ARTICLE VII. REPLAT

SECTION A. PURPOSE.

The purpose of the replat is to allow the Planning and Zoning Commission to review the resubdivision of a lot, block or addition for conformance with the requirements of this ordinance.

SECTION B. GENERAL PROVISIONS.

1. REPLAT REQUIRED:

- a. A replat is required to alter or create new lot lines, add or remove easements, or alter any other aspects of a recorded plat, and shall meet the requirements of Chapter 212 of the Texas Local Government Code
- b. A replat is not required when an existing shopping center is conveyed to multiple ownership, is located on an existing lot of record, and meets the following criteria:
 - 1. Meets the definition of shopping center as prescribed by the Comprehensive Zoning Ordinance; and
 - 2. Existing easements, rights-of-way, platted fire lanes or other dedicated public spaces will not be abandoned or altered; and
 - 3. A mutual parking/access agreement has been executed and signed by all applicable property owners, approved as to form by the City Attorney, and filed with the appropriate county; and
 - 4. A unity agreement has been executed and signed by all applicable property owners, approved as to form by the City Attorney, and filed with the appropriate county. The need for a unity agreement shall be assessed by the Building Official on a case-by-case basis.

2. PROCEDURE:

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

3. VALIDITY:

A replat shall be filed for record by the city of Carrollton with the appropriate county clerk within twelve (12) months from the date of Planning and Zoning Commission approval. It shall be the applicant's responsibility to submit all required copies of the replat to the city of Carrollton in time to acquire city signatures and to file the plat before the twelve-month period expires. Any replat not filed within such time shall be considered invalid. (Ord. No. 2573, 11/07/00

Reapproval of a replat by the Planning and Zoning Commission may be applied for at any time after the approved replat becomes invalid. If during the reapproval process the Planning and Zoning Commission should deem changes necessary in the reapproval of a replat in light of new or significant information or requirements, it shall so inform the subdivider. A replat submitted for reapproval shall be prepared in accordance with, and comply with, the requirements of this ordinance, the Comprehensive Zoning Ordinance, General Design Standards, and all other applicable requirements in effect at the time such application for reapproval is formally filed with the Planning Department.

4. CONTENT:

The replat shall be in accordance with the final plat requirements of Article VI of this ordinance, with the following additional requirements:

- a. Exact name of previous plat, which shall be retained in the title of the replat identified;
- b. Blocks, lots and portions thereof which are being replatted, shall be identified;
- c. Volume and page number where the previous plat was recorded, shall be identified;
- d. Original plat information being deleted, abandoned, or changed by the replat, (lots and blocks, rights-of-way, etc.), shall be shown lightly sketched or dotted on the drawing with a note of explanation;
- e. The word "replat" shall be shown in the title block. (Ord. No. 2088, 07/18/95)

SECTION C. SPECIAL PROVISIONS.

- 1. A public hearing shall be conducted by the Planning and Zoning Commission on any residential replat or if the property was limited by an interim or permanent zoning classification to a residential use in the preceding five (5) years to not more than two (2) residential units per lot. (Ord. No. 3271, 01/01/09)
- 2. If any of the proposed area to be replatted was limited within the immediate preceding five (5) years by any interim or permanent zoning classification to a residential use for not more than two (2) residential units per lot, or if any lot in the immediate previous subdivision was limited by

deed restriction to residential use for not more than two (2) residential units per lot, the following additional requirements for approval shall apply:

- a. A notice of the Planning and Zoning Commission public hearing shall be published in a newspaper of general circulation in the city at least fifteen (15) days prior to the public hearing.
- b. Written notice shall be forwarded by the city of Carrollton to the owners of lots that are in the original subdivision, and that are within 200 feet of the lots to be replatted, as such ownership is indicated on the most recently approved municipal tax roll, or in the case of a subdivision within the extraterritorial jurisdiction the most recently approved county tax roll, within 200 feet of the property upon which the replat is requested. The written notice shall be delivered by depositing the notice, properly addressed and postage paid, in a post office or postal depository within the city.

(Ord. No. 1948, 10/19/93; Ord. No. 2943, 11/02/04)

c. If the proposed replat requires a variance to the provisions of this ordinance and is protested, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the Planning and Zoning Commission. For a legal protest, written opposition duly 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 therefrom, but within the original subdivision, must be filed with the Planning and Zoning Commission prior to the close of the public hearing.

(Ord. No. 1948, 10/19/93; Ord. No. 2943, 11/02/04)

(THIS PAGE RESERVED FOR FUTURE USE)