

Land Use Planning and the Right-of- Way


Comprehensive Plans, Right-of-Way
Ordinances, Utilities, and More



1



2



Before You Start

Know:

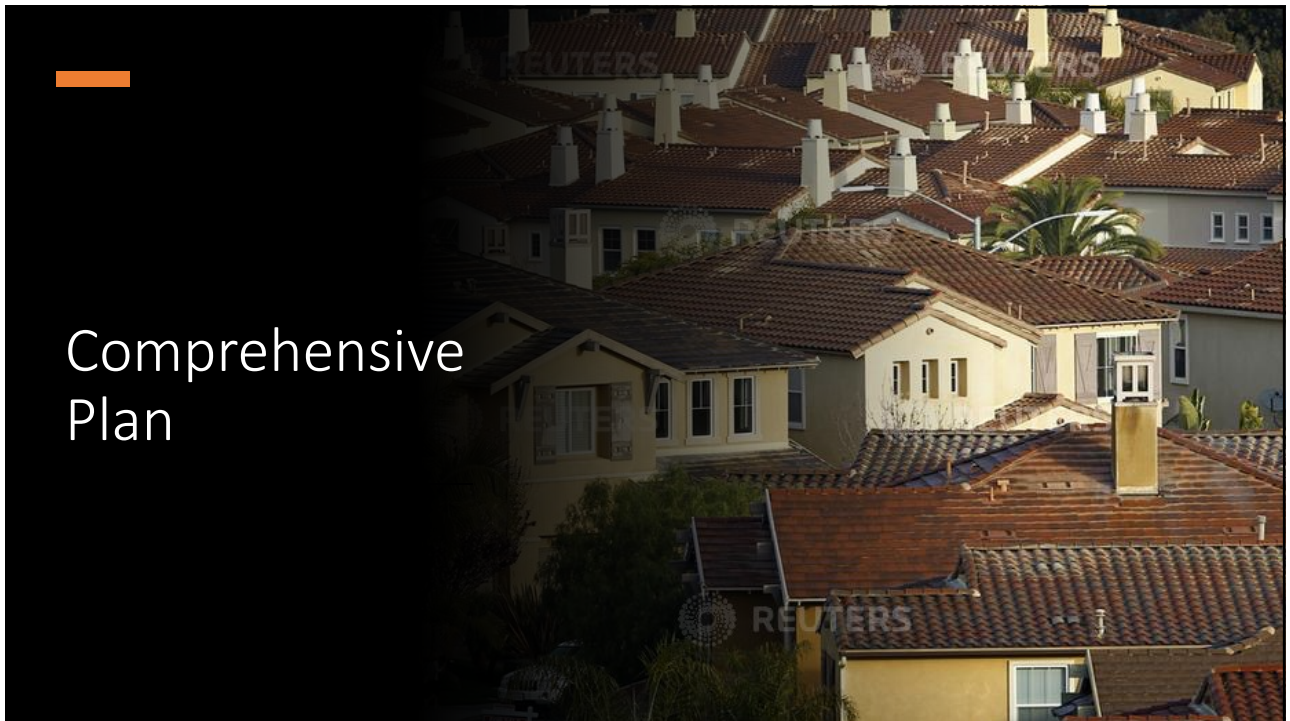
- Your comprehensive plan (types of streets, conduits).
- Your right-of-way management ordinance.
- Your franchises.
- Your street light agreement(s).



3



Comprehensive Plan



4

Comprehensive Plan – Transportation Element

Texas state law provides that a comprehensive plan may include sections on:

- Land use.
- Transportation.
- Public facilities.

(Tex. Local Gov't Code § 213.002)

5

Comprehensive Plan – Transportation Element

- The transportation element of the comprehensive plan shows what type of streets and traffic patterns are anticipated for future development.
- While it may be assumed that local governments always want to increase capacity and connectivity, the development of the right-of-way must also be context sensitive.
- Neighborhoods often do not want a new major street installed or expansion of an existing street or an immediate connection to an arterial street that may increase traffic going past residential homes.

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Land Use Planning and the Right-of-Way

Also available as part of the eCourse

[2024 Land Use eConference](#)

First appeared as part of the conference materials for the

28th Annual Land Use Conference session

"Right-of-Way and Land Use Planning"