

RESOLUTION NO. 94-6-10(R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, ADOPTING THE PRIVATE STREET SUBDIVISION GUIDELINES AND APPROVING THE UTILIZATION OF SAID GUIDELINES BY THE APPROPRIATE PERSONNEL AND DEPARTMENTS OF THE CITY OF PLANO FOR THE PURPOSE OF GUIDING THE DEVELOPMENT OF PRIVATE STREET SUBDIVISIONS WITHIN THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Plano, Texas, desires to provide the necessary direction and guidance for development of private street subdivisions with the City; and

WHEREAS, toward that end, the Planning & Zoning Commission has developed a set of guidelines to provide flexibility when considering a Specific Use Permit for a Private Street Development; and

WHEREAS, the City Council held public hearings on April 25, 1994 and May 23, 1994 to discuss, review and receive public input on the specific proposals of Private Street Subdivision Guidelines; and

WHEREAS, the City Council, having now been presented the proposed Private Street Subdivision Guidelines, incorporated in this resolution, upon full review and consideration thereof, and all matters attendant and related thereto, is of the opinion that the Private Street Subdivision Guidelines should be approved, adopted and utilized by the City of Plano;

IT IS, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. The Private Street Subdivision Guidelines having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interest of the City of Plano and its citizens are hereby approved and adopted as follows:

"PRIVATE STREET SUBDIVISION GUIDELINES

1. Request for private street subdivisions will require the granting of a Specific Use Permit (SUP) as allowed by the Zoning Ordinance.
2. A private street subdivision should be located in an area that is surrounded on at least three sides, and in any event not less than approximately 75% of the perimeter, by natural barriers or similar barriers created by man. Examples of natural barriers would be creeks and floodplains. Examples of similar barriers created by man would be a golf course or park. Non qualifying barriers include screening walls, roadways, man-made drainage ditches or berms, utility easements and rights-of-way.
3. A private street subdivision may not cross an existing or proposed thoroughfare as shown on the City's most recent thoroughfare Plan.

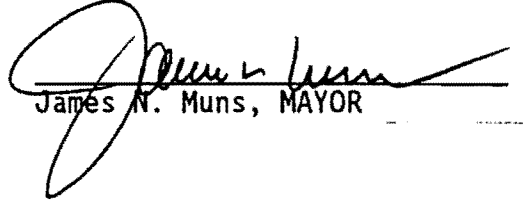
4. A private street subdivision may not disrupt or cross an existing or proposed City of Plano public pedestrian pathway, hike and bike trail, or park as shown on the City's most recent Park Plan.
5. A private street subdivision should provide a minimum of 50 feet of frontage in order to access an existing or proposed Type D thoroughfare or larger as shown on the City's most recent Thoroughfare Plan. Primary access to the private street subdivision should come from this type of roadway.
6. No more than two gated street entrances may face a thoroughfare (Type D or larger) within any one mile segment.
7. Any proposed private street subdivision adjacent to an existing public street subdivision that can be reasonably connected, including the need to build a bridge or culvert for example, should not be approved as a private street subdivision. The two developments should be connected as public street subdivisions.
8. Existing public street subdivisions may request a SUP for a Private Street Subdivision subject to all of the above criteria, plus the following additional criteria:
  - a. An application for a private street subdivision must be accompanied by a petition containing the signatures of the owners of 100% of the existing lots in the subdivision requesting approval of the SUP for a Private Street Subdivision;
  - b. Applicants must agree to contract with the City for purchase of the installed infrastructure and rights-of-way from the City of Plano at fair market appraised value for cash in full payment, and to maintain the infrastructure at city standards thereafter, before approval of a SUP;
  - c. Homeowner association documents must be approved by the City Attorney."

Section II. The Private Street Subdivision Guidelines shall be utilized by developers, City staff, City Council, and other City personnel, departments, boards, and commissions as a guideline and recommendation for matters concerning the development of Private Street Subdivisions in the City.

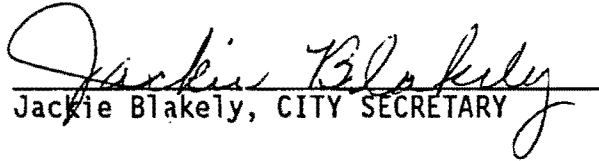
Section III. Where a recommendation contained in the guidelines requires the adoption or amendment of a code or ordinance for implementation, said item will not take effect until the passage of the necessary legislation.

Section IV. This resolution shall become effective from and after its passage.

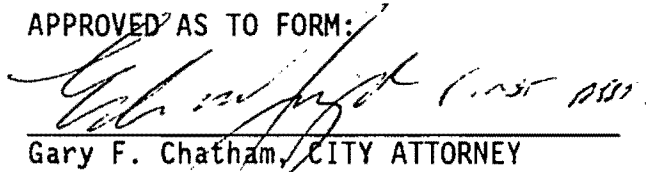
PASSED AND APPROVED THIS THE 13 DAY OF June, 1994.

  
James N. Muns, MAYOR

ATTEST:

  
Jackie Blakely, CITY SECRETARY

APPROVED AS TO FORM:

  
Gary F. Chatham, CITY ATTORNEY