



JACKSON COUNTY DEVELOPMENT RULES, REGULATIONS AND PROTOCOLS Non-Commercial Structures

*Jackson County Permit, Inspection & Floodplain Administration
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Mission Statement: We are first a public agency, funded by public tax dollars. Our fundamental mission is **to protect people and property from flooding and unnecessary damages through responsible and efficient floodplain management, and management of all regulations for the On Site Sewage Facility program through TCEQ.**

To achieve this goal this program must:

- **Strive for excellence with integrity**
- **Earn respect of the public, other organizations and local policy makers**
- **Require accountability at all levels**
- **Maintain open communication at all levels**
- **Effectively implement the mission**

Jackson County Commissioners Court has adopted and enforces two ordinances for development purposes outside the unincorporated areas of Jackson County. These two ordinances are regulated and enforced through the office of Jackson County Permitting and Flood Plain Administration.

Local floodplain management ordinances and NFIP regulations are intended to prevent development or re-development within the special flood hazard areas (SFHA) of Jackson County without adequate mitigation measures. Floodplain management regulations are designed to mitigate future losses of life and property.

On February 25th, 2013, the Commissioners Court of Jackson County along with the County Judge signed into effect the Flood Damage Prevention Ordinance. Jackson County has adopted and will fully enforce the local floodplain ordinance as outlined through the FEMA Code of Federal Regulations 44 / 60.3 Floodplain Management Criteria.

On the July 14, 2014, the Commissioners of Jackson County signed into effect the Order Adopting Rules of Jackson County, Texas for On Site Sewage Facilities (OSSF). The ordinance, which is approved by TCEQ, delegates authority to the Authorized Agent (Jackson County) as well as the responsibility for the permitting, regulating, and enforcement of the statutes, rules and any associated provision stated within it.

What does “Development” mean?

Development means any man-made change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

- **Step 1:** The Jackson County Commissioner Court granted the use of the Determination Application to be used by the County Flood Plain Administrator as the "Official Determination of Flood Plain Status" and it is required to be filed through this office for all property proposed for development in Jackson County. If the property is found to be outside the regulated flood plains, then an "Exemption from Flood Plain Development Permit" is issued along with other documents such as:
 - Letter of Official Determination for Insurance or Financing Purposes
 - Exemption Permit for Development Purposes
 - Utility Permit (Per agreement with Utility Providers)

If your property/homeowners association requires proof that you applied for the Determination Application, we will be happy to provide to forward the POA/HOA copies of the permits on your behalf.

In order to process the application for the "Official Determination of Flood Plain Status" the property owner will need to submit the following documentation before the Determination Application will be processed. All portions of the Determination Application must be filled in or the Application will be denied:

- ***911 Address** of the property (permit will not be completed without the official street address)
- **Copy of Deed** or **Current Year Tax Statement in applicants name** for proof of ownership.
- **Site of Development GPS Coordinates** (ground coordinates from where development will take place, not from entrance of property)
- **Survey/Plat (if available)**
- **Set of Construction Plans if site built home, storage building, barn, etc. is being developed** (plans must be in digital form or in 8x11 format for scanning purposes)
- **Processing Fee of \$20.00** (Cash or Check made payable to Jackson County Permitting)
- *If applicable to the type of development being constructed, you will also need to provide the name of the selected, TCEQ licensed OSSF Installer.

**If a property already has an existing OSSF system on it, the existing system must be a "up to date" coded and permitted system. If the permitting office cannot find or the property cannot produce a permit for the existing OSSF and the OSSF does meet current standards, a new OSSF is mandated to be installed and permitted.*

If the Official Determination of Flood Plain finds the proposed development to be located inside the regulated flood plains, then Step 2 is required.

***NOTE: To obtain a legal 911 address please call the Golden Crescent Regional Planning Commission 911 Rural Addressing at 361-578-1587 Option #2**

- **Step 2 Building in a Flood Plain**

Building in a Floodplain

If the Official Determination of Floodplain finds your property to be partially or wholly inside the floodplain, you will be notified, and a higher level of permitting will be mandated, including the required elevation certificate to be submitted along with other documentation.

Once you are notified, you will need to contact our office to schedule a consultation to review your plans and to determine the best course of action to assure that your property will be reasonably safe from flooding and that all requirements of the Flood Damage Prevention Order and CFR 44 Regulations have been met or exceeded.

Residential Development in a Floodway

A floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in Order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Residential development is prohibited within an identified floodway unless the property owner submits a "No Impact Certificate and Study".

Additions, Decks, Accessory Structures (Sheds, Storage Units, etc.)

If I build an addition, deck or want to put an Accessory Structure on my property, do I need apply for a permit to do so?

Any addition or placement of an Accessory Structure must comply with all floodplain regulations. If the value of the addition, remodel, or repairs of the home or business exceeds 50% of the value of the existing:

- Residential home, the existing structure(s) must be elevated at or above the base flood elevation and certification of such must be presented to the county Flood Plain Administrator.
- If the placement of an Accessory Structure is needed, then the structure must meet the requirements found in 44 CFR 59.1. The Accessory Structure should be no more than a minimal initial investment; it cannot be used for human habitation, and must be designed to minimize flood damage. It will need to be anchored to resist floating, have flood openings/vents, the utilities connect to the structure must be elevated and cannot be modified for different use in the future.

What are the penalties if I do not secure all my permits?

- You would not be able to occupy or use your building or development until you receive all required permits.
- Any violation of the Jackson County Flood Damage Prevention Ordinance and/or the Jackson County On-Site Sewage Facility Ordinance constitutes a Class C Misdemeanor and a fine of up to \$500 per day for each violation and for each day the violation continues can be filed against you in court.
- The County may require the removal of the improvements constructed without permits.

NO OCCUPANCY OF A STRUCTURE BEING DEVELOPMENT AND/OR PLACED IN A REGULATED FLOOD PLAIN CAN TAKE PLACE BEFORE ALL PERMIT HAVE BEEN RELEASED. UPON SUBMISSION OF THE FINAL ELEVATION CERTIFICATE THAT SHOWS ELEVATIONS HAVE BEEN MET, A CERTIFICATE OF OCCUPANCY WILL BE GIVEN TO THE PROPERTY OWNER.

Why Is the Utility Permit a requirement?

The local utility providers such as Jackson Electric Coop are requiring the Utility Permit from the Jackson County Floodplain manager. This is to not only protect themselves from placing a utility in a flood hazard area without a permit but to aid their customers from placing a structure in the SFHA that is not per the NFIP regulations. Therefore, yes in most cases local providers require the Utility Permit.

Who else would require a copy of an Exemption of Flood Plain Permit or Flood Plain Development Permit?

In addition to the local utility providers the local private Homeowner/Landowner Associations, such as Cape Carancahua Community and the Tri-County Point Property Owners Association are also requiring copies of all permits released from their potential property owners before construction of any type or placement of a manufactured/RV home can be done.

Is there a charge for the Determination Application and/or the Development Permit?

As with anything else now a days, nothing is free. Jackson County has adopted a fee schedule for the Floodplain Administration Office. The fee schedule can be found on the county website at www.co.jackson.tx.us

Is a Water Well Permit obtained through the Permitting Office?

No. Water well permits must be applied for through the Texana Groundwater District. Their phone number is 361-781-0624 or you can obtain information from their website at www.texanagcd.org



REVIEW TIME!

1. Determination Application for the proposed property to be filed with the local Jackson County Floodplain Administrator – *If the application is filed by a builder or other agent on behalf of the property owner, a copy of the property owners driver's license must accompany the application and the signature of the property owner must be on the application.*
2. If property is located outside the Special Flood Hazard Area (SFHA) no Development Permit is necessary unless otherwise noted
3. If property is determined to be located INSIDE the SFHA, then a Development Permit is mandatory and further steps will be necessary to obtain the Development Permit and Septic Permit.
4. On Site Sewage Facility Permit (IF applicable to the development)

Remember, placement of a MANUFACTURED HOME or RV does constitute as development

NOTE:

No OSSF (On Site Sewage Permit) will be issued UNTIL the Determination Application and/or associated SFHA Permit has been applied for and granted (unless the OSSF is for replacement purposes only).