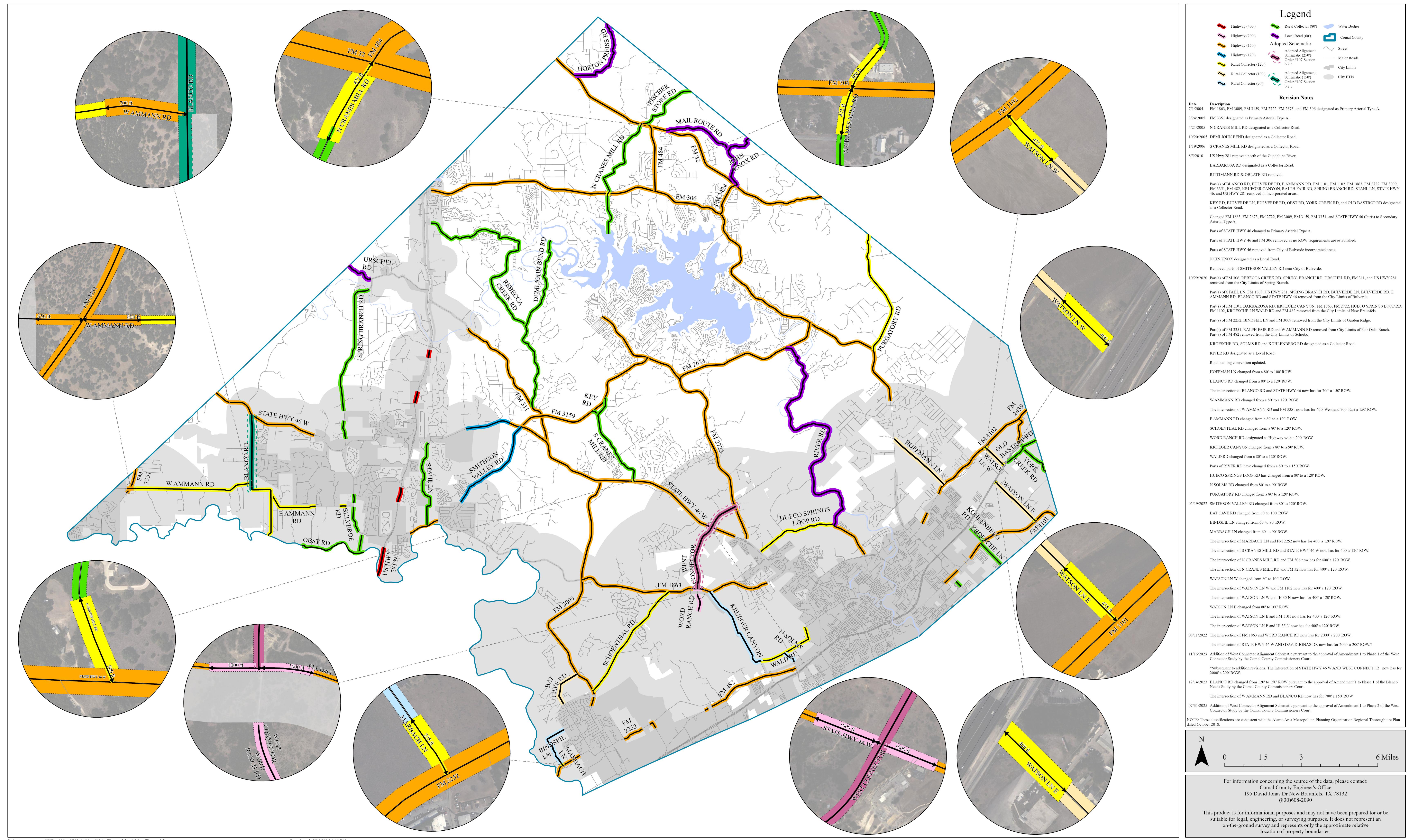
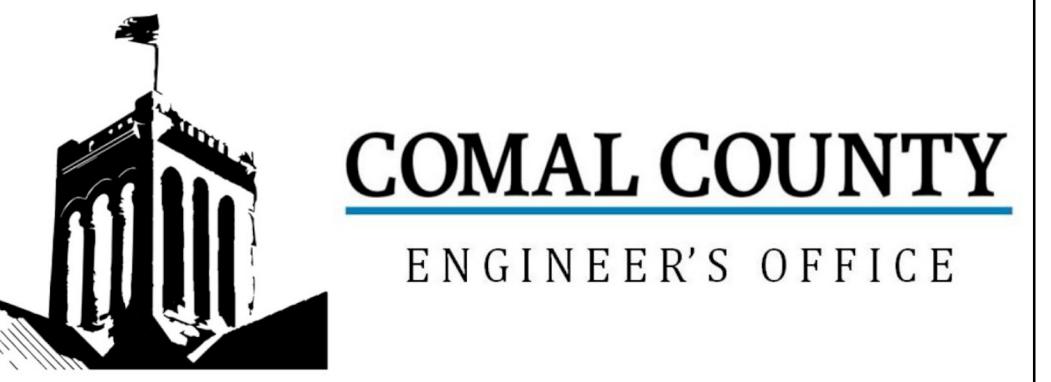


Comal County Major Thoroughfare Plan



STATE OF TEXAS

§

COUNTY OF COMAL COUNTY

§

Order #107

ORDER ESTABLISHING A MAJOR THOROUGHFARE PLAN

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

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

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

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

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

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

WHEREAS, Comal County is adjacent to Bexar County; and

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

WHEREAS, Comal County is located within the same metropolitan statistical area of Bexar County, as designated by the United States Office of Management and Budget; and

WHEREAS, the San Antonio-Bexar County Metropolitan Planning Organization adopted a transportation plan on May 19th, 2003 entitled "The Regional Corridor Plan"; and

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

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

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

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

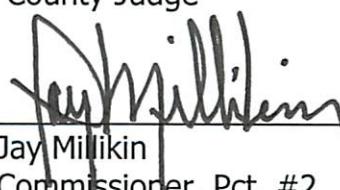
ORDERED, as witnessed by our hands, this 3rd day of June, 2004 by the Comal County Commissioners Court acting in REGULAR session.

absent

Danny Scheel, County Judge

absent

Jack Dawson
Commissioner, Pct. #1


Jay Millikin
Commissioner, Pct. #2 Acting County Judge

Cristina Zamora
Cristina Zamora
Commissioner, Pct. #3

Jan Kennedy
Jan Kennedy
Commissioner, Pct. #4




Attest: Joy Streater
Comal County Clerk

Exhibit "A"

Comal County Subdivisions Rules and Regulations

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

Major Thoroughfare Plan

a. Road Classifications

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

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

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

b. Right-of-Way Dedication

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

(2) Policy:

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

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

road in accordance with the right-of-way width requirements set out in the Comal County Major Thoroughfare Plan, or,

- (C) The owner must dedicate the land as required by an alignment schematic or plan adopted by the Texas Department of Transportation or Comal County.
- (3) The right-of-way being dedicated shall be designated on the plat and the appropriate acreage shall be shown.

c. Revision Procedure

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

d. Extra Territorial Jurisdictions (ETJ)

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

e. Map

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