

STATE OF TEXAS

COUNTY OF LEE



**ORDER AMENDING THE CURRENT LEE COUNTY
SUBDIVISION AND DEVELOPMENT REGULATIONS BY
AMENDING REQUIREMENTS FOR SUBDIVISIONS WITH
INDIVIDUAL PRIVATE WATER WELLS IN LEE COUNTY.
ORDER NO: 22-0005**

BE IT REMEMBERED, that the Commissioners Court in Lee County, Texas (the Commissioners Court”), met in Regular Session on the **22th** day of **February**, 2022, after notice of meeting had been posted in the form, manner, and place required by law, and after a properly noticed meeting with a quorum of its member present and participating in the meeting when, among other matters, the following came on to be considered and action taken thereon, to-wit: **REQUIREMENT FOR SUBDIVISIONS SERVED BY INDIVIDUAL PRIVATE WATER WELLS FOR DEVELOPMENTS IN LEE COUNTY.**

Article III of Lee County’s Subdivision and Development Regulations is amended to add the following language to Article III “General Subdivision Requirements”, “Water Availability Requirements” by amending SUBSECTION “1.” to read as follows:

“1. Subdivisions to be served by individual private water wells: Use of existing wells will be permitted if the wells fully meet these regulations. Subdivisions to be served by individual new private water wells: As permitted by Local Government Code Section 232.0032, if a person submits a plat for the subdivision of a tract of land for which the water supply intended for the subdivision is groundwater under the land, the Commissioners Court may require a report prepared by an Engineer or Geoscientist, licensed in the State of Texas, for submission to the County that certifies that there is adequate groundwater available for the submission, per the requirements in Title 30, Part 1, Chapter 230 of the Texas Administrative Code. In the event that a TCEQ permitted public water supply is located closer than one-half mile of any part of a subdivision, the Commissioners Court may require applicant to service the subdivision with the public water supply provider. The Commissioners Court shall make its determination whether to require a public water supplier based on the size of each lot in the subdivision, the cost to applicant to bring sufficient water to the subdivision, the availability of potable groundwater, the anticipated cost to lot owners to obtain potable groundwater, the number of lots in the subdivision, and any other consideration relevant for the particular proposed subdivision. The following information may additionally be required by the Commissioners Court for each well tested.

- a) Identify the hydro geological formation by well driller’s log and approved geophysical logging methods. Provide a map and list of all known wells within 1,000 feet of the proposed subdivision boundaries (or a distance where measurable draw-down effects from the proposed subdivision well are expected). Each well is to be located by latitude and longitude.

- b) Obtain the static water level to the nearest one tenth foot and equate to the mean sea level elevation. Lee County reserves the right to maintain selected monitor well sites for long-term data acquisition of static water levels in order to track regional water level trends. The test and monitor wells shall contain a one inch plug to facilitate possible future water level monitoring.
- c) The bacterial and chemical analysis of the test well as required for public water supplies

Individuals marketing these subdivision lots shall provide each purchaser with a summary of all the above referenced data.”

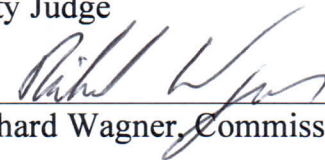
APPROVED AND ADOPTED in open court this 28th day of Feb, A.D. 2022.



Paul E Fischer, County Judge



Mark Matthijetz, Commissioner, Pct. 1



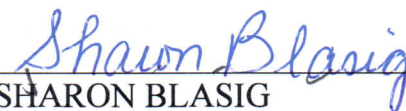
Richard Wagner, Commissioner, Pct. 2



Alan Turner, Commissioner, Pct. 3



Steven Knobloch, Commissioner, Pct. 4



SHARON BLASIG
County Clerk, Lee County, Texas