



# CITY OF MCKINNEY, TEXAS

## Legislation Details (With Text)

**File #:** 23-0005M      **Name:** Chapter 150 (Article 3: Subdivision Amendments) - HB 3699

**Type:** Ordinance      **Status:** Approved

**In control:** City Council Regular Meeting

**On agenda:** 10/17/2023      **Final action:** 10/17/2023

**Title:** Conduct a Public Hearing to Consider/Discuss/Act on Amendments to Certain Provisions of Article 3 (Subdivision Regulations) of Chapter 150, Entitled "Unified Development Code" of the Code of Ordinances Regarding the Required Documents and Process to Receive a Determination on Certain Development Applications to Bring Such Provisions into Conformity with New State Laws Adopted by and through House Bill 3699, and Accompanying Ordinance

**Indexes:**

**Attachments:** 1. HB 3699, 2. Subdivision Regulations - Redlines, 3. Proposed Ordinance, 4. Exhibit A, 5. Presentation

Date	Ver.	Action By	Action	Result
10/17/2023	1	City Council Regular Meeting		

Conduct a Public Hearing to Consider/Discuss/Act on Amendments to Certain Provisions of Article 3 (Subdivision Regulations) of Chapter 150, Entitled "Unified Development Code" of the Code of Ordinances Regarding the Required Documents and Process to Receive a Determination on Certain Development Applications to Bring Such Provisions into Conformity with New State Laws Adopted by and through House Bill 3699, and Accompanying Ordinance

**COUNCIL GOAL:** Operational Excellence  
(2C: Identify opportunities for internal efficiencies and continuous improvement to effect a high performing organizational culture)

**MEETING DATE:** October 17, 2023

**DEPARTMENT:** Development Services - Planning Department

**CONTACT:** Jennifer Arnold, AICP, Director of Planning  
Hayley Angel, AICP, Planning Manager  
Cait Strickland, AICP, Planning Manager  
Aaron Bloxham, AICP, Principal Planner

**RECOMMENDED CITY COUNCIL ACTION:** Staff recommends approval of the proposed amendments.

**ITEM SUMMARY:** Given recent changes to state law that took effect on September 1, 2023, Staff proposes several modifications to the Subdivision Ordinance to ensure compliance. More specifically, these changes are in reference to House Bill 3699 (HB 3699), which affects the processing and approval procedures for plats under Chapter 212 of the Texas Local Government Code.

## PROPOSED AMENDMENTS:

- Delegation of Approval Authority:
  - During the 2019 legislative session, the State enacted a requirement that all plats must be approved, approved with conditions or disapproved within 30 days after being accepted for submittal either by staff, the municipal planning commission, or the municipal authority. HB 3699, now allows the City Council to delegate approval and disapproval authority to staff for all plats, except those requiring a variance.
  - Staff proposes to amend the subdivision ordinance to delegate full approval and disapproval authority to staff. This change will drastically help with the review timelines of plats and will be an improvement to the inherently administrative platting process for the development community.
  - Applicants will still be able to appeal a staff action to the City Council.
- Engineering and Construction Standards:
  - HB 3699 specifies the adoption requirements for engineering design and construction standards related to transportation and drainage infrastructure.
  - Staff also proposes amendments to incorporate these adoption requirements into the subdivision ordinance.
  - These changes will help us be in line with HB 3699 and will improve the overall structure of the code.
- Submittal Requirements:
  - HB 3699 refines the minimum standards that a city must use to determine when an application can be deemed as filed with the city for action. Specifically, HB 3699, removes any reference to “administratively complete” and specifies that any and all submittal requirements shall be listed in the city’s subdivision ordinance.
  - Staff proposes amendments to the subdivision ordinance to capture these procedural changes.
- Standards for Approval:
  - Staff also proposes amendments to ensure complete transparency regarding the standards for approval of each plat type within the city.
  - These changes will help us be in line with HB 3699 and will improve the overall structure of the code.

**OPPOSITION TO OR SUPPORT OF REQUEST:** Staff has not received any letters in support of or in opposition to the proposed amendments.

