

RESOLUTION NO. 19951

**A RESOLUTION OF THE HUNT COUNTY COMMISSIONERS COURT PROVIDING NOTICE OF INTENT TO AMEND THE HUNT COUNTY SUBDIVISION AND LAND DEVELOPMENT REGULATIONS PURSUANT TO TEXAS LOCAL GOVERNMENT CODE § 232.003; DIRECTING PREPARATION OF PUBLIC NOTICE FOR CONSIDERATION AT THE MARCH 10, 2026 MEETING; AND IDENTIFYING PROPOSED AMENDMENTS REGARDING REQUIRED SUBMISSION OF GOVERNING AND RESTRICTIVE INSTRUMENTS AT THE PRELIMINARY AND FINAL PLAT STAGES**

WHEREAS, Hunt County is authorized under Texas Local Government Code Chapter 232 to regulate the subdivision and platting of land in the unincorporated areas of the County; and

WHEREAS, Section 232.003 requires publication of notice before adoption or amendment of subdivision regulations; and

WHEREAS, the Commissioners Court finds that requiring submission of governing instruments affecting transfer, occupancy, ownership structure, and access at the time of plat review promotes transparency, protects purchasers, and ensures compliance with applicable law; and

WHEREAS, The Commissioners Court intends to amend the Hunt County Subdivision and Land Development Regulations to clarify administrative completeness standards and to ensure that required instruments are submitted prior to plat approval:

NOW, THEREFORE, BE IT RESOLVED BY THE HUNT COUNTY COMMISSIONERS COURT:

**SECTION 1. NOTICE OF INTENT TO AMEND REGULATIONS**

The Commissioners Court hereby gives notice of its intent to consider adoption of amendments to the Hunt County Subdivision and Land Development Regulations at its regular meeting to be held:

Tuesday, March 10, 2026 at 10:00am  
Hunt County Commissioners Court  
Auxiliary Courtroom  
2700 Johnson Street Greenville, Texas,

The proposed amendments are described in Section 2 below.

**SECTION 2. PROPOSED REGULATORY AMENDMENTS**

The following amendments are proposed to be incorporated directly into the Subdivision and Land Development Regulations:

- A. Amendments to Article I – Definitions

Add a new definition for "Governing Instruments" as follows:

"Governing Instruments" shall mean any document or instrument, whether recorded or unrecorded, that affects the ownership, transfer, occupancy, use, access, governance, or control of property within a subdivision, including but not limited to:

1. Restrictive covenants;
2. Declarations of Covenants, Conditions, and Restrictions (CCRs);
3. Homeowners Association declarations or bylaws;
4. Architectural control guidelines;
5. Deed conditions or reversionary interests;
6. Transfer approval provisions;
7. Membership or residency agreements;
8. Business-entity ownership documents;
9. Ground lease agreements;
10. Private road or gated-access governance documents; and/or
11. Arbitration or dispute resolution provisions tied to property ownership.

B. Amendments to Article III – Application and Submittal Requirements

Add a new subsection under "Preliminary Plat Submittal Requirements":

Required Submission of Governing Instruments

1. As a condition of administrative completeness, an applicant shall submit all proposed Governing Instruments applicable to the subdivision;
2. If such instruments are not yet finalized at the time of Preliminary Plat submission, they shall be submitted in finalized form prior to Final Plat approval; and
3. No Preliminary Plat shall be deemed complete without disclosure of whether such instruments exist or are contemplated.

C. Amendments to Article IV – Final Plat Requirements

Add new sections:

Condition of Final Plat Approval:

1. No Final Plat shall be approved unless all Governing Instruments affecting lots or common areas within the subdivision have been submitted in final form;
2. Such instruments must be submitted in recordable form;
3. Final Plat approval shall be expressly conditioned upon concurrent recording of all required Governing Instruments with the County Clerk; and
4. Failure to submit required Governing Instruments shall result in denial of Final Plat approval.

Compliance with State and Federal Law:

1. As a condition of Final Plat approval, all required Governing Instruments submitted pursuant to these Regulations must be in facial compliance with applicable state and federal law governing property restrictions, housing transactions, land use, and transfer of real property.
2. If any submitted Governing Instrument contains provisions that are facially void or unenforceable under state or federal law, including but not limited to provisions prohibited by the Texas Property Code or applicable fair housing law, the Final Plat shall not be approved unless and until such provisions are removed or revised.
3. The County's review under this section is limited to determining whether submitted instruments contain provisions that are facially inconsistent with applicable law and shall not constitute legal approval of the substance of any private contract.
4. Failure to correct such deficiencies prior to Final Plat consideration shall result in denial of the Final Plat.
5. Approval of a Final Plat does not constitute a representation or warranty by Hunt County that any Governing Instrument complies with applicable law.

D. Amendments to Administrative Completeness Provisions

Add the following clarification:

A plat application shall not be considered administratively complete unless:

1. All required Governing Instruments are submitted; or

2. The applicant certifies under oath that no such instruments will be filed, or if not filed, will apply to the property being subdivided.

E. Amendments Regarding Post-Plat Restrictions

Add new language:

1. Any Governing Instrument affecting lots within a recorded subdivision that was not submitted and reviewed as part of the plat approval process shall not be considered part of the approved subdivision scheme.
2. Any material change to Governing Instruments affecting transfer, occupancy, ownership structure, or access shall require review in connection with a plat amendment pursuant to Chapter 232 of the Texas Local Government Code.

SECTION 3. DIRECTIVE TO GENERAL COUNSEL

The Hunt County General Counsel is hereby directed to:

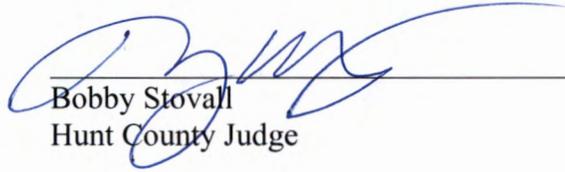
1. Prepare the required newspaper publication notice pursuant to Texas Local Government Code § 232.003;
2. Ensure publication occurs prior to any statutory deadlines ahead of the March 10, 2026 meeting;
3. Prepare a redlined version of the proposed amendments for public inspection, including the language above, and any other changes necessary for the legal enforcement of the County's development regulations;
4. Ensure compliance with the Texas Open Meetings Act regarding agenda posting.

SECTION 4. INTENT AND LIMITATIONS

This Resolution:

1. Is enacted pursuant to Chapter 232 authority;
2. Applies uniformly to all subdivisions;
3. Does not regulate religious doctrine or religious land use;
4. Requires submission and transparency, not substantive approval of religious or other content; and
5. Establishes that failure to submit required documents shall result in non-approval of the plat.

PASSED AND APPROVED this 2<sup>ND</sup> day of February, 2026.

  
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Bobby Stovall  
Hunt County Judge

Witnesseth:

  
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Becky Landrum  
Hunt County Clerk