

CITY OF McKINNEY, TEXAS

Legislation Details (With Text)

File #:	18-0013M	Name:	Subdivision Ordinance Amendment			
Туре:	Ordinance		Approved			
		In control:	City Council Regular Meeting			
On agenda: 12/4/2018		Final action:	12/4/2018			
Title:	Conduct a Public Hearing to Consider/Discuss/Act on an Ordinance Amending Chapter 142, "Subdivision Regulations," of the Code of Ordinances, City of McKinney, Texas, Relating to Platting and Permitting in the City's Extraterritorial Jurisdiction					
Indexes:						
Attachments:	1. Proposed Chapter 142 Changes, 2. Ordinance					

Date	Ver.	Action By	Action	Result
12/4/2018	1	City Council Regular Meeting	Close the public hearing	Pass
12/4/2018	1	City Council Regular Meeting	Approved	Pass

Conduct a Public Hearing to Consider/Discuss/Act on an Ordinance Amending Chapter 142, "Subdivision Regulations," of the Code of Ordinances, City of McKinney, Texas, Relating to Platting and Permitting in the City's Extraterritorial Jurisdiction

COUNCIL GOAL: Direction for Strategic and Economic Growth

(1C: Provide a strong city economy by facilitating a balance between industrial, commercial, residential and open space)

MEETING DATE: December 4, 2018

DEPARTMENT: Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning Aaron Bloxham, Planner II

RECOMMENDED CITY COUNCIL ACTION:

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

ITEM SUMMARY:

- This Ordinance amends Chapter 142 "Subdivision Regulations," of the City of McKinney Code of Ordinances, to comply with the recent court ruling regarding the "Custer Storage Case."
- Specifically, the Court ruling affirmed the City's authority to require a plat for landowners that subdivide or develop property in the City or within the City's Extraterritorial Jurisdiction (ETJ) per Section 212 of the Texas Local Government Code (LGC). However, the Court found that the City does not have the authority to enforce its building codes, building inspections, and pay

related fees within the ETJ.

• The proposed amendments modify language related to platting and permitting within the City's ETJ.

BACKGROUND INFORMATION:

- Chapter 212 of the Texas Local Government Code (LGC) specifies the laws and procedures for municipalities to regulate subdivisions and property development.
- On May 10, 2018, the Fifth District Court of Appeals for the State of Texas rendered judgement in the Collin County v. City of McKinney v. Custer Storage court case relating to platting and permitting in the ETJ.

FINANCIAL SUMMARY:

• N/A

BOARD OR COMMISSION RECOMMENDATION:

• N/A