

CITY OF MCKINNEY, TEXAS

SUBDIVISION REGULATIONS

ORDINANCE NO. 1290

AN ORDINANCE PRESCRIBING RULES AND REGULATIONS GOVERNING PLATS, PLANS, AND SUBDIVISION OF LAND WITHIN THE CITY OF MCKINNEY, TEXAS, AND ITS LEGALLY DEFINED EXTRATERRITORIAL JURISDICTION; CONTAINING CERTAIN DEFINITIONS; PROVIDING PROCEDURES FOR THE APPROVAL OF SUBDIVISION PLATS; PRESCRIBING REGULATIONS FOR THE DESIGN AND CONSTRUCTION OF STREETS, SIDEWALKS, ALLEYS, WATER AND SANITARY SEWAGE UTILITIES, DRAINAGE, AND COMMUNITY FACILITIES; PROVIDING A PENALTY FOR EACH VIOLATION THEREOF; PROVIDING A VALIDITY CLAUSE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, under the provisions of the Constitution and laws of the State of Texas, including particularly Chapters 231, Acts of the 40th Legislature, Regular Session, 1927, as heretofore and hereafter amended (compiled as Articles 974a and 6626, Vernon's Annotated Civil Statutes), and the provisions of Section 4 of the Municipal Annexation Act, 1963, (compiled as Article 970a, Vernon's Annotated Civil Statutes), as heretofore and hereafter amended hereafter every owner of any tract of land situated within the City of McKinney who may hereafter divide the same in two (2) or more parts described by metes and bounds or otherwise for the purpose of laying out any subdivisions of such tract of land or any addition to said City, or for laying out suburban lots or building lots, or any lots, and streets, alleys or parks or other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto, are required to submit a plat of such subdivision or addition for approval by the Planning and Zoning Commission and the City Council of the City of McKinney; and,

WHEREAS, the rules and regulations of the City established by this Ordinance governing plats and subdivisions of the land in the corporate limits of the City of McKinney are hereby extended to and shall apply to all of the area under the extraterritorial

jurisdiction of said City, as provided for in the Municipal Annexation Act, 1963, enacted by the State of Texas and which appears as Article 970a, Vernon's Annotated Civil Statutes; and,

WHEREAS, said rules and regulations are intended to provide for adequate improvements within and adjacent to subdivisions of land developed hereunder without increasing the property tax liability of the citizens of McKinney;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:

On and after the effective date of this Ordinance, any person, firm, corporation, or organization seeking the approval of any plat, plan or replat of any subdivision of land within the City of McKinney, Texas, and its legally established extraterritorial jurisdiction shall be required to comply with the requirements of this Ordinance before such approval may be granted, to-wit:

## ARTICLE I

### General Provisions

1.01 Short Title: This Ordinance may be known as and referred to as the "Subdivision Regulations" of the City of McKinney, Texas.

1.02 Purpose: It is the purpose of this Ordinance to provide for the safe, efficient, and orderly development of the City, and the provision of adequate streets, utilities, services, and facilities, all in accordance with the Comprehensive Urban Plan for the City.

1.03 Authority: These Subdivision Regulations are adopted under the authority of Article 974a of Vernon's Annotated Revised Civil Statutes of the State of Texas, which Article is hereby made a part of these regulations.

1.04 Jurisdiction: These regulations shall govern any and every person, firm, corporation, or organization owning any tract

of land within the corporate limits of the City of McKinney who may hereafter divide the same into two or more parts for the purpose of laying out any subdivision of any tract of land or any addition to said City, or for laying out suburban lots or building lots, or any lots, and street, alleys or parks or other portions intended for public use, or the use of purchasers or owners of lots fronting thereon or adjacent thereto.

By the authority of the Municipal Annexation Act, 1963, Article 970a, Vernon's Annotated Civil Statutes of the State of Texas, which Article is hereby made a part of these regulations, these regulations shall be extended to and shall apply to all of the area outside of the corporate limits of said City but within the extraterritorial jurisdiction of said City. Such jurisdiction shall extend into and encompass all those areas not within the jurisdiction of some other municipality, as classified in Article 970a, Vernon's Annotated Revised Civil Statutes, and extending in all directions from the corporate limits of the City of McKinney and all of its extensions.

1.05 Approval Required: Unless and until any plat, plan or replat shall have been first approved in the manner provided by law, it shall be unlawful for any person, firm, corporation, or organization to construct or cause to be constructed any streets, utilities, buildings or other improvements to any tract of land; and it shall be unlawful for any official of said City to issue any permit for such improvements or to serve or connect said land, or any part thereof, or for the use of the owners or purchasers of said land, or any part thereof, with any public utilities such as water, sewers, lights, gas, etc., which may be owned, controlled, distributed, franchised, or supplied by such City. No building permits will be issued for the construction of any building on any unplatted land within the City of McKinney, Minor repair permits may be issued. When additions, alteration, or repairs within any 12 month period exceed fifty percent (50%) of the value of an existing building or structure on previously

unplatted property, the land upon which such building or structure is located shall be platted in accordance with provisions of this Ordinance.

1.06 Improvements Required: All of the improvements required under these regulations, or improvements specified in the Comprehensive Plan of the City of McKinney, or improvements which, in the judgment of the City Engineer, are necessary for the adequate provision of streets, utilities, drainage, services, and facilities to the subdivision and to surrounding areas of the City, shall be constructed at the sole expense of the Developer, unless other provisions are approved by the City Council. Payment for any and all improvements which are not to be made at the time of the primary construction of the subdivision or development shall be made a part of a binding contract, signed by the Developer and approved by the City Council.

Any rebates or other payments to the Developer by the City for the cost of oversized improvements or off-site improvements required as a part of the subdivision or development and necessary for the adequate and efficient development of surrounding areas of the City, shall be paid only from monies received by the City from the subdividing or development of surrounding areas, and such rebates or payments shall not be made until such monies are received by the City, unless other provisions are approved by the City Council.

1.07 Annexation: If the property is not within the City limits of McKinney and the subdivision contains three or more lots, the owner shall petition the City for annexation through lawful annexation proceedings so as to qualify the subdivision to receive City services, when available, and to afford zoning protection. The City Council shall consider the request for annexation within 120 days of submittal. After such time, said request is null and void, unless other provisions are made in the Facilities Agreement governing the development.

1.08 Zoning: If the property is not zoned as required for the proposed subdivision, permanent zoning shall be requested. Application for zoning includes completion of required forms, payment of required fees, and performance of other requirements of the Zoning Ordinance and the rules and regulations of the City, as the same may be from time to time, passed or amended. Zoning may be requested concurrent with Preliminary Plat review.

1.09 Variances and Appeals: These rules and regulations are the standard requirements of the City of McKinney, Texas. A suspension of any of these rules and regulations may be granted by the City Council upon a good and sufficient showing by the owner that there are special circumstances or conditions affecting the property in question, or that enforcement of the provisions of this Ordinance will deprive the applicant of a substantial property right, and that such suspension, if granted, will not be materially detrimental to the public welfare or injurious to other property or property rights in the vicinity. Each and every application for variance shall be decided solely and entirely on its own merits; and the disposition of any prior or pending application for variance shall not be allowed to enter into or affect any decision on the application in question. Pecuniary interests standing alone shall not be justification for the granting of a variance.

The owner of any tract of land aggrieved by the decision made under these regulations by any administrator or official of the City shall first apply to the Planning and Zoning Commission for relief from such administrative decision. Any aggrieved party having any interest in the matter may appeal the ruling by the Planning and Zoning Commission regarding the decision to the City Council.

1.10 Definitions: Words and terms used in this Ordinance, unless otherwise specified, shall have their normal meaning in commonly accepted usage. The word "shall" shall be deemed as mandatory; the word "may" shall be deemed as permissive. Certain

words and terms shall have the meaning for the purpose of this Ordinance as defined following:

1. City: The municipal corporation of the City of McKinney, Texas.
  - a. City Council: The duly elected governing body of the City.
  - b. Commission: The Planning and Zoning Commission, as appointed by the City Council to administer these regulations.
  - c. City Official or Administrator: Any person, elective or appointive, or any employee, or any board or commission authorized or constituted by City Ordinance or State law to act in behalf of the Municipality.
  - d. Plan Administrator: The City Official designated to administer the provisions of these regulations.
  - e. City Engineer: The Engineer employed by the City, or the Engineers retained as consultants to the City, or their duly authorized representative.
2. Comprehensive Plan: The general plan for the growth and development of the City and its environs; and including any elements of such plan, such as a Land Use Plan, Thoroughfare Plan, Utilities Plan, Schools and Parks Plan, and others.
3. Land Planner: Any person skilled in the art and science of arranging and designing the layout of land so as to create adequate and desirable building sites, a coordinated street system, and space appropriate to the efficient removal of storm water and the provision of public services and utilities all consistent with long-range goals and the objectives of the Comprehensive Plan. A Land Planner may be trained in any of several specialities; and where appropriate to his experience the term includes architect, engineer, landscape architect, and surveyor.

4. Street: A public or private way set aside as a permanent right-of-way for the movement of vehicular traffic, to provide access to abutting property, and to provide utility service.
5. Subdivider or Developer: An individual, firm, association, syndicate, co-partnership, corporation, or other organization dividing or proposing to divide land, or making improvements to such land, so as to effect a subdivision of land hereunder for himself, or for itself, or for another.
6. Subdivision: The division of any lot, tract, or parcel of land into two or more lots or sites for the purpose of sale or of building development, whether immediate or future. The term includes resubdivision or replatting of an existing subdivision, building upon, or other development of land, but does not include the division of land for agricultural purposes, i.e., ranching, farming and dwellings pertaining to such uses, in tracts of ten (10) acres or more and not involving any new street, alley or easement of access. When appropriate to context, the term subdivision shall relate to the process of subdividing or to the land subdivided. Subdivisions of mobile home spaces for sale, lease or rent shall comply with all provisions of Ordinance No. 731 regulating mobile home parks as it now exists or it may hereafter be amended.
  - a. General Development Plan: A map, drawing or chart drawn to scale on which is shown the subdivider's proposed arrangement of streets, lots, easement, other public spaces, and general land uses on all contiguous properties owned or held under single ownership from which a proposed subdivision is intended to be made. The General Development Plan may be the same as a Preliminary Plat, if such

plan complies with the requirements of a Preliminary Plat.

- b. Preliminary Plat: A map, drawing or chart drawn to scale on which is shown the subdivider's proposed arrangement of streets, lots, easements and other public spaces in the subdivision which he intends to submit in form for recording.
- c. Final Plat: A map, drawing or chart prepared according to the provisions of this Ordinance, and containing all engineering and legal data, dedications, and certificates necessary to the recording of same in the Map and Plat Records of the County.
- d. Certified Land Division: A map, drawing or chart delineating parcels of land offered for rent or lease for other than agricultural uses and which (i) is not required by statute of State regulation to be filed in the Map and Plat Records of the County; and, (ii) does not involve or require the dedication of public street or alleys; and, (iii) has been certified by the City Council as having met the conditions of this Ordinance.

A Certified Land Division shall be treated as a Subdivision Plat under these regulations, except that it is properly certified for filing with the City Secretary rather than the County Clerk. In addition, a Final Plat of the property indicating legal boundaries and any public dedications and easements shall be prepared and filed with the County Clerk.

- 7. Extraterritorial Jurisdiction (ETJ): All land situated, as classified by Article 970a of the Vernon's Annotated Revised Civil Statutes, in all directions from the corporate boundary of City and its extensions,



and which is not in conflict with the ETJ of another municipality.

8. Easement: An area intended for restricted use on private property upon which any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance, or operation of any of its respective utility or drainage systems within any of these easements. Any public utility shall at all times have the right of unobstructed ingress and egress to and from and upon the said easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.
9. Zoning Ordinance: The duly adopted Ordinance of the City of McKinney establishing certain districts within the City and regulating the use of land, size of lots, size and height of buildings, and other elements of development within those districts.
10. Residential Estate Subdivision: A subdivision of lots of no less than one and one-half (1 1/2) acres, or such greater area as may be indicated from soil percolation tests, intended for single-family use which may be determined by the City to be adequately developed and served by septic tanks, wells, and/or other facilities normally associated with rural development.
11. Mobile Home Park: An area or development intended for the renting or leasing, but not sales, or sites for the location and/or occupancy of mobile homes. A mobile home park shall have filed with the City a Certified Land Division approved by the Commission according to

the provisions of this Ordinance. A mobile home park shall be developed in conformance to the standards set out in Ordinance No. 731.

## ARTICLE II

### Special Provisions

2.01 Facilities Agreement: The Subdivider shall be required to enter into an agreement with the City which shall govern his Subdivision if there are pro rata payment, City participation in cost, escrow deposits or other future considerations, variances granted to this Ordinance or other nonstandard development regulations and all improvements to be dedicated to the City are not to be completed prior to filing of the Final Plat in the County records. This agreement shall be based upon the requirements of this Ordinance; and shall provide the City with specific authority to complete the improvements required in the agreement in the event of failure by the Developer, and to recover the full legal costs of such measures. The City may subordinate its Facilities Agreement to the prime lender if provided for in said agreement.

The Facilities Agreement shall be a legally binding agreement between the City and the Developer specifying the individual and joint responsibilities of both the City and the Developer. Unusual circumstances relating to the Subdivision shall be considered in the Facilities Agreement such that the purpose of this Ordinance is best served for each particular Subdivision. Such Facilities Agreement may stipulate pro-rata payments, City participation in unusual facilities, escrow deposits or other payments for future facilities, variances granted to this Ordinance, and other particular aspects of the development. The Developer shall include in such an agreement a hold harmless and indemnity clause agreeing to hold the City harmless against any claim arising out of the Developer's Subdivision or any actions taken therein.

In the event of a disagreement between the Plan Administrator and the Developer concerning stipulations of the Facilities Agreement, the Planning and Zoning Commission shall review said stipulations and make recommendation to the City Council for resolving the disagreement.

The Developer shall have a continuing responsibility under this Facilities Agreement after the filing of the Final Plat and until all facilities and improvements required under this Facilities Agreement have been completed. When the construction of required improvements have proceeded to the point that certain parts of the Subdivision are adequately served, the City Manager may release specified portions of the Subdivision for use prior to the completion of all improvements. This shall not be done if the release of such improvements will jeopardize or hinder the continued construction of required improvements, and the Facilities Agreements shall remain in force for all portions of the Subdivision for which a release has not been executed.

2.02 Development Permit: A Development Permit shall be required prior to the clearing, grading, filling, dredging, construction of public streets, utilities, or drainage, or other improvements which may affect adjacent or surrounding properties. Such permit shall describe the property and the nature of the development, and shall be accompanied by construction plans and specifications adequate to describe the improvements. All plans accompanying permits for any work within a Flood Plain shall be certified by a professional engineer competent to make such determination. The City Engineer shall issue such Development Permit when all conditions of this Ordinance have been satisfied.

2.03 Pro-rata Payments: The Developer shall be fully responsible for the construction of oversize or off-site access, utilities, drainage, and other improvements necessary for his subdivision and the surrounding area, unless other provisions are approved by the City Council. Provisions for reimbursement of costs in excess of those necessary to serve his subdivision, and

any other provisions, shall be made a part of the Facilities Agreement. For any subsequent subdivision utilizing such facilities, any costs due prior Developers shall be prorated as the use by the new subdivision bears to the amount due. Such prorated amounts will be made a part of any subsequent Facilities Agreement, collected by the City, and repaid to the original Developer making such improvements.

All such reimbursements or prorations shall be based on the actual cost of the improvements at the time of their construction subject to comparison with other current unit and/or project costs. The original Developer shall therefore provide the City with acceptable documentation of actual construction costs from which calculation of reimbursable amounts will be made for inclusion in the Facilities Agreement.

In the case that the Subdivision shall utilize streets, utilities, drainage, or other facilities already constructed through the use of funds of the City, the Developer shall pay to the City for the use of such facilities an amount equal to that which would be required to serve the Subdivision under the requirements of this Ordinance, based upon policies developed and approved by the City Council.

2.04 City Participation: The City may participate with the Developer on major items of construction, such as lift stations, bridges or streets adjacent to the Subdivision, which benefit existing or future development in addition to that being subdivided. The amount of financial responsibility of each party and the terms of discharging such responsibility may be provided for in a Facilities Agreements.

The construction of certain facilities required by the provisions of this Ordinance may not be possible or practical at the time the Developer prepares his plans for public improvements. Such deletion or delay of improvements may be specified in the Facilities Agreement, together with provisions for escrow deposits or future payment by the City and/or Developer.

2.05 Flood Plains: Prior to the clearing, grading, filling, dredging, or other improvement within a designated Flood Plain, application shall be made for a Development Permit as provided herein. Plans accompanying such Development Permit shall be certified by a professional engineer competent to make such certification that such improvements will not increase the elevation of the 100-year flood plain as described on maps provided by the Federal Insurance Administration or succeeding reference maps, on any adjacent or upstream property by more than one (1) foot. A determination of other possible adverse environmental effects on adjacent properties will also be made in approving or disapproving such Development Permit.

Upon, and as a condition for approval of the Development Permit, all lands remaining within the 100-year floodway shall be dedicated as an easement , unless designated as open space under terms and conditions approved by the City Council.

### ARTICLE III

#### Procedure

3.01 Pre-Design Conference: Prior to the filing of a Preliminary Plat, the Subdivider shall consult with the Plan Administrator and the City Engineer or their duly authorized representatives concerning the ultimate land use of the proposed development, the most advantageous subdivision plan, the suitability of the location of the proposed subdivision, the arrangement of streets, alleys, and lots, the layout of utility lines and availability of service from trunk mains, and other regulations and policies of the City regarding development. Conditional approval as to the general land use of the proposed subdivision should be obtained from the Plan Administrator prior to preparation of the Preliminary Plat.

3.02 Notice of Intent: The Subdivider shall submit to the Commission a letter showing his name and address and that of his Land Planner and stating his intent to subdivide a particular

property, briefly describing the location, amount of land, and particulars as to the intended use of the property, and requesting that the review of a Preliminary Plat for the property be placed on the agenda of a scheduled Commission meeting. Such Notice of Intent shall be received no later than fifteen (15) days prior to the date of a scheduled Commission meeting to be placed on the agenda for that meeting.

3.03 Preliminary Plat: The Commission shall be furnished with twelve (12) legible prints of the Preliminary Plat together with twelve (12) copies of necessary supporting documents describing the type of development, provision of services, development procedure and timing, and engineering studies. Such materials shall be received no later than fifteen (15) days before the Commission meeting scheduled for review of the Preliminary Plat. No plat will be considered by the Commission until and unless the prescribed filing fees have been paid.

The Developer shall obtain a checklist to be furnished by the City. Such checklist shall be attached to the Preliminary and Final Plats, and shall be authenticated by proper officials of the City and the Developer certifying that the plat has been fully and properly processed in accordance with these provisions.

The Preliminary Plat shall be delivered to the Plan Administrator who shall cause the same to be checked and verified, prepare a report to the Commission setting forth his findings, and file such report, together with the Plat, with the Commission at the meeting scheduled for review. The Subdivider should be present at the meeting; however, the Subdivider, by written notice filed with the Plan Administrator, may designate his Land Planner, Engineer, Surveyor, or like agent for the processing of his subdivision.

1. General Development Plan: When a Subdivision is a portion of a tract larger than forty (40) acres in size to be subdivided later in its entirety, a General Development Plan of the entire tract shall be submitted

with the Preliminary Plat of the portion to be first subdivided. The General Development Plan shall show the schematic layout of the entire tract and its relationship to adjacent property within the neighborhood unit. When appropriate, more than one tract or subdivision may be included within the General Development Plan.

The General Development Plan shall delineate the proposed characteristics of the area in terms of major categories of land use, dwelling units and population densities, general layout of lots and streets, drainageways, utility trunk lines, location of sites for parks, schools and other public uses, present and proposed zoning, and such other information as the Commission finds to be necessary for making a decision on the approval of the Preliminary Plat.

A General Development Plan shall be considered to be a detailing of the Comprehensive Plan and shall become effective upon adoption by the Commission; providing, however, that no General Development Plan shall be approved other than in substantial conformity with the Comprehensive Plan. Every General Development Plan adopted by the Commission shall be so certified by the Chairman of the Commission and a copy thereof shall be placed on file with the City Secretary as part of the public record. A General Development Plan is to continue in force until amended or rescinded by the Commission and shall be the official guide to the owners of all property within its area of coverage. Where multi-ownerships preclude the preparation of a General Development Plan by a single owner, the Commission is authorized to prepare or to cause such Plan to be prepared. No Preliminary Plat within an area for which a General Development Plan has been

adopted shall be approved except in substantial conformity with such adopted Plan.

Commission approval shall include, approval of the sequence of development and construction of phases of the project as can reasonably be determined. It may include such stipulations or conditions as the Commission deems necessary in order to accomplish the purposes of this Ordinance and to protect the health, safety and welfare of the community.

2. Scale and Drawing Size: The Preliminary Plat shall be drawn to a scale of 100 feet to the inch. The drawing size is not specified; however, where property submitted on a Preliminary Plat will be the same as that for the Final Plat, the sheet size should be the same as the Final Plat.

3. Existing Features Inside Subdivision:

a. Topography to be shown with contour interval of five (5) foot; or less if requested by the City Engineer.

b. The locations, widths, and names of all existing or platted streets, alleys, easements, existing permanent buildings, railroad rights-of-way, and other important features such as creeks, abstract lines, political subdivisions or City limits, and school district boundaries.

c. Existing sewers, water mains, culverts, or other underground structures with pipe sizes, grades, and locations indicated.

4. Existing Features Outside Subdivision: Similar features to 3.b. above shall be identified for a distance of 200 feet outside the proposed subdivision. Property lines and the names of adjacent subdivisions and/or the names of record of adjoining parcels of unsubdivided land shall be indicated. Features outside



the subdivision should be shown in lighter or dashed lines as appropriate to distinguish from features within the subdivision.

5. New Features Inside Subdivision:

- a. The boundary line, accurate in scale, of the tract to be subdivided, with accurate distances and bearings indicated.
- b. The layout, designations, names and widths of any and all proposed streets, alleys and easements.
- c. The layout, lot numbers, set-back lines, and approximate dimensions of proposed lots and blocks.
- d. All parcels of land intended to be dedicated or reserved for public use, or reserved in the deeds for the use of all property owners in the proposed subdivision, or reservations for other uses, together with the purpose or conditions and limitations of such reservations, if any.
- e. A schematic plan of the proposed water and sanitary sewer lines and related facilities, and proposed drainage facilities including drainage areas, preliminary estimated run-off, points of concentration, and the location of proposed lines, inlets, culverts, and bridges. Such utility and drainage plans may be submitted on separate sheets at the same scale as the Preliminary Plat.

6. Location Map: A location map of the proposed subdivision at a scale of one (1) inch to 2,000 feet showing existing and proposed major features covering an area of at least one (1) mile in all directions from the proposed subdivision, as requested by City Engineer.

7. Title Information:

- a. The proposed name of the subdivision with section or sequencing designation, as appropriate.

- b. North point, scale, date and acreage of the proposed subdivision.
- c. The names and addresses of the owner, Developer and Land Planner, Engineer, and/or Surveyor, as appropriate.
- d. The tract designation, abstract and other description according to the real estate records of the City or County.
- e. Total number of lots, and designation and amounts of land of the proposed uses within the subdivision.

8. Approval Block: The following notice shall be placed on the face of each Preliminary Plat and utility plan by the Subdivider:

"PRELIMINARY PLAT FOR REVIEW PURPOSES ONLY"

The following certificate shall be placed on the Preliminary Plat by the Subdivider:

"Approved for Preparation of Final Plat"

\_\_\_\_\_  
 Chairman  
 Planning and Zoning  
 Commission, City of  
 McKinney, Texas

\_\_\_\_\_  
 City Secretary  
 City of McKinney, Texas

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date

9. Approval and Expiration: When a Preliminary Plat is found to conform to these regulations, or may be made to conform by making certain changes directed by the Commission and the City Council, a copy of the Preliminary Plat with such changes if any made thereon, and the approval thereof by the Commission and the City Council, conditioned as necessary on said changes, shall be transmitted to the Subdivider. Approval of the Preliminary Plat as such shall in no way constitute final acceptance or approval of the subdivision.

When a Preliminary Plat has been approved by the Commission and the City Council, the Final Plat for all or a part of the area shall be submitted within six (6) months thereafter; otherwise the approval shall terminate and shall be void, unless prior to the expiration of said approval the time for filing of the Final Plat is extended at the written request of the Subdivider. The first filing extension (not to exceed ninety (90) days) shall be granted by the Plan Administrator. Any further extensions shall be considered by the City Council.

When the Commission finds that the Preliminary Plat does not conform to these regulations, and that changes to make it conform are not acceptable to the Subdivider, the Commission shall return a copy of the Preliminary Plat with a report of such findings to the Subdivider. The Subdivider at any time thereafter may submit a new design for Commission approval following the same procedure as required for the original application. If the new design for the same area or a lesser part thereof is filed within ninety (90) days following Commission disapproval, no new filing fee will be required. No resubmittal and no new fee shall be required when Commission disapproval is for the purpose of further study or hearing by the City on related matters such as zoning, flood control, utility service, or coordination with other governmental jurisdiction.

10. Combination Preliminary and Final Plat: The Subdivider may, at his option, elect to combine his Preliminary Plat and Final Plat whenever the tract of land: (i) is to be resubdivided to affect no more than three (3) lots, and (ii) no change of street locations would be required, and (iii) the proposed development will be of

the same type of use and of comparable intensity as adjacent existing or planned development.

3.04 Final Plat: When a Preliminary Plat has been approved by the Commission and the City Council, or changes designated by same have been made by the Subdivider, the Subdivider may prepare his Final Plat for all or a portion of the area in form for approval by the City Council. The Final Plat shall be submitted to the Plan Administrator who shall cause the same to be checked and verified as to its conformance with the Preliminary Plat as approved by the Commission. If the Final Plat is incomplete or does not conform, the Final Plat shall be deemed not to have been submitted until any and all deficiencies are corrected. Fourteen (14) direct prints and one (1) mylar drawing of the Final Plat shall be delivered to the Plan Administrator at least fifteen (15) days prior to the scheduled meeting of the City Council at which action is requested. No Final Plat may be considered by the City until the prescribed filing fees have been paid.

When the Plan Administrator has confirmed that all requirements have been complied with, he shall submit a written confirmation to the Subdivider, which shall specify the meeting of the City Council scheduled for review of the Final Plat. Said written confirmation shall be deemed the date of submissions of the Final Plat by the Subdivider. The Plan Administrator shall prepare a report of the Final Plat and shall submit the Final Plat, with his report, for review at the next scheduled meeting of the City Council.

The Final Plat may constitute all or only a portion of the approved Preliminary Plat, but any portion thereof shall conform to all of the requirements of these regulations. If Final Plats are submitted for approval by portions or sections of the proposed subdivision, each portion or section shall carry the name of the entire subdivision but shall bear a distinguishing letter, number, or subtitle. Block letters shall run consecutively throughout the entire subdivision, even though such subdivisions might be finally approved in sections.

1. Scale and Drawing Size: The Final Plat shall be drawn on sheets measuring 22 or 24 inches by 36 inches, and shall be at a scale of 100 feet to the inch. In the event that more than one sheet is required, an index sheet at a reduced scale shall be provided. In addition, the Developer shall furnish a signed mylar drawing and copies of the Final Plat in such number and of a size acceptable to the County for recording.
2. Features to be Shown: All necessary data to locate and reproduce the Final Plat on the ground must be shown on the Final Plat.
  - a. The boundary lines with accurate distances and bearings, a metes and bounds description of the boundary with an error of closure not to exceed one in five thousand, exact acreage, and the exact location and width of all existing or platted streets intersecting the boundary of the tract. One copy of the traverse closure sheet shall accompany the Final Plat.
  - b. Bearings and distances to the nearest established street lines, official monuments, or subdivision corner, which shall be found and accurately described on the Final Plat. Abstract lines and municipal and school district boundaries shall be shown.
  - c. An accurate location of the subdivision in reference to the Deed Records of the County which shall include the volume and page of the deed of the property to be subdivided.
  - d. The layout, width, and names of all streets and/or alleys with the bearings and distances between points of curvature.
  - e. The length of all arcs, radii, internal angles, points of curvature, length and bearing of the tangents. Such data to be provided on a table keyed to the curves on the Final Plat.

- f. The location, width, and description of all easements for right-of-way provided for public services, utilities or fire lanes and any limitations on use of the easements.
- g. All lot lines with accurate dimensions in feet and hundredths and with bearings and angles to street and alley lines to the nearest second. A certification that each and every lot complies with the minimum size requirements (acreage or square footage) of either this Ordinance or the Zoning Ordinance as appropriate; lots of lesser size shall be individually identified and zied in tabular form.
- h. For all lots located wholly or partially within or immediately adjacent to a Flood Plain area, as designated on maps provided by the Federal Insurance Administration, a designation of the minimum finish floor elevation allowed, which shall be at least one (1) foot above the 100-year flood elevation at that point.
- i. A continuous and sequential lettering and/or numbering of blocks and lots within the subdivision.
- j. Required building set-back lines.
- k. An accurate outline description and area to the nearest hundredth of an acre of all parcels of land which are offered for dedication or reserved for public use, or reserved in the deeds for the use of all property owners in the proposed subdivision or reservations for other uses, together with the purpose and conditions or limitations of such reservations and/or dedications, if any.
- l. The accurate location, material and approximate size of all monuments and bench marks.

3. Location Map: A location map of the proposed subdivision at a scale of one (1) inch to 2,000 feet showing existing and proposed major features covering an area of at least one (1) mile in all directions from the proposed subdivision if requested by the City Engineer.
4. Title Information:
  - a. The proposed name of the subdivision with section or sequencing designation, as appropriate.
  - b. North point, scale and date.
  - c. The names and address of the Owner, Developer and Land Planner, Engineer, and/or Surveyor responsible for actual design of the subdivision.
5. Certificates Required:
  - a. Certification by a Registered Public Surveyor, registered in the State of Texas, to the effect that the Plat represents a survey made by him or under his direct supervision and that all the monuments shown thereon actually exist, and that their location, size and material are correctly shown.
  - b. A certificate of ownership and dedication, of a form approved by the Plan Administrator, of all streets, alleys, parks, open spaces and public ways to public use forever, signed and acknowledged before a Notary Public by the Owner and any and all lienholders of the land, and a complete and accurate description of the land subdivided and dedications made.
  - c. A certificate, signed by the City Tax Assessor, stating that all taxes and assessments then due and payable on the land contained within the subdivision have been paid.

d. The following certificates shall be placed on the Final Plat in a manner that will allow the filling in of the certificate by the proper party:

"Recommended for Approval"      "Approved and Accepted"

\_\_\_\_\_  
Chairperson  
Planning and Zoning  
Commission, City of  
McKinney, Texas

\_\_\_\_\_  
City Secretary  
City of McKinney, Texas

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

6. Construction Plans: Construction plan and profile sheets for all public improvements shall be submitted with the Final Plat. The approval of the Final Plat shall be contingent upon approval of construction plans and specifications by the City Engineer. Construction plans and profiles shall be drawn on sheets measuring 22 or 24 by 36 inches, and shall be the same size as the Final Plat. Each sheet shall include north point, scales, date and bench mark description to sea level datum. Each sheet shall show the seal and signature of the professional engineer who prepared the plans and shall include the following:

- a. A plan and profiles of each street with top of curb grades shown. Scales shall be in one (1) inch equal to 40 feet horizontally, and one (1) inch equal five (5) or six (6) feet vertically or such other scale approved by the City Engineer.
- b. The cross-section of proposed streets, alleys and sidewalks showing the width and type of pavement, base and subgrade and location within the right-of-way.
- c. A plan and profile of proposed sanitary sewers with grades and pipe size indicated and showing locations of manholes, cleanouts and other appurtenances, section of embedment.



- d. A plan of the proposed water distribution system showing pipe sizes and location of valves, fire hydrants, fittings and other appurtenances, with a section showing embedment.
- e. A plan to scale of all areas contributing storm water runoff or drainage within and surrounding the proposed subdivision. Such plan shall indicate size of areas, storm frequency and duration data, amounts of runoff, points of concentration time of concentration and other data necessary to adequately design drainage facilities for the area.
- f. A plan and profile of proposed storm sewers, showing hydraulic data, pipe grades and sizes, manholes, inlets, pipe connections, culverts, outlet structures, bridges and other structures.

7. Approval: The City Council shall act upon the Final Plat within thirty (30) days after written acceptance by the Plan Administrator as herein provided. Failure to act within this time shall constitute approval of the Final Plat, and the City Secretary be directed to certify to its acceptance.

Disapproval of a Final Plat by the City Council shall be deemed a refusal by the City to accept the offered dedications shown thereon. Approval of a Final Plat shall not be deemed an acceptance of the proposed dedications and shall not impose any duty upon the City concerning the maintenance or improvement of any such dedication parts until the proper authorities of the City have both given their written acceptance of the improvements and have actually appropriated the same by entry, use, or improvement.

8. Facilities Agreement: A Facilities Agreement, if required as described in 2.01 above, shall be approved

by the City Council prior to issuance of a Development Permit. The executed Facilities Agreement shall be filed in the records of Collin County by the City Secretary.

9. Development Permit: A Development Permit, as described in 2.02 above, shall be issued by the City Engineer prior to initiation of improvements. Before issuance of a Development Permit, the Developer or his designated representative may be requested to meet with the City Engineer and/or Project Inspector in a Pre-Construction conference.
10. The Final Plat shall be recorded in the Map and Plat Records of the County by the City Secretary within fourteen (14) days of execution of a Facilities Agreement or within fourteen (14) days of acceptance of public improvements in subdivisions not requiring a Facilities Agreement. The Plan Administrator shall cause prints of the record plat to be provided to the affected City offices as they may require. The Final Plat shall not be returned or released to the Subdivider until recorded as provided above. The cost of recording the Final Plat shall be paid by the Developer.
11. Release of Covenants: Upon satisfactory completion of the required improvements, the City Manager shall issue release of covenants to the Subdivider.
12. Acceptance of Improvements: Following completion and final inspection of improvements, the Developer shall provide the City with a statement or affidavit specifying the value of street, drainage, and other general fixed assets and the value of water, sewerage, and other utility assets being dedicated to the City. The City Manager shall accept such improvements in writing and make payments to the Developer as specified in the Facilities Agreement, if applicable.

ARTICLE IV

Design Standards

4.01 Streets:

1. Conformity to Thoroughfare Plan: The width and location of streets shall conform to such Thoroughfare Plan of the City of McKinney as the Council may have adopted, both as to horizontal and vertical alignment and right-of-way widths (see following pages):
  - a. Arterial Street or Major Thoroughfare: Any street designated in the Comprehensive Plan as being a principle route more or less continuous across the City or areas adjacent thereto, or any route carrying or designated to carry fast-moving or large volumes of traffic.
  - b. Collector Street: A street which carries traffic from local residential streets to the system of arterial streets, including the principle street or streets into a subdivision development, and streets designed primarily to provide traffic circulation within or between one or more subdivisions.
  - c. Residential or Local Street: A street exclusively or primarily providing access to abutting properties. A local street may be located within a commercial or industrial area.
  - d. Cul-de-Sac: A local street having but one outlet to another street, and terminated on the opposite end by a vehicular turn-around.
  - e. Dead-end Street: A street, other than a cul-de-sac, having only one outlet.
  - f. Frontage Street: A local street lying parallel to and adjoining a major street right-of-way, which provides access to abutting properties and protection from through traffic.

- g. Alley: A public or private way designed primarily for vehicular travel to provide access to or from the rear or side property otherwise abutting on a street.
  - h. Loop Street: A local street having only two (2) outlets onto one other street except a cul-de-sac.
2. Relation to Adjoining Street System: The proposed street system shall extend all existing major streets and such collector and local access streets as may be desirable for convenience of circulation. Where possible, the width and the horizontal and vertical alignment of extended streets shall be preserved.
  3. Street Jogs: Where off-sets in street alignment are, in the opinion of the Commission, unavoidable, such off-sets may be employed provided the distance between center lines is not less than one hundred twenty-five (125) feet.
  4. Large Lot Subdivision: If the lots in the proposed subdivision are large enough to suggest resubdivision in the future, or if a part of the tract is not subdivided, consideration must be given to possible future street openings and access to future lots which could result from such resubdivision.
  5. Through Traffic: Residential and Local streets shall be designed to discourage high speed or through traffic.
  6. Topography: The street system shall bear a logical relationship to the natural topography of the ground.
  7. Pavement and Right-of-Way Width: All streets shall be paved with reinforced concrete paving with integral curb and gutter, and shall conform in width and section to the Thoroughfare Plan of the City. Right-of-way width shall be measured between front lot lines and pavement width shall be measured from back of curb.

Except as provided hereinafter, no street right-of-way shall be less than fifty (50) feet and no street pavement shall be less than twenty-seven (27) feet.

8. Residential Estate Subdivision: For Estate Subdivision as herein defined, the City Council may allow variance to these regulations to provide for a lesser pavement and right-of-way width, and for the elimination of the requirement for curb and gutter.
9. Street Alignment: The maximum deflection in alignment permitted without use of curve shall be five degrees (5°).
10. Vertical Alignment: Profile grades of streets and alleys shall be connected by vertical curves of a minimum length expressed as a multiple of the algebraic difference between the rates of grades, expressed in feet per hundred feet and the values shown as follows:

<u>Multiple of Algebraic Difference</u>	<u>Design Speed by City Engineer</u>			
	<u>30</u>	<u>40</u>	<u>50</u>	<u>60</u>
Crest Vertical Curve	28	50	80	150
Sag Vertical Curve	35	50	70	100

11. Horizontal Alignment: The centerline curve of streets and alleys shall have a minimum radius as follows:

<u>Classification</u>	<u>Minimum Centerline Radius</u>
Thoroughfare	500 feet
Collector	300 feet
Local (Commercial or Industrial)	300 feet
Residential	150 feet
Loop Streets and Alleys	75 feet

12. Reverse Curves: Reverse curves on Thoroughfares and Collector streets shall be separated by a minimum tangent of one hundred (100) feet.
13. Cul-de-Sacs, Dead-End Streets:
  - a. The maximum length of a cul-de-sac or dead-end street with a permanent turnaround shall be six hundred (600) feet, except under unusual conditions with the approval of the City Council

- b. Turnarounds are to have a minimum right-of-way width of one hundred (100) feet and a minimum pavement width of eighty (80) feet for single-family and two-family uses, and a minimum right-of-way width on one hundred twenty (120) feet and a minimum pavement width of one hundred (100) feet for all other uses.
- c. Temporary paved turnarounds are to be provided at ends of streets more than four hundred (400) feet long that will be extended in the future. The following note should be placed on the Plat:  
"Cross-hatched area is temporary easement for turnaround until street is extended (give direction) in a recorded plat."
- d. No other dead-end streets shall be allowed, except as herein provided.

14. Street Intersections:

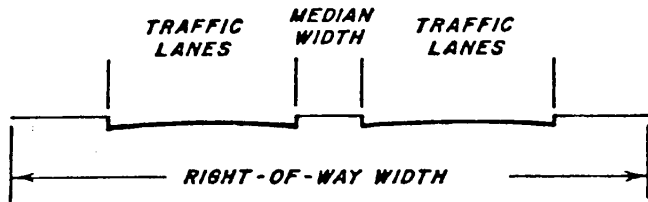
- a. Except where existing conditions will not permit, all streets shall intersect at a ninety degree (90°) angle. Variations of more than ten degrees (10°) on Residential or Local streets and more than five degrees (5°) on Collectors and Thoroughfares must have the approval of the City Council.
- b. Acute angle intersections approved by the City Council are to have twenty-five (25) foot or greater radii at acute corners.
- c. Each new street intersecting with or extending to meet an existing street shall be tied to the existing street on center-line with dimensions and bearings to show relationship.

15. Partial or Half-Streets: Partial or half-streets may be provided where the Commission feels that a street should be located along a property line. Wherever a

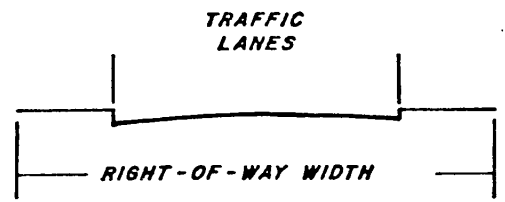
half-street has already been provided adjacent to an area to be subdivided, the other remaining portion of the street shall be platted with such subdivision. Where part of a street is being dedicated along a common property line where no roadway currently exists, the first dedication of right-of-way shall be two-thirds (2/3) of the required width.

16. Driveway Cuts: Driveway cuts or entrances to single-family or two-family uses shall not be allowed along Thoroughfares, unless a siding street, or an alley with natural screening device, is provided outside the pavement of the Thoroughfare. Driveway cuts shall be located so as to provide a spacing between curb radius return of at least five (5) feet for single-family and two-family uses and at least twenty (20) feet for all other uses. No property shall have more than two (2) driveway cuts onto any facing street. No driveway cut shall be located closer than twenty (20) feet from an intersection, measured from the ends of the curb radius returns.
17. Street Names: New streets shall be named so as to provide continuity of name with existing streets and to prevent conflict with identical or similar names in other parts of the City.
18. Private Streets: Private streets shall be prohibited.

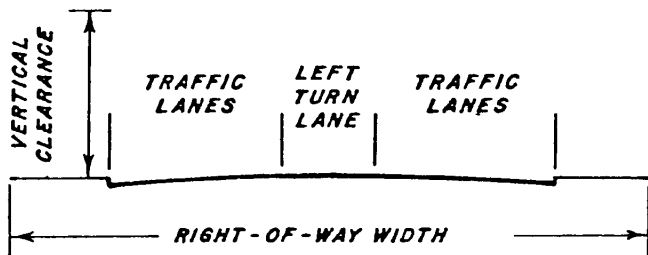
# ROADWAY CROSS SECTIONS



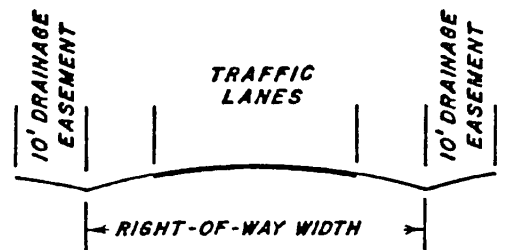
**I**  
**DIVIDED ARTERIAL OR  
 MAJOR THOROUGHFARE**



**II**  
**UNDIVIDED COLLECTOR  
 OR RESIDENTIAL**

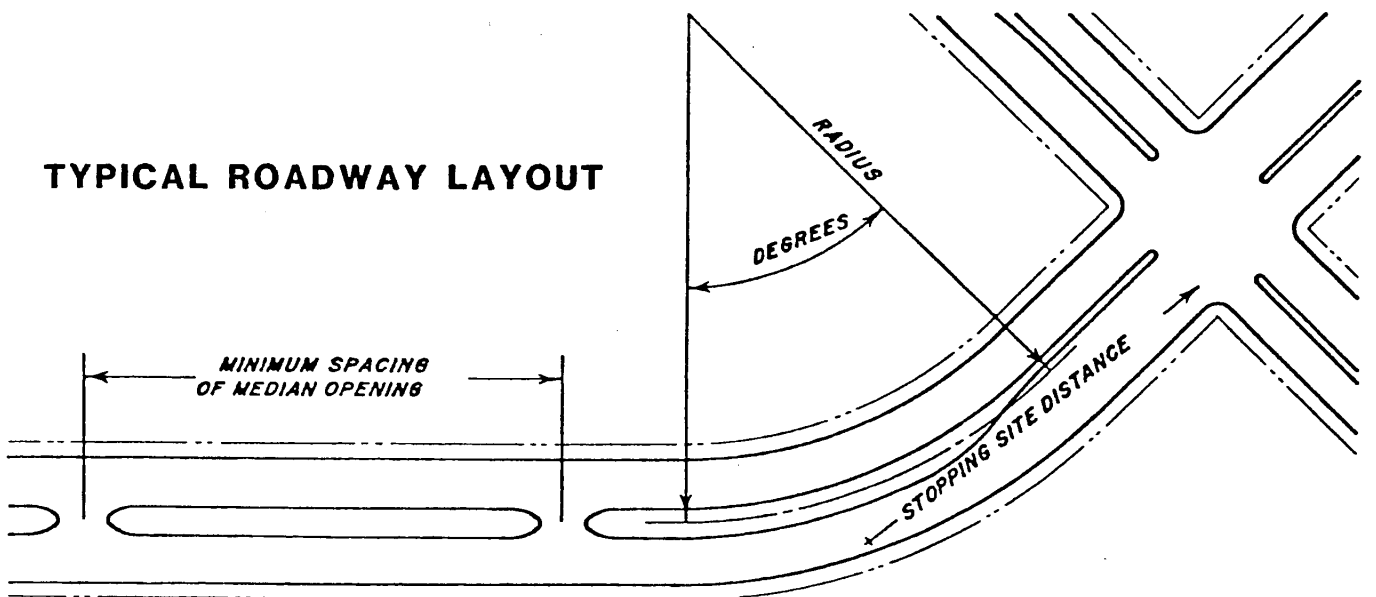


**III**  
**UNDIVIDED ARTERIAL OR  
 MAJOR THOROUGHFARE WITH  
 CONTINUOUS TURN LANE**



**IV**  
**ESTATE RESIDENTIAL**

## TYPICAL ROADWAY LAYOUT





CITY OF MCKINNEY

RECOMMENDED DESIGN STANDARDS

DESIGN ELEMENT	R O A D W A Y													T Y P E			
	M7U	M6D	M6U	M5U	M4D	M4U	C4U	C3U	R3U	R2U	E2U						
CROSS SECTION	III	I	II	III	I	II	II	II	II	II	IV						
NUMBER OF TRAFFIC LANES	6	6	6	4	4	4	4	3	3	2	2						
LANE WIDTHS	12'	12'	12'	12'	12'	12'	11'	12'	10'	13'	12'						
RIGHT-OF-WAY-WIDTH	120'	120'	100'	100'	100'	100'	80'	60'	50'	50'	60'						
DESIGN SPEED	40	40	35-40	35-40	35-40	30-40	30-40	30-35	25-30	30	30						
MAXIMUM NORMAL GRADE (%)	6-7%	6-7%	6-7%	6-7%	6-7%	6-7%	6-8%	6-8%	6-8%	6-8%	6-8%						
MAXIMUM HORIZONTAL CURVATURE																	
1. DEGREES	7-15°	7-15°	7-15°	7-20°	7-20°	12-20°	12-21°	12-21°	12-40°	12-40°	12-40°						
2. CENTERLINE RADIUS	383'	383'	383'	288'	288'	288'	274'	274'	146'	146'	146'						
STOPPING SITE DISTANCE	275'	275'	275'	275'	275'	250'	250'	250'	200'	200'	200'						
MINIMUM MEDIAN WIDTH	(16')	16'	N.A.	(14')	12'	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.						
MINIMUM SPACING MEDIAN OPENING	N.A.	300'	N.A.	N.A.	300'	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.						
VERTICLE CLEARANCE	15'	15'	15'	15'	15'	15'	14'	14'	14'	14'	14'						

4.02 Lots: Lot dimensions shall be determined by the appropriate Zoning classification. For Subdivisions not within the City limits, lot dimensions are determined as follows:

1. Use: All lots shown on the Plat shall be for single-family residential purposes, unless otherwise provided by the Zoning District of the area and so noted on the Plat.
2. Lot Size: The size or area of the lot shall be measured in square feet, and shall conform to the Zoning requirements for the area. The minimum lot size shall be 5,000 square feet, unless otherwise provided by the Zoning District of the area.
3. Lot Width: The lot width shall be the direct distance across the lot measured at the points the building line intersects the side lot lines. The minimum lot width shall be fifty (50) feet.
4. Lot Depth: The lot depth shall be the average of the length of the two side lot lines. The minimum lot depth shall be ninety (90) feet.
5. Corner Lots: Corner lots with a width of less than seventy-five (75) feet are to be at least five (5) feet wider than the average of interior lots in the block. Corner lots with a width of less than eighty-five (85) feet adjacent to a Thoroughfare are to be at least fifteen (15) feet wider than the average of interior lots in the block.
6. Lots on Thoroughfares: Where, in the judgment of the Commission, access cannot be provided from a siding street or alley, lots facing on Thoroughfares shall be at least ten (10) feet deeper and ten (10) feet wider than the average of lots facing on the adjacent local streets.
7. Lots on Drainage Easements: Minimum usable lot depths for lots backing on natural drainage easements shall

not be less than eight (80) feet measured between front lot line and easement.

8. Lot Shape: Lots should be rectangular insofar as practicable. Sharp angles between lot lines should be avoided. The ratio of depth to width should not ordinarily exceed two and one-half (2 1/2) to one (1).
  9. Lot Facing:
    - a. Each lot shall be provided with adequate access to an existing or proposed street by frontage on such street.
    - b. Double frontage lots are prohibited except where backing on Thoroughfares.
    - c. Wherever feasible, each lot should face the front of a similar lot across the street. In general, an arrangement placing facing lots at right angles to each other should be avoided.
  10. Lot Lines: Side lot lines should be perpendicular or radial to street frontage and the following note may be used in lieu of bearings: "All side lot lines are perpendicular or radial to street frontage unless otherwise noted."
  11. Lot Numbering: All lots are to be numbered consecutively within each block. Lot numbering may be cumulative throughout the subdivision if the numbering continues from block to block in a uniform manner that has been approved on an overall Preliminary Plat.
- 4.03 Block:
1. Block Length: The maximum block length for residential use shall be twelve hundred (1,200) feet, measured along the center of the block. Six Hundred (600) feet is a desirable minimum. Maximum block length along a Thoroughfare shall be sixteen hundred (1,600) feet, except under special conditions approved by the Commission.

2. Block Width: Blocks shall be wide enough to allow two (2) tiers of lots of at least minimum depth, except when prevented by the size of the property or the need to back up to a Thoroughfare.
3. Block Numbering: Blocks are to be numbered or lettered consecutively within the overall plat and/or section of an overall plat as recorded.

4.04 Building Lines: The Building Line is a line beyond which buildings must be set back from a street right-of-way line or property line. Building lines shall be determined by the appropriate Zoning Classification. For Subdivisions not within the City limits, building lines shall be determined as follows:

1. Front Street: The front building line shall not be less than twenty-five (25) feet from the front property line, except that where the lots face on a Thoroughfare, the front building line shall not be less than thirty-five (35) feet from the front property line.
2. Side Street: The side building line shall not be less than six (6) feet. The building line on the side of corner lots shall not be less than fifteen (15) feet from the side property line, except that where the lot sides on a Thoroughfare, the side building line shall not be less than twenty-five (25) feet from the side street property line. Where the side of a corner lot is across the street from or adjacent to the front of other lots, the side building line of the corner lot shall be the same distance from the street as the front building line of the opposite or adjacent lots.
3. Rear Lot Lines: The rear building line shall not be less than ten (10) feet, except that the rear building line where lots back on a Thoroughfare shall not be less than twenty (20) feet.

4.05 Alleys:

1. Commercial and Industrial Areas: Alleys shall be provided in commercial and industrial districts where other definite and assured provisions are not made for service access, such as off-street loading, unloading, parking and fire-fighting access consistent with and adequate for the uses proposed.
2. Residential Areas: Alleys may be provided in residential areas.
3. Alley Width: All alleys shall be paved. The minimum width of the alley right-of-way shall be twenty (20) feet and the minimum pavement width shall be ten (10) feet.
4. Turnouts: Alley turnouts shall be paved to the property line and shall be at least twelve (12) feet wide at that point. Paving radius where alleys intersect Thoroughfares shall be twenty (20) feet, and shall be ten (10) feet at intersections with all other streets.
5. Intersections: Alley intersections and sudden changes in alignment shall be avoided, but where necessary, lot corners shall be cut off at least fifteen (15) feet on each tangent to permit safe vehicular movement.
6. Fences: Where driveways connect to alleys, fences shall only be constructed along the rear lot line and driveway such that the fence corner is angled, providing a cut off at least five (5) feet from both the alley and driveway.
7. Dead-End Alleys: Dead-end alleys shall be avoided wherever possible, but if unavoidable, shall be provided with adequate outlet or turnaround, as determined by the Commission.

4.06 Easements:

1. Use: Where necessary to provide access for the purposes of maintenance, construction, or other service, easements shall be provided for poles, wires, conduits, storm sewers, sanitary sewers, water lines, open drainage, flood plains, gas lines, or other utilities. Such easements may be required across parts of lots, including rear and side lot lines, where alleys are not provided.
2. Size: Where possible, easements shall be provided fully located upon one lot. Where such is not feasible, easements shall be not less than seven and one-half (7 1/2) feet on each side of the lot line. Where overhead utility service on poles is allowed, an additional easement of five (5) feet on each side beginning at a plane twenty (20) feet above the ground shall be provided. The full width of easements shall not be less than fifteen (15) feet at ground level nor less than twenty-five (25) feet above ground.
3. Fire Lanes: Where adequate access for fire fighting purposes may not otherwise be provided, easements for fire lanes shall be required. Fire lane easements shall be paved to a minimum of twenty (20) feet in width, shall be maintained by the property owner, shall be marked as such on the ground, and shall be kept free and clear at all times.

4.07 Reservations:

1. Permitted Uses: No land contained in the proposed subdivision shall be reserved for any use other than a use permitted by the Zoning Ordinance for the district in which the land to be reserved is located.
2. Designation on Plat: The specific use for which each parcel of land is to be reserved must be shown by appropriate label or description of the Plat.

Provision for abandonment of a reservation in the future as may be appropriate must likewise be shown on said Plat.

3. Parks and Open Space: The location and size of parks and open space areas shall be in conformance with the Comprehensive Plan. All areas retained as floodway after approved development shall be reserved for public use, unless other provisions are approved by the City Council.
4. Schools: The location and size of school sites shall be in conformance with the Comprehensive Plan and the recommendations of the applicable school district.
5. Public Facilities: The location and size of sites for public buildings, major utility facilities, and related community facilities shall be in conformance with the Comprehensive Plan and the recommendations of the Plan Administrator.

4.08 Improvements:

1. Monuments and Markers:

- a. Concrete monuments six (6) inches in diameter and twenty-four (24) inches long, shall be placed on at least two (2) block corners, boundary corners or angle points for each plat or each phase of a multi-platted area or subdivision. A one-half (1/2) inch iron reinforcing bar shall be embedded at least eighteen (18) inches in the concrete monument and placed at the exact intersecting point on the monument. The iron bar should extend from one-eighth (1/8) to one-quarter (1/4) inch above the concrete. The monuments shall be tied into the Plane Coordinates for the Lambert Conformal Conic Projection for Texas, North Central Zone. Reference may be made to Special Publication, No. 252, Plane Coordinate Projection

Tables for Texas, published and printed by United States Department of Commerce, Coast and Geodetic Survey. 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 finish ground elevation.

- b. Lot markers shall be one-half (1/2) inch reinforcing bar, eighteen (18) inches long, or approved equal, and shall be placed at all lot corners flush with the ground, or below ground if necessary in order to avoid being disturbed.
- c. Where no bench mark is established or can be found within three hundred (300) feet of the boundary of the subdivision, such bench mark shall be established as a monument, and shall be readily accessible and identifiable on the ground and shall be recorded on City bench mark datum.

- 2. Underground Utilities: All distribution and service lines of electrical, telephone, television, and other wire carrier type utilities may be underground, except that the system of supply lines for multiple subdivision service by utilities may be overhead. Transformers, amplifiers, or similar devices associated with the underground lines shall be located upon the ground level.
- 3. Sidewalks: Paved sidewalks shall be provided along and adjacent to both sides of all Thoroughfares and Collectors; and along Residential or Local Streets which are located immediately adjacent to a school site and for a distance of one (1) block along such streets leading directly to a school site. On streets other than those above, sidewalks on one side of the street, or other pedestrianways approved by the Commission, shall be provided.



4. Street Lighting: Where electrical distribution and service wires are required to be underground, street lighting wires shall also be underground. Where ownership of street lighting facilities such as poles and standards, luminaries, lamps, etc., will be retained by the electrical power supplier, the type of street lighting facilities to be installed must be acceptable to both the City of McKinney and the supplier of electrical power.
5. 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.
6. Streets: Construction of streets and alleys shall be in conformance with the standard construction specifications of the City of McKinney as promulgated by the City Engineer. Minimum acceptable pavement for streets shall be:
  - a. Residential streets (less than one and one-half (1 1/2) acre lots) - minimum of five (5) inch reinforced concrete pavement (3,000 p.s.i.) with six (6) inch integral concrete curbs or acceptable design of equal quality and life.
  - b. Residential streets (one and one-half (1 1/2) - ten (10) acre lots) - minimum of five (5) inch reinforced concrete pavement (3,000 p.s.i.) or acceptable design of equal quality and life; six (6) inch integral concrete curb may be deleted if surface drainage facilities are determined to be adequate in conformance with City's drainage ordinance.

- c. Thoroughfares - minimum of eight (8) inch reinforced concrete pavement (3,000 p.s.i.) with six (6) inch integral concrete curbs or an acceptable design of equal quality and life.
7. Sanitary Sewers: Sanitary sewer facilities shall be provided to adequately service the subdivision and conform to the City of McKinney Sewer Plan.
- a. All sewer pipe shall be vitrified clay, PVC or approved equal.
  - b. 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 Engineer.
  - c. All joints shall be of the premolded type conforming to the applicable ASTM standard.
  - d. If possible, sewer lines shall be located in the alleys, streets, or easements and shall be five (5) feet to six and on-half (6 1/2) feet deep to invert.
  - e. 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.
8. 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.
- a. Water mains shall be cement lined, ductible iron pipe AWWA specification C900 or approved equal 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. Use of asbestos cement pipe must be approved by the City Engineer.

4.09 Drainage:

1. Storm drainage facilities shall be designed in accordance with provisions of Ordinance No. 895 as it now exists or as it may hereafter be amended.

ARTICLE V

Enforcement

5.01 Authority of the City Engineer: The City Engineer is hereby authorized and directed to promulgate rules, regulations, standards, and specifications for the construction, installation, design, location and arrangement of streets, curbs, street lights, street signs, alleys, utility layouts, utility easements, sidewalks, water supply and distribution systems, fire hydrants, sewage disposal systems, drainage facilities, and other public improvements. He shall file same with the City Secretary at least thirty (30) days before they shall become effective. He may amend the same from time to time, provided that an amendment shall be filed with the City Secretary at least thirty (30) days before it becomes effective. No such rules, regulations, standards or specifications shall conflict with this or any other ordinance of the City of McKinney.

All such improvements shall be designed, constructed, installed, located, and arranged by the Subdivider in accordance with such rules, regulations, standards and specifications.

5.02 Inspection of Construction: The City Engineer, or his duly authorized representatives, shall make periodic inspection of the construction of improvements for subdivisions. Inspection of improvements by the City Engineer or his representative, is not intended to and does not relieve the Subdivider, or his contractor, from insuring that the improvements are constructed in accordance with approved plans and specifications. The Subdivider, or his contractor, shall maintain contact with the City Engineer, or his representative, during construction of improvements.

No sanitary sewer, water or storm sewer pipe shall be covered without approval of the City Engineer, or his representative. No flexible base material, subgrade material, or stabilization shall be applied to the street subgrade without said approval. No concrete shall be poured nor asphaltic surface applied to the base without said approval.

The City Engineer, or his representative, may at any time cause any construction, installation, maintenance, or location of improvements to cease when, in his judgment, the requirements of this Ordinance or the standards and specifications as hereinbefore provided have been violated, any may require such reconstruction or other work as may be necessary to correct any such violation. The cost of materials testing shall be borne by the Developer.

5.03 Maintenance Bond: The Subdivider shall furnish a good and sufficient Maintenance Bond in the amount of fifteen percent (15%) of the contract price of all public improvements, or in such amount as approved by the City Engineer, with a reputable and solvent corporate surety in favor of the City, to indemnify the City against any repairs which may become necessary to any part of the construction of public improvements in connection with the subdivision, arising from defective workmanship or materials used therein, for a full period of one (1) year from the date of final acceptance of the improvements. Final

acceptance will be withheld until said Maintenance Bond is furnished to the City.

5.04 Filing and Inspection Charges: The following schedule of fees and charges shall be paid to the City when any Preliminary Plat or Final Plat or other filing is tendered to the Planning and Zoning Commission or any other authorized board or agency of the City. Each of the fees and charges provided herein shall be paid in advance, and no action of the Commission or any other board or agency of the City shall be valid until the fees and charges shall have been paid to the City.

Except as hereinbefore provided, these fees and charges shall be charge on all plats and filings, regardless of the action taken by the Commission or any other board or agency of the City, and whether the plat or filing is approved or denied by the City Council.

1. Residential: For single-family and multi-family uses:
  - a. Preliminary Plat - \$50.00 per plat, plus \$2.00 per unit.
  - b. Final Plat - \$100.00 per plat, plus \$3.00 per unit.
2. Mobile Homes: For developments for locating mobile homes:
  - a. Preliminary Filing - \$50.00 per filing, plus \$2.00 per space.
  - b. Final Filing - \$100.00 per filing, plus \$3.00 per space.
3. Other Uses: For commercial, industrial, institutional, and other uses not normally platted in lots:
  - a. Preliminary Plat - \$50.00 per plat, plus \$6.00 per acre.
  - b. Final Plat - \$100.00 per plat, plus \$10.00 per acre.
4. Refiling: When a Preliminary Plat has been disapproved by the Commission, and the Subdivider refiles a new

design for all or a lesser portion of the Preliminary Plat within ninety (90) days of such disapproval, no new fee shall be charged for the refiling.

5.05 Penalty: Any person, firm or corporation who shall violate any of the provisions of this Ordinance or who shall fail to comply with any provisions hereof shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine not to exceed two hundred dollars (\$200), and each day that such violation continues shall constitute a separate offense and shall be punishable accordingly.

5.06 Conflict: Any previous Ordinances of the City of McKinney now in effect governing the subdivision of land are hereby repealed. Whenever the requirements of this Ordinance conflict with those contained in other Ordinances of the City, the most stringent or restrictive provision shall govern. Whenever the requirements of this Ordinance conflict with the provisions of an executed Facilities Agreement, the provisions of the Facilities Agreement shall govern.

5.07 Severability: If any section, paragraph, clause, or part of this Ordinance is declared invalid or unenforceable for any reason, such declaration shall not be held to invalidate or impair the validity, force or effect of any other section, paragraph, clause, or part of this Ordinance.

5.08 Savings: If land has been previously platted in accordance with the requirements of the City at the time of platting, and if all necessary improvements have been provided, the City may determine that individual building site development is not additional subdividing, and may waive such development from the requirements of this Ordinance, provided that such waiver does not permit development not in conformance with the intent of this Ordinance.

5.09 Effective Date: This Ordinance shall take effect immediately upon its passage and publication as required by law.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF  
MCKINNEY, TEXAS, on this the 18<sup>th</sup> day of May,  
1982.

CORRECTLY ENROLLED:

Patricia B. Avery  
Patricia B. Avery  
City Secretary