

ARTICLE V. PRELIMINARY PLAT

SECTION A. PURPOSE.

The purpose of the preliminary plat is to allow the Planning & Zoning Commission to review overall platting of the tract and street patterns within the subdivision for conformance with the requirements of this ordinance. It also provides the City an opportunity to make preliminary estimates of city participation in street and utility costs in the subdivision.

SECTION B. GENERAL PROVISIONS.

1. PRELIMINARY PLAT REQUIRED:

- a. Preliminary plats are required for the subdivision of a tract of land into five (5) or more lots, or the subdivision of land into two (2) or fewer lots which contain a total of forty (40) acres or more.
- b. Preliminary plats are required for complex subdivisions as determined by the Director of Planning or designee. *(Ord. No. 3271, 01/01/09)*

2. PROCEDURE:

Formal application for preliminary plat approval shall be made by the subdivider or his or her agent in the manner prescribed by the Planning & Zoning Commission and shall be processed and considered in accordance with Article III of this ordinance.

3. VALIDITY:

Approval of a preliminary plat is valid until a final plat is approved by the Planning & Zoning Commission or until a new preliminary plat is filed, whichever is earlier.
(Ord. No. 3944, 01/14/20)

4. CONTENT:

A preliminary plat shall include the following items:

- a. Location map showing the location of the subdivision in relation to the City.
- b. Name, address and telephone number of the subdivider, record title owner, engineer and surveyor.
- c. Proposed name of the subdivision, subject to City approval.
- d. Proposed names of all streets within the subdivision, subject to City approval.
- e. Dashed in names and approximate layouts of contiguous subdivisions and the owners of contiguous parcels of unsubdivided land, and an indication of whether or not contiguous properties are platted, within 200 feet of the request site.

- f. Subdivision boundary lines, indicated by heavy lines, and the computed acreage of the subdivision.
- g. The words "preliminary plat" in the title block.
- h. The location and approximate dimensions, description and name of all proposed streets, alleys, common areas, parks, public areas, playgrounds or other similar uses, reservations, easements, visibility easements or rights-of-way, blocks, lots and watercourses.
- i. Date of preparation, scale of plat and north arrow.
- j. Topographical information shall include contours of two (2) foot intervals.
- k. Location of City limits line, the outer border of the City's extraterritorial jurisdiction, abstract lines, or independent school district boundaries where applicable, and zoning district boundaries, if they traverse the subdivision, form part of the boundary of the subdivision, or are contiguous to such boundary.
- l. A number to identify each lot and block, and approximate square footage of all lots which are not rectangular shaped.
- m. Identify any flood plains within the project.
- n. All physical features of the property to be subdivided, including locations and size of all watercourses, ravines, bridges, culverts, existing structures, drainage area in acres or areas draining into subdivision, and other features pertinent to the proposed subdivision. The outline of wooded areas and the location of individual trees eighteen (18) inches in diameter or larger shall be shown for properties dedicated for public purposes.
- o. When a preliminary plat is approved for a single-family residential subdivision, and the plat includes developable property for other uses, (school sites, church sites, etc.), those areas shall be platted and filed for record in conjunction with the platting process for the single-family area.
- p. Any modification(s) to a median that is necessary to serve the proposed subdivision shall be shown on the preliminary plat. If a variance to the General Design Standards is necessary to modify a median, a request for such variance shall be submitted to and acted on by the Planning and Zoning Commission at the same time as the preliminary plat.
- q. The City signature block:

On the _____ day of _____, 20____, this preliminary plat was duly approved by the Planning & Zoning Commission of the City of Carrollton.

Signed: _____
 Director of Development Services
(Ord. No. 3271, 01/01/09)

Signed: _____
 Chairman
 Planning and Zoning Commission

r. Homeowners Agreement:

When a subdivision contains common areas, drainage ways, screening walls or other facilities not located within the public right-of-way nor subject to City maintenance, or if landscaping, sidewalks, or other amenities are provided within the public right-of-way for which a license agreement is required by the City, a homeowners agreement, as evidenced by the covenants identifying the association, shall be placed on the plat. Such homeowners agreement shall be approved as part of the preliminary plat process. The City Attorney will review the homeowners agreement as to form. (*Ord. No. 3271, 01/01/09*)

The following six statements shall appear on the face of the plat and in the homeowners agreement:

1. "The owner of fee simple title to every individual lot of land within the subdivision must be a member of the homeowners association."
2. "The homeowners association must have the authority to collect membership fees."
3. "The homeowners association must be responsible for the maintenance of all common areas and non-required screening walls."
4. "The homeowners association must grant the City right of access to common areas to abate any nuisances thereon, and attach a lien for the prorated cost of abatement upon each individual lot."
5. "The homeowners association shall indemnify and hold the City harmless from any and all costs, expenses, suits, demands, liabilities, damages, or otherwise including attorney's fees and costs of suit, in connection with the City's maintenance of common areas."
6. "The homeowners association shall enter into a license agreement with the City of Carrollton, where additional right-of-way has been dedicated for the purpose of providing landscaping, additional areas for sidewalks, walls, or other amenities, and shall be responsible for the installation and maintenance of all landscape areas that are in the public right-of-way." (*Ord. No. 2029, 10/18/94; Ord. No. 3271, 01/01/09*)

SECTION C. APPROVAL PROCESS.

1. The action of the Planning & Zoning Commission shall be noted on two (2) copies of the preliminary plat, referenced and attached to any conditions required by the commission. Action of the Planning & Zoning Commission shall be certified by the Planning Director. One copy shall be returned to the subdivider and the other retained in the files of the City of Carrollton.
2. Approval of a preliminary plat by the Planning & Zoning Commission shall be deemed an expression of approval of the layout submitted on the preliminary plat as a guide to the final engineering of streets, water, sewer and other required improvements and utilities and to the

preparation of the final plat. Approval of a preliminary plat shall not constitute automatic approval of the final plat, nor be considered authorization to begin construction. Approval of a preliminary plat shall not constitute a guarantee or warranty, either implied or otherwise, that all other applicable codes and ordinances of the City of Carrollton have been complied with. It shall be the responsibility of the subdivider to ensure that all applicable requirements of the City of Carrollton relative to the subdividing and development of property have been met.