<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>APPLICATION FOR LICENSING</strong></td>
<td></td>
</tr>
<tr>
<td><strong>AUTHORITY RECOMMENDATION FOR SEWAGE FACILITIES</strong></td>
<td></td>
</tr>
<tr>
<td>5 lots/tracts or less</td>
<td>$20.00 per lot/tract</td>
</tr>
<tr>
<td>6 lots/tracts or more</td>
<td>$100.00 basic fee plus</td>
</tr>
<tr>
<td></td>
<td>5.00 per lot/tract</td>
</tr>
<tr>
<td><strong>SUBDIVISION PLATTING FEES</strong></td>
<td>$100.00 per resultant lot/tract</td>
</tr>
<tr>
<td><strong>ADDITIONAL FEE FOR PLATS WITH ROAD CONSTRUCTION</strong></td>
<td>$3000.00 per plat</td>
</tr>
</tbody>
</table>
Revisions to
Comal County Subdivision Rules and Regulations

Approved by Order of the Comal County Commissioners Court on January 23, 2014.
This Order takes effect January 23, 2014.

1. **Section A, Regulations, Subsection IV. PLATS, Subsection A. Preliminary Plats, Paragraph 6.**

   Revise item “x” to read as follows:

   The following water availability rules do not apply to subdivision platting within the extraterritorial jurisdictions of any municipality within the County with the exception of the City of San Antonio.

   A person seeking approval of:
   1) a revision plat which creates or results in more than five lots; or
   2) a new plat which creates more than five lots; or
   3) a new plat that is part of a larger project containing more than five lots shall:

   i) if no Public Water System is proposed or exists; and the proposed lots will be served by individual groundwater wells and not utilizing groundwater regulated by a groundwater authority or groundwater district,

       Submit a Certification of Groundwater Availability For Platting Form pursuant to Title 30 Texas Administrative Code, Chapters 230, Sections 230.2 through and including 230.11, with the following additional requirements;

       All supporting information, data, and calculations necessary to meet the requirements of Sections 230.2 through and including 230.11 shall be attached to the Certification of Groundwater Availability For Platting Form.

       §230.3 (c), Form Required, the first sentence is revised as follows;

       This chapter and the following form shall be used and completed if the county requires plat applicants to certify that adequate groundwater is available to provide water to the land to be subdivided.
ii) if no Public Water System is proposed or exists; and the proposed lots will be served by individual groundwater wells utilizing groundwater regulated by a groundwater authority or groundwater district,

Provide an analysis prepared by a registered engineer determining the projected water use of the final expected number of residences, businesses, or other dwellings in the platted area.

Submit documentation from a groundwater authority or groundwater district indicating a permit allocation of groundwater rights to the proposed platted area in an amount adequate to meet the water needs as identified in the above engineering analysis. The permit allocation cannot involve leased water rights.

iii) if the proposed lots are to be served by a new Public Water System utilizing groundwater wells and not using groundwater regulated by a groundwater authority or groundwater district,

Submit a Certification of Groundwater Availability For Platting Form pursuant to Title 30 Texas Administrative Code, Chapters 230, Sections 230.2 through and including 230.11, with the following additional requirements;

All supporting information, data, and calculations necessary to meet the requirements of Sections 230.2 through and including 230.11 shall be attached to the Certification of Groundwater Availability For Platting Form.

§230.3 (c), Form Required, the first sentence is revised as follows;

This chapter and the following form shall be used and completed if the county requires plat applicants to certify that adequate groundwater is available to provide water to the land to be subdivided.

Submit a copy of the final approval letter and all supporting documentation from the executive director of the Texas Commission on Environmental Quality (TCEQ), pursuant to TCEQ Rule 30 TAC Chapter 290.41(c)(3)(A), for each new well and provide a copy of the TCEQ approval letter and supporting documentation for the engineering plans and specifications for the Water Production and Water Distribution Facilities.
Provide a surety, in a form acceptable to the County, in an amount determined by the County Engineer, to ensure the proper completion of any and all Water Distribution Facilities such as water mains, valves, and other necessary water distribution appurtenances.

iv) if the proposed lots are to be served by a new Public Water System utilizing groundwater wells using groundwater regulated by a groundwater authority or groundwater district,

Provide an analysis prepared by a registered engineer determining the projected water use of the final expected number of residences, businesses, or other dwellings in the platted area.

Submit documentation from a groundwater authority or groundwater district indicating a permit allocation of groundwater rights to the proposed platted area in an amount adequate to meet the water needs as identified in the above engineering analysis. The permit allocation cannot involve leased water rights.

Submit a copy of the final approval letter and all supporting documentation from the executive director of the Texas Commission on Environmental Quality (TCEQ), pursuant to TCEQ Rule 30 TAC Chapter 290.41(c)(3)(A), for each new well and provide a copy of the TCEQ approval letter and supporting documentation for the engineering plans and specifications for the Water Production and Water Distribution Facilities.

Provide a surety, in a form acceptable to the County, in an amount determined by the County Engineer, to ensure the proper completion of any and all Water Distribution Facilities such as water mains, valves, and other necessary water distribution appurtenances.

v) if the proposed lots are to be served by a new Public Water System utilizing surface water,

Provide a copy of the TCEQ approval letter and supporting documentation for the engineering plans and specifications for any required Water Production and Water Distribution Facilities, pursuant to TCEQ Rule 30 TAC Chapter 290.

Provide an analysis prepared by a registered engineer determining the projected water use of the final expected number of residences, businesses, or other dwellings in the platted area.
Submit a copy of an executed contract, agreement, or commitment letter from the TCEQ or the Guadalupe Blanco River Authority stating surface water, in an amount adequate to meet the water needs as identified in the above engineering analysis, has been committed to the platted area for a period of 20 years or greater. Said document shall identify the amount of surface water committed, the point of diversion, and the term of the commitment.

Provide a surety, in a form acceptable to the County, in an amount determined by the County Engineer, to ensure the proper completion of any and all Water Distribution Facilities such as water mains, valves, and other necessary water distribution appurtenances.

vi) if the proposed lots are to be served by an existing public water system utilizing groundwater and currently providing service to less than 1000 connections,

Provide documentation from the existing Public Water System indicating that the existing system has agreed to provide water service to the platted area.

Provide a copy of the latest TCEQ Public Water Sanitary Survey of the existing Public Water System indicating no alleged violations pertaining to water quality or water production capability.

Provide an engineering analysis of the existing Public Water System showing that the existing system has an adequate Water Supply and adequate Water Production Facilities to serve the final expected number of residences, businesses, or other dwellings in the existing service area in addition to the needs of the final expected number of residences, businesses, or other dwellings in the proposed platted area.

If the existing public water system uses groundwater regulated by a groundwater authority or groundwater district, submit documentation from a groundwater authority or groundwater district indicating the permit allocation of groundwater rights necessary to meet the needs identified to the preceding paragraph. The permit allocation cannot involve leased water rights.

If an expansion to an existing Public Water System is necessary due to the addition of the platted area or due to existing deficiencies in the system, as identified above, submit a copy of the final approval letter and all supporting documentation from the
executive director of the Texas Commission on Environmental Quality (TCEQ), pursuant to TCEQ rule 30 TAC Chapter 290.41(c)(3)(A), for any new well, and provide a copy of the TCEQ approval letter and supporting documentation for the engineering plans and specifications for the required Water Production and Water Distribution Facilities.

Provide a surety, in a form acceptable to the County, in an amount determined by the County Engineer, to ensure the proper completion of any and all Water Distribution Facilities such as water mains, valves, and other necessary water distribution appurtenances.

vii) if the proposed lots are to be served by an existing Public Water System utilizing surface water or an existing Public Water System currently providing interconnected water service to 1000 connections or more,

Provide documentation from the existing Public Water System (Utility) indicating that the Utility has agreed to provide water service to the platted area and furnish any and all necessary water infrastructure to provide water service to the platted area.

Provide documentation from the Utility indicating that the Utility has had a Water Availability Report approved by the Comal County Commissioners Court within the last 36 months.

A Water Availability Report is defined as a document prepared by the Utility to reveal their ability to meet the needs of their existing users and show their preparedness to meet the needs of future water users as their system expands. The report shall include, but is not necessarily limited to, the following:

1. Copy of the latest TCEQ Public Water Sanitary Survey of the Utility’s existing water system indicating no alleged violations pertaining to water quality or water production capability.
2. A map or maps of the Utility’s service area showing:
   a) the Utility’s current service area as defined by their existing Certificate of Convenience and Necessity and the projected service area in 20 years.
   b) a schematic of the Utility’s existing distribution system with line sizes identified.
   c) locations of water wells and/or surface water plants with capacities.
   d) locations of pump stations and elevated storage tanks with capacities.
3. An analysis of the population and land use development projections for the Utility’s estimated service area in 20 years.
4. Copies of documents and/or an engineering analysis showing that the Utility has adequate groundwater rights, surface water rights, existing groundwater production capability, or other proofs of water rights or reservations in an amount sufficient to supply the anticipated water use of the expected population and land use within the projected service area in 20 years.
5. In areas where groundwater withdrawal is not regulated by a groundwater authority or groundwater district, if applicable, provide a report prepared by a registered engineer certifying that adequate groundwater is available from the source aquifer(s) to supply the Utility’s anticipated groundwater needs for 20 years.

Section A, Regulations, Subsection 1, Authority and Purpose:

5. Plat Requirement
   a) The owner of a tract of land located outside the limits of a municipality must have a plat of the subdivision prepared if the owner divides the tract into two or more parts to lay out:
      (1) a subdivision of the tract, including an addition;
      (2) lots; or
      (3) 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.
   b) A division of a tract under Subsection (a) includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

6. Exemptions to the Plat Requirement
   The following exemptions may allow a division of property without the preparation of a subdivision plat. Under these exemptions, a property owner may not be required to prepare a subdivision plat for their division of their property, but the division of property must still meet the minimum lot size requirements set forth in the Comal County On-Site Sewage Facility Order.
a) The County shall not require the owner of an unplatted tract of land located outside the limits of a municipality who divides the tract into two or more parts to have a plat of the subdivision prepared if

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

(2) the owner does not lay out a part of the tract described by above in 5.a(3); and

(3) if the tract described ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber production use, the platting requirements apply.

b) The County shall not require the owner of an unplatted tract of land located outside the limits of a municipality who divides the tract into four or fewer parts to have a plat of the subdivision prepared if:

(1) each of the lots is sold, given, or otherwise transferred to an individual who is related to the owner within the third degree of consanguinity of affinity, as determined by Chapter 573, Government Code;

(2) the owner does not lay out a part of the tract described by 5. a(3); and

(3) if any lot is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree consanguinity or affinity, the platting requirements apply.

c) The County shall not require the owner of an unplatted tract of land located outside the limits of a municipality who divides the tract into two or more parts to have a plat of the subdivision prepared if:

(1) all of the lots in the subdivision are more than 10 acres in area; and

(2) the owner does not lay out a part of the tract described in 5. a(3).

d) The County shall not require the owner of an unplatted tract of land located outside the limits of a municipality who divides the tract into two or more parts and does not lay out a part of the tract described in 5. a(3) to have a plat of the subdivision prepared if all of the lots are sold to veterans through the Veteran’s Land Board Program.
e) The County shall not require the owner of an unplatted tract of land located outside the limits of a municipality who divides the tract into two or more parts to have a plat of the subdivision prepared if:

   (1) the owner does not lay out a part of the tract described in 5. a(3); and

   (2) one new part is to be retained by the owner, and the other new part is to be transferred to another person who will further subdivide the tract subject to the plat approval requirements of these regulations.

f) The County shall not require the owner of an unplatted tract of land located outside the limits of a municipality who divides the tract into two parts to have a plat of the subdivision prepared if:

   (1) the owner does not lay out any part of the tract described in 5. a(3); and

   (2) all parts are transferred to persons who owned undivided interest in the original tract and a plat is filed before any further development of any part of the tract.

g) The County shall not require the owner of an unplatted or platted tract of land located outside the limits of a municipality who divides the tract into two parts to have a plat of the subdivision prepared if:

   (1) the owner does not lay out any part of the tract described in 5. a(3); and

   (2) the subdivision is the result of the owner dividing a tract by granting a security interest in property to secure an indebtedness.

h) The County shall not require the owner of an unplatted tract of land located outside the limits of a municipality who divides the tract into two parts to have a plat of the subdivision prepared if:

   (1) the owner does not lay out any part of the tract described in 5. a(3); and

   (2) the subdivision is the result of the owner dividing a tract to convey property to an adjacent property owner.

i) The County shall not require the owner of a tract of land located outside the limits of a municipality to have a plat or revision plat of the subdivision prepared if:
(1) said tract was created prior to January 1, 2010, as evidenced by a document recorded in the Comal County Clerk’s records before January 1, 2010, or other documentation that establishes that the tract was created before January 1, 2010, subject to approval by the County Engineer; or

(2) said tract was the result of a division of land that resulted from the acquisition of public right-of-way by Comal County or the State of Texas.

1. **Section A, Regulations, Subsection II, Definition of Terms**

Delete definition for “Subdivision”

Add the following definitions:

Public Water System - A system, approved by the Texas Commission on Environmental Quality, for the provision to the public of water for human consumption through pipes or other constructed conveyances.

Water Production Facility – A collection of pumps, treatment equipment, tanks and other devices designed to extract water from a source, provide necessary treatment to purify and disinfect, pressurize, pump, and store potable water.

Water Distribution Facility – a system or network of pipes and valves designed to deliver potable water to users.

Water Supply – a source of water
Revisions to
Comal County Subdivision Rules and Regulations

Approved by the Comal County Commissioners Court on June 12, 2008
These revisions take effect June 12, 2008.

1. Section IV. PLATS, Subsection D.
   Add Subsection "D" to read as follows:

D. ADDITIONAL REQUIREMENTS FOR PLATING PRIVATE ROAD SUBDIVISIONS

(1) These regulations are adopted by the Commissioners Court of Comal County, Texas, acting in its capacity as the governing body of Comal County, Texas, to promote the health, safety, morals, or general welfare of Comal County and the safe, orderly, and healthful development of the unincorporated area of Comal County as authorized by Section 232.101 of the Texas Local Government Code.

(2) The developer of private road subdivisions must present Comal County Engineers Office with a Maintenance Plan for future maintenance of the proposed private roads and easements for review and approval during the plat review process, and such plan must be recorded with the final plat. The maintenance plan shall detail:

   (A) Whether the individual property owners or a certain entity, such as a homeowners or property owners association, will assume to responsibility of maintaining the proposed private roads and easements;

   (B) Sources of adequate income for future maintenance of the proposed private roads and easements; and

   (C) Any additional information that will ensure adequate maintenance of the proposed private roads or easements.

(3) A homeowners or property owners association may be created to assume responsibility for the maintenance of the proposed private roads and easements. Originals of the following documents are required to be submitted for review and approval during the plat review process, and must be recorded with the final plat:

   (A) Covenants, conditions, and restrictions that outline ownership, maintenance, fee assessment, association dues, and any other restrictions proposed for the platted area; and

   (B) Association bylaws that outline membership rules, voting rights, and other membership directives.
(4) The following notes are required to be placed on the Final Plat:

(A) With Homeowners or Property Owners Association "All private roads shown hereon [list road names] and all security gates and devices controlling access to such roads shall be owned and maintained by the [Name of Homeowners or Property Owners Association] of this subdivision"; or

(B) Without Homeowners or Property Owners Association "All private roads shown hereon [list road names] and all security gates and devices controlling access to such roads shall be maintained in accordance with the Maintenance plan submitted to Comal County"; and

(C) "The property owners within this subdivision are hereby notified that if the private roads within this subdivision are desired to become public roads in the future, the property owners are required to bring the roads into compliance with public road standards or may be assessed an amount sufficient for all costs associated with the conversion of said private roads to County maintained roads. Conditions for conversion to public roads may include new road construction, repair/improvement of existing roads, clearing of right-of-way, relocation of utilities, removal and replacement of driveways and mailboxes, removal of islands and decorative treatments, removal of signs, removal of landscaping, replacement of signs and posts, and any other improvements as deemed necessary by Comal County to bring existing roads up to County road design standards"; and

(D) "The undersigned Owner does hereby subdivide ____ acres of land out of said ____-acre tract in accordance with this plat, to be known as [Subdivision's Title], subject to the covenants and restrictions shown hereon, and hereby dedicates the use of all the private road and other easements shown hereon, subject to any easements and/or restrictions heretofore granted and not released, to the owners of the lots in the subdivision, the public utilities serving the subdivision, the emergency services providers with jurisdiction, and public service agencies. The payment of real property taxes on such private roads are the responsibility of the owner(s) of the roads or any duly constituted homeowners or property owners association. An express easement is hereby granted across said private roads for the use of the surface for all governmental functions, vehicular and nonvehicular, including fire and police protection, solid and other waste material pickup, and any other purpose any governmental authority deems necessary"; and

(E) "Private roads identified on this plat shall serve as access, drainage, and public utility easements to serve the property owners within the subdivision."

(5) The developer shall provide stub-out roads to adjacent properties at approximate one-half (1/2) mile intervals. There shall be a minimum of one (1) stub-out per property abutting the subdivision for future road connections. Stub-out roads are required for all new subdivisions whether public or private. If public or private stub-outs exist on adjacent property, the owner shall provide connecting stub-outs for connectivity.

(6) Private roads must have a direct connection to a public road or to another platted private road. When private roads are proposed to connect to an existing private road, the
owner must provide proof of access rights along the existing private road and have the ability to assign these rights to the proposed property owners within the platted area.

(7) If security gates are proposed at entrances or stub-street locations, a detail of their location must be submitted as construction plans. The entryway, including the paved surface area lying between the road providing access to the subdivision and the gates, shall include a turning radius of not less than forty (40) feet to facilitate a turnaround in front of the gates in the area outside of the gated property. The gate control system shall include the following:

(A) A gate override in case of power failure; and

(B) A master key or gate code for the use of all emergency service, school district, and law enforcement personnel.

(8) County standard road nameplates and associated posts will be installed by the County Road Department at all road intersections. An additional “Private Road” sign will be installed by the County Road Department at the entrance locations of all private roads that intersect public rights-of-way. The Developer shall be responsible to pay the cost of labor and materials for the installation of these signs. Upon completion of the project, the Developer shall be responsible to install all desired regulatory, warning, and advisory signs on Private Roads.

(9) All private roads shall be designed and constructed according to the Comal County Subdivision Regulations for County maintained roads, with the exceptions enumerated in this subsection. The following exceptions must be designed by a Registered Professional Engineer licensed in the state of Texas and must conform to American Association of State Highway and Transportation Officials (AASHTO) standards, which may require installation of safety devices such as guardrails, impact attenuators, or other safety requirements. Exceptions include:

(A) Gated entrance treatments accessible to emergency vehicles;

(B) Locked gates accessible to emergency vehicles;

(C) Trees within the private road right-of-way; and

(D) Islands within the private road right-of-way.

(10) The County reserves the right to require additional procedures, improvements, modifications, and removal of the above exceptions upon the request for the conversion of private roads to become acceptable as public road dedications to be maintained by the County.
PASSED AND APPROVED this 12th day of June, 2008.

DANNY SCHEEL, COUNTY JUDGE

JACK DAWSON, COUNTY COMMISSIONER PCT. #1

JAY MILLIKIN, COUNTY COMMISSIONER PCT. #2

GREGORY PARKER, COUNTY COMMISSIONER PCT. #3

JAN KENNADY, COUNTY COMMISSIONER PCT. #4

ATTEST: JOY STREATER, COUNTY CLERK
Revisions to
Comal County Subdivision Rules and Regulations

Approved by Order of the Comal County Commissioners Court on June 3, 2004.
This Order takes effect June 3, 2004.

1. Delete Section A, Regulations, Subsection VI, Road Construction. Minimum Requirements, Paragraph 4. Streets or Roads Which are Existing County Roads:

Replace with:

4. Where the subdivision affects a state or county road, the right-of-way requirement shall be in compliance with the Comal County Major Thoroughfare Plan established by Order of the Comal County Commissioners Court. Any improvements proposed by the developer for existing county roads shall be approved by the Commissioners Court in writing prior to the construction of such improvements.

2. Delete "Revisions to Comal County Subdivision Rules and Regulations" Approved by Commissioners Court 6-4-98, Effective 7-7-98:

Replace with:

Prior to the County Engineer’s request of consideration of final approval to Commissioners Court, the owner/agent shall submit the following to the County Engineer:

- Three (3) signed blueprints and one (1) 8½” X 11” signed black and white print
- Three (3) original signed mylars and one (1) 11” X 17” signed mylar. (Mylars shall be prepared according to the County Clerk’s specifications)
- County Clerk’s filing fees

One (1) original mylar will be returned to the owner/agent after filing, and two (2) original mylars will be retained in the office of the County Clerk.

Ordered, as witnessed by our hands, this June 3rd day of 2004 by the Comal County Commissioners’ Court acting in Regular session.

Danny Scheel, County Judge

Jack Dawson, Commissioner Pct 1

Jay Milliken, Commissioner Pct 2

JanKennedy, Commissioner Pct 4

Cristin Zavala, Commissioner Pct 3

Attest: Joy Scheeler, County Clerk
STATE OF TEXAS

COUNTY OF COMAL COUNTY

ORDER ESTABLISHING A MAJOR THOROUGHFARE PLAN

Approved by Order of the Comal County Commissioners Court on June 3, 2004. This Order takes effect on June 3, 2004.

WHEREAS, Comal County desires to establish a Major Thoroughfare Plan for the purpose of requiring the dedication of public right-of-way on a street or road that functions as a major thoroughfare;

WHEREAS, Comal County regulates subdivisions under subchapters A and E of chapter 232 of the Texas Local Government Code; and

WHEREAS, Local Government Code Chapter 232, Subchapter E applies to the subdivision of land that is in a county that is adjacent to a county with a population of 700,000 or more and is within the same metropolitan statistical area as that adjacent county, as designated by the United States Office of Management and Budget; and

WHEREAS, Section 232.102 of the Texas Local Government Code grants the Commissioners Court, after notice is published in a newspaper of general circulation in the County, the authority to:

(1) require a right-of-way on a street or road that functions as a major thoroughfare of a width of not more than 120 feet; or
(2) require a right-of-way on a street or road that functions as a major thoroughfare of a width more than 120 feet, if such requirement is consistent with a transportation plan adopted by the metropolitan planning organization of the region; and

WHEREAS, Comal County is adjacent to Bexar County; and

WHEREAS, Bexar County has a population that exceeds 700,000; and

WHEREAS, Comal County is located within the same metropolitan statistical area of Bexar County, as designated by the United States Office of Management and Budget; and
WHEREAS, the San Antonio-Bexar County Metropolitan Planning Organization adopted a transportation plan on May 19th, 2003 entitled "The Regional Corridor Plan"; and

WHEREAS, portions of Comal County are included within the said transportation plan; and

WHEREAS, the metropolitan planning organization for the region of Comal County is the San Antonio-Bexar County Metropolitan Planning Organization; and

WHEREAS, on the 30th day of May, 2004, the New Braunfels Herald-Zeitung, a newspaper of general circulation in Comal County, published a notice that Comal County Commissioners Court would consider adopting an order amending Comal County's subdivision regulations establishing a Major Thoroughfare Plan pursuant to Texas Local Government Code §232.102

NOW, THEREFORE, BE IT ORDERED that any subdivision of land, excluding land excepted from the platting requirements under subchapter A of chapter 232 of the Texas Local Government Code, shall dedicate right-of-way as required by the Comal County Major Thoroughfare Plan, attached as Exhibit "A" and said plan shall be incorporated into the Comal County Subdivision Regulations.

ORDERED, as witnessed by our hands, this 3rd day of June, 2004 by the Comal County Commissioners Court acting in REGULAR session.

[Signature]
Danny Scheel, County Judge

[Signature]
Jay Milkin
Commissioner, Pct. #2
Acting County Judge

[Signature]
Cristina Zamora
Commissioner, Pct. #3

[Signature]
Jan Kennedy
Commissioner, Pct. #4

Attest: Joy Streater
Comal County Clerk
Exhibit "A"

Comal County Subdivisions Rules and Regulations

Approved by Order of the Comal County Commissioners Court on June 3, 2004.
This Order takes effect June 3, 2004.

Major Thoroughfare Plan

a. Road Classifications

The Comal County Major Thoroughfare Plan defines the streets or roads that function as major thoroughfares within Comal County. These streets or roads are classified as the following – with a corresponding right-of-way requirement:

(1) Freeway – 250’ to 500’
(2) Super Arterial – 250’
(3) Primary Arterial Type A – 144’
(4) Secondary Arterial Type A – 120’
(5) Collector Road – 80’
(6) Local Road – 60’

All streets or roads, with a right-of-way requirement greater than 120’, are consistent with the Regional Corridor Plan adopted by the San Antonio-Bexar County Metropolitan Planning Organization on May 19, 2003.

b. Right-of-Way Dedication

(1) When a proposed subdivision is adjacent to a street or road that is identified on the Major Thoroughfare Plan, the owner shall dedicate for the use of the public any and all right-of-way necessary in order provide the right-of-way required by the Comal County Major Thoroughfare Plan.

(2) Policy:

(A) For existing streets or roads, the owner shall be required to dedicate the land that will provide one-half (1/2) of the right of way width required to bring the right-of-way width of the existing arterial road in accordance with the right-of-way width requirement set out in the Comal County Major Thoroughfare Plan, or,

(B) If the subdivision is on both sides of an existing arterial road and the right-of-way width of the existing arterial road is less than the minimum right-of-way width as set out in the Comal County Major Thoroughfare Plan, the owner shall be required to dedicate the land that will provide all of the right-of-way width required to bring the right-of-way width of the existing arterial
road in accordance with the right-of-way width requirements set out in the Comal County Major Thoroughfare Plan, or,

(C) The owner must dedicate the land as required by an alignment schematic or plan adopted by the Texas Department of Transportation or Comal County.

(3) The right-of-way being dedicated shall be designated on the plat and the appropriate acreage shall be shown.

c. Revision Procedure

Any revisions to the Comal County Major Thoroughfare Plan shall be done by an order adopted and entered in the minutes of the Commissioners Court and after a notice is published in a newspaper of general circulation in the County.

d. Extra Territorial Jurisdictions (ETJ)

When a proposed subdivision is located within the ETJ of a municipality, the owner shall be required to dedicate right-of-way pursuant to the Comal County Major Thoroughfare Plan.

e. Map

The attached map of Comal County shows roadways that have been identified as major thoroughfares and indicates the proposed right-of-way widths of the major thoroughfares.
Comal County

Major Thoroughfare Plan

LEGEND

Freeway (250' - 500')
Primary Arterial Type A (144')
Secondary Arterial Type A (120')
Collector Road (80')
Local Road (60')

Street Centerlines
City Limits
County Boundary
Part(s) of Blanco Rd, Bulverde Rd, Obst Rd, York Creek Rd, and Old Bastrop Rd designated as a Collector Road

REVISIONS

Date
Description
1/19/2006
S Cranes Mill Rd designated as a Collector Road
10/22/2005
FM 1863, FM 3009, FM 3159, FM 2722, and FM 2673, and FM 306 removed from City of Bulverde
4/21/2005
FM 3351 designated as a Primary Arterial Type A
3/24/2005
FM 2673, FM 306 removed as no ROW requirements are established
1/19/2006
FM 3351 designated as a Collector Road
N Cranes Mill Rd designated as a Collector Road
8/5/2010
S Cranes Mill Rd designated as a Collector Road

Demi John Bend designated as a Collector Road
3/22/2006
S Cranes Mill Rd designated as a Collector Road

Diary

Parts of State Hwy 46 and FM 306 removed as a Collector Road

Parts of State Hwy 46 and FM 306 removed in incorporated areas

Parts of FM 1101, FM 1102, FM 1863, FM 2722, FM 3009, FM 3351, and FM 482 removed

Sprint Branch Rd, FM 3351, and FM 1863 removed

7/11/2004
FM 3351 removed

N Cranes Mill Rd designated as a Collector Road

John Knox designated as a Local Road

Parts of State Hwy 46 removed from City of Bulverde

FM 3009, FM 3199, and State Hwy 46 removed

Parts of State Hwy 46 and FM 306 removed

Rittimann Rd removed

Oblate Rd removed

Parts of Smithson Valley Rd near City of Bulverde

Parts of State Hwy 46 removed

Parts of FM 1101, FM 1102, FM 1863, FM 2722, FM 3009, FM 3351, and FM 482 removed

Parts of FM 1863, FM 3009, FM 3159, FM 3351, and State Hwy 46 removed

Parts of State Hwy 46 and FM 306 removed as no ROW requirements are established

Parts of State Hwy 46 removed from City of Bulverde

Parts of State Hwy 46 removed

Parts of State Hwy 46 and FM 306 removed

Parts of State Hwy 46 and FM 306 removed

Parts of State Hwy 46 and FM 306 removed

Parts of State Hwy 46 and FM 306 removed

Parts of State Hwy 46 and FM 306 removed

Parts of Smithson Valley Rd near City of Bulverde

Parts of Smithson Valley Rd near City of Bulverde

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Parts of Smithson Valley Rd near City of Bulverde

Parts of Smithson Valley Rd near City of Bulverde
Revisions to
Comal County Subdivision Rules and Regulations

Approved by Order of the Comal County Commissioners Court on April 16, 2001.
This Order takes effect April 16, 2001.

1. **Section A, Regulations, Subsection IV, Plats, B. Accompanying Data for Submission for Preliminary Plat Approval, Paragraph 10:**

Delete paragraph and replace with the following:

10. Engineering Design of Storm Water Drainage and Management Plan

a. 100-year Storm Event Inundation Analysis

Provide an engineering analysis showing those areas within the platted area that are subject to storm water inundation during the 100-year storm event. This analysis should be in the form of engineering calculations and an overall plan view of the subdivision showing the areas of 100-year inundation with the areas shaded or crosshatched. The analysis shall be based on the anticipated fully developed condition of the platted area, including any proposed building, paving, clearing, drainage, roadway, excavation, fill or other significant environmental modifications affecting peak flow rates of storm water runoff. The analysis shall only consider watersheds greater than 10 acres.

The analysis shall take into consideration all contributing watersheds to the extent that they affect or cause inundated areas within the platted area. A contributing watershed is a drainage area that drains storm water runoff to the platted area. Existing unplatted areas within contributing watersheds shall be analyzed considering their existing state of development. Existing platted areas within contributing watersheds shall be analyzed considering their fully built intended use and accounting for the effects of any existing drainage improvements.

The 100-year Storm Event Inundation Analysis shall be prepared, sealed, and signed by a professional engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Engineer.

The subdivision plat shall have building set-backs containing all areas identified as being inundated by the 100-year storm event. A note shall be placed on the plat stating the following:

A drainage study has been completed for this plat and is available for review at the Comal County Engineer’s Office. Areas identified by the study as being inundated during certain storm events have been placed within building set-backs. The construction of buildings within building set-backs requires Commissioners Court approval.

b. Downstream Impact Analysis

Provide an engineering analysis stating that the effect of modifying the platted area to the anticipated fully developed condition, including any
proposed building, paving, clearing, drainage, roadway, excavation, fill or 
other significant environmental modifications, will not increase the peak 
100-year storm water discharge rate from the platted area to any contiguous 
property.

The analysis shall consider all contributing watersheds outside of the platted area to 
the extent that they affect the impact analysis. A contributing watershed is a 
drainage area that drains storm water runoff into the platted area. Existing 
unplatted areas within contributing watersheds shall be analyzed considering their 
existing state of development. Existing platted areas within contributing watersheds 
shall be analyzed considering their fully built intended use and accounting for the 
effects of any existing drainage improvements.

The Downstream Impact Analysis shall be prepared, sealed, and signed by a 
professional engineer, currently registered in the State of Texas, and shall be 
reviewed and accepted by the County Engineer.

c. Plans and Specifications for Storm Water Drainage Improvements

Provide plans and specifications for all storm water drainage improvements proposed 
within the platted area. Storm Water Drainage Improvements are manmade facilities 
such as detentions ponds, channels, storm sewer piping systems, culverts, catch 
basins, inlets, roadways, ditches, or other related facilities, which are constructed to 
control or modify natural storm water drainage.

Plans and Specifications for Storm Water Drainage Improvements shall be prepared, 
sealed, and signed by a professional engineer, currently registered in the State of 
Texas, and shall be reviewed and accepted by the County Engineer.

d. Drainage Easements and Rights-of-Way

Storm Water Drainage Improvements shall be placed within private drainage 
easements or public rights-of-way adequately configured to properly accommodate 
facility operation, maintenance, and access. Storm Water Drainage Improvements 
that are intended to be maintained by the County shall be placed within rights-of-
way and shall be dedicated to the public for their intended use.

e. Surety for Drainage Improvements

Provide a surety, in the same form required for proposed roadway 
improvements, in an amount equal to the estimated construction cost estimate 
for all proposed Storm Water Drainage Improvements not located within 
proposed road rights-of-way. The estimate of the proposed Storm Water 
Drainage Improvements shall be prepared by an engineer and approved by 
the County Engineer. For Storm Water Drainage Improvements dedicated to 
the public, the Surety for Drainage Improvements shall not be released until 
the County has accepted the Storm Water Drainage Improvements. For 
Storm Water Drainage Improvements intended to remain private, the Surety 
for Drainage Improvements shall not be released until the County has 
approved the proper construction of said improvements and a maintenance 
entity has been established with the responsibility of future maintenance of 
all of the Storm Water Drainage Improvements not located within public 
road rights-of-way.
Section A, Regulations, Subsection VI, Road Construction, Drainage:

Delete entire section and replace with the following:

Storm Water Drainage Improvements within the Road Right-of-Way

a. Provide an engineering analysis determining the 10-year storm water flow rate at all locations, except as noted below in paragraph b., where storm water drainage is planned to cross a proposed roadway. Prepare plans and specifications for proposed drainage improvements showing that the proposed improvements will pass the 10-year storm water flow rate through the drainage improvements without over-topping the roadway surface. The engineering analysis, design, plans, and specifications shall be prepared, sealed, and signed by a professional engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Engineer.

b. Provide an engineering analysis determining the 25-year storm water flow rate at all locations where storm water drainage is within a FEMA Special Flood Hazard Area and is planned to cross a proposed roadway. Prepare plans and specifications for proposed drainage improvements showing that the proposed improvements will pass the 25-year storm water flow rate through the drainage improvements without over-topping the roadway surface. In addition, provide an engineering analysis determining the 100-year storm water flow rate and show that the effect of the proposed drainage and roadway improvements will not inundate areas outside of the FEMA Special Flood Hazard Area. The engineering analysis, design, plans, and specifications shall be prepared, sealed, and signed by a professional engineer, currently registered in the State of Texas, and shall be reviewed and accepted by the County Engineer.
REVISIONS TO
COMAL COUNTY SUBDIVISION RULES AND REGULATIONS

Approved by Commissioners Court 6-4-98

1. Revise Page 4, Section III, Item 1b(2)

This paragraph currently reads as follows:

(2) Presentor to Commissioners’ Court shall submit original and two (2) reproducible mylar prints (plus money in the amount of $25.00 per sheet in subdivision plat) to the County Clerk immediately after approval by Commissioners’ Court. Plat shall be in correct order to be recorded and shall not be removed from the County Clerk’s possession prior to filing. The mylar copies will be filed on record with the County Clerk and original will be returned to the surveyor after filing.

This paragraph shall be deleted and replaced with the following:

(2) On the day the Commissioners Court considers a plat for final approval, the owner/agent shall submit three (3) blueline copies to Commissioners Court for their review. If the Commissioners Court grants final approval of the plat, the owner/agent shall, at that time, submit the following documents to the County Clerk:

a) the original plat, and
b) two (2) reproducible mylar copies (18 inches by 24 inches) of the original plat, and
c) one (1) reduced mylar copy (11 inches by 17 inches) of the original plat, and
d) other documents to be recorded as part of the final plat approval, as required, and
e) the appropriate County Clerk’s recording fee.

Plat shall be in correct order to be recorded and shall not be removed from the County Clerk’s possession prior to filing. The two (2) mylar prints and the reduced mylar print will be filed of record with the County Clerk, and the original plat will be returned to the surveyor after filing.
2. Delete Page 4, Section III, Item 1b(4)

This paragraph currently reads as follows:

(4) The surveyor (developer) shall submit a black print reduced version of the recorded plat with dimensions not to exceed 11 inches by 17 inches.

3. Revise Page 10, Section IV. PLATS, Subsection C. FINAL PLATS, Item 2c

This paragraph currently reads as follows:

c. One (1) signed original (to be returned to surveyor after filing) and two (2) signed reproducible mylars to be retained in the office of the County Clerk.

The paragraph shall be revised as follows:

c. One (1) signed original, to be returned to surveyor after filing, and two (2) signed reproducible mylars and one (1) reduced mylar print to be retained in the office of the County Clerk.

This revision shall be effective 7-1-98
REVISIONS TO

COMAL COUNTY SUBDIVISION RULES AND REGULATIONS

Approved by Commissioners Court 5-6-99

1. Revise Page 8, Section IV, Subsection A.-Item 6j

This paragraph currently reads as follows:

j. Lot sizes: Minimum lot sizes for Comal County: over the recharge zone of the Edwards Aquifer one (1) acre; over other areas of the County, one (1) acre without public water and/or public sewage system; one-half (1/2) acre with public water and/or public sewage system, excluding drainage easements. Corner lots will have an 80’ minimum frontage width. Regularly shaped lots will have 60’ minimum frontage width. Cul-de-sac and irregularly shaped lots will have a 40’ minimum frontage width. (See Chapter V for high-density.

This paragraph shall be revised as follows:

j.1 Lots sizes:

Subdivisions requiring plating, where each lot within the proposed subdivision will be served by a Texas Natural Resource Conservation Commission (TNRCC) approved public water supply and will utilize individual on-site sewage facility methods for sewage disposal, shall provide for individual lots having surface areas of at least 1.0 acre.

Subdivisions requiring plating, where each lot within the proposed subdivision will not be served by a TNRCC approved public water supply and will utilize individual on-site sewage facility methods for wastewater treatment, shall provide for individual lots having surface areas of at least 5.01 acres.

j. 2 Road Frontage:

Corner lots will have an 80’ minimum frontage width. Regularly shaped lots will have 60’ minimum frontage width. Cul-de-sac and irregularly shaped lots will have a 40’ minimum frontage width. (See Chapter V for high-density development.)

The effective date of this revision is May 6, 1999.
1. Revise Page 7, Section IV, Subsection A, Item 6c

This paragraph currently reads as follows:

   c. Name and address of the owner(s), subdivider, and lienholder (if applicable).

The paragraph shall be revised as follows:

   c. Name and address of the owner(s), subdivider, and lienholder (if applicable). Required signature statements on Pages 27 and 27a.
1. Revise Page 4, Section III, Item 1b(3)

This paragraph currently reads as follows:

(3) The surveyor (developer) shall submit twenty (20) copies of the filed plat to the County Engineer’s office within two weeks for distribution.

The paragraph shall be revised as follows:

(3) The surveyor (developer) shall submit sixteen (16) copies of the recorded plat to the County Engineer’s office within two weeks for distribution. These copies of the plat shall be distributed to governmental agencies, school districts, emergency services, and utilities.

2. Add the following paragraph to Page 4, Section III, Item 1b:

The surveyor (developer) shall submit a black print reduced version of the recorded plat with dimensions not to exceed 11 inches by 17 inches.

These revisions shall take effect September 1, 1997.
Proposed Amendments and Revisions
to the
Comal County Subdivision Regulations
as adopted by the
Comal County Commissioners Court on December 5, 1985

Revisions and Amendments Approved
by Commissioners Court on April 20, 1985

Revisions:

1) Section A., Subsection III., Article 4., the first paragraph shall have the following sentence added:

   The public notification requirements met forth in the following procedures shall not be required if the acreage(s) of the resultant lot(s) or tract(s) within the proposed resubdividing, cancelling, or correcting plat is(are) equal to or greater than the original lot(s) or tract(s).

2) Section A., Subsection IV., Article A., Item 6. f., shall be revised to read as follows:

   f. Vicinity or project location map identifying adjacent roads, subdivisions, and other pertinent landmarks. Said map shall be drawn to scale or shall show distances between roads and landmarks.

3) Section A., Subsection IV., Article A., Item 6. g., shall have the following sentence added:

   Topographic information shall not be required for plate resubdividing, cancelling, correcting all or part of a recorded subdivision.
1) SECTION A. IV. PLATS ARTICLE A. ITEM 6. (PAGE 8)

At The Present Time, #K States:

"Dimensions of all lots with a 25' minimum set-back line shown."

Proposed Replacement:

Dimensions of all lots with a 25' minimum building set-back line shown adjacent to all road frontage. If shown by note: "Comal County requires a minimum 25' building set-back line from road frontage."

2) SECTION A. VI. ROAD CONSTRUCTION (PAGE 19)

At The Present Time TRAFFIC SIGNS AND GUARDPOSTS States:

"Signs and guardposts shall be installed by the Subdivider in accordance with the manual on Uniform Traffic Control Devices for Streets and Highways and as directed by the County Engineer (etc.)."

Proposed Replacement:

TRAFFIC SIGNS AND GUARDPOSTS:
Signs and guard posts shall be installed by the Comal County Road Department in accordance with the manual on Uniform Traffic Control Devices for Streets and Highways and as directed by the County Engineer. The Developer will be responsible to pay the cost of labor and materials for this portion of the road requirements.
3) SECTION B. MISCELLANEOUS, FORMS (PAGE 24)

At The Present Time #1 States:

"Letter of Credit must be produced on a Texas Bank form (etc.)"

Proposed Amendment:

Letter of Credit (initial one-year period) must be produced on a Texas Bank form or letterhead, designated as an irrevocable letter of credit or irrevocable commercial credit, and signed by a representative of the bank, with name and title typed in.

At The Present Time #2, Item f. States:

"Beneficiary listed as: Comal County Commissioners' Court
100 Main Plaza
New Braunfels, Tx. 78130"

Proposed Amendment:

Beneficiary listed as: Comal County Commissioners' Court
150 N. Seguin, Suite 301
New Braunfels, Tx. 78130-5163

At The Present Time Heading (Page 25) States:

"Comal County Unit Road System (etc.)"

Proposed Amendment:

Comal County Unit Road System
Rt.7, Box 169 PM 1981, New Braunfels, Tx. 78132-3706

At The Present Time Variance Request Form (Page 30) States:

"I/We the undersigned, ____, being owner(s) of proposed____ Subdivision, do officially request (etc.)"

Proposed Amended Form Attached:
VARIANCE REQUEST

I/we the undersigned, ____________________________, being owner(s) of proposed ____________________________, being

Subdivision, do officially request that variance request ________________ be granted

(State Subdivision Regulation - Cite Page and Paragraph)

by Commissioners' Court of Comal County for the above Subdivision during this plat review session for the following reasons:

(Date) ____________________________ (Signature)

(Address) ____________________________ (Signature)

(Surveyor) ____________________________

GRANTING/DENIAL of VARIANCE REQUEST

On this _____ day of ____________, 19_, in a duly convened meeting of Commissioners' Court of Comal County, the request for variance(s) for ____________________________ Subdivision was officially granted/denied because of the following reasons:

_____________________________________

County Judge

(3)
4) SECTION A.II DEFINITION OF TERMS (PAGE 2)

At The present Time, Definition #8 States:

"Easement - a right given by the owner of land to another party for specific use of that land; i.e., electrical, water and sewer liens, drainage, etc."

Proposed Revision Of Definition #8:

27. Utility Easement — easement dedicated by the owner of the proposed subdivision in perpetuity for the installation and maintenance of utilities and all the necessary appurtenances thereto installed above, on, or below the surface of the ground. See Note 27 (a).

Note 27(a). Nothing shall be placed or permitted to remain within the dedicated easement limits that may damage or interfere with the proper installation and/or maintenance of utilities. Utility companies, their agents and assigns, shall have all of the rights and benefits necessary for the full enjoyment of the rights herein granted, including but not limited to the free right of ingress to and egress from the utility easement, and the right to, periodically, cut and/or remove all trees, brush, and other obstructions that may injure, endanger, or interfere with the operation and/or maintenance of utility installations.

5) SECTION A.III. PROCEDURE (PAGE 1)

At The Present Time, Chapter 1, Subsection A (Preliminary Approval), Paragraph (1) States:

"Three (3) copies of the preliminary plat stamped or stated "Preliminary" and accompanying data in conformance with Chapter IV shall be transmitted to the County Engineer for review at least two (2) weeks prior to proposed presentation date to Commissioners Court."

Proposed Revision Of Paragraph (1):

Five (5) copies of the preliminary plat stamped or stated "Preliminary" and accompanying data in conformance the Chapter IV shall be transmitted to the County Engineer for review at least two (2) weeks prior to proposed presentation date to Commissioners Court.
6) SECTION A.III. PROCEDURE (PAGE 4)

Chapter 1, Subsection A (Preliminary Approval), Paragraph (1). 

PROPOSED AMENDMENT

1(A). "The Developer shall be responsible to ensure that all interested parties, including other governmental entities and public utilities, shall be given the opportunity to review the plat and utility layout within (10) working days of their submission to County Engineer's office for the purpose of determining their conformity with this Order and applicable Standards, giving consideration to sound engineering practices and design criteria."

7) SECTION A.IV. PLATS (PAGE 7)

At The Present Time, Subsection A (Preliminary Plats), Paragraph (4) States:

"Three (3) copies of the preliminary plat shall be submitted to the County Engineer for review a minimum of two (2) weeks prior to consideration of said plat by the Commissioners Court for approval."

Proposed Revision Of Paragraph (4):

"Five (5) copies of the preliminary plat shall be submitted to the County Engineer for review a minimum of (3) weeks prior to consideration of said plat by the Commissioners Court for approval."

At The Present Time, Subsection A (Preliminary Plats), Paragraph (6) (n) States:

"Dimensions of the subdivision and dimensions and locations of all roads, streets, squares, parks or other portions of same intended to be dedicated to public use, or for the use of purchasers of owners of tracts or lots fronting or adjacent thereto. Include linear footage of all roads."

Proposed Revision Of Paragraph (6) (n):
"Dimensions of the subdivision and dimensions and locations of all roads, streets, easements, squares, parks or other portions of same intended to be dedicated to public use, or for the use of purchasers or owners of tracts or lots fronting or adjacent thereto. Include linear footage of all roads."

SECTION B.I. FORMS (PAGE 27)

At The Present Time, the Drainage Easement Statement States:

"Property owners are advised that they are responsible for maintenance of drainage easements on their property and may not utilize these easements for any purpose detrimental to their intended use (i.e., no fences, shrubbery, structures, or septic tank fields, etc.). Comal County reserves the right of access to such easements."

Proposed Revision Of Drainage Easement Statement:

(1). Change the Title From Drainage Easement Statement To Easement Statement.

(2). "Property owners are advised that they are responsible for maintenance of dedicated easements on their property and may not utilize these easements for any purpose detrimental to their intended use (i.e., no structures, septic tank fields, etc.). Grantees of said dedicated easements reserve the right of access to such easements."
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>SECTION A</th>
<th>REGULATIONS</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Authority &amp; Purpose</td>
<td>1</td>
</tr>
<tr>
<td>11.</td>
<td>Definition of Terms</td>
<td>2</td>
</tr>
<tr>
<td>111.</td>
<td>Procedure</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Preliminary</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Final</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Master Plan</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Variances</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Resubdividing/ Cancelling/ Correcting All or Part of a Recorded Subdivision</td>
<td>5</td>
</tr>
<tr>
<td>IV.</td>
<td>Plats</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Preliminary</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Accompanying Data</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Final</td>
<td>9</td>
</tr>
<tr>
<td>V.</td>
<td>High Density Development</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Townhouse Subdivisions</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Garden Home Subdivisions</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td>Condominiums</td>
<td>11a</td>
</tr>
<tr>
<td>VI.</td>
<td>Road Construction</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Compliance-Inspection-Testing</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>Minimum Requirements</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>Drainage</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Subgrade</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Base</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Pavement</td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>Traffic Signs &amp; Guard Posts</td>
<td>19</td>
</tr>
<tr>
<td>VII.</td>
<td>Final Inspection &amp; Acceptance</td>
<td>20</td>
</tr>
<tr>
<td>VIII.</td>
<td>Miscellaneous</td>
<td>21</td>
</tr>
<tr>
<td>IX</td>
<td>Separability &amp; Provisions</td>
<td>22</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SECTION B</th>
<th>MISCELLANEOUS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Forms</td>
<td>24</td>
</tr>
<tr>
<td>11.</td>
<td>Unit Road System Department Standards</td>
<td>32</td>
</tr>
<tr>
<td>111.</td>
<td>Design Criteria</td>
<td>36</td>
</tr>
<tr>
<td>111.</td>
<td>Driveway Permitting</td>
<td>37</td>
</tr>
<tr>
<td>V.</td>
<td>V.A.C.S. Article 6702-1 Subchapter E</td>
<td>43</td>
</tr>
<tr>
<td>VI.</td>
<td>V.A.C.S. Articles 6626a.2, 6626b, 6626c, 6626d, 6626e</td>
<td>44</td>
</tr>
</tbody>
</table>
1. **AUTHORITY AND PURPOSE:**

The various development constraints outlined herein are ordered by Commissioners' Court of Comal County this 5th day of December, 1985, under authority granted to Commissioners' Court by one or more of the following state statutes:

a. Vernon's Ann. Civ. St. Article 6702-1, Sec. 2.401 relative to roads and drainage.


c. Section 26.032 of the Texas Water Code and Order of Commissioners' Court dated May 17, 1984 relative to private sewage facilities.

d. Section 5.131 and 5.132 of the Texas Water Code relative to development over the Recharge Zone.

2. **AUTHORITY AND RESPONSIBILITY OF THE COUNTY ENGINEER:**

The County Engineer is hereby authorized and directed to enforce rules, regulations, standards and specifications for the construction, installation, design, location and arrangement of streets, curbs, street signs, gates for utility easements, sidewalks, monuments, criteria for drainage easement requirements, drainage facilities, and crosswalk ways. He shall recommend to the Commissioners' Court any changes to be made. All such improvements shall be constructed, installed, designed, located and arranged by the subdivider in accordance with such rules, regulations, standards and specifications.

3. **COUNTY ATTORNEY:**

In behalf of Comal County, the County Attorney shall, when requested by the Commissioners' Court, institute appropriate action in a court of competent jurisdiction to enforce the provisions of this Regulation or the Standards referred to herein with respect to any violation thereof which occurs within the County.

4. **PURPOSE:**

These regulations have been prepared in general to aid in the orderly development of the unincorporated areas of Comal County, Texas, and to provide standards which will preserve, protect, and produce a desirable environment.

Specifically, they have been prepared for the following purposes:

a. To furnish the developer with guidance and assistance in the expedient preparation and approval of his plat.

b. To protect the citizens of Comal County, the potential user, by insuring minimum standards in a subdivision where they may want to live.

c. To provide for the general health, safety, and welfare of the public by controlling the location and design of intersections and other features which promote safety.

d. To prevent the citizens of Comal County from being burdened with substandard streets or roads.

These regulations are applicable to residential, commercial, or industrial subdivisions.

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Revision: 01-01-01

for additional items: 5. Plat Requirement, and 6. Exemptions to the Plat Requirement
II. DEFINITION OF TERMS:

Subdivision - any division of land that meets at least one of the criteria below:

a. A division of any tract of land in two or more parts for the purpose of laying out any subdivision of land.

b. The laying out of suburban or building lots.

c. Any development dedicating portions of property to the public.

d. NOTE: Subdivision is further defined in the Comal County Sewage Facility Order dated May 17, 1984 as follows:

"Subdivision" - A subdivision that has been platted and recorded with the County Clerk or that is required by statute to be so platted and recorded; or any four (4) or more adjoining lots or tracts, any one of which is less than two (2) acres in size; or a mobile home park; or any lots or tract used or intended to be used for multi-family dwellings, including specifically but not limited to apartments, duplexes and condominiums."

1. Building Set-Back Lines - the lines within a property defining the minimum horizontal distance between a building and the adjacent property line.

2. Common Area/Common Elements - includes all of the project property in a condominium declaration, except the individual condominium units.

3. Condominium - the separate ownership of single units or apartments in a multiple unit structure or in structures with common elements.

4. Condominium Project - a plan or project whereby 4 or more apartments, rooms, office spaces, or other units in existing or proposed buildings or structures are offered or proposed to be offered for sale or lease.

5. Condo Share - Time Share with respect to a condominium unit.

6. Contour Lines - elevation lines drawn upon the plat illustrating general topography and drainage flow.

7. Dedication - the transfer of property from private to public ownership.

8. Easement - right given by the owner of land to another party for specific use of that land, i.e., electric wires, and storm drainage, etc.

9. Extraterritorial Jurisdiction (ETJ) - authority granted to municipalities to exercise subdivision development regulations for a specific distance outside its boundaries in unincorporated areas.

10. Garden Home - a single family dwelling that might be built directly adjacent to one side of the property line in an approved Garden Home Subdivision.

11. Lot - an undivided tract or parcel of land having frontage on a public or private street and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract and/or which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

12. Mobile Home Park - any facility or area developed for the lease or rental of two or more mobile homes.

13. 100 Year Flood Plain (Zone) - that area subject to inundation by a flood having a one-percent probability of occurrence, in any given year based on existing conditions of development within the watershed area, as determined by the Federal Emergency Management Agency and approved by the Flood Plain Administrator of Comal County. A flood having a one-percent probability of occurrence on the average would occur once every hundred years.

14. Pavement Width - the portion of a street available for vehicular traffic.
15. Plat - a subdivision plan submitted for preliminary or final approval to the Commissioners' Court in conformity with the provisions of these regulations and which, if given final approval, will be submitted to the County Clerk of Comal County for recording. A replat or re-subdivision will be considered a plat as defined herein.

16. Public Sewage System - any publicly or privately owned system for the collection, treatment, and disposal of sewage that is operated in accordance with the terms and conditions of a valid waste discharge permit issued by the Texas Water Commission.

17. Public Water System - a system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least 60 days out of the year. Such term includes (1) any collection, treatment, storage, and distribution facilities under control of the operator of such system and used primarily in connection with such system, and (2) any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. A public water system is either a "Community Water System" or a "Non-Community Water System". Without excluding other meanings of "Individual" or "Served", an individual shall be deemed to be served by a water system if he resides in, uses, as his place of employment, or works in, a place to which drinking water is supplied from the system.

18. Recharge Zone of the Edwards Aquifer - that part of the geologic formation where surface water enters into the earth necessitating protective development regulations. The Texas Water Commission (San Antonio) should be contacted about said regulations.

19. Residential Use - the term "residential use" shall be construed to include single-family residential uses, two-family uses, and multi-family residential i.e. apartments, townhouses, or condominiums.

20. Right-of-Way - that portion of the subdivision dedicated to public use for streets and roads.

21. Shall and May - the word shall is mandatory and the word may is permissive.

22. Should and Will - the word should is a recommendation and is not mandatory; the word will is mandatory.

23. Street (Road) - a public or private thoroughfare which provides vehicular access to adjacent land.

   a. Arterial Streets - serve high volume through traffic from collector and secondary streets with considerable route continuity usually at higher constant speeds.

   b. Connector Streets - intermediate streets that serve to connect secondary streets with arterial streets.

   c. Secondary Streets - serve primarily to provide access to property abutting the public right-of-way so designed as to prevent through traffic.

24. Surveyor - a Registered Public Surveyor as authorized by the State Statutes to practice the profession of surveying.

25. Time Share - interval ownership of a piece of real estate (commonly a condominium unit, but may be other real estate) for a certain interval or time period (example: one week each year). Said interval ownership can be either for a term of years (such as 20 years), or fee simple (absolute ownership).

26. Town House - a single family dwelling unit on an individual lot which is one of a series of dwelling units having one or two common side walls with other units in the series and has no side set-back lines.

27. Utility Easement - (see Revision 3-21-91, pg.4, no.4)
III. PROCEDURE:

1. The following procedure shall be followed by the subdivider in order to secure approval of a subdivision by the Comal County Commissioners' Court:

   a. Preliminary Approval:

      See 3/9/1 Revisions

      (1) Five (5) copies of the preliminary plat stamped or stated "Prelimi-
          nary" and accompanying data in conformance with Chapter IV shall be
          transmitted to the County Engineer for review at least two (2) weeks prior
          to proposed presentation date to Commissioners' Court.

      (2) One copy of the plat as presented, or marked to show the changes
          necessary for approval, will be returned to the subdivider.

      (3) Corrected plat shall be transmitted to the County Engineer at least
          four (4) working days prior to scheduling for Commissioners' Court. PLATS
          WILL NOT BE SCHEDULED ON COURT AGENDA UNTIL ALL PRELIMINARY REQUIRE-
          MENTS ARE SATISFIED.

      (4) A preliminary plat which has been reviewed by the Commissioners'
          Court and altered at their direction, will not be approved until such
          changes have been agreed to, in writing, by the applicant, and such
          changes made on the plat.

      (5) Approval of the preliminary plat by the Commissioners' Court will
          indicate their approval for construction, but will not constitute approval
          for recording.

      (6) Approved preliminary plats shall be filed at the County Road
          Department.

      (7) No sale of lots in any subdivision shall begin until final approval
          has been granted by Commissioners' Court and subdivision plat has been
          filed with the County Clerk, Comal County, Texas.

   b. Final Approval:

      (1) Subdivider may, at his election, waive the preliminary approval
          and request final approval at the time of submission of plats and
          accompanying data to the County Engineer as long as all items in Chap-
          ter IV have been satisfied, and steps (1) through (4) for preliminary
          approval have been met.

      (2) Presenter to Commissioners' Court shall submit original and two (2)
          reproducible mylar prints (plus copies in the amount of $25.00 per sheet)
          in subdivision plat to the County Clerk immediately after approval by
          Commissioners' Court. Plat shall be in correct order to be recorded and
          shall not be removed from the County Clerk's possession prior to filing.
          The mylar copies will be filed on record with the County Clerk and original
          will be returned to the Surveyor after filing.

      (3) A Surveyor (Developer) shall submit twenty (20) copies of the filed
          plat to the County Engineer's office within two weeks for distribution.

2. Master Plan - When Subdivision is Part of a Larger Tract:

When the proposed subdivision constitutes a unit of a larger tract owned by
the subdivider, which is intended to be subsequently subdivided as additional
units of the same subdivision, the preliminary and final plats shall be accompa-
nied by a layout of the entire area at a scale of not more than 400 feet to one (1)
inch, showing the tentative proposed layout of streets, blocks, lots, drainage,
and other improvements for such areas. The overall layout, if approved by the
County, shall be attached to and filed with a copy of the approved subdivision
plat in the permanent files of the County Engineer. Thereafter, plats of subse-
quent units of such subdivisions shall conform to such approved overall layout,
unless changed by the developer and the County. Commissioners' Court may order
changes in the approved overall layout when the County finds:
a. That adherence to the previously approved overall layout will hinder the orderly subdivision of other land in the area.

b. That adherence to the previously approved overall layout will be detrimental to the public health, safety or welfare, or will be injurious to other property in the area.

3. Variances:

Upon written request, the Commissioners' Court may authorize a variance from these regulations when in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the Court shall prescribe only conditions that it deems necessary to or desirable in the public interest. In making the findings, the Court shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.

4. Resubdividing/Cancelling/Correcting All or Part of a Recorded Subdivision:

In order to maintain the integrity of the Comal County plat records, the following procedures are outlined for anyone desiring to alter any dimensions on a recorded plat. (See Chapter IV - Plats. Also see V.A.C.S. Art. 6626d. Cancelling Subdivisions; Art. 6626e. Revision of a Subdivision Plat.)

Procedure: (Landowner)

1. Complete application form (Page 31).

2. Plat property, showing existing property lines on left or top of sheet contrasted to proposed resubdivision/cancellation/correction on right or bottom of sheet.

3. Meet all requirements of County Subdivision Regulations in regard to Preliminary and/or Final Plat.

4. Pay fee of $50 to County Treasurer to cover cost of public notice, and present receipt to Subdivision Coordinator (located at County Road Department).

5. Notice must be published at least three (3) times within the period beginning on the 30th day and ending on the 7th day before the date of the meeting.

6. See that all contiguous property owners are notified by certified mail (cost and effort to be incurred by landowner). The procedure for this may require that the landowner obtain a list of names and mailing addresses of property owners from the Comal County Appraisal District. Present a copy of this list to the Subdivision Coordinator, who will then prepare an original public notice. Copies of public notice will be sent by landowner to property owners on list, with the landowner listed as the return address on the envelope. Mail these via certified mail; return receipt requested. The Return Receipt (green form from Post Office) will be filled in so that it will be returned to: Comal County Road Department ATTN: Subdivision Coordinator Route 7, Box 169 New Braunfels, TX 78130-9609

Annotate on Return Receipt the name of the subdivision and lot number.

7. Mail out must be completed no later than 14 days before scheduled court date. If less than 80 percent of the receipts have not been received on the day before the court date, the item may be postponed.

8. Insure that a representative is present in Commissioners' Court on court date.

9. Immediately following final approval by the Court, provide the County Clerk with the original and two reproducible mylar copies of the approved plat accompanied by a $25/page filing fee.
10. Submit 20 copies of filed plat to Subdivision Coordinator for distribution no later than 14 days after filing.

Procedure: (Developer)

All procedures remain the same as for the land owner with the exception of item 6.

6. See that all property owners in the unit or section of the subdivision in question be notified by certified mail, cost and effort to be incurred by subdivider. The procedure for this will require that the subdivider obtain a list of names and mailing addresses of all property owners in the subdivision or unit in question from the office of the Comal County Appraisal District. Present a copy of this list to the Subdivision Coordinator, who will then prepare an original public notice. Copies of public notice will be sent by subdivider to property owners on list, with the subdivider listed as the return address on the envelope. Mail these via certified mail; return receipt requested. The Return Receipt (green form from Post Office) will be filled out so that it will be returned to the Subdivision Coordinator. Annotate on Return Receipt the name of the subdivision and the lot number(s).
IV. PLATS:

NO DEVELOPER CAN USE A SUBDIVISION'S LEGAL DESCRIPTION IN ANY DEED OF CONVEYANCE OR CONTRACT OF SALE UNTIL THE MAP AND PLAT OF THE SUBDIVISION HAS BEEN APPROVED BY THE COMMISSIONERS' COURT AND FILED WITH THE COUNTY CLERK. ANY VIOLATION IS A MISDEMEANOR OFFENSE AND CONSTITUTES PRIMA FACIE EVIDENCE OF AN ATTEMPT TO DEFRAUD.

A. Preliminary Plats:

1. No construction work shall begin on the proposed subdivision until approval of the preliminary plat by the Comal County Commissioners' Court.

2. Approval of the preliminary plat by the Commissioners' Court shall expire and become null and void twelve (12) months after the date of approval. Upon good cause shown, an extension of time may be requested; however, if the request is denied, then a new preliminary plat must be submitted for consideration and approval.

3. Approval of the preliminary plat by the Commissioners' Court will indicate their approval for construction, but will not constitute approval for recording.

4. Three (3) copies of the preliminary plat shall be submitted to the County Engineer for review. Additional copies (2) are to be prior to consideration of said plat by the Commissioners' Court for approval.

5. Plat and drawing sheets shall be 18" x 24" with a minimum of ¾" margins on all sides.

6. The preliminary plat shall show the following:

   a. Title or name of subdivision, which shall not have the same spelling as, or be pronounced similar to, the name of any other subdivision located within Comal County. Subdivision name shall be located above the caption where the legal description by acreage in the survey shall be listed.

   b. When more than one sheet is required for a plat, a key map showing the entire subdivision to a small scale shall be shown on the first sheet, along with an index of all sheets.

   c. Name and address of the owner(s), subdivider, and lienholder (if applicable).

   d. Name and address of the registered public surveyor responsible for the design of the plat.

   e. Date of preparation; north arrow; scale of plat (not to exceed one inch to two hundred feet (1:200).

   f. Vicinity or project location map, scale not more than one inch to four thousand feet (1:4000) identifying adjacent streets, subdivisions and other sites with mileage to pinpoint location.

   g. Heavy boundary lines.

   h. The location, width, and name of existing streets and subdivisions and the locations of existing lots, easements, pipelines, fee strips, survey lines, building lines, water courses, or other important information shall be shown within and on all sides of the subdivision for a distance not less than 200 feet. The lines of such indication beyond the plat boundary shall be dashed. Names of owners of contiguous unplatted properties on all boundaries of the subdivision will be shown, if applicable. Proposed well sites and existing improvements within the subdivision shall be shown.

   i. Systematic order of identification of lots in consecutive numerical order.
j. Lot sizes: Minimum lot sizes for Comal County: over the recharge zone of the Edwards Aquifer one (1) acre; over other areas of the County, one (1) acre without public water and/or public sewage system; one-half (½) acre with public water and/or public sewage system, excluding drainage easements. Corner lots will have an 80' minimum frontage width. Regularly shaped lots will have a 60' minimum frontage width. Cul-de-sac and irregularly shaped lots will have a 40' minimum frontage width. (See Chapter V for high-density development.)

k. Dimensions of all lots with a 25' minimum setback line shown. (See Chapter V for high-density development.)

l. All lots shown in subdivision will show bearings and distances.

m. Plat will show: acreage of subdivision and of each lot; acreage of subdivision and acreage of roads by survey number, public or private; acreage and linear feet of roads, public or private.

n. Dimensions of the subdivision and dimensions and locations of all roads, streets, parks, and open spaces are to be shown on the plat. The plat is intended to be dedicated to public use, either by purchasers or owners of tracts or lots fronting or adjacent thereto. Include linear footage of all roads.

o. Stub-out roads to be located at approximate one-half (½) mile intervals. There shall be a minimum of one (1) stub-out to properties abutting subdivision for future road connections.

p. A certificate of dedication of all roads, streets, parks or other land intended for public use, or for the use of purchasers or owners or other land intended for public use, or for the use of purchasers or owners of tracts fronting or adjacent thereto shall be shown on the plat. Roads not dedicated to the public must be so stated.

q. Names of streets to conform whenever possible to existing street names.

r. City limits and ETJ lines shown on plat, if applicable. If subdivision lies in an ETJ, approval and certification by proper city authority shall be shown on the plat prior to submission to Commissioners' Court for preliminary or final approval. (See page 21, Item 11.)

s. Topographical information shall include contour lines on a basis of five (5) vertical feet in terrain with an average slope to 12 percent, and on a basis of ten (10) vertical feet in terrain over 12 percent. On roads with a slope gradient of ten (10) percent or more, a road profile will be provided showing gradients.

t. Areas of the Recharge Zone of the Edwards Aquifer to be illustrated, if applicable. If not applicable, the statement "This subdivision does not lie in the Recharge Zone of the Edwards Aquifer" shall be stated on the plat below the Flood Plain Statement.

u. Areas of the 100 Year Flood Zone taken from the latest Department of Housing and Urban Development, Federal Insurance Administration Flood Maps are to be included, being identified by this statement: "This subdivision does not lie in the 100 Year Flood Zone as determined by HUD-FEMA." or "The shaded areas as shown lie within the 100 Year Flood Zone as determined by HUD-FEMA where construction is regulated." All lots within the 100 Year Flood Zone shall have required slab elevations shown on the plat. Flood plain elevations shall also be shown. Contact the County Engineer for information.

v. Unconventional layouts, or layouts that will cause unsatisfactory drainage conditions, or that will complicate maintenance of streets or any land dedicated for public use will not be accepted.

w. Certifications required on plat: Owner/Developer/Lienholder and Registered Public Surveyor with signatures notarized by a Notary Public; County Judge and County Clerk.
A person seeking approval of a plat or revision plat which creates one or more lots shall:

iii) if no public water system is proposed or exists, add a note on the plat or revision plat that states that an approved water supply for the proposed lots does not exist; or

ii) if a public water system exists, provide a copy of the Texas Natural Resource Conservation Commission’s most current Public Water Supply Sanitary Survey of the public water system showing no alleged violations pertaining to water quality or water production capability, and provide a letter from the servicing Water Supply Company stating that with the addition of proposed lots, the water system will meet the minimum requirements of the Texas Natural Resource Conservation Commission for a public water supply system; or

iii) if a public water system is proposed, provide a copy of the approval letter and supporting documentation from the executive director of the Texas Natural Resource Conservation Commission pursuant to Texas Natural Resource Conservation Commission rule 290.41(c)(3)(A) for each well, and provide a copy of the Texas Natural Resource Conservation Commission approval letter and supporting documentation for the engineering plans and specifications for the water production and water distribution facilities.
B. ACCOMPANYING DATA FOR SUBMISSION FOR PRELIMINARY PLAT APPROVAL:

1. Clearance letter from Texas Water Commission required on developments located over the Edwards Recharge Zone if lots are five acres or less. NO ACTIVITY WILL BEGIN UNTIL PROPOSED DEVELOPMENT HAS BEEN REVIEWED AND APPROVED.

2. Written approval from the Comal County Sanitarian of proposed wastewater disposal.

3. Five (5) copies of proposed subdivision plat.

4. Copies of plans and profiles of sanitary sewer lines indicating type, size, depth and grades of lines if subdivision will be serviced by a public sewage treatment facility.

5. Certified quantity (Pumping Report) as required by Texas Department of Health, Chemical and Physical Quality Report, Well Drillers' Log and Plan of Distribution system if public water is to be made available to the subdivision.

6. Road profile showing gradients, if applicable.

7. Photostatic copies of USGS maps given to County Engineer and County Sanitarian with subdivision sketched in ft scale.

8. A Corporate Surety Bond or Irrevocable Letter of Credit, for initial one-year period, in the amount per lineal foot as determined by County Engineer for road or street construction within the subdivision. The bond shall be executed by a surety company authorized to do business in the State of Texas and shall be made payable to the County Judge or his successors in office, of Comal County, Texas. The condition of the bond or letter of credit shall be that the owner or owners of the tract of land to be subdivided will construct the roads or streets of such subdivision within the time frame in accordance with the Comal County Subdivision Regulations and Comal County Road Department Standards. Full amount of the bond or letter of credit shall remain in force until road construction is completed and roads are approved and accepted by the Commissioners Court. (See pages 24 and 26 for acceptable wording of documents.)

9. Construction schedule showing, at a minimum, the scheduled start and completion dates of each item of work required to construct drainage, subgrade, base and pavement and the point of contact for each phase.

C. FINAL PLATS:

J. Final plat requirements include all preliminary plat requirements and accompanying data plus the following:

a. Clearance on street names from 9-1-1.

b. Copies of County tax receipts on subdivision.

c. Signed certification statements.

d. All required drainage easements shall be represented to scale on the final plat.

e. Comment letter from Texas Department of Health showing unconditional construction approval AND/OR comment letter from Texas Water Commission approving plans and specifications for public sewage treatment facility.
2. Directions for Proper Dedication and Execution:

a. Plats shall be 18" x 24".

b. All plats shall have original signatures in BLACK ink. Each signature shall have, immediately under it in legible lettering or typing in BLACK ink, the name corresponding to the original signature and mailing address. All corporate, legal, license, and registration seals shall be affixed and darkened in such a manner as to be legible. All signatures shall be notarized.

One (1) signed original (to be returned to surveyor after filing) and two (2) signed reproducible mylars to be retained in the office of the County Clerk.

NOTE: ONCE THE PLAT HAS BEEN APPROVED AND ACCEPTED BY COMMISSIONERS' COURT AND FILED FOR RECORD WITH THE COUNTY CLERK, THE MYLARS CANNOT BE REMOVED FROM THE CLERK'S RECORDS FOR ANY REASON.
V. HIGH DENSITY DEVELOPMENT – TOWNHOUSE/GARDEN HOME/CONDOMINIUM SUBDIVISIONS:

Townhouse and Garden Home subdivisions shall be approved only when both a state approved central water system and a county and state approved sewage disposal system will be available to each lot and such residential development does not overly burden existing and proposed streets and other public facilities. Townhouse subdivisions and Garden Home subdivisions shall comply with the following regulations and all other subdivision regulations of Comal County, not in conflict with the following regulations.

NO CONSTRUCTION WORK SHALL BEGIN ON THE PROPOSED SUBDIVISION UNTIL APPROVAL OF THE PRELIMINARY PLAT BY COMMISSIONERS’ COURT.

1. TOWNHOUSE SUBDIVISIONS:
   a. Only one single family residential townhouse shall be constructed on each lot in a Townhouse subdivision.
   b. Minimum front building set-back lines shall be a minimum of twenty (20) feet.
   c. Side set-back line is not required for interior lots. Corner lots shall have a minimum of fifteen (15) foot side set-back line adjacent to the street.
   d. Rear minimum building set-back line shall be a minimum of ten (10) feet.
   e. Width of Lot. Interior lots shall have a minimum width of fifteen (15) feet. Corner lots shall have a minimum width of thirty (30) feet.
   f. Lot area shall have a minimum of 1500 square feet.
   g. Off Street Parking. There shall be at least two (2) off-street parking spaces for each 1,000 square feet of lot.
   h. Access Easement. There shall be a minimum of one (1) twenty foot (20') wide unobstructed access easement spaced at not more than 200 feet (200') for emergency vehicular traffic.

2. GARDEN HOME SUBDIVISIONS:
   a. Only one single family residential Garden Home shall be constructed on each lot.
   b. There shall be no side building set-back line required on one side of the lot and a minimum of five (5) feet set-back on the opposite side of the lot.
      *Easement. This easement shall be appurtenant to the adjoining lot but not exclusive to, and only for the purpose of maintaining the wall that is built directly on the property line of the adjacent lot.
   c. Corner lots shall provide a minimum building set-back line of fifteen (15) feet on the side adjacent to the street.
   d. Rear minimum building set-back line shall be ten (10) feet.
   e. The minimum width of a lot shall be forty (40) feet.
   f. Each lot in a Garden Home subdivision shall contain a lot area of not less than four thousand (4000) square feet.
   g. There shall be a minimum of two (2) off-street parking spaces for each Garden Home in the subdivision.
3. **CONDOMINIUMS:**

Condominiums shall be treated as high density development and shall meet all requirements for platting (to include boundaries and building locations, drainage, and utility easements).

Condominiums shall be approved over non-Edwards Aquifer Recharge Zone areas only when both a state approved central water system and a county and state approved sewage disposal system is available and does not overly burden existing and proposed streets and other public facilities.

Only one Condominium Regime shall be established per lot or tract as recorded by the Master Deed and Declaration as found in the Real Property Records of Comal County.
VI. ROAD CONSTRUCTION:

COMPLIANCE, INSPECTION, TESTING:

1. Submission of the preliminary plat for approval shall constitute constructive notice of all the requirements of these Subdivision Regulations.

2. It shall be the responsibility of the Subdivider, or a qualified agent employed by him, to inspect the work as it is being performed to assure compliance with these regulations.

3. Subdivider shall be responsible, determine and assure, that all completed work complies fully with all requirements of the Subdivision Regulations.

4. Subdivider's request for (1) inspection of any phase of the work or, (2) final inspection of the completed work, shall constitute notice and certification by said Subdivider that he, or a qualified agent employed by him, has inspected and found the work to be in compliance with all requirements of the Subdivision Regulations.

5. Minimum testing requirements are listed in the sections covering the particular work on which test must be made by the owner.

6. Failure to comply with any testing required or failure to obtain the tests and inspections required before proceeding with the next phase of the work shall automatically cause a determination of noncompliance with the Subdivision Regulations by default.

7. Determination of noncompliance caused by failure to obtain required tests and inspection may only be corrected by:

   a. Complete removal of the work and reconstruction in conformance with the Subdivision Regulations requirements; or

   b. Testing of representative samples taken by core drilling or by removal of specified sections to reach the areas to be tested; or

   c. Any reasonable method, approved in writing, by the Commissioners' Court, that will prove complete compliance with the Subdivision Regulations.

8. All cost of work, repairs, or testing as described in Items 5, 6, and 7 above shall be solely at the expense of the Subdivider, and all such work, repairs, or testing shall be as follows:

   a. In accordance with a plan which has been presented to and approved, in writing, by the Commissioners' Court, and

   b. Under the direction of the County Engineer or other person designated by the Commissioners' Court, and

   c. Performed by a person or firm qualified to produce and furnish accurate results. Such person or firm shall be approved, in writing, by the Commissioners' Court, and

   d. Completed within a reasonable time as set by the Commissioners' Court.

9. Comal County shall perform the minimum amount of inspection and testing, as set forth in these regulations, to assure compliance. However, it is intended that the burden of inspection, testing, and responsibility for compliance shall rest with the Subdivider and/or Owner.

10. Inspection, approval, and acceptance by the Commissioners' Court does not relieve the Subdivider of his responsibility to inspect, test and construct the work in complete compliance with the Subdivision Regulations.

11. Inspection, approval and acceptance by the Commissioners' Court shall not constitute a waiver of any rights, including the right to collect under any bond/letter of credit furnished.

12.
**MINIMUM REQUIREMENTS:**

1. **Arterial Streets (Roads)** - serve high volume through traffic from collector and secondary streets with considerable route continuity usually at higher constant speeds:

   - Minimum right-of-way: 80'
   - Minimum width of roadbed: 40'
   - Minimum section if curbed (face to face of curbs): 36'
   - Minimum compacted depth of base material: 8"
   - Minimum ditch depth (below subgrade crown): 12"
   - Minimum pavement width: 24'
   - Maximum allowable grade: 9%

2. **Collector Streets** - intermediate streets that serve to connect secondary streets with arterial streets:

   - Minimum right-of-way: 60'
   - Minimum width of roadbed: 32'
   - Minimum section if curbed (face to face curbs): 30'
   - Minimum compacted depth of base material: 6"
   - Minimum ditch depth (below subgrade crown): 12"
   - Minimum pavement width: 22'
   - Maximum allowable grade: 9%

3. **Secondary Streets** - serve primarily to provide access to residential property abutting the public right-of-way so designed as to prevent through traffic:

   - Minimum right-of-way: 60'
   - Minimum width of roadbed: 28'
   - Minimum section if curbed (face to face curbs): 30'
   - Minimum compacted depth of base material: 6"
   - Minimum ditch depth (below subgrade crown): 12"
   - Minimum pavement width: 22'
   - Maximum allowable grade: 12%

4. **Streets or Roads Which Are Existing County Roads** - Where the subdivision affects a county road, the Commissioners Court shall determine the minimum right-of-way width which will be necessary. The right-of-way requirement may be as wide as 120 feet if the county road is a potential major artery. Where the subdivision affects only one side of a county road, adequate right-of-way shall be provided for one half the additional width to provide right-of-way as prescribed by the Commissioners Court. Where the development is on both sides of the existing county road, right-of-way for the total prescribed width shall be provided. Any improvements proposed by the developer for existing county roads shall be:
   
   a. Made according to the minimum regulations for arterial streets or roads
   
   b. Approved by the Commissioners' Court in writing prior to the construction of such improvements.
   
   c. Equal to, or better than, the existing road, in the sole judgement of the Commissioners' Court of Comal County.

See Revision 6-3-2004
5. Cross Streets and Dead End Streets — Cross streets shall be provided at a maximum spacing of 2,000 feet to facilitate the movement of emergency vehicles.

   Dead-end streets which may subsequently be developed must be extended to the subdivision property line with a sixty (60) foot square-out. Dead-end streets which will remain as dead-end streets shall end on a cul-de-sac with a minimum right-of-way of fifty (50) foot radius. (100’ radius in commercial and industrial areas.)

6. All lot corners shall be marked with a ½” diameter by 2’ long iron pins.

7. No street or road shall have an abrupt offset or jog in it. Developers are encouraged to avoid 90° turns and to use gentle curves insofar as possible. Inside curves will be designed so that traffic will not be induced to use the right-of-way as part of the traveled way. (See Design Criteria in Department Standards, Section II.)

8. Where dedicated streets in an adjoining subdivision end at the property line of a new subdivision, the said streets shall be continued through the new subdivision. All streets and roads in the new subdivision shall be platted so that a continuation of said streets and roads may be made in other subdivisions in the future.

9. Where, in the discretion of the Commissioners’ Court, it is determined by said Court that the application of the surface course (as in these Regulations) should be delayed on any stubout road in any subdivision, then the Commissioners’ Court may determine the sum of money reasonable necessary to apply such surface course in the future. Upon such determination the subdivider shall pay the sum of money deemed necessary by the Court to Comal County prior to final plat approval. Such sum shall be deposited in a special account and its use restricted to completion of the stubout road or roads of such subdivision.

10. Subdivision entrances entering off a county road or a state highway shall meet the approval of Commissioners’ Court (County Engineer) and/or Texas Highway Department Resident Engineer. No ornamental entrances shall be built on county right-of-way.

11. All lines (water/sewer/electric, etc.) shall be buried a minimum depth of 24”

12. Utility lines located in County right-of-way shall be located within 5’ of the property line.

13. When utility lines extend across a roadway, they shall be installed prior to the placement of base so that the roadbed is not disturbed subsequent to road construction.

14. Cross section for industrial streets shall be 10” base and 1 3/4” asphaltic concrete surface, with 30’ minimum width.

15. All work shall be constructed and finished in accordance with good engineering practices.

DRAINAGE:

1. All drains, drainage structures, and appurtenances shall be designed by a person authorized to practice the profession of engineering under the provisions of the Texas Engineering Registration Act, and amendments thereto.

2. Drainage calculations shall be made using the Rational Method or by other accepted methods approved in writing by the County Engineer. Drainage for streets or roads shall be designed for a 10 year frequency, and shall be subject to the approval of the County Engineer.

3. All data and calculations shall be presented to the County Engineer upon request.
4. Minimum pipe diameter under streets is 12". Drainage structures shall be backfilled in accordance with Item 400.5 of the Texas Highway Department Standard Specifications.

5. All roads or streets shall have ditches which are a minimum depth of 12" below the shoulder of the subgrade. Greater depths shall be provided as required to accommodate the design flow. All street widths and grades shall be indicated.

6. All drains, drainage structures, and appurtenances shall be inspected and approved in writing, by the County Engineer or other person designated by the Commissioners' Court, prior to acceptance of the subgrade and prior to the placement of any base material on the subgrade.

7. All required drainage easements shall be represented to scale on the final plat.

8. Before final acceptance for a subdivision is given by the County for street and drainage work, the Engineer responsible for the design of said work shall issue a letter to the County stating that he has made an inspection of such improvements and recommends their acceptance by the County. Attached to his letter shall be one set of "as built" drawings showing the work to be accepted for use by the County.

SUBGRADE:

1. All unstable or otherwise objectionable material of the subgrade shall be removed and replaced with approved material. All holes, ruts, and depressions shall be filled with approved material and, if required, the subgrade shall be thoroughly wetted with water, reshaped, and rolled to the extent directed in order to place the subgrade in an acceptable condition to receive the base material.

2. The surface of the subgrade shall be finished to line and grade as established in conformity with typical sections, and any deviation in excess of one half inch (\(\frac{1}{2}\)) in cross section and in length of sixteen feet (16') measured longitudinally shall be corrected by loosing, adding, or removing material, reshaping and compacting by sprinkling and rolling. Sufficient subgrade shall be prepared in advance to insure satisfactory culmination of the work.

3. Subgrade material shall be compacted by approved equipment to an apparent dry density of the total material of not less than ninety percent (90%) of the maximum dry density as determined by the modified Proctor compaction test made in accordance with the procedure outlined in the Texas Highway Department Testing Manual. Tests for density will be made within twenty four (24) hours after compaction operations are completed. If the material fails to meet the density specified, it shall be reworked as necessary to obtain the density required.

4. When a fill is required to achieve the prescribed subgrade elevation, such fill shall be placed in uniform lifts covering the entire width of the cross section. Prior to compaction, the layers shall not exceed a six inch (6") depth where pneumatic tire rolling is to be used and shall not exceed eight inches (8") in depth for rolling with other types of rollers. Each lift shall be compacted to the required density before succeeding lifts are placed.

5. The subgrade shall be inspected and approved, in writing, by the County Engineer, or other person designated by the Commissioners' Court, prior to the placement of any base on subject grade.

BASE MATERIAL:

1. All roads and streets shall receive base material in the minimum amounts as shown on Page 13, Minimum Requirements.

2. Subbase must be approved, in writing, before the placement of any base material.
3. Roadway base material shall conform to the requirements of the Texas Highway Department Standard Specification Item 248 (crushed stone). The crushed stone shall have an abrasion of not more than forty (40) when subject to the Los Angeles Abrasion Test (AASHTO-T96). Caliche or other material is strictly prohibited.

4. Base material shall meet the following minimum requirements:

Retained on a 2½" screen 0 to 10%
Retained on a No. 4 sieve 35% to 75%
Retained on a 40 mesh sieve 60% to 85%
Liquid limit shall not exceed 40
Plasticity index shall not exceed 16

5. Standard methods of compaction shall be used, and base material shall be applied and compacted in a minimum of two (2) courses, and to a minimum density of 95% modified proctor.

6. Test reports showing base material compliance, from a certified testing laboratory, shall be submitted to the County Engineer. Minimum tests made and submitted shall be one for each 500 cubic yards of base material placed, with a minimum of one per project. Such test shall be made by and at the expense of the owner, by a testing laboratory selected or approved by the County Engineer. Additional tests may be required. Additional tests, if required, will be made at the discretion of the County Engineer.

7. Compliance test reports shall be submitted prior to request for inspection of completed base.

8. The quantity of base material shall be ascertained in a manner acceptable to the County Engineer. The following methods are suggested:
   a. Certified truck tickets
   b. Core samples at selected intervals
   c. Pick and shovel samples at selected locations.

Quantity is to be ascertained prior to final inspection of completed base.

9. Completed base shall be inspected and approved, in writing by the County Engineer or other person designated by the Commissioners' Court, prior to placement of any pavement.

PAVEMENT:

1. All roads and streets shall be paved with one of the following two types and shall conform to the requirements for the respective type used:

   A. Hot Mix Asphaltic Concrete Pavement

   1. The asphalt material for Prime Coat shall meet the requirements for Cutback Asphalt, MC-1, Item 310, Texas Highway Department Specifications. Prime Coat shall be applied as directed by the Engineer, with an approved sprayer, at a rate of not to exceed 0.25 gallon per square yard of surface.

   2. The asphalt material for Tack Coat shall meet the requirements for Cutback Asphalt, RC-2, Item 310, Texas Highway Department Specifications. Tack Coat shall be applied when and as directed by the Engineer, with an approved sprayer, at a rate not to exceed 0.10 gallon per square yard of surface.

16.
3. The compacted surface course shall be applied at the rate of one hundred sixty-five pounds (165 lbs.) per square yard. For industrial roads it shall be applied at one hundred ninety pounds (190 lbs.) per square yard. Measurement by weight shall be on truck scales approved by the Engineer. Records shall be kept on the care load, total load, and net load of the mixture for each load of same. The paving mixture and construction methods shall conform to Item 340, "Hot Mix Asphalitic Concrete", Type "D", of the Standard Specifications adopted by the State Highway Department of Texas, January 2, 1982, with the exception of the amended clauses cited below:

   a. Stability of Item 340, Description, is hereby supplemented by the following:

      The stability of the compacted mixture shall not be less than forty five percent (45%) nor more than sixty five percent (65%).

   b. Course Aggregate, of Item 340.2, Materials, is hereby supplemented by the following:

      The course aggregate for Type "D" shall have an abrasion of not more than thirty five (35) when subjected to the Los Angeles Abrasion Test (AASHTO-T-96). If crushed gravel is used for Type "D", it shall be so crushed that ninety percent (90%) of the particles shall have more than one crushed face.

4. Hot mix asphalt concrete pavement shall not be placed when general weather conditions, in the opinion of the County Engineer, are not suitable.

5. Test reports showing material compliance, from a certified testing laboratory, shall be submitted to the County Engineer. Minimum tests made and submitted shall be one for each day's production, or one per 500 tons placed, whichever is least, with a minimum of one per project. Such tests shall be made by and at the expense of the owner, by a testing laboratory selected or approved by the County Engineer. Additional tests may be required. Such additional testing will be made by the County Engineer.

B. Two Course Surface Treatment Pavement

1. The two course surface treatment shall conform to Item 322 of the Texas Highway Department Standard Specifications for street construction, dated 1982, except as modified below:

   a. Prime Coat shall be MC-1.
   b. Tack Coat shall be AC-5.
   c. First Course stone shall be Grade 4, Type B.
   d. 5rse stone shall be Grade 5, Type PB.

2. The rate of application for the AC-5 shall be .25 -.35 gallon per square yard for the first course and .10 -.20 gallon per square yard for the second course.

3. Rock will be applied at the rate of one (1) cubic yard per ninety (90) square yards for the first course and one (1) cubic yard per one hundred (100) square yards for the second course.

4. Rolling is required to achieve a uniform embedment and the contractor shall broom off loose aggregate remaining. If bleeding occurs, the contractor shall apply sand to the finished surface for whatever period is required to absorb the excess asphalt.
5. The type and grade of all asphaltic material and aggregate shall be approved by the County Engineer prior to application. Variations in asphaltic materials may be required due to various conditions. Test reports from a certified laboratory, showing the type and grade of asphaltic material and aggregates, shall be furnished to the County Engineer. Reports are to be provided and at the expense of the owner, by a testing laboratory selected or approved by the County Engineer.

6. The quantities of materials used shall be ascertained in a manner acceptable to the County Engineer.
TRAFFIC SIGNS AND GUARDPOSTS:

See Revisions 3/91

Signs and guard posts shall be installed by the Subdivider in accordance with the Manual on Uniform Traffic Control Devices for Streets and Highways and as directed by the County Engineer.

TRAFFIC SIGN REQUIREMENTS:

Engineer Grade Reflective Sheeting on .080 Aluminum
Octagon (STOP) 24" x 24"
Triangle (YIELD) 30" x 30" x 30"
Square (REGULATORY SIGNS) 24" x 24"
Rectangle (REGULATORY SIGNS) 24" x 18"
Rectangle (LARGE ARROWS) 48" x 24"

STREET NAME SIGNS:

Engineer Grade Reflective Sheeting on Aluminum
White Lettering on Green Background
Use 4" Series C (or B) Upper-Case Letters on 6" Street Name Sign Blank (Flat Blade)
Use 2" Series C (or B) Upper-Case Letters for Street, Lane, Road, etc.

"U" CHANNEL POSTS:

Length: 10' - 2 pounds per foot weight
Color: Green

GUARD POST REQUIREMENTS:

4" square reflective yellow delineator on "U" channel post 6'
1.12 lb. per foot, galvanized

Reflecting street signs shall be installed by the Subdivider at all intersections and at other points where appropriate within or abutting the subdivision. Street signs shall be placed in a uniform manner throughout the subdivision. Signs shall be placed on approved metal posts 5' above the pavement in accordance with the Texas Highway Department Standards and at the expense of the Developer.

The Subdivider shall consult with the County Engineer prior to the placement of any traffic signs or guard posts.
VII. FINAL INSPECTION AND ACCEPTANCE:

1. The subdivider, upon completion of drainage, roads, streets and other facilities intended for the use of the public or purchasers or owners of lots fronting or adjacent to, shall request from the County Engineer a final inspection.

2. The County Engineer, or other person designated by the Commissioners' Court, will, within 15 days, inspect the completed work for compliance.

3. The subdivider will be notified, in writing, of any work not found in compliance with the Subdivision Regulations. The Commissioners' Court will establish a reasonable time for correction of the defective work and the subdivider shall make the necessary corrections within the time set, or such corrections will be made by action taken upon the performance bond or letter of credit.

4. If the work is found to be in compliance, the County Engineer's written recommendation to accept the construction will institute the process to accept the roads into the Comal County Unit Road System. IT IS THE RESPONSIBILITY OF THE DEVELOPER/SUBDIVIDER TO OBTAIN THE COUNTY ENGINEER'S WRITTEN RECOMMENDATION AND FORWARD IT TO COMMISSIONERS' COURT NO LESS THAN 30 DAYS PRIOR TO EXPIRATION DATE OF THE CONSTRUCTION BOND OR LETTER OF CREDIT.

5. When, in the opinion of Commissioners' Court, extremely bad weather or other substantially unusual conditions, justify approval of an extension of time for construction completion, an extension of the existing bond or letter of credit may be granted, provided the request for such extension is made in writing and received by Commissioners' Court at least 30 days prior to original expiration date.
VIII. MISCELLANEOUS:

1. Comal County shall not construct, repair, maintain, etc., improvements of a property owner that exist within the County right-of-way. Ornate mailboxes, driveways and entrances (stone, brick, pillars, etc.) shall not be permitted.

2. There shall be no reserve (access easements) strips controlling access to land dedicated or intended to be dedicated to public use.

3. No authority for the enforcement of subdivision deed restrictions shall lie with Comal County. Such enforcement, if any, shall rest solely with the property owner, purchaser, or land-owners' association.

4. The responsibility for all costs of the in-place improvements as required by these Regulations shall be borne by the Subdivider.

5. Water distribution lines shall be located within 5' of the property line when placed in County right-of-way. All water valves shall be conspicuously marked.

6. Construction bonds/letters of credit shall be submitted as a prerequisite for preliminary plat approval and the full amount of the bond/letter of credit shall remain in force until road construction is completed and roads are approved by the Commissioners' Court.

7. Comal County shall not repair or maintain streets or roads that have not been accepted into the Unit Road System by the Commissioners' Court.

8. Access to all new subdivisions shall be from an adequate County maintained street (road) or a state or federally maintained road or street.

9. All streets (roads) constructed in subdivisions located in Comal County shall adhere to the regulations and standards as approved by Commissioners' Court whether public or private.

10. Cul-de-sac streets shall be 100 feet (100') in diameter for residential; 200 feet (200') diameter for industrial and commercial subdivisions.

11. When a subdivision lies in an ETJ, the more stringent regulations shall apply. Platting requirements that meet "most of" but not all of the Comal County Subdivision Regulations as approved by Commissioners' Court, shall be submitted as a Request for Variance to these Regulations. (See Page 30.)
IX. SEPARABILITY OF PROVISIONS:

It is hereby declared to be the intention of the Comal County Commissioners' Court that the several provisions of these regulations are separable, in accordance with the following:

A. If any sentence, phrase, section, paragraph, article or any part of these rules, regulations and requirements is declared invalid, unenforceable or unconstitutional for any clause or reason, such invalidity, unenforceable or unconstitutionality shall not be held to affect, invalidate or impair the validity, force or effect of any other sentence, phrase, section, paragraph, article or any other part of these rules, regulations and requirements.

B. If any court of competent jurisdiction shall judge invalid the application of any provision of these regulations to a particular property, such judgement shall not affect the application of said provision to any other property not specifically included in said judgement.
SECTION B
INFORMATION AND STIPULATIONS TO BE INCLUDED IN
CONSTRUCTION LETTER OF CREDIT FOR COMAL COUNTY, TEXAS

1. Letter of Credit must be produced on a Texas bank form of letterhead designated for issuers of letters of credit of a commercial bank. Con- 
   tained by a bank in Texas with name and title typed in.

2. The following data must be included:

   a. Date of Issuance
   b. Credit Number
   c. Amount
   d. Subdivision: Name and Unit Number
   e. Name and Address of Applicant/Developer
   f. Beneficiary listed as: Comal County Commissioners' Court

   400 Main Plaza 150 N. Seguin, Suite 301
   New Braunfels, TX 78130-5163

(See 3-21-91)

3. Inclusion or attachment of the following statement for clarification of 
   agreement between Commissioners' Court and developer: (developer signature 
   required).

   If, on ________________________, (30 days prior to the expiration of 
   the aforementioned Letter of Credit), one of the following has not occurred, 
   Comal County may call the aforementioned Letter of Credit.

   A) Completed construction of all roads, drainage structures, guard rails, 
      signs, etc., according to county standards and subdivision plat. 
      Approval of said construction, by County Engineer, shall have been 
      secured, in writing, on or before the date listed in the previous 
      paragraph.

   B) Written request for an extension of time on construction (stating 
      reasons) and receipt of an extension on the Letter of Credit (amount 
      shall be not less than the original amount; duration shall be deter-
      mined by the County Engineer) received in the County Engineer's 
      office. Extension will take effect the day following expiration 
      of current Letter of Credit. Commissioners' Court reserves the 
      right to revise the duration of or not to accept the extension.

No further notification shall be given to the developer. It is entirely the 
responsibility of the developer to monitor his development schedule and adhere 
to the requirements as stipulated herein.

Date

Developer

6/85

24.
AGREEMENT BETWEEN DEVELOPER AND COMAL COUNTY
REGARDING ROAD CONSTRUCTION AND LETTER OF CREDIT FOR

(Subdivision)

Comal County Commissioners' Court reserves the right to call in the Letter of Credit dated the ___ day of ___, 198___ from _____ (Bank).

, developer, covenants and agrees to all matters in this supplemental agreement in consideration of Comal County accepting the aforementioned Letter of Credit.

If, on ___, (30 days prior to the expiration of the aforementioned Letter of Credit), one of the following has not occurred, Comal County may call the aforementioned Letter of Credit.

A) Completed construction of all roads, drainage structures, guard rails, signs, etc., according to county standards and subdivision plat. Approval of said construction, by County Engineer, shall have been secured, in writing, on or before the date listed in the previous paragraph.

B) Written request for an extension of time on construction (stating reasons) and receipt of an extension on the Letter of Credit (amount shall be not less than the original amount; duration shall be determined by the County Engineer) received in the County Engineer's office. Extension will take effect the day following expiration of current Letter of Credit. Commissioners' Court reserves the right to revise the duration of or not to accept the extension.

No further notification shall be given to the developer. It is entirely the responsibility of the developer to monitor his development schedule and adhere to the requirements as stipulated herein.

Signed: ____________________________ Date: ____________________________

(Developer) ____________________________

(Address) ____________________________

6/85
CONSTRUCTION BOND

DATE OF ISSUANCE: ___________________________ DATE OF EXPIRATION: ___________________________

STATE OF TEXAS $ ___________________________ COUNTY OF COMAL $ ___________________________

KNOW ALL MEN BY THESE PRESENTS:

That we, ___________________________, the undersigned sub-divider, as Principal, and ___________________________, as Surety, do hereby acknowledge ourselves to be held and firmly bound unto Comal County, a County in and for the State of Texas, in the full and just sum of $ ___________________________, for the payment of which well and truly to be made, we hereby bind ourselves and our respective heirs, administrators, executors, and assigns jointly and severally, firmly by these presents.

WHEREAS, the Principal has petitioned the Commissioners' Court of Comal County for permission to develop a subdivision within the jurisdiction of Comal County, Texas, more particularly described as follows, to wit: ___________________________, entitled ___________________________.

WHEREAS, under the provisions of the Comal County Subdivision control regulations adopted as of ___________________________, the condition of this obligation is such that if the Principal shall not, on or before the ______ day of ______, 19___, (thirty (30) days prior to expiration of the one year duration of bond), construct, or cause to be constructed, the above mentioned improvements and have construction verified in writing by the County Engineer and communicated to Commissioners' Court, then Commissioners' Court may exercise its right to demand payment of the amount specified herein. This bond shall be released by Comal County following the completion and acceptance of all construction as specified above.

IN TESTIMONY WHEREOF, WITNESS OUR HAND... nd seal, this, the ______ day of ______, 19___.

By: ___________________________
Subdivider and Principal

By: ___________________________
Surety

By: ___________________________
Attorney-in-Fact

APPROVED AND ACCEPTED, this the ______ day ______, 19___.

COMAL COUNTY, TEXAS

By: ___________________________
Title

26.
Drainage Easement Statement

Property owners are advised that they are responsible for maintenance of drainage easements on their property and may not utilize these easements for any purpose detrimental to their intended use (i.e., no fences, shrubbery, structures, or septic tank fields). Coastal County reserves the right of access to such easements.

Owner's Statement of Roads Dedicated to the Public

STATE OF TEXAS $  
COUNTY OF CORAL $  
THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SIGNED HERETO,  
AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY DEDICATES TO THE USE  
OF THE PUBLIC FOREVER ALL STREETS, PARKS, WATER COURSES, DRAINS, EASEMENTS,  
AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATIONS THEREIN  
EXPRESSED.  

Owner  
Address

COUNTY OF CORAL $  

Before me, the undersigned authority on this day personally appeared ________________________________, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.  

Given under my hand and seal of office this ______ Day of __________, A.D.  

Notary Public in and for the State of Texas

Owner's Statement that Roads Remain Private

STATE OF TEXAS $  
COUNTY OF CORAL $  
The owner of the land shown on the plat whose name is subscribed hereto, and in person or through a duly authorized agent hereby subdivides this land according to the dimensions as shown. All roads to be constructed in this plat shall not be dedicated to any state, municipality or other government entity. They shall remain private roads.  

Owner  
Address

COUNTY OF CORAL $  

Before me, the undersigned __________________________, on this day personally appeared ________________________________, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.  

Given under my hand and seal of office this ______ Day of __________, A.D.  

Notary Public in and for the State of Texas
Lienholder Acknowledgement

NOTE: Holders of all liens against the property being platted must be made a part of the final plat OR prepared as separate instruments which shall be filed for record with the plat. (If filed as a separate instrument, lienholder’s name and address must be noted on the plat, and the lienholder document must reference the name/title of the subdivision plat.) All lienholders’ signatures shall be acknowledged by a Notary Public.

I (or we), (Name of mortgagee or names of mortgagees), owner and holder (or owners and holders) of a lien (or liens) against the property described in the plat known as (name of plat), said lien (or liens) being evidenced by instrument of record in Document/Volume ___________, Page __________, of the Real Property Records of ___________ County, Texas, do hereby in all things subordinate to said plat said lien (or liens), and I (or we) hereby confirm that I am (or we are) the present owner (or owners) of said lien (or liens), and have not assigned the same nor any part thereof.

The lienholder acknowledges that a foreclosure of said lien will require the preparation of a subdivision plat if the foreclosure results in a division of a tract of land, pursuant to applicable State, county, and municipal regulations. The lienholder also acknowledges that the foreclosed tract may not comply with applicable subdivision regulations without significant modification, additional access, or other requirements.

By: _______________________________________

(Signature of Lienholder(s))

(Name(s) and Title Printed)

STATE OF ___________ §

COUNTY OF ___________ §

Sworn to and Subscribed before me by _____________________________
on the ________ day of ______________________, ________.

_______________________________________

_______________________________________

27a.
Acknowledgement for Municipal Approval in the Areas of Their Extraterritorial Jurisdiction:

This plat of __________ subdivision has been submitted to and considered by the ______ of the city of ______, Texas and is hereby approved for the city council of the city of __________, Texas. Dated this ______ day of __________, A.D., 19 ___.

By: ____________________________
City Manager (Mayor)

Approved:
By: ____________________________
City Engineer

By: ____________________________
City Secretary

Certification of the Surveyor Responsible for Surveying the Subdivision, Attesting to Its Accuracy:

STATE OF TEXAS |
COUNTY OF COMAL |

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

Surveyor's Seal

Sworn to and subscribed before me this the ______ day of __________, 19 ___.

Registered Public Surveyor

Notary Public in and for the State of Texas

County Clerk's Recording Acknowledgement:

STATE OF TEXAS |
COUNTY OF COMAL |

I, ____________________________, COUNTY CLERK OF COMAL COUNTY DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE DAY OF __________, A.D. ______, AT ______ M. AND DULY RECORD THE DAY OF __________, A.D. ______, AT ______ M.
IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE, OF SAID COUNTY, IN BOOK VOLUME ______ ON PAGE ______ IN TESTIMONY WHEREOF WITNESSE MY HAND AND OFFICIAL SEAL OF OFFICE THIS ______ DAY OF __________, A.D. ______.

COUNTY CLERK, COMAL COUNTY, TEXAS
BY: ____________________________, DEPUTY

Approval of the Commissioners' Court:

This plat of __________ has been submitted to and considered by the Commissioners' Court of Comal County, Texas and is hereby approved for filing by said Court on __________, 19 ___.

Dated this ______ Day of __________, A.D., 19 ___.

By: ____________________________
County Judge

Attest: ____________________________
County Clerk - Deputy
MEMO

TO: Superintendent of Postal Operations  
    New Braunfels, TX 78130

FROM:

SUBJECT: Clearance on Street Names

The following street names are proposed, to serve the ____________________________

                                      Subdivision, located ____________________________.

Please list your comments and/or approval of these street names.

<table>
<thead>
<tr>
<th>STREET NAMES</th>
<th>LENGTH (in feet)</th>
<th>COMMENTS</th>
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Post Office Official's Signature ____________________________ Date ____________________________
VARIANCE REQUEST

I/We the undersigned, (Print Name(s)) being owner(s) of proposed Subdivision, do officially request that a variance be granted by Commissioners' Court of Comal County for the above Subdivision during this plat review session for the following reasons:

Type of variance requested:

(State Subdivision Regulation - Cite Page and Paragraph)

(Date) ____________________________ (Signature)
(Address) _______________________________________________________
(Signature)
(Surveyor)

GRANTING/DENIAL of VARIANCE REQUEST

On this _______ day of _________________, 19____ in a duly convened meeting of Commissioners' Court of Comal County, the request for variance(s) for ______________________ Subdivision was officially granted/denied because of the following reasons:

County Judge

8/85

30.
APPLICATION FORM

CANCELLATION OR REVISION OF ALL OR PART OF A RECORDED SUBDIVISION

I/WE THE UNDERSIGNED, ________________________________
(print name and address)

BEING OWNER(S) OF
(lot(s) and subdivision name, including unit number)

SUBDIVISION DO OFFICIALLY REQUEST THAT THE FOLLOWING ACTION BE PERMITTED:

(DESCRIPTION)

FURTHER I/WE STATE THAT:

( ) I/WE the above mentioned owners of said tract(s) have clear title to same; or,

( ) The following persons/institutions hold mortgages on said tracts. All will submit statement of non-objection to proposed resubdivision before application will be processed.

SIGNED: ________________________________  ________________________________
(OWNER)  (OWNER)

DATE: ________________________________

On this ______ day of ________________________, 19 ___, in a duly convened meeting of Commissioners' Court of Comal County, the request to cancel or revise the above mentioned Subdivision was officially granted/denied because of the following reasons:

_____________________________________

County Judge

31.
COMAL COUNTY
UNIT ROAD SYSTEM
DEPARTMENT STANDARDS

LIST OF PLATES

<table>
<thead>
<tr>
<th>TITLE</th>
<th>NUMBER</th>
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<tbody>
<tr>
<td>CULVERT HEADER</td>
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<td>SIGN LOCATION</td>
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<td>GUARD POST APPLICATION</td>
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<td>RADIUS RETURN</td>
<td>4</td>
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<td>CUL-DE-SAC</td>
<td>5</td>
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<td>SQUARE OUT TURN-AROUND</td>
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<td>STREET CROSS-SECTION</td>
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32.
### Suggested Maximum Spacing for Highway Delineators on Horizontal Curves

<table>
<thead>
<tr>
<th>Radius of Curve (in feet)</th>
<th>Spacing on Curve (in feet)</th>
<th>Spacing in Advance &amp; Beyond Curve (in feet)</th>
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Spacing for specific radii not shown may be interpolated from table or computed from the formula: $S = \sqrt{\frac{R}{2}}$. The minimum spacing should be 20 feet. The spacing on curves should not exceed 300 feet. The spacing of the first delineator approaching a curve is 2, the second 75, and the third 6 to not exceed 300 feet. If a spacing less than 300 feet is used approaching the curve, the distance above should be adjusted accordingly.

---

**Figure 3A**

- **Guard Post**: May be used to provide delineation or a warning of a hazard or an all-occupant-prone situation. Guardrail may be used when it is hazardous for vehicle to leave roadway.

- **Distance May Vary to Conditions**: See Figure 3A

- **Edge of Pavement**: Reflectors for night-time visibility.

- **Shoulder**: Minimum usable shoulder. Distance may vary to conditions but should remain at a constant from the edge of the pavement, except when an obstruction exists near the pavement edge, the line of delineators makes a smooth transition to the inside edge of the obstruction.

**Typical Guard Post**

*Note: These are general specifications only. Local conditions may require consultation with Coral County Road Department.*
TABLE FOR RADIUS RETURNS AT INTERSECTIONS

<table>
<thead>
<tr>
<th>Angle of Turn in Degrees</th>
<th>Radius in Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>60</td>
</tr>
<tr>
<td>45</td>
<td>50</td>
</tr>
<tr>
<td>60</td>
<td>40</td>
</tr>
<tr>
<td>75</td>
<td>30</td>
</tr>
<tr>
<td>90</td>
<td>20</td>
</tr>
<tr>
<td>105</td>
<td>10</td>
</tr>
<tr>
<td>120</td>
<td>5</td>
</tr>
<tr>
<td>135</td>
<td>0</td>
</tr>
<tr>
<td>150</td>
<td>0</td>
</tr>
</tbody>
</table>

FIGURE 4

SQUARE OUT TURN-AROUND ON DEAD-END STREET

FIGURE 6

TYPICAL LOCAL STREET CROSS-SECTION

FIGURE 7
## DESIGN CRITERIA

### CURVES:

<table>
<thead>
<tr>
<th>Speed</th>
<th>Radius</th>
<th>Degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>55 mph</td>
<td>1050'</td>
<td>5° Desirable</td>
</tr>
<tr>
<td>50 mph</td>
<td>700'</td>
<td>8° Minimum</td>
</tr>
<tr>
<td>40 mph</td>
<td>470'</td>
<td>12° Special Conditions</td>
</tr>
<tr>
<td>30 mph</td>
<td>280'</td>
<td>21° Subdivision Streets</td>
</tr>
</tbody>
</table>

### GRADIENT:

<table>
<thead>
<tr>
<th>%</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>5%</td>
<td>Desirable</td>
</tr>
<tr>
<td>9%</td>
<td>Maximum</td>
</tr>
<tr>
<td>12%</td>
<td>Special Conditions</td>
</tr>
</tbody>
</table>

### PASSING SIGHT DISTANCE:

<table>
<thead>
<tr>
<th>Speed</th>
<th>Distance</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>55 mph</td>
<td>2000'</td>
<td>Desirable</td>
</tr>
<tr>
<td>45 mph</td>
<td>1200'</td>
<td>Minimum</td>
</tr>
<tr>
<td>30 mph</td>
<td>600'</td>
<td>Subdivision Street</td>
</tr>
</tbody>
</table>

### INTERSECTION RADII:

<table>
<thead>
<tr>
<th>Angle of Turn</th>
<th>Minimum</th>
<th>Desirable</th>
</tr>
</thead>
<tbody>
<tr>
<td>25°</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30°</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Angle of Turn | Radius
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>90°</td>
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<tr>
<td>75°</td>
<td>35'</td>
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<tr>
<td>60°</td>
<td>40'</td>
</tr>
<tr>
<td>45°</td>
<td>50'</td>
</tr>
<tr>
<td>30°</td>
<td>60'</td>
</tr>
</tbody>
</table>

### ROADWAY WIDTH:

<table>
<thead>
<tr>
<th>Description</th>
<th>Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pavement</td>
<td>22' minimum Streets &amp; Collectors</td>
</tr>
<tr>
<td></td>
<td>24' minimum Arterials</td>
</tr>
<tr>
<td>Roadbed</td>
<td>28' minimum Streets</td>
</tr>
<tr>
<td></td>
<td>32' minimum Collectors</td>
</tr>
<tr>
<td></td>
<td>40' minimum Arterials</td>
</tr>
<tr>
<td>Arterial Shoulders</td>
<td>8' minimum Wherever possible</td>
</tr>
<tr>
<td></td>
<td>10' desirable Wherever possible</td>
</tr>
<tr>
<td>Right-of-Way</td>
<td>60' minimum Streets</td>
</tr>
<tr>
<td></td>
<td>80' minimum Arterials</td>
</tr>
</tbody>
</table>
II. DRIVEWAY PERMITTING

January 3, 1985

COMMISSIONERS' COURT ORDER

WHEREAS, we recognize the importance of traffic control for the free and safe movement of highway traffic commensurate with the Governor's Highway Safety Program and to recognize the safety principles contained in a recent study made by the Committee on Planning and Design Policies of the American Association of State Highway Officials on the subject of Driveway Connections to Major Highways, and in the interest of including all provisions which will assist in reducing highway traffic accidents resulting from the movement of traffic and from the highway traffic lanes;

NOW, THEREFORE, IT IS ORDERED that it shall be the policy of CONAL COUNTY to incorporate the following principles in the development of access driveway facilities on roadways under the jurisdiction of the County Road Department:

1. Access facilities shall be for the bona fide purpose of securing access to abutting property and location of access driveways shall be selected to provide maximum safety for highway traffic and for users of the driveway facilities.

2. Principles of traffic channelization shall be applied in the design of entrance and exit driveways with their width limited to that necessary for adequate access.

3. Safety zones shall be established between entrances and exit drives, at intersections and at other places where needed to preserve lateral sight distance, channelization of traffic flow, and for safety of pedestrians; and curbs or posts shall be installed as necessary to prohibit vehicle parking and movement in or through them; and

FURTHER, that it shall be the policy of the County to assist in the proper installation of access driveway facilities as follows:

1. The County Road Department will assist in the construction of access driveways by establishing flow-line grades for drainage structures and finished grades for driveway surfaces, if required.

2. The County Road Department will furnish, install and maintain delineator posts or barrier type curbs at access driveways where the Department finds the need for either of these two types of safety zones for the protection of pedestrians or vehicular traffic based on an engineering analysis of the requirements of each access driveway entrance to be constructed; and

FURTHER, that this County policy shall apply to all access driveways for which future permits are issued and shall apply to existing access driveways which may be destroyed or removed in the construction or reconstruction of highways, and the County Engineer is directed to establish and maintain regulations in sufficient detail to administer the development of all access facilities in conformance with the principles and policies established herein.
REGULATIONS

A. GENERAL

1. APPLICATIONS. Applications for permits shall be made by the owner or lessee, who shall represent all parties in interest, and such permits shall be only for the bona fide purpose of securing or changing access to his property, but not for the purpose of parking or servicing vehicles on the County right-of-way.

2. PRIVATE DRIVEWAY. A private driveway is an entrance to and/or exit from a residential dwelling, farm, or ranch adjacent to a County road for the exclusive use and benefit of the grantee.

3. COMMERCIAL DRIVEWAY. A commercial driveway is an entrance to and/or exit from any commercial, business, or similar type establishment adjacent to a County road.

4. INDEMNIFICATION. The grantee shall hold harmless the County of Calumet and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of his permit.

5. MATERIALS. The grantee shall furnish all materials necessary for the construction of the entrances and their appurtenances authorized by the permit except that the County Road Department shall furnish guide posts or the materials for concrete curbing where channelization is required. All materials shall be of satisfactory quality and shall be subject to inspection and approval of the County Road Department.

6. CONSTRUCTION AND RECONSTRUCTION. All new access driveways, following approval of permit, shall be constructed in conformance with the applicable regulations. Any existing access driveway structures which are destroyed or removed in the construction or reconstruction of a section of road will be replaced or reconstructed by the County Road Department to a design within these regulations and a condition equal to or better than the original structures.

7. INSPECTION - MAINTENANCE. The County Road Department reserves the right to inspect these installations at the time of construction and at all times thereafter, and to require such changes, maintenance, and repairs as may at any time be considered necessary to provide protection of life and property on or adjacent to the road.

The cost of changes, maintenance, and repairs of private and commercial driveways, islands and other access driveway appurtenances on the right-of-way will be the responsibility of the grantee, except as provided under CONSTRUCTION AND RECONSTRUCTION herein.

8. CHANGES. No driveway, approach, or other improvement constructed on the right-of-way shall be relocated or its dimensions altered without a duly executed permit from the County Road Department.

9. DESIGN. Design requirements for access driveways are as follows:

a. All parts of entrances and exits on road right-of-way, including the radii, shall be confined within the grantee's property frontage. Frontage is that portion of the right-of-way lying between the two most distant possible lines drawn perpendicularly from the centerline of the road to the grantee's abutting property line.

In the event that two or more adjoining grantees agree to combine their property frontage for a combined access facility, it would be authorized under the applicable regulations. The frontage will then be the portion of the right-of-way lying between the two most distant possible lines of the combined frontage drawn perpendicularly from the centerline of the road to the grantee's abutting property lines.

b. Locations of access driveways shall be selected to provide maximum safety for highway traffic and for users of the driveway.

c. At any intersection of a County road with another highway, road, or street, where additional right distance right-of-way exists, no access driveway will be permitted within the frontage thereof. At any other intersection, access driveways shall be restricted for a sufficient distance from the intersection to preserve the normal and safe movement of traffic through it.

d. Radii for all access driveways in rural areas shall be not less than ten feet.

e. Drainage in roadway side ditches shall not be altered or impeded. When drainage structures are required, size of opening and other design features shall be approved by the County Road Department.

f. The safety zones adjacent to access driveways may be filled in provided the requirements below are fully complied with.

(1) Surface drainage shall be provided so that all surface water on the filled-in area shall be carried away from the roadbed in a suitable manner.
(2) The drainage opening underneath the filled-in area shall be adequate to carry the design flow of water in the roadway side ditches.

(3) The filled-in area shall be sufficiently delineated and, where required by the County Road Department, curbs, guide posts, or other satisfactory methods shall be used to prevent the use of the area for parking or travel.

(4) The filled-in area shall extend from the right-of-way line to the shoulder line or curved pavement as the case may be, provided that other limits may be specified by the County Road Department to provide conformance with proposed future improvements to the existing road section.

(5) The grade on the driveway shall be so constructed as to conform to the slope of the roadway shoulder from the edge of the travelway to the shoulder line and thence shall be sloped downward at approximately one quarter to one inch per foot for a distance necessary to place the low point of the driveway not less than eight inches below the shoulder elevation. If valley gutters are used, the lowest point of the gutter shall be a minimum of eight inches below the shoulder elevation and a valley gutter of at least four feet in width maintained.

g. The minimum and maximum design limits herein should not be considered absolute in all instances as the County Road Department may require a design between these limits in order to provide reasonable safety - depending upon type, speed, and volume of roadway traffic and to provide for reasonable access for the grantee.

PRIVATE DRIVEWAYS

1. CONSTRUCTION. The grantee shall do all work and pay all costs in connection with the construction of access driveways and their appurtenances on the right-of-way.

2. WIDTH. The width shall not exceed twenty-four feet measured at right angles to the centerline of the driveway, except as increased by permissible radii.

3. ANGLE. The angle of the access driveway from the roadway pavement shall be sixty to ninety degrees, except that one-way forty-five degree angle driveways will be permitted.

C. COMMERCIAL DRIVEWAYS

Commercial driveways shall be considered on an individual basis and shall be as approved by the County Road Department.
INSTRUCTIONS
FOR SECURING AN ACCESS PERMIT

To secure a permit to construct a private driveway or to revise any existing driveway, the applicant should contact the County Road Department. The Maintenance Foreman or another designated representative of the Road Department will meet with the applicant, at which time details of the permit will be initiated. When the permit has been prepared, and statement agreeing to comply with its terms and conditions has been signed by the applicant, the signature of the County Engineer or his authorized agent shall make the permit valid.

A brief description of the proposed work should be given together with the applicant's name, address, and telephone number. Upon receipt of the information the County Engineer will arrange for a meeting of the applicant with a Department representative as stated above.

No work shall be undertaken on the County Road right-of-way until the executed permit has been received by the applicant.

PERMIT TO CONSTRUCT ACCESS DRIVEWAY FACILITIES ON ROAD RIGHT OF WAY

TO: CONAL COUNTY--Permit No: ___________________________
Date: ___________________________

Dear Sir:

The COUNTY OF CONAL hereby authorizes you to (re)construct facilities on the county right of way for development of access to your property abutting __________________ Road/ Street in CONAL COUNTY, located __________________.

provided you agree to and comply with the following conditions:

1. Design of facilities shall be as follows and/or shown on sketch: __________________________

   All construction and materials shall be subject to inspection and approval by the County Engineering Department.

2. Maintenance of facilities constructed hereunder shall be the responsibility of the grantee, and CONAL COUNTY reserves the right to require any changes, maintenance or repairs as may be necessary to provide protection of life or property on or adjacent to the road. Changes in design will be made only with approval of the County Engineering Department.

3. The grantee shall hold harmless the COUNTY OF CONAL and its duly appointed agents and employees against any action for personal injury or property damage sustained as a result of the exercise of this permit.

   The grantee shall not erect any sign on or extending over any portion of the road right of way, and vehicle service fixtures such as service pumps, vendor stands, tanks or water hydrants shall be located twelve (12) feet from the right of way line to insure that any vehicles serviced from these fixtures will be off of the road.

The COUNTY OF CONAL will assist as follows:

This permit shall not be valid until grantee signs the statement in which he agrees to comply with the conditions herein.

No work should be undertaken at least twenty-four (24) hours before beginning the work authorized by this permit.

CONAL COUNTY UNIT ROAD SYSTEM

By: County Engineer or Qualified Representative

I(We), the undersigned, hereby agree to accept and comply with the terms and conditions set out in this permit for construction of access driveway facilities on road right of way.

WITNESS: ___________________________

SIGNED: ___________________________
SECTION A-A

1. Existing ground
   6" Conc. reinforced with welded wire
   6" Sand cushion

2. 1½" Hot Mix
   Base
   6" Residential
   6" Commercial

3. Existing ground
   6" for residence
   6" for commercial
   Stabilize base to consist of 25% of Portland cement mixed with each cu.-yd. of select base

PLAN OF DRIVEWAY ENTRANCE

SECTION AA

Concrete toe:
12' Driveway
6' Min

VC channel
Flow

Section BB

Concrete toe:
12' Driveway
Max 3' above ditch

NOTE:
Add ditch - Rock Retard - 10' upgrade of drive with ditch grade over 4%
NOTE: USE AS DESIGNED WITH DITCH GRADE 0% TO 3%. ADD DITCH RETARD 10' UPGRADE OF DRIVE WITH DITCH GRADE OF 4% TO 6%. USE CONCRETE DIP-TYPE DRIVEWAY AT DITCH GRADES OVER 6%. THESE ARE TYPICAL CONDITIONS ONLY. CONSULT COUNTY ENGINEER FOR ADVICE ON LOCAL CONDITIONS.

ASPHALT DIP-TYPE DRIVEWAY

SECTION AA

SECTION BB

NOTE: IT IS RECOMMENDED THAT A CULVERT TYPE DRIVEWAY BE USED ONLY WHEN EXTREME CONDITIONS PREVENT THE DIP-TYPE DRIVEWAY FROM BEING FEASIBLE. SEE FIGURE 8.3, CONSULT WITH COUNTY ENGINEER FOR APPLICATION TO LOCAL CONDITIONS.
III. V.A.C.S. Article 6702-1, Subchapter E:

Art. 6702-1
ROAD, BRIDGES, & PIERRE

Pule 114

SUBCHAPTER E. ROAD REGULATIONS IN SUBDIVISIONS

Real estate subdivisions in most counties

Sec. 2401. (a) This section applies to each county of the state except a county included in Section 2402. (b) The owner of any tract of land situated without the corporate limits of any city or a county, whose owner, or who may thereafter divide the same in two or more parts for the purpose of laying out any subdivision of such tract of land, or an addition without the corporate limits of any town or city, or for laying out subdivisions or building lots, and for the purpose of sale or leases, streets, alleys, parks, or other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto, shall cause a plat to be made thereof, which shall accurately describe all of said subdivision or addition by metes and bounds; and locate the same with respect to an original corner of the original survey of which it is a part, giving the dimensions of said subdivision or addition and the dimensions of all streets, alleys, parks, or other portions intended for public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto, shall cause a plat to be made thereof, which shall accurately describe all of said subdivision or addition by metes and bounds and locate the same with respect to an original corner of the original survey of which it is a part, giving the dimensions of said subdivision or addition and the dimensions of all streets, alleys, parks, or other portions intended for public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto.

(c) Every such plat shall be duly acknowledged by owners or proprietors of the land, before a duly authorized agent of said owner or proprietors, in the manner required for acknowledgement of deeds. Subject to the provisions contained in the plat, the plat shall be filed for record and be recorded in the office of the county clerk of the county in which the land lies. Said plat shall be duly adopted and entered upon the minutes of the county, after a notice published in a newspaper of general circulation in the county, be specifically described to make the following requirements:

(1) Properly to lay out main artery streets or roads within such subdivision of a width of not less than 30 feet nor more than 100 feet;
(2) To provide for right of way on all other streets or roads in such subdivision of not less than 25 feet nor more than 75 feet;
(3) To provide that the shoulders should be at least 5 feet wide anywhere on the street or road, and
(4) To provide for the shoulder-to-shoeborder width of all other streets or roads within such subdivision within the right of way to be not less than 25 feet nor more than 75 feet.

(d) It shall be the duty of the commissioners of the county to promulgate reasonable specifications to be followed in the construction of said streets or roads, which shall in no way affect the dimensions of streets, alleys, parks, or other portions intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto.

(e) The plat shall be duly acknowledged by the owners or proprietors of the land or by some duly authorized agent of said owner or proprietors, in the manner required for acknowledgment of deeds. The plat, subject to the provisions contained in this section, shall be filed for record and be recorded in the office of the county clerk of the county in which the land lies. The plat shall be duly adopted and entered upon the minutes of the county, after a notice published in a newspaper of general circulation in the county, be specifically described to make the following requirements:

(1) To provide for a right-of-way on main artery streets or roads within such subdivision or addition of a width of not less than 30 feet nor more than 100 feet;
(2) To provide for a right-of-way on all other streets or roads in said subdivision of not less than 25 feet nor more than 75 feet;
(3) To provide for the shoulder-to-shoeborder width of all streets or roads within such subdivision within the right of way to be not less than 25 feet nor more than 75 feet;
(4) To provide reasonable specifications to be followed in the construction of said streets or roads, which shall in no way affect the dimensions of streets, alleys, parks, or other portions intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto.

(f) The commissioners of the county may, by an order adopted and entered upon the minutes of the county, and after publishing a notice in a newspaper of general circulation in the county, establish requirements:

(1) To provide for a right-of-way on main artery streets or roads within such subdivision or addition of a width of not less than 30 feet nor more than 100 feet;
(2) To provide for a right-of-way on all other streets or roads in the subdivision or addition of not less than 25 feet nor more than 75 feet;
(3) To provide that the street cut on main artery streets or roads within the subdivision or addition within the right-of-way be not less than 30 feet nor more than 45 feet;
(4) To provide for the street cut on all other streets or roads within the subdivision or addition within the right-of-way to be not less than 25 feet nor more than 35 feet;
(5) To provide reasonable specifications to be followed in the construction of said streets or roads, which shall in no way affect the dimensions of streets, alleys, parks, or other portions intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto.

(g) The commissioners of the county may, by an order adopted and entered upon the minutes of the county, and after publishing a notice in a newspaper of general circulation in the county, establish requirements:

(1) To provide for a right-of-way on main artery streets or roads within such subdivision or addition of a width of not less than 30 feet nor more than 100 feet;
(2) To provide for a right-of-way on all other streets or roads in the subdivision or addition of not less than 25 feet nor more than 75 feet;
(3) To provide that the street cut on main artery streets or roads within the subdivision or addition within the right-of-way be not less than 30 feet nor more than 45 feet;
(4) To provide for the street cut on all other streets or roads within the subdivision or addition within the right-of-way to be not less than 25 feet nor more than 35 feet;
(5) To provide reasonable specifications to be followed in the construction of said streets or roads, which shall in no way affect the dimensions of streets, alleys, parks, or other portions intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto.

(h) At the request of the commissioners of the county, the county attorney or other prosecuting attorney representing the county may file an action in a court of competent jurisdiction to

(i) Enjoin the violation or threatened violation of a requirement established by or adopted under the following:

(j) Recovery damages in an amount adequate for the county to undertake any construction or other activity necessary to provide, according to law, for the maintenance of such subdivision established by or adopted under the

The following is related to Section 2401


Section 1. This article applies only to counties operating under Article 6422a. (new) (2012).


Section 1. This article applies only to counties operating under Article 6422a. (new) (2012).

Section 2. In areas under a city's extraterritorial jurisdiction as defined by Section 556.031, Texas Government Code, no plat shall be filed with the city clerk without the written approval of the mayor of the city. The city shall have the exclusive authority to regulate subdivisions under Chapter 556, Texas Government Code, the applicable regulations therein, and Chapter 221, Acts of the 71st Legislature, Regular Session, 1990, and other statutes applicable to cities, and the city shall have independent authority to regulate divisions in extraterritorial jurisdiction, as defined by Section 556.021, Texas Government Code, and other statutes applicable to cities. In cases in which the city has exclusive authority to regulate subdivisions under the Municipal Amenity Act (Article 4115.001, Texas Government Code), and Article 4115.001, Texas Government Code, and Chapter 221, Acts of the 71st Legislature, Regular Session, 1990, and other statutes applicable to cities, the city shall have independent authority to regulate subdivisions in extraterritorial jurisdictions, as defined by Section 556.021, Texas Government Code, and other statutes applicable to cities.

Section 3. A subdivision plat may not be filed with the city clerk except filed under the provisions of the Municipal Amenity Act (Article 4115.001, Texas Government Code), and Article 4115.001, Texas Government Code, and other statutes applicable to cities.


Section 1. This article applies only to counties operating under Article 6422a.1, Revised Statutes. (new) (2012).

Section 2. In areas under a city's extraterritorial jurisdiction as defined by Section 556.031, Texas Government Code, no plat shall be filed with the city clerk without the written approval of the mayor of the city. The city shall have exclusive authority to regulate subdivisions under the Municipal Amenity Act (Article 4115.001, Texas Government Code), and Article 4115.001, Texas Government Code, and Chapter 221, Acts of the 71st Legislature, Regular Session, 1990, and other statutes applicable to cities, and the city shall have independent authority to regulate subdivisions in extraterritorial jurisdictions, as defined by Section 556.021, Texas Government Code, and other statutes applicable to cities. In cases in which the city has exclusive authority to regulate subdivisions under the Municipal Amenity Act (Article 4115.001, Texas Government Code), and Article 4115.001, Texas Government Code, and Chapter 221, Acts of the 71st Legislature, Regular Session, 1990, and other statutes applicable to cities, the city shall have independent authority to regulate subdivisions in extraterritorial jurisdictions, as defined by Section 556.021, Texas Government Code, and other statutes applicable to cities.

Section 3. A subdivision plat may not be filed with the city clerk except filed under the provisions of the Municipal Amenity Act (Article 4115.001, Texas Government Code), and Article 4115.001, Texas Government Code, and other statutes applicable to cities.

The following is related to Section 2402

Art. 6422a. Subdivisions in municipal extraterritorial jurisdiction; counties operating under Article 6422a.1, Revised Statutes. (new) (2012)

Section 1. This article applies only to counties operating under Article 6422a.1, Revised Statutes. (new) (2012).
Art. 6626a.2
REGISTRATION

Section 5 of the 1983 Act provides:

"If a V.A.C.S. Articles 6626a.2, 6626b, 6626c, 6626d, 6626e:
Legislature, Regular Session, 1981 (Article 6626a.2), were
received in 1981, immediately before September 1
or later than October 1, it was recorded un-
der any prior laws, apply to a subdivision and the
true or assumed name of the owner of any land
September 1, 1983 or from which one
under this Act, we would be excluded.
\[\text{IV. V.A.C.S. Articles 6626a.2, 6626b, 6626c, 6626d, 6626e:} \]


The repealed article, relating to recording of
Deposition Table providing V.T.A.C. Property Code.

Art. 6626c. Recording maps or plats of subdivisions of real estate

1. Section 1. No party shall file for record or record in the official records in the Clerk's Office any plat or subdivision or resubdivision of real estate within which
sections or parts of sections of such map or plat shall have been recorded for record by

Art. 6626d. Canning subdivisions

Section 2. A corporation association or corporation owning lands in this State, which have been subdivided into lots and blocks or small subdivisions, may make subdivisions of the same or other lands that are located for permission to cancel all or any portion of such subdivision or subdivision thereof and shall file in the Clerk's Office a plat or map of the land to be subdivided and as much of the description of the land to be
and in event of failure to file such records of subdivisions of real estate within which
law, and no party so subdividing or resubdividing any real estate shall use the subdivider's or resubdivider's subdivision or plat as evidence in any action.

Art. 6626e. Revision of subdivision plat

Section 1. A person who has subdivided land that is subject to the subdivision controls of the county in which it is located may apply in writing to the commissioners court of the county for permission to revise the subdivision plat that has been filed for record with the county clerk.

Notice

Sec. 2. (a) After the application is filed with the commissioners court, the court shall cause a notice of the application to be inserted in a newspaper of general circulation in the county. The notice shall include a statement of the time and place of the hearing of the application and to hear protests to the revision of the subdivision plat.

(b) The hearing shall be held at the request of the petitioning owners, and before the time set for the hearing, the petitioners shall file with the clerk of the court a notice of hearing.

Sec. 3. The commissioners court, during a regular term of the court, shall adopt an order permitting the person to revise the subdivision plat if it is shown to the court:

(1) that the revision will not interfere with the established rights of any owner of a part of the subdivided lands that have the agreement to revise the subdivision plat.

(2) that the revisions may interfere with the rights of an owner of a part of the subdivided land, that the owner has agreed to the revision.

Sec. 4. If the commissioners court permits a person to revise a subdivision plat, the person may make the revision by filing for record with the county clerk a revised plat or part of a plat showing the changes made to the original plat.


Prior to repeal, art. 6627 was amended by Acts 1953, 56th Leg., ch. 178, eff. June 1, 1954.