

ORDINANCE NO. 691

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE SUBDIVISION OF LAND IN THE CORPORATE LIMITS OF THE CITY OF MCKINNEY AND THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MCKINNEY: PROVIDING FOR MINIMUM STANDARDS FOR STREETS AND UTILITIES: DEFINING TERMS: PROVIDING A PENALTY FOR THE VIOLATION OF THE TERMS OF THIS ORDINANCE AND THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

The City Council of the City of McKinney hereby adopts these rules and regulations as a guide for persons or corporations intending to subdivide land located within the limits and/or legal jurisdiction of the City of McKinney in accordance with the laws of the State of Texas and the authority of the City Council of the City of McKinney, now therefore:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS.

SECTION I. DIVISION OF LAND TO BE UNDER SUPERVISION OF THE CITY:

All land not heretofore subdivided into lots, blocks and streets within the City of McKinney shall hereafter be laid out under the direction of the City Council and City Planning Commission, and no other subdivision will be recognized and serviced by the City.

Prior to the plat being considered by the City Planning Commission and City Council the plat will be reviewed by the City Manager and Public Works Director for recommendations on same.

No officer or employee of the City shall do or cause to be done any work upon any street or in any addition or subdivision of the City unless all requirements of these regulations have been complied with by the owner of said addition or subdivision.

The subdivider may avail himself of the advice and assistance of the City Planning Commission and consult early and informally with the City Manager before the preparation of the preliminary plat and before formal application, in order to save time and expedite the planning work necessary.

SECTION II. WITHHOLDING IMPROVEMENTS:

It shall be the policy of the City to withhold all City improvements, including the maintenance of streets and the furnishing of sewage facilities and water service, from all additions, the platting of which has not been officially approved by the City Council. No improvements should be initiated nor contracts executed until the approval of the City Council has been given.

SECTION III. DEFINITIONS:

"Subdivision" shall mean the division of any tract or parcel of land into two or more lots for the purpose, whether immediate or future, of sale or building development, expressly excluding development for agricultural purposes, and shall include re-subdivision.

"Subdivision" shall also mean the division or re-subdivision of an existing subdivision together with any change of lot size therein or with the relocation of any street.

"City" shall hereinafter mean the City of McKinney.

SECTION IV. PRINCIPLES OF ACCEPTABILITY:

- A. Streets shall conform to the City's Street Plan as adopted or other plans adopted by the City Planning Commission or the City Council.
- B. Public Spaces - the City Planning Commission or the City Council shall specify the areas required for the allocation of parks, playfields and other public open spaces that are essential to the proper development of the area or neighborhood.
- C. A corner lot shall have sufficient area to permit the creation of front set-backs on both street frontages when such corner lots are adjacent to lots which will front on the two streets that intersect at the corner lot.
- D. Block lengths in residential areas shall be from 800 to 1200 feet, unless local conditions require other dimensions.
- E. Additional right-of-way required for existing streets shall be provided for in the platting of any parcel of land to meet the requirements of the thoroughfare plans or other plans adopted by the City Planning Commission or City Council.
- F. When land is subdivided or developed in areas adjacent to existing streets that are not improved to City Standards, the developer shall include the improvements of these streets to the City standards in the overall development of the area. Should it be impossible to develop said street at the time of development of the area, the developer shall put his pro rata share for the improvement of these streets in escrow until such time as improvement is possible.
- G. Large Area Developments - When there is intention of developing a subdivision with more than one increment, a land study shall be submitted to the City Planning Commission and approved by the City Council so as to permit proper investigations and analysis of the development of any given area.

SECTION V. SITE PLAN:

In the development of an area for commercial or industrial use, four copies of a Site Plan of the overall area shall be submitted to the City Planning Commission at least 10 days prior to the meeting at which approval is asked. The plats shall be drawn to a scale of 200' to the inch or larger and shall contain the following information:

- A. Proposed name of the subdivision.
- B. The names and addresses of the subdivider and the Engineer or surveyor responsible for the design or survey.
- C. North Point, scale and date.
- D. Scale distances only.
- E. Tract designation and other description according to real estate records of Collin County, Texas.
- F. The location, width and names of all existing or platted streets or other public ways within or adjacent to the tract; existing permanent buildings, railroad right-of-ways and other important features such as section lines, political subdivision or corporate lines and school district boundaries.
- G. Site Plan shall contain proposed utilities, streets, alleys, drainage, etc.

If permanent zoning has not been set by the City Council on the property at this time, the developer should request the desired zoning so that action can be taken by the City Planning Commission and City Council at the same time approval is given on the overall Site Plan.

SECTION VI. PRELIMINARY PLAT AND PLANS:

An application, in writing, for the tentative approval of the preliminary plat, together with six (6) prints of the plat and plans, shall be filed with the City Manager. The City Manager will then submit said plat and plans to the Public Works Director, City Planning Commission and City Council for their recommendations and approval in that order.

The Preliminary Plat shall contain the following:

- A. The proposed name of the subdivision and section number, if a part of a larger development.
- B. North point, scale and date.
- C. The names and addresses of the subdivider, and the Engineer or surveyor responsible for the design or survey.
- D. Tract designation and other descriptions according to real estate records of Collin County, Texas.

CITY OF MCKINNEY ORDINANCE NO. 691 (Continued)

- E. The boundary line (accurate in scale) of the tract to be subdivided.
- F. Contours with intervals of five (5) feet or less, referred to sea-level datum. Intervals shall be determined by the topography of the land to be subdivided.
- G. The names of adjacent subdivisions or the names of recorded owners of adjoining parcels of unsubdivided land.
- H. The location, widths, and names of all existing or platted streets or other public ways within or adjacent to the tract, existing permanent buildings, railroad rights-of-way, and other important features, such as section lines, political subdivision or corporation lines, and school district boundaries.
- I. Existing sewers, water mains, culverts, or other underground structures within the tract and immediately adjacent thereto with pipe sizes, grades, and locations indicated.
- J. All parcels of land intended to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purpose of conditions or limitations of such reservation, if any.
- K. The layout, names and widths of proposed streets, alleys and easements.
- L. A plan and profile of each street with tentative grades on plan-profile sheets. Where possible scales shall be 1" equal 40 feet horizontally and 1" equal 4 feet or 6 feet vertically.
- M. The cross-section of proposed streets showing the width of roadways, location and width of sidewalks, and the location and size of utility mains.
- N. A plan and profile of proposed sanitary and storm sewers, with grades and pipe sizes indicated, and a plan of the proposed water distribution system showing pipe sizes and the location of valves, fire hydrants, and fittings.
- O. The layout, numbers, and approximate dimensions of proposed lots.

SECTION VII. FINAL OR RECORD PLAT:

Six copies of the Final Plat and Construction Plans and a sepia of the final plat shall be submitted to the City Manager only after all changes and alterations have been made in accordance with the review, and acceptance of the Preliminary Plat. Such plats should be filed at least ten (10) days prior to the meeting at which approval is requested.

CITY OF MCKINNEY ORDINANCE NO. 691 (Continued)

The Final Plat shall be drawn to a scale of one hundred (100) feet to the inch, or larger.

All Final Plats must be approved by the City Council and their action is final regardless of action taken by the City Planning Commission.

The Final Plat shall contain the following:

- A. The boundary lines with accurate distances and bearings, the exact location and width of all existing or recorded streets intersecting the boundary of the tract.
- B. True bearings and distances to the nearest established street lines or official monuments, which shall be accurately described on the plat; municipal, township, county, or section lines accurately tied to the lines of the subdivision by distances and bearings.
- C. An accurate location of the subdivision with reference to the real estate records of Collin County.
- D. The exact layout including:
 1. Street names.
 2. The length of all arcs, radii, internal angles, points of curvature, length and bearing of the tangents.
 3. All easements for rights-of-way provided for public services or utilities and any limitations of the easements.
 4. All lot numbers and lines with accurate dimensions in feet and hundredths and with bearings and angles to street and alley lines.
- E. The accurate location, material, and approximate size of all monuments.
- F. The accurate outline of all property which is offered for dedication for public use with the purpose indicated thereon, and of all property that may be reserved by deed covenant for the common use of the property owners in the subdivision.
- G. Set-back building lines.
- H. Private restrictions.
- I. Proposed name of the subdivision.
- J. Name and address of the subdivider.
- K. North point, scale, and data.
- L. Certificate of approval from the Director of Public Works on plans and specifications for water, sewer, paving and drainage.

CITY OF MCKINNEY ORDINANCE NO. 691 (Continued)

- M. Certification by a registered professional civil engineer or surveyor to the effect that the plan represents a survey made by him and that all the monuments shown thereon actually exist, and that their location, size, and material are correctly shown.
- N. A certificate of ownership and dedication of all streets, alleys, parks, and playgrounds to public use forever, signed and acknowledged before a Notary Public by the owner and lien holder of the land on a complete and accurate description of the land subdivided and the streets dedicated.
- O. Six (6) sets of plans and specifications for water, sewer, paving, and drainage, prepared by registered civil engineer, to be approved and retained by the City Council, prior to any construction in the subdivision.

SECTION VIII. FILING FEES:

- A. Preliminary Plat and Plans: \$10.00 per plat, plus \$1.00 per lot.
- B. Final Plat and Plans: \$15.00 per plat, plus \$1.00 per lot.
- C. Industrial, Commercial, or Multiple Dwellings: \$5.00 per acre per plat.

The foregoing fees shall be charged on each plat and paid to the City Secretary at the time said plat is filed, regardless of the action taken by the City Planning Commission or City Council.

No final plat and plans will be considered unless a preliminary plat and plans have been submitted and acted upon by the City Council.

SECTION IX. GENERAL REQUIREMENTS:

- A. Streets: Streets in general must conform to the following:

- 1. Minimum right-of-way width:
 - a. Residential streets - 50 feet - Class VI Minor.
 - b. Class V Thoroughfares - 60 feet - Residential Collector.

(Any street serving industrial, commercial or school areas shall not be of lesser width than Class IV Thoroughfare.)

- c. Class III thoroughfares - 80 feet.

(A secondary thoroughfare generally shall be located every half mile of any type development.)

CITY OF MCKINNEY ORDINANCE NO. 691 (Continued)

- d. Class II thoroughfare - 100 feet or more, as requested by the City Planning Commission or City Council.

(A primary thoroughfare shall generally be located every mile in any type development.)

- e. Major thoroughfares or any type thoroughfare shall be located according to the City of McKinney's Master Thoroughfare Plan or as specified by the City Council - Class I.

- 2. Be in line and consistent with existing streets in adjoining subdivisions.
- 3. Be named to provide continuity with existing streets.
- 4. Avoid deadend streets, except for future planning. Where deadend streets are unavoidable, a cul-de-sac with a minimum radius of 50 feet shall be provided.
- 5. Platted to allow two tiers of lots.
- 6. Platted with appropriate regard for all topographical features lending themselves to treatment and layout of utilities.
- 7. That no cul-de-sac shall be developed which exceeds 500 feet in length measured from the center line of the street it intersects with, to the center point of the cul-de-sac.
- 8. The developer shall improve all streets as provided herein, as specified under Section XI, entitled Improvements.
- 9. House numbers shall be provided by the City Building Inspector after the approval of the final plat. At the time this request is made, the developer will furnish the Building Inspector six (6) copies of the Approved Final Plat.

B. Lots - All lots within the subdivision shall conform to the requirements of the Zoning Ordinance of the City of McKinney as to minimum width, depth and area requirements.

C. Off-Street Parking - Must be provided as specified by the Zoning Ordinance of the City of McKinney.

D. Alleys - Shall have a minimum width of fifteen (15) feet. All alleys shall be paved by the developers as provided herein, as specified under Item XI, entitled Improvements.

E. Sidewalks - Shall have a width of not less than four (4) feet and shall be provided by the developer in front of all houses and on side yards on corner lots where front yard setback requirements are required by the Zoning Ordinance of the City. Sidewalks may be provided at the time the lot is developed. Sidewalks shall be constructed in accordance with Item XI, entitled Improvements.

SECTION X. MONUMENTS AND MARKERS:

- A. Permanent Survey Reference Monuments - Concrete monuments, six (6) inches in diameter and twenty-four (24) inches long, shall be placed on all boundary corners, block corners, curve points, and angle points.

A copper pin one-fourth ($\frac{1}{4}$) inch in diameter embedded at least three (3) inches in the monument shall be placed at the exact intersection point on the monument. The monuments shall be set at such an elevation that they will not be disturbed during construction, and the top of the monument shall be not less than twelve (12) inches below the natural ground.

- B. Lot Markers - Lot markers shall be a one-half ($\frac{1}{2}$) inch reinforcing bar, eighteen (18) inches long, or approved equal, and shall be placed at all lots corners flush with the ground, or counter sunk if necessary, in order to avoid being disturbed.

- C. Street Name Markers (Signs) -

1. The developer shall provide street signs for the subdivision.
2. There shall be one street sign for intersections.
3. The developer shall pay to the City Secretary at the time the final plat is approved actual cost per street sign assembly. The City will erect said signs at such time as the subdivision is constructed and accepted into the City's system.

SECTION XI. IMPROVEMENTS:

All improvements shall be constructed in accordance with the City of McKinney's standard specifications.

- A. Paving

1. All roadways shall be paved and all pavement widths shall meet the requirements of the Master Thoroughfare Plan of the City.
2. The right-of-ways shall be graded for their full width to provide suitable finish grades for pavements, sidewalks and planting strips with adequate drainage and convenient access to the lots.
3. Minimum acceptable pavements shall be:

- a. Streets

- (1) Residential streets - minimum of five (5) inch reinforced concrete pavement (3000 p.s.i.) with six (6) inch integral concrete curbs with a width of twenty-seven (27) feet.

- (2) Thoroughfares - Thirty-seven (37) feet - six (6) inch reinforced concrete curbs. City will participate in paving of thoroughfares. (All over Class IV collector)

b. Alleys

Alley turnouts shall be paved ten (10) feet in width to the property line, then narrowing to eight (8) feet abutting inside lots. Alley pavement shall be eight (8) inches - five (5) inches - eight (8) inches concrete, inverted for drainage purposes. Alleys in commercial developments - 20 feet paved alley.

c. Sidewalks

Shall be at least four (4) feet in width; four (4) inch concrete (2000 p.s.i.)

B. Storm Sewers

An adequate storm sewer system consisting of inlets, pipes and other underground drainage structures with approved outlets shall be constructed where the runoff of storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities.

C. Sanitary Sewers

Sanitary sewer facilities shall be provided to adequately service the subdivision and conform to the City of McKinney sewer plan.

1. All sewer pipe shall be vitrified clay sewer pipe.
2. A minimum of eight (8) inch sewer pipe is required except that six (6) inch lines will be acceptable in locations where so approved by the City.
3. All joints shall be of the premolded type conforming to ASTM Designation C425.
4. If possible, sewer lines shall be located in the alleys or easements and shall be five (5) feet to six and one-half (6½) feet deep to invert.
5. Should the subdivision abutt and use a sewer main of the City, the developer shall pay to the City of McKinney, a "Pro Rata" charge as prescribed by Ordinance for use of same.

D. Water

Water systems shall have a sufficient number of outlets and shall be of sufficient size to furnish adequate domestic water supply, to furnish fire protection to all lots, and to conform to the City of McKinney Water Plan.

CITY OF MCKINNEY ORDINANCE NO. 691 (Continued)

1. Where possible, water mains shall be located in the street right-of-way, approximately six (6) feet from the property lines.
2. Water mains shall be cement lined, cast iron pipe and shall have a minimum cover of forty-two (42) inches and shall be of the mechanical joint or special rubber gasket pipe similar or equal to "Tyton" as manufactured by U.S. Pipe and Foundry, "Bell-Tite" as manufactured by the Lone Star Steel Company, or "Fastite" as manufactured by the American Cast Iron Pipe Company.

Asbestos cement pipe will be allowed in certain instances for arterial mains provided that pipe and installation is in conformance with standards of City of McKinney as set by the City Council. Approval of use of asbestos cement pipe must be approved by the City Engineer and City Manager with concurrence of the City Council. Signed agreement pertaining to specification of pipe, method of installation and inspection of installation will be required in all cases where asbestos cement pipe is used.

3. A minimum of six (6) inch water pipe is required.
4. Fire Hydrants and Valves - All hydrants and valves shall be Mueller Brand or approved equal. Fire hydrants shall be Mueller Improved three-way traffic model, Mueller Brand National Standard 2½ - 2½ - 5¼ or approved equal.

B. Utility Services

All services for utilities shall be made available for each lot in such a manner as will obviate the necessity for disturbing the street pavement, curb, gutter and drainage structures when connections are made.

1. Water - taps shall be extended to each lot and stubbed out with a Mueller curb stop. Type K copper, minimum ¾ inch.
2. Sewer - shall be tapped out for each lot. The house connection shall be made by the builder under the supervision of the City. Single family residence - four (4) inch; Apartments, commercial - six (6) inch minimum.

SECTION XII. SIMPLIFIED PROCEDURE FOR PLAT AND PLANS APPROVAL:

- A. Submit preliminaries to City Manager.
- B. City Manager will submit to Engineers.
- C. City Manager will submit Engineers' comments and plat to the City Planning Commission.

CITY OF MCKINNEY ORDINANCE NO. 691 (Continued)

- D. City Manager will submit Engineers' comments and the City Planning Commission's action to the City Council for action on prelims.
- E. Submit finals to City Manager.
- F. City Manager will submit to Engineers for review.
- G. City Manager will submit Engineers' comments on finals to City Council for final approval.

SECTION XIII. AS BUILT PLANS:

The Engineer representing the subdivider must present to the City of McKinney a sepia and two sets of prints on complete as built plans for all paving, drainage structures, water lines and sewer lines within thirty (30) days after completion of each contract.

SECTION XIV. TITLE TO IMPROVEMENTS:

Title to water and sewer facilities and street improvements shall be vested in the City as such time as said improvements are constructed in accordance with the City's Codes and Ordinances and accepted by the City.

SECTION XV. DEVELOPER'S BOND FOR STREET, DRAINAGE AND UTILITY LINES:

Upon the completion of street improvements and utility lines in accordance with the City's specifications and their acceptance by the City, the developer shall furnish the City with a good and sufficient maintenance bond executed by a corporate surety holding a permit from the State of Texas to act as surety or other surety acceptable to the City, in an amount equal to the total cost of said improvements and covering maintenance of same for a period of one (1) year from the date of completion of said improvements, provided however, that upon agreement of the City, the City may accept said bond from the developer's contractor.

SECTION XVI. SAVINGS CLAUSE:

Should any portion of the rules and regulations be held invalid for any reason, the remaining portions shall not be affected by such invalidity, and such invalidity shall not affect its application to land being subdivided in the limits of the City of McKinney.

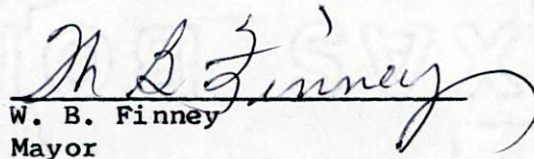
SECTION XVII.

The provisions of this Ordinance shall be applicable to all subdivisions of land within the corporate limits of the City of McKinney, Texas, and its extraterritorial jurisdiction. Any person, firm or corporation who violates the terms of this Ordinance shall be deemed to be guilty of a misdemeanor and upon the conviction therefor, shall be fined any sum not exceeding \$200.00 and each and every day such violation continues shall be considered a separate offense, provided further that such violations may be enjoined by a proper suit in the District Court of Collin County, Texas.


SECTION XVIII.

The caption of this ordinance shall be published one time in a newspaper having general circulation in the City of McKinney and shall be effective immediately upon its adoption and such publication, and it is so ordered.

Duly passed and approved by the City Council of the City of McKinney, Texas, on this the 29 day of April, 1968.


W. B. Finney
Mayor

CORRECTLY RECORDED:


Betty Maddix
City Secretary