

RULES AND REGULATIONS
FOR
PLATTING AND REPLATTING
LAND INTO SUBDIVISIONS

As compiled by the
COUNTY ENGINEER AND
COMMISSIONERS COURT
ORANGE COUNTY, TEXAS

Adopted By
COMMISSIONERS' COURT-SUBDIVISION
PLATS FILING AND RECORDING
IN CERTAIN COUNTIES

CHAPTER 43626

H.B. No. 289

SECTION I

GENERAL

1. The owner or owners of any tract of land situated outside the boundaries of any incorporated city or town in Orange County, Texas, who may hereafter divide the same in two or more parts for the purpose of laying out any subdivision, suburban lots or building lots, streets, alleys, or parks, or other portions of any such tract of land intended for public use, must comply with following rules and regulations.
2. Plat approval is required on any division of tracts into two or more parts, regardless of whether or not streets, alleys, or other public use are included.
3. Plat approval is not required where no streets, alley or public areas are included **and:**
 - a. all of the land retains an agricultural use tax status, or,
 - b. the land is divided into four or fewer parts and transferred only to family members; or,
 - c. all of the lots in the subdivision are more than ten (10) acres in area; or,
 - d. all of the lots are sold to veterans through the Veterans Land Board.
4. Where a plat is found to be deficient, the county is to notify the applicant within ten (10) business days and identify the deficiencies.
5. A county has sixty (60) days to take final action on a plat application. If, within that time period, the Court wishes to reject the plat application, it must state its reasons for doing so

and may extend the sixty (60) day deadline to secure compliance.

SECTION II

PRELIMINARY PLATS

Preliminary plats shall be prepared by a Professional Engineer experienced in subdivision development and submitted to the County Engineer for approval prior to any work being initiated.

1. Preliminary plats shall be submitted on a scale acceptable to any city or town affected; if not required by them, and then the preliminary plat shall be submitted to the County Engineer for approval. This preliminary plat shall embody all the information included in the final plat, together with vicinity map showing the area surrounding the proposed subdivision, the location of existing or proposed sewer, water and gas mains, or other public utilities, if any.
2. If the surface is unevenly marked, the County Engineer may require a contour map showing contour intervals of not more than two (2) feet. Profiles of proposed streets and alleys may be required. All grades and elevations shown shall be referred to the U.S. Coast & Geodetic Survey datum. A scale of one hundred (100) feet to the inch, or larger, may be used. The original and two copies shall be submitted to the County Engineer for tentative approval.

SECTION III

FINAL PLAT

1. The original and two (2) copies of the **final plat**, after having been approved by any city or town affected shall be submitted to the County Engineer for review to ensure that county subdivision requirements have been met and if no deficiencies

are noted, the County Engineer will submit the final plat to the Commissioners' Court at the next regularly scheduled court session for final approval and acceptance before being sent to the County Clerk for recording and filing.

a) Prior to being submitted to the County Engineer, preliminary and final plats shall be review with the Orange County Drainage District manager or his designated representative regarding drainage features. Space for signatures on the reproducible Mylar shall be provided to confirm this review.

2. The name of the proposed subdivision or any of the physical features (such as streets, roads, parks, etc.) must not be so similar in spelling or pronunciation to the names of other similar features in Orange County, or in any incorporated towns or cities therein, as to cause confusion. Roads and streets which are or will be a continuation of any existing road or street shall bear the name of the existing roads or streets.
3. Boundary lines must be shown by bearings and distances, calling for the lines of established surveys or land marks and other data furnished, sufficient to locate the property on the ground. All block corners and angles in roads, streets, and alleys shall be marked with a metal, concrete, or other reasonable permanent monument, shall be placed flush with the ground counter sunk, if necessary to avoid being disturbed.
4. All lot markers shall be metal, concrete or other reasonable permanent material, and shall be placed flush with the ground or counter sunk, if necessary, to avoid being disturbed.
5. Unconventional layouts, or layouts that will cause unsatisfactory drainage conditions or will complicate the maintenance of roads, streets, or any land dedicated for public use, will not be accepted.

6.
 - a) Lots shall not be less than fifty (50) feet in width, and not less one hundred twenty-five (125) feet in depth, or as required by zoning ordinance of a city or town affected. No residential lot shall contain less than six thousand (6,000) sq. ft. of area. All lots, so far as is practical, shall have their side lot lines at right angles to the road or street upon which they face, or radial to curved road or street lines.
 - b) Business lots, so designated, shall not be less than twenty-five (25) feet in width, and one hundred twenty-five (125) in length, and shall contain not less than three thousand (3,000) sq. ft.
 - c) Maximum length of any block shall not exceed one thousand (1,000) feet.
7. Number of lots and blocks are to be arranged in a systematic order and shown on the plat in distinct and legible figures.
8. Location of lots, roads, streets, public highways, alleys, parks, easements and other features must be shown, with accurate dimensions in feet and decimals of feet. Length of radii and arcs of all curves with bearings of all tangents must be shown; also, dimensions from all angles points and points of curve to lot lines.
9.
 - a) One Bench Mark elevation shall be established for each three (3) acres, or fraction thereof, or area so subdivided. These elevations shall be referred to U.S. Coast & Geodetic Survey datum, and the location of such Bench Mark shall be clearly defined.
 - b) In business or commercial areas a minimum of twenty-five (25) feet of off street parking space shall be provided.
10. Roads and streets shall have a minimum width right-of-way of fifty (50) feet and must provide unhampered circulation

through the subdivision. Roads, streets, and alleys shall not “dead end” against existing subdivisions.

11. Maximum width right-of-way of any through-traffic, or main lateral road, or street shall be eighty (80) feet.
12. Through-traffic and main lateral roads or streets shall be provided where, in the judgment of the County Engineer, they are necessary.
13. All roads and streets shall intersect preferably at a ninety (90) degree angle; where this is not possible, the intersection on the side of the acute angle must be rounded with a curve or “cut-back”, as specified by the County Engineer, but in no case shall the curve have less than twenty-five (25) foot radius.
14. Roads and streets in new subdivisions must coincide with established roads and streets, and shall continue in such a manner as to prevent “dead ends” in future subdivisions that may adjoin it.
15. No islands, squares or other obstruction to traffic shall be reserved within the right -of-way limits. No reserve strips will be permitted.
16. Provision shall be made for the extension, widening or relocation of main thoroughfares, belts, loops, county roads, state highways, etc. where required by the County Engineer in order to protect the safety and welfare of the public.
17. The final plat or map shall be drawn with India ink or its equivalent, on a reproducible Mylar to scale of one hundred (100) feet to the inch, or larger, but not more than two hundred (200) feet to the inch, said reproducible shall measure 24 x 36 inches in size.

18. The final plat or map must be made by a registered surveyor from an actual survey on the ground. The plat or map shall show all natural drains or water courses as they may exist or as adjusted with an easement of sufficient width to control storm waters. The width of such easement shall be sufficient to allow egress and ingress and while not a part of the permanent easement, sufficient working space shall be allowed for the purpose of maintaining the channel.
19. Minimum width of alleys shall be twenty (20) feet. If alleys are omitted, an easement of not less than ten (10) feet shall be allowed at the rear of or along side of each lot.
20. It shall be the duty of each registered surveyor when re-subdividing a portion of an existing subdivision, to clearly and legibly indicate the portion of the original subdivision undergoing revision.
21. It shall be the duty of each sub-divider to cause to be shown in the public dedication, computation of acres involved in road and street right-of-way, and each individual lot and the total area subdivided.
22. Plats of proposed subdivisions located within extraterritorial jurisdiction of a city or town shall have the prior approval of that city or town.
23. A certificate from each Tax Collector of a political subdivision in which the property is located must accompany the plat to be recorded showing that all taxes have been paid.
24. The plat shall include the title or name by which the subdivision is to be identified, the Meridian or North point; the scale of the map; the beginning point of the survey shall be clearly shown and the name of the registered surveyor responsible for the survey and plat.

SECTION IV

CONSTRUCTION STANDARDS

1. All design and construction of streets, roads, drainage facilities and utilities must conform to current accepted good practice, specifications and sound engineering principles.
2. Generally, it is desired that surface drainage from private property be taken to roads, streets alleys or drainage courses as quickly as possible, and that water from roads, streets, and alleys, be taken to defined drainage courses as quickly as possible. The practice of using roads, streets, and alleys as a major drainage course will not be allowed.
3. Minimum grades of road, street, and alley ditches shall be one-tenth (0.1) per cent, and shall not be so steep that destructive velocities may occur, unless provision is made to prevent erosion of earthen ditches or damage to pavements.
4. Drainage structures adequate in size and of a permanent type shall be provided at crossings of drainage courses with roads, streets, and alleys where prescribed by the County Engineer. The size and type of shall be approved by the County Engineer prior to installation. Such drainage structures shall have a minimum length of thirty-two (32) feet.
5. Open outfall channel and ditches shall be constructed to proper cross section, grade and alignment so as to function properly and without permitting destructive velocities.
6. Where alleys are provided, no base or surface treatment will be required.
7. a) Where a road section (without curbs) is constructed, it shall consist of that type of construction known as a Flexible Base,

composed of shell, sand or other suitable materials so proportioned, mixed and compacted to the end that a satisfactory flexible base will be produced and shall have a "Double Asphalt Surface Treatment" or a one and a half (1.5) inch minimum "Plant Mix" cover.

b) For through traffic roads and streets (without curbs) the flexible base shall have a minimum thickness of eight (8) inches and shall have a minimum width of twenty-eight (28) feet.

c) For lateral roads and streets (without curbs) in a residential area, the flexible base shall have a minimum thickness of six (6) inches and shall have a minimum width of twenty-four (24) feet.

d) For through traffic roads and streets (without curbs) in a residential area, the flexible base shall have a minimum thickness of eight (8) inches and shall have a minimum width of thirty (30) feet , back to back of curbs. All curbs shall be constructed in accordance with the current specification of the city or town affected or to the requirements of Orange County.

e) For lateral roads and streets (with curbs) in a residential area, the flexible base shall have a minimum thickness of six (6) inches and shall have a minimum width of twenty-six (26) feet, back to back of curbs. All curbs shall be constructed in accordance with the current specification of the city or town affected or to the requirements of Orange County.

8. A construction plan shall be submitted to the County Engineer for approval prior to any road construction being initiated. At a minimum, this plan shall include:

- a) Sub-grade preparation
 - 1. Equipment
 - 2. Sequence of work

No wood, roots, stumps, grass, weeds, or other foreign material will be placed in or on the sub-grade material. The top twelve (12) inches of sub-grade material shall not have a plasticity index greater than 20. Lab reports confirming this will be provided to the County Engineer before placement of base material on the sub-grade.

Width of sub-grade preparation shall extend a minimum of two (2) feet beyond each edge of the final surface unless the County Engineer or his representative approves otherwise.

- b) Base preparation
 - 1. Material type
 - 2. Equipment
 - 3. Construction sequence

Width of sub-grade preparation shall extend a minimum of two (2) feet beyond each edge of the final surface unless the County Engineer or his representative approves otherwise.

Core sample verification that required compacted base thickness has been achieved will be provided by the contractor to the County Engineer.

- c) Final surface
 - 1. Material type
 - 2. Equipment
 - 3. Construction sequence

- 9. Density testing to ensure that sufficient compaction is obtained shall be conducted on sub-grade and base surfaces.

- a) Sub-grade density requirements shall be 95% standard Proctor with compaction tests performed by a reputable soil laboratory.

b) Base density requirements shall be 100% standard Proctor with compaction tests performed by a reputable soil laboratory.

c) Compaction test reports for each phase shall be provided to the County Engineer before proceeding with next phase.

There shall be a minimum of two random tests per each one half mile of roadbed on both sub-grade and base. Location of tests should be as per the County Engineer or his representative. If test requirements are not met, additional compaction effort will be done and retests will be conducted until density test requirements are obtained. The County Engineer may require soil density tests in addition to the above requirements.

10. The elevation of the centerline of the paving shall conform to the required elevation of the city or town affected, or to the requirements of Orange County. The County Engineer may require profiles of proposed streets and alleys be submitted for approval prior to acceptance.
11. All roads, streets, and alleys lying within the boundaries of any Water and Sewer District will be accepted only if all necessary water and sewer lines are installed with the prior approval of the District concerned.
12. Inspection, testing and compliance:
 - a) It is intended that the burden of inspection, testing, and responsibility for compliance shall rest with the Sub-divider and/or Owner. Inspection approval, and acceptance by the County Engineer or his designated representative, does not relieve the Sub-divider of his responsibility to inspect these, and construct the work in complete compliance with the Subdivision Regulations.

b) Sub-dividers request for inspection of any phase of the work, or final inspection of the completed work, shall constitute notice and certification by said Sub-divider that he, or a qualified agent employed by him, has inspected and found the work to be in compliance with all requirements of the Subdivision Regulations.

c) Failure to test and receive approval before proceeding with the next phase of work shall be determined to be noncompliance may only be corrected by:

1. Complete removal of the work and reconstruction, or
2. Testing of representative samples taken by core drilling or by removal of specified section, or
3. Any reasonable method approved by the County Engineer to assure compliance.

d) All drainage shall be inspected and approved by the County Engineer or his representative prior to acceptance of the sub-grade and prior to the placement of any base material on the sub-grade.

e) Test reports showing material and density compliance shall be submitted to the County Engineer.

f) All testing shall be made by and at the expense of the sub-divider. Additional test, if required, will be ordered by the County Engineer at the expense of Orange County, unless such tests show failure of compliance. In such cases the sub-divider will pay for the additional testing.

13. The Commissioners' Court of Orange County, Texas may at its discretion accept for filing, maps or plats dedicating certain streets, roads, and alleys to public use prior to the completion of the roadway improvements provided that the developer posts a good and sufficient bond to insure the completion of said streets, roads, and alleys in accordance with the above

specifications. The bond so posted shall be in the amount of not more than \$ 25.00 for each lineal foot of streets or roads within such subdivision. The above distances to be measured along the center lines within the boundaries of the subdivision.

14. The developer/contractor shall warrant the new roads for a period of twelve (12) months from date of acceptance by Commissioners' Court. This warranty shall include base failure and/or final surface breakdown due to vehicular traffic including truck traffic necessary for construction of houses.
15. These rules and regulations are subject to change by amendment or alteration after public notice, and when judgment of Commissioners' Court, the interest of the public will best be served. Exception to these rules and regulations may not be made by the Commissioners' Court without public notice.
16. Be it further ordered that the County Engineer be instructed to recommend for approval only those plats which conform to the stipulations herein contained.

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Amended: Aug. 24,1992 Vol.22, Pg. 508
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