

### B.3: PRELIMINARY PLAT CHECKLIST

These checklists are to be used in conjunction with the Cameron County Subdivision Rules and state statutes to help keep track whether a preliminary or final plat and its associated information and documents meet legal requirements. Beneath each item's description are citations to key rule(s) and statute(s) related to the checklist item. Rules are referred to Chapter by section, letter / number such as (3.7.B). References to the Texas Local Government Code (typically chapter 232 thereof) are given simply by section number, for example, 232.022.

#### ALL DIVISIONS (CHAPTER 1)

**A. Letter of Application**, signed by the subdivider (owner) or authorized agent which indicates:

**(3.7.B)**

- \_\_\_1. Name of subdivision.
- \_\_\_2. Name, address, phone number of subdivider(s).
- \_\_\_3. Utilities: Name of water, solid waste, electric providers and wastewater provider or type of on-site sewerage system.
- \_\_\_4. Drainage Report.
- \_\_\_5. Summary description of fees submitted.
- \_\_\_6. Type of proposed development.

**B. Fees:**

**(3.6.A & 3.6.B, 232.0305)**

Submission Fee	\$ 30.00
Preliminary Plat Review Fee	\$ 150.00

Additional Fee

1. \_\_\_\_\_ Lot x \$ 5.00 / per lot                      \$ \_\_\_\_\_

TOTAL FEE: \$ \_\_\_\_\_

Paid By \_\_\_\_\_

Date \_\_\_\_\_

Received By \_\_\_\_\_

**C. Verification of Division applicability:**

**(Section 1, 1.2, 232.001, 232.022, 232.023.a)**

**D. Preliminary Plat Requirements:**

**(3.7)**

**Form:**

**(3.7.D)**

- \_\_\_1. Plat drawn to a minimum scale of 1" = 100'
- \_\_\_2. Presented only on 24" x 36" sheets.

**Quantity:**

**(3.4.A)**

- \_\_\_1. Submit three (3) complete sets of blue or black line copies of preliminary plat.

**Required Supporting Information:**

**(3.7.F)**

- \_\_\_1. Name, address and telephone number of the subdivider and authorized agent responsible for the presentation of the plat.

**(3.7.F.1)**

- \_\_\_2. Developer's Authorization Letter.

**(3.4.A)**

- \_\_\_3. Legal description, acreage and name of proposed subdivision.

\_\_\_ (verify this is not a duplicate name)

**(3.7.F.2, 232.001.b.1, 232.023.b.2)**

- \_\_\_4. The boundary of the subdivision indicated by a heavy line and described by bearings and distances

**(3.7.F.3)**

- \_\_\_5. Description of primary control points used as references and lot and block numbers.

**(3.7.F.4, 232.023.b.3)**

**Topographic Features** (to include 150' outside boundary)

- \_\_\_1. Name, location, dimensions, and description (purpose) of existing streets (right-of-way), alleys, easements and public / private encumbrances.

**(3.7.F.5.a)**

- \_\_\_2. Location, dimensions, description and flow line of existing watercourses, drainage and irrigation structures and any required cross-sections.  
**(3.7.F.5.b, 232.025.5)**
- \_\_\_3. Name, location, dimensions, and description of existing lots, public areas, structures (i.e. houses, fences, etc.) and utilities (sewer, water, gas, cable, telephone and electric). Include volume and page for all properties within 150' outside the boundary.  
**(3.7.F.5.c)**
- \_\_\_4. Scale and north arrow 1" = 100'  
**(3.7.F.5.d) , (3.7.F.6)**
- \_\_\_5. Spot elevations on 100' or appropriate grid, with one (1) foot contour lines.  
**(3.7.F.5.d)**
- \_\_\_6. Date of preparation of plat.  
**(3.7.F.6)**
- \_\_\_7. Identification code, location, description and elevation of the U.S.C.&G.S.benchmark used in survey.  
**(3.7.F.7)**

### **Proposed Lots**

- \_\_\_1. Number identifying proposed lots and blocks.  
**(3.7.F.8, 232.001.b.3 , 232.023.b.4)**
- \_\_\_2. Setback lines described or shown graphically.  
**(3.7.F.10, 232.023.b.5)**
- \_\_\_3. Location of any City's corporate limit line or extra territorial jurisdiction line.  
**(3.7.F.11)**
- \_\_\_4. Proposed topographic changes noted.  
**(3.7.F.11)**
- \_\_\_5. Vicinity map, (a minimum scale 1" equals 2,000), showing streets, (with names), city limits and their ETJ and any other major land features.  
**(3.7.F.12)**
- \_\_\_6. Net Area (gross area less easements) of lots to the nearest 1/100 of an acre.  
**(3.7.F.13)**

- \_\_\_7. Limits of flood hazard areas and the proposed floor elevation of buildings within these flood hazard areas on each lot.  
(3.7.F.14)
- \_\_\_8. Dimensions, bearings and distances of the proposed lots and centerlines.  
(3.7.F.15, 232.023.b.5)
- \_\_\_9. Right-of-Way meets minimum county and city standards and conforms to the adopted thoroughfare plan (right-of-way widths, offsets, clips, cul-de-sac, etc.).  
(Chapter 5, 232.025)

**Preliminary Drainage Report  
(Chapter 5, Section 1.7, 232.025.5)**

- \_\_\_1. Flood Zone Map showing location of subdivision.
- \_\_\_2. Contour map showing drainage basin the subdivision is part of and location of the subdivision. Contour map shall also show streets, (with names), ditches, general drainage flow direction to ultimate outfall, city limits and their ETJ and any other major land features.
- \_\_\_3. Flow capacity calculation of all existing watercourses and drainage structures within the subdivision to the final outfall acceptable by the county engineer.
- \_\_\_4. Drainage calculations prior to and after development and increase runoff of drainage area.
- \_\_\_5. Evaluate and confirm that the course to the final outfall drainage is adequate for the flow from the subdivision combined with the flows of other drainage contributors within the drainage basin.
- \_\_\_6. Provide drainage in the subdivision to avoid concentration of storm drainage water from each lot to adjacent lots (show preliminary proposed drainage flow).  
(232.023.8.A)

**Court Action  
( 3.10, 232.0025 ,232.024)**

Date of Agenda Request \_\_\_\_\_  
 Date of Commissioners Court Action \_\_\_\_\_  
 Action Taken: Denied \ Approved.  
 Letter of Notification to Developer & Engineer \_\_\_\_\_

**B.4.A: FINAL PLAT CHECK LIST FOR ALL DIVISIONS**

These checklists are to be used in conjunction with the Cameron County Subdivision Rules and state statutes to help keep track whether a preliminary or final plat and its associated information and documents meet legal requirements. Beneath each item's description are citations to key rule(s) and statute(s) related to the checklist item. Rules are referred to by division, section, and letter / number such as (A.2.3.B). References to the Texas Local Government Code (typically chapter 232 thereof) are given simply by section number, for example, 232.022.

**FINAL PLAT CHECKLIST**

**A. General Information Required  
(A.2.3, B.2.2.C)**

- \_\_\_1. Name of subdivision.
- \_\_\_2. Letter of application submitted (date).
- \_\_\_3. Legal description, acreage and name of the proposed subdivision.
- \_\_\_4. Name, address and telephone number of the subdivider and authorized agent responsible for the preparation of the plat.
- \_\_\_5. A letter of title opinion signed and dated a maximum of thirty (30) days prior to submittal of the Final Plat.

**B. Fees:  
(Chapter 1, Section 3.5, 232.001, 232.022, 232.035)**

Submission Fee	\$ 30.00
Final Plat Review Fee	\$ 100.00
Additional Fee	
1. _____ Lot x \$ 10.00 / per lot	\$ _____

**Construction Improvements**

Plan Review

1. \_\_\_\_\_ Lot x \$ 10.00 / per lot                      \$ \_\_\_\_\_

Construction Inspection

1. \_\_\_\_\_ Lot x \$ 15.00 / per lot                      \$ \_\_\_\_\_

TOTAL FEE:    \$ \_\_\_\_\_

Paid By \_\_\_\_\_

Date \_\_\_\_\_

Received By \_\_\_\_\_

Plat recording fees / County Clerk (\$66\PG)    \$ \_\_\_\_\_

**C. Final Plat Requirements:**

(A.2.3, B.2.2)

**Form:**

(A.2.3.B, B.2.2.B)

\_\_\_ 1. Plat drawn to a minimum scale of 1" = 100'

\_\_\_ 2. Presented only on 24" x 36" sheets.

**Coverage:**

(A.2.3.C, B.2.2.C)

\_\_\_ 1. Final Plat.

**Quantity:**

(A.2.3.D, B.2.1)

\_\_\_ 1. Submit three (3) complete sets of blue or black line copies of final plat.

\_\_\_ 2. Submit mylar copy of plat for recording at the County Clerk's Office.  
(232.023.e)

**Required Supporting Information:**  
**(A.2.6.E, B.2.2.E)**

- \_\_\_ 1. Statement of conformance.  
**(A.2.3.E.1, B.2.2.E.1)**
  
- \_\_\_ 2. Utility provider letters (Water, Wastewater, Electricity, Gas, etc.).  
**(A.2.3.E.2, B.2.2.E.2)**  
Letter of Service Availability and/or Signature of the utility provider on Final Plat stating that service is available to the proposed subdivision upon request and agreeing to the existing and proposed easements.
  
- \_\_\_ 3. Street and drainage plans with specifications.  
**(A.2.3.E.3, B.2.2.E.3)**
  
- \_\_\_ 4. Water and sewer plans.  
**(A.2.3.E.4, B.2.2.E.4)**

**Existing Features (to include 150' outside boundary)**

- \_\_\_ 1. Describe the subdivision by metes and bounds.  
**(A.2.3.F.1, 232.001.b.2, B.2.2.F.2, 232.023.b.2)**
  
- \_\_\_ 2. Locate subdivision to an original corner of an original survey. Identify commencing point and point of beginning.  
**(A.2.3.F.2, 232.001.b.3, B.2.2.F.2, 232.023.b.2)**
  
- \_\_\_ 3. Numbers identifying proposed lots and blocks.  
**(A.2.3.F.3, 232.001.b.3, B.2.2.F.4, 232.023.b.4)**
  
- \_\_\_ 4. Name, location, dimensions, and description (purpose) of existing streets (right-of-way), alleys, easements, and public / private encumbrances.  
**(A.2.3.F.3, 232.001.b.3, B.2.2.F.5, 232.023.b.5)**
  
- \_\_\_ 5. The exact location, dimensions (bearing and distances) and description of any proposed streets (right-of-way), alleys, easements, parks or any other public dedication.  
**(A.2.3.F.3, 232.001.b.3, B.2.2.F.6, 232.023.b.5)**
  
- \_\_\_ 6. Concrete monuments at block corners with plastic caps; min 0.5" steel rods at lot corners.  
**(232.003.9, B.2.2.F.7)**

- \_\_\_ 7. Identify and dedicate unobstructed easements.  
(A.2.3.F.4, B.2.2.F.10)
- \_\_\_ 8. Submit drainage plan:  
(A.2.3.F.5, 232.003.8 B.2.2.F.12, 232.023.b.8, Chapter 5, Section 1.7)
- \_\_\_ a. Avoid concentration of storm drainage water from each lot to adjacent lots  
(show grading of lots).
- \_\_\_ b. Provide positive drainage away from all buildings.
- \_\_\_ c. Provide remedies for any drainage problems (regrade / enlarge roadside ditches,  
provide detention, etc.) and provide calculations.
- \_\_\_ d. Show drainage areas and provide runoff computations and hydraulic design for  
all drainage areas to the final outfall. (See Appendix A, Section 5)
- \_\_\_ e. If area is within a flood plain, provide documentation how it will be removed  
from flood plan.
- \_\_\_ f. Provide erosion control plan.  
(TCEQ Requirements)
- Submit copy of Notice of Intent (NOI)
  - Submit a complete Storm Water Pollution Prevention Plan (SWP3)
- \_\_\_ 9. A certification by a Surveyor or Engineer describing any area of the Subdivision  
that is in a Floodplain or stating that no area is in a Floodplain (Describe flood  
zone). (A.2.3.F.7, B.2.2.F.15, 232.023.b11)

This subdivision lies within:  
FLOOD ZONE \_\_\_\_\_ as  
F.I.R. Map Panel No. \_\_\_\_\_  
Revised \_\_\_\_\_

- \_\_\_ 10. Date of variance granted by Commissioners Court.  
(A.2.3.F.8, B.2.2.F.18, 232.024.c.2)
- \_\_\_ 11. Restrictive covenant  
(A.2.3.F.10, B.2.2.F.22, 232.024.b)
- \_\_\_ 12. Meets Requirements for particular Division Checklist (Division A, Division B  
and Division C).



**D. Certification / Approval Signatures**

These approval signatures shall be no more than six (6) months prior to the submission.

**( Use bold permanent black ink pens only – signatures which have faded will not be accepted)**

- \_\_\_1. Cameron County Judge  
**(Appendix B.5.I)**
- \_\_\_2. Owner's Acknowledgement  
**(Appendix B.5.A or B)**
- \_\_\_3. Purchase Contract Certificate  
**(Appendix B.5.C)**
- \_\_\_4. Notary's Acknowledgement  
**(Appendix B.5.E)**
- \_\_\_5. Lien Holder's (if any)  
**(Appendix B.5.D)**
- \_\_\_6. Surveyor's Certification  
**(Appendix B.5.F)**
- \_\_\_7. Surveyor's Seal & Signature  
**(A.2.6.D)**
- \_\_\_8. Tax Assessor Collector Signature  
**(Appendix B.5.G)**
- \_\_\_9. Health Official's Signature  
**(Appendix B.5.H)**
- \_\_\_10. Drainage District's Certification (if within a drainage district)
- \_\_\_11. Irrigation District's Certification (if within an irrigation district)
- \_\_\_12. County Engineer's certification **(Appendix B.5.L)**
- \_\_\_13. Building Official's Certification. **(Appendix B.5.K)**
- \_\_\_14. City Approval.

**E. Construction Plans for Improvements**  
**(A.2.3.E.3&4, B.2.2.E.3&4)**

<u>Yes/No/N.A.</u>	Plans Submitted	Approved for Construction
_____ 1. Water	_____	_____
_____ 2. Sewer	_____	_____
_____ 3. Streets	_____	_____
_____ 4. Drainage	_____	_____
_____ 5. Other	_____	_____

**F. FINANCIAL GUARANTEES**  
**(A.4, B.4)**

1. Construction (Irrevocable Letter of Credit, Conditional Guarantee, Trust Agreement or Performance Bond)

Type of guarantee provided \_\_\_\_\_  
 Engineers Cost Estimate \$ \_\_\_\_\_  
 Bond Amount \$ \_\_\_\_\_  
 Expiry Date \_\_\_\_\_

2. Maintenance Bond (15% of total road construction cost)

Road Construction Amount \$ \_\_\_\_\_  
 Bond Amount \$ \_\_\_\_\_  
 Expiry Date \_\_\_\_\_

**Court Action**  
**( 3.10, 232.0025 ,232.024)**

Date of Agenda Request \_\_\_\_\_  
 Date of Commissioners Court Action \_\_\_\_\_

Action Taken: Denied  
 Approved  
 Letter of Notification to Developer & Engineer

## **B.4.B DIVISION A (CHAPTER 2) CHECKLIST**

### **A. Verification of Division A Applicability:**

**(Chapter 1, Section 1.2, A.1.1, B.1.1, 232.001, 232.022)**

\_\_\_ 1. Division B does not apply. (Non-residential).

### **B. ADDITIONAL REQUIREMENTS**

\_\_\_ 1. Compliance with Certain Model Subdivision Rules.  
**(A.2.3.F.6)**

\_\_\_ a. Note stating lots are restricted for non-residential use.

\_\_\_ b. Water well Requirements  
**(232.0032)**

- Results of water analysis conducted by an independent testing laboratory for water well installation and shall be in compliance with TNRCC requirements and Texas Water Development Board with respect to water quality and quantity.
- A water report prepared by a licensed engineer to practice in the State of Texas or a geoscientist licensed to practice in the state of Texas.
- Certify that adequate groundwater is available for the subdivision.

~~\_\_\_ c. Results of soil analysis conducted by an independent testing laboratory for OSSF design.~~

\_\_\_ 2. Purchase contract between subdivider and purchaser.  
**(A.2.3.F.9, 232.003.6)**

\_\_\_ 3. Financial Guarantee for road and drainage improvements.  
**(232.003.7)**

\_\_\_ 4. Drainage Note: "All lots within the subdivision will require on-site detention."  
**(Chapter 5, 1.7.G, 232.003.8)**

## **B.4.C DIVISION B (CHAPTER 3) CHECKLIST**

### **A. Verification of Division B Applicability: (Chapter 1, Section 1.2, A.1.1, B.1.1, 232.001, 232.022)**

\_\_\_ 1. Residential lots less than ten acres.

### **B. ADDITIONAL REQUIREMENTS**

\_\_\_ 1. Document containing a description in English and Spanish of the proposed water and sewer facilities and roadways and easements dedicated for the provisions of above facilities and date by which the facilities will be fully operable.  
**(B.2.2.F.8, 232.023.b.6)**

\_\_\_ 2. Documents prepared by a Registered Professional Engineer in the State of Texas certifying that water and sewer facilities are in compliance with the Model Rules adopted under Section 16.343 of the Water Code and certified estimate of cost to install above facilities.  
**(B.2.2.F.9, 232.023.b.7)**

\_\_\_ 3. Identify the topography of the area.  
**(B.2.2.F.11, 232.023.B.10)**

\_\_\_ 4. Certification that the subdivider has complied with the requirements of Section 232.032 of the local government code.  
**(B.2.2.F.16, 232.023.b.12)**

\_\_\_ 5. Shall conform to requirements listed in Model Rules Checklist.

\_\_\_ 6. Purchase contract between subdivider and purchaser.  
**(B.2.2.F.19, 232.033.b)**

\_\_\_ 7. Results of soil analysis conducted by an independent testing laboratory for OSSF design.  
**(B.2.2.F.20)**

\_\_\_ 8. Results of water analysis conducted by an independent testing laboratory for water well installation and shall be in compliance with TNRCC requirements and Texas Water Development Board with respect to water quality and quantity.  
**(B.2.2.F.21)**

**APPENDIX B.4.D DIVISION C (CHAPTER 4) CHECKLIST**  
**(When Division A or B does not apply)**

**A. Verification of Division C Applicability:**  
**(Chapter 1, Section 1.2 , A.1.1, B.1.1, 232.001, 232.022)**

\_\_\_ 1. Residential lots less than five acres.

**B. ADDITIONAL REQUIREMENTS**

\_\_\_ 1. Document containing a description in English of the proposed water and sewer facilities and roadways and easements dedicated for the provisions of above facilities and date by which the facilities will be fully operable.

\_\_\_ 2. Documents prepared by a Registered Professional Engineer in the State of Texas certifying that water and sewer facilities are in compliance with the Model Rules adopted under Section 16.343 of the Water Code and certified estimate of cost to install above facilities.

\_\_\_ 3. Identify the topography of the area.  
**(C.3.3.4, §364.53.4)**

\_\_\_ 4. Certification that the subdivider will convey the land as a gift between persons related to each other within the third degree by affinity or consanguinity, as determined under Chapter 573, Government Code.

\_\_\_ 5. Shall conform to requirements listed in Model Rules Checklist.

\_\_\_ 6. Gift contract between subdivider and relative.

\_\_\_ 7. Results of soil analysis conducted by an independent testing laboratory for OSSF design.  
**(C.2.3.B.1)**

\_\_\_ 8. Results of water analysis conducted by an independent testing laboratory for water well installation and shall be in compliance with TNRCC requirements and Texas Water Development Board with respect to water quality and quantity.  
**(C.3.2.B, §364.32.b)**

## **B.4.E Model Rules Checklist – County Version**

### **\_\_\_ A. APPLICABILITY OF MODEL RULES**

Landowner divides tract outside city limits in any manner that creates two or more lots of five acres or less intended for residential purposes. A lot is presumed to be for residential purposes unless the final plat and all deeds contain a restriction prohibiting residential use of the lot.

(364.11, 364.15(a), 364.31)

### **\_\_\_ B. ALTERNATE CRITERIA FOR LAND SUBDIVIDED PRIOR TO SEPTEMBER 1, 1989**

*If lot was divided into two or more parts to lay out a subdivision before September 1, 1989, and the sub divider was obligated to but failed to have a plat prepared, approved, and recorded, then the current owner of an individual, occupied lot (other than the sub divider) may, if various conditions are met (including having available water and sewer services meeting minimum standards), seek the commissioners court's approval of the plat that does not meet some of the standard requirements for plat approval under the Model Rules. Further, a group of owners of individual lots in such an unplatted subdivision may make a joint request. The procedural and substantive requirements for such approvals are set out in 364.57.*

### **\_\_\_ C. NUMBER OF DWELLING UNITS PER LOT**

- \_\_\_ 1.** The following restriction shall be placed on the final plat and in all deeds and contracts for deeds: "No more than one single family detached dwelling shall be located on each lot."  
**364.37**
- \_\_\_ 2.** A proposal for a multi-family residential lot must include adequate, detailed planning materials as required for determination of proper water and wastewater utility type and design. **364.37**

### **\_\_\_ D. SETBACKS**

### **\_\_\_ E. FINAL ENGINEERING REPORT—GENERAL CONTENTS FOR ALL OPTIONS**

- \_\_\_ 1.** Signed, dated, and sealed by Texas professional engineer. **364.52**
- \_\_\_ 2.** Discussion of availability and methodology of providing water facilities and wastewater treatment to lots. **364.52**
- \_\_\_ 3.** Detailed cost estimate per lot for unconstructed water and wastewater facilities necessary to serve lots. **364.52**
- \_\_\_ 4.** Construction schedule for each significant element needed to provide water or Wastewater facilities, including if financial guarantees are to be provided start dates and completion dates. **364.52**

- \_\_\_ 5. Dedicate the sites for adequate water and sewerage facilities identified in the final plat to the appropriate retail public utility responsible for operation and maintenance of the facilities.
- \_\_\_ 6. The subdivider must: provide evidence that the water and sewerage facilities have been constructed and installed in accord with criteria set by the Model Rules and the approved plans and specifications, OR
  - (1) obtain all necessary permits for the proposed water and sewerage facilities (except for OSSF permits on individual lots), and
  - (2) enter into a Subdivision Construction Agreement with the county for the provision of unbuilt water and sewer facilities, and
  - (3) secure the Subdivision Construction Agreement with a financial guarantee, such as a bond, irrevocable letter of credit, or other alternative financial guarantee such as a cash deposit.

\_\_\_ **F. WATER FACILITIES: MINIMUM STANDARDS AND ADDITIONAL FINAL ENGINEERING REPORT CONTENTS UNDER VARIOUS SERVICE OPTIONS**

**OPTION A. Water will be provided by connecting to an existing public water system.**

- \_\_\_ 1. Written agreement between subdivider and an existing public water system [as defined in 364.18(10)] in substantially the form of Appendix D.1. Agreement must state that utility will be able to provide water to fully developed subdivision for at least thirty years. Agreement must state that subdivider has paid the costs of water meters, membership fees, water right fees, and all other fees associated with obtaining service. 364.32(a)(1), 364.52(1)(A)
- \_\_\_ 2. FINAL ENGINEERING REPORT – Additional Contents under Option A. If groundwater is to be the source of the water supply, include groundwater availability study that complies with the requirements of 30 TAC §§230.1 through 230.11 for water availability for public water supply systems and certifies the long-term (30 years) quantity and quality of available groundwater supplies relative to ultimate needs of subdivision. 364.52(1)(A)

**OPTION B. Water will be provided by a utility created by the subdivider.**

- \_\_\_ 1. Retail public utility, established by sub divider and certificate of convenience and necessity (CCN) obtained from TCEQ. 364.32(a)(2), 364.52(1)(B)
- \_\_\_ 2. Water system, water quality, and system design, construction and operation. Meet minimum criteria in 30 TAC 290.38-290.51 and 290.101-290.120. 364.32(a)(2)
- \_\_\_ 3. Approval(s), by all entities having jurisdiction over the project, of plans and specifications for proposed water facilities. 364.52(1)(B)

## **FINAL ENGINEERING REPORT – Additional Contents under Option B.**

- \_\_\_ 4. Groundwater availability study that complies with the requirements of 30 TAC §§230.1 through 230.11 for water availability for public water supply systems and certifies the long-term (30 years) quantity and quality of available groundwater supplies relative to ultimate needs of subdivision *if groundwater is to be the source of the water supply.* **364.52(1)(B), 364.32(a)(2)**
- \_\_\_ 5. Evidence that sufficient water rights have been obtained and dedicated (through acquisition or wholesale water supply agreement) to provide sufficient supply to subdivision for at least 30 years *if surface water is the source of supply.* **364.52(1)(B), 364.32(a)(2)**

## **Option C. Water will be provided by individual wells or other non-public Systems.**

- \_\_\_ 1. Test well or wells drilled and located so as to be representative of Quality and Quantity of water generally available from supplying aquifer. **364.32(b)**
- \_\_\_ 2. Groundwater availability study that complies with the requirements of 30 TAC §§230.1 through 230.11 for water availability for individual water supply wells on individual lots and certifies the long-term (30 years) quantity and quality of available groundwater supplies relative to ultimate needs of subdivision. **364.32(b)**
- \_\_\_ 3. Complete chemical and bacteriological analysis of sampled water by private laboratory of parameters on which there are drinking water standards. **364.32(b)**
- \_\_\_ 4. Water quality of test well(s) meets water quality standards for community water systems set out in 30 TAC 290.104, 290.106, 290.108, and 290.109, either (1) without any treatment of the water, or (2) with treatment by an identified and commercially available water treatment system. **364.32(b)**

## **FINAL ENGINEERING REPORT – Additional Contents under Option C.**

- \_\_\_ 5. Quantitative and qualitative results of sampling from test wells in accord with 364.32 (Aside: the Model Rules also require that these results be made available to prospective property owners.) **364.52(2)**
- \_\_\_ 6. A statement concerning the availability of groundwater supplies to serve the fully developed subdivision over the next 30 years. Statement may be based on information available from the TWDB's Office of Planning. **364.52(2)**
- \_\_\_ 7. If the water quality of test well does not meet standards in 364.32(b) without treatment, the type of treatment system that will treat the well water to the specified water quality standards, the location of at least one commercial establishment in the county at which the system may be purchased, the cost of such system, the cost of installation of the system, and the estimated monthly maintenance cost of the treatment system. **364.52(2)**
- \_\_\_ 8. Description of the required sanitary control easement (minimum separation distances of wells and water lines from various OSSF facilities – see Table X at 30 TAC 285.91(10). **364.52(2)**



**\_\_\_ G. WASTEWATER FACILITIES: MINIMUM STANDARDS AND ADDITIONAL FINAL ENGINEERING REPORT CONTENTS UNDER VARIOUS SERVICE OPTIONS**

**OPTION X. Wastewater will be treated by existing retail public utility.**

- \_\_\_ 1. Written agreement between sub divider and wastewater utility in substantially the form of Appendix D.2. Agreement must state that utility will be able to treat the total wastewater flow from the fully developed subdivision for at least 30 years. Agreement must state that sub divider has paid the costs of all fees associated with connection to the wastewater collection and treatment system. **364.33(a)(2), 364.52(3)(A)**
- \_\_\_ 2. Engineering plans for proposed collection lines comply with 30 TAC Chapter 317. **364.33(a)(2)**
- \_\_\_ 3. Permit from TCEQ to dispose of wastes. **364.52(3)(A)**
- \_\_\_ 4. Approval, by all entities having jurisdiction over the proposed project, of plans and specifications for the proposed sewerage facilities. **364.52(3)(A)**
- \_\_\_ 5. Greywater use (*if proposed*) meets the minimum criteria of 30 TAC Chapter 210. **364.34(a)**

**OPTION Y. Wastewater collection and treatment by a utility created by Subdivider.**

- \_\_\_ 1. Retail public utility established by sub divider and certificate of convenience and necessity (CCN) obtained from TCEQ. **364.52(3)(B)**
- \_\_\_ 2. Permit obtained from TCEQ by subdivider to dispose of wastes (from ultimate build-out population of subdivision) in accord with TAC Chapter 305. **364.33(a)(1), 364.52(3)(B)**
- \_\_\_ 3. Approval by TCEQ of engineering planning materials for wastewater system under 30 TAC Chapter 317. **364.33(a)(1)**
- \_\_\_ 4. Approval(s), by all entities having jurisdiction over the project, of plans and specifications for the proposed sewerage facilities. **364.52(3)(B)**
- \_\_\_ 5. Greywater use (*if proposed*) meets the minimum criteria of 30 TAC Chapter 210. **364.34(a)**

**OPTION Z. Wastewater treatment by on-site sewerage facilities (OSSF).**

- \_\_\_ 1. The disposal system does not utilize a borehole, cesspool, or seepage pit (unauthorized systems under 30 TAC 285.3(i)), or a pit privy or portable toilet. **364.33(b)(3)**
- \_\_\_ 2. *If a sewerage facility would dispose of more than 5,000 gallons per day*, the facility complies with 30 TAC Chapter 317. **364.33(b)(2)**
- \_\_\_ 3. *If the sewerage facility serves single family or multi-family dwellings and the anticipated flow is 5,000 or less gallons per day*, the facility complies with 30 TAC Chapter 285. **364.33(b)(1)**

- \_\_\_ 4. Review of OSSF proposal and inspection of systems by the TCEQ or its authorized agent as necessary to assure compliance with OSSF laws and rules. **364.33(b)(3)**
- \_\_\_ 5. Greywater use (*if proposed*) accords with the minimum criteria of 30 TAC Chapter 285. **364.34(b)**

**FINAL ENGINEERING REPORT – Additional Contents under Option Z.**

- \_\_\_ 6. Planning materials required by 30 TAC 285.4(c), including site evaluation (30 TAC 285.30) and all other information required by the county’s OSSF order. **364.52(4)**
- \_\_\_ 7. Disposal of sludge from water treatment and sewerage facilities shall comply with 30 TAC Chapter 312 and Chapter 317. **364.35**

**\_\_\_ H. FINANCIAL GUARANTEES FOR IMPROVEMENTS:**

*If the water and wastewater facilities have not been constructed at the time final plat approval is sought, the commissioners court shall require the sub divider to execute a Subdivision Construction Agreement with the county secured by a bond, irrevocable letter of credit, or other alternative financial guarantee such as a cash deposit. **364.54(a)***

**\_\_\_ 1. SUBDIVISION CONSTRUCTION AGREEMENT (SCA)**

- \_\_\_ a. Name of Subdivision.
- \_\_\_ b. Amount of financial guarantee shall be the total of the costs listed in Exhibit B on the SCA and shall be in an amount determined by the commissioners court to be adequate to ensure proper construction or installation of the (not-yet-built-or-paid-for) water and wastewater facilities to serve the subdivision, including reasonable contingencies, but shall not be less than the amount certified on the plat by the subdivider’s engineer. **364.54(b)(2), 364.52(d)**
- \_\_\_ c. Signatures of parties, with appropriate acknowledgments added.
- \_\_\_ d. Exhibit A. Metes and bounds description of the land being subdivided.
- \_\_\_ e. Exhibit B. Description of the required improvements, the estimated cost of completion for each improvement (including contingencies, as determined by commissioners court), and the date by which the particular improvement will be completed (*The completion date is expected to be three years after the plat is approved by the commissioners court*). This **operability date** will thus be no sooner than the latest of the completion dates. The operability date may be extended by a city or county Under the circumstances set out in 31 TAC 364.65 (see checklist, below) and The parallel statutory provisions in Local Govt. Code 212.0105(c), 232.026, or 232.075.

\_\_\_ 2. FINANCIAL GUARANTEE

- \_\_\_ a. Lists as sole beneficiary the county judge, in his official capacity, or the judge's successor, and must be approved by county judge. 364.54(c)(3)
- \_\_\_ b. Conditioned on completion of water and wastewater facilities meeting the minimum standards of the model rules, within the time stated on the plat (or within any extension of time granted by commissioners court). (Expiration date will be the same as the operability date). 364.54(c)(4)

\_\_\_ 3. EXTENSION OF OPERABILITY DATE

Commissioners court may extend date stated on plat by which required water and sewer facilities will be fully operable if:

- (1) the extension would not allow a residence to be inhabited without water and sewer services meeting the model rule standards, and
- (2) a financial guarantee (original or new) covers the period of extension, and
- (3) the court finds the extension is reasonable and not contrary to the public interest. 364.56

\_\_\_ I. DISAPPROVAL

*If a plat does not meet the requirements prescribed by or under the Model Rules, the commissioners court shall refuse to approve the plat. 364.55(b)*