

## Sec. 2.02. - Board of Adjustment.

*Note: This section includes a significant re-organization; therefore, a strikeout/underline version is not included. Please refer to the proposed ordinance for language.*

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## Sec. 4.20.2. - Schedule of principal uses.

RESIDENTIAL USES													TYPE OF USE	NON-RESIDENTIAL DISTRICTS											
R 1	R1 .5	R 2	R 3	R 4	R 5	R 6	R 7	2 F	T H	MF 12	MF 18	M H		A O	G O	O	L R	S C	L C	G B	C C	I T	L I	H I	C F
													...												
													FIRE ARMS SALES & SERVICE				€	€	€	€	€				

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## Sec. 6.05. - Site plan approval.

### Sec. 6.05.1. - Purpose of site plan approval.

The approval of a site plan approval is intended to ensure the proposed development of a specific tract of land complies with the zoning regulations applicable to the use and development of the property and that such development provides for efficient and safe land development, compatible use of land, compliance with appropriate design standards, safe and efficient vehicular and pedestrian circulation, parking and loading, and adequate water supply, drainage, and other utilities.

### Sec. 6.05.2. - Applicability of site plan approval.

No building permit shall be issued for the following unless a site plan is first approved by the city:

1. Any nonresidential development.
2. Any multifamily development or mobile home park.
3. Any development with two or more buildings per platted lot.
4. Any planned development, specific use or temporary use permit.

No building permit shall be issued except in conformance with the approved site plan ~~including all conditions of approval~~. No certificate of occupancy shall be issued unless all construction and development conform to the approved site plan as approved by the city. ~~A public hearing on a site plan is not required except in conjunction with a specific use permit or when required by a planned development.~~

### Sec. 6.05.3. - Site plan details.

The site plan shall be drawn to scale and shall include the following information:

1. Legal Boundary Description.

- a. Letter size (8½ x 11) copy of the legal boundary description (metes and bounds) of the area encompassing property to be included in the site plan-the request signed and sealed by a surveyor with labeling at top of the document indicating “Legal Boundary Description”.
- b. Digital copy of the legal boundary description in Microsoft Word a word processing format suitable for editing and copying the description digitally.
- c. The Director of Community Development may waive the requirement for a surveyed boundary description of the property if the property to be encompassed in the Site Plan is platted, the proposed Site Plan does extend beyond the boundaries of the platted lots, and the property can be described in reference to the lot, block, subdivision name, and recording information for the plat on which such lot appears.

2. Site Plan.

- a. A title block with:
  - i. “Site Plan or Revised Site Plan”
  - ii. Project name
  - iii. Acreage
  - iv. Subdivision name, lot, block or survey name and abstract
  - v. City of Allen, Collin County
  - vi. Submission date
- b. North arrow, scale ratio, and scale bar
- c. Location/vicinity map showing the location of the subject property. Indicate scale or not to scale (NTS) and provide north arrow.
- d. The name or names, address, and phone number of the owner, developer, engineer, and/or architect.
  - i. Site Data Summary Table, including:
  - ii. Proposed Use(s)
  - iii. Existing Zoning District
  - iv. Gross Site Area (ac. & sq. ft.)
  - v. Required Landscape Area (ac. & %)
  - vi. Provided Landscape Area (ac. & %)
  - vii. Lot Coverage
  - viii. Parking Ratio per Use
  - ix. Parking Required
  - x. Parking Provided
  - xi. Maximum Height (in ft. and stories)
  - xii. FAR
  - xiii. Setbacks (front, side interior, side street, and rear)
- e. Adjacent property subdivision name/owner, property lines, zoning, and ownership with recording information (e.g. Volume/Page; Book/Page; Cabinet/Slide; Instrument No.); identified as being filed in the Deed Records, Collin County, Texas (DRCCT), Plat Records, Collin County, Texas (PRCCT), Map Records, Collin County, Texas (MRCCT), or Official Public Records, Collin County, Texas (OPRCCT)recording information identified as either Deed Records (DRCCT), Plat Records (PRCCT), or Official Property Records (OPRCCT).
- f. All shown streets to be labeled and include an abbreviated suffix and no directional prefix.
- g. Setbacks as required by zoning.

- h. Location of proposed building(s) and structures.
- i. Concrete sidewalks; label as existing or proposed and dimension the width(s).
- j. On-site and off-site circulation (including truck loading and pickup areas). Public streets, private drives and fire lanes with pavement widths, right-of-way, median openings, turn lanes (including storage and transition space), and driveways (including those on adjacent property) with dimensions, radii, surface type, and distances between driveways.
- k. Location of off-site improvements including adjacent drives, existing and proposed median cuts, parking, buildings or other structures within 200 feet of subject property.
- l. Parking areas and structures, including the number of parking spaces provided and required, and layout of standard spaces, handicap spaces, the location of ramps, crosswalks and loading areas with typical dimensions and surface type.
- m. Dumpster and trash compactor locations and screening.
- n. Existing overhead utility lines.
- o. Turning exhibit for all trucks (dumpster, fire truck-50' long., etc.).
- p. Location and size of the grease trap(s).
- q. Screening (including heights and materials).
- r. Location of all fire hydrants, Fire Department Connections (FDC), and location of the fire riser room.
- s. Landscape Buffers
- t. Hike and Bike Trails

3. Landscape Plan.

A landscape plan shall be sealed, signed, and dated by a Registered Landscape Architect, and include the following components:

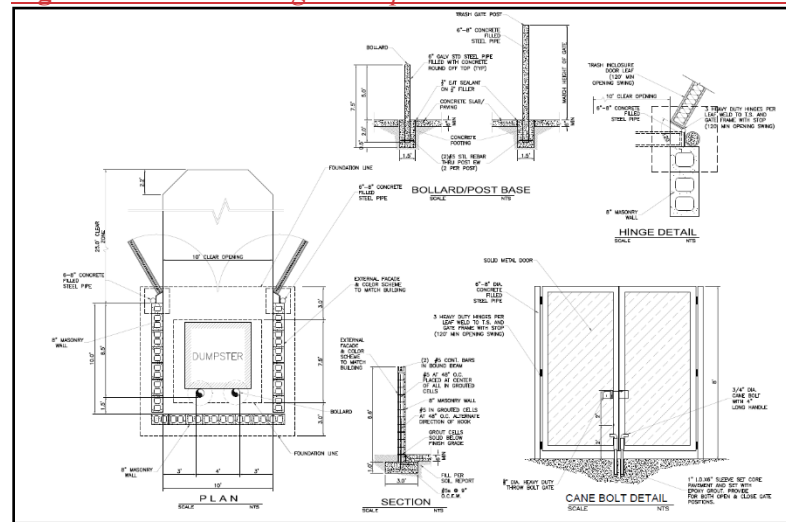
- a. Site Landscape Area
  - i. Clearly reflect the required percentage of area devoted to landscaping, based on the property zoning.
  - ii. The proper landscape buffer provided adjacent to public street right-of-way.
  - iii. All easements located on this site shown on the landscape plan.
  - iv. Shade and ornamental trees provided in the landscape buffer (based on the length of the property's street frontage including drive aisles).
- b. Parking Lot Landscaping
  - i. Retail development: 1 shade tree plus 1 ornamental tree for every 40 parking spaces.
  - ii. Non-retail development: 1 shade tree plus 1 ornamental tree for every 30 parking spaces.
  - iii. If the parking lot has over 200 spaces, subdivided into areas of no more than 200 spaces by a 10' landscaped island.
  - iv. All landscape areas are protected by a raised 6-inch concrete curb.
  - v. Root barriers required per Article 7.05.2.5.xi.
  - vi. All parking spaces within 50' of the center of an approved parking lot tree.
  - vii. All parking rows must end in a parking lot island
  - viii. All islands must be a minimum of 8'-0" x 17'-0" from back-of curb to back-of-curb.
  - ix. An island is required every ten spaces around the perimeter of the site
  - x. All parking must be screened from the ROW.
  - xi. A 2' strip of non-vegetative permeable material around all parking
  - xii. All landscape areas to be irrigated with a fully automatic irrigation system and this requirement is noted on the landscape plan.

- xiii. Trees listed in the approved plant lists follow in Appendix C of the Allen Land Development Code.
        - xiv. For multi-family, ~~A~~a minimum of eight (8) square feet of landscape area provided for each parking space and one shade tree within the parking lot for every 10 spaces.
      - c. Corner Lot Landscaping
        - i. A 20-foot landscape buffer provided at the corner street frontage for 175 feet or to nearest driveway
        - ii. A 900 square foot or larger landscape area provided at the intersection corner of the lot
  - 4. Tree Survey Plan and Tree Mitigation Plan.
    - a. A tree survey plan shall be prepared by a certified arborist or landscape architect and shall include the following information:
      - i. Property ~~Legal~~Boundary Description.
      - ii. Date of Preparation.
      - iii. North Arrow.
      - iv. Name, address, and phone number of owner.
      - v. Name, address, and phone number of preparer.
      - vi. Zoning of Property.
      - vii. Documentation of agricultural/open space tax status if exemption is requested.
      - viii. Caliper of all trees 6" in caliper or larger.
      - ix. Location and common name of tree species.
      - x. Identification of all trees.
      - xi. Identification of caliper, common name of species, and location of trees that are to be used as replacement trees.
      - xii. The Tree Survey should be set up in a tabular format with the following as column headers:
        - (1) Tree #
        - (2) Common Name
        - (3) Caliper (DBH)
        - (4) Protected (Y/N)
        - (5) Positive Credits
        - (6) Negative Credits
      - xiii. Identification of caliper, common name of species, and location of existing trees that are to be used for credits.
    - b. A tree mitigation plan, if applicable, shall include the following:
      - i. Species of replacement trees.
      - ii. The proposed location of replacement trees.
      - iii. The proposed schedule for replacement of trees.
      - iv. Proposals for payment in lieu of planting replacement trees.
  - 5. Building Elevations.
    - a. Elevations, from each direction, of the existing and/or proposed building(s).
    - b. Label the maximum building height per elevation.
    - c. Include the cardinal direction (north, south, east, or west) in the label for each elevation.
    - d. Label each building material.

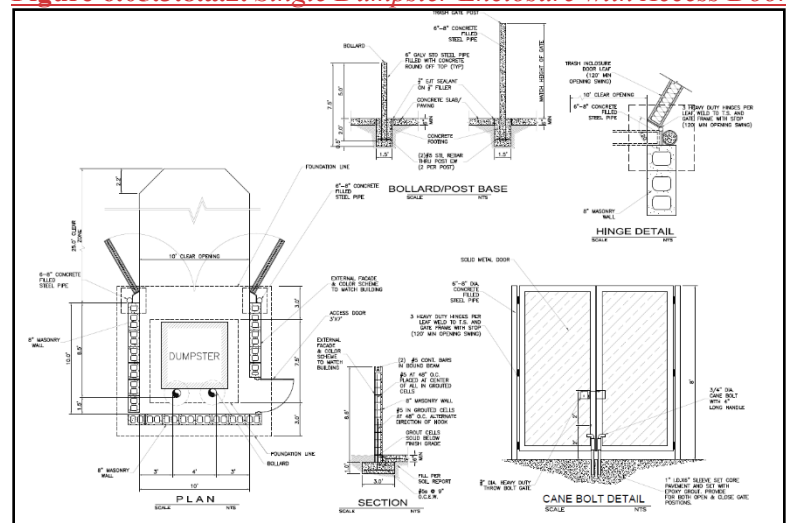
- ## 8. Dumpster Enclosure Detail and Trash Service Detail.

a. A dumpster enclosure detail in conformance with Figure 6.05.3.8.a.1. Single Dumpster Enclosure with No Access Door; Figure 6.05.3.8.a.2. Single Dumpster Enclosure with Access Door; Figure 6.05.3.8.a.3 Single Dumpster Enclosure with Access Door and Storage; Figure 6.05.3.8.a.4. Double Dumpster Enclosure with No Access Door; or Figure 6.05.3.8.a.5. Compactor Enclosure.

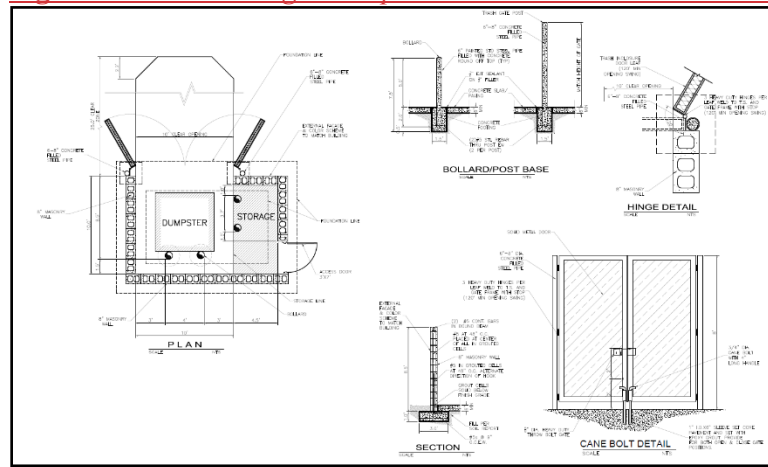
**Figure 6.05.3.8.a.1. Single Dumpster Enclosure with No Access Door**



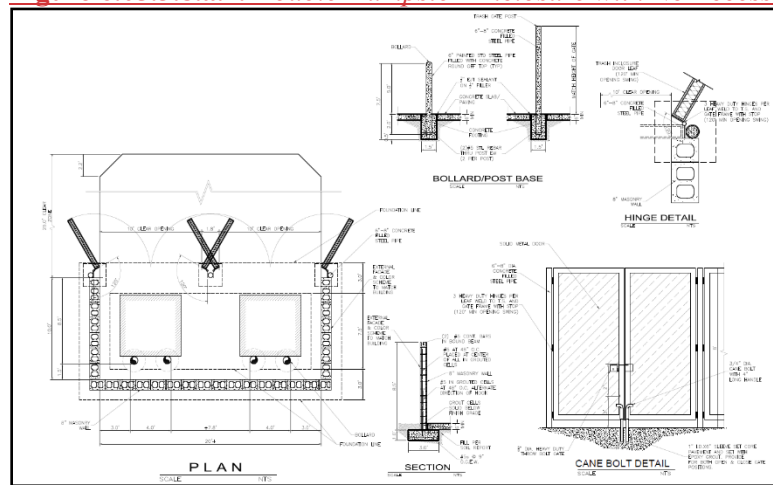
**Figure 6.05.3.8.a.2. Single Dumpster Enclosure with Access Door**



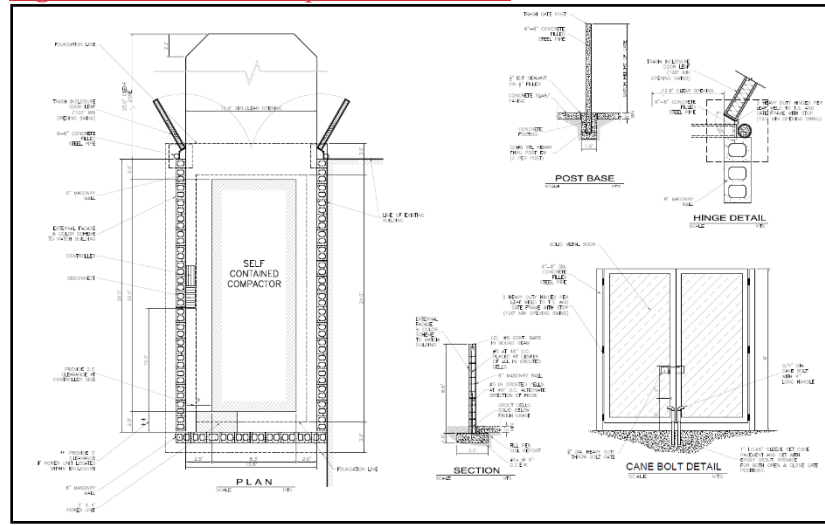
**Figure 6.05.3.8.a.3 Single Dumpster Enclosure with Access Door and Storage**



**Figure 6.05.3.8.a.4. Double Dumpster Enclosure with No Access Door**

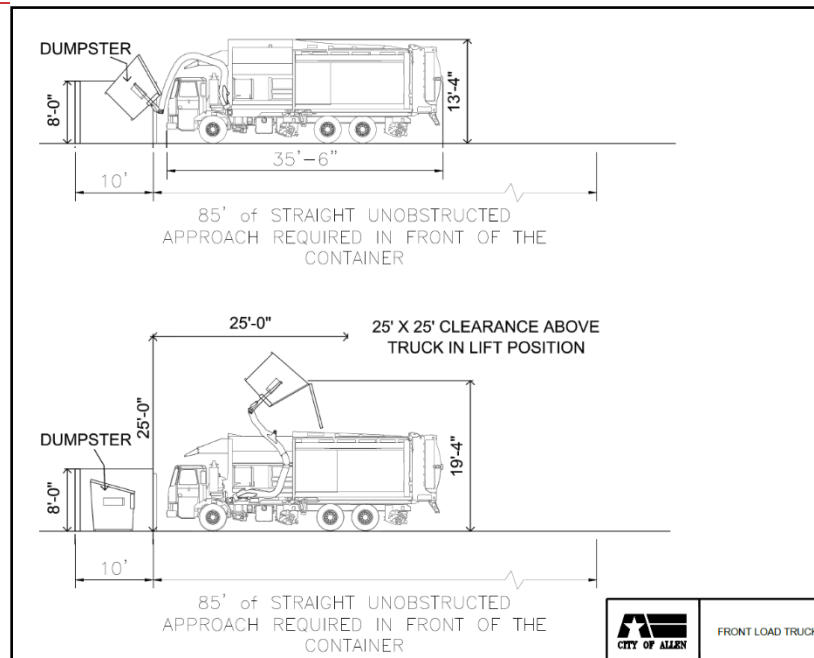


**Figure 6.05.3.8.a.5. Compactor Enclosure**

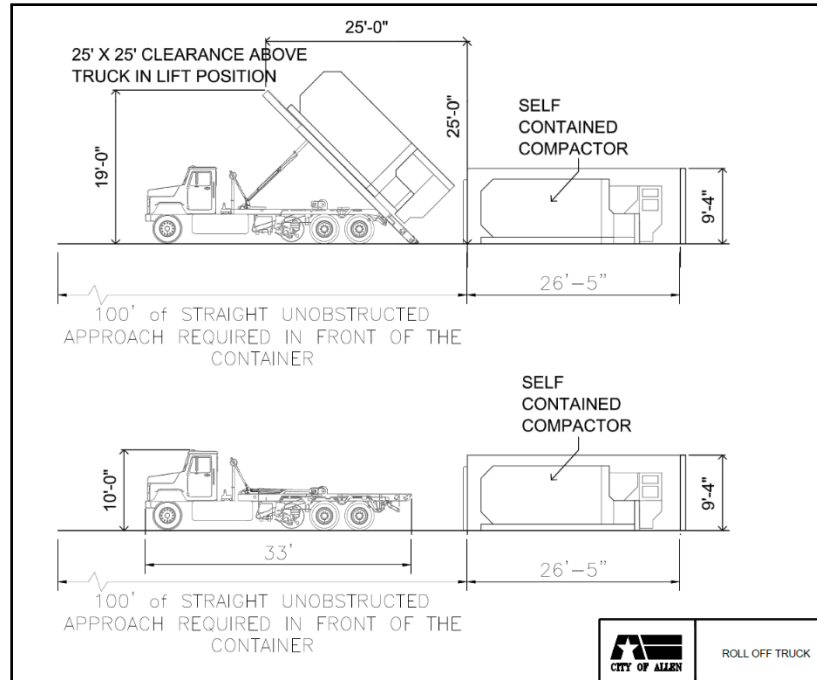


- b. A service detail in conformance with Figure 6.05.3.8.b.1. Dumpster Service Detail if a dumpster service is used or Figure 6.05.3.8.b.2. Compactor Service Detail if a compactor service is used.

a.



**Figure 6.05.3.8.b.1. Dumpster Service Detail**



**Figure 6.05.3.8.b.2. Compactor Service Detail**

1. ~~Location of proposed building(s) and structures.~~
2. ~~On-site and off-site circulation (including truck loading and pickup areas). Public streets, private drives and fire lanes with pavement widths, right of way, median openings, turn lanes (including storage and transition space), and driveways (including those on adjacent property) with dimensions, radii, surface type, and distances between driveways.~~
3. ~~Parking areas and structures, including the number of parking spaces provided and required, and layout of standard spaces, handicap spaces, the location of ramps, crosswalks and loading areas with typical dimensions and surface type.~~
4. ~~Grading plan.~~
5. ~~Screening (including heights and materials).~~
6. ~~Owner's name, address, and phone number.~~
7. ~~Design firm, contact person, address, and phone number.~~
8. ~~Zoning (list special conditions, height/setback area regulations).~~
9. ~~Setbacks as required by zoning.~~
10. ~~Lot area (acreage and square footage).~~
11. ~~Building square footage (for each floor).~~
12. ~~Floor area ratio (FAR) (building square footage divided by land square footage).~~
13. ~~Building height (stories and feet).~~
14. ~~Type and location of exterior lighting and photometric analysis for such lighting if required by the director of planning and development.~~
15. ~~Concrete sidewalks.~~
16. ~~Dumpster and trash compactor locations and screening.~~
17. ~~Location of off-site improvements, including adjacent drives, existing and proposed median cuts, parking, buildings or other structures within 200 feet of subject property.~~
18. ~~Indicate adjacent property subdivision name/owner, property lines, zoning.~~



19. ~~A tree survey prepared by a certified arborist or landscape architect, which includes the following information:~~
  - a. ~~Name, address and phone number of preparer.~~
  - b. ~~Caliper of all trees six inches or larger.~~
  - c. ~~Location and common name of species of trees on the site.~~
  - d. ~~Identification of all trees to be removed.~~
  - e. ~~Identification of caliper, height, common name of species, and location of trees that are to be used as replacement trees.~~
  - f. ~~Identification of caliper, common name of species, and location of existing trees that are to be used for credits.~~
20. ~~A tree removal mitigation plan (if applicable) which includes the following information:~~
  - a. ~~Species of replacement trees.~~
  - b. ~~The proposed location of replacement trees.~~
  - c. ~~The proposed schedule for replacement of trees.~~
  - d. ~~Proposals for payment in lieu of planting replacement trees.~~
21. ~~Building elevations drawn to scale for new construction or existing facility where facade is being altered, identifying the exterior construction materials.~~
22. ~~Landscape plan, with proposed landscape materials.~~
23. ~~Supplemental requirements. The director of planning and development may require other information and data for specific site plans, including but not limited to traffic analysis, road capacities, hours of operations, perspective drawings, lighting, and similar information.~~

#### **Sec. 6.05.4. - Site plan review standards.**

The director of ~~community planning and~~ development shall review the site plan for the following:

1. Compliance with all provisions of the Code, the objectives of the comprehensive plan, the major thoroughfare plan and other ordinances of the city.
2. The director of ~~planning and community~~ development or designee shall review and approve, approve with conditions, or deny all site plans ~~except for specific use permits, specific use permit (conditional), planned development districts or other districts requiring public hearings.~~
3. Appeals. The applicant may appeal any decision of the ~~planning~~ director ~~of community development~~ to the ~~planning and zoning~~ commission within 30 days after the written request for appeal is made. The decision of the ~~planning and zoning~~ commission may be appealed to the city council, whose decision shall be final within 30 days.
4. Site plan approval shall expire if construction has not commenced within one year of the date of final approval. ~~The director of planning and development shall have the authority to approve minor modifications of an approved site plan, provided that such modifications do not materially change the circulation, building locations or any conditions specifically made as part of any city council approval.~~
5. The director may revoke an approved site plan:
  - a. For failure to comply with or complete all conditions of approval or improvements indicated on the approved development plans.
  - b. If the construction of a building or creation of a use is found to be in nonconformance with the approved site plan.
  - c. For failure to comply with any of the applicable requirements of this code or any other applicable city ordinance.
  - d. Upon discovery that any required site plan element has been misrepresented or is otherwise substantially different than actual physical conditions (e.g. distances between two points, locations of property lines or other significant landmarks, area calculations, etc.).

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**Sec. 6.06.1. - Firearms and explosives sales and service.**

Uses constituting firearms sales and service shall be classified as a Retail Use and permitted in accordance with section 4.20.2 and as a home occupation in accordance with section 4.10 and shall be subject to the following additional development and use regulations:

~~a. — Uses constituting firearms sales and service are prohibited under all circumstances within 1,000 feet of the property line of any school.~~

~~b.a.~~ The storage of flammable or explosive materials is subject to the approval of the fire marshal.

~~e.b.~~ The manufacture or assembly of ammunition or explosives for sale or commercial purposes is prohibited in all areas within the city.

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**Sec. 6.06.11. – Solar Panels**

An applicant's submittal for a building permit, and electrical permit, for locating a solar panel within the city must demonstrate compliance with the following standards.

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b. Additional requirements

i. Permit requirements. All solar panel systems shall be in compliance with the 2015 current adopted International Building Code and 2015 International Fire Code, as amended.

**Sec. 7.04.1. - Vehicle parking.**

In all districts there shall be provided, at the time any building or structure is erected or structurally altered, off-street parking spaces in accordance with the following requirements:

1. *Rules for computing number of parking spaces, shown in Table 7.04.1.* In computing the number of parking spaces required for each of the above uses the following rules shall govern:

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4. *Minimum dimensions for off-street parking.*

a. *Ninety-degree angle parking.* Each parking space shall be not less than nine feet wide nor less than 18 feet in length. Maneuvering space shall be in addition to parking space and shall be not less than 24 feet wide.

b. *Sixty-degree angle parking.* Each parking space shall be not less than nine feet wide perpendicular to the parking angle nor less than 20 feet in length when measured perpendicular to the edge of the maneuvering aisle. Maneuvering space shall be in addition to parking space and shall be not less than 20 feet wide.

c. *Forty-five-degree angle parking.* Each parking space shall be not less than nine feet wide perpendicular to the parking angle nor less than 19 feet in length when measured perpendicular to the edge of the maneuvering aisle. Maneuvering space shall be in addition to parking space and shall be not less than 18 feet wide.

d. Head in Parking adjacent to sidewalks. All parking spaces that are oriented perpendicular to an adjacent sidewalk must meet one of the two following options:

1) The sidewalk adjacent to a parking space measuring eighteen (18) feet in depth must maintain a minimum width and clear path of five (5) feet, measured from the back of curb; or

~~1~~2) In cases where a minimum width and clear path of five (5) feet cannot be achieved for the adjacent sidewalk, then wheel stops shall be required to be installed two (2) feet from the face of the adjacent curb with the minimum length of the parking space being twenty (20) feet.

5. *Parking lot construction standards.* All parking lots shall be constructed of five-inch reinforced Portland cement concrete over compacted soil subgrade. All required fire lanes shall be constructed of concrete in accordance with the city design standards. Alternative materials such as brick, paverstone, or similar materials may be allowed upon approval by the director of planningcommunity development.

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#### **Sec. 7.07. - Fences and walls.**

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4. Screening walls or visual barriers required. A screening wall shall be erected or placed in all locations and in accordance with the following provisions:

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- e. Screening walls or visual barriers are required adjacent to existing residential uses and shall be placed and maintained by the property owner at the following locations:
- i. Along any property line or district boundary between any single-family detached or attached or any ~~two-two~~-family use or zoning district and any multifamily, mobile home park, or nonresidential; use or zoning district, but not across a dividing street between such uses.
  - ii. Along any property line or district boundary between any multifamily or urban residential use or zoning district and any nonresidential; use or zoning district, but not across a dividing street between such uses.

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### **Article VIII – SUBDIVISION REGULATIONS**

#### **Sec. 8.01. - Purpose.**

The purpose of this article is:

1. To protect and provide for the public health, safety, and general welfare of the community.
2. To guide the future growth and development of the city, in accordance with the comprehensive plan.
3. To guide public and private development in order to provide adequate and efficient transportation, water, sewage, and other public and private requirements and facilities.
4. To establish reasonable standards of design and procedures for subdivision and resubdivision and to further the orderly layout and use of land.
5. To ensure safety from fire, flood and other danger, and to prevent overcrowding of the land and undue congestion of population.
6. To provide for the circulation of traffic and pedestrians required for the beneficial use of land and buildings and to avoid congestion throughout the city.

7. To ensure that adequate public facilities and services are available and will have sufficient capacity to serve the proposed subdivision or addition and that the community will be required to bear no more than its fair share of the cost of providing facilities and services.
8. To prevent the pollution of streams and ponds; to ensure the adequacy of drainage facilities; to safeguard the water table and to encourage the wise use and management of natural resources and enhance the stability and beauty of the community and the value of the land.
9. To provide for open spaces through the most efficient design and layout of the land.
10. To remedy the problems associated with inappropriately platted lands, including the premature subdivision, incomplete subdivision and scattered subdivision.

## **Sec. 8.02. - General provisions.**

### **Sec. 8.02.1. - Jurisdiction.**

These subdivision regulations, design standards, and improvement requirements for land development are adopted under the authority of the provisions of the constitution and laws of the State of Texas and Charter of the city. The rules and regulations shall apply to all subdivisions of land within the corporate boundaries and extraterritorial jurisdiction of the city and to all land that the city may annex.

1. Pursuant to the authority granted in V.T.C.A., Local Government Code ch. 212, the planning and zoning commission shall exercise the power and authority to administer standards established by this Code and to review, approve, or disapprove plats and development plans for subdivision of land and for any development within the corporate limits of the city and the unincorporated areas lying within the extraterritorial jurisdiction which show lots, blocks, or sites with or without new streets or highways or any lot improvement activities as defined by the ordinance.
2. Any person wishing to divide land inside the city or within the city's extraterritorial jurisdiction shall submit to the commission a plan of the subdivision which shall conform to the requirements set forth in these regulations. A division of land under this section does not include a division of land into parts greater than five acres where each part has access and no public improvement is being dedicated.
3. No subdivision plat shall be filed or recorded and no lot in a subdivision inside of the city or within the city's extraterritorial jurisdiction shall be improved or sold until the final plat shall have been approved by the commission.
4. The city shall not accept streets or public rights-of-way, nor provide city services, including but not limited to the furnishing of sewage facilities and water service, and solid waste collection, unless or until a final plat conforming to the requirements of this article has been approved and filed for record in the map records of Collin County, Texas.
5. Prior to the issuance of any building permit, the property for which the permit is being issued shall have been platted and all required public improvements accepted by the city, or shall exist as an official lot or tract of record.
6. Except as provided above, no land may be subdivided or platted through the use of any legal description other than with reference to a plat approved by the commission in accordance with these regulations.
7. Except as provided above and lots of record established prior to the effective date of this Code, no land shall be sold, leased or transferred until the property owner has obtained approval of a final plat from the director of planning or the commission as required under these regulations.
8. The city shall withhold all public improvements and utilities, including the maintenance of streets and the provision of sewage facilities and water service, from all tracts, lots and additions, the platting of which has not been officially approved by the director of **planning**

community development or the commission and for which a certificate of compliance has not been issued.

9. The ~~planning and zoning~~ commission ~~may recommend variances from the regulations in this article to the city council will consider variances~~ special exceptions from the subdivision regulations in this article upon written request from the owner stating the grounds for such variance. Where the ~~city council~~ planning and zoning commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations, and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, ~~it the commission may recommend approval of approve a variance special exception~~ to these subdivision regulations, provided that such variance special exception shall does not have the effect of nullifying the intent and purpose of these regulations; and further provided that the ~~city council~~ commission shall not approve ~~variances a special exception~~ unless it shall make findings based upon the evidence presented to it in each specific case that:
  - a. The conditions upon which the request for a variance special exception is based are unique to the property and are not applicable generally to other properties; or
  - b. A tract has peculiar physical surroundings, severe topographical conditions, or unique environmental qualities worthy of protection; or
  - c. Where a literal application of the regulations of this article will result in a hardship to the owner because of the shape, size or topography of the applicable lot or tract of land; and the hardship is not self-imposed, financial or the result of frustrated development plans; and
  - d. The variance special exception will not have an adverse effect on the intent of these provisions or the comprehensive plan.

#### **Sec. 8.02.2. - Applicable law.**

All applications for plat approval, including final plats, pending on the effective date of these regulations and which have not lapsed shall be reviewed under the regulations in effect immediately preceding the date of adoption of this Code.

#### **Sec. 8.02.3. - Superseding regulations.**

Upon adoption of this Code according to law, all subdivision regulations of the city previously in effect are hereby superseded, except as provided in section 8.02.2.

#### **Sec. 8.02.4. - Administrative approval of certain amending plats, minor plats and replats.**

1. The director of community development is authorized to approve the following:
  - a. Minor plats described in section 8.03.6;
  - b. Replats described in section 8.03.7; and
  - c. Amending plants described section 8.03.8.
2. The director of community development may for any reason elect to present the minor plat, replat or amending plat to the commission for action.
3. Any minor plat, replat, or amending plat which the director of community development fails or refuses to approve shall be submitted to the commission for action.

#### **Sec. 8.03. - Plat regulations.**

**State Law reference**— Plat required, V.T.C.A., Local Government Code § 212.004; municipal authority for plat approval generally, V.T.C.A., Local Government Code § 212.006.

### Sec. 8.03.1. - General plat regulations.

1. *Review Steps.* The submission, review and approval of a general development plan in accordance with section 8.03.2 shall be required prior to the submission and approval of any application for a plat. The preparation, submission, review, and approval of all subdivision plats shall proceed through the following two steps:
  - a. Preliminary Plat
  - b. Final Plat
2. *Official submission date.* For the purpose of these regulations, the date on which a completed application is first filed shall constitute the official submission date for the plat, after which the statutory period required for approval or disapproval of the plat shall commence to run. Applications for Pplats shall be accepted only on submittal dates as published by the City.
3. *Approval criteria.* Applications for plat approval shall be evaluated for compliance with these regulations and the requirements contained in the city's adopted design standards, and with any other criteria, policies, rules and plans which are referenced elsewhere in these regulations.
4. *Statutory compliance procedure.* The director of planning-community development shall place any plat application on a scheduled meeting of the commission prior to the expiration of 30 days following the official submission date. At the meeting, the commission shall approve, approve with conditions or disapprove the application, ~~or identify any requirements which must be satisfied prior to approval of the application.~~ If the commission fails to approve or disapproves (disapproval to includes the identification of requirements to be satisfied prior to approval) an application within 30 days of the official submission date, the application shall be deemed approved. However, if any requirements remain to be satisfied prior to plat approval, the application for plat approval shall be disapproved for purposes of statutory compliance only. Unless the commission unconditionally disapproves the plat application within such period, the city will continue to process the application. The commission may not table the consideration of any plat. The applicant may elect to withdraw the application at any time prior to the action of the commission and may resubmit the project with no additional fees if the project is resubmitted within 60 days. Any resubmission will be treated as an original application.

**State Law reference**— Plat approval procedure, V.T.C.A., Local Government Code § 212.009; application for plat approval, V.T.C.A., Local Government Code § 212.008.

### Sec. 8.03.2. - General development plan.

1. *Purpose.* The purpose of a general development plan is to review and approve a general plan for the development of property, including the layout of streets, lots, open space, sites for public facilities and utilities. The general development plan is not a plat.
2. *Applicability.* Approval of a general development plan ~~shall be~~ required as a condition precedent to ~~approval the filing and acceptance~~ of any application for a plat, except where the director of planning-community development determines that:
  - a. The subdivision will result in no more than one new street and sufficient information exists to begin preparation of the preliminary plat; or
  - b. A concept plan, ~~preliminary site plan~~ or final site plan for the property provides sufficient information for the preparation of a preliminary plat. A concept plan



submitted for the purpose of securing zoning approvals may be accepted as a general development plan if it meets the requirements of this section.

3. Contents. ~~The~~ An application for a general development plan ~~shall~~ shall not be deemed complete, and shall not be deemed to be filed, unless and until the applicable application fee has been paid and the application, inclusive of the proposed general development plan drawing and required supporting documents includes all of the following:

a. ~~Legal~~Boundary Description.

- i. Letter size (8½ x 11) copy of the ~~legal~~boundary description (metes and bounds) of the ~~area encompassing~~property to considered in the request signed and sealed by a surveyor with labeling at top of the document indicating “~~Legal~~Boundary Description”.
- ii. Digital copy of the ~~legal~~boundary description in a ~~word processing format~~the Microsoft Word suitable for editing and copying the description digitally.

b. General Development Plan.

- i. A title block with:
  - (1) “General Development Plan”
  - (2) Project name
  - (3) Acreage
  - (4) Proposed Subdivision name, lot and block, or survey name, abstract number
  - (5) City of Allen, Collin County
  - (6) Submission date
- ii. A proposed layout drawn to a scale of 1” = 200’ or larger.
- iii. North arrow, scale bar, and scale ratio.
- iv. Site Data Summary Table, including:
  - (1) Proposed Use(s) (with type, number, and acreage)
  - (2) Existing Zoning District
  - (3) Proposed Base Zoning District
  - (4) Gross Site Area (ac. & sq. ft.)
  - (5) Lot Coverage
  - (6) FAR
  - (7) Maximum Height (in ft. & stories)
  - (8) Required Landscape Area (ac. & %)
  - (9) Provided Landscape Area (ac. & %)
  - (10) Parking Ratio by Use
  - (11) Parking Required
  - (12) Parking Provided
- v. Location/vicinity map showing the location of the proposed zoning. Indicate scale or not to scale (NTS) and provide north arrow.
- vi. The names of adjacent additions or subdivisions or the name of record of owners adjoining parcels of unplatted land.
- vii. For all recorded instruments referenced on the General Development Plan, ~~Recordation~~the recording information (e.g. Volume/Page; Book/Page; Cabinet/Slide; Instrument No.); identified as being filed in ~~either~~the Deed Records, Collin County, Texas (DRCCT), Plat Records, Collin County, Texas (PRCCT), Map Records, Collin County, Texas (MRCCT), or Official ~~Property~~Public Records, Collin County, Texas (OPRCCT).
- viii. General location and size of school sites, park and recreation areas, and other public areas.
- ix. Arrangement and connection of streets with adjacent properties.

- x. All shown streets to be labeled and include an abbreviated suffix and no directional prefix.
- xi. Existing driveways within 200 feet of the ~~site~~property.
- xii. Existing and proposed median openings within 500 feet of the ~~site~~property.
- xiii. Location of proposed shopping centers, multifamily residential, and other land uses.
- xiv. Proposals for water, sewer, and drainage systems in relation to master plans where they exist for these facilities.
- xv. Identification of any flood prone areas and general proposals for such areas.
- xvi. Identification of any tree cover containing 6 or more trees with a caliper of 6 inches or more that is outside the floodplain that may be disturbed by proposed streets or alleys in order to reduce the destruction of trees.  
~~order to reduce the destruction of trees.~~
- xvii. Hike and bike trails with widths dimensioned and labeled as existing or proposed.
- xviii. Landscape Buffers
- c. Tree Survey. ~~The~~A tree survey must be presented as an overlay to the general development plan in order to demonstrate the impact of the street and alley system on the existing tree cover. Any credit policies established by agreement or contract prior to the adoption of this Code shall remain in force and effect. If there are no trees located on the site or in a fence row adjacent to the site, the property owner or his authorized agent shall submit a sworn affidavit attesting to the fact. A tree survey will not be required for property within open space or floodplain areas to be dedicated to the city or within any conservation easement. The submitted Tree Survey/Mitigation Plan shall include the following:
  - i. Property ~~Legal~~Boundary Description.
  - ii. Date of Preparation.
  - iii. North Arrow.
  - iv. Name, address, and phone number of owner.
  - v. Name, address, and phone number of preparer.
  - vi. Caliper of all trees 6" in caliper or larger, and any tree for which tree preservation credits will be requested.
  - vii. Location and common name of tree species.
  - viii. Identification of all trees to be removed.
  - ix. Identification of caliper, common name of species, and location of trees that are to be used as replacement trees.
  - x. Identification of caliper, common name of species, and location of existing trees that are to be used for credits.
  - xi. Zoning of Property.
  - xii. Documentation of agricultural/~~open space~~ tax status if exemption is requested.
  - xiii. Tree loss mitigation plan which identifies species, location, and schedule for planting replacement trees.
- a. ~~A proposed layout drawn to a scale of one inch equals 200 feet or larger.~~
- b. ~~True north shall be clearly indicated and located to the top and left of the study.~~
- e. ~~Arrangement and connection of streets with adjacent properties.~~
- d. ~~The names of adjacent additions or subdivisions or the name of record of owners of adjoining parcels of unplatted land.~~
- e. ~~General location and size of school sites, park and recreation areas, and other public areas.~~
- f. ~~Location of proposed shopping centers, multifamily residential, and other land uses.~~



- ~~g. — Proposals for water, sewer, and drainage systems in relation to master plans where they exist for these facilities.~~
- ~~h. — Proposals for services furnished by private utility companies.~~
- ~~i. — Summary of uses by type, number, and acreage.~~
- ~~j. — Identification of any floodprone areas and general proposals for such areas.~~
- ~~k. — Identification of any tree cover containing six or more trees with a caliper of six inches or more that are outside the floodplain which may be disturbed by proposed streets or alleys in order to reduce the destruction of trees.~~
- ~~l. — The general development plan shall be accompanied by a tree survey signed and sealed by a certified arborist or registered landscape architect, which will include the following:
  - ~~i. — Legal description.~~
  - ~~ii. — Date of preparation.~~
  - ~~iii. — North arrow.~~
  - ~~iv. — Name, address and phone number of owner.~~
  - ~~v. — Name, address and phone number of preparer.~~
  - ~~vi. — Caliper of all trees six inches or larger, and any tree for which tree preservation credits will be requested.~~
  - ~~vii. — Location and common name of species.~~
  - ~~viii. — Identification of all trees to be removed.~~
  - ~~ix. — Identification of caliper, common name of species, and location of trees that are to be used as replacement trees.~~
  - ~~x. — Identification of caliper, common name of species, and location of existing trees that are to be used for credits.~~
  - ~~xi. — Fee submitted in lieu of replacement.~~
  - ~~xii. — Zoning of property.~~
  - ~~xiii. — Documentation of agricultural tax status if exemption is requested.~~~~

~~The tree survey must be presented as an overlay to the general development plan in order to demonstrate the impact of the street and alley system on the existing tree cover. Any credit policies established by agreement or contract prior to the adoption of this Code shall remain in force and effect.~~

~~If there are no trees located on the site or in a fence row adjacent to the site, the property owner or his authorized agent shall submit a sworn affidavit attesting to the fact. A tree survey will not be required for property within open space or floodplain areas to be dedicated to the city or within any conservation easement.~~

- ~~m. — Tree loss mitigation plan which identifies species, location, and schedule for planting replacement trees.~~
  - ~~n. — A concept plan submitted for the purpose of securing zoning approvals may be accepted as a general development plan if it meets the requirements of this section.~~
  - ~~o. — The plan shall include existing driveways within 200 feet of the site.~~
  - ~~p. — The plan shall include existing or proposed median openings within 500 feet of the site.~~
  - ~~q. — Hike and bike trails.~~
- 4. *Standards for approval.* No general development plan shall be approved by the commission unless it conforms to the comprehensive plan and development regulations of the city.
  - 5. *Acceptance of general development plan.*

- a. The ~~planning and zoning~~ commission shall review the general development plan for consistency with the comprehensive plan, the major thoroughfare plan, zoning regulations and other requirements of this Code. The commission may permit the development to be platted in phases, provided each phase satisfies the requirements of this Code. The commission may also impose conditions such as temporary street and alley connections or temporary culs-de-sac to assure orderly development.
  - b. The commission shall approve, conditionally approve or disapprove a general development plan. The approval of a general development plan constitutes authorization by the city for the property owner to submit application for a preliminary plat (~~or final plat, if a preliminary plat is not required~~), subject to compliance with any conditions attached to the approval of the general development plan.
6. *Lapse of approval.* The approval of any phase or phases of a general development plan shall automatically expire unless such phase or phases have been submitted and approved by the commission as a preliminary plat within 18 months.
7. *Extension or reinstatement of approval.* Applicant may request one extension of approval provided such application is filed not less than 60 days prior to ~~the~~ expiration of the general development plan. Any extension shall not extend beyond six months from the time that the general development plan would otherwise have expired. The request for extension shall be filed with the department of planning and development and presented to the commission at ~~the its~~ next regular meeting. The application for extension shall include an explanation for the reasons for the delay. In determining whether to approve the extension, ~~The~~ the commission shall consider reasons for the delay, the effect of any new regulations on the proposed general development plan, and the ability of the property owner to comply with the original conditions ~~in determining whether to approve the extension~~. The commission's disapproval of an extension for a general development plan shall be final.

### **Sec. 8.03.3. - Preliminary plat.**

1. *Zoning.* The subdivision shall be designed to conform to the requirements of the specific zoning district within which it is located. Any change in zoning required in relation to the preliminary plat shall have been ~~adopted enacted~~ by the city council prior to consideration of an application for the preliminary plat by the commission.
2. *Preliminary plat submission.*
  - a. *Contents.* ~~The~~ An application for preliminary plat shall not be deemed complete, and shall not be deemed to be filed, unless and until the applicable application fee has been paid and the application, inclusive of the proposed preliminary plat drawing and required supporting documents, includes all of the following information:
    - i. A title block with the following:
      - (1) "Preliminary Plat"
      - (2) Proposed subdivision name, lot, block
      - (3) Acreage
      - (4) Number of lots (if residential project, residential and HOA lots)
      - (5) Survey name and abstract
      - (6) City of Allen, Collin County
      - (7) Submission date
    - ii. North arrow, scale ratio, and scale bar, drawn to a scale of one-inch equals one hundred feet or larger.
    - iii. Drawn to a scale of one-inch equals one hundred feet or larger.
    - iv. Four or more control points tied to the State Plane Coordinate System, North Central Texas, Zone 5351, Datum NAD83.

- v. Location/vicinity map indicating scale or not to scale (NTS) and provide north arrow.
- vi. The name or names, address, and phone number of the owner, developer, and surveyor.
- vii. The outline of the tract that is proposed to be subdivided, with boundary dimensions.
- viii. ~~The~~Land contours at not more than two-foot (2'-0") intervals.
- ix. The names of subdivisions; lot patterns; location, widths, and names of existing or planned streets and intersections, driveways, median openings (within five hundred feet), and any blocks, lots, alleys, easements, building lines, water courses, floodplain, or other natural features, with principal dimensions; and any other significant information on all sides for a distance of not less than two hundred feet.
- x. The proposed plan of subdivision, showing streets, blocks, lots, alleys, easements (including landscape buffers), building lines, parks, existing and proposed sewers, water mains, culverts, or other underground structures with pipe sizes, grades, and locations indicated.
- xi. For all recorded instruments referenced on the General Development Plan, the recording information (e.g. Volume/Page; Book/Page; Cabinet/Slide; Instrument No.); identified as being filed in the Deed Records, Collin County, Texas (DRCCT), Plat Records, Collin County, Texas (PRCCT), Map Records, Collin County, Texas (MRCCT), or Official Public Records, Collin County, Texas (OPRCCT).~~Recordation information identified as either Deed Records (DRCCT), Plat Records (PRCCT), or Official Property Records (OPRCCT).~~
- xii. All shown streets to be labeled and include an abbreviated suffix and no directional prefix.
- xiii. Trails and trail crossings of creeks, tributaries and ravines.
- xiv. The location of the nearest existing sewers, water and gas mains, and other public utilities, if any.
- xv. The location of any existing or proposed school site or other public facility.
- xvi. The names of proposed streets. The use of the words North, South, East, and West shall be consistent with the city's block numbering system.
  - (a) All through streets shall have a suffix such as "Street", "Drive", "Lane", or "Way." All suffixes shall have abbreviations limited to not more than four (4) letters.
  - (b) New streets shall be named so as to provide continuity of name with existing or stubbed out streets and to prevent conflict with identical or similar names in other parts of the city or within the same zip code.
  - (c) Street names are subject to the approval of the City. The City may require the name of a street to change in some locations to avoid confusion in addressing.
  - (d) Street names, not including directional information or suffix, shall not be longer than thirteen (13) characters, including spaces.
- xvii. A table of lot sizes for all single-family residential plats (on the plat or on a separate document).
- xviii. The proposed plan of subdivision, showing streets, blocks, lots, alleys, easements (including landscape easements), building lines, parks, existing and proposed sewers, water mains, culverts, or other underground structures with pipe sizes, grades, and locations indicated.
- xix. The proposed plan of improvements and utilities to be constructed in the subdivision, prepared by a registered professional engineer, shall be shown with

indication of street widths and utility line sizes. The accurate location of any existing utilities within the subdivision will be shown on the Preliminary Plat.

- xx. A proposed plan for drainage, to include approximate delineation of the ultimate 100-year storm event. The proposed drainage plan shall include a topographical map in sufficient detail showing all abutting drainage areas either contributing to the storm water flows within the proposed subdivisions or receiving storm water flows from the proposed subdivision.
- xxi. Copies of all deed restrictions, restrictive covenants, homeowner's association requirements, or any other limitation or requirement governing the use of the property.
  - ~~i. Application signed by the owner of the property or his authorized representative~~
  - ~~ii. Nine copies of a preliminary plat showing the general features of the proposed development drawn at a scale of one inch equals 100 feet or larger and indicating the following:~~
  - ~~iii. The outline of the tract that is proposed to be subdivided, with boundary dimensions.~~
  - ~~iv. The proposed plan of subdivision, showing streets, blocks, lots, alleys, easements (including landscape easements), building lines, parks, existing and proposed sewers, water mains, culverts, or other underground structures with pipe sizes, grades, and locations indicated.~~
  - ~~v. The preliminary plat shall cover the entire tract intended to be developed whether in total or by sections.~~
  - ~~vi. The names of subdivisions; lot patterns; location, widths, and names of existing or planned streets and intersections, driveways, median openings (within 500 feet), and any blocks, lots, alleys, easements, building lines, watercourses, floodplain, or other natural features, with principal dimensions; and any other significant information on all sides for a distance of not less than 200 feet.~~
  - ~~vii. The names of proposed streets:~~
    - ~~(a) Only cul de sac streets that are the stem of a T intersection shall be entitled with the suffix "Court."~~
    - ~~(b) All through streets shall have a suffix such as "Street," "Drive," "Lane," or "Way." All suffixes shall have abbreviations limited to not more than four letters.~~
    - ~~(c) New streets shall be named so as to provide continuity of name with existing or stubbed out streets and to prevent conflict with identical or similar names in other parts of the city or within the same zip code.~~
    - ~~(d) Street names are subject to the approval of the city. The city may require the name of a street to change in some locations to avoid confusion in addressing.~~
    - ~~(e) Street names, not including directional information or suffix, shall not be longer than 13 characters, including spaces.~~
    - ~~(f) The use of the words North, South, East, and West shall be consistent with the city's block numbering system.~~
  - ~~viii. The location of the nearest existing sewers, water and gas mains, and other public utilities, if any.~~
  - ~~ix. A proposed plan for drainage, to include approximate delineation of the ultimate 100-year storm event. The proposed drainage plan shall include a topographical map in sufficient detail showing all abutting drainage areas either contributing to the stormwater flows within the proposed subdivisions or receiving stormwater flows from the proposed subdivision; preliminary plans for drainage improvements within the proposed subdivision.~~

- ~~x. The name of the proposed subdivision, north point, scale, date, acreage, and number of lots.~~
- ~~xi. The name and address of the owner or owners and the signature, seal, date, telephone number and address of the registered professional engineer or registered professional land surveyor who has prepared the preliminary plat.~~
- ~~xii. A location map of the proposed subdivision at a scale of one inch to 2,000 feet showing existing and proposed major features covering an area of at least one mile in all directions from the proposed subdivision.~~
- ~~xiii. The contours at not more than two foot intervals.~~
- ~~xiv. The proposed plan of improvements and utilities to be constructed in the subdivision, prepared by a registered professional engineer, shall be shown with indication of street widths and utility line sizes. The accurate location of any existing utilities within the subdivision shall be shown on the preliminary plat.~~
- ~~xv. Building setback lines.~~
- ~~xvi. The location of any existing or proposed school site or other public facility.~~
- ~~xvii. A preliminary street illumination plan.~~
- ~~xviii. Copies of all deed restrictions, restrictive covenants, homeowners' association requirements, planned development regulations, specific use permit requirements, or any other limitation or requirement governing the use of the property.~~
- ~~xix. Trails and trail crossings of creeks, tributaries and ravines.~~
- ~~xx. For residential subdivisions and multifamily developments, a cross section showing the area between pavement edge of the adjacent roadway and the private property line or screening wall. Cross section should include location of street, sidewalk or trail, utility easements, landscape easements, property lines, trees and screening walls. (See sample diagram).~~

- b. *Filing fees.* No application shall be accepted without payment of all fees.
- 3. *Preliminary plat review.* Upon receipt of an application requesting approval of a preliminary plat, the city staff shall review the preliminary plat application to determine its completeness and for compliance with public objectives, giving special attention to design principles and standards; to streets and thoroughfares identified in the thoroughfare plan, and the comprehensive plan, the consolidated alternative transportation and recreational trail plan, and for the adequacy of neighborhood circulation; to existing and proposed zoning and land use of the tract and adjacent tracts; and to sites required for schools, parks, and other public facilities.
- 4. *Standards for approval.* No completed application for preliminary plat shall be approved unless is complies with the following standards ~~have been met~~:
  - a. The preliminary plat conforms with the approved general development plan, if required;
  - b. Provision has been made for the installation and dedication of public improvements;
  - c. The preliminary plat conforms to applicable zoning and other regulations; and
  - d. The preliminary plat meets all other requirements of this Code.
- 5. *Preliminary plat approval.* The commission shall approve, approve with conditions, or disapprove the preliminary plat within 30 days after the application for preliminary plat is complete and filed. The approval with conditions of a preliminary plat by the commission does not constitute approval until the conditions have been satisfied. Failure to comply with the conditions required by the preliminary plat shall constitute disapproval of the preliminary plat.
- 6. *Expiration of approval.* Commission approval of a preliminary plat expires 12 months one year from after the date of commission action on the application unless a final plat is submitted and approved for the property or any phase identified in the general development

plan approved for the property, within such period. If ~~within the 12-month period~~ no application ~~is made~~ for final plat consideration is filed for the property described in the preliminary plat (or a phase of said property, as applicable), the preliminary plat shall become void and a new application for preliminary plat for the same property must shall be submitted and approved prior to making an application for final plat for all or part of said property. The new preliminary plat shall be subject to the development regulations in existence at the time of the new submittal. The developer may request, and ~~the planning and zoning~~ commission, at its discretion, may grant an extension of time not to exceed 60 days, provided that an application for extension is filed not less than 15 days prior to the expiration of the preliminary plat.

#### Sec. 8.03.4. - Final plat.

1. *Final plat application.* ~~The~~ An application for final plat shall be filed with the planning community development department in accordance with the published schedule of submittal dates, ~~but in no event less than 21 days prior to the meeting of the commission at which the plat is to be considered~~. The final plat submittal shall include:
  - a. Application form signed by the existing owner or his authorized representative.
  - b. Documents establishing the mandatory homeowners' association, and any proposed ~~deed restrictions~~, declarations, covenants, conditions or restrictions.
  - c. Final plat copies that shall be clearly legible.
  - d. The original plat shall be drawn to a scale of one inch equals 100 feet or larger in ink on blue lines or other acceptable permanent material, with all figures and letters legible with four or more control points tied to the State Plane Coordinate System, North Central Texas, Zone 5351, Datum NAD83.
  - ~~e. The submission shall include:
    - Nine 24-inch by 36-inch blue or blackline.
    - Seventeen 11-inch by 17-inch reductions.~~
  - ~~f.e.~~ Payment of fees.
2. *Required information.* An application for final plat shall not be deemed complete, and shall not be deemed to be filed, unless and until the applicable application fee has been paid and the application, inclusive of the proposed final plat drawing and required supporting documents, includes all of the following information in addition to the information required on the related preliminary plat~~The final plat shall contain the following information in addition to information provided on the preliminary plat:~~
  - a. A title block with the following:
    - i. "Final Plat/Replat"
    - ii. Subdivision name, lot, block
    - iii. Acreage
    - iv. Number of lots (if residential project, residential and HOA lots)
    - v. Right-of-Dedication (square feet and acreage)
    - vi. Survey name and abstract
    - vii. City of Allen, Collin County
    - viii. Submission Date
  - b. North arrow, written and bar graph scale, less than or equal to 1" = 100' are shown.
  - c. North arrow shall be oriented to the top or right side of the sheet.
  - d. Submittal Log including dates of submittals/revisions.
  - e. Four or more control points tied to the State Plane Coordinate System, North Central Texas, Zone 5351, Datum NAD83.
  - f. The name or names, address, and phone number of the owner, developer, and surveyor.
  - g. Location/vicinity map indicating scale or not to scale (NTS) and provide north arrow.



- h. Property boundary is indicated by a heavy solid line, intermittent with two dashed lines; dimensioned with bearing and distance.
- i. The length and bearing of all straight lines, radii, arc lengths, tangent length and central angles of all curves are indicated along the lines of each lot. The curve data pertaining to block or lot boundary may be placed in a curve table at the base of the plat and prepared in a tabular form with the following information:
  - i. Curve number
  - ii. Delta
  - iii. Radius
  - iv. Tangent length
  - v. Tangent offset
  - vi. Arc length
  - vii. Chord
  - viii. Chord direction
- j. An accurate outline description, and area to the nearest hundredth of an acre, of all parcels of land which is 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 reservations for other uses, together with the purpose and conditions or limitations of such reservations and/or dedications, if any.
- k. All survey monuments.
- l. Standard Plat Language, including Owner's Certificate, Surveyor's Certificate and signature blocks for appropriate approval authority.
- m. Location of property lines, owner or subdivision name(s) and recording information of abutting properties within 200-feet.
- n. For all recorded instruments referenced on the General Development Plan, the recording information (e.g. Volume/Page; Book/Page; Cabinet/Slide; Instrument No.); identified as being filed in the Deed Records, Collin County, Texas (DRCCT), Plat Records, Collin County, Texas (PRCCT), Map Records, Collin County, Texas (MRCCT), or Official Public Records, Collin County, Texas (OPRCCT). ~~Collin County recordation information identified as either Deed Records (DRCCT), Plat Records (PRCCT), or Official Property Records (OPRCCT).~~
- o. All shown streets to be labeled and include an abbreviated suffix and no directional prefix.
- p. Existing right-of-way, dimensioned from property line to property line and property line to centerline of adjacent right-of-way.
- q. A table of lot sizes for all single-family residential plats on a separate document.
- r. The systematic assignment of numbers to lots and letters to blocks. All open space and common area lots should be identified as Block "X".
- s. The location of floodplain boundaries and state or federally protected areas, such as wetlands are indicated.
- t. Any reservation for future public school sites or rights-of-way dedication shall be platted in accordance with the approved preliminary plat.
- u. Copy of documents approved by the City Attorney that establish the Mandatory Homeowner's Association, and any proposed ~~deed restrictions~~, declarations, covenants, conditions or restrictions.
- v. Original tax certificates from each taxing entity, signed by the city tax assessor, stating that all taxes and assessments then due and payable on the land ~~contained~~ described ~~within the subdivision~~ in the final plat application have been paid.
- w. The following information shall be required only for application for replats:
  - i. All requirements for the Final Plat, above.

- ii. A statement of the proposed revisions in numerical format on 8 ½" x 11" sheet of letterhead. Statement shall include verification that proposed revisions are limited to those identified and that no other modifications to the plat are taking place.
- iii. A separate redline drawing of the proposed changes on an 11" x 17" page(s).
- iv. A purpose statement, on the plat, that summarizes the proposed revisions.
- v. Proposed revisions shall be shown on the replat with the final plat configuration ghosted in.
- a. ~~The name or names of the owner and developer.~~
- b. ~~The name and address of the registered professional land surveyor who prepared the survey.~~
- c. ~~The name of the proposed subdivision and any adjacent subdivisions.~~
- d. ~~The systematic assignment of numbers to lots and letters to blocks.~~
- e. ~~The total number of lots and blocks, and the total number of acres included in the subdivision shall be included in the title block.~~
- f. ~~All necessary dimensions, including linear, angular and curvilinear, and other surveying information necessary to reproduce the plat on the ground with the linear and curvilinear dimensions shown in feet and decimals of a foot.~~
- g. ~~The angular dimensions shall be shown by true bearings. The length of all straight lines, deflection angles, radii, tangents, and central angle of curves shall be shown. All curve information shall be shown for the centerline of the street. Dimensions shall be shown from all angle points and points of curve of lot lines. All lots on curves shall be shown with the curve length dimensions based on arc definitions.~~
- h. ~~All survey monuments shall be shown on a plat.~~
- i. ~~All deed restrictions that are to be filed with the plat.~~
- j. ~~An accurate outline description, and area to the nearest hundredth of an acre, of all parcels of land which 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 reservations for other uses, together with the purpose and conditions or limitations of such reservations and/or dedications, if any.~~
- k. ~~Any reservation for future public school sites or rights of way dedication shall be platted in accordance with the approved preliminary plat.~~
- l. ~~Original tax certificates from each taxing entity, signed by the city tax assessor, stating that all taxes and assessments then due and payable on the land contained within the subdivision have been paid.~~
- m. ~~A table of lot sizes for all single family residential plats on a separate document.~~
- n. ~~A notarized certification by a registered professional land surveyor, licensed by the State of Texas, placed on the plat as follows:~~

*Surveyor's Certificate*

*THAT I, \_\_\_\_\_, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon shall be properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Allen, Texas.*

\_\_\_\_\_(SEAL)

\_\_\_\_\_, Notary



- ~~e. Final plat review. The final plat shall be submitted to the planning department for review of completeness and conformity to the approved preliminary plat. Utility easements, access, and fire lanes shall be approved by the city engineer and fire marshal prior to submittal.~~
  - x. Final engineering drawings for all public improvements and all utility and access easements and all fire lanes have been approved by the city engineer;
3. *Standards for approval.* No completed application for final plat shall be approved unless the application complies with the following ~~standards have been met~~:
- a. The final plat substantially conforms with the approved preliminary plat;
  - ~~b.a. Final engineering drawings for all public improvements and all utility and access easements and all fire lanes have been approved by the city engineer;~~
  - e.b. All fire lanes have been approved by the fire marshal;
  - ~~d.c.~~ Adequate provision has been made for adequate public improvements;
  - e.d. The plat conforms to applicable zoning and other regulations; and
  - f.e. The plat meets all other requirements of this Code.
4. *Final plat approval.* The commission shall approve, approve with conditions, or disapprove the final plat within 30 days of submittal of a complete application.
5. *Expiration of approval.* ~~Within~~ Not later than 90 days ~~of after~~ commission approval of an application for final plat, the planning department shall ~~file-record~~ the final plat with Collin County map records. Should the developer fail to pay all applicable development and/or construction fees within ~~the said~~ 90-day period, then the final plat shall be rendered void. The commission may approve an extension of time, not to exceed 60 days, for the ~~recording~~ ingation of a final plat ~~not to exceed 60 days~~, provided a request for extension of time is made at least not less than 15 days prior to the expiration of the final plat.

**State Law reference**— Standards for plat approval, V.T.C.A., Local Government Code § 212.010.

#### **Sec. 8.03.5. - Combination plat approval.**

The owner may submit an application for a combination plat if:

- 1. The tract is to be subdivided into no more than three lots;
- 2. No change of street locations would be required; and
- 3. The application satisfies the same standards for completeness required for a final plat application and Aall the requirements for the preliminary and final plat are satisfied.

#### **Sec. 8.03.6. - Minor plats.**

- 1. The purpose of a minor plat is to simplify divisions of land under certain circumstances outlined in state law. An application for approval of a minor plat may be filed only in accordance with state law, when all of the following circumstances apply:
  - a. The proposed division results in four or fewer lots;
  - b. All lots in the proposed subdivision front onto an existing public street and the construction or extension of a street or alley is not required to meet the requirements of this Code; and
  - c. Except for right-of-way widening and easements, the plat does not require the extension of any municipal facilities to serve any lot within the subdivision.
- 2. Unless otherwise specified, application and all related procedures, including recordation, shall be the same as specified for a final plat. Review and approval shall be in accordance with section 8.02.4 and other applicable provisions of this Code.

**Sec. 8.03.7. - Replatting without vacating preceding plat.**

1. The purpose of a replat is to re-subdivide part or all of any ~~previously-platted subdivision, addition, lot or tract, property for which a final plat has been previously approved and recorded and~~ which does not require the vacation of the entire preceding plat. Replats shall apply only if a property owner seeks to change any portion of a final plat that has been previously recorded in the map or plat records of Collin County.
2. A Replat of all or a portion of a recorded plat may be approved in accordance with state law without vacation of the recorded plat, if the replat:
  - a. Is signed and acknowledged by only the owners of the property being replatted;
  - ~~b. Is approved after a public hearing; and~~
  - e-b. Does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded plat.
3. ~~In addition to compliance with Section 2. above, a replat without vacation of the preceding plat must conform to the requirements of this section if: A replat without vacation of the preceding plat must conform to the requirements of subsection 4. below if:~~
  - a. During the preceding five years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or
  - b. Any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.
4. ~~If a proposed replat described by Section 3., Aabove, requires a variance or exception, a public hearing must be held by the Planning and Zoning Commission or City Council prior to approval of the replat application.~~
5. If the conditions described in subsection ~~3.a. or 3.b4.~~ of this section exist, then the following is required:
  - a. Notice of the hearing shall be given 15 days before the day of the hearing by:
    - i. Publication in the city's officially designated newspaper; and
    - ii. By written notice, with a copy of the specific language contained in the following subsection (b) attached thereto, forwarded by the commission to the owners of property in the original subdivision located within 200 feet of the property upon which the replat is requested, as such owners are indicated on the most recently approved municipal-city tax roll or, in the case of a subdivision within the extraterritorial jurisdiction of the city, the most recently approved county tax roll. The written notice may be delivered by depositing the notice, properly addressed with the postage prepaid, in a post office or postal depository within the municipal boundaries of the city.
  - b. If the proposed 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 of the commission present and voting. 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 commission prior to the close of the public hearing.
  - c. In computing the percentage of land area under subsection 4.b. of this section, the area of streets and alleys shall be included.
  - d. Compliance with subsections ~~45.b.~~ and ~~45.c.~~ of this section is not required for approval of a replat of part of a preceding plat if the area to be replatted was designated or reserved for other than single or duplex family residential use by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

6. If a proposed replat described by Subsection 2. above does not require a variance or exception, ~~the municipality shall~~, not later than the 15th day after the date the replat is approved, ~~provide~~ written notice by mail of the approval of the replat will be provided to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent ~~municipality~~city or county tax roll. This subsection does not apply to a proposed replat if the ~~Planning and Zoning C~~ommission or ~~the governing body of the municipality~~city council holds a public hearing and gives notice of the hearing in the manner provided by Subsection 5.
7. The notice of replat approval required by Subsection 6. above must include:
- a. The zoning designation of the property after the replat; and
  - ~~a-b.~~ A telephone number and e-mail address that an owner of a lot may use to contact the ~~municipality~~city about the replat.

#### **Sec. 8.03.8. - Amending plats.**

1. The purpose of an amending plat shall be to provide an expeditious means of making minor revisions to a recorded plat consistent with provisions of Tex. Loc. Govt. Code § 212.016. Procedures for an amending plat shall apply only if the sole purpose of the amending plat is to achieve one or more of the following:
  - a. Correct an error in a course or distance shown on the preceding plat;
  - b. Add a course or distance that was omitted on the preceding plat;
  - c. Correct an error in a real property description shown on the preceding plat;
  - d. 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:
    - i. Both lot owners join in the application for amending the plat;
    - ii. Neither lot is abolished;
    - iii. The amendment does not attempt to remove recorded covenants or restrictions; and
    - iv. 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:
    - i. The owners of all those lots join in the application for amending the plat;
    - ii. The amendment does not attempt to remove recorded covenants or restrictions; and
    - iii. The amendment does not increase the number of lots;
  - j. To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
    - i. The changes do not affect applicable zoning and other regulations of the municipality;
    - ii. The changes do not attempt to amend or remove any covenants or restrictions; and

- iii. The area covered by the changes is located in an area that the municipal planning commission or other appropriate governing body of the municipality has approved, after a public hearing, as a residential improvement area; or
  - k. To replat one or more lots fronting on an existing street if:
    - i. The owners of all those lots join in the application for amending the plat;
    - ii. The amendment does not attempt to remove recorded covenants or restrictions;
    - iii. The amendment does not increase the number of lots; and
    - iv. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.
- 2. Unless otherwise specified, application and all related procedures, including recordation of an amending plat shall be the same as specified for a final plat. Review and approval shall be in accordance with section 8.02.4 and other applicable provisions of this Code.

#### **Sec. 8.04. - Permits required.**

- 1. *Clearing and grading permit.* A clearing and grading permit shall be required prior to the clearing, grading, filling, or dredging of property within the city or its extraterritorial jurisdiction only after approval of the preliminary plat and tree removal permit, subject to the following conditions:
  - a. All grading completed prior to the final plat is at the risk of the developer/applicant and is subject to change based on the approval of the final plat by the city planning and zoning commission.
  - b. No utility work can take place under a grading permit.
  - c. All work must be in conformance with the approved tree removal permit, tree protection plan and tree mitigation plan.
  - d. All erosion control and tree protection devices must be in place and properly maintained.
  - e. The placement of fill shall be in strict conformance to the plans and specifications approved for the project.
  - f. The city engineer has reviewed the construction plans and released them for grading only.
  - g. No construction activity shall take place in the 100-year floodplain.
- 2. *Development permit.* A development permit will allow for the construction of public streets, utilities, drainage, or other improvements. All plans accompanying permits for any work within a floodplain shall be certified by a registered professional engineer and signed by the city engineer. The development permit may be issued by the city engineer only after approval of the final plat.
- 3. *Tree removal permit.* Trees shall not be removed prior to the issuance of a tree removal permit approved in accordance with the provisions of this Code.
- 4. *Permit fees.* No clearing and grading, development or tree removal permit shall be issued until all allocable fees specified in the fee schedule adopted by resolution of the city council have been paid.

#### **Sec. 8.05. – Subdivision standards.**

- 1. *Construction plans.*
  - a. Construction plan and profile sheets for all public improvements shall be reviewed prior to construction and ~~approval prior to submittal~~ of the final plat. Construction plans and profiles shall be drawn on sheets measuring 22 inches by 34 inches and shall include:

- i. North arrow.
- ii. Scale.
- iii. Date.
- iv. A minimum of two benchmark descriptions to sea level datum shall be included with the plans. Each sheet shall show the seal and signature of the registered professional engineer licensed by the State of Texas who prepared the plans and shall include the following:
  - a) A plan and profile of each street with top of curb grades shown. Scale shall be one inch equals 50 feet horizontally, and appropriate vertical scale.
  - b) The cross section of proposed streets, alleys, and sidewalks, showing the width and type of pavement, base and subgrade, and location within the right-of-way. City standards shall not be shown on the construction plans.
  - c) A layout plan for hike and bike trails, showing trail alignment, grading and creek crossings, bridges and/or culverts.
  - d) A plan and profile of proposed sanitary sewers, with grades and pipe sizes indicated and showing locations of manholes, cleanouts, and other appurtenances, and a cross section of embedment.
  - e) Erosion control plan to be provided to include federal, state and city requirements for best management practices.
  - f) 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.
  - g) 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, and other data necessary to adequately design drainage facilities for the area.
  - h) 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.
  - i) Profile views of individual improvements shall have no more than two improvements on one sheet unless specifically approved by the city engineer. The engineer of record is responsible for the accuracy, completeness, and conformance to city standards.
  - j) The purpose of the city review is to assure conformance to city policies and standards. However, the city review is limited to facts as presented on submitted plans. The city takes no project engineering responsibility. The engineer of record certifying the plans is responsible for the accuracy and completeness of the documents submitted for review and actual construction.
  - k) The city reserves the right to require plan corrections when actual conditions in the field are found to be contrary to or omitted from the previously submitted plan.
  - l) The cover sheet of the construction plans will include a statement that says "All construction shall conform to the North Central Texas Council of Governments Standard Specifications as amended by the city."
- b. Given the variety of subject matter involved in any given engineering design and construction plan submitted for review and given the varying character and complexity of each project, there is no listing of plan requirements that can possibly be all-encompassing (in substitution of engineering judgement). As a result, construction plans, submitted to the Engineering Department shall not be considered approved for

construction until the Director of Engineering (or his/her designee) has determined that the quality and detail of such plans is sufficient or comprehensive to satisfy all requirements illustrated in City of Allen Details, design manuals, or established, reasonable and prudent engineering practice. All construction plans shall be signed by the ~~city engineer~~ Director of Engineering (or his/her designee by way of official stamp) if they have been approved for construction.

- c. The developer or a general contractor shall provide a maintenance bond (no segregated bond will be accepted) in the amount of ten percent of the total amount of the contract guaranteeing the work in accordance with the plans and specifications for a period of two years after acceptance by the City of Allen. This bond shall provide for repair and/or replacement of all defects due to faulty material and workmanship that appear within a period of two years from the date of completion and acceptance of each work order by the City of Allen. The two-year maintenance bond shall be singular in ownership and the bond shall be uniform and encompassing of all aspects of the project (rather than have a separate bond for each trade). Said bond may either be initiated by the developer/owner or the general contractor, as long as the bond is for the entire project.

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#### APPENDIX A – DEFINITIONS

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*Certificate of compliance* means a written certificate issued by the commission denoting that a subdivision plat or replat has been reviewed and approved pursuant to V.T.C.A., Local Government Code § ~~2122.0115~~ 212.0115.