# SECTION 1 - DEFINITIONS

## 1.0 Statement

For the purpose of this Manual, the definition of various terms, phrases, words and their derivations will have the meaning ascribed to them herein. When not consistent 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. Any office referred to herein by title will mean the person employed or appointed for that position or his duly authorized deputy or representative. Definitions not expressly authorized herein are to be considered in accordance with customary usage. The definition of specific terms, phrases, words and their derivations applicable to matters contained in the Manual are as follows.

## 1.1 Definitions

Alley: A public right-of-way which is used only for secondary access to individual properties which otherwise have primary access from an adjacent public street or approved common open space or courtyard which is adjacent to a public street.

Amending Plat: A plat submitted by the applicants for the purpose of improving or making changes for the better by removing defects or faults.

Block: A numbered tract or parcel of land established and identified within a subdivision which is surrounded by streets or a combination of streets and other physical features and intended to be further subdivided into individual lots or reserves.

Bonds: The approved form of security furnished by the Principle and his sureties conditioned upon the faithful performance of the work in strict accordance with all applicable regulations, plans and specifications.

Building Setback: A defined area designated on a subdivision plat in which no building structure may be constructed and is located between the adjacent street right-of-way and the proposed face of a building.

Commissioners Court: The Commissioners Court of Fort Bend County, Texas.

Construction Completion: A point in time when all construction is complete and the roads or streets are in a condition to be used by the public.

Construction Document: Complete set of construction documents including plans and specifications required to fully define the scope of work and limits of construction.

County: Fort Bend County, Texas.

County Engineer: The Fort Bend County Engineer or his designated representative.

Development: A subdivision of a tract of land or a change in land use.

Drainage Criteria Manual: The Fort Bend County Drainage Criteria Manual adopted by

the Fort Bend County Drainage District Board.

Drainage District: Fort Bend County Drainage District.

Drainage District Engineer: The Fort Bend County Drainage District Engineer or his designated representative.

Drainage Easement: An area intended for restricted use on property upon which an authorized governmental agency shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or operation of any of its respective drainage system within any of these easements. An authorized governmental agency shall at all time have the right of unobstructed ingress and egress to and from and upon the drainage easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of the respective drainage systems without the necessity at any time of procuring the permission of anyone.

Engineer: Project Engineer or Developer Engineer responsible for the preparation of the plat and\or construction documents.

Extraterritorial Jurisdiction (ETJ): The unincorporated territory extending beyond the city limits of a city is set forth by *Chapter 42.021, Local Government Code.*

Filing Fee: A charge for filing documents with the Fort Bend County Clerk. The fee for filing plats is set by Commissioners' Court.

Final Acceptance: Road acceptance by Fort Bend County into the County Maintenance system.

Fort Bend County Design Standards and Details: Standards which describe the general requirements for the preparation and contents of construction documents required for approval by Fort Bend County.

Frontage: That portion of any tract of land which abuts a public street right-of-way and from where the primary access to said tract is derived.

General Plan: A map of a Planned Development showing intended land uses within its boundaries.

Interior Street: Any public street within a subdivision designed to serve only those properties within the boundaries of the subdivision in which it is dedicated and established. Cul-de-sacs and loop streets or street systems beginning from streets within a subdivision may be considered as interior streets. Interior streets may not, however, be any street which would allow access through the subdivision to other properties or directly connect with other streets outside the plat boundary.
Letter of Credit: An irrevocable standby letter of credit furnished by the Principle and his sureties conditioned upon the faithful performance of the work in strict accordance with

all applicable regulations, plans and specifications.

Local Street: Any public street not designated as a major thoroughfare, freeway or highway.

Lot: A physically undivided tract or parcel of land having frontage on a public or private street or other approved facility and which is or in the future may be offered for sale, conveyance, transfer or improvements; which is designated as a distinct and separate tract; and which is identified by a tract or lot number or symbol on an approved subdivision plat which had been recorded.

Major Collector Street: A public street that consists of two or more lanes, divided or undivided roadway that is used as a collector for residential streets and originates and terminates outside of the subdivision boundaries.

Major Thoroughfare: A public street designed for fast, heavy traffic and intended to serve as a traffic artery of considerable length and continuity throughout the community and so designated on the latest edition of the Fort Bend County Major Thoroughfare and Freeway Plan.

Minor Collector Street: A public street that consists of two or more lanes, undivided or divided roadway that is used as a collector for residential streets and originates within and terminates outside of the subdivision boundaries.

One Year Maintenance Period: A mandatory one year period between the date of construction completion and the date of final acceptance in the County Maintenance System.

Planned Development: A development that contains a minimum of 500 contiguous acres under the control of one entity and having a General Plan for development showing a maximum average density of 5.5 lots per acre.

Plat: A map or drawing of a proposed subdivision prepared in a manner suitable for recording in the County Clerk's records and containing accurate and detail engineering data, dimensions, and dedicatory statements and certificates.

Preliminary Plat: Preliminary map or drawing of a proposed subdivision with sufficient detail to fully describe or convey the full intent of the proposed subdivision including, but not limited to major thoroughfares, and local and interior streets.

Private Street: Any street that is not specifically designated or dedicated as a public street.

Public Street: A public right-of-way, however designated, dedicated or acquired which provided vehicular access to adjacent private or public properties.
Replat: A change to the previous plat of a subdivision, or part of a subdivision, not amending or removing any covenants or restrictions, signed and acknowledged by the owners of the property.

Residential Street: A public street that consist of a two lane undivided roadway primarily used by local single family residents and originates and terminates within the subdivision boundaries.

Revised Plat: A revision of a previous approved plat that corrects minor errors in the original plat.

Specifications: These will include but not be limited to descriptive, performance, reference and proprietary specifications approved by the Engineering Department, the Drainage District and the Commissioners' Court.

Street Dedication Plat: A map or drawing illustrating the location of a public street passing only through a specific tract of land and suitable for recording.

Street Name: The unique name of a street.

Stub Street: A public street ending adjacent to the undeveloped property of acreage and intended to be extended at such time the adjacent undeveloped property or acreage is subdivided.

Subdivider (Developer): Any person or authorized agent thereof proposing to divide or dividing land so as to constitute a subdivision according to the terms and provisions set out in this Manual. The term "developer" shall mean the same as "subdivider" for the purposes of this Manual.

Subdivision: The division of any tract or parcel of land located outside of a municipality by plat, map or description into two or more parts to lay out:

(1) a subdivision of the tract, including and addition;
(2) lots; or
(3) streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.
(4) including a division regardless of whether it is made by using a meets and bounds description in a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

Subdivision shall also include the subdivision, replatting or other alterations of any tract of land, reserve, or lot which is part of a previously recorded subdivision. Subdivision shall not include the division of land for agricultural purposes only, land divided by partition deeds executed by co-tenants for the purpose of effecting a partition of land, division of land for the purpose of settling family estates providing that the division does not include any dedication or layout of streets or other public or private access ways, and division of a tract of land separated into two or more spaces or lots that are to be rented, leased, or offered for rent or lease for a term of less than 60 months without a purchase option, for installation of manufactured homes for use and occupancy as residences.

Title Certificate: A certificate prepared and executed by a title company authorized to do

business in the state or an attorney licensed in the state describing all encumbrances of record which affect the property. Such certificate shall include all property within the platted area.