

By: Hegar

S.B. No. 1206

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the subdivision requirements that a county may impose
3 for certain driveways.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 232.003, Local Government Code, is
6 amended to read as follows:

7 Sec. 232.003. SUBDIVISION REQUIREMENTS. By an order
8 adopted and entered in the minutes of the commissioners court, and
9 after a notice is published in a newspaper of general circulation in
10 the county, the commissioners court may:

11 (1) require a right-of-way on a street or road that
12 functions as a main artery in a subdivision, of a width of not less
13 than 50 feet or more than 100 feet;

14 (2) require a right-of-way on any other street or road
15 in a subdivision of not less than 40 feet or more than 70 feet;

16 (3) require that the shoulder-to-shoulder width on
17 collectors or main arteries within the right-of-way be not less
18 than 32 feet or more than 56 feet, and that the shoulder-to-shoulder
19 width on any other street or road be not less than 25 feet or more
20 than 35 feet;

21 (4) adopt, based on the amount and kind of travel over
22 each street or road in a subdivision, reasonable specifications
23 relating to the construction of each street or road;

24 (5) adopt reasonable specifications to provide

1 adequate drainage for each street or road in a subdivision in
2 accordance with standard engineering practices;

3 (6) require that each purchase contract made between a
4 subdivider and a purchaser of land in the subdivision contain a
5 statement describing the extent to which water will be made
6 available to the subdivision and, if it will be made available, how
7 and when;

8 (7) require that the owner of the tract to be
9 subdivided execute a good and sufficient bond in the manner
10 provided by Section 232.004;

11 (8) adopt reasonable specifications that provide for
12 drainage in the subdivision to:

13 (A) efficiently manage the flow of stormwater
14 runoff in the subdivision; and

15 (B) coordinate subdivision drainage with the
16 general storm drainage pattern for the area; ~~and~~

17 (9) require lot and block monumentation to be set by a
18 registered professional surveyor before recordation of the plat;
19 and

20 (10) require that a driveway that can reasonably be
21 expected to be shared by persons not related to each other within
22 the third degree by consanguinity or affinity meet reasonable
23 specifications relating to:

24 (A) construction;

25 (B) the provision of drainage in accordance with
26 standard engineering practices;

27 (C) rights-of-way; and

1 (D) shoulder-to-shoulder width.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2007.