the developer, builder, property owners, purchaser, homeowners/property owners' association, or similar.

(2) Any plat approval, permit, or variance issued or given by the County is based solely on meeting the County's established rules, regulations, criteria, and following all procedures and requirements in effect at that time.

I. APPLICABILITY

(1) A division of any kind on a tract of land referenced in this section is defined as using a metes and bounds description in a deed of conveyance or a contract for a deed, using a contract of sale or other executory contract, purchase option, rental agreement, or using any other method to convey property.

J. ENFORCEMENT

(1) Any person, firm, or corporation that violates any of the provisions of these regulations or who fails to comply with any provision hereof within Ellis County shall be subject to civil or criminal penalties, pursuant to Section 232.005 of the Texas Local Government Code, including enjoining the violation and recovering damages to complete construction and/or bring about compliance.

K. SEVERABILITY CLAUSE

If any section, article, paragraph, sentence, clause, phrase, or word of these regulations, or application, thereto, any person or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of these regulations. The Commissioners' Court hereby declares that it would have passed such remaining portions of these regulations despite such invalidity, which remaining portions shall remain in full force and effect.

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SECTION II
DEVELOPMENT REVIEW PROCESS & PROCEDURES

A. PRE-APPLICATION MEETING

(1) Before the acceptance or submittal of any development-related application, the applicant of the proposed development is strongly encouraged to meet with the Ellis County Growth Assessment Team (GAT) to review the project and make recommendations designed to assist in processing and expediting the application promptly, while minimizing any issues.

(i) The Director or designee may waive this meeting if, in their determination, the requested development or project is minor or has minimal impact on current infrastructure.

(ii) The pre-application meeting does not vest any proposed plat, development, project, or application with the existing regulations as defined in Chapter 245 of the Texas Local Government Code. It is intended to serve as an informal venue for addressing any unforeseen issues, providing advice and direction, and assisting the developer in understanding the regulations and development process.

(2) The Ellis County Growth Assessment Team is chaired by the Director or designee and may include representatives from other departments, which include but are not limited to the Department of Development, Engineering, Fire Marshal's Office, the precinct commissioner, and other persons deemed necessary to ensure an appropriate and complete review.

B. FORMAL APPLICATION SUBMITTAL

(1) To ensure there is no delay in processing any application, the applicant shall submit their proposed development for review by no later than the date and time as indicated on the latest Submittal Calendar and Meeting Schedule, if the project requires approval from the Ellis County Commissioners' Court.

(i) All residential projects not requiring approval from the Commissioners' Court or internal approval and meet the current platting and road frontage requirements may proceed to submit the applicable documentation for a permit application. Upon approval, all permits shall be displayed in a visible location along the road at all times during construction.

(ii) All non-single-family, commercial, industrial, and nonresidential uses shall meet the requirements prescribed in subsection (i), along with approval from the Department of Development, County Engineer, and the Fire Marshal's Office prior to starting construction. Both the development permit and the Fire Marshal's permit shall be placed in an area visible from the road during construction.

(iii) No permits shall be issued unless all the necessary regulations and requirements for that specific development have been satisfactorily completed and approved.

(2) All items required for a formal application submittal shall be as shown on the most-recently updated application.

(3) The fees for each application type shall be as listed on the most recently adopted Master Fee Schedule, as adopted by the Commissioners' Court.

(4) Upon submittal of required items in Section II (B) (2), the Department of Development shall review the submittal contents to determine if it is a complete submittal prior to its initial review.

(i) It is the obligation of the applicant to submit all information necessary for proper review by the County.

(ii) If the application does not contain all required accompanying information based on the latest application checklist at the time of filing, it is deemed an incomplete submittal and will not be accepted and shall wait to be filed for a future submittal date until all necessary items accompany the application.

(5) Upon successful application submittal, based on State law, the Ellis County Growth Assessment Team will formally review the proposed project to ensure it meets all associated County requirements and regulations.

(i) In the formal review process, the Growth Assessment Team may require additional items to ensure an overall and complete review, and will give the applicant a reasonable time frame by which such items shall be submitted to continue the review process.

(ii) If the additional requested information is not submitted within the period stated, the application is subject to Section II (B) (4) may be deemed incomplete or be disapproved.

(iii) A one-time 30-day extension period may be granted if it meets the provisions established under Section 232.0025 (f) of the Texas Local Government Code.

(6) Once all departmental requirements and related items have been met, the project may move forward to the Commissioners' Court or administrative review for approval (see Section III) or for permitting. Unless otherwise indicated in state law, staff cannot review plats and civil plans simultaneously.

C. COURT ACTION

(1) If applicable, upon successful submittal of a plat application or other application requiring action from the Commissioners Court, complete review, and after it is determined to be

complete and meets all applicable County requirements, the application shall be placed on the agenda of the Commissioners' Court for their consideration.

(2) Any action before the Commissioners' Court shall require an affirmative majority vote to officially approve the application.

(3) If the Commissioners' Court or their designee conditionally approves or disapproves a plat application, it shall provide an explanation for the disapproval as stated in Section 232.0026 and 232.0027of the Texas Local Government Code. A resubmittal can be followed up as stated in Section 232.0027 of the Texas Local Government Code.

D. ADDRESSING AND NAMES

(1) Unless otherwise indicated by state law or other applicable regulations, addressing shall be assigned upon approval of an addressing application.

(2) For ease in the emergency location of an address, all residences shall prominently display the numerical street address for easy recognition. Please see the adopted Fire Code for applicable standards.

(3) Road and street names shall be checked to avoid duplicate names or similar spellings for other roads in the county and surrounding area.

(4) The applicant or developer shall submit to the County's designated authority the proposed names for any new road, plat, or subdivision or change in subdivision name for review and approval prior to any plat application or civil plan submittal (see Volume III, Section (L) (2) for more information.

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SECTION III
PLATS

A. JURISDICTION

(1) If the property to be platted or subdivided lies entirely within the limits of a city, the applicant shall consult directly with that city about all platting procedures and requirements.

(2) This section shall apply to property located outside the limits of any municipality within the boundaries of Ellis County that subdivides a tract of land to lay out a subdivision in accordance with Section 232.001 (a) of the Texas Local Government Code.

(i) If the property to be platted or subdivided lies wholly or partially within the extraterritorial jurisdiction (ETJ) of any municipality, the platting approval procedure shall be established by the approved Interlocal Agreement between the County and that municipality.

(a) If you are unsure regarding the applicable jurisdiction, contact the Department of Development prior to submission of application materials.

(b) A city or the County may cede authority in their respective area to the other to expedite the plat application on a case-by-case basis, as long as an accompanying letter from an official authorized representative of that entity is received.

(ii) If the property is located in multiple ETJs, Section 212.007 of the Texas Local Government Code shall apply, unless one of the cities cedes its authority to another in a written form.

B. PLAT REQUIRED

(1) A plat is required when subdividing property that results in "the division of any tract or parcel of land into two or more parts to lay out any division of the tract, including an addition, lots, or streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to the public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alleys, squares, parks, or other parts."

(2) A subdivision plat is not required if it meets one of the exemptions outlined in Section 232.0015 (a) – (d) & (f) – (k) of the Texas Local Government Code. Plat exemptions mentioned in Section 232.0015 (e) shall comply with Section VIII (D) of this section.

(i) If at any time the applicable exemption ceases to meet statutory criteria, then the platting requirements shall immediately apply.

(ii) A Platting Exemption Affidavit shall be notarized, filed, and submitted to the Department of Development to prove a property owner's applicable exemption to platting and follow the necessary procedures.

(3) All plat submittal requirements shall be found in the Plat Application checklist and shall include a groundwater availability certification as required in Section 232.0032 of the Texas Local Government Code and in consultation with Prairielands Groundwater Conservation District (PGCD) for any proposed use of groundwater that falls within their jurisdiction, based on the approved Interlocal Agreement (Order No. 530.22). Please refer to the table below, as indicated by SB 2440 (88th Texas State Legislature), effective January 1, 2024.

NO. OF LOTS	GROUNDWATER CERTIFICATION REQUIRED
More than 10 lots	Required
Less than 10 lots and not able to further subdivide	Not Required
Less than 10 lots and able to further subdivide or part of the original tract	Required

C. APPLICATION

All plats within this section are required to follow the procedures and requirements outlined in Section II. A sample plat with all required wording and format is available on the Ellis County website.

D. PRELIMINARY PLAT

(1) A preliminary plat shall be required for the following situations listed below and shall have existing 2-foot contours in the drawing:
- (i) all new and proposed subdivisions with internal roads, or
- (ii) five (5) or more proposed lots located along an existing road, and;
- (iii) approved subdivision name and streets as indicated in Section II (D) (4), and;
- (iv) a will-serve letter from the applicable water provider or groundwater certification, and;
- (v) other documents/requirements at the time of submittal that are compliant with State law.

(2) The preliminary plat requirement is consistent with the provisions outlined in Title 30, Chapter 285.4 (c) of the Texas Administrative Code.

(3) A preliminary plat meeting the criteria of Section III (D) (1) and, upon meeting all applicable County regulations, the Director shall take action to approve, approve with conditions, or disapprove the preliminary plat with possible ratification at the next available by the Commissioners' Court, within the time period required by State law.

(4) Preliminary plats shall expire eighteen (18) months after approval if no civil plans or final plat are submitted. The Director or designee may approve a one-time extension of six (6) months upon written request by the applicant.

E. ENGINEERING PLANS & CONSTRUCTION

(1) After preliminary plat approval and in other applicable situations, as determined by either the County Engineer or designee, where the property is intended to be developed, engineering, construction, drainage plans, and other documents required by the County Engineer shall be submitted for review and shall meet all the requirements and be approved prior to the acceptance of a final plat application.

(i) A comprehensive drainage plan is required upon request by the County Engineer or designee on a case-by-case basis to determine potential adverse impacts attributed to any proposed subdivision or development activity, regardless of the size of the project. A preliminary drainage plan may be submitted during the preliminary plat stage.

(a) The County Engineer may waive this requirement if, in their professional opinion, the proposed development does not cause any significant runoff or affect adjacent right-of-way or properties.

(ii) No preliminary grading permit or equivalent shall be issued for any work on the site prior to the approval of these plans or the required bond as stated in Section VII. Failure to comply will result in applicable civil or criminal penalties, as stated in Section I (J).

(2) Upon approval of the engineering plans, a pre-construction meeting with County staff is required, and the developer shall contact the County development office to schedule such a meeting.

(3) At the time of the pre-construction meeting, all applicable subdivision and inspection fees and bonds shall be due. (see Section VII for more information).

(4) Upon acceptance of applicable bonds by the Commissioners Court, payment of applicable fees, and meeting any other conditions set forth, the developer can begin construction of the roads and necessary infrastructure, as shown on the approved engineering, construction, and drainage plans. Any deviations from the approved set of plans shall require additional approval from the County Engineer. Failure to comply with the approved set of plans will result in applicable civil or criminal penalties, as stated in Section I (J).

(5) Upon completion and approval of the infrastructure by staff, the developer shall submit a signed affidavit indicating that it meets County requirements, and, if applicable, a maintenance bond shall be submitted for Commissioners' Court approval. The applicant shall also proceed to file a plat application as outlined in Section II (C) and Section III (F).

F. FINAL PLAT

(1) The primary purpose of a final plat is to complete the last stage of approval of a subdivision or addition as a condition of recording a division of land or property, dedicating right-of-way and easements before recording it in the Ellis County Clerk's Office.

(i) If applicable, a final plat submitted for review shall closely match the layout of the preliminary plat and civil plans and shall not exceed the number of lots or acreage approved in the preliminary plat stage.

(ii) Prior to the submittal of a final plat and, if applicable, all approvals from Engineering are required.

(2) Upon review of the related documents and meeting the County's requirements found in Volumes I, II, and III of the Quality Growth Initiatives, along with the approval of any required engineering plans, the Director shall take action to approve, approve with conditions or disapprove the final plat, in accordance with the approved regulations, and as required by State law, with ratification by the Commissioners Court within the time period required by State law prior to filing the plat with the Clerk's Office.

(i) The Director may internally administratively approve a final plat within the time period required by state law, if it meets the following criteria:

(a) Creates four (4) lots or fewer; and,

(b) Located along an existing paved public road; and,

(c) Does not require the extension or widening of any county-maintained infrastructure; and,

(d) Does not have an approved variance on the property.

(ii) The Director shall make a determination if, in their professional opinion, there is an attempt to circumvent the preliminary plat process by piecemealing the development to fit this criteria.

(iii) Any such plat that the Director refuses to approve under subsection (ii) shall be referred to the Commissioners Court within the time period required by State law.

(iv) Plats administratively approved by the Director shall be brought forth via a report to the Commissioners Court at a future meeting not to exceed one (1) month after approval.

(3) Additional steps may be required by staff to finalize the final plat approval process and will be provided as expeditiously as possible when necessary.

(4) Approval of a final plat does not constitute acceptance of public infrastructure until it meets the County's requirements and the Commissioners' Court accepts it as a county road, at their discretion.

G. REPLAT

(1) The primary purpose of a replat is to revise a previously-approved and recorded plat with the Ellis County Clerk's Office.

(2) This subsection may adhere to Sections 212.014 & 212.015 of the Texas Local Government Code (allowed by Section 232.0095) and is so incorporated by reference, along with Sections 232.009 and 232.0095 of the Texas Local Government Code, where applicable, unless otherwise indicated.

(3) At the discretion of the County Engineer, engineering and civil plans may be required prior to a plat application submittal.

(4) Upon successful submittal of an application and after it is determined to meet these regulations, the Director shall recommend to approve, approve with conditions, or disapprove the replat to the Commissioners Court within the time period required by State law prior to filing the plat with the Clerk's Office and meeting the notification requirements below.

(i) Any property owner notification requirements may adhere to Section 212.015 (f) of the Texas Local Government Code.

(ii) Notice on the County website during the review period.

H. AMENDING PLAT

(1) The primary purpose of an amending plat is to correct minor issues or revise previously approved and recorded plats as indicated in Section 212.016 (as allowed by Section 232.0095 (b)) and is so incorporated by reference along with Section 232.011 of the Texas Local Government Code, where applicable.

(i) The Director may internally administratively approve an amended plat within the time period required by state law, if it meets the following criteria below; otherwise, the plat shall be brought forth to Commissioners Court.

(a) Affects four (4) lots or fewer; and,

(b) Does not require the extension or widening of any county-maintained infrastructure to serve it; and,

(ii) Any such plat approved in this manner shall be brought forth via a report to the Commissioners Court at a future meeting not to exceed one (1) month via approval.

(iii) Any such plat that the Director refuses to approve shall be referred to the Commissioners Court within the time period required by State law.

(2) At the discretion of the County Engineer, engineering plans may be required prior to a plat application submittal.

(3) Upon successful submittal of an application and after it is determined to meet these regulations, the Director shall take action to approve, approve with conditions, or disapprove the amending plat, in accordance with the approved regulations, with

ratification by the Commissioners Court within the time period required by State law prior to filing the plat with the Clerk's Office

I. CANCELLATION OF SUBDIVISION/PLAT VACATION

(1) The primary purpose of this type of plat is to cancel or vacate all or part of the subdivision, which may or may not include dedicated easements or roadways/rights-of-way, and reestablish the property as areas tracts as it existed before the subdivision.

(2) Any plat may be vacated, revised, or superseded in total or in part by compliance with the procedures and requirements of these regulations, along with Section 212.013 of the Texas Local Government Code, as allowed by Section 232.0095 (b), and is so incorporated by reference.

(3) Upon successful submittal of an application and after it is determined to meet these regulations, the Director shall take action to approve, approve with conditions, or disapprove the plat vacation/cancellation, in accordance with the approved regulations, with ratification by the Commissioners Court within the time period required by State law prior to filing with the Clerk's Office.

(i) The Commissioners' Court may exclude previously dedicated rights-of-way, easements, or roads in its approval of a cancellation of a subdivision.

(4) At the discretion of the County Engineer, engineering plans may be required prior to a plat application submittal.

J. DORMANT PROJECTS

(1) A project is considered dormant if it does not have an expiration date and no progress has been made towards the completion of the project.

(i) Progress towards completion of the project shall be as stated in Section 245.005 of the Texas Local Government Code.

K. MISCELLANEOUS

(1) Upon successful completion of any additional requirements required by the Court, the instrument shall be filed and recorded in the deed records of the County immediately.

(2) Where applicable, property shall not be divided, sold, conveyed, developed, constructed, or movement or placement of any structures onto the site until all applicable permit applications, plats, civil plans, culvert sizings, and any other necessary items and permits have been submitted, reviewed, approved, and filed.

(i) It is the responsibility of the property owner to ensure all necessary approvals are met.

(ii) All culvert sizings, permanent or temporary, shall be installed per the sizing approved by the County Engineer or the precinct commissioner.

(3) Plat approval and acceptance by the County does not relieve the developer from obligations, including fees, required by other sections of this or other orders of the county about the improvement of the property or extension of services as needed to make the property suitable for development.

(4) Approval of any plat by the Commissioners' Court shall not be deemed an acceptance of the proposed dedications, if any shown thereon, and shall not impose any duty upon the County concerning maintenance or improvements of any such dedications.

(i) Dedication of right-of-way shall not relieve the property owner from obligations for street construction or assessments associated with public street improvement programs.

(ii) The Commissioners' Court shall determine which dedications are accepted for County maintenance after the owner's maintenance period has expired (see Section VII (C)) for more information).

(iii) The acceptance of roads for County maintenance and release of maintenance bond shall be placed on the next available Commissioners' Court meeting in an open court session upon satisfaction of all requirements outlined in Section VII and an approved final inspection.

(iv) Until any road within a dedicated right-of-way is built to County standards by the developer, and accepted by the County developer, or the property owner of the right-of-way shall maintain this area.

(5) A pre-construction meeting shall be scheduled between the developer, contractor, and the Department of Development and the County Engineer's Office before any construction of infrastructure. It is the responsibility of the developer to schedule that meeting.

(6) If groundwater is the source of water supply for the project, the application shall include all other requirements as listed in Section 232.0032 of the Texas Local Government Code.

(7) The following notes shall be placed on the plat, when appropriate:

(i) Blocking the flow of water or constructing improvements in the drainage easements is prohibited.

(ii) The existing creeks, drainage channels, or drainage easements traversing along or across this addition will remain as open channels and will be maintained by the homeowners' association (HOA) or individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.

(iii) Ellis County shall not be responsible for the maintenance and operations of drainage easements, structures, or for the control of erosion.

(iv) Ellis County shall not be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flood conditions.

(8) A developer and/or a developer's engineer shall not place a statement on the final plat limiting or denying any liability they may have for flooding or drainage problems.

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SECTION IV
GENERAL REQUIREMENTS

A. LOTS & STRUCTURES

(1) Any property with the intention to develop, whether platted or not platted, shall meet the requirements listed below.

(i) Minimum size of lots will depend on these scenarios:

(a) Any property served by an approved/licensed public water supply and an on-site sewage facility (OSSF) shall have a minimum lot size of one (1) acre in accordance with the adopted Septic Order.

(b) Any property having an individual water supply well and an individual on-site sewage system (OSSF) shall have a minimum lot size of two (2) acres or as approved by Prairielands Groundwater Conservation District, meet the road frontage requirement listed in this section, and comply with all County OSSF requirements.

(c) For lots or developments not utilizing OSSF and having an approved alternative from the State or approved connection to a licensed sewer system and/or part of an approved special purpose district that has an approved sewer system, see Section V.

(ii) Any divided property shall front directly onto a public road or street.

(iii) A minimum paved public street frontage of at least one hundred fifty (150) feet upon the submittal of any development application (permit, plan, civil plans, etc.).

(a) The minimum street frontage on the turnaround of a cul-de-sac or for lots located on a cul-de-sac, the paved street frontage requirement shall be a minimum of fifty (50) feet wide measured by the chord length.

(b) At a minimum, lots shall be one hundred fifty (150) feet in length by seventy-five (75) feet in depth before a lot may narrow down. When a lot narrows down, it shall be a minimum width of thirty (30) feet at its narrowest point.

(c) Lots along privately-maintained (i.e., gated or not County-maintained) roads may also be permissible if they meet the County's road frontage requirement and the streets meet the County's minimum road standards in effect at the time of approval.

(iv) Elevation certificates showing base flood elevations (BFE) are required for all lots within the 100-year floodplain.

(v) Flag lots and reserve strips shall not be allowed.

(2) RESERVED

(3) RESERVED

(4) Accessory habitable structures may be allowed on the same lot provided they meet the requirements, or are already legally platted, and if enough capacity exists within an approved septic system and meets other applicable regulations.

(i) The OSSF application shall be submitted at the same time as the development permit for the additional accessory habitable structures. A registered sanitarian or professional engineer shall provide official certification that enough capacity and disposal area exists for the additional habitable structure and conforms to the adopted Septic Order.

(ii) RESERVED

(iii) At no time shall any accessory habitable structure be sold independently or platted separately from the principal habitable structure, unless it meets the requirements in_subsection (1) above and the septic regulations with a separate independent system if connected to another.

(5) Lots or areas designated/designed as detention or drainage facilities shall be placed in a common area, and the sale of any such property is strongly discouraged. These areas cannot be converted into usable or developable properties without going through their official processes to address platting and updated drainage requirements to reflect the conversion.

(i) There shall be a homeowners association (HOA) or similar in place prior to the filing of the final plat, indicating they will be the responsible party for such lot.

(ii) In the event there is no HOA, PID, or similar established, the person or entity owning that lot is the responsible party.

B. BUILDING LINES AND EASEMENTS

(1) Lots or properties abutting any road(s) not indicated on the County's adopted Master Thoroughfare Plan or less than 100 feet in width shall require a setback distance of twenty-five (25) feet from the edge of the right-of-way or property line. The location of any new building or portion thereof shall not be within that setback area. (*TLGC 233.032*).

(2) Lots or properties abutting any road(s) indicated on the County's adopted Master Thoroughfare Plan that are greater than or equal to 100 feet in width or maintained by Tx-DOT shall require a setback distance of fifty (50) feet from the edge of the right-of-way or

property line. The location of any new building or portion thereof shall not be within that setback area. (*TLGC 233.032*).

(3) For determining the setback lines of the lot, the location of the front door or entrance to the principal structure shall be considered the front portion of the lot.

(4) If a property has two (2) or more adjacent roads, a secondary setback line of 25 feet shall be required on those additional roads, provided it is located outside of any required easement.

(5) If there is a discrepancy in determining these setbacks or their application, the Director shall make a determination. Any appeal to the Director's decision may be forwarded to the Commissioners' Court.

(i) The setback distance listed in subsections (B) (1), (2), and (4) above may exceed the indicated setbacks.

(ii) Road classifications determine the setback lines and shall be established at the time of permitting (*TLGC 233.032)*

(iii) Setback lines may overlap with any required easements, except septic-related setbacks, as noted in 30 TAC 285.

(6) Utility easements shall be provided as needed to accommodate the current or future infrastructure of utility companies. When utility easements are required, they shall be as follows:

(i) Easements parallel to the streets – A minimum width of twenty (20) feet from the current county dedicated or prescriptive right-of-way, and;

(ii) Side and rear yard – A minimum width of ten (10) feet along each lot for a minimum total of twenty (20) feet.

(iii) The developer is required to speak to all utility providers in the area to locate their easements, current or future, before the submittal of a plat or project.

(7) The drainage easements may occupy the same space and area as the utility easement and be combined to be a drainage/utility easement unless otherwise indicated by the County Engineer or utility provider.

(i) All easements shall be left unobstructed so that equipment can be used to clean and maintain them when necessary.

(a) The property owner shall be responsible for any damage to structures left within any easement.

(b) In no case shall utility lines, utility boxes, or streetlights be placed adjacent to or within the County right-of-way, prescriptive or dedicated, without obtaining a utility permit or approval from the Commissioners' Court, where applicable.

(ii) Ellis County shall not be responsible for the maintenance of any drainage facilities/easements or lot drainage located on private property. That responsibility falls on the homeowners' association, property owners, etc.

C. RIGHT-OF-WAY

(1) Dedication

(i) When lots of a proposed subdivision front on a County or public road not listed on the County's Thoroughfare Plan, the developer shall dedicate for future public use, at least thirty (30) feet on their portion from the centerline of such road to allow for improvements to the public road.

(ii) Any plat submitted for review shall require dedication of at a minimum one-half of the total right-of-way necessary for any public County or State road or any road indicated on the most-recently approved Master Thoroughfare Plan at the time the application is made, subject to Section 232.102 of the Texas Local Government Code.

(2) Abandonment & Closing

(i) The Commissioners' Court may abandon or close any portion of a publicly dedicated roadway in accordance with Chapter 251 of the Texas Transportation Code.

(ii) The applicant shall submit all the proper forms and documents as indicated on the application or as directed by the Director for consideration by the Commissioners' Court.

(a) Prior to the submittal of such an application and documents, a pre-application meeting is required with staff.

(b) All property owners located next to the proposed closing or abandonment shall be required to join in the application.

(iii) If approved by the Commissioners' Court, that right-of-way shall no longer be maintained by the County.

(3) Reinstatement

(i) If an applicant is seeking to make a private street or alley improvement public, the submittal of an application is required, along with any financial guarantees described in Section VII.

(ii) Before consideration and official acceptance, the road on the private street or alley improvement shall be brought up to the current County street standards or other equivalent based on testing and authorization from the County Engineer.

(a) The person making the request shall incur all costs of testing and labs required.

(iii) The applicant shall submit all the proper forms and documents as indicated on the application or as directed by the Director for consideration by the Commissioners' Court.

(iv) If approved by the Commissioners' Court, that private street or alley improvement may be considered public and maintained by the County. This new improvement may also be added to the latest official maintained County road list.

(4) Any new or replacement fence shall be placed outside the county right-of-way. No fence permit is required.

(i) For property adjacent to roads identified on the Master Thoroughfare Plan, it is suggested that any fence be placed one-half the distance in feet of the road classification, measured from the center of the road, plus the front building setback distance.

D. MAILBOXES

(1) All new mailboxes shall meet the policy guidelines set forth by the United States Postal Service (USPS), and Ellis County assumes no liability for any mailbox placed in its public right-of-way.

E. SEWAGE AND WASTE DISPOSAL

(1) All habitable structures, residential or non-residential, on the site shall have an adequate system for sewage and wastewater disposal upon occupancy by either:

(i) Connection to an approved central sewage disposal system; or,

(ii) Construction of a properly designed and operational individual on-site sewage facility meeting the latest-approved Ellis County Septic Order.

(2) As on-site sewage facilities can be sources of pollution to groundwater, soil surface, and the environment if not properly sized, constructed, and maintained, a permit for the construction and location on a lot is required in the interest of public health and welfare.

(i) If an individual on-site sewage facility is to be utilized, the developer shall prominently annotate the approved final plat or other filing instrument, as directed by the Director, that homeowners are to be responsible for the construction of an approved on-site sewage facility.

(ii) Details for the design and construction of an onsite sewage facility are found in the most current edition of the Ellis County Septic Order.

(iii) Connection to a central sewage disposal facility and system is preferred, where possible.

(3) Public sewage systems shall conform to the rules and regulations of TCEQ and Ellis County as to design, material, and construction.

(i) The developer shall present proof of TCEQ acceptance and that of any other State or County agency controlling sewage disposal systems.

(ii) If a public sewage system is to be installed, the plans for the location of such systems must be approved by the County and thereafter by the appropriate State regulatory agency prior to the approval of the final plat by the County.

(iii) If the connection is to be made to an existing public central sanitary sewage system, evidence shall be presented that such system has previously received such approval and has sufficient capacity to handle the additional demand.

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SECTION V
SPECIAL DISTRICT REGULATIONS

A. PURPOSE & INTENT

(1) These regulations shall exclusively apply to any development described within the boundaries of an approved special-purpose district created for land development. These shall include, but are not limited to, the following:

(i) Fresh Water Supply Districts, as defined in Chapter 53 of the Texas Water Code,

(ii) Municipal Utility Districts, as defined in Chapter 54 of the Texas Water Code,

(iii) Regional Districts, as defined in Chapter 59 of the Texas Water Code,

(iv) or other special purpose district not mentioned above, created by a local government body, the State Legislature, or the Texas Commission on Environmental Quality.

(v) An approved and active sewer CCN with available capacity and infrastructure as determined by the governing entity.

B. PRE-APPLICATION PROCESS

(1) Meeting.

(i) Pre-application meeting recommended with the Department of Development, Engineering, Fire Marshall's Office, precinct commissioner, assistant county attorney, etc., to address any preliminary issues and process.

(2) RESERVED

(3) Proof of creation.

(i) Approval and certification of the special district's creation from TCEQ or any other state agency with that authority shall be submitted prior to any civil engineering or plat application and review process.

(4) Adequate water and wastewater collection and treatment.

(i) The developer shall submit a plan and documentation from the TCEQ-approved water provider for providing adequate water and sewer service within the proposed subdivision.

(5) RESERVED

(6) Voluntary Service Agreements.

(i) County recommends a signed and executed agreement for government-related services with the County or adjacent municipal government prior to any civil engineering or plat application and review process. These services may include, but are not limited to, the following:

(a) police-related services;

(b) fire-related services;

(c) EMS-related services;
(d) trash and recycling-related services;
(e) education-related services (i.e., school site dedications, etc.);
(f) healthcare-related services

(7) Floodplain.

(i) If property is located in the floodplain and the applicant wishes to reclaim it for development purposes, then a Conditional Letter of Map Revision ("CLOMR") from FEMA may be required prior to any civil engineering or plat application and review process.

(8) RESERVED

(9) Maintenance dedication.

(i) Plat shall include a dedication statement that maintenance of paved roads, drainage, and infrastructure necessary (i.e., sewer, water, etc.) shall be exclusively the responsibility of the District, subject to the terms of any development agreement.

(10) Phasing requirement.

(i) The Department of Development, County Engineering Department, or TCEQ may require the phasing of development and/or improvements in order to maintain adequate water or sewer capacity.

C. APPLICATION PROCESS

(1) Upon securing the necessary approvals from TCEQ or other designated state agency, a subsequent plat and civil plans may be submitted as outlined in Volume I, Section III.

D. DEVELOPMENT STANDARDS

(1) Every development located within a special district shall continue to comply with all the regulations found in Volumes I, II, and III of the Ellis County Quality Growth Initiatives and applicable regulations found in the adopted Fire Code, if there is no development agreement with a city.

(2) The following development standards shall apply to Special Districts. If any other requirement is not listed below, the default is the County standard for that item. Any deviation from the Special District Regulations shall require a variance.

	Regulation	Ellis County Regulations	Special District Regulations
(i)	Minimum lot size	One (1) acre	N/A, unless using OSSF.
(ii)	Minimum lot width	150 feet	N/A, unless frontage along the county-maintained roadway.
(iii)	Right-of-way width	60 feet	50 feet, unless subject to the Thoroughfare Plan requirement.
(iv)	Minimum front yard setback	25 feet	20 feet
(v)	Minimum side yard setbacks	10 feet	0 feet, if attached; 5 feet if detached
(vi)	Minimum rear yard setback	20 feet	10 feet
(vii)	Front utility easements	20 feet	N/A
(viii)	Rear utility easements	10 feet	N/A
(ix)	Cul-de-sac radius	60 feet	The greater of 60 feet or as established in the International Fire Code.
(x)	Lot frontage measured around a cul-de-sac	50 feet	N/A
(xi)	Minimum curb radii	see Volume III, Section II	• Interior roads: 20 feet • Any road connecting to a thoroughfare road: 25 to 30 feet
(xii)	Utility lines	Located outside of the ROW	May be located within the ROW upon review of civil plans by the County Engineer.

(3) RESERVED

(4) Right-of-way.

(i) Street rights-of-way within and bordering the subdivision shall conform to the most current Ellis County Transportation Thoroughfare Plan.

(5) Utility plans.

(i) The developer shall submit plans for providing water, sewer, and electric utility service within the proposed subdivision and shall show the same on the plat. Water Construction plans shall show:

(a) The location and size of all proposed water lines in relation to the right-of-way and/or easements in which the lines are to be located.

(b) The location of all appurtenances proposed to be installed.

(c) The depth to which the water lines are to be installed.

(d) Location of proposed hydrants – in accordance with the effective Ellis County Fire Code.

(e) An estimated timetable for completion of all facilities.

(f) Based on the information available at the time the application is submitted, the anticipated owner(s) and operator(s) of all water facilities throughout all phases of development shall be identified and included in the application.

(6) Water availability.

(i) The developer shall furnish a certified letter from an approved Texas Commission on Environmental Quality (TCEQ) utility service provider stating that water is available to the subdivision sufficient in quality and quantity to meet minimum state standards required by Section 16.343, Water Code, and consistent with the certification in the letter, and that water of that quality and quantity will be made available to the point of delivery to all lots in the subdivision.

(ii) The utility provider should indicate that the utility plans have been reviewed and approved. If a separate utility easement is required by the water provider, it shall be indicated on the plat. An approximate fire flow available to the subdivision should be provided in this letter.

(7) Land use.

(i) Identification of the proposed uses of land within the subdivision shall be shown, whether for residential, commercial, industrial, recreational, or public use, such as parks, churches, or other specific use via a Master Site Plan.

(8) Bonds

(i) Performance bonds or letters of credit are required in all special districts, as indicated in Section VII, but maintenance bonds shall not be required.

SECTION VI
RESERVED

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SECTION VII
PERFORMANCE GUARANTEES

A. GENERAL

(1) All construction shall be in accordance with approved civil plans and construction standards set forth herein or as adopted by the Commissioners' Court.

(2) Staff shall have an approved and signed set of civil plans and meet with developers/contractors for a preconstruction meeting prior to the commencement of construction on the subdivision.

(3) A construction/performance and maintenance bond is required to ensure all infrastructure is built according to the established regulations and any other required conditions set forth in the plat.

(4) Required bonds shall match the bid amount submitted for review. Bid amounts shall match the approved civil plans.

B. PERFORMANCE BOND

(1) Prior to construction and to ensure roads, streets, signs, and required drainage and drainage structures are constructed in a timely manner, and in accordance with the terms and specifications contained in these regulations, the owner, as described in Texas Local Government Code, Section 232.004, shall file a Performance Bond, executed by a surety company authorized to do business in the State of Texas, or irrevocable letter of credit and made payable to the County Judge of Ellis County, Texas or their successor in office.

(2) The bond amount shall be equal to one hundred percent (100%) of any and all contracts, agreements, and bids for the construction of roads, streets, street signs, required drainage structures, erosion control, and all other areas to be maintained by the County.

(i) The bond(s), contracts, agreements, bids, and road fees shall be presented to the Department of Development before any pre-construction meeting for review.

(ii) The date the Commissioners Court accepts the bond shall be the official start date of the bond.

(3) The bond shall be in full force and effect until all the following items have been completed:

(i) after inspection by the Department of Development and/or County Engineer, ensuring all deficiencies have been addressed and corrected to the satisfaction of the inspector, and;

(ii) one (1) set of record as-built construction plans of all utilities, roads, streets, and required drainage and drainage structures in the subdivision has been filed with the County Engineer, and;

(iii) A letter from the person named on the bond requesting the release of the bond, along with a maintenance bond, if applicable, meeting the requirements of Section VII (C), and,

(iv) Approval of release by the Commissioners' Court.

(4) In the event that infrastructure fails to meet the requirements of these regulations, and the owner fails or refuses to correct the defects called to their attention in writing by the County Engineer or the Department of Development, any defects or unfinished improvements may be completed by exercising the performance bond.

C. MAINTENANCE BOND

(1) After completion of the items stated in Section B (3) above of all required infrastructure (i.e., streets, roads, signs, drainage ditches, erosion control measures, drainage structures/channels, and other items, including but not limited to the items found on the department's bond checklist, etc). shall be secured by the owner, as described in Texas Local Government Code, Section 232.004, for a minimum of two (2) years by an approved maintenance bond. The Commissioners Court may require additional bonds with an extended timeframe, as needed, at the end of the initial 2-year period to address areas requiring further evaluation or attention.

(i) The amount shall be one hundred percent (100%) of any and all contracts, agreements, and bids for the construction of roads, streets, street signs, required drainage structures, erosion control, and others, including but not limited to items found in the department's bond checklist and all other areas to be maintained by the County.

(ii) The two-year maintenance bond period starts from the date specified on the bond between the owner and the surety.

(2) The conditions of the maintenance bond or irrevocable letter of credit shall be that the owner shall guarantee to maintain, to the satisfaction of the Ellis County Department of Development, all required infrastructure that has been constructed to specifications with construction security released by Court Order from Commissioners' Court, in a good state of repair, as indicated by the most-recently adopted County's standard road construction requirements.

(3) The maintenance bond shall be executed by a surety company authorized to do business in the state of Texas, made payable to the County Judge of Ellis County, Texas, or their

successor in office, and shall be substituted for the performance bond at the time of its release.

(4) RESERVED

(5) Periodic inspection of all required infrastructure for which maintenance security is held shall be made by the Department of Development or the County Engineer during the two (2) year period of liability covered by the maintenance bond.

(i) In the event any or all of the aforementioned facilities are not being maintained in a good state of repair, the Department of Development or County Engineer shall give written notice to the owner listed on the bond of the maintenance deficiencies during the two (2) year maintenance period (*i.e., missing signs, drainage problems, street failure, etc*.) described above. The owner shall be given a reasonable time period after notification to complete the appropriate remedial action.

(ii) The County shall begin final inspections of the roads and infrastructure approximately ninety (90) days before the expiration of the bond.

(6) If maintenance or repairs are required to be made before acceptance of any infrastructure by the Commissioners' Court and before acceptance into the County's public road system, the County may elect to draw the cost against the owner's bond and/or has the option to extend it beyond the required two (2) additional years via additional bonds for the uncompleted work.

(i) Action by the Commissioners' Court is required to accept or not accept the infrastructure. If it is not accepted, it shall be a privately-maintained road.

(7) At the end of the two (2) year period, as described above, the owner may request the Commissioners' Court for acceptance and maintenance of such infrastructure into the County's public road system.

(i) The release of this bond shall only be by Order of the Commissioners' Court.

(ii) To request a release, the owner shall present a written request to release said security, including a notarized certificate of completion stating that all bills relating to work covered by the construction security have been paid.

(iii) The request shall contain a statement by the owner of compliance with these regulations.

(iv) The Director or designee shall receive the written notice for security release at a regularly scheduled meeting of the Commissioners' Court.

(8) Any proposed road to be privately-maintained may not require a maintenance bond as described in this Section.

D. OTHER FINANCIAL SECURITIES

(1) An acceptable irrevocable Letter of Credit in the owner's name may be submitted in lieu of bonds to ensure a developer's promise to construct and maintain the roads and drainage of facilities in a subdivision.

(i) Irrevocable Letters of Credit in lieu of bonds are required under the same conditions as Performance and Maintenance Bonds.

(2) Any security for construction and maintenance other than a bond or an irrevocable letter of credit shall be by written request to the Ellis County Department of Development for approval by the Ellis County District Attorney's Office and authorization by the Commissioners' Court.

E. RESPONSIBILITY

(1) For the purposes of subdivision construction, the owner of the tract whose name is associated with the bonds shall be held responsible and accountable to ensure all trash, drainage, silt fence/erosion control, and other deficiencies are addressed and remedied to the County's satisfaction until the release of the maintenance bond.

(2) Repeated violations place the subdivision at risk of not being accepted for county maintenance and the withholding of future permits until the issues are addressed to the satisfaction of the County Engineer or designee.

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SECTION VIII
RELIEF BY COUNTY COMMISSIONERS' COURT

A. AUTHORITY

(1) The Commissioners' Court may authorize relief (i.e., variance) from these regulations in an open session when it is clearly shown that the granting of relief in the form of a lesser standard will not adversely impact public health, safety, general welfare, traffic conditions, and not alter the nature, character, and quality of the subdivision.

(i) As allowed in Section 232.030 of the Texas Local Government Code, a variance may not be granted for bonds, inspection fees, right-of-way widths, road construction, drainage standards, certain plats, etc.

(2) A pre-application meeting is required for all requested variances to determine if the criteria outlined in Section B below are met.

(3) A notice shall be sent to adjacent property owners (found on the latest appraisal tax rolls) via United States Postal Service (USPS) regular mail within two hundred (200) feet of the subject site/property seeking the relief at least ten (10) days in advance of the proposed meeting, advertising the proposed relief sought.

B. VARIANCE CRITERIA

(1) The Commissioners' Court may refer to the criteria listed below when deciding whether to grant a variance; however, those are granted and issued at its discretion on a case-by-case basis.

(i) Physical Site Constraints

The property exhibits one or more physical characteristics that directly impede compliance with specific development regulations, thereby prohibiting development in accordance with the established standards.

(a) Such physical features include, but are not limited to, topography, floodplain, lot configuration, existing easements, right-of-way, etc.

(b) The Director or County Engineer can make a determination whether a certified site survey or other professional report identifying such physical features may be required as part of the application.

(ii) Minimum Necessary Relief

The requested variance represents the smallest modification necessary to allow reasonable development of the property.

(a) A dimensioned site plan showing both compliant and proposed layouts, with area calculations demonstrating that all other design standards are met, may be required as part of the application.

(iii) Protection of Public Infrastructure and Adjacent Properties

The proposed variance will not reduce the design standards or integrity of public infrastructure required by these regulations, and shall not cause measurable adverse impacts on adjacent or nearby properties

(a) Such measurable impacts may include, but are not limited to, increased runoff, reduced access, encroachment, etc.

(b) An engineer's certification, drainage study, access plan, or staff review may be required as part of the application.

(iv) Consistency with Established or Future Development Patterns

The proposed variance will not hinder the ability of adjacent or nearby property to develop in compliance with the County's adopted regulations.

(a) A professional-quality area map or planning staff review confirming compatibility with surrounding development patterns may be required as part of the application.

(v) Non-Self Created/Self-Imposed Hardship

The situation requiring the variance is not self-created or self-imposed by preferred actions of the owner/applicant/developer and cannot be based on preference, convenience/inconvenience, or financial gain or loss.

(a) Deed history, aerial imagery, and applicant statement demonstrating that the hardship existed prior to ownership or regulation changes and arises from legitimate site constraints rather than economic or self-created circumstances may be included as a part of the application.

(2) If the variance request is approved, it shall be incorporated into the official minutes of the Commissioners' Court meeting along with any associated conditions.

C. RELIEF DUE TO SUBDIVISION BY GIFT, DEVISE, OR DESCENT

(1) In cases where the subdivision of land is by gift, devise, or descent to a family member related up to the third degree by affinity (marriage) or consanguinity (blood), a platting exemption may be granted by the Commissioners Court based on the criteria and documents listed below:

(i) Applies only to property located along a public-maintained road or privately-maintained roads built to County standards.

(ii) The "parent" tract (Grantor property) and property to be transferred (Grantee property) shall meet all the County's requirements listed below in effect at the time of application:

(a) Minimum public road frontage, minimum lot depth, and minimum lot size, as stated in Section IV of this volume.

(iii) Provide the necessary legal & recognized documents proving the grantor's & grantee's relationship.

(iv) Provide a scaled boundary survey exhibit with a Registered Professional Land Surveyor (RPLS) or Professional Engineer (PE) seal identifying the Grantor property & Grantee property in a legible, readable exhibit sized 8 ½ x 11 inches with the following information:

(a) Location map, scale, surrounding roads, floodplain (if applicable), and surveyor certification and signature
(b) Road frontage for each property
(c) Acreage of each tract after the subdivision (net acreage if in floodplain)
(d) Location and width of existing easements, along with recording information
(e) Location and width of existing right-of-way dedication, along with recording information

(v) A separate metes & bounds description for each the Grantor and Grantee property.

(vi) This exemption shall not apply to any existing platted property or if an exemption already exists on Grantee property.

(vii) Filling out the required application, affidavits, or acknowledgments and paying associated fees.

(viii) Any other information requested.

(2) If an exemption is granted by this subsection, it is conditioned on:

(i) Each of the family-related landowners shall not further subdivide the property in any manner, unless it goes through the platting process and meets the County's requirements in effect at that time.

(ii) All parcels of the property remain in continuous ownership by all related landowners as determined by state law for this relief. A change of family ownership within the parameters shall require updated forms.

(iv) The sale of any Grantor or Grantee property involved to members outside of the family is strictly prohibited until all properties are platted to meet the County's requirements in effect at that time.

(v) The transfer of property or deed does not convey with this exemption.

(vi) Any other condition established by the Commissioners Court.

D. PERMITS IN UNRECORDED SUBDIVISIONS

(1) For the purposes of issuing permits only, property located within an unrecorded subdivision may be delayed from the platting and public road frontage requirement at the time of application if the conditions below are met:

(i) The property seeking the permit shall match the boundaries of the proposed lot in the unrecorded subdivision or meet the requirements in Section IV of this volume.

(ii) There shall be a well-defined travel lane with a paved surface as defined in Section XXI.

(iii) If the property were to be divided in any form or fashion, that division would have to meet the current public road frontage requirement outlined in Section IV and may require submitting other requirements found in these regulations.

(iv) There are no open violations on the property.

(iv) See Section XXI definition "Unrecorded Subdivisions" for established criteria. The Director and County Engineer shall determine whether it meets those requirements. Any appeal can be taken to the Commissioners' Court after an application is filed.

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SECTION IX
MANUFACTURED / MOBILE HOMES, RV PARKS, AND MULTI-TENANT DEVELOPMENTS

A. APPLICATION & PURPOSE

(1) The purpose of this subsection is to achieve orderly development of manufactured/mobile homes, RV parks, and multi-tenant developments to promote and develop the use of land to ensure the best possible community environment and to protect and promote the health, safety, and general welfare of the residents of Ellis County.

(i) A mobile home rental community that meets the requirements of Section 232.007 of the Texas Local Government Code is not a subdivision and is exempt from platting if it meets those requirements.

(ii) Staff shall have the applicant submit a signed affidavit as part of the overall application submittal indicating that all spaces shall be rented and not be sold individually and/or owner-occupied.

(iii) If the owner decides to sell them as individual lots, they shall meet the platting and other applicable development requirements in effect at that time.

B. INFRASTRUCTURE DEVELOPMENT PLAN (IDP)

(1) For manufactured/mobile home or RV parks and multi-tenant developments, any required state or federal permits shall be approved and completed prior to the submittal of an Infrastructure Development Plan and/or civil plans.

(i) The County shall not accept any application that falls under this requirement or deem it incomplete and may deny it outright.

(ii) Such federal or state approvals are required to be placed in the submittal packet at the time of application, along with the contact information of the person at the state or federal agency who assisted them in their process.

(2) A property proposed as a manufactured/mobile home community, recreational vehicle park, or multi-tenant development with an application submitted after January 1, 2018, shall have an Infrastructure Development Plan (IDP) or a complete set of civil plans, as indicated by the County Engineer, prepared that complies with minimum standards established within this Section.

(i) The Infrastructure Development Plan (IDP) shall show all items as indicated in the most recent application and checklist with drawings sealed by a registered professional engineer licensed in the State of Texas.

(ii) An application fee shall be the same for an engineering civil plan review, as indicated in the adopted Master Fee Schedule.

(3) A manufactured/mobile home park, recreational vehicle park, or multi-tenant development shall:

(i) be directly adjacent to a public paved street with a minimum right-of-way width of sixty (60) feet.

(ii) have a minimum road frontage of 150 feet.

(iii) platting requirements may apply based on other sections of these regulations.

(4) Roads within the interior of these development shall be constructed and paved to a minimum width of 24 feet (or the minimum width of a fire lane as stated in the most-recently adopted Fire Code, whichever is wider) meeting the County's current street requirements plus one (1) foot on both sides for a shoulder on both sides (see Ellis County QGI, Volume III, Section II (A) for more information).

(i) These access roads shall also double as the designated fire lane, as indicated by the Fire Marshal's Office, and no on-street parking shall be allowed at any time.

(ii) Paving surface shall be limited to either asphalt or concrete with engineered drawings showing the paving surface and underlying subgrade material can withstand a minimum weight load of at least 75,000 pounds, or as stated in the adopted Fire Code.

(iii) No shared driveways shall be allowed.

(iv) No space/unit/lot shall directly front or access onto any perimeter road.

(a) An exception to the above requirement shall be if it sits on an individually-platted lot and an approved culvert size from the precinct. Culvert installation shall be the owner's responsibility.

(b) If the above requirements are not met, the only access shall be from an interior access road only. This determination shall be made by the County Engineer.

(v) The County shall not be responsible for maintaining the internal roads.

(5) In recreational vehicle parks, no space may contain more than one (1) residential unit.

(i) The County may use the latest edition of NFPA 1194 (Standard for Recreational Vehicle Parks and Campgrounds) to review the RV park's proposals.

(ii) No permanent fixtures (i.e., decks, fencing, carports, accessory structures, other buildings, pools, etc.) or permanent residence shall be allowed on the individual spaces.

(a) This does not include all community/amenity centers, pools, restrooms, management buildings, or other structures located outside of the individual spaces and in a common space.

(6) The proposed development shall comply with all aspects of the Infrastructure Development Plan (IDP), associated civil plans, and other applicable County regulations, including but not limited to the County's floodplain order, septic order, regulations related to subdivision, drainage, construction details, etc.

(7) All Infrastructure development Plans shall expire within one (1) year after their initial date of approval, if there has not been any construction activity per the approved plans.

C. TIMELY APPROVAL OF INFRASTRUCTURE DEVELOPMENT PLANS

(1) The County shall withhold all permits until the Infrastructure Development Plan has been approved, built, and completed in the manner prescribed by these regulations.

(2) Not later than the 60th day after the date the owner of a proposed manufactured/mobile home, recreational vehicle park, and multi-tenant development submits an infrastructure development plan for approval, the County Engineer shall approve or reject the plan in writing.

(3) If the plan is rejected, the written rejection must specify the reasons for the rejection and actions required to approve the plan. The failure to reject a plan within the period prescribed herein constitutes approval of the plan.

D. INSPECTIONS

(1) Construction or installation of paving, utilities, drainage, or other site improvements of a proposed manufactured/mobile home community, recreational vehicle park, or multi-tenant development shall not begin before the date the County Engineer approves the Infrastructure Development Plan.

(2) Periodic inspection of improvements and site conditions may be required, as directed by the Department of Development or County Engineer.

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SECTION X-XX
RESERVED

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SECTION XXI
DEFINITIONS

A. APPLICATION

(1) For these regulations, the following terms, phrases, words, and their derivations shall have the meaning ascribed to them in this section.

(2) Unless otherwise indicated, for any term, phrase, or word that is defined within any of the County's development regulations (Quality Growth Initiatives, Volumes I-III), such definition shall apply to all uses of said term, phrase, or deviation thereof across all volumes of the County's development regulations.

(i) If any term, phrase, or word is defined in multiple volumes of the County's development regulations, then any use of such term, phrase, word, or deviation thereof shall be given the definition provided in the volume where the term, phrase, or word appeared.

(3) For any term, phrase, or word that appears within any volume of the County's development regulations but is not defined within any volume of the County's development regulations, then such term, phrase, or word shall be defined:

(i) In accordance with customary usage in subdivision, planning, and engineering practices; or,

(ii) According to the most recent edition of Black's Law Dictionary.

(4) Any interpretation of any term, phrase, or word that appears in any volume of the County's development regulations shall be addressed by the Director as outlined in Section I (G).

B. DEFINITIONS

ACREAGE, GROSS

The total acreage of a subdivision, including areas dedicated to the public use, such as streets and alley right-of-ways, floodplains, etc.

ACREAGE, NET

The total acreage of a subdivision, less those areas dedicated to public use such as streets and rights-of-way, floodplains, etc. Easements, however, shall be included in net acreage calculations.

ACREAGE, USEABLE

The amount of land suitable for the installation of OSSF facilities as authorized by TCEQ and/or Ellis County regulations.

ALLEY
A minor street used primarily for vehicular access to the back or the side of properties otherwise abutting on a street. Alleys are not maintained by the County.

ALTERNATIVE ALL-WEATHER SURFACE
An alternative paving material that is designed and sealed by a professional engineer and approved by the County Engineer and the Fire Marshal for internal roads not required by these regulations, and is designed to withstand at least 75,000 pounds. This does not replace the adopted concrete standards and can only be used where concrete or asphalt roads are not required.

BLOCK
A piece or parcel of land entirely surrounded by public highways or streets, other than alleys. In cases where the platting is incomplete or disconnected, the Department of Development may determine the outline of the block. A block is used to designate a series of lots within a subdivision for platting purposes.

BUILDING LINE OR SETBACK LINES
A line defining an area on the lot between the street right-of-way or property line and the building line within which no building shall be constructed, encroach, or project, except as specifically authorized by the Commissioners' Court.

COMMISSIONERS' COURT
The governing body of Ellis County, Texas. The Court has five (5) elected members: the County Judge and four (4) elected road and bridge precinct commissioners.

COMPLETED APPLICATION
A submittal that is ready for review by the department staff upon successful determination by the Director or designee that all required and applicable items on the latest department checklist for that project are included with the application packet and deemed complete to proceed with review. If the submittal does not contain all the required items as listed on the latest department checklist, the application will not be accepted until all items are presented.

COUNTY
Ellis County, Texas.

COUNTY JUDGE
County Judge of Ellis County, Texas.

COUNTY ENGINEER
A registered professional civil engineer, either employed or on a consulting basis with Ellis County or their designated representative, in charge of the engineering functions for the County.

COUNTY ROAD
A public paved road or street, which has been accepted by the County, through prescription or dedication of right-of-way for maintenance purposes, or a street that was constructed or maintained by the County.

CUL-DE-SAC
A short, minor street having but one outlet to another street and terminating at the opposite end by vehicular turn-around.

CUL-DE-SAC CORNER
Enlargement of a 90-degree intersection by a forty (40) foot radius from the intersection of the centerline of the two streets.

DEAD-END STREET
A street, other than a cul-de-sac, with only one outlet.

DEED RESTRICTIONS
A restrictive covenant expressed in a contract between the buyer and the seller of real property that imposes duties on the buyer or restricts the buyer's use of the land. These restrictions are usually expressed in the form of language in the deed to the property. Deed restrictions are private and cannot be enforced by the County.

DEPARTMENT OF DEVELOPMENT
The Ellis County Department of Development (DoD) or successor department, as determined by the Commissioners' Court or authorized agent

DETENTION
The temporary storage of stormwater runoff, with controlled peak discharge rates.

DETENTION TIME
The amount of time a body of water is actually present in a stormwater detention facility.

DEVELOP/DEVELOPMENT
Any human-made activity that alters or changes improved or unimproved property, usually requiring a permit or approval from the county, that includes but not limited to construction/alteration/renovating of structures, the division of land in any form or fashion, construction of roads or similar, installation of utilities or septic systems, pools, signs, temporary uses, or any change in the intensity or use of land, clearing of land, mining, dredging, filling, grading, paving, excavation, or drilling operations, and storage of materials, etc. For the purposes of these regulations (Volumes I, II, and III), this word shall also has the same meaning as a subdivision.

DEVELOPER OR OWNER
An individual partnership, corporation or governmental entity, officer, agent employee, servant or trustee thereof (or any combination thereof) undertaking the subdivision or improvement of land and other

activities covered by these regulations, including the preparation of a subdivision plat showing the layout of the land and the public improvements involved therein or participates in, who performs or participated in the performing of any act toward the subdivision of land within the intent, scope, and purview of these regulations. The term "developer" is intended to include the term "subdivider," "owner," or "applicant," even though personnel in successive stages of a project may vary.

DIRECTOR

Unless otherwise indicated, the Director of Planning & Development for Ellis County, or as appointed official for that department by the Commissioners Court, or assigned designee in their absence, when specifically stated. It can also be called the Department of Development Director.

DORMANT PROJECT

A project is considered dormant if it does not have an expiration date and no progress has been made towards completion of the project as defined in Local Government Code Section 245.005.

DRAINAGE, BUYERS RESPONSIBILITY

It is the responsibility of the buyer of a lot to take the steps necessary to allow water from the lot to flow to the drainage ditch in the front, rear, or side, whichever is the case. It is not the responsibility of the County Commissioner or other County official to solve drainage problems on private land.

DRIVEWAY

A portion of a lot used for access to the lot from a public highway, road, or street and not used for public circulation.

DWELLING UNIT/ HABITABLE STRUCTURE, ACCESSORY (ADU)

A permitted subordinate residential structure, typically detached, located on the same lot or tract as a primary dwelling that provides independent living accommodations, typically including sleeping, cooking, and sanitation facilities, for use by family members or guests and usually has a separate entrance and may share utilities (i.e., water, electric, sewer/septic connections, etc.) with the primary dwelling. ADUs are accessory to the main residence, and are not intended for separate sale or long-term rental. Examples include "mother-in-law" suites, garage apartments, or converted outbuildings. Detailed plans are required for this structure at the time of permitting. The omission or falsification of any information may render the application invalid and subject to prosecution as outlined in Section I (J) of this volume and other penalties outlined in the County's Septic Order.

DWELLING UNIT/ HABITABLE STRUCTURE, PRINCIPAL

Any building, or portion thereof, which is designed or used as living quarters for one or more families and contains at least three (3) plumbing fixtures, or any combination thereof from the following list as outlined below; a residence.

- A water closet (i.e., toilet, commode, urinal, or similar)
- A shower or bathing facility
- A bathroom or kitchen sink
- Laundry facilities

- Other plumbing fixtures not mentioned that could access the sewer or septic system.

Any separate/detached structure on the same property, tract of land, or lot used as living space meeting the same criteria as above shall be considered a secondary or accessory dwelling structure.

EASEMENT

A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation, or another person or entity, and/or to a private utility corporation for a particular and expressed purpose.

Access Easement

An easement allowing access onto a property or adjoining property.

Drainage Easement

The right for the passage of natural drainage across private land, together with the right to enter thereon to maintain drainage structures and the free flow of drainage. May also double as a utility easement if it is properly labeled on the plat.

Non-access Easement:

An easement prohibiting access onto a property or adjoining property.

Utility Easement

An easement granted for access, over or under land, together with the right to enter thereon with machinery and other vehicles necessary for the construction and maintenance of utilities. May also double as a drainage easement if it is properly labeled on the plat. See utility definition.

ELEVATION CERTIFICATE

An official record that shows new buildings and substantial improvements in all identified Special Flood Hazard Areas (SFHAs) are properly elevated. This elevation information is needed to show compliance with the floodplain management ordinance.

ENGINEER

A professional licensed or registered civil engineer under the laws of the State of Texas.

ENGINEERING/CIVIL PLANS

A set of engineering documents required by the County Engineer that relates to a specific site or project. These plans usually require a seal and include, but are not limited to, drainage plans, paving plans, erosion control, grading, cross-sections, profiles, and other detailed drawings.

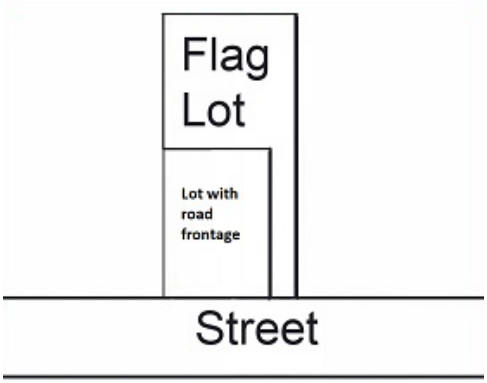
EXTRATERRITORIAL JURISDICTION (ETJ)

The unincorporated area, not a part of any city, which is contiguous to the corporate limits of any city. The size of the ETJ shall be as defined in Section 42.021 of the Texas Local Government Code.

FAMILY
Any number of related persons or not more than six (6) unrelated persons living in a single housekeeping unit.

FIRE CODE
The most recent fire code adopted by Ellis County and enforced by the Ellis County Fire Marshal.

FLAG LOT
A lot not meeting the minimum road frontage requirements shaped and designed where the main building site area is set back from the street on which it fronts and includes a narrow access strip connecting the main building site with the street. It consists of two parts: The flag, which is the building site and may be located behind another lot, and the pole, which connects the flag to the street.



FLOODPLAIN
Any and all land area adjoining the channel of a river, stream, lake, watercourse, marshy area, or another drainage element, which has been or may be inundated by stormwater runoff. The extent of the flood plain shall be determined by the crest of a flood having an average frequency of occurrence of once in one hundred (100) years, as established by F.E.M.A.

FLOODWAY
The channel of a river or other watercourse and the adjacent land areas that shall be reserved to discharge the base flood, as defined by the Corps of Engineers or F.E.M.A., without cumulatively increasing the water surface elevation more than one (1) foot.

HIERARCHY OF STREETS AND ROADS:
More detailed information concerning streets can be found in the Master Thoroughfare Plan for Ellis County.

STREET
A right-of-way which provides primary vehicular access to adjacent land, whether designated as a street, highway, thoroughfare, parkway, throughway, avenue, lane, boulevard, road, place, drive or however otherwise designated.

1) **STREET, MAJOR, OR REGIONAL ARTERIAL**
A street whose primary function is to provide traffic movement between major traffic generators such as principal neighborhoods, commercial centers, and industrial areas, and to connect with surrounding municipalities. There shall be minimal residential traffic directly accessing it. Its function is to conduct traffic between communities and activity centers and to connect communities to major state and interstate highways.

(2) **STREET, MINOR ARTERIAL OR PRIMARY THOROUGHFARE**

A high-volume street or county road that provides access to the subdivision and connects to major state and interstate highways. The backbone of the street system. They also serve to collect and distribute traffic from streets of lower classification to major arterials.

(3) **STREET, COLLECTOR, OR SECONDARY THOROUGHFARE**

The function of a collector street is to collect and distribute traffic from local access streets and to convey it to the arterial system. Major collectors provide limited access to abutting property, and parking is limited or restricted. It provides the most direct access to other collectors and arterials. Usually, serves as the principal street in a subdivision.

(4) **STREET, LOCAL**

A street that is used primarily for access to abutting residential property and circulation of traffic within residential neighborhoods. It is of a width and design to discourage through traffic, thereby protecting residential areas by including short street blocks, cul-de-sacs, and courts.

(5) **STREET, PRIVATE OR SERVICE DRIVE**

A vehicular access way under private ownership and maintenance that has not been dedicated to the County nor accepted by the County.

INTERIOR STREET/ROAD

A street or road contained within a subdivision, which serves only the subdivision and does not connect with other streets/roads outside the subdivision.

LANE

A narrow way or passage as between hedges; any narrow or well-defined route or course.

LOT

An undivided tract or parcel of land having frontage on a public street or an approved open space having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract, or lot number, or symbol in a duly approved subdivision plat which has been duly filed and recorded.

LOT, CORNER

A lot located at the intersection of two roadways that has frontage on each roadway.

LOT, INTERIOR

A lot bounded by a street either at its front or back, but not on either of its sides; also called an inside lot.

LOT LINES

The property lines of any given tract or parcel of land, which circumscribe the area divided by any plat of record in the plat records of Ellis County, Texas, or in the absence of such a plat, the lot lines shall mean those property lines circumscribing the lot.

LOT OF RECORD
A lot which is part of a subdivision, the plat of which has been recorded in the office of the County Clerk of Ellis County before the adoption of this ordinance.

MAY
The word "may" is permissive and not mandatory.

MANUFACTURED HOME
A factory-built, single-family structure, which is manufactured or constructed under the authority of 42 U.S.C. Section 5403, Federal Manufactured Home Construction and Safety Standards, and is to be used as a place for human habitation, but which not constructed with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site and which does not have permanently attached to its body or frame any wheels or axles. A mobile home is not a manufactured home unless it has been converted to real property and taxed as a site-built dwelling. For the purposes of this title, a manufactured home shall be considered the same as any site-built, single-family detached dwelling.

MANUFACTURED HOME PARK
Any facility or area developed as a site for the lease or rental location of two or more manufactured homes.

MANUFACTURED HOME COMMUNITY
A plot or tract of land separated into two (2) or more spaces that are rented, leased, or offered for rent or lease for a term not to exceed 60 consecutive months on the same tract of land without a purchase option, for the installation of manufactured homes for use and occupancy as residences.

MOBILE HOME
A transportable structure built on a permanent chassis designed to be used as a year-round single-family occupancy with or without a permanent foundation and having the required utility services (electrical, water, sewage, etc.) similar to those of a conventional dwelling.

MOBILE HOME PARK
Any area or tract of land under one ownership with required improvements and utilities designed for the long-term parking of other type of installation of at least two (2) or more mobile homes on site/spaces or lots that are rented, leased, or offered for rent or lease, including all improvement, buildings, and structures which may include recreational areas or other facilities for the use of residents of such developments.

MOTEL
A building or group of buildings (attached, detached, or semi-detached) containing guest rooms or units for rent, which are designed and used primarily for the transient accommodation of guests and not intended to be used as long-term housing.

MULTI-FAMILY RESIDENCE

Any building or portion thereof that is designed, built, and rented, leased to be occupied as two (2) or more dwelling units and used by one (1) family per dwelling with cooking facilities and other facilities found in a traditional single-family dwelling. It may be a duplex, triplex, quadruplex, apartment, condominium, garden home, or townhouse, as those structures are commonly defined.

MULTI-TENANT DEVELOPMENT

A development containing at least three (3) habitable structures on property owned by a person, group of people, or entity, intending to use one (1) primary point of access to the adjacent road, and may be considered rental. This definition excludes accessory habitable structures as defined; however, the Director will make a final determination should any questions arise.

ON-SITE SEWAGE FACILITY

All systems and methods used for the treatment and disposal of sewage, other than organized disposal systems, operated under a valid permit issued by the Department of Development and regulated by TCEQ; the most-recently-adopted Ellis County Septic Order; and Title 30, Part 1, Chapter 285 of the Texas Administrative Code.

PAVED ROAD OR STREET

A public or private roadway that has been improved with a hard, all-weather surface material such as asphalt, chip seal, concrete, or other durable paving material as determined by the County Engineer, designed to support vehicular traffic in all weather conditions. A gravel, caliche, or dirt surface shall not be considered paved for the purposes of issuing a permit or platting.

PLAT

A map, drawing, chart, or plan showing the exact layout and proposed construction of a proposed subdivision into lots, blocks, streets, parks, school sites, commercial or industrial sites, drainage ways, easements, and/or any other elements as required by these Regulations, and which a subdivider shall submit for approval in accordance with these Regulations.

PLAT, PRELIMINARY

A plat of the concept and performance of the subdivision as related to the provisions of these Regulations.

PLAT, FINAL (RECORDATION)

A plat of a subdivision prepared in a form suitable for filing or recording with the necessary affidavits, dedications, and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets, public areas, and other dimensions of land and subdivision requirements of the County. For recordation, a final plat may also include a replat and any amending plat.

PRE-CONSTRUCTION MEETING

A meeting that takes place prior to the construction of a project, usually with the developer, County staff, and contractors, to go over requirements, expectations, and other items that need to occur during the duration period of the construction/installation of required infrastructure. Bids will be submitted to staff

for review before the meeting to allow staff to review it. Based on this, the construction bond and road fee shall be set and due at the time of this meeting.

PRIVATE STREETS/ROADS
A vehicular accessway under private ownership and maintenance that has not been dedicated to or accepted by the County for maintenance. This includes a paved street located behind a gate or gated subdivision.

PUBLIC STREET/ROAD
Any area, parcel, or strip of land (road) which provides vehicular access to adjacent property or land, whether designated as a street, highway, freeway, thoroughfare, avenue, land boulevard, road, place, drive, or however otherwise designated, and which is either dedicated or granted for public purposes or acquired for public use by prescription. This may include a paved street not maintained by the County that is still accessible to the general public and not behind a gate or in a gated subdivision.

RECREATIONAL VEHICLE
A vehicle, such as a camper or motor home, used for travel and/or recreational purposes, with running gear.

RECREATIONAL VEHICLE PARK
A lot or parcel of land used primarily as a rental community in which two (2) or more recreational vehicle sites/spaces are located, established or maintained for temporary occupancy, usually for a fee, by recreational vehicles or similar of the general public intended for recreational use only, and for not more than 90 days.

REPLAT
A map of a subdivision incorporating changes, amendments, improvements, and/or corrections to a plat, such as changes in lot size, further subdivision of existing lots, and relocation of street line/lot lines that are on record in the County Clerk's office.

RIGHT-OF-WAY
That portion of the subdivision dedicated for public roads, with the adjacent lot lines being the boundaries of the right-of-way.

ROAD
A long stretch with a smoothed or paved surface made for traveling by motor vehicles; a highway; a strip of land appropriated and used for purposes of travel and communication between different places.

ROAD FRONTAGE
Contiguous frontage on a public road or street.

ROADWAY
That portion of any street or road designated for vehicular traffic, not including shoulders or curbs.

SHALL
The word “shall” is mandatory and not permissive.

SPACE (relating to manufactured/mobile homes or recreational vehicle (RV) parks)
A plot of ground designated or used within a manufactured home community, mobile home park, or recreational vehicle (RV) park for the accommodation, occupancy, and exclusive use of one (1) mobile home, manufactured home, or recreational vehicle (RV).

STREET
A public road, usually paved, with or without sidewalks, curbs, and guttering, with houses on each or at least one side of the same.

STREET INTERSECTION
Any street that joins another street at an angle, whether or not it crosses the other.

SUBDIVISION
A division of a lot, tract, or parcel of land into two (2) or more parts, lots, or sites, or a combination of the same for the purpose, whether immediate or future, of sale, a division of ownership, or development. Subdivision includes the division or development of land, whether by deed, metes and bounds description, device, map, plat, or other recorded instrument, but shall exclude any division resulting from inheritance (by intestacy, will, or trust distribution), dissolution of marriage, condemnation or agreement in lieu thereof, or the granting of any rights other than ownership of land (such as licenses, easements, and rights-of-way). Subdivision includes resubdivision of land or lots, which are part of a previously recorded subdivision. These regulations shall govern all transfers of ownership, division, or development of land. This term may also mean any development for which a permit is required.

SURVEYOR
A Licensed State Land Surveyor or Registered Professional Land Surveyor (RPLS), as authorized by the State Statutes to practice the profession of surveying.

TCEQ
Texas Commission on Environmental Quality or its successor agency.

THROUGH ROAD/STREET
A road or street on which traffic can move with minimal interruptions.

THOROUGHFARE PLAN
Any road or street that is identified in the most recently-approved edition of the Ellis County Master Thoroughfare Plan, both map and text, that describes street classifications and the general location of the placement of the designated thoroughfares. Also called the Master Thoroughfare Plan.

TRACT
Any parcel of land or property.

TRAIL
A multi-use path usually separated from motor vehicle traffic by an open space or barrier and used by bicyclists, pedestrians, joggers, etc.

TX-DOT
Texas Department of Transportation.

TX-DOT SPECIFICATIONS
Refers to the current edition of Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges.

UNRECORDED SUBDIVISIONS
A subdivision never approved by Commissioners Court and does not have a filed plat with County Clerk containing existing streets, structures, and an established development pattern as determined by the Director, recognized by Ellis CAD in their property record information, the County's development office has an unofficial copy of that scaled survey or drawing archived in their records and sealed by a licensed surveyor or professional engineer showing the lot and street layout; can also be called an unplatted subdivision.

USEABLE ACREAGE
The land remaining after excluding the floodplain, as authorized by TCEQ Rules and Regulations, or other applicable law, restricts the amount of land available for the construction of an On-site Sewage Facility. With the submittal of an engineer-sealed alternative plan, the Department of Development will consider the alternative plan, but reserves the right to accept or reject the plan.

UTILITIES
Electric, gas, television/cable, and telephone lines, water, and sewer systems, or other buried or aerial utilities that provide a service for the general public, often for a service fee, and the construction of which may be regulated by the County.

VARIANCE
An adjustment in the application of these specific regulations to a parcel due to special conditions or circumstances of hardship peculiar to the particular parcel. Relief from a particular set of regulations is necessary to prevent the property from being deprived of rights and privileges enjoyed by other parcels in the same vicinity; also called relief from the regulations.

WRECKING YARD (JUNKYARD OR AUTO SALVAGE)
Any lot upon which three or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of current registration and/or current state inspection, have been placed for the purpose of storage, obtaining parts, recycling, repair, or resale.

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APPENDIX A
HISTORY OF AMENDMENTS

DATE	MINUTE ORDER	BRIEF SUMMARY
10/11/1971	**4504**	Creation and adoption of the first Subdivision Rules & Regulations.
07/12/1976	**Research**	Research
06/02/1978	**Research**	Research
01/12/1981	**Research**	Research
03/27/1986	**6668**	First comprehensive update to the Subdivision Rules & Regulations.
03/27/1986	**6669**	Established the effective date of Subdivision Rules & Regulations.
03/11/1991	**9120**	Enacted certain land use controls to remain in effect until a comprehensive land use and infrastructure plan is adopted; amended the definition of "Subdivision," established percolation rate/minimum lot size for OSSFs, included a simplified plat process, and provided for an agricultural and ownership conveyance exemption.
03/11/1991	**9121**	Required new structures to be located on an approved building site plan.
03/11/1991	**9122**	Required OSSF regulations be consistent with subdivision regulations and state guidelines.
03/27/1991 ??	**Research**	Research
01/12/1998	**98-021**	Overhaul of existing subdivision rules and regulations (same format existed until 2002) – changes unknown (*further research needed*).
07/27/1998	**98-220**	Created a Relief from Commissioners' Court section – other changes unknown (*further research needed*).
11/23/1998	**98-346**	Added family variance by blood or marriage to Special Conditions to seek relief from the Commissioners' Court.
03/08/1999	**99-49**	Amended the variance section of the regulations, allowing "gift deeds" to be not subject to Court action and can be made by the director.
05/13/2002	**192.02**	Renamed subdivision regulations to the County of Ellis Rules, Regulations, and Specifications for Subdivisions and Manufactured Homes (*other changes unknown; needs further research; this format lasted until 2017*).
9/13/2004	**353.04**	Required pre-submittal meeting for plats, preconstruction meetings, fire hydrants connecting to 6-inch waterlines & required 4x4 locators, culvert permit for each lot, letter from Tx-DOT if connecting to their roads, no drainage onto problems onto existing roads, required financial security (bonds), digital copy of plat required, corrected some clerical errors, required erosion control, a few changes to gated subdivisions, and a few deletions of sentences.
08/28/2006	**396.06**	Regulations related to post-development drainage must not be greater than pre-development drainage.
08/28/2006	**397.06**	Changed a 2-year maintenance bond to a 3-year maintenance bond.

08/28/2006	**398.06**	Regulations related to solid structured mailboxes as required by the USPS shall be clustered mailboxes or breakaway mailboxes where not practical.
08/28/2006	**399.06**	Regulations created the criteria for the submittal of simplified plats.
08/28/2006	**400.06**	Simplified plats shall also adhere to the fire hydrant requirements, meeting ISO & IFSTA standards**.**
10/10/2017	**428.17**	Modified minimum setback requirements (Section 3-E, Paragraph 3).
12/19/2017	**488.17**	Modified alternative paving standards for manufactured & mobile homes and RV parks (Sections 1, 5, and 8).
08/14/2018	**337.18**	Modified concrete thickness, development along private streets, and created traffic impact studies with established criteria (Section 7-A, 8-B, and Article IX).
09/11/2018	**376.18**	Moved definitions from Section 1-W to create a new Section XXI and amended existing definitions.
09/25/2018	**396.18**	Revised runoff coefficients, rainfall intensity, and inlet time of concentration (Appendix A, Section F).
12/04/2018	**489.18**	Replaced Order 192.02, as amended, in its entirety and created Ellis County Quality Growth Initiatives – Volume I (Subdivision and Development Standards). Moved all related drainage sections from previous regulations into Volume II and reorganized this section, along with some minor amendments.
12/04/2018	**490.18**	Created Ellis County Quality Growth Initiatives – Volume II (Drainage Design Manual). Moved all related drainage sections from previous regulations into this volume.
12/04/2018	**491.18**	Created Ellis County Quality Growth Initiatives – Volume III (Standard Construction Detail). No wording; just an established framework for future amendments.
09/03/2019	**378.19**	Amended regulations on all Volumes to comply with the new state platting regulations required by House Bill 3167, adopted by the State Legislature on 06/24/2019.
03/23/2021	**195.21**	Amendments primarily address: (1) updates to process efficiency, clarification, cross-referencing, and comply with updates to state law & Attorney General opinions, (2) create & amend drainage requirements for storm sewer and roadside water conveyance systems, (3) create a new section for developments within special purpose districts, including lot frontage, setback, and thoroughfare-plan requirements, (4) amend and update pavement standards.
11/29/2022	**531.22**	Updated the requirements for Infrastructure Development plans for manufactured/mobile home & RV parks, and multi-tenant developments (new category); asphalt or concrete paving only; only licensed engineer can design/seal IDPs; County may use NPFA 1194 to further regulate RV parks; no permanent fixtures in RV Parks; added definition of multi-tenant

		developments and revised RV Park definition to closely mirror state's definition based on the 90-day limit.
07/11/2023	**339.23**	Updated family variance requirements and gave authority back to the Commissioners Court; added a new section regarding permitting in unrecorded subdivisions.
08/22/2023	**398.23**	Updates to (1) the development review process (permitting, platting, engineering, construction, etc.) and ensure compliance with recent updates to state law per the 88th Texas State Legislature, (2) amendments related to special districts, subdivision bonds, and definitions, (3) updates to current culvert & road standards and inspections/testing processes. (effective 09-01-2023)
05/26/2026	**209.26**	Updating procedures, establishing authority for certain plats, updating regulations on: lot depth; detention lots; setbacks; special districts; bonding requirements; variance criteria; clarification on infrastructure development plans (IDPs) and definitions (effective 06-01-2026)