

## **Sec. 142-42. Dormancy and approval expirations.**

### *(a) General Development Plan.*

1. The approval of a general development plan shall remain in effect so long as progress is being made toward completion of the project on the subject property. If, however, a record plat for all or a part of the subject property has not been filed for recordation with the County Clerk within a period of five years following the original approval of the general development plan, the general development plan's approval shall terminate and become void.
2. Following the expiration of the general development plan, the subdivider at any time thereafter may submit a new general development plan for Commission approval following the procedures and regulations then in effect.

### *(b) Preliminary-Final Plat (includes Preliminary-Final Replat).*

1. 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.
2. If a record plat for any portion of the area shown on the preliminary-final plat has been filed for record with the County Clerk, the preliminary-final plat's approval shall remain valid indefinitely.
3. If a preliminary-final plat expires, the general development plan, if one was approved, that underlies and forms the basis for the preliminary-final plat shall also expire contemporaneously with the expiration of the preliminary-final plat.
4. Following the expiration of the plat, the subdivider at any time thereafter may submit a new general development plan, if required, and/or preliminary-final plat for Commission approval following the procedures and regulations then in effect.

### *(c) Record Plat.*

1. The approval of a record plat shall remain in effect for five years following the date of approval except that the plat's approval shall remain valid indefinitely as long as consistent progress toward the filing of the record plat is

demonstrated. If after the five year approval time period, progress toward the filing of the record plat has not been shown for a period of at least six months, the plat's approval shall immediately terminate and become void. Evidence of progress toward the filing of the record plat shall include, but not necessarily be limited to, the construction of public improvements, application for and receipt of permits, and request(s) for inspections.

2. If the record plat expires and no other record plat that is based on the same preliminary-final plat or preliminary-final replat which underlies and forms the basis for the expired or expiring record plat has been previously filed for recording with Collin County, the preliminary-final plat or preliminary-final replat of the property shall also expire contemporaneously with the expiration of the record plat. If such underlying preliminary-final plat or preliminary-final replat expires, the general development plan shall also contemporaneously expire with the expiration of the record plat.
3. Following the expiration of the record plat the subdivider at any time thereafter may submit a new general development plan, if required, preliminary-final plat or preliminary-final replat, and/or record plat for Commission approval following the procedures and regulations then in effect.

(d) *Amending Plat, Conveyance Plat, Minor Plat, and Minor Replat.*

1. The approval expiration provisions applicable to record plats in Section 142-42(d) of this chapter shall also apply to amending plats, conveyance plats, minor plats, and minor replats.

(e) *Exceptions.*

1. Notwithstanding the foregoing provisions in this section, approvals for all general development plans and plats of any kind or nature for properties for which a developers agreement, annexation agreement, or facilities agreement has been approved and executed by the City of McKinney prior to **September 8, 2014**, shall be valid indefinitely.
2. If the executed developers agreement, annexation agreement, or facilities agreement regarding the subject property is terminated, voided for any reason, or otherwise expires the approvals for affected general development plans and plats of any kind and nature shall be subject to the expiration timelines specified herein-above.
3. The approval expirations contained herein shall not apply to general development plans or plats approved prior to **September 8, 2014**. Approval expirations that existed within Chapter 142 of the Code of Ordinances before

September 8, 2014 shall apply to any general development plans or plats approved before September 8, 2014.

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