



TITLE: Conduct a Public Hearing to Consider/Discuss/Act on the Request by City of McKinney, for Approval of the Request to Amend Section 142-5 (Approval Required), 142-9 (Definitions), and 142-81 (Conveyance Plat) of the Subdivision Ordinance, and Accompanying Ordinance

MEETING DATE: June 4, 2013

DEPARTMENT: Planning

CONTACT: Michael Quint, Director of Planning

RECOMMENDED CITY COUNCIL ACTION:

- Staff recommends approval of the proposed amendments to the Subdivision Ordinance.

ITEM SUMMARY:

- In order to ensure compliance with State Law, Staff is proposing modifications to various sections of the Subdivision Ordinance.
- Specifically, subsection 212.004 of the Texas Local Government Code states that a division of land does not include a division of land into parts greater than five acres. The Subdivision Ordinance currently states that a division of land does not include a division of land into parts greater than ten acres.
- The proposed amendments to the Subdivision Ordinance should not negatively impact property rights as they only help to streamline existing processes and bring existing processes into conformance with State Law. In fact, the proposed amendments should make platting certain lots in McKinney easier.

BACKGROUND INFORMATION:

- Proposed Changes to Section 142-5 (Approval Required):
 - The definition of "Subdivision" is being deleted as this term is already defined in section 142-9 (Definitions).
- Proposed Changes to Section 142-9 (Definitions):

- The term “Subdivision” is being updated to remove the requirement to plat tracts that are ten acres or larger in size in accordance with State Law. In addition, this definition is being modified to explicitly indicate when a parent tract of land must be platted.
- The phrasing of the “Conveyance Plat” definition is being modified for consistency with other definitions.
- The definition of a “General Development Plan” is being deleted. The general development plan process was eliminated by the City Council on April 22, 2013.
- Proposed Changes to Section 142-81 (Conveyance Plat):
 - Due to the changes in the size of tract that must be platted, the occasions when a conveyance plat may be used must be updated. As proposed, a conveyance plat may be used when attempting to convey a party’s interest in a property(s) which is five acres in area or smaller and the construction of public improvements are not warranted.
 - The standard notation that must be placed on a conveyance plat to provide a clear explanation of the plat’s intent and purpose has been updated at the request of several members of the Development Community.
 - Redundant verbiage detailing the purpose and intent of a conveyance plat has been deleted to streamline the ordinance.

SPECIAL CONSIDERATIONS:

- None.

FINANCIAL SUMMARY:

- None.

BOARD OR COMMISSION RECOMMENDATION:

- Per Section 142-10 (Changes and Amendments) of the Subdivision Ordinance, amendments to Chapter 142 of the Code of Ordinances are not required to be considered by any boards or commissions. As such, no recommendation has been made by the Planning and Zoning Commission.