

Sec. 142-73. ~~General development plan. Reserved.~~

~~(a) — When a subdivision is a portion of a tract larger than 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 final plat or preliminary final replat 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.~~

~~(b) — 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 final plat or preliminary final replat.~~

~~(c) — In certain circumstances, the director of planning shall have the authority to allow a preliminary final plat or preliminary final replat to satisfy the requirement for a general development plan, if such plan complies with the requirements of a general development plan.~~

~~(d) — 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 A general development plan is to continue in force until amended or rescinded by the commission and shall be the official guide to the owners of all property within its area of coverage.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 multiple 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 plat within an area for which a general development plan has been adopted shall be approved except in substantial conformity with such adopted plan.~~

~~(e) — 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 chapter and to protect the health, safety and welfare of the community.~~

Sec. 142-74. Preliminary-final plat.

(a) The planning department shall be furnished with a drawing of the preliminary-final plat together with the number of copies of the plan deemed necessary by

Formatted: Indent: Left: 0", First line: 0"

the director of planning to complete the required reviews or staff reports, and any necessary supporting documents describing the type of development, provision of services, development procedure and timing, and engineering studies. Such materials shall be received in accordance with the submittal schedule as published by the planning department. No plat will be considered by the commission until and unless the prescribed application fees have been paid.

- (b) The preliminary-final plat shall be delivered to the director of planning who shall check and verify the plat, prepare a report to the commission setting forth the findings of staff, and file the report and the plat with the commission at or before the meeting scheduled for review.
- (1) Scale and drawing size. The preliminary-final plat and all schematic plans shall be drawn to a scale of 20 feet to the inch to 100 feet to the inch, or as determined by the director of planning, on a drawing size of 24 inches by 36 inches. An 11-inch by 17-inch reduction of each drawing shall also be submitted. A digital copy of the preliminary-final plat shall accompany these drawings.
 - (2) Existing features inside subdivision. The following existing features inside the subdivision shall be identified:
 - a. The locations, widths, and names of all existing or platted streets, alleys, easements, railroad rights-of-way, and other important features such as creeks, abstract lines; and
 - b. Existing easements, including sanitary sewer easements, water line easements, and storm sewer easements.
 - c. Additional information as deemed necessary by the director of planning to adequately review the proposed plat.
 - (3) Existing features outside subdivision. The existing features listed in subsection (b)(2) of this section that are situated outside the proposed subdivision and within 200 feet of the perimeter thereof shall also be identified. Property lines and the names of adjacent subdivisions and/or the names of record of adjoining parcels of unsubdivided land shall be identified. Features situated outside the subdivision shall be appropriately distinguished from features situated within the subdivision.
 - (4) New features inside subdivision. The following new features inside the subdivision shall be identified:
 - 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, and approximate dimensions of proposed lots and blocks; and
 - d. A series of connected mutual access and fire lane easements must be shown for any lot(s) being created that does not have direct access to a public street by frontage on such street from the proposed lot(s) to a public street(s). It is understood that the final alignment of all mutual access and fire lane easements may not be known at the time of preliminary-final platting. As such, any mutual access and fire lane easements shown on a proposed preliminary-final plat may be revised as necessary on a subsequent associated record plat so long as adequate mutual access and fire lane access is provided from the proposed lot(s) to a public street(s), subject to the review and approval of the Director of Engineering and the Fire Marshal.
 - e. 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.
- (5) Location map. A location map of the proposed subdivision indicating major roadways or platted streets within 1,000 feet of the proposed subdivision shall be included.
- (6) Title information. The following title information shall be included:
- a. The proposed name of the subdivision with section or sequencing designation, as appropriate;
 - b. North point, scale, preparation 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; and
 - e. The total number of lots, and designation and amounts of land of the proposed uses within the subdivision.

Formatted: Indent: Left: 1", Hanging: 0.5",
Tab stops: 1.5", Left

(7) Additional notes.

- a. The subdivider shall place the following notation(s) on each page of a preliminary-final plat of land that is situated within the corporate limits of the city:
 1. PRELIMINARY-FINAL PLAT FOR REVIEW PURPOSES ONLY
 2. All proposed lots situated in whole or in part within the city's corporate limits comply with the minimum size requirements of the governing zoning district and the requirements of the Subdivision Ordinance.
- b. The subdivider shall place the following notation on each page of a preliminary-final plat containing land that is situated outside the city's corporate limits and within the extraterritorial jurisdiction of the city:
 1. PRELIMINARY-FINAL PLAT FOR REVIEW PURPOSES ONLY
 2. All proposed lots situated entirely outside the city's corporate limits and within the city's extraterritorial jurisdiction comply with the requirements of the sSubdivision eOrdinance.
- c. The official monuments shall be tied at two points 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. State plane coordinates tied to two points on the plat boundary shall be shown on the plat.

(8) Schematic plans required. To assist in a complete and thorough review of the proposed preliminary-final plat, the following schematic plan types may be required, as determined by the director of planning. Such required plans must be submitted on separate sheets at the same scale as the preliminary-final plat.

- a. A plan showing existing topography with contour lines of five feet, or less, with the proposed lot layout shown;
- b. A plan showing the proposed layout, lot numbers, and setback lines for single family and duplex residential subdivisions;

- c. A plan of the proposed water and sanitary sewer lines and related facilities;
- d. A plan showing the proposed drainage facilities including drainage areas, stormwater detention areas, preliminary estimated runoff, points of concentration, and the location of proposed lines, inlets, culverts, and bridges; and
- e. An exhibit showing the entire proposed subdivision layout on a single page will be required if a multiple page preliminary-final plat is submitted.

(9) Approval, ~~expiration~~ and variances.

- a. When a preliminary-final plat is found to conform to these regulations, or may be made to conform by making certain changes directed by the commission, a copy of the preliminary-final plat with such changes made thereon, and the approval thereof by the commission, conditioned as necessary on said changes, shall be transmitted to the subdivider. Approval of the preliminary-final plat as such shall in no way constitute final acceptance or approval of the subdivision.

- b. Approval of the preliminary-final plat by the commission shall include the condition that a record plat conforming with the approved preliminary-final plat be submitted for staff review.

~~e. When a preliminary final plat has been approved by the commission, a record plat, for all or a part of the area shall be submitted within six months thereafter; otherwise the approval shall terminate and shall be void. However, prior to the expiration of said approval, the time for filing of the application for the record plat may be extended at the written request of the subdivider. The first filing extension (not to exceed 90 days) shall be granted by the director of planning. Any further requests for extensions shall be considered by the planning and zoning commission.~~

- ~~d.~~ If the commission finds that the preliminary-final plat does not conform to these regulations, and that requested changes to make it conform are not acceptable to the subdivider, the commission shall have the authority to disapprove the preliminary-final plat.

~~e. The subdivider at any time thereafter may submit a new design for commission approval following the same procedure as required for the original application.~~

~~f. The subdivider may, within 14 days of the commission decision to disapprove the preliminary final plat, submit a letter to the director of planning appealing the decision of the commission to the city council. Any appeal to city council shall not be considered a filing under V.T.C.A., Local Government Code § 212.009 or any successor statute, and thus shall not require council action within 30 days. The director of planning shall prepare a report and place the preliminary final plat on the agenda for consideration by the city council. This appeal procedure shall supersede and control over the appeal procedure described in section 142-8.~~

gd. Variances. A variance to the requirements of this section may be granted by the city council in accordance with the provisions of section 142-8 [contained herein](#).

Sec. 142-75. Preliminary-final replat.

- (a) Documentation submitted for approval of preliminary-final replats shall meet the preliminary-final plat requirements of section 142-74, except as follows:
- (1) Purpose statement. A purpose statement shall be provided on the proposed preliminary-final replat. This statement shall provide a brief synopsis of the reason for the proposed plat.
 - (2) The subdivider shall place the following notation on each page of a preliminary-final plat containing land that is situated within the corporate limits of the city:
 - a. PRELIMINARY-FINAL REPLAT FOR REVIEW PURPOSES ONLY
 - b. All proposed lots situated in whole or in part within the city's corporate limits comply with the minimum size requirements of the governing zoning district [and the requirements of the Subdivision Ordinance](#).
 - (3) The subdivider shall place the following notation on each page of a preliminary-final plat containing land that is situated outside the city's corporate limits and within the extraterritorial jurisdiction of the city:
 - a. PRELIMINARY-FINAL REPLAT FOR REVIEW PURPOSES ONLY
 - b. All proposed lots situated entirely outside the city's corporate limits and within the city's extraterritorial jurisdiction comply with the [requirements of the sSubdivision eOrdinance](#).

(b) Schematic plans required. To assist in a complete and thorough review of the proposed preliminary-final replat, the following schematic plan types may be required, as determined by the director of planning. Such required plans must be submitted on separate sheets at the same scale as the preliminary-final replat.

- (1) A plan showing existing topography with contour lines of five feet, or less, with the proposed lot layout shown;
- (2) A plan showing the proposed layout, lot numbers, and setback lines for single family and duplex residential subdivisions;
- (3) A plan of the proposed water and sanitary sewer lines and related facilities;
- (4) A plan showing the proposed drainage facilities including drainage areas, stormwater detention areas, preliminary estimated runoff, points of concentration, and the location of proposed lines, inlets, culverts, and bridges; and
- (5) An exhibit showing the entire proposed subdivision layout on a single page will be required if a multiple page preliminary-final plat is submitted.

(c) Approval ~~expiration~~ and variances.

~~(1) When a preliminary final replat is found to conform to these regulations, or may be made to conform by making certain changes directed by the commission, a copy of the preliminary final replat with such changes made thereon, and the approval thereof by the commission, conditioned as necessary on said changes, shall be transmitted to the subdivider. Approval of the preliminary final replat as such shall in no way constitute final acceptance or approval of the subdivision.~~

~~(2) Approval of the preliminary final replat by the commission shall include the condition that a record plat conforming with the approved preliminary final replat be submitted for staff review.~~

~~(3) When a preliminary final replat has been approved by the commission, a record plat, for all or a part of the area shall be submitted within six months thereafter; otherwise the approval shall terminate and shall be void. However, prior to the expiration of said approval, the time for filing of the application for the record plat may be extended at the written request of the subdivider. The first filing extension (not to exceed 90 days) shall be granted by the director of planning. Any further requests for extensions shall be considered by the planning and zoning commission.~~

~~(4) If the commission finds that the preliminary-final replat does not conform to these regulations, and that requested changes to make it conform are not acceptable to the subdivider, the commission shall have the authority to disapprove the preliminary-final replat.~~

~~(5) The subdivider at any time thereafter may submit a new design for commission approval following the same procedure as required for the original application.~~

~~(6) The subdivider may, within 14 days of the commission decision to disapprove the preliminary-final plat, submit a letter to the director of planning appealing the decision of the commission to the city council. Any appeal to city council shall not be considered a filing under V.T.C.A., Local Government Code § 212.009 or any successor statute, and thus shall not require council action within 30 days. The director of planning shall prepare a report and place the preliminary-final replat on the agenda for consideration by the city council. This appeal procedure shall supersede and control over the appeal procedure described in section 142-8.~~

~~(7) Variances. A variance to the requirements of this section may be granted by the city council in accordance with the provisions of section 142-8 contained herein. (1) The approval provisions applicable to preliminary-final plats (Section 142-74) shall also apply to preliminary-final replats.~~

~~(2) Variances. A variance to the requirements of this section may be granted by the city council in accordance with the provisions of section 142-8.~~

Formatted: Indent: Left: 0.5", Hanging: 0.5"

(d) Public hearing and property owner notification.

(1) Prior to taking action on a proposed preliminary-final replat, the planning and zoning commission shall hold at least one public hearing thereon.

(2) If the proposed preliminary-final replat includes (i) any property that has been limited by a temporary or permanent zoning classification at any time during the preceding five years, or (ii) any lot from the preceding plat that was limited by deed restrictions to residential uses for not more than two residential units per lot, notice of said public hearing shall be published in the city's official newspaper and written notice thereof, together with a copy of subsection (3), shall be sent to all owners of lots that are within the original subdivision and located within 200 feet of the lots to be replatted, at least 16 days before the date such hearing is held. Such notice may be served by using the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is

requested, and depositing the notice, properly addressed and postage paid, in the United States mail.

- (3) If the proposed preliminary-final replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the planning and zoning commission or city council, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the planning and zoning commission or city council, or both, prior to the close of the public hearing. In computing the percentage of land area under this subsection (3), the area of streets and alleys shall be included.

Sec. 142-76. Record plat.

- (a) When a preliminary-final plat or preliminary-final replat has been approved by the commission, or changes designated by same have been made by the subdivider, the subdivider may prepare the record plat for all or a portion of the area in a form for approval.
- (b) The record plat shall be submitted to the director of planning who shall cause the same to be checked and verified as to its conformance with the preliminary-final plat or preliminary-final replat as approved by the commission and/or city council. A drawing of the record plat and the number of copies of the plan deemed necessary by the director of planning to complete the required review or staff reports, and any necessary supporting documents describing the type of provision of services, development procedure and timing, and any required engineering studies, shall be delivered to the director of planning in accordance with the submittal scheduled as published by the planning department. No record plat may be considered by the city until the prescribed application fees have been paid.
 - (1) Completion required. If the record plat is incomplete, the record plat shall be deemed not to have been submitted or filed until any and all deficiencies are corrected.
 - (2) Substantial conformation required.
 - a. If the record plat is complete but does not substantially conform with the preliminary-final plat as approved by the commission and/or city council, the record plat shall be deemed not to have been submitted or filed, and a conforming plat shall be submitted, or an amended preliminary-final plat or preliminary-final replat shall be submitted for commission consideration.

- b. The record plat may constitute all or only a portion of the approved preliminary-final plat or preliminary-final replat, but any portion thereof shall conform to all of the requirements of these regulations. If record plats are submitted for approval for 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.
- (3) Scale and drawing size. The record plat shall be drawn on sheets measuring 24 inches by 36 inches, and shall be at a scale of 100 feet to the inch or as determined by the director of planning.
- (4) Features to be shown. All necessary data to locate and reproduce the record plat on the ground must be shown on the record plat, including:
- 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 5,000, 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 record 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 record 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. Immediately adjacent properties, including lot and street layouts, and the county filing information;
 - e. The layout, width, and names of all streets and/or alleys with the bearings and distances between points of curvature;
 - f. The length of all arcs, radii, internal angles, points of curvature, length and bearing of the tangents. This data shall be provided on a table keyed to the curves on the record plat;

- g. 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;
 - h. All lot lines with accurate dimensions in feet and hundredths and with bearings and angles to street and alley lines to the nearest second;
 - i. For all lots located wholly or partially within or immediately adjacent to a floodplain 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 two feet above the 100-year flood elevation at that point;
 - j. A continuous and sequential lettering and/or numbering of blocks and lots within the subdivision;
 - k. An accurate outline description and area to the nearest hundredth of an acre of all parcels of land that 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 reserved 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 benchmarks; and
 - m. The official monuments shall be tied at two points 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. State plane coordinates tied to two points on the plat boundary shall be shown on the plat.
 - n. Additional information as deemed necessary by the Director of Planning to adequately review the proposed plat.
- (5) Location map. A location map of the proposed subdivision indicating major roadways or platted streets within 1,000 feet of the proposed subdivision shall be included.
- (6) Title information. The following title information shall be included:
- a. The proposed name of the subdivision with section or sequencing designation, as appropriate;

- b. The north point, scale and date; and
- c. The names and addresses of the owner, developer and land planner, engineer, and/or surveyor responsible for actual design of the subdivision.

(7) Certificates required. The following certificates shall be included:

- a. Certification by a public surveyor registered in the state, that the plat represents a survey made by him or under their 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, on a form approved by the director of planning, 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. An original certificate, signed by the county tax assessor-collector, stating that all taxes and assessments then due and payable on the land contained within the subdivision have been paid;
- d. Approval certificate.
 - 1. The following certificate shall be placed on the record plat in a manner that will allow the completion of the certificate by the proper party:

Approved and Accepted

Presiding Officer's Title (see subsection d.2 below)
City of McKinney, Texas

Date

- 2. The presiding officer shall be determined as indicated below:
 - i. For plats requiring administrative staff approval, the city manager shall be the presiding officer.
 - ii. For plats requiring planning and zoning commission approval, the chairman shall be the presiding officer.

However, if the vice-chair presides over a meeting where a plat is approved, the vice-chair shall be authorized to serve as the presiding officer.

- iii. For plats requiring city council approval, the mayor, or mayor pro-tem in the mayor's absence, shall be the presiding officer.
- e. The subdivider shall place the following notation on each page of a record plat containing land that is situated within the corporate limits of the city:
 - 1. All proposed lots situated in whole or in part within the city's corporate limits comply with the minimum size requirements of the governing zoning district and the requirements of the Subdivision Ordinance.
 - f. The subdivider shall place the following notation on each page of a record plat containing land that is situated outside the city's corporate limits and within the extraterritorial jurisdiction of the city:
 - 1. All proposed lots situated entirely outside the city's corporate limits and within the city's extraterritorial jurisdiction comply with the requirements of the sSubdivision eOrdinance.
- (8) Construction plans. Construction plans and profile sheets for all public improvements shall be submitted with the record plat. The approval of the record 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 24 inches by 36 inches, and shall be the same size as the record plat. Each sheet shall include north point, scales, date and benchmark 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 profile of each street with top of curb grades shown. Scales shall be in one inch equals 40 feet horizontally, and one inch equals five or six 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 pavements, base and subgrade and location within the right-of-way, and in accordance with the city street design standards manual;

- c. A plan and profile of proposed sanitary sewers with grades and pipe size indicated and showing locations of manholes, cleanouts and other appurtenances, with a section showing 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 stormwater 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; and
 - 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.
- (9) Approval and variances.
- a. The city delegates to the director of planning the authority to approve record plats. The director of planning shall act upon the record plat within 30 days after submittal of the record plat to the city as herein provided. Failure to act within this time shall constitute approval of the record plat, and the city secretary shall be directed to certify to its acceptance.
 - 1. The record plat shall be reviewed for conformance with the approved preliminary-final plat and if the record plat is found to be in conformance, the director of planning shall approve the record plat, or approve the record plat with conditions.
 - 2. The director of planning shall either find the record plat conforming, shall identify any nonconformity with the applicant and allow an opportunity for the applicant to correct said nonconformity, or shall refer the record plat to the planning and zoning commission for approval.
 - 3. The director of planning may for any reason elect to present the record plat to the planning and zoning commission for approval.
 - 4. The director of planning shall not approve any record plat that does not substantially conform to the approved preliminary-final plat or preliminary-final replat.

5. The director of planning shall not disapprove the record plat and shall be required to refer any record plat which he does not find conforming to the planning and zoning commission.
 6. If the planning and zoning commission denies the record plat, the subdivider may, within 14 days of the commission decision, submit a letter to the director of planning appealing the decision of the commission to the city council. Any appeal to city council shall not be considered a filing under section V.T.C.A., Local Government Code § 212.009, and thus shall not require council action within 30 days. The director of planning shall prepare a report and place the record plat on the agenda for consideration by the city council. This appeal procedure shall supersede and control over the appeal procedure described in section 142-8.
 - b. Disapproval of a record plat by the planning and zoning commission shall be deemed a refusal by the city to accept the offered dedications shown thereon. Approval of a record 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 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.
 - c. Variances. A variance to the requirements of this section may be granted by the city council in accordance with the provisions of section 142-8 contained herein.
- (10) Facilities agreement. A facilities agreement, if required as described in section 142-37, shall be approved by the city prior to issuance of a development permit. The executed facilities agreement shall be filed in the records of the county by the city secretary.
 - (11) Screening and buffering. If screening and buffering is required for a proposed subdivision as specified within section 142-106 of this chapter, plans shall be submitted to the planning department concurrently with the submittal of a record plat. The screening and buffering plans shall be approved by the director of planning, prior to the approval of the record plat.
 - (12) Development permit. A development permit, as described in section 142-38, 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.

- (13) Recording of the record plat. The record plat shall be recorded in the map and plat records of the county by the director of planning after the acceptance of public improvements in subdivisions not requiring a facilities agreement and after all conditions of approval are satisfied, as determined by the director of planning and the city engineer. The director of planning shall provide prints of the record plat to the affected city offices as they may require. The record plat shall not be returned or released to the subdivider until recorded as provided above.
- (14) Release of covenants. Upon satisfactory completion of the required improvements, the city engineer shall issue a release of covenants to the subdivider.
- (15) 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 engineer shall accept such improvements in writing and make payments to the developer as specified in the facilities agreement, if applicable.
- (16) Final plats. The city recognizes that there may be plats in the process of being approved or designed that were submitted prior to the effective date of the ordinance from which this section is derived. These plats may have been submitted as preliminary plats, approved by the appropriate authority under the previous ordinance, and phases of these developments may still be undeveloped and in the design process. Such final plats shall be submitted in accordance with the procedures defined herein, and shall conform to this section defined herein for record plats, and submitted to the planning and zoning commission for final approval.

Sec. 142-77. Minor plat.

- (a) In accordance with the V.T.C.A., Local Government Code § 212.0065, the city delegates to the director of planning the authority to approve minor plats and amendments to minor plats, which:
 - (1) Involve four or fewer lots;
 - (2) Front onto an existing street; and
 - (3) Do not require the creation of any new street or the extension of municipal facilities.

- (b) The director of planning may, for any reason, elect to present the minor plat to the planning and zoning commission for approval.
- (c) The director of planning shall not disapprove the minor plat and shall be required to refer any minor plat that he refuses to approve to the planning and zoning commission for consideration.
- (d) Documentation submitted for approval of minor plats shall meet the record plat requirements of section 142-76.
- (e) Schematic plans required. To assist in a complete and thorough review of the proposed minor plat, the following schematic plan types may be required, as determined by the director of planning. Such required plans must be submitted on separate sheets at the same scale as the minor plat.
 - (1) A plan showing existing topography with contour lines of five feet, or less, with the proposed lot layout shown;
 - (2) A plan showing the proposed layout, lot numbers, and setback lines for single family and duplex residential subdivisions;
 - (3) An exhibit showing the entire proposed subdivision layout on a single page will be required if a multiple page minor plat is submitted.
- (f) Screening and buffering. If screening and buffering is required for a proposed subdivision as specified within section 142-106 of this chapter, plans shall be submitted to the planning department concurrently with the submittal of a minor plat. The screening and buffering plans shall be approved by the director of planning, prior to the approval of the minor plat.
- (g) Approval and variances.
 - (1) The approval and variances provisions applicable to record plats (Section 142-76) shall also apply to minor plats.

~~Variances. A variance to the requirements of this section may be granted by the city council in accordance with the provisions of section 142-8 contained herein.~~

Sec. 142-78. Minor replat.

- (a) Documentation submitted for approval of minor replats shall meet the minor plat requirements of section 142-77, except as follows:
 - (1) Purpose statement. A purpose statement shall be provided on the proposed minor replat. This statement shall provide a brief synopsis of the reason for the proposed plat.

(b) Screening and buffering. If screening and buffering is required for a proposed subdivision as specified within section 142-106 of this chapter, plans shall be submitted to the planning department concurrently with the submittal of a minor replat. The screening and buffering plans shall be approved by the director of planning, prior to the approval of the minor replat.

(c) Approval and variances.

(1) When a minor replat is found to conform to these regulations, or may be made to conform by making certain changes directed by the commission, a copy of the minor replat with such changes made thereon, and the approval thereof by the commission, conditioned as necessary on said changes, shall be transmitted to the subdivider. Approval of the minor replat as such shall in no way constitute final acceptance or approval of the subdivision.

(2) If the commission finds that the minor replat does not conform to these regulations, and that requested changes to make it conform are not acceptable to the subdivider, the commission shall have the authority to disapprove the minor replat.

(3) The subdivider at any time thereafter may submit a new design for commission approval following the same procedure as required for the original application.

(4) ~~The variances provisions applicable to record plats (Section 142-76) shall also apply to minor replats.~~

~~Variances. A variance to the requirements of this section may be granted by the city council in accordance with the provisions of section 142-8 contained herein.~~

(d) Public hearing and property owner notification.

(1) Prior to taking action on a proposed minor replat, the planning and zoning commission shall hold at least one public hearing thereon.

(2) If the proposed minor replat includes property that is zoned for residential uses for not more than two residential units per lot, notice of said public hearing shall be sent to all owners of property, or to the person rendering the same for city taxes, located within 200 feet of any property affected thereby, within not less than ten days before such hearing is held. Such notice may be served by using the last known address as reflected by the Collin Central Appraisal District, and depositing the notice, properly addressed and postage paid, in the United States mail.

Formatted: Indent: Left: 0.5", Hanging: 0.5"

- (3) If the proposed minor replat includes property that is zoned for residential uses for not more than two residential units per lot, notice of said public hearing shall be given by publication one time in a newspaper of general circulation in the city, stating the time and place of such hearing, which time shall not be earlier than 15 days from the first date of publication.

Sec. 142-79. Amending plat.

- (a) In accordance with V.T.C.A., Local Government Code § 212.0065, the City delegates to the director of planning the authority to approve amending plats under the following conditions:
 - (1) The amending plat shall be signed by all persons owning property within the tracts for which the amending plat is submitted.
 - (2) The director of planning may, for any reason, elect to present the amending plat to the planning and zoning commission for approval.
 - (3) The director of planning shall not disapprove the amending plat and shall be required to refer any amending plat which he refuses to approve to the planning and zoning commission for consideration.
 - (4) The amending plat shall be solely for one or more of the following purposes:
 - a. To correct an error in a course or distance shown on the preceding plat;
 - b. To add a course or distance that was omitted on the preceding plat;
 - c. To correct an error in a real property description shown on the preceding plat;
 - d. To indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
 - e. To show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
 - f. To correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;

- g. To correct an error in courses and distances of lot lines between two adjacent lots if:

Both lot owners join in the application for amending the plat;

Neither lot is abolished;

The amendment does not attempt to remove recorded covenants or restrictions; and

The amendment does not have a material adverse effect on the property rights of the other owners in the plat;

- h. To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;

- i. To relocate one or more lot lines between one or more adjacent lots if:

The owners of all those lots join in the application for amending the plat;

The amendment does not attempt to remove recorded covenants or restrictions; and

The amendment does not increase the number of lots;

- j. To replat one or more lots fronting on an existing street if:

The owners of all those lots join in the application for amending the plat;

The amendment does not attempt to remove recorded covenants or restrictions;

The amendment does not increase the number of lots; and

The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

- (b) A notice, a hearing, and the approval of other lot owners are not required for the approval and issuance of an amending plat. The documentation submitted for approval of amending plats shall meet the record plat requirements of section 142-76, in addition to the following items:

(1) Purpose statement. A purpose statement shall be provided on the proposed amending plat. This statement shall provide a brief synopsis of the reason for the proposed plat.

(c) Approval and variances.

(1) The approval and variances provisions applicable to record plats (Section 142-76) shall also apply to amending plats.

~~Variances. A variance to the requirements of this section may be granted by the city council in accordance with the provisions of section 142-8 contained herein.~~

DRAFT