

# **SUBDIVISION REGULATIONS**

**OF**

# **LUBBOCK COUNTY, TEXAS**

APPROVED BY THE LUBBOCK COUNTY COMMISSIONERS' COURT  
JUNE 12, 2000

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**APPENDIX A:**

LUBBOCK COUNTY SUBDIVISION PLAT APPLICATION ... Appendix - A Page 1

## SECTION 1 - JURISDICTION

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- 1.1. **GENERALLY**- The owner of a tract of land located outside the limits of a municipality must have a plat of the subdivision prepared if the owner divides the tract into two or more parts to lay out a subdivision of the tract, including an addition, lots, streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks or other parts.
- 1.2. **EXCEPTIONS** - Lubbock County will not require a plat for;
- 1.2.1. A subdivision outside the limits of a municipality that does not lay out streets, alleys, squares, parks, or other areas intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to those areas, provided that all of the divided land:
- (a) is to be used primarily for agricultural use, farm ranch wildlife management, or timber production. If a tract of land ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, a plat will be required;
  - (b) is divided into four or fewer lots and is sold, given, or otherwise transferred to an individual who is related to the owner within the third degree of consanguinity or affinity as determined under Chapter 573, Government Code. If any lot is sold, given, or otherwise transferred to an individual not related to the owner within the third degree by consanguinity or affinity, a plat will be required;
  - (c) consists of lots more than ten (10) acres in area;
  - (d) is sold to veterans through the Veteran's Land Board program;
  - (e) is land belonging to the state or any state agency, board, or commission or owned by the permanent school fund or any other dedicated funds of the State
  - (f) is land divided into two parts provided one part is retained by the original owner and the second part is sold to an individual who will further subdivide the tract subject to the standards herein; or
  - (g) if all parts are transferred to persons who owned an undivided interest in the original tract and a plat is filed before any further development of any part of the tract.
- 1.2.2. Land owned by a political subdivision of the State and situated in a flood plain where lots are to be sold to adjoining landowners.

- 1.2.3. A manufactured home rental community, as provided by section 232.007 of the Local Government Code, provided that such developments shall be subject to the minimum infrastructure standards outlined in Section 10, which have been established by the County under Section 232.007(c) of the Local Government Code.

## SECTION 2 - ADMINISTRATION

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- 2.1 **RESPONSIBILITY OF ADMINISTRATION** - The Lubbock County Transportation Administration and the Criminal District Attorney's Office will be responsible for administering and enforcing these subdivision regulations. (see TEX. LOC. GOV'T. CODE ANN. § 232.005 a (Vernon Supp. 1999)).
- 2.2. **OFFENSE** - A person commits an offense if the person knowingly or intentionally violates a requirement contained in these regulations. An offense under this section is a Class B misdemeanor. This subsection however, does not apply to a violation for which a criminal penalty is prescribed for conflict of interest. (See TEX. LOC. GOV'T CODE ANN. § 232.005 (b) (Vernon Supp. 1999)).
- 2.3. **AMENDMENTS** - The Lubbock County Commissioners' Court may amend these regulations, and the rules, procedures and policies associated with them, at any time, subject to the open meetings laws.
- 2.4. **VALIDITY AND REPEAL** - If any part, section, paragraph, clause, provision or portion of these regulations is repealed by the Commissioners' Court or held to be invalid or unconstitutional by a court of competent jurisdiction, such a holding will not affect any other section, paragraph, clause, provision or portion of these regulations.

## SECTION 3 - PLATTING FEES

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- 3.1. **PLATTING FEES** - A platting fee of seventy-five dollars (\$75.00) per lot shall be required for each tract outside the limits of any municipality in Lubbock County. An additional fee of seventy-five dollars (\$75.00) per lot shall be required for each lot in excess of one (1) acre. Maximum fee under this paragraph shall not exceed two-thousand five-hundred dollars (\$2,500.00). These fees are due in full at either
- (a) the time the final plat is submitted, or
  - (b) if a developmental plan is submitted at the time the plan is submitted to the Lubbock County Transportation Administration.

A platting fee of seventy-five dollars (\$75.00) per lot shall be required on each final plat submitted when a subdivision is developed in separate stages. An additional fee of seventy-five dollars (\$75.00) per lot shall be required for each lot in excess of one (1) acre. Maximum fees under this paragraph shall not exceed seven-hundred and fifty dollars (\$750.00).

- 3.2. **RECORDING FEES** - The platting fees required by this section DO NOT include the filing fees charged by the County Clerk.

## **SECTION 4 - EXTRATERRITORIAL JURISDICTION AND METROPOLITAN PLANNING ORGANIZATION**

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- 4.1. **CONSENT** - A Sub-divider of a tract of land located within the extraterritorial jurisdiction of a Municipality must obtain consent of both the Municipality and the County to subdivide the tract unless it is otherwise exempted by these regulations or the laws of the State of Texas. The County shall independently apply its subdivision regulations to the sub-dividers of parcels located in the extraterritorial jurisdiction of a County after the municipality has approved the plat. If County and Municipal regulations conflict, the more stringent shall be applied.
- 4.2. **REQUIREMENTS** - A sub-divider of a tract of land located within the extraterritorial jurisdiction of the Metropolitan Planning Organization, in addition to fulfilling County and Municipality regulations, must fulfill any requirements the Organization may have (see TEX. ADMIN. CODE Title 1 Section 5.51 (West 1999) (Purpose Metropolitan Planning Organizations)).

## **SECTION 5 - PROCEDURE**

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- 5.1. **DEVELOPMENTAL PLAN** - An individual may choose to file a developmental plan or preliminary plat with the Lubbock County Transportation Administration. If a plan is submitted, the Transportation Administration will work with the applicant in preparing a final plat to be submitted to the Commissioners' Court. The fees listed in section 3.1. are due in full at the time the developmental plan is submitted.
- 5.1.1. The developmental plan or preliminary plat should include a preliminary sketch of the subdivision along with a completed subdivision application contained in Appendix A. The development plan or preliminary plat must



indicate the current owner and use of all adjacent property.

- 5.1.2. The documents listed in section 5.2. (a)-(o) do not have to be attached with the application at the time a developmental plan is submitted to the Transportation Administration.

5.2. **SUBDIVISION APPLICATION** - A subdivision application must be filed with the Lubbock County Commissioners' Court. The Subdivision Application Form is attached as Appendix A. The application must be complete and all documents required by this section must be attached before the Commissioners' Court will consider the final plat. The following documents must be included with the application:

- (a) A Final Plat drafted in accordance with Section 5.3;
- (b) Approval by the Texas Department of Health or the City of Lubbock Health Department of the proposed water supply;
- (c) Certification from all utility companies and service agencies that the location and extent of the utility easements and facilities are sufficient to provide anticipated service. The certification should state that the facilities are sufficient to provide anticipated service;
- (d) Drainage Plan prepared by a registered professional engineer of the State of Texas (See Section 9.2.);
- (e) Drainage Engineering study (See Section 9.3.);
- (f) Certification of ownership which shall consist of a statement prepared by a qualified attorney or title insurance company licensed to do business in Texas, stating that the title of the property has been examined and names all owners and lien holders of said tract of land;
- (g) Certification showing that all taxes have been paid on the tract to be subdivided, and that no delinquent taxes are owed against the property. The certification must come from the Lubbock County Appraisal District or other taxing authorities;
- (h) Certification by a Registered Public Surveyor showing that the Plat correctly represents a survey made by that surveyor, and that all of the lot corner and boundary markers are correctly placed as shown thereon, including dimensions, bearings and other technical information needed for plating each lot on the subdivision;
- (i) A copy of the deed restrictions and restrictive covenants imposed within the subdivision along with a general summary description of the proposed deed restrictions indicating the lots so restricted;
- (j) All pertinent documents pertaining to the creation of a property owners' association responsible for maintenance of private streets or common areas and providing means for the enforcement of maintenance obligations, if such private ownership is to be established;
- (k) Plan and geometric design standards of streets, drawings and drainage calculations prepared by an Engineer registered in the State of Texas;
- (l) Certification and approval by appropriate representatives of any municipality

having extraterritorial jurisdiction over the area in which the subdivision is located;

- (m) The original and two (2) copies of all deeds of dedication of all streets, public highways, alleys and utility easements dedicated to public use in accordance with Section 5.3.10.;
- (n) A topography map showing the topography of the tract by means of contours of at least five foot (5') intervals tied to United States Geological Survey (USGS) maps. Contours of lesser intervals may be required to better determine topographical drainage.
- (o) A plan for providing utility service within the subdivision must be shown on a blue-line copy of the plat. If the plan is that each lot purchaser shall provide private sewage facilities to each lot owner's needs, those facilities must meet the requirements of the Lubbock County On-Site Sewage Facilities Regulations.

### 5.3. FINAL PLAT

5.3.1. **Generally** - For a final plat to be considered for acceptance it must comply with the requirements set forth in subsections 5.3.2. through 5.3.9.

5.3.2. **Copies** - Seven (7) paper copies and four (4) sepia copies of the final plat must be submitted to the Lubbock County Transportation Administration. The Final Plat must comply with sections 5.3.1. thru 5.3.10.

5.3.3. **Lot, Block, and Street Layout** - The Final Plat must clearly show the location, name and width of existing and proposed streets, roads, lots, blocks, alleys, building lines, easements, parks, utility easements, and other pertinent features drawn to scale, together with accurate dimensions in feet and decimals of feet and bearing, with length radii and angle of all curves and all other information necessary to duplicate the Final Plat on the ground. Each lot or tract shall be identified by number. The Plat must show the outline of adjacent properties for a distance of not less than one-hundred (100) feet, and indicate how the streets in the proposed subdivision will connect with the adjacent land or with adjacent subdivisions. The acreage of the proposed subdivision must be shown on the Plat.

5.3.4. **Drainage** - The Final Plat must show all playa lakes, existing and proposed easements and streets to be within plat limits.

5.3.5. **Drawing Requirements** - The Final Plat must show the North point, scale and date. The Final Plat must be drawn to the following scale: One inch (1") per one-hundred feet (100') for plats one (1) acre to one-hundred (100) acres; One inch (1") per two-hundred feet (200') for plats over one-hundred (100) acres. The Final Plat must be submitted in one of the following two dimensions:

- (a) 18" x 24"

(b) 24" x 36"

- 5.3.6. **Waste Disposal Facilities** - All private waste disposal facilities proposed shall be acknowledged in the Final Plat notes.
- 5.3.7. **Development of the Property in Stages** - If the subdivision is to be developed in stages, a Final Plat for each stage must be submitted to the Commissioners' Court for approval. A platting fee, as outlined in Section 3, will be charged for each Final Plat submitted to the Commissioners.
- 5.3.8. **Building and Set-Back Lines** - The location of building and set back lines, adjacent to all streets, drainage easements and other public rights-of-way must be shown on the Final Plat as required by section 7.2.
- 5.3.9. **Dedication Deeds** - Dedication deeds or certificates shall be executed by all persons, firms or corporations owning an interest in the property subdivided and platted, and shall be acknowledged in the manner prescribed by the laws of the State of Texas for conveyances of real property. Lien holders shall execute a subordination agreement subordinating their liens, or enter into the dedication, if any, to all public streets, alleys, parks, public easement, school sites and any other public areas shown on the plat of each subdivision as being set aside for public uses and purposes. The dedication deed shall, in addition to the above requirements, contain the following:
- (a) an accurate description of the tract of land subdivided;
  - (b) a statement and express representation that the parties joining in such dedication deed are the sole owners of such tract of land;
  - (c) an express dedication, if any, to the public for public use forever of the streets, alleys, rights-of-ways, storm water impoundment areas, parks, public easements, school sites and other public places shown on the attached plat; and
  - (d) a positive reference and identification of the plat of such subdivision by the name of such subdivision, date of plat, surveyor and date of approval by the appropriate units of government.
- 5.4 **APPROVAL BY THE COMMISSIONERS' COURT** - The Commissioners' Court shall approve or deny all Final Plats by an order entered in the minutes of the Court. The Commissioners' Court shall not consider an application unless the plat and all required documents have been prepared and submitted in accordance with these regulations. Lubbock County Transportation Administration will notify the applicant within ten 10 days of submission if the application is complete. The Commissioners' Court shall either approve or disapprove the plat within sixty (60) days from the date the completed final application is submitted. If the plat is not approved, it must be returned to the owner, and the reasons for the disapproval must be given to the sub-divider in writing.

- 5.4.1. **Extension of 60 Day Time Period** - The sixty (60) day period in which the Commissioners' Court has to act on a Final Plat may be extended for a reasonable period, if agreed to in writing by the applicant and approved by the Commissioners' Court or Lubbock County Transportation Administration.

The period may also be extended an additional sixty (60) days if Chapter 2007 of the Government Code requires the County to perform a takings impact assessment in connection with a plat application. The decision to extend the sixty (60) day period must be made no later than the twentieth (20<sup>th</sup>) day after the date the completed plat application is received by the Commissioners' Court.

- 5.4.2. **Abeyance** - If the Final Plat is approved, the court may order that the plat be held in abeyance and not recorded until the Lubbock County Transportation Administration certifies that the construction of the streets and drainage is complete or that the subdivider has provided appropriate financial security in one of the following methods:

(a) A construction bond filed by the sub-divider payable to the County Judge in the amount determined by the Commissioners' Court or its designated representative to be adequate to ensure proper construction of the roads, streets and drainage improvements in the subdivision. The bond should not exceed the estimated cost of construction of the roads, streets and drainage improvements. The bond must be a surety company licensed to operate in the State of Texas and approved by the Commissioners' Court or its designated representative. The bond must be conditioned that the roads, streets and drainage will be constructed in accordance with the specifications adopted by the Commissioners' Court and within a reasonable time set by the Commissioners' Court or its designated representative.

(b) The owner may provide funds in escrow, certificate of deposit, an irrevocable letter of credit or other financial instrument satisfactory to the Commissioners' Court or its designated representative in the amount of the cost of construction. If a letter of credit is used, it must list as the sole beneficiary the County Judge and be conditioned that the owner of the tract of land subdivided will construct all roads, streets, and drainage improvements in the subdivision in accordance with the specifications adopted by the Commissioners' Court and within a reasonable time set by the Commissioners' Court or its designated representative.

Upon approval by the court and satisfaction of such security requirements, the Final Plat will be filed of record in the Plat records of Lubbock County along with any applicable covenants and/or restrictions, at the owner's expense. If any requirements set by the Commissioner's Court are not met, approval may be withdrawn.

## 5.5. ACCEPTANCE OF ROAD FOR MAINTENANCE

- 5.5.1. **Generally** - Approval of a Final Plat does not mean the Commissioners' Court has accepted a road or roads or that the County will maintain such road or roads. The standards within Subsections 5.5.2. through 5.5.5. must be completed before the Commissioners' Court may accept a road for maintenance. (See *Langford v. Kraft*, 498 S.W.2d 42, 49(Tex. Civ. App- Beaumont 1973, writ ref. n.r.e.)).
- 5.5.2. **Conditions of Approval** - All conditions for approval of the engineering plans must be met. All requirements for approval of construction must be met. All construction must be in accordance with approved plans and construction standards set forth herein or as may be adopted by the Commissioners' Court.
- 5.5.3. **Preliminary Acceptance of Construction** - As each phase of the road, drainage, and utility construction is complete, the developer shall notify the Lubbock County Transportation Administration.

The Lubbock County Transportation Administration shall then inspect the improvements and give written notice of any deficiencies. Should it be deemed necessary to ascertain compliance with County construction specifications the County Transportation Administration may require copies of test results performed by an independent certified testing laboratory.

Upon rectification of deficiencies and reinspection, the County Engineering Department shall issue a statement of preliminary acceptance of construction and shall establish a date considered to be the date of completion of construction. The owner will be responsible for all maintenance until final acceptance of the roads by the County.

- 5.5.4. **Final Acceptance of Construction** - Twenty-Four (24) months after the date of completion of construction, the owner shall send a written request to the Transportation Administration asking that the improvements be accepted by Lubbock County. The Transportation Administration shall inspect the improvements and notify the developer in writing of any deficiencies. Upon rectification of any deficiencies and reinspection, the Transportation Administration shall recommend to the Commissioners' Court that the improvements be accepted by Lubbock County.

Upon Commissioner Court action, the improvements shall be accepted by Lubbock County for maintenance purposes. Maintenance by County forces will not begin until final acceptance of construction.

- 5.5.5. **Maintenance Bond** - During the twenty-four (24) month period, the sub-divider

must provide appropriate financial security in accordance with these regulations. Financial security may be arranged in one of the following methods.

- (a) A maintenance bond may be filed by the sub-divider payable to the County Judge in the amount determined by the Commissioner's Court or its designated representative to be adequate to ensure proper maintenance of the roads and streets in the subdivision during the twenty-four (24) months before final acceptance of the roads but not to exceed twenty percent (20%) of the cost of construction of the roads and streets in the subdivision. The bond must be a surety issued by a surety company licensed to operate in the State of Texas and approved by the Commissioners' Court or its designated representative. The bond must be conditioned that the roads and streets will be maintained in accordance with the specifications adopted by the Commissioners' Court.
- (b) The owner may provide funds in escrow, certificate of deposit, an irrevocable letter of credit or other financial instrument satisfactory to the Commissioners' Court or its designated representative to be adequate to ensure proper maintenance of the roads and streets in the subdivision during the twenty-four (24) months before final acceptance of the roads but not to exceed twenty percent (20%) of the cost of construction of the roads and streets in the subdivision. If a letter of credit is used, it must list as the sole beneficiary the County Judge and be conditioned that the roads and streets within the subdivision will be maintained in accordance with the specifications adopted by the Commissioners' Court.

## 5.6. RECORDATION OF DOCUMENTS

- 5.6.1. **Construction Plans** - After the subdivision roads, streets and drainage improvements have been completed by the owners or sub-divider, one set of record construction plans of all street and drainage improvements that have been constructed shall be filed with the County Transportation Administration prior to acceptance of the roads into the twenty-four (24) month maintenance period. Record Construction Plans or Record drawings shall be in reproducible mylar form.
- 5.6.2. **Final Plat** - The plat must be filed and recorded with the County Clerk. The County Clerk or a deputy of the Clerk with whom the plat or replat of a subdivision of real property is filed for recording shall note whether the plat or replat is required by law to be approved by the County of Municipal authority or both. The Clerk or deputy may not record a plat or replat requiring approval unless it is approved as provided by the appropriate authority and unless the plat or replat has attached to it the documents required regarding water and sewer. (See TEX. PROP. CODE ANN. § 12.002 (Vernon 1984 & Supp. 1999)). To be recorded, the plat must describe the

subdivision as follows:

- (a) By metes and bounds;
- (b) Locate the subdivision with respect to an original corner of the original survey of which it is a part; and
- (c) State the dimensions of the subdivision and of each lot, street, alley square, park, or other part of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park or other part.
- (d) The owner or proprietor of the tract or the owner's or proprietor's agent must acknowledge the plat in the manner required for the acknowledgment of deeds.

(See TEX. LOC. GOV'T CODE ANN. § 232.001 (b) (c) (Vernon 1988)).

5.6.3. **Offense** - A person commits an offense if the person files for record or has recorded in the County Clerk's office a subdivision of property that is subject to platting without it being approved as provided by these regulations by the proper authorities, or if the person uses the subdivision's description in a deed of conveyance, a contract for a deed, or a contract of sale or other executory contract to convey that is delivered to a purchaser unless the plat or replat of the subdivision is approved and is filed for record with the County Clerk and has the required water and sewer documents attached.

- (a) An offense under this section is a misdemeanor punishable by a fine of not less than ten dollars (\$10.00) and not more than five hundred dollars (\$500.00), by confinement in the County jail for a term not to exceed ninety (90) days, or by both confinement and fine.

5.6.4. **Extraterritorial Jurisdiction** - If a plat or replat does not indicate whether land covered by the plat or replat is in the extraterritorial jurisdiction of a Municipality, the County Clerk may require the person filing the plat or replat for recording to file with the Clerk an affidavit stating that information. (See TEX. PROP. CODE ANN. § 12.002 (a) (Vernon 1984 & Supp. 1999)).

5.6.5. **Copy Retained** - An original copy of the Final Plat will be retained by Lubbock County Transportation Administration.

## SECTION 6 - CANCELLATION OF SUBDIVISION

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6.1. **GENERALLY** - See TEX. LOC. GOV'T CODE ANN. § 232.008 (Vernon 1988).

## **SECTION 7 -DESIGN STANDARDS AND REQUIRED IMPROVEMENTS**

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### **7.1. GENERALLY**

All street and roads must be designed and constructed in accordance with specifications adopted by the Commissioners' Court and available from the Lubbock County Transportation Administration. Construction shall be done under the supervision of a Registered Professional Engineer who shall file a copy of the proposed construction plans with the County Transportation Administration for approval prior to the beginning of construction.

All improvements must be designed according to generally accepted engineering standards subject to the approval of the Commissioners' Court upon the recommendation of the Lubbock County Transportation Administration.

### **7.2. BUILDING SETBACK LINES**

Building and setback lines shall be a minimum of twenty-five feet (25') from the edge of the right-of-way on all public roads other than major highways and roads as designated by the Commissioners' Court. (See TEX. LOC. GOV'T CODE ANN. § 233.002 (b) (Vernon 1988 & Supp. 1999)).

The Commissioners' Court shall show each building or setback line on a map filed with the County Clerk. (See TEX. LOC. GOV'T CODE ANN. §233.004 (b) (Vernon 1988 & Supp. 1999)).

If the County does not begin the construction of the improvement or widening of a road along which a building or setback line has been established within four (4) years after the date the building or setback line is established, the building or setback line becomes void, unless the County and affected property owners agree to extend the time period for the improvements or widening. (See LOC. GOV'T CODE ANN. § 233.004(c) Vernon 1988 & Supp. 1999)).

An owner of real property that abuts a right-of-way that has a building or setback line is charged with notice of the building or setback line order. (See TEX. LOC. GOV'T CODE ANN. § 233.004 (a) (Vernon 1988 & Supp. 1999)).

### **7.3. REQUIRED IMPROVEMENTS**

(See TEX. LOC. GOV'T CODE ANN. § 232.003 (4) & (5) (Vernon 1988 & Supp. 1999) for provisions in this section unless otherwise specified).



- 7.3.1. All lot corners and street right-of-way lines must be marked with iron pins driven into the ground and protected during street construction.
- 7.3.2. Streets within the subdivision must be constructed by the developer according to the standards set out below.
- (a) All construction must meet the minimum specifications which are set out in the Annual Lubbock County Paving Program in effect at the time construction is to begin.
  - (b) Section line roads, inclusive of the right-of-way, must be a minimum of one-hundred ten feet (110') in width.
  - (c) One-half (½) section line roads, inclusive of right-of-ways, must be a minimum of eighty feet (80') in width.
  - (d) The right-of-way on all roads within of bordering a subdivision except as hereinbefore provided must be a width of not less than sixty feet (60').
  - (e) Streets which border the perimeter of the subdivision must be constructed to meet the specifications of the Annual Lubbock County Paving Program, or an amount equal to one-half (½) of the estimated full width construction cost must be deposited in escrow with the Commissioners' Court. In no case will a road be paved to a minimum width of less than twenty-six feet (26'). In any event, the developer must dedicate to Lubbock County a right-of-way of appropriate width for his proportionate share of any perimeter street whether he elects to construct the street or place the funds in escrow for later construction.
  - (f) Streets must have a shoulder to shoulder width on collectors or main arteries within the right-of-way of not less than thirty-two feet (32') and not more than fifty-six feet (56'), and a shoulder to shoulder width on any other street or road of not less than twenty-five feet (25') and not more than thirty-five feet (35'). (See TEX. LOC. GOV'T CODE ANN. §232.003 (Vernon 1988 & Supp. 1999)).
- 7.3.3. Streets of new subdivisions shall be in line with existing streets in adjoining property except where, in the opinion of the County Transportation Administration, the topography, requirements of traffic circulation or other considerations make it desirable to depart from such alignment. Where jogs in street alignment are unavoidable, the minimum off-set in street center-lines shall be 150 feet.
- 7.3.4. A street may not intersect a County road at a point where the sight distance is restricted to less than seven-hundred (700) feet, except by approval by the Commissioners' Court upon the basis of a traffic engineering investigation, unless provision is made (with copies of all pertinent agreements thereto) for

removal of the sight restriction.

- 7.3.5. If a private street is proposed, its design must meet minimum County Standards and it must be approved by the Commissioners' Court. Detailed information relating to its perpetual maintenance including copies of all proposed agreements with inhabitants of the subdivision shall be filed with the final plat.
- 7.3.6. Dead-end streets are not acceptable unless the street is terminated by a circular cul-de-sac turnaround. A dead-end street with a permanent cul-de-sac turnaround shall not exceed eight-hundred feet (800'). The streets shall terminate in a cul-de-sac with a minimum right-of-way radius of fifty feet (50'), unless topography, density, adequate circulation, other conditions necessitate a greater length or, for subdivisions within a municipality's jurisdiction, a greater length has been approved by the appropriate officials. If it is physically possible to extend the cul-de-sac street into an undeveloped adjoining property, the cul-de-sac terminating a street at the boundary line of a subdivision shall be designed so that the boundary line forms a chord in the cul-de-sac equal in length to the width of the cul-de-sac street.
- 7.3.7. When a proposed subdivision of land abuts both sides of an existing substandard road, street or highway, said road, street or highway being substandard, according to the existing current Lubbock County specifications, the developer shall be required to improve the existing road and drainage to Lubbock County standards or to replace it with a standard County road at no cost to the County.
- 7.3.8. If proposed street extensions between subdivisions or subdivision sections are approved and platted without cul-de-sac turnarounds at the boundary of the section or subdivision, the right-of-way of that street shall be a minimum of sixty feet (60') except where a curbed type street section is to be constructed, and the street design shall include provisions for a temporary turnaround as required in these regulations.
- 7.3.9. Alleys should be provided only in single family residential areas. Public utility easements are generally required in multiple-family, commercial and industrial areas along rear lot lines unless alleys are specifically approved. If an alley is provided and approved in a residential district, the minimum width shall be twenty feet (20').
- 7.3.10. Public utility easements should be located as required by servicing utilities. In the absence of specific requirements by the servicing utility companies, public utility easements shall be twenty feet (20').

Public utility easements shall not be placed in the same location as drainage easements unless specifically approved by the County Transportation Administration. Utility easements may parallel, but should be separate from drainage easements. Public utility easements shall not be placed to appear to be a combined utility easement, i.e., drainage easement and roadway or access easements unless specifically approved by the County Transportation Administration.

7.3.11. Street name signs for streets shall be placed at all street intersections within or abutting the proposed plat and comply with County specifications. Cost for street signs shall be provided by the developer for the original sign and installation.

7.3.12. New streets in subdivisions shall follow the Lubbock Emergency Communications District numbering system for unincorporated areas of Lubbock County .

7.3.13. The placement of a mailbox, improvement and other obstruction in County right-of-way is prohibited unless prior approval has been granted by the County Transportation Administration.

Mailboxes and other improvements should, at a minimum, be located outside an eight foot (8') usable shoulder or turnout. A greater clearance may be required on roads with higher traffic volumes and speeds.

All improvements and obstructions in the County right-of-way shall be subject to removal from said right-of-way at the County's request.

7.3.14. Subdivisions with any lot with frontage less than one hundred twenty-five feet (125') shall be required to provide a form of curb and gutter required by the Annual Lubbock County Paving Program specifications in effect at the time construction is scheduled to begin. (See Op. Tex. Att'y Gen. No. H-1146).

## **SECTION 8 - DRIVEWAY ENTRANCE STANDARDS**

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8.1. **GENERALLY** - Driveway entrance standards are required for construction of driveways on public right-of-way in subdivisions constructed in Lubbock County outside incorporated areas. The regulations as well as an application may be obtained from the Lubbock County Transportation Administration.

## SECTION 9- DRAINAGE REQUIREMENTS

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- 9.1. **GENERALLY** - All parts of subdivisions subject to flooding shall have drainage facilities adequate to prevent flooding. Drainage facilities consist of streets, alleys, storm sewers, channels, bridges, culverts, swells and any other facility through which the County must have a right in either the form of a dedicated right-of-way or flood way and drainage easements.

Drainage structures shall be constructed in such locations and of such size and dimensions to adequately serve the subdivision under study and the contributing drainage area. In new subdivisions, the developer shall provide all of the necessary easements and rights-of-way from the owner and all adjoining owners thereto required by the Commissioners' Court for drainage structures, including storm sewer and open or lined channels.

If inside the Extraterritorial Jurisdiction the sub-divider should comply with all specifications set out in the respective municipalities drainage criteria manual. If no such manual exists the sub-divider must obtain the municipalities approval.

- 9.2. **PLAN REQUIREMENTS** - A drainage plan prepared by a Registered Professional Engineer of the State of Texas, whose seal and signature shall appear on the plan, must be submitted with the Final Plat. The plan shall be drawn to a scale no smaller than the Final Plat.

The plan submitted to the Commissioners' Court shall show all drainage routing, including drainage overflow, flooding for the storm frequency equal to the one-hundred (100) year flood as defined by the Federal Emergency Management Agency in the National Flood Insurance Program. Drainage plans and plats shall show the limit of the flood hazard area corresponding to the regulatory one-hundred (100) year flood plain.

The plan shall include an engineer's report as detailed in subsection 9.3, and a copy of a topographical drawing at the same scale as the final drawing, showing the location, type and size of all required drainage structures. The plan shall also indicate the route of proposed drainage.

- 9.3. **ENGINEERING STUDY** - Every sub-divider shall submit a copy of an engineer's report showing expected drainage flow throughout the area to be subdivided, including all areas to be paved. The study shall show at a minimum all contributing land areas, drainage areas, coefficient of runoff, storm frequency used, calculations and expected quantity of storm flow for each street. The study shall be based upon the method used by the Soil Conservation Service, the Rational Method or other methods approved by the County Transportation

Administration.

- 9.4. **APPROVAL** - The design, size, type and location of every storm drainage facility shall be approved by the County Transportation Administration. All drainage easements shall be clearly shown on the Final Plat of every subdivision by width, length, location and all other dimensions. When water has been directed through adjacent property to a subdivision an easement shall be provided by the sub-divider to a playa lake or to a point where the water will drain naturally away from the property. Easement width for open or lined channels shall be at least thirty feet (30') wide.
- 9.5. **RESPONSIBILITY FOR DRAINAGE** - The owner or developer of property to be developed shall be responsible for the conveyance of all storm and flood waters flowing through or abutting subject property. The responsibility includes the drainage directed to that property by prior development as well as the drainage naturally flowing through property by reason of topography.

Where the improvement or construction of a storm and flood water drainage facility is required along a property line common to two or more owners, the owner hereafter proposing the development or use of the property shall be responsible for all the required improvements on either side of the common development, including the dedication by the legal owner(s) of all necessary rights-of-way or easements to accommodate the improvements

The responsibility of the owner or developer shall extend to providing adequate off-site drainage improvements to accommodate the full effects of the development of the property. When the owner or developer certifies by affidavit that a bonafide attempt to meet off-site drainage requirements has not been successful, the County may assist, at its discretion, in the acquisition of necessary property rights to provide for construction of off-site drainage improvements. The owner or developer shall make adequate guarantees that the owner or developer will stand the full cost of acquiring said property rights and shall retain full responsibility for construction of the required off-site improvements.

- 9.6. **DRAINAGE STRUCTURES** - All traffic lane culverts shall be constructed of concrete pipe, corrugated galvanized iron, or cast in place reinforced concrete, or equal and shall be designed for not less than five-thousand pound (5000 lb.) wheel load. Culverts shall be designed for AASHTO 20-44 loading and shall be furnished and installed in accordance with the requirements of the latest edition of the "Standard Specifications for the Construction of Highways, Streets and Bridges" of the Texas Department of Transportation. Protective coatings shall be provided where specifically requested by the County Transportation Administration. No culverts built or replaced in the County shall be less than twenty-four inches (24") in diameter unless a request for a smaller diameter culvert is made by the developer or owner and granted by the Commissioners' Court or its representative at the time it approves the subdivision plat. In no case shall culverts, built or replaced in the County, be less than eighteen inches (18") in diameter.

Unless otherwise approved by the County Transportation Administration, the design and construction of concrete boxes and bridges shall conform to applicable standards of the latest design standards of the "American Association of State Highway and Transportation Officials" and the "Standard Specifications for Construction of Highways, Streets and Bridges."

Open or lined drainage ditches or both shall be constructed across the entire area of each subdivision submitted for approval under the provisions of this policy. The design, type, size and location of every drainage ditch shall be approved by the County Transportation Administration and shall conform to the specifications for drainage ditches. Where curb and gutter are required, water in excess of what gutters will carry at maximum design flow shall be carried within the dedicated right-of-way or other acceptable standard.

Design of channels shall consider velocities and shall be shaped, graded, lined or protected to minimize or prevent scour erosion from excessive velocities. The requirement shall extend to roadside drainage ditches often called bar ditches. Concrete or rock retards shall be used where necessary and shall be constructed to meet Texas Department of Transportation Specifications or Lubbock County specifications.

Open channels shall be constructed in accordance with one of the following design methods

- (a) earthen channels;
- (b) lined channels;
- (c) natural channels as approved by the County Transportation Administration.

The sub-divider shall design every subdivision, and its facilities shall be so constructed that the following minimum storm runoff frequencies shall be met:

- (a) Bridges - twenty-five (25) years;
- (b) Culverts under sixty inches (60") - ten (10) years;
- (c) Curb and Gutter - two (2) years; and
- (d) Storm sewer - two (2) years.
- (e) The peak storm runoff for each return frequency for areas under two-hundred fifty (250) acres may be calculated using the Rational Method. For areas over (250) two-hundred fifty acres, any commonly used synthetic unit hydrograph method will be utilized to determine the peak storm runoff.

Residential streets shall be so designed for protection to all abutting private property for a twenty-five (25) year peak storm flood frequency.

All drainage pipe shall be new material.

Unless otherwise specified herein, all drainage ditches in subdivision areas with ground slope factors of one (1) percent or less shall conform to the following specifications:

- (a) ditches shall be of flat bottom design;

- (b) ditches shall have a bottom width of eight feet (8');
- (c) ditches shall have a depth not to exceed nine inches (9");
- (d) ditches shall have cross slopes front slope and back slope) not steeper than eighteen feet (18') to one foot (1') foot (18:1);
- (e) ditches shall be blue topped and cut to a minimum of one percent (1%) cross-slope; and
- (f) in subdivision areas where depths of drainage ditches exceed nine inches (9"), the ditches shall be designed to the engineer's specifications as set forth in the drainage report submitted by the developer.

Unless otherwise approved by the County Transportation Administration Engineering Department, all drainage ditches shall be of a flat bottom design of sufficient dimensions to allow for the installation of dip type concrete driveways or entryways into each lot or parcel that is included or shown in the subdivision or plat thereof.

## **SECTION 10 - MANUFACTURED HOME RENTAL COMMUNITIES**

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- 10.1. **INFRASTRUCTURE DEVELOPMENT PLAN** - The owner of a proposed manufactured home rental community must submit an infrastructure development plan for approval. The plan must include the following.
- 10.1.1. **Water Supply** - A public or community water supply system approved by the Texas Department of Health or the City of Lubbock Health Department of the proposed water supply. The owner of the proposed manufactured home rental community must provide documentation verifying that the proposed water supply system has been approved by the Texas Department of Health or the City of Lubbock Health Department prior to receiving approval of the infrastructure developmental plan.
  - 10.1.2. **Sanitary Sewer** - All on-site sanitary sewer systems meeting the minimum requirements of the Lubbock County On-Site Sewage Facilities Regulations. The owner of the proposed manufactured rental home community must provide documentation which verifies that the proposed sanitary sewer system has been reviewed by a representative of Lubbock County prior to receiving approval of the infrastructure developmental plan.
  - 10.1.3. **Boundary Survey** - A survey prepared by a Texas Registered Professional Land Surveyor identifying the proposed manufactured home rental community boundaries and any significant features of the community, including the proposed location of manufactured rental community spaces, utility easements, and dedications of right-

of-ways.

10.1.4. **Roadways and Drainage** - Plans and specifications prepared by a Texas Registered Professional Engineer to provide adequate drainage in accordance with standard engineering practices and to provide for minimum standards for internal roads and streets which are reasonably necessary for ingress and egress by fire and emergency vehicles. The plans and specifications for drainage must meet the requirements of Section 9 of the Lubbock County Subdivision Regulations. The plans and specifications for internal streets must be of all-weather construction with a width necessary for the simultaneous ingress and egress of emergency vehicles.

10.2. **APPROVAL OF INFRASTRUCTURE DEVELOPMENT PLAN** - Not later than the sixtieth (60<sup>th</sup>) day after the date the owner of a proposed manufactured home rental community submits an infrastructure developmental plan for approval, the plan shall be approved or disapproved by the Commissioners' Court. If the plan is rejected, the written rejection shall specify the reasons for rejection and the actions required for approval of the plan. The failure to reject a plan within the sixty (60) day period constitutes approval of the plan.

A plan will not be considered submitted unless all of the elements listed above are provided to the Commissioners' Court.

10.3. **FINAL INSPECTION** - Upon completion of construction, the owner of the manufactured rental home community must request, in writing, that the Lubbock County Transportation Administration complete a final inspection on the facility.

The final inspection must be completed not later than the second business day after the Transportation Administration receives written notice from the owner that the construction of the infrastructure is complete.

If upon inspection it is determined that infrastructure complies with the developmental plan, the Commissioners' Court shall issue a certificate of compliance not later than the fifth (5<sup>th</sup>) business day after the date the final inspection is complete. If it is determined that the infrastructure does not comply with the developmental plan, the commissioners court shall notify the owner of all deficiencies in writing not later than the fifth (5<sup>th</sup>) business day after the date of final inspection.

## **SECTION 11 - INSTALLATION OF PIPELINES AND UNDERGROUND UTILITIES**

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11.1. **EXCAVATION** - All excavation within the right-of-way and not under a surfacing shall be



backfilled by wetting and tamping the material in six inch (6") layers. If the excavation is outside the limits of the shoulder of the road, the material may be replaced by backfilling in one foot (1') lifts and "Jetted" or "Ponded" to secure normal density.

Where sodding is disturbed by excavation or by back filing operations, such areas shall be replaced by mulch sodding on all slopes of two percent (2%) or less. All slopes over two percent (2%) shall be replaced by block sodding.

- 11.2. **PARALLEL CROSSINGS** - All parallel pipelines carrying gas or liquid fuel along and on the County Road right-of-way should be of ferrite metal of sufficient strength to resist rupture by normal excavation work within the right-of-way, If plastic conduit is preferred for gas or liquid fuel, a metal wire shall be concurrently installed or other means of detection provided. All parallel pipelines shall have a minimum cover of thirty inches (30"), except that lines carrying high pressure gas or liquid fuel shall have a thirty-six inch (36") minimum.

All parallel power cables shall have a have a minimum cover of thirty-six inches (36"), and all communication cables shall have a minimum cover of twenty-four inches (24").

- 11.3. **INSTALLATION** - All crossings under the roadbed of a surfaced road, and/or surfaced cross road approach aprons within the right-of-way, shall be placed by boring. Where right-of-way widths will permit, boring shall extend for a minimum distance of pavement width plus twenty feet (20"), no ditch or excavation work to extend nearer than ten feet (10") to the edge of the pavement surface of any low traffic roadway.

All pipelines carrying pressure under roadways shall be enclosed in satisfactory encasement extending from right-of-way line to right-of-way line, with vents provided at the ends of the encasement for gas and liquid fuel.

All underground cables, except telephone and T.V. cables, shall be encased in ferrite metal conduit of satisfactory strength extending from right-of-way-line to right-of-way line.

All poles or pedestals necessary to underground cable installation within the right-of-way shall be placed within eighteen inches (18") of the nearer right-of-way line.

- 11.3.1. **Boring Inapplicable** - When there is evidence present that boring is inapplicable, the Lubbock County Transportation Administration may grant permission to cut the surfacing based on the following conditions.

- (a) All backfilling of dirt or caliche, within roadway width, shall be done at optimum moisture, in six inch (6") lifts and tamped sufficiently to obtain ninety-five percent (95%) Standard Procter density. Density tests from a reliable testing laboratory shall be furnished to Lubbock County.
- (b) In lieu of backfilling in accordance with subsection (a) an individual may use

an approved caliche, mixed and batched at a concrete batching and mixing plant or with transit mix equipment with two (2) sacks of cement per cubic yard of mix.

- (c) Cuts, backfill, replacing base and resurfacing are to be performed in a neat and workman like manner

- 11.4. **DAMAGES** - Pavement damaged by any of the above operations shall be repaired in accordance with the Lubbock County Subdivision Regulations.

## **SECTION 12 - VARIANCE**

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- 12.1. **GENERALLY** - Upon a finding by the Commissioners' Court that enforcement of these regulations would be contrary to the health or safety interests of the citizens of Lubbock County or that such enforcement creates a financial impossibility to the parties involved, the Commissioners' Court, by an order entered into its minutes, may grant a variance to these regulations.

## **SECTION 13- DEFINITIONS**

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- 13.1. **ALLEY** - a public street, having no official name, which is designed primarily for the installation of and access to public utilities. The alley shall extend only secondary access to the abutting property unless primary alley access is approved by site plan or plat.
- 13.2. **BLOCK** - a parcel of land entirely surrounded by public highways, streets, streams, railway right-of-way, parks, etc., or a combination thereof.
- 13.3. **BUILDING LINE or SET BACK LINE** - a line established, in general, parallel to the front street line. No building or structure may be permitted in the area between the building line and the street right-of-way.
- 13.4. **COMMISSIONERS' COURT** - The Commissioners' Court of Lubbock County, Texas.
- 13.5. **COUNTY** - Lubbock County, Texas
- 13.6. **COUNTY JUDGE** - The Presiding County Judge of Lubbock County, Texas.
- 13.7. **COUNTY ROAD** - A roadway under the control and maintenance of Lubbock County

- 13.8. **COLLECTOR STREET** - A street or road collecting traffic from other streets and collectors and serving as the most direct route to an arterial, State highway, or neighborhood center.
- 13.9. **CUL-DE-SAC** - A short public street having but one opening or access to another public street and is terminated by a permanent vehicular turnaround.
- 13.10. **DEAD-END STREET** - That portion of a public street, that initially has only one opening or access to another public street and which will be extended at a later date.
- 13.11. **DEVELOPMENTAL PLAN** -(preliminary plat) A map of a tract of land which represents the plan for the development of a subdivision.
- 13.12. **DRAINAGE EASEMENT** - An area intended for restricted use on property upon which an authorized governmental agency shall have the right to remove and keep removed all or part of any buildings, fence, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or operation of any of its respective drainage systems within any if these easements. An authorized governmental agency shall at all times have the right of unobstructed ingress and egress to and from and upon the drainage easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective drainage systems without the necessity at any time of procuring the permission of anyone.
- 13.13. **DRIVEWAY** - An area surfaced with asphalt, gravel, concrete or similar surface, providing vehicular access between a public or private street and private property.
- 13.14. **EASEMENT** - A right given by the owner of a parcel of land to another person, public agency or private corporation for specific and limited use of that parcel.
- 13.15. **ENGINEER** - A person duly authorized under the provisions of the Texas Engineering Registration Act to practice the profession of engineering.
- 13.16. **EXTRATERRITORIAL JURISDICTION (ETJ)** - As defined by TEX. LOC. GOV'T. CODE ANN. § 42.021 (Vernon ) the unincorporated area that is contiguous to the corporate boundaries of the municipality and that is located:
- a. within one-half (½) mile of those boundaries, in the case of a municipality with fewer than 5,000 inhabitants;
  - b. within one (1) mile of those boundaries, in the case of a municipality with 5,000 to 24,999 inhabitants;
  - c. within two (2) miles of those boundaries, in the case of a municipality with 25,000 to 49,999 inhabitants;
  - d. within three and one half miles (3½ ) miles of those boundaries, in the case of a municipality with 50,000 to 99,999 inhabitants; or

- e. within five (5) miles of those boundaries, in the case of a municipality with 100,000 or more inhabitants.

13.17. **FINAL PLAT** - A map of a land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets, alleys, public areas and other important information

13.18. **FLOOD PLAIN** - That area subject to inundation by flood, having a given percentage of probability of occurrence in any given year, based on existing or projected conditions of development within the watershed area.

13.19. **LOT** - Any plot of land occupied or intended to be occupied by one building or a group of buildings and having its principle frontage on a street.

13.20. **MANUFACTURED HOME RENTAL COMMUNITIES** - A plot or tract of land that is separated into two or more spaces or lots that are rented, leased or offered for rent or lease for a term of less than sixty (60) months without a purchase option, for the installation of a manufactured home for use and occupancy as residences.

13.21. **MAY** - Permissive

13.22. **OWNER** - The record owner, the equitable owner, person in possession or the person with the greatest right to possession of the land.

13.23. **PRIVATE DRIVES, STREETS, ROADS, EMERGENCY ACCESS EASEMENTS, ETC.** - Shall be termed as a vehicular access way under private ownership and maintenance. Private streets, roads, etc. shall:

- (a) provide adequate access to all buildings and lots by emergency vehicles;
- (b) provide for the safe movement of all vehicles from private streets to the public road system of Lubbock County;
- (c) have construction of adequate drainage for such roads or streets;
- (d) have adequate roadway construction to handle vehicular traffic; and
- (e) not be subject to future public dedication without engineering and inspection certified by a registered professional.

13.24. **ROADWAY** - That portion of any street or road, between curbs or shoulders, designated for vehicular traffic.

13.25. **SHALL** - Mandatory, not discretionary.

13.26. **STANDARD ROAD** - A street or road that meets the specified right-of-way requirements for the type of particular street or road that it is.

- 13.27. **STREET** - Any dedicated public thoroughfare which affords the principle means as access between various land use activities.
- 13.28. **SUB-DIVIDER or DEVELOPER** - Any person, partnership, firm, association, corporation or a combination thereof, or any officer, agent, employee or servant of trustee thereof, who performs or participates in the performing of any act toward the subdivision of land, with the intent, scope, and purview of these regulations.
- 13.29. **SUBDIVISION** - The division of a tract or parcel of land into two (2) or more parts for the purpose of laying out lots, streets, and other land uses, for purchase, rent, lease or use by members of the public.
- 13.30. **SUBDIVIDED TRACT** - A tract of land as a whole that is subdivided, not an individual lot in a subdivided tract of land.
- 13.31. **SUBSTANDARD ROAD** - A street or road which does not meet the specified right-of-way requirements for that particular street or road.
- 13.32. **SURVEYOR** - Any person licensed to practice surveying by the Texas Board of Land Surveying.
- 13.33. **TRANSPORTATION ADMINISTRATION** - The Transportation Administration of Lubbock County, Texas.

## SECTION 14- EFFECTIVE DATE

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The Regulations herein shall be in full force and effect on the date of passage as indicated below and shall supersede any subdivision regulations in force on that date.

Any valid plat on file with Lubbock County or on file with any Municipality in Lubbock County at the time of passage of the Regulations herein will be governed to completion by any and all regulations in force prior to the passage of the regulations herein. Any plat filed after the date specified below must comply with the regulations herein.

APPROVED and PASSED by the LUBBOCK COUNTY COMMISSIONERS' COURT on this the \_\_\_\_\_ day of \_\_\_\_\_, 2000.

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Tom Head  
Lubbock County Judge

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**APPENDIX A**

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***LUBBOCK COUNTY  
SUBDIVISION PLAT APPLICATION***

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**Subdivision Name:** \_\_\_\_\_  
(The subdivision name must not duplicate or be easily confused with other subdivisions located in Lubbock County)

**Applicant:** \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

**Owner:** \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

**Subdivider:** \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

**Engineer:** \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

**Land Scape Architect:** \_\_\_\_\_  
Address: \_\_\_\_\_

Phone: \_\_\_\_\_  
\_\_\_\_\_

**Surveyor:** \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_  
\_\_\_\_\_

**Site Planner:** \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_  
\_\_\_\_\_

**Water Supply** (i.e. municipal, rural water supply corporation, individual wells, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Proposed Use** (i.e. Residential, Commercial, Industrial, etc.):

\_\_\_\_\_  
\_\_\_\_\_

**Sewage Disposal Plan** (i.e. municipal sewer service, privately owned/organized sewage disposal system, private sewage facilities for each lot owners' needs, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OFFICE USE ONLY**

- |   |   |
|---|---|
| <input type="checkbox"/> Final Plat                           | <input type="checkbox"/> Certification of Paid Taxes                    |
| <input type="checkbox"/> Approval of Water Supply             | <input type="checkbox"/> Certification of Plat<br>(Registered Surveyor) |
| <input type="checkbox"/> Certification From Utility Companies | <input type="checkbox"/> Deed Restrictions                              |
| <input type="checkbox"/> Gas                                  | <input type="checkbox"/> Electric                                       |
| <input type="checkbox"/> Water                                | <input type="checkbox"/> Telephone                                      |
| <input type="checkbox"/> Cable                                | <input type="checkbox"/> Property Owner's Assoc.                        |
| <input type="checkbox"/> Drainage Plan                        | <input type="checkbox"/> Certification from Service<br>Agencies         |
| <input type="checkbox"/> Engineering Study                    | <input type="checkbox"/> Street & Drainage Design<br>Standards          |
| <input type="checkbox"/> Certification of Ownership           | <input type="checkbox"/> Municipal Approval                             |



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Upon a motion by Gilbert Flores, seconded by James Kitten, the Court unanimously voted to approve the out of state travel for Chris Eppler, of the Sheriff's Office, to attend a 10 week ATF K-9 training in Royal Front, Virginia, beginning September 6, 2003.

OUT OF STATE TRAVEL - POSTPONED  
DAVID GUTIERREZ - SO

This agenda item was postponed until the next Regular Meeting of Commissioners' Court.

PLAT APPROVED  
HUNTINGTON BUSINESS PARK, LOTS 1-21 - PCT. #1

Upon a motion by James Kitten, seconded by Gilbert Flores, the Court unanimously voted to approve the Plat for Huntington Business Park, Lots 1-21, in Precinct No. 1.

PUBLIC COMMENTS  
CURB AND GUTTER REQUIREMENTS

At this time, Commissioners' Court was opened to Public Comments regarding the curb and gutter requirements for new subdivision streets effective September 2, 2003. One person commented on the matter.

RIGHT OF WAY MATTERS

A representative of Hugo Reed & Associates asked the Court to consider a change in the required right of way policies of Lubbock County. No actions were taken on this matter.

## UPDATE ON THE LUBBOCK STRATEGIC PLAN

Patti Jones gave an update to the Court about what the Lubbock County Strategic Planning committee has been doing.

## RESOLUTION FOR NOVEMBER 2, 2007

Upon a motion by Ysidro Gutierrez, seconded by Bill McCay, the Court unanimously voted to proclaim November 2008 as "Official Home Care and Hospice Month in Lubbock County. Judge Head read the Resolution.(Copy)

## COMMERCIAL AND INDUSTRIAL TAX ABATEMENT

### LUBBOCK COUNTY

Postponed

## LUBBOCK COUNTY HOSTING

### COUNTY GOVERNMENT WEEK

"NO ACTION" was taken on a discussion about Lubbock County hosting County Government Week, April 6 - 12, 2008.

## PLATS

Acceptance of Plat on Verrodo Estates, Lots 1-64 and Tract A, in Precinct 1 was postponed.

Upon a motion by Bill McCay, seconded by Ysidro Gutierrez, the Court unanimously voted to accept the plat for Tres Hermanas Addition, Lots 1-8, in Precinct 1 as presented by Nick Olenik.

## AMENDMENT TO THE LUBBOCK COUNTY

### SUBDIVISION REGULATIONS

Upon a motion by Patti Jones, seconded by Bill McCay, the Court unanimously voted to amend the Lubbock County Subdivision regulations to include ETJ standards for street construction- that reads: IN THE EVENT that any property subject to these regulations and specifications lies within extraterritorial jurisdiction of any city with platting and construction standards: then in that event, and only in that event, the subdivision or addition must be platted in accordance with the standards and requirements for street construction in that city. If any such property lies within extraterritorial jurisdiction of any two (2) or more cities, then the standards of the city which is the most strict must be met. No plat within extraterritorial jurisdiction of any city will be accepted for consideration by the Commissioners' Court unless prior approval by said City is subscribed on the proposed plat as presented by Nick Olenik. (Copy)