

CAMERON COUNTY



DEVELOPMENT & BUILDING BROCHURE



EDDIE TREVIÑO, JR.
CAMERON COUNTY JUDGE

Commissioner Sofia C. Benavides	Precinct #1
Commissioner Joey Lopez	Precinct #2
Commissioner David A. Garza	Precinct #3
Commissioner Gus Ruiz	Precinct #4

Pete Sepulveda, Jr.
County Administrator

Benjamin L. Worsham, P.E., P.T.O.E.
County Engineer, Department of Transportation Director

What is a Subdivision?

In Cameron County, the definition of a subdivision is the division of land into lots for sale or lease.

What is a Plat?

A plat is the official drawing or map, which conforms to the provisions of these Subdivision Regulations for Cameron County, Texas, which the subdivider or developer submits for approval and a copy of which he intends to be recorded in the Map Records of Cameron County. A replat or resubdivision is also considered a plat.

Do I need a plat in order to divide my land?

The owner of a tract of land located outside the corporate limits of a municipality that divides the tract in any manner that creates two or more lots must have a plat of the subdivision prepared.

No subdivided land shall be sold or conveyed until the subdivider:

1. has received approval of a final plat of the tract; and
2. has filed and recorded with the County Clerk of the County in which the tract is located a legally approved plat.



A division of a tract of land is defined as including a metes and bounds description, or any description of less than a whole parcel, in a deed of conveyance or in a contract for a deed, using a contract of sale or other executory contract, lease/purchase agreement, or using any other method to convey property.

Does a metes and bounds description in a deed or other legal document eliminate the need for a plat?

, and trying to do so may create an illegal subdivision. However, there are exceptions to platting as discussed in the pages that follow.

What if my property is in the Extraterritorial Jurisdiction (ETJ) of a municipality?

For a property in a municipality's extraterritorial jurisdiction, a subdivision is subject to regulations of both the municipality and Cameron County. If a municipal regulation conflicts with a County regulation, the more stringent regulation prevails.

Are there different types of plats in Cameron County?

in Cameron County there are two types of plats:

Residential Plat

- Subdivisions that create two (2) or more lots where at least one of the lots is five acres or less, and intended for residential purposes.
 - Reviewed under Subchapter B of the Local Government Code (LGC) and State Model Rules

General Plat

- Any plat not considered a residential plat and does not meet any exception
 - Reviewed under Subchapter A of the LGC

How do I get a Residential Plat approved?

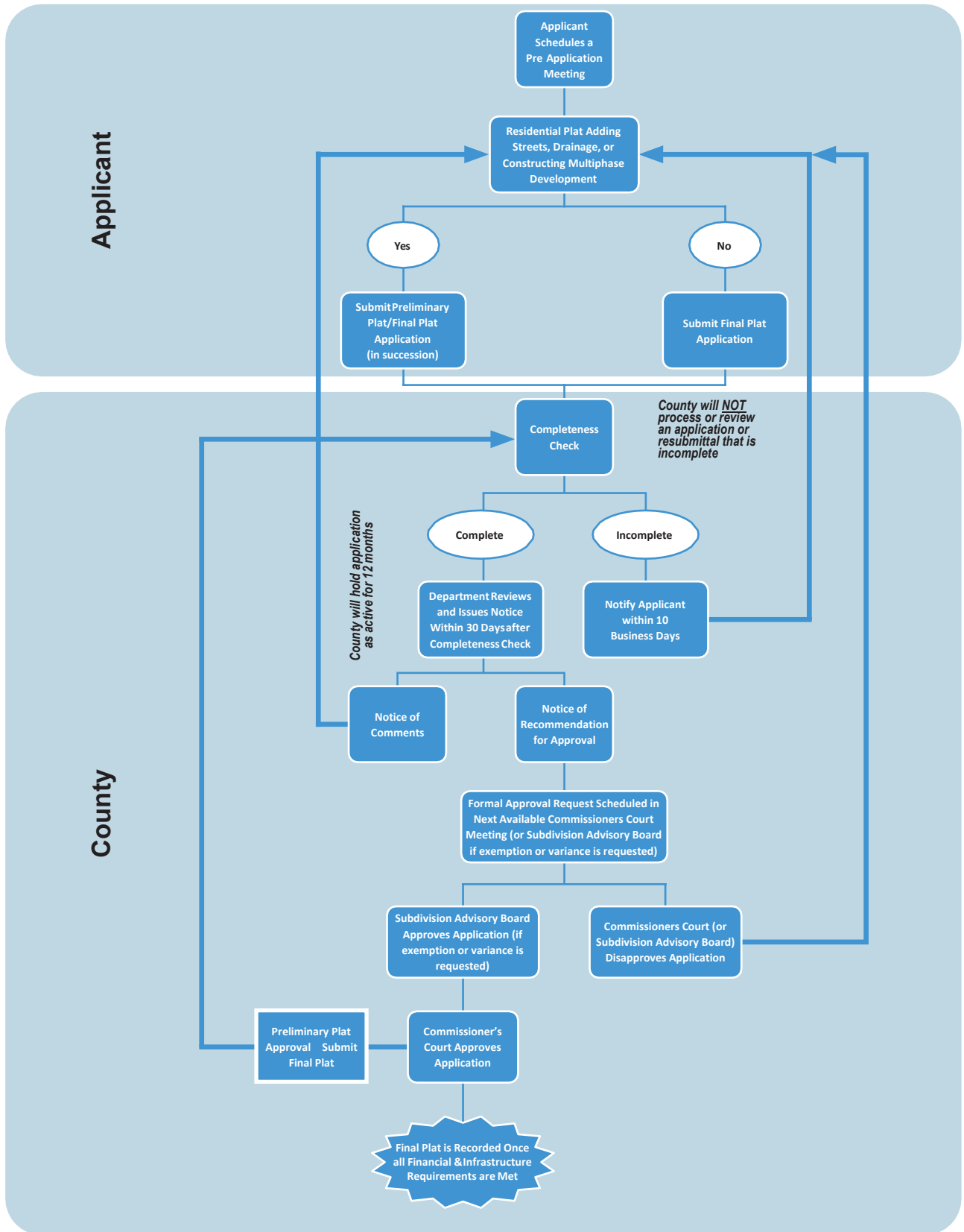
Below is the list of steps for obtaining approval of a Residential Plat, as well as a flow chart summarizing the process:

Residential Plat Process

- A. Preliminary conference (optional but recommended).
- B. Submission of a written variance request (optional and only if information on the preliminary plat is not required for determination of variance). Review by County Engineering Department.

- C. Submission of preliminary plat (with concurrent consideration of variance request or requests).
Review by County Engineering Department.
- D. Modification of preliminary plat as necessary to address comments by County Engineering Department.
- E. Recommendation for preliminary plat approval by County Engineering Department.
- F. Preliminary plat approval by Subdivision Advisory Board (only if exemption or variance is requested).
- G. Preliminary plat approval by Commissioner Court.
- H. Submission of Construction Plans and completion of Construction (when applicable). See Section 2.5 – Construction Plans and Procedures.
- I. Submission of Final Plat (with concurrent consideration of variance request or requests).
Review by County Engineering Department.
- J. Modification of final plat as necessary to address comments by County Engineering Department.
- K. Recommendation for final plat approval by County Engineering Department.
- L. Final plat approval by Subdivision Advisory Board (only if exemption or variance is requested).
- M. Posting of bonds or other financial guarantees or construction of proposed improvements.
- N. Final plat approval by Commissioner Court.
- O. Release of final plat for recording.
- P. Recording of final plat in the map records of Cameron County.





Residential Plat - General Review Process

Does the County have any examples of Residential Plats that I can look at?

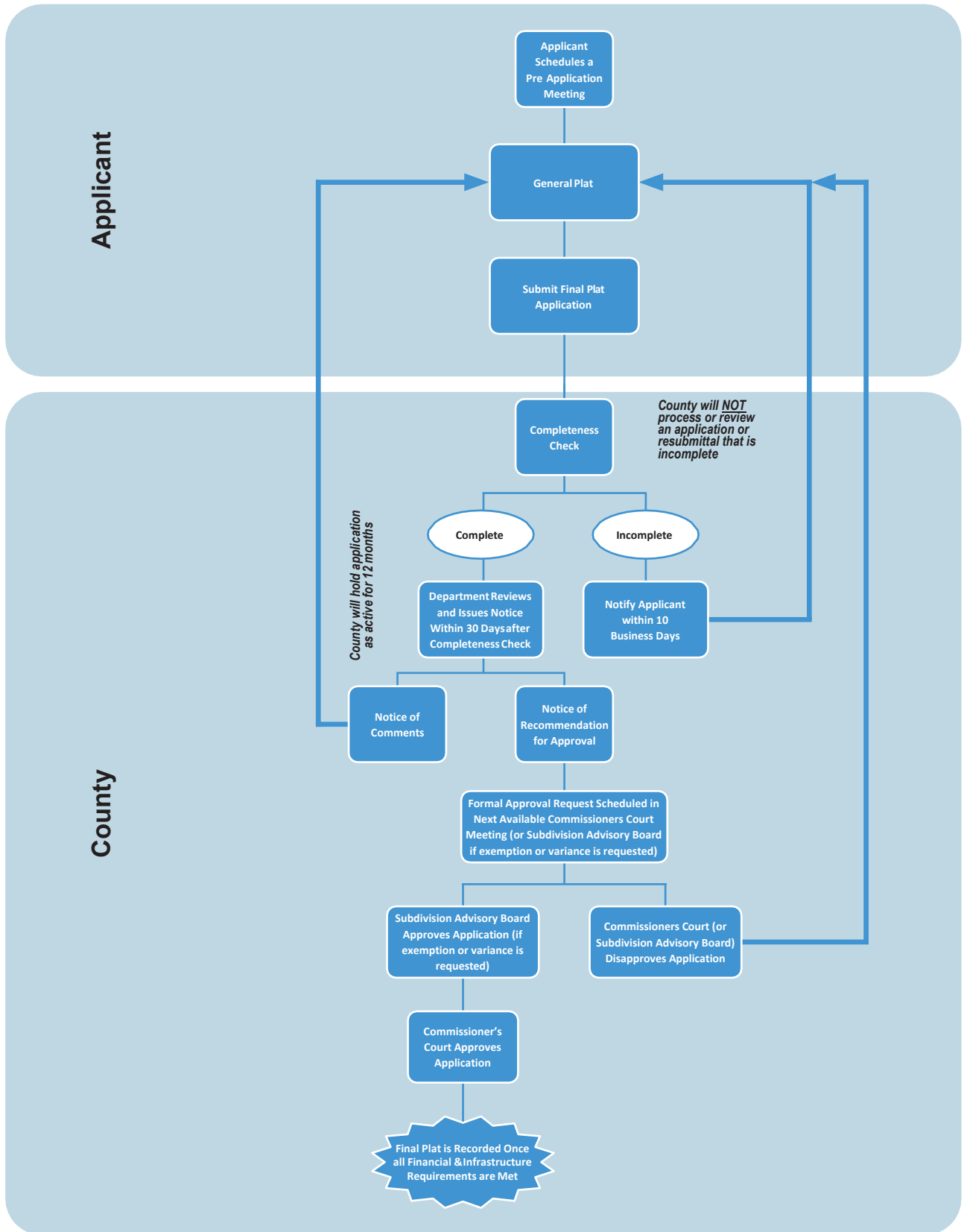
example Residential Plats are provided in Appendix M of the Subdivision Rules and Regulations.

How do I get a General Plat approved?

A list of steps for obtaining approval of a General Plat are provided below, in addition to a flow chart summarizing the process:

General Plat Process

- A. Preliminary conference (optional but recommended).
- B. Submission of a written variance request (optional and only if information on the preliminary plat is not required for determination of variance). Review by County Engineering Department.
- C. Submission of Final Plat (with concurrent consideration of variance request or requests). Review by County Engineering Department.
- D. Modification of final plat as necessary to address comments by County Engineering Department.
- E. Recommendation for final plat approval by County Engineering Department.
- F. Final plat approval by Subdivision Advisory Board (only if exemption or variance is requested).
- G. Posting of bonds or other financial guarantees or construction of proposed public improvements.
- H. Final plat approval by Commissioner Court.
- I. Release of final plat for recording.
- J. Recording of final plat in the map records of Cameron County.



General Plat - General Review Process

Does the County have any examples of General Plats that I can look at?

example General Plats are provided in Appendix N of the Subdivision Rules and Regulations.

Are there exceptions to Residential Plats?

Yes, there are exceptions to Residential Plats, however, the General Plat requirements still apply as described in the Subdivision Regulations noted below:

Exceptions to Residential Plat Requirements

Residential Plat requirements do not apply:

1. if all of the lots of the subdivision are more than 10 acres; or
2. if the subdivision is both consisting of lots greater than 5 acres and is incident to the conveyance of the land as a gift between persons related to each other within the third degree by affinity or consanguinity, as determined under Chapter 573, Government Code; or
3. if the subdivision of land is restricted to nonresidential uses on the final plat and in all deeds and contracts for deeds.



In all instances where the Residential Plat requirements do not apply, the General Plat requirements shall apply.

Residential Plats that create two or more lots where all lots are greater than 5 acres, but all lots are less than 10 acres, shall apply for a variance and shall be reviewed on a case-by-case basis by the Subdivision Advisory Board for applicability to the Residential Plat requirements (See Chapter 2, Section 2.6).

Are there exceptions to General Plats?

Yes, there are exceptions to General Plats; however, specific criteria must be met as described in the Subdivision Regulations noted below:

Exceptions to General Plat Requirements

Except in instances where Residential Plat requirements apply, the following divisions of real property are not subject to the requirement that a plat be submitted to Commissioners Court for approval, however, the owner must not lay out a part of the tract intended for 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 (which in turn would require platting):

1. Agricultural, Farm, Ranch, Wildlife, Timber Production

- a. the land is to be used primarily for agricultural use, as defined by Section 1-d, Article VIII, Texas Constitution; or
- b. for farm, ranch, wildlife management, or timber production use within the meaning of Section 1 Article VIII, Texas Constitution.

If the tract ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, the platting requirements apply.

2. Family Division

The owner divides the tract into four or fewer parts; and

- a. 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 apply.

3. Lots Larger Than 10 Acres

The owner divides the tract into two or more parts and all of the lots of the subdivision are more than 10 acres in area.

4. Other Exceptions (See LGC 232.xx for further information)
 - a. Veterans' Land Board Program
 - b. State, State Agency Board or Commission
 - c. Floodplain
 - d. Further Division
 - e. Undivided Interest

What do I do if I believe I meet the exceptions to both Residential and General Plats? |

- A preliminary conference with the County Engineering Department is recommended.
- Provide an Affidavit of Land Location as described in the Subdivision Regulations noted below:

In all instances in which a division of property is exempt from the requirement that the plat be approved by the Commissioners' Court, the owner shall prepare and submit to the County Judge's Office an affidavit of fact establishing that the division complies with the requirements of one of the exceptions. The affidavit is also required in order to comply with Cameron County Geographic Information System, rural addressing, 911 emergency response requirements, and ad valorem taxing provisions. The affidavit shall comply with requirements established by the Commissioners' Court, and following approval by the designated representative as set out in the County Order, shall be filed for record in the County Clerk's Office.

My property is already platted,

or

I do not need to plat and I would like to build on my property.

What do I need to do? |

A building permit must be issued by the County prior to the construction of any buildings and/or structures within its jurisdiction.

The Flood Damage Prevention and Building Regulations (Building Regulations) govern the construction of buildings and other structures within unincorporated areas of Cameron County.

What is the purpose of the Building Regulations?

The Building Regulations provide detailed guidance on the following items focused on the safety, life, and general welfare of the citizens and residents of the County.

- Elevation of buildings and/or structures in relation to the flood plain and flood hazard areas
- Construction in or near Floodways and Coastal High Hazard Areas
- Applicable building and infrastructure codes
- Placement of utilities, septic systems, and mechanical equipment
- Housing code
- Gas code
- Electrical code
- Signs
- Inspections
- Building and setback lines
- Mobile home and recreational vehicles
- Single family and accessory dwelling units
- Junkyards and related businesses
- Revocation of construction permits



How do I get a building permit?

The Building Regulations provide details for how to obtain a building permit as noted below:

1. An application for a permit shall be presented to the Floodplain Administrator, or to the Building Official, on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of the proposed and existing structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard.

An application may be picked up at the Planning and Inspections Division of Cameron County. The applicant will fill out the form and return it to the Planning and Inspections Division. The following information is required:

- a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
 - b. Elevation in relation to mean sea level to which any nonresidential structure shall be flood proofed;
 - c. A certificate from a registered professional engineer or architect that the nonresidential flood proofed structure shall meet the flood proofing criteria of Article 5 of this order.
 - d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
2. Approval or denial of a permit by the Floodplain Administrator or Building Official shall be based on the provisions of this order and the following relevant factors:
- a. The danger to life and property due to flooding or erosion damage.
 - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - c. The danger that materials may be swept onto other lands to the injury of others.
 - d. The compatibility of the proposed use with existing and anticipated development.
 - e. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - f. The costs of providing governmental services during and after flood conditions including maintenance and repair of street and bridges and public utilities and facilities such as sewer, gas, electrical, and water systems.
 - g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters, and the effects of wave action, if applicable, expected at the site.
 - h. The necessity to the facility of a waterfront location, where applicable.
 - i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
 - j. The relationship of the proposed use to the comprehensive plan for that area.

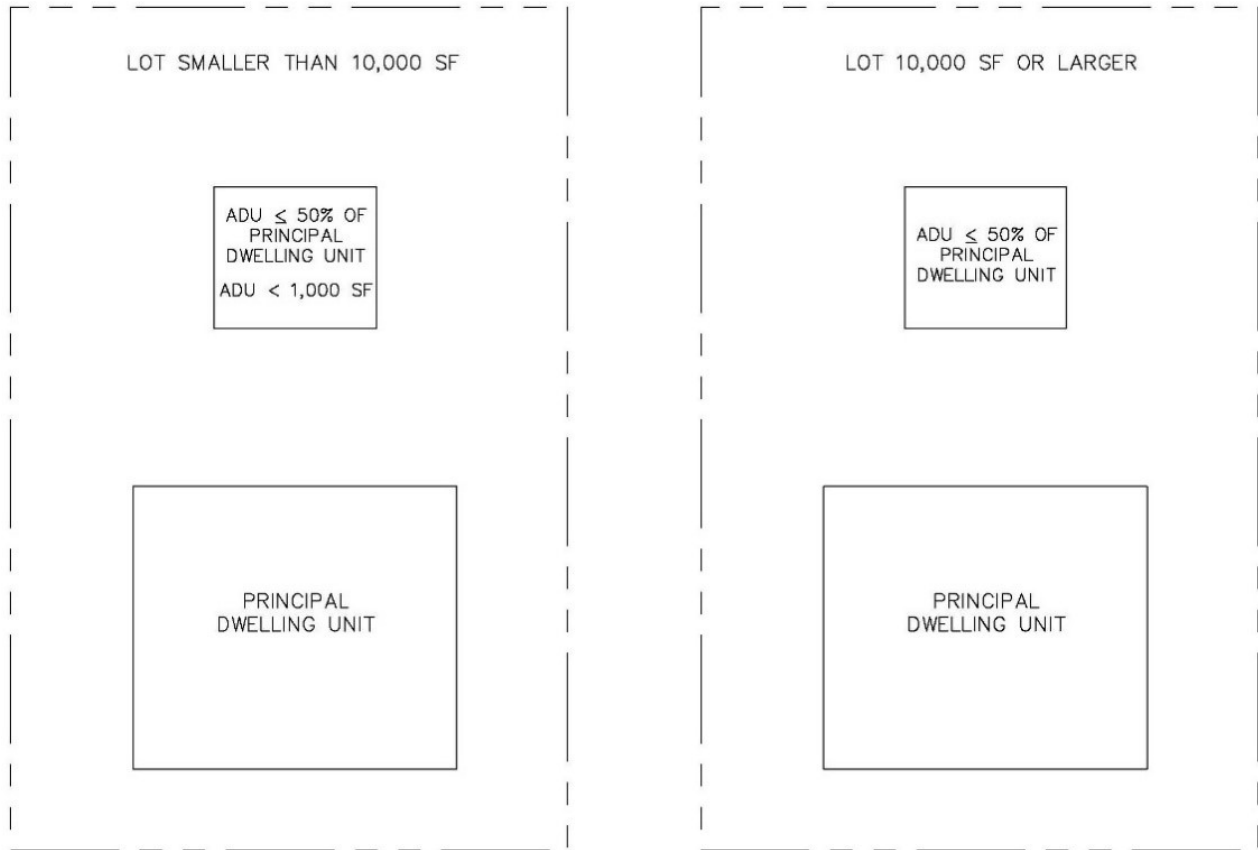


1. General

- a. The property owner, which shall include title holders and contract purchasers, must occupy either the principal unit or the accessory dwelling as their permanent residence, and shall at no time receive rent for the owner-occupied unit. "Owner occupancy" means a property owner, as reflected in title records, makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means. The property owner shall sign an affidavit before a notary public affirming that the owner occupies either the main building or the accessory dwelling.
- b. The Applicant shall provide a covenant suitable for recording with the County recorder, providing notice to future owners or long term leases of the subject lot that the existence of the accessory dwelling unit is predicated upon the occupancy of either the accessory dwelling or the principal dwelling by the owner of the property.
- c. The covenant shall also require any owner of the property to notify a prospective buyer of the limitations of this section and to provide for the removal of improvements added to convert the premises to an accessory dwelling and the restoration of the site to a single-family dwelling in the event that any condition of approval is violated.
- d. No accessory dwelling unit shall be constructed, used or occupied unless and until an accessory dwelling permit is issued.
- e. The accessory dwelling shall be connected to the central electrical, water and sewer system of the principal structure. This provision does not apply to the electrical service if the distance between the primary structure and the accessory dwelling is greater than one hundred (100) linear feet.
- f. Only one accessory dwelling unit shall be allowed per lot.
- g. Accessory dwelling units shall only be permitted on lots where the principal use is a single-family detached dwelling.

2. Size

- a. For accessory dwelling units on Lots Smaller than 10,000 Square Feet:
 - i. Accessory dwelling units shall not exceed 50 percent of the square footage of the principal dwelling unit on the lot.
 - ii. Accessory dwelling units shall not exceed 1,000 square feet per lot.
- b. For accessory dwelling units on Lots 10,000 Square Feet or Larger:
 - i. Accessory dwelling units shall not exceed 50 percent of the square footage of the principal dwelling unit on the lot.



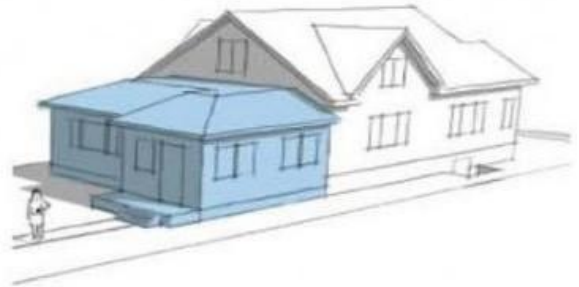
Accessory Dwelling Unit Size

3. Location and Design

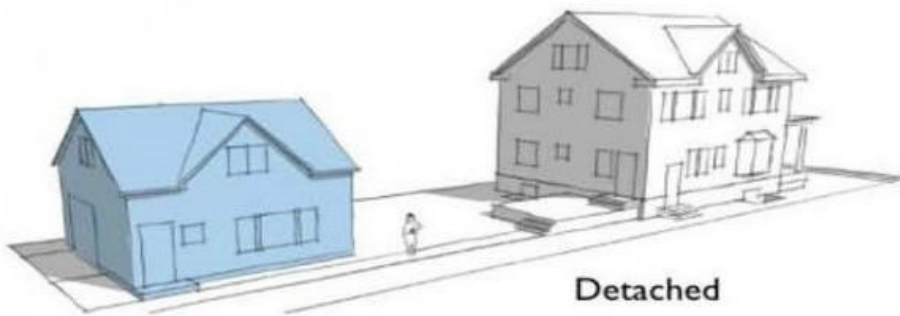
- a. Accessory dwelling units may be attached or detached units.
 - i. Attached accessory dwelling units shall be fully attached to or within the principal structure on the lot. “Attached” shall mean at least one-quarter of the total wall area or the floor or ceiling of the accessory dwelling units shall be fully connected to a wall, floor, or ceiling of the principal residential structure.
 - ii. Detached accessory dwelling unit shall be located to the side or rear of the principal dwelling unit.



Internal



Attached



Detached

Accessory Dwelling Unit Location

- b. Accessory dwelling units shall have a separate exterior entrance from the principal dwelling unit and shall contain cooking, sleeping, and sanitary facilities.
- c. In order to maintain the architectural design, style, appearance and character of the main building as a single-family residence, the accessory dwelling unit shall have a roof pitch, siding and window proportions identical or similar to that of the principal residence. Flexibility may be granted due to obsolete design practices of the principal residence or the use of obsolete materials used on the principal residence.
- d. Accessory detached dwelling units shall require a minimum setback from the rear and side property lines of five (5) feet.

CAMERON COUNTY FEE SCHEDULE – BUILDING FEES

RESIDENTIAL BUILDING PERMIT FEE			
Square Footage (sf)	New construction	Structural Additions & Renovations (Garage, Renovation, Roof Replacement)	Remodel, Repairs & Minor Additions (Remodels, Roof Repairs, Carport, Patio, Porches)
Less than 500 ft ²	\$65.00	\$50.00	\$25.00
Between 500 ft ² and 1,000 ft ²	\$0.195 x sf	\$0.15 x sf	\$0.075 x sf
Between 1,000 ft ² and 5,000 ft ²	\$65.00 + (\$0.13 x sf)	\$50.00 + (\$0.10 x sf)	\$25.00 + (\$0.05 x sf)
Between 5,000 ft ² and 10,000 ft ²	\$390.00 + (\$0.065 x sf)	\$300.00 + (\$0.05 x sf)	\$150.00 + (\$0.025 x sf)
More than 10,000 ft ²	\$715.00 + (\$0.0325 x sf)	\$550.00 + (\$0.025 x sf)	\$275.00 + (\$0.0125 x sf)
NON-RESIDENTIAL BUILDING PERMIT FEE			
Square Footage (sf)	Non-Residential & Multifamily	Temporary Structure Type I	Temporary Structure Type II
Less than 500 ft ²	\$75.00	\$30.00	\$100.00
Between 500 ft ² and 1,000 ft ²	\$0.225 x sf	\$0.09 x sf	\$0.30 x sf
Between 1,000 ft ² and 5,000 ft ²	\$75.00 + (\$0.15 x sf)	\$30.00 + (\$0.06 x sf)	\$100.00 + (\$0.20 x sf)
Between 5,000 ft ² and 10,000 ft ²	\$450.00 + (\$0.075 x sf)	\$180.00 + (\$0.03 x sf)	\$600.00 + (\$0.10 x sf)
More than 10,000 ft ²	\$825.00 + (\$0.0375 x sf)	\$330.00 + (\$0.015 x sf)	\$1,100.00 + (\$0.05 x sf)

MISCELLANEOUS FEES			
		Residential	Non-Residential & Multifamily
Application Fee (Per Application)	\$25.00		
Plan Review Fee (Per Plan Set)	\$75.00	\$50.00	\$75.00
Moving Structures (Per Unit (+mpg*))	\$50.00	\$50.00	\$75.00
Demolition (Per Inspection)	\$50.00	\$75.00	\$100.00
Sign Installation (Per Sign)	\$75.00	\$75.00	\$100.00
		Utility Connections	
		Single Trade Permit & Inspection	
		Reinspection Fee (Failed Inspection)	
		Certificate of Occupancy (Existing Structure)	

**for Trips Outside Cameron County*

SITE DEVELOPMENT PERMIT FEES		
	Less than 1 acre	1 acre or more
Development Fee	\$50.00	\$3,000.00
Inspection Fee (per square footage of disturbed area)	\$0.075 x sf	\$0.005 x sf

CAMERON COUNTY FEE SCHEDULE - DEVELOPMENT FEES

Development Fees	
Road Cutting Fee	\$500.00 each
Pre – Development Conference Meeting	\$25.00
South Padre Island Rezone Request (Unincorporated)	\$500.00
Construction Inspection Fee	
Street and drainage improvement	\$560/acre
Drainage improvement	\$175/acre
Recording fee	As Determined by County clerk ³
Submission Fee	
Preliminary Plat Submission Fee	\$30.00
Final Plat Submission Fee	\$30.00
Plat Review	
Preliminary Plat Review Fee	\$150 + \$5.00 per lot
Final Plat Review Fee	\$100 + \$10.00 per lot
Site Development Fees¹	
Developments 5 acres or less	\$500.00
Developments more than 5 acres	\$2,000.00
Plat Determination	
Application of Property Owner	\$30.00 ²
Application by Other than Property Owner	\$500.00

¹⁾ Improvements must be permitted and incur a site development fee, whether subdivision of the property is necessary or not (Maximum fee capped)

²⁾ Or matching fee imposed by appropriate municipality, as determined by property location within Extra Territorial Jurisdiction, whichever is greater

³⁾ See www.cameron.tx.gov/county-clerk/