

MONTGOMERY COUNTY
SUBDIVISION
GUIDELINES AND RECOMMENDATIONS

GUIDELINES AND RECOMMENDATIONS
RELATING TO THE APPROVAL AND ACCEPTANCE
OF IMPROVEMENTS IN SUBDIVISIONS
OR RE-SUBDIVISIONS

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

On this, the 13th day of August, 1984, at a regular meeting of the Commissioners Court, sitting as the governing body of Montgomery County, came on to be considered the advisability of adopting guidelines relating to the development of new subdivisions or re-subdivisions in Montgomery County, Texas, outside the legal limits of any incorporated city or town in Montgomery County.

Upon due consideration, the Court was of the opinion that there exists a need for establishing such guidelines to supplement the existing rules, regulations and requirements passed by the Commissioners Court;

NOW, THEREFORE, by and under the authority vested in the Commissioners Court, upon the motion of Commissioner Shelton, seconded by Commissioner Locke, duly put and carried, it is ordered, adjudged and decreed that the following guidelines, as recommendations only, relating to the supervision of new subdivisions or re-subdivisions in Montgomery County and hereby adopted as of October 1st, 1984, to wit:

1. Whenever the Court in its judgement deems it to be in the best interest of the public to change any part of these guidelines, said changes shall be published in a newspaper of general circulations in the county at least thirty days (30) in advance of formal consideration by the court.
2. The streets in previously approved subdivisions which have not been taken into the County Road System shall be considered on individual merits. This policy shall not apply to any roads now being maintained by Montgomery County, Texas.

3. A preliminary plan and a final plat of each proposed subdivision or re-subdivision should be submitted in compliance with the following sections hereof to the Commissioners Court of Montgomery County. All plans and plats shall be drawn to conform to the requirements of the Rules, Regulations and Requirements Relating to the Approval and Acceptance of Plats for Subdivisions or Re-subdivision, as adopted by the Court.
4. It shall be the duty of the developer or his engineer to see that layout and construction, subject to inspection by the County Engineer or representative of the County Engineer, follow the approved plans as presented with the final subdivision plat.
5. Access to all new subdivisions shall be from an adequate County maintained street or a state or federally maintained road or street.

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SECTION ONE

Definitions

For the purposes of these regulations, the following terms, phrases, words and their derivations shall have the meaning given in this article. When not inconsistent with the context, words used in the present tense include the future; words used in the singular number include the plural number; and words used in the plural number include the singular number. Definitions not expressly prescribed herein are to be determined according to customary usage in municipal planning and engineering practices.

ACCEPTABLE OUTFALL. Tidewater or that point as determined by the Developers Engineer and approved by the County Engineer where storm water can be released to a channel without causing erosion or resulting sedimentation to the receiving channel or its flood plain. Where necessary, the outlet shall include structural and vegetative measures to assure non-erosive velocities.

ALLEY. An Alley is a minor public right-of-way which provides a secondary means of vehicular access to abutting property and which is used primarily for vehicular traffic to the rear or side of properties which otherwise abut on a public street as that term is defined herein.

BENCH MARK. Permanent marker with elevation established on U.S.C. & G.S. Data Plane; or other governmental agency, acceptable to the Commissioners Court of Montgomery County, Texas.

BUILDING SETBACK LINE. A building setback line is a line on a plat generally parallel to the street right-of-way, indicating the limit beyond which buildings or structures may be erected and the area between a street right-of-way and the building setback line within which no structure may be permitted.

CLUSTER DEVELOPMENT. A method of development for land that permits variation in lot sizes without a significant increase in the overall density of population or development. In evaluating the overall density, due consideration shall be given to open space provided within the plat boundary and in other portions of the total development. Each lot in a cluster sequence should be considered in relation to the entire group of which it is a part. This allows subdivisions with varying lot sizes so as to provide home buyers a choice of lot sizes according to their needs, and preserves open space, tree cover, scenic vistas, natural drainageways and outstanding topography. Such measures prevent soil erosion by permitting development according to the nature of the terrain, provides larger open spaces with greater utility for rest and recreation; and encourages the development of more attractive and economic site design.

COMMISSIONERS COURT. The Words Commissioners Court shall refer to the County Commissioner s Court of Montgomery County, Texas.

COMPENSATING OPEN SPACE. Those areas designated on a plat which are restricted from development, except for landscaping and recreational uses and which all owners of residential properties within the plat have a legal common interest or which is retained in private ownership and restricted from development, except for landscaping and recreational uses for the exclusive use of all owners of residential property within the plat. The terms compensating open space and common open space may be used interchangeably and can be considered the same.

COUNTY. The Word County shall refer to the County of Montgomery.

COUNTY ENGINEER. A registered professional engineer employed or designated by the County of Montgomery to provide professional engineering services for and in behalf of the County.

COUNTY OF MONTGOMERY STANDARDS. County of Montgomery Standards as used herein, shall mean the regulations for streets and alleys, storm sewer lines and appurtenant structures, which are set forth herein, and such additional standards as may have been or may be adopted by the Commissioners Court, and which may be amended from time to time, and are hereby referred to.

COUNTY STREET. Is defined as a Public Street or Public Road which has been accepted by the County for maintenance purposes or is a street or road that was constructed and is maintained by the County.

DETENTION POND. A reservoir which functions to reduce the peak flow of the stream or streams downstream from the reservoir by temporarily storing the runoff within the reservoir by means of a limited outflow structure.

EASEMENT. An easement is the area for a right granted thereon for the purpose of limited public or semi-public use across, over, or under private property for a specified purpose or purposes.

FIFTY YEAR FLOOD PLAIN. That area subject to inundation by a flood having a two-percent probability of occurrence, in any given year based on existing conditions of development within the watershed area, as determined by or approved by the flood plain administrator of Montgomery County. A flood having a two-percent probability of occurrence on the average occurs once every fifty years.

FLOOD WAY. The channel and adjacent areas of a water course within which no obstructions to flow would be allowed so that the 100-year flood flow may pass without cumulatively increasing the 100-year flood plain elevation more than one foot. The flood way limits are to be defined based on standard engineering practices or procedures as approved by the County Engineer.

GENERAL OVERALL PLAN. A map or plat designed to illustrate the general design features and street layout of a proposed subdivision which is proposed to be developed and platted in sections. The plan, when approved by the County, constitutes a guide which the County will refer to in the subsequent review of more detailed sectional plats as they are presented to the County covering portions of the land contained within the general overall plan and adjacent properties.

LOT DEPTH. The lot depth is the length of a line drawn from the front lot line to the back lot line perpendicular to the lot width line connecting the side lot lines at the building setback line or at a point no farther than 35 feet from the front lot line.

MAJOR THOROUGHFARE PLAN. The Major Thoroughfare Plan is the officially adopted plan for the physical development of the County of Montgomery and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

- B. Major thoroughfare - public streets designated in the Major Thoroughfare Plan which provide for the major vehicular circulation of crosstowns, loops, by-pass or radial routes of a region, county or city.
- C. Collector streets - public streets so designated in the Major Thoroughfare Plan which provide for expeditious movement of vehicular traffic with a neighborhood collecting traffic from minor streets and connecting to a major street.
- D. Minor street - used primarily for access and circulation to abutting residential properties and which is intended to serve traffic within a limited area.
- E. Cul-de-sac - a short public street having but one opening or access to another public street and is terminated by a permanent vehicular turn-around.
- F. Dead-end - that portion of a public street, that initially has only one opening or access to another public street and which will be extended at a later date.
- G. Loop road - a minor road or street that serves the purpose of providing circulation with its beginning and ending being at the same road, street or thoroughfare.

MOBILE HOME. Means any vehicle or similar portable structure having no foundation other than wheels, jacks, blocks or skirting, and so designed or constructed as to permit occupancy for dwelling or sleeping purposes.

MOBILE HOME PARK. A contiguous development of land comprised of at least two (2) acres and/or not less than ten (10) sites, which has been planned and improved for the placement of mobile homes.

MODULAR OR RECONSTRUCTED HOME. A structure, transportable in one or more sections, which is eight (8) body feet or more in width and is thirty-two (32) body feet or more in length, and which is built to be placed on a permanent slab foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical system contained herein.

ONE HUNDRED YEAR FLOOD PLAIN. That area subject to inundation by a flood having a one-hundred percent of occurrence, in any given year, as determined by the Federal Emergency Management Agency and approved by the Flood Plain Administrator of Montgomery County. A flood having a one-percent probability of occurrence on the average would occur once every one hundred years.

PLAT. A plat is a subdivision plan submitted for preliminary or final approval to the Commissions Court in conformity with the provisions of these regulations and which, if given final approval, will be submitted to the County Clerk of Montgomery County for recording. A replat or re-subdivision shall be considered a plat as defined herein.

PRIVATE STREETS. Is defined as any street that is not a public street including streets designated as private at the time of original platting. Notwithstanding the foregoing definitions; however, the following shall not be considered public streets within the purview of these regulations; namely:

- A. Any driveway designed or used principally to provide vehicular access to the outbuilding appurtenant to any principal building, or to provide vehicular access to delivery platforms or entrance of a building appropriate for the delivery thereto of goods or merchandise, and located wholly on private property.
- B. An area appurtenant to a store, a group of stores, a theater, a church, or any similar establishment, designed or used primarily for a vehicular parking lot or vehicular parking facilities by customers, patrons, or employees of the establishment or group of establishments in question.
- C. An entrance or roadway designed or used to provide either vehicular entrance to or communication or passage between the several units of a single industrial or commercial establishment or a group of such establishments which are under common control of management; provided such industrial or commercial

entranceway or roadway shall be considered a public street under the terms of these regulations if it has entrance upon two or more public streets unless there are at each of such entrances, gates, chains or watchmen by which all persons are prevented from using the same except those employed by or having business to conduct at such industrial or commercial establishments in question.

- D. An entrance or driveway, designed or used to provide principal or primary vehicular access to an apartment building or a group of apartment buildings designed for multi-family occupancy and under one ownership. Such entrance or driveway shall not be used to provide public street access to adjacent areas.

PUBLIC STREET. A public street is any area, parcel, or strip of land which provides vehicular access to adjacent property or land whether designed as a street, highway, freeway, thoroughfare, avenue, lane, 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 vehicular, portable structure built on a chassis, designed by the manufacturer as a temporary dwelling for travel, recreational and vacation use, having a total body width not exceeding eight (8) feet and a body length not exceeding thirty-two (32) feet.

RESIDENTIAL USE. The term residential use shall be construed to include single-family residential uses; two-family uses; and multi-family residential apartment, townhouse uses, or condominiums.

SHALL AND MAY. As used herein, the word shall is a mandatory and the word may is permissive.

SHOULD AND WILL. As used herein, the word should is a recommendation and is not mandatory. The word will is mandatory.

SUBDIVISION. A subdivision is the division of any lot, tract or parcel of land by plat, map or description, into two (2) or more parts, lots, building lots, or sites or building sites, for the purpose, whether immediate or future of sale, rental, or lease, or division of streets, or other public access ways, with or without lotting, is a subdivision. This definition also includes the re-subdivision and replatting of land or lots which are part of a previously recorded subdivision. An addition is a subdivision as defined herein. A testamentary division of land upon dissolution of a corporation or partnership shall not be considered a subdivision.

SUBDIVIDER OR DEVELOPER. These terms are synonymous and are used interchangeably and shall include any person, partnership, firm association, corporation (combination thereof), or any officer, agent, employee, servant, or trustee thereof, who performs or participates in the performing of any act toward the subdivision of land within the intent, scope, and purview of these regulations.

TWENTY FIVE YEAR FLOOD PLAIN. That area subject to inundation by a flood having a four-percent probability of occurrence, in any given year based on existing conditions of development within the watershed area, as determined by the Flood Plain Administrator of Montgomery County. A flood having a four-percent probability of occurrence on the average occurs once every twenty-five years.

PRIVATE SEWAGE FACILITY. This means all systems and methods used for disposal of sewage, other than organized disposal systems operated under a valid waste discharge permit issued by the Texas Water Commission, including, but not limited to, septic tanks, absorption beds, pits, privies, cesspools, sewage holding tanks, injection wells used to dispose of sewage, and those private sewage facilities owned by public entities.

SECTION TWO

SUBDIVISION DESIGN

I. GENERAL PRINCIPLES OF ACCEPTABILITY.

- A. The subdivision should REASONABLY conform to the major Thoroughfare Plan and any separately adopted part thereof.
- B. The subdivision layout should make reasonable provisions for development or protection of adjacent land.
- C. Name of subdivision. Duplication of subdivision names shall be prohibited.

II. STREET AND ALLEYS, DESIGN RECOMMENDATIONS.

- A. GENERAL. The street pattern of a neighborhood should provide adequate circulation within the subdivision and yet discourage excessive through traffic on minor or local streets. The arrangement, character, extent, width, grade and locations of all streets should conform to the Major Thoroughfare Plan and should be considered in their relation to existing and planned streets, to topographical conditions, to public safety and convenience, and in their appropriate relation to the proposed uses of the land to be served by such streets. If any portion of a collector or major street, as shown in the Major Thoroughfare Plan, traverses any part of the land being subdivided, that portion of the major or collector street as planned for the proposed right-of-way width should be reserved as future road right-of-way. The street layout should be devised for the most advantageous development of the entire neighborhood development and should conform to connecting streets in land adjacent to the new subdivision. Provision should be made within the subdivision to provide street access to adjacent undeveloped acreage in such a way as to assure adequate circulation for future development.

Subdivisions with residential lots should provide a finished roadway access to within one foot of the adjacent properties. Subdivisions with acreage lots provisions should be made for future roadway access to adjacent properties by means of dedicated roadway easements. Dead-end streets and those which do not conform to adjacent established streets are to be avoided whenever possible. Where a subdivision abuts or contains an existing or proposed major street (as indicated in the major Thoroughfare Plan or separately adopted part thereof) and reverse frontage lots are designated, residential access should be denied to the major

street, and approved screen planting or screening device, should be provided along the rear property line abutting such existing or proposed major streets. Paved alleys should be provided in commercial and industrial developments, except where other definite and assured provision is made for service access, such as off street loading, unloading, and parking consistent with and adequate for the uses proposed. The street system layout should be so designed insofar as practicable to preserve natural features such as trees, brooks, hilltops, scenic views and other such features. The street system layout should provide for the acceptable disposal of storm water and provision should be made by the developer to handle storm water to comply with provisions elsewhere in these regulations in the County.

- B. MINIMUM RIGHT-OF-WAY WIDTH. Streets in commercial and industrial subdivisions - 70 feet or 60 feet with concrete curb and gutter. Minor streets, loop roads and cul-de-sacs less than 800 feet in length - 50 feet. Collector streets - 60 feet or 50 feet with concrete curb and gutter. Major thoroughfares 100 feet to 120 feet according to the typical section from Major Thoroughfare plan.

Where proposed streets are extensions of existing or planned streets designated in the Major Thoroughfare Plan or revisions thereto, having a right-of-way width greater than 60 feet, the proposed streets should be the same width as the existing or planned streets. Alleys, where provided, should not be less than 20 feet wide. Intersecting alleys should have corner cut-offs of at least 20 feet on a side or a radius of 25 feet. Alleys with only one point of access should have a turn-around with a minimum radius of 20 feet at their closed ends.

- C. CURVES. Collector streets with the exception of major thoroughfares should have a minimum center line radius of 300 feet or more for reverse curves. Minimum tangent between points of curvature should be 500 feet. The minimum radius for major thoroughfares should be 1,150 feet and the minimum tangent between points of reverse curve should be 100 feet.

- D. OFFSETS. Street offsets should be offset a minimum distance of 125 feet on center line. Offset distance shall be indicated on the final plat.

- E. INTERSECTIONS.

1. All streets and alleys should intersect at a 90 degree angle with variations of 10 degrees.

2. Acute angle intersections as may be approved should have 30 - foot or greater radii at acute corners.
3. Street or alley intersections with or extending to meet an existing street or alley should be tied to the existing street or alley on center line, with dimensions and bearings to show relationship.

F. CUL-DE-SAC.

1. Turn-arounds should have a minimum right-of-way radius of 50-feet for single family use and 60 feet for apartment, commercial or other uses.
2. Maximum length of cul-de-sac streets should be:
 - a. 1,000 feet for single-family developments.
 - b. 800 feet for multi-family and commercial developments.
3. Temporary turn-arounds, conforming to the minimum radii requirements should be used where curb and gutter are not installed at the end of a street more than 400 feet long which will be extended in the future. (The following note shall be provided on the final plat when a temporary turn-around is used: Cross-hatched area is temporary easement for turn-around until street is extended (direction) in a recorded plat).

G. PROVISIONAL RESERVES. A provisional one-foot reserve may be used along the side or end of streets that abut undeveloped acreage tracts; when used, the following note shall be shown on the face of the final plat:

A one-foot strip is reserved as a buffer separation along and between the side or end of all streets in this subdivision plat where such streets abut adjacent tracts. At such time as the adjacent property is subdivided in a recorded plat, the one-foot reserves at such locations that abut land in adjoining tracts that has been dedicated to the public for street right-of-way purposes and is shown for such purpose on a recorded plat shall thereupon become vested in the public for street right-of-way purposes.

H. STREET NAMES. The names of proposed streets should conform to the names of existing streets of which they may be or become extensions or shall not duplicate or conflict with the recognized name of any other street located in the area subject to these regulations.

- I. BLOCK LENGTH. Maximum block length for single-family detached residential development along all streets except major thoroughfares should be 1,400 feet, measured along the center of the block, when the lots are smaller than 5,000 square feet. If the lots are larger than 5,000 square feet minimum, the block length should be reasonable but should not exceed 2,000 feet. Along major thoroughfares, minimum block length should be 2,000 feet.
- J. LOTS.
1. GENERAL. The lot design should provide for lots of adequate width, depth, and shape to provide open area, to eliminate over-crowding, and to be appropriate for the location of the subdivision and for the type of development and use contemplated. Lots should have the side lot lines at right angles to the streets on which the lot faces or radial to curved street lines.
 2. REAR AND SIDE DRIVEWAY ACCESS (RECOMMENDATION). Rear and side driveway access to major thoroughfares or freeways should be avoided.
 3. DOUBLE FRONTAGE LOTS (RECOMMENDATION). Double frontage lots should be avoided except when they back on major thoroughfares or freeways, where access is denied.
 4. RECOMMENDED MINIMUMS FOR RESIDENTIAL LOTS.
 - a. SINGLE FAMILY AND DUPLEXES.
 - (1) Minimum width at building setback line 50 feet. (At a distance not greater than 35 feet from the front lot line.)
 - (2) Minimum width at front lot line of pie shaped lots - 30 feet.
 - (3) Minimum area of lots with a central sanitary sewer system - 5,000 square feet.
 - (4) Corner lots siding on minor streets should have a minimum width at the building setback line of not less than 60 feet.
 - (5) Corner lots siding on a major thoroughfare or freeway should have a minimum width at the

building setback line of not less than 75 feet.

- (6) Minimum length or depth of lots should be 100 feet except lots facing or backing on a major thoroughfare or freeway should not be less than 110 feet deep.

b. TOWNHOUSES. Townhouses included as cluster developments should be evaluated on their own merits.

- (1) Only one townhouse should be constructed per lot.
- (2) Should be served by central sanitary sewer.
- (3) Minimum width - 20 feet, except the end unit or unit which occupies a corner lot shall provide an additional 10 feet for side yard..
- (4) Minimum lot area - 1,400 square feet.
- (5) Minimum number of lots in a townhouse project - 2.

c. MULTI-FAMILY AND APARTMENTS.

- (1) No lot to be used for multi-family or apartment purposes should contain an area less than 6,000 square feet plus an additional 1,500 square feet for each dwelling unit in excess of two dwelling units within structures to be constructed or occupied upon such a lot.
- (2) Each lot containing a multi-family complex or apartment should be served by an approved sanitary sewer.

d. CLUSTER DEVELOPMENTS. (Each lot should)

- (1) Be served by an approved central sanitary sewer.
- (2) Have a minimum width at front lot line - 25 feet and;
- (3) Lots may be of various sizes and widths but in no event should the minium area of any individual lot be less than 1,400 square feet.

e. CONDOMINIUMS.

- (1) All residential condominium projects or condominium projects containing residential uses as well as a combination of other use or uses should be served by a central sanitary sewer system.
- (2) Only one condominium regime should be established per lotas recorded by the master deed , master lease or declaration as found in the Real Property Records of the County.

f. MOBILE HOME PARK.

- (1) A subdivider may either plat one master lot on which there may be located a mobile home condominium as defined by state law or a mobile home park, or several distinct lots wherein there are to be no common elements. For purposes of this section a subplot of a mobile home condominium or mobile home park should be the area that is exclusively designated for an individual purchaser in a condominium regime or for an individual lessor in a mobile home park exclusive of all common elements, including private streets, private alleys recreational open spaces, public easements and other facilities for common uses.

If a subdivider wishes to plan for the purposes of creating a mobile home condominium or a mobile home park he should file a preliminary plat in accordance with these guidelines except that private streets, private alleys, and sublots should be shown in the same manner as lots, alleys, and streets.

- (2) Each mobile home lot or subplot which is part of a master lot should be served by a central sanitary sewer system and a community water supply system.
- (3) Minimum width:
 - (a) Sublots of a condominium or mobile home park should be:
 - i Forty feet if double-wide mobile homes are to be placed upon such sublots.
 - ii Twenty-five feet if only single-wide mobile home units are to be placed on such subplot.

(b) Individual lots not part of a mobile home park or condominium should be 60 feet (at a distance not greater than 35 feet from the front lot line) and 40 feet at the front lot line.

(4) Minimum areas should be:

(a) Sublots of a condominium or mobile home park - 2,000 square feet - single-wide sublots 2,500 square feet - double-wide sublots.

(b) Individual lots not part of a mobile home park or condominium - 5,000 square feet.

(5) A mobile home park or condominium subdivision should have not less than 250 square feet of open spaces per mobile home subplot. This area is in addition to any automobile parking areas, private street areas, and facilities for laundry and other services, but may include any paved private sidewalks, bicycle path, clubhouse facilities or park spaces.

(6) Minimum number of lots in a mobile home project should be not less than - 10.

g. RECOMMENDED BUILDING SETBACK LINES. For subdivision for single-family and two family dwellings, building setback lines adjacent to streets should be shown and labeled on all plats, both preliminary and final, and should be not less than 20 feet from a front line and 10 feet from a side lot line that is also a street R.O.W. line on a corner lot. Building setback lines in a single-family and two-family dwelling subdivisions from side lot lines, except corner lots, as set forth above should be noted on the plat to be not less than 5 feet from a side lot line for the main residential building and 3 feet for a garage or other out-building. Building setback lines for apartment or multi-family developments should be not less than 20 feet from any street. The minimum front setback line for a townhouse lot should be 20 feet.

K. COMPENSATING COMMON OPEN SPACE. In those instances where the proposed lot has a gross area of less than 5,000 square feet, compensating common open space should be established and provided within the plat boundary or in the other portions of the total development and based upon the following schedule:

Compensating Open Space Requirements
(Lots less than 5,000 sq. ft. in Area)

<u>Average Area Of Lots (Sq. Ft.)</u>	<u>Compensating Open Space Required Per Lot (Sq. Ft.)</u>
1,400 - 2,000	720
2,001 - 2,500	600
2,501 - 3,000	500
3,001 - 3,500	400
3,501 - 4,000	300
4,001 - 4,500	200
4,501 - Less than 5,000	100

In no instance, however, should the compensating open space contained within any subdivision having special lots be less than 21,780 square feet (½ acre) or shall the compensating open space required be in excess of 25% of the gross area of the property within the plat boundary exclusive of any public street rights-of-way involved. This does not apply to subdivisions having special lots and containing less than 10 acres.

Subdivisions having special lots and containing less than 10 acres should, however, provide compensating open space in accordance with the schedule. If a plat containing lots requiring compensating open spaces is less than 10 acres, but is a part of a larger tract, being planned and developed as an overall design, the Commissioners Court may take into consideration the overall development scheme in the determination of compensating open space requirements provided for herein.

- L. PRIVATE RESTRICTIONS. A copy of the private restrictions (covenants) to be recorded with the final plat should be submitted for review and comments by the Commissioners Court. Any amendments to and/or changes regarding restrictions or covenances should be presented to the Commissioners Court for their approval until 50 percent of all lots are sold.

III. EASEMENTS AND UTILITIES.

- A. DRAINAGE. Where conditions require, there should be provided a storm water drainage easement adequate for the purpose, as determined by the developer based on a drainage plan by a Registered Professional Engineer and reviewed and approved by the County Engineer. Where such easement is adjacent to lots, tracts, or reserves, the easement shall be noted on the face of the final plat as follows:

This easement shall be kept clear of fences, buildings, plants and other obstructions to the operation and maintenance of the drainage facility, and abutting property shall not be permitted to drain into this easement except by approved means.

B. UTILITIES.

1. When not located in alleys having a width of not less than 20 feet, the location or width of other necessary utility easements should be determined by the public and private utility companies and should connect with easement established in adjoining properties. Each easement shall be shown on the plat and appropriately dedicated.
2. There also shall be shown on the plat and dedicated for utilities, unobstructed aerial easements and guy wire easements.
3. Easements as set forth in any applicable county or regional plan for the location of future sewerage or utility facilities shall be provided and indicated upon the plat.

C. UNDERGROUND UTILITIES. If the following matters relating to utility services to the subdivision are not reviewed by other local governmental entities having jurisdiction over the same, the information should be submitted to the County Engineer for review:

1. The water distribution system showing the size and location of all existing and proposed water mains, service lines, valves, fire hydrants, if provided, and all other water distribution appurtenances within the proposed subdivision, also the location and method of connecting the proposed water lines, water mains, and water services to any existing system. Fire hydrants where provided must have a 6-inch main service.

NOTE: Where lot sizes are to be less than the minimum size acceptable to the Montgomery County Planning Department or Texas Department of Health for individual water wells and on site waste disposal systems, complete water supply and distribution plans should be submitted and approved by the County Engineer. Such plans and specifications must also be approved by the Texas Department of Health prior to approval of final plat.

2. The sanitary sewer system showing by plan and profile the size, location, and the gradient of all existing and proposed sanitary trunk lines, laterals, manholes, and service within the proposed subdivision and the location and method of connecting the proposed sewer system into any existing sanitary sewer system or the proposed location, type, capacity and schematic of operation of proposed treatment plant. If a new treatment plant is to be constructed and operated, accompanying the final plat shall be an affirmative order from the Texas Department of Water Resources.

SECTION THREE

PLATS

I. PRELIMINARY PLAT.

A. PRELIMINARY PLAT SPECIFICATIONS. The scale of preliminary plat should be either 1" = 100' or 1" = 200' 300' or 400' or for less than 10 acres 20, 30, 40, 50 or 60 ft. The following shall be shown on the Preliminary plat.

1. Topographic contours of not more than 5-foot intervals, based on accepted county datum.
2. Title or name of the subdivision.
3. Names and address of owners and/or subdividers.
4. Names and addresses of persons or firms preparing plat.
5. North point and scale.
6. Key map showing location of subdivision in relation to existing streets and highways, railroads, water courses, and original survey lines, to a distance of one mile.
7. The boundary of the subdivision and accurate dimensions, both linear and angular, of the boundary, tied to a original survey corner, or street right of way intersection.
8. Within 200 feet of the boundaries of the subdivision, all existing utilities, streets and lots, as to size and location property lines, survey lines, and adjacent subdivisions, easements, etc.
9. All proposed blocks; lots, alleys; streets; easements and purposes thereof; drainage or water courses; recreational and special use areas; reserves setback lines; proposed dedication of areas for public use other than streets and easements; and the approximate dimension of all proposed items shall be shown. Public facilities and easements included in any city, county or regional plan that are included or adjacent to the land being subdivided shall be shown. Dimension of latter to be shown, scaled accuracy only.
10. Street names and lot and block numbers.
11. Proposed sectioning, if any.

12. Area in subdivision, total number of lots and total area of reserves.
13. Flood plain boundaries to be shaded in as found by the Federal Emergency Management Agency and approved by the Flood Plain Administrator of Montgomery County.
14. A general statement of the proposed uses of the land within the subdivision including an outline or brief form of proposed restrictions.

B. SUBMITTAL. All persons desiring to subdivide land within the area of jurisdiction of these regulations shall first prepare and submit a preliminary plat to the County Engineer not less than ten (10) working days prior to any meeting at which the plat is to be considered. The County Engineer will in turn present the plat to Commissioners Court. The preliminary plat submittal should include the following information:

Prior to such submittal, it is urged that informal discussions to be held between the developer and the County Engineer and the Commissioner within whose precinct the proposed subdivision lies to insure compliance with the basic requirements and to arrive at a coordinated plat layout.

1. Three (3) black line or blue line copies of a general overall plan or preliminary plat covering all the contiguous land owned or controlled by the subdivider intended to be developed at any time, even though it is intended by the developer to file final plats and install improvements for parts of said tract by sections or units. The developer should deliver three copies of the general overall plan or preliminary plat to the County Engineer.
2. A letter of transmittal in duplicate giving the name, address and telephone number of the owner or agent and the person or firm who prepared the plan. The letter of transmittal should indicate the type of dwellings proposed, residential, commercial, industrial recreational or mobile and if central water, and sewer is proposed. The letter of transmittal should indicate whether or not the proposed development lies within an Extra Territorial Jurisdiction of an incorporated area.

C. APPROVAL OF PRELIMINARY PLAT.

1. Upon receipt of the preliminary plat and other information, the Commissioners Court shall render a decision. Such decision may consist of approval, disapproval, or conditional approval. Conditional approval shall be considered to be approval of a plat subject to the conformity with the prescribed conditions, but shall be deemed to be disapproval of such plats until such conditions are complied with. All objections made to the preliminary plat, or conditions imposed, shall be furnished the subdivider in writing.
2. When a preliminary plat has been approved, the subdivider must thereafter file a final plat of sections of the proposed subdivisions upon which approval of the preliminary plat has been obtained, and upon the filing of a final plat covering a portion of such subdivision, the remainder of the preliminary plat shall be deemed as considered approved or conditionally approved as in Item I above; provided, however, that such approval or conditional approval of the remainder of the preliminary plat shall be limited to a three-year period from the date of final approval of a section or sections thereof; provided further, however, that the Commissioners Court may, upon application and its discretion, extend such period of validity not to exceed two year periods. When a preliminary plat has been approved and thereafter the subdivider fails to file a final plat of the subdivision or a section thereof within a period of one hundred twenty (120) days, the approval of the preliminary plat shall be void except; however, the Commissioners Court may, upon application and at its discretion, extend such period of validity. Under special circumstances when a subdivision is subject to review by other having extra territorial jurisdiction or other governmental review, the period between the acceptance of the preliminary plat and the final plat will be one year.
3. Before approving the plan or plans of any subdivision, the Commissioners Court shall require such subdivision to enter into a written contract in agreement with County that complies with Section 6 of Article 6812b-1 of the Revised Civil Statutes, Texas. (See Appendix)

APPENDIX I

OFF STREET PARKING

PARKING SPACES
MINIMUM OFF STREET

One-Family Dwelling	Two (2) spaces for each dwelling unit
Two-Family Dwelling (Duplex)	Two (2) spaces for each dwelling unit
Multiple-Family	Efficiency 1.25 parking spaces per unit One bedroom 1.3 parking spaces per unit Two bedroom 1.67 parking spaces per unit Three or more 2.0 parking spaces per unit
Town Houses-Family Dwellings	Two (2) spaces for each dwelling unit.
Bowling Alley	Six (6) spaces for each line.
Churches	One (1) space for each four (4) seats in auditorium or sanctuary.
Clinics or doctor s offices	One (1) space for each two hundred (200) sq. ft. of floor area.
Hospitals	One (1) space for every two (2) beds.
Hotel or motel	One (1) space for each room, unit or guest accommodation.
Manufacturing, storage, processing repairing or warehousing	One (1) space for each two (2) employeess or one (1) space for each one thousand (1,000) square feet of floor area, whichever is the larger.
Offices, general	One (1) space for each two hundred fifty (250) sq. ft. of lease space.

	3.5 spaces for each 1,000 sq. ft. of lease space.
Mortuary	One (1) space for every two (2) persons to be normally accommodated in services.
Recreational, private or commercial area or bldg. (Other than listed)	One (1) space for every two (2) persons to be normally accommodated in the establishment.
Schools, colleges, or universities: Elementary or Jr. High School	One (1) space for each classroom + One (1) space for each four (4) seats in any auditorium, gym, or other place or assembly.
High School, College or University	One (1) space for each classroom, laboratory or instruction area plus one (1) space for each three (3) students accommodated in the institution.
Restaurant or Cafeteria	One (1) space for every four (4) seats under maximum seating arrangement.
Retail or personal service	One (1) space for each two hundred (200) sq. ft. of floor area.
Theatres, meeting rooms and Places of public assembly	One (1) space for every three (3) seats.

Any unlisted nonresidential use shall provide off-street parking adequate to accommodate the normal parking demand generated by such use. Exception to the parking requirements may be allowed for shared parking facilities on a case-by-case basis.