



SUBDIVISION REGULATIONS

ADOPTED BY THE COMMISSIONERS COURT
ON SEPTEMBER 3, 2020

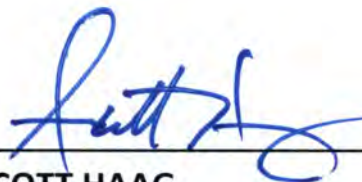
This was created and witnessed by our hands, this 3rd day of September, 2020 by Comal County Commissioners Court acting in regular session.



SHERMAN KRAUSE, COUNTY JUDGE



DONNA ECCLESTON,
COUNTY COMMISSIONER PCT. #1



SCOTT HAAG,
COUNTY COMMISSIONER, PCT. #2



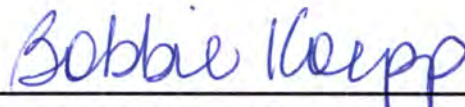
KEVIN WEBB,
COUNTY COMMISSIONER, PCT #3



JEN CROWNOVER,
COUNTY COMMISSIONER, PCT #4



ATTEST:



BOBBIE KOEPP, COUNTY CLERK



SUBDIVISION FEES

APPLICATION FOR LICENSING AUTHORITY RECOMMENDATION FOR SEWAGE FACILITIES

5 lots/tracts or less
6 lots/tracts or more

\$20.00 per lot/tract
\$100.00 basic fee plus
\$5.00 per lot/tract

SUBDIVISION PLATTING FEES

\$100.00 per resultant lot/tract

ADDITIONAL FEE FOR PLATS WITH ROAD CONSTRUCTION

\$3000.00 per plat

Table of Contents

I. AUTHORITY AND PURPOSE.....	4
A. REGULATORY AUTHORITY.....	4
B. AUTHORITY AND RESPONSIBILITY OF THE COUNTY ENGINEER.....	4
C. ENFORCEMENT OF REGULATIONS AND STANDARDS	4
D. PURPOSE	4
E. PLAT REQUIREMENT.....	5
F. EXEMPTIONS TO THE PLAT REQUIREMENT.....	5
II. DEFINITION OF TERMS.....	7
III. PROCEDURE	9
A. PLAT APPROVAL	9
B. FINAL APPROVAL.....	10
C. MASTER PLAN – WHEN SUBDIVISION IS PART OF A LARGER TRACT	10
D. VARIANCES.....	10
E. PROCEDURE FOR RESUBDIVIDING, CANCELLING, OR CORRECTING ALL OR PART OF A RECORDED SUBDIVISION	10
IV. PLATS.....	11
A. CRIMINAL PENALTIES	11
B. PLAT REQUIREMENTS.....	12
C. ADDITIONAL REQUIREMENTS FOR PLATTING PRIVATE ROAD SUBDIVISIONS	21
D. LOT FRONTAGE ORDER	25
E. MAJOR THOROUGHFARE PLAN.....	28
V. HIGH DENSITY DEVELOPMENT - TOWNHOUSE/GARDEN HOME/CONDOMINIUM SUBDIVISIONS.....	29
A. TOWNHOUSE SUBDIVISIONS	29
B. GARDEN HOME SUBDIVISIONS	29
C. CONDOMINIUMS	30
D. PLAT APPROVAL	30
VI. ROAD CONSTRUCTION	31
A. COMPLIANCE, INSPECTION, TESTING	31

B.	MINIMUM REQUIREMENTS	32
C.	STORM WATER DRAINAGE IMPROVEMENTS WITHIN THE ROAD RIGHT-OF-WAY	34
D.	SUBGRADE	34
E.	BASE MATERIAL.....	35
F.	PAVEMENT	35
G.	TRAFFIC SIGNS AND GUARD POSTS	37
VII.	FINAL INSPECTION AND ACCEPTANCE	37
VIII.	MISCELLANEOUS.....	38
IX.	SEPARABILITY OF PROVISIONS.....	38
	APPENDICES.....	40
I.	FORMS AND CERTIFICATIONS	41
II.	UNIT ROAD SYSTEM DEPARTMENT STANDARD.....	50
III.	DESIGN CRITERIA.....	54
IV.	REVISION LOG	55

I. AUTHORITY AND PURPOSE

A. REGULATORY AUTHORITY

The various development constraints outlined herein are ordered by the Commissioners Court of Comal County this 3rd day of September 2020, or later date as amended or revised, under authority granted to Commissioners Court by one or more of the following state statutes:

Chapters 212 and 232, Texas Local Government Code

Chapter 16, Texas Water Code

Texas Administrative Code Title 30, Chapters 213, 230 and 285

B. 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. The County Engineer 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.

C. ENFORCEMENT OF REGULATIONS AND STANDARDS

On behalf of Comal County, the Criminal District Attorney or other prosecuting attorney for the County may, when requested by the Commissioners Court, take all actions or seek any penalty authorized under law and enforce the provisions of these Regulations or the Standards referred to herein with respect to any violation thereof which occurs within the County.

Revision 9/3/2020

D. 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. These regulations are applicable to residential, commercial, and industrial subdivisions. Specifically, they have been prepared for the following purposes:

1. To furnish the developer with guidance and assistance in the expedient preparation and approval of a subdivision plat.
2. To protect the citizens of Comal County, the potential user, by insuring minimum standards in a subdivision where they may want to live.
3. 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.
4. To prevent the citizens of Comal County from being burdened with substandard streets or roads.

E. PLAT REQUIREMENT

1. 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:
 - a. a subdivision of the tract, including an addition;
 - b. lots; or
 - c. 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.
2. 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.

F. 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, available for viewing at www.cceo.org.

1. 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:
 - a. the land is to 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
 - b. the owner does not lay out a part of the tract described above by E.1.c.; and
 - c. if the tract described ceases to be used primarily for agricultural use or for farm, ranch, wildlife management, or timber productions use, the platting requirements apply.
2. 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:
 - a. each of the lots is sold, given, or otherwise transferred to an individual who is related to the owner within the third degree or consanguinity of affinity, as determined by Chapter 573, Government Code;
 - b. the owner does not lay out a part of the tract described by E.1.c.; and

- c. if any lot is sold, given, or otherwise transferred to an individual who is not related to the owner within the third degree of consanguinity or affinity, the platting requirements apply.
- 3. 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:
 - a. all of the lots in the subdivision are more than 10 acres in area; and
 - b. the owner does not lay out a part of the tract described by E.1.c.
- 4. 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 E.1.c. to have a plat of the subdivision prepared if all of the lots are sold to veterans through the Veteran's Land Board Program.
- 5. The County shall not require the owner of an unplatted tract of land located outside the limits of a municipality who divided the tract into two or more parts to have a plat of the subdivision prepared if:
 - a. the owner does not lay out a part of the tract described by E.1.c.; and
 - b. 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.
- 6. 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:
 - a. the owner does not lay out a part of the tract described by E.1.c.; and
 - b. 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.
- 7. 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:
 - a. the owner does not lay out a part of the tract described by E.1.c.; and
 - b. the subdivision is the result of the owner dividing a tract by granting a security interest in property to secure an indebtedness.
- 8. 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 or more to have a plat of the subdivision prepared if:
 - a. the owner does not lay out a part of the tract described by E.1.c.; and
 - b. the subdivision is the result of the owner dividing a tract to convey property to an adjacent property owner.

9. 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:
 - a. 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
 - b. 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.

Revision 1/23/14

II. DEFINITION OF TERMS

- A. Building Set-Back Lines- the lines within a property defining the minimum horizontal distance between a building and the adjacent property line or street.
- B. Common Area/Common Elements - includes all of the project property in a condominium declaration, except the individual condominium units.
- C. Condominium - the separate ownership of single units or apartments in a multiple-unit structure or in structures with common elements.
- D. 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.
- E. Condo Share - Time Share with respect to a condominium unit.
- F. Contour Lines - elevation lines drawn upon the plat illustrating general topography and drainage flow.
- G. Dedication - the transfer of property from private to public ownership.
- H. Extraterritorial Jurisdiction (ETJ) - authority granted to municipalities to exercise subdivision development regulations for a specific distance outside their boundaries in unincorporated areas.
- I. 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.
- J. 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.
- K. Mobile Home Park- any facility or area developed for the lease or rental of two or more mobile homes.
- L. 100-Year Floodplain (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 one hundred years.
- M. Pavement Width- the portion of a street available for vehicular traffic.

- N. 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.
- O. 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 Commission on Environmental Quality.
- P. 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.
- Q. 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 Commission on Environmental Quality (San Antonio) should be contacted about said regulations.
- R. Residential Use - shall be construed to include single-family residential, two-family, and multi-family residential, i.e., apartments, townhouses, or condominiums.
- S. Right-of-Way - that portion of the subdivision dedicated to public use for streets and roads.
- T. Shall and May - in these regulations, use of the word “shall” indicates a mandatory provision, and use of the word “may” indicates a permissive provision.
- U. Will and Should - in these regulations, use of the word “will” indicates a mandatory provision, and use of the word “should” indicates a recommendation.
- V. Street (Road) - a public or private thoroughfare which provides vehicular access to adjacent land.
1. Arterial Streets - serve high volume through traffic from collector and secondary streets with considerable route continuity usually at higher constant speeds.
 2. Connector Streets - intermediate streets that serve to connect secondary streets with arterial streets.
 3. Secondary Streets - serve primarily to provide access to property abutting the public right-of-way so designed as to prevent through traffic
- W. Surveyor - a Registered Public Land Surveyor as authorized by the State Statutes to practice the profession of surveying.
- X. Time Share - interval ownership of a piece of real estate (commonly a condominium unit, but may be any 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).
- Y. Townhouse - 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 having no side set-back lines.

- Z. Utility Easement – easement dedicated by the owner of the proposed subdivision in perpetuity for the installation and maintenance of public utilities and all the necessary appurtenances thereto installed above, on, or below the surface of the ground; with the following requirements:
1. 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.
- AA. Water Distribution Facility - A system or network of pipes and valves designed to deliver potable water to users.
- BB. 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.
- CC. Water Supply – A source of water.

Revision 3/21/91; 1/01/01; 1/23/14

III. PROCEDURE

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

A. PLAT APPROVAL

1. Copies of the proposed plat and accompanying data in conformance with the current applicable Comal County Subdivision Plat Application regulations shall be transmitted to the County Engineer for review.
2. 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 for the purpose of determining their conformity with this Order and applicable Standards, giving consideration to sound engineering practices and design criteria.
3. One copy of the plat, as presented or marked to show the changes necessary for approval, will be returned to the subdivider.
4. Corrected plat shall be transmitted to the County Engineer for re-review. PLATS WILL NOT BE SCHEDULED ON COMMISSIONERS COURT AGENDA UNTIL ALL REQUIREMENTS ARE SATISFIED.
5. A plat that has been marked for correction by the County Engineer's Office will not be approved until such corrections are made on the plat.

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

B. FINAL APPROVAL

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:

1. One (1) 18" X 24" black and white paper copy with notarized surveyor and owner(s) signatures.
2. County Clerk's filing fees
3. The Surveyor (developer) shall submit a high quality, full size, digital PDF copy of the recorded plat to the County Engineer's office within two weeks of recording for distribution. Copies of the plat shall be distributed to governmental agencies, school districts, emergency services, and utilities.

C. 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 proposed plat shall be accompanied 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 Engineer, 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 subsequent units of such subdivisions shall conform to such approved overall layout, unless changed by the developer and the County. County Engineer may request changes in the approved overall layout when the County finds:

1. That adherence to the previously approved overall layout will hinder the orderly subdivision of other land in the area; or
2. 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.

D. 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.

E. PROCEDURE FOR RESUBDIVIDING, CANCELLING, OR CORRECTING ALL OR PART OF A RECORDED SUBDIVISION

In order to maintain the integrity of the Comal County plat records, the following procedure is outlined for anyone desiring to alter any dimensions of a recorded plat. (See Texas Local Government Code, Chapters 212 and 232) The public notification requirements set 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).

1. Complete Application Form for Cancellation or Revision of All or Part of a Recorded Subdivision.
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 current fee to cover cost of public notice to the County Engineer's Office.
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 in the same subdivision unit or section are notified by certified mail (cost and effort to be incurred by subdivider). The procedure for this may require that the landowner obtain a list of names and mailing addresses of property owners from the Comal 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. Mail these via CERTIFIED MAIL; RETURN RECEIPT REQUESTED. The Return Receipt (green form from Post Office) will be filled in to be returned to:

County Engineer's Office
ATTN: Subdivision Coordinator
195 David Jonas Drive
New Braunfels, TX 78132

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

7. Certified mailings must be completed prior to newspaper publication deadline, as determined by Subdivision Coordinator. 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.

Revision 3/21/91; 4/20/95; 9/4/97; 6/3/04

IV. PLATS

A. CRIMINAL PENALTIES

Pursuant to Section 232.036, Local Government Code, A subdivider commits an offense if the subdivider knowingly fails to file a plat required by these Subdivision Regulations. An offense under this subsection is a Class A misdemeanor.

B. PLAT REQUIREMENTS

1. Submission of the plat application shall constitute constructive notice of all the requirements of these Subdivision Regulations, including Road Construction Requirements.
2. No construction work shall begin on the proposed subdivision until final approval of the plat by the Comal County Commissioners Court.
3. Two (2) paper copies and one higher quality PDF copy of the plat shall be submitted to the County Engineer for review.
4. Current original Comal County property tax certificates showing a zero balance due for all property included in the plat.
5. Plat and drawing sheets shall be 18" x 24" with a minimum of ½" margins on all sides.
6. The 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 at 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), land applicable certifications as presented in Appendix I.
 - 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 identifying adjacent roads, subdivisions, and other pertinent landmarks. Said map shall be drawn to scale or shall show distances between roads and landmarks.
 - g. Heavy boundary lines around area being platted.
 - h. The location, width, and names of existing streets and subdivisions, and the locations of existing lots, easements, pipelines, fee strips, survey lines, building lines, water courses, and 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.

7. Systematic order of identification of lots in consecutive numerical order.
8. Lot sizes:
 - a. Subdivisions requiring platting, where each lot within the proposed subdivision will be served by a Texas Commission on Environmental Quality (TCEQ)-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.
 - b. Subdivisions requiring platting, where each lot within the proposed subdivision will not be served by a TCEQ-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.
9. Dimensions of all lots with a 25' minimum building setback shown adjacent to all road frontage. If shown by note: "Comal County requires a minimum 25' building set-back line from road frontage."
10. All lots shown in subdivision will show bearings and distances.
11. Plat will show: acreage of subdivision and of each lot; acreage of subdivision by survey number; acreage and linear feet of roads, public or private.
12. Dimensions of the subdivision and dimensions and location 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.
13. All required drainage easements shall be represented to scale on the plat.
14. Stub-out roads to be located at approximate one-half ($\frac{1}{2}$) mile intervals. There shall be a minimum of one (1) stub-out to properties abutting subdivision for future road connections. Stub-out shall end in a cul-de-sac or square-out approved by the County Engineer, having a 60' minimum frontage width on the adjacent property line.
15. 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.
16. Clearance on street names from Comal County Address Coordinator. Names of streets shall conform whenever possible to existing street names.
17. City limits and ETJ lines shown on plat, if applicable.
18. When a subdivision lies within a city's ETJ, and there is no City-County interlocal agreement in place for subdivision regulation in the ETJ, the County subdivision regulations shall apply.

19. Topographical information shall include contour lines and elevations in increments of five (5) vertical feet. On roads with a slope gradient of ten (10) percent or more, a road profile will be provided showing gradients. Topographic information shall not be required for plats re-subdividing, cancelling, or correcting all or part of a recorded subdivision.
20. Statement that all or a portion of the plat lies within the Recharge Zone of the Edwards Aquifer, 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.
21. Areas of the 100 Year Flood Zone taken from the latest FEMA Flood Maps are to be delineated and shaded on the plat and labeled as "FEMA 100-year floodplain Zone A".
22. The following note shall appear on the plat:
This property does(or does not) lie within a Special Flood Hazard Area, Zone "A", the 100-year flood zone, as defined by the Flood Insurance Rate Map for Comal County, Texas on Community Panel No. _____, effective date _____, as prepared by the Federal Emergency management Agency.
23. 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.
24. Certifications required on plat: Owner/Developer/Lienholder and Registered Public Surveyor with signatures notarized by a Notary Public; County Judge and County Clerk.
25. Water Availability
 - a. 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.
 - b. A person seeking approval of:
 - i. A revision plat which creates or results in more than five lots; or
 - ii. A new plat which creates more than five lots; or
 - iii. A new plat that is part of a larger project containing more than five lots shall:
 - (1) 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.
 - (a) 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:
 - (i) All supporting information, data, and calculations necessary to meet the requirements of Section 230.2

through and including 230.11 shall be attached to the Certification of Groundwater Availability for Platting Form.

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

(A) 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.

(2) 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.

(a) 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.

(b) 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.

(3) 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,

(a) 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;

(i) 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.

(ii) §230.0 (c), Form Required, the first sentence is revised as follows;

(A) 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.

(b) 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.

- (c) 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.
- (4) 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.
- (a) Provide an analysis prepared by a registered engineer determining the projected water use of the final expected number of residences, business, or other dwellings in the platted area.
 - (b) 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.
 - (c) 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 Water Production and Water Distribution Facilities.
 - (d) 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.
- (5) If the proposed lots are to be served by a new Public Water System utilizing surface water,
- (a) 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.
 - (b) Provide an analysis prepared by a registered engineer determining the projected water use of a final expected number of residences, businesses, or other dwellings in the platted area.

- (c) 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 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.
 - (d) 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.
- (6) 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,
 - (a) Provide documentation from the existing Public Water System indicating that the existing system has agreed to provide water service to the platted area.
 - (b) 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.
 - (c) 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.
 - (d) 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.
 - (e) 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.

- (f) 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.
- (7) 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,
 - (a) 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.
 - (b) 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.
 - (c) 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:
 - (i) 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.
 - (ii) 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 plans with capacities.
 - (D) Locations of pump stations and elevated storage tanks with capacities.

- (iii) An analysis of the population and land use development projections for the Utility's estimated service area in 20 years.
 - (iv) 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 or 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.
 - (v) 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.
- 26. For developments located over the Edwards Aquifer Recharge Zone, written proof of application accepted by TCEQ, for WPAP or WPAP Modification, shall be submitted with the plat application. Final plat approval shall be contingent on WPAP approval.
- 27. Written approval from Comal County Environmental Health for proposed waste water disposal.
- 28. Construction plans, sealed by Licensed Professional Engineer, for roads, storm water drainage improvements, waste water collection, and waste water treatment facilities, proposed for the subdivision shall be submitted.
- 29. A Corporate Surety Bond, Irrevocable Letter of Credit and agreement, or cash deposit agreement, for an initial one-year period, in the amount estimated and sealed by a Licensed Professional Engineer and approved by the County Engineer, for construction of roads and storm water drainage improvements within, or associated with, the subdivision. The bond or letter of credit 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, letter of credit, or cash deposit agreement shall be that the owner or owners of the tract of land to be subdivided shall construct said improvements within one year of approval of the subdivision, in accordance with the Comal County Subdivision Rules and Regulations. Full amount of the bond, letter of credit, or cash deposit agreement shall remain in force until construction is completed, approved, and accepted by the Commissioners Court.
- 30. Construction schedule showing, at a minimum, the scheduled start and completion dates of each item of work required to construct road drainage, subgrade, base and pavement, and storm water drainage improvements, and the point of contact for each phase.
- 31. Engineering Design of Storm Water Drainage and Management Plan
 - a. 100-year Storm Event Inundation Analysis
 - i. 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.

- ii. 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.
- iii. 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.
- iv. 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:
 - (1) 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

- i. 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.
- ii. 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.
- iii. The Downstream Impact Analysis shall be prepared, sealed, and signed by a Licensed 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

- i. 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.
- ii. Plans and Specifications for Storm Water Drainage Improvements shall be prepared, sealed, and signed by a Licensed 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

- i. 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

- i. 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 a Licensed Professional 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.

32. A proposed master plan of all of the developer's property is required when a subdivision is part of a larger tract. The master plan shall be prepared at a scale of not more than 400 feet to an inch and shall show existing and proposed subdivisions, including streets, lots, parks, drainage easements and rights-of-way.

Revision 3/21/91; 4/20/95; 10/30/97; 4/16/01; 1/23/14

C. ADDITIONAL REQUIREMENTS FOR PLATTING 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 Engineer's 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 the 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 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 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 roads 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 is 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 non-vehicular, including fire and police protections, solid and other waste material pickup, and any other purpose 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 location of all private roads that intersect public rights-of-way. 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.

Revision 6/12/2008

D. LOT FRONTAGE ORDER

2/c

Re-recording to correct date



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ORDER # 88

STATE OF TEXAS

§

COUNTY OF COMAL

§

REVISED ORDER REGULATING LOT FRONTAGES

WHEREAS, Comal County desires to regulate lot frontages for the purposes of safe and adequate ingress and egress;

WHEREAS, lot frontage is defined as all portions of any lot that provide access;

WHEREAS, Comal County regulates subdivisions under subchapter A of Chapter 232 of the Texas Local Government Code;

WHEREAS, Comal County subdivision regulations require a minimum width of all public roadways of 60 feet;

WHEREAS, § 232.103 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 adopt reasonable standards for minimum lot frontages; and

WHEREAS, on the 9th day of March, 2003, 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 lot frontage requirement pursuant to Texas Local Government Code, Section 232.103;

WHEREAS, on the 27th day of March, 2003, the Comal County Commissioners Court approved Order # 88 Order Regulating Lot Frontages; and

WHEREAS, the Comal County Commissioners Court desires to update and revise Order # 88 to further clarify Comal County's subdivision regulation under Chapter 232 of the Texas Local Government Code; and

WHEREAS, on the 4th day of February 2024, the New Braunfels *Herald-Zeitung*, a newspaper of general circulation in Comal County, published notice that Comal County Commissioners Court would consider adopting revisions and updates to Order 88 for the regulation of lot frontages and hereby amending Comal County's subdivision regulations, pursuant to Texas Local Government Code Section 232.103.

NOW, THEREFORE, BE IT ORDERED that any subdivision of land, including land excepted from the platting requirements under subchapter A of Chapter 232 of the Texas Local Government

Code shall, for purposes of safe and adequate ingress and egress, have a lot frontage of not less than 40 continuous feet in width on or to existing county roads.

ORDERED, as witnessed by our hands, this 08th day of February, 2024 by Commissioners Court in REGULAR session.


Sherman Krause, Comal County Judge

Absent
Donna Eccleston, Commissioner Pct. 1

Scott Haag
Scott Haag, Commissioner Pct. 2

Kevin Webb
Kevin Webb, Commissioner Pct. 3

Jen Crowner
Jen Crowner, Commissioner Pct. 4

ATTEST:

Bobbie Koepp
Bobbie Koepp, County Clerk



Filed and Recorded
Official Public Records
Bobbie Koepp, County Clerk
Comal County, Texas
02/09/2024 10:26:03 AM
CHRISTY 2 Page(s)
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Bobbie Koepp

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Bobbie Koepp, County Clerk
Comal County, Texas
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Bobbie Koepp

E. MAJOR THOROUGHFARE PLAN

The most recent version of the Major Thoroughfare Plan approved by the Comal County Commissioners Court is hereby incorporated into these Regulations.

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.

A. TOWNHOUSE SUBDIVISIONS

1. Only one single family residential townhouse shall be constructed on each lot in a Townhouse subdivision.
2. Minimum front building set-back lines shall be a minimum of twenty (20) feet.
3. 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.
4. Rear minimum building set-back line shall be a minimum of ten (10) feet.
5. Width of Lot: Interior lots shall be a minimum width of fifteen (15) feet. Corner lots shall have a minimum width of thirty (30) feet.
6. Lot area shall have a minimum of 1500 square feet.
7. Off-Street Parking: There shall be at least two (2) off-street parking spaces for each 1,000 square feet of lot.
8. 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.

B. GARDEN HOME SUBDIVISIONS

1. Only one single family residential Garden Home shall be constructed on each lot.
2. 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.
 - a. 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.
3. Corner lots shall provide a minimum building set-back line of fifteen (15) feet on the side adjacent to the street.
4. Rear minimum building set-back line shall be ten (10) feet.

5. The minimum width of a lot shall be forty (40) feet.
6. Each lot in a Garden Home subdivision shall contain a lot area of not less than four thousand (4000) square feet.
7. There shall be a minimum of two (2) off-street parking spaces for each Garden Home in the subdivision.

C. CONDOMINIUMS

1. 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).
2. 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.
3. 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.

D. PLAT APPROVAL

1. Plat Approval includes all Plat Requirements plus the following:
 - a. Directions for Proper Dedication and Execution:
 - i. 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:
 - (1) One (1) 18" x 24" black and white paper copy of the plat with the following:
 - (a) Plat 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.
 - (b) Plats shall have signed and notarized certification statements of property owner and surveyor.
 - (c) County Clerk's filing fees

Revision 6/3/2004

NOTE: ONCE THE PLAT HAS BEEN APPROVED AND ACCEPTED BY COMMISSIONERS COURT AND FILED FOR RECORD WITH THE COUNTY CLERK, THE RECORDED PLAT CANNOT BE REMOVED FROM THE CLERK'S RECORDS FOR ANY REASON.

VI. ROAD CONSTRUCTION

A. COMPLIANCE, INSPECTION, TESTING

1. 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.
2. Subdivider shall be responsible, determine and assure, that all completed work complies fully with all requirements of the Subdivision Regulations.
3. Subdivider's request for inspection of any phase of the 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.
4. Minimum testing requirements are listed in the sections covering the particular work on which test must be made by the owner.
5. Failure to comply with any testing required or failure to obtain the approved test results and/or inspections required before proceeding with the next phase of the work shall automatically cause a determination of noncompliance with the Subdivision Regulations by default.
6. 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.
7. All cost of work, repairs, or testing as described in Items 6 a, b, c 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.
8. 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.
9. 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.

10. 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.

B. 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 and have the following criteria:

• 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'
• Minimum allowable grade	9%

2. Collector streets are intermediate streets that serve to connect secondary streets with arterial streets and have the following criteria:

• 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 and have the following criteria:

• Minimum right-of-way	60'
• Minimum width of roadbed	28'
• Minimum section of curbed (face to face curbs)	30'
• Minimum compacted depth of base material	6"
• Minimum depth ditch (below subgrade crown)	12"

- Minimum pavement width 22'
 - Maximum allowable grade 12%
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 establishing 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.
 5. Cross streets shall be provided at a maximum spacing of 2,000 feet to facilitate the movement of emergency vehicles.
 6. Dead-end streets which may subsequently be developed must meet the standards of Figure 6, Square-out Turn-around on Dead-end Street. 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.)
 7. All lot corners shall be marked with a ½" diameter by 2' long iron pins.
 8. 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 Appendix III.)
 9. 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.
 10. 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 stub-out 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 stub-out road or roads of such subdivision.
 11. Subdivision entrances entering off a county road or a state highway shall meet the approval of Commissioners Court (County Engineer) and/or TxDOT.
 12. All lines (water/sewer/electric, etc.) shall be buried a minimum depth of 24".
 13. Utility lines located in County right-of-way shall be located within 5' of the property line.
 14. 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.
 15. Cross section for industrial streets shall be 10" base and 1 3/4" asphaltic concrete surface, with 30' minimum width.
 16. All work shall be constructed and finished in accordance with good engineering practices.

C. STORM WATER DRAINAGE IMPROVEMENTS WITHIN THE ROAD RIGHT-OF-WAY

1. Provide an engineering analysis determining the 10-year storm water flow rate at all locations, except as noted below in paragraph 2, 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 specification 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.
2. 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 overtopping 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 road 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.

D. 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 losing, 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 with the procedure outlined in the TxDOT 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.

E. BASE MATERIAL

1. All roads and streets shall receive base material in the minimum amounts as shown under 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 TxDOT Specification Item 247.
4. Standard methods of compaction shall be used, and base material shall be applied and compacted in a minimum to two (2) courses, and to a minimum density of 95% modified proctor.
5. 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.
6. Compliance test reports shall be submitted prior to request for inspection of completed base.
7. 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.

8. 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.

F. 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 Pavement
 - i. The asphalt material for Prime Coat shall meet requirements for TxDOT Specifications. Prime Coat shall be applied after inspection by County Engineer, with an approved sprayer, at a rate not to exceed 0.25 gallon per square yard of surface.

- ii. The asphalt material for Tack Coat shall meet the requirements for Item 310, TxDOT Specifications. Tack Coat shall be applied after inspection by County Engineer, with an approved sprayer, at a rate not to exceed 0.10 gallon per square yard of surface.
- iii. 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 tare load, total load, and net load of the mixture for each load of same. The paving mixture and construction methods shall conform to Item 3076, "Hot Mix Asphaltic Concrete", Type "D", of the Standard Specifications adopted by TxDOT, with the exception of the amended clauses cited below:
 - (1) Stability of Item 340, Description, is hereby supplemented by the following:
 - (a) The stability of the compacted mixture shall not be less than forty five percent (45%) not more than sixty five percent (65%).
 - (2) Course Aggregate, of Item 340.2, Materials, is hereby supplemented by the following:
 - (a) 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 (AASHO-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.
- iv. Hot mix asphalt concrete pavement shall not be placed when general weather conditions, in the opinion of the County Engineer, are not suitable.
- v. 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, which 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. Addition tests may be required. Such additional testing will be made by the County Engineer.

b. Two-Course Surface Treatment

- 1. The two course surface treatment shall conform to Item 316 of the TxDOT Standard Specifications for street constructions, dated, except as modified below:
 - (a) Prime Coat- As approved by County Engineer.

(b) Tack Coat- As approved by County Engineer.

(c) First Course stone shall be Grade 4, Type B.

(d) Second Course stone shall be Grade 5, Type PB.

2. The rate of application for the AC-15P shall be 0.30 - 0.35 gallon per square yard for the first course and 0.10 - 0.20 gallon per square yard for the second course. Other asphaltic material, with applicable rates of application, may be used as approved by the County Engineer.

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.

G. TRAFFIC SIGNS AND GUARD POSTS

Signs and guard posts shall be installed by Comal County 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.

Revision 3/21/91; 4/16/01; 6/3/04

VII. FINAL INSPECTION AND ACCEPTANCE

- A. 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.
- B. The County Engineer, or other person designated by the Commissioners Court, will, within 15 days, inspect the completed work for compliance.
- C. 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.

- D. 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.
- E. 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

- A. There shall be no reserve (access easements) strips controlling access to land dedicated or intended to be dedicated to public use.
- B. 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 landowners' association.
- C. The responsibility for all costs of improvements as required by these Regulations shall be borne by the Subdivider.
- D. 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.
- E. Construction bonds/letters of credit shall be submitted as a prerequisite for plat approval and the full amount of the bond/letter of credit shall remain in force until required construction is completed and approved by the Commissioners Court.
- F. Comal County shall not repair or maintain streets or roads that have not been accepted into the Unit Road System by the Commissioners Court.
- G. Access to all new platted subdivisions shall be from an adequate County maintained road or a state or federally maintained road.
- H. All roads constructed in subdivisions located in Comal County shall adhere to the regulations and standards as approved by Commissioners Court whether public or private.
- I. Cul-de-sac streets shall be 100 feet (100') in diameter for residential; 200 feet (200') diameter for industrial and commercial subdivisions.

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 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.

APPENDICES

I. FORMS AND CERTIFICATIONS

- A. 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. The following must be included:

1. Date of Issuance
2. Credit Number
3. Amount
4. Subdivision Name and Unit Number
5. Name and Address of Applicant/Developer
6. Beneficiary listed as:
Comal County Commissioners Court
100 Main Plaza
New Braunfels, TX 78130
7. Inclusion or attachment of an Agreement Between Developer and Comal County Regarding Construction and Letter of Credit:

COMAL COUNTY COMMISSIONERS COURT

100 Main Plaza
New Braunfels, TX 78130

**AGREEMENT BETWEEN DEVELOPER AND COMAL COUNTY REGARDING
ROAD CONSTRUCTION, STORM WATER DRAINAGE IMPROVEMENTS,
AND THE LETTER OF CREDIT FOR**

(Subdivision Name)

Comal County Commissioners Court reserves the right to call in the Irrevocable Standby Letter of Credit No. _____, dated _____, from _____.

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

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

- A.) Completed construction of all storm water drainage improvements, roads, drainage structures, guard rails, signs, etc., according to County standards. Approval of said construction by the 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), updated construction cost estimate, including inflation, and an extension of the Irrevocable Standby Letter of Credit (amount shall not be 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 the expiration of the current Irrevocable Standby Letter of Credit. Commissioners Court reserves the right to revise the duration of or not 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)

Print name & title: _____

Address: _____

APPROVED AND ACCEPTED, this, the _____ day of _____, 20____.

COMAL COUNTY, TEXAS

By: _____
Signature

Print name and title

B. Construction Bond

CONSTRUCTION BOND

DATE OF ISSUANCE: _____

DATE OF EXPIRATION: _____

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF COMAL §

That we, _____, the undersigned subdivider, 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: _____

_____ titled _____ Subdivision.

WHEREAS, under the provisions of the Comal County Subdivision control regulations adopted as of _____ Comal County requires a condition precedent to the granting of such petition, that the Principal furnish a guarantee that he will construct, or cause the be constructed, according to the requirements of such subdivision control regulations, the following site improvements within one(1) year after approval of the plat of said subdivision: Construction of _____ feet of county road, storm water drainage improvements, and any other site improvements in accordance with the requirements of the Comal County Subdivision Regulations.

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall not, on or before the _____ day of _____, 20____, (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 HANDS and seal, this, the _____ day of _____, 20____.

By: _____
Subdivider and Principal

Surety

By: _____
Attorney-in-Fact

APPROVED AND ACCEPTED, this the ____ day _____, 20____
COMAL COUNTY, TEXAS

By: _____

Title

C. Plat Certifications

1. Easement Statement

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.

2. Owner's Statement of Roads Dedicated to the Public

STATE OF TEXAS §
COUNTY OF COMAL §

KNOWN ALL MEN BY THESE PRESENTS:

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED 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

STATE OF TEXAS §
COUNTY OF COMAL §

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 of writing, and acknowledged to me that they 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, State of Texas

PRINTED NAME

3. Owner's Statement that Roads Remain Private

STATE OF TEXAS §
COUNTY OF COMAL §

KNOWN ALL MEN BY THESE PRESENTS:

The owner of the land shown on this 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 by this plat shall not be dedicated to any state, municipality
or other government entity. They shall remain private roads.

Owner

Address

STATE OF TEXAS §
COUNTY OF COMAL §

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 of writing, and acknowledged to me that they 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, State of Texas

PRINTED NAME

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., 20____.

By: _____
City Manager (Mayor)

Approved:

By: _____
City Engineer

By: _____
City Secretary

5. 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

Registered Public Surveyor

Sworn to and subscribed before me this the _____ day of _____, 20____

Notary Public, State of Texas

PRINTED NAME

6. 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., 20____ AT _____ M. AND DULY RECORDED THE _____ DAY OF _____, A.D., 20____ AT _____ M. IN THE RECORDS OF MAPS AND PLATS IN SAID OFFICE, OF SAID COUNTY, IN DOCUMENT # _____, IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS _____ DAY OF _____, A.D., 20____

COUNTY CLERK, COMAL COUNTY, TEXAS

BY: _____,

DEPUTY

7. 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 _____, 20 ____
Dated this _____ Day of _____, A.D., 20____

By: _____
County Judge

Attest: _____
County Clerk - Deputy

8. Variance Request

VARIANCE REQUEST

I/We, the undersigned _____, being the
(Print Name(s))
owner(s) of proposed _____
subdivision, do officially request that this variance request, _____
(State Subdivision Regulation – Cite Page and Paragraph), be granted
by Commissioners Court of Comal County for the above subdivision during this plat
review session for the following reasons:

_____ (Date)	_____ (Signature)
_____ (Address)	_____ (Signature)
_____ (Address)	_____ (Surveyor)

GRANTING/DENIAL of VARIANCE REQUEST

On this _____ day of _____, 20 __, 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

9. Application Form for Cancellation or Revision of a Recorded Plat

APPLICATION FORM

CANCELLATION OR REVISION OF ALL OR PART OF A RECORDED PLAT

I/WE THE UNDERSIGNED, _____
(Print name)
Of _____,
(Address)
BEING OWNER(S) of _____,
(Lot(s) and subdivision name, including unit number)

DO OFFICIALLY REQUEST THAT THE FOLLOWING ACTION BE PERMITTED (DESCRIBE):

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.

FINALLY, I/WE STATE THAT:

Pursuant to Texas Local Government Code, Section 232.009 (d)(1), the revision will not interfere with the established rights of any owner of a part of the subdivided land.

BY: _____
(owner) (owner)

DATE: _____

On this _____ day of _____, 20_____, 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.

County Judge

10. 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.

Lienholder Acknowledgement

I/We, _____,
(Mortgage company/bank name)

owner(s) and holder(s) of a lien against the property described in the plat known as

(Plat title, unit & block numbers (if any), & mortgaged lot number(s))

said lien being evidenced by instrument of record in Document No. _____

(Recording no. of Deed of Trust, Warranty Deed w/Vendor's Lien, Home Equity Loan, etc.)

of the Official Public Records of Comal County, Texas, do hereby in all things subordinate said lien to said plat, and hereby confirm that I am/we are the present owner(s) of said lien and have not assigned the same or any part thereof.

I/we acknowledge 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. I/we also acknowledge 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(s), Printed)

STATE OF _____ §

COUNTY OF _____ §

Sworn to and Subscribed before me by _____

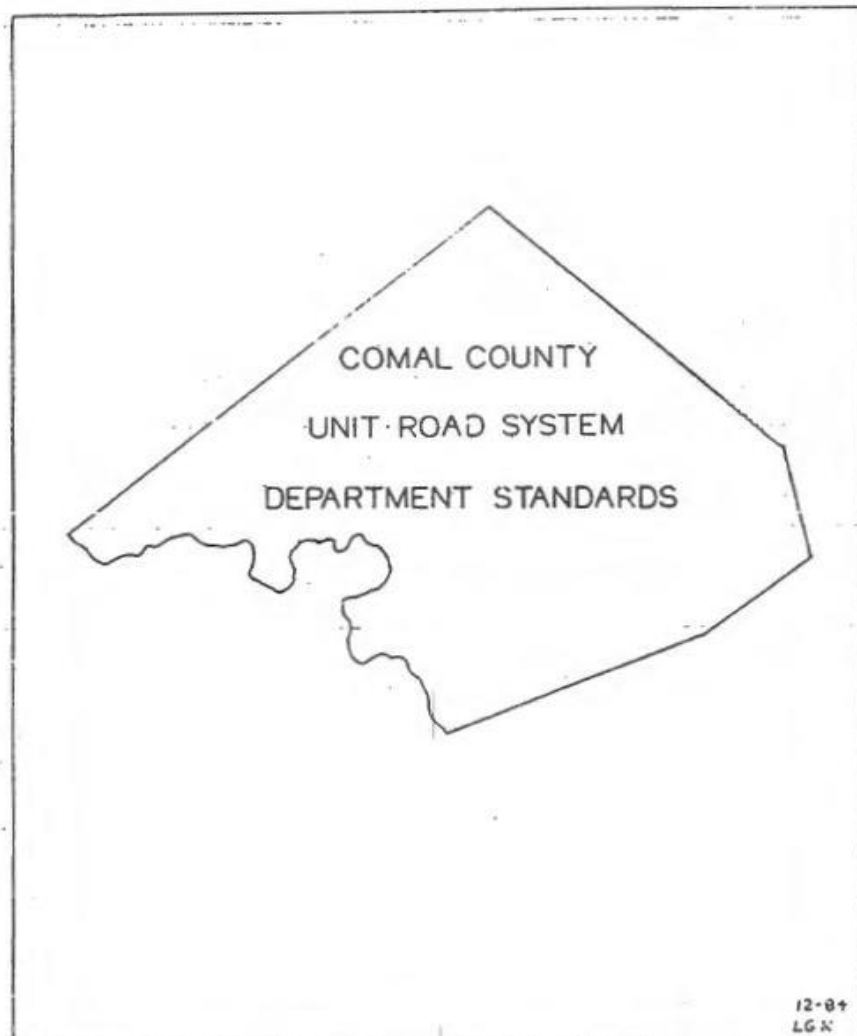
on the _____ day of _____, 20____.

(Notary)

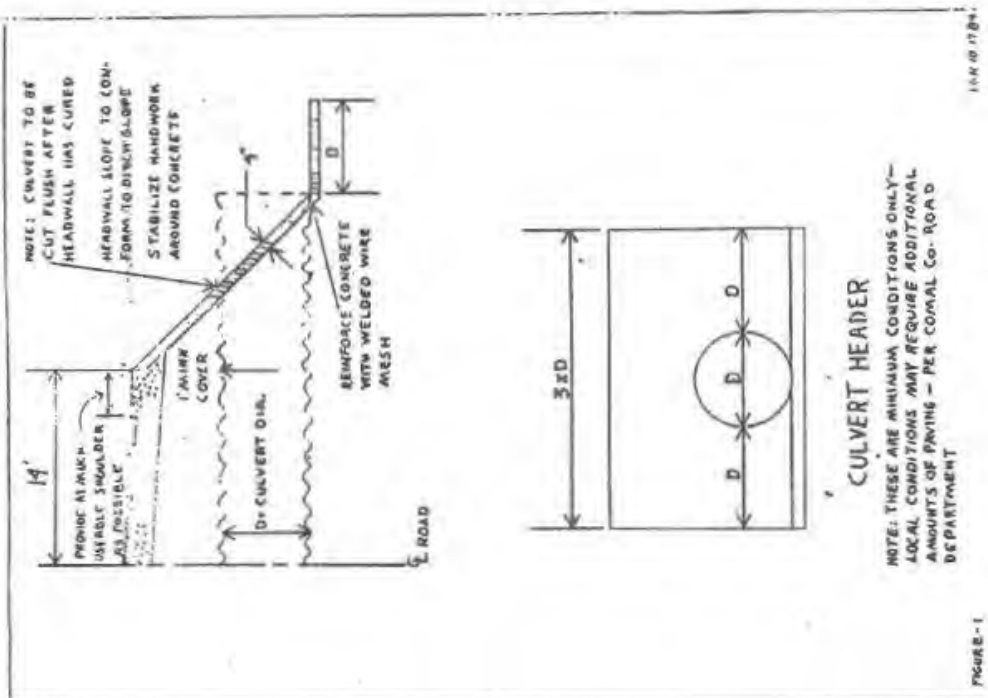
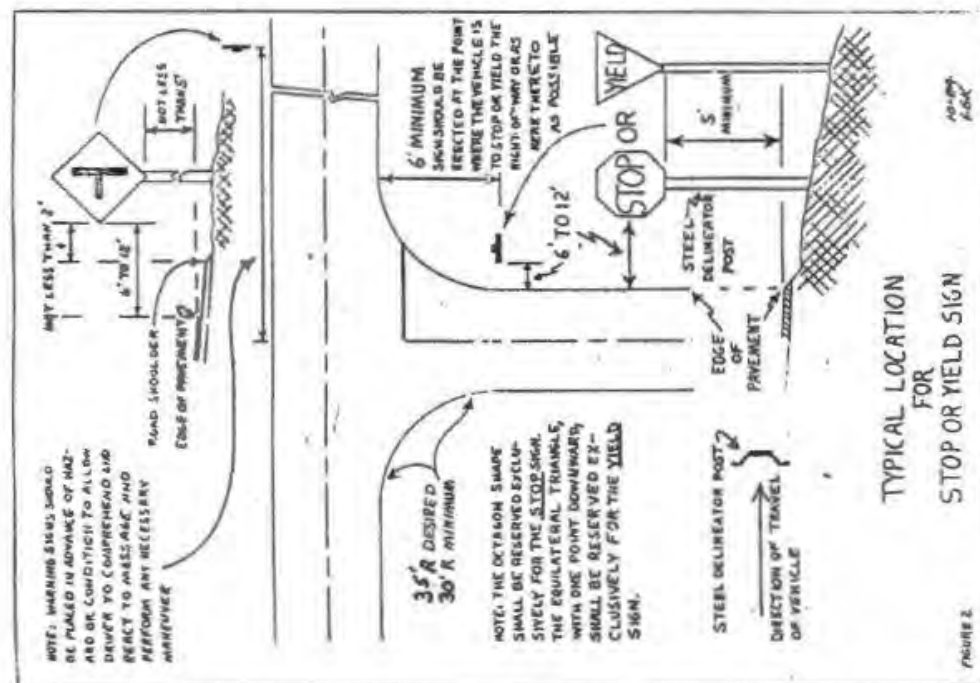
(Printed Name)

Revision 3/21/91

II. UNIT ROAD SYSTEM DEPARTMENT STANDARD



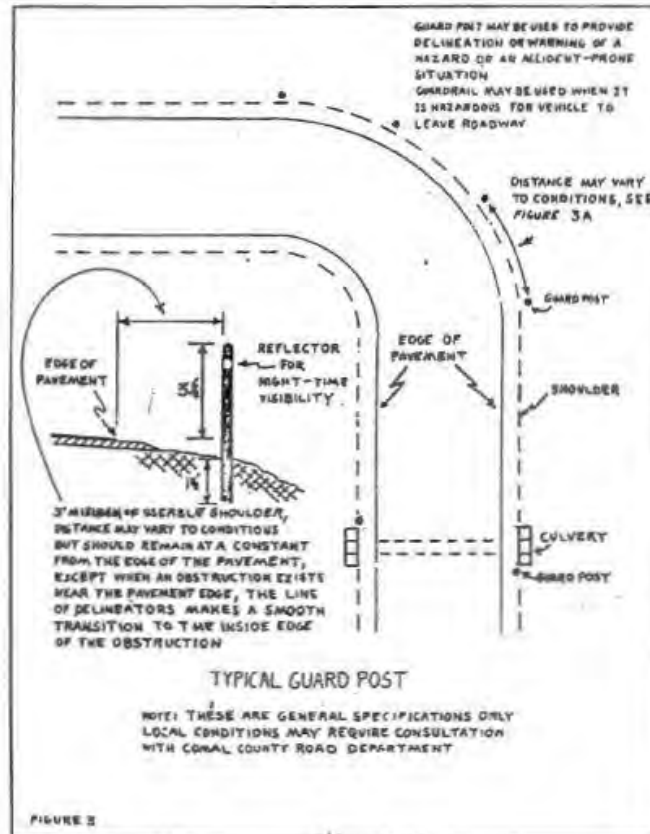
LIST OF PLATES	
TITLE	NUMBER
CULVERT HEADER	1
SIGN LOCATION	2
GUARD POST APPLICATION	3
RADIUS RETURN	4
CUL-DE-SAC	5
SQUARE OUT TURN-AROUND	6
STREET CROSS-SECTION	7

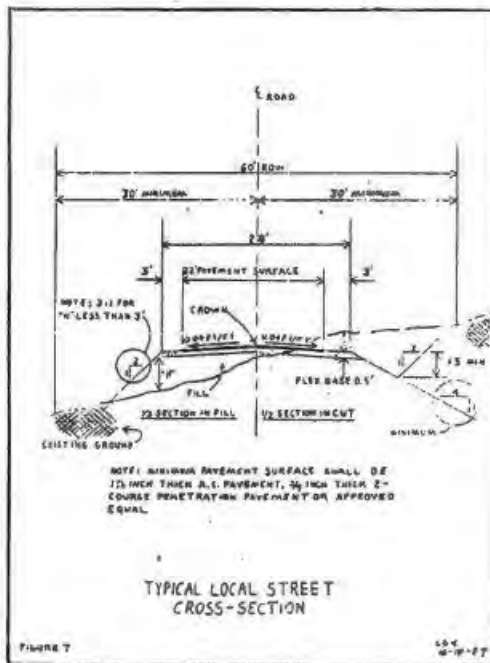
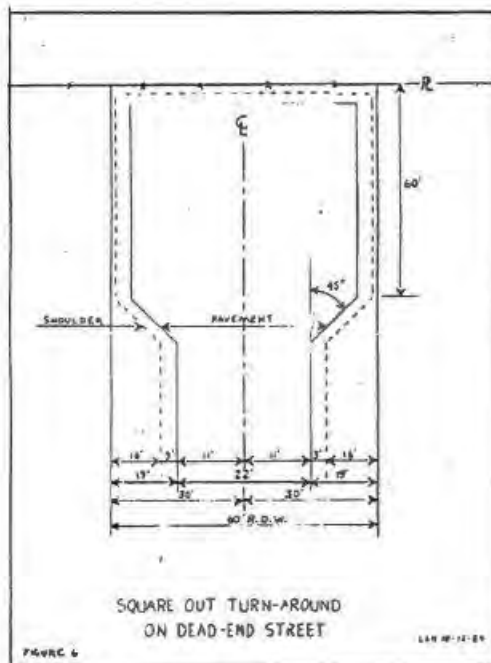
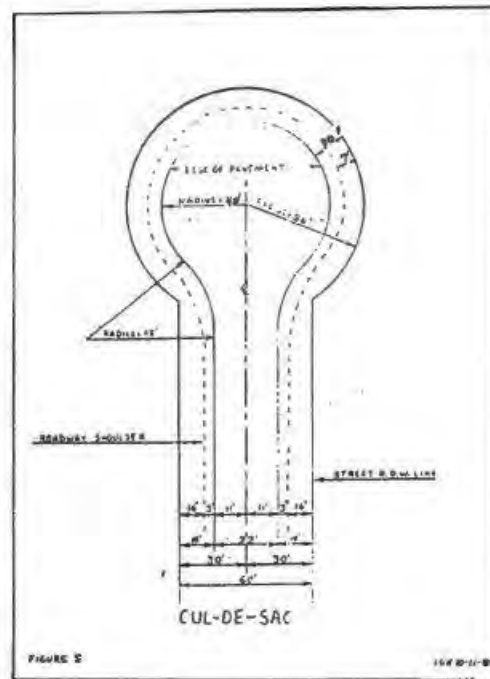
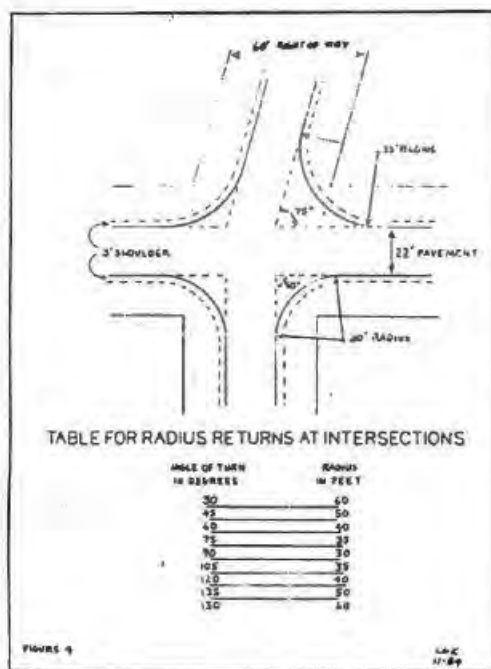


RADIUS of CURVE (in feet)	SPACING ON CURVE (in feet)	SPACING IN ADVANCE & BEYOND CURVE (in feet)		
		1st	2nd	3rd
30	30	40	65	125
150	30	60	90	180
200	35	70	110	215
250	40	85	125	250
300	50	95	145	290
400	55	110	170	300
500	65	125	190	300
600	70	140	210	300
700	75	150	230	300
800	80	165	245	300
900	85	175	260	300
1,000	90	185	275	300

Spacing for specific radii not shown may be interpolated from table or computed from the formula $S = \frac{1}{2} \sqrt{R^2 - 150^2}$. 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 S, the second 1 S, and the third S but not to exceed 300 feet. If a spacing less than 300 feet is used approaching the curve, the distances shown above should be adjusted accordingly.

Figure 3A





III. DESIGN CRITERIA

CURVES:

	<u>Radius</u>	<u>Degree</u>
55 mph	1050'	5° Desirable
50 mph	700'	8° Minimum
40 mph	470'	12° Special Conditions
30 mph	280'	21° Subdivision Streets

GRADIENT:

5%	Desirable
9%	Maximum
12%	Special Conditions

PASSING SIGHT DISTANCE:

55 mph	2000'	Desirable
45 mph	1200'	Minimum
30 mph	600'	Subdivision Street

INTERSECTION RADII:

25'	Minimum
30'	Desirable

<u>Angle of Turn</u>	<u>Radius</u>
90°	30'
75°	35'
60°	40'
45°	50'
30°	60'

ROADWAY WIDTH:

Pavement	22' minimum Streets & Collectors
	24' minimum Arterials
Roadbed	28' minimum Streets
	32' minimum Collectors
	40' minimum Arterials
Arterial Shoulders	8' minimum Wherever possible
	10' desirable Wherever possible
Right-of-Way	60' minimum Streets
	80' minimum Arterials

IV. REVISION LOG

This document codifies the Comal County Subdivision Regulations that were adopted on December 5, 1985, including subsequent revisions. These revisions are referenced at the end of each affected section of the Regulations. Any future revisions will be logged here, specifying the date the revision was made and the affected section of the regulations.

Revisions that were included in this document follow:

1. Removed references to preliminary plat process.
2. Removed driveway permitting due to development of Comal County Public Right-of-Way Order for Private Construction within Public Right-of-Way
3. Updated forms with current information
4. Removed references to obsolete statutes and updated with correct ones
5. Incorporated separate, individual orders into Subdivision Regulations (i.e. Lot Frontage Order and Major Thoroughfare Plan Order)
6. Removed major thoroughfare plan and replaced with reference to major thoroughfare order.