



AGENDA ITEM NO. 1.1
Ellis County Commissioners' Court
September 3, 2019



SHORT TITLE:

Amend existing regulations related to House Bill 3167

LEGAL CAPTION:

Consider and act upon a request to amend Orders 489.18, 490.18, and 491.18, the existing set of development regulations entitled Ellis County Quality Growth Initiatives – Volume I (Subdivision & Development Standards), Volume II (Drainage Design Manual), and Volume III (Standard Construction Details). These amendments are primarily designed to comply with recent changes in state law adopted under House Bill 3167 along with other related articles, section, and paragraphs; providing a conflicts clause; providing a severability clause, and an effective date.

A public hearing for this agenda item was held on August 27, 2019 to satisfy the public meeting requirement. There was no speakers or comments made at that hearing date.



PURPOSE & ANALYSIS:

Staff has been working diligently on these proposed amendments since Governor Abbott signed House Bill 3167 in mid-June. The effective date on the new law is September 1, 2019. Below are some of the highlights and significant changes instituted under HB 3167 that will affect counties and how the staff's current approach (*in parenthesis*):

- Reduction in plat approval time from its current 60 days down to 30 days. (*Currently, staff tries to get plats approved in about 36 days after the initial submittal to the County*).
- Conditional approval of plats is allowed. (*Staff does not like to place conditions on plats as the follow-up can be complicated; it either meets the requirements, or it does not*).
- The applicant can only request a 30-day extension period and cannot be waived. (*Staff has never required a 60-day extension period for any plat*).
- Counties can no longer require preliminary plats as a part of the platting process. (*A preliminary plat gives staff a chance to review a large subdivision twice with a final plat. With there being no preliminary plat, there is no need for a simplified plat process anymore as it is another form of a final plat. Also, this will place more of an emphasis*



on a final plat with only one (1) review. Another question that arises is what happens when a city requires a preliminary plat in the ETJ, but the County cannot review one? How will the County ensure a preliminary plat meets the County regulations before a final plat submittal?)

- Counties can no longer review “engineering-related” items as part of the plat review process. *(This will lead to a revamping our the department’s internal review process and require additional support from the County Engineer’s Office to ensure compliance).*

In addition, with these changes in state law, staff has been meeting with the seven (7) cities that currently have joint platting authority agreements with the County (Ennis, Ferris, Grand Prairie, Midlothian, Ovilla, Red Oak, and Waxahachie) to amend those existing interlocal agreements on platting property in the ETJ that will make it more practical for both parties moving forward. Speaking with many land-use attorneys, webinars on this topic, and well as our legal counsel, if the project is in the ETJ, there is only one (1) 30-day “shot clock” for both entities, not two (2) separate 30 days. Additional discussions will continue with those cities to help streamline the review process in the extraterritorial jurisdictions (ETJs).



HIGHLIGHT OF PROPOSED AMENDMENTS:

Below is a summary of all the proposed changes. Due to the length, a red-line strike-through version outlining the of the proposed changes with comments in the draft versions are available online via the following links:

Volume I - <http://co.ellis.tx.us/DocumentCenter/View/10163>

Volume II - <http://co.ellis.tx.us/DocumentCenter/View/10164>

Volume III - <http://co.ellis.tx.us/DocumentCenter/View/10166>

Based on this new state law, staff is bringing forth these amendments to comply by September 1, 2019. Although these amendments are not required to be adopted by this date, it will help clarify and diffuse any potential issues that may arise after the effective date. Below are some of the highlights of the proposed amendments:

Volume I – Subdivision & Development Standards

Section I

- Changes the effective date to September 4, 2019 and creates a history section for referencing previously-adopted regulations.

Section II

- Further clarifies what is required at the time of filing and what is considered complete.



Section III

- Eliminates the need for preliminary plats but gives provisions in case the County receives a preliminary plat for review from a city or a developer.
- Exempts preliminary plats from the 30-day “shot clock” as they are not statutorily required; preliminary plat approval from Commissioners’ Court is not required.
- Outlines the new review process for plats. The engineering plans have to be reviewed and approved prior to the submittal of a final plat application. If none is needed, a release letter must be obtained to proceed. This will help address and identify any drainage issue on the front end before platting.
- Eliminates simplified plats as there is no distinction between a final and simplified. A simplified plat is just another form of a final plat.
- Establishes the timeline for what is considered a dormant project to prevent plats from “hanging in limbo.”
- Placement of additional plat notes regarding drainage responsibility not falling on Ellis County.

Section IV

- Moved Access section to Volume III (Standard Construction Details)
- Requires OSSF design for any proposed multi-family uses to ensure capacity exists.
- Moved the Street & Connectivity and Fire Hydrants sections over to Volume III (Standard Construction Details).
- Moved Sewage & Waste Disposal from Section VI to this section.

Section V

- Moved entire section to Volume III.
- Moved Street Classification, Engineering Plans, Culverts, Drainage & Topography, Utilities, Construction, Testing, Inspections, Erosion Control, Street Signs and Traffic Control Devices, Completion of Required Infrastructure, Traffic Impact Study, and Private or Gated Subdivision sections to Volume III (Standard Construction Details).
- Section will be renamed “Reserved” to prevent any conflict from any cross-reference to this section.

Section VI

- Moved entire section to Volume III.
- Moved Lots Serviced by Water Wells, Public Water Systems, Groundwater Certification, and Wastewater Disposal Facilities sections to Volume III (Standard Construction Details).
- Section will be renamed “Reserved” to prevent any conflict from any cross-reference to this section.



Section VIII

- Reduces the mail out of variance notifications from 15 days to 10 days to get the request before Commissioners' Court faster.

Section X

- Moved entire section to Volume III.
- Moved Applicability, Preparing and Clearing the Right-of-Way, Roadway Excavation and Embankment, Subgrade and Base Course, Pavement Widening, Culverts and Structures, Testing and Inspections, Street and Road Plans sections and all cross-sections of pavement to Volume III (Standard Construction Details).
- Section will be renamed "Reserved" to prevent any conflict from any cross-reference to this section.

Section XXI

- Applied these definitions across all three volumes, unless otherwise stated.
- Added the following definitions for better clarification: complete application, complete submittal, and dormant project.

Volume II – Drainage Design Manual

Section I

- No changes

Section II

- Expands what is required in a drainage plan submittals
- Establishes flood control easements in floodplains and requires a minimum of two (2) feet above water surface elevation.
- Requires finish floor elevations on lots built lower than roads or floodplain.
- Requires the developer or builder to notify prospective buyers of the above requirements.

Sections III & IV

- No changes

Volume III – Standard Construction Details

Section I

- Creates this section with a preamble and other subsections similar to Volume I & II, which include Official Name, Authority, Application & Purpose, Consistency with Other Regulations, Amendments, Interpretations, Fines & Penalties, and Severability Clause.



Section II

- Moved this section in its entirety from Volume I, Section V to Volume II, Section II as these standards belong in this volume.
- Moved Street and Connectivity section from Volume I, Section IV (E) to Volume II, Section II (C).
- Reduce the minimum spacing of streets from 1,000 to 600 feet, which is still more restrictive than Tx-DOT's maximum spacing of 460 feet.
- Clarified a right-of-way encroachment approval is required for any placement of items in the right-of-way.
- If no engineering plans are required, a release letter is required prior to plat submittal.
- Moved Fire Hydrant section from Volume I, Section IV (F) to Volume II, Section II (G).
- Clarified the need for fire hydrants and when they would be needed.

Section III

- Moved this section in its entirety from Volume I, Section VI to Volume II, Section III as these standards belong in this volume.
- No other significant changes within this section.

Section IV

- Moved this section in its entirety from Volume I, Section X to Volume II, Section IV as these standards belong in this volume.
- No other significant changes within this section.

ADVERTISEMENT:

Staff placed the proposed regulations on its department's website and invited people with various development backgrounds and the general public to review these regulations and to generate comments and provide input. These regulations were placed on the website on Friday, August 2nd. To date, staff has not received any input on these regulations.

Staff advertised the proposed regulations were advertised on the County's website on August 2, 2019 and the August 4, 2019 editions of the Waxahachie Daily Light satisfying the 15-day legal notification requirement before the scheduled public hearing as the public hearing was held on August 27, 2019.

ATTACHMENTS:

1. News Notice
2. Red Line Strike-Through version
3. Draft Orders with Final Clean Drafts





RECOMMENDATION:

Staff recommends the Commissioners' Court act independently in the following manner for each volume of the regulations to get separate minute orders for the public record:

- **Approve** the proposed amendments to the Ellis County Quality Growth Initiatives - Volume I (Subdivisions and Development Standards), as presented.
- **Approve** the proposed amendments to the Ellis County Quality Growth Initiatives - Volume II (Drainage Design Manual), as presented.
- **Approve** the proposed amendments to the Ellis County Quality Growth Initiatives - Volume III (Standard Construction Details), as presented.

If approved, these amendments will become effective on September 4, 2019.



APPROVED AND PRESENTED BY:

Alberto Mares, AICP, DR
Director of Planning & Development
Ellis County



ATTACHMENT NO. 1

**TO Be Published 1 Time in
the Waxahachie Daily Light
on Sunday, August 11,
2019:**

The County of Ellis will conduct a public hearing to consider and act upon a request to amend its development regulations adopted by Minute Orders No. 489.18, 490.18, and 491.18, the Ellis County Quality Growth Initiatives – Volume I (Subdivision & Development Standards), Volume II (Drainage Design Manual), and Volume III (Standard Construction Details). These amendments are primarily designed to comply with recent changes in state law adopted under House Bill 3167 along with other changes in related articles, sections, and paragraphs. A draft copy of these regulations is available for public viewing and comment on the department website at <http://co.ellis.tx.us/dod>. A public hearing is scheduled before Commissioners' Court on **Tuesday, August 27, 2019, at 2:00 PM** on the 2nd Floor of the Historic Ellis County Courthouse, 101 W. Main St., Waxahachie, Texas. Please contact the Department of Development concerning any questions at 972-825-5200.



DEPARTMENT OF DEVELOPMENT
Ellis County

✉: dod@co.ellis.tx.us
☎: 972-825-5200
🌐: co.ellis.tx.us/dod

ATTACHMENT NO. 2

REDLINE STRIKE-THROUGH VERSIONS
(on next pages)

ELLIS COUNTY QUALITY GROWTH INITIATIVES



**VOLUME I
SUBDIVISION & DEVELOPMENT STANDARDS**



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APPENDIX A - HISTORY

Commented [AM1]: Page numbers will be changed to reflect updates to sections being moved from Volume I to Volumes II and III.



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SECTION I
GENERAL INFORMATION & ADMINISTRATION

A. OFFICIAL NAME

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

B. AUTHORITY

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

C. PURPOSE

- (1) The purpose of these regulations **includes** but not limited to ~~promote~~ **promoting** quality growth and development within Ellis County and provide regulations leading to a desirable environment for all citizens, both residential and nonresidential.
- (2) These regulations ensure to:
 - (i) Furnish the owner/applicant with guidance and assistance in the expedient preparation and approval of their development, project, etc. with a set of uniform regulations for all to follow, and;
 - (ii) Protect the health, safety, and general welfare of the citizens of Ellis County by providing regulations and standards for all types of developments by planning infrastructure and assuring that adequate streets and drainage facilities and structures are provided subdivisions, and maintained without imposing a burden on the taxpayers in the future, and;
 - (iii) Provide for the proper arrangement and construction of roads, and ensure the appropriate relationship of roads to existing and future roads, and;
 - (iv) Ensure adequate ingress and egress for all emergency response vehicles, and;
 - (v) Provide standards for the approval and recording of all subdivision plats, and;
 - (vi) Provide procedures in meeting the requirements of the Commissioners’ Court for acceptance and approval of said plats and the improvements therein.
- (3) These regulations are not intended to prohibit testamentary land divisions, a division of land as a result of the dissolution of a corporation or partnership, or subdividing land for agricultural purposes.

Commented [AM2]: Grammatical change



D. EFFECTIVE DATE.

- (1) These regulations shall become effective ~~December 5, 2019~~ **September 1, 2019**. **Subsequent amendments and changes are found in the History Section of the regulations.**
- (2) Subdivision plats approved ~~in preliminary or final form before July 27, 1998~~ **the effective date** shall be subject to the **regulations** ~~Rules, Regulations, and Specifications~~ in effect at the time of plat approval ~~except that, where these new regulations require less stringent requirements, the Developer of a subdivision approved under previous rules may request application of these new Rules, Regulations, and Specifications.~~

Commented [AM3]: Changes include new effective date; adds appendix to denote amendments made and keep better track.

E. CONSISTENCY WITH OTHER REGULATIONS

- (1) These regulations shall be consistent with the Drainage Design Manual (**Ellis County Quality Growth Initiatives, Volume II**) and the Standard Construction Details (**Ellis County Quality Growth Initiatives, Volume III**) and any other supplemental land use and community development policies that may be adopted by the Commissioners' Court.
- (2) These regulations shall be cumulative of all other orders of Ellis County, Texas and shall repeal any of the provisions of said previous orders.
- (3) If a conflict should arise with other applicable orders, the strictest shall apply, until an updated order is approved by the County Commissioners' Court or as interpreted by the Department of Development Director as outlined in [Section I \(F\)](#).
- (4) If a permit, plat, or other item requiring approved is issued or approved in error and it violates the current adopted regulations, that permit does not invalidate the established regulations and ~~it~~ **that permit, plat or other item requiring approval** shall be voided immediately upon notification.

Commented [AM4]: Minor clarification

F. AMENDMENTS

- (1) As needed, the Department of Development Director or designee may only amend the illustrations, graphics, and non-text within these regulations without the consent of Commissioners' Court to better assist in graphically depicting and providing clarity to these regulations.
- (2) As needed, the Commissioners' Court may amend these regulations to reflect desired changes and updates in policy **or to stay consistent with State Law.**
 - (i) Public hearings on all proposed written amendments shall be held by the Commissioners' Court in open session after publication in a newspaper of general circulation for at least fifteen (15) days before the public hearing date.

Commented [AM5]: Added text to show intended desire

G. INTERPRETATIONS

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



- (2) Rulings made by the Department of Development Director are issued on a case-by-case basis and shall not set a precedent for other similar situations.
- (3) If an applicant disagrees with the interpretation provided, that decision may be appealed to the Commissioners' Court at the next available meeting, as listed in the [latest submittal calendar](#) and pay any associated fees as outlined in the latest adopted [Master Fee Schedule](#).

H. DEED RESTRICTIONS

- (1) Developer-initiated and development deed restrictions are considered private and Ellis County shall not enforce any deed restrictions. Any enforcement of the developer's deed restrictions shall rest solely with the developer, builder, property owners, purchaser, homeowners/property owners' association, or similar.
- (2) Any plat approval, permit or variance issued or given by the County is based solely on meeting the established rules, regulations, criteria and following all procedures and requirements in effect at that time.

I. APPLICABILITY

- ~~(1) These rules and any preceding rules shall apply to land, which has been divided on or after September 1, 1990.~~
- ~~(2)~~ (1) A division of a tract referenced in this section is defined as using a metes and bounds description in a deed of conveyance or a contract for a deed, using a contract of sale or other executory contract, purchase option rental agreement, or using any other method to convey property.

Commented [AM6]: Deletes text already reflected in (D) above.
Renumbers the section

J. FINES & PENALTIES

- (1) Any person, firm or corporation who violates any of the provisions of these regulations or who fails to comply with any provision hereof within the Ellis County shall be subject to civil penalties including a fine of one thousand (\$1,000.00) dollars for each day that such violation continues shall constitute a separate offense and shall be punishable accordingly, pursuant to [Section 232.035 of the Texas Local Government Code](#).
 - (i) The primary objective of the department is not to impose fines but to have everyone comply with these regulations.
 - (ii) The Department of Development shall have the right to institute an action in the court to enjoin the violation or threatened a violation of any provision in the County.

K. SEVERABILITY CLAUSE

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



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SECTION II
DEVELOPMENT REVIEW PROCESS & PROCEDURES

A. PRE-APPLICATION MEETING

- (1) Before the acceptance or submittal of any development-related application, the applicant of the proposed development shall meet with the Ellis County Growth Assessment Team (GAT) to review the project and make recommendations designed to assist in processing and expediting the application promptly, while minimizing any issues.
 - ~~(i) The Department of Development Director may waive this requirement if, in their determination, the requested development or project is minor or have minimal impact on current infrastructure.~~
 - (ii) The pre-application meeting does not vest any proposed plat, development, project, or application or development with the existing regulations as defined **in Chapter 245 of the Texas Local Government Code**. It is only meant to serve as **an informal** venue to address any unforeseen issues, provide advice and direction, and assists the developer in understanding the regulations and development process.
- (2) The Ellis County Growth Assessment Team is chaired by the Department of Development Director or their designated representative, and may include representatives from other departments which include but not limited to the Department of Development, Engineering, Fire Marshal's Office, the precinct commissioner, and other persons deemed necessary to ensure an appropriate and complete review. No advisory opinions will be given at this meeting.

Commented [AM7]: Makes pre-application meeting optional

Commented [AM8]: Cites the reference for vesting

B. FORMAL APPLICATION SUBMITTAL

- (1) To ensure there is no delay in processing any application, the applicant shall submit their proposed development for review by no later than the date and time as indicated on the latest [Submittal Calendar and Meeting Schedule](#), if the project requires approval from the Ellis County Commissioners' Court.
 - (i) All residential projects not requiring approval from the Commissioners' Court may proceed to submitting the applicable documentation to proceed.
 - (ii) All non-single family, commercial, industrial, and nonresidential uses shall require a pre-clearance from the Fire Marshal's Office prior to submitting the applicable documentation to proceed with a development/building permit.
- (2) All items required for a formal application submittal shall be as shown on the [most-recently updated application](#).
- (3) The fees for each application type shall be as listed on the most recently-adopted [Master Fee Schedule](#), as adopted by the Commissioners' Court.



- (4) Upon submittal of required items in [Section II \(B\) \(2\)](#), the Department of Development shall review the submittal contents to determine if it is **a complete submittal prior to its initial review.** ~~deemed complete as outlined in Chapter 232.0025 of the Texas Local Government Code.~~
- (i) It is the obligation of the applicant to submit all information necessary for proper review by the County.
 - (ii) If the application does not contain all required **accompanying** information **based on the latest application checklist at time of filing,** ~~the submission it~~ is **deemed an incomplete submittal and** will ~~be rejected,~~ **not accepted** and ~~a new application~~ shall **wait to** be filed for a future submittal date **until all necessary items accompany the application.**
- (5) **Upon successful application submittal,** the Ellis County Growth Assessment Team will formally review the proposed project to ensure it meets all associated County’s requirements and regulations.
- (i) In the formal review process, the Growth Assessment Team may require additional items that are not listed on the application to ensure an overall and complete review and will give the applicant a **reasonable** time frame by which such items shall be submitted to continue the review process.
 - (ii) If the additional requested information is not submitted within the period stated, the application is subject to [Section II \(B\) \(4\)](#) **may be deemed incomplete or be disapproved.**
 - (iii) **A one-time 30-day extension period may be granted if it meets the provisions established under Chapter 232.0025 (f) of the Texas Local Government Code.**
- (6) Upon satisfying all the requirements and other items as required by the different departments, the proposed project may proceed to either Commissioners’ Court for approval or for permitting.

Commented [AM9]: Wordsmithing

Commented [AM10]: Consistent with state law.

Commented [AM11]: Language added to comply with state law.

C. ~~APPROVAL~~ COURT ACTION

- (1) **If applicable,** upon successful submittal of an **plat** application and after it is determined to be complete and meets all County requirements, the application shall be placed on the agenda of the next available Commissioners’ Court for their consideration.
- (2) Any action before the Commissioners’ Court shall require an affirmative majority vote to officially approve the application.
- (3) If the Commissioners’ Court disapproves a plat application, it shall provide an explanation for the disapproval. Upon disapproval, the applicant may resubmit a new application to restart the review process.**

D. ADDRESSING

- (1) Tentative property addressing ~~may be~~ **is** designated and assigned with the first **approved** plat or permit application submitted, however, property addresses ~~may be~~ **are** subject to change

Commented [AM12]: Wordsmithing



depending on the number of lots, buildings, lot and building configuration and layout, and other current renumbering and readdressing projects within the vicinity.

- (2) For ease in the emergency location of an address, all residences shall prominently display the numerical street address for easy recognition.
- (3) Road and street names shall be checked to avoid duplicate names or similar spellings for other roads in the county and surrounding area.



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SECTION III PLATS

A. JURISDICTION

- (1) If the property to be platted or subdivided lies entirely within the limits of a city, the applicant shall consult directly with that city about all platting procedures and requirements.
- (2) This section shall apply to property located outside the limits of any municipality within the boundaries of Ellis County who divides the tract into one (1) or more lots to lay out a subdivision in accordance with [Chapter 232.001 \(a\) of the Texas Local Government Code](#).
 - (i) If the property to be platted or subdivided lies wholly or partially within the extraterritorial jurisdiction (ETJ) of any municipality, the platting approval procedure shall be established by the approved Interlocal Agreement between the County and that municipality.
 - (ii) If the property is located in multiple ETJs, [Section 212.007 of the Texas Local Government Code](#) shall apply, unless one of the cities cedes their authority to another in a written form ~~by a person listed in [Section III \(D\) \(2\) \(iii\)](#).~~

B. PLAT REQUIRED

- (1) A plat is required when subdividing property that results in any tract of land having ten (10) acres or less.
- (2) A subdivision plat is not required if it meets the requirements outlined in [Chapter 232.0015 of the Texas Local Government Code](#).
 - (i) If any of the areas cited in the section above ceases to meet the exemption criteria, then the platting requirements shall immediately apply.

C. APPLICATION

All plats within this section are required to follow the procedures and requirements as outlined in [Section II](#). A sample plat with all required wording and format is available at the end of this section.

D. PRELIMINARY PLAT

- ~~(1) Preliminary plats may not be reviewed by the County as stated under [Chapter 232.00285 of the Texas Local Government Code](#).~~
- ~~(2) Should the County receive a preliminary plat to review from a City for a proposed development in the extraterritorial jurisdiction (ETJ) or at the request of a developer/property owner, it shall not be subject to the 30-day approval process outlined in the Chapter 232 of the Texas Local Government Code or does it vest a project under Chapter 245 of the Texas Local Government Code.
 - ~~(i) Staff may provide formal or informal comments in preparation for the civil plan review stage and/or final plat and may be subject to the application fee.~~
 - ~~(ii) Such preliminary plat may not be subject to Commissioners' Court approval.~~~~

Commented [AM13]: Eliminates most of this section as it is no longer required by state law.

Commented [AM14]: Included this section to allow the option of review of a prelim plat by staff in case we received one from a city or at the request of a developer/property owner.



- ~~(1) A preliminary plat is required for all unplatted parcels of land on which the filing of a plat is required by State Law or these regulations.~~
- ~~(i) A simplified plat is the only exemption if it meets the requirements in [Section III \(F\)](#).~~
- ~~(2) Regardless of the rules, regulations, and ordinances of any city exercising authority in the extraterritorial jurisdiction (ETJ), a preliminary plat is required by Ellis County consistent with this section. Ellis County, as the filing authority of plats, will not accept any plat for consideration that uses terminology other than Preliminary Plat in the title block.~~
- ~~(i) The Department of Development Director may waive the above requirement if the city exercising authority in the ETJ does not have a preliminary plat process for that particular situation.~~
- ~~(ii) A letter stating the above is required by the Planning Director or equivalent department head responsible for plats, City Manager, or City Attorney of the respective city to the Department of Development Director.~~
- ~~(3) The preliminary plat shall meet all the conditions placed by the Commissioners' Court or other applicable governing entity before the acceptance of a final plat.~~
- ~~(4) Approval of the preliminary plat does not constitute acceptance of the subdivision but merely an authorization to proceed with the preparation of the final plat.~~
- ~~(5) An approved preliminary plat application shall expire if a final plat application for the subject property has not been approved within twelve (12) months from the date of the Commissioners' Court approval of the preliminary plat.~~
- ~~(i) The Commissioners' Court may grant a one time extension of an approved preliminary plat for a period not to exceed twelve (12) months.~~
- ~~(ii) Additional approval for a continuation from the respective City may be required if located within their ETJ.~~
- ~~(iii) Upon expiration, or denial of an extension of plat approval, a new plat application shall be submitted, subject to requirements in effect at the time the County accepts the application.~~
- ~~(6) Engineering plans shall be submitted for review after the approval of a preliminary plat (see [Section V \(B\)](#) for additional information).~~
- ~~(7) Upon approval of the engineering plans and prior to commencement of construction, a pre-construction meeting and a performance bond are required (see [Section VII](#) for more information).~~



- ~~(8) Once a performance bond is approved, the developer can begin construction of the roads and necessary infrastructure, as shown on the approved plans.~~
- ~~(9) Upon completion and approval of the infrastructure by staff, a final plat may be submitted for approval.~~
- ~~(10) Additional steps may be required by staff to finalize the preliminary plat approval process and will provide those as necessary.~~

E. FINAL PLAT

- (1) The primary purpose of a final plat is to complete the last stage of approval of a subdivision or addition as a condition of recording a division of land or property, dedicating right-of-way, and easements before recording it in the Ellis County Clerk's Office.
- (2) Engineering, construction, drainage plans, and other documents required by the County Engineer shall be submitted for review, and shall meet all the requirements, and approved prior to the acceptance of a final plat application.**
 - (i) During the engineering, construction, drainage plan review, the County Engineer reserves the right to designate lots in a subdivision with unique topography to receive prior authorization concerning structure placement and location before issuance of floodplain permit and/or on-site sewage facility permit.**
- (43) Upon approval of the related documents **and meeting the County's requirements**, the final plat may be placed on the agenda for the next available Commissioners' Court.
- (4) Conditions may not be placed by staff or the Commissioners' Court or other applicable governing entity on a final plat.**
- (5) Approval of a final plat does not constitute acceptance of public infrastructure until it meets the County's requirements and the Commissioners' Court accepts it as a county road.**
- (6) Upon approval of the engineering plans and final plat, a pre-construction meeting with County staff is required.**
- (7) A construction bond along with the established County Road Fee are required prior to the commencement of any construction. (see Section VII for more information).**
- (8) Once a construction bond is approved by the Commissioners' Court, the developer can begin construction of the roads and necessary infrastructure, as shown on the approved engineering, construction and drainage plans.**

Commented [AM15]: The text in this section outlines the new review process for final plats due to the changes in state law.

Most of this section came from the previous preliminary plat section.



(9) Upon completion and approval of the infrastructure by staff, the developer shall sign a form indicating that it meets County requirements and a 2-year maintenance bond shall be submitted for Commissioners' Court approval.

(10) Additional steps may be required by staff to finalize the final plat approval process and will provide those as necessary.

(11) The director, in consultation with the County Engineer, may waive certain above requirements if the proposed development does not create new infrastructure or deemed necessary..

(12) If there is a plat submitted for which the County has no formal process or a situation where a previously-approved plat does not fall into the normal procedures, the Director may allow those plats to be handled as a final plat.

~~(2) The final plat approval process may mirror the same steps as shown in [Section III \(D\) \(1-4\)](#).~~

~~(3) In addition to the fees associated with the final plat, performance guarantees (bonds and/or letters of credit) are required with the final plat submittal. (See [Section VII for more information](#)).~~

~~(5) After final plat approval, the Department of Development reserves the right to designate lots in a subdivision with unique topography to receive prior authorization concerning structure placement and location before issuance of floodplain permit and/or on-site sewage facility permit.~~

F. SIMPLIFIED PLAT RESERVED

~~(1) A simplified plat may be used to create up to four (4) lots solely to subdivide land that is undeveloped.~~

~~(2) A simplified plat may also be used to record such subdivision of property, or record the remainder of a tract created by the platting of a portion of the property provided that:~~

~~(i) The resulting lots are undeveloped or used for single family residential or agricultural purposes.~~

~~(a) Non-single family uses shall require a review by the [Fire Marshal's Office](#) and [County Engineer](#).~~

~~(ii) Neither the lots(s) nor remaining tract(s) of land or any portion thereof has been previously recorded as a simplified plat within ten (10) years of an application for a simplified plat involving any part of the same lot(s) or remaining tract(s); and,~~

~~(a) Multiple requests made within the same geographic area is seen as circumventing the regulations and will not be accepted.~~

~~(iii) No new roads are created or built along or within the boundaries of the proposed plat; and,~~

~~(iv) No new public infrastructure or utility services are extending to provide service the site.~~

Commented [AM16]: No need to do simplified plats if there is no longer prelim plats. All future "simplified plats" will now be processed as final plats.

To prevent links or cross-referencing from being broken, this section is labeled "Reserved"



G. REPLAT

- (1) The primary purpose of a replat is to revise or amend a previously-approved and recorded plat with the Ellis County Clerk's Office and does not meet the requirements set forth for an amending plat in [Chapter 232.011 of the Texas Local Government Code](#).
- (2) This subsection shall adhere to Chapter [232.009](#) and [232.0095](#) of the Texas Local Government Code, unless otherwise indicated.
- (3) Upon successful submittal of an application and after it is determined to be complete, the following public notices shall be provided, as prescribed by law:
 - (i) An ad placed in the public notice section of a newspaper of general circulation shall be placed for at least three (3) times at least thirty (30) days before the proposed hearing date and ending on the seventh (7th) day before the hearing date; and,
 - (ii) Notice on the County's Department of Development website; and,
 - (iii) Notice to all property owners as outlined in [Section 232.009 \(c\)](#) of the Texas Local Government Code.

H. AMENDING PLAT

The primary purpose of an amending plat is to correct minor issues as indicated in [Chapter 232.011](#) of the Texas Local Government Code.

I. CANCELLATION OF SUBDIVISION

- (1) The primary purpose of this type of plat is to cancel all or part of the subdivision, which may include dedicated easements or roadways/rights-of-way, and reestablish the property as areas tracts as it existed before the subdivision.
- (2) Any plat may be vacated, revised, or superseded in total or in part by compliance with the procedures and requirements of these regulations.
- (3) This subsection shall adhere to Chapter [232.008](#), [232.0083](#), and [232.0085](#) of the Texas Local Government Code unless otherwise indicated.
- (4) Upon successful submittal of an application and after it is determined to be complete, the following public notices shall be provided:
 - (i) An ad placed in the public notice/hearing section of a newspaper of general circulation shall be placed at least three (3) weeks before the proposed hearing date, as prescribed by law; and,
 - (ii) Notice to all property owners located within two hundred (200) feet of the subject boundaries via United States Postal Service (USPS) regular mail.



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

J. DORMANT PROJECTS

- (1) A project is considered dormant if it does not have an expiration date and no progress has been made towards completion of the project.
- (i) Progress towards completion of the project shall be as stated in Chapter 245.005 of the Texas Local Government Code.
- (2) Following adoption of this ordinance amendment, projects for which final plats have been filed of record with the County Clerk that are not developed, and for which no other progress has been made towards the completion of the project within five (5) years from the date said final plat is approved by the Commissioners' Court, will be considered dormant and expired.

Commented [AM17]: New section that defines a dormant project based on TLGC Ch. 245

K. MISCELLANEOUS

- (1) ~~Except for the preliminary plat and~~ Upon successful completion of any additional requirements required by the Court, the instrument shall be filed and recorded in the deed records of the County within ninety (90) days of approval date to become effective. If a plat is not filed within this time frame, due to developer's failure to comply with the additional requirements of the court, then the conditional approval of the plat shall expire, and a new application shall be submitted.
- (2) Property shall not be authorized to be divided, sold, conveyed, developed, constructed, or move any structures onto the site until
- (i) the approval of a final plat, replat, or ~~simplified~~ **other type of** plat of the tract from the Commissioners' Court; and,
- (ii) Engineering plans and related documents and all necessary permits, and culvert sizing has been issued to the property owner (if applicable); and,
- (iii) The approved plat has been officially filed with the County Clerk.
- (3) Plat approval and acceptance by the County does not relieve the developer from obligations, including fees, required by other sections of this or other order of the county about the improvement of the property or extension of services as needed to make the property suitable for development.
- (4) Approval of any plat by the Commissioners' Court shall not be deemed an acceptance of the proposed dedications, if any shown thereon, and shall not impose any duty upon the County concerning maintenance or improvements of any such dedications.
- (i) Dedication of right-of-way shall not relieve the property owner from obligations for street construction or assessments associated with public street improvement programs.

Commented [AM18]: Eliminates the mention of a preliminary plat.

Commented [AM19]: Removes mention of simplified plats.



- (ii) The Commissioners' Court shall determine which dedications are accepted for County maintenance after the owner maintenance period has expired ([see Section VII \(C\)](#) for more information).
 - (iii) The acceptance of roads for County maintenance and release of maintenance bond shall be placed on the next available Commissioners' Court meeting in an open court session upon satisfaction of all requirements outlined in [Section VII](#) and an approved final inspection.
 - (iv) Until any road within a dedicated right-of-way is built to County standards by developer, and accepted by the County, a homeowner's association, developer, or adjacent property owners shall maintain this area.
- (5) A pre-construction meeting shall be scheduled between the developer, contractor, and the County before any construction of infrastructure. It is the responsibility of the developer to schedule that meeting.
- (6) If groundwater is the source of water supply for the project, the application shall include all other requirements as listed in [Chapter 232.0032 of the Texas Local Government Code](#).

~~(7) A drainage plan is required for all plat submittals. This requirement may be waived by the County Engineer.~~

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

- (i) Blocking the flow of water or constructing improvements in the drainage easements is prohibited.**
- (ii) The existing creeks, drainage channels, or drainage easements traversing along or across this addition will remain as open channels and will be maintained by the homeowners association (HOA) or individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.**
- (iii) Ellis County shall not be responsible for the maintenance and operations of drainage easements, structures, or for the control of erosion.**
- (iv) Ellis County shall not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.**

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

(9) No construction on any lot, or movement of manufactured homes onto any site may begin until a final plat is filed and the subdivision is accepted by the County Commissioners' Court, and floodplain permit, on-site sewage facility Authorization to Construct (ATC) permit with an accompanying preliminary site plan, and culvert sizing has been issued to the property owner.

Commented [AM20]: Moved to Drainage Design Manual, Volume II

Moved from the original Section IV and V to this section as it relates more to platting. No new wording.



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**SECTION IV
GENERAL REQUIREMENTS**

~~A. ACCESS~~

- ~~(1) Access to all tracts of land and development projects shall be from a County maintained street/road or a state/federally maintained road or street.~~
- ~~(2) Subdivisions with interior streets shall provide at least two (2) streets for ingress and egress with driveway access to interior streets only.~~
- ~~(3) Only one (1) access point shall be allowed per lot or tract of land along roads identified as 80 feet of right of way or more on the Master Thoroughfare Plan. If multiple access points are desired on the same lot, it shall meet [Tx DOT's Access Management Standards, Table 2-2](#) and Section V (C).~~
- ~~(4) All access drives within County right of way located within the interior of subdivisions shall satisfy the following criteria:
 - ~~(i) Minimum twelve (12) feet wide; and,~~
 - ~~(ii) Minimum six (6) inches in thickness of concrete; and,~~
 - ~~(iii) Meet other County standards for street construction outlined in [Section IV \(E\) \(4\) & \(5\)](#).~~~~

Commented [AM21]: Moved to Volume III

~~B. A. LOTS~~

- (1) All lots or tracts of land shall face directly onto a publicly-constructed and maintained **road**/street that appears on the most recent official County road list.
- (2) Lots or tracts of land served by a public water supply and an on-site sewage facilities (OSSF) shall have a minimum lot size of one (1) acre outside the floodplain and a minimum paved **public** street frontage of at least one hundred and fifty (150) feet. Lots facing other public street thoroughfare must comply with corresponding entity requirements. The minimum street frontage for single family lots on the turnaround of a cul-de-sac or for lots located on a cul-de-sac, the paved street frontage requirement shall be a minimum fifty (50) feet wide measured by the chord length.
 - (i) This requirement shall be for one (1) habitable structure per lot. The OSSF application shall be submitted at the same time as the development/building permit.
 - (ii) Multiple habitable structures not tied together through a common roof and common wall to the main structure and are considered separate and shall require an additional acre per structure, and adhere to the latest adopted Septic Order.
 - (iii) Elevation certificates showing base flood elevations (BFE) are required for all lots within the 100-year floodplain.
- (3) Lots not meeting the requirement of [subsection \(B\) \(2\)](#) above shall adhere to the following requirements:



- (i) Duplex lots (**one structure with** two (2) residential units per lot) - one hundred and fifty (150) feet of paved **public** street frontage and two (2) acres located outside the floodplain; and,
 - (ii) Multi-family lots (**one structure with** at least three (3) residential units per lot) – three hundred (300) feet of paved street frontage and the greater of either three (3) acres or one-half the number of dwelling units in acres located outside the floodplain (i.e. 50 units = 25 acres, 100 units = 50 acres, etc.); and,
 - a) **An design for on-site sewage facilities (OSSF) shall be submitted with any proposed multifamily uses to ensure capacity exists.**
 - (iii) Nonresidential lots shall meet the requirements outlined in [subsection \(B\) \(2\)](#); and,
 - (iv) Any lot configuration not mentioned above will require a review by the Ellis County Growth Assessment Team to determine the appropriate acreage and street frontage requirements.
- (4) Flag lots shall not be allowed, unless they meet the minimum lot frontage requirements stated in within this section.
- (5) At a minimum, lots shall be one hundred fifty (150) feet in length by one hundred fifty (150) feet in ~~width~~ **depth** before a lot may narrow down. When a lot narrows down, it shall be a minimum width of thirty (30) feet at its narrowest point.
- (6) Lots or tracts of land having an individual water supply well and an individual on-site sewage system (OSSF) shall have a minimum lot size of three (3) acres. Such lots must have a minimum paved street frontage of three hundred (300) feet.
- (7) Subdivisions, including multi-family residential lots, served by a public water supply and by a public sewage disposal system shall have an average density of not more than four (4) lots per acre, not including the area of the roads, floodplain, and public spaces.
- (8) For multi-family subdivisions, adequate provision shall be made by the developer for common ownership and maintenance of community facilities such as recreation and open space, parking, access, and similar common use areas.
 - (i) The developer shall provide disposition and maintenance covenants for all open space or other common ownership areas. Such restrictions shall be recorded at the time of plat recordation and shall not be maintained by the County.

Commented [AM22]: New requirement to ensure OSSF capacity.

Commented [AM23]: Width is applied wrong here; should have always been “depth”.

B. BUILDING LINES AND EASEMENTS

Building setback lines shall be shown on all lots, and shall be as follows:

- (1) Lots abutting any internal road located within a subdivision shall require a minimum front setback distance of twenty-five (25) feet from the property line.



- (2) Lots abutting ~~any existing County/State road or~~ any other road not classified as an internal subdivision road shall be considered major roads and highways and require a minimum front setback distance of forty (40) feet from the property line.
- (3) For determining the setback lines of the lot, the location of the front door or entrance to the principal structure shall be considered the front portion of the lot.
- (4) Side and rear yard setbacks shall be a minimum distance of ten (10) feet **and twenty (20) feet respectively** from the property line.
 - (i) The setback lines for an accessory structure that is less than 300 square feet in area and an underground swimming pool may be reduced to a minimum distance of five (5) feet from the side or rear property line. ~~If, at the time of permitting, an easement exists within the setback lines, a release of easement letter shall be obtained from the applicable utility providers and any other easement holder and turned in with the permit application.~~
 - (ii) If, at the time of permitting, an easement exists within the setback lines, a release of easement letter shall be obtained from the applicable utility providers and any other easement holder and turned in with the permit application.
 - (iii) This reduction in setback shall only apply to one (1) accessory structure on the property.
- (5) If there is a discrepancy in determining these setbacks or its application, the Department of Development Director shall make a determination. Any appeal to the Director's decision may be forwarded to the Ellis County Commissioners' Court.
- (6) Utility easements shall be provided as needed to accommodate the current or future infrastructure of utility companies. When utility easements are required, they shall be as follows:
 - (i) Easements parallel to the streets – A minimum width of twenty (20) feet from the current county dedicated or prescriptive right-of-way, and;
 - (ii) Side and rear yard – A minimum width of ten (10) feet along each lot for a minimum total of twenty (20) feet.
 - (iii) The developer is required to speak to all utility providers in the area to locate their easements, current or future, before the submittal of a plat or project.
- (7) The drainage easements may occupy the same space and area as the utility easement and be combined to be a drainage/utility easement, unless otherwise indicated by the County Engineer or utility provider.
 - (i) All easements shall be left unobstructed so that equipment can be used to clean and maintain them when necessary.

Commented [AM24]: Matches what we are already requiring

Commented [AM25]: Duplicate of next section;



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

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

Commented [AM26]: Helps avoid future situations like 1st Tel

(ii) Ellis County shall not be responsible for maintenance of drainage facilities or lot drainage located on private property.

B.C. RIGHT-OF-WAY

(1) Dedication

(i) When lots of a proposed subdivision front on a County or public road, other than a Federal or State road (less than sixty (60) feet right-of-way), the developer shall dedicate for future public use, at least thirty (30) feet on their portion from the center line of such road to allow for improvements to the public road.

(ii) Any plat submitted for review to the Department of Development shall require dedication of at minimum one-half of the total right-of-way necessary for any public County or State road or any road indicated on the most-recently approved Master Thoroughfare Plan at the time the application is made, up to sixty-five (65) feet or half of the largest road classification in the Master Thoroughfare Plan not classified as a freeway. Any additional dedication beyond this maximum may be considered a taking and subject to purchase by the requesting entity.

(2) Abandonment & Closing

(i) The Commissioners' Court may abandon or close any portion of a publicly dedicated right-of-way in accordance to [Chapter 251 of the Texas Transportation Code](#).

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

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

(3) Reinstatement

(i) If an applicant is seeking to make a private street or alley improvement public, the submittal of an application is required.

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

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

Commented [AM27]: Clarifies who is responsible for testing costs



- (iii) The applicant shall submit all the proper forms and documents as indicated on the application or as directed by the Department of Development Director for consideration by the Commissioners' Court.
 - (iv) If approved by the Commissioners' Court, that private street or alley improvement ~~shall~~ **may** be considered public and maintained by the County. This new improvement may also be added to the latest official maintained County road list.
 - (v) If a private street or alley improvement is already maintained by the County but has never been officially dedicated through a plat or other instrument (i.e. prescriptive), a final plat of the right-of-way shall be prepared for consideration by the Commissioners' Court. **Testing and labs are required prior to acceptance.**
- (4) Any new or replacement fence shall be placed outside the county right-of-way and in no case closer than thirty (30) feet from the center of the road. No fence permit is required.
- (i) For property adjacent to roads identified on the Master Thoroughfare Plan, it is suggested that any fence be placed one-half **the distance in feet** of the road classification, measured from the center of the road, **plus the front building setback distance.**
- (5) For residential development directly adjacent to County or State right-of-way, the Developer shall be responsible for adequate setback and/or sound abatement measures to mitigate traffic noise.

Commented [AM28]: Provides flexibility

Commented [AM29]: Helps clarify the distance requirement.

B- STREETS AND CONNECTIVITY

Commented [AM30]: Moved to Volume III

- ~~(1) The design and construction of new streets or the extension of existing streets shall be done to facilitate both present and future traffic flow and to provide for adequate storm water drainage.~~
 - ~~(i) In all cases, the design engineer shall be cognizant of local drainage and shall plan local streets such that the new street does not create a localized problem for existing development.~~
- ~~(2) The developer shall provide adequate streets.~~
 - ~~(i) The street arrangement, character, extent, width, grade, and location of each shall conform to these regulations, and shall relate to existing and planned streets, to topographical conditions, public safety and convenience, and aesthetic relationship to the proposed uses of land to be served by such streets.~~
 - ~~(ii) The street layout shall be devised for the most advantageous development and accessibility for emergency equipment.~~
 - ~~(iii) To promote connectivity and traffic safety, streets shall connect align with other existing streets, as needed.~~



~~(iv) Development shall be allowed along all public roads officially accepted and maintained by Ellis County and shall occur according to the latest applicable standards in effect at the time of platting or permitting.~~

~~(v) If the private roads are built to public road standards and inspected by the county, the property may develop as if it were a public road and meet all the requirements set forth in these regulations and as stated in the preceding paragraph.~~

~~(vi) Any Owner that gates the entrances to the subdivision shall provide either a crash gate or a lock box to the Fire Marshal's Office.~~

~~(3) Traffic impact studies may be required to be performed by the developer for any development proposal expected to generate traffic volumes greater than one hundred (100) vehicle trips per day and that will significantly impact the capacity and or safety of the street/road system.~~

~~(i) Traffic impact studies shall be required at the discretion of the Department of Development Director and/or the County Engineer.~~

~~(4) All streets shall meet the following requirements:~~

~~(i) Shall be concrete with a minimum thickness of six (6) inches, and constructed in compliance with the specifications as shown in [Section IV \(A\)](#); and,~~

~~(1) The Engineering Report shall include a description of the roadways within the community, and include information on the roadway cross section, pavement width and thickness, base thickness, sub grade treatment, material specifications and other information as required in these Regulations.~~

~~Plans and specifications for these improvements shall also be submitted to the Department of Development for approval prior to construction.~~

~~(ii) Intersect at an angle of ninety (90) degrees. Where this is not practical, the intersection on the side of the acute angle shall be cut back a minimum of twenty five (25) feet; and,~~

~~(iii) Flared entrances to subdivisions set to the specifications of the County Engineer shall be provided to accommodate access by large trucks; and,~~

~~(iv) Provide a minimum spacing of 1,000 feet~~

~~(v) Street jogs with centerlines offsets of less than one hundred fifty (150) feet shall be prohibited.~~



- ~~(5) Lots or tracts of land with direct driveway access to any roads indicated on the Master Thoroughfare Plan shall not be allowed without meeting one of the following alternatives:~~
- ~~(i) Provide access via a parallel slip street; or,~~
 - ~~(ii) Shared access drive and share access easements between multiple lots to be shown on plat or filed instrument and built on site; or,~~
 - ~~(iii) Any other alternative that satisfies the Department of Development Director and/or County Engineer.~~
- ~~(6) Dead end streets shall not be approved unless such streets provide to connectivity to future streets on adjacent property. The system of streets designated for the subdivision shall connect with streets already dedicated in adjacent subdivisions.~~
- ~~(i) Where no adjacent connections are proposed, paved streets shall continue to the boundaries of the property, so that other developments may connect in the future.~~
 - ~~(ii) Where adjoining areas are not subdivided, the arrangement of streets in the subdivision will make provisions for the future projection of streets into such unplatted areas.~~
 - ~~(iii) Upon development of such unplatted areas, the new development shall match the street projections to form a continuous street. In no case shall the right of way be less than the minimum requirements listed herein.~~
- ~~(7) Temporary turnarounds shall be provided on dead end expansion streets while future connectivity is made and be built and designed with a material approved by the County Engineer.~~
- ~~(i) Such turnaround shall be eliminated with the future street connection.~~
 - ~~(ii) No lot shall front on a dead end expansion street~~
 - ~~(iii) All turnarounds shall meet the same requirements as cul de sacs outlined below.~~
- ~~(8) Cul de sacs shall provide proper access to all lots and only at the closed end of streets and shall not be allowed at intersections or curves. All cul de sacs shall meet the following requirements listed below:~~
- ~~(i) Provide a turnaround right of way of not less than a sixty (60) foot radius; and,~~
 - ~~(ii) Have an outside edge of pavement radius of at least forty (40) feet and,~~
 - ~~(iii) Shall not exceed one thousand (1,000) feet in length, measured from the intersection of the closest street to the center of the cul de sac.~~
- ~~(9) The County shall not accept any dedication or provide any upkeep or maintenance of any private decorative and/or landscaped entrance(s), squares, islands, or other obstructions to traffic located within the dedicated right of way. If these entrances become damaged, unsightly, or a~~



~~hazard to traffic, at the option of the precinct commissioner, they may be removed with the County suffering no liability for this removal.~~

~~(10) All lots in a subdivision must have an all-weather driveway capable of providing a place to park all vehicles normally at the site. Parking on a county, state or federal road is prohibited.~~

~~(11) Ellis County shall not be responsible for maintenance of private streets, drives, emergency access easements, recreation areas, and open spaces.~~

~~FIRE HYDRANTS~~

Commented [AM31]: Moved to Volume III

~~(1) Fire hydrants are required for any development that connects onto a waterline with a minimum size of six (6) inches and provides adequate flow and pressure according to the National Fire Protection Association (NFPA) and the Insurance Service Office (ISO).~~

~~(i) An exemption to this regulation may be granted by the Fire Marshal if the water supply company prepares a signed letter on a letterhead stating they do not have the minimum water line size and if the request is for no more than four (4) single family homes. This exemption does not extend to commercial, industrial, or other nonresidential uses.~~

~~(ii) Multiple requests made within the same geographic area within a period not less than ten (10) years shall be seen as circumventing the regulations and not be accepted, unless an upgraded waterline is provided.~~

~~(2) All fire hydrants are installed, they shall face county road and be accessible to local fire fighting vehicles, or as indicated by the Fire Marshal.~~

~~(3) In accordance with [Insurance Service Office \(ISO\)](#) and [International Fire Service Training Association \(IFSTA\) Standards](#), fire hydrants shall be placed as follows and meet the following requirements:~~

~~(i) One (1) hydrant shall be located at each street intersection with intermediate hydrants with spacing not exceeding four hundred fifty (450) feet between hydrants.~~

~~(ii) Fire hydrant locators shall consist of four (4) inch by four (4) inch blue reflector traffic buttons properly placed to comply with local fire protection agent and Ellis County Department of Development and installed at each fire hydrant at center line on all adjacent streets.~~

~~(iii) Fire hydrants shall be colored as indicated by the Fire Marshal.~~

~~(4) Fire hydrants shall be as specified by the water company providing service to the development area or the Fire Marshal's Office, whichever is stricter.~~

~~(5) Operation nuts, hose nozzles, and pumper nozzle shall be compatible for use by all local fire fighting agencies.~~



D. MAILBOXES

- (1) All new mailboxes ~~may be allowed in the right-of-way as long as it~~ shall meet the policy guidelines set forth by the United States Postal Service (USPS).
- (2) In the event Ellis County commences construction or maintenance within its right-of-way, all mailboxes located within the right-of-way shall be removed from the right-of-way at the expense of the property owner for individual mailboxes or a homeowners' association for cluster mailboxes.
 - (i) In the absence of a homeowners' association, the collective group of people who have mail slots in a clustered mailbox shall bear the expense.
- (3) Ellis County assumes no liability for any mailbox located in the County right-of-way or on private property.

E. SEWAGE AND WASTE DISPOSAL

- (1) Every parcel of land to have a home site or commercial activity shall have an adequate system for sewage and wastewater disposal upon occupancy by either:
 - (i) Connection to an approved community sewage disposal system; or,
 - (ii) Construction of a properly designed and operational individual on-site sewage facility meeting the latest-approved Ellis County Septic Order.
- (2) On-site sewage facilities can be sources of pollution to ground water, soil surface, and the environment if not properly sized, constructed, and maintained.
 - (i) A permit for the construction and location on a lot is required in the interest of public health and welfare and meets the latest-approved Ellis County Septic Order.
 - (ii) Connection to a community sewage disposal facility and system is preferred, where possible.
- (3) Public sewage systems shall conform to the rules and regulation of TCEQ and Ellis County as to design, material, and construction.
 - (i) The developer shall present proof of TCEQ acceptance, and that of any other State or County agency controlling sewage disposal systems.
- (4) If a public sewage system is to be installed, the plans for the location of such systems must be approved by the County and thereafter by the appropriate State regulatory agency prior to approval of the final plat by the County.
- (5) If the connection is to be made to an existing public sanitary sewage system, evidence shall be presented that such system has previously received such approval and has sufficient capacity to handle the additional demand.

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- (6) If an individual on-site sewage facility is to be utilized, the developer shall prominently annotate the approved final plat or other filing instrument as directed by the Department of Development Director that homeowners are to be responsible for the construction of an approved on-site sewage facility.
- (7) Details for the design and construction of an onsite sewage facility are found in the most current edition of the [Ellis County Septic Order](#).



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SECTION V

ENGINEERING AND CONSTRUCTION STANDARDS ~~RESERVED~~

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A — STREET CLASSIFICATION

Below is the summary of the minimum standards for Ellis County roads.

TABLE VIII-A

Functional Classification (Average Daily Trips¹)	Local = (0—250)	Collector or Secondary Thoroughfare (250—1,000)	Primary Thoroughfare (1,000—3,000)	Regional Arterial² = (3,000—5,000)
Design Speed	20 MPH	30 MPH	35 MPH	45 MPH
Number of Lanes	2	2	2	2-4
Minimum Row Width (or half of the Thoroughfare Plan designation, whichever is greater)	60 feet	80 feet	100 feet	130 feet
Minimum Pavement Width (Traveled Way)	22—24 feet ³	28 feet	30 feet ⁴	36 feet
Minimum Width of Shoulders	3 feet	3 feet	4 feet	5 feet
Minimum Centerline Radius	100 feet	150 feet	300 feet	675 feet
Minimum Radius for Edge of Pavement at Intersections	15 feet	25 feet	25 feet	25 feet
Maximum Grade⁵	12%	10%	10%	9%
Minimum Stopping Sight Distance	50 feet	150 feet	250 feet	350 feet
Minimum Intersection Sight Distance	200 feet	200 feet	300 feet	450 feet
Steepest Ditch Fore Slope Grade⁶	3:1	3:1	4:1	4:1

Notes:

- ~~1~~ — Lots that are restricted to one single family residence by plot note shall be presumed to generate ten (10) one-way trips per day.
- ~~2~~ — All elements, including geometric layout and cross section, for major arterials (more than 5,000 trips) shall be approved by the Department of Development Director.
- ~~3~~ — A width of 31 feet is required if curbed.
- ~~4~~ — If residences do not front on street, a 36-foot pavement w/shoulders is sufficient.
- ~~5~~ — Occasional short runs between intersections may exceed the amounts shown, but maximum grades through intersections may not exceed the amounts shown.
- ~~6~~ — The entire side ditch shall be totally contained within the ROW or dedicated drainage easement. Metal beam guard fencing normally will not be required. However, it is the responsibility of the Developer and his design engineer to (a) provide embankment heights and side slopes which would preclude the need for such traffic barriers; or (b) to determine the need for such structures in the interest of public safety.



~~B. ENGINEERING PLANS~~

- ~~(1) Final engineering drawings and specifications for all public facilities (i.e. streets and related improvements, bridges, storm drainage, etc.) to be installed shall be submitted for review prior to the commencement of any project. The items required for these plans shall be as outlined on the checklist generated by the County Engineer.~~
 - ~~(i) Each application submittal shall allow for up to three (3) resubmittal reviews for a total of four (4) reviews.~~
 - ~~(ii) Upon the exhaustion of these reviews, the application shall be deemed denied and a new application and fees shall be submitted.~~
 - ~~(iii) A list showing all requested changes by staff shall be submitted with each submittal showing how each comment was address or changed.~~
- ~~(2) Plan and profile sheets shall be included for each proposed street in the subdivision.~~
 - ~~(i) These plan and profile sheets shall show the right of way of the street and a portion of the right of way of all intersecting streets in the plan portion.~~
 - ~~(ii) The plan portion shall show existing ground at left and right, right of way, and proposed center line or elevations, drainage ditch elevations, culverts and sizings, and other drainage structures.~~
- ~~(3) Any approved engineering plans or related documents shall be effective for one (1) year from the date of approval.~~
 - ~~(i) If construction has not started within one (1) year, the engineering plans shall expire, and a new set is required.~~
 - ~~(ii) The new set of plans and documents shall adhere to any new regulations in effect at the time of submittal.~~

~~C. CULVERTS~~

- ~~(1) A driveway culvert application is required for each lot. If a second drive is desired, the property owner shall comply with the driveway spacing requirement (if applicable), and a permit shall be obtained for each drive.~~
 - ~~(i) Culvert size shall be determined by the engineer that designed the drainage for the proposed subdivision, however, shall meet the minimum requirements of the County.~~
 - ~~(ii) The precinct commissioner shall determine the exact sizing if it is within an existing subdivision.~~
 - ~~(iii) Property owners are responsible for ensuring the culverts are installed according to County regulations. Culverts shall be maintained by the homeowners and not the County.~~
- ~~(2) The developer shall install all drainage culverts as designated on the approved construction and drainage plans~~



- ~~(3) Driveway culverts are required to meet the following minimum standards:
 - ~~(i) Shall be constructed of corrugated metal or reinforced concrete
 - ~~(a) However, concrete culverts, including concrete box culverts, may be allowed in locations that require a culvert that is larger than is practicable for a corrugated metal culvert; and,~~~~
 - ~~(ii) Minimum eighteen (18) inches in diameter per culvert, unless otherwise stated by the precinct commissioner; and,~~
 - ~~(iii) Culverts shall be placed at the edge of the existing road, unless otherwise indicated by the County Engineer and/or precinct commissioner.~~
 - ~~(iv) The driveway above the culvert shall be constructed such that the driveway is sufficiently below the outside edge of the main road so that the storm water which exceeds the capacity of the culvert can pass over the culvert without entering the roadway and driveway entrance; and,~~
 - ~~(v) Culvert safety end treatments are highly recommended.~~~~
- ~~(4) Temporary culvert piping shall be in place before the commencement of any construction or development activity on the property to prevent any drainage issues. The temporary culvert piping shall be inspected before the construction begins.~~
- ~~(5) Culvert plans may be required to be signed and sealed by a professional engineer, if unusual conditions exist, as determined by the County Engineer or precinct commissioner.
 - ~~(i) The Engineering Report shall include information on the Development and roadway drainage, culverts, conveyances, outfalls, and other information as required to properly convey storm water within and away from the Development. Plans and specifications for these improvements shall also be submitted to the Department of Development for approval prior to construction.~~
 - ~~(ii) A new subdivision, which ties into an existing county road, must not cause drainage problems to the existing county road.~~~~
- ~~(6) A final inspection made by the Department of Development and/or County Engineer will follow installation to ensure proper type, size, and installation per the drainage plan prepared for the subdivision.~~

~~**D. DRAINAGE AND TOPOGRAPHY**~~

- ~~(1) A drainage study may be required upon request by the Department of Development Director or County Engineer on a case by case basis to determine the any drainage or topography issues. Such study shall be required showing the following:
 - ~~(i) Physical features of the property including water courses; and,~~~~



- ~~(ii) The most recent FEMA Floodplain boundaries (and source of information); and,~~
 - ~~(iii) The highest flood control easement recorded by the [Ellis Prairie Soil and Water Conservation District](#); and,~~
 - ~~(iv) Ravines, bridges, culverts, present structures, and other features of importance to lot and street layout; and,~~
 - ~~(v) Contours of two (2) foot intervals based on the latest [North Central Texas Council of Governments \(NCTCOG\) information](#), or similar; and,~~
 - ~~(vi) Any other requirements set forth by the County Engineer; and,~~
 - ~~(vii) Prepared and stamped by a licensed professional engineer.~~
- ~~(2) Where development may create a drainage problem within the subdivision, provisions shall be made for drainage easements to allow for proper control of drainage, and for future maintenance within the easement.~~
- ~~(3) If construction of any project causes drainage impacts to adjacent areas, provisions shall be made for appropriate mitigation actions outside the boundaries of the proposed project. Detention or retention ponds may be required to help control excessive runoff.~~
- ~~(4) The size and location of all drainage structures, storm sewers, curb inlets, etc., and direction of flow of all storm water. The drainage area map shall show limits of all on-site and off-site water draining to the project. The drainage calculations defining drainage areas, runoff factors, storm intensity, time of concentration, and quantity of runoff shall be provided.~~
- ~~(5) The 100-year floodplain and floodway design calculations shall be made assuming ultimate (fully developed) watershed conditions. The contributing drainage area will consider existing developments and will assume for undeveloped areas the equivalent runoff for single family residential on lots of one (1) acre or more.~~
- ~~(6) The following flood notes shall be placed on the plat, when appropriate:~~
- ~~(i) Blocking the flow of water or constructing improvements in the drainage easements, and filling or obstruction of the floodway is prohibited.~~
 - ~~(ii) The existing creeks or drainage channels traversing along or across this addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.~~
 - ~~(iii) Ellis County shall not be responsible for the maintenance and operations of said drainage ways or for the control of erosion.~~



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

~~(7) A developer and/or a developer's engineer shall not place a statement on the final plat limiting or denying any liability they may have for flooding or drainage problems.~~

~~(8) Lots located in depressions and in or adjacent to the 100-year floodplain, or other critical elevations established by a flood control easement, shall show on each lot the minimum recommended finished floor elevations, based on engineer's design, which shall be not less than one (1) foot above the 100-year floodplain elevation, or the more critical elevation. Ellis County will not be responsible for any flooding or flood conditions that occur in these areas.~~

~~(9) The Department of Development reserves the right to require an Elevation Certificate ([FEMA Form 81-3-JUL](#)) or current addition) on any or all lots in a subdivision if it deems necessary to require.~~

~~(10) Structures built on lots which are lower than the road or roads on which it fronts and/or abuts shall be built at a finished floor elevation above the proposed grade of the yard adjacent to the slab on the uphill side of the property, and/or a shallow dip section (swale) shall be built in the yard to prevent storm drainage water from ponding and damaging houses on properties that are lower than the road.~~

~~(i) Careful attention shall be paid to the drainage design for the subdivision in order to alleviate potential localized flooding on individual lots.~~

~~(ii) The developer is responsible for notifying prospective buyers of the above requirements. Ellis County shall not be responsible for any flooding or flood conditions that occur in these areas.~~

~~UTILITIES~~

~~(1) All utility lines, except those crossing a road, shall be installed in utility easements outside of any current right of way, dedicated or prescriptive, and outside of any current or future right of way of thoroughfares as shown in the latest approved [Master Thoroughfare Plan](#).~~

~~(2) It is the responsibility of the developer and/or utility provider to properly install and/or relocate existing utilities to comply with county or state setback and/or right of way.~~

~~(3) All utility lines crossing any road shall be installed to at least the minimum requirements shown below along with other conditions set forth by the utility company and/or as required by statute.~~

~~(i) Utility lines crossing a road shall be installed a minimum of twenty-four (24) inches below the ditch line or a minimum of thirty-six (36) inches below the crown line of the road, whichever is greater.~~



~~(ii) All lines carrying liquid products shall be encased in steel or schedule 40 PVC for a minimum depth of thirty-six (36) inches below the crown line of the road from ditch line to ditch line.~~

~~(4) After roads and streets have been accepted for maintenance by the County, no construction shall be performed or excavations made within the right of way without:~~

~~(i) Giving the County thirty (30) day notice of such work; and,~~

~~(ii) Agreeing to pay cost of warning signs and other necessary barriers in accordance with the latest [Texas Manual on Uniform Traffic Control Devices](#); and,~~

~~(iii) Providing letters of credit or bond in an amount necessary to restore roadways to its condition before work being done; and,~~

~~(iv) Providing a letter to the County assuming full liability for any accident that might occur resulting from such construction or opening of the roadway; and,~~

~~(v) Emergency repairs may be made without advance notice. However, the utility company shall provide adequate safety protection and will assume full liability for accidents that occur while making emergency repairs.~~

~~F. CONSTRUCTION~~

~~(1) All installations and work shall be reviewed by the Department of Development, County Engineer, and/or the appropriate city if located in an extraterritorial jurisdiction (ETI).~~

~~(2) All work shall be constructed and finished in accordance with the approved engineering plans as reviewed by the Department of Development and/or County Engineer.~~

~~(3) Any changes made during construction shall require stopping until the design engineer gets approval from the Department of Development or County Engineer.~~

~~(4) All development construction shall conform to the requirements of the National Flood Insurance Program, as administered by Ellis County.~~

~~(5) No construction on any lot, or movement of manufactured homes onto a site may begin until the final plat is filed and the subdivision is accepted by the County Commissioners' Court, and floodplain permit, on site sewage facility Authorization to Construct (ATC) permit with an accompanying preliminary site plan, and culvert sizing has been issued to the property owner.~~

~~(6) During any construction phase, a metal dumpster or wooden box shall be placed on the property for debris and proper disposal of construction material.~~

~~G. TESTING~~



- ~~(1) All testing required by these regulations to determine conformance to specifications shall be performed by a professional engineer or a testing laboratory approved by the Department of Development.~~
 - ~~(i) The owner/developer of the proposed project shall bear the cost of all testing.~~
 - ~~(ii) All street pavement shall be cored to verify pavement thickness.~~
 - ~~(iii) Cores for depth only shall be two (2) inch diameter and shall be taken at intermediate intervals not exceeding three hundred (300) feet.~~
- ~~(2) The following tests shall be required:~~
 - ~~(i) A subsurface investigation to evaluate subgrade characteristics, stabilization requirements and pavement section thickness shall be completed; and,~~
 - ~~(ii) Pavement materials and mix designs shall be analyzed and evaluated for their suitability for pavement usage; and,~~
 - ~~(iii) Materials, engineering testing, and inspection services shall conform to the TxDOT laboratories recommended scope of services.~~
- ~~(3) A concrete mix design shall be submitted and approved by the County prior to any placement of concrete.~~
- ~~(4) Inspector shall be notified of concrete placement at least twenty four (24) hours in advance for steel and form inspection.~~
- ~~(5) A minimum of four (4) test cylinders shall be obtained per one hundred (100) cubic yards of concrete.~~
- ~~(6) Tests shall also include slump, air contents, and temperature of concrete mixture. Each mix design of concrete placed each day shall also be tested.~~
- ~~(7) Concrete strength shall be tested at least seven (7) days (two cylinders) and twenty eight (28) days (two cylinders).~~
- ~~(8) Additional cylinders and/or tests may be requested at the Inspector or County Engineer's discretion.~~

~~H. INSPECTIONS~~

- ~~(1) Ellis County shall perform the amount of inspections and testing necessary to ensure compliance with these and other applicable regulations.~~
- ~~(2) Inspection, approval, and acceptance by the Commissioners' Court do not relieve the developer of his responsibility to inspect, test, and construct the work in complete compliance with the and other applicable regulations.~~



~~(3) The Department of Development/County Engineer may stop any or all construction as the inspector deems necessary to resolve construction deficiencies and/or discrepancies from the accepted plat or construction plans.~~

~~(4) Inspection, approval, and acceptance by the Commissioners' Court shall not constitute a waiver of rights and includes the right to collect for additional work that is determined to be required to comply with these rules and regulations and/or for work unintentionally not completed.~~

~~**EROSION CONTROL**~~

~~(1) Seed/sod shall be furnished to establish groundcover over all disturbed areas as an erosion control measure. The Contractor shall not wait until the entire project before doing this work. The project shall not be considered for acceptance by the County unless the establishment of 80% groundcover is ensured. Grass sods is required for placement of groundcover within the County right-of-way.~~

~~(2) During any and all construction of infrastructure, the developer shall follow proper procedures and guidelines on erosion control set forth by the Texas Commission on Environmental Quality (TCEQ) and/or the Department of Development throughout the construction phase of the project until the final inspection is complete.~~

~~(3) Inside the extraterritorial jurisdiction of incorporated municipalities and within districts with special stormwater quality control requirements, the development shall conform to the applicable standards of such municipalities or districts of the County standards, whichever are more stringent.~~

~~(4) In any case, minimum requirements for temporary and permanent erosion control design for right of way and drainage requirements are as follows:~~

~~(i) The temporary control plan during construction shall be sufficient to prevent sedimentation of drainageways, drainage structures, and floodplain areas that could result in a reduced flow capacity, excessive streambank erosion, erosion around structures, or damage of adjoining property.~~

~~(ii) The permanent erosion control plan design shall be sufficient to:~~

~~(a) Permanently stabilize all disturbed areas with permanent vegetation, including slopes and embankments.~~

~~(b) Prevent erosion from exit velocities at outlets of culverts, bridges, storm sewers, and channels through dissipators, rip rap, level spreaders, linings, gabions, etc.~~

~~(c) Prevent gullying and scouring of roadside ditches and open channels from excessive tractive force (shear stress) through vegetation, linings, retention blankets, retards, drop structures, etc., both during and after the vegetation re-establishment period.~~



- ~~(d) Protect the integrity of all structural improvements and prevent excessive continuing sedimentation from unstable right-of-way areas into drainage structures, channels, and bar ditches.~~

~~STREET SIGNS AND TRAFFIC CONTROL DEVICES~~

- ~~(1) Prior to the acceptance of the streets by the County, all street signs and traffic control devices shall conform to the fundamental use and design requirements outlined in the [2009 edition of the Texas Manual on Uniform Traffic Control Devices \(TMUTCD\)](#).~~
- ~~(2) The developer shall pay for the costs of purchasing and installing street posts and signs at each street intersection and as necessary to provide sufficient wayfinding.~~
- ~~(i) Street signs shall be comprised of nine (9) inch tall blades of six (6) inch high letters.~~
- ~~(ii) Posts and bases shall be perforated square metal tubing.~~
- ~~(iii) All new signs or traffic control devices shall be of a uniform color selected by the precinct commissioners and shall have a distinctive number to represent the precinct number.~~
- ~~(iv) Enhanced or upgraded signs or other traffic control devices above the required minimum shall be considered private decorative signs and be maintained by the homeowners' association or other private entity. The County does not bear responsibility or liability for these decorative signs. Any replacement by County shall be to the required minimum.~~
- ~~(v) All hazardous locations shall be marked by reflecting yellow object markers that conform to [TxDOT, Item 658](#).~~
- ~~(vi) All subdivision streets and drainage structures shall be marked and protected in accordance with the provisions of the [Manual on Uniform Traffic Control Devices](#).~~
- ~~(3) Streets names shall be approved through the Department of Development and 911 Addressing prior to the submission of a plat application. Submitted names shall be reviewed to ensure there is no conflict with the name or similar name, in spelling or sound, of another public road or street within the unincorporated part of the county or nearest city.~~
- ~~(4) Each street sign shall be in place before final inspection of the subdivision and prior to acceptance of the subdivision by the Commissioners' Court.~~
- ~~(5) If a proposed subdivision borders on a TX DOT road, the developer shall bring a letter to the Department of Development from TX DOT stating tie-in plans and drainage plans that affect the state road.~~
- ~~(6) The installation of speed limit and weight limit signs is the responsibility of the developer and shall be placed at the entrance of each subdivision, neighborhood, or residential area as determined by the precinct commissioner or County Engineer.~~



- ~~(7) The person authorizing the installation of a driveway or street connects to any public road is responsible for ensuring that the transition contains no gap, space, or mismatch of the two surfaces.~~
- ~~(i) Also, the transition shall not go past the edge of the existing road pavement and the transition will be repaired with asphalt unless the two surfaces being connected are concrete and then concrete will be used. No curbing allowed.~~

~~K. COMPLETION OF REQUIRED INFRASTRUCTURE~~

~~After completion and acceptance by the County, all streets, roads, signs, underground utilities, drainage ditches, erosion control measures, and drainage structures, shall be maintained by the developer for two (2) years and have an approved maintenance bond (See [Section VII](#) for more information).~~

~~L. TRAFFIC IMPACT STUDY~~

~~For manufactured/mobile home communities or recreational vehicle parks with at least of 100 spaces or greater or a single family subdivision with more than 50 lots, or any other nonresidential use that staff may consider to generate a substantial increase in traffic, at the request of the Department of Development Director or County Engineer, be required to include a Traffic Impact Study to assess the effects of additional traffic on the existing and proposed transportation system.~~

~~M. PRIVATE OR GATED SUBDIVISIONS~~

- ~~(1) A private or gated subdivision (security gates or guard station) shall be considered privately owned. The homeowners' association or other similar financing mechanism shall maintain them.~~
- ~~(2) Adequate provisions shall be made and approved for entrance for emergency vehicles.~~
- ~~(3) The County shall not pay or be responsible for any portion of the cost, construction to maintenance of a private street, or for any utilities or related facilities located in private streets.~~
- ~~(4) All private streets shall be designated as "private access streets" on plats before acceptance by the County. The term "private streets" shall be inclusive of alleys, if provided.~~
- ~~(5) Any private streets shall be designed and built to the same engineering standards and plans required for public streets and utilities. (see [Section IV \(A\)](#) for more information).~~
- ~~(6) All required utilities, drainage facilities and signs placed along private streets shall be installed in accordance with County standards.~~
- ~~(7) Entrances to private streets shall be marked with a sign (meeting requirements of [Subsection J](#)) stating it is a private street and the County does not maintain the street or related improvements.~~
- ~~(8) The subdivision developer, homeowners' association or similar, or property owners shall provide the Fire Marshall with a Knox padlock or Knox box with a key to access the site to be used only in case of an emergency.~~



~~(9) Current access codes shall always be provided to the Department of Development to enter these communities to be used only for the purposes of issuing permits, providing inspections, and investigating complaints.~~

~~(10) The streets and alleys are private streets and alleys dedicated to Ellis County as access, utility, and drainage easements. The County has no responsibility or liability to make any repairs to such streets and alleys as long as they are private streets and alleys.~~



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SECTION VI

WATER AND WASTEWATER STANDARDS RESERVED

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A. LOTS SERVICED BY WATER WELLS

- ~~(1) In subdivisions with five (5) or more lots, one (1) water well may be maintained and kept operational either by a subdivision homeowners' association or by the appropriate deed restriction with a four thousand (4,000) gallon or larger storage tank furnished beside the well.~~
- ~~(2) The tank shall be fitted with connections approved by the County Fire Marshal.~~
- ~~(3) County fire personnel shall have access to the well and tank for firefighting purposes.~~
- ~~(4) Whenever a developer creates lots without a public water system or without supplying water from an approved source to each lot, the developer or his agents shall notify every purchaser, in writing and an Affidavit to the Public with the following:
 - ~~(i) There is no approved water supply furnished to this (ese) lot (s); and,~~
 - ~~(ii) The purchase of property on a private water supply shall be at the purchaser's own risk and expense; and,~~
 - ~~(iii) Ellis County bears no responsibility for the availability or lack of availability or the quality of water supplies which are to be developed privately on an individual lot basis.~~~~
- ~~(5) The restrictive covenants covering lots served by individually owned water wells shall include provisions covering the sanitary control easement circling the water well as to:
 - ~~(i) The size of the easement; and,~~
 - ~~(ii) Prohibited facilities and activities therein that real or potential pollution hazards to the quality of the water.~~~~
- ~~(6) Lots in Ellis County requiring an individual water well and an on-site sewage disposal system shall be of the size outlined in [Section IV \(B\) \(6\)](#) and follow the requirements outlined in [Chapter 222.0032 of the Texas Local Government Code](#).~~

B. PUBLIC WATER SYSTEMS

- ~~(1) Public water systems, including fire hydrants, shall conform to American Water Works Association (AWWA) specifications as to design, materials, construction, and testing and comply with the rules and regulations of TCEQ.~~
- ~~(2) For all lots proposed to be supplied with water from a public water supply system, the developer shall furnish the Commissioners' Court evidence that the system has received the required approvals from the appropriate State regulatory agencies and that the minimum production of the system shall at least equal the requirements of the regulatory agency for the number of residences projected.~~



- ~~(3) If a public water supply is to be installed, wells must be tested a minimum of thirty-six (36) hours, pumping at the desired gallons per minute rate, to be used for production standards by the State Board of Health. Ellis County shall have the right to inspect all phases of public water wells during development.~~

~~C~~ SEWAGE AND WASTE DISPOSAL

- ~~(1) Every parcel of land to have a home site or commercial activity shall have an adequate system for sewage and wastewater disposal upon occupancy by either:~~
- ~~(i) Connection to an approved community sewage disposal system; or,~~
 - ~~(ii) Construction of a properly designed and operational individual on site sewage facility meeting the [latest approved Ellis County Septic Order](#).~~
- ~~(2) On site sewage facilities can be sources of pollution to ground water, soil surface, and the environment if not properly sized, constructed, and maintained.~~
- ~~(i) A permit for the construction and location on a lot is required in the interest of public health and welfare and meets the [latest approved Ellis County Septic Order](#).~~
 - ~~(ii) Connection to a community sewage disposal facility and system is preferred, where possible.~~
- ~~(3) Public sewage systems shall conform to the rules and regulation of TCEQ and Ellis County as to design, material, and construction.~~
- ~~(i) The developer shall present proof of TCEQ acceptance, and that of any other State or County agency controlling sewage disposal systems.~~
- ~~(4) If a public sewage system is to be installed, the plans for the location of such systems must be approved by the County and thereafter by the appropriate State regulatory agency prior to approval of the final plat by the County.~~
- ~~(5) If the connection is to be made to an existing public sanitary sewage system, evidence shall be presented that such system has previously received such approval and has sufficient capacity to handle the additional demand.~~
- ~~(6) If an individual on site sewage facility is to be utilized, the developer shall prominently annotate the preliminary and approved final plat or other filing instrument as directed by the Department of Development Director that homeowners are to be responsible for the construction of an approved on site sewage facility.~~
- ~~(7) Details for the design and construction of an onsite sewage facility are found in the most current edition of the [Ellis County Septic Order](#).~~

~~D~~ CERTIFICATION THAT ADEQUATE GROUNDWATER IS AVAILABLE FOR THE SUBDIVISION

~~If groundwater is the source of water supply for the subdivision, the Commissioners Court requires a statement~~



~~attached to the Plat application, prepared and sealed by a licensed professional engineer registered to practice in Texas, that certifies that adequate groundwater is available for the subdivision, according to the certification form and content as promulgated by the Texas Commission on Environmental Quality.~~

~~**F. WASTEWATER DISPOSAL FACILITIES**~~

~~**(1) Centralized Sewerage Facilities**~~

- ~~(i) If wastewater treatment is provided by a political subdivision of the state (city, municipality, utility district, water control and improvement district, nonprofit water supply corporation or an existing investor owned water supply corporation, etc.) the Developer shall furnish a signed letter of service availability to provide the state's minimum wastewater treatment standard for the proposed Development from the utility.~~
- ~~(ii) Where there is no existing entity or owner to build or maintain the proposed wastewater treatment and collection facilities, the Developer may establish an investor owned utility or a municipal utility district by obtaining a Certificate of Convenience and Necessity (CCN) from TCEQ.~~
- ~~(iii) Prior to IDP approval, an appropriate permit to treat and/or dispose of waste for the ultimate build out of the Development shall have been obtained from TCEQ and plans and specifications for the proposed wastewater collection and treatment facilities shall have been approved by all entities having jurisdiction over the proposed project, including TCEQ. Evidence of the approvals shall be included in the Engineering Report.~~
- ~~(iv) Wastewater disposal service must be extended into the Development to each lot or rental space if the existing wastewater lines are within two hundred (200) feet of the development and there is sufficient wastewater capacity available from the wastewater service provider.~~
- ~~(v) The plan for sanitary sewage treatment and/or disposal shall be indicated, e.g., municipal sewer service, privately owned sewage disposal system or individual on-site sewage facilities.~~
- ~~(vi) A site evaluation must be completed for entire subdivision. The location of each soil analysis and the area that it covers shall be shown on the plat. If it is the owner's intent to allow conventional soil absorption systems, representative soil analysis shall be performed by Registered P.E. or Registered Sanitarian.~~
- ~~(vii) The location of each soil analysis and the area that it covers shall be shown on the plat. If surface application systems are proposed, it shall be clearly stated on the plat and a site evaluation shall be completed for entire subdivision.~~

- ~~(2) Whenever an organized disposal system is developed within 300 feet of a lot with an on-site sewage facility, that facility shall be connected to the organized disposal system. In addition, the development and use of an organized disposal system is encouraged, where practicable, to serve the disposal needs of the citizens of Ellis County.~~



~~(3) On-site Sewage Facilities~~

- ~~(i) The engineering report shall include soils analysis results as required under the Ellis County Regulations for On-Site Sewage Facilities.~~



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SECTION VII

PERFORMANCE GUARANTEES

A. GENERAL

- (1) All construction shall be in accordance with approved plans and construction standards set forth herein or as may be adopted by Commissioners' Court.
- (2) A [construction bond](#) and [maintenance bond](#) are required to ensure all infrastructure is built according to the established regulations and any other required conditions set forth in the plat.

B. CONSTRUCTION BOND

- (1) Prior to construction and to ensure roads, streets, signs, underground utilities and required drainage and drainage structures are constructed in a timely manner, and in accordance with the terms and specifications contained in these regulations, the developer **or their project contractors** shall file a Construction Bond, executed by a surety company authorized to do business in the State of Texas, **or letter of credit** and made payable to the County Judge of Ellis County, Texas or their successor in office.
- (2) The bond amount shall be equal to one hundred percent (100%) of any and all contracts, agreements, and bids for the construction of roads, streets, street signs, underground utilities, required drainage structures, erosion control, and all other construction.
 - (i) The bond(s), contracts, agreements, and bids shall be presented to the Ellis County Department of Development before the final plat submittal.
- (3) The construction bond shall be in full force and effect until one (1) set of record as-built construction plans of all underground utilities, roads, streets, and required drainage and drainage structures in the subdivision has been filed with the Ellis County Department of Development and approval of release by the Commissioners' Court.
 - (i) The construction bond will be released by a Court Order from the Commissioners' Court after inspection by the Department of Development and/or County Engineer and corrections of deficiencies noted.
- (4) In the event that part of the infrastructure, as constructed by the developer, fail to meet the requirements of these regulations, and the said developer fails or refuses to correct the defects called to their attention in writing by the Ellis County Department of Development, the unfinished improvements may be completed at the cost and expense the developer by exercising the construction bond.
 - (i) In no event is the County obligated to complete the work proposed by a developer and approved by the County or to assume the obligation of the developer otherwise.

C. MAINTENANCE BOND

- (1) After completion and approved by the County, all required infrastructure (i.e. streets, roads, signs, underground utilities, drainage ditches, erosion control measures, and drainage structures/channels, etc.) shall be by the developer for two (2) years and have an approved maintenance bond or irrevocable letter of credit.



- (2) The conditions of the maintenance bond shall be that the owner/developer shall guarantee to maintain, to the satisfaction of the Ellis County Department of Development, all required infrastructure which has been constructed to specifications with construction security released by Court Order from Commissioners' Court, in a good state of repair for a period of two (2) years from the date of official release of construction security.
- (3) The two (2) year maintenance bond or irrevocable letter of credit shall be executed by a surety company authorized to do business in the state of Texas, made payable to the County Judge of Ellis County, Texas or their successor in office, and shall be substituted for the construction bond at the time of the release of said construction bond.
- (4) The amount of the maintenance bond for the two (2) years shall be equal to forty percent (40%) of the construction bond as outlined in [Section VIII \(B\) \(2\)](#).
- (5) Periodic inspection of all required infrastructure for which maintenance security is held, shall be made by the Ellis County Department of Development during the two (2) year period of liability covered by the maintenance bond.
 - (i) In the event any or all of the aforementioned facilities are not being maintained in a good state of repair, the County shall give written notice to the owner/developer of maintenance deficiencies during the two (2) year maintenance period (*i.e. missing signs, drainage problems, street failure, etc.*). The developer shall have fourteen (14) business days after notification to complete the appropriate action.
 - (a) The only exception is missing traffic signs, which shall be replaced within twenty-four (24) hours.
 - (ii) The County may begin inspecting the roads and infrastructure approximately ninety (90) days before the expiration of the bond.
- (6) If maintenance or repairs are required to be made to a road before acceptance of any construction by the Commissioners' Court, the County may elect to accomplish the work and draw the cost against the developer's maintenance bond and has the option to extend it beyond the required two (2) additional years.
 - (i) If the bond is not extended or no amount is drawn on the bond, it shall become a privately-maintained road and can only become a County-maintained road if it meets all the County standards and [Section IV \(D\) \(3\)](#).
- (7) At the end of the two (2) year period, the owner/developer ~~shall~~ **may** request to the County Commissioners' Court for acceptance and maintenance of such infrastructure.
 - (i) The release of any bond shall only be by Order of the Commissioners' Court.
 - (ii) To request a release, the owner shall present a written request to release said bond, including a notarized certificate of completion stating that all bills relating to work covered by the construction bond have been paid.



- (iii) The request shall contain a statement by the developer of compliance with these regulations.
- (iv) The Department of Development shall receive the written application for bond release at least twenty-one (21) days prior to the next regularly scheduled meeting of the Commissioners' Court.

D. OTHER FINANCIAL SECURITIES

- (1) An acceptable irrevocable Letter of Credit may be submitted in lieu of bonds to ensure a developer's promise to construct and maintain the roads and drainage of facilities in a subdivision.
 - (i) Irrevocable Letters of Credit in lieu of bonds are required under the same conditions, as Construction and Maintenance Bonds.
- (2) Any security for construction and maintenance other than a bond or an irrevocable letter of credit shall be by written request to the Ellis County Department of Development for approval by the Ellis County District Attorney's Office, and authorization by the Commissioners' Court.
- (3) No graduated bonds shall be accepted.





SECTION VIII
RELIEF BY COUNTY COMMISSIONERS' COURT

A. AUTHORITY:

- (1) The Commissioners' Court may authorize relief from these regulations in an open session when it is clearly shown that the granting of relief in the form of a lesser standard will not impact adversely on public health, safety, general welfare, traffic conditions, and not alter the nature, character, and quality of the subdivision.
 - (i) A notice shall be sent to adjacent property owners (found on the latest appraisal tax rolls) via United States Postal Service (USPS) regular mail within two hundred (200) feet of the subject site/property seeking the relief at least ~~fifteen (15)~~ **ten (10)** days in advance of the proposed meeting advertising the proposed relief sought.

Commented [AM35]: Reduces notification period to get on Court faster.

B. SPECIAL CONDITIONS:

- (1) No relief from these regulations shall be authorized unless the Commissioners' Court finds:
 - (i) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Order would deprive the applicant of the reasonable use of his land; and,
 - (ii) That the relief is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
 - (iii) That the granting of the relief will not be detrimental to the public finances, health, safety, or welfare, or injurious to other property in the area; and
 - (iv) That the granting of the relief will not have the effect of preventing the orderly development of another land in the area by the provisions of the Order; and,
 - (v) That the situation causing the hardship or difficulty is neither self-imposed or self-created.
- (2) Such findings of the Commissioners' Court together with the specific facts, upon which such findings are based, shall be incorporated into the official minutes of the Commissioners' Court meeting at which such relief is granted.
- (3) Relief may be granted only when in harmony with the general purposes and intent of this Order, and does not alter the nature, character, and quality of the subdivision so that the public health, safety, and welfare are secured.
- ~~(4) Financial or economic hardship to the owner/developer shall not be the basis for any relief from these regulations.~~
- ~~(5)~~ (4) A variance shall not be granted to relieve a ~~self-created or~~ personal hardship, nor shall it be based on economic gain or loss, financial, or economic hardship, nor shall it permit any person a privilege in developing a parcel of land by this Order to other parcels of land.

Commented [AM36]: Repetition of next statement.



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

- (1) Notwithstanding anything to the contrary in this section, the Commissioners' Court specifically authorizes relief from the frontage requirements herein those cases where the subdivision of land is by gift, devise or descent to family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood) once a final determination is made by the Department of Development Director that the subdivision of land is by gift, devise or descent to a family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood) and it is in fact true.
- (2) The relief granted in the subsection shall be automatically granted without the review of the Commissioners' Court upon the final determination by the Department of Development Director that subdivision of land is by gift, devise, or descent to a family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood).
- (3) If relief is granted due to a subdivision of land concerning a gift, devise or descent to a family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood), such relief is conditioned on each of the family related land owners not further subdividing each parcel of land through relief under this section for so long as the parcels of property remains in continuous ownership by all of the related land owners **as determined by state law for this relief.**

Commented [AM37]: Seeks better clarification to avoid confusion as to what is defined as family.



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SECTION IX
MANUFACTURED / MOBILE HOMES AND RV PARKS

A. MANUFACTURED/MOBILE HOME COMMUNITIES AND RECREATIONAL VEHICLE (RV) PARKS.

- (1) The purpose of this subsection is to achieve orderly development of manufactured/mobile home and RV parks, to promote and develop the use of land to assure the best possible community environment and to protect and promote the health, safety, and general welfare of the residents of Ellis County.
- (2) A property developed as a manufactured/mobile home community or recreational vehicle park with an application submitted after January 1, 2018 shall have an Infrastructure Development Plan (IDP) prepared that complies with minimum infrastructure standards established within this Section.
- (3) Lots in a manufactured/mobile home park shall front on a street with not less than a sixty (60) foot width right-of-way. Access roads to the individual spaces shall be constructed and paved to a minimum width of 24 feet (or the minimum width of a fire lane as stated in the [most-recently adopted Fire Code](#), whichever is stricter) meeting the County's current street requirements (see [Section IV \(A\)](#) for more information).
 - i) An alternative paving surface may be considered for recreational vehicle (RV) parks only if the following items are met:
 - (a) The internal streets within the boundaries of the park are considered private through a plat or business governing document or similar, maintained by a property owners' association or similar in perpetuity, and the document (s) are filed with the Ellis County Clerk.
 - (b) Paving surface shall be limited to either asphalt, crushed concrete, or other material or combination of material approved by the County Engineer.
 - (c) Engineered drawings sealed by a registered professional engineer licensed in the state of Texas showing the alternative paved surface and underlying subgrade material can withstand a minimum weight load of at least 75,000 pounds.
 - (d) Engineered drawings shall be reviewed and approved by both the County Engineer and the Fire Marshal prior to the release of any permits.
- (4) No space may contain more than one (1) residential unit. No common driveways shall be allowed. Each space shall have separate and individual access.
- (5) A survey of the property shall be submitted to the Department of Development prior to the request by the owner or occupier of the lot for any permit and/or utility services.



- (6) The owner shall submit a letter of application, signed by the owner that stipulates the following information:
 - (i) The intention of the owner, and;
 - (ii) Name, address, phone number of the owner, and;
 - (iii) Names of water and electricity providers, and;
 - (iv) Name of wastewater provider or type and usage of onsite sewage facilities.

- (7) All structures under this section placed in areas of special flood hazard, as indicated on Ellis County's Flood Insurance Rate Map (FIRM), i.e., land in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year, shall be installed using methods and practices which minimize flood damage in accordance with Ellis County's Certification and Flood Damage Prevention Order, authorized by [44 CFR Section 60.3\(d\)](#). Such manufactured/mobile homes shall be elevated and anchored to resist flotation, collapse, or lateral movement.
 - (i) Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

 - (ii) This requirement is in addition to applicable State anchoring requirements for resisting wind forces (Article 5221f, Texas Manufactured Housing Standards Act, as amended).

B. INFRASTRUCTURE DEVELOPMENT PLAN (IDP).

At minimum, the Infrastructure Development Plan (IDP) shall show all items as indicated in the most recent **application and checklist for manufactured/mobile homes and RV parks.**

C. INSPECTION OF IMPROVEMENTS.

- (1) Construction of a proposed manufactured/mobile home community or recreational vehicle park may not begin before the date the Department of Development approves the IDP.

- (2) Periodic inspection of improvements may be required, as directed by the Department of Development, it shall be completed not later than the second business day after the date the County Engineer received a written confirmation from the owner that the construction of the infrastructure is complete.

- (3) If the inspector determines that the infrastructure improvements comply with the IDP, then the Department of Development shall issue a Certificate of Compliance not later than the fifth business day after the date the Department of Development receives written confirmation from the owner that the infrastructure has been completed and in compliance with the IDP.

D. UTILITIES.

- (1) A utility company may not provide services, including water, sewer, gas, and electric services, to a manufactured/mobile home community or recreational vehicle park subject to an IDP or to a residential unit in the community unless the owner provides the utility company with a copy of the Certified of Compliance issued by the Department of Development. This requirement applies to:



- (i) A municipality, municipally-owned or municipally-operated utility that provides utility services;
 - (ii) A public utility that provides utility services;
 - (iii) A nonprofit water supply or sewer service corporation organized and operating under [Chapter 67, Water Code](#), that provides utility services;
 - (iv) A County that provides utility services; and
 - (v) A special district or authority created by state law that provides utility services.
- (2) Manufactured/Mobile Home Parks served with a public water system, and public sewage disposal system shall have an average density of not more than four lots per acre in size with a minimum frontage of seventy-five (75) feet.

E. TIMELY APPROVAL OF INFRASTRUCTURE DEVELOPMENT PLANS.

- (1) The County will withhold all permits for manufactured/mobile home and RV parks until the plan has been approved in the manner prescribed by these regulations.
- (2) Not later than the 60th day after the date the owner of a proposed manufactured/mobile home community or recreational vehicle park submits an infrastructure development plan for approval the Department of Development shall approve or reject the plan in writing.
 - (i) When plans for the manufactured/mobile home park are completed in accordance with these rules, the Department of Development shall submit the plan with his recommendation and comments received from the County Commissioners to the County Commissioners' Court for consideration. The Commissioners' Court may approve the plan as submitted, amend, and approve the plan as amended, or disapprove the plan.
 - (ii) The plan to be submitted for a manufactured/mobile park shall include the same requirements as outlined by these regulations for plats and development standards and shall include proposed 9-1-1 addresses as provided by the County.
 - (iii) An owner's certificate in the following form shall be shown on the plan:
STATE OF TEXAS
COUNTY OF ELLIS

I hereby certify that this plan is true and correct and if approved by the County Commissioners' Court, all development will be in accordance with this plan, and no alterations will be made in the plan after approval.

Owner or Authorized Agent



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



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SECTION X

~~CONSTRUCTION PROCEDURES AND SPECIFICATIONS RESERVED~~

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~~A. APPLICABILITY~~

- ~~(1) The driving surface of all subdivision streets shall be concrete.~~
- ~~(2) The materials, design, specifications and procedures shall conform to those of [the current TxDOT specifications](#).~~
- ~~(3) All new public roads constructed shall be concrete with a minimum 6-inch thick base and shall be a minimum 22 feet wide and follow other guidelines spelled out in [Table VIII-A](#).~~
- ~~(4) The Director of the Department of Development, or his designee, shall be notified at least twenty-four (24) hours prior to material delivery, laying the base course of a road, or before paving is to be started, to allow the opportunity to visit the site to verify that specifications are being met.~~

~~B. PREPARING AND CLEARING THE RIGHT-OF-WAY~~

- ~~(1) The Developer shall clear the right-of-way in a manner conforming to [TxDOT, Item 100](#).~~
- ~~(2) All unstable sub-base or objectionable material shall be removed and replaced with material acceptable to the County.~~

~~C. ROADWAY EXCAVATION AND EMBANKMENT~~

- ~~(1) Any roadway excavation necessary to attain conformance with proposed road grades and typical cross-sections shall be done in conformity with [TxDOT, Item 110](#).~~
- ~~(2) In cases where the proposed road grades and cross-sections require the placing of fill material to raise the roadway, such embankment fill shall be constructed in conformity with [TxDOT, Item 132](#).~~
- ~~(3) Completed side slopes shall not be steeper than 3 to 1. Completed cuts shall have side slopes no steeper than 3 to 1.~~
- ~~(4) Requirements for slopes in cuts and on fills may be modified if the Developer presents plans designed, signed and sealed by an engineer, substituting adequate retaining walls or demonstrates that cuts are in material of adequate stability.~~

~~D. SUBGRADE AND BASE COURSES~~

- ~~(1) Prior to placing the base course, the roadbed shall be shaped to conform to the sub-grade section and shall be tested.~~
- ~~(2) It shall be firm and to the line and grade called for on the plans and shall be free of holes, ruts, and depressions.~~
- ~~(3) The embankment, sub-grade, and base course materials shall be compacted by suitable type rollers in all cases where required to consolidate fill materials or to attain adequate stability of~~



~~sub-grade materials and base courses.~~

~~(4) The County shall require "Density control" method of compaction to attain the 95% compaction of sub-grade and base courses. These percentages of compaction shall be required for all road construction. Rolling equipment and construction methods shall conform to TxDOT, [Items 210, 211, 212, 213, 214, 215, 216](#) and [217](#), inclusive.~~

~~(5) Materials used for the base course shall meet the requirements of the specifications for such materials shown below:~~

~~(i) Flexible Base. Base materials used for roads or streets shall conform to the requirements of TxDOT, [Item 247](#), for flexible base material, Type A, Grade 2 (crushed stone or broken aggregate, excluding gravel aggregate). Pit run base materials and caliche are not allowed. The physical requirements for these materials are:~~

Percent Retained on Sq. Sieve	
2 1/2"	0
1 3/4"	0-10
No. 4	45-75
No. 40	60-85±

~~*The maximum increase in material passing the No. 40 screen shall not exceed 20.~~

~~The material passing the No. 40 screen shall be known as soil binder and shall meet the following requirements:~~

Max. Liquid Limit	40
Max. Plasticity Index	12
Max. Wet Ball Mill	45

~~Testing of flexible base materials shall be in accordance with the following TxDOT standard laboratory test procedures:~~

Liquid Limit	Tex 104-E
Plasticity Index	Tex 106-E
Sieve analysis	Tex 110-E
Wet Ball Mill	Tex 116-E

~~(6) Before placing any material, the contractor shall furnish the Director of the Department of Development, or his designee, with reports of analyses of the proposed materials made by an approved laboratory. Preliminary approval of a source does not guarantee acceptability or evidence of conformity with these specifications.~~

~~(7) Within 48 hours before placing the base material, the sub-grade shall be checked as to conformity with grade and section and shall be tested for density in accordance with the regulations.~~



- ~~(8) It shall be the responsibility of the Contractor to provide the required amount of specified material in each one hundred (100) foot station. Material deposited upon the sub grade shall be spread and shaped the same day unless otherwise directed by the Director of the Department of Development, or his designee.~~
- ~~(9) In some locations in Ellis County, cement stabilization may be acceptable with prior agreement from the Department of Development. Cement stabilization shall also comply with [TX DOT standards](#).~~
- ~~(i) In the event inclement weather or other unforeseen circumstances render impractical the spreading of the material during the first 24 hour period, the material shall be scarified and spread as directed by the Director of the Department of Development, or his designee.~~
- ~~(ii) The material shall be sprinkled, if directed, and shall then be bladed, dragged, and shaped to conform to typical sections as shown on plans.~~
- ~~(iii) All areas and "nests" of segregated coarse or fine materials shall be corrected or removed and replaced with well graded material, as directed by the Department of Development, or his designee.~~
- ~~(iv) If additional binder is considered desirable or necessary after the material is spread and shaped, it shall be furnished and applied in the amount directed by the Department of Development.~~
- ~~(v) Such binder material shall be carefully and evenly incorporated with the material in place by scarifying, harrowing, brooming or by other approved methods.~~
- ~~(10) The base course may be placed, mixed, blended, and compacted by the Contractor in a single lift. Total base material placed shall not exceed seven (7) inches in thickness. Compacted thickness shall not be less than six (6) inches.~~
- ~~(11) The course shall be sprinkled as required and compacted to the extent necessary to provide not less than the ninety five (95) percent density specified. In addition to the requirements specified for density, the full depth of flexible base shown on the plans shall be compacted to the extent necessary to remain firm and stable under construction equipment.~~
- ~~(12) Construction equipment shall be limited to units not exceeding legal loads. If the base material fails to meet the density requirements, it shall be reworked as necessary to meet these requirements.~~
- ~~(13) Throughout this entire operation the shape of the base course shall be maintained by blading, and the surface upon completion shall be smooth and in conformity with the typical sections shown on the plans and to the established lines and grades.~~



- ~~(14) In that area on which pavement is to be placed, any deviation in excess of 1/4 inch in cross section and in length of sixteen (16) feet measured longitudinally shall be corrected by loosening, adding or removing material, reshaping and recompacting by sprinkling and rolling.~~
- ~~(15) All irregularities, depressions, or weak spots, which develop, shall be corrected immediately by scarifying the areas affected, adding suitable material as required, reshaping and recompacting by sprinkling and rolling.~~
- ~~(16) Should the base course, due to any reason or cause, lose the required density or finish before the surfacing is complete, it shall be recompacted and refinished at the sole expense of the Contractor.~~
- ~~(17) Sub base Stabilization:~~
- ~~(i) The sub base shall be stabilized using lime treatment. Lime stabilization shall conform to [TxDOT, Item 260](#).~~
- ~~(ii) A lime application rate of thirty-six (36) pounds of lime (8 percent by weight) per square yard of six (6) inch compacted thickness is recommended.~~
- ~~(iii) The optimum percentage shall be verified by an independent testing laboratory prior to construction. Lime treated sub grade shall be compacted to a minimum of ninety-five (95) of [Test Method TEX 121-E, Part II](#). Roadway density testing will be as outlined in [Test Method TEX 115-E](#).~~

~~E PAVEMENT WIDENING~~

~~Before any pavement is placed to widen an existing pavement, the existing pavement shall be cut back two (2) feet to assure an adequate sub grade and pavement joint, as per [TxDOT Specifications](#).~~

~~E CULVERTS AND STRUCTURES:~~

- ~~(1) Concrete, wherever mentioned in these regulations, shall be Class A concrete as defined in [TxDOT, Item 421](#) except for machine laid curb, which shall be Class C concrete.~~
- ~~(2) Concrete materials, placement methods, placement temperatures, curing, etc., shall be in accordance with TxDOT, Items [420](#) and [421](#).~~
- ~~(3) Pipe culverts shall be of corrugated metal pipe or reinforced concrete pipe and shall conform to TxDOT, Items [460](#), [461](#), [462](#), or [464](#).~~
- ~~(4) Manholes and inlets shall conform to [TxDOT, Items 465](#), and Frames, Grates, Rings and Covers shall conform to [TxDOT, Item 471](#).~~
- ~~(5) When concrete box culverts are constructed, materials and installation shall be in accordance with [TxDOT, Item 462](#).~~



- ~~(6) Headwalls and wing walls shall conform to [TxDOT, Item 466](#), and Safety End Treatments shall conform to [TxDOT, Item 467](#).~~
- ~~(7) Where metal or concrete pipe culverts are installed, concrete headwalls or four (4) inches of reinforced concrete riprap shall be built at the inlet and outlet and shall conform to [TxDOT Item 466](#).~~
- ~~(8) Headwalls, on other than driveways, shall have a slope corresponding to the embankment, but not exceeding a 4 to 1 slope. Minimum pipe culvert size shall be eighteen (18) inches.~~
- ~~(9) In high embankments, structures need not be carried to toe of slope if wing walls and adequate parapet headwalls are provided with an adequate apron. For outlet velocities exceeding eight (8) feet per second, an energy dissipater must be installed. Designs of wing walls and parapets must be submitted for approval and bear signature and seal of the Director of the Department of Development.~~
- ~~(10) Property owners constructing a private driveway intersecting a public road or street shall contact the Department of Development or the Precinct Commissioner for the proper culvert size. The culvert shall be constructed/installed in the flow line of the ditch.~~

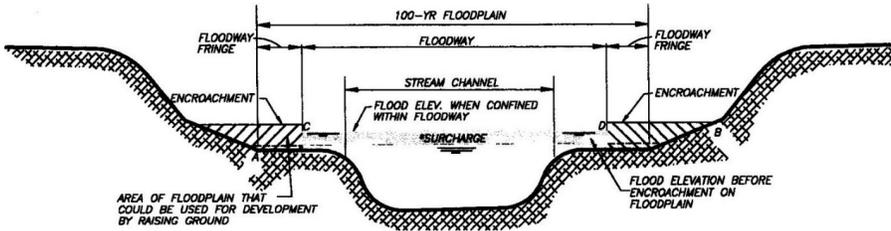
~~**G. TESTING AND INSPECTIONS:**~~

- ~~(1) The Developer is responsible for coordinating and paying for all inspection, on-site collection, and delivery of samples to an authorized laboratory, and for on-site and off-site testing done by the laboratory. Nuclear testing methods acceptable to TxDOT are acceptable to the County.~~
- ~~(2) Street, Road and Structures testing by an authorized laboratory is required as follows:~~
- ~~(i) Street Subgrade Proctor Determination on each class of soil to be encountered. Density test one (1) each per five hundred (500) feet of street with retest as necessary (minimum of three (3) tests).~~
 - ~~(ii) Base Course Proctor test shall be required to establish quality and moisture density relationship. Density test: one (1) each per five hundred (500) feet of street or road, with retest as necessary (minimum of three tests).~~
 - ~~(iii) Concrete Structures Inspection by County prior to concrete placement. Class A concrete compressive strength (minimum of three (3) tests per structure) shall be 3000PSI, with a minimum of one (1) test for each one hundred (100) feet of roadway. Testing will not be required for Class C concrete curbs.~~
- ~~(3) The Developer shall provide the County with a minimum of twenty four (24) hours notice prior to any inspection that the County is to perform. Laboratory testing companies to be used by the Developer must be approved by the County.~~



~~H. STREET AND ROAD PLANS:~~

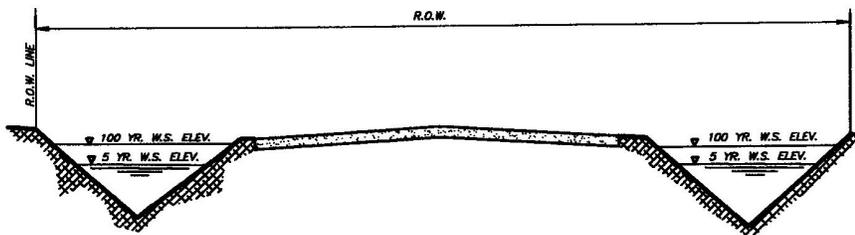
- ~~(1) Typical cross sections showing the proposed pavement width, type, thickness, and crown, and the proposed curb type and sidewalk (if any), and relation to curbs and property lines shall be submitted for approval.~~
- ~~(2) This information shall be given for each of the different types of streets in the subdivision. Construction details shall be submitted for approval for all drainage structures including dimensions, reinforcing and components such as grates and manhole covers.~~
- ~~(3) For each drainage structure submit for approval a complete cross section, showing flow line elevations, roadway, fill over structure and inlet/outlet configuration.~~
- ~~(4) Alignment of each street and drainage easement shall be shown, including the following:
 - ~~(i) a beginning and ending station;~~
 - ~~(ii) each deflection angle of the center line and the station of the point of intersection;~~
 - ~~(iii) the station of the point of curvature and the point of tangency of each curve;~~
 - ~~(iv) the station and angle of intersection of each intersection with another street or drainage easement;~~
 - ~~(v) the station and radius of each curb return;~~
 - ~~(vi) the location of adjacent right-of-way lines;~~
 - ~~(vii) the location and limits of sidewalks and curbs of each street; the location of each drainage structure;~~
 - ~~(viii) the location and size of all storm sewers;~~
 - ~~(ix) the location, description, and elevation of Bench Marks;~~
 - ~~(x) the top of curb grade at each curb return;~~
 - ~~(xi) the center line grade at each end and at grade changes along drainage ditches;~~
 - ~~(xii) the gradient of each tangent grade and the location and length of each vertical curve;~~
 - ~~(xiii) the direction of storm drainage flow at each intersection;~~
 - ~~(xiv) and the flow line elevation of each storm sewer at each point of change of grade, at each end, and at intervening gradients.~~~~
- ~~(5) The profiles of streets and drainage ditches shall show the natural ground at adjacent property lines and the proposed centerline.~~
- ~~(6) Plan and profile drawings shall include the scale, north arrow and date, and shall be drawn to scales of one inch equals fifty (50) feet (1"=50") horizontally and one inch equals five (5) feet (1"=5') vertically.~~
- ~~(7) All street plans and profiles shall bear the signature and seal of a Registered Professional Engineer.~~



LINE A-B IS FLOOD ELEV. BEFORE ENCROACHMENT
 LINE C-D IS FLOOD ELEV. AFTER ENCROACHMENT

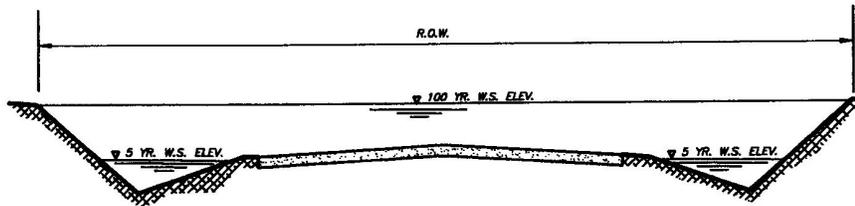
NOT TO SCALE

* SURCHARGE SHALL NOT EXCEED
 1.0 FEET



CASE I - ROADWAY ABOVE R.O.W. GRADE

NOT TO SCALE

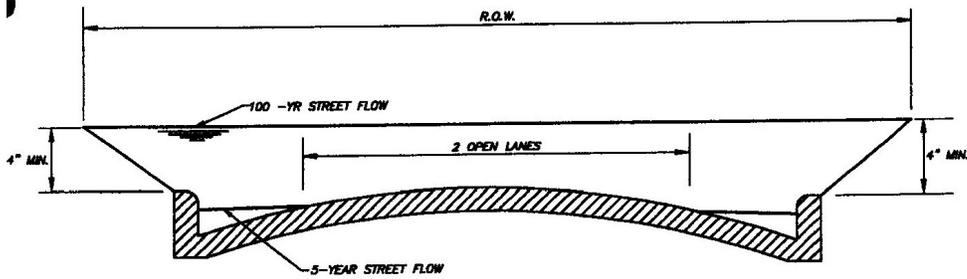


CASE II - ROADWAY BELOW R.O.W. GRADE

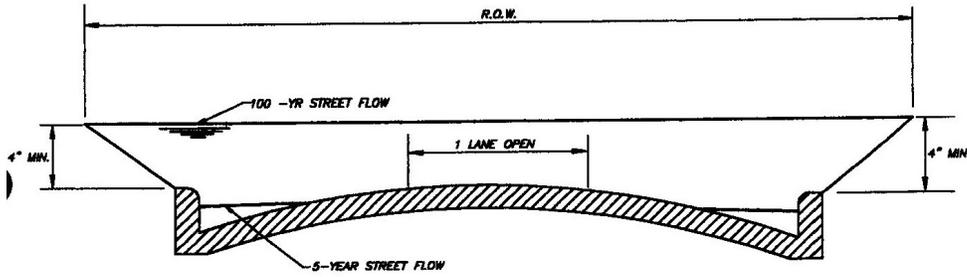
NOT TO SCALE

**WATER SPREAD LIMITS FOR
 NON-CURBED ROADWAYS**

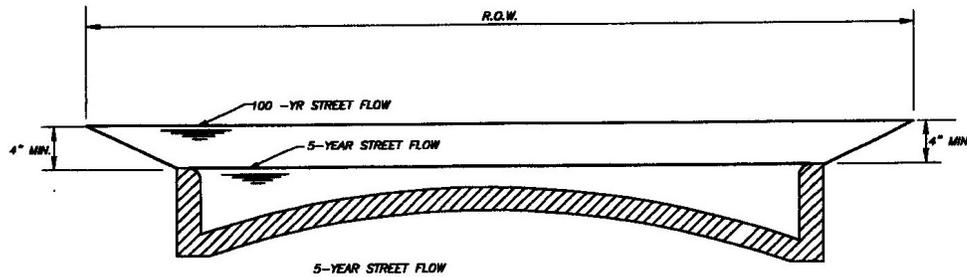
WATER SPREAD LIMITS FOR
 NON-CURBED ROADWAYS



COLLECTOR OR SECONDARY THROUGHFARE
NOT TO SCALE

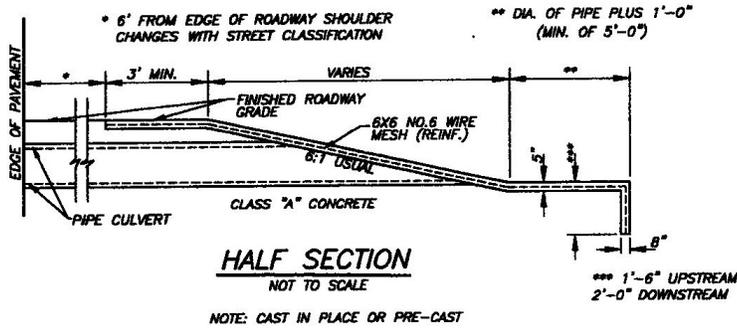
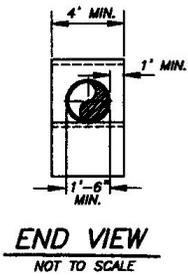


MINOR ARTERIAL OR PRIMARY THOROUGHFARE
NOT TO SCALE

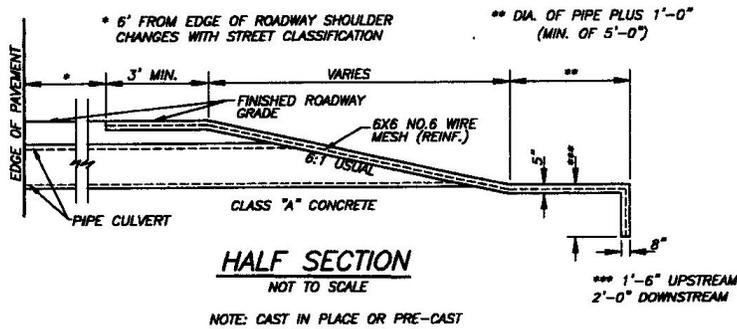
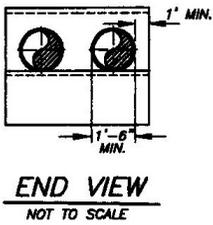


LOCAL
NOT TO SCALE

**MAXIMUM WATER SPREAD LIMITS FOR
MAJOR AND MINOR STORMS**

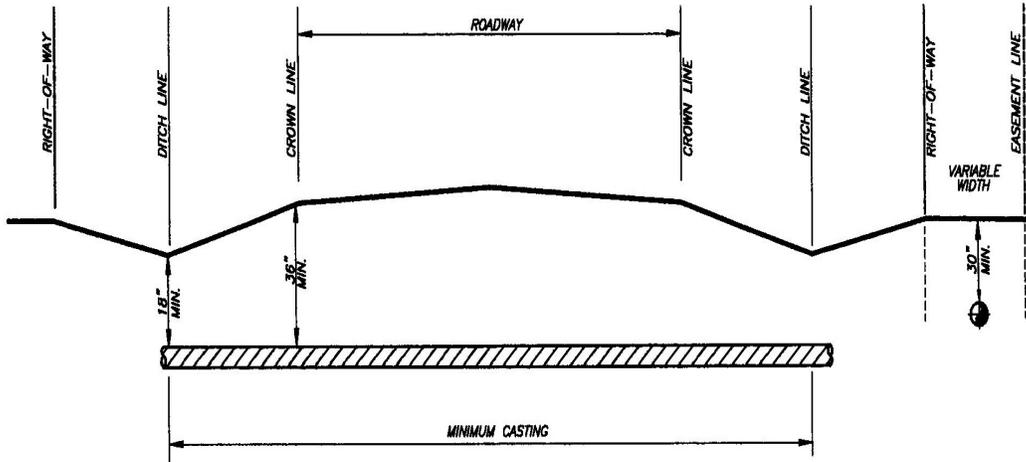


IN CASES WHERE A CULVERT WITH ITS HEADWALLS WOULD EXTEND OUTSIDE THE NORMAL RIGHT-OF-WAY, THE DEVELOPER SHALL DEDICATE SUCH ADDITIONAL DRAINAGE EASEMENT OR RIGHT-OF-WAY AS REQUIRED TO PROVIDE NORMAL ACCESS AND EGRESS.



IN CASES WHERE A CULVERT WITH ITS HEADWALLS WOULD EXTEND OUTSIDE THE NORMAL RIGHT-OF-WAY, THE DEVELOPER SHALL DEDICATE SUCH ADDITIONAL DRAINAGE EASEMENT OR RIGHT-OF-WAY AS REQUIRED TO PROVIDE NORMAL ACCESS AND EGRESS.

MULTIPLE PIPE INSTALLATION
NOT TO SCALE

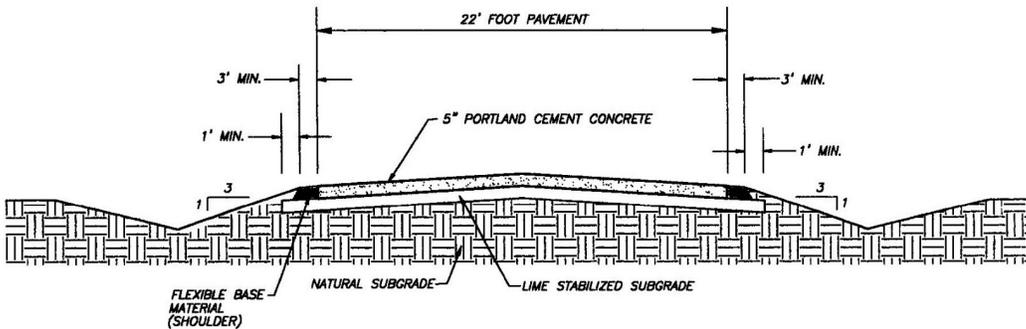


ATTACHMENT "A"
UTILITY LINE CROSSING

NOT TO SCALE

NOTES:

1. CROWN ROAD BED ONE INCH IN TEN FEET.
2. REINFORCING FOR CONCRETE TO BE NO. 3 BARS AT 18" CTRS. BOTH WAYS, OR NO. 4 BARS AT 24" CTRS BOTH WAYS.
3. POSITIONING AND SUPPORTING DEVICES (CHAIRS) FOR STEEL REINFORCING BARS SHALL BE EITHER PLASTIC OR METAL AND OF SUFFICIENT NUMBER TO MAINTAIN THE POSITION OF THE BARS. (TXDOT 360.3)



PORTLAND CEMENT CONCRETE PAVEMENT

NOT TO SCALE



SECTION XII - XX
RESERVED



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SECTION XXI
DEFINITIONS

A. APPLICATION

- (1) For these regulations, the following terms, phrases, words, and their derivations shall have the meaning ascribed to them in this section.
- (2) If the terms, phrases, words, and their derivations are not located within these set of regulations, it may be located in the County's other associated development regulations. Illustrations and graphics may be used and added as needed to better explain a definition.
 - (i) Definitions not expressly prescribed herein are to be construed in one of the following methods as determined by the Department of Development Director to apply a definition that closely applies:
 - (a) Customary usage in subdivision, planning, and engineering practices; or,
 - (b) As allowed by [Chapter 311.011 of the Code Construction Act of Texas](#).
 - (ii) The department director shall interpret the definitions when questions arise. Should there be discrepancies or disagreement of the application of a definition, the Commissioners' Court shall make the final determination.

(3) The definitions in this section shall also apply to Volume II (Drainage Design Manual) and Volume III (Standard Construction Details) of the Ellis County Quality Growth Initiatives, unless otherwise indicated.

Commented [AM39]: Makes these definitions applicable to all volumes.

B. DEFINITIONS

ACREAGE, GROSS

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

ACREAGE, NET

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

ACREAGE, USEABLE

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

ALLEY

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



ALL-WEATHER SURFACE

An alternative paving material that is designed and sealed by a professional engineer that is approved by the County Engineer and the Fire Marshal and is equivalent to the County standards for road/street construction. At a minimum, it shall carry the weight of the fire engine or at least 75,000 pounds, whichever is greater.

BLOCK

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

BUILDING LINE OR SETBACK LINES

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

COMMISSIONERS' COURT

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

COMPLETED APPLICATION

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

Commented [AM40]: New definition to establish what exactly constitutes a complete submittal and completed application.

COUNTY

Ellis County, Texas.

COUNTY JUDGE

County Judge of Ellis County, Texas.

COUNTY ENGINEER

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

COUNTY ROAD

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

CUL-DE-SAC

A short, minor street having but one outlet to another street and terminated on terminating at the opposite



end by vehicular turn-around.

CUL-DE-SAC CORNER

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

DEAD-END STREET

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

DEED RESTRICTIONS

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

DEPARTMENT OF DEVELOPMENT

The Ellis County Department of Development (DOD).

DEPARTMENT OF DEVELOPMENT DIRECTOR

The Ellis County Department of Development Director or designated representative.

DETENTION

The temporary storage of storm water runoff, with controlled peak discharge rates.

DETENTION TIME

The amount of time a body of water is actually present in a storm water detention facility.

DEVELOPER OR OWNER

An individual partnership, corporation or governmental entity, officer, agent employee, servant or trustee thereof (or any combination thereof) undertaking the subdivision or improvement of land and other activities covered by these regulations, including the preparation of a subdivision plat showing the layout of the land and the public improvements involved therein or participates in, who performs or participated in the performing of any act toward the subdivision of land within the intent, scope and purview of these regulations. The term "developer" is intended to include the term "subdivider," "owner," or "applicant" even though personnel in successive stages of a project may vary.

DORMANT PROJECT

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

DRAINAGE, BUYERS RESPONSIBILITY

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



DRIVEWAY

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

DWELLING UNIT/ HABITABLE AREA

Any building, or portion thereof, which is designed or used as living quarters for one or more families and contains at least three (3) plumbing fixtures, or any combination thereof from the following list as outlined below and no 220V connections for home appliances outside the principal structure; a residence.

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

Any separate/detached structure on the same property, tract of land or lot used as living space meeting the same criteria as above shall be considered a secondary or accessory dwelling unit and requires an additional useable net acre prior to the issuance of a building permit.

EASEMENT

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

Access Easement

An easement allowing access onto a property or adjoining property.

Drainage Easement

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

Non-access Easement:

An easement prohibiting access onto a property or adjoining property.

Utility Easement

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

ELEVATION CERTIFICATE

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



ENGINEER

A person duly authorized and properly registered under the provisions of the Texas Registration Act to practice the profession of engineering.

EXTRATERRITORIAL JURISDICTION (ETJ)

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

FAMILY

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

FLAG LOT

A lot shaped and designed where the main building site area is set back from the street on which it fronts and includes a narrow access strip connecting the main building site with the frontage street. It consists of two

parts: The flag, which is the building site and may be located behind another lot and the pole, which connects the flag to the street, providing minimal road frontage for the lot and at any point is less than the minimum lot width.

FLOODPLAIN

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

FLOODWAY

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

HIERARCHY OF STREETS AND ROADS:

More detailed information concerning streets can be found in the Master Thoroughfare Plan for Ellis County.

STREET

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

1) STREET, MAJOR OR REGIONAL ARTERIAL

A street whose primary function is to provide traffic movement between major traffic generators such as principal neighborhoods, commercial centers, and industrial areas, and to connect with surrounding municipalities. There shall be minimal residential traffic directly accessing it. Its function is to conduct



traffic between communities and activity centers and to connect communities to major state and interstate highways.

(2) STREET, MINOR ARTERIAL OR PRIMARY THOROUGHFARE

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

(3) STREET, COLLECTOR OR SECONDARY THOROUGHFARE

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

(4) STREET, LOCAL

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

(5) STREET, PRIVATE OR SERVICE DRIVE

A vehicular access way under private ownership and maintenance that has not been dedicated to the County and accepted by the County.

INTERIOR STREET/ROAD

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

LANE

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

LOT

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

LOT, CORNER

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

LOT, INTERIOR

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

LOT LINES

The property lines of any given tract or parcel of land which circumscribe the area divided by any plat of record



in the plat records of Ellis County, Texas, or in the absence of such a plat, the lot lines shall mean those property lines circumscribing the lot.

LOT OF RECORD:

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

MAY

The word “may” is permissive and not mandatory.

MANUFACTURED HOME

A movable or portable dwelling or office connected to utilities and constructed to be towed on its own chassis by a motor vehicle over Texas roads or highways. It may consist of two or more units, which are separately towable but designed to be joined into one integral unit.

MANUFACTURED HOME PARK

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

MANUFACTURED HOME COMMUNITY

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

MOBILE HOME

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

MOBILE HOME PARK

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

MOTEL

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

MULTI-FAMILY RESIDENCE

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



ON-SITE SEWAGE FACILITY

All systems and methods used for the treatment and disposal of sewage, other than organized disposal systems, operated under a valid permit issued by the Department of Development and regulated by TCEQ; [Ellis County Septic Order 182.11](#); and [Title 30, Part 1, Chapter 285 of the Texas Administrative Code](#).

PLAT

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

PLAT, PRELIMINARY

A plat of the concept and performance of the subdivision as related to the provisions of these Regulations. ~~The preliminary plan and the review thereof are intended to produce a subdivision design in which all planning factors are recognized and reconciled, before submission of the final plat.~~

PLAT, FINAL (RECORDATION)

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

PRIVATE STREETS, ROADS, EMERGENCY ACCESS EASEMENTS, ETC.

A vehicular access way under private ownership and maintenance that has not been dedicated to or accepted by the County for maintenance.

PUBLIC STREET

Any area, parcel, or strip of land (road) which provides vehicular access to adjacent property or land whether designated as a street, highway, freeway, thoroughfare, avenue, land boulevard, road, place, drive, or however otherwise designated and which is either dedicated or granted for public purposes or acquired for public use by prescription.

RECREATIONAL VEHICLE

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

RECREATIONAL VEHICLE PARK

A lot or parcel of land used primarily as a rental community in which two (2) or more recreational vehicle sites/spaces are located, established or maintained for occupancy, usually for a fee, by recreational vehicles of the general public as living quarters or vacation purposes on a short-term basis not to exceed ninety (90) days. At the end of the ninety-day period, the vehicle shall be removed from the park and said vehicle cannot be located in the same park for a minimum of two (2) weeks.

REPLAT

A map of a subdivision incorporating changes, amendments, improvements, and/or corrections to a plat such



as changes in lot size, further subdivision of existing lots, and relocation of street line/lot lines that is on record in the County Clerk's office.

RIGHT-OF-WAY

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

ROAD

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

ROAD FRONTAGE

Contiguous frontage on a public road or street.

ROADWAY

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

SHALL

The word "shall" is mandatory and not permissive.

SPACE (relating to manufactured/mobile homes or recreational vehicle (RV) parks)

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

STREET

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

STREET INTERSECTION

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

SUBDIVISION

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

SURVEYOR

A Licensed State Land Surveyor or Registered Professional Land Surveyor (RPLS), as authorized by the State



Statutes to practice the profession of surveying.

TCEQ

Texas Commission on Environmental Quality or their successor agency.

THROUGH ROAD/STREET

A road or street on which traffic can move with minimal interruptions.

THOROUGHFARE PLAN

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

TRACT

Any parcel of land or property.

TRAIL

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

TX-DOT

Texas Department of Transportation.

TX-DOT SPECIFICATIONS

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

USEABLE ACREAGE

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

UTILITIES

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

VARIANCE

An adjustment in the application of these specific regulations to a parcel due to special conditions or circumstances of hardship peculiar to the particular parcel. Relief from a particular set of regulations is



necessary to prevent the property from being deprived of right and privileges enjoyed by other parcels in the same vicinity; also called relief from the regulations.

WRECKING YARD (JUNKYARD OR AUTO SALVAGE)

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

ELLIS COUNTY QUALITY GROWTH INITIATIVES



**VOLUME II
DRAINAGE DESIGN MANUAL**

SECTION I. GENERAL INFORMATION AND ADMINISTRATION

A. OFFICIAL NAME

The official name of these regulations shall be the "Ellis County Drainage Design Manual."

B. AUTHORITY

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

C. APPLICATION & PURPOSE

- (1) All development in Ellis County shall provide drainage facilities and improvements in accordance with the following requirements and design standards.
- (2) The purpose of these standards is to provide for the health, safety, and general well-being of the public by assuring that adequate drainage facilities and structures are provided in all subdivisions, and to provide infrastructure which can be maintained without imposing a burden to taxpayers.

D. CONSISTENCY WITH OTHER REGULATIONS

- (1) These regulations shall be consistent with the adopted Ellis County Subdivision and Development Standards, and the Standard Construction Details and any other supplemental land use and community development policies that may be adopted by the Commissioners' Court.
- (2) Should a conflict arise with other applicable orders, the strictest shall apply, until an updated order is approved by the County Commissioners' Court.

E. AMENDMENTS

- (1) As needed, County Engineer may only amend the illustrations within these regulations without the consent of Commissioners' Court to better assist in graphically depicting portions of these regulations.
- (2) As needed, the Commissioners' Court may amend these regulations to reflect desired changes and updates in policy. Public hearings on all proposed written amendments shall be held by the Commissioners' Court in open session after publication in a newspaper of general circulation for at least fifteen (15) days before the public hearing date.

F. INTERPRETATIONS

- (1) As needed, the County Engineer shall provide interpretations of these regulations.
- (2) Rulings made by the County Engineer are issued on a case-by-case basis and shall not set a precedent for other similar situations.
- (3) Should an applicant disagree with the interpretation provided, that decision may be appealed to the Commissioners' Court at the next available meeting, as listed in the latest submittal calendar and pay any associated costs.

G. FINES & PENALTIES

- (1) Any person, firm or corporation who violates any of the provisions of these regulations or who fails to comply with any provision hereof within the Ellis County shall be subject to civil penalties including a fine of \$1,000 for each day that such violation continues shall constitute a separate offense and shall be punishable accordingly, pursuant to Section 232.035 of the Texas Local Government Code.
 - (i) The primary objective of the department is not to impose fines but to have everyone comply with these regulations.
 - (ii) The Department of Development shall have the right to institute an action in the court to enjoin the violation or threatened a violation of any provision in the County.

H. SEVERABILITY CLAUSE

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

SECTION II. GENERAL DRAINAGE REQUIREMENTS

A. PRELIMINARY DRAINAGE PLAN

~~A drainage plan may be required upon request by the County Engineer on a case-by-case basis to determine potential adverse impacts attributed to the proposed subdivision or development.~~

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(1) ~~If required, a preliminary drainage plan shall be submitted with the preliminary plat prior to platting so that the Engineering Department and the Department of Development may review the design with regard to potential drainage problems.~~

Commented [JJ1]: Is this language okay, is it legal?

(2) The preliminary drainage plan shall include an existing drainage map and a proposed drainage map.

~~(3) Approval of the preliminary plat may be contingent on the preliminary drainage plan documenting that the drainage for the proposed development can be adequately controlled without causing any adverse impact.~~

(43) The entire contributing drainage area for the proposed subdivision shall be shown at an appropriate scale for review. This map may also serve as the location (vicinity) map for the project. Drainage areas within the proposed subdivision shall be shown on a map prepared from field or aerial survey.

(54) Areas that are off-site and contribute to the storm water discharge passing through the subdivision shall be clearly identified.

(65) Direction of flow within streets, alleys, natural and improved channels and at system intersections shall be clearly shown on the drainage area maps. This includes sags, crests and corners.

(76) Existing and proposed drainage channels shall be clearly shown and differentiated on the drainage area maps.

~~(7) The drainage plan shall show drainage areas contributing to each storm drain inlet or point of collection, volume of storm water being collected, size of storm drainage structure (including driveway culverts), drainage easements, finished floor elevations (if appropriate) and any other information which will clarify the proposed design.~~

~~(8) The most recent FEMA Floodplain Boundaries (and source of information) shall be shown on the drainage plan.~~

~~(9) The highest flood control easement recorded by the Ellis-Prairie Soil and Water Conservation District (EPSWCD), if applicable, shall be shown on the drainage plan.~~

~~(10) Any other requirements set forth by the County Engineer shall be shown on the drainage plan.~~

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(811) The preliminary drainage plan shall be prepared by a licensed professional engineer.

~~B. FINAL DRAINAGE PLAN~~

- ~~(1) A final drainage plan also shall be submitted with the final plat.~~
- ~~(2) In addition to the requirements for the preliminary drainage plans, the final drainage plan shall show drainage areas contributing to each storm drain inlet or point of collection, volume of storm water being collected, size of storm drainage structure (including driveway culverts), drainage easements, finished floor elevations (if appropriate) and any other information which will clarify the proposed design.~~
- ~~(3) The final drainage plan shall be prepared by a licensed professional engineer.~~

CB. DRAINAGE IMPROVEMENT REQUIRED

- (1) Drainage improvements including but not limited to detention ponds, channel improvements, grading, culverts and existing facility improvements shall be provided in accordance with these design standards.
 - (i) To provide for the conveyance of all storm water from the development, when fully developed, to an adequate discharge point.
 - (ii) To fulfill any purpose for which these requirements are imposed.
 - (iii) To adequately protect the development from flooding, including the effects of the 100-year design storm.
 - (iv) To properly control any drainage resulting from the development so as to not increase the upstream or downstream water surface elevation, post-development storm water runoff shall not exceed pre-developed storm water runoff.
 - (v) Upstream or downstream storm drainage improvements and/or easements beyond the limits of the development may be necessary to meet this requirement.
 - (vi) To provide for the conveyance of existing storm drainage flowing through the development.
 - (vii) Where development may create a problem within the subdivision, provisions shall be made for drainage easements to allow for proper control of drainage and for future maintenance within the easement

DC. OFF-SITE DRAINAGE

- (1) Off-site drainage facilities and improvements shall be provided by the development whenever additional storm water runoff from the development would adversely affect any off-site property or would overload an existing drainage facility, whether natural or man-made.
- (2) Where storm water runoff has been collected or concentrated to one point, it shall not be discharged onto adjacent properties, except into existing creeks, channels, or storm drains, unless drainage or flowage easements are obtained for those properties.

ED. DETENTION FACILITIES

- (1) Detention may be used to reduce peak discharge where conditions prevent conveying storm water to an adequate discharge point, or studies show that off-site structural facilities will not mitigate hydraulic effects more efficiently.
- (2) Detention facilities may be constructed only in areas to be dedicated to the public.

FE. FEMA FLOODPLAIN

- (1) Any proposed development within the FEMA floodplain must comply with the current Ellis County Flood Damage Prevention Order.
- (2) Open space is encouraged within the FEMA floodplain boundaries.
- (3) Lots located in depressions and in or adjacent to the FEMA Floodplain boundaries, or other critical elevations established by a flood control easement, shall show on each lot the minimum recommended finished floor elevations, based on engineer's design, which shall not be less than two (2) feet above the 100-Year water surface elevation, or the more critical elevation. Ellis County shall not be responsible for any flooding or flood conditions that occur in these areas.

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GF. CHANNEL REQUIREMENTS

- (1) Channel regulations and improvement requirements shall be based on the amount and concentration of the storm water runoff produced from the proposed development and any additional upstream contributing drainage areas.
- (2) All developments shall provide for the permanent improvement and modification of existing drainage channels as necessary to serve the development, subject to and in accordance with the following.
- (3) Channels which serve drainage basins larger than one square mile shall be maintained in a natural state.
- (4) Channels of local drainage systems serving areas less than one (1) square mile may be lined with concrete or an improved grass-lined channel.

HG. CHANNEL ACCESS ROADS AND RAMPS

Any development which makes use of any channel within or on the perimeter of the development to provide for storm water runoff may be required to provide adequate access roads and ramps for channel maintenance purposes as directed by the Engineering Department or Department of Development.

IH. LOT DRAINAGE

- (1) Each lot shall be designed or graded with positive drainage to direct storm water into an abutting street, alley, channel, or inlet.
- (2) If drainage is provided in the rear of any lot by an alley or closed storm drainage system consisting of inlets and pipes, the alley or drainage system shall be designed for the 50-year storm event.

- (3) Where it is not practical to provide abutting drainage facilities for each lot, drainage facilities shall generally be required wherever the storm water runoff from no more than two lots is directed across a third residential lot, or whenever the facilities are necessary to avoid an adverse effect on any other lot.
- (4) Lots that are lower than the road or roads on which they abut shall have a finished floor elevation of no less than one (1) foot above the finished grade of the uphill side of the proposed structure to prevent damage from storm water runoff. This can be accomplished via the addition of fill and/or a swale.
- (5) Lots located in depressions shall have a minimum finished floor elevation shown on the final plat. This elevation shall not be less than one (1) foot above the 100-year water surface elevation.
- (6) The developer is responsible to notify a prospective buyer of the above requirements. Ellis County will not be responsible for any flooding or flood conditions that occur in these areas.
- (7) Structures built on lots which are lower than the road or roads on which it fronts and/or abuts shall be built at a finished floor elevation above the proposed grade of the yard adjacent to the slab on the uphill side of the property, and/or a shallow dip section (swale) shall be built in the yard to prevent storm drainage water from ponding and damaging houses on properties that are lower than the road.
 - (i) Careful attention shall be paid to the drainage design for the subdivision in order to alleviate potential localized flooding on individual lots.
 - (ii) The developer or builder is responsible for notifying prospective buyers of the above requirements. Ellis County shall not be responsible for any flooding or flood conditions that occur in these areas.

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H. STANDARD DETAILS

Standard details adopted by the Texas Department of Transportation Hydraulic Design Manual as Revised in July 2016, as amended, shall be used for applicable drainage facility improvements. The Commissioners Court hereby adopts this Manual as its applicable standards for Hydraulic facilities including open channels, bridges, culverts, storm drains, pump stations, and storm-water quantity and quality control systems. Should conflicts arise between the Ellis County Drainage Design Manual and the Texas Department of Transportation Hydraulic Design Manual, the Ellis County Drainage Design Manual shall control.

SECTION III. STORM DRAINAGE DESIGN CRITERIA

A. APPLICATION

- (1) Storm Water Runoff: All storm water drainage improvements shall be designed based upon the entire contributing drainage area being fully developed.
- (2) A downstream assessment may be required at the direction of the Ellis County Engineering Department. Depending upon project and site specific conditions, as well as downstream facilities, the developer may be required to provide a narrative and detailed calculations demonstrating the degree of downstream impacts.
- (3) The intent of the downstream assessment is to analyze the pre-project and post-project hydrologic and hydraulic conditions to ensure that post-developed runoff is conveyed downstream in an acceptable manner.

B. GENERAL

- (1) The design of storm drainage improvements in Ellis County shall be based on flood discharges determined by using an appropriate method.
 - (i) The Rational Method may be used to estimate peak flow for basin areas of 200 acres or less.
 - (ii) The SCS Unit Hydrograph Method may be used for basin areas of any size and all design applications.
 - (iii) The Texas Department of Transportation (TxDOT) Regression Equations may be used for basin areas from 10 to 100 square miles for rural design applications (see current TxDOT Hydraulic Manual – Regression Equations Section).
- (2) The Rational Method is based on the direct relationship between rainfall and runoff, and the method is expressed by the following equation:

$$Q=CIA,$$

where,

Q = the maximum rate of discharge (cfs).

C = a coefficient of runoff

I = intensity of rainfall (in/hr)

A = the drainage area (acres)

Values for the runoff coefficient are given in Table 1.

TABLE 1. RUNOFF COEFFICIENTS FOR TYPES OF LAND USE

TYPE OF AREA OR LAND USE	ADOPTED RUNOFF COEFFICIENT "C"
Parks or Open Areas	0.30
Residential Areas (Lots of 1 acre or more)	0.45
Residential Areas (Lots of less than 1 acre)	0.65
Commercial / Industrial Areas	0.75
Agricultural Areas	0.30
Business Areas	0.95
Apartment Areas	0.80
Streets (Asphalt and Concrete)	0.95
Drives, Walks, and Roofs	0.95

- (3) Rainfall Intensity is the average rainfall rate in in/hr for a duration equal to the time of concentration for a selected return period. Once a particular return period has been selected for design and a time of concentration calculated for the drainage area, the rainfall intensity can be determined from Rainfall-Intensity-Duration data given in the ISWM Technical Manual in the Ellis County Rainfall Data section or other methods accepted as standard engineering practice.

- (i) Rainfall intensity can be determined from the formula:

$$i = \frac{b}{(t + d)^e}$$

where,

i = rainfall intensity (in/hr)

t = rainfall duration (min) (equal to the time of concentration)

b,d, and e = parameters found in the ISWM Technical Manual

- (ii) The time of concentration (tc) is the time in minutes required for overland flow from the most hydraulically remote point in the watershed to a point where the runoff is concentrated plus the time of flow in a closed conduit or open channel to the design point.
- (iii) The time of concentration may be determined by using methods accepted as standard engineering practice. The minimum inlet time of concentration for various types of areas to be used for design purposes can be seen in Table 2.

TABLE 2. INLET TIME OF CONCENTRATION

Type of Area	Minimum Time	Maximum Time
Parks or Open Areas	20 Minutes	30 minutes
Single Family Residential	15 Minutes	20 Minutes
Industrial	10 Minutes	20 Minutes
Business	10 Minutes	20 Minutes

- (4) Storm Water Design Frequencies:
- (i) Recommended design storm frequencies for the storm drainage improvements in Ellis County are listed in Table 3.

TABLE 3. DESIGN STORM FREQUENCIES

Drainage Facility	Minimum Design Storm
Roadway Ditches & Driveway Culverts	5-year
Enclosed Storm Drainage	25-year
Roadway Culverts and All Bridges	100-year plus one-foot of freeboard above the 100-year water surface elevation
Earthen & Concrete Lined Channels (channel solely for conveying storm water runoff)	100-year plus one-foot of freeboard above the 100-year water surface elevation

*The discharge for 100-year return frequency storm and the resulting possible damages there from shall be evaluated to determine if said damages are sufficient to warrant enlargement of the planned facility.

- (5) Street Drainage Requirements:
 - (i) The permissible water spreads for streets are based on the 5-year design storm.
 - (ii) All streets shall be capable of conveying a 100-year design storm without water exceeding the right-of-way limits and/or drainage easement on adjacent lots.
 - (iii) The spread limits listed in Table 4 -shall apply to the following streets and facilities:

TABLE 4. PERMISSIBLE WATER SPREAD (5-YEAR DESIGN STORM)

Type of Road	Design
Regional Arterial	One lane open in each direction
Minor Arterial	One lane open
Collector	Top of curb

Note: Inverted crown sections are permitted only in alleys.

C. CULVERTS:

- (1) All culvert designs including safety end treatments, headwall, and wingwall designs, must be signed and sealed by a licensed professional engineer in the State of Texas.
- (2) The developer shall install all drainage culverts as designated by the Engineer who designed the drainage system and with approval of the Engineering Department and the Department of Development.
- (3) The plat shall notify lot owners that the size of required drainage culverts for driveways is designated in the drainage study on file in the Department of Development.
- (4) Design of culverts shall include the determination of upstream backwater conditions as well as downstream velocities and flooding conditions. The maximum discharge velocity from the culvert shall not exceed the permitted velocity of the receiving channel or conduit at the outfall to prevent erosive conditions.

D. ROADWAY CULVERTS:

- (1) Culverts shall be constructed of reinforced concrete pipe (RCP) and designed to the 100-year frequency with one-foot of freeboard.
- (2) Safety End Treatments (SETs) or headwalls must be designed for all roadway culverts. The slope for the SET shall not exceed 4:1.
- (3) Roadway Culverts shall be designed in accordance with the adopted TxDOT Hydraulic Manual.

E. DRIVEWAY CULVERTS:

- (1) Culverts shall be constructed of reinforced concrete pipe (RCP) or corrugated metal pipe (CMP) and designed to the 5-year design storm at minimum, any culverts designed less than the 5-year design storm must obtain written approval of the Ellis County Engineering Department before installation.
- (2) The use of multi-barrel CMP shall be limited and reviewed on a case-by-case basis by the Engineering Department and the Department of Development.

F. PIPE SYSTEM REQUIREMENTS:

- (1) Storm drain systems capable of conveying the 25-year design storm are required when water spread limits are exceeded. Storm drain conduit shall be sized to full flow using Manning's Equation.

$$Q = \frac{1.486AR^{\frac{2}{3}}S^{\frac{1}{2}}}{n}$$

where;

- Q** = is the discharge (cubic feet per second)
A = the cross-sectional area of flow (square feet)
R = the hydraulic radius (feet)
S = the slope of the hydraulic (ft/ft)
n = the coefficient of roughness

- (i) The minimum velocity with the pipe flowing full shall be three (3) feet per second.
 - (ii) The minimum storm drainpipe diameter shall be eighteen (18) inches.
 - (iii) Pipe soffits at changes in pipe sizes shall be set the same elevation.
 - (iv) Vertical curves in the conduit will not be permitted and horizontal curves will be permitted only with the approval of the Engineering Department and the Department of Development.
- (2) Manholes shall be placed at the connection of two (2) or more laterals, at pipe junctions having pipe sizes greater than twenty-four (24") inches, at alignment changes, and at the beginning of the storm drain system.

- (i) Maximum manhole size and specification shall be in accordance to Table 5:

TABLE 5. MANHOLE SIZE AND MAXIMUM SPACING

Pipe Size (Inches)	Maximum Spacing (feet)
18-36	600
42-60	1000
>60	No Limit

G. CHANNELS:

The calculations for capacity of channels shall consider the effects of backwater from downstream conditions.

H. NATURAL CHANNELS:

- (1) Channels may be left in a natural state if both of the following conditions are met and certified by a licensed engineer in the State of Texas:
 - (i) Channel velocities are less than eight (8) feet per second based on the 100-year design storm.
 - (ii) The flow from the 100-year design storm is contained within the natural channel while allowing one-foot of freeboard.

I. IMPROVED CHANNELS:

- (1) If a natural channel is to be replaced by an improved channel, the flow from the 100-year design storm must be contained in the improved channel while allowing for one-foot of freeboard.
- (2) Improved channels shall contain a lined section if the design velocity is greater than six (6) feet per second.
- (3) Lined sections shall be designed in accordance with the adopted TxDOT Hydraulic Manual.
- (4) Lining types such as concrete, rock walls and gabions, may be used upon approval of the Engineering Department.
 - (i) For lined channels, all of the channel bottom and at least the first three (3) feet (vertical height) of the side slopes up from the channel bottom shall be lined, unless otherwise approved by the Engineering Department.
 - (ii) Earthen sides above the lined section (or totally earthen channels) shall be on at least three (3) horizontal to one (1) vertical slope and shall have approved ground cover to prevent erosion.
- (5) Unless shown to be feasible in a soils report sealed by a registered professional engineer in the State of Texas, and approved by the Engineering Department, improved channels shall have minimum side slopes of:
 - (i) Three (3) feet horizontal to one (1) foot vertical for earthen, grass-lined side slopes (3:1)
 - (ii) Two (2) feet horizontal to one (1) foot vertical for concrete-lined side slopes (2:1)
- (6) Channels discharging into watercourses shall have the same invert level as the watercourse.

J. DETENTION PONDS

- (1) The following requirements and design standards shall apply to detention ponds to the extent they do not conflict with any applicable Federal or State laws or regulations, as amended:
 - (i) The 100-year design storm shall be used to determine the volume of storage required.
 - (ii) Detention facilities shall be designed so that any additional runoff generated by the proposed development will not increase the amount of original discharge for storm frequencies from the 5-year to the 100-year design storm.
 - (iii) Detention ponds shall be designed with a minimum of one (1) foot of freeboard above the 100-year design storm water surface elevation.
- (2) The Unit Hydrograph Method is recommended to determine the volume of runoff storage for drainage areas of any size. For drainage areas less than 200 acres, other methods accepted as standard engineering practice are allowable.
- (3) Any outflow structure which conveys water through the embankment in a conduit shall be designed with reinforced concrete. This includes utilizing existing ponds for detention/retention.
- (4) The conduit shall withstand the internal hydraulic pressure without leakage under full external load or settlement and must convey water at the design velocity without damage to the interior surface of the conduit.
- (5) The outflow structure of a detention basin discharging water into any natural stream or unlined channel shall discharge at a non-erosive rate, unless approved erosion protection is provided.
- (6) Detention basins resulting from excavation shall provide positive drainage with a minimum bottom slope of one (1) percent. A pilot channel is required when the minimum bottom slope is less than one (1) percent.
- (7) The side grade for any excavated detention basin, which is not a rock, shall not exceed 3:1. Side slopes and bottom shall be protected from erosion with grass or other approved materials.
- (8) Earthen embankments used for water impoundments must be constructed with suitable fill material and be designed based upon geotechnical investigations of the site. Embankments shall be protected from erosion with grass or other approved materials.

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SECTION IV. EASEMENTS

A. APPLICATION

The following requirements for public drainage improvements, channels, and facilities required for any development shall apply

- (1) All public drainage systems and facilities which are not to be included within an existing or proposed public street right-of-way shall be located within easements to be dedicated to the County with adequate access to a public street.
- (2) Prior to acceptance of any public drainage facilities, all easements within which the facilities are located shall be cleared of all buildings, structures, fences, trees, or other obstacles that would interfere with drainage flow and access to the easement.
- (3) The developer shall be responsible for maintenance of drainage easements until the land is sold.
- (4) The landowners shall be responsible for maintenance of drainage easements after the purchase of the property.
- (5) Floodways or floodplains which are necessary to provide for the drainage needs of the development shall be dedicated to the public as a drainage easement to the limits defining the floodway or floodplain.
- (6) Easements for closed drainage systems shall be in accordance with the following minimum standards, unless special circumstances warrant additional or reduced, as determined by Ellis County Engineering.

<u>Pipe Size</u>	<u>Minimum Easement Width</u>
36" and under	15 feet
42" through 54"	20 feet
60" through 66"	25 feet
72" and above	30 feet

- (7) Easements for improved channels shall be provided with sufficient width for maintenance access.
 - (i) Channels having a top width greater than 30-feet and a side slope steeper than 4:1 shall have access roads of 15-feet in width along both sides of the channel unless otherwise approved by Ellis County Engineering.
- (8) Utilities shall not be located within any existing drainage easement, unless it is also designated for utility use.
 - (i) No utilities shall be located in any lined channel in such a way as to interfere with maintenance of or access to the channel.
- (9) A drainage easement shall be provided for a required outfall channel or ditch to the point where the flowline matches natural grade.

- (10) To provide for maintenance, a drainage easement shall be provided at least twenty-five (25') feet beyond any outfall headwall.

B. ELLIS-PRAIRIE SOIL AND WATER CONSERVATION DISTRICT (EPSWCD) AND DALWORTH SOIL AND WATER CONSERVATION DISTRICT (DSWCD)

The following requirements for any development shall apply when located in close proximity to a Natural Resource Conservation Service (NRCS) Floodwater Retarding Structure in Ellis County.

- (1) If a proposed development is within close proximity, as determined by the Ellis County Engineering Department, to a NRCS floodwater retarding structure, the Department of Development and Engineering Department will defer to the EPSWCD or DSWCD for an impact analysis and letter of approval before issuing a development permit.
- (2) For structures where a potential dam breach inundation area has been established, construction is not recommended.

EPSWCD Policy on Activities Adjacent to the Floodwater Retarding Structures

Purpose

This policy is for the purpose of addressing requests to modify the size of easement areas adjacent to floodwater retarding structures; and to provide guidance on the handling and consideration of requests for development activities within the easement area, and deviations from District policy.

Background

There are 84 floodwater retarding structures in the Ellis-Prairie Soil and Water Conservation District (the "District"). See attached map.

Funding for these structures was authorized by the National Flood Control Act of 1944 (Public Law 534) for the purpose of watershed protection and flood prevention. The U.S. Department of Agriculture – Natural Resources Conservation Service (NRCS), formerly the Soil Conservation Service, oversaw the design and construction.

These structures or "soil conservation lakes" were constructed on private lands through easements obtained by the District. The easements were filed with the Ellis County Clerk's office. These lakes are not federal property and therefore not open to the general public.

As easement holder, the District is responsible for the operation, maintenance and inspection of these floodwater retarding structures. Under an agreement with Ellis County Commissioners Court, the County provides financial support in performing maintenance activities.

As Ellis County continues to grow, the land adjacent to floodwater retarding structures becomes a primary target for residential development, ranchettes, and other special uses that pose a potential hazard to life and property, and may adversely affect the operation of the structure. Developers and potential developers are requesting the District to modify, restrict and reduce easements to the minimum amount feasible while preserving the structure and its function.

Therefore, to protect public safety, ensure the proper function of the structure, maintain the integrity of the easements and to accommodate requests by current and future developers, the District is adopting the following policy relating to all activities within such easements.

General Policy

- (1) Easement Area – The easement includes the dam, emergency spillway (to the outlet channel), pipe outlet works, sediment pool, flood detention pool (flood easement elevation), ingress/egress and any adjoining land deemed necessary for carrying out operation and maintenance responsibilities. The flood easement elevation is the contour line determined by the emergency spillway crest elevation plus two (2) feet. (Note: This is not the 100-Year floodplain, which is determined by the Federal Emergency Management Agency (FEMA)).
- (2) Ingress/Egress – As specified in the easement, the District is provided and will reserve access for the purpose of inspecting, operating, repairing and maintaining the structure. The minimum width of the access road will be thirty (30) feet. The District will install locks on access gates as needed to protect the landowner's privacy.
- (3) Floodwater Retarding Structure – The dam, emergency spillway, primary spillway/pipe outlet and related appurtenances shall not be modified in any form for any reason without prior written approval of the District and concurrence from the NRCS.
- (4) Fencing – The fence and gates around the dam and emergency spillway are the property of the District. These fences were constructed for grazing management. Any changes or modifications to the existing fences require prior written approval of the District. Property line fences located within the easement are not the responsibility of the District. (Note: The fenced-in area around the dam and emergency spillway is not an indicator of the "easement area".)
- (5) Grazing – Controlled grazing on the dam and emergency spillway is permitted under the following conditions:
 - (a) Grazing is regulated so as to maintain a 4-inch stubble height on Bermuda grass, and a 6-inch stubble height on other grasses.
 - (b) Livestock are removed when the soil is extremely wet or dry.
 - (c) Livestock will not be confined and/or fed on dam or emergency spillway.
 - (d) Corrals or pens will not be constructed on the dam or emergency spillway.
- (6) Other Agricultural Uses - Where practical, the dam and emergency spillway may be hayed. Cutting heights will be the same as grazing heights. Haying will be completed by October 1 to allow time for adequate regrowth before the winter. Plowing and planting annual crops such as small grains on the dam and spillway area is prohibited. Over seeding using a no-till drill or similar equipment is permitted.
- (7) Trafficking – Vehicular travel across the top of dam and spillway areas will be limited to prevent rutting and damage to vegetation. All vehicles, including ATV's, are prohibited on the slopes of the dam and in the emergency spillway area.
- (8) Water Level – The water level in the structure is controlled by the District. Landowner(s) within the sediment pool (permanent water) wishing to lower the water level must have prior written

approval of the District. Other landowners within the sediment pool must be in agreement and submit written concurrence showing unanimous agreement before the District will consider the request.

- (9) Water Use – All surface water in Texas is owned by the State. The landowner(s) involved in the floodwater retarding structure have the right to use water in the sediment pool for domestic or livestock use. The use of water for commercial agricultural production and other commercial uses is regulated by the Texas Commission on Environmental Quality (TCEQ). Before applying for a state permit, the landowner must first receive written approval from the District to ensure that such activities will have no adverse effect on the structure. Secondly, the landowner(s) having sediment pool must be in unanimous agreement and submit written concurrence to the District.
- (10) Development – Development is defined as any manmade change to improved or unimproved real estate, including but not limited to, adding buildings or other structures, dredging, filling, grading, paving, excavation, or drilling operations.

The following activities relating to development are prohibited within the easement area:

- (a) Residential construction, and other structures (garages, barns, utility buildings, etc)
- (b) Placement of fill for any reason;
- (c) Installation of dikes, levees or other structures which may reduce the storage capacity of the flood detention pool, decrease the capacity of the flood channel, deflect the flow from the channel or divert natural runoff;
- (d) Construction of buried or above ground utilities on dam or emergency spillway;
- (e) Temporary or permanent placement of objects in the emergency spillway that will reduce or disturb flow (i.e., fences, hay bales, equipment storage, etc.).

In developing watersheds, the District recommends that the minimum finished floor elevation for proposed development areas be one (1) foot above top of dam elevation. All development will comply with the National Flood Insurance Program and be approved by the governmental authority having jurisdiction. To provide a technical basis for development, future development that impacts on, or is impacted by the structure and/or the easement, shall require a detailed engineering study and a final copy provided to the District at the sole expense of the developer. The engineering firm completing the study shall be approved by the District and concurred by the NRCS. All plans for developing land within the easement area must be approved in writing by the District. Refer to the sections “Upstream Development” and “Identification of Easement Area” for guidance on submission and approval of plans.

- (11) Request involving deviations from District Policy – Deviations from District policy will not be permitted unless the following criteria are met:
- (a) It can clearly be shown by approved procedures that the deviation will not adversely affect conditions either upstream or downstream from the point of deviation; and
 - (b) All owners directly affected by the deviation are in agreement; and

- (c) The deviation is not in conflict with any other plan or ordinance adopted by any local governing authority having jurisdiction.

Request for deviation must be submitted, in written form, at least twenty-one (21) days prior to the date of the District meeting at which consideration is requested.

Upstream Development

When residential or commercial development is contemplated on land on which the District holds an easement, the owner shall contact the District to review the plans and the impact on the District's easement. This review should take place as soon as reasonably possible and prior to the tender of any

plats, preliminary or otherwise, to any governmental authority, and prior to the sale of any land or an interest in any land. See "General Policy-Development". If development is feasible, as evidenced by written approval of the District, then the following information will be required and provided at the owner's expense for District approval.

- (a) A survey of the easement area by metes and bounds. See "Identification of Easement Area for guidance of amending easement.
- (b) Two (2) prints of a preliminary plat of the proposed development which must be provided at least twenty-one (21) days prior to the date of the District meeting at which approval of the preliminary plat is requested. The preliminary plat shall include the following information, as applicable:
 - (i) Depiction of the recorded easement showing boundary lines of the easement, and location of the dam, emergency spillway and flood detention pool;
 - (ii) Flood easement elevation contour with flood detention pool shown by shading;
 - (iii) Sediment pool elevation contour (permanent water level);
 - (iv) The 100-year floodplain boundaries and source of information;
 - (v) Top of dam elevation contour (in developing watershed);
 - (vi) Location of utilities, easements and right-of-ways (existing and planned);
 - (vii) Layout of subdivision including streets and lots and any other features relating to the proposed subdivision.

Approval of the preliminary plat does not constitute acceptance of the development, but merely an authorization to proceed with preparation of the final plat. When development activities require County and/or city approval, District approval in writing, shall be obtained prior to submission to the appropriate governing authority. All development will comply with the National Flood Insurance Program.

- (c) The owner will submit two (2) prints of the final plat of the proposed development at least twenty-one (21) days prior to the date of the District meeting at which approval of the final plat is requested.

The final plat shall have all the information required for the preliminary plat plus the following additional information shall be provided:

- (i) A written list of all changes made in the final plat that are different from the preliminary plat;
- (ii) Subdivision restriction, including those imposed by the developer.

District review and written approval of the final plat must be obtained prior to submission to the County or City.

After approval, the final plat will be filed with the Ellis County Clerk's Office, and two (2) certified copies of the final plat and accompanying restrictions along with recording information furnished to the District at the owner's expense.

Identification of Easement Area

When land on which the District holds an easement is to be developed (residential subdivision, commercial development, etc.), the original easement shall be amended to identify the easement by a metes and bounds description. All expenses incurred will be the sole responsibility of the owner.

The owner shall provide to the District a certificate of title from a title company showing that the title to said property is vested in the owner and a listing of any and all lien holders(s).

A registered public surveyor shall conduct the survey. The District will provide details and limits, specific to the easement to be redefines. The area retained and therein describer will, as a minimum, include the dam, emergency spillway, pipe outlet, sediment pool, flood detention pool (flood easement elevation), ingress/egress and any adjoining lands deemed necessary for carrying out District responsibilities.

Survey field notes and plat will be submitted to the District for examination. The plat will, as a minimum, contain the following information:

- (1) Boundaries of the easement area including call notes (lines, bearings and distances); and the area clearly identified by shading;
- (2) Show location of the dam, emergency spillway, flood easement elevation, as applicable;
- (3) A seal, signature and certification by a surveyor to the effect that the plat correctly represents a survey made by him.

Following written approval of the survey by the District, the owner will have his attorney prepare, for the consideration and possible execution by the District, a partial release that modifies the original easement and that includes:

- (1) The title history of the subject property form the inception of ownership by the Grantor in the original easement;
- (2) A detailed explanation of the changes that not only show the portion of the easement released but also defines and clarifies, by metes and bounds, that portion of the easement to be retained;

- (3) The following statement: "Except as above amended, all other provisions of the original easement shall remain in full force and effect."; and
- (4) A plat of the subject property as outlined above, and identified as "Exhibit A".

Note: A copy of all deeds and/or easements referenced in the conveying document shall accompany said document.

The owner will then submit two (2) original copies of this amendment to the District for final review and approval at least twenty-one days (21) prior to the date of the District meeting at which approval of the amendment is requested.

Following District approval, the District will, at the owner's expense, file the amended easement with the Ellis County Clerk's office. In addition, the owner shall pay the cost of providing the District with a certified copy of said document with recording information.

SECTION V - IXX
RESERVED

SECTION XX.
DEFINITIONS

A. APPLICATION

- (1) For these regulations, the following terms, phrases, words and their derivations shall have the meaning ascribed to them in this section.
- (2) If the terms, phrases, words and their derivations are not located within these set of regulations, it may be located in the County's other associated development regulations.
 - (i) Definitions not expressly prescribed herein are to be construed in one of the following methods as determined by the Department of Development Director to apply a definition that closely applies:
 - (a) In accordance with customary usage in subdivision, planning and engineering practices;
or,
 - (b) The most recent edition of Black's Law Dictionary.
 - (ii) Any interpretation shall be addressed by the County Engineer as outlined in Section I (F).

(3) The definitions in this section shall also apply to Volume I (Subdivision and Building Standards) and Volume III (Standard Construction Details) of the Ellis County Quality Growth Initiatives, unless otherwise indicated.

Commented [AM2]: Makes these definitions applicable to all volumes.

B. DEFINITIONS

Access Ramp

A route used to provide entry for vehicles and machinery into a channel.

Access Road

A route parallel to and at the top of the bank of a channel used for maintenance of channels.

Base Flood

The flood having a one percent chance of being equaled or exceeded in any given year.

Channel

Any open or closed device for conveying flowing water.

Drainage Area or Basin

The land area or catchment area, upon which rainfall contributes runoff to a specific location.

Drainage Facilities or System

One or more conduits, channels, ditches, swales, pipes, detention devices, or any other device, work, or improvement, natural or manmade, which is used, designed, or intended to be used to carry, direct, detain, or otherwise control storm water.

Detention

The storage of storm water runoff for a controlled release during or immediately following the design storm.

Flood Hazard Boundary Map (FHBM)

An official map issued by the Federal Emergency Management Agency (FEMA), where the areas of special flood hazards have been designated.

Flood Insurance Rate Map (FIRM)

An official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Floodplain

For purposes of these rules, the floodplain is the area designated as subject to flooding from the base flood (100-year flood) on the Flood Insurance Rate Map. The floodplain includes the floodway when established.

Floodway

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floodway Fringe

The area located within the floodplain and outside the floodway.

Freeboard

The vertical distance between the design water surface level and the top of an open conduit left to allow for wave action, flotation debris, or any other condition or emergency without over topping the structure.

Hydrograph

A graph showing stage, flow, velocity or other properties of water versus time at a given point in a stream or conduit.

Inlet

An opening into a storm drain system for the entrance of surface water runoff.

Inverted Crown Section

A street cross-section usually reserved for alleys, in which the center of the street is lower than the edges so that drainage is carried down the center of the street.

Local Drainage System

Any drainage facility or system which serves an area having a contributory drainage basin of less than a one (1) square mile area.

Off-Site

Located outside the boundary of a development.

On-Site

Located within the boundary of a development.

Pipe

A closed conduit through which water flows.

Positive Drainage

The practice or system of proper grading to direct runoff away from structures and to prevent ponding.

Positive Overflow

Refers to when inlets do not function properly or the design capacity of a conduit is exceeded, the excess flow can be conveyed overland along a road, alley, or special drainage easement.

Soffit

Inside top of a pipe.

Time of Concentration

The estimated time, in minutes, required for storm water runoff to flow from the most hydraulically remote section of the drainage area to a specific design point.

ELLIS COUNTY QUALITY GROWTH INITIATIVES



**VOLUME III
STANDARD CONSTRUCTION DETAILS**



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SECTION I. GENERAL INFORMATION AND ADMINISTRATION

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A. OFFICIAL NAME

The official name of these regulations shall be the “**Ellis County Quality Growth Initiatives, Volume III—Standard Construction Details.**”

B. AUTHORITY

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

C. APPLICATION & PURPOSE

- (1) All development in Ellis County shall provide infrastructure in accordance with the following requirements and design standards.
- (2) The purpose of these standards is to provide for the health, safety, and general well-being of the public by assuring that adequate infrastructure is provided in all subdivisions which can be maintained without imposing a burden to taxpayers.

D. CONSISTENCY WITH OTHER REGULATIONS

- (1) These regulations shall be consistent with the adopted Ellis County Subdivision and Development Standards, and the Drainage Design Manual and any other supplemental land use and community development policies that may be adopted by the Commissioners’ Court.
- (2) Should a conflict arise with other applicable orders, the strictest shall apply, until an updated order is approved by the County Commissioners’ Court.

E. AMENDMENTS

- (1) As needed, County Engineer may only amend the illustrations within these regulations without the consent of Commissioners’ Court to better assist in graphically depicting portions of these regulations.
- (2) As needed, the Commissioners’ Court may amend these regulations to reflect desired changes and updates in policy **or to stay consistent with State Law.**
 - (i) Public hearings on all proposed written amendments shall be held by the Commissioners’ Court in open session after publication in a newspaper of general circulation for at least fifteen (15) days before the public hearing date.

F. INTERPRETATIONS

- (1) As needed, the County Engineer shall provide interpretations of these regulations.
- (2) Rulings made by the County Engineer are issued on a case-by-case basis and shall not set a precedent for other similar situations.



- (3) Should an applicant disagree with the interpretation provided, that decision may be appealed to the Commissioners' Court at the next available meeting, as listed in the latest submittal calendar and pay any associated costs.

G. FINES & PENALTIES

- (1) Any person, firm or corporation who violates any of the provisions of these regulations or who fails to comply with any provision hereof within the Ellis County shall be subject to civil penalties including a fine of \$1,000 for each day that such violation continues shall constitute a separate offense and shall be punishable accordingly, pursuant to Section 232.035 of the Texas Local Government Code.
 - (i) The primary objective of the department is not to impose fines but to have everyone comply with these regulations.
 - (ii) The Department of Development shall have the right to institute an action in the court to enjoin the violation or threatened a violation of any provision in the County.

H. SEVERABILITY CLAUSE

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



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SECTION II
ENGINEERING AND CONSTRUCTION STANDARDS

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A. STREET CLASSIFICATION

Below is the summary of the minimum standards for Ellis County roads.

TABLE VIII -A

Functional Classification (Average Daily Trips ¹)	Local (0 – 250)	Collector or Secondary Thoroughfare (250 – 1,000)	Primary Thoroughfare (1,000 – 3,000)	Regional Arterial ² (3,000 – 5,000)
Design Speed	20 MPH	30 MPH	35 MPH	45 MPH
Number of Lanes	2	2	2	2-4
Minimum Row Width (or half of the Thoroughfare Plan designation, whichever is greater)	60 feet	80 feet	100 feet	130 feet
Minimum Pavement Width (Traveled Way)	22 - 24 feet ³	28 feet	30 feet ⁴	36 feet
Minimum Width of Shoulders	3 feet	3 feet	4 feet	5 feet
Minimum Centerline Radius	100 feet	150 feet	300 feet	675 feet
Minimum Radius for Edge of Pavement at Intersections	15 feet	25 feet	25 feet	25 feet
Maximum Grade ⁵	12%	10%	10%	9%
Minimum Stopping Sight Distance	50 feet	150 feet	250 feet	350 feet
Minimum Intersection Sight Distance	200 feet	200 feet	300 feet	450 feet
Steepest Ditch Fore Slope Grade ⁶	3:1	3:1	4:1	4:1

Notes:

1. Lots that are restricted to one single-family residence by plat note shall be presumed to generate ten (10) one-way trips per day.
2. All elements, including geometric layout and cross-section, for major arterials (more than 5,000 trips) shall be approved by the Department of Development Director.
3. A width of 31 feet is required if curbed.
4. If residences do not front on street, a 26-foot pavement w/shoulders is sufficient.
5. Occasional short runs between intersections may exceed the amounts shown, but maximum grades through intersections may not exceed the amounts shown.
6. The entire side ditch shall be totally contained within the ROW or dedicated drainage easement. Metal beam guard fencing normally will not be required. However, it is the responsibility of the Developer and his design engineer to (a) provide embankment heights and side slopes which would preclude the need for such traffic barriers; or (b) to determine the need for such structures in the interest of public safety.



B. ACCESS

- (1) Access to all tracts of land and development projects shall be from a County-maintained street/road, **a city-maintained road**, or a state/federally-maintained road or street.
- (2) Subdivisions with **at least two (2)** interior streets shall provide at least two (2) ~~streets for ingress and egress~~ **points of access to a main street outside the proposed development** with driveway access to interior streets only. **New streets shall align with other existing surrounding streets.**
- (3) Only one (1) access point shall be allowed per lot or tract of land along roads identified as 80 feet of right-of-way or more on the Master Thoroughfare Plan. If multiple access points are desired on the same lot, it shall meet [Tx-DOT's Access Management Standards, Table 2-2](#) and **Section II (E) below.**
- (4) All access drives within County right-of-way located within the interior of subdivisions shall satisfy the following criteria:
 - (i) Minimum twelve (12) feet wide; and,
 - (ii) Minimum six (6) inches in thickness of concrete; and,
 - (iii) Meet other County standards for street construction outlined in **Section II (C) (4) & (5) below.**

C. STREETS AND CONNECTIVITY

- (1) The design and construction of new streets or the extension of existing streets shall be done to facilitate both present and future traffic flow and to provide for adequate storm water drainage.
 - (i) In all cases, the design engineer shall be cognizant of local drainage and shall plan local streets such that the new street does not create a localized problem for existing development.
- (2) The developer shall provide adequate streets.
 - (i) The street arrangement, character, extent, width, grade, and location of each shall conform to these regulations, and shall relate to existing and planned streets, to topographical conditions, public safety and convenience, and aesthetic relationship to the proposed uses of land to be served by such streets.
 - (ii) The street layout shall be devised for the most advantageous development and accessibility for emergency equipment.
 - (iii) To promote connectivity and traffic safety, streets shall connect align with other existing streets, as needed.
 - (iv) Development shall be allowed along all public roads officially accepted and maintained by Ellis County and shall occur according to the latest applicable standards in effect at the time of platting or permitting.

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- (v) If the private roads are built to public road standards and inspected by the county, the property may develop as if it were a public road and meet all the requirements set forth in these regulations and as stated in the preceding paragraph.
 - (vi) Any Owner that gates the entrances to the subdivision shall provide either a crash gate or a lock box to the Fire Marshal's Office.
- (3) All streets shall meet the following requirements:
- (i) Shall be concrete with a minimum thickness of six (6) inches, and constructed in compliance with the specifications as shown in [Section IV \(A\)](#); and,
 - (1) The Engineering Report shall include a description of the roadways within the community, and include information on the roadway cross section, pavement width and thickness, base thickness, sub grade treatment, material specifications and other information as required in these Regulations.
 - (2) Plans and specifications for these improvements shall also be submitted to the Department of Development/Engineering Department for approval prior to construction.**
 - (ii) Intersect at an angle of ninety (90) degrees. Where this is not practical, the intersection on the side of the acute angle shall be cut back a minimum of twenty-five (25) feet; and,
 - (iii) Flared entrances to subdivisions set to the specifications of the County Engineer shall be provided to accommodate access by large trucks; and,
 - (iv) Provide a minimum spacing of ~~1,000~~ **600** feet **(does not apply to internal subdivision streets or roads maintained by other jurisdictions) and new streets shall align with other existing surrounding streets.**
 - (a) New streets that fall below this requirement due to aligning with existing streets may be exempt from this regulation.**
 - (v) Street jogs with centerlines offsets of less than one hundred fifty (150) feet shall be prohibited.
- (4) Lots or tracts of land with direct driveway access to any roads indicated on the Master Thoroughfare Plan shall not be allowed without meeting one of the following alternatives:
- (i) Provide access via a parallel slip street; or,
 - (ii) Shared access drive and share access easements between multiple lots to be shown on plat or filed instrument and built on site; or,
 - (iii) Any other alternative that satisfies the Department of Development Director and/or County Engineer **that significantly reduces the number of drive cuts.**



- (5) Dead-end streets ~~shall~~ **may** not be ~~approved~~ **allowed** unless such streets provide to connectivity to future streets on adjacent property. The system of streets designated for the subdivision shall connect with streets already dedicated in adjacent subdivisions.
- (i) Where no adjacent connections are proposed, paved streets shall continue to the boundaries of the property, so that other developments may connect in the future.
 - (ii) Where adjoining areas are not subdivided, the arrangement of streets in the subdivision will make provisions for the future projection of streets into such unplatted areas.
 - (iii) Upon development of such unplatted areas, the new development shall match the street projections to form a continuous street. In no case shall the right-of-way be less than the minimum requirements listed herein.
- (6) Temporary turnarounds shall be provided on dead-end expansion streets while future connectivity is made and be built and designed with a material approved by the County Engineer.
- (i) Such turnaround shall be eliminated with the future street connection.
 - (ii) No lot shall front on a dead-end expansion street **or be considered for lot width requirement as a cul-de-sac lot.**
 - (iii) All turnarounds shall meet the same requirements as cul-de-sacs outlined below.
- (7) Cul-de-sacs shall provide proper access to all lots and only at the closed end of streets and shall not be allowed at intersections or curves. All cul-de-sacs shall meet the following requirements listed below:
- (i) Provide a turnaround right-of-way of ~~not less than a~~ **at least** sixty (60) foot radius **(120-foot diameter)**; and,
 - (ii) Have an outside edge of pavement radius of at least forty (40) feet **(80-foot diameter)**; and,
 - (iii) Shall not exceed one thousand (1,000) feet in length, measured from the intersection of the closest street **intersection** to the center of the cul-de-sac.
- (8) The County shall not accept any dedication or provide any upkeep or maintenance of any private decorative and/or landscaped entrance(s), squares, islands, or other obstructions to traffic located within the dedicated right-of-way. If these entrances become damaged, unsightly, or a hazard to traffic, at the option of the precinct commissioner, they may be removed with the County suffering no liability for this removal.
- (i) **Prior to the placement of items in the right-of-way, a right-of-way encroachment approval is from the Commissioners' Court.**

Commented [AM5]: Added for further clarification

Commented [AM6]: Added diameter measurements (does not change the regulation)

Commented [AM7]: Clarifies the intent of needing Court approval.



(ii) The County shall not bear any liability or responsibility for the placement of any items in the right-of-way.

- (9) All lots in a subdivision ~~must~~ **shall** have an all-weather driveway capable of providing a place to park all vehicles normally at the site. Parking on a county, state or federal ~~road~~ **right-of-way or ditches** is prohibited.
- (10) Ellis County shall not be responsible for maintenance of private streets, drives, emergency access easements, recreation areas, and open spaces.

D. ENGINEERING PLANS

- (1) Final engineering drawings and specifications for all public facilities (i.e. streets and related improvements, bridges, storm drainage, etc.) to be installed shall be submitted for review prior to the commencement of any ~~project~~ **plat submittal**. The items required for these plans shall be as outlined on the checklist generated by the County Engineer.
- (i) Each application submittal **and application fee** shall allow for up to ~~three (3)~~ **two (2)** resubmittal reviews for a total of ~~four (4)~~ **three (3)** reviews.
- (a) If no plans are required, a release letter from the County Engineer is required prior to plat submittal.**
- (ii) Upon the exhaustion of these reviews, the application shall be deemed denied and a new application and fees shall be submitted.
- (iii) A list showing all requested changes by staff shall be submitted with each submittal showing how each comment was address or changed.
- (2) Plan and profile sheets shall be included for each proposed street in the subdivision.
- (i) These plan and profile sheets shall show the right-of-way of the street and a portion of the right-of-way of all intersecting streets in the plan portion.
- (ii) The plan portion shall show existing ground at left and right, right-of-way, and proposed center line or elevations, drainage ditch elevations, culverts and sizings, and other drainage structures.
- (3) Any approved engineering plans or related documents shall be effective for one (1) year from the date of approval.
- (i) If construction has not started within one (1) year, the engineering plans shall expire, and a new set is required **for review**.
- (ii) The new set of plans and documents shall adhere to any new regulations in effect at the time of submittal.

Commented [AM8]: Added this wording to ensure this process if plans are not needed.



E. CULVERTS

- (1) A driveway culvert application is required for each lot. If a second drive is desired, the property owner shall comply with the driveway spacing requirement (if applicable). ~~and~~ A permit shall be obtained for each drive **and culvert installed.**
 - (i) Culvert size shall be determined by the engineer that designed the drainage for the proposed subdivision, however, shall meet the minimum requirements of the County.
 - (ii) The precinct commissioner shall determine the exact sizing if it is within an existing subdivision.
 - (iii) Property owners are responsible for ensuring the culverts are installed according to County regulations. Culverts shall be maintained by the homeowners and not the County.
- (2) The developer shall install all drainage culverts as designated on the approved construction and drainage plans.
- (3) Driveway culverts are required to meet the following minimum standards:
 - (i) Shall be constructed of corrugated metal or reinforced concrete
 - (a) However, concrete culverts, including concrete box culverts, may be allowed in locations that require a culvert that is larger than is practicable for a corrugated metal culvert; and,
 - (ii) Minimum eighteen (18) inches in diameter per culvert, unless otherwise stated by the precinct commissioner; and,
 - (iii) Culverts shall be placed at the edge of the existing road, unless otherwise indicated by the County Engineer and/or precinct commissioner.
 - (iv) The driveway above the culvert shall be constructed such that the driveway is sufficiently below the outside edge of the main road so that the storm water which exceeds the capacity of the culvert can pass over the culvert without entering the roadway and driveway entrance; and,
 - (v) Culvert safety end treatments are highly recommended.
- (4) Temporary culvert piping shall be in place before the commencement of any construction or development activity on the property to prevent any drainage issues. The temporary culvert piping shall be inspected before the construction begins.
- (5) Culvert plans may be required to be signed and sealed by a professional engineer, if unusual conditions exist, as determined by the County Engineer or precinct commissioner.
 - (i) The Engineering Report shall include information on the development and roadway drainage, culverts, conveyances, outfalls, and other information as required to properly convey storm water within and away from the Development. Plans and specifications for

Commented [AM9]: Added language for clarification.



these improvements shall also be submitted to the Department of Development for approval prior to construction.

- (ii) A new subdivision, which ties into an existing county road, ~~must~~ **shall** not cause drainage problems to the existing county road.
- (6) A final inspection made by the Department of Development and/or County Engineer will follow installation to ensure proper type, size, and installation per the drainage plan prepared for the subdivision.

F. UTILITIES

- (1) All utility lines, except those crossing a road, shall be installed in utility easements outside of any current right-of-way, dedicated or prescriptive, and outside of any current or future right-of-way of thoroughfares as shown in the latest approved [Master Thoroughfare Plan](#).
- (2) It is the responsibility of the developer and/or utility provider to properly install and/or relocate existing utilities to comply with county or state setback and/or right-of-way.
- (3) All utility lines crossing any road shall be installed to at least the minimum requirements shown below along with other conditions set forth by the utility company and/or as required by statute.
 - (i) Utility lines crossing a road shall be installed a minimum of twenty-four (24) inches below the ditch line or a minimum of thirty-six (36) inches below the crown line of the road, whichever is greater.
 - (ii) All lines carrying liquid products shall be encased in steel or schedule 40 PVC for a minimum depth of thirty-six (36) inches below the crown line of the road from ditch line to ditch line.
- (4) After roads and streets have been accepted for maintenance by the County, no construction shall be performed or excavations made within the right-of-way without:
 - (i) Giving the County thirty (30) day notice of such work; and,
 - (ii) Agreeing to pay cost of warning signs and other necessary barriers in accordance with the latest [Texas Manual on Uniform Traffic Control Devices](#); and,
 - (iii) Providing letters of credit or bond in an amount necessary to restore roadways to its condition before work being done; and,
 - (iv) Providing a letter to the County assuming full liability for any accident that might occur resulting from such construction or opening of the roadway; and,
 - (v) Emergency repairs may be made without advance notice. However, the utility company shall provide adequate safety protection and will assume full liability for accidents that occur while making emergency repairs.



G. FIRE HYDRANTS

- (1) Fire hydrants are required for any development that connects onto a waterline with a minimum size of six (6) inches and provides adequate flow and pressure according to the National Fire Protection Association (NFPA) and the Insurance Service Office (ISO).
- (i) An exemption to this regulation may be granted by the Fire Marshal if the water supply company prepares a signed letter on a letterhead stating they do not have the minimum water line size and if the request is for no more than four (4) single family homes. This exemption does not extend to commercial, industrial, or other nonresidential uses.
- (ii) Multiple requests made within the same geographic area within a period not less than ten (10) years shall be seen as circumventing the regulations and not be accepted, unless an upgraded waterline is provided.
- (2) All fire hydrants are installed, they shall face county road and be accessible to local fire fighting vehicles, or as indicated by the Fire Marshal.
- (3) In accordance with Insurance Service Office (ISO) and International Fire Service Training Association (IFSTA) Standards, When fire hydrants are installed, they shall be placed as follows and meet the following requirements:
- (i) Face the road and be accessible to local fire-fighting vehicles, or as indicated by the Fire Marshal.
- (ii) One (1) hydrant shall be located at each street intersection with intermediate hydrants with spacing not exceeding four hundred fifty (450) feet between hydrants.
- (iii) Fire hydrant locators shall consist of four (4) inch by four (4) inch blue reflector traffic buttons properly placed to comply with local fire protection agent and Ellis County Department of Development and installed at each fire hydrant at center line on all adjacent streets.
- (iv) Fire hydrants shall be colored as indicated by the Fire Marshal.
- (4) Fire hydrants shall be as specified by the water company providing service to the development area or the Fire Marshal's Office, whichever is stricter.
- (5) Operation nuts, hose nozzles, and pumper nozzle shall be compatible for use by all local fire-fighting agencies.
- (5) Any development that does not have fire hydrants shall adhere to the adopted Ellis County Fire Code for other viable fire suppression options. Those options shall only be approved by the Fire Marshal's Office.

Commented [AM10]: Moved the section from Volume I. Still needs review from Fire Marshal.

Commented [AM11]: Gives an alternative...



H. CONSTRUCTION

- (1) All installations and work shall be reviewed by the Department of Development **and the** County Engineer, ~~and/or the appropriate city~~ if located in an extraterritorial jurisdiction (ETJ).
- (2) All work shall be constructed and finished in accordance with the approved engineering plans as reviewed **and approved** by the ~~Department of Development and/or~~ County Engineer.
- (3) Any changes made during construction shall require stopping until the design engineer gets approval from the ~~Department of Development or~~ County Engineer.
- (4) All development construction shall conform to the requirements of the National Flood Insurance Program, as administered by Ellis County.
- (65) During any construction phase, a metal dumpster or wooden box shall be placed on the property for debris and proper disposal of construction material.

I. TESTING

- (1) All testing required by these regulations to determine conformance to specifications shall be performed by a professional engineer or a testing laboratory approved by the Department of Development.
 - (i) The owner/developer of the proposed project shall bear the cost of all testing.
 - (ii) All street payment shall be cored to verify pavement thickness.
 - (iii) Cores for depth only shall be two (2) inch diameter and shall be taken at intermediate intervals not exceeding three hundred (300) feet.
- (2) The following tests shall be required:
 - (i) A subsurface investigation to evaluate subgrade characteristics, stabilization requirements and pavement section thickness shall be completed; and,
 - (ii) Pavement materials and mix designs shall be analyzed and evaluated for their suitability for pavement usage; and,
 - (iii) Materials, engineering testing, and inspection services shall conform to the TxDOT laboratories recommended scope of services.
- (3) A concrete mix design shall be submitted and approved by the County prior to any placement of concrete.
- (4) Inspector shall be notified of concrete placement at least twenty-four (24) hours in advance for steel and form inspection.



- (5) A minimum of four (4) test cylinders shall be obtained per one hundred (100) cubic yards of concrete.
- (6) Tests shall also include slump, air contents, and temperature of concrete mixture. Each mix design of concrete placed each day shall also be tested.
- (7) Concrete strength shall be tested at least seven (7) days (two cylinders) and twenty-eight (28) days (two cylinders).
- (8) Additional cylinders and/or tests may be requested at the Inspector or County Engineer's discretion.

J. INSPECTIONS

- (1) Ellis County shall perform the amount of inspections and testing necessary to ensure compliance with these and other applicable regulations.
- (2) Inspection, approval, and acceptance by the Commissioners' Court do not relieve the developer of his responsibility to inspect, test, and construct the work in complete compliance with the and other applicable regulations.
- (3) The Department of Development/County Engineer may stop any or all construction as the inspector deems necessary to resolve construction deficiencies and/or discrepancies from the accepted plat or construction plans.
- (4) Inspection, approval, and acceptance by the Commissioners' Court shall not constitute a waiver of rights and includes the right to collect for additional work that is determined to be required to comply with these rules and regulations and/or for work unintentionally not completed.

K. EROSION CONTROL

- (1) Seed/sod shall be furnished to establish groundcover over all disturbed areas as an erosion control measure. The Contractor shall not wait until the entire project before doing this work. The project shall not be considered for acceptance by the County unless the establishment of 80% groundcover is ensured. Grass sods is required for placement of groundcover within the County right-of-way.
- (2) During any and all construction of infrastructure, the developer shall follow proper procedures and guidelines on erosion control set forth by the Texas Commission on Environmental Quality (TCEQ) and/or the Department of Development throughout the construction phase of the project until the final inspection is complete.
- (3) **Where applicable**, inside the extraterritorial jurisdiction (**ETJ**) of incorporated municipalities and within districts with special stormwater quality control requirements, the development shall conform to the applicable standards of such municipalities or districts or the County standards, whichever are more stringent.



- (4) In any case, minimum requirements for temporary and permanent erosion control design for right-of-way and drainage requirements are as follows:
- (i) The temporary control plan during construction shall be sufficient to prevent sedimentation of drainageways, drainage structures, and floodplain areas that could result in a reduced flow capacity, excessive streambank erosion, erosion around structures, or damage of adjoining property.
 - (ii) The permanent erosion control plan design shall be sufficient to:
 - (a) Permanently stabilize all disturbed areas with permanent vegetation, including slopes and embankments.
 - (b) Prevent erosion from exit velocities at outlets of culverts, bridges, storm sewers, and channels through dissipaters, rip-rap, level spreaders, linings, gabions, etc.
 - (c) Prevent gulying and scouring of roadside ditches and open channels from excessive tractive force (shear stress) through vegetation, linings, retention blankets, retards, drop structures, etc., both during and after the vegetation re-establishment period.
 - (d) Protect the integrity of all structural improvements and prevent excessive continuing sedimentation from unstable right-of-way areas into drainage structures, channels, and bar ditches.

L. STREET SIGNS AND TRAFFIC CONTROL DEVICES

- (1) Prior to the acceptance of the streets by the County, all street signs and traffic control devices shall conform to the fundamental use and design requirements outlined in the [2009 edition of the Texas Manual on Uniform Traffic Control Devices \(TMUTCD\)](#).
- (2) The developer shall pay for the costs of purchasing and installing street posts and signs at each street intersection and as necessary to provide sufficient wayfinding.
 - (i) Street signs shall be comprised of nine (9) inch tall blades of six (6) inch high letters.
 - (ii) Posts and bases shall be perforated square metal tubing.
 - (iii) All new signs or traffic control devices shall be of a uniform color selected by the precinct commissioners and shall have a distinctive number to represent the precinct number.
 - (iv) Enhanced or upgraded signs or other traffic control devices above the required minimum shall be considered private decorative signs and be maintained by the homeowners' association or other private entity. The County does not bear responsibility or liability for these decorative signs. Any replacement by County shall be to the required minimum.
 - (v) All hazardous locations shall be marked by reflecting yellow object markers that conform to [TxDOT, Item 658](#).



- (vi) All subdivision streets and drainage structures shall be marked and protected in accordance with the provisions of the [Manual on Uniform Traffic Control Devices](#).
- (3) Streets names shall be approved through the Department of Development and 911 Addressing prior to the submission of a plat application. Submitted names shall be reviewed to ensure there is no conflict with the name or similar name, in spelling or sound, of another public road or street within the unincorporated part of the county or nearest city.
- (4) Each street sign shall be in place before final inspection of the subdivision and prior to acceptance of the subdivision by the Commissioners' Court.
- (5) If a proposed subdivision borders on a TX-DOT road, the developer shall bring a letter to the Department of Development from TX-DOT stating tie-in plans and drainage plans that affect the state road.
- (6) The installation of speed limit and weight limit signs is the responsibility of the developer and shall be placed at the entrance of each subdivision, neighborhood, or residential area as determined by the precinct commissioner or County Engineer.
- (7) The person authorizing the installation of a driveway or street connects to any public road is responsible for ensuring that the transition contains no gap, space, or mismatch of the two surfaces.
 - (i) Also, the transition shall not go past the edge of the existing road pavement and the transition will be repaired with asphalt unless the two surfaces being connected are concrete and then concrete will be used. No curbing allowed.

M. COMPLETION OF REQUIRED INFRASTRUCTURE

After completion and acceptance by the County, all streets, roads, signs, underground utilities, drainage ditches, erosion control measures, and drainage structures, shall be maintained by the developer for two (2) years and have an approved maintenance bond (See [Section VII](#) for more information).

N. TRAFFIC IMPACT STUDY.

~~For manufactured/mobile home communities or recreational vehicle parks with at least of 100 spaces or greater or a single family subdivision with more than 50 lots, or any other nonresidential use that staff may consider to generate a substantial increase in traffic, at the request of the Department of Development Director or County Engineer, be required to include a Traffic Impact Study to assess the effects of additional traffic on the existing and proposed transportation system.~~

- (1)** Traffic impact studies may be required at the discretion of the Department of Development Director and/or the County Engineer to be performed by the developer **prior to the platting process** for any development proposal **that has ten (10) lots or more**, at least of **25** spaces or greater for a manufactured/mobile home communities or recreational vehicle parks, or any other type of development staff expects to significantly increase or impact the capacity and/or safety of the street/road system.



(i) Traffic impact studies shall be required **and may apply the findings of that study or similar to the development.**

Commented [AM12]: Eliminates conflicting language and clarifies the minimum threshold of when one is required.
Moved this section from Volume I.

O. PRIVATE OR GATED SUBDIVISIONS

- (1) A private or gated subdivision (security gates or guard station) shall be considered privately-owned. The homeowners’ association or other similar financing mechanism shall maintain them.
- (2) Adequate provisions shall be made and approved for entrance for emergency vehicles.
- (3) The County shall not pay or be responsible for any portion of the cost, construction to maintenance of a private street, or for any utilities or related facilities located in private streets.
- (4) All private streets shall be designated as “private access streets” on plats before acceptance by the County. The term “private streets” shall be inclusive of alleys, if provided.
- (5) Any private streets shall be designed and built to the same engineering standards and plans required for public streets and utilities. ([see Section IV \(A\)](#) for more information).
- (6) All required utilities, drainage facilities and signs placed along private streets shall be installed in accordance with County standards.
- (7) Entrances to private streets shall be marked with a sign (meeting requirements of [Subsection J](#)) stating it is a private street and the County does not maintain the street or related improvements.
- (8) The subdivision developer, homeowners’ association or similar, or property owners shall provide the Fire Marshall with a Knox padlock or Knox box with a key to access the site to be used only in case of an emergency.
- (9) Current access codes shall always be provided to the Department of Development to enter these communities to be used only for the purposes of issuing permits, providing inspections, and investigating complaints.
- (10) The streets and alleys are private streets and alleys dedicated to Ellis County as access, utility, and drainage easements. The County has no responsibility or liability to make any repairs to such streets and alleys as long as they are private streets and alleys.



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SECTION III
WATER AND WASTEWATER STANDARDS

A. LOTS SERVICED BY WATER WELLS

- (1) In subdivisions with five (5) or more lots, one (1) water well may be maintained and kept operational either by a subdivision homeowners' association or by the appropriate deed restriction with a four thousand (4,000) gallon or larger storage tank furnished beside the well.
- (2) The tank shall be fitted with connections approved by the County Fire Marshal.
- (3) County fire personnel shall have access to the well and tank for firefighting purposes.
- (4) Whenever a developer creates lots without a public water system or without supplying water from an approved source to each lot, the developer or his agents shall notify every purchaser, in writing and an Affidavit to the Public with the following:
 - (i) There is no approved water supply furnished to this (ese) lot (s); and,
 - (ii) The purchase of property on a private water supply shall be at the purchaser's own risk and expense; and,
 - (iii) Ellis County bears no responsibility for the availability or lack of availability or the quality of water supplies which are to be developed privately on an individual lot basis.
- (5) The restrictive covenants covering lots served by individually-owned water wells shall include provisions covering the sanitary control easement circling the water well as to:
 - (i) The size of the easement; and,
 - (ii) Prohibited facilities and activities therein that real or potential pollution hazards to the quality of the water.
- (6) Lots in Ellis County requiring an individual water well and an on-site sewage disposal system shall be of the size outlined in [Section IV \(B\) \(6\)](#) and follow the requirements outlined in [Chapter 232.0032 of the Texas Local Government Code](#).

B. PUBLIC WATER SYSTEMS

- (1) Public water systems, including fire hydrants, shall conform to American Water Works Association (AWWA) specifications as to design, materials, construction, and testing and comply with the rules and regulations of TCEQ.
- (2) For all lots proposed to be supplied with water from a public water supply system, the developer shall furnish the Commissioners' Court evidence that the system has received the required approvals from the appropriate State regulatory agencies and that the minimum production of the system shall at least equal the requirements of the regulatory agency for the number of residences projected.



- (3) If a public water supply is to be installed, wells must be tested a minimum of thirty-six (36) hours, pumping at the desired gallons per minute rate, to be used for production standards by the State Board of Health. Ellis County shall have the right to inspect all phases of public water wells during development.

C. CERTIFICATION THAT ADEQUATE GROUNDWATER IS AVAILABLE FOR THE SUBDIVISION.

If groundwater is the source of water supply for the subdivision, the Commissioners Court requires a statement attached to the Plat application, prepared and sealed by a licensed professional engineer registered to practice in Texas, that certifies that adequate groundwater is available for the subdivision, according to the certification form and content as promulgated by the Texas Commission on Environmental Quality.

D. WASTEWATER DISPOSAL FACILITIES

- (1) Centralized Sewerage Facilities
 - (i) If wastewater treatment is provided by a political subdivision of the state (city, municipality, utility district, water control and improvement district, nonprofit water supply corporation or an existing investor-owned water supply corporation, etc.) the Developer shall furnish a signed letter of service availability to provide the state's minimum wastewater treatment standard for the proposed Development from the utility.
 - (ii) Where there is no existing entity or owner to build or maintain the proposed wastewater treatment and collection facilities, the Developer may establish an investor-owned utility or a municipal utility district by obtaining a Certificate of Convenience and Necessity (CCN) from TCEQ.
 - (iii) ~~Prior to IDP approval,~~ An appropriate permit to treat and/or dispose of waste for the ultimate build-out of the Development shall have been obtained from TCEQ and plans and specifications for the proposed wastewater collection and treatment facilities shall have been approved by all entities having jurisdiction over the proposed project, including TCEQ. Evidence of the approvals shall be included in the Engineering Report.
 - (iv) Wastewater disposal service ~~must~~ **may** be extended into the development to each lot or rental space if the existing wastewater lines are within two hundred (200) feet of the development and there is sufficient wastewater capacity available from the wastewater service provider **and allowed to connect.**
 - (v) The plan for sanitary sewage treatment and/or disposal shall be indicated [e.g., municipal sewer service, privately owned sewage disposal system or individual on-site sewage facilities].
 - (vi) A site evaluation must be completed for entire subdivision. The location of each soil analysis and the area that it covers shall be shown on the plat. If it is the owner's intent to allow conventional soil absorption systems, representative soil analysis shall be performed by Registered P.E. or Registered Sanitarian.



- (vii) The location of each soil analysis and the area that it covers shall be shown on the plat. If surface application systems are proposed, it shall be clearly stated on the plat and a site evaluation shall be completed for entire subdivision.
- (2) Whenever an organized disposal system is developed within 300 feet of a lot with an on-site sewage facility, that facility shall be connected to the organized disposal system. In addition, the development and use of an organized disposal system is encouraged, where practicable, to serve the disposal needs of the citizens of Ellis County.
- (3) On-site Sewage Facilities
 - (i) The engineering report shall include soils analysis results as required under the Ellis County Regulations for On-Site Sewage Facilities.



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SECTION IV
CONSTRUCTION PROCEDURES AND SPECIFICATIONS

A. APPLICABILITY

- (1) The driving surface of all subdivision streets shall be concrete.
- (2) The materials, design, specifications and procedures shall conform to those of [the current TxDOT specifications](#).
- (3) All new public roads constructed shall be concrete with a minimum 6-inch thick base and shall be a minimum 22 feet wide and follow other guidelines spelled out in [Table VIII-A](#).
- (4) The Director of the Department of Development, or his designee, shall be notified at least twenty-four (24) hours prior to material delivery, laying the base course of a road, or before paving is to be started, to allow the opportunity to visit the site to verify that specifications are being met.

B. PREPARING AND CLEARING THE RIGHT-OF-WAY:

- (1) The Developer shall clear the right-of-way in a manner conforming to [TxDOT, Item 100](#).
- (2) All unstable sub base or objectionable material shall be removed and replaced with material acceptable to the County.

C. ROADWAY EXCAVATION AND EMBANKMENT:

- (1) Any roadway excavation necessary to attain conformance with proposed road grades and typical cross-sections shall be done in conformity with [TxDOT, Item 110](#).
- (2) In cases where the proposed road grades and cross-sections require the placing of fill material to raise the roadway, such embankment fill shall be constructed in conformity with [TxDOT, Item 132](#).
- (3) Completed side slopes shall not be steeper than 3-to-1. Completed cuts shall have side slopes no steeper than 3-to-1.
- (4) Requirements for slopes in cuts and on fills may be modified if the Developer presents plans designed, signed and sealed by an engineer, substituting adequate retaining walls or demonstrates that cuts are in material of adequate stability.

D. SUBGRADE AND BASE COURSES:

- (1) Prior to placing the base course, the roadbed shall be shaped to conform to the sub grade section and shall be tested.
- (2) It shall be firm and to the line and grade called for on the plans and shall be free of holes, ruts, and depressions.
- (3) The embankment, sub grade, and base course materials shall be compacted by suitable type rollers in all cases where required to consolidate fill materials or to attain adequate stability of



sub grade materials and base courses.

- (4) The County shall require "Density control" method of compaction to attain the 95% compaction of sub grade and base courses. These percentages of compaction shall be required for all road construction. Rolling equipment and construction methods shall conform to TxDOT, [Items 210, 211, 212, 213, 214, 215, 216](#) and [217](#), inclusive.
- (5) Materials used for the base course shall meet the requirements of the specifications for such materials shown below.
 - (i) Flexible Base. Base materials used for roads or streets shall conform to the requirements of [TxDOT, Item 247](#), for flexible base material, Type A, Grade 2 (crushed stone or broken aggregate, excluding gravel aggregate). Pit run base materials and caliche are not allowed. The physical requirements for these materials are:

	Percent Retained on Sq. Sieve
2-1/2"	0
1-3/4"	0-10
No. 4	45-75
No.40	60-85*

*The maximum increase in material passing the No. 40 screen shall not exceed 20.

The material passing the No. 40 screen shall be known as soil binder and shall meet the following requirements:

Max. Liquid Limit	40
Max. Plasticity Index	12
Max. Wet Ball Mill	45

Testing of flexible base materials shall be in accordance with the following TxDOT standard laboratory test procedures:

Liquid Limit	Tex-104-E
Plasticity Index	Tex-106-E
Sieve analysis	Tex-110-E
Wet Ball Mill	Tex-116-E

- (6) Before placing any material, the contractor shall furnish the Director of the Department of Development, or his designee, with reports of analyses of the proposed materials made by an approved laboratory. Preliminary approval of a source does not guarantee acceptability or evidence of conformity with these specifications.
- (7) Within 48 hours before placing the base material, the sub grade shall be checked as to conformity with grade and section and shall be tested for density in accordance with the regulations.



- (8) It shall be the responsibility of the Contractor to provide the required amount of specified material in each one hundred (100) foot station. Material deposited upon the sub grade shall be spread and shaped the same day unless otherwise directed by the Director of the Department of Development, or his designee.
- (9) In some locations in Ellis County, cement stabilization may be acceptable with prior agreement from the Department of Development. Cement stabilization shall also comply with [TX-DOT standards](#).
 - (i) In the event inclement weather or other unforeseen circumstances render impractical the spreading of the material during the first 24-hour period, the material shall be scarified and spread as directed by the Director of the Department of Development, or his designee.
 - (ii) The material shall be sprinkled, if directed, and shall then be bladed, dragged, and shaped to conform to typical sections as shown on plans.
 - (iii) All areas and “nests” of segregated coarse or fine materials shall be corrected or removed and replaced with well graded material, as directed by the Department of Development, or his designee.
 - (iv) If additional binder is considered desirable or necessary after the material is spread and shaped, it shall be furnished and applied in the amount directed by the Department of Development.
 - (v) Such binder material shall be carefully and evenly incorporated with the material in place by scarifying, harrowing, brooming or by other approved methods.
- (10) The base course may be placed, mixed, blended, and compacted by the Contractor in a single lift. Total base material placed shall not exceed seven (7) inches in thickness. Compacted thickness shall not be less than six (6) inches.
- (11) The course shall be sprinkled as required and compacted to the extent necessary to provide not less than the ninety-five (95) percent density specified. In addition to the requirements specified for density, the full depth of flexible base shown on the plans shall be compacted to the extent necessary to remain firm and stable under construction equipment.
- (12) Construction equipment shall be limited to units not exceeding legal loads. If the base material fails to meet the density requirements, it shall be reworked as necessary to meet these requirements.
- (13) Throughout this entire operation the shape of the base course shall be maintained by blading, and the surface upon completion shall be smooth and in conformity with the typical sections shown on the plans and to the established lines and grades.



- (14) In that area on which pavement is to be placed, any deviation in excess of ¼ inch in cross section and in length of sixteen (16) feet measured longitudinally shall be corrected by loosening, adding or removing material, reshaping and recompacting by sprinkling and rolling.
- (15) All irregularities, depressions, or weak spots, which develop, shall be corrected immediately by scarifying the areas affected, adding suitable material as required, reshaping and recompacting by sprinkling and rolling.
- (16) Should the base course, due to any reason or cause, lose the required density or finish before the surfacing is complete, it shall be recompacted and refinished at the sole expense of the Contractor.
- (17) Sub base Stabilization.
 - (i) The sub base shall be stabilized using lime treatment. Lime stabilization shall conform to [TxDOT, Item 260](#).
 - (ii) A lime application rate of thirty-six (36) pounds of lime (8 percent by weight) per square yard of six (6) inch compacted thickness is recommended.
 - (iii) The optimum percentage shall be verified by an independent testing laboratory prior to construction. Lime treated sub grade shall be compacted to a minimum of ninety-five (95) of [Test Method TEX-121-E, Part II](#). Roadway density testing will be as outlined in [Test Method TEX-115-E](#).

E. PAVEMENT WIDENING

Before any pavement is placed to widen an existing pavement, the existing pavement shall be cut back two (2) feet to assure an adequate sub grade and pavement joint, as per [TxDOT Specifications](#).

F. CULVERTS AND STRUCTURES:

- (1) Concrete, wherever mentioned in these regulations, shall be Class A concrete as defined in [TxDOT, Item 421](#) except for machine-laid curb, which shall be Class C concrete.
- (2) Concrete materials, placement methods, placement temperatures, curing, etc., shall be in accordance with TxDOT, Items [420](#) and [421](#).
- (3) Pipe culverts shall be of corrugated metal pipe or reinforced concrete pipe and shall conform to TxDOT, Items [460](#), [461](#), [462](#), or [464](#).
- (4) Manholes and inlets shall conform to [TxDOT, Items 465](#), and Frames, Grates, Rings and Covers shall conform to [TxDOT, Item 471](#).
- (5) When concrete box culverts are constructed, materials and installation shall be in accordance with [TxDOT, Item 462](#).



- (6) Headwalls and wing walls shall conform to [TxDOT, Item 466](#), and Safety End Treatments shall conform to [TxDOT, Item 467](#).
- (7) Where metal or concrete pipe culverts are installed, concrete headwalls or four (4) inches of reinforced concrete riprap shall be built at the inlet and outlet and shall conform to [TxDOT Item 466](#).
- (8) Headwalls, on other than driveways, shall have a slope corresponding to the embankment, but not exceeding a 4-to-1 slope. Minimum pipe culvert size shall be eighteen (18) inches.
- (9) In high embankments, structures need not be carried to toe of slope if wing walls and adequate parapet headwalls are provided with an adequate apron. For outlet velocities exceeding eight (8) feet per second, an energy dissipater must be installed. Designs of wing walls and parapets must be submitted for approval and bear signature and seal of the Director of the Department of Development
- (10) Property owners constructing a private driveway intersecting a public road or street shall contact the Department of Development or the Precinct Commissioner for the proper culvert size. The culvert shall be constructed/installed in the flow line of the ditch.

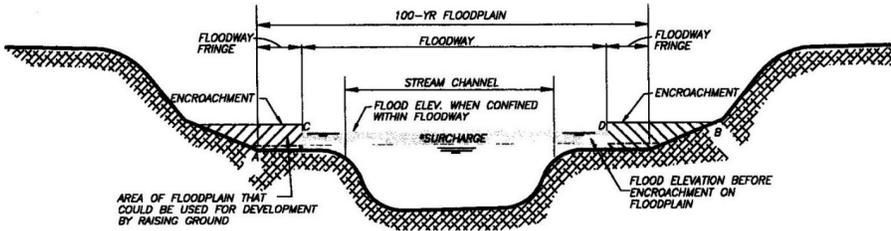
G. TESTING AND INSPECTIONS:

- (1) The Developer is responsible for coordinating and paying for all inspection, on-site collection, and delivery of samples to an authorized laboratory, and for on-site and off-site testing done by the laboratory. Nuclear testing methods acceptable to TxDOT are acceptable to the County.
- (2) Street, Road and Structures testing by an authorized laboratory is required as follows:
 - (i) Street Subgrade - Proctor Determination on each class of soil to be encountered. Density test - one (1) each per five hundred (500) feet of street with retest as necessary (minimum of three (3) tests).
 - (ii) Base Course - Proctor test shall be required to establish quality and moisture density relationship. Density test: one (1) each per five hundred (500) feet of street or road, with retest as necessary (minimum of three tests).
 - (iii) Concrete Structures - Inspection by County prior to concrete placement. Class A concrete compressive strength (minimum of three (3) tests per structure) shall be 3000PSI, with a minimum of one (1) test for each one hundred (100) feet of roadway. Testing will not be required for Class C concrete curbs.
- (3) The Developer shall provide the County with a minimum of twenty-four (24) hours notice prior to any inspection that the County is to perform. Laboratory testing companies to be used by the Developer must be approved by the County.



H. STREET AND ROAD PLANS:

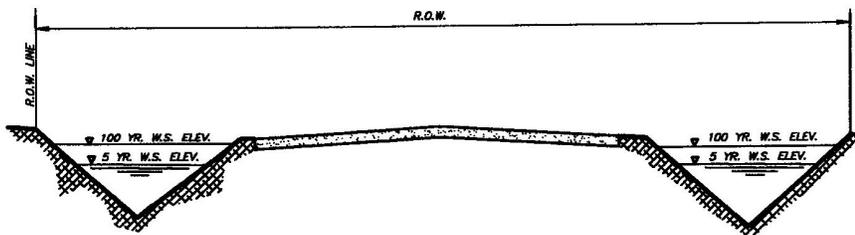
- (1) Typical cross-sections showing the proposed pavement width, type, thickness, and crown, and the proposed curb type and sidewalk (if any), and relation to curbs and property lines shall be submitted for approval.
- (2) This information shall be given for each of the different types of streets in the subdivision. Construction details shall be submitted for approval for all drainage structures including dimensions, reinforcing and components such as grates and manhole covers.
- (3) For each drainage structure submit for approval a complete cross-section, showing flow line elevations, roadway, fill over structure and inlet/outlet configuration.
- (4) Alignment of each street and drainage easement shall be shown, including the following:
 - (i) a beginning and ending station;
 - (ii) each deflection angle of the center-line and the station of the point of intersection;
 - (iii) the station of the point of curvature and the point of tangency of each curve;
 - (iv) the station and angle of intersection of each intersection with another street or drainage easement;
 - (v) the station and radius of each curb return;
 - (vi) the location of adjacent right-of-way lines;
 - (vii) the location and limits of sidewalks and curbs of each street; the location of each drainage structure;
 - (viii) the location and size of all storm sewers;
 - (ix) the location, description, and elevation of Bench Marks;
 - (x) the top of curb grade at each curb return;
 - (xi) the center-line grade at each end and at grade changes along drainage ditches;
 - (xii) the gradient of each tangent grade and the location and length of each vertical curve;
 - (xiii) the direction of storm drainage flow at each intersection;
 - (xiv) and the flow line elevation of each storm sewer at each point of change of grade, at each end, and at intervening gradients.
- (5) The profiles of streets and drainage ditches shall show the natural ground at adjacent property lines and the proposed centerline.
- (6) Plan and profile drawings shall include the scale, north arrow and date, and shall be drawn to scales of one inch equals fifty (50) feet (1"=50") horizontally and one inch equals five (5) feet (1"=5') vertically.
- (7) All street plans and profiles shall bear the signature and seal of a Registered Professional Engineer.



LINE A-B IS FLOOD ELEV. BEFORE ENCROACHMENT
LINE C-D IS FLOOD ELEV. AFTER ENCROACHMENT

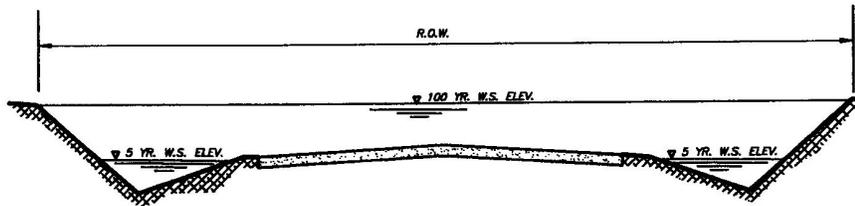
NOT TO SCALE

* SURCHARGE SHALL NOT EXCEED
1.0 FEET



CASE I - ROADWAY ABOVE R.O.W. GRADE

NOT TO SCALE

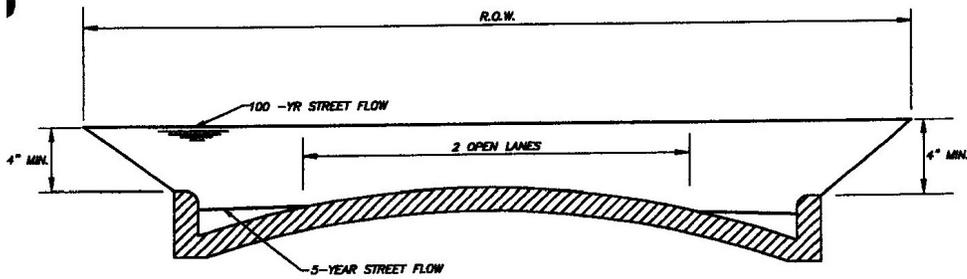


WATER SPREAD LIMITS FOR
NON-CURBED ROADWAYS

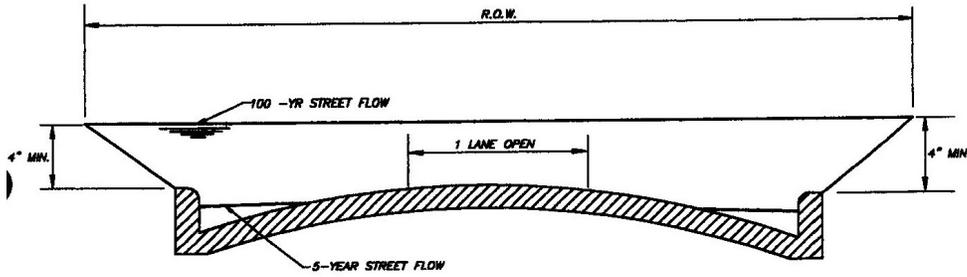
CASE II - ROADWAY BELOW R.O.W. GRADE

NOT TO SCALE

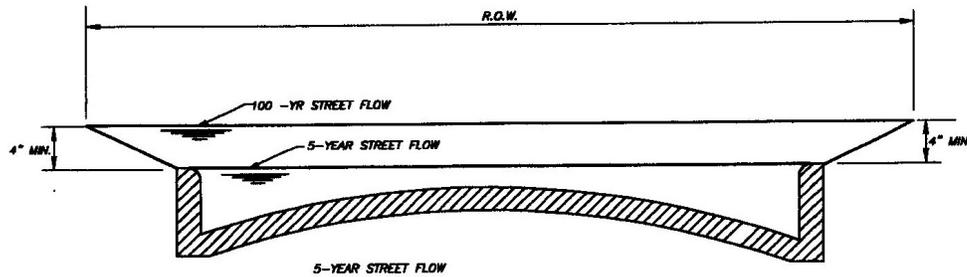
WATER SPREAD LIMITS FOR
NON-CURBED ROADWAYS



COLLECTOR OR SECONDARY THROUGHFARE
NOT TO SCALE

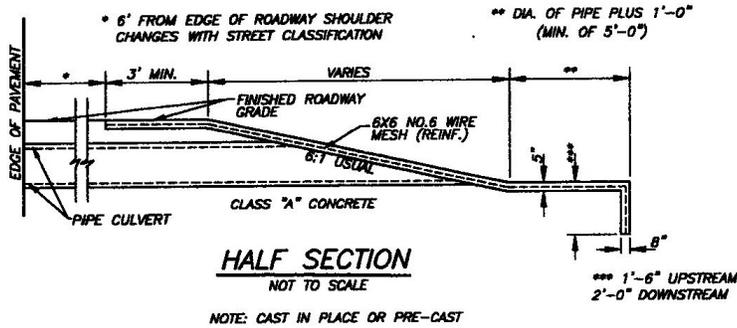
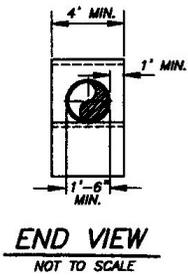


MINOR ARTERIAL OR PRIMARY THOROUGHFARE
NOT TO SCALE

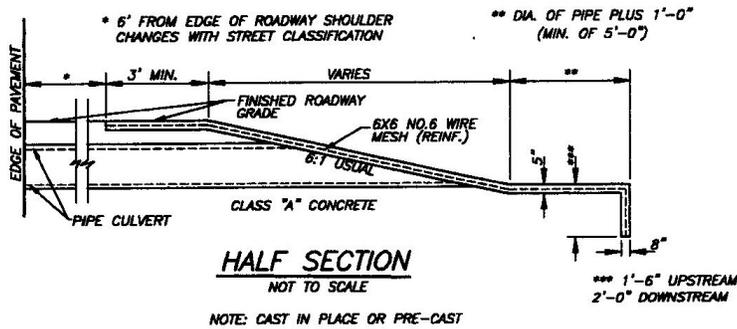
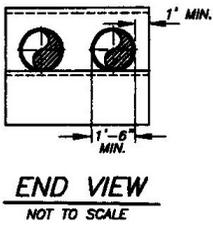


LOCAL
NOT TO SCALE

**MAXIMUM WATER SPREAD LIMITS FOR
MAJOR AND MINOR STORMS**

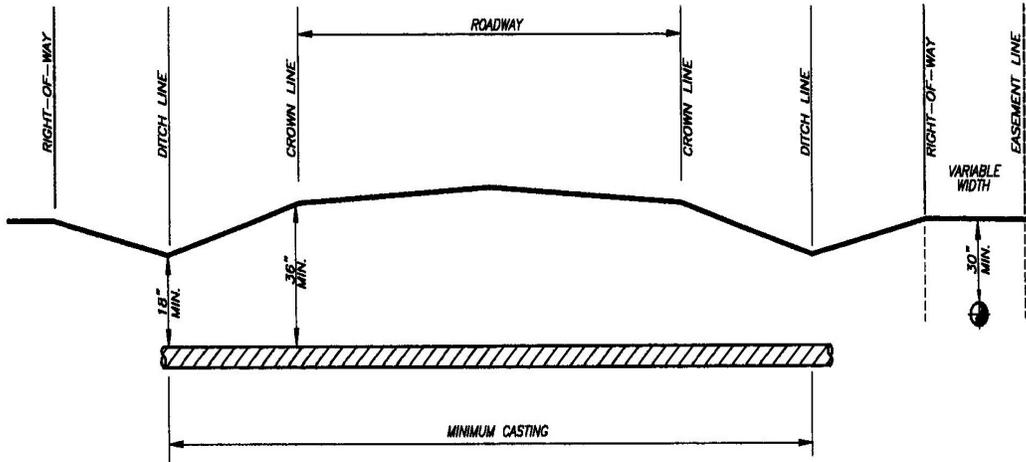


IN CASES WHERE A CULVERT WITH ITS HEADWALLS WOULD EXTEND OUTSIDE THE NORMAL RIGHT-OF-WAY, THE DEVELOPER SHALL DEDICATE SUCH ADDITIONAL DRAINAGE EASEMENT OR RIGHT-OF-WAY AS REQUIRED TO PROVIDE NORMAL ACCESS AND AGRESS.



IN CASES WHERE A CULVERT WITH ITS HEADWALLS WOULD EXTEND OUTSIDE THE NORMAL RIGHT-OF-WAY, THE DEVELOPER SHALL DEDICATE SUCH ADDITIONAL DRAINAGE EASEMENT OR RIGHT-OF-WAY AS REQUIRED TO PROVIDE NORMAL ACCESS AND AGRESS.

MULTIPLE PIPE INSTALLATION
NOT TO SCALE

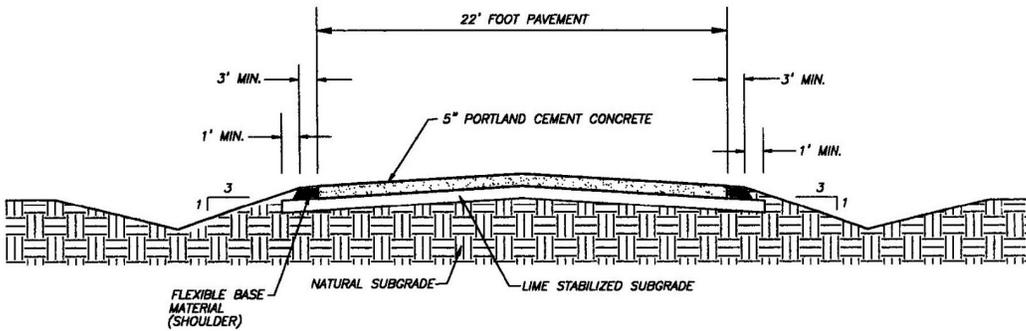


ATTACHMENT "A"
UTILITY LINE CROSSING

NOT TO SCALE

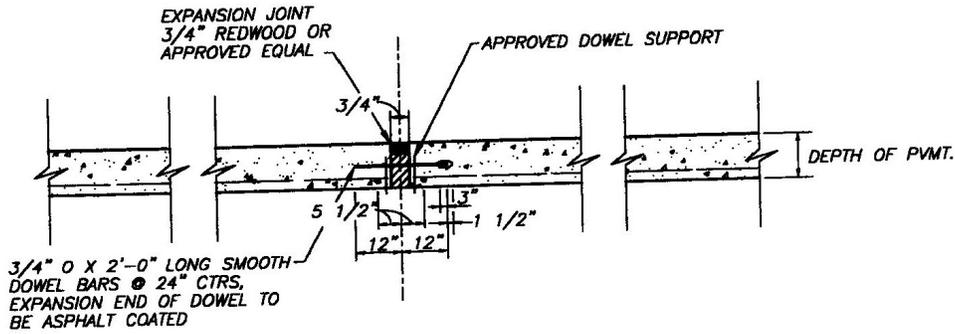
NOTES:

1. CROWN ROAD BED ONE INCH IN TEN FEET.
2. REINFORCING FOR CONCRETE TO BE NO. 3 BARS AT 18" CTRS. BOTH WAYS, OR NO. 4 BARS AT 24" CTRS BOTH WAYS.
3. POSITIONING AND SUPPORTING DEVICES (CHAIRS) FOR STEEL REINFORCING BARS SHALL BE EITHER PLASTIC OR METAL AND OF SUFFICIENT NUMBER TO MAINTAIN THE POSITION OF THE BARS. (TXDOT 360.3)



PORTLAND CEMENT CONCRETE PAVEMENT

NOT TO SCALE

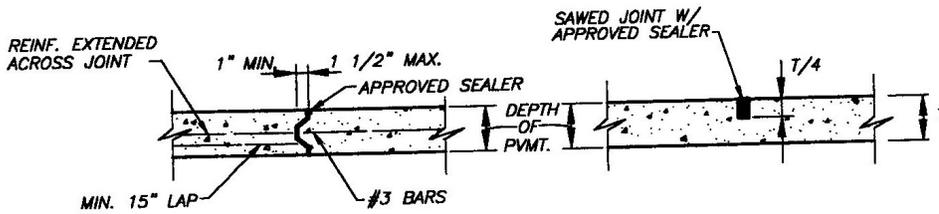


SLEEVE FOR DOWELS SHALL HAVE AN INSIDE DIAMETER
OF 1/16" GREATER THAN THAT OF DOWEL & BE OF QUALITY
& DESIGN AS TO PROVIDE FREE MOVEMENT OF THE DOWEL BAR.

EXPANSION JOINT

NOT TO SCALE

NOTE: PROVIDE EXPANSION JOINTS AT STREET INTERSECTIONS AND AT
600' MAXIMUM SPACING ALONG STREETS. NO JOINT SHALL FALL IN A
DRIVEWAY APPROACH.



CONSTRUCTION JOINT

NOT TO SCALE

SAWED JOINT

NOT TO SCALE
(20' TYP. SPACING)



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DEPARTMENT OF DEVELOPMENT
Ellis County

✉: dod@co.ellis.tx.us
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ATTACHMENT NO. 3

CLEAN DRAFT VERSIONS
(on next pages)



COMMISSIONERS COURT OF ELLIS COUNTY
ORDER NO. _____

**AN AMENDMENT TO THE ELLIS COUNTY QUALITY GROWTH INITIATIVES –
VOLUME I (SUBDIVISION & DEVELOPMENT STANDARDS)**

On this the 3rd day of September 2019, the Commissioners' Court of Ellis County, Texas, convened in a regular session of said court on the 2nd Floor of the Ellis County Historic Courthouse located at 101 West Main Street, Waxahachie, Texas, with the following members present, to wit:

COUNTY JUDGE:

- Judge Todd Little

COMMISSIONERS:

- Randy Stinson, Commissioner, Pct. 1 Paul Perry, Commissioner, Pct. 3
 Lane Grayson, Commissioner, Pct. 2 Kyle Butler, Commissioner, Pct. 4

AND AMONG OTHER PROCEEDINGS, THE FOLLOWING ORDER WAS PASSED AS FOLLOWS:

AN ORDER OF THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS AMENDING MINUTE NO. 489.18, THE ELLIS COUNTY QUALITY GROWTH INITIATIVES – VOLUME I (SUBDIVISION & DEVELOPMENT STANDARDS). THESE AMENDMENTS ARE PRIMARILY DESIGNED TO COMPLY WITH RECENT CHANGES IN STATE LAW ADOPTED UNDER HOUSE BILL 3167 APPROVED UNDER THE 86TH TEXAS LEGISLATURE ALONG WITH OTHER RELATED ARTICLES, SECTION, AND PARAGRAPHS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE

WHEREAS, the Commissioners' Court of Ellis County, Texas, in compliance with the laws of the State of Texas and the orders of Ellis County, Texas, have given the requisite notices and otherwise, and after holding and affording a full and fair hearing to all interested persons, and in the exercise of its legislative discretion, have concluded that this proposal should be approved;

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSIONERS' COURT OF ELLIS COUNTY TEXAS, THAT:

SECTION 1. The approved amendments for the Ellis County Quality Growth Initiatives – Volume I (Subdivision & Development Standards) for Subdivision and Manufactured Homes are amended to read as follows and found in Exhibit A and any hyperlinks, grammatical, scrivener's errors and updates to Appendix A and table of contents may be amended without Commissioners' Court approval.



SECTION 2. CONFLICTS.

To the extent of any irreconcilable conflict with the provisions of this Order and other orders of Ellis County governing the use and development of the Property and which are not expressly amended by this Order, the provisions of this Order shall be controlling.

SECTION 3. SEVERABILITY CLAUSE

If any section, paragraph, sentence, phrase or word in this order is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this order; and the Commissioners Court hereby declares it would have passed such remaining portions of the Order despite such invalidity, which remaining portions shall remain in force and effect.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall become effective and after the date of its passage on September 4, 2019, and it is accordingly so ordained.

PASSED, APPROVED, AND ADOPTED IN OPEN COURT BY THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS ON THIS THE 3RD DAY OF SEPTEMBER, 2019.

Todd Little, County Judge

Commissioner Randy Stinson, Precinct No. 1

Commissioner Lane Grayson, Precinct No. 2

Commissioner Paul Perry, Precinct No. 3

Commissioner Kyle Butler, Precinct No. 4

ATTEST:

Krystal Valdez, County Clerk



DEPARTMENT OF DEVELOPMENT
Ellis County

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EXHIBIT A –
VOLUME I (SUBDIVISION & DEVELOPMENT STANDARDS)

ELLIS COUNTY QUALITY GROWTH INITIATIVES



VOLUME I SUBDIVISION & DEVELOPMENT STANDARDS

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SECTION I
GENERAL INFORMATION & ADMINISTRATION

A. OFFICIAL NAME

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

B. AUTHORITY

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

C. PURPOSE

- (1) The purpose of these regulations includes but not limited to promoting quality growth and development within Ellis County and provide regulations leading to a desirable environment for all citizens, both residential and nonresidential.
- (2) These regulations ensure to:
 - (i) Furnish the owner/applicant with guidance and assistance in the expedient preparation and approval of their development, project, etc. with a set of uniform regulations for all to follow, and;
 - (ii) Protect the health, safety, and general welfare of the citizens of Ellis County by providing regulations and standards for all types of developments by planning infrastructure and assuring that adequate streets and drainage facilities and structures are provided subdivisions, and maintained without imposing a burden on the taxpayers in the future, and;
 - (iii) Provide for the proper arrangement and construction of roads, and ensure the appropriate relationship of roads to existing and future roads, and;
 - (iv) Ensure adequate ingress and egress for all emergency response vehicles, and;
 - (v) Provide standards for the approval and recording of all subdivision plats, and;
 - (vi) Provide procedures in meeting the requirements of the Commissioners’ Court for acceptance and approval of said plats and the improvements therein.
- (3) These regulations are not intended to prohibit testamentary land divisions, a division of land as a result of the dissolution of a corporation or partnership, or subdividing land for agricultural purposes.



D. EFFECTIVE DATE.

- (1) These regulations shall become effective September 4, 2019. Subsequent amendments and changes are found in the History Section of the regulations.
- (2) Subdivision plats approved before the effective date shall be subject to the regulations in effect at the time of plat approval.

E. CONSISTENCY WITH OTHER REGULATIONS

- (1) These regulations shall be consistent with the Drainage Design Manual (**Ellis County Quality Growth Initiatives, Volume II**) and the Standard Construction Details (**Ellis County Quality Growth Initiatives, Volume III**) and any other supplemental land use and community development policies that may be adopted by the Commissioners' Court.
- (2) These regulations shall be cumulative of all other orders of Ellis County, Texas and shall repeal any of the provisions of said previous orders.
- (3) If a conflict should arise with other applicable orders, the strictest shall apply, until an updated order is approved by the County Commissioners' Court or as interpreted by the Department of Development Director as outlined in [Section I \(F\)](#).
- (4) If a permit, plat, or other item requiring approved is issued or approved in error and it violates the current adopted regulations, that permit does not invalidate the established regulations and that permit, plat or other item requiring approval shall be voided immediately upon notification.

F. AMENDMENTS

- (1) As needed, the Department of Development Director or designee may only amend the illustrations, graphics, and non-text within these regulations without the consent of Commissioners' Court to better assist in graphically depicting and providing clarity to these regulations.
- (2) As needed, the Commissioners' Court may amend these regulations to reflect desired changes and updates in policy or to stay consistent with State Law.
 - (i) Public hearings on all proposed written amendments shall be held by the Commissioners' Court in open session after publication in a newspaper of general circulation for at least fifteen (15) days before the public hearing date.

G. INTERPRETATIONS

- (1) As needed, the Department of Development Director shall provide interpretations of these regulations.
- (2) Rulings made by the Department of Development Director are issued on a case-by-case basis and shall not set a precedent for other similar situations.



- (3) If an applicant disagrees with the interpretation provided, that decision may be appealed to the Commissioners' Court at the next available meeting, as listed in the [latest submittal calendar](#) and pay any associated fees as outlined in the latest adopted [Master Fee Schedule](#).

H. DEED RESTRICTIONS

- (1) Developer-initiated and development deed restrictions are considered private and Ellis County shall not enforce any deed restrictions. Any enforcement of the developer's deed restrictions shall rest solely with the developer, builder, property owners, purchaser, homeowners/property owners' association, or similar.
- (2) Any plat approval, permit or variance issued or given by the County is based solely on meeting the established rules, regulations, criteria and following all procedures and requirements in effect at that time.

I. APPLICABILITY

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

J. FINES & PENALTIES

- (1) Any person, firm or corporation who violates any of the provisions of these regulations or who fails to comply with any provision hereof within the Ellis County shall be subject to civil penalties including a fine of one thousand (\$1,000.00) dollars for each day that such violation continues shall constitute a separate offense and shall be punishable accordingly, pursuant to [Section 232.035 of the Texas Local Government Code](#).
 - (i) The primary objective of the department is not to impose fines but to have everyone comply with these regulations.
 - (ii) The Department of Development shall have the right to institute an action in the court to enjoin the violation or threatened a violation of any provision in the County.

K. SEVERABILITY CLAUSE

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



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SECTION II **DEVELOPMENT REVIEW PROCESS & PROCEDURES**

A. PRE-APPLICATION MEETING

- (1) Before the acceptance or submittal of any development-related application, the applicant of the proposed development shall meet with the Ellis County Growth Assessment Team (GAT) to review the project and make recommendations designed to assist in processing and expediting the application promptly, while minimizing any issues.
 - (i) The Department of Development Director or designee may waive this requirement if, in their determination, the requested development or project is minor or have minimal impact on current infrastructure.
 - (ii) The pre-application meeting does not vest any proposed plat, development, project, or application or development with the existing regulations as defined in Chapter 245 of the Texas Local Government Code. It is only meant to serve as an informal venue to address any unforeseen issues, provide advice and direction, and assists the developer in understanding the regulations and development process.
- (2) The Ellis County Growth Assessment Team is chaired by the Department of Development Director or their designated representative, and may include representatives from other departments which include but not limited to the Department of Development, Engineering, Fire Marshal's Office, the precinct commissioner, and other persons deemed necessary to ensure an appropriate and complete review. No advisory opinions will be given at this meeting.

B. FORMAL APPLICATION SUBMITTAL

- (1) To ensure there is no delay in processing any application, the applicant shall submit their proposed development for review by no later than the date and time as indicated on the latest [Submittal Calendar and Meeting Schedule](#), if the project requires approval from the Ellis County Commissioners' Court.
 - (i) All residential projects not requiring approval from the Commissioners' Court may proceed to submitting the applicable documentation to proceed.
 - (ii) All non-single family, commercial, industrial, and nonresidential uses shall require a pre-clearance from the Fire Marshal's Office prior to submitting the applicable documentation to proceed with a development/building permit.
- (2) All items required for a formal application submittal shall be as shown on the [most-recently updated application](#).
- (3) The fees for each application type shall be as listed on the most recently-adopted [Master Fee Schedule](#), as adopted by the Commissioners' Court.



- (4) Upon submittal of required items in [Section II \(B\) \(2\)](#), the Department of Development shall review the submittal contents to determine if it is a complete submittal prior to its initial review.
 - (i) It is the obligation of the applicant to submit all information necessary for proper review by the County.
 - (ii) If the application does not contain all required accompanying information based on the latest application checklist at time of filing, it is deemed an incomplete submittal and will not be accepted and shall wait to be filed for a future submittal date until all necessary items accompany the application.
- (5) Upon successful application submittal, the Ellis County Growth Assessment Team will formally review the proposed project to ensure it meets all associated County's requirements and regulations.
 - (i) In the formal review process, the Growth Assessment Team may require additional items that are not listed on the application to ensure an overall and complete review and will give the applicant a reasonable time frame by which such items shall be submitted to continue the review process.
 - (ii) If the additional requested information is not submitted within the period stated, the application is subject to [Section II \(B\) \(4\)](#) may be deemed incomplete or be disapproved.
 - (iii) A one-time 30-day extension period may be granted if it meets the provisions established under Chapter 232.0025 (f) of the Texas Local Government Code.
- (6) Upon satisfying all the requirements and other items as required by the different departments, the proposed project may proceed to either Commissioners' Court for approval or for permitting.

C. COURT ACTION

- (1) If applicable, upon successful submittal of an plat application and after it is determined to be complete and meets all County requirements, the application shall be placed on the agenda of the next available Commissioners' Court for their consideration.
- (2) Any action before the Commissioners' Court shall require an affirmative majority vote to officially approve the application.
- (3) If the Commissioners' Court disapproves a plat application, it shall provide an explanation for the disapproval. Upon disapproval, the applicant shall resubmit a new application to restart the review process.

D. ADDRESSING

- (1) Tentative property addressing is designated and assigned with the first approved plat or permit application submitted, however, property addresses are subject to change depending on the



number of lots, buildings, lot and building configuration and layout, and other current renumbering and readdressing projects within the vicinity.

- (2) For ease in the emergency location of an address, all residences shall prominently display the numerical street address for easy recognition.
- (3) Road and street names shall be checked to avoid duplicate names or similar spellings for other roads in the county and surrounding area.



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SECTION III PLATS

A. JURISDICTION

- (1) If the property to be platted or subdivided lies entirely within the limits of a city, the applicant shall consult directly with that city about all platting procedures and requirements.
- (2) This section shall apply to property located outside the limits of any municipality within the boundaries of Ellis County who divides the tract into one (1) or more lots to lay out a subdivision in accordance with [Chapter 232.001 \(a\) of the Texas Local Government Code](#).
 - (i) If the property to be platted or subdivided lies wholly or partially within the extraterritorial jurisdiction (ETJ) of any municipality, the platting approval procedure shall be established by the approved Interlocal Agreement between the County and that municipality.
 - (ii) If the property is located in multiple ETJs, [Section 212.007 of the Texas Local Government Code](#) shall apply, unless one of the cities cedes their authority to another in a written form.

B. PLAT REQUIRED

- (1) A plat is required when subdividing property that results in any tract of land having ten (10) acres or less.
- (2) A subdivision plat is not required if it meets the requirements outlined in [Chapter 232.0015 of the Texas Local Government Code](#).
 - (i) If any of the areas cited in the section above ceases to meet the exemption criteria, then the platting requirements shall immediately apply.

C. APPLICATION

All plats within this section are required to follow the procedures and requirements as outlined in [Section II](#). A sample plat with all required wording and format is available at the end of this section.

D. PRELIMINARY PLAT

- (1) Preliminary plats may not be reviewed by the County as stated under Chapter 232.00285 of the Texas Local Government Code.
- (2) Should the County receive a preliminary plat to review from a City for a proposed development in the extraterritorial jurisdiction (ETJ) or at the request of a developer/property owner, it shall not be subject to the 30-day approval process outlined in the Chapter 232 of the Texas Local Government Code or does it vest a project under Chapter 245 of the Texas Local Government Code.
 - (i) Staff may provide formal or informal comments in preparation for the civil plan review stage and/or final plat and may be subject to the application fee.



- (ii) Such preliminary plat may not be subject to Commissioners' Court approval.

E. FINAL PLAT

- (1) The primary purpose of a final plat is to complete the last stage of approval of a subdivision or addition as a condition of recording a division of land or property, dedicating right-of-way, and easements before recording it in the Ellis County Clerk's Office.
- (2) Engineering, construction, drainage plans, and other documents required by the County Engineer shall be submitted for review, and shall meet all the requirements, and approved prior to the acceptance of a final plat application.
 - (i) During the engineering, construction, drainage plan review, the County Engineer reserves the right to designate lots in a subdivision with unique topography to receive prior authorization concerning structure placement and location before issuance of floodplain permit and/or on-site sewage facility permit.
- (3) Upon approval of the related documents and meeting the County's requirements, the final plat may be placed on the agenda for the next available Commissioners' Court.
- (4) Conditions may not placed by staff or the Commissioners' Court or other applicable governing entity on a final plat.
- (5) Approval of a final plat does not constitute acceptance of public infrastructure until it meets the County's requirements and the Commissioners' Court accepts it as a county road.
- (6) Upon approval of the engineering plans and final plat, a pre-construction meeting with County staff is required.
- (7) A construction bond along with the established County Road Fee are required prior to the commencement of any construction. (see Section VII for more information).
- (8) Once a construction bond is approved by the Commissioners' Court, the developer can begin construction of the roads and necessary infrastructure, as shown on the approved engineering, construction and drainage plans.
- (9) Upon completion and approval of the infrastructure by staff, the developer shall sign a form indicating that it meets County requirements and a 2-year maintenance bond shall be submitted for Commissioners' Court approval.
- (10) Additional steps may be required by staff to finalize the final plat approval process and will provide those as necessary.
- (11) The director, in consultation with the County Engineer, may waive certain above requirements if the proposed development does not create new infrastructure or deemed necessary.



- (12) If there is a plat submitted for which the County has no formal process or a situation where a previously-approved plat does not fall into the normal procedures, the Director may allow those plats to be handled as a final plat.

F. RESERVED

G. REPLAT

- (1) The primary purpose of a replat is to revise or amend a previously-approved and recorded plat with the Ellis County Clerk's Office and does not meet the requirements set forth for an amending plat in [Chapter 232.011 of the Texas Local Government Code](#).
- (2) This subsection shall adhere to Chapter [232.009](#) and [232.0095](#) of the Texas Local Government Code, unless otherwise indicated.
- (3) Upon successful submittal of an application and after it is determined to be complete, the following public notices shall be provided, as prescribed by law:
 - (i) An ad placed in the public notice section of a newspaper of general circulation shall be placed for at least three (3) times at least thirty (30) days before the proposed hearing date and ending on the seventh (7th) day before the hearing date; and,
 - (ii) Notice on the County's Department of Development website; and,
 - (iii) Notice to all property owners as outlined in [Section 232.009 \(c\)](#) of the Texas Local Government Code.

H. AMENDING PLAT

The primary purpose of an amending plat is to correct minor issues as indicated in [Chapter 232.011](#) of the Texas Local Government Code.

I. CANCELLATION OF SUBDIVISION

- (1) The primary purpose of this type of plat is to cancel all or part of the subdivision, which may include dedicated easements or roadways/rights-of-way, and reestablish the property as areas tracts as it existed before the subdivision.
- (2) Any plat may be vacated, revised, or superseded in total or in part by compliance with the procedures and requirements of these regulations.
- (3) This subsection shall adhere to Chapter [232.008](#), [232.0083](#), and [232.0085](#) of the Texas Local Government Code unless otherwise indicated.
- (4) Upon successful submittal of an application and after it is determined to be complete, the following public notices shall be provided:



- (i) An ad placed in the public notice/hearing section of a newspaper of general circulation shall be placed at least three (3) weeks before the proposed hearing date, as prescribed by law; and,
 - (ii) Notice to all property owners located within two hundred (200) feet of the subject boundaries via United States Postal Service (USPS) regular mail.
- (5) The Commissioners' Court may exclude out previously dedicated rights-of-way, easements, or roads in their approval of a cancellation of a subdivision.

J. DORMANT PROJECTS

- (1) A project is considered dormant if it does not have an expiration date and no progress has been made towards completion of the project.
 - (i) Progress towards completion of the project shall be as stated in Chapter 245.005 of the Texas Local Government Code.
- (2) Following adoption of this ordinance amendment, projects for which final plats have been filed of record with the County Clerk that are not developed, and for which no other progress has been made towards the completion of the project within five (5) years from the date said final plat is approved by the Commissioners' Court, will be considered dormant and expired.

K. MISCELLANEOUS

- (1) Upon successful completion of any additional requirements required by the Court, the instrument shall be filed and recorded in the deed records of the County within ninety (90) days of approval date to become effective. If a plat is not filed within this time frame, due to developer's failure to comply with the additional requirements of the court, then the conditional approval of the plat shall expire, and a new application shall be submitted.
- (2) Property shall not be authorized to be divided, sold, conveyed, developed, constructed, or move any structures onto the site until
 - (i) the approval of a final plat, replat, or other type of plat of the tract from the Commissioners' Court; and,
 - (ii) Engineering plans and related documents and all necessary permits, and culvert sizing has been issued to the property owner (if applicable); and,
 - (iii) The approved plat has been officially filed with the County Clerk.
- (3) Plat approval and acceptance by the County does not relieve the developer from obligations, including fees, required by other sections of this or other order of the county about the improvement of the property or extension of services as needed to make the property suitable for development.



- (4) Approval of any plat by the Commissioners' Court shall not be deemed an acceptance of the proposed dedications, if any shown thereon, and shall not impose any duty upon the County concerning maintenance or improvements of any such dedications.
 - (i) Dedication of right-of-way shall not relieve the property owner from obligations for street construction or assessments associated with public street improvement programs.
 - (ii) The Commissioners' Court shall determine which dedications are accepted for County maintenance after the owner maintenance period has expired ([see Section VII \(C\)](#) for more information).
 - (iii) The acceptance of roads for County maintenance and release of maintenance bond shall be placed on the next available Commissioners' Court meeting in an open court session upon satisfaction of all requirements outlined in [Section VII](#) and an approved final inspection.
 - (iv) Until any road within a dedicated right-of-way is built to County standards by developer, and accepted by the County, a homeowner's association, developer, or adjacent property owners shall maintain this area.
- (5) A pre-construction meeting shall be scheduled between the developer, contractor, and the County before any construction of infrastructure. It is the responsibility of the developer to schedule that meeting.
- (6) If groundwater is the source of water supply for the project, the application shall include all other requirements as listed in [Chapter 232.0032 of the Texas Local Government Code](#).
- (7) The following notes shall be placed on the plat, when appropriate:
 - (i) Blocking the flow of water or constructing improvements in the drainage easements is prohibited.
 - (ii) The existing creeks, drainage channels, or drainage easements traversing along or across this addition will remain as open channels and will be maintained by the homeowners association (HOA) or individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
 - (iii) Ellis County shall not be responsible for the maintenance and operations of drainage easements, structures, or for the control of erosion.
 - (iv) Ellis County shall not be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flood conditions.
- (8) A developer and/or a developer's engineer shall not place a statement on the final plat limiting or denying any liability they may have for flooding or drainage problems.



- 9) No construction on any lot, or movement of manufactured homes onto any site may begin until a final plat is filed and the subdivision is accepted by the County Commissioners' Court, and floodplain permit, on-site sewage facility Authorization to Construct (ATC) permit with an accompanying preliminary site plan, and culvert sizing has been issued to the property owner.



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SECTION IV
GENERAL REQUIREMENTS

A. LOTS

- (1) All lots or tracts of land shall face directly onto a publicly-constructed and maintained road/street that appears on the most recent official County road list.
- (2) Lots or tracts of land served by a public water supply and an on-site sewage facilities (OSSF) shall have a minimum lot size of one (1) acre outside the floodplain and a minimum paved public street frontage of at least one hundred and fifty (150) feet. Lots facing other public street thoroughfare must comply with corresponding entity requirements. The minimum street frontage for single family lots on the turnaround of a cul-de-sac or for lots located on a cul-de-sac, the paved street frontage requirement shall be a minimum fifty (50) feet wide measured by the chord length.
 - (i) This requirement shall be for one (1) habitable structure per lot. The OSSF application shall be submitted at the same time as the development/building permit.
 - (ii) Multiple habitable structures not tied together through a common roof and common wall to the main structure and are considered separate and shall require an additional acre per structure, and adhere to the latest adopted Septic Order.
 - (iii) Elevation certificates showing base flood elevations (BFE) are required for all lots within the 100-year floodplain.
- (3) Lots not meeting the requirement of [subsection \(B\) \(2\)](#) above shall adhere to the following requirements:
 - (i) Duplex lots (one structure with two (2) residential units per lot) - one hundred and fifty (150) feet of paved public street frontage and two (2) acres located outside the floodplain; and,
 - (ii) Multi-family lots (one structure with at least three (3) residential units per lot) – three hundred (300) feet of paved street frontage and the greater of either three (3) acres or one-half the number of dwelling units in acres located outside the floodplain (i.e. 50 units = 25 acres, 100 units = 50 acres, etc.); and,
 - a) An design for on-site sewage facilities (OSSF) shall be submitted with any proposed multifamily uses to ensure capacity exists.
 - (iii) Nonresidential lots shall meet the requirements outlined in [subsection \(B\) \(2\)](#); and,
 - (iv) Any lot configuration not mentioned above will require a review by the Ellis County Growth Assessment Team to determine the appropriate acreage and street frontage requirements.
- (4) Flag lots shall not be allowed, unless they meet the minimum lot frontage requirements stated in within this section.



- (5) At a minimum, lots shall be one hundred fifty (150) feet in length by one hundred fifty (150) feet in depth before a lot may narrow down. When a lot narrows down, it shall be a minimum width of thirty (30) feet at its narrowest point.
- (6) Lots or tracts of land having an individual water supply well and an individual on-site sewage system (OSSF) shall have a minimum lot size of three (3) acres. Such lots must have a minimum paved street frontage of three hundred (300) feet.
- (7) Subdivisions, including multi-family residential lots, served by a public water supply and by a public sewage disposal system shall have an average density of not more than four (4) lots per acre, not including the area of the roads, floodplain, and public spaces.
- (8) For multi-family subdivisions, adequate provision shall be made by the developer for common ownership and maintenance of community facilities such as recreation and open space, parking, access, and similar common use areas.
 - (i) The developer shall provide disposition and maintenance covenants for all open space or other common ownership areas. Such restrictions shall be recorded at the time of plat recordation and shall not be maintained by the County.

B. BUILDING LINES AND EASEMENTS

Building setback lines shall be shown on all lots, and shall be as follows:

- (1) Lots abutting any internal road located within a subdivision shall require a minimum front setback distance of twenty-five (25) feet from the property line.
- (2) Lots abutting any other road not classified as an internal subdivision road shall be considered major roads and highways and require a minimum front setback distance of forty (40) feet from the property line.
- (3) For determining the setback lines of the lot, the location of the front door or entrance to the principal structure shall be considered the front portion of the lot.
- (4) Side and rear yard setbacks shall be a minimum distance of ten (10) feet and twenty (20) feet respectively from the property line.
 - (i) The setback lines for an accessory structure that is less than 300 square feet in area and an underground swimming pool may be reduced to a minimum distance of five (5) feet from the side or rear property line.
 - (ii) If, at the time of permitting, an easement exists within the setback lines, a release of easement letter shall be obtained from the applicable utility providers and any other easement holder and turned in with the permit application.
 - (iii) This reduction in setback shall only apply to one (1) accessory structure on the property.



- (5) If there is a discrepancy in determining these setbacks or its application, the Department of Development Director shall make a determination. Any appeal to the Director's decision may be forwarded to the Ellis County Commissioners' Court.
- (6) Utility easements shall be provided as needed to accommodate the current or future infrastructure of utility companies. When utility easements are required, they shall be as follows:
 - (i) Easements parallel to the streets – A minimum width of twenty (20) feet from the current county dedicated or prescriptive right-of-way, and;
 - (ii) Side and rear yard – A minimum width of ten (10) feet along each lot for a minimum total of twenty (20) feet.
 - (iii) The developer is required to speak to all utility providers in the area to locate their easements, current or future, before the submittal of a plat or project.
- (7) The drainage easements may occupy the same space and area as the utility easement and be combined to be a drainage/utility easement, unless otherwise indicated by the County Engineer or utility provider.
 - (i) All easements shall be left unobstructed so that equipment can be used to clean and maintain them when necessary.
 - (a) The property owner shall be responsible for any damage to structures left within any easement.
 - (b) In no case shall utility lines or utility boxes be placed adjacent to or within the County right-of-way, prescriptive or dedicated, without obtaining a utility permit or approval from Commissioners' Court, where applicable
 - (ii) Ellis County shall not be responsible for maintenance of drainage facilities or lot drainage located on private property.

C. RIGHT-OF-WAY

(1) Dedication

- (i) When lots of a proposed subdivision front on a County or public road, other than a Federal or State road (less than sixty (60) feet right-of-way), the developer shall dedicate for future public use, at least thirty (30) feet on their portion from the center line of such road to allow for improvements to the public road.
- (ii) Any plat submitted for review to the Department of Development shall require dedication of at minimum one-half of the total right-of-way necessary for any public County or State road or any road indicated on the most-recently approved Master Thoroughfare Plan at the time the application is made, up to sixty-five (65) feet or half of the largest road classification in the Master Thoroughfare Plan not classified as a freeway. Any additional



dedication beyond this maximum may be considered a taking and subject to purchase by the requesting entity.

(2) Abandonment & Closing

- (i) The Commissioners' Court may abandon or close any portion of a publicly dedicated right-of-way in accordance to [Chapter 251 of the Texas Transportation Code](#).
- (ii) The applicant shall submit all the proper forms and documents as indicated on the application or as directed by the Department of Development Director for consideration by the Commissioners' Court.
- (iii) If approved by the Commissioners' Court, that right-of-way shall be no longer be maintained by the County.

(3) Reinstatement

- (i) If an applicant is seeking to make a private street or alley improvement public, the submittal of an application is required.
- (ii) Before consideration and official acceptance, the road on the private street or alley improvement shall be brought up to the current County street standards or other equivalent based on testing and authorization from the County Engineer.
 - (a) The person making the request shall incur all cost of testing and labs required.
- (iii) The applicant shall submit all the proper forms and documents as indicated on the application or as directed by the Department of Development Director for consideration by the Commissioners' Court.
- (iv) If approved by the Commissioners' Court, that private street or alley improvement may be considered public and maintained by the County. This new improvement may also be added to the latest official maintained County road list.
- (v) If a private street or alley improvement is already maintained by the County but has never been officially dedicated through a plat or other instrument (i.e. prescriptive), a final plat of the right-of-way shall be prepared for consideration by the Commissioners' Court. Testing and labs are required prior to acceptance.

(4) Any new or replacement fence shall be placed outside the county right-of-way and in no case closer than thirty (30) feet from the center of the road. No fence permit is required.

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



- (5) For residential development directly adjacent to County or State right-of-way, the Developer shall be responsible for adequate setback and/or sound abatement measures to mitigate traffic noise.

D. MAILBOXES

- (1) All new mailboxes shall meet the policy guidelines set forth by the United States Postal Service (USPS).
- (2) In the event Ellis County commences construction or maintenance within its right-of-way, all mailboxes located within the right-of-way shall be removed from the right-of-way at the expense of the property owner for individual mailboxes or a homeowners' association for cluster mailboxes.
 - (i) In the absence of a homeowners' association, the collective group of people who have mail slots in a clustered mailbox shall bear the expense.
- (3) Ellis County assumes no liability for any mailbox located in the County right-of-way or on private property.

E. SEWAGE AND WASTE DISPOSAL

- (1) Every parcel of land to have a home site or commercial activity shall have an adequate system for sewage and wastewater disposal upon occupancy by either:
 - (i) Connection to an approved community sewage disposal system; or,
 - (ii) Construction of a properly designed and operational individual on-site sewage facility meeting the latest-approved Ellis County Septic Order.
- (2) On-site sewage facilities can be sources of pollution to ground water, soil surface, and the environment if not properly sized, constructed, and maintained.
 - (i) A permit for the construction and location on a lot is required in the interest of public health and welfare and meets the latest-approved Ellis County Septic Order.
 - (ii) Connection to a community sewage disposal facility and system is preferred, where possible.
- (3) Public sewage systems shall conform to the rules and regulation of TCEQ and Ellis County as to design, material, and construction.
 - (i) The developer shall present proof of TCEQ acceptance, and that of any other State or County agency controlling sewage disposal systems.
- (4) If a public sewage system is to be installed, the plans for the location of such systems must be approved by the County and thereafter by the appropriate State regulatory agency prior to approval of the final plat by the County.



- (5) If the connection is to be made to an existing public sanitary sewage system, evidence shall be presented that such system has previously received such approval and has sufficient capacity to handle the additional demand.
- (6) If an individual on-site sewage facility is to be utilized, the developer shall prominently annotate the approved final plat or other filing instrument as directed by the Department of Development Director that homeowners are to be responsible for the construction of an approved on-site sewage facility.
- (7) Details for the design and construction of an onsite sewage facility are found in the most current edition of the Ellis County Septic Order.



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SECTION V - VI
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SECTION VII

PERFORMANCE GUARANTEES

A. GENERAL

- (1) All construction shall be in accordance with approved plans and construction standards set forth herein or as may be adopted by Commissioners' Court.
- (2) A [construction bond](#) and [maintenance bond](#) are required to ensure all infrastructure is built according to the established regulations and any other required conditions set forth in the plat.

B. CONSTRUCTION BOND

- (1) Prior to construction and to ensure roads, streets, signs, underground utilities and required drainage and drainage structures are constructed in a timely manner, and in accordance with the terms and specifications contained in these regulations, the developer or their project contractors shall file a Construction Bond, executed by a surety company authorized to do business in the State of Texas, or letter of credit and made payable to the County Judge of Ellis County, Texas or their successor in office.
- (2) The bond amount shall be equal to one hundred percent (100%) of any and all contracts, agreements, and bids for the construction of roads, streets, street signs, underground utilities, required drainage structures, erosion control, and all other construction.
 - (i) The bond(s), contracts, agreements, and bids shall be presented to the Ellis County Department of Development before the final plat submittal.
- (3) The construction bond shall be in full force and effect until one (1) set of record as-built construction plans of all underground utilities, roads, streets, and required drainage and drainage structures in the subdivision has been filed with the Ellis County Department of Development and approval of release by the Commissioners' Court.
 - (i) The construction bond will be released by a Court Order from the Commissioners' Court after inspection by the Department of Development and/or County Engineer and corrections of deficiencies noted.
- (4) In the event that part of the infrastructure, as constructed by the developer, fail to meet the requirements of these regulations, and the said developer fails or refuses to correct the defects called to their attention in writing by the Ellis County Department of Development, the unfinished improvements may be completed at the cost and expense the developer by exercising the construction bond.
 - (i) In no event is the County obligated to complete the work proposed by a developer and approved by the County or to assume the obligation of the developer otherwise.

C. MAINTENANCE BOND

- (1) After completion and approved by the County, all required infrastructure (i.e. streets, roads, signs, underground utilities, drainage ditches, erosion control measures, and drainage structures/channels, etc.) shall be by the developer for two (2) years and have an approved



maintenance bond or irrevocable letter of credit.

- (2) The conditions of the maintenance bond shall be that the owner/developer shall guarantee to maintain, to the satisfaction of the Ellis County Department of Development, all required infrastructure which has been constructed to specifications with construction security released by Court Order from Commissioners' Court, in a good state of repair for a period of two (2) years from the date of official release of construction security.
- (3) The two (2) year maintenance bond or irrevocable letter of credit shall be executed by a surety company authorized to do business in the state of Texas, made payable to the County Judge of Ellis County, Texas or their successor in office, and shall be substituted for the construction bond at the time of the release of said construction bond.
- (4) The amount of the maintenance bond for the two (2) years shall be equal to forty percent (40%) of the construction bond as outlined in [Section VIII \(B\) \(2\)](#).
- (5) Periodic inspection of all required infrastructure for which maintenance security is held, shall be made by the Ellis County Department of Development during the two (2) year period of liability covered by the maintenance bond.
 - (i) In the event any or all of the aforementioned facilities are not being maintained in a good state of repair, the County shall give written notice to the owner/developer of maintenance deficiencies during the two (2) year maintenance period (*i.e. missing signs, drainage problems, street failure, etc.*). The developer shall have fourteen (14) business days after notification to complete the appropriate action.
 - (a) The only exception is missing traffic signs, which shall be replaced within twenty-four (24) hours.
 - (ii) The County may begin inspecting the roads and infrastructure approximately ninety (90) days before the expiration of the bond.
- (6) If maintenance or repairs are required to be made to a road before acceptance of any construction by the Commissioners' Court, the County may elect to accomplish the work and draw the cost against the developer's maintenance bond and has the option to extend it beyond the required two (2) additional years.
 - (i) If the bond is not extended or no amount is drawn on the bond, it shall become a privately-maintained road and can only become a County-maintained road if it meets all the County standards and [Section IV \(D\) \(3\)](#).
- (7) At the end of the two (2) year period, the owner/developer may request to the County Commissioners' Court for acceptance and maintenance of such infrastructure.
 - (i) The release of any bond shall only be by Order of the Commissioners' Court.



- (ii) To request a release, the owner shall present a written request to release said bond, including a notarized certificate of completion stating that all bills relating to work covered by the construction bond have been paid.
- (iii) The request shall contain a statement by the developer of compliance with these regulations.
- (iv) The Department of Development shall receive the written application for bond release at least twenty-one (21) days prior to the next regularly scheduled meeting of the Commissioners' Court.

D. OTHER FINANCIAL SECURITIES

- (1) An acceptable irrevocable Letter of Credit may be submitted in lieu of bonds to ensure a developer's promise to construct and maintain the roads and drainage of facilities in a subdivision.
 - (i) Irrevocable Letters of Credit in lieu of bonds are required under the same conditions, as Construction and Maintenance Bonds.
- (2) Any security for construction and maintenance other than a bond or an irrevocable letter of credit shall be by written request to the Ellis County Department of Development for approval by the Ellis County District Attorney's Office, and authorization by the Commissioners' Court.
- (3) No graduated bonds shall be accepted.



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SECTION VIII
RELIEF BY COUNTY COMMISSIONERS' COURT

A. AUTHORITY:

- (1) The Commissioners' Court may authorize relief from these regulations in an open session when it is clearly shown that the granting of relief in the form of a lesser standard will not impact adversely on public health, safety, general welfare, traffic conditions, and not alter the nature, character, and quality of the subdivision.
 - (i) A notice shall be sent to adjacent property owners (found on the latest appraisal tax rolls) via United States Postal Service (USPS) regular mail within two hundred (200) feet of the subject site/property seeking the relief at least ten (10) days in advance of the proposed meeting advertising the proposed relief sought.

B. SPECIAL CONDITIONS:

- (1) No relief from these regulations shall be authorized unless the Commissioners' Court finds:
 - (i) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Order would deprive the applicant of the reasonable use of his land; and,
 - (ii) That the relief is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
 - (iii) That the granting of the relief will not be detrimental to the public finances, health, safety, or welfare, or injurious to other property in the area; and
 - (iv) That the granting of the relief will not have the effect of preventing the orderly development of another land in the area by the provisions of the Order; and,
 - (v) That the situation causing the hardship or difficulty is neither self-imposed or self-created.
- (2) Such findings of the Commissioners' Court together with the specific facts, upon which such findings are based, shall be incorporated into the official minutes of the Commissioners' Court meeting at which such relief is granted.
- (3) Relief may be granted only when in harmony with the general purposes and intent of this Order, and does not alter the nature, character, and quality of the subdivision so that the public health, safety, and welfare are secured.
- (4) A variance shall not be granted to relieve a personal hardship, nor shall it be based on economic gain or loss, financial, or economic hardship, nor shall it permit any person a privilege in developing a parcel of land by this Order to other parcels of land.



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

- (1) Notwithstanding anything to the contrary in this section, the Commissioners' Court specifically authorizes relief from the frontage requirements herein those cases where the subdivision of land is by gift, devise or descent to family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood) once a final determination is made by the Department of Development Director that the subdivision of land is by gift, devise or descent to a family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood) and it is in fact true.
- (2) The relief granted in the subsection shall be automatically granted without the review of the Commissioners' Court upon the final determination by the Department of Development Director that subdivision of land is by gift, devise, or descent to a family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood).
- (3) If relief is granted due to a subdivision of land concerning a gift, devise or descent to a family member who is related up to the second degree by affinity (marriage) or the third degree by consanguinity (blood), such relief is conditioned on each of the family related land owners not further subdividing each parcel of land through relief under this section for so long as the parcels of property remains in continuous ownership by all of the related land owners as determined by state law for this relief.



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SECTION IX
MANUFACTURED / MOBILE HOMES AND RV PARKS

A. MANUFACTURED/MOBILE HOME COMMUNITIES AND RECREATIONAL VEHICLE (RV) PARKS.

- (1) The purpose of this subsection is to achieve orderly development of manufactured/mobile home and RV parks, to promote and develop the use of land to assure the best possible community environment and to protect and promote the health, safety, and general welfare of the residents of Ellis County.
- (2) A property developed as a manufactured/mobile home community or recreational vehicle park with an application submitted after January 1, 2018 shall have an Infrastructure Development Plan (IDP) prepared that complies with minimum infrastructure standards established within this Section.
- (3) Lots in a manufactured/mobile home park shall front on a street with not less than a sixty (60) foot width right-of-way. Access roads to the individual spaces shall be constructed and paved to a minimum width of 24 feet (or the minimum width of a fire lane as stated in the [most-recently adopted Fire Code](#), whichever is stricter) meeting the County's current street requirements (see [Section IV \(A\)](#) for more information).
 - i) An alternative paving surface may be considered for recreational vehicle (RV) parks only if the following items are met:
 - (a) The internal streets within the boundaries of the park are considered private through a plat or business governing document or similar, maintained by a property owners' association or similar in perpetuity, and the document (s) are filed with the Ellis County Clerk.
 - (b) Paving surface shall be limited to either asphalt, crushed concrete, or other material or combination of material approved by the County Engineer.
 - (c) Engineered drawings sealed by a registered professional engineer licensed in the state of Texas showing the alternative paved surface and underlying subgrade material can withstand a minimum weight load of at least 75,000 pounds.
 - (d) Engineered drawings shall be reviewed and approved by both the County Engineer and the Fire Marshal prior to the release of any permits.
- (4) No space may contain more than one (1) residential unit. No common driveways shall be allowed. Each space shall have separate and individual access.
- (5) A survey of the property shall be submitted to the Department of Development prior to the request by the owner or occupier of the lot for any permit and/or utility services.



- (6) The owner shall submit a letter of application, signed by the owner that stipulates the following information:
 - (i) The intention of the owner, and;
 - (ii) Name, address, phone number of the owner, and;
 - (iii) Names of water and electricity providers, and;
 - (iv) Name of wastewater provider or type and usage of onsite sewage facilities.

- (7) All structures under this section placed in areas of special flood hazard, as indicated on Ellis County's Flood Insurance Rate Map (FIRM), i.e., land in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year, shall be installed using methods and practices which minimize flood damage in accordance with Ellis County's Certification and Flood Damage Prevention Order, authorized by [44 CFR Section 60.3\(d\)](#). Such manufactured/mobile homes shall be elevated and anchored to resist flotation, collapse, or lateral movement.
 - (i) Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

 - (ii) This requirement is in addition to applicable State anchoring requirements for resisting wind forces (Article 5221f, Texas Manufactured Housing Standards Act, as amended).

B. INFRASTRUCTURE DEVELOPMENT PLAN (IDP).

At minimum, the Infrastructure Development Plan (IDP) shall show all items as indicated in the most recent application and checklist for manufactured/mobile homes and RV parks.

C. INSPECTION OF IMPROVEMENTS.

- (1) Construction of a proposed manufactured/mobile home community or recreational vehicle park may not begin before the date the Department of Development approves the IDP.

- (2) Periodic inspection of improvements may be required, as directed by the Department of Development, it shall be completed not later than the second business day after the date the County Engineer received a written confirmation from the owner that the construction of the infrastructure is complete.

- (3) If the inspector determines that the infrastructure improvements comply with the IDP, then the Department of Development shall issue a Certificate of Compliance not later than the fifth business day after the date the Department of Development receives written confirmation from the owner that the infrastructure has been completed and in compliance with the IDP.

D. UTILITIES.

- (1) A utility company may not provide services, including water, sewer, gas, and electric services, to a manufactured/mobile home community or recreational vehicle park subject to an IDP or to a residential unit in the community unless the owner provides the utility company with a copy of the Certified of Compliance issued by the Department of Development. This requirement applies to:



- (i) A municipality, municipally-owned or municipally-operated utility that provides utility services;
 - (ii) A public utility that provides utility services;
 - (iii) A nonprofit water supply or sewer service corporation organized and operating under [Chapter 67, Water Code](#), that provides utility services;
 - (iv) A County that provides utility services; and
 - (v) A special district or authority created by state law that provides utility services.
- (2) Manufactured/Mobile Home Parks served with a public water system, and public sewage disposal system shall have an average density of not more than four (4) lots per acre in size with a minimum frontage of seventy-five (75) feet.

E. TIMELY APPROVAL OF INFRASTRUCTURE DEVELOPMENT PLANS.

- (1) The County will withhold all permits for manufactured/mobile home and RV parks until the plan has been approved in the manner prescribed by these regulations.
- (2) Not later than the 60th day after the date the owner of a proposed manufactured/mobile home community or recreational vehicle park submits an infrastructure development plan for approval the Department of Development shall approve or reject the plan in writing.
 - (i) When plans for the manufactured/mobile home park are completed in accordance with these rules, the Department of Development shall submit the plan with his recommendation and comments received from the County Commissioners to the County Commissioners' Court for consideration. The Commissioners' Court may approve the plan as submitted, amend, and approve the plan as amended, or disapprove the plan.
 - (ii) The plan to be submitted for a manufactured/mobile park shall include the same requirements as outlined by these regulations for plats and development standards and shall include proposed 9-1-1 addresses as provided by the County.
 - (iii) An owner's certificate in the following form shall be shown on the plan:
STATE OF TEXAS
COUNTY OF ELLIS

I hereby certify that this plan is true and correct and if approved by the County Commissioners' Court, all development will be in accordance with this plan, and no alterations will be made in the plan after approval.

Owner or Authorized Agent



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



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SECTION X-XX
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SECTION XXI **DEFINITIONS**

A. APPLICATION

- (1) For these regulations, the following terms, phrases, words, and their derivations shall have the meaning ascribed to them in this section.
- (2) If the terms, phrases, words, and their derivations are not located within these set of regulations, it may be located in the County's other associated development regulations. Illustrations and graphics may be used and added as needed to better explain a definition.
 - (i) Definitions not expressly prescribed herein are to be construed in one of the following methods as determined by the Department of Development Director to apply a definition that closely applies:
 - (a) Customary usage in subdivision, planning, and engineering practices; or,
 - (b) As allowed by [Chapter 311.011 of the Code Construction Act of Texas](#).
 - (ii) The department director shall interpret the definitions when questions arise. Should there be discrepancies or disagreement of the application of a definition, the Commissioners' Court shall make the final determination.
- (3) The definitions in this section shall also apply to Volume II (Drainage Design Manual) and Volume III (Standard Construction Details) of the Ellis County Quality Growth Initiatives, unless otherwise indicated.

B. DEFINITIONS

ACREAGE, GROSS

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

ACREAGE, NET

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

ACREAGE, USEABLE

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

ALLEY

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



ALL-WEATHER SURFACE

An alternative paving material that is designed and sealed by a professional engineer that is approved by the County Engineer and the Fire Marshal and is equivalent to the County standards for road/street construction. At a minimum, it shall carry the weight of the fire engine or at least 75,000 pounds, whichever is greater.

BLOCK

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

BUILDING LINE OR SETBACK LINES

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

COMMISSIONERS' COURT

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

COMPLETED APPLICATION

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

COUNTY

Ellis County, Texas.

COUNTY JUDGE

County Judge of Ellis County, Texas.

COUNTY ENGINEER

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

COUNTY ROAD

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

CUL-DE-SAC

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



CUL-DE-SAC CORNER

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

DEAD-END STREET

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

DEED RESTRICTIONS

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

DEPARTMENT OF DEVELOPMENT

The Ellis County Department of Development (DOD).

DEPARTMENT OF DEVELOPMENT DIRECTOR

The Ellis County Department of Development Director or designated representative.

DETENTION

The temporary storage of storm water runoff, with controlled peak discharge rates.

DETENTION TIME

The amount of time a body of water is actually present in a storm water detention facility.

DEVELOPER OR OWNER

An individual partnership, corporation or governmental entity, officer, agent employee, servant or trustee thereof (or any combination thereof) undertaking the subdivision or improvement of land and other activities covered by these regulations, including the preparation of a subdivision plat showing the layout of the land and the public improvements involved therein or participates in, who performs or participated in the performing of any act toward the subdivision of land within the intent, scope and purview of these regulations. The term “developer” is intended to include the term “subdivider,” “owner,” or “applicant” even though personnel in successive stages of a project may vary.

DORMANT PROJECT

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

DRAINAGE, BUYERS RESPONSIBILITY

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



DRIVEWAY

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

DWELLING UNIT/ HABITABLE AREA

Any building, or portion thereof, which is designed or used as living quarters for one or more families and contains at least three (3) plumbing fixtures, or any combination thereof from the following list as outlined below and no 220V connections for home appliances outside the principal structure; a residence.

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

Any separate/detached structure on the same property, tract of land or lot used as living space meeting the same criteria as above shall be considered a secondary or accessory dwelling unit and requires an additional useable net acre prior to the issuance of a building permit.

EASEMENT

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

Access Easement

An easement allowing access onto a property or adjoining property.

Drainage Easement

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

Non-access Easement:

An easement prohibiting access onto a property or adjoining property.

Utility Easement

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

ELEVATION CERTIFICATE

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



ENGINEER

A person duly authorized and properly registered under the provisions of the Texas Registration Act to practice the profession of engineering.

EXTRATERRITORIAL JURISDICTION (ETJ)

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

FAMILY

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

FLAG LOT

A lot shaped and designed where the main building site area is set back from the street on which it fronts and includes a narrow access strip connecting the main building site with the frontage street. It consists of two

parts: The flag, which is the building site and may be located behind another lot and the pole, which connects the flag to the street, providing minimal road frontage for the lot and at any point is less than the minimum lot width.

FLOODPLAIN

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

FLOODWAY

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

HIERARCHY OF STREETS AND ROADS:

More detailed information concerning streets can be found in the Master Thoroughfare Plan for Ellis County.

STREET

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

1) STREET, MAJOR OR REGIONAL ARTERIAL

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



(2) STREET, MINOR ARTERIAL OR PRIMARY THOROUGHFARE

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

(3) STREET, COLLECTOR OR SECONDARY THOROUGHFARE

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

(4) STREET, LOCAL

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

(5) STREET, PRIVATE OR SERVICE DRIVE

A vehicular access way under private ownership and maintenance that has not been dedicated to the County and accepted by the County.

INTERIOR STREET/ROAD

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

LANE

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

LOT

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

LOT, CORNER

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

LOT, INTERIOR

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

LOT LINES

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



lines circumscribing the lot.

LOT OF RECORD:

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

MAY

The word “may” is permissive and not mandatory.

MANUFACTURED HOME

A movable or portable dwelling or office connected to utilities and constructed to be towed on its own chassis by a motor vehicle over Texas roads or highways. It may consist of two or more units, which are separately towable but designed to be joined into one integral unit.

MANUFACTURED HOME PARK

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

MANUFACTURED HOME COMMUNITY

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

MOBILE HOME

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

MOBILE HOME PARK

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

MOTEL

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

MULTI-FAMILY RESIDENCE

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



ON-SITE SEWAGE FACILITY

All systems and methods used for the treatment and disposal of sewage, other than organized disposal systems, operated under a valid permit issued by the Department of Development and regulated by TCEQ; [Ellis County Septic Order 182.11](#); and [Title 30, Part 1, Chapter 285 of the Texas Administrative Code](#).

PLAT

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

PLAT, PRELIMINARY

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

PLAT, FINAL (RECORDATION)

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

PRIVATE STREETS, ROADS, EMERGENCY ACCESS EASEMENTS, ETC.

A vehicular access way under private ownership and maintenance that has not been dedicated to or accepted by the County for maintenance.

PUBLIC STREET

Any area, parcel, or strip of land (road) which provides vehicular access to adjacent property or land whether designated as a street, highway, freeway, thoroughfare, avenue, boulevard, road, place, drive, or however otherwise designated and which is either dedicated or granted for public purposes or acquired for public use by prescription.

RECREATIONAL VEHICLE

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

RECREATIONAL VEHICLE PARK

A lot or parcel of land used primarily as a rental community in which two (2) or more recreational vehicle sites/spaces are located, established or maintained for occupancy, usually for a fee, by recreational vehicles of the general public as living quarters or vacation purposes on a short-term basis not to exceed ninety (90) days. At the end of the ninety-day period, the vehicle shall be removed from the park and said vehicle cannot be located in the same park for a minimum of two (2) weeks.

REPLAT

A map of a subdivision incorporating changes, amendments, improvements, and/or corrections to a plat such as changes in lot size, further subdivision of existing lots, and relocation of street line/lot lines that is on record



in the County Clerk's office.

RIGHT-OF-WAY

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

ROAD

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

ROAD FRONTAGE

Contiguous frontage on a public road or street.

ROADWAY

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

SHALL

The word "shall" is mandatory and not permissive.

SPACE (relating to manufactured/mobile homes or recreational vehicle (RV) parks)

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

STREET

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

STREET INTERSECTION

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

SUBDIVISION

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



SURVEYOR

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

TCEQ

Texas Commission on Environmental Quality or their successor agency.

THROUGH ROAD/STREET

A road or street on which traffic can move with minimal interruptions.

THOROUGHFARE PLAN

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

TRACT

Any parcel of land or property.

TRAIL

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

TX-DOT

Texas Department of Transportation.

TX-DOT SPECIFICATIONS

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

USEABLE ACREAGE

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

UTILITIES

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



VARIANCE

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

WRECKING YARD (JUNKYARD OR AUTO SALVAGE)

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



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APPENDIX A
HISTORY OF AMENDMENTS

DATE	MINUTE ORDER	BRIEF SUMMARY
05/13/2002	192.02	Established the County of Ellis Rules, Regulations, and Specifications for Subdivisions and Manufactured Homes
RESERVED	FOR	RESEARCH
10/10/2017	428.17	Modified minimum setback requirements (Section 3-E, Paragraph 3)
12/19/2017	488.17	Modified alternative paving standards for for manufactured & mobile home, and RV parks (Sections 1, 5, and 8)
08/14/2018	337.18	Modified concrete thickness, development along private streets, and created traffic impact studies with established criteria (Section 7-A, 8-B and Article IX).
09/11/2018	376.18	Moved definitions from Section 1-W to create a new Section XXI and amended existing definitions.
09/25/2018	396.18	Revised runoff coefficients, rainfall intensity, and inlet time of concentration (Appendix A, Section F)
12/04/2018	489.18	Replaced Order 192.02, as amended, in its entirety and created Ellis County Quality Growth Initiatives – Volume I (Subdivision and Development Standards). Moved all related drainage sections from previous regulations into Volume II and reorganized this section along with some minor amendments.
12/04/2018	490.18	Created Ellis County Quality Growth Initiatives – Volume II (Drainage Design Manual). Moved all related drainage sections from previous regulations into this volume.
12/04/2018	491.18	Created Ellis County Quality Growth Initiatives – Volume III (Standard Construction Detail). No wording; just established framework for future amendments.



COMMISSIONERS COURT OF ELLIS COUNTY
ORDER NO. _____

AN AMENDMENT TO THE ELLIS COUNTY QUALITY GROWTH INITIATIVES –
VOLUME II (DRAINAGE DESIGN MANUAL)

On this the 3rd day of September 2019, the Commissioners' Court of Ellis County, Texas, convened in a regular session of said court on the 2nd Floor of the Ellis County Historic Courthouse located at 101 West Main Street, Waxahachie, Texas, with the following members present, to wit:

COUNTY JUDGE:

- Judge Todd Little

COMMISSIONERS:

- | | |
|--|--|
| <input type="checkbox"/> Randy Stinson, Commissioner, Pct. 1 | <input type="checkbox"/> Paul Perry, Commissioner, Pct. 3 |
| <input type="checkbox"/> Lane Grayson, Commissioner, Pct. 2 | <input type="checkbox"/> Kyle Butler, Commissioner, Pct. 4 |

AND AMONG OTHER PROCEEDINGS, THE FOLLOWING ORDER WAS PASSED AS FOLLOWS:

AN ORDER OF THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS AMENDING MINUTE NO. 490.18, THE ELLIS COUNTY QUALITY GROWTH INITIATIVES – VOLUME II (DRAINAGE DESIGN MANUAL). THESE AMENDMENTS ARE PRIMARILY DESIGNED TO COMPLY WITH RECENT CHANGES IN STATE LAW ADOPTED UNDER HOUSE BILL 3167 APPROVED UNDER THE 86TH TEXAS LEGISLATURE ALONG WITH OTHER RELATED ARTICLES, SECTION, AND PARAGRAPHS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE

WHEREAS, the Commissioners' Court of Ellis County, Texas, in compliance with the laws of the State of Texas and the orders of Ellis County, Texas, have given the requisite notices and otherwise, and after holding and affording a full and fair hearing to all interested persons, and in the exercise of its legislative discretion, have concluded that this proposal should be approved;

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSIONERS' COURT OF ELLIS COUNTY TEXAS, THAT:

SECTION 1. The approved amendments for the Ellis County Quality Growth Initiatives – Volume II (Drainage Design Manual) for Subdivision and Manufactured Homes are amended to read as follows and found in Exhibit A and any hyperlinks, grammatical, scrivener's errors and updates to Appendix A and table of contents may be amended without Commissioners' Court approval.



SECTION 2. CONFLICTS.

To the extent of any irreconcilable conflict with the provisions of this Order and other orders of Ellis County governing the use and development of the Property and which are not expressly amended by this Order, the provisions of this Order shall be controlling.

SECTION 3. SEVERABILITY CLAUSE

If any section, paragraph, sentence, phrase or word in this order is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this order; and the Commissioners Court hereby declares it would have passed such remaining portions of the Order despite such invalidity, which remaining portions shall remain in force and effect.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall become effective and after the date of its passage on September 4, 2019, and it is accordingly so ordained.

PASSED, APPROVED, AND ADOPTED IN OPEN COURT BY THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS ON THIS THE 3RD DAY OF SEPTEMBER, 2019.

Todd Little, County Judge

Commissioner Randy Stinson, Precinct No. 1

Commissioner Lane Grayson, Precinct No. 2

Commissioner Paul Perry, Precinct No. 3

Commissioner Kyle Butler, Precinct No. 4

ATTEST:

Krystal Valdez, County Clerk



DEPARTMENT OF DEVELOPMENT
Ellis County

✉: dod@co.ellis.tx.us
☎: 972-825-5200
🌐: co.ellis.tx.us/dod

EXHIBIT A –
VOLUME II (DRAINAGE DESIGN MANUAL)

ELLIS COUNTY QUALITY GROWTH INITIATIVES



VOLUME II DRAINAGE DESIGN MANUAL

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SECTION I
GENERAL INFORMATION AND ADMINISTRATION

A. OFFICIAL NAME

The official name of these regulations shall be the “Ellis County Drainage Design Manual.”

B. AUTHORITY

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

C. APPLICATION & PURPOSE

- (1) All development in Ellis County shall provide drainage facilities and improvements in accordance with the following requirements and design standards.
- (2) The purpose of these standards is to provide for the health, safety, and general well-being of the public by assuring that adequate drainage facilities and structures are provided in all subdivisions, and to provide infrastructure which can be maintained without imposing a burden to taxpayers.

D. CONSISTENCY WITH OTHER REGULATIONS

- (1) These regulations shall be consistent with the adopted Ellis County Subdivision and Development Standards, and the Standard Construction Details and any other supplemental land use and community development policies that may be adopted by the Commissioners’ Court.
- (2) Should a conflict arise with other applicable orders, the strictest shall apply, until an updated order is approved by the County Commissioners’ Court.

E. AMENDMENTS

- (1) As needed, County Engineer may only amend the illustrations within these regulations without the consent of Commissioners’ Court to better assist in graphically depicting portions of these regulations.
- (2) As needed, the Commissioners’ Court may amend these regulations to reflect desired changes and updates in policy. Public hearings on all proposed written amendments shall be held by the Commissioners’ Court in open session after publication in a newspaper of general circulation for at least fifteen (15) days before the public hearing date.

F. INTERPRETATIONS

- (1) As needed, the County Engineer shall provide interpretations of these regulations.
- (2) Rulings made by the County Engineer are issued on a case-by-case basis and shall not set a precedent for other similar situations.



- (3) Should an applicant disagree with the interpretation provided, that decision may be appealed to the Commissioners' Court at the next available meeting, as listed in the latest submittal calendar and pay any associated costs.

G. FINES & PENALTIES

- (1) Any person, firm or corporation who violates any of the provisions of these regulations or who fails to comply with any provision hereof within the Ellis County shall be subject to civil penalties including a fine of \$1,000 for each day that such violation continues shall constitute a separate offense and shall be punishable accordingly, pursuant to Section 232.035 of the Texas Local Government Code.
 - (i) The primary objective of the department is not to impose fines but to have everyone comply with these regulations.
 - (ii) The Department of Development shall have the right to institute an action in the court to enjoin the violation or threatened a violation of any provision in the County.

H. SEVERABILITY CLAUSE

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



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SECTION II

GENERAL DRAINAGE REQUIREMENTS

A. DRAINAGE PLAN

A drainage plan may be required upon request by the County Engineer on a case-by-case basis to determine potential adverse impacts attributed to the proposed subdivision or development.

- (1) If required, a drainage plan shall be submitted prior to platting so that the Engineering Department may review the design with regard to potential drainage problems.
- (2) The drainage plan shall include an existing drainage map and a proposed drainage map.
- (3) The entire contributing drainage area for the proposed subdivision shall be shown at an appropriate scale for review. This map may also serve as the location (vicinity) map for the project. Drainage areas within the proposed subdivision shall be shown on a map prepared from field or aerial survey.
- (4) Areas that are off-site and contribute to the storm water discharge passing through the subdivision shall be clearly identified.
- (5) Direction of flow within streets, alleys, natural and improved channels and at system intersections shall be clearly shown on the drainage area maps. This includes sags, crests and corners.
- (6) Existing and proposed drainage channels shall be clearly shown and differentiated on the drainage area maps.
- (7) The drainage plan shall show drainage areas contributing to each storm drain inlet or point of collection, volume of storm water being collected, size of storm drainage structure (including driveway culverts), drainage easements, finished floor elevations (if appropriate) and any other information which will clarify the proposed design.
- (8) The most recent FEMA Floodplain Boundaries (and source of information) shall be shown on the drainage plan.
- (9) The highest flood control easement recorded by the Ellis-Prairie Soil and Water Conservation District (EPSWCD), if applicable, shall be shown on the drainage plan.
- (10) Any other requirements set forth by the County Engineer shall be shown on the drainage plan.
- (11) The drainage plan shall be prepared by a licensed professional engineer.



B. DRAINAGE IMPROVEMENT REQUIRED

- (1) Drainage improvements including but not limited to detention ponds, channel improvements, grading, culverts and existing facility improvements shall be provided in accordance with these design standards.
 - (i) To provide for the conveyance of all storm water from the development, when fully developed, to an adequate discharge point.
 - (ii) To fulfill any purpose for which these requirements are imposed.
 - (iii) To adequately protect the development from flooding, including the effects of the 100-year design storm.
 - (iv) To properly control any drainage resulting from the development so as to not increase the upstream or downstream water surface elevation, post-development storm water runoff shall not exceed pre-developed storm water runoff.
 - (v) Upstream or downstream storm drainage improvements and/or easements beyond the limits of the development may be necessary to meet this requirement.
 - (vi) To provide for the conveyance of existing storm drainage flowing through the development.
 - (vii) Where development may create a problem within the subdivision, provisions shall be made for drainage easements to allow for proper control of drainage and for future maintenance within the easement

C. OFF-SITE DRAINAGE

- (1) Off-site drainage facilities and improvements shall be provided by the development whenever additional storm water runoff from the development would adversely affect any off-site property or would overload an existing drainage facility, whether natural or man-made.
- (2) Where storm water runoff has been collected or concentrated to one point, it shall not be discharged onto adjacent properties, except into existing creeks, channels, or storm drains, unless drainage or flowage easements are obtained for those properties.

D. DETENTION FACILITIES

- (1) Detention may be used to reduce peak discharge where conditions prevent conveying storm water to an adequate discharge point, or studies show that off-site structural facilities will not mitigate hydraulic effects more efficiently.
- (2) Detention facilities may be constructed only in areas to be dedicated to the public.



E. FEMA FLOODPLAIN

- (1) Any proposed development within the FEMA floodplain must comply with the current Ellis County Flood Damage Prevention Order.
- (2) Open space is encouraged within the FEMA floodplain boundaries.
- (3) Lots located in depressions and in or adjacent to the FEMA Floodplain boundaries, or other critical elevations established by a flood control easement, shall show on each lot the minimum recommended finished floor elevations, based on engineer's design, which shall not be less than two (2) feet above the 100-Year water surface elevation, or the more critical elevation. Ellis County shall not be responsible for any flooding or flood conditions that occur in these areas.

F. CHANNEL REQUIREMENTS

- (1) Channel regulations and improvement requirements shall be based on the amount and concentration of the storm water runoff produced from the proposed development and any additional upstream contributing drainage areas.
- (2) All developments shall provide for the permanent improvement and modification of existing drainage channels as necessary to serve the development, subject to and in accordance with the following.
- (3) Channels which serve drainage basins larger than one square mile shall be maintained in a natural state.
- (4) Channels of local drainage systems serving areas less than one (1) square mile may be lined with concrete or an improved grass-lined channel.

G. CHANNEL ACCESS ROADS AND RAMPS

Any development which makes use of any channel within or on the perimeter of the development to provide for storm water runoff may be required to provide adequate access roads and ramps for channel maintenance purposes as directed by the Engineering Department or Department of Development.

H. LOT DRAINAGE

- (1) Each lot shall be designed or graded with positive drainage to direct storm water into an abutting street, alley, channel, or inlet.
- (2) If drainage is provided in the rear of any lot by an alley or closed storm drainage system consisting of inlets and pipes, the alley or drainage system shall be designed for the 50-year storm event.
- (3) Where it is not practical to provide abutting drainage facilities for each lot, drainage facilities shall generally be required wherever the storm water runoff from no more than two lots is directed across a third residential lot, or whenever the facilities are necessary to avoid an adverse effect on any other lot.



- (4) Lots that are lower than the road or roads on which they abut shall have a finished floor elevation of no less than one (1) foot above the finished grade of the uphill side of the proposed structure to prevent damage from storm water runoff. This can be accomplished via the addition of fill and/or a swale.
- (5) Lots located in depressions shall have a minimum finished floor elevation shown on the final plat. This elevation shall not be less than one (1) foot above the 100-year water surface elevation.
- (6) The developer is responsible to notify a prospective buyer of the above requirements. Ellis County will not be responsible for any flooding or flood conditions that occur in these areas.
- (7) Structures built on lots which are lower than the road or roads on which it fronts and/or abuts shall be built at a finished floor elevation above the proposed grade of the yard adjacent to the slab on the uphill side of the property, and/or a shallow dip section (swale) shall be built in the yard to prevent storm drainage water from ponding and damaging houses on properties that are lower than the road.
 - (i) Careful attention shall be paid to the drainage design for the subdivision in order to alleviate potential localized flooding on individual lots.
 - (ii) The developer or builder is responsible for notifying prospective buyers of the above requirements. Ellis County shall not be responsible for any flooding or flood conditions that occur in these areas.

I. STANDARD DETAILS

Standard details adopted by the Texas Department of Transportation Hydraulic Design Manual as Revised in July 2016, as amended, shall be used for applicable drainage facility improvements. The Commissioners Court hereby adopts this Manual as its applicable standards for Hydraulic facilities including open channels, bridges, culverts, storm drains, pump stations, and storm-water quantity and quality control systems. Should conflicts arise between the Ellis County Drainage Design Manual and the Texas Department of Transportation Hydraulic Design Manual, the Ellis County Drainage Design Manual shall control.



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SECTION III **STORM DRAINAGE DESIGN CRITERIA**

A. APPLICATION

- (1) Storm Water Runoff: All storm water drainage improvements shall be designed based upon the entire contributing drainage area being fully developed.
- (2) A downstream assessment may be required at the direction of the Ellis County Engineering Department. Depending upon project and site specific conditions, as well as downstream facilities, the developer may be required to provide a narrative and detailed calculations demonstrating the degree of downstream impacts.
- (3) The intent of the downstream assessment is to analyze the pre-project and post-project hydrologic and hydraulic conditions to ensure that post-developed runoff is conveyed downstream in an acceptable manner.

B. GENERAL

- (1) The design of storm drainage improvements in Ellis County shall be based on flood discharges determined by using an appropriate method.
 - (i) The Rational Method may be used to estimate peak flow for basin areas of 200 acres or less.
 - (ii) The SCS Unit Hydrograph Method may be used for basin areas of any size and all design applications.
 - (iii) The Texas Department of Transportation (TxDOT) Regression Equations may be used for basin areas from 10 to 100 square miles for rural design applications (see current TxDOT Hydraulic Manual – Regression Equations Section).
- (2) The Rational Method is based on the direct relationship between rainfall and runoff, and the method is expressed by the following equation:

$$Q=CIA,$$

where,

Q = the maximum rate of discharge (cfs).

C = a coefficient of runoff

I = intensity of rainfall (in/hr)

A = the drainage area (acres)

Values for the runoff coefficient are given in Table 1.



TABLE 1. RUNOFF COEFFICIENTS FOR TYPES OF LAND USE

TYPE OF AREA OR LAND USE	ADOPTED RUNOFF COEFFICIENT "C"
Parks or Open Areas	0.30
Residential Areas (Lots of 1 acre or more)	0.45
Residential Areas (Lots of less than 1 acre)	0.65
Commercial / Industrial Areas	0.75
Agricultural Areas	0.30
Business Areas	0.95
Apartment Areas	0.80
Streets (Asphalt and Concrete)	0.95
Drives, Walks, and Roofs	0.95

(3) Rainfall Intensity is the average rainfall rate in in/hr for a duration equal to the time of concentration for a selected return period. Once a particular return period has been selected for design and a time of concentration calculated for the drainage area, the rainfall intensity can be determined from Rainfall-Intensity-Duration data given in the ISWM Technical Manual in the Ellis County Rainfall Data section or other methods accepted as standard engineering practice.

(i) Rainfall intensity can be determined from the formula:

$$i = \frac{b}{(t + d)^e}$$

where,

i = rainfall intensity (in/hr)

t = rainfall duration (min) (equal to the time of concentration)

b,d, and **e** = parameters found in the ISWM Technical Manual

(ii) The time of concentration (tc) is the time in minutes required for overland flow from the most hydraulically remote point in the watershed to a point where the runoff is concentrated plus the time of flow in a closed conduit or open channel to the design point.

(iii) The time of concentration may be determined by using methods accepted as standard engineering practice. The minimum inlet time of concentration for various types of areas to be used for design purposes can be seen in Table 2.

TABLE 2. INLET TIME OF CONCENTRATION

Type of Area	Minimum Time	Maximum Time
Parks or Open Areas	20 Minutes	30 minutes
Single Family Residential	15 Minutes	20 Minutes
Industrial	10 Minutes	20 Minutes
Business	10 Minutes	20 Minutes



- (4) Storm Water Design Frequencies:
- (i) Recommended design storm frequencies for the storm drainage improvements in Ellis County are listed in Table 3.

TABLE 3. DESIGN STORM FREQUENCIES

Drainage Facility	Minimum Design Storm
Roadway Ditches & Driveway Culverts	5-year
Enclosed Storm Drainage	25-year
Roadway Culverts and All Bridges	100-year plus one-foot of freeboard above the 100-year water surface elevation
Earthen & Concrete Lined Channels (channel solely for conveying storm water runoff)	100-year plus one-foot of freeboard above the 100-year water surface elevation

**The discharge for 100-year return frequency storm and the resulting possible damages there from shall be evaluated to determine if said damages are sufficient to warrant enlargement of the planned facility.*

- (5) Street Drainage Requirements:
- (i) The permissible water spreads for streets are based on the 5-year design storm.
 - (ii) All streets shall be capable of conveying a 100-year design storm without water exceeding the right-of-way limits and/or drainage easement on adjacent lots.
 - (iii) The spread limits listed in Table 4 shall apply to the following streets and facilities:

TABLE 4. PERMISSIBLE WATER SPREAD (5-YEAR DESIGN STORM)

Type of Road	Design
Regional Arterial	One lane open in each direction
Minor Arterial	One lane open
Collector	Top of curb

Note: Inverted crown sections are permitted only in alleys.

C. CULVERTS:

- (1) All culvert designs including safety end treatments, headwall, and wingwall designs, must be signed and sealed by a licensed professional engineer in the State of Texas.



- (2) The developer shall install all drainage culverts as designated by the Engineer who designed the drainage system and with approval of the Engineering Department and the Department of Development.
- (3) The plat shall notify lot owners that the size of required drainage culverts for driveways is designated in the drainage study on file in the Department of Development.
- (4) Design of culverts shall include the determination of upstream backwater conditions as well as downstream velocities and flooding conditions. The maximum discharge velocity from the culvert shall not exceed the permitted velocity of the receiving channel or conduit at the outfall to prevent erosive conditions.

D. ROADWAY CULVERTS:

- (1) Culverts shall be constructed of reinforced concrete pipe (RCP) and designed to the 100-year frequency with one-foot of freeboard.
- (2) Safety End Treatments (SETs) or headwalls must be designed for all roadway culverts. The slope for the SET shall not exceed 4:1.
- (3) Roadway Culverts shall be designed in accordance with the adopted TxDOT Hydraulic Manual.

E. DRIVEWAY CULVERTS:

- (1) Culverts shall be constructed of reinforced concrete pipe (RCP) or corrugated metal pipe (CMP) and designed to the 5-year design storm at minimum, any culverts designed less than the 5-year design storm must obtain written approval of the Ellis County Engineering Department before installation.
- (2) The use of multi-barrel CMP shall be limited and reviewed on a case-by-case basis by the Engineering Department and the Department of Development.

F. PIPE SYSTEM REQUIREMENTS:

- (1) Storm drain systems capable of conveying the 25-year design storm are required when water spread limits are exceeded. Storm drain conduit shall be sized to full flow using Manning's Equation.

$$Q = \frac{1.486AR^{\frac{2}{3}}S^{\frac{1}{2}}}{n}$$

where;

Q = is the discharge (cubic feet per second)

A = the cross-sectional area of flow (square feet)

R = the hydraulic radius (feet)

S = the slope of the hydraulic (ft/ft)

n = the coefficient of roughness



- (i) The minimum velocity with the pipe flowing full shall be three (3) feet per second.
 - (ii) The minimum storm drainpipe diameter shall be eighteen (18) inches.
 - (iii) Pipe soffits at changes in pipe sizes shall be set the same elevation.
 - (iv) Vertical curves in the conduit will not be permitted and horizontal curves will be permitted only with the approval of the Engineering Department and the Department of Development.
- (2) Manholes shall be placed at the connection of two (2) or more laterals, at pipe junctions having pipe sizes greater than twenty-four (24”) inches, at alignment changes, and at the beginning of the storm drain system.
- (i) Maximum manhole size and specification shall be in accordance to Table 5:

TABLE 5. MANHOLE SIZE AND MAXIMUM SPACING

Pipe Size (Inches)	Maximum Spacing (feet)
18-36	600
42-60	1000
>60	No Limit

G. CHANNELS:

The calculations for capacity of channels shall consider the effects of backwater from downstream conditions.

H. NATURAL CHANNELS:

- (1) Channels may be left in a natural state if both of the following conditions are met and certified by a licensed engineer in the State of Texas:
 - (i) Channel velocities are less than eight (8) feet per second based on the 100-year design storm.
 - (ii) The flow from the 100-year design storm is contained within the natural channel while allowing one-foot of freeboard.

I. IMPROVED CHANNELS:

- (1) If a natural channel is to be replaced by an improved channel, the flow from the 100-year design storm must be contained in the improved channel while allowing for one-foot of freeboard.
- (2) Improved channels shall contain a lined section if the design velocity is greater than six (6) feet per second.
- (3) Lined sections shall be designed in accordance with the adopted TxDOT Hydraulic Manual.
- (4) Lining types such as concrete, rock walls and gabions, may be used upon approval of the Engineering Department.



- (i) For lined channels, all of the channel bottom and at least the first three (3) feet (vertical height) of the side slopes up from the channel bottom shall be lined, unless otherwise approved by the Engineering Department.
 - (ii) Earthen sides above the lined section (or totally earthen channels) shall be on at least three (3) horizontal to one (1) vertical slope and shall have approved ground cover to prevent erosion.
- (5) Unless shown to be feasible in a soils report sealed by a registered professional engineer in the State of Texas, and approved by the Engineering Department, improved channels shall have minimum side slopes of:
- (i) Three (3) feet horizontal to one (1) foot vertical for earthen, grass-lined side slopes (3:1)
 - (ii) Two (2) feet horizontal to one (1) foot vertical for concrete-lined side slopes (2:1)
- (6) Channels discharging into watercourses shall have the same invert level as the watercourse.

J. DETENTION PONDS

- (1) The following requirements and design standards shall apply to detention ponds to the extent they do not conflict with any applicable Federal or State laws or regulations, as amended:
- (i) The 100-year design storm shall be used to determine the volume of storage required.
 - (ii) Detention facilities shall be designed so that any additional runoff generated by the proposed development will not increase the amount of original discharge for storm frequencies from the 5-year to the 100-year design storm.
 - (iii) Detention ponds shall be designed with a minimum of one (1) foot of freeboard above the 100-year design storm water surface elevation.
- (2) The Unit Hydrograph Method is recommended to determine the volume of runoff storage for drainage areas of any size. For drainage areas less than 200 acres, other methods accepted as standard engineering practice are allowable.
- (3) Any outflow structure which conveys water through the embankment in a conduit shall be designed with reinforced concrete. This includes utilizing existing ponds for detention/retention.
- (4) The conduit shall withstand the internal hydraulic pressure without leakage under full external load or settlement and must convey water at the design velocity without damage to the interior surface of the conduit.
- (5) The outflow structure of a detention basin discharging water into any natural stream or unlined channel shall discharge at a non-erosive rate, unless approved erosion protection is provided.



- (6) Detention basins resulting from excavation shall provide positive drainage with a minimum bottom slope of one (1) percent. A pilot channel is required when the minimum bottom slope is less than one (1) percent.
- (7) The side grade for any excavated detention basin, which is not a rock, shall not exceed 3:1. Side slopes and bottom shall be protected from erosion with grass or other approved materials.
- (8) Earthen embankments used for water impoundments must be constructed with suitable fill material and be designed based upon geotechnical investigations of the site. Embankments shall be protected from erosion with grass or other approved materials.



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**SECTION IV
EASEMENTS**

A. APPLICATION

The following requirements for public drainage improvements, channels, and facilities required for any development shall apply

- (1) All public drainage systems and facilities which are not to be included within an existing or proposed public street right-of-way shall be located within easements to be dedicated to the County with adequate access to a public street.
- (2) Prior to acceptance of any public drainage facilities, all easements within which the facilities are located shall be cleared of all buildings, structures, fences, trees, or other obstacles that would interfere with drainage flow and access to the easement.
- (3) The developer shall be responsible for maintenance of drainage easements until the land is sold.
- (4) The landowners shall be responsible for maintenance of drainage easements after the purchase of the property.
- (5) Floodways or floodplains which are necessary to provide for the drainage needs of the development shall be dedicated to the public as a drainage easement to the limits defining the floodway or floodplain.
- (6) Easements for closed drainage systems shall be in accordance with the following minimum standards, unless special circumstances warrant additional or reduced, as determined by Ellis County Engineering.

<u>Pipe Size</u>	<u>Minimum Easement Width</u>
36" and under	15 feet
42" through 54"	20 feet
60" through 66"	25 feet
72" and above	30 feet

- (7) Easements for improved channels shall be provided with sufficient width for maintenance access.



- (i) Channels having a top width greater than 30-feet and a side slope steeper than 4:1 shall have access roads of 15-feet in width along both sides of the channel unless otherwise approved by Ellis County Engineering.
- (8) Utilities shall not be located within any existing drainage easement, unless it is also designated for utility use.
 - (i) No utilities shall be located in any lined channel in such a way as to interfere with maintenance of or access to the channel.
- (9) A drainage easement shall be provided for a required outfall channel or ditch to the point where the flowline matches natural grade.
- (10) To provide for maintenance, a drainage easement shall be provided at least twenty-five (25') feet beyond any outfall headwall.

B. ELLIS-PRAIRIE SOIL AND WATER CONSERVATION DISTRICT (EPSWCD) AND DALWORTH SOIL AND WATER CONSERVATION DISTRICT (DSWCD)

The following requirements for any development shall apply when located in close proximity to a Natural Resource Conservation Service (NRCS) Floodwater Retarding Structure in Ellis County.

- (1) If a proposed development is within close proximity, as determined by the Ellis County Engineering Department, to a NRCS floodwater retarding structure, the Department of Development and Engineering Department will defer to the EPSWCD or DSWCD for an impact analysis and letter of approval before issuing a development permit.
- (2) For structures where a potential dam breach inundation area has been established, construction is not recommended.

EPSWCD POLICY ON ACTIVITIES ADJACENT TO THE FLOODWATER RETARDING STRUCTURES

Purpose

This policy is for the purpose of addressing requests to modify the size of easement areas adjacent to floodwater retarding structures; and to provide guidance on the handling and consideration of requests for development activities within the easement area, and deviations from District policy.

Background

There are 84 floodwater retarding structures in the Ellis-Prairie Soil and Water Conservation District (the "District"). See attached map.

Funding for these structures was authorized by the National Flood Control Act of 1944 (Public Law 534) for the purpose of watershed protection and flood prevention. The U.S. Department of Agriculture – Natural Resources Conservation Service (NRCS), formerly the Soil Conservation Service, oversaw the design and construction.



These structures or “soil conservation lakes” were constructed on private lands through easements obtained by the District. The easements were filed with the Ellis County Clerk’s office. These lakes are not federal property and therefore not open to the general public.

As easement holder, the District is responsible for the operation, maintenance and inspection of these floodwater retarding structures. Under an agreement with Ellis County Commissioners Court, the County provides financial support in performing maintenance activities.

As Ellis County continues to grow, the land adjacent to floodwater retarding structures becomes a primary target for residential development, ranchettes, and other special uses that pose a potential hazard to life and property, and may adversely affect the operation of the structure. Developers and potential developers are requesting the District to modify, restrict and reduce easements to the minimum amount feasible while preserving the structure and its function.

Therefore, to protect public safety, ensure the proper function of the structure, maintain the integrity of the easements and to accommodate requests by current and future developers, the District is adopting the following policy relating to all activities within such easements.

General Policy

- (1) Easement Area – The easement includes the dam, emergency spillway (to the outlet channel), pipe outlet works, sediment pool, flood detention pool (flood easement elevation), ingress/egress and any adjoining land deemed necessary for carrying out operation and maintenance responsibilities. The flood easement elevation is the contour line determined by the emergency spillway crest elevation plus two (2) feet. (Note: This is not the 100-Year floodplain, which is determined by the Federal Emergency Management Agency (FEMA)).
- (2) Ingress/Egress – As specified in the easement, the District is provided and will reserve access for the purpose of inspecting, operating, repairing and maintaining the structure. The minimum width of the access road will be thirty (30) feet. The District will install locks on access gates as needed to protect the landowner’s privacy.
- (3) Floodwater Retarding Structure – The dam, emergency spillway, primary spillway/pipe outlet and related appurtenances shall not be modified in any form for any reason without prior written approval of the District and concurrence from the NRCS.
- (4) Fencing – The fence and gates around the dam and emergency spillway are the property of the District. These fences were constructed for grazing management. Any changes or modifications to the existing fences require prior written approval of the District. Property line fences located within the easement are not the responsibility of the District. (Note: The fenced-in area around the dam and emergency spillway is not an indicator of the “easement area”.)
- (5) Grazing – Controlled grazing on the dam and emergency spillway is permitted under the following conditions:



- (a) Grazing is regulated so as to maintain a 4-inch stubble height on Bermuda grass, and a 6-inch stubble height on other grasses.
 - (b) Livestock are removed when the soil is extremely wet or dry.
 - (c) Livestock will not be confined and/or fed on dam or emergency spillway.
 - (d) Corrals or pens will not be constructed on the dam or emergency spillway.
- (6) Other Agricultural Uses - Where practical, the dam and emergency spillway may be hayed. Cutting heights will be the same as grazing heights. Haying will be completed by October 1 to allow time for adequate regrowth before the winter. Plowing and planting annual crops such as small grains on the dam and spillway area is prohibited. Over seeding using a no-till drill or similar equipment is permitted.
- (7) Trafficking – Vehicular travel across the top of dam and spillway areas will be limited to prevent rutting and damage to vegetation. All vehicles, including ATV’s, are prohibited on the slopes of the dam and in the emergency spillway area.
- (8) Water Level – The water level in the structure is controlled by the District. Landowner(s) within the sediment pool (permanent water) wishing to lower the water level must have prior written approval of the District. Other landowners within the sediment pool must be in agreement and submit written concurrence showing unanimous agreement before the District will consider the request.
- (9) Water Use – All surface water in Texas is owned by the State. The landowner(s) involved in the floodwater retarding structure have the right to use water in the sediment pool for domestic or livestock use. The use of water for commercial agricultural production and other commercial uses is regulated by the Texas Commission on Environmental Quality (TCEQ). Before applying for a state permit, the landowner must first receive written approval from the District to ensure that such activities will have no adverse effect on the structure. Secondly, the landowner(s) having sediment pool must be in unanimous agreement and submit written concurrence to the District.
- (10) Development – Development is defined as any manmade change to improved or unimproved real estate, including but not limited to, adding buildings or other structures, dredging, filling, grading, paving, excavation, or drilling operations.

The following activities relating to development are prohibited within the easement area:

- (a) Residential construction, and other structures (garages, barns, utility buildings, etc)
- (b) Placement of fill for any reason;



- (c) Installation of dikes, levees or other structures which may reduce the storage capacity of the flood detention pool, decrease the capacity of the flood channel, deflect the flow from the channel or divert natural runoff;
- (d) Construction of buried or above ground utilities on dam or emergency spillway;
- (e) Temporary or permanent placement of objects in the emergency spillway that will reduce or disturb flow (i.e., fences, hay bales, equipment storage, etc.).

In developing watersheds, the District recommends that the minimum finished floor elevation for proposed development areas be one (1) foot above top of dam elevation. All development will comply with the National Flood Insurance Program and be approved by the governmental authority having jurisdiction. To provide a technical basis for development, future development that impacts on, or is impacted by the structure and/or the easement, shall require a detailed engineering study and a final copy provided to the District at the sole expense of the developer. The engineering firm completing the study shall be approved by the District and concurred by the NRCS. All plans for developing land within the easement area must be approved in writing by the District. Refer to the sections “Upstream Development” and “Identification of Easement Area” for guidance on submission and approval of plans.

- (11) Request involving deviations from District Policy – Deviations from District policy will not be permitted unless the following criteria are met:
 - (a) It can clearly be shown by approved procedures that the deviation will not adversely affect conditions either upstream or downstream from the point of deviation; and
 - (b) All owners directly affected by the deviation are in agreement; and
 - (c) The deviation is not in conflict with any other plan or ordinance adopted by any local governing authority having jurisdiction.

Request for deviation must be submitted, in written form, at least twenty-one (21) days prior to the date of the District meeting at which consideration is requested.

Upstream Development

When residential or commercial development is contemplated on land on which the District holds an easement, the owner shall contact the District to review the plans and the impact on the District’s easement. This review should take place as soon as reasonably possible and prior to the tender of any plats, preliminary or otherwise, to any governmental authority, and prior to the sale of any land or an interest in any land. See “General Policy-Development”. If development is feasible, as evidenced by written approval of the District, then the following information will be required and provided at the owner’s expense for District approval.

- (a) A survey of the easement area by metes and bounds. See “Identification of Easement Area for guidance of amending easement.
- (b) Two (2) prints of a preliminary plat of the proposed development which must be provided at least twenty-one (21) days prior to the date of the District meeting at which approval



of the preliminary plat is requested. The preliminary plat shall include the following information, as applicable:

- (i) Depiction of the recorded easement showing boundary lines of the easement, and location of the dam, emergency spillway and flood detention pool;
- (ii) Flood easement elevation contour with flood detention pool shown by shading;
- (iii) Sediment pool elevation contour (permanent water level);
- (iv) The 100-year floodplain boundaries and source of information;
- (v) Top of dam elevation contour (in developing watershed);
- (vi) Location of utilities, easements and rights-of-way (existing and planned);
- (vii) Layout of subdivision including streets and lots and any other features relating to the proposed subdivision.

Approval of the preliminary plat does not constitute acceptance of the development, but merely an authorization to proceed with preparation of the final plat. When development activities require County and/or city approval, District approval in writing, shall be obtained prior to submission to the appropriate governing authority. All development will comply with the National Flood Insurance Program.

- (c) The owner will submit two (2) prints of the final plat of the proposed development at least twenty-one (21) days prior to the date of the District meeting at which approval of the final plat is requested.

The final plat shall have all the information required for the preliminary plat plus the following additional information shall be provided:

- (i) A written list of all changes made in the final plat that are different from the preliminary plat;
- (ii) Subdivision restriction, including those imposed by the developer.

District review and written approval of the final plat must be obtained prior to submission to the County or City.

After approval, the final plat will be filed with the Ellis County Clerk's Office, and two (2) certified copies of the final plat and accompanying restrictions along with recording information furnished to the District at the owner's expense.

Identification of Easement Area



When land on which the District holds an easement is to be developed (residential subdivision, commercial development, etc.), the original easement shall be amended to identify the easement by a metes and bounds description. All expenses incurred will be the sole responsibility of the owner.

The owner shall provide to the District a certificate of title from a title company showing that the title to said property is vested in the owner and a listing of any and all lien holders(s).

A registered public surveyor shall conduct the survey. The District will provide details and limits, specific to the easement to be redefines. The area retained and therein describer will, as a minimum, include the dam, emergency spillway, pipe outlet, sediment pool, flood detention pool (flood easement elevation), ingress/egress and any adjoining lands deemed necessary for carrying out District responsibilities.

Survey field notes and plat will be submitted to the District for examination. The plat will, as a minimum, contain the following information:

- (1) Boundaries of the easement area including call notes (lines, bearings and distances); and the area clearly identified by shading;
- (2) Show location of the dam, emergency spillway, flood easement elevation, as applicable;
- (3) A seal, signature and certification by a surveyor to the effect that the plat correctly represents a survey made by him.

Following written approval of the survey by the District, the owner will have his attorney prepare, for the consideration and possible execution by the District, a partial release that modifies the original easement and that includes:

- (1) The title history of the subject property form the inception of ownership by the Grantor in the original easement;
- (2) A detailed explanation of the changes that not only show the portion of the easement released by also defines and clarifies, by metes and bounds, that portion of the easement to be retained;
- (3) The following statement: “Except as above amended, all other provisions of the original easement shall remain in full force and effect.”; and
- (4) A plat of the subject property as outlined above, and identified as “Exhibit A”.

Note: A copy of all deeds and/or easements referenced in the conveying document shall accompany said document.

The owner will then submit two (2) original copies of this amendment to the District for final review and approval at least twenty-one days (21) prior to the date of the District meeting at which approval of the amendment is requested.



Following District approval, the District will, at the owner's expense, file the amended easement with the Ellis County Clerk's office. In addition, the owner shall pay the cost of providing the District with a certified copy of said document with recording information.

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SECTION V - IXX
RESERVED



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SECTION XX **DEFINITIONS**

A. APPLICATION

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

- (2) If the terms, phrases, words and their derivations are not located within these set of regulations, it may be located in the County's other associated development regulations.
 - (i) Definitions not expressly prescribed herein are to be construed in one of the following methods as determined by the Department of Development Director to apply a definition that closely applies:
 - (a) In accordance with customary usage in subdivision, planning and engineering practices;
or,
 - (b) The most recent edition of Black's Law Dictionary.
 - (ii) Any interpretation shall be addressed by the County Engineer as outlined in Section I (F).

- 3 The definitions in this section shall also apply to Volume I (Subdivision and Building Standards) and Volume III (Standard Construction Details) of the Ellis County Quality Growth Initiatives, unless otherwise indicated.

B. DEFINITIONS

Access Ramp

A route used to provide entry for vehicles and machinery into a channel.

Access Road

A route parallel to and at the top of the bank of a channel used for maintenance of channels.

Base Flood

The flood having a one percent chance of being equaled or exceeded in any given year.

Channel

Any open or closed device for conveying flowing water.

Drainage Area or Basin

The land area or catchment area, upon which rainfall contributes runoff to a specific location.

Drainage Facilities or System

One or more conduits, channels, ditches, swales, pipes, detention devices, or any other device, work, or improvement, natural or manmade, which is used, designed, or intended to be used to carry, direct, detain, or otherwise control storm water.



Detention

The storage of storm water runoff for a controlled release during or immediately following the design storm.

Flood Hazard Boundary Map (FHBM)

An official map issued by the Federal Emergency Management Agency (FEMA), where the areas of special flood hazards have been designated.

Flood Insurance Rate Map (FIRM)

An official map of a community on which the Federal Emergency Management Agency (FEMA) has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Floodplain

For purposes of these rules, the floodplain is the area designated as subject to flooding from the base flood (100-year flood) on the Flood Insurance Rate Map. The floodplain includes the floodway when established.

Floodway

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floodway Fringe

The area located within the floodplain and outside the floodway.

Freeboard

The vertical distance between the design water surface level and the top of an open conduit left to allow for wave action, flotation debris, or any other condition or emergency without over topping the structure.

Hydrograph

A graph showing stage, flow, velocity or other properties of water versus time at a given point in a stream or conduit.

Inlet

An opening into a storm drain system for the entrance of surface water runoff.

Inverted Crown Section

A street cross-section usually reserved for alleys, in which the center of the street is lower than the edges so that drainage is carried down the center of the street.



Local Drainage System

Any drainage facility or system which serves an area having a contributory drainage basin of less than a one (1) square mile area.

Off-Site

Located outside the boundary of a development.

On-Site

Located within the boundary of a development.

Pipe

A closed conduit through which water flows.

Positive Drainage

The practice or system of proper grading to direct runoff away from structures and to prevent ponding.

Positive Overflow

Refers to when inlets do not function properly or the design capacity of a conduit is exceeded, the excess flow can be conveyed overland along a road, alley, or special drainage easement.

Soffit

Inside top of a pipe.

Time of Concentration

The estimated time, in minutes, required for storm water runoff to flow from the most hydraulically remote section of the drainage area to a specific design point.



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APPENDIX A
HISTORY OF AMENDMENTS

DATE	MINUTE ORDER	BRIEF SUMMARY
05/13/2002	192.02	Established the County of Ellis Rules, Regulations, and Specifications for Subdivisions and Manufactured Homes
RESERVED	FOR	RESEARCH
10/10/2017	428.17	Modified minimum setback requirements (Section 3-E, Paragraph 3)
12/19/2017	488.17	Modified alternative paving standards for for manufactured & mobile home, and RV parks (Sections 1, 5, and 8)
08/14/2018	337.18	Modified concrete thickness, development along private streets, and created traffic impact studies with established criteria (Section 7-A, 8-B and Article IX).
09/11/2018	376.18	Moved definitions from Section 1-W to create a new Section XXI and amended existing definitions.
09/25/2018	396.18	Revised runoff coefficients, rainfall intensity, and inlet time of concentration (Appendix A, Section F)
12/04/2018	489.18	Replaced Order 192.02, as amended, in its entirety and created Ellis County Quality Growth Initiatives – Volume I (Subdivision and Development Standards). Moved all related drainage sections from previous regulations into Volume II and reorganized this section along with some minor amendments.
12/04/2018	490.18	Created Ellis County Quality Growth Initiatives – Volume II (Drainage Design Manual). Moved all related drainage sections from previous regulations into this volume.
12/04/2018	491.18	Created Ellis County Quality Growth Initiatives – Volume III (Standard Construction Detail). No wording; just established framework for future amendments.



COMMISSIONERS COURT OF ELLIS COUNTY
ORDER NO. _____

AN AMENDMENT TO THE ELLIS COUNTY QUALITY GROWTH INITIATIVES –
VOLUME III (STANDARD CONSTRUCTION DETAILS)

On this the 3rd day of September 2019, the Commissioners' Court of Ellis County, Texas, convened in a regular session of said court on the 2nd Floor of the Ellis County Historic Courthouse located at 101 West Main Street, Waxahachie, Texas, with the following members present, to wit:

COUNTY JUDGE:

- Judge Todd Little

COMMISSIONERS:

- | | |
|--|--|
| <input type="checkbox"/> Randy Stinson, Commissioner, Pct. 1 | <input type="checkbox"/> Paul Perry, Commissioner, Pct. 3 |
| <input type="checkbox"/> Lane Grayson, Commissioner, Pct. 2 | <input type="checkbox"/> Kyle Butler, Commissioner, Pct. 4 |

AND AMONG OTHER PROCEEDINGS, THE FOLLOWING ORDER WAS PASSED AS FOLLOWS:

AN ORDER OF THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS AMENDING MINUTE NO. 491.18, THE ELLIS COUNTY QUALITY GROWTH INITIATIVES – VOLUME III (STANDARD CONSTRUCTION DETAILS). THESE AMENDMENTS ARE PRIMARILY DESIGNED TO COMPLY WITH RECENT CHANGES IN STATE LAW ADOPTED UNDER HOUSE BILL 3167 APPROVED UNDER THE 86TH TEXAS LEGISLATURE ALONG WITH OTHER RELATED ARTICLES, SECTION, AND PARAGRAPHS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE

WHEREAS, the Commissioners' Court of Ellis County, Texas, in compliance with the laws of the State of Texas and the orders of Ellis County, Texas, have given the requisite notices and otherwise, and after holding and affording a full and fair hearing to all interested persons, and in the exercise of its legislative discretion, have concluded that this proposal should be approved;

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSIONERS' COURT OF ELLIS COUNTY TEXAS, THAT:

SECTION 1. The approved amendments for the Ellis County Quality Growth Initiatives – Volume III (Standard Construction Details) for Subdivision and Manufactured Homes are amended to read as follows and found in Exhibit A and any hyperlinks, grammatical, scrivener's errors and updates to Appendix A and table of contents may be amended without Commissioners' Court approval.



SECTION 2. CONFLICTS.

To the extent of any irreconcilable conflict with the provisions of this Order and other orders of Ellis County governing the use and development of the Property and which are not expressly amended by this Order, the provisions of this Order shall be controlling.

SECTION 3. SEVERABILITY CLAUSE

If any section, paragraph, sentence, phrase or word in this order is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this order; and the Commissioners Court hereby declares it would have passed such remaining portions of the Order despite such invalidity, which remaining portions shall remain in force and effect.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall become effective and after the date of its passage on September 4, 2019, and it is accordingly so ordained.

PASSED, APPROVED, AND ADOPTED IN OPEN COURT BY THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS ON THIS THE 3RD DAY OF SEPTEMBER, 2019.

Todd Little, County Judge

Commissioner Randy Stinson, Precinct No. 1

Commissioner Lane Grayson, Precinct No. 2

Commissioner Paul Perry, Precinct No. 3

Commissioner Kyle Butler, Precinct No. 4

ATTEST:

Krystal Valdez, County Clerk

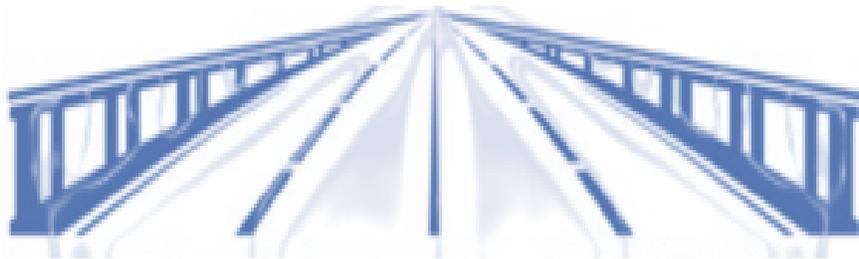


DEPARTMENT OF DEVELOPMENT
Ellis County

✉: dod@co.ellis.tx.us
☎: 972-825-5200
🌐: co.ellis.tx.us/dod

EXHIBIT A –
VOLUME III (STANDARD CONSTRUCTION DETAILS)

ELLIS COUNTY QUALITY GROWTH INITIATIVES



VOLUME III STANDARD CONSTRUCTION DETAILS

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SECTION I

GENERAL INFORMATION AND ADMINISTRATION

A. OFFICIAL NAME

The official name of these regulations shall be the “**Ellis County Quality Growth Initiatives, Volume III—Standard Construction Details.**”

B. AUTHORITY

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

C. APPLICATION & PURPOSE

- (1) All development in Ellis County shall provide infrastructure in accordance with the following requirements and design standards.
- (2) The purpose of these standards is to provide for the health, safety, and general well-being of the public by assuring that adequate infrastructure is provided in all subdivisions which can be maintained without imposing a burden to taxpayers.

D. CONSISTENCY WITH OTHER REGULATIONS

- (1) These regulations shall be consistent with the adopted Ellis County Subdivision and Development Standards, and the Drainage Design Manual and any other supplemental land use and community development policies that may be adopted by the Commissioners’ Court.
- (2) Should a conflict arise with other applicable orders, the strictest shall apply, until an updated order is approved by the County Commissioners’ Court.

E. AMENDMENTS

- (1) As needed, County Engineer may only amend the illustrations within these regulations without the consent of Commissioners’ Court to better assist in graphically depicting portions of these regulations.
- (2) As needed, the Commissioners’ Court may amend these regulations to reflect desired changes and updates in policy or to stay consistent with State Law.
 - (i) Public hearings on all proposed written amendments shall be held by the Commissioners’ Court in open session after publication in a newspaper of general circulation for at least fifteen (15) days before the public hearing date.

F. INTERPRETATIONS

- (1) As needed, the County Engineer shall provide interpretations of these regulations.



- (2) Rulings made by the County Engineer are issued on a case-by-case basis and shall not set a precedent for other similar situations.
- (3) Should an applicant disagree with the interpretation provided, that decision may be appealed to the Commissioners' Court at the next available meeting, as listed in the latest submittal calendar and pay any associated costs.

G. FINES & PENALTIES

- (1) Any person, firm or corporation who violates any of the provisions of these regulations or who fails to comply with any provision hereof within the Ellis County shall be subject to civil penalties including a fine of \$1,000 for each day that such violation continues shall constitute a separate offense and shall be punishable accordingly, pursuant to Section 232.035 of the Texas Local Government Code.
 - (i) The primary objective of the department is not to impose fines but to have everyone comply with these regulations.
 - (ii) The Department of Development shall have the right to institute an action in the court to enjoin the violation or threatened a violation of any provision in the County.

H. SEVERABILITY CLAUSE

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



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SECTION II
ENGINEERING AND CONSTRUCTION STANDARDS

A. STREET CLASSIFICATION

Below is the summary of the minimum standards for Ellis County roads.

TABLE VIII -A

Functional Classification (Average Daily Trips ¹)	Local (0 – 250)	Collector or Secondary Thoroughfare (250 – 1,000)	Primary Thoroughfare (1,000 – 3,000)	Regional Arterial ² (3,000 – 5,000)
Design Speed	20 MPH	30 MPH	35 MPH	45 MPH
Number of Lanes	2	2	2	2-4
Minimum Row Width (or half of the Thoroughfare Plan designation, whichever is greater)	60 feet	80 feet	100 feet	130 feet
Minimum Pavement Width (Traveled Way)	22 - 24 feet ³	28 feet	30 feet ⁴	36 feet
Minimum Width of Shoulders	3 feet	3 feet	4 feet	5 feet
Minimum Centerline Radius	100 feet	150 feet	300 feet	675 feet
Minimum Radius for Edge of Pavement at Intersections	15 feet	25 feet	25 feet	25 feet
Maximum Grade ⁵	12%	10%	10%	9%
Minimum Stopping Sight Distance	50 feet	150 feet	250 feet	350 feet
Minimum Intersection Sight Distance	200 feet	200 feet	300 feet	450 feet
Steepest Ditch Fore Slope Grade ⁶	3:1	3:1	4:1	4:1

Notes:

1. Lots that are restricted to one single-family residence by plat note shall be presumed to generate ten (10) one-way trips per day.
2. All elements, including geometric layout and cross-section, for major arterials (more than 5,000 trips) shall be approved by the Department of Development Director.
3. A width of 31 feet is required if curbed.
4. If residences do not front on street, a 26-foot pavement w/shoulders is sufficient.
5. Occasional short runs between intersections may exceed the amounts shown, but maximum grades through intersections may not exceed the amounts shown.
6. The entire side ditch shall be totally contained within the ROW or dedicated drainage easement. Metal beam guard fencing normally will not be required. However, it is the responsibility of the Developer and his design engineer to (a) provide embankment heights and side slopes which would preclude the need for such traffic barriers; or (b) to determine the need for such structures in the interest of public safety.



B. ACCESS

- (1) Access to all tracts of land and development projects shall be from a County-maintained street/road, a city-maintained road, or a state/federally-maintained road or street.
- (2) Subdivisions with at least two (2) interior streets shall provide at least two (2) points of access to a main street outside the proposed development with driveway access to interior streets only. New streets shall align with other existing surrounding streets.
- (3) Only one (1) access point shall be allowed per lot or tract of land along roads identified as 80 feet of right-of-way or more on the Master Thoroughfare Plan. If multiple access points are desired on the same lot, it shall meet [Tx-DOT's Access Management Standards, Table 2-2](#) and Section II (E) below.
- (4) All access drives within County right-of-way located within the interior of subdivisions shall satisfy the following criteria:
 - (i) Minimum twelve (12) feet wide; and,
 - (ii) Minimum six (6) inches in thickness of concrete; and,
 - (iii) Meet other County standards for street construction outlined in Section II (C) (4) & (5) below.

C. STREETS AND CONNECTIVITY

- (1) The design and construction of new streets or the extension of existing streets shall be done to facilitate both present and future traffic flow and to provide for adequate storm water drainage.
 - (i) In all cases, the design engineer shall be cognizant of local drainage and shall plan local streets such that the new street does not create a localized problem for existing development.
- (2) The developer shall provide adequate streets.
 - (i) The street arrangement, character, extent, width, grade, and location of each shall conform to these regulations, and shall relate to existing and planned streets, to topographical conditions, public safety and convenience, and aesthetic relationship to the proposed uses of land to be served by such streets.
 - (ii) The street layout shall be devised for the most advantageous development and accessibility for emergency equipment.
 - (iii) To promote connectivity and traffic safety, streets shall connect align with other existing streets, as needed.



- (iv) Development shall be allowed along all public roads officially accepted and maintained by Ellis County and shall occur according to the latest applicable standards in effect at the time of platting or permitting.
 - (v) If the private roads are built to public road standards and inspected by the county, the property may develop as if it were a public road and meet all the requirements set forth in these regulations and as stated in the preceding paragraph.
 - (vi) Any Owner that gates the entrances to the subdivision shall provide either a crash gate or a lock box to the Fire Marshal's Office.
- (3) All streets shall meet the following requirements:
- (i) Shall be concrete with a minimum thickness of six (6) inches, and constructed in compliance with the specifications as shown in [Section IV \(A\)](#); and,
 - (1) The Engineering Report shall include a description of the roadways within the community, and include information on the roadway cross section, pavement width and thickness, base thickness, sub grade treatment, material specifications and other information as required in these Regulations.
 - (2) Plans and specifications for these improvements shall also be submitted to the Department of Development/Engineering Department for approval prior to construction.
 - (ii) Intersect at an angle of ninety (90) degrees. Where this is not practical, the intersection on the side of the acute angle shall be cut back a minimum of twenty-five (25) feet; and,
 - (iii) Flared entrances to subdivisions set to the specifications of the County Engineer shall be provided to accommodate access by large trucks; and,
 - (iv) Provide a minimum spacing of 600 feet (does not apply to internal subdivision streets or roads maintained by other jurisdictions) and new streets shall align with other existing surrounding streets.
 - (a) New streets that fall below this requirement due to aligning with existing streets may be exempt from this regulation.
 - (v) Street jogs with centerlines offsets of less than one hundred fifty (150) feet shall be prohibited.
- (4) Lots or tracts of land with direct driveway access to any roads indicated on the Master Thoroughfare Plan shall not be allowed without meeting one of the following alternatives:
- (i) Provide access via a parallel slip street; or,
 - (ii) Shared access drive and share access easements between multiple lots to be shown on plat or filed instrument and built on site; or,



- (iii) Any other alternative that satisfies the Department of Development Director and/or County Engineer that significantly reduces the number of drive cuts.
- (5) Dead-end streets may not be allowed unless such streets provide to connectivity to future streets on adjacent property. The system of streets designated for the subdivision shall connect with streets already dedicated in adjacent subdivisions.
 - (i) Where no adjacent connections are proposed, paved streets shall continue to the boundaries of the property, so that other developments may connect in the future.
 - (ii) Where adjoining areas are not subdivided, the arrangement of streets in the subdivision will make provisions for the future projection of streets into such unplatted areas.
 - (iii) Upon development of such unplatted areas, the new development shall match the street projections to form a continuous street. In no case shall the right-of-way be less than the minimum requirements listed herein.
- (6) Temporary turnarounds shall be provided on dead-end expansion streets while future connectivity is made and be built and designed with a material approved by the County Engineer.
 - (i) Such turnaround shall be eliminated with the future street connection.
 - (ii) No lot shall front on a dead-end expansion street or be considered for lot width requirement as a cul-de-sac lot.
 - (iii) All turnarounds shall meet the same requirements as cul-de-sacs outlined below.
- (7) Cul-de-sacs shall provide proper access to all lots and only at the closed end of streets and shall not be allowed at intersections or curves. All cul-de-sacs shall meet the following requirements listed below:
 - (i) Provide a turnaround right-of-way of at least sixty (60) foot radius (120-foot diameter); and,
 - (ii) Have an outside edge of pavement radius of at least forty (40) feet (80-foot diameter); and,
 - (iii) Shall not exceed one thousand (1,000) feet in length, measured from the intersection of the closest street intersection to the center of the cul-de-sac.
- (8) The County shall not accept any dedication or provide any upkeep or maintenance of any private decorative and/or landscaped entrance(s), squares, islands, or other obstructions to traffic located within the dedicated right-of-way. If these entrances become damaged, unsightly, or a hazard to traffic, at the option of the precinct commissioner, they may be removed with the County suffering no liability for this removal.



- (i) Prior to the placement of items in the right-of-way, a right-of-way encroachment approval is from the Commissioners' Court.
 - (ii) The County shall not bear any liability or responsibility for the placement of any items in the right-of-way.
- (9) All lots in a subdivision shall have an all-weather driveway capable of providing a place to park all vehicles normally at the site. Parking on a county, state or federal right-of-way or ditches is prohibited.
- (10) Ellis County shall not be responsible for maintenance of private streets, drives, emergency access easements, recreation areas, and open spaces.

D. ENGINEERING PLANS

- (1) Final engineering drawings and specifications for all public facilities (i.e. streets and related improvements, bridges, storm drainage, etc.) to be installed shall be submitted for review prior to the commencement of any plat submittal. The items required for these plans shall be as outlined on the checklist generated by the County Engineer.
- (i) Each application submittal and application fee shall allow for up to two (2) resubmittal reviews for a total of three (3) reviews.
 - (a) If no plans are required, a release letter from the County Engineer is required prior to plat submittal.
 - (ii) Upon the exhaustion of these reviews, the application shall be deemed denied and a new application and fees shall be submitted.
 - (iii) A list showing all requested changes by staff shall be submitted with each submittal showing how each comment was address or changed.
- (2) Plan and profile sheets shall be included for each proposed street in the subdivision.
- (i) These plan and profile sheets shall show the right-of-way of the street and a portion of the right-of-way of all intersecting streets in the plan portion.
 - (ii) The plan portion shall show existing ground at left and right, right-of-way, and proposed center line or elevations, drainage ditch elevations, culverts and sizings, and other drainage structures.
- (3) Any approved engineering plans or related documents shall be effective for one (1) year from the date of approval.
- (i) If construction has not started within one (1) year, the engineering plans shall expire, and a new set is required for review.
 - (ii) The new set of plans and documents shall adhere to any new regulations in effect at the time of submittal.



E. CULVERTS

- (1) A driveway culvert is required for each lot. If a second drive is desired, the property owner shall comply with the driveway spacing requirement (if applicable). A permit shall be obtained for each drive and culvert installed.
 - (i) Culvert size shall be determined by the engineer that designed the drainage for the proposed subdivision, however, shall meet the minimum requirements of the County.
 - (ii) The precinct commissioner shall determine the exact sizing if it is within an existing subdivision.
 - (iii) Property owners are responsible for ensuring the culverts are installed according to County regulations. Culverts shall be maintained by the homeowners and not the County.
- (2) The developer shall install all drainage culverts as designated on the approved construction and drainage plans.
- (3) Driveway culverts are required to meet the following minimum standards:
 - (i) Shall be constructed of corrugated metal or reinforced concrete
 - (a) However, concrete culverts, including concrete box culverts, may be allowed in locations that require a culvert that is larger than is practicable for a corrugated metal culvert; and,
 - (ii) Minimum eighteen (18) inches in diameter per culvert, unless otherwise stated by the precinct commissioner; and,
 - (iii) Culverts shall be placed at the edge of the existing road, unless otherwise indicated by the County Engineer and/or precinct commissioner.
 - (iv) The driveway above the culvert shall be constructed such that the driveway is sufficiently below the outside edge of the main road so that the storm water which exceeds the capacity of the culvert can pass over the culvert without entering the roadway and driveway entrance; and,
 - (v) Culvert safety end treatments are highly recommended.
- (4) Temporary culvert piping shall be in place before the commencement of any construction or development activity on the property to prevent any drainage issues. The temporary culvert piping shall be inspected before the construction begins.
- (5) Culvert plans may be required to be signed and sealed by a professional engineer, if unusual conditions exist, as determined by the County Engineer or precinct commissioner.
 - (i) The Engineering Report shall include information on the development and roadway drainage, culverts, conveyances, outfalls, and other information as required to properly convey storm water within and away from the Development. Plans and specifications for



these improvements shall also be submitted to the Department of Development for approval prior to construction.

- (ii) A new subdivision, which ties into an existing county road, shall not cause drainage problems to the existing county road.
- (6) A final inspection made by the Department of Development and/or County Engineer will follow installation to ensure proper type, size, and installation per the drainage plan prepared for the subdivision.

F. UTILITIES

- (1) All utility lines, except those crossing a road, shall be installed in utility easements outside of any current right-of-way, dedicated or prescriptive, and outside of any current or future right-of-way of thoroughfares as shown in the latest approved [Master Thoroughfare Plan](#).
- (2) It is the responsibility of the developer and/or utility provider to properly install and/or relocate existing utilities to comply with county or state setback and/or right-of-way.
- (3) All utility lines crossing any road shall be installed to at least the minimum requirements shown below along with other conditions set forth by the utility company and/or as required by statute.
 - (i) Utility lines crossing a road shall be installed a minimum of twenty-four (24) inches below the ditch line or a minimum of thirty-six (36) inches below the crown line of the road, whichever is greater.
 - (ii) All lines carrying liquid products shall be encased in steel or schedule 40 PVC for a minimum depth of thirty-six (36) inches below the crown line of the road from ditch line to ditch line.
- (4) After roads and streets have been accepted for maintenance by the County, no construction shall be performed or excavations made within the right-of-way without:
 - (i) Giving the County thirty (30) day notice of such work; and,
 - (ii) Agreeing to pay cost of warning signs and other necessary barriers in accordance with the latest [Texas Manual on Uniform Traffic Control Devices](#); and,
 - (iii) Providing letters of credit or bond in an amount necessary to restore roadways to its condition before work being done; and,
 - (iv) Providing a letter to the County assuming full liability for any accident that might occur resulting from such construction or opening of the roadway; and,



- (v) Emergency repairs may be made without advance notice. However, the utility company shall provide adequate safety protection and will assume full liability for accidents that occur while making emergency repairs.

G. FIRE HYDRANTS

- (1) Fire hydrants are required for any development that connects onto a waterline with a minimum size of six (6) inches.
- (2) When fire hydrants are installed, they shall be placed as follows and meet the following requirements:
 - (i) Face the road and be accessible to local fire-fighting vehicles, or as indicated by the Fire Marshal.
 - (ii) One (1) hydrant shall be located at each street intersection with intermediate hydrants with spacing not exceeding four hundred fifty (450) feet between hydrants.
 - (iii) Fire hydrant locators shall consist of four (4) inch by four (4) inch blue reflector traffic buttons properly placed to comply with local fire protection agent and Ellis County Department of Development and installed at each fire hydrant at center line on all adjacent streets.
 - (iv) Fire hydrants shall be colored as indicated by the Fire Marshal.
- (3) Fire hydrants shall be as specified by the water company providing service to the development area or the Fire Marshal's Office, whichever is stricter.
- (4) Operation nuts, hose nozzles, and pumper nozzle shall be compatible for use by all local fire-fighting agencies.
- (5) Any development that does not have fire hydrants shall adhere to the adopted Ellis County Fire Code for other viable fire suppression options. Those options shall only be approved by the Fire Marshal's Office.

H. CONSTRUCTION

- (1) All installations and work shall be reviewed by the Department of Development and the County Engineer, if located in an extraterritorial jurisdiction (ETJ).
- (2) All work shall be constructed and finished in accordance with the approved engineering plans as reviewed and approved by the County Engineer.
- (3) Any changes made during construction shall require stopping until the design engineer gets approval from the County Engineer.



- (4) All development construction shall conform to the requirements of the National Flood Insurance Program, as administered by Ellis County.
- (5) During any construction phase, a metal dumpster or wooden box shall be placed on the property for debris and proper disposal of construction material.

I. TESTING

- (1) All testing required by these regulations to determine conformance to specifications shall be performed by a professional engineer or a testing laboratory approved by the Department of Development.
 - (i) The owner/developer of the proposed project shall bear the cost of all testing.
 - (ii) All street payment shall be cored to verify pavement thickness.
 - (iii) Cores for depth only shall be two (2) inch diameter and shall be taken at intermediate intervals not exceeding three hundred (300) feet.
- (2) The following tests shall be required:
 - (i) A subsurface investigation to evaluate subgrade characteristics, stabilization requirements and pavement section thickness shall be completed; and,
 - (ii) Pavement materials and mix designs shall be analyzed and evaluated for their suitability for pavement usage; and,
 - (iii) Materials, engineering testing, and inspection services shall conform to the TxDOT laboratories recommended scope of services.
- (3) A concrete mix design shall be submitted and approved by the County prior to any placement of concrete.
- (4) Inspector shall be notified of concrete placement at least twenty-four (24) hours in advance for steel and form inspection.
- (5) A minimum of four (4) test cylinders shall be obtained per one hundred (100) cubic yards of concrete.
- (6) Tests shall also include slump, air contents, and temperature of concrete mixture. Each mix design of concrete placed each day shall also be tested.
- (7) Concrete strength shall be tested at least seven (7) days (two cylinders) and twenty-eight (28) days (two cylinders).
- (8) Additional cylinders and/or tests may be requested at the Inspector or County Engineer's discretion.



J. INSPECTIONS

- (1) Ellis County shall perform the amount of inspections and testing necessary to ensure compliance with these and other applicable regulations.
- (2) Inspection, approval, and acceptance by the Commissioners' Court do not relieve the developer of his responsibility to inspect, test, and construct the work in complete compliance with the and other applicable regulations.
- (3) The Department of Development/County Engineer may stop any or all construction as the inspector deems necessary to resolve construction deficiencies and/or discrepancies from the accepted plat or construction plans.
- (4) Inspection, approval, and acceptance by the Commissioners' Court shall not constitute a waiver of rights and includes the right to collect for additional work that is determined to be required to comply with these rules and regulations and/or for work unintentionally not completed.

K. EROSION CONTROL

- (1) Seed/sod shall be furnished to establish groundcover over all disturbed areas as an erosion control measure. The Contractor shall not wait until the entire project before doing this work. The project shall not be considered for acceptance by the County unless the establishment of 80% groundcover is ensured. Grass sods is required for placement of groundcover within the County right-of-way.
- (2) During any and all construction of infrastructure, the developer shall follow proper procedures and guidelines on erosion control set forth by the Texas Commission on Environmental Quality (TCEQ) and/or the Department of Development throughout the construction phase of the project until the final inspection is complete.
- (3) Where applicable, inside the extraterritorial jurisdiction (ETJ) of incorporated municipalities and within districts with special stormwater quality control requirements, the development shall conform to the applicable standards of such municipalities or districts or the County standards, whichever are more stringent.
- (4) In any case, minimum requirements for temporary and permanent erosion control design for right-of-way and drainage requirements are as follows:
 - (i) The temporary control plan during construction shall be sufficient to prevent sedimentation of drainageways, drainage structures, and floodplain areas that could result in a reduced flow capacity, excessive streambank erosion, erosion around structures, or damage of adjoining property.
 - (ii) The permanent erosion control plan design shall be sufficient to:
 - (a) Permanently stabilize all disturbed areas with permanent vegetation, including slopes and embankments.



- (b) Prevent erosion from exit velocities at outlets of culverts, bridges, storm sewers, and channels through dissipaters, rip-rap, level spreaders, linings, gabions, etc.
- (c) Prevent gullying and scouring of roadside ditches and open channels from excessive tractive force (shear stress) through vegetation, linings, retention blankets, retards, drop structures, etc., both during and after the vegetation re-establishment period.
- (d) Protect the integrity of all structural improvements and prevent excessive continuing sedimentation from unstable right-of-way areas into drainage structures, channels, and bar ditches.

L. STREET SIGNS AND TRAFFIC CONTROL DEVICES

- (1) Prior to the acceptance of the streets by the County, all street signs and traffic control devices shall conform to the fundamental use and design requirements outlined in the [2009 edition of the Texas Manual on Uniform Traffic Control Devices \(TMUTCD\)](#).
- (2) The developer shall pay for the costs of purchasing and installing street posts and signs at each street intersection and as necessary to provide sufficient wayfinding.
 - (i) Street signs shall be comprised of nine (9) inch tall blades of six (6) inch high letters.
 - (ii) Posts and bases shall be perforated square metal tubing.
 - (iii) All new signs or traffic control devices shall be of a uniform color selected by the precinct commissioners and shall have a distinctive number to represent the precinct number.
 - (iv) Enhanced or upgraded signs or other traffic control devices above the required minimum shall be considered private decorative signs and be maintained by the homeowners' association or other private entity. The County does not bear responsibility or liability for these decorative signs. Any replacement by County shall be to the required minimum.
 - (v) All hazardous locations shall be marked by reflecting yellow object markers that conform to [TxDOT, Item 658](#).
 - (vi) All subdivision streets and drainage structures shall be marked and protected in accordance with the provisions of the [Manual on Uniform Traffic Control Devices](#).
- (3) Streets names shall be approved through the Department of Development and 911 Addressing prior to the submission of a plat application. Submitted names shall be reviewed to ensure there is no conflict with the name or similar name, in spelling or sound, of another public road or street within the unincorporated part of the county or nearest city.
- (4) Each street sign and shall be in place before final inspection of the subdivision and prior to acceptance of the subdivision by the Commissioners' Court.



- (5) If a proposed subdivision borders on a TX-DOT road, the developer shall bring a letter to the Department of Development from TX-DOT stating tie-in plans and drainage plans that affect the state road.
- (6) The installation of speed limit and weight limit signs is the responsibility of the developer and shall be placed at the entrance of each subdivision, neighborhood, or residential area as determined by the precinct commissioner or County Engineer.
- (7) The person authorizing the installation of a driveway or street connects to any public road is responsible for ensuring that the transition contains no gap, space, or mismatch of the two surfaces.
 - (i) Also, the transition shall not go past the edge of the existing road pavement and the transition will be repaired with asphalt unless the two surfaces being connected are concrete and then concrete will be used. No curbing allowed.

M. COMPLETION OF REQUIRED INFRASTRUCTURE

After completion and acceptance by the County, all streets, roads, signs, underground utilities, drainage ditches, erosion control measures, and drainage structures, shall be maintained by the developer for two (2) years and have an approved maintenance bond (See [Section VII, Volume I](#) for more information).

N. TRAFFIC IMPACT STUDY.

- (1) Traffic impact studies may be required at the discretion of the Department of Development Director and/or the County Engineer to be performed by the developer prior to the platting process for any development proposal that has ten (10) lots or more, at least of twenty-five (25) spaces or greater for a manufactured/mobile home communities or recreational vehicle parks, or any other type of development staff expects to significantly increase or impact the capacity and/or safety of the street/road system.
 - (i) Traffic impact studies shall be required and may apply the findings of that study or similar to the development.

O. PRIVATE OR GATED SUBDIVISIONS

- (1) A private or gated subdivision (security gates or guard station) shall be considered privately-owned. The homeowners' association or other similar financing mechanism shall maintain them.
- (2) Adequate provisions shall be made and approved for entrance for emergency vehicles.
- (3) The County shall not pay or be responsible for any portion of the cost, construction to maintenance of a private street, or for any utilities or related facilities located in private streets.
- (4) All private streets shall be designated as "private access streets" on plats before acceptance by the County. The term "private streets" shall be inclusive of alleys, if provided.



- (5) Any private streets shall be designed and built to the same engineering standards and plans required for public streets and utilities. ([see Section IV \(A\)](#) for more information).
- (6) All required utilities, drainage facilities and signs placed along private streets shall be installed in accordance with County standards.
- (7) Entrances to private streets shall be marked with a sign (meeting requirements of [Subsection J](#)) stating it is a private street and the County does not maintain the street or related improvements.
- (8) The subdivision developer, homeowners' association or similar, or property owners shall provide the Fire Marshall with a Knox padlock or Knox box with a key to access the site to be used only in case of an emergency.
- (9) Current access codes shall always be provided to the Department of Development to enter these communities to be used only for the purposes of issuing permits, providing inspections, and investigating complaints.
- (10) The streets and alleys are private streets and alleys dedicated to Ellis County as access, utility, and drainage easements. The County has no responsibility or liability to make any repairs to such streets and alleys as long as they are private streets and alleys.



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SECTION III
WATER AND WASTEWATER STANDARDS

A. LOTS SERVICED BY WATER WELLS

- (1) In subdivisions with five (5) or more lots, one (1) water well may be maintained and kept operational either by a subdivision homeowners' association or by the appropriate deed restriction with a four thousand (4,000) gallon or larger storage tank furnished beside the well.
- (2) The tank shall be fitted with connections approved by the County Fire Marshal.
- (3) County fire personnel shall have access to the well and tank for firefighting purposes.
- (4) Whenever a developer creates lots without a public water system or without supplying water from an approved source to each lot, the developer or his agents shall notify every purchaser, in writing and an Affidavit to the Public with the following:
 - (i) There is no approved water supply furnished to this (ese) lot (s); and,
 - (ii) The purchase of property on a private water supply shall be at the purchaser's own risk and expense; and,
 - (iii) Ellis County bears no responsibility for the availability or lack of availability or the quality of water supplies which are to be developed privately on an individual lot basis.
- (5) The restrictive covenants covering lots served by individually-owned water wells shall include provisions covering the sanitary control easement circling the water well as to:
 - (i) The size of the easement; and,
 - (ii) Prohibited facilities and activities therein that real or potential pollution hazards to the quality of the water.
- (6) Lots in Ellis County requiring an individual water well and an on-site sewage disposal system shall be of the size outlined in [Section IV \(B\) \(6\), Volume I](#) and follow the requirements outlined in [Chapter 232.0032 of the Texas Local Government Code](#).

B. PUBLIC WATER SYSTEMS

- (1) Public water systems, including fire hydrants, shall conform to American Water Works Association (AWWA) specifications as to design, materials, construction, and testing and comply with the rules and regulations of TCEQ.
- (2) For all lots proposed to be supplied with water from a public water supply system, the developer shall furnish the Commissioners' Court evidence that the system has received the required approvals from the appropriate State regulatory agencies and that the minimum production of the system shall at least equal the requirements of the regulatory agency for the number of residences projected.



- (3) If a public water supply is to be installed, wells must be tested a minimum of thirty-six (36) hours, pumping at the desired gallons per minute rate, to be used for production standards by the State Board of Health. Ellis County shall have the right to inspect all phases of public water wells during development.

C. CERTIFICATION THAT ADEQUATE GROUNDWATER IS AVAILABLE FOR THE SUBDIVISION.

If groundwater is the source of water supply for the subdivision, the Commissioners Court requires a statement attached to the Plat application, prepared and sealed by a licensed professional engineer registered to practice in Texas, that certifies that adequate groundwater is available for the subdivision, according to the certification form and content as promulgated by the Texas Commission on Environmental Quality.

D. WASTEWATER DISPOSAL FACILITIES

- (1) Centralized Sewerage Facilities
 - (i) If wastewater treatment is provided by a political subdivision of the state (city, municipality, utility district, water control and improvement district, nonprofit water supply corporation or an existing investor-owned water supply corporation, etc.) the Developer shall furnish a signed letter of service availability to provide the state's minimum wastewater treatment standard for the proposed Development from the utility.
 - (ii) Where there is no existing entity or owner to build or maintain the proposed wastewater treatment and collection facilities, the Developer may establish an investor-owned utility or a municipal utility district by obtaining a Certificate of Convenience and Necessity (CCN) from TCEQ.
 - (iii) An appropriate permit to treat and/or dispose of waste for the ultimate build-out of the Development shall have been obtained from TCEQ and plans and specifications for the proposed wastewater collection and treatment facilities shall have been approved by all entities having jurisdiction over the proposed project, including TCEQ. Evidence of the approvals shall be included in the Engineering Report.
 - (iv) Wastewater disposal service may be extended into the development to each lot or rental space if the existing wastewater lines are within two hundred (200) feet of the development and there is sufficient wastewater capacity available from the wastewater service provider and allowed to connect.
 - (v) The plan for sanitary sewage treatment and/or disposal shall be indicated (e.g., municipal sewer service, privately owned sewage disposal system or individual on-site sewage facilities).
 - (vi) A site evaluation must be completed for entire subdivision. The location of each soil analysis and the area that it covers shall be shown on the plat. If it is the owner's intent to allow conventional soil absorption systems, representative soil analysis shall be performed by Registered P.E. or Registered Sanitarian.



- (vii) The location of each soil analysis and the area that it covers shall be shown on the plat. If surface application systems are proposed, it shall be clearly stated on the plat and a site evaluation shall be completed for entire subdivision.

- (2) Whenever an organized disposal system is developed within 300 feet of a lot with an on-site sewage facility, that facility shall be connected to the organized disposal system. In addition, the development and use of an organized disposal system is encouraged, where practicable, to serve the disposal needs of the citizens of Ellis County.

- (3) On-site Sewage Facilities
 - (i) The engineering report shall include soils analysis results as required under the Ellis County Regulations for On-Site Sewage Facilities.



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SECTION IV
CONSTRUCTION PROCEDURES AND SPECIFICATIONS

A. APPLICABILITY

- (1) The driving surface of all subdivision streets shall be concrete.
- (2) The materials, design, specifications and procedures shall conform to those of [the current TxDOT specifications](#).
- (3) All new public roads constructed shall be concrete with a minimum 6-inch thick base and shall be a minimum 22 feet wide and follow other guidelines spelled out in [Table VIII-A](#).
- (4) The Director of the Department of Development, or his designee, shall be notified at least twenty-four (24) hours prior to material delivery, laying the base course of a road, or before paving is to be started, to allow the opportunity to visit the site to verify that specifications are being met.

B. PREPARING AND CLEARING THE RIGHT-OF-WAY:

- (1) The Developer shall clear the right-of-way in a manner conforming to [TxDOT, Item 100](#).
- (2) All unstable sub base or objectionable material shall be removed and replaced with material acceptable to the County.

C. ROADWAY EXCAVATION AND EMBANKMENT:

- (1) Any roadway excavation necessary to attain conformance with proposed road grades and typical cross-sections shall be done in conformity with [TxDOT, Item 110](#).
- (2) In cases where the proposed road grades and cross-sections require the placing of fill material to raise the roadway, such embankment fill shall be constructed in conformity with [TxDOT, Item 132](#).
- (3) Completed side slopes shall not be steeper than 3-to-1. Completed cuts shall have side slopes no steeper than 3-to-1.
- (4) Requirements for slopes in cuts and on fills may be modified if the Developer presents plans designed, signed and sealed by an engineer, substituting adequate retaining walls or demonstrates that cuts are in material of adequate stability.

D. SUBGRADE AND BASE COURSES:

- (1) Prior to placing the base course, the roadbed shall be shaped to conform to the sub grade section and shall be tested.
- (2) It shall be firm and to the line and grade called for on the plans and shall be free of holes, ruts, and depressions.



- (3) The embankment, sub grade, and base course materials shall be compacted by suitable type rollers in all cases where required to consolidate fill materials or to attain adequate stability of sub grade materials and base courses.
- (4) The County shall require “Density control” method of compaction to attain the 95% compaction of sub grade and base courses. These percentages of compaction shall be required for all road construction. Rolling equipment and construction methods shall conform to TxDOT, [Items 210, 211, 212, 213, 214, 215, 216](#) and [217](#), inclusive.
- (5) Materials used for the base course shall meet the requirements of the specifications for such materials shown below.

(i) Flexible Base. Base materials used for roads or streets shall conform to the requirements of [TxDOT, Item 247](#), for flexible base material, Type A, Grade 2 (crushed stone or broken aggregate, excluding gravel aggregate). Pit run base materials and caliche are not allowed. The physical requirements for these materials are:

Percent Retained on Sq. Sieve	
2-1/2"	0
1-3/4"	0-10
No. 4	45-75
No.40	60-85*

*The maximum increase in material passing the No. 40 screen shall not exceed 20.

The material passing the No. 40 screen shall be known as soil binder and shall meet the following requirements:

Max. Liquid Limit	40
Max. Plasticity Index	12
Max. Wet Ball Mill	45

Testing of flexible base materials shall be in accordance with the following TxDOT standard laboratory test procedures:

Liquid Limit	Tex-104-E
Plasticity Index	Tex-106-E
Sieve analysis	Tex-110-E
Wet Ball Mill	Tex-116-E

- (6) Before placing any material, the contractor shall furnish the Director of the Department of Development, or his designee, with reports of analyses of the proposed materials made by an approved laboratory. Preliminary approval of a source does not guarantee acceptability or evidence of conformity with these specifications.
- (7) Within 48 hours before placing the base material, the sub grade shall be checked as to conformity with grade and section and shall be tested for density in accordance with the regulations.



- (8) It shall be the responsibility of the Contractor to provide the required amount of specified material in each one hundred (100) foot station. Material deposited upon the sub grade shall be spread and shaped the same day unless otherwise directed by the Director of the Department of Development, or his designee.
- (9) In some locations in Ellis County, cement stabilization may be acceptable with prior agreement from the Department of Development. Cement stabilization shall also comply with [TX-DOT standards](#).
- (i) In the event inclement weather or other unforeseen circumstances render impractical the spreading of the material during the first 24-hour period, the material shall be scarified and spread as directed by the Director of the Department of Development, or his designee.
 - (ii) The material shall be sprinkled, if directed, and shall then be bladed, dragged, and shaped to conform to typical sections as shown on plans.
 - (iii) All areas and “nests” of segregated coarse or fine materials shall be corrected or removed and replaced with well graded material, as directed by the Department of Development, or his designee.
 - (iv) If additional binder is considered desirable or necessary after the material is spread and shaped, it shall be furnished and applied in the amount directed by the Department of Development.
 - (v) Such binder material shall be carefully and evenly incorporated with the material in place by scarifying, harrowing, brooming or by other approved methods.
- (10) The base course may be placed, mixed, blended, and compacted by the Contractor in a single lift. Total base material placed shall not exceed seven (7) inches in thickness. Compacted thickness shall not be less than six (6) inches.
- (11) The course shall be sprinkled as required and compacted to the extent necessary to provide not less than the ninety-five (95) percent density specified. In addition to the requirements specified for density, the full depth of flexible base shown on the plans shall be compacted to the extent necessary to remain firm and stable under construction equipment.
- (12) Construction equipment shall be limited to units not exceeding legal loads. If the base material fails to meet the density requirements, it shall be reworked as necessary to meet these requirements.
- (13) Throughout this entire operation the shape of the base course shall be maintained by blading, and the surface upon completion shall be smooth and in conformity with the typical sections shown on the plans and to the established lines and grades.



- (14) In that area on which pavement is to be placed, any deviation in excess of ¼ inch in cross section and in length of sixteen (16) feet measured longitudinally shall be corrected by loosening, adding or removing material, reshaping and recompacting by sprinkling and rolling.
- (15) All irregularities, depressions, or weak spots, which develop, shall be corrected immediately by scarifying the areas affected, adding suitable material as required, reshaping and recompacting by sprinkling and rolling.
- (16) Should the base course, due to any reason or cause, lose the required density or finish before the surfacing is complete, it shall be recompacted and refinished at the sole expense of the Contractor.
- (17) Sub base Stabilization.
 - (i) The sub base shall be stabilized using lime treatment. Lime stabilization shall conform to [TxDOT, Item 260](#).
 - (ii) A lime application rate of thirty-six (36) pounds of lime (8 percent by weight) per square yard of six (6) inch compacted thickness is recommended.
 - (iii) The optimum percentage shall be verified by an independent testing laboratory prior to construction. Lime treated sub grade shall be compacted to a minimum of ninety-five (95) of [Test Method TEX-121-E, Part II](#). Roadway density testing will be as outlined in [Test Method TEX-115-E](#).

E. PAVEMENT WIDENING

Before any pavement is placed to widen an existing pavement, the existing pavement shall be cut back two (2) feet to assure an adequate sub grade and pavement joint, as per [TxDOT Specifications](#).

F. CULVERTS AND STRUCTURES:

- (1) Concrete, wherever mentioned in these regulations, shall be Class A concrete as defined in [TxDOT, Item 421](#) except for machine-laid curb, which shall be Class C concrete.
- (2) Concrete materials, placement methods, placement temperatures, curing, etc., shall be in accordance with TxDOT, Items [420](#) and [421](#).
- (3) Pipe culverts shall be of corrugated metal pipe or reinforced concrete pipe and shall conform to TxDOT, Items [460](#), [461](#), [462](#), or [464](#).
- (4) Manholes and inlets shall conform to [TxDOT, Items 465](#), and Frames, Grates, Rings and Covers shall conform to [TxDOT, Item 471](#).
- (5) When concrete box culverts are constructed, materials and installation shall be in accordance with [TxDOT, Item 462](#).



- (6) Headwalls and wing walls shall conform to [TxDOT, Item 466](#), and Safety End Treatments shall conform to [TxDOT, Item 467](#).
- (7) Where metal or concrete pipe culverts are installed, concrete headwalls or four (4) inches of reinforced concrete riprap shall be built at the inlet and outlet and shall conform to [TxDOT Item 466](#).
- (8) Headwalls, on other than driveways, shall have a slope corresponding to the embankment, but not exceeding a 4-to-1 slope. Minimum pipe culvert size shall be eighteen (18) inches.
- (9) In high embankments, structures need not be carried to toe of slope if wing walls and adequate parapet headwalls are provided with an adequate apron. For outlet velocities exceeding eight (8) feet per second, an energy dissipater must be installed. Designs of wing walls and parapets must be submitted for approval and bear signature and seal of the Director of the Department of Development
- (10) Property owners constructing a private driveway intersecting a public road or street shall contact the Department of Development or the Precinct Commissioner for the proper culvert size. The culvert shall be constructed/installed in the flow line of the ditch.

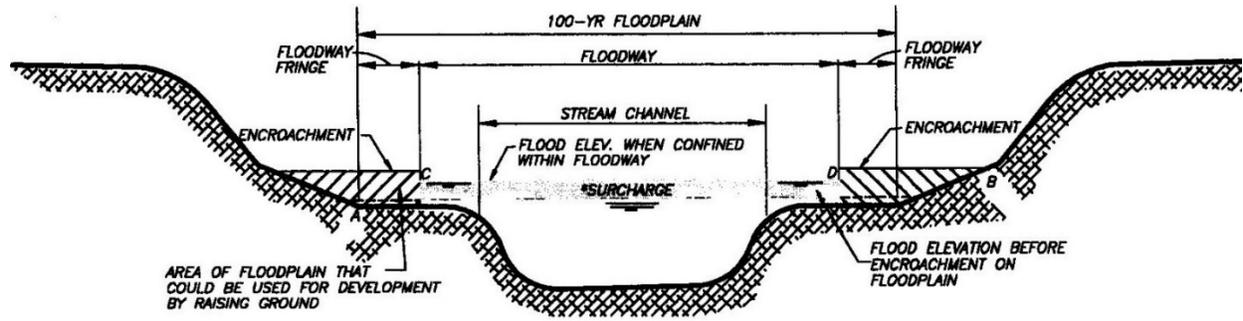
G. TESTING AND INSPECTIONS:

- (1) The Developer is responsible for coordinating and paying for all inspection, on-site collection, and delivery of samples to an authorized laboratory, and for on-site and off-site testing done by the laboratory. Nuclear testing methods acceptable to TxDOT are acceptable to the County.
- (2) Street, Road and Structures testing by an authorized laboratory is required as follows:
 - (i) Street Subgrade - Proctor Determination on each class of soil to be encountered. Density test - one (1) each per five hundred (500) feet of street with retest as necessary (minimum of three (3) tests).
 - (ii) Base Course - Proctor test shall be required to establish quality and moisture density relationship. Density test: one (1) each per five hundred (500) feet of street or road, with retest as necessary (minimum of three tests).
 - (iii) Concrete Structures - Inspection by County prior to concrete placement. Class A concrete compressive strength (minimum of three (3) tests per structure) shall be 3000PSI, with a minimum of one (1) test for each one hundred (100) feet of roadway. Testing will not be required for Class C concrete curbs.
- (3) The Developer shall provide the County with a minimum of twenty-four (24) hours notice prior to any inspection that the County is to perform. Laboratory testing companies to be used by the Developer must be approved by the County.



H. STREET AND ROAD PLANS:

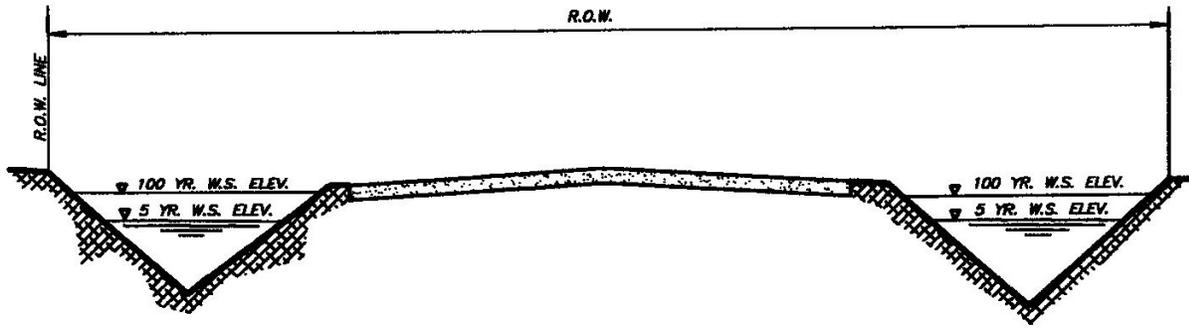
- (1) Typical cross-sections showing the proposed pavement width, type, thickness, and crown, and the proposed curb type and sidewalk (if any), and relation to curbs and property lines shall be submitted for approval.
- (2) This information shall be given for each of the different types of streets in the subdivision. Construction details shall be submitted for approval for all drainage structures including dimensions, reinforcing and components such as grates and manhole covers.
- (3) For each drainage structure submit for approval a complete cross-section, showing flow line elevations, roadway, fill over structure and inlet/outlet configuration.
- (4) Alignment of each street and drainage easement shall be shown, including the following:
 - (i) a beginning and ending station;
 - (ii) each deflection angle of the center-line and the station of the point of intersection;
 - (iii) the station of the point of curvature and the point of tangency of each curve;
 - (iv) the station and angle of intersection of each intersection with another street or drainage easement;
 - (v) the station and radius of each curb return;
 - (vi) the location of adjacent right-of-way lines;
 - (vii) the location and limits of sidewalks and curbs of each street; the location of each drainage structure;
 - (viii) the location and size of all storm sewers;
 - (ix) the location, description, and elevation of Bench Marks;
 - (x) the top of curb grade at each curb return;
 - (xi) the center-line grade at each end and at grade changes along drainage ditches;
 - (xii) the gradient of each tangent grade and the location and length of each vertical curve;
 - (xiii) the direction of storm drainage flow at each intersection;
 - (xiv) and the flow line elevation of each storm sewer at each point of change of grade, at each end, and at intervening gradients.
- (5) The profiles of streets and drainage ditches shall show the natural ground at adjacent property lines and the proposed centerline.
- (6) Plan and profile drawings shall include the scale, north arrow and date, and shall be drawn to scales of one inch equals fifty (50) feet (1"=50") horizontally and one inch equals five (5) feet (1"=5') vertically.
- (7) All street plans and profiles shall bear the signature and seal of a Registered Professional Engineer.



LINE A-B IS FLOOD ELEV. BEFORE ENCROACHMENT
LINE C-D IS FLOOD ELEV. AFTER ENCROACHMENT

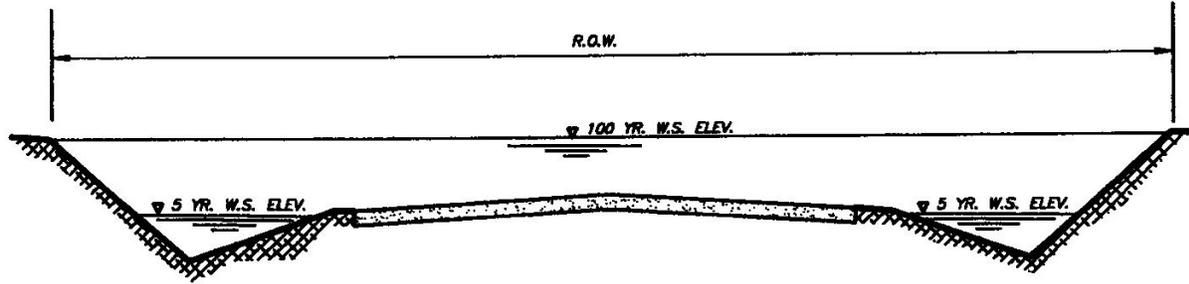
NOT TO SCALE

* SURCHARGE SHALL NOT EXCEED
1.0 FEET



CASE I – ROADWAY ABOVE R.O.W. GRADE

NOT TO SCALE

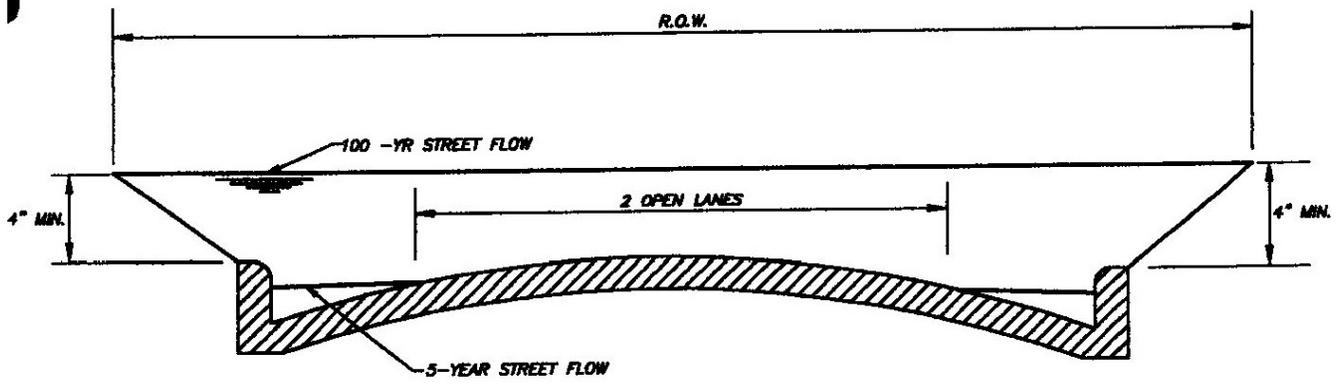


CASE II – ROADWAY BELOW R.O.W. GRADE

NOT TO SCALE

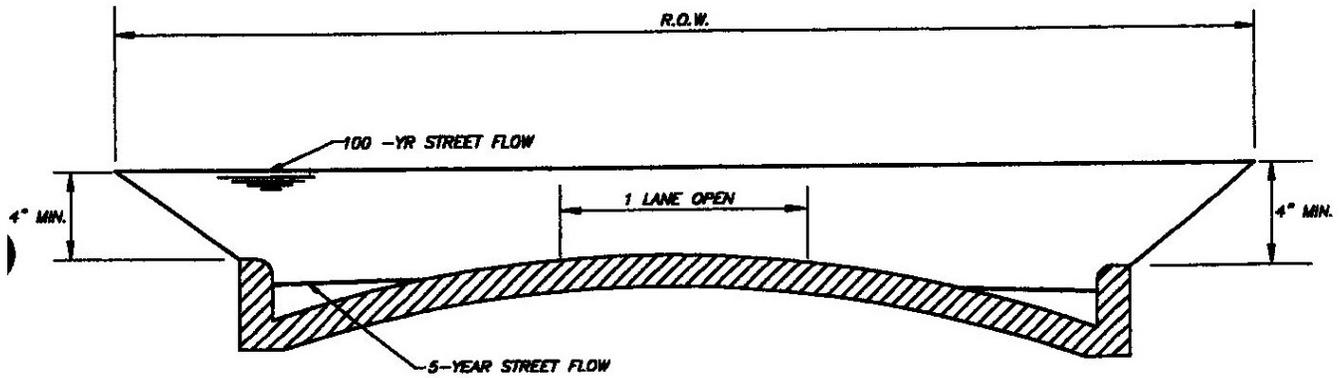
WATER SPREAD LIMITS FOR
NON-CURBED ROADWAYS

**WATER SPREAD LIMITS FOR
NON-CURBED ROADWAYS**



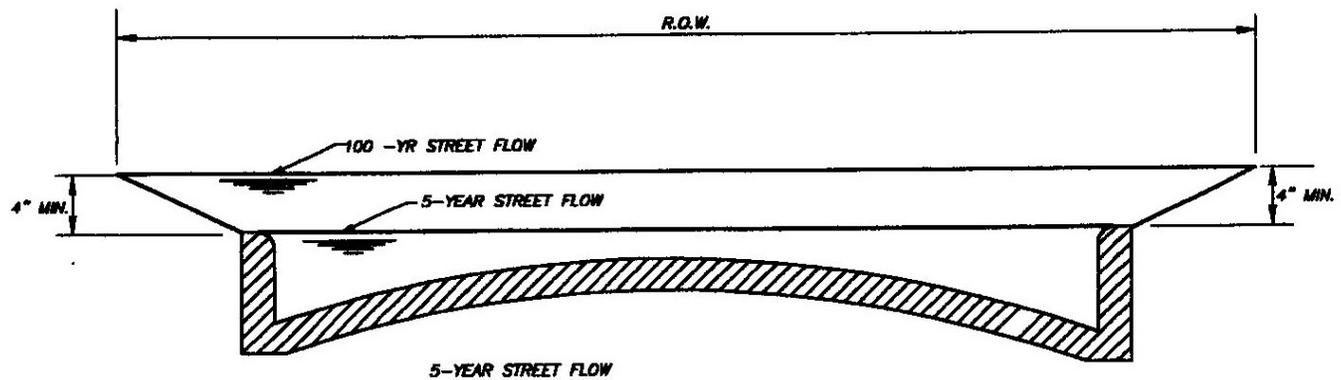
COLLECTOR OR SECONDARY THROUGHFARE

NOT TO SCALE



MINOR ARTERIAL OR PRIMARY THOROUGHFARE

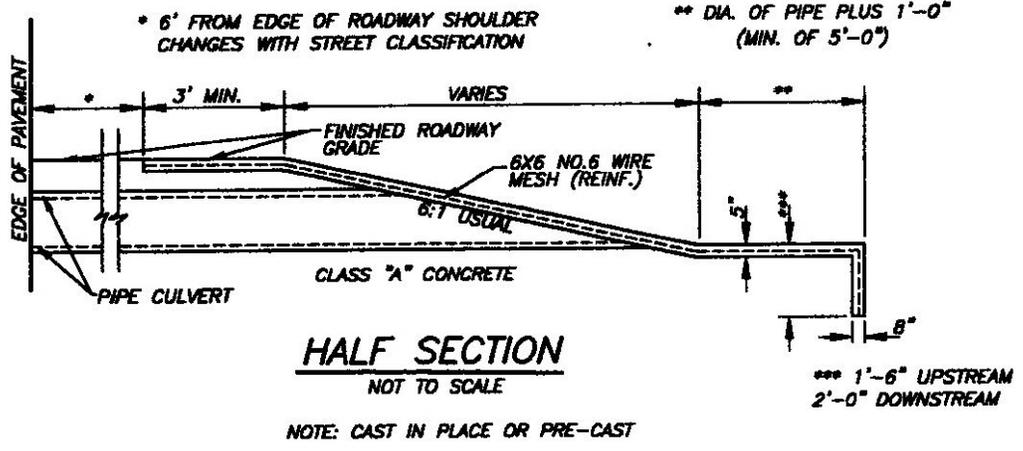
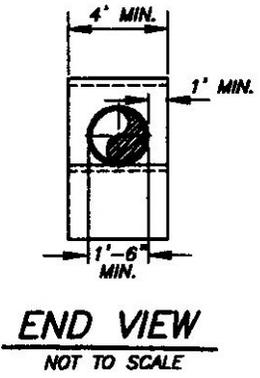
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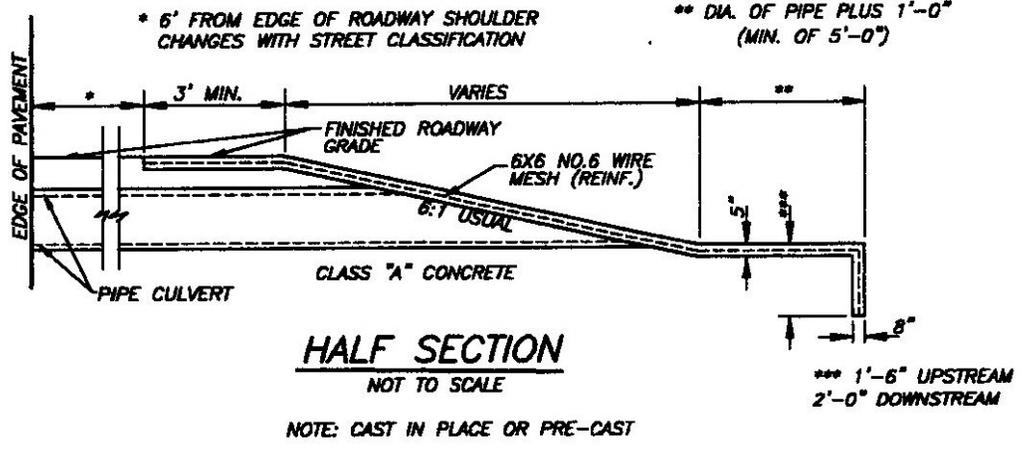
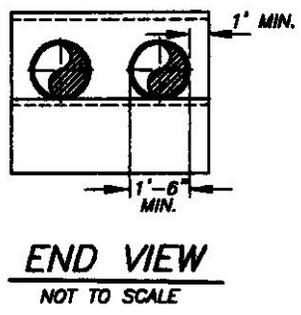
LOCAL

NOT TO SCALE

**MAXIMUM WATER SPREAD LIMITS FOR
MAJOR AND MINOR STORMS**

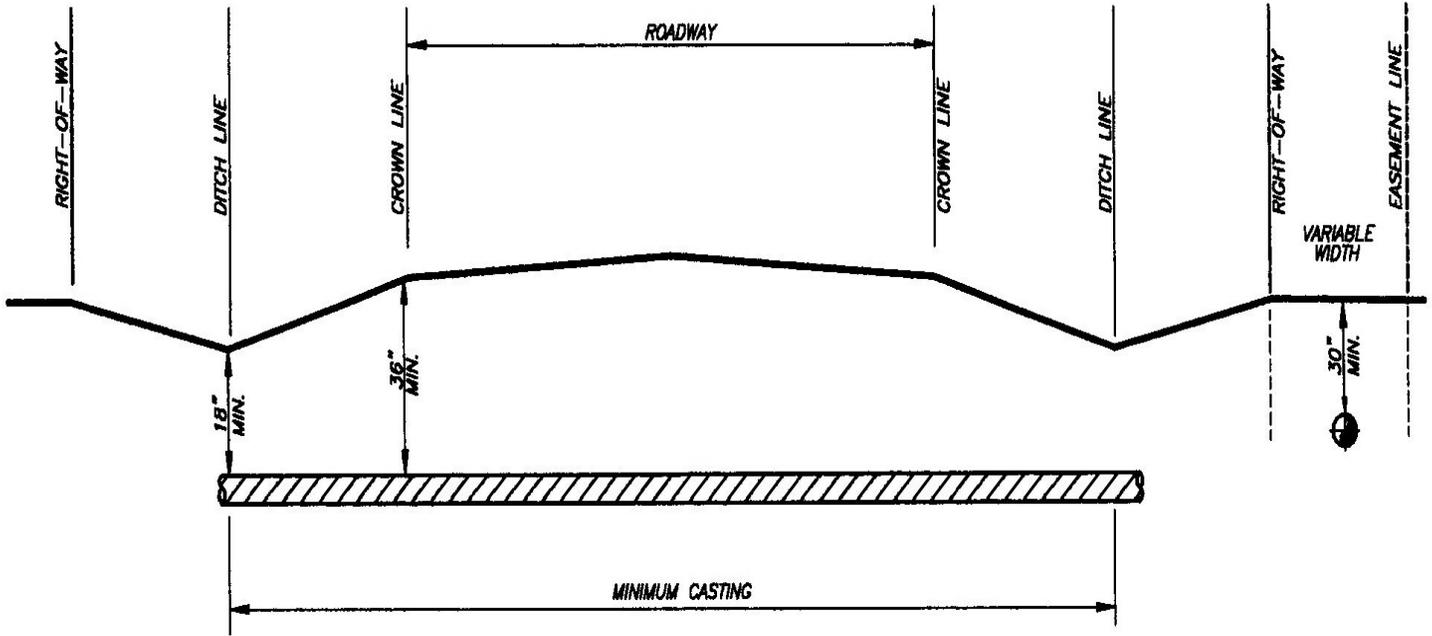


IN CASES WHERE A CULVERT WITH ITS HEADWALLS WOULD EXTEND OUTSIDE THE NORMAL RIGHT-OF-WAY, THE DEVELOPER SHALL DEDICATE SUCH ADDITIONAL DRAINAGE EASEMENT OR RIGHT-OF-WAY AS REQUIRED TO PROVIDE NORMAL ACCESS AND AGREEMENT.



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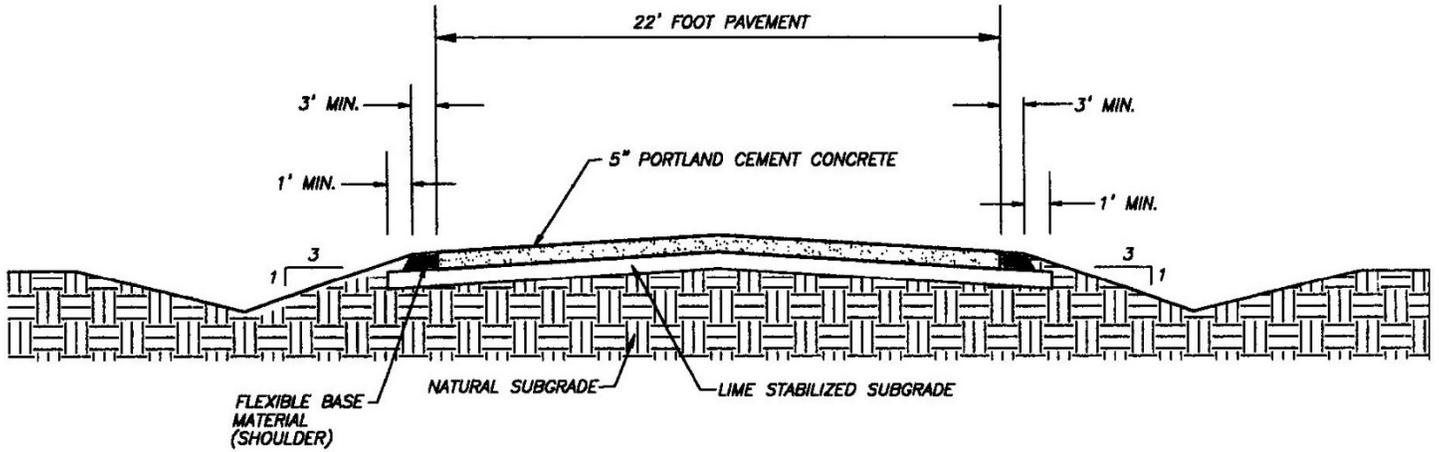
MULTIPLE PIPE INSTALLATION
NOT TO SCALE



ATTACHMENT "A"
UTILITY LINE CROSSING
NOT TO SCALE

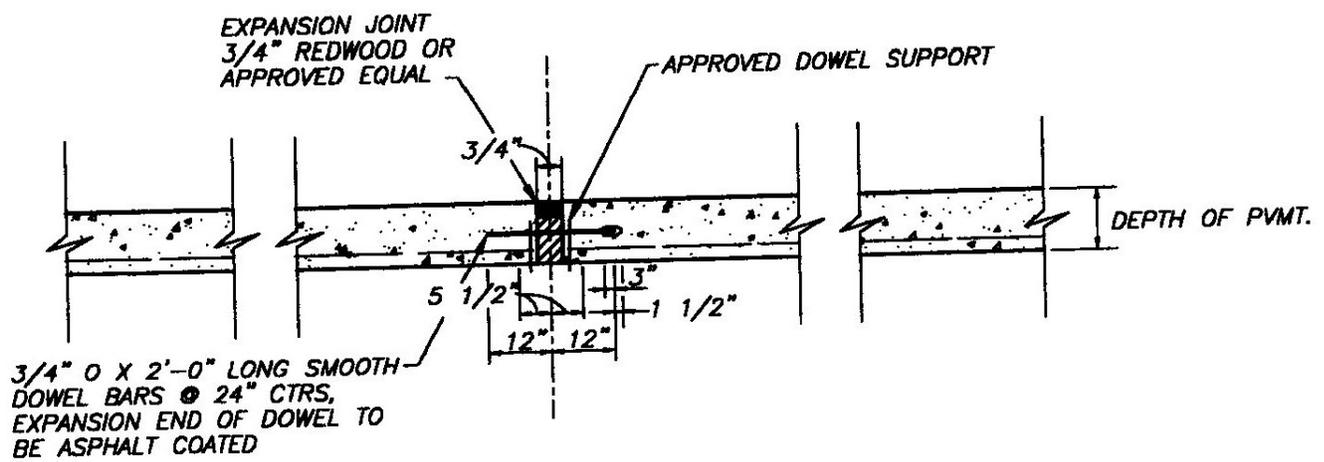


- NOTES:
1. CROWN ROAD BED ONE INCH IN TEN FEET.
 2. REINFORCING FOR CONCRETE TO BE NO. 3 BARS AT 18" CTRS. BOTH WAYS, OR NO. 4 BARS AT 24" CTRS BOTH WAYS.
 3. POSITIONING AND SUPPORTING DEVICES (CHAIRS) FOR STEEL REINFORCING BARS SHALL BE EITHER PLASTIC OR METAL AND OF SUFFICIENT NUMBER TO MAINTAIN THE POSITION OF THE BARS. (TXDOT 360.3)



PORTLAND CEMENT CONCRETE PAVEMENT

NOT TO SCALE

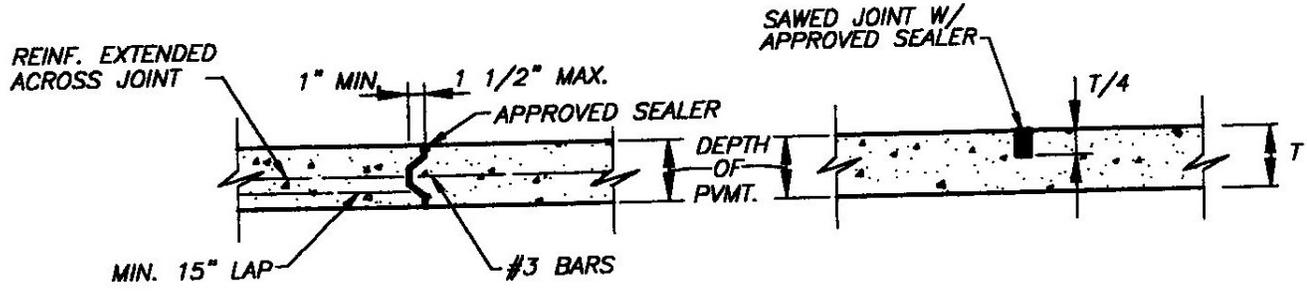


SLEEVE FOR DOWELS SHALL HAVE AN INSIDE DIAMETER OF 1/16" GREATER THAN THAT OF DOWEL & BE OF QUALITY & DESIGN AS TO PROVIDE FREE MOVEMENT OF THE DOWEL BAR.

EXPANSION JOINT

NOT TO SCALE

NOTE: PROVIDE EXPANSION JOINTS AT STREET INTERSECTIONS AND AT 600' MAXIMUM SPACING ALONG STREETS. NO JOINT SHALL FALL IN A DRIVEWAY APPROACH.



CONSTRUCTION JOINT

NOT TO SCALE

SAWED JOINT

NOT TO SCALE
(20' TYP. SPACING)



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APPENDIX A
HISTORY OF AMENDMENTS

DATE	MINUTE ORDER	BRIEF SUMMARY
05/13/2002	192.02	Established the County of Ellis Rules, Regulations, and Specifications for Subdivisions and Manufactured Homes
12/04/2018	489.18	Replaced Order 192.02, as amended, in its entirety and created Ellis County Quality Growth Initiatives – Volume I (Subdivision and Development Standards). Moved all related drainage sections from previous regulations into Volume II and reorganized this section along with some minor amendments.
12/04/2018	490.18	Created Ellis County Quality Growth Initiatives – Volume II (Drainage Design Manual). Moved all related drainage sections from previous regulations into this volume.
12/04/2018	491.18	Created Ellis County Quality Growth Initiatives – Volume III (Standard Construction Detail). No wording; just established framework for future amendments.



AGENDA ITEM NO. 1.2

Ellis County Commissioners' Court
September 3, 2019



SHORT TITLE:

Amendment to adopted Master Fee Schedule

LEGAL CAPTION:

Consider and act upon a request to amend Minute Order No. 429.17, as amended, the Master Fee Schedule for the Department of Development.

A public hearing for this agenda item was held on August 27, 2019 to satisfy the public meeting requirement. There was no speakers or comments made at that hearing date.



PURPOSE:

Staff is bringing forth amendments to the existing department fee schedule for the following reasons:

- An increase in USPS rates that became effective January 27, 2019.
- An increase in advertising rates for news notice by the Waxahachie Daily Light.
- Due to the passage of House Bill 3167, a faster turnaround in plat review as the timeframe was reduced in half from 60 days to 30 days (beginning September 1, the actual turnaround is 21 days due to agenda deadlines being one week before Court).
- There will be more staff-hours per submittal period per month reviewing plats to comply with the new state law.

Listed below is a summary of the proposed fee changes:

- Request consolidation of all platting fees to one universal fee of \$500 + \$30 per lot (an increase of \$100 per plat case in most cases; per lot fee will not apply to single lot subdivisions).
- Request to add a new fee, an engineering plan review fee of \$500 as their review will be just as critical and will determine whether a project can proceed to the platting stage.
- Request to add a resubmittal fee on plats or engineering plans of \$250 upon the 4th and subsequent revision of the same project (staff doesn't envision applying this fee often but want to have it at our disposal to ensure an efficient review process with minimal revisions).
- Request to increase the variance requests to cover the costs of increase postage and other administrative expenses. If a subsequent plat follows the variance request, up to \$100 of that fee may be applied to the following plat submittal fee.



- All other Building/Development Permit Fees, Septic Fees, and Miscellaneous Fees will remain intact.



HISTORY:

The Commissioners' Court approved the existing Master Fee Schedule on October 10, 2017, under Minute Order 429.17, but did not go into effect for another seven (7) weeks to allow a transition period for citizens and businesses to adjust to the new fees.

On April 10, 2018, the Commissioners' Court approved a slight amendment, under Minute Order 192.18, to recalibrate the building/development permit fee structure and this version has been in effect since.



PROPOSED AMENDMENT:

Below are the proposed changes for the requested amendment. Only the Platting & Engineering Fees and the Variance Request are requested under this proposal. Bold and underline words signify added text. Deleted text is struck-through.



TYPE	REGULAR FEES*	WORKING WITHOUT A VALID PERMIT	REINSPECTION
Class I Structures (accessory buildings > 200 square feet, pools, additions, etc.)	\$75	Up to double the Regular Fee	Half the Regular Fee
Class II Structures (multifamily, commercial, commercial communication towers, etc.)	\$150	Up to double the Regular Fee	Half the Regular Fee
Class III Structures (habitable single family uses, manufactured/mobile homes, permittable secondary dwelling units, etc.)	\$300	Up to double the Regular Fee	Half the Regular Fee



TYPE	FEES
Preliminary Plat (CTI) All Plat Reviews*	\$ 400 500 + \$30 per lot
Engineering Plan Review	\$500
Final Plat	\$400 + \$30 per lot
Replat	\$300 + \$30 per lot
Simplified Plat	\$300
Plat Vacation*	\$250
Plat or Engineering Plan Resubmittal (applies only to any plat or engineering plan review entering its 4th and subsequent revision)	\$250



TYPE	FEES*
Aerobic System	\$475
Other System	\$325
Repair	\$150
Re-Inspection	\$150
Alteration/Hook-To	\$150



TYPE	FEES*
Road Inspection Fee	2% of infrastructure costs
Junkyard/Salvage Yard License and Renewals	\$25
Appeals/Abandonment/ Variance /Misc.	\$100
Variance Requests	\$250**

* does not include any associated County Clerk fees if a document requires filing

** Up to \$150 of this fee may be applied as a credit towards a ~~subsequent~~ plat submittal for that project



DEPARTMENT OF DEVELOPMENT
Ellis County

✉: dod@co.ellis.tx.us
☎: 972-825-5200
🌐: co.ellis.tx.us/dod



Legal Notifications:

Staff advertised this proposed amendment in the Sunday, August 11, 2019, edition of the Waxahachie Daily Light, satisfying the 15-day legal notification requirement as the public hearing was held on August 27, 2019.

ATTACHMENTS:

1. Newspaper Notice
2. Draft Order



RECOMMENDATION:

Staff recommends **approval** of this proposed fee amendments, as presented.

If approved, the updated fee schedule becomes effective on September 4, 2019.



APPROVED AND PRESENTED BY:

Alberto Mares, AICP, DR
Director of Planning & Development
Ellis County



ATTACHMENT NO. 1

**TO Be Published 1 Time in
the Waxahachie Daily Light
on Sunday, August 11,
2019:**

The County of Ellis will conduct a public hearing to consider and act upon a request to amend Order No. 429.17, as amended, the Master Fee Schedule for the Department of Development.

A public hearing for these proposed changes is scheduled before Commissioners' Court on Tuesday, August 27, 2019, at 2:00 PM on the 2nd Floor of the Historic Ellis County Courthouse, 101 W. Main St., Waxahachie, Texas. Please contact the Department of Development concerning any questions at 972-825-5200.



ATTACHMENT NO. 2

COMMISSIONERS COURT OF ELLIS COUNTY
ORDER NO. _____

AMENDMENT TO MASTER FEE SCHEDULE
DEPARTMENT OF DEVELOPMENT

On this the 3rd day of September, 2019, the Commissioners' Court of Ellis County, Texas, convened in a regular session of said court on the 2nd Floor of the Ellis County Historic Courthouse located at 101 West Main Street, Waxahachie, Texas, with the following members present, to wit:

COUNTY JUDGE:

- Judge Todd Little

COMMISSIONERS:

- | | |
|--|--|
| <input type="checkbox"/> Randy Stinson, Commissioner, Pct. 1 | <input type="checkbox"/> Paul Perry, Commissioner, Pct. 3 |
| <input type="checkbox"/> Lane Grayson, Commissioner, Pct. 2 | <input type="checkbox"/> Kyle Butler, Commissioner, Pct. 4 |

AND AMONG OTHER PROCEEDINGS, THE FOLLOWING ORDER WAS PASSED AS FOLLOWS:

AN ORDER OF THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS AMENDING ORDER NO. 429.17, AS AMENDED, THE DEPARTMENT OF DEVELOPMENT MASTER FEE SCHEDULE AND ANY OTHER RELATED ARTICLES, SECTIONS, AND PARAGRAPHS, PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Commissioners' Court of Ellis County, Texas, in compliance with the laws of the State of Texas and the orders of Ellis County, Texas, have given the requisite notices and otherwise, and after holding and affording a full and fair hearing to all interested persons, and in the exercise of its legislative discretion, have concluded that this proposal should be approved;

NOW, THEREFORE BE IT ORDAINED BY THE COMMISSIONERS' COURT OF ELLIS COUNTY TEXAS, THAT:

SECTION 1.

The Development of Development Master Fee Schedule is hereby amended, as shown in Exhibit A.

SECTION 2. WAIVER OF FEES

The Commissioners' Court is only authorized to grant the waiver or reduction of any fees established by this Order. In the event of a natural disaster, "act of God," or other disaster event declared by the County,



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the County Judge may authorize the Department of Development to temporarily waive or reduce fees in the affected areas for a brief period until an Order is adopted by the Commissioner's Court at their next available meeting to formally established boundaries and period.

SECTION 3. CONFLICTS.

To the extent of any irreconcilable conflict with the provisions of this Order and other orders of Ellis County governing the use and development of the Property and which are not expressly amended by this Order, the provisions of this Order shall be controlling.

SECTION 4. SEVERABILITY CLAUSE

If any section, paragraph, sentence, phrase or word in this order is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this order; and the Commissioners Court hereby declares it would have passed such remaining portions of the Order despite such invalidity, which remaining portions shall remain in force and effect.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective from and after the date of its passage on September 4, 2019, and it is accordingly so ordained.

PASSED, APPROVED, AND ADOPTED IN OPEN COURT BY THE COMMISSIONERS' COURT OF ELLIS COUNTY, TEXAS ON THIS THE 3RD DAY OF SEPTEMBER, 2019.

Todd Little, County Judge

Commissioner Randy Stinson, Precinct No. 1

Commissioner Lane Grayson, Precinct No. 2

Commissioner Paul Perry, Precinct No. 3

Commissioner Kyle Butler, Precinct No. 4

ATTEST:

Krystal Valdez, County Clerk



EXHIBIT A
MASTER FEE SCHEDULE



**Building/
Development
Permit Fees**

TYPE	REGULAR FEES*	WORKING WITHOUT A VALID PERMIT	REINSPECTION
Class I Structures (accessory buildings > 200 sf, pools, additions, etc.)	\$75	Up to double the regular fee	Half the Regular Fee
Class II Structures (multifamily, commercial, commercial communication towers, etc.)	\$150	Up to double the regular fee	Half the Regular Fee
Class III Structures (habitable single-family uses, manufactured/mobile homes, permissible secondary dwelling units, etc.)	\$300	Up to double the regular fee	Half the Regular Fee



**Plat &
Engineering
Fees**

TYPE	FEES*
All Plat Reviews	\$500 + \$30 per lot (per lot fee applies to ≥ 2 lots)
Engineering Plan Review Fee	\$500
Plat or Engineering Plan Resubmittal (applies only to plat or engineering plan review entering its 4 th and subsequent round of revision prior to action)	\$250



Septic Fees

TYPE	FEES*
Aerobic System	\$475
Other System	\$325
Re-Inspection	\$150
Alteration/ Hook-To / Repair	\$150



Misc. Fees

TYPE	FEES*
Road Inspection Fee	2% of infrastructure costs
Junkyard/Salvage Yard License and Renewals	\$25
Appeals/Abandonment/Misc.	\$100
Variance Requests	\$250

* Does not include any associated County Clerk fees if a document requires filing

** Up to \$100 of this fee may be applied as a credit towards a subsequent plat submittal for that project

Originally Adopted: 10/10/2017
Amended: 04/10/18, 09/03/2019
Effective Date: 09/03/2019