

**ORDER ADOPTING AN AMENDMENT TO FORT BEND COUNTY REGULATIONS OF SUBDIVISIONS IN FORT BEND COUNTY**

On this 24th day of May, 2022 the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Meyers, seconded by Commissioner Morales, a duly put and carried;

**WHEREAS**, the Commissioners' Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS** of Fort Bend County, by revising the following sections:

**Cover Page, to read:**

Add: Revised May 24, 2022

**Appendix M – Bond, to read:**

APPROVED this 24<sup>th</sup> day of May, 20 22 in Fort Bend County Commissioners Court.

**IT IS ORDERED, ADJUDGED AND DECREED** by the Commissioner's Court of Fort Bend County, Texas, that the above amendments be and are hereby approved effective on the date of approval of this order.

KP George  
KP George  
County Judge

Vincent M. Morales, Jr.  
Vincent M. Morales, Jr.  
Commissioner, Precinct 1

Grady Prestage  
Grady Prestage  
Commissioner, Precinct 2

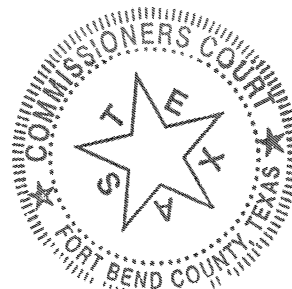
W. A. "Andy" Meyers  
W. A. "Andy" Meyers  
Commissioner, Precinct 3

Ken R. DeMerchant  
Ken R. DeMerchant  
Commissioner, Precinct 4

J. Stacy Slawinski, P.E.  
J. Stacy Slawinski, P.E.  
County Engineer

ATTEST:

Laura Richard  
Laura Richard  
County Clerk



# FORT BEND COUNTY

## REGULATIONS OF SUBDIVISIONS



**FORT BEND COUNTY ENGINEERING**  
301 Jackson Street, Suite 401, Richmond, TX 77469  
Phone (281) 633-7501  
[Development@FortBendCountyTx.gov](mailto:Development@FortBendCountyTx.gov)

**ADOPTED August 27, 2002**  
Revised September 9, 2003  
Revised January 6, 2004  
Revised August 24, 2004  
Revised April 26, 2005  
Revised January 24, 2017  
Revised October 2, 2018  
Revised October 23, 2018  
Revised January 8, 2019  
Revised February 26, 2019  
Revised July 23, 2019  
February 11, 2020  
June 9, 2020  
June 23, 2020  
May 24, 2022

APPENDIX M

BOND

NO.

THE STATE OF TEXAS  
COUNTY OF FORT BEND

§  
§  
§

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, \_\_\_\_\_ whose *(street address/phone)* is \_\_\_\_\_, hereinafter called the Principal, and *(Surety)* \_\_\_\_\_, a Corporation existing under and by virtue of the laws of the State of \_\_\_\_\_, and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at *(street address/phone)* \_\_\_\_\_, whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is *(name/office)* \_\_\_\_\_, and whose *(street address/phone)* is \_\_\_\_\_, hereinafter called the Surety, and held and firmly bound unto *{name of current County Judge}*, County Judge of Fort Bend County, Texas or his successors in office, in the full sum of \_\_\_\_\_ Dollars (\$) current, lawful money of the United States of America, to be paid to said *{name of current County Judge}*, County Judge of Fort Bend County, Texas or his successors in office, to which payment well and truly to be made and done, we, the undersigned, bind ourselves and each of us, our heirs, executors, administrators, successors, assigns, and legal representatives, jointly and severally, by these presents.

WHEREAS, the said Principal is the owner of the following Subdivision(s):

located in Fort Bend County, Texas; and,

WHEREAS, the Commissioners Court of Fort Bend County, Texas, has promulgated certain rules, regulations and requirements relating to Subdivisions in Fort Bend County, Texas, as more specifically set out in "Fort Bend County Regulations of Subdivisions" as amended; same being made a part hereof for all purposes, as though fully set out herein; wherein it is provided, among other things, that the owner of a Subdivision will construct the roads, streets, bridges and drainage in the right-of-way depicted on the plat thereof, in accordance with the specifications set out therein, and maintain such roads, streets, bridges and drainage in the right-of-way until such time as said roads, streets, bridges and drainage in the right-of-way have been approved by the County Engineer and accepted for maintenance by the Commissioners Court of Fort Bend County, Texas (or in the

case of subdivisions, streets or roads designated as private in the plat approved by the County Engineer and accepted by the Homeowners Association).

It is further stipulated and understood that the approval of the map or plat of the above named Subdivision(s) is conditioned upon and subject to the strict compliance by the Principal herein with the aforesaid specifications, and that the terms of said specifications, including all deletions, additions, changes or modifications of any kind or character, constitute a contract between the County of Fort Bend and Principal; and it is understood by the Principal that the approval of said map or plat of the above Subdivision(s) was obtained only by the undertaking of the Principal to so comply with the said regulations and specifications within a reasonable time, as set by the Commissioners Court of Fort Bend County, Texas, and that without such undertaking such approval would have not been granted.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bounded Principal, his, her, their, or its heirs, executors, administrators, successors, assigns, and legal representatives, and each and every one of them to do in all things well and truly observe, perform, fulfill, keep and comply with all and singular the rules, regulations, requirements and specifications above referred to, including any deletions, additions, changes or modifications of any kind or character, in the construction and maintenance of all roads, streets, bridges and drainage in the right-of-way in the above named Subdivision(s) and that upon approval of the construction of said roads, streets, bridges and drainage in the right-of-way by the County Engineer, and upon the approval of such maintenance by the County Engineer, and upon acceptance of such roads, streets, bridges and drainage in the right-of-way by the Commissioners Court of Fort Bend County, Texas, then this obligation to be void and of no force and effect.

The Principal and Surety hereon each agree, bind and obligate themselves to pay *{name of current County Judge}*, County Judge of Fort Bend County, State of Texas, or his successors in office, for the use and benefit of Fort Bend County, all loss or damages to it occasioned by reason of the failure of the Principal to comply strictly with each and every provision contained in the rules, regulations, requirements and specifications above referred to relating to the construction and maintenance of roads, streets, bridges and drainage in the right-of-way in the above named Subdivision(s), and further agree, bind and obligate themselves to defend, save and keep harmless the County of Fort Bend from any and all damages, expenses, and claims of every kind and character which the County of Fort Bend may suffer, directly or indirectly, as a result of the Principal's failure to comply with the rules, regulations and specifications relating to the construction

and maintenance of the roads, streets, bridges and drainage in the right-of-way in the above named Subdivision(s).

The word Principal when used herein means Principal or Principals whether an individual, individuals, partnership, corporation, or other legal entity having the capacity to contract. The words Roads, Streets, Bridges and Drainage in the right-of-way used herein mean each and every road, street, bridge and drainage in the right-of-way in said Subdivision(s). The word Maintenance as used herein means all needful, necessary and proper care and repair from completion of the roads or streets and approval thereof by the County Engineer until acceptance of the roads and streets by the Commissioners Court. The word Surety when used herein means Surety or Sureties, and it is understood by the parties that any and all liabilities of any kind or character assumed or imposed upon the Principal by the terms hereof extends in full force and vigor to each and every Surety jointly and severally.

In the event of suit hereunder, such suit shall be brought in Fort Bend County, Texas.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

ATTEST:

\_\_\_\_\_  
Secretary

Principal

By: \_\_\_\_\_

Surety

By: \_\_\_\_\_

ATTORNEY IN FACT

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ in Fort Bend County Commissioners Court.

ATTEST:

\_\_\_\_\_  
{name of current County Clerk}  
County Clerk

\_\_\_\_\_  
{name of current County Judge}  
County Judge  
Fort Bend County, Texas

**ORDER ADOPTING AN AMENDMENT TO FORT BEND COUNTY REGULATIONS  
OF SUBDIVISIONS IN FORT BEND COUNTY**

On this 23rd day of June, 2020 the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Meyers, seconded by Commissioner Morales, a duly put and carried;

**WHEREAS**, the Commissioners' Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS of Fort Bend County**, by revising the following sections:

**Cover Page, to read:**

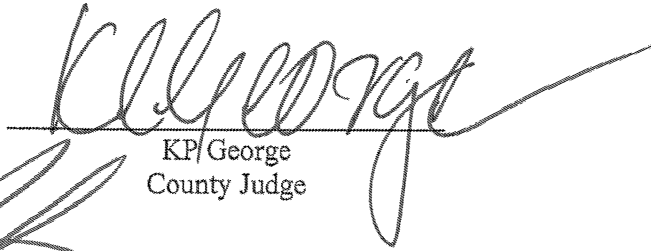
Add: Revised June 23, 2020

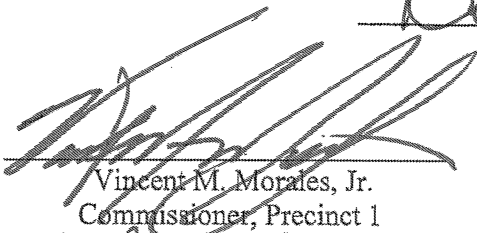
**Appendix V- FEE CALCULATION FORM**

Change: County Clerk fees for recording a document in Official Public Records will be changed from \$13.00 to \$16.00 for the first page and \$4.00 for each additional page, as of July 1, 2020.

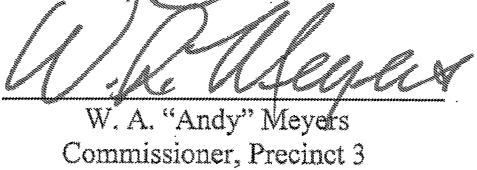
(See revised attachment)

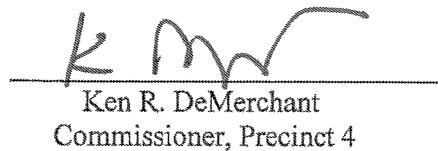
IT IS ORDERED, ADJUDGED AND DECREED by the Commissioner's Court of Fort Bend County, Texas, that the above amendments be and are hereby approved effective on the date of approval of this order.

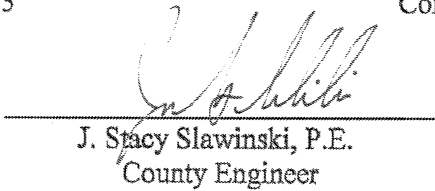
  
\_\_\_\_\_  
KP George  
County Judge

  
\_\_\_\_\_  
Vincent M. Morales, Jr.  
Commissioner, Precinct 1

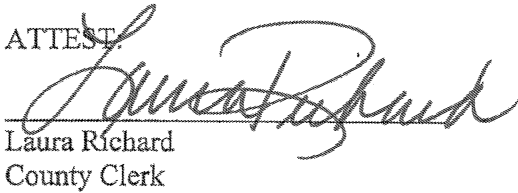
\_\_\_\_\_  
Grady Prestage  
Commissioner, Precinct 2

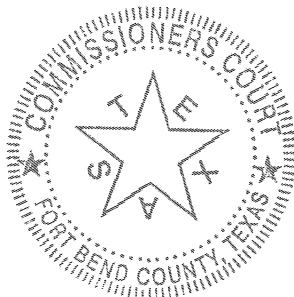
  
\_\_\_\_\_  
W. A. "Andy" Meyers  
Commissioner, Precinct 3

  
\_\_\_\_\_  
Ken R. DeMerchant  
Commissioner, Precinct 4

  
\_\_\_\_\_  
J. Stacy Slawinski, P.E.  
County Engineer

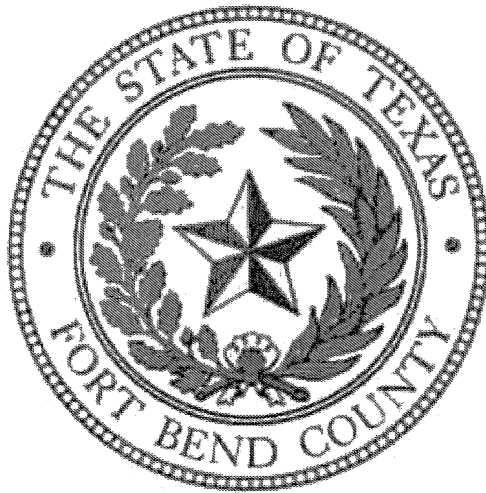
ATTEST

  
\_\_\_\_\_  
Laura Richard  
County Clerk



# FORT BEND COUNTY

## REGULATIONS OF SUBDIVISIONS



FORT BEND COUNTY ENGINEERING  
301 Jackson Street, Suite 401, Richmond, TX 77469  
Phone (281) 633-7501  
[Development@FortBendCountyTx.gov](mailto:Development@FortBendCountyTx.gov)

ADOPTED August 27, 2002  
Revised September 9, 2003  
Revised January 6, 2004  
Revised August 24, 2004  
Revised April 26, 2005  
Revised January 24, 2017  
Revised October 2, 2018  
Revised October 23, 2018  
Revised January 8, 2019  
Revised February 26, 2019  
Revised July 23, 2019  
February 11, 2020  
June 9, 2020  
June 23, 2020



APPENDIX V

**FEE CALCULATION FORM**  
**301 JACKSON, ROOM 144 • RICHMOND, TX 77469**  
**281-341-8652 INFORMATION CENTER**

Name of Plat: \_\_\_\_\_

(Check payable to Fort Bend County Clerk. Attach this form to check and submit at time of recordation)

**Plat Recordation Fees:**

<b>Plat</b>	First page.....	<input type="text"/>	x \$152.00 = \$	0.00
	Each page thereafter.....	<input type="text"/>	x \$144.00 = \$	0.00
<b>Bond</b>	First page.....	<input type="text"/>	x \$16.00 = \$	0.00
	Each page thereafter.....	<input type="text"/>	x \$4.00 = \$	0.00
<b>Lienholder Subordination:</b>				
	First page.....	<input type="text"/>	x \$16.00 = \$	0.00
	Each page thereafter.....	<input type="text"/>	x \$4.00 = \$	0.00
<b>Owners Ratification to Plat:</b>				
	First page.....	<input type="text"/>	x \$16.00 = \$	0.00
	Each page thereafter.....	<input type="text"/>	x \$4.00 = \$	0.00
<b>TOTAL RECORDATION FEE</b>				<b>\$ 0.00</b>

**Platting Fees:**

<b>Single Family</b>				
Number of lots/reserves:	<input type="text"/>	x \$60.00 = \$		0.00
<b>Replats, Vacation Plats, Minor Plats:</b>				
# of new lots or reserves:	<input type="text"/>	x \$60.00 = \$		0.00
<b>Lot/Reserve Subtotal</b>			\$	0.00
<b>Street Dedication Plat:</b>	<input type="text"/>	x \$250.00 = \$		0.00
<b>Base Fee (all types except</b>	<input type="text"/>	x \$250.00 = \$		0.00
<b>Street Dedication Plat):</b>	<input type="text"/>		\$	
<b>Additional Review Fee*:</b>	<input type="text"/>	x \$250.00 = \$		0.00
<b>Non Single Family**</b>				
Acres:	<input type="text"/>	x \$100.00 = \$		0
<b>Replats, Vacation Plats, Minor Plats:</b>				
Per acre change:	<input type="text"/>	x \$100.00 = \$		0.00
<b>Inspection Fees Construction Completion and Final Acceptance:</b>				
0-5.99 acres:	<input type="text"/>	x \$400.00 = \$		0.00
6.00-15.99 acres:	<input type="text"/>	x \$500.00 = \$		0.00
16.00-99.99 acres:	<input type="text"/>	x \$700.00 = \$		0.00
Greater than 100 acres:	<input type="text"/>	x \$1000.00 = \$		0.00
<b>New Fee Subtotal</b>			\$	0

<b>TOTAL PLATTING FEE</b>	\$	0
<b>TOTAL FEES</b>	\$	0

Form of payment:

Check (payable to Fort Bend County Clerk)

Receipt number: \_\_\_\_\_

Credit Card

Platting fees revised and approved by Commissioners Court on 9/25/2018, effective 10/3/2018

Plat recordation fees revised by County Clerk, effective 11/1/2018, and 7/1/2020

\* If a submission has not addressed all review comments or has been substantially changed, an additional fee will be required for the additional review and review letter

\*\* Non-Single Family - Commercial, apartments, industrial, institutional, etc. Include acreage only, not the number of reserves.

**ORDER ADOPTING AN AMENDMENT TO FORT BEND COUNTY REGULATIONS  
OF SUBDIVISIONS IN FORT BEND COUNTY**

On this 9th day of June, 2020 the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Meyers, seconded by Commissioner Morales, a duly put and carried;

**WHEREAS**, the Commissioners' Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS of Fort Bend County**, by revising the following sections:

**Cover Page, to read:**

Add: Revised June 09, 2020

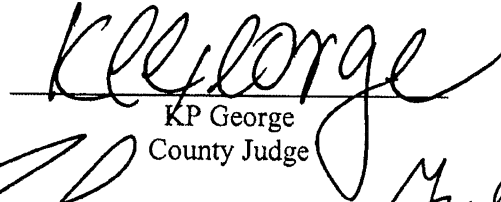
**Appendix I- ENGINEER'S CONSTRUCTION COMPLIANCE STATEMENT,**  
(See revised attachment)

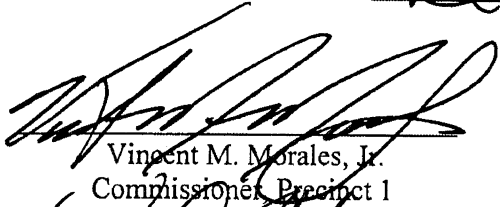
**Appendix J- CONTRACTOR/CONTRACTORS AFFIDAVIT OF CONSTRUCTION  
COMPLIANCE,**  
(See revised attachment)

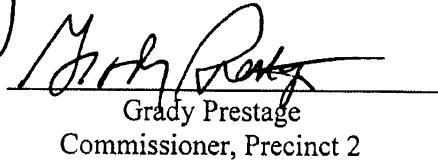
**Appendix K – INDEPENDENT TESTING LABORATORY CERTIFICATION,**  
(See revised attachment)

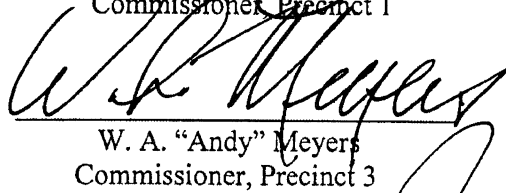
**Appendix O – ENGINEER'S DRAINAGE FACILITIES CONSTRUCTION  
CERTIFICATION,**  
(See revised attachment)

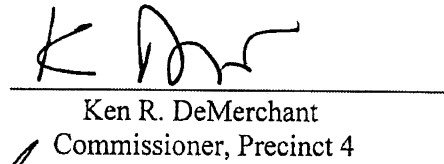
IT IS ORDERED, ADJUDGED AND DECREED by the Commissioner's Court of Fort Bend County, Texas, that the above amendments be and are hereby approved effective on the date of approval of this order.

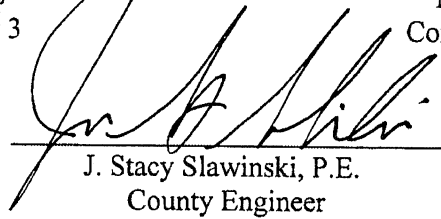
  
\_\_\_\_\_  
KP George  
County Judge

  
\_\_\_\_\_  
Vincent M. Morales, Jr.  
Commissioner, Precinct 1

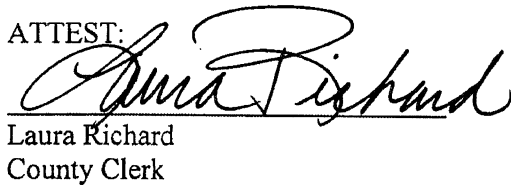
  
\_\_\_\_\_  
Grady Prestage  
Commissioner, Precinct 2

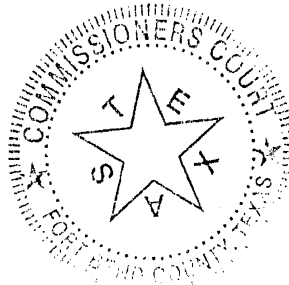
  
\_\_\_\_\_  
W. A. "Andy" Meyers  
Commissioner, Precinct 3

  
\_\_\_\_\_  
Ken R. DeMerchant  
Commissioner, Precinct 4

  
\_\_\_\_\_  
J. Stacy Slawinski, P.E.  
County Engineer

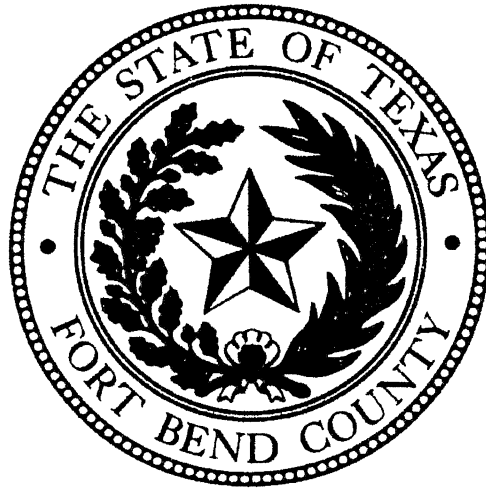
ATTEST:

  
\_\_\_\_\_  
Laura Richard  
County Clerk



# **FORT BEND COUNTY**

## **REGULATIONS OF SUBDIVISIONS**



**FORT BEND COUNTY ENGINEERING**  
301 Jackson Street, Suite 401, Richmond, TX 77469  
Phone (281) 633-7501  
[Development@FortBendCountyTx.gov](mailto:Development@FortBendCountyTx.gov)

**ADOPTED August 27, 2002**

Revised September 9, 2003

Revised January 6, 2004

Revised August 24, 2004

Revised April 26, 2005

Revised January 24, 2017

Revised October 2, 2018

Revised October 23, 2018

Revised January 8, 2019

Revised February 26, 2019

Revised July 23, 2019

February 11, 2020

June 9, 2020

**APPENDIX I**

**ENGINEER'S CONSTRUCTION COMPLIANCE STATEMENT**

Plat Name: \_\_\_\_\_

I, \_\_\_\_\_, a professional engineer licensed/registered in the State of Texas do hereby certify that:

(plat/project name)  
\_\_\_\_\_ was under periodic inspection during construction and to the best of my knowledge was constructed in accordance with the recorded plat and approved construction documents. Items identified in the construction material testing reports and summary will be discussed during the inspection and added to the punch list as needed. This is a statement of my professional opinion, and shall not be construed as a guarantee or warranty of any kind.

SEAL

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Company)

\_\_\_\_\_  
(Firm #)

**APPENDIX J**

**CONTRACTOR/CONTRACTORS AFFIDAVIT OF CONSTRUCTION COMPLIANCE**

Plat Name: \_\_\_\_\_

I, \_\_\_\_\_ do hereby certify that the construction of this project complies with the approved construction documents. Items identified in the construction material testing reports and summary will be discussed during the inspection and added to the punch list as needed.

\_\_\_\_\_  
(Signature)

SEAL

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Company)

(A separate affidavit will be required for each Contractor, unless all work was assigned to a General Contractor who accepts responsibility for all work. Each affidavit may be qualified by a description of work performed by the applicable contractor.)

**APPENDIX K**

**INDEPENDENT TESTING LABORATORY CERTIFICATION**

Plat/Project Name: \_\_\_\_\_

Based on the services provided by \_\_\_\_\_,

I, \_\_\_\_\_, a professional engineer licensed/registered in the State of Texas, confirm that the samples of the materials tested and/or the elements of the work observed, to the best of my knowledge, met the requirements specified in the approved construction documents applicable to: (plat/project name).  
Items identified in the construction material testing reports and summary will be discussed during the inspection and added to the punch list as needed. This is a statement of my professional opinion, and shall not be construed as a guarantee or warranty of any kind.

SEAL

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Company)

\_\_\_\_\_  
(Firm #)

**APPENDIX O**

**ENGINEER'S DRAINAGE FACILITIES CONSTRUCTION CERTIFICATION**

Plat Name: \_\_\_\_\_

I, \_\_\_\_\_, a professional engineer licensed/registered in the State of Texas, do certify to the best of my knowledge that all drainage facilities meet the requirements of the Fort Bend County Drainage Criteria Manual and have been constructed in accordance with the recorded plat and approved construction documents. Items identified in the construction material testing reports and summary will be discussed during the inspection and added to the punch list as needed.

\_\_\_\_\_  
(Signature)

SEAL

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Company)

\_\_\_\_\_  
(Firm #)



**ORDER ADOPTING AN AMENDMENT TO FORT BEND COUNTY REGULATIONS  
OF SUBDIVISIONS IN FORT BEND COUNTY**

On this 11th day of February, 2020 the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Meyer, seconded by Commissioner DeMerchant, a duly put and carried;

**WHEREAS**, the Commissioners' Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS of Fort Bend County**, by revising the following sections:

**Cover Page, to read:**

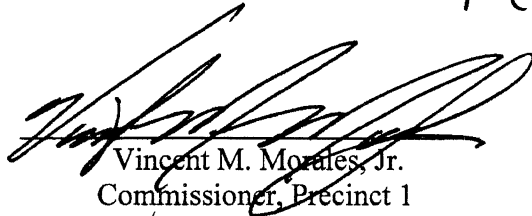
Add: Revised February 11, 2020

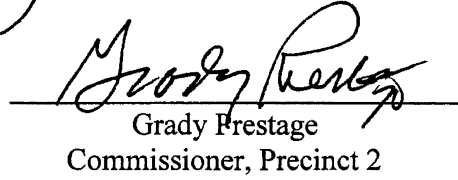
**Appendix K- Independent Testing Laboratory Certification, to read:**

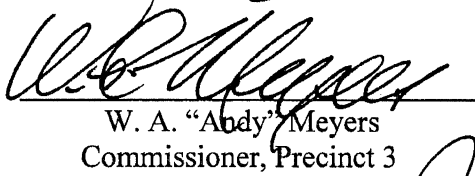
I, (NAME), A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE REQUESTED CONSTRUCTION MATERIALS TESTING SERVICES WERE MONITORED AND PERFORMED BY (NAME OF INDEPENDENT TESTING LABORATORY) AND COMPLY WITH THE PLANS AND SPECIFICATIONS APPLICABLE TO (NAME OF PROJECT).

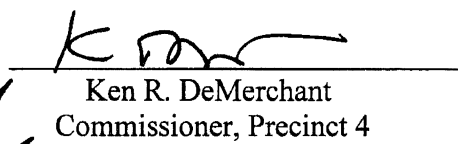
IT IS ORDERED, ADJUDGED AND DECREED by the Commissioner's Court of Fort Bend County, Texas, that the above amendments be and are hereby approved effective on the date of approval of this order.

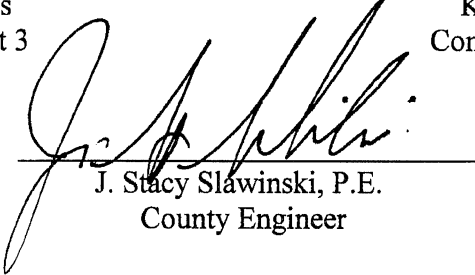
  
\_\_\_\_\_  
KP George  
County Judge

  
\_\_\_\_\_  
Vincent M. Morales, Jr.  
Commissioner, Precinct 1

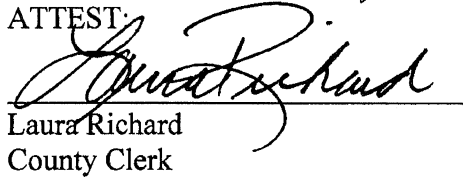
  
\_\_\_\_\_  
Grady Prestage  
Commissioner, Precinct 2

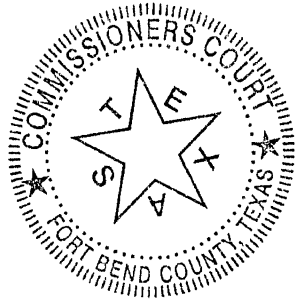
  
\_\_\_\_\_  
W. A. "Andy" Meyers  
Commissioner, Precinct 3

  
\_\_\_\_\_  
Ken R. DeMerchant  
Commissioner, Precinct 4

  
\_\_\_\_\_  
J. Stacy Slawinski, P.E.  
County Engineer

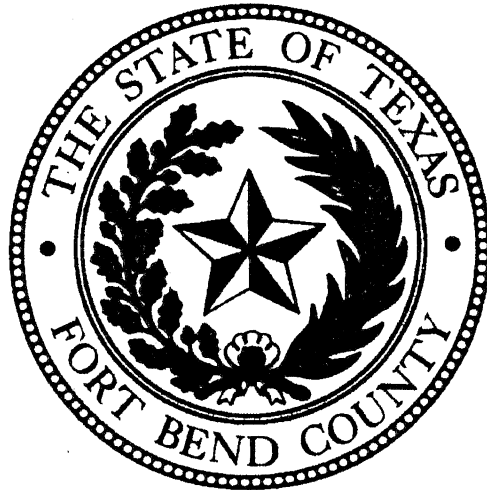
ATTEST:

  
\_\_\_\_\_  
Laura Richard  
County Clerk



# **FORT BEND COUNTY**

## **REGULATIONS OF SUBDIVISIONS**



**FORT BEND COUNTY ENGINEERING**  
301 Jackson Street, Suite 401, Richmond, TX 77469  
Phone (281) 633-7501  
[Development@FortBendCountyTx.gov](mailto:Development@FortBendCountyTx.gov)

**ADOPTED August 27, 2002**

Revised September 9, 2003

Revised January 6, 2004

Revised August 24, 2004

Revised April 26, 2005

Revised January 24, 2017

Revised October 2, 2018

Revised October 23, 2018

Revised January 8, 2019

Revised February 26, 2019

Revised July 23, 2019

February 11, 2020

APPENDIX K (CURRENT)

---

INDEPENDENT TESTING LABORATORY CERTIFICATION

I, (NAME), A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THE REQUESTED CONSTRUCTION MATERIALS TESTING SERVICES WERE MONITORED AND PERFORMED BY (NAME OF INDEPENDENT TESTING LABORATORY) AND COMPLY WITH THE PLANS AND SPECIFICATIONS APPLICABLE TO (NAME OF PROJECT).

---

(signature and seal)

APPENDIX K (PROPOSED)

INDEPENDENT TESTING LABORATORY CERTIFICATION

I, \_\_\_\_\_(NAME), A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT ~~ALL THE REQUESTED CONSTRUCTION MATERIALS TESTING SERVICES AND OPERATIONS WERE UNDER THE CONTROLLED TESTING AND INSPECTION~~ WERE MONITORED AND PERFORMED BY ~~—~~(NAME OF INDEPENDENT TESTING LABORATORY) AND COMPLY~~ES~~ WITH ~~ALL THE~~ PLANS AND SPECIFICATIONS APPLICABLE TO ~~THE~~ (NAME OF PROJECT).

---

(signature and seal)

# FORT BEND COUNTY

## REGULATIONS OF SUBDIVISIONS



FORT BEND COUNTY ENGINEERING  
301 Jackson Street, Suite 401, Richmond, TX 77469  
Phone (281) 633-7501  
Development@FortBendCountyTx.gov

**ADOPTED August 27, 2002**

Revised September 9, 2003

Revised January 6, 2004

Revised August 24, 2004

Revised April 26, 2005

Revised January 24, 2017

Revised October 2, 2018

Revised October 23, 2018

Revised January 8, 2019

Revised February 26, 2019

Revised July 23, 2019

**ORDER ADOPTING AN AMENDMENT TO FORT BEND COUNTY REGULATIONS  
OF SUBDIVISIONS IN FORT BEND COUNTY**

On this 23rd day of July, 2019, the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Morales, seconded by Commissioner Meyers, a duly put and carried;

**WHEREAS**, the Commissioners' Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS of Fort Bend County**, by revising the following sections:

**Cover Page, to read:**

Add: Revised July 23, 2019

**Paragraph 2.2.I, to be deleted**

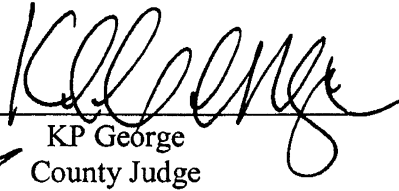
~~I. The owner of a tract of land located outside the limits of a municipality who divides the tract in to two or more parts may request a variance from the platting requirements if:~~

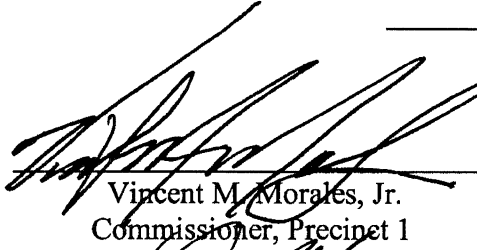
- ~~1. The owner does not lay out a part of the tract described by (Section 2, 2.1, A.3.);~~
- ~~2. The tract of land is divided into five (5) or fewer parts and each part contains two (2) or more acres;~~
- ~~3. Each tract of land has adequate access to a public road, (common or shared entrances are not permitted);~~
- ~~4. Each tract of land has adequate drainage, water and sewer service facilities available and;~~
- ~~5. Fort Bend County Commissioners Court grants approval of the variance.~~

**Paragraph 6.3.C, to be changed as follows**

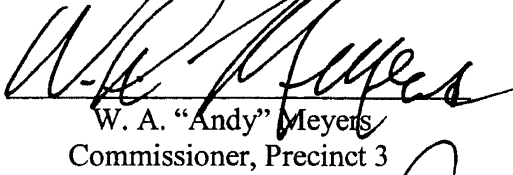
- C. The County Engineer will perform an initial inspection. The County Engineer will develop and issue a composite list of deficiencies. ~~The inspection will cover all the items noted above for the construction completion inspection.~~ The project engineer should schedule the final inspection within ninety (90) calendar days of the initial inspection. A complete re-inspection and a new punch list may be required after expiration of such ninety (90) day period.

**IT IS ORDERED, ADJUDGED AND DECREED** by the Commissioner's Court of Fort Bend County, Texas, that the above amendments be and are hereby approved effective on the date of approval of this order.

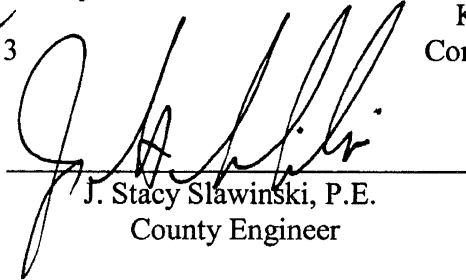
  
\_\_\_\_\_  
KP George  
County Judge


  
\_\_\_\_\_  
Vincent M. Morales, Jr.  
Commissioner, Precinct 1

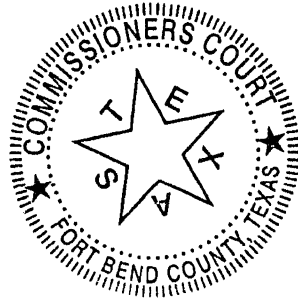
\_\_\_\_\_  
Grady Prestage  
Commissioner, Precinct 2

  
\_\_\_\_\_  
W. A. "Andy" Meyers  
Commissioner, Precinct 3

\_\_\_\_\_  
Ken R. DeMerchant  
Commissioner, Precinct 4

  
\_\_\_\_\_  
J. Stacy Slawinski, P.E.  
County Engineer

ATTEST:  
  
\_\_\_\_\_  
Laura Richard  
County Clerk



- agricultural use or for farm, ranch, wildlife management, or timber production use, the platting requirements of this subchapter apply.
- B. The owner of a tract of land located outside the limits of a municipality who divides the tract into four or fewer parts and does not lay out a part of the tract described by (*Section, 2 2.1 A.3.*) is not required to have a plat of the subdivision prepared if each of the lots is to be sold, given, or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity, as determined under (*Chapter 573, Government Code*). If any lot is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree by consanguinity or affinity, the platting requirements of this subchapter apply.
- C. The owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts is not required to have a plat of the subdivision prepared if:
1. all of the lots of the subdivision are more than 10 acres in area; and
  2. the owner does not lay out a part of the tract described by (*Section 2, 2.1 A.3.*)
- D. The owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts and does not lay out a part of the tract described by (*Section 2, 2.1 A 3.*) to have a plat of the subdivision prepared if all the lots are sold to veterans through the Veterans' Land Board program.
- E. The provisions of this subchapter shall not apply to a subdivision of any tract of land belonging to the state or any state agency, board, or commission or owned by the permanent school fund or an other dedicated funds of the state unless the subdivision lays out a part of the tract described by (*Section 2, 2.1 A.3.*).
- F. The owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts is not required to have a plat of the subdivision prepared if:
1. the owner of the land is a political subdivision of the state;
  2. the land is situated in a flood plain; and
  3. the lots are sold to adjoining landowners.
- G. The owner of a tract of land located outside the limits of a municipality who divides the tract into two parts is not required to have a plat of the subdivision prepared if:
1. the owner does not lay out a part of the tract described by (*Section 2, 2.1 A.3.*), and;
  2. one new part is to be retained by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of this chapter.
- H. The owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts is not required to have a plat of the subdivision prepared if:
1. the owner does not lay out a part of the tract described by (*Section 2, 2.1 A.3.*), and;
  2. all parts are transferred to persons who owned an undivided interest in the original tract and a plat is filed before any further development of any part of the tract.



- C. After notification that all deficiencies have been corrected and a final inspection has been completed, the County Engineering Department will issue a recommendation to Commissioners Court for the preliminary acceptance of construction and to establish the date of Construction Completion.
- D. Final inspection should be scheduled within 60 day of the initial inspection. A complete re-inspection and a new punch list may be required after the sixty day period.
- E. Upon approval of Commissioners Court, the bond for the roads and street may be reduced as shown in (*Section 3, 3.9 E.*) of these regulations and the bonds for the drainage facilities may be reduced as shown in (*Section 3, 3.9 F.*).

**6.2 One Year Maintenance Period**

- A. To qualify for acceptance into the County Road Maintenance System, the roads or streets and subdivision drainage and detention systems must be maintained by the Developer for a minimum of one year after the date of construction completion.

**6.3 Acceptance into the County Road Maintenance System**

- A. Requests for County acceptance of roads and streets shall be directed to the appropriate County Commissioner by the developer or lot owners.
- B. A permanent bench mark brass disk shall be obtained from the County Engineer as referenced in (*Section 4, 4.17 D.*).
- C. The County Engineer will perform an initial inspection. The County Engineer will develop and issue a composite list of deficiencies. The project engineer should schedule the final inspection within ninety (90) calendar days of the initial inspection. A complete re-inspection and a new punch list may be required after expiration of such ninety (90) day period.
- D. After the deficiencies are corrected, the County Engineer will issue a recommendation to the respective County Commissioner with road or street names and lengths, and bond number, amount and bond release information.
- E. Upon approval and recommendation of the Precinct Commissioner, the Commissioners' Court will consider accepting road(s) into the County Road Maintenance System.

**6.4 Acceptance into the Drainage District Maintenance System**

- A. Request for Drainage District acceptance of drainage channel(s) shall be directed to the Drainage District Engineer by the developer or lot owners.
- B. The Drainage District Engineer will perform an inspection and develop and issue a composite list of deficiencies.
- C. After the deficiencies are corrected, the Drainage District will issue a recommendation to the respective County Commissioner.
- D. Upon approval and recommendation of the Precinct Commissioner, the Drainage District Board of Directors will consider accepting the channel(s) into the

**AS PER ORIGINAL**

**ORDER ADOPTING AN AMENDMENT TO FORT BEND COUNTY REGULATIONS  
OF SUBDIVISIONS IN FORT BEND COUNTY**

On this 26<sup>th</sup> day of February, 2019, the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Meyers, seconded by Commissioner Morales, a duly put and carried;

**WHEREAS**, the Commissioners' Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS of Fort Bend County**, by revising the following sections:

**Cover Page, to read:**

Add: Revised February 26, 2019

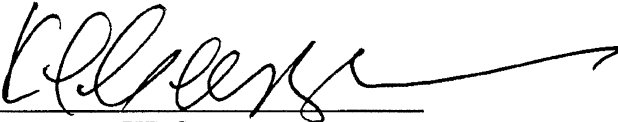
**Paragraph 4.21, to be revised to include County Assistance Districts**

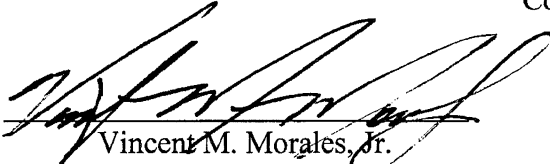
**4.21 Public Facilities Listing**


- A. The names of all existing County Assistance Districts, Municipal Utility Districts, Levee Improvement Districts, Water Control and Improvement Districts, Drainage Improvement Districts, School Districts, Fire Districts, Impact Fee Areas, City or City ETJ and Utilities Companies who provide service in which the property is located shall be shown on the plat in a table format as shown below.

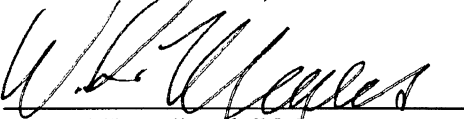
<b>District Names</b>	
COUNTY ASSISTANCE DISTRICT	
WCID	
MUD	
LID	
DID	
SCHOOL	
FIRE	
IMPACT FEE AREA	
CITY OR CITY ETJ	
UTILITIES CO.	

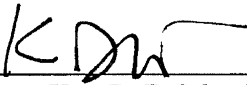
**IT IS ORDERED, ADJUDGED AND DECREED** by the Commissioner's Court of Fort Bend County, Texas, that the above amendments be and are hereby approved effective on the date of approval of this order.

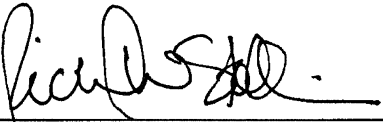
  
\_\_\_\_\_  
KP George  
County Judge

  
\_\_\_\_\_  
Vincent M. Morales, Jr.  
Commissioner, Precinct 1

  
\_\_\_\_\_  
Grady Prestage  
Commissioner, Precinct 2

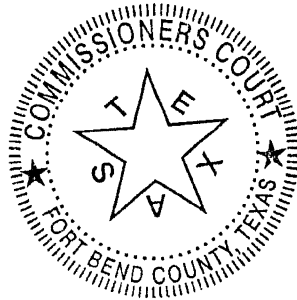
  
\_\_\_\_\_  
W. A. "Andy" Meyers  
Commissioner, Precinct 3

  
\_\_\_\_\_  
Ken R. DeMerchant  
Commissioner, Precinct 4

  
\_\_\_\_\_  
Richard W. Stolleis, P.E.  
County Engineer

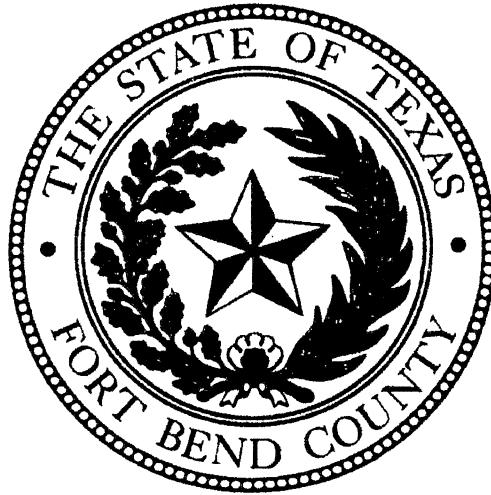
ATTEST:

  
\_\_\_\_\_  
Laura Richard  
County Clerk



# **FORT BEND COUNTY**

## **REGULATIONS OF SUBDIVISIONS**



**FORT BEND COUNTY ENGINEERING**  
301 Jackson Street, Suite 401, Richmond, TX 77469  
Phone (281) 633-7501  
[Development@FortBendCountyTx.gov](mailto:Development@FortBendCountyTx.gov)

**ADOPTED August 27, 2002**  
Revised September 9, 2003  
Revised January 6, 2004  
Revised August 24, 2004  
Revised April 26, 2005  
Revised January 24, 2017  
Revised October 2, 2018  
Revised October 23, 2018  
Revised January 8, 2019  
Revised February 26, 2019

#### **4.18 Surveyor Certification**

- A. The plat must be in full accordance with the required certification made upon the plat by the Registered Public Surveyor ascertaining that the subdivision boundary represents a survey made by him and that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent ferrous metal) pipes or rods having a minimum outside diameter of five eights (5/8) inch and a minimum length of three (3) feet. The monuments shall be driven securely into solid ground and the top of the monument shall be flush with the ground.

#### **4.19 Survey Closure**

- A. The boundary survey shall close to within one in ten thousands (1:10,000) and shall be tied to an original corner of the original abstract survey. The metes and bounds description of this tie shall be shown on the plat.

#### **4.20 Dedication Statements and Certificates**

- A. All dedication statements and certificates shall be made a part of the plat drawing and shall include and not be limited to the following statements: The general form and content of these statements are provided in the Appendix of this Manual.
  - 1. Owner's Acknowledgment. Refer to (*Appendix A*).
  - 2. Execution of Owner's Acknowledgment. Refer to (*Appendix B*).
  - 3. Lienholder's Acknowledgment and Subordination Statement. Refer to (*Appendix C*).
  - 4. Notary Public Acknowledgment for all signatures. Refer to (*Appendix D*).
  - 5. Certificate for Surveyor. Refer to (*Appendix E*).
  - 6. Certificate for Fort Bend County Engineer and Commissioners' Court. Refer to (*Appendix F*).
  - 7. County Clerk's Filing Acknowledgment Statement. Refer to (*Appendix G*).
  - 8. Engineer's Plat Affidavit. Refer to (*Appendix H*).
  - 9. A certificate of City approval shall be included on the plat if the subdivision is within the extraterritorial jurisdiction of a city. Use the form required by the city.

#### **4.21 Public Facilities Listing**

- A. The names of all existing County Assistance Districts, Municipal Utility Districts, Levee Improvement Districts, Water Control and Improvement Districts, Drainage Improvement Districts, School Districts, Fire Districts, Impact Fee Areas, City or City ETJ and Utilities Companies who provide service in which the property is located shall be shown on the plat in a table format as shown below.

<b>District Names</b>	
COUNTY ASSISTANCE DISTRICT	
WCID	
MUD	
LID	
DID	
SCHOOL	
FIRE	
IMPACT FEE AREA	
CITY OR CITY ETJ	
UTILITIES CO.	

**4.22 Drainage Statement**

- A. The plat shall have a note requiring that all drainage easements be kept clear of fences, buildings, vegetation and other obstructions for the purpose of the operation and maintenance of the drainage facility by the appropriate entity. The plat shall also have a note requiring all property to drain into the drainage easement only through an approved drainage structure.

**4.23 Easements**

- A. All easements or fee strips created prior to the subdivision of any tract of land shall be shown on the subdivision plat of said land with appropriate notations indicating the name of the holder of such easement or fee strip and the purpose of the easement, and the dimensions of the easement or fee strip tied to all adjacent lot lines, street right-of-way and plat boundary lines and the recording reference of the instruments creating and establishing said easement or fee strip. In those instances where easements have not been defined by accurate survey dimensions such as "over and across" type easements, the subdivider shall request the holder of such easement to accurately define the limits and location of his easement through the property within the subdivision boundaries. If the holder of such undefined easement does not define the easement involved and certifies his refusal to define such easement to the County Engineer, the subdivision plat shall show accurate recorded information as to the centerline location of all such undefined easements and the centerline of all existing pipelines or other utility facilities placed in conformance with the easement holder's rights. Building setback lines must be established a minimum of 15 feet on each side of and parallel to the centerline of any pipelines, pole lines, or other utility facilities located in such undefined easement.

**ORDER ADOPTING AN AMENDMENT TO FORT BEND COUNTY REGULATIONS OF SUBDIVISIONS IN FORT BEND COUNTY**

On this 8<sup>th</sup> day of January, 2019, the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Meyers, seconded by Commissioner Morales, a duly put and carried;

WHEREAS, the Commissioners' Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS of Fort Bend County**, by revising the following sections:

**Cover Page, to read:**

Add: Revised January 8, 2019


**Appendix M - Bond, to read:**


Change all reference of County Judge

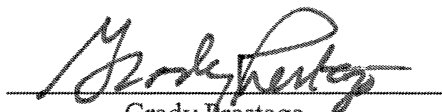
**Appendix N - Letter of Credit, to read:**

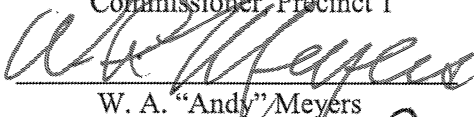
Change all reference of County Judge

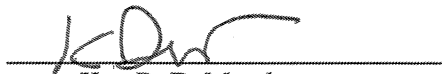
**IT IS ORDERED, ADJUDGED AND DECREED** by the Commissioner's Court of Fort Bend County, Texas, that the above amendments be and are hereby approved effective on the date of approval of this order.

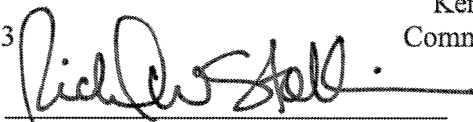
  
\_\_\_\_\_  
KP George  
County Judge

  
\_\_\_\_\_  
Vincent M. Morales, Jr.  
Commissioner, Precinct 1


  
\_\_\_\_\_  
Grady Prestage  
Commissioner, Precinct 2

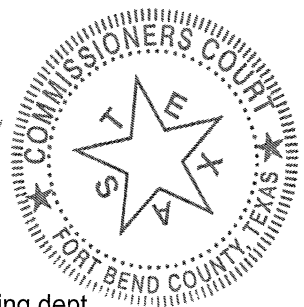
  
\_\_\_\_\_  
W. A. "Andy" Meyers  
Commissioner, Precinct 3

  
\_\_\_\_\_  
Ken R. DeMerchant  
Commissioner, Precinct 4

  
\_\_\_\_\_  
Richard W. Stolleis, P.E.  
County Engineer

ATTEST:

  
\_\_\_\_\_  
Laura Richard  
County Clerk



# **FORT BEND COUNTY REGULATIONS OF SUBDIVISIONS**



**FORT BEND COUNTY ENGINEERING**  
301 Jackson Street, Suite 401, Richmond, TX 77469  
Phone (281) 633-7501  
[Development@FortBendCountyTx.gov](mailto:Development@FortBendCountyTx.gov)

**ADOPTED August 27, 2002**  
Revised September 9, 2003  
Revised January 6, 2004  
Revised August 24, 2004  
Revised April 26, 2005  
Revised January 24, 2017  
Revised October 2, 2018  
Revised October 23, 2018  
Revised January 8, 2019



APPENDIX M

BOND

NO. [REDACTED]

THE STATE OF TEXAS                   §  
  §       KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF FORT BEND               §

THAT WE, [REDACTED] whose (street address/phone) is [REDACTED], hereinafter called the Principal, and (Surety) [REDACTED], a Corporation existing under and by virtue of the laws of the State of [REDACTED], and authorized to do an indemnifying business in the State of Texas, and whose principal office is located at (street address/phone) [REDACTED], whose officer residing in the State of Texas, authorized to accept service in all suits and actions brought within said State is (name/office) [REDACTED], and whose (street address/phone) is [REDACTED], hereinafter called the Surety, and held and firmly bound unto [REDACTED] {name of current County Judge}, County Judge of Fort Bend County, Texas or his successors in office, in the full sum of [REDACTED] Dollars (\$ [REDACTED]) current, lawful money of the United States of America, to be paid to said [REDACTED] {name of current County Judge}, County Judge of Fort Bend County, Texas or his successors in office, to which payment well and truly to be made and done, we, the undersigned, bind ourselves and each of us, our heirs, executors, administrators, successors, assigns, and legal representatives, jointly and severally, by these presents.

WHEREAS, the said Principal is the owner of the following Subdivision(s):

[REDACTED]


located in Fort Bend County, Texas; and,

WHEREAS, the Commissioners Court of Fort Bend County, Texas, has promulgated certain rules, regulations and requirements relating to Subdivisions in Fort Bend County, Texas, as more specifically set out in "Fort Bend County Regulations of Subdivisions" as amended; same being made a part hereof for all purposes, as though fully set out herein; wherein it is provided, among other things, that the owner of a Subdivision will construct the roads, streets, bridges and drainage in the right-of-way depicted on the plat thereof, in accordance with the specifications set out therein, and maintain such roads, streets, bridges and drainage in the right-of-way until such time as said roads, streets, bridges and drainage in the right-of-way have been approved by the County Engineer and accepted for maintenance by the Commissioners Court of Fort Bend County,

Texas (or in the case of subdivisions, streets or roads designated as private in the plat approved by the County Engineer and accepted by the Homeowners Association).

It is further stipulated and understood that the approval of the map or plat of the above named Subdivision(s) is conditioned upon and subject to the strict compliance by the Principal herein with the aforesaid specifications, and that the terms of said specifications, including all deletions, additions, changes or modifications of any kind or character, constitute a contract between the County of Fort Bend and Principal; and it is understood by the Principal that the approval of said map or plat of the above Subdivision(s) was obtained only by the undertaking of the Principal to so comply with the said regulations and specifications within a reasonable time, as set by the Commissioners Court of Fort Bend County, Texas, and that without such undertaking such approval would have not been granted.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bounded Principal, his, her, their, or its heirs, executors, administrators, successors, assigns, and legal representatives, and each and every one of them to do in all things well and truly observe, perform, fulfill, keep and comply with all and singular the rules, regulations, requirements and specifications above referred to, including any deletions, additions, changes or modifications of any kind or character, in the construction and maintenance of all roads, streets, bridges and drainage in the right-of-way in the above named Subdivision(s) and that upon approval of the construction of said roads, streets, bridges and drainage in the right-of-way by the County Engineer, and upon the approval of such maintenance by the County Engineer, and upon acceptance of such roads, streets, bridges and drainage in the right-of-way by the Commissioners Court of Fort Bend County, Texas, then this obligation to be void and of no force and effect.

The Principal and Surety hereon each agree, bind and obligate themselves to pay  {name of current County Judge}, County Judge of Fort Bend County, State of Texas, or his successors in office, for the use and benefit of Fort Bend County, all loss or damages to it occasioned by reason of the failure of the Principal to comply strictly with each and every provision contained in the rules, regulations, requirements and specifications above referred to relating to the construction and maintenance of roads, streets, bridges and drainage in the right-of-way in the above named Subdivision(s), and further agree, bind and obligate themselves to defend, save and keep harmless the County of Fort Bend from any and all damages, expenses, and claims of every kind and character which the County of Fort Bend may suffer, directly or indirectly, as a result of the Principal's failure to comply with the rules, regulations and specifications relating to

the construction and maintenance of the roads, streets, bridges and drainage in the right-of-way in the above named Subdivision(s).

The word Principal when used herein means Principal or Principals whether an individual, individuals, partnership, corporation, or other legal entity having the capacity to contract. The words Roads, Streets, Bridges and Drainage in the right-of-way used herein mean each and every road, street, bridge and drainage in the right-of-way in said Subdivision(s). The word Maintenance as used herein means all needful, necessary and proper care and repair from completion of the roads or streets and approval thereof by the County Engineer until acceptance of the roads and streets by the Commissioners Court. The word Surety when used herein means Surety or Sureties, and it is understood by the parties that any and all liabilities of any kind or character assumed or imposed upon the Principal by the terms hereof extends in full force and vigor to each and every Surety jointly and severally.

In the event of suit hereunder, such suit shall be brought in Fort Bend County, Texas.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Secretary

Principal

By: \_\_\_\_\_

Surety

By: \_\_\_\_\_

ATTORNEY IN FACT

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
*{name of current County Clerk}*  
County Clerk

\_\_\_\_\_  
*{name of current County Judge}*  
County Judge  
Fort Bend County, Texas

APPENDIX N

Fort Bend County Judge {*name of current County Judge*}  
or his successors in office  
Richmond, Texas 77469

Irrevocable  
Letter of Credit  
No. \_\_\_\_\_  
Date \_\_\_\_\_

Gentlemen:

We hereby establish our Irrevocable Letter of Credit in your favor for the account of  
(Developer or Principal) \_\_\_\_\_, (Address) \_\_\_\_\_, Texas,  
for a sum or sums, not to exceed in the aggregate, the amount of  
\_\_\_\_\_ Dollars (\$ \_\_\_\_\_), in U. S. Dollars,  
available by your draft at sight drawn on us, to be accompanied by an affidavit from Fort Bend  
County Judge {*insert name of current County Judge*}, or his successors in office, stating one of  
the following:

1. "The undersigned, Fort Bend County Judge {*insert name of current County Judge*}, or his  
successors in office, hereby certifies to \_\_\_\_\_ (Bank) as the issuer of  
Letter of Credit No. \_\_\_\_\_ dated \_\_\_\_\_, in the amount of  
\_\_\_\_\_ (\$ \_\_\_\_\_), that (Principal or  
Developer) \_\_\_\_\_ has failed to build and/or maintain roads, streets and  
bridges within \_\_\_\_\_ (Name of Subdivision), in accordance with the Subdivision  
Regulations of Fort Bend County, Texas, prior to the roads, streets and bridges being  
accepted for permanent maintenance by Fort Bend County (or in the case of subdivisions,  
streets or roads designated as private in the plat approved by the County Engineer and  
accepted by the Homeowners Association) and, by virtue of such failure, Beneficiary is  
entitled to receive funds in the amount of \_\_\_\_\_ (to be left blank) Dollars (\$ \_\_\_\_\_)".
2. "The undersigned, Fort Bend County Judge {*name of current County Judge*}, or his  
successors in office, hereby certifies to \_\_\_\_\_ (Bank) as the issuer of  
Letter of Credit No. \_\_\_\_\_ dated \_\_\_\_\_, in the amount of  
\_\_\_\_\_ (\$ \_\_\_\_\_), that (Principal or Developer)  
has delivered notice of intent to not automatically renew Letter of Credit No.  
for a period no less than one year from the present expiration date and, by virtue of said  
delivery and notification, beneficiary is entitled to receive funds equal in amount to the  
undrawn balance of this Letter of Credit, such amount being \_\_\_\_\_ (to be left blank)  
Dollars (\$ \_\_\_\_\_)".

It is the condition of this Letter of Credit that it shall be automatically renewed for a period  
no less than one year from the present or each future expiration date, unless at least 30 days prior  
to such date we, the Issuer, shall notify Fort Bend County Judge {*name of current County Judge*},  
or his successor in office, that we elect not to renew this letter of Credit for such additional  
periods.

Partial drawings on this letter of Credit are permitted.

Notwithstanding any reference in this Letter of Credit to other documents, instruments or agreements, or references in such other documents, instruments or agreements to this Letter of Credit, this Letter of Credit contains the entire agreement among the account party, beneficiary and the issuer hereunder relating to the obligations of the issuer hereunder.

Any draft drawn under this Letter of Credit must be marked "Drawn under Letter of Credit No. \_\_\_\_\_ dated \_\_\_\_\_, 20\_\_ issued by (Bank) \_\_\_\_\_ . All drafts drawn under and in compliance with the terms of this Letter of Credit will be duly honored by us on due presentation at our counters on or before \_\_\_\_\_, 20\_\_ , or on or before the expiration date of any subsequent renewal period.

\_\_\_\_\_  
Issuing Organization

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ORDER ADOPTING AN AMENDMENT TO FORT BEND COUNTY REGULATIONS  
OF SUBDIVISIONS IN FORT BEND COUNTY**

On this 23<sup>rd</sup> day of October, 2018, the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Muyers, seconded by Commissioner Morales, a duly put and carried;

**WHEREAS**, the Commissioners' Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS of Fort Bend County**, by revising the following sections:

**Cover Page, to read:**

Add: Revised October 2, 2018  
Revised October 23, 2018

**Paragraph 2.23.A, to read:**

- A. Plat Recordation Fees are applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. Refer to *(Appendix V)* for Fee Calculation Form.

**Paragraph 2.24.A, to read:**

- A. The Platting Fee Schedule is applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. The effective date of the Subdivision Platting Fees shall be the date approved as effective by the Fort Bend County Commissioners Court. Refer to *(Appendix V)* for Fee Calculation Form.

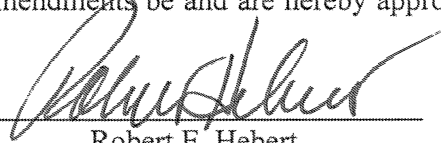
**Paragraph 3.2.A.15, to be deleted.**

~~15. Filing fee is \$150 for the first page and \$144 per plat page thereafter.~~

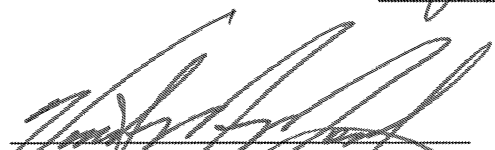
**Appendix V, Fee Calculation form**

Change to County Clerk plat recordation fees. (See Attachment).

IT IS ORDERED, ADJUDGED AND DECREED by the Commissioner's Court of Fort Bend County, Texas, that the above amendments be and are hereby approved effective on the date of approval of this order.



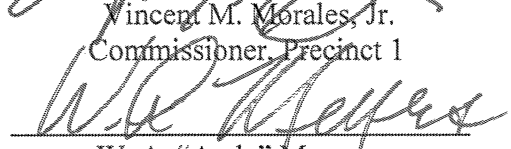
Robert E. Hebert  
County Judge



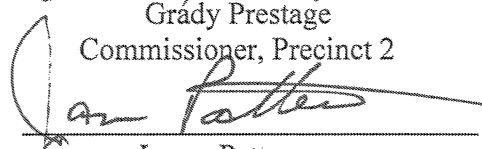
Vincent M. Morales, Jr.  
Commissioner, Precinct 1



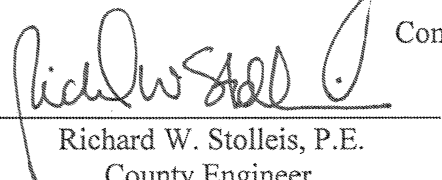
Grady Prestage  
Commissioner, Precinct 2



W. A. "Andy" Meyers  
Commissioner, Precinct 3

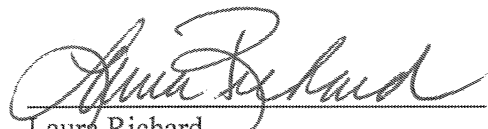


James Patterson  
Commissioner, Precinct 4

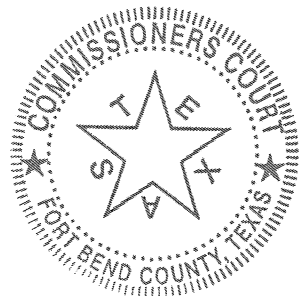


Richard W. Stolleis, P.E.  
County Engineer

ATTEST:



Laura Richard  
County Clerk



**2.24 Platting Fees (CURRENT)**

- A. The following Platting Fee Schedule is applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. The effective date of the Subdivision Platting Fee shall be May 1, 2016. Refer to (*Appendix V*) for Fee Calculation Form).

<b>New Plats</b> <b>Lots</b> <b>Reserves</b>	<b>\$50.00 for each lot</b> <b>\$50.00 for each area platted as a reserve</b>
<b>Replats</b> <b>Lots</b> <b>Reserves</b>	<b>\$50.00 for each new lot</b> <b>\$50.00 for each new reserve</b>
<b>Amending Plats</b>	<b>No Fee</b>
<b>Vacating Plats</b>	<b>No Fee</b>
<b>Street Dedication Plats</b>	<b>No Fee</b>

**2.24 Platting Fees (PROPOSED)**

- A. The following ~~Platting Fee Schedule~~ is applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. The effective date of the Subdivision Platting Fees ~~shall be May 1, 2016~~ shall be the date approved as effective by the Fort Bend County Commissioners Court. Refer to (*Appendix V*) for Fee Calculation Form).

<del><b>New Plats</b></del> <del>    <b>Lots</b></del> <del>    <b>Reserves</b></del>	<del><b>\$50.00 for each lot</b></del> <del><b>\$50.00 for each area platted as a reserve</b></del>
<del><b>Replats</b></del> <del>    <b>Lots</b></del> <del>    <b>Reserves</b></del>	<del><b>\$50.00 for each new lot</b></del> <del><b>\$50.00 for each new reserve</b></del>
<del><b>Amending Plats</b></del>	<del><b>No Fee</b></del>
<del><b>Vacating Plats</b></del>	<del><b>No Fee</b></del>
<del><b>Street Dedication Plats</b></del>	<del><b>No Fee</b></del>



**2.23 Plat Recordation Fees (CURRENT)**

- A. The following Plat Recordation Fees is applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. Refer to *(Appendix V)* for Fee Calculation Form.

<b>Plat</b>	<b>\$150.00 first page, \$144.00 per page thereafter</b>
<b>Bond Letter of Credit Lienholder Subordination Owners Ratification to Plat</b>	<b>First page \$11.00 Each page thereafter \$4.00</b>

**2.23 Plat Recordation Fees (PROPOSED)**

- A. ~~The following Plat Recordation Fees is~~ are applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. Refer to *(Appendix V)* for Fee Calculation Form.

<del><b>Plat</b></del>	<del><b>\$150.00 first page, \$144.00 per page thereafter</b></del>
<del><b>Bond Letter of Credit Lienholder Subordination Owners Ratification to Plat</b></del>	<del><b>First page \$11.00 Each page thereafter \$4.00</b></del>

**PROPOSED**

**3.2 Submitting Requirements**

- A. To comply with state statutes and/or ensure archival quality plat records the following items are required to file a plat:
1. Plat size is 24" x 36".
  2. All drawings, printing and signatures must be in permanent black ink camera positive.
  3. Ink may be on Mylar or bond paper with image on top.
  4. 3 mil or greater matte finish Mylar material or bond paper that does not exceed 24 lb.
  5. An engineering or surveying firm must prepare the plat. We will not accept architectural plans.
  6. The engineering or surveying firms' name and address and the engineer's or surveyor's signature and seal.
  7. Owner's printed name and notarized signature.
  8. Key Map reference.
  9. •Provide one (1) or more originals of each plat page. The clerk will retain one (1) original and return it to the filer within five business days after recording and scanning.
  10. Provide adequate space for the Clerk's certificate information including: "Filed in Plat No. \_\_\_\_\_ of the Plat Records of Fort Bend County, Texas". This must be preprinted on the plat:

I, LAURA RICHARD, COUNTY CLERK IN AND FOR FORT BEND COUNTY, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORDATION IN MY OFFICE ON _____, 201_, AT _____ O'CLOCK ___M. IN PLAT NUMBER _____ OF FORT BEND COUNTY
--

11. Provide adequate space for the Clerk's recording labels which is 3 ½" by 4".
12. Municipal approved plats must include the following or similar wording: "All of the property subdivided in the foregoing plat is within the incorporated boundaries of the City of \_\_\_\_\_, Texas".
13. Current original tax certificates from all the property's taxing entities. A letter on letterhead from the person or company filing that lists all taxing entities and states it is a complete list. The signer must print their name and title under their signature.
14. Per Property Code 12.002(e) plats filed after September 1 of a year must be submitted with a current year tax receipt issued by each taxing unit with jurisdiction, or a statement indicating taxes have not been calculated. If tax certificate does not cover the preceding year, a tax receipt indicating the previous year's tax has been paid must be attached
- ~~15. Filing fee is \$150 for the first page and \$144 per plat page thereafter.~~

*Note: A plat will be rejected for filing if any of the above requirements are not met.*

**FEE CALCULATION FORM**  
**301 JACKSON, ROOM 144 • RICHMOND, TX 77469**  
**281-341-8652 INFORMATION CENTER**

Name of Plat: \_\_\_\_\_

(Check payable to Fort Bend County Clerk. Attach this form to check and submit at time of recordation)

**Plat Recordation Fees:**

<b>Plat</b>	First page.....	<input type="text"/>	x \$152.00 = \$	0.00
	Each page thereafter.....	<input type="text"/>	x \$144.00 = \$	0.00
<b>Bond</b>	First page.....	<input type="text"/>	x \$13.00 = \$	0.00
	Each page thereafter .....	<input type="text"/>	x \$4.00 = \$	0.00
<b>Lienholder Subordination:</b>				
	First page.....	<input type="text"/>	x \$13.00 = \$	0.00
	Each page thereafter.....	<input type="text"/>	x \$4.00 = \$	0.00
<b>Owners Ratification to Plat:</b>				
	First page.....	<input type="text"/>	x \$13.00 = \$	0.00
	Each page thereafter .....	<input type="text"/>	x \$4.00 = \$	0.00
<b>TOTAL RECORDATION FEE</b>				<b>\$ 0.00</b>

**Platting Fees:**

<b>Single Family</b>				
	Number of lots/reserves:	<input type="text"/>	x \$60.00 = \$	0.00
<b>Replats, Vacation Plats, Minor Plats:</b>				
	# of new lots or reserves:	<input type="text"/>	x \$60.00 = \$	0.00
<b>Lot/Reserve Subtotal</b>				<b>\$ 0.00</b>
<b>Street Dedication Plat:</b>				
		<input type="text"/>	x \$250.00 = \$	0.00
<b>Base Fee (all types except Street Dedication Plat):</b>				
		<input type="text"/>	x \$250.00 = \$	0.00
<b>Additional Review Fee*:</b>				
		<input type="text"/>	x \$250.00 = \$	0.00
<b>Non Single Family**</b>				
	Acres:	<input type="text"/>	x \$100.00 = \$	0.00
<b>Replats, Vacation Plats, Minor Plats:</b>				
	Per acre change:	<input type="text"/>	x \$100.00 = \$	0.00
<b>Inspection Fees Construction Completion and Final Acceptance:</b>				
	0-5.99 acres:	<input type="text"/>	x \$400.00 = \$	0.00
	6.00-15.99 acres:	<input type="text"/>	x \$500.00 = \$	0.00
	16.00-99.99 acres:	<input type="text"/>	x \$700.00 = \$	0.00
	Greater than 100 acres:	<input type="text"/>	x \$1000.00 = \$	0.00
<b>New Fee Subtotal</b>				<b>\$ 0.00</b>

**TOTAL PLATTING FEE** \$ **0.00**

---

**TOTAL FEES** \$ **0.00**

Form of payment:  Check (payable to Fort Bend County Clerk)  Credit Card

Receipt number: \_\_\_\_\_

Platting fees revised and approved by Commissioners Court on 9/25/2018, effective 10/3/2018  
 Plat recordation fees revised by County Clerk effective 11/1/2018

\* If a submission has not addressed all review comments or has been substantially changed, an additional fee will be required for the additional review and review letter  
 \*\* Non-Single Family - Commercial, apartments, industrial, institutional, etc. Include acreage only, not the number of reserves.

APPENDIX V

**LAURA RICHARD • FORT BEND COUNTY CLERK**  
**301 JACKSON, ROOM 144 • RICHMOND, TX 77469**  
**281-341-8652 INFORMATION CENTER 281-238-2290 FAX**

Name of Plat:

**FEE CALCULATION FORM**

(Check payable to Fort Bend County Clerk. Attach this form to check and submit at time of recordation)

**Plat Recordation Fees:**

<b>Plat</b>	First page.....	<input style="width: 50px; height: 15px;" type="text"/>	x \$150.00 =	\$	0.00
	Each page thereafter.....	<input style="width: 50px; height: 15px;" type="text"/>	x \$144.00 =	\$	0.00
<b>Bond</b>	First page.....	<input style="width: 50px; height: 15px;" type="text"/>	x \$11.00 =	\$	0.00
	Each page thereafter .....	<input style="width: 50px; height: 15px;" type="text"/>	x \$4.00 =	\$	0.00
<b>Lienholder Subordination:</b>					
	First page.....	<input style="width: 50px; height: 15px;" type="text"/>	x \$11.00 =	\$	0.00
	Each page thereafter.....	<input style="width: 50px; height: 15px;" type="text"/>	x \$4.00 =	\$	0.00
<b>Owners Ratification to Plat:</b>					
	First page.....	<input style="width: 50px; height: 15px;" type="text"/>	x \$11.00 =	\$	0.00
	Each page thereafter .....	<input style="width: 50px; height: 15px;" type="text"/>	x \$4.00 =	\$	0.00
<b>TOTAL RECORDATION FEE</b>				<b>\$</b>	<b>0.00</b>

**Platting Fees:**

	<b>Street Dedication Plat:</b>	<input style="width: 50px; height: 15px;" type="text"/>	x \$250.00 =	\$	0.00
	<b>Base Fee (all types except Street Dedication Plat):</b>	<input style="width: 50px; height: 15px;" type="text"/>	x \$250.00 =	\$	0.00
	<b>Additional Review Fee*:</b>	<input style="width: 50px; height: 15px;" type="text"/>	x \$250.00 =	\$	0.00
<b>Single Family</b>					
	Number of lots/reserves:	<input style="width: 50px; height: 15px;" type="text"/>	x \$60.00 =	\$	0.00
<b>Non Single Family**</b>					
	Acres:	<input style="width: 50px; height: 15px;" type="text"/>	x \$100.00 =	\$	0.00
<b>Replats, Vacation Plats, Minor Plats:</b>					
	# of new lots or reserves:	<input style="width: 50px; height: 15px;" type="text"/>	x \$60.00 =	\$	0.00
	Per acre change:	<input style="width: 50px; height: 15px;" type="text"/>	x \$100.00 =	\$	0.00
<b>Inspection Fees Construction Completion and Final Acceptance:</b>					
	0-5.99 acres:	<input style="width: 50px; height: 15px;" type="text"/>	x \$400.00 =	\$	0.00
	6.00-15.99 acres:	<input style="width: 50px; height: 15px;" type="text"/>	x \$500.00 =	\$	0.00
	16.00-99.99 acres:	<input style="width: 50px; height: 15px;" type="text"/>	x \$700.00 =	\$	0.00
	Greater than 100 acres:	<input style="width: 50px; height: 15px;" type="text"/>	x \$1000.00 =	\$	0.00
<b>TOTAL PLATTING FEE</b>				<b>\$</b>	<b>0.00</b>

**TOTAL FEES \$ 0.00**

**Form of payment:**

**Check** (payable to Fort Bend County Clerk)

**Receipt number:** \_\_\_\_\_

**Credit Card**

Fees revised and approved by Commissioners Court on 9/25/2018, effective 10/3/2018

\* If a submission has not addressed all review comments or has been substantially changed, an additional fee will be required for the additional review and review letter

\*\* Non-Single Family - Commercial, apartments, industrial, institutional, etc. Include acreage only, not the number of reserves.

**2.23 Plat Recordation Fees (CURRENT)**

- A. The following Plat Recordation Fees is applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. Refer to *(Appendix V)* for Fee Calculation Form.

<b>Plat</b>	<b>\$150.00 first page, \$144.00 per page thereafter</b>
<b>Bond Letter of Credit Lienholder Subordination Owners Ratification to Plat</b>	<b>First page \$11.00 Each page thereafter \$4.00</b>

**2.23 Plat Recordation Fees (PROPOSED)**

- A. ~~The following Plat Recordation Fees is~~ are applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. Refer to *(Appendix V)* for Fee Calculation Form.

<del>Plat</del>	<del>\$150.00 first page, \$144.00 per page thereafter</del>
<del>Bond Letter of Credit Lienholder Subordination Owners Ratification to Plat</del>	<del>First page \$11.00 Each page thereafter \$4.00</del>

**2.24 Platting Fees (CURRENT)**

- A. The following Platting Fee Schedule is applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. The effective date of the Subdivision Platting Fee shall be May 1, 2016. Refer to (*Appendix V*) for Fee Calculation Form).

<b>New Plats</b> <b>Lots</b> <b>Reserves</b>	<b>\$50.00 for each lot</b> <b>\$50.00 for each area platted as a reserve</b>
<b>Replats</b> <b>Lots</b> <b>Reserves</b>	<b>\$50.00 for each new lot</b> <b>\$50.00 for each new reserve</b>
<b>Amending Plats</b>	<b>No Fee</b>
<b>Vacating Plats</b>	<b>No Fee</b>
<b>Street Dedication Plats</b>	<b>No Fee</b>

**2.24 Platting Fees (PROPOSED)**

- A. The ~~following~~ Platting Fee Schedule is applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. The effective date of the Subdivision Platting Fees ~~shall be May 1, 2016~~ shall be the date approved as effective by the Fort Bend County Commissioners Court. Refer to (*Appendix V*) for Fee Calculation Form).

<del><b>New Plats</b></del> <del><b>Lots</b></del> <del><b>Reserves</b></del>	<del><b>\$50.00 for each lot</b></del> <del><b>\$50.00 for each area platted as a reserve</b></del>
<del><b>Replats</b></del> <del><b>Lots</b></del> <del><b>Reserves</b></del>	<del><b>\$50.00 for each new lot</b></del> <del><b>\$50.00 for each new reserve</b></del>
<del><b>Amending Plats</b></del>	<del><b>No Fee</b></del>
<del><b>Vacating Plats</b></del>	<del><b>No Fee</b></del>
<del><b>Street Dedication Plats</b></del>	<del><b>No Fee</b></del>

**ORDER ADOPTING AN AMENDMENT TO FORT BEND COUNTY REGULATIONS  
OF SUBDIVISIONS IN FORT BEND COUNTY**

On this the 24<sup>th</sup> day of January, 2017, the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Patterson, seconded by Commissioner Meyers, a duly put and carried;

**WHEREAS**, the Commissioners' Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS OF Fort Bend County**, by revising the following sections:

**Paragraph 5.12. C. 1., to read:**

C. Local Streets

1. Building Setback

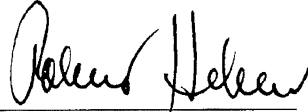
- a. Properties adjacent to local streets which are divided into lots restricted for the construction of residential dwellings shall have a building setback from the adjacent street right-of-way of not less than 25 feet.
- b. Where the adjacent local street right-of-way is a minimum of 60 feet wide in lieu of the 50 foot wide minimum local street right-of-way, the building setback may be reduced to 20 feet provided the development complies with the following requirements:
  - i. The following note is included on the subdivision plat: The minimum distance of twenty-two (22) feet shall be maintained between a front facing garage and the edge of the sidewalk.
  - ii. Utility easements adjoining the right of way are no wider than 10 feet.
  - iii. Prior to approval of a subdivision plat that includes reduced building setbacks, the engineer shall provide a grading plan that defines maximum sidewalk and driveway slopes that accommodate the reduced building setback.

**Paragraph 7.3. A.1., to read:**

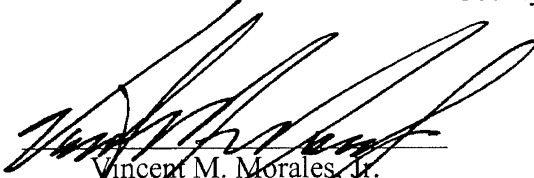
A. Landscape Reserves or Easements

1. A minimum of 10 feet of land on each side of a major thoroughfare right of way shall be dedicated as a landscape reserve. A minimum of 10 foot wide landscape easement can be dedicated in lieu of the landscape reserve required herein only when conflicting city development regulations require that the commercial reserve directly abut the major thoroughfare. Landscape reserves and easements shall be kept clear of any structures, parking and signs. Access drives approximately perpendicular to the major thoroughfare as approved in accordance with applicable access requirements are allowed to be located within required landscape reserves and easements. Property owners associations or similar organizations related to the development shall be responsible for improvement and maintenance of the landscape reserves and easements.

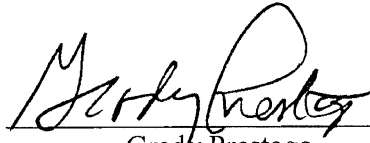
**IT IS ORDERED, ADJUDGED AND DECREED** by the Commissioners' Court of Fort Bend County, Texas, that the above amendments be and are hereby approved effective on the date of approval of this order.



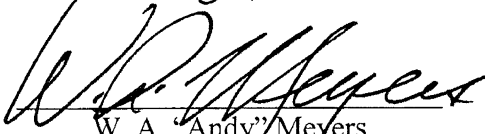
Robert E. Hebert  
County Judge



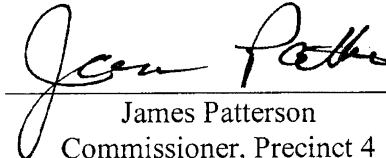
Vincent M. Morales, Jr.  
Commissioner, Precinct 1



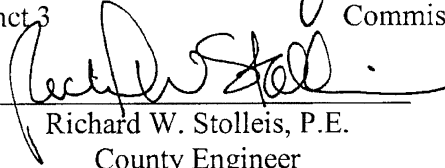
Grady Prestage  
Commissioner, Precinct 2



W. A. "Andy" Meyers  
Commissioner, Precinct 3



James Patterson  
Commissioner, Precinct 4

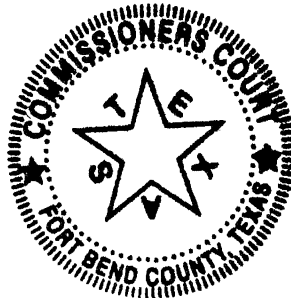


Richard W. Stolleis, P.E.  
County Engineer

ATTEST:



Laura Richard, County Clerk





**ORDER ADOPTING AN AMENDMENT TO  
FORT BEND COUNTY REGULATIONS OF SUBDIVISIONS  
IN FORT BEND COUNTY**

THE STATE OF TEXAS       §  
  §  
COUNTY OF FORT BEND    §

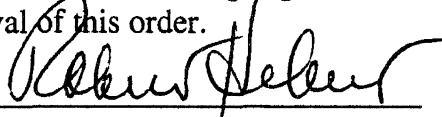
KNOW ALL MEN BY THESE PRESENTS:

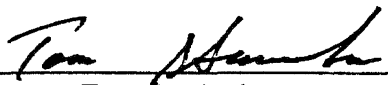
On this the 26th day of April, 2005, the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon motion of Commissioner PATTERSON, seconded by Commissioner STAVINOKA, as duly put and carried;


**WHEREAS**, the Commissioners Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS of Fort Bend County**, by adding the following:

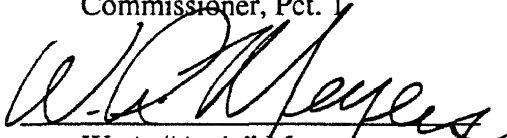
- Added Section 7 - Green Space Regulations
- Added Appendix W - List of Specific Trees acceptable for Greenspace Landscape Reserves.

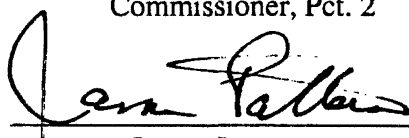
**IT IS ORDERED, ADJUDGED AND DECREED** by the Commissioners Court of Fort Bend County, Texas, that the following regulations be and are hereby approved effective on the date of approval of this order.

  
\_\_\_\_\_  
Robert E. Hebert  
County Judge


  
\_\_\_\_\_  
Tom Stavinoha  
Commissioner, Pct. 1

  
\_\_\_\_\_  
Grady Prestage  
Commissioner, Pct. 2

  
\_\_\_\_\_  
W. A. "Andy" Meyers  
Commissioner, Pct. 3

  
\_\_\_\_\_  
James Patterson  
Commissioner, Pct. 4

  
\_\_\_\_\_  
D. Jesse Hegemier  
County Engineer

ATTEST:  
  
\_\_\_\_\_  
Dianne Wilson, Ph.D.  
County Clerk

**ORDER ADOPTING AN AMENDMENT TO  
FORT BEND COUNTY REGULATIONS OF SUBDIVISIONS  
IN FORT BEND COUNTY**

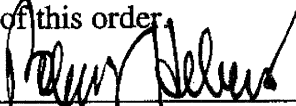
THE STATE OF TEXAS       §  
  §  
COUNTY OF FORT BEND   §

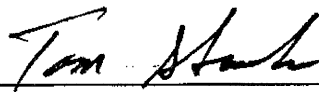
KNOW ALL MEN BY THESE PRESENTS:

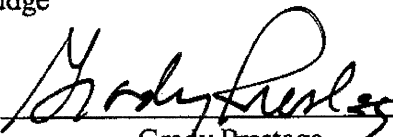
On this the 24<sup>th</sup> day of August, 2004, the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon motion of Commissioner Stavinoha, seconded by Commissioner Prestage, as duly put and carried;


**WHEREAS**, the Commissioners Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS of Fort Bend County** (see Exhibit "A" summarizing the changes); and

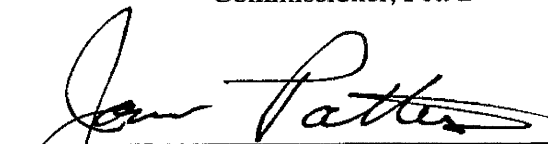
**IT IS ORDERED, ADJUDGED AND DECREED** by the Commissioners Court of Fort Bend County, Texas, that the following regulations be and are hereby approved effective on the date of approval of this order.

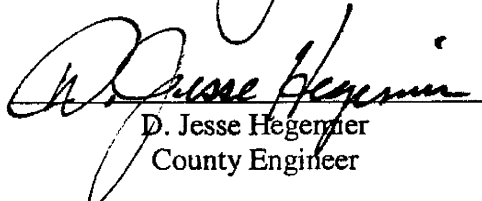
  
\_\_\_\_\_  
Robert E. Hebert  
County Judge


  
\_\_\_\_\_  
Tom Stavinoha  
Commissioner, Pct. 1

  
\_\_\_\_\_  
Grady Prestage  
Commissioner, Pct. 2

  
\_\_\_\_\_  
W.A. "Andy" Meyers  
Commissioner, Pct. 2

  
\_\_\_\_\_  
James Patterson  
Commissioner, Pct. 4

  
\_\_\_\_\_  
D. Jesse Hegemer  
County Engineer

ATTEST:  
  
\_\_\_\_\_  
Dianne Wilson, Ph.D.  
County Clerk

Cem: 824.04\*3aB  
Return to: Alicia

**ORDER ADOPTING AN AMENDMENT TO  
FORT BEND COUNTY REGULATIONS OF SUBDIVISIONS  
IN FORT BEND COUNTY**

THE STATE OF TEXAS     §  
  §  
COUNTY OF FORT BEND   §

KNOW ALL MEN BY THESE PRESENT:

On this **6th** day of **January, 2004**, the Commissioners Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon a motion of Commissioner Patterson, seconded by Commissioner Stavinoha, a duly put and carried;

**WHEREAS**, the Commissioners' Court of Fort Bend County approved an amendment to the **REGULATIONS OF SUBDIVISIONS** of Fort Bend County, by revising the following sections:

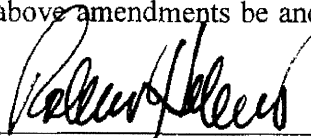
**Paragraph 5.2.B. 1., to read:**

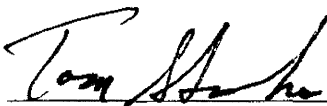
"The minimum width of the right-of-way to be dedicated for any designated major thoroughfare shall be not less than 100 feet, nor more than 120 feet."

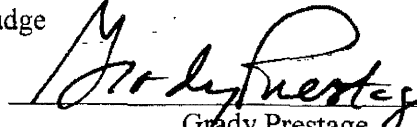
**Paragraph 5.2.B. 2., to read:**

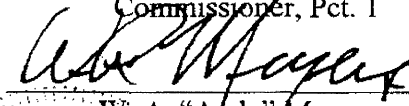
"Where the subdivision is located adjacent to an existing designated major thoroughfare having a right-of-way width of less than 100 feet, sufficient additional right-of-way must be dedicated, within the subdivision boundaries, to provide for the development of the major thoroughfare to a total right-of-way width of not less than 100 feet nor more than 120 feet."

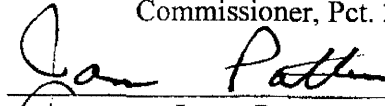
**IT IS ORDERED, ADJUDGED AND DECREED** by the Commissioners' Court of Fort Bend County, Texas, that the above amendments be and are hereby approved effective on the date of approval of this order.

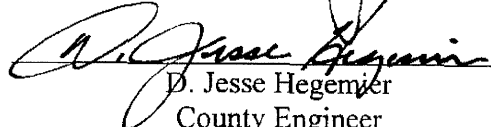
  
\_\_\_\_\_  
Judge Robert E. Hebert  
County Judge

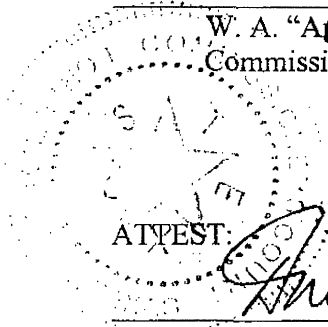
  
\_\_\_\_\_  
Tom Stavinoha  
Commissioner, Pct. 1

  
\_\_\_\_\_  
Grady Prestage  
Commissioner, Pct. 2

  
\_\_\_\_\_  
W. A. "Andy" Meyers  
Commissioner, Pct. 2

  
\_\_\_\_\_  
James Patterson  
Commissioner, Pct. 4

  
\_\_\_\_\_  
D. Jesse Hegemer  
County Engineer



Dianne Wilson, Ph.D.  
County Clerk

THE STATE OF TEXAS     §  
                                   §  
COUNTY OF FORT BEND   §

KNOW ALL MEN BY THESE PRESENTS

**ORDER ADOPTING FORT BEND COUNTY REGULATIONS OF  
SUBDIVISIONS IN FORT BEND COUNTY, TEXAS**

On this the 27<sup>th</sup> day of August, 2002, the Commissioners' Court of Fort Bend County, Texas, sitting as the governing body of Fort Bend County, upon motion of Commissioner Stavinoha, seconded by Commissioner Meyers, as duly put and carried,

**WHEREAS**, the Commissioners' Court of Fort Bend County adopted the **REGULATIONS OF SUBDIVISIONS of Fort Bend County**, and

**IT IS ORDERED, ADJUDGED AND DECREED** by the Commissioners' Court of Fort Bend County, Texas, that the following regulations be and are hereby adopted effective **August 27, 2002**.

James C. Adolphus  
County Judge

Tom Stavinoha  
Commissioner, Pct 1

Grady Prestage  
Commissioner, Pct 2

W A "Andy" Meyers  
Commissioner, Pct 2

James Patterson  
Commissioner, Pct 4

D Jesse Hegemier  
County Engineer

**FORT BEND COUNTY ENGINEERING DEPARTMENT**

**1124 Blume Road  
P. O. Box 1449  
Rosenberg, Texas 77471**

**(281) 633-7501  
Fax: (281) 342-7366**

# **FORT BEND COUNTY**

## **REGULATIONS OF SUBDIVISIONS**



**FORT BEND COUNTY ENGINEERING**  
301 Jackson Street, Suite 401, Richmond, TX 77469  
Phone (281) 633-7501  
Web site: [www.FortBendCountyTx.gov](http://www.FortBendCountyTx.gov)

**ADOPTED August 27, 2002**  
Revised September 9, 2003  
Revised January 6, 2004  
Revised August 24, 2004  
Revised April 26, 2005

**TABLE OF CONTENTS**

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
<b>SECTION 1 - DEFINITIONS</b>		
1.1	Definitions	1-5
<b>SECTION 2 - GENERAL POLICY</b>		
2.1	Plat Required	1
2.2	Exceptions to Plat Requirement	1-3
2.3	Plat Requirements	3
2.4	Plat Approval	3
2.5	Approval by Fort Bend County Commissioners' Court Required	3
2.6	Timely Approval of Plats	4
2.7	Plat Recording	4-5
2.8	Construction	5
2.9	Revised Plat	5
2.10	Supplemental Subdivision Platting Policy	5
2.11	Bond Requirements	5-6
2.12	One Year Maintenance Period	6
2.13	Drainage Systems	6
2.14	Road and Street Design	6
2.15	Traffic Impact Study	6
2.16	Concurrent Jurisdiction	6
2.17	Private Water and Septic Systems	7
2.18	Utilities in Unincorporated Areas	7
2.19	Outdoor Lighting in the Unincorporated Areas	7
2.20	Use of Groundwater	7
2.21	Variances	7
2.22	Regulations and Addenda	9
2.23	Plat Recordation Fees	9
2.24	Platting Fees	10
2.25	Validity	10
2.26	Enforcement	10
<b>SECTION 3 - PLAT SUBMITTAL PROCEDURES AND REQUIREMENTS</b>		
3.1	Preliminary Conference	1
3.2	Submitting Requirements	1
3.3	Digital Recorded Final Plat Submittal Guidelines	2-3
3.4	Construction Documents	3
3.5	Title Report	4
3.6	Subdivision, Development or Street Names	4
3.7	Private Easement Holder's Agreement	4-5
3.8	Tax Certificates	5
3.9	Bond or Letter of Credit	5-6
3.10	Departmental Reviews	6

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
3.11	Subdivision within the Extraterritorial Jurisdiction of a City	6-7
3.12	Amending Plat within Extraterritorial Jurisdiction of a Town or City	7-8
3.13	Replat within Extraterritorial Jurisdiction of a Town or City	8-9
3.14	Revision of Plat - Subdivision located outside the Municipalities and Extraterritorial Jurisdiction of Municipalities	9
3.15	Subdivision outside the Extraterritorial Jurisdiction of a City	10-11
3.16	Engineer Certification	11
3.17	Transmittal Letters	11

**SECTION 4 - PLAT GRAPHIC REQUIREMENTS**

4.0	General Graphics	1
4.1	Engineering	1
4.2	Plat Size	1
4.3	Orientation	1
4.4	Scale	1
4.5	Vicinity Map	1
4.6	Legal Description	1
4.7	Acerage	1-2
4.8	Names	2
4.9	Date	2
4.10	Engineering and Surveying Requirements	2
4.11	Plat Boundaries	2
4.12	Adjacent Areas	2
4.13	Pipeline and Pipeline Easements	2
4.14	Lots, Tracts, Rreserves, Easements and Right-of-way	3
4.15	Contour Lines	3
4.16	Minimum Slab Elevation	3
4.17	Vertical and Horizontal Control	3-6
4.18	Surveyor Certification	7
4.19	Survey Closure	7
4.20	Dedication Statements and Certificates	7
4.21	Public Facilities Listing	7-8
4.22	Drainage Statement	8
4.23	Easements	8
4.24	Side Lot Lines	9
4.25	Key Lots	9
4.26	Access Denied	9

**SECTION 5 - DESIGN CRITERIA**

5.1	General Public Street Arrangement and Layout	1-2
5.2	Major Thoroughfares	2
5.3	Major Collector Streets	3
5.4	Minor Collector Streets	3-4
5.5	Residential Streets	4-5
5.6	Other Street Requirements	5

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
5.7	Construction Standards and Details	5
5.8	Sidewalks	5
5.9	Private Streets	5-6
5.10	Street Names	6
5.11	Easements	6-8
5.12	General Building Setback Restrictions	8-9
5.13	Reserve Tracts	9
5.14	Lots - General Provisions	9-11
5.15	Drainage Outfall	11
5.16	Landscaping	11
<b>SECTION 6 - ACCEPTANCE OF IMPROVEMENTS WITHIN SUBDIVISION</b>		
6.1	General Acceptance Procedures	1-2
6.2	One Year Maintenance Period	2
6.3	Acceptance into the County Road Maintenance System	2
6.4	Acceptance into the Drainage District Maintenance System	2
6.5	Conditions of Acceptance	3
6.6	Release of Bond	3
<b>SECTION 7 - GREEN SPACE REGULATIONS</b>		
7.0	Definitions	1
7.1	Subdivision Green Space Requirements	1-2
7.2	Maintenance and Ownership	2
7.3	Green Space Along Major Thoroughfares	2-3
7.4	Tree Preservation Credit	3-4
7.5	Effective Date of Regulations	4
<b>APPENDIX</b>		
A	Owner's Acknowledgment	1-2
B	Execution of Owner's Acknowledgment	3
C	Lienholder's Acknowledgment and Subordination Statement	4
D	Notary Public Acknowledgment for All Signatures	5
E	Certificate for Surveyor	6
F	Certificate of Fort Bend County Engineer and Commissioners' Court	7
G	County Clerk's Filing Acknowledgment Statement	8
H	Engineer's Plat Affidavit	9
I	Engineer's Construction Compliance Statement	10
J	Contractor/Contractors Affidavit of Construction Compliance	11
K	Independent Testing Laboratory Certification	12
L	Street and Road Inventory	13
M	Bond	14-16
N	Letter of Credit	17-18
O	Engineer's Drainage Facilities Construction Certification	19
P	FBC Supplemental Regulations of Subdivisions for the Extraterritorial Jurisdiction of Sugar Land, Texas	20-21



<b>SECTION</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
Q	Engineer's Construction Document Certification Statement	22
R	Typical Roadway Section (Drawing No. FBC-077)	23
S	Taxing Entity Letter	24
T	Order Imposing Restrictions on the Connection of Utilities in the Unincorporated Areas	25
U	Fort Bend County Subdivision Plat Application	26
V	Fee Calculation Form	27
W	Trees Acceptable for Greenspace Landscape Reserves	28-29

---

**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.

**SECTION 2 - GENERAL POLICY**

**2.1 Plat Required**

*Authority for these regulations is given in V.T.C.A., Local Government Code § 232.001.*

- A. The owner of a tract of land located outside the limits of a municipality must have a plat of the subdivision prepared if the owner divides the tract into two or more parts to lay out:
  - 1. a subdivision of the tract, including an 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.
- B. A division of a tract under *(Section 2, 2.1.A.)* includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.
- C. To be recorded, the plat must:
  - 1. describe the subdivision by metes and bounds;
  - 2. locate the subdivision with respect to an original corner of the original survey of which it is a part; and
  - 3. state the dimensions of the subdivision and of each lot, street, alleys, square, park, or other part 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 street alley, square, park, or other part.
- D. The owner or proprietor of the tract or the owner's or proprietor's agent must acknowledge the plat in the manner required for the acknowledgment of deeds. Refer to *(Appendix A)*.
- E. Commercial Development - Unless otherwise specifically exempted, a plat is always required when a parent tract is divided into two or more daughter tracts for sale as part of a unified plan for development of the property. The existence of such a plan may be inferred from circumstances, such as the form of advertising or the sale of multiple tracts within a one-year period.

**2.2 Exceptions to Plat Requirement**

*Authority for these regulations is given in V.T.C.A., Local Government Code § 232.0015.*

- A. The owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts is not required to have a plat of the subdivision prepared if:
  - 1. the owner does not lay out a part of the tract described by *(Section 2, 2.1 A.3.)* and;
  - 2. the land is to be used primarily for agricultural use, as defined by *(Section 1-d, Article VIII, Texas Constitution)*, or for farm, ranch, wildlife management, or timber production use within the meaning of *(Section 1-d-1, Article VIII, Texas Constitution)*.
  - 3. If a tract described by *(Section 2, 2.2, A.2.)* ceases to be used primarily for

- agricultural use or for farm, ranch, wildlife management, or timber production use, the platting requirements of this subchapter apply.
- B. The owner of a tract of land located outside the limits of a municipality who divides the tract into four or fewer parts and does not lay out a part of the tract described by (*Section, 2 2.1 A.3.*) is not required to have a plat of the subdivision prepared if each of the lots is to be sold, given, or otherwise transferred to an individual who is related to the owner within the third degree by consanguinity or affinity, as determined under (*Chapter 573, Government Code*). If any lot is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree by consanguinity or affinity, the platting requirements of this subchapter apply.
- C. The owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts is not required to have a plat of the subdivision prepared if:
1. all of the lots of the subdivision are more than 10 acres in area; and
  2. the owner does not lay out a part of the tract described by (*Section 2, 2.1 A.3.*)
- D. The owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts and does not lay out a part of the tract described by (*Section 2, 2.1 A 3.*) to have a plat of the subdivision prepared if all the lots are sold to veterans through the Veterans' Land Board program.
- E. The provisions of this subchapter shall not apply to a subdivision of any tract of land belonging to the state or any state agency, board, or commission or owned by the permanent school fund or an other dedicated funds of the state unless the subdivision lays out a part of the tract described by (*Section 2, 2.1 A.3.*).
- F. The owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts is not required to have a plat of the subdivision prepared if:
1. the owner of the land is a political subdivision of the state;
  2. the land is situated in a flood plain; and
  3. the lots are sold to adjoining landowners.
- G. The owner of a tract of land located outside the limits of a municipality who divides the tract into two parts is not required to have a plat of the subdivision prepared if:
1. the owner does not lay out a part of the tract described by (*Section 2, 2.1 A.3.*), and;
  2. one new part is to be retained by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of this chapter.
- H. The owner of a tract of land located outside the limits of a municipality who divides the tract into two or more parts is not required to have a plat of the subdivision prepared if:
1. the owner does not lay out a part of the tract described by (*Section 2, 2.1 A.3.*), and;
  2. all parts are transferred to persons who owned an undivided interest in the original tract and a plat is filed before any further development of any part of the tract.
- I. The owner of a tract of land located outside the limits of a municipality who



divides the tract in to two or more parts may request a variance from the platting requirements if:

1. The owner does not lay out a part of the tract described by (*Section 2, 2.1, A.3.*),
2. The tract of land is divided into five (5) or fewer parts and each part contains two (2) or more acres,
3. Each tract of land has adequate access to a public road, (common or shared entrances are not permitted),
4. Each tract of land has adequate drainage, water and sewer service facilities available and,
5. Fort Bend County Commissioners Court grants approval of the variance.

**2.3 Plat Requirements**

- A. The final plat shall be submitted with complete construction documents including plans and specifications with plan and profiles showing line and grade of all streets, roads, bridges, sanitary and storm sewers, ditches, utility easements and course and the location of all existing pipelines or pipeline easements through the proposed subdivision.

**2.4 Plat Approval**

*Authority for these regulations is given in V.T.C.A., Local Government Code § 232.101. Subchapter E (SB873).*

- A. In approving the plat for recording in Fort Bend County, the Commissioners' Court will consider the health, safety, morals, or general welfare of the citizens of Fort Bend County and the safe, orderly, and healthful development of the unincorporated area of the County. This will include all the specific items listed below plus other considerations that are important to citizens of the area and Fort Bend County. These will include and not be limited to street specifications and widths, traffic patterns and traffic control, drainage and flood protection, sanitary sewers and water systems, recreational facilities, school sites and any other amenity that applies to the area being considered.
- B. The final plat and the construction documents must be reviewed, approved and signed by the County Engineer and the drainage plans must be reviewed and approved by the Drainage District Engineer before the final plat is presented to Commissioners' Court for approval.

**2.5 Approval by Fort Bend County Commissioners' Court Required**

*Authority for these regulations is given in V.T.C.A., Local Government Code § 232.002.*

- A. The Commissioners Court of the Fort Bend County must approve, by an order entered in the minutes of the court, a plat required by (*Section 2, 2.1A.*). The Commissioners' Court may refuse to approve a plat if it does not meet the requirements prescribed by or under this chapter or if any bond required under this chapter is not filed with the County.

**2.6 Timely Approval of Plats**

Authority for these regulations is given in V.T.C.A., Local Government Code § 232.0025.

- A. The County Engineer shall issue a written list of the documentation and other information that must be submitted with a plat application. Required by (*Appendix U*). The documentation or other information must relate to a requirement authorized under this section or other applicable law. An application submitted to the County Engineer that contains the documents and other information on the list will be considered complete.
- B. If a person submits a plat application to the County Engineer that does not include all of the documentation or other information required by (*Section 2, 2.6 A.*), the County Engineer shall, not later than the 10th business day after the date the County Engineer receives the application, notify the applicant of the missing documents or other information. The County Engineer shall allow an applicant to timely submit the missing documents or other information.
- C. An application is considered complete when all documentation or other information required by (*Section 2, 2.6 A.*) is received. Acceptance by the County Engineer of a completed plat application with the documentation or other information required by (*Section 2, 2.6 A.*) shall not be construed as approval of the documentation or other information.
- D. Except as provided by (*Section 2, 2.6 F.*), the County Engineer shall present a completed plat application, including the resolution of all appeals, to the County Commissioner' Court not later than the 60th day after the date a completed plat application is received by the County Engineer.
- E. If the County Commissioner' Court disapproves a plat application, the applicant shall be given a complete list of the reasons for the disapproval.
- F. The 60-day period under (*Section 2, 2.6 D.*).
  - 1. may be extended for a reasonable period, if agreed to in writing by the applicant and approved by the County Engineer;
  - 2. may be extended 60 additional days if (*Chapter 2007, Government Code*), requires the county to perform a takings impact assessment in connection with a plat application; and
  - 3. applies only to a decision wholly within the control of the County Engineer
- G. The County Engineer shall make the determination under (*Section 2, 2.6 F.2.*) of whether the 60-day period will be extended not later than the 20th day after the date a completed plat application is received by the County Engineer.
- H. The County Engineer may not compel an applicant to waive the time limits contained in this section.
- I. If the Commissioner' Court fails to take final action on the plat as required by (*Section 2, 2.6 D.*).
  - 1. the plat application is granted by operation of law; and
  - 2. the applicant may apply to a District Court in the county where the tract of land is located for a writ of mandamus to compel the Commissioners' Court to issue documents recognizing the plat's approval.

**2.7 Plat Recording**

- A. The plat must be filed and recorded with the Fort Bend County Clerk.

- B. The plat is subject to the filing and recording provisions of (*Section 12.002 Property Code*).

**2.8 Construction**

- A. Construction shall not begin until the final plat has been approved by Commissioners' Court and recorded by the County Clerk, unless an early start date is authorized, in writing, by the Precinct Commissioner.

**2.9 Revised Plat**

*Authority for these regulations is given in V.T.C.A., Local Government Code § 232.009.*

- A. A revised subdivision plat may be submitted for recording with the County Clerk with written approval of the Engineering Department and Commissioners' Court. Refer to (*Section 3, 3.14*) for the requirement for submitting a revised plat.

**2.10 Supplemental Subdivision Platting Policy**

- A. Refer to (*Appendix P*) for *Regulation of Subdivisions* for areas within the Extraterritorial Jurisdiction of cities or towns. This supplemental subdivision platting policy shall apply only to the subdivision of land and development of property which is both in Fort Bend County and within the Extraterritorial Jurisdiction of the city or town designated in the appendix.

**2.11 Bond Requirements**

*Authority for these regulations is given in V.T.C.A., Local Government Code § 232.004.*

- A. Fort Bend Commissioners' Court requires the owner of the tract to execute a bond, before subdividing the tract unless an alternative financial guarantee is provided under (*Section 232.0045 of the V. T. C. A. Local Government Code*), the bond must:
  1. be payable to the County Judge of the county in which the subdivision will be located or to the Judge's successor in office;
  2. be in an amount determined by the Commissioners' Court to be adequate to ensure proper construction of the roads and streets in and drainage requirements for the subdivision, but not to exceed the estimated cost of construction of the roads, streets, and drainage requirements;
  3. be executed with sureties as may be approved by the court;
  4. be executed by a company authorized to do business as a surety in this state if the court requires a surety bond executed by a corporate surety; and
  5. be conditioned that the roads and streets and the drainage requirements for the subdivision will be constructed:
    - a. in accordance with the specifications adopted by the court; and
    - b. within a reasonable time set by the court.
  6. Bonds shall have a minimum standard rating of "A" or better according to the most current issue of the A.M. Best Key Rating Guide.
  7. Bonds or Letters of Credit shall be original only. No poorly copied copies

- or faxed copies shall be accepted. Refer to *(Appendix M)* for Bond form.
- B. Financial Guarantee in Lieu of Bond.
  - 1. In lieu of the bond an owner may deposit cash or, a letter of credit issued by a federally insured financial institution, or other acceptable financial guarantee. Refer to *(Appendix N)* for Letter of Credit form.
  - 2. If a letter of credit is used, it must:
    - a. list as the sole beneficiary the Fort Bend County Judge; and
    - b. be conditioned that the owner of the tract of land to be subdivided will construct any roads or streets in the subdivision:
      - (1) in accordance with the specifications adopted by the Commissioners Court; and
      - (2) within a reasonable time set by the court.
- C. Bond amounts are given in *(Section 3, 3.9)* of the regulations.

**2.12 One Year Maintenance Period**

- A. The conditions and requirements for the mandatory one year maintenance period for roads, streets, drainage and detention facilities and acceptance of such roads, streets, drainage and detention facilities into the County Maintenance System are given in *(Section 6, 6.2 A.)*.

**2.13 Drainage Systems**

- A. The design and construction of all drainage systems within Fort Bend County shall comply with the established standard principles and practices given in the Fort Bend County DRAINAGE CRITERIA MANUAL.

**2.14 Road and Street Design**

- A. The design and construction of all roads and streets within Fort Bend County shall comply with requirement of these regulations and the Fort Bend County DESIGN STANDARDS AND DETAILS.

**2.15 Traffic Impact Study**

- A. A traffic impact study shall be required for any development proposal expected to generate traffic volumes that will significantly impact the capacity and/or safety of the street system. All proposed developments generating volumes of 5,000 trips per day or greater shall meet this criteria. The trip estimates shall be based on the latest version of the Institute of Transportation Engineers, Trip Generation Manual.

**2.16 Concurrent Jurisdiction**

- A. If the tract of land to be subdivided is within or partially within the extraterritorial jurisdiction of any city or town within Fort Bend County, Texas, the more stringent regulations of the two governing bodies shall apply.

**2.17 Private Water and Septic Systems**

- A. Refer to the *Fort Bend County Health Department Environmental Division Rules for On-site Sewerage Facilities* for requirements for subdivisions to be serviced by private water wells and or on-site septic systems.

**2.18 Utilities in Unincorporated Areas**

- A. An order imposing restrictions on the connection of utilities in the unincorporated areas of Fort Bend County was adopted by Commissioners Court on January 7, 2003. Refer to (*Appendix T*) for order adopted.

**2.19 Outdoor Lighting in the Unincorporated Areas**

- A. An order for regulation of outdoor lighting in the unincorporated areas of Fort Bend County was adopted by Commissioners Court on March 23, 2004. Refer to the County web site [www.co.fort-bend.tx.us](http://www.co.fort-bend.tx.us), available on the home page under "Fort Bend County Lighting Ordinance", for order adopted.
- B. The conditions associated with this order shall be placed upon the face of the plat as referred to in (*Appendix A*) Owner's Acknowledgment. The Owner hereby acknowledges the receipt of the "Orders for Regulation of Outdoor Lighting in the Unincorporated Areas of Fort Bend County, Texas", and do hereby covenant and agree and shall comply with this order as adopted by Fort Bend County Commissioners Court on March 23, 2004.
- C. The applicable lighting zone shall be designated upon the face of the plat.

**2.20 Use of Groundwater**

*Authority for these regulations is given in V.T.C.A., Local Government Code § 232.0032.*

- A. If a person submits a plat for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under that land, the Commissioners court of a County by order may require the plat application to have attached to it a statement that:
1. is prepared by an engineer registered to practice in this state; and
  2. certifies that adequate groundwater is available for the subdivision.
- A. The Texas Commission on Environmental Quality (TCEQ), by rule shall establish the appropriate form and content of a certification to be attached to a plat application under this section.

**2.21 Variances**

- A. The County Engineering Department shall review the variance request and make a recommendation to the Commissioners Court. The Commissioners Court may then authorize a variance from these regulations when in its opinion undue hardship will result from requiring strict compliance. The applicant shall have the responsibility of proving that compliance would create a hardship. In granting a

variance, the Commissioners Court may prescribe conditions that it deems necessary or desirable to the public interest. Any conditions that are prescribed shall be deemed continuing and shall be placed of record in the office of the county clerk either on the face of the subdivision plat or as an attachment thereto. The Commissioners Court shall take into account the nature of the proposed use of land involved and existing uses of the land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon public health, safety, convenience, and welfare in the vicinity. No variance will be granted unless the Commissioners Court finds that an undue hardship exists. The following conditions must be present for consideration:

1. There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land;
  2. The granting of the variance will not be detrimental to the public safety or welfare, or injurious to other property in the area;
  3. The granting of the variance will not have the effect of preventing the orderly subdivision of other lands in the area in accordance with the provisions of this chapter; and
  4. A more appropriate design solution exists which is not currently allowed in this chapter.
- B. A variance may not be granted in such cases where the only evidence for the granting of the variance is the loss of a potential profit at the time of the lot development and build out. Economic hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship.
- C. Such recommendations of the County Engineering Department and findings of the Commissioners Court, together with the specific facts on which such findings are based, shall be incorporated in the official minutes of the County Engineering Department and the Commissioners Court meetings at which such variance is recommended or granted. Variances may be granted only when in harmony with the general purpose and intent of this chapter so that the public health, safety and welfare may be secured and substantial justice done. The Commissioners Court may reach a conclusion that a hardship exists if it finds that:
1. The applicant complies strictly with the provisions of this chapter, and no other reasonable use of the property may be made except for the use that is proposed and recommended;
  2. The hardship to which the applicant complains is one suffered by the applicant rather than by neighbors or the general public;
  3. The hardship relates to the applicant's land, rather than personal

circumstances;

- 4. The hardship is unique to the property, rather than one shared by many surrounding properties; and
  - 5. The hardship is not the result of the applicant's own actions or neglectful conduct.
- D. In granting variances, the County may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties. All conditions as are imposed shall be placed of record on the face of the subdivision plat or may, as an alternative thereof, be placed of record by separate instrument duly filed for record with the subdivision plat in the office of the County Clerk.
- E. A variance may, at the sole discretion of the Commissioners Court, be issued for an indefinite duration or for a specified period of time.
- F. All conditions imposed by the Commissioners Court are enforceable in the same manner as any other applicable requirement of this variance.

**2.22 Regulations and Addenda**

*Authority for these regulations is given in V.T.C.A., Local Government Code § 232.0015.*

- A. These regulations and any and all future additions to and changes of will be binding for all new subdivision plats, revised plats or replats in Fort Bend County that are not within the legal limits of any incorporated city or town that are submitted to Commissioners' Court for approval after August 27, 2002.
- B. These regulations shall not apply to any roads being maintained by Fort Bend County.
- C. Any deviation or variances from the requirements of these regulations is subject to review and approval by the Commissioners' Court. Any deviations or variance from these regulations must be presented in a separate written document submitted to and approved by the County Engineer.

**2.23 Plat Recordation Fees**

- A. The following Plat Recordation Fees is applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. Refer to (*Appendix V*) for Fee Calculation Form.

<b>Plat</b>	<b>\$148.00 first page, \$150.00 per page thereafter</b>
<b>Bond Letter of Credit Lienholder Subordination Owners Ratification to Plat</b>	<b>First page \$9.00 Each page thereafter \$4.00</b>

**2.24 Platting Fees**

- A. The following Platting Fee Schedule is applicable to all subdivision plats approved by Fort Bend County Commissioners Court and is payable to the County Clerk at the time the plat is presented for recordation. The effective date of the Subdivision Platting Fee shall be October 1, 2003. Refer to (*Appendix V*) for Fee Calculation Form).

<b>New Plats</b> <b>Lots</b> <b>Reserves</b>	<b>\$50.00 for each lot</b> <b>\$50.00 for each area platted as a reserve</b>
<b>Replats</b> <b>Lots</b> <b>Reserves</b>	<b>\$50.00 for each new lot</b> <b>\$50.00 for each new reserve</b>
<b>Amending Plats</b>	<b>No Fee</b>
<b>Vacating Plats</b>	<b>No Fee</b>
<b>Street Dedication Plats</b>	<b>No Fee</b>

**2.25 Validity**

- A. The several provisions of these regulations are separable, in accordance with the following.
1. If any sentence, phrase, section, paragraph, article of any part of these rules, regulations and requirements is declared invalid, unenforceable or unconstitutional for any cause or reason, such invalidity, non-enforceable or unconstitutionality shall not be held to affect, invalidate or impair the validity, force or effect of any other sentence, phrase, section, paragraph, article or any other part of these rules, regulations and requirements.
  2. If any court of competent jurisdiction shall judge invalid the application of any provision of these regulations to a particular property, such judgment shall not affect the application of said provision to any other property not specifically included in said judgment.

**2.26 Enforcement**

- A. The Commissioners' Court may request the County's attorney or any other prosecuting attorney representing the County to file an action in a court of competent jurisdiction to:
1. Enjoin the violation or threatened violation of a requirement established by this order.
  2. Recover damages in an amount adequate for the County to undertake any construction or other activity necessary to bring about compliance with a requirement established by this order.

**END OF SECTION TWO**



---

**SECTION 4 - PLAT GRAPHIC REQUIREMENTS**

**4.0 General Graphics**

- A. All plats of proposed subdivisions which are to be submitted to Commissioners' Court shall be drawn in the form given below and contain the following specific information:

**4.1 Engineering**

- A. All plats shall be prepared by engineering or surveying firms. Plats prepared by architectural firms will not be accepted. The engineering or surveying firm's name, address and telephone number shall be shown on the plat.

**4.2 Plat Size**

- A. The plat size shall be 24 inches x 36 inches and the minimum print or type sizes shall be 6 cpi.

**4.3 Orientation**

- A. The preferred orientation of the drawing of the subdivision drawing orientation is with the north point to the top of the drawing. It is acceptable to have north to the left of the drawing. Title block shall be in the lower right hand corner.

**4.4 Scale**

- A. The scale shall be shown both numerically and graphically. The preferred scale is one (1) inch equals 100 feet. A smaller scale may be used, where appropriate, with the approval of the County Engineer.

**4.5 Vicinity Map**

- A. A vicinity map shall be provided and made a part of the plat indicating the general location of the subdivision and its relationship with well known streets, railroads, water courses and similar features adjacent to and within one (1) mile of the subdivision. The vicinity map should be in the upper right hand corner of the plat or on the cover sheet and shall be oriented with north to the top of the drawing.

**4.6 Legal Description**

- A. A legal description of the property to be subdivided listing the name of the County, survey and abstract number shall be noted on the plat.

**4.7 Acreage**

- A. The total acreage and total number of lots, blocks and reserves shall be noted on

the plat.

**4.8 Names**

- A. The name, address, and telephone number of the subdivision owner shall be shown on the plat. If the subdivider is a company or corporation, the name of the principal officer of the company or corporation responsible for the subdivision must also be shown.

**4.9 Date**

- A. The plat shall be dated.

**4.10 Engineering and Surveying Requirements**

- A. Engineering and surveying data shall be shown on the plat in sufficient detail to accurately locate, by surveying methods, all features of the subdivision on the ground. This data shall include, but not be limited to, full dimensions along all boundaries of the plat, street and alley right-of-ways, easements and drainage ways, gullies, creeks, and bayous together with the location of the high bank of such drainage ways and water courses, street center lines, lots, building setback lines, blocks, reserves, out tracts or any other tracts designated separately within the plat boundaries, fee strips, pipelines or any other physical or topographical features. Such information shall include line dimensions, widths, bearings of deflecting angles, radii, central angles and degree of curvature, length of curves and tangent distances, all of which are to be shown in feet and decimal fractions thereof.

**4.11 Plat Boundaries**

- A. The plat boundaries shall be drawn with heavy lines to indicate the subdivided area and shall show overall survey dimensions and bearings. Lines outside the plat boundary shall be drawn as dashed lines.

**4.12 Adjacent Areas**

- A. The adjacent areas outside the plat boundaries shall be identified to indicate the name of adjacent subdivisions, churches, schools, parks, drainage ways, acreage, and all existing streets, alleys, easements, pipelines or other restricted uses.

**4.13 Pipeline and Pipeline Easements**

- A. The plat shall have a note stating that all existing pipelines or pipeline easements through the proposed subdivision have been shown or that there are no existing pipelines or pipeline easements within the limits of the proposed subdivision.

**4.14 Lots, Tracts, Reserves, Easements and Right-of-Way**

- A. All lots, tracts, reserves, easements and rights-of-way shall be designated within the plat boundaries and noted on the plat.

**4.15 Contour Lines**

- A. The plat shall have contour lines showing natural ground contours with a maximum of one (1) foot intervals.

**4.16 Minimum Slab Elevation**

- A. The County Engineer will set the minimum slab elevation for each subdivision based upon the recommendation of the Drainage District Engineer. The minimum slab elevation shown on the plat will be set using the criteria given in the Fort Bend County Drainage Criteria Manual.
1. Twelve inches above the maximum street ponding level or
  2. Twelve inches above the 100 year flood plain.
  3. The following note shall be shown on the plat:  
"The top of all floor slabs shall be a minimum of \_\_\_\_\_ feet above mean sea level. The top of slab elevation at any point on the perimeter of the slab shall not be less than eighteen (18) inches above natural ground."

**4.17 Vertical and Horizontal Control**

- A. The location and elevation of the vertical and horizontal control used for a subdivision shall be indicated on the Fort Bend County Survey Sheet. These reference points shall be expressed in units of feet as part of the Texas South Central, State Plane Coordinate System, South Central Zone, North American Datum of 1983, (use current adjustment and Geoid model) and North American Vertical Datum, 1988 and state Geoid model.
1. An Iron Rod benchmark shall be placed within every subdivision that is less than 5 acres in size with an X, and Y coordinate (3<sup>rd</sup> order or better) which shall be used as a reference point and identified upon the subdivision plat. Also, an existing National Geodetic Survey monument (identification) as a reference point shall be used and identified upon the subdivision plat. If there is an existing rod Permanent Benchmark which already meets all afore mentioned criteria and requirements, that rod may be utilized.
  2. A permanent benchmark shall be set in every subdivision 5 acres in size or greater with an X, Y and Z coordinate, unless the subdivision is completely contained within a 2,000 foot radius of an existing benchmark that can be located and occupied. An X and Y coordinate shall also be established within the subdivision plat boundary and placed upon the subdivision plat. All attempts shall be made to create the monument such




that it can be GPS observable (no trees or overhead obstructions). An existing National Geodetic monument (identification) as a reference point shall be used and identified upon the Fort Bend County Survey sheet along with the permanent benchmark location. The Fort Bend County Engineering Department shall approve the location for the permanent benchmark.

- B. When monument values are established through conventional survey methods, all positions for horizontal (X, Y) and vertical control (Z) points shall be established according to the accuracy standards for TSPS (Texas Society of Professional Surveyors), current requirements for Category 7, Condition II State Plane NAD 83 feet coordinates (X and Y) and Category 8, Condition III State Plane NAVD 88 feet coordinates (Z), (TSPS 2<sup>nd</sup> order) and a TSPS, Category 8, Condition III (TSPS 3<sup>rd</sup> order) as promulgated by the Texas Society of Professional Surveyors and all reference bearings "Manual of Practice".

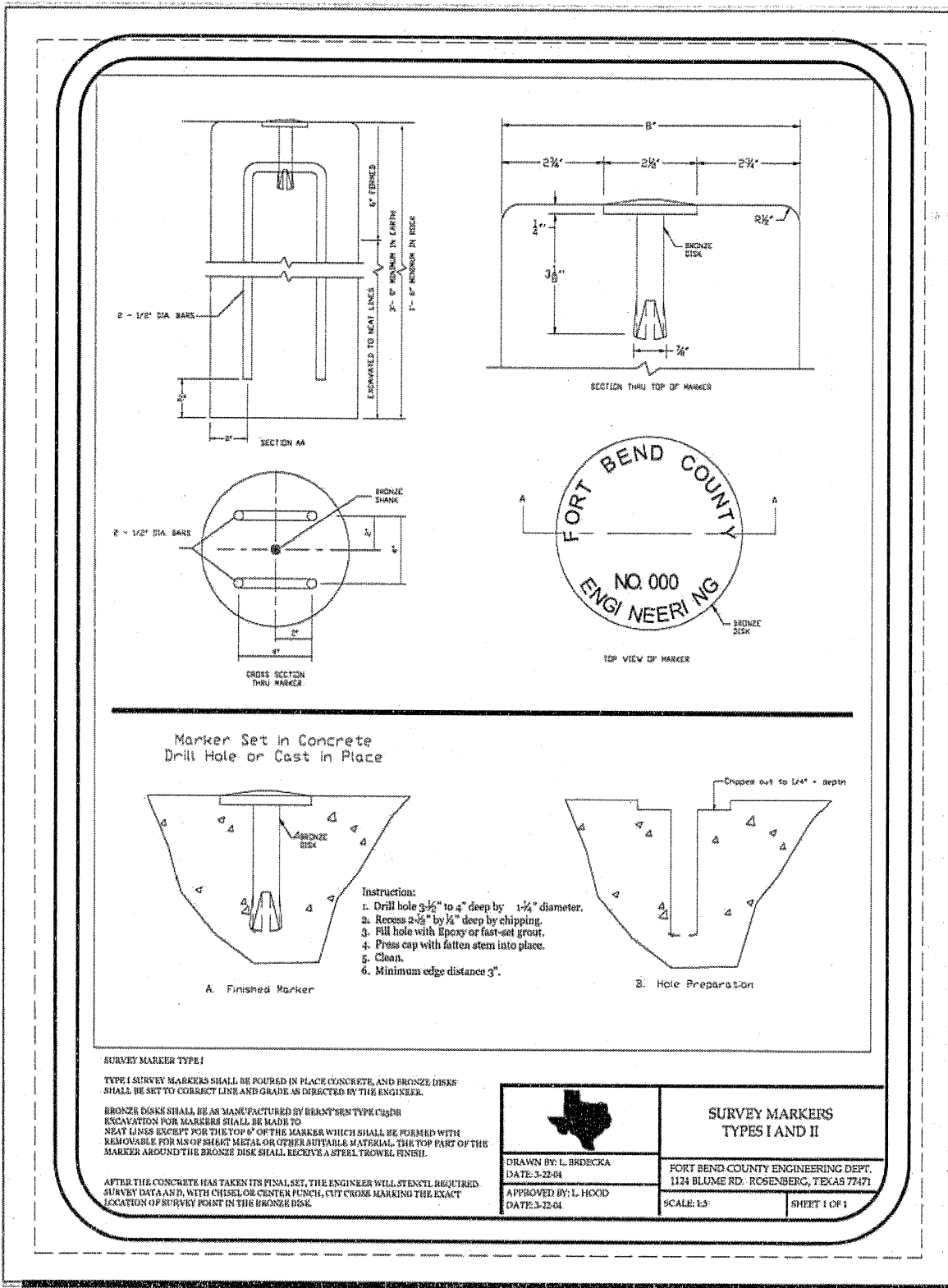
When monument values are established by GPS, all horizontal values shall conform to the accuracy standards of TSPS, Category 7, Condition I (TSPS 1<sup>st</sup> order) and the vertical values shall conform to the accuracy standards of a TSPS, Category 8, Condition III (TSPS 3<sup>rd</sup> order).

- C. All permanent benchmark elevation and horizontal location data shall be certified by a Registered Professional Land Surveyor as a Texas Society of Professional Surveyor Association standard. For Category 8, TSPS Third Order Vertical Control Survey shall certify all permanent benchmark Survey Data Sheets.
- D. Permanent benchmark brass discs shall be obtained from the County Engineer, it will be set in concrete as approved by Fort Bend County. The concrete footing of the benchmark shall conform to the design provided by Fort Bend Engineering. The assigned survey sheet shall be completed and returned to Fort Bend County Engineering Department.
- E. The permanent survey marker and completed survey marker data sheet must be in place prior to acceptance of the road and streets within the subdivision into the Fort Bend County Road Maintenance System.

**Survey Marker Sheet**

<b>FORT BEND COUNTY SURVEY SHEET</b>		
  Key Map Page: (       )		
<b>FORT BEND COUNTY MARKER NUMBER (       )</b>		
General Location: Subdivision: (       ) Plat No. (       ) Fort Bend County Plat Records.		
Horizontal Datum: Texas State Plane Coordinate System South Central Zone, NAD-83, US Ft. Vertical Datum: NAVD-88, (CORS - Geoid 03)		
Grid: Y=(       ) US Ft. X=(       ) US Ft. Elevation: (       ) NAVD-88 Scale Factor: (       )	Latitude: (       ) Longitude: (       ) (NAD-83)	Registered Professional Land Surveyor's Seal
Type of Monument: Bronze Disk in concrete - Set (       ) date Coordinates shown are referenced to the Texas State Plane Coordinate System, South Central Zone, NAD-83 and were derived by the post-processing of static GPS observations made on (date:       ) using the National Geodetic Survey (NGS) OPUS Utility (Online Positioning User Service). The following three NGS CORS (Continuously Operating Reference Stations) were used to compute the coordinate values shown:		

**Survey Marker Detail**



**4.18 Surveyor Certification**

- A. The plat must be in full accordance with the required certification made upon the plat by the Registered Public Surveyor ascertaining that the subdivision boundary represents a survey made by him and that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent ferrous metal) pipes or rods having a minimum outside diameter of five eighths (5/8) inch and a minimum length of three (3) feet. The monuments shall be driven securely into solid ground and the top of the monument shall be flush with the ground.

**4.19 Survey Closure**

- A. The boundary survey shall close to within one in ten thousands (1:10,000) and shall be tied to an original corner of the original abstract survey. The metes and bounds description of this tie shall be shown on the plat.

**4.20 Dedication Statements and Certificates**

- A. All dedication statements and certificates shall be made a part of the plat drawing and shall include and not be limited to the following statements: The general form and content of these statements are provided in the Appendix of this Manual.
1. Owner's Acknowledgment. Refer to *(Appendix A)*.
  2. Execution of Owner's Acknowledgment. Refer to *(Appendix B)*.
  3. Lienholder's Acknowledgment and Subordination Statement. Refer to *(Appendix C)*.
  4. Notary Public Acknowledgment for all signatures. Refer to *(Appendix D)*.
  5. Certificate for Surveyor. Refer to *(Appendix E)*.
  6. Certificate for Fort Bend County Engineer and Commissioners' Court. Refer to *(Appendix F)*.
  7. County Clerk's Filing Acknowledgment Statement. Refer to *(Appendix G)*.
  8. Engineer's Plat Affidavit. Refer to *(Appendix H)*.
  9. A certificate of City approval shall be included on the plat if the subdivision is within the extraterritorial jurisdiction of a city. Use the form required by the city.

**4.21 Public Facilities Listing**

- A. The names of all existing Municipal Utility Districts, Levee Improvement Districts, Water Control and Improvement Districts, Drainage Improvement Districts, School Districts, Fire Districts, Impact Fee Areas, City or City ETJ and Utilities Companies who provide service in which the property is located shall be shown on the plat in a table format as shown below.

<b>District Names</b>	
WCID	
MUD	
LID	
DID	
SCHOOL	
FIRE	
IMPACT FEE AREA	
CITY OR CITY ETJ	
UTILITIES CO.	

**4.22 Drainage Statement**

- A. The plat shall have a note requiring that all drainage easements be kept clear of fences, buildings, vegetation and other obstructions for the purpose of the operation and maintenance of the drainage facility by the appropriate entity. The plat shall also have a note requiring all property to drain into the drainage easement only through an approved drainage structure.

**4.23 Easements**

- A. All easements or fee strips created prior to the subdivision of any tract of land shall be shown on the subdivision plat of said land with appropriate notations indicating the name of the holder of such easement or fee strip and the purpose of the easement, and the dimensions of the easement or fee strip tied to all adjacent lot lines, street right-of-way and plat boundary lines and the recording reference of the instruments creating and establishing said easement or fee strip. In those instances where easements have not been defined by accurate survey dimensions such as "over and across" type easements, the subdivider shall request the holder of such easement to accurately define the limits and location of his easement through the property within the subdivision boundaries. If the holder of such undefined easement does not define the easement involved and certifies his refusal to define such easement to the County Engineer, the subdivision plat shall show accurate recorded information as to the centerline location of all such undefined easements and the centerline of all existing pipelines or other utility facilities placed in conformance with the easement holder's rights. Building setback lines must be established a minimum of 15 feet on each side of and parallel to the centerline of any pipelines, pole lines, or other utility facilities located in such undefined easement.



**4.24 Side Lot Lines**

- A. Where all side lot lines are either perpendicular and at right angles or radial to adjacent street right-of-ways, a suitable notation stating same may be placed upon the plat in lieu of lot line bearings.

**4.25 Key Lots**

- A. Where key or flag lots are permitted and used, the plat shall bear a note restricting the staff portion of such lots from the construction of any building, structure, wall or fence.

**4.26 Access Denied**

- A. Where vehicular access from lots to major thoroughfares or other streets is not permitted, the plat shall bear a note that such access is denied. Such note shall be shown adjacent to those lots from which access is denied.

**END OF SECTION FOUR**

---

**SECTION 3 - PLAT SUBMITTAL PROCEDURES AND REQUIREMENTS**

**3.1 Preliminary Conference**

- A. A preliminary conference with the Commissioner of the Precinct, where the proposed project is located, the County Engineer and the Drainage District Engineer is recommended prior to submitting a plat. The following information should be made available prior the meeting.
1. Preliminary plat.
  2. Preliminary construction plans (plan view only) with sufficient detail to convey the full intent of the proposed project including major drainage patterns, routing of major storm drains, sanitary sewers, other utilities, and adjacent thoroughfares and streets, and the effects of the proposed project on any existing facilities.

**3.2 Submitting Requirements**

- A. To comply with state statutes and/or ensure archival quality plat records the following items are required to file a plat:
1. Plat size is 24" x 36".
  2. All drawings, printing and signatures must be in permanent black ink.
  3. Ink must be on mylar with image on top.
  4. 3 mil or greater matte finish mylar material.
  5. An engineering or surveying firm must prepare the plat. Architectural plans are not acceptable.
  6. The engineering or surveying firms' name and address and the engineer's or surveyor's signature and seal.
  7. Owner's printed name and notarized signature.
  8. Key Map reference number(s).
  9. Provide one (1) or more original of each plat page. The clerk will retain one (1) original and return it to the filer within five business days after recording and scanning.
  10. Provide adequate space for the clerk's certificate information including: "Filed in Plat No. \_\_\_\_\_ of the Plat Records of Fort Bend County, Texas" (volume and page are not used as the clerk's file reference number).
  11. Municipal approved plats must include the following or similar wording: "All of the property subdivided in the foregoing plat is within the incorporated boundaries of the City of \_\_\_\_\_, Texas".
  12. Current original tax certificates from all the property's taxing entities.
  13. A letter on letterhead from the person or company filing that lists all taxing entities and states it is a complete list. The signer must print their name and title under their signature. Refer to *(Appendix S)* for the sample letter.
  14. Filing fee is \$148 for the first page and \$150 per plat page thereafter.

*Note: A plat will be rejected for filing if any of the above requirements are not met.*

**3.3 Digital Recorded Final Plat Submittal Guidelines**

- A. Data shall be in either .DWG or .DXF format.
- B. Data Layer Information (please see the following page):  
  

**Engineering and design firms MUST have separate layers within their AutoCad or Microstation final plat files. Each layer must include the line, annotation, or polygon type specific only to that unique layer. Engineering firm level and symbol methodology must be applied or exported into the county data layer format, which is provided within this document. "Uncleaned" CAD files will not be accepted.**
- C. All digital data shall be presented in true scale (1:1 ratio).
- D. All X and Y and Z coordinate data will be in Texas South Central Zone, State Plane, North American Datum 1983, and feet coordinates. (Refer to Section 4.17 for Vertical & Horizontal Control).
- E. The .dxf or .dwg plat file will be geo-rectified based upon either the benchmark point(s) or GPS points that have been utilized.
- F. Digital data will be provided to the Engineering Department submitted with final plat via CD, or e-mailed to the AutoCad specialist on the day, upon which mylars have been submitted for recordation to the Engineering Department or any particular government entity.
- G. All digital data files will be converted from surface to grid units for geo-rectification.

**Layer Names and Definitions**

**The following graphical features will be organized in the following manner within the digital file:**

	Layer Name	Description
1	CL	Centerlines of Roads/Streets
2	ROW	Right of Way
3	LOTLINE	Lot Lines / Reserves
4	BOUNDARY	Exterior Plat Boundaries; Subdivision Boundaries
5	BMARK	Bench Marks; (X,Y) Coordinates
6	TEXT	Lot Numbers / Block Numbers; Subdivision Names / Section Numbers ; Street Names
7	PVMNT_PROP	Pavement (Proposed)
8	PVMNT_EXI	Pavement (Existing)
9	CURVEDT	Curve Data
10	EASEMENT	Easements – Utility / Landscaping / Drainage
11	TBLOCK	Title Block / Vicinity Map / Legend / Scale/North Arrow/ Dedication Information / Notes
12	MATCHLN	Match Lines
13	BUILDNG	Building Lines / Building Footprint
14	TOPO	Topographic Lines
15	UTIL_PROP	Utilities (Proposed)
16	UTIL_EXI	Utilities (Existing)
17	DRAINAGE	Detention /Retention Ponds, Ditches
18	HYDRO	Creeks / Bayous / Rivers / Lakes / Ponds / Canals
19	CITYLIM	City Limits
20	ETJ	Extra Territorial Jurisdictions
21	COUNTYLN	Fort Bend County Line
22	STORM	Storm Lines / Inlets / Manholes
23	WATERLN	Water Lines /Hydrants / Valves /T's
24	SANSEWER	Sanitary Sewer Lines/ Lift Stations/ Stacks
25	COMMUNICATION	Telephone/ Cable pedestals/ Lines/ Cable TV
26	GAS	Natural Gas Meters/ Gas Lines

**3.4 Construction Documents**

- A. Construction documents shall be submitted with the final plat. The plat will not be considered by Commissioners' Court until the construction documents have been approved by the County Engineer and the outfall drainage documents have been approved by the Drainage District Engineer. Two prints should be submitted for review and approval, one will be retained in the Engineering Department files and one will be returned.

**3.5 Title Report**

- A. A current title report, statement or opinion, title policy or certificate or letter from a title guaranty company authorized to do business in the State of Texas or an attorney licensed as such in the State of Texas shall be provided with the plat, certifying that a search of the appropriate records was performed covering the land proposed to be platted and providing the following information concerning the title to said land:
  - 1. The date of the examination of the records.
  - 2. A legal description of the property proposed to be subdivided including a metes and bounds description of the boundaries of said land.
  - 3. The name of the owner of record owning fee simple title as of the date of the examination of the records, together with the recording information of the instruments whereby such owner acquired fee simple title.
  - 4. The names of all lienholders together with the recording information and dates of the instruments by which such lienholder acquired their interest.
  - 5. A description of the type and boundaries of all easements and fee strips not owned by the subdivider of the property in question together with the recording information and date of the instruments whereby the owner of such easements or fee strips acquired their interest.
  - 6. A statement certifying that no delinquent ad valorem taxes are due on the property being platted.
  - 7. The title report must be an original and signed by an officer of the title company.
- B. A supplemental update letter may be submitted when date of the title report is in excess of the allowed 30 days.

**3.6 Subdivision, Development or Street Names**

- A. The proposed names of the subdivision, development or streets shall not be a duplicate of any other subdivision or development or street name respectively on record in Fort Bend County.
- B. Submit Plat Reviews to:
  - 1. For street names: (submit to)  
FBC Engineering will review street names upon receipt of preliminary or final plat. A review letter will be e-mailed to the sender.
  - 2. For subdivision names: (submit to)  
Fort Bend County Clerk  
301 Jackson Street, Suite 101  
Richmond, Texas 77469-3108

**3.7 Private Easement Holder's Agreement**

- A. The following items shall be submitted with any plat which contains a private easement or fee strip within its boundary.

1. A letter, statement or instrument from the holder of any privately owned easement or fee strip within the plat boundaries must be provided where such easements or fee strips are proposed to be crossed by streets (both public and private) or public utility or drainage easements, stating that the holder of such easement or fee strip approves such crossings of their private easement or fee strip for the purposes intended and depicted upon the plat. In those instances where an instrument of record is submitted in lieu of a letter of statement from the holder of any such private easement or fee strip, the County will make a determination as to whether the conditions contained in such instrument are sufficient to adequately provide or accommodate the crossings of such private easements or fee strips by the proposed streets (both public and private) or public utility or drainage easements depicted on the plat.

### 3.8 Tax Certificates

- A. An original certificate, for the current year, from each tax collector of each political subdivision in which the property is located shall accompany the plat, indicating that no delinquent ad valorem taxes are owned on the real property.
- B. Map Clearance Certificate issued by the Fort Bend County Tax Assessor/Collector's Office.
- C. Tax Research Department Review Form issued by the Fort Bend County Tax Assessor/Collector's Office.

### 3.9 Bond or Letter of Credit

- A. The Commissioners' Court will not approve any plat of any subdivision or re-subdivision unless such plat is accompanied by a bond, the amount of which shall be determined by the Commissioners' Court from time to time and shall be made payable to the County Judge. The bond will guarantee that the owner or owners will construct and maintain the roads, streets, driveway entrance structures, and all storm drainage and detention facilities in the subdivision in accordance with the specifications set out herein and in the Fort Bend County DRAINAGE CRITERIA MANUAL, and DESIGN STANDARDS AND DETAILS and as shown on the approved plat, construction plans and specifications and other County requirements. The form of the bond must be approved by the County's Attorney. Refer to (Appendix M) for the approved bond form.
- B. The Commissioners' Court of Fort Bend County may at its discretion, in lieu of the above bond, accept an irrevocable letter of credit from an acceptable Texas bank. The form of the letter of credit must be approved by the County's Attorney. Refer to (Appendix N) for the approved letter of credit form.
- C. A listing of all street names, locations and lengths should be provided at the time the Bond or Letter of Credit is submitted. Refer to (Appendix L) for the form of the street listing.
- D. At the time of this order, the bond requirements for roads and streets are as follows:

1. For gravel open ditch sections -  
\$25.00/lineal foot of roadway
  2. For asphalt open ditch sections -  
\$50.00/lineal foot of roadway
  3. For curb and gutter sections -  
\$70.00/lineal foot of roadway
  4. For boulevard sections (major thoroughfares) -  
\$140.00/lineal foot of roadway
  5. For each bridge of two lane width -  
\$1500.00/lineal foot of roadway
- E. After road construction has been certified complete by the development engineer using (*Appendix I*), Engineer's Construction Compliance Statement, and accepted by the County Engineer, the bond or letter of credit requirements may be reduced as follows:
1. Gravel open ditch sections - \$12.50/lineal foot of roadway.
  2. For asphalt open ditch sections - \$25.00/lineal foot of roadway.
  3. For curb and gutter sections - \$35.00/lineal foot of roadway.
  4. For boulevard sections (major thoroughfares) - \$70.00/lineal foot of roadway.
  5. For each bridge of two lane width - \$750.00/lineal foot of roadway.
  6. For street lights and sidewalks (see City requirements if in E.T.J.).
- F. The bond or letter of credit shall remain in full force and effect until all roads, streets, driveway entrance structures, and all storm drainage and detention facilities in the subdivision have been completed and accepted by the County. Refer to (*Section 6*) for the policies and procedures for road acceptance.

### **3.10 Departmental Reviews**

- A. Applicant is to submit review plats and required information to the Tax Assessor/Collector, County Clerk and Drainage District Engineer. The County Engineer will send the bond or letter of credit to the County Attorney for review.

### **3.11 Subdivisions within the Extraterritorial Jurisdiction of a City**

- A. For properties located within the extraterritorial jurisdiction (ETJ) of an incorporated city or town and subject to the jurisdiction of the Planning Commission of the city or town, the subdivision design criteria and layout requirements as established by the applicable Commission will apply.
1. Refer to (*Appendix P*) for applicable Supplemental Regulations of Subdivisions, for properties located within the extraterritorial jurisdiction of an incorporated city or town.
  2. Preliminary plat and preliminary drawing are to be submitted to the Fort Bend County Engineers office and the Fort Bend County Drainage District for review and recommendations to conform to the applicable Fort Bend County regulations.

3. The final plat and construction documents must be submitted to the Fort Bend County offices of County Clerk, Tax Assessor/Collector, Drainage District and County Engineer for review and approval.
4. The final plat and construction documents submitted must be accompanied by the Certificate of Approval from the applicable city or town.
5. The original mylars of the plat shall be transmitted directly from the City to the County Engineer by either City personnel or County personnel.
6. The County Bonds requirement are given in (*Section 3, 3.9*).
7. Refer to the applicable City regulations for additional bond requirements.
8. If revisions are required after the City approval, the revisions are to be made only with the written authorization of the City and must be made in the presence of the County Engineer.
9. After the required approvals, the Final Plat will be considered by the Commissioners' Court and one of the following actions taken:
  - a. Approve
  - b. Defer action until the next regular scheduled meeting
  - c. Disapprove
10. No revisions to the plat will be allowed after approval of the plat by Commissioners' Court.
11. Upon approval of the plat by Commissioners' Court the original mylars will be transmitted directly to the office of the County Clerk by County personnel. The County Clerk will inform the owner of the required recording fee. The plat will be recorded by the County Clerk upon receipt of the required fee. Mylars will be scanned and returned after recording.

### 3.12 Amending Plat within Extraterritorial Jurisdiction of a Town or City

*Authority for these regulations is given in V.T.C.A., Local Government Code § 212.016.*

- A. This section is applicable only if the applicable city regulations allows an amending plat and the amended plat is approved by the city.
  1. The municipal authority responsible for approving plats may approve and issue an amending plat, which may be recorded and is controlling over the preceding plat without vacation of that plat, if the amending plat is signed by the applicants only and is solely for one or more of the following purposes:
    - a. to correct an error in a course or distance shown on the preceding plat;
    - b. to add a course or distance that was omitted on the preceding plat;
    - c. to correct an error in a real property description shown on the preceding plat;
    - d. to indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
    - e. to show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat.



- f. to correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
  - g. to correct an error in courses and distances of lot lines between two adjacent lots if:
    - (1) both lot owners join in the application for amending the plat;
    - (2) neither lot is abolished;
    - (3) the amendment does not attempt to remove recorded covenants or restrictions; and
    - (4) the amendment does not have a material adverse effect on the property rights of the other owners in the plat;
  - h. to relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
  - i. to relocate one or more lot lines between one or more adjacent lots if:
    - (1) the owners of all those lots join in the application for amending the plat;
    - (2) the amendment does not attempt to remove covenants or restrictions; and
    - (3) the amendment does not increase the number of lots; or
  - j. to make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
    - (1) the changes do not affect applicable zoning and other regulations of the municipality;
    - (2) the changes do not attempt to amend or remove any covenants or restrictions; and
    - (3) the area covered by the changes is located in an area that the municipal planning commission or other appropriate governing body of the municipality has approval and issuance of an amending plat.
- B. An amended plat must be submitted for review and approval of the County Engineer and Commissioners' Court prior to recording with the County Clerk.

**3.13 Replat within Extraterritorial Jurisdiction of a Town or City**

*Authority for these regulations is given in V.T.C.A., Local Government Code § 212.014, Section § 212.0145, and Section § 212.015.*

- A. This section is applicable only if the applicable city regulations allows a replat and the replat is approved by the city. A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if the replat:
  - 1. is signed and acknowledged by only the owners of the property being replatted;

2. is approved, after a public hearing on the matter at which parties in interest and citizens have an opportunity to be heard, by the municipal authority responsible for approving plats;
3. does not attempt to amend or remove covenants or restriction.

### 3.14 Revision of Plat - Subdivision located outside the Municipalities and Extraterritorial Jurisdiction of Municipalities

*Authority for these regulations is given in V.T.C.A., Local Government Code § 232.009.*

- A. A person who has subdivided land that is subject to the subdivision controls of the County in which the land is located may apply in writing to the commissioners court of the County for permission to revise the subdivision plat filed for record with the County Clerk.
- B. After the application is filed with the Commissioners Court, the court shall publish a notice of the application in a newspaper of general circulation in the county. The notice must include a statement of the time and place at which the court will meet to consider the application and to hear protests to the revision of the plat. The notice must be published at least three times during the period that begins on the 30th day and ends on the seventh day before the date of the meeting. Except as provided by *Subsection (f)*, if all or part of the subdivided tract has been sold to non-developer owners, the court shall also give notice to each of those owners by certified or registered mail, return receipt requested, at the owner's address in the subdivided tract.
  1. The public hearing notice will be placed in the newspaper by the Fort Bend County Clerk's Office.
  2. A certified letter shall be sent to all adjoining landowners (within 200 feet of the previously platted section), by the County Clerk's Office. The engineering firm certifying the replat, shall provide a complete listing of the adjoining landowners and their respective addresses to the County Clerk.
- C. During a regular term of the commissioners court, the court shall adopt an order to permit the revision of the subdivision plat if it is shown to the court that:
  1. the revision will not interfere with the established rights of any owner of a part of the subdivided land; or
  2. each owner whose rights may be interfered with has agreed to the revision.
- D. If the Commissioners Court permits a person to revise a subdivision plat, the person may make the revision by filing for record with the county clerk a revised plat or part of a plat that indicates the changes made to the original plat.
- E. The Commissioners Court is not required to give notice by mail under *Subsection (c)* if the plat revision only combines existing tracts.

**3.15 Subdivisions outside the Extraterritorial Jurisdiction of a City**

- A. For properties located outside of the extraterritorial jurisdiction (ETJ) of an incorporated city or town and not subject to the jurisdiction the Planning Commission of the city or town.
1. Preliminary plat and preliminary construction documents are to be submitted to the Fort Bend County Engineers office and the Fort Bend County Drainage District for review and recommendations to conform to the applicable Fort Bend County regulations.
  2. The final plat and construction documents must be submitted to the Fort Bend County offices of County Clerk, Tax Assessor/Collector, Drainage District and County Engineer for review and approval.
  3. Bonds must be in the county name.
  4. After the required approvals, the final plat will be considered by the Commissioners' Court and one of the following actions taken:
    - a. Approve
    - b. Defer action until the next regular scheduled meeting
    - c. Disapprove
  5. No revisions to the plat will be allowed after approval of the plat by Commissioners' Court.
  6. Upon approval of the plat by Commissioners' Court the original mylars will be transmitted directly to the office of the County Clerk by County personnel. The County Clerk will inform the owner of the required recording fee. The plat will be recorded by the County Clerk upon receipt of the required fee. Mylars will be scanned and returned after recording.
  7. Revision of Plat  
This section applies only to real property located outside municipalities and the extraterritorial jurisdiction of municipalities.
    - a. A person who has subdivided land that is subject to the subdivision controls of the county in which the land is located may apply in writing to the Commissioners' Court of the County for permission to revise the subdivision plat filed for record with the County Clerk.
    - b. After the application is filed with the Commissioners' Court, the court shall publish a notice of the application in a newspaper of general circulation in the County. The notice must include a statement of the time and place at which the court will meet to consider the application and to hear protests to the revision of the plat. The notice must be published at least three times during the period that begins on the 20th day and ends on the seventh day before the date of the meeting. If all or part of the subdivided tract has been sold to non-developer owners, the court shall also give notice to each of those owners by certified or registered mail, return receipt requested, at the owner's address in the subdivided tract.

- c. During a scheduled meeting of Commissioners' Court, the Court may adopt an order to permit the revision of the subdivision plat if it is shown to the Court that:
  - (1) the revision will not interfere with the established rights of any owner of a part of the subdivided land; or
  - (2) each owner whose rights may be interfered with has agreed to the revision.
- d. If the Commissioners' Court permits a person to revise a subdivision plat, the person may make the revision by filing for record with the county clerk a revised plat or part of a plat that indicates the changes made to the original plat.

**3.16 Engineer Certification**

- A. A Professional Engineer, registered in the State of Texas, is required to seal, sign and date each sheet of the drawings in accordance with the rules set forth by the Texas State Board of Registration for Professional Engineers.
- B. The Certification Statement shown in (*Appendix Q*) shall be placed on the cover sheet.

**3.17 Transmittal Letters**

- A. All submissions made to the County Engineers office must be accompanied by a transmittal letter (Subdivision Plat Application Form), giving the purpose of the submissions such as for information only, preliminary or final review, the name and location of the project, and the controlling jurisdiction such as City, City ETJ, or County. A listing of all enclosed documents or drawings must be included. The Subdivision Plat Application Form is shown in (*Appendix U*).

**END OF SECTION THREE**

---

**SECTION 5 - DESIGN CRITERIA****5.1 General Public Street Arrangement and Layout**

- A. The public street system pattern proposed within any subdivision or development shall be based upon the following design concepts:  
Roadway sections streets shall be designed by the development project engineer following the guidelines of the following publications and the standard given in these regulations. In case of conflicts within these requirement the most stringent requirement shall control.
1. RECOMMENDED GUIDELINES FOR SUBDIVISION STREETS, Institute of Transportation Engineers, Latest Edition.
  2. GUIDELINES FOR URBAN MAJOR STREETS DESIGN, Institute of Transportation Engineers, Latest Edition.
  3. A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS, AASHTO, Latest Edition.
  4. TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (TMUTCD), Texas Department of Transportation, Latest Edition.
  5. TRIP GENERATION MANUAL, Institute of Transportation Engineers, Latest Edition.
  6. DESIGN STANDARDS AND DETAILS, Fort Bend County Engineering Department, Latest Edition.
  7. GEOMETRIC DESIGN STANDARDS, Harris County and City of Houston as modified by Fort Bend County, Engineering Department, Latest Edition.
  8. THOROUGHFARE DEVELOPMENT PLAN, Fort County, Texas, Latest Edition.
- B. Adequate vehicular access to all properties within the subdivision plat boundaries shall be provided. All subdivisions should have more than one point of access. A boulevard entrance or emergency entrance is desirable. Adequate access for fireman, police and other emergency services shall be provided.
- C. Adequate street connections to adjacent properties shall be provided to assure adequate traffic circulation within the general area.
- D. A local street system serving residential properties should discourage through traffic, without the need of multiway stop signs, while maintaining sufficient access and traffic movement for convenient circulation within the residential area and access for fireman, police and other emergency services.
- E. A sufficient number of continuous streets and major thoroughfares to accommodate the increased traffic demands generated by the subdivision shall be provided.
- F. Where the proposed subdivision is located adjacent to a State maintained road, additional right-of-way may be required to accommodate the ultimate road development.
- G. Block lengths shall be measured along the face of a block (being the adjacent street right-of-way line) from the centerline of street to the centerline of another street where such streets provide cross traffic circulation (not cul-de-sac streets).
1. Where loop street configuration is involved, the length of the interior block formed by the loop street is measured along the centerline of the

- loop street between adjacent street centerlines.
- 2. Block lengths for streets terminated by a cul-de-sac is measured from the centerline radius point to the centerline of the intersecting street.

**5.2 Major Thoroughfares**

**A. Location and Alignment**

- 1. The location and alignment of designated major thoroughfares shall be in conformance with the latest edition of the Major Thoroughfare Plan of Fort Bend County.
- 2. Any proposals which constitute a change in the location or the alignment of any planned or designated major thoroughfare must be approved by Commissioners' Court.

**B. Right-of-Way**

- 1. The minimum width of the right-of-way to be dedicated for any designated major thoroughfare shall not be less than 100 feet, nor more than 120 feet.
- 2. Where the subdivision is located adjacent to an existing designated major thoroughfare having a right-of-way width of less than 100 feet, sufficient additional right-of-way must be dedicated, within the subdivision boundaries, to provide for the development of the major thoroughfare to a total right-of-way width of not less than 100 feet, nor more than 120 feet.
- 3. Where open ditch drainage is planned, the minimum right-of-way width required for a designated major thoroughfare shall be not less than of 100 feet or sufficient width to accommodate the approved roadway pavement and attendant drainage facilities, whichever is greater.
- 4. Right-of-way intersections with other public street right-of-ways should be at right angles. Deviations of up to ten (10) degrees may be approved by the County Engineer.
- 5. The right-of-way line at intersections shall have a minimum radius of 30 feet.
- 6. A right-of-way corner cutback of 25 feet may be substituted for the 30 foot radius.

**C. Roadway Curves and Intersections**

- 1. Major thoroughfare horizontal curves shall have a centerline radius of 2,000 feet or more.
- 2. Reverse horizontal curves shall be separated by tangent distance of not less than 100 feet.
- 3. Intersections with other public streets should be at right angles. Deviations of up to ten (10) degrees may be approved by the County Engineer.
- 4. Curb or pavement return radius of 30 feet shall be provided.
- 5. Layout of medians including openings shall comply with the guidelines of GEOMETRIC DESIGN GUIDELINES FOR SUBDIVISION STREET, Harris County, City of Houston, Latest Edition (as modified by Fort Bend County).

- D. Minimum Concrete Pavement shall be eight (8) inches.

**5.3 Major Collector Streets**

MAJOR COLLECTOR STREET: A public street that consist 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.

- A. Location and alignment
  - 1. The extension of existing roads and streets shall be aligned with the existing roads and streets without offsets.
- B. Right-of-Way
  - 1. The minimum right-of-way to be dedicated for a major collector street not designated as a major thoroughfare shall not be less than 70 feet or of sufficient width to accommodate the design roadway and associated drainage facilities, if an open ditch section is proposed, whichever is greater.
  - 2. Where a subdivision is located adjacent to an existing public street, and the street is not designated as a major thoroughfare, and has a right-of-way width less than 70 feet, sufficient additional right-of-way must be dedicated, within the subdivision boundary, to provide for the development of the adjacent street to a total right-of-way width of not less than 70 feet.
  - 3. The right-of-way width shall not be less than the width existing outside of the plat boundary.
  - 4. Proposed horizontal curves for the right-of-way line of major collector streets shall have a minimum centerline radius of 850 feet.
  - 5. The right-of-way line at intersections shall have a minimum radius of 30 feet.
  - 6. A right-of-way corner cutback of 25 feet may be used as a substitute for the 30 foot radius.
- C. Roadway Curves and Intersection
  - 1. The maximum horizontal curve radius shall not be less than 850 feet, measured at the centerline of the roadway.
  - 2. The curb or pavement return radius shall not be less than 30 feet.
- D. Minimum Concrete Pavement shall be seven (7) inches.

**5.4 Minor Collector Streets**

MINOR COLLECTOR STREET: A public street that consist 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.

- A. Location and Alignment
  - 1. The alignment of minor collector streets proposed to be dedicated and established within a subdivision shall be aligned with existing roadway without offsets.
  - 2. The block length of minor collector streets shall not exceed 1400 feet.
- B. Right-of-Way Width
  - 1. The width of the right-of-way to be dedicated for any minor collector

- street not designated as a major thoroughfare shall not be less than 60 feet, or of sufficient width for the roadway section and the associated drainage, if an open ditch section is proposed whichever is greater.
- 2. Intersecting right-of-way lines shall have a minimum radius of 30 feet.
- 3. A right-of-way corner cutback of 25 feet may be substituted for the 30 foot radius.
- 4. The radii of the right-of-way line at the end of curb and gutter streets terminated with circular cul-de-sac turnarounds shall be a minimum of 50 feet.
- 5. The radii of the right-of-way line at the end of open drainage (ditch sections) local streets terminated with circular cul-de-sac shall be not less than 60 feet.
- C. Curves and Intersections
  - 1. Horizontal curves in minor collector streets shall have a minimum centerline radius of 850 feet.
  - 2. Intersections of local streets shall be at right angles. Deviations of up to ten (10) degrees may be approved by the County Engineer.
  - 3. Curb or pavement returns shall have a minimum radius of 30 feet 5.5 Residential Streets.
- D. Minimum Concrete Pavement shall be seven (7) inches.

**5.5 Residential Streets**

**RESIDENTIAL STREET:** A public street that consists of a two lane undivided roadway primarily used by local single family residents and originates and terminates within the subdivision boundaries.

- A. Location and Alignment
  - 1. The alignment of minor collector streets proposed to be dedicated and established within a subdivision shall be aligned with existing roadway without offsets.
  - 2. The block length of a residential street shall not exceed 1400 feet.
- B. Right-of-Way Width
  - 1. The width of the right-of-way to be dedicated for any residential street shall not be less than 60 feet, except as provided in paragraph 5.5.B.2, or of sufficient width for the roadway section and the associated drainage, if an open ditch section is proposed.
  - 2. A fifty (50) foot street right-of-way width may be allowed where the following requirements are met:
    - a. The street shall be paved with a 28 foot wide back to curb and gutter section.
    - b. The street shall serve detached single family homes only.
    - c. The right-of-way shall be used for street paving, storm sewer and water lines only. Any additional utilities will require a separate utility easement or wider street right-of-way.
  - 3. Intersecting right-of-way lines shall have a minimum radius of 25 feet.
  - 4. A right-of-way corner cutback of 15 feet may be substituted for the 25 foot radius.



5. The radii of the right-of-way line at the end of curb and gutter streets terminated with circular cul-de-sac turnarounds shall be a minimum of 50 feet.
  6. The radii of the right-of-way line at the end of open drainage (ditch sections) local streets terminated with circular cul-de-sac shall be 60 feet.
- C. Curves and Intersections
1. Horizontal curves in residential streets may have any centerline radius, except that the centerline radii on reverse curves shall not be less than 300 feet.
  2. Intersections of residential streets shall be at right angles. Deviation of up to ten (10) degrees may be approved by the County Engineer.
  3. A curb or pavement return radius of at least 25 feet shall be provided.
- D. Minimum Concrete Pavement shall be six (6) inches.

**5.6 Other Streets Requirements**

- A. Dead-end Streets
1. Dead-end streets are not acceptable unless the street is terminated by a circular cul-de-sac turnaround.
  2. A dead end street with a permanent circular cul-de-sac turnaround shall not exceed 800 feet.
- B. Stub streets
1. Stub streets shall be terminated with a temporary cul-de-sac until the street is extended into the adjacent development or properties.
  2. Stub streets shall not exceed 800 feet.
- C. Loop Streets
1. A loop street shall have a block length of less than 1,000 feet.
- D. A residential street shall not be longer than 1,400 feet.

**5.7 Construction Standards and Details**

- A. Refer to Fort Bend County DESIGN STANDARDS AND DETAILS for design criteria, construction standards and details.

**5.8 Sidewalks**

- A. Sidewalks shall be built or caused to be built through restrictive covenants between **\*\*Developer, Homebuilder, Homeowners Associations\*\*** within all road right-of-ways dedicated to the public.
- B. Subdivisions with all lots being one (1) acre or larger in size shall be exempt from this requirement.
- C. All sidewalks shall be constructed in accordance with the Fort Bend County DESIGN STANDARDS AND DETAILS.

**5.9 Private Streets**

- A. A subdivision utilizing private streets, must meet the following requirements:
1. The roads must meet all county road standards.
  2. The subdivision plat and restrictions must contain a statement that Fort

- 
- Bend County will not accept or maintain the roads unless they meet the county standards in effect on the date of acceptance;
3. The subdivision plat must contain a statement that the roads will be maintained in perpetuity by the owners in the subdivision, and must contain a mechanism for assessing the owners to produce adequate revenue for perpetual maintenance;
  4. The plat must contain a requirement that every deed contain notice to the grantee that all streets are private, that the owners will be perpetually liable for maintenance, that the county may not accept it for maintenance, and that the quality of the roads may affect access by public services such as police, fire, and EMS;
  5. All arterial and major collector streets required by (*Section 5, 5.3.*) must be dedicated to the public and constructed to county standards. Other streets will be dedicated to the Homeowners Association for the use of the property owners, their assigns and successors, and emergency response individuals.
  6. A sign will be placed at the entrance of the subdivision clearly stating that the roads in this subdivision are private roads.
  7. A Homeowners Association with assessment authority will be formed. Membership in the association will be mandatory for each lot owner. The association will be responsible for the maintenance of the roads in the subdivision.
  8. Any owner that gates the entrances to the subdivision shall provide either a crash gate or a lock box and a letter of approval from all of the affected emergency response agencies stating their approval of full time access to the subdivision.

### 5.10 Street Names

- A. All public streets shall be names in conformance with the following:
  1. The street names shall be new names and shall not be duplicates of any existing street names located within Fort Bend County. This does not pertain to extensions of existing streets.
  2. Existing street names shall be used where a new street is a continuous extension of any existing street.
  3. Street name prefixes such as North, South, East and West may be used to clarify the general location of the street however such prefixes shall be consistent with the existing and established street naming and address numbering system of the general area in which the street is located.
  4. Alphabetical and numerical street names shall not be used except where such street is a direct extension of an existing street with such a name.
  5. Apostrophe or other character symbols shall not be used in street names.

### 5.11 Easements

- A. Public Utility Easements
  1. Public utility easements are those easements established within a subdivision which are designated to accommodate publicly owned or

controlled utility facilities. Public utility easements may be used for but not be limited to facilities necessary to provide water, electrical power, natural gas, telephone, cable television, telegraph, storm sewer and sanitary sewer services.

2. Public utility easements shall be provided along the rear of all lots designed for the development of residential dwelling units and in such other locations as determined to be necessary by the County Engineer and the individual utility companies involved. Public utility easements located along the outer boundaries of a plat shall contain the full width required for such easement except in those instances where the adjacent property is under the same ownership as the property being platted or where additional easement width is dedicated by separate instrument by the owner of said adjacent tract. In such case, one-half of the required easement width shall be dedicated within the plat boundary with the other half provided outside the plat boundary by separate instrument or through notation on the plat certifying the ownership and dedication of said easement.
3. Public utility easement widths, dead-ends
  - a. All back lot public utility easements established within a subdivision plat shall not be less than 16 feet in width.
  - b. All side lots and front lot utility easements, established within any subdivision plat shall not be less than 10 feet in width.
  - c. Dead-end public utility easements will not be allowed within the subdivision.
4. Public utilities within the easement shall be located as outlined in the "Typical Utility Location In 10-Foot Wide and 16-Foot Wide Easement Back-to-Back Lots and Perimeter Lots" drawing prepared by the Utility Coordinating Committee for Metropolitan Area.

**B. Drainage Easements**

1. All drainage easements shall be located, sized and dedicated to accommodate the runoff from a 100 year storm for the fully developed watershed upstream of the property. All Drainage Easements shall be used for drainage purposes only.
2. Lots shall not encroach on any drainage easements that contain drainage facilities sized to accommodate the runoff from a 100-year event.
3. Access to all drainage easements shall be provided at all road crossings. Additional access easements may be required.
4. Parties responsible for maintaining the drainage easements shall be noted on the plat.

**C. Special Use Easements**

1. The establishment of special use utility easements may be provided on a subdivision plat when such easement is for the purpose of accommodating a utility facility owned, operated and maintained by a unit of government and is restricted to either water mains, sanitary sewers, storm sewers or other drainage facilities and where it has been determined by the County Engineer that these facilities cannot or should not be accommodated within a public utility easement or public street right-of-way. Easements proposed to be established for any private utility company or private

organization providing utility services and restricted for their exclusive use, shall not be shown on or established by a subdivision plat. Such private utility facilities may be accommodated and placed within the public utility easements, public streets and alleys established within the subdivision boundary. Private utility companies or the subdivider may grant and establish special use easements by separate instrument if such arrangements are deemed necessary to properly serve the properties within the subdivision boundaries.

### 5.12 General Building Setback Restrictions

- A. These restrictions are designed and applied to assure that occupied buildings, particularly residential and commercial buildings, where a concentration of people are involved, are located a sufficient distance away from the adjacent street to avoid damage to the structure and occupants by errant vehicles; to lessen or minimize the effect of noise and pollutants generated by traffic on the occupants of adjacent buildings; to insure that the location of buildings do not create any traffic hazards by blocking or restricting lines of sight, particularly at intersections and along curves; to provide some additional open space in addition to the space within the street right-of-way for the free movement of police, firemen and others in emergency situations and when appropriate, sufficient yard space and open space separating building structures which may enhance the aesthetic value of the area or development.
- B. Major Thoroughfares
1. Properties adjacent to designated major thoroughfares shall have a front building setback from the adjacent major thoroughfare right-of-way of not less than 25 feet.
  2. When such lots side on a major thoroughfare, a side building setback of at least 20 feet shall be provided.
  3. In those instances where lots back on a major thoroughfare, a rear building setback of not less than 10 feet shall be provided.
- C. Local Streets
1. Properties adjacent to local streets which are divided into lots restricted for the construction of residential dwellings shall have a building setback from the adjacent street right-of-way of not less than 25 feet.
  2. Where such lots side on a local street, a side building setback of 10 feet shall be provided.
  3. Where such lots back on a local street, a rear building setback of 10 feet shall be provided.
  4. Where the average lot depth in the subdivision is 105 feet or less, the front building setback may be reduced to 20 feet.
  5. A minimum distance of 10 feet shall be provided between sides of residential structures. This may be accomplished with a 5 foot side setback on each side of the common lot line, or with a 10 foot side setback on one side of the common lot line. If the 10 foot on one side setback is used, a 5 foot maintenance and drainage easement shall be provided adjacent to and along the property line within the 10 foot setback and shall be located on the plat.

6. Properties adjacent to local streets which are to be developed for residential apartments with multiple dwelling units under a single ownership or management and where the principal entrances to such units front on the adjacent street, a front building setback restriction of 20 feet shall be provided. If, however, such units side or back on the adjacent street and have no entrances from such street, a side or rear building setback of 10 feet may be provided.
  7. All other properties not divided into lots or designed for the development of residential dwelling units which are adjacent to local streets shall have a 10 foot building setback restriction provided along all adjacent streets.
  8. When the lots face the circular portion of a cul-de-sac street, a front building setback of 20 feet shall be provided.
- D. Off-sets and Transitions
1. When the required building setback restriction line changes from one tract to another, a transitional building setback line shall be provided having a minimum angle of 45 degrees. The transition shall take place on the lot or tract having the lesser building setback restriction requirement.
- E. Pipeline and Railroad Right-of-ways
1. Where an underground pipeline carrying flammable products through or adjacent to the subdivision or where a railroad right-of-way runs through or adjacent to the subdivision, a 15 foot building setback restriction shall be provided adjacent to such pipeline easement or fee strip (or the center line of the pipeline facility if no easement is defined) or railroad right-of-way.

**5.13 Reserve Tracts**

- A. All reserve tracts shall be labeled and designated on the plat. Any restrictive covenants applicable to the reserves shall be set forth by separate instrument and referenced on the plat.
- B. When any public street is established by plat and where such public street forms either a stub street into adjacent acreage or where such public street lies along and parallel with the subdivision boundary and adjacent to acreage, a one foot wide reserve shall be established within the street right-of-way to form a figure strip, dedicated to the public, between the public street right-of-way and the adjacent unsubdivided acreage to prevent access to this public street from the adjacent unsubdivided acreage unless and until a plat of the adjacent property is duly recorded. The conditions associated with the establishment of a one-foot reserve on a plat are contained in the following notation which shall be placed upon the face of any plat where a one-foot reserve is to be established.  
*"One-foot Reserve Dedicated to the Public in Fee as a Buffer Separation Between the Side and End of Streets Where Such Streets Abut Adjacent Property. The Condition of Such Dedication Being That When the Adjacent Property Is Subdivided or Re-subdivided in a Recorded Plat, the One-foot Reserve Shall Thereupon Become Vested in the Public for Street Right-of-way Purposes and the Fee Title Thereto Shall Revert to and Revest in the Dedicator, His Heirs, Assigns or Successors."*

**5.14 Lots - General Provisions**

- A. General lot design, arrangement and layout
  - 1. The general lot design within any subdivision shall be based upon the concept that such lots are created and established as undivided tracts of land and that purchasers of such lots will be assured that these tracts of land meet the following basic criteria:
    - a. The lot shall be of sufficient size and shape to allow the construction of a residential dwelling unit which can meet the requirements of established building or construction codes, housing and public health codes, and ordinances and accepted family living standards.
    - b. The lot shall be of sufficient size and shape to accommodate easements for all public and private utility services and facilities that adequately serve the residential dwelling unit constructed thereon.
    - c. The lot shall be of sufficient size and shape and shall be so located that direct vehicular access is provided from a public street or through an approved permanent access easement.
    - d. Lots or roadways shall not encroach on any drainage easements that containing drainage facilities sized to accommodate the runoff from a 100-year event.
- B. Lot Shapes
  - 1. Lots should be designed, so far as possible, with side lot lines being at right angles or radial to any adjacent street right-of-way line.
    - a. Key or flag lots may be permitted under unusual circumstances, however, the narrowest part of such a lot, being the staff portion of the flat lot, shall not be less than 20 feet in width or have a length of more than 200 feet. Such lots shall also be restricted to prevent the construction of any building structure, wall or fence within the staff portion of such lot and that the staff portion of such lot will be restricted for access to such lot only.
    - b. Double-front lots will not be approved except in those instances where lots are restricted for residential use and back upon an adjacent designated major thoroughfare or where special circumstances would warrant a variance to this regulation.
- C. Street access limitations
  - 1. Rear and side vehicular driveway access from lots, restricted for the construction of residential dwelling units, to adjacent streets designated as major thoroughfares, freeways, highways, or any other public street which carries a traffic volume where additional vehicular driveways would create a traffic hazard or impede the flow of traffic, will not be approved. Such access restriction must be noted directly upon the plat adjacent to the lots in question.
- D. Lot and Block Identification
  - 1. All blocks established in any subdivision shall be designated by number with said numbers being consecutive within the whole subdivision plat. Lots established within said blocks shall also be numbered with said

numbers being consecutive within the block.

**E. Minimum Lot Sizes - Residential Use**

1. Corner lots in blocks containing lots having an average width of less than 60 feet shall be 10 feet wider than the average interior lot within such block and where such corner lots are located at the intersection of local streets. Corner lots located at the intersection of a local street and a designated major thoroughfare or at the intersection of two major thoroughfares and are contained in blocks where the average lot width within said block is less than 60 feet, such corner lots shall be 20 feet wider than the average interior lot within such block.
2. Where lots are backing on a natural drainage way (bayou, creek, gully, etc.) or an open drainage facility, such lots shall have a depth sufficient to provide at least 70 feet from the drainage easement line to the front building setback line or front property line if no building setback restriction is required.
3. Where lots are backing on a designated major thoroughfare such lots shall have a depth at least 10 feet deeper than the average depth of lots within the interior of the subdivision having frontage on local streets.
4. The minimum lot area for lots serviced by sanitary sewer shall not be less than 5000 square feet. Refer to Section 6 for exceptions for Planned Developments.
5. The minimum lot area for lots not serviced by sanitary sewer shall be determined by the County Engineer after considering soil conditions, the water supply system and the type of septic system, and in no case shall be less than one acre in size, as outlined in the County Septic System Regulations. The one acre minimum size must be clear, free from any easements, roads, ponds or lakes.

**5.15 Drainage Outfall**

- A. All developments shall provide an adequate drainage outfall for their storm waters. If a development cannot provide an adequate outfall, that development must detain their storm waters. The maximum allowable rate of discharge from a detention system shall be determined by the Fort Bend County Drainage District. If a drainage impact fee has been established for a watershed in accordance with *Chapter 395 of the Texas Local Government Code* on-site detention may not be required. Impact fees to be paid prior to approval of the plat.

**5.16 Landscaping**

- A. Landscaping within the public right-of-way or adjoining easements shall not affect public utilities or traffic visibility, including traffic control devices or access of maintenance equipment to drainage facilities.

**END OF SECTION FIVE**

**SECTION 6 - ACCEPTANCE OF IMPROVEMENTS WITHIN SUBDIVISIONS****6.1 General Acceptance Procedures**

- A. When construction of the roads, streets, utilities, and drainage facilities is complete, the project engineer should notify the County Engineering Department and request an inspection of the work. The following documents must be submitted for review and approval prior to the scheduled inspection date.
1. Development Engineer Affidavit of Construction Compliance. Refer to *(Appendix I)*.
  2. Independent Testing Laboratory Affidavit of Materials Compliance. Refer to *(Appendix K)*.
  3. Contractor/Contractors Affidavit of Construction Compliance. Refer to *(Appendix J)*.
  4. Development Engineer's Drainage Facilities Construction Statement. Refer to *(Appendix O)*.
  5. One complete set of Record Documents of all underground utilities, streets and drainage improvement that have been constructed.
  6. All Public improvements that were required by a city or the ETJ of a city may be referred to the city for their review and action.
- B. The County Engineering and/or Drainage District will inspect the improvements and issue a punch list of any deficiencies.
1. The inspection shall document the existing condition of all roads, streets, bridges, driveway structures, sidewalks and pedestrian access structures, related roadside drainage facilities, signage and traffic control devices, and all other appurtenances related to a complete system of public roads or streets. The complete system of public roads, streets along with all related appurtenances must be in strict compliance with all Federal, State, County and applicable Municipal regulations, codes, statutes and policies in effect at the time of the request for acceptance. Conditions that will be noted on this inspection report will consist of, but not be limited to:
    - a. Curb and Gutter roads: pavement cracks, pavement settlement, birdbaths, lack of joint sealing, spalling joints, other pavement irregularities, cracked curbing, missing curbs, dirt, trash or other debris in right-of-way, broken, cracked, sunken or debris filled storm sewer inlets, broken driveways or sidewalks.
    - b. Open Ditch roads: depth, width and type of base material and of any black top material; crown width, shape of road cross section, ditches holding water, undersized driveway entrance culverts and other adverse drainage conditions.
    - c. Bridges, drainage structures, utilities and all construction located within the road or street right-of-way or directly affecting the proper function of the system of public streets.
    - d. A complete system of signage and traffic control devices in compliance with the *Texas Manual on Uniform Traffic Control Devices*.
    - e. Any and all other items related to the safe operation and maintenance of a complete system of public streets and drainage.



- C. After notification that all deficiencies have been corrected and a final inspection has been completed, the County Engineering Department will issue a recommendation to Commissioners Court for the preliminary acceptance of construction and to establish the date of Construction Completion.
- D. Final inspection should be scheduled within 60 day of the initial inspection. A complete re-inspection and a new punch list may be required after the sixty day period.
- E. Upon approval of Commissioners Court, the bond for the roads and street may be reduced as shown in (Section 3, 3.9 E.) of these regulations and the bonds for the drainage facilities may be reduced as shown in (Section 3, 3.9 F.).

## 6.2 One Year Maintenance Period

- A. To qualify for acceptance into the County Road Maintenance System, the roads or streets and subdivision drainage and detention systems must be maintained by the Developer for a minimum of one year after the date of construction completion.

## 6.3 Acceptance into the County Road Maintenance System

- A. Requests for County acceptance of roads and streets shall be directed to the appropriate County Commissioner by the developer or lot owners.
- B. A permanent bench mark brass disk shall be obtained from the County Engineer as referenced in (Section 4, 4.17 D).
- C. The County Engineer will perform an inspection. The County Engineer will develop and issue a composite list of deficiencies. The inspection will cover all the items noted above for the construction completion inspection.
- D. After the deficiencies are corrected, the County Engineer will issue a recommendation to the respective County Commissioner with road or street names and lengths, and bond number, amount and bond release information.
- E. Upon approval and recommendation of the Precinct Commissioner, the Commissioners' Court will consider accepting road(s) into the County Road Maintenance System.

## 6.4 Acceptance into the Drainage District Maintenance System

- A. Request for Drainage District acceptance of drainage channel(s) shall be directed to the Drainage District Engineer by the developer or lot owners.
- B. The Drainage District Engineer will perform an inspection and develop and issue a composite list of deficiencies.
- C. After the deficiencies are corrected, the Drainage District will issue a recommendation to the respective County Commissioner.
- D. Upon approval and recommendation of the Precinct Commissioner, the Drainage District Board of Directors will consider accepting the channel(s) into the Drainage District Maintenance System.

**6.5 Conditions of Acceptance**

- A. Acceptance of the road(s) and street(s) into the County Road Maintenance System will only constitute acceptance of roads, streets, bridges, open ditch drainage and their related appurtenances. Fort Bend County does not accept or assume maintenance, liability or responsibility of sidewalks, utilities, storm sewer systems or related construction located within public right-of-way.
- B. Detention facilities will not be accepted for maintenance by the Fort Bend County Drainage District. Only 100-year capacity open ditch type of drainage channels meeting all the requirements of the Fort Bend County Drainage District Criteria Manual will be considered for acceptance into the Drainage District maintenance system.

**6.6 Release of Bond**

- A. The bond will be released when the roads are accepted into the County Road Maintenance System.
- B. The bond will be released when the drainage facilities covered by such bonds have been inspected and approved. Approval of the drainage facilities does not imply acceptance into the Fort Bend County Drainage District Maintenance System.

**END OF SECTION SIX**

**SECTION 7 - Green Space Regulations**

**7.0 Definitions**

Green Space: Any public or private land that would serve as an area to provide relaxation or recreation to all residents within a specific subdivision. Green space may be used for active or passive activities. It may be an open field, or it may or may not have improvements such as benches, shade structures, playground equipment, or trails located within the boundaries of the property.

Walking Trail: An improved minimum, four feet wide path, consisting of a material conducive to walking, running, strolling, or cycling. Crushed granite, concrete, and asphalt are considered appropriate surface materials for walking trails. Dirt or sod trails will not be considered improved trails.

**7.1 Subdivision Green Space Requirements**

*Authority for these regulations is given in V.T.C.A., Local Government Code §232.101, Subchapter E (SB873).*

- A. Subdivision plats that are filed in Fort Bend County shall contain a community green space dedication at a ratio of  $\frac{1}{4}$  acre of green space for every 100 lots. Green space areas must be no smaller in size than  $\frac{1}{4}$  acre and must be at least 20 feet in width in order to provide access and sufficient useable area.
1. Landscape setbacks and ditch right-of-ways along roadways, will not be considered green space unless they are wider than required by County or City regulations.
  2. Pipeline easements will be accepted as green space if they contain an improved walking trail as defined above.
  3. Detention easements, excluding the actual detention pond area, will be accepted as green space if they contain an improved walking trail as defined above.
- B. Subdivision plats that contain less than 100 lots shall dedicate a minimum of  $\frac{1}{4}$  acre of green space.
- C. Plats that have lots 1 acre in size or larger are exempt from the green space requirement.
- D. In projects that have multiple sections of lots, the green space requirement may be set outside the plat boundaries provided that the multiple plats previously recorded meet the dedication requirements and definition.
1. Access to green space areas outside the boundaries of the plat must not have an at grade crossing of a major thoroughfare in order to receive credit.
  2. Access to green space areas outside the boundaries of the plat shall be located within a maximum  $\frac{1}{4}$  mile radius of all residences within the subdivision plat.

- E. Plats located within the extraterritorial jurisdiction of a city that have applicable green space or open space requirements are exempt from the Fort Bend County green space requirement only if said requirements meet or exceed those imposed by the County.
- F. The payment of a fee in lieu of a green space dedication will not be accepted.

## 7.2 Maintenance and Ownership

For the purposes of upkeep, permanent maintenance and ownership responsibilities of dedicated green space shall be conveyed to either an existing or newly formed entity established for the subdivision, and must be identified upon the recording of the final plat.

## 7.3 Green Space along Major Thoroughfares

The following requirements shall apply to all development, single family or commercial, that is either adjacent to or surrounds a Fort Bend County major thoroughfare.

- A. Landscape Reserves:
  - 1. An additional 10 feet of land on each side of a major thoroughfare right of way shall be dedicated as landscape reserves. If the developer exclusively owns property on one side of a major thoroughfare, they are to dedicate the above requirement to this side only.
  - 2. There shall be a minimum of two 30-gallon trees, selected from the required list, planted on each side of a major thoroughfare within the landscape reserve for every 100 linear feet of roadway platted. The trees may be clustered or evenly spaced, as long as, the minimum number of trees are planted based on the overall length of the roadway. For a list of specific types of trees that will be considered acceptable, see *Appendix W*. In addition to trees, landscape reserves shall be covered with grass, ground cover, and/or shrubs and have an irrigation system that will provide full coverage for all vegetation within the reserve.
  - 3. Entities responsible for the permanent maintenance and ownership of dedicated reserves must be identified upon the recording of the final plat.
  - 4. Dry utility easements shall not overlap with the landscape reserve except in instances where the utility must make a perpendicular crossing through the reserve. Water, sewer, and drainage easements granted to and accepted by political subdivisions may overlap with the landscape reserve.

- B. The trees must be healthy, free of disease and in place prior to the beginning of the one year maintenance period inspection. At the end of the one-year maintenance period, the developer shall be required to replace any trees that have perished, with a similar tree in a condition acceptable to the county, in order for the county to accept the project.
- C. Building Setbacks:
1. In instances where lots back up to a major thoroughfare, a rear building setback of not less than 15 feet from the common lot/landscape reserve line shall be provided.
- D. Driveways:
1. Lots, tracts, and reserves within the County, unless the FBC Commissioners Court otherwise approves, shall conform to the following minimum requirements:
    - A. No residential lot shall have access to a major thoroughfare except under the following conditions:
      - (1) The lot shall have a minimum frontage on the major thoroughfare of one hundred seventy-five (175) feet, and
      - (2) The lot shall contain a minimum area of one (1) acre, and
      - (3) The lot shall provide access to the major thoroughfare via one (1) driveway only, having a maximum width of twenty (20) feet, measured at the right-of-way line, and shall have a minimum radius of twenty-five (25) feet at the point of connection to the paving of the major thoroughfare, and
      - (4) Access driveways shall be located in accordance with the following:
        - (a) Greater than one hundred (100) feet from a street intersection as measured from the center of the driveway to the right-of-way line of the street intersecting the major thoroughfare, and
        - (b) Greater than sixty-five (65) feet from a property line as measured from the centerline of the driveway.
  2. The width of the lot shall be measured at the property line/right-of-way from the front building line. The width of cul-de-sacs and radial lots shall be measured at the property line using a cord or straight line. A lot area size shall be computed inclusive of all easements.

**7.4 Tree Preservation Credit**

- A. There shall be a credit given toward the tree requirement for the preservation of any existing tree, on the approved planting list attached, located within the dedicated landscape reserve. This credit will only be granted for the preservation of trees and shall be given at a ratio of 1:1 for trees 3-6 inches in diameter and 1-1/2:1 for any tree over 6 inches in diameter. The diameter shall be measured at a point 12 inches above the ground. In order to preserve the trees during the construction of the subdivision, the tree or cluster of trees shall be surrounded by a 4-foot high orange plastic wind fence installed and maintained at the extent of the trees' drip line for the duration of the construction phase. Fill material must not be placed within the drip line of any tree during or after construction activity. If fill is placed outside of, and completely around a preserved tree, positive drainage must be provided for the tree.
- B. The trees must be in place prior to the beginning of the one year maintenance period inspection. At the end of the one year maintenance period, the developer shall be required to replace any trees that have perished, with similar trees that are acceptable to the county.

**7.5 Effective Date of Regulations**

The regulations contained in this section shall be effective on the date of acceptance of this section by the Fort Bend County Commissioners Court. Preliminary plats, located within the extraterritorial jurisdiction of a city, that have been approved by the city, are exempt from these regulations, provided the final plat is recorded within two year of the date of preliminary approval.

**END OF SECTION SEVEN**