

# **Dallam County**

**Revised 2025**

## **Subdivision Regulations**

**Submit inquiries to:**

**Dallam County Judge**

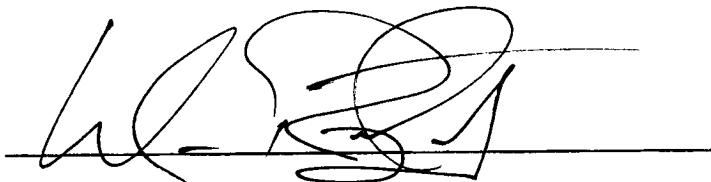
**806-244-2450**

IN THE  
DALLAM COUNTY COMMISSIONERS COURT  
DALLAM COUNTY, TEXAS

ORDER ADOPTING SUBDIVISION REGULATIONS

Dallam County Commissioners Court, meeting in open session, did by unanimous vote of a quorum of its members present, approve and adopt the attached Subdivision Regulations of Dallam County, Texas.

Adopted this 14<sup>th</sup> day of April, 2025.



The Honorable Wes Ritchey

Dallam County Judge

Attest:



Terri Banks

Dallam County Clerk

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### A. PURPOSE

These regulations are adopted to promote an orderly and desirable development of the rural areas of Dallam County, Texas through the subdivision development process, by setting standards for various aspects of development including construction of roads and drainage systems, placement of septic and other waste disposal systems and containers, provision of easements for utilities and other amenities, centralized mail delivery systems, and procedures for approval and recording of subdivision plats.

These regulations are in addition to the requirements imposed by Chapter 232 of the Texas Local Government Code, and are subject to the exemptions found at § 232.0015 of the Code. All references to codes are references to codes of the State of Texas.

### B. WHEN PLATS ARE REQUIRED

1. Pursuant to Local Government Code Chapter 232.001, and subject to the exceptions found at § 232.001 of the Code, and owner of land located in Dallam County and outside the city limits of any incorporated city in Dallam County, who proposes to subdivide one tract into two or more parts to lay out: (a) a subdivision, (b) individual lots, or (c) areas or amenities dedicated to the use of the public such as roads, alleyways, drainage systems, septic or other waste disposal systems, parks, easements, centralized mail delivery points, etc., must prepare a plat for approval as provided in section D below. No portion of subdivided land may be conveyed until a plat of same has been approved by the Dallam County Commissioners Court and recorded in public records of Dallam County.

## **C. PLAT REQUIREMENTS AND APPROVAL PROCEDURES**

1. A party seeking approval of a plat should first submit the plat to the Dallam County Judge for review and comment. Upon approval by the Judge, the party should request the Dallam County Judge to arrange to have the matter approval placed on an agenda for regular public meeting of the Dallam County Commissioners Court.
2. Approval of a plat by the Dallam County Commissioners Court shall not be deemed an acceptance by Dallam County of any duty to maintain or repair any improvements dedicated to the public as shown on the plat. No such duty shall arise unless and until Dallam County Commissioners Court, by separate order, accepts such improvements for maintenance.
3. As a condition for approval of a subdivision plat, the Dallam County Commissioners Court, pursuant to section 232.004 and 232.0045 of the Texas Local Government Code, may require a surety bond, cash deposit, or financial security not to exceed the estimated cost of construction of roads and drainage systems within subdivision, conditioned upon construction of such roads and drainage systems in conformance with the specifications established herein within a reasonable time set by order of the court.
4. A plat must describe a proposed subdivision by metes and bounds and must locate the subdivision with reference to an original corner of the survey of which it is a part.
5. Plats must be prepared by a registered professional land surveyor or licensed state land surveyor;
6. Plats must be submitted in the following format with the information, specifications, and other requirements indicated below:
  - (a) Be eighteen inches by twenty- four inches, twenty- four inches by thirty- six inches; provided, however, that all pages shall be the same size if the plat requires more than one page;
  - (b) Have each page numbered in the bottom right- hand corner to indicate the total number of pages of the plat, for example: page 1 of 1, 1 of 2, etc., and margins of one- half inch;
  - (c) Be clearly and legibly drawn in permanent and reproducible black ink upon tracing medium, to scale of not less than two hundred feet to one inch;
  - (d) Include one identical photographic Mylar reproduction of the Original Final Plat, to shall serve as a duplicate original, which shall be produced on Kodak 14 Auto-positive film or equivalent, and shall be clear and legible with no colored background and in permanent and reproducible black ink only, with original signatures affixed in permanent and reproducible black ink.
  - (e) Include one recordable copy which shall be eight and one-half inches by fourteen inches, original signatures which shall be affixed in permanent and reproducible black ink.

- (f) Include a statement and date of approval by Commissioners Court and signed by the County Judge
- (g) Include the following statement in conspicuous print:

"Acceptance of a subdivision plat for filing does not constitute acceptance by the Dallam County Commissioners Court of the streets or roads shown in the subdivision plat for maintenance by the County."

- (h) State the dimensions of the subdivision and of each street, alley, square, park or other part of the tract intended to be dedicated to public use for the use of purchasers or owners of lots fronting on or adjacent to the street, alley, square, park or other part;
- (i) State the number of feet of roads in the subdivision;
- (j) Contain the Owner's dedication and restrictions, if any, duly acknowledged in the manner required for the acknowledgement of deeds;
- (k) Contain a provision that all dwellings, trailers or mobile homes placed on subdivision lots or ranchettes must be connected to septic or disposal facilities meeting the specifications and conditions of state law;
- (l) Contain the approval of the nearest incorporated city if the subdivision is within the extraterritorial jurisdiction of the city, which approval shall be obtained prior to the final approval of the Commissioners Court;
- (m) Have original signatures which shall be affixed in permanent and reproducible black ink;
- (n) Be acknowledged by the Owner of the tract, or the Owner's agent, in the manner required for the acknowledgement of deeds.
- (o) State the proposed name of the subdivision, which must not conflict with the name of any other existing subdivision in Dallam County.
- (p) If any portions of a proposed subdivision lie within the extraterritorial jurisdiction of a city, the subdivision plat must clearly identify those portions and the associated boundary lines of the areas of extraterritorial jurisdiction. Before the plat is submitted to the Dallam County Commissioners Court for approval. Such a plat must first be approved by the governing body of the city as to portions of the proposed subdivision that lie within the city's extraterritorial jurisdiction.
- (q) The location and dimensions of proposed roads, residential and commercial lots, alleyways, existing and proposed easements, drainage systems, building lines, parks, school sites, fire department of law enforcement facilities, centralized mail delivery facilities, and any other features to be incorporated into proposed subdivision. A plat must also illustrate ingress and egress points for vehicle traffic flowing into and out the proposed subdivision, and must designate building setback lines for lots.

(r) Locations and specifications for fire hydrants and all other features related to fire and rescue operations must be provided to the Dalhart and Texline Fire Departments for approval.

7. Supporting Documentation must include:

- (a) A comprehensive water drainage plan, prepared by a qualified expert, must accompany a plat for a proposed subdivision. The Plan must: (1) address and provide for water drainage within the proposed subdivision so as to prevent flooding of lots, roads, or structures during and following reasonably foreseeable precipitation events, (2) include an analysis of subdivision's impact, if any, on water intrusion onto property outside the subdivision, and a plan for mitigation of such impacts, (3) identify any areas of the subdivision that lie within 100-year flood plain, and (4) identify any lots or other areas within proposed subdivision that are subject to an elevated risk for flooding notwithstanding implementation of the water drainage plan, and provide recommendations, specific to those areas and anticipated construction within those areas, for mitigation of such risks, including but not limited to recommended minimum foundation elevations for structures within those areas.
- (b) Pursuant to Texas Administrative Code, Title 30, Part 1, Chapter 230, a plan for provision of potable water to and throughout the proposed subdivision must be provided and must include written certification and supporting data, on forms promulgated by the Texas Natural Resource Conservation Commission, that adequate groundwater for all anticipated needs and uses within proposed subdivision.
- (c) A plan for sanitary sewage treatment throughout the proposed subdivision, and all associated soil testing etc., must be provided to and approved by the Texas Commission on Environmental Quality.
- (d) A list of utility services to be provided to the proposed subdivision must be provided, with written confirmation from each provider of those services that agreements in principle for same have been signed by all necessary parties.
- (e) Current tax certificates showing that all property taxes on all property included in the proposed subdivision are paid current shall be provided and filed with the plat.
- (f) Written certification from the owner, acknowledged before a notary public, that all proposed dedications to the public as shown on the plat shall be free and clear of any and all encumbrances at the time of approval of the plat by the Commissioners Court.
- (g) A recordable copy of restrictive covenants to be imposed on properties within the subdivision.
- (h) Plat submissions must include road and drainage engineering plans showing layout, profiles, configuration, and dimensions of all road and road drainage features scaled at a ratio no greater than 1" =50'.
- (i) Plats must show the location of all existing, and proposed above ground, underground, and ground level utility and drainage easements including but not limited to those for gas, water, electricity, telephone, fiber optic, storm water and sewer installments.
- (j) Plats must include the plat surveyor's signature under seal.

## D. ROAD APPROVAL AND ACCEPTANCE FOR COUNTY MAINTENANCE

Pursuant to the authority granted to the Dallam County Commissioners Court by section 251.003 (a)(1) of the Texas Transportation Code, and statutes referenced below:

1. As a condition for approval of a proposed subdivision plat, the Dallam County Commissioners Court, pursuant to sections 232.004 and 232.0045 of the Texas Local Government Code, may require a surety bond, cash deposit, or other financial security not to exceed the estimated cost of construction of roads and drainage systems within the subdivision, conditioned upon construction of such roads and drainage systems in conformance with specifications established herein, within a reasonable time set by order of the court.
2. Pursuant to the authority granted to the Dallam County Commissioners Court by section 251.003 (a)(1) of the Texas Transportation Code, and other statutes referenced herein, approval of roads within a subdivision, and release of security referenced in paragraph 1 above, is subject to a determination, in the judgement of the Dallam County Commissioners Court (Commissioners Court), that the roads have been constructed to the specifications established herein.
3. *Approval* of roads by Commissioners Court shall not be deemed *acceptance* by Dallam County of any duty to maintain or repair any roads or their improvements dedicated to the public as shown on the plat. No such duty shall arise unless and until commissioners Court, by separate order, accepts such improvements for maintenance.
4. Eligibility of roads for acceptance for permanent maintenance by Dallam County is at the sole discretion of the Dallam County Commissioners Court.

## **E. ROAD LAYOUT AND CONSTRUCTION DESIGN**

### **1. Layout**

- (a) There shall, in judgement of the Commissioners Court, be sufficient main thoroughfare roads within a subdivision to accommodate ingress, egress, and free efficient movement of vehicle traffic into, out, and through subdivision.
- (b) Maximum spacing between cross-streets shall be 2640 feet (one half mile) to facilitate access for emergency vehicles throughout the subdivision. Streets within the subdivision shall be laid out as to align with existing streets in adjoining or nearby subdivisions for the same purpose.
- (c) Dead-end roads that terminate at a point other than intersection with another street, or at a traffic circle that provides for access to an intersection with another street, must extend to and terminate in a cul-de-sac with a minimum radius of 50 feet right-of-way and that allows for driveway access off of the cul-de-sac and onto the adjoining lots.
- (d) All portions of structures situated on lots bordered by intersecting roads shall be set back at least 30 feet from the convergence of the curb lines or edges of the roads that border the lot, so as to provide for an unimpaired view between motorists approaching the intersection.
- (e) Obstructions to these prescribed lines-of-sight (such as untrimmed trees and other landscaping features, fences, mail receptacles, vehicles, etc.) may be ordered removed by the Commissioners Court upon 30 days written notice to the owner of lots upon which same are situated, provided that the owner may request a hearing before the Dallam County Commissioners Court within the 30 days' notice period by contacting the office of the Dallam County Judge. Upon failure of an owner to comply with the Commissioners Court order to remove such obstructions, the Commissioners Court may proceed with removal of same and may present the expenses associated with removal to Commissioners Court for assessment against the owner. Notice of expenses within 60 days may result in the filing of a lawsuit for recovery of same and imposition of a judgement lien on the property.

## **F. ROAD NAMES AND SIGNAGE**

1. All streets and roads to be dedicated to the public within a subdivision shall be named with prior approval from the U.S. Postal Service, PRPC 911 District, and, if the subdivision is within the extra-territorial jurisdiction of the City of Dalhart, the City of Dalhart.

## **G. PROTECTION OF RIGHTS-OF-WAY**

1. Utilities. Utilities to be installed along county rights-of-way shall be placed in the back slopes of water drainage channels as close to property lines as possible, and buried a minimum of 36 inches. Utility companies must notify Dallam County Commissioner Court prior to undertaking any work within the rights-of-way. Electrical and gas lines within county rights-of-way must be placed at a minimum of 5 feet below the surface. All other utilities within County rights-of-way must be placed at a minimum of 36 inches from the surface. Before backfilling, utility companies must notify Dallam County and permit its inspection to confirm adequate depth of utility lines.
2. Mail and Courier Installations. Pursuant to current United States Postal Service policy, all subdivision developments must meet USPS specifications. All expenses associated with the purchase, installation, maintenance, and ingress and egress to and from mail and courier receptacles and delivery points are the sole responsibility of the subdivision owners/developers
3. Waste Containers and Other Obstructions. Subdivision plans must provide for areas for placement of waste containers and other moveable items in a manner that will not obstruct or impede maintenance or repair of county rights-of-way including roads, alleyways, drainage features, or other easements or features. Required setback of private property. No person may permit waste containers, sprinkler system, landscaping items, or any moveable items, including signs without regard to its message, to be placed within the County's rights-of-way. Expenses associated with removal may be assessed in the same manner as described in E(1)(e) above. Additionally, obstruction of county rights-of-way may result in enforcement of Section 42.03 of the Texas State Penal Code. Any signs or other personal property placed in the County's rights-of-way will be subject to removal without notice.

## H. DRAINAGE

1. The owner/developer shall provide a drainage study and plan for the subdivision, prepared by a licensed and qualified engineer that will ensure adequate drainage for each right-of-way and each lot within the subdivision.
2. Drainage calculations and design standards shall be made consistent with the City of Dalhart's Storm Water Management Criteria Manual. The Dallam County Commissioners Court expressively adopts and incorporates those provisions contained in the Storm Water Management Criteria Manual necessary and relevant to ensure adequate drainage for road development and maintenance.
3. The drainage plan shall provide drainage culverts, to be shown on the subdivision plat, which in judgement of the engineer shall be appropriate in number, size, strength, and placement to allow for adequate water drainage off and away from roads throughout the subdivision. Culverts shall meet the following minimum specifications:
  - (a) No single culvert shall exceed 32 feet in length.
  - (b) Plastic culverts are not acceptable. Corrugated tinhorn is recommended. Dallam County will not be responsible for any concrete culverts.
  - (c) A minimum cover of 6 inches over culverts is required. Cover material may be asphalt, caliche or other soil material approved by the engineer.
  - (d) Noncompliant culverts may be removed at the direction of the Commissioner Court, and replaced homeowner's or subdivision owner's expense.
4. Culvert installations are the responsibility of the subdivision owner/developer. Culvert installations undertaken by Dallam County, if any, shall be at the owner's, developer's, or homeowner's expense, as appropriate, and will be billed at material cost plus reasonable labor charges to the appropriate party(s).
5. Culvert sizes for each lot must be submitted on the original plat upon submission to the County Judge. The culvert size must be pre-determined by the drainage study for each lot.

## I. ON-SITE SEWAGE FACILITIES

1. When citizens build structures outside the city limits of a municipality, there are no service lines to carry sewage from those structures to municipal treatment plants. On-site sewage facilities (OSSF) such as septic systems are designed to provide a safe on-site method of disposal for sewage. In Dallam County, OSSF's are permitted, inspected, and approved under rules promulgated by the Texas Commission on Environmental Quality. Minimum standards for OSSF's are found at Title 30, Chapter 285, of the Texas Administrative Code.
2. Owners of homes and other buildings outside the city limits may arrange for installation of their own septic systems by certified installers licensed by the State of Texas Commission on Environmental Quality under the supervision of the Environmental Health Department. All installations must comply with the referenced standards and must be approved by the County Inspector.

## J. MISCELLANEOUS PROVISIONS

1. **Severability.** If any of these regulations are held to be invalid, the invalid regulations shall be severed, and the remaining regulations shall continue to be valid.
2. **Publication.** Notice of these regulations shall be published in a newspaper of general circulation in the county.
3. **Effective date.** Unless otherwise noted, these regulations shall be effective as of 4/14/2023 provided notice is published as required by §232.003, Local Government Code. Signed copies of the Subdivision Regulations are available for inspection at the Dallam County Clerk's Office.
4. **Sign Offs.** The following entities shall be notified in writing of the proposed subdivision prior to the Commissioners Court meeting at which plat may be approved:
  - (a) Rita Blanca Electric
  - (b) XIT Communications
  - (c) Texas Department of Transportation
  - (d) City of Dalhart (if within ETJ)
  - (e) City of Texline (if within ETJ)
  - (f) Dalhart Fire Department (if within jurisdiction)
  - (g) Texline Fire Department (if within jurisdiction)
  - (h) Dallam County Emergency Management

## FEE SCHEDULE

<b>PLATS/MAPS</b>		
RECORDING FEE	LGC § 118.011 (C)	\$225.00
MANAGEMENT FEE	LGC § 118.011 (B)(2)	\$10.00
RECORD ARCHIVE	LGC § 118.011 (F)	\$10.00
	<b>TOTAL</b>	<b>\$275.00</b>
PLAT WITH EXTRA PAGES		\$40.00
<b>REPLATS</b>		
RECORDING FEE	LGC § 118.011 (C)	\$155.00
MANAGEMENT FEE	LGC § 118.011 (B)(2)	\$10.00
RECORD ARCHIVE	LGC § 118.011 (F)	\$10.00
	<b>TOTAL</b>	
PLAT WITH EXTRA PAGES		\$40.00
<b>PLAT COPIES</b>		
COPIES (ON PLAT SCANNER) PER PAGE	LGC § 118.011 (C)	\$10.00
COPIES (MADE ON COPIER) PER PAGE	LGC § 118.011 (A)(4)	\$1.00