

PLANNING DEPARTMENT  
CITY OF CARROLLTON

CSO TEXT AMENDMENTS  
DATE: 05/20/2025

ORDINANCE NUMBER \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ORDINANCE NUMBER 1949, OTHERWISE KNOWN AS THE COMPREHENSIVE SUBDIVISION ORDINANCE, BY AMENDING ARTICLE III. PROCEDURES FOR PLAT APPROVAL, SECTION A. PROCEDURES; ARTICLE IV. ADMINISTRATIVE PLAT; ARTICLE V. PRELIMINARY PLAT; ARTICLE VI. FINAL PLAT, SECTION B. GENERAL PROVISIONS; ARTICLE VIII. MISCELLANEOUS PLATS AND ABANDONMENTS; AND ARTICLE XI. CONSTRUCTION AND IMPROVEMENTS, SECTION F. SCREENING WALLS; PROVIDING PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

**WHEREAS**, at a public hearing held on the Sixth day of March 2025, the Planning & Zoning Commission considered and made recommendation on changes to the Comprehensive Subdivision Ordinance of the City of Carrollton (Case No. PLST 2025-004); and

**WHEREAS**, the City Council conducted a public hearing on the Twentieth day of May 2025, at which all persons were given an opportunity to present testimony; and

**WHEREAS**, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the subdivision laws would provide for and would be in the best interest of the health, safety, morals and general welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:**

Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified, and incorporated into the body of this Ordinance as if copied in their entirety.

Section 2.

Article III. Procedures For Plat Approval, Section A. Procedure, Subsection 2, is amended to read as follows:

“A plat application shall be considered formally filed with the City when the Planning Department has checked and verified that the plat is complete and compliant with all

requirements. If the plat is incomplete or does not comply with all requirements, it shall be deemed not to have been submitted or filed until any and all deficiencies are corrected. The City Manager or Designee shall provide the applicant with written confirmation of their determination, which shall provide the official date of filing and specify the meeting of the Planning and Zoning Commission scheduled for review of the plat. The plat shall then be placed on a printed Planning and Zoning Commission agenda and posted in conformance with all legal requirements. The Planning & Zoning Commission shall act on the plat within thirty (30) days after the plat is formally filed with the City or within thirty (30) days after referral by the City Manager or Designee as allowed by state law to the Planning & Zoning Commission, unless the applicant submits a written request for a thirty (30) day extension. If the applicant does not submit a written request for a thirty (30) day extension, the plat shall be considered approved if it is not disapproved by the Planning & Zoning Commission within such thirty (30) day period.”

### Section 3.

Article IV. Administrative Plat, Section B. General Provisions, Subsections 1 and 2, is amended to read as follows:

“1. Authority:

Under Section 212.0065 of the Texas Local Government Code, authority is hereby delegated to the City Manager or their Designee to approve an Administrative Plat only where:

- a. The Administrative Plat includes four (4) or fewer lots; and
- b. The total area covered by the Administrative Plat does not exceed forty (40) acres; and
- c. Every lot created by the Administrative Plat has frontage on an existing paved street; and
- d. Every lot within the Administrative Plat can be established without the need for the creation of a new street or extension of municipal facilities; and
- e. The area covered by the Administrative Plat does not constitute a portion or a phase of an approved Preliminary Plat; and
- f. Each lot created by the Administrative Plat is in accordance with all requirements of the applicable zoning district, and with the requirements of this ordinance. The City Manager or their designee shall not have authority to grant any variance to the requirements of this ordinance; and
- g. Dedication of street or alley right-of-way, if applicable, occurs in accordance with the Transportation Plan and General Design Standards of the City of Carrollton.

2. Procedure:

Formal application for Administrative Plat approval shall be made by the subdivider to the Planning Department in the manner prescribed by the Planning and Zoning Commission. An application for approval of an Administrative Plat will be placed on the Development Review Committee agenda, in accordance with established deadlines set for all development cases. The City Manager or their Designee shall make the decision to approve or not approve the Administrative Plat only after the Development Review Committee has reviewed the application, and within thirty (30) days of submittal of an application.

The City Manager or their Designee may, for any reason, elect to present an Administrative Plat to the Planning and Zoning Commission for action. Any Administrative Plat which the City Manager or their Designee refuses to approve shall be presented to the Planning and Zoning Commission, within thirty (30) days of such refusal, for action. Any Administrative Plat which is presented to the Planning and Zoning Commission shall be processed in accordance with the procedures set forth in Article III. of this Ordinance.

The City Manager or their designee shall have no authority to grant a waiver or variance to this ordinance in approving an Administrative Plat. Any request for a waiver or variance to this ordinance shall be considered by the Planning and Zoning Commission in accordance with Article XII. of this ordinance.”

#### Section 4.

Article V. Preliminary Plat, Section B. General Provisions, Subsection 4q. Content, is amended to read as follows:

“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  
or their Designee

Signed: \_\_\_\_\_  
Chairman  
Planning and Zoning Commission”

#### Section 5.

Article VI. Final Plat, Section B. General Provisions, 4.d., is amended to replace numbers 5 through 18, and Figure 1 Dedication Statement, as follows:

- “5. Location/vicinity map. (Use a single line drawing. Do not use website maps.)
6. All approved street names shall be shown.
7. All abstract lines shall be shown and labeled.
8. The location and dimension of any easement, designated by use, adjoining or abutting the subdivision.
9. Description of the subdivision by metes and bounds shall be shown.
10. Point of beginning or commencement shall reference an original abstract or existing subdivision property corner. Primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings, block numbers and similar data shall be referenced.
11. The plat shall show the name of the subdivision, the names, addresses and phone numbers of the owner and engineer or surveyor, scale and location of the subdivision with reference to original land grant or survey, abstract number, and a north arrow depicting true or magnetic north, and noting whether true or magnetic north is used.
12. Show the one-hundred-year flood plain limits based on ultimate watershed development, as determined by the City Engineer, or note that such property is not within the flood plain limits, if applicable. Finished floor elevations of two (2) feet above the one-hundred-year flood plain elevation shall be shown on the plat, where applicable.
13. Location and description of monuments, which shall be placed at each corner of the boundary survey of the subdivision, shall be shown as described in Article XI, Sec. C.
14. Lot numbers and block letters shall be shown. Lot numbers shall be sequential and orderly within a designated block. Land subdivided in stages over time shall provide phase numbers or letters.
15. Address numbers shall be placed on the face of the plat, on the assigned lot, as assigned by the Fire Marshal, or his or her designee.
16. The square footage of all lots which are not rectangular shall be shown in a table.
17. Certificates of the owner, surveyor and utility companies, a dedication statement, City signature block and other standard notes shall be placed on the final plat in accordance with Figure 1 (As applicable).
18. Homeowners Agreement:

When a subdivision contains common areas, drainage ways, screening walls, retaining 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 homeowner’s agreement shall be approved as part of the Preliminary Plat process or during final or replat process.

The City Attorney will review the homeowner’s agreement as to form.

The following six (6) statements shall appear on the face of the plat and in the homeowners agreement:

- a. The owner of fee simple title to every individual lot of land within the subdivision must be a member of the homeowner's association.
- b. The homeowner's association must have the authority to collect membership fees.
- c. The homeowner's association shall be responsible for the maintenance of all common areas, screening walls, and retaining walls.
- d. The homeowner's association must grant the City the 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
- e. The homeowner's 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.
- f. The homeowner's 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.

19. Homeowner's association note, if required by Preliminary, Final or Replat approval:

A homeowner's association covenant has been approved by the City of Carrollton and recorded in \_\_\_\_\_(volume and page)\_\_\_\_\_. Such homeowner's association shall be responsible for the maintenance of all common areas and facilities and screening walls, including retaining walls located in \_\_\_\_\_(lot and block number of common area)\_\_\_\_\_, or public right-of-way where a license agreement with the City of Carrollton is required, or otherwise identified on the plat. *(Ord. No. 2029, 10/18/94)*

20. The title block shall be located on the lower right or left corner and contain the following content and chronological order below:

CITY PROJECT CASE NUMBER  
PLAT TYPE  
SUBDIVISION NAME  
BLOCK LETTER OR NUMBER, AND LOT NUMBERS  
ACREAGE AND SQUARE FOOTAGE  
TRACT DESIGNATION, SURVEY NAME AND ABSTRACT NUMBER  
TOTAL NUMBER OF LOTS  
CITY, COUNTY AND STATE  
PREPARATION DATE AND REVISION DATES

**FIGURE 1**

**DEDICATION STATEMENT**

(to be used in all instances)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

THAT (OWNER'S NAME) ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS (SUBDIVISION NAME), AN ADDITION TO THE CITY OF CARROLLTON, TEXAS AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS, ALLEYS, AND PUBLIC USE AREAS SHOWN HEREON, AND DOES HEREBY DEDICATE THE EASEMENTS SHOWN ON THE PLAT FOR THE PURPOSES INDICATED TO THE PUBLIC USE FOREVER, SAID DEDICATIONS BEING FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS SHOWN HEREIN. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS ON SAID PLAT. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO A PARTICULAR UTILITY OR UTILITIES. THE CITY OF CARROLLTON AND ANY PUBLIC UTILITY SHALL HAVE THE RIGHT TO REMOVE AND KEEP REMOVED ALL OR PART OF ANY BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS OR GROWTHS WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS AND THE CITY OF CARROLLTON ON ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (OWNER'S NAME) DOES HEREBY BIND ITSELF, ITS SUCCESSORS AND ASSIGNS TO FOREVER WARRANT AND DEFEND ALL AND SINGULAR THE ABOVE-DESCRIBED STREETS, ALLEYS, EASEMENTS, AND RIGHTS UNTO THE PUBLIC AGAINST EVERY PERSON WHOMSOEVER LAWFULLY CLAIMING OR TO CLAIM THE SAME OR ANY PART THEREOF. THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF CARROLLTON.

WITNESS MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Position in Corporation (if applicable)

\_\_\_\_\_  
Name of Corporation (if applicable)

\_\_\_\_\_  
Lien Holder (if applicable)

*If there is no lien holder, add the following statement:*

To the best of my knowledge, there are no liens against this property.

\_\_\_\_\_  
Signature of Owner”

#### Section 6.

Article VIII. Miscellaneous Plats And Abandonments, Section B.2. Amending Plat, is amended to read as follows:

“2. Procedure:

Formal application for Amending Plat approval shall be made by the subdivider to the Planning Department in the manner prescribed by the City. An application for approval of an Amending plat will be placed on the Development Review Committee agenda, in accordance with established deadlines set for all development cases. The City Manager or their Designee responsible for approving plats shall make the decision to approve or not to approve the Amending Plat only after the Development Review Committee has reviewed the application, and within thirty (30) days of submittal of an application.

The City Manager or their Designee responsible for approving plats may, for any reason, elect to present an Amending Plat to the Planning and Zoning Commission for action. The City Manager or their Designee shall not disapprove the Amending Plat and shall be required to refer any plat which the person refused to approve to the Planning and Zoning Commission within thirty (30) days after the plat is filed. Any Amending Plat which is presented to the Planning and Zoning Commission shall be processed in accordance with the procedures set forth in Article III. of this Ordinance.

The City Manager or their Designee responsible for approving plats shall have no authority to grant a waiver or variance to this ordinance in approving an Amending Plat. Any request for a waiver or variance to this ordinance shall be considered by the Planning and Zoning Commission in accordance with Article XII. of this Ordinance.

3. VALIDITY:

An Amending Plat is valid from the date of City Manager or their Designee approval.”

#### Section 7.

Article XI. Construction And Improvements, Section F. Screening Walls, is amended to read as follows:

“The purpose of providing screening walls is to improve the appearance of subdivisions abutting public rights-of-way; preserve and promote the aesthetic appeal of surrounding neighborhoods; and provide a cohesive identity for each subdivision.

1. Lots Backing Upon a Freeway Frontage Road, Arterial Thoroughfare, or a Major or Residential Collector Street:

A screening wall shall be provided and maintained by the homeowner's or property owner's association or private property owner along the property line of any subdivision of single-family, mobile home, or duplex lots where the rear of such lots abuts any freeway frontage road, or arterial thoroughfare, as such thoroughfare is identified on the Transportation Plan, or a major or residential collector street. This requirement shall also apply where such lots are separated from the freeway frontage road, arterial thoroughfare, or major or residential collector street by an alley. In such instance the screening wall shall be placed on the right-of-way line separating the alley, and freeway frontage road, arterial thoroughfare, or major or residential collector street.

The construction of such screening wall shall be the responsibility of the developer of the single-family, mobile home, or duplex subdivision. Construction of the required screening wall shall occur subsequent to the final grading of the subdivision, but prior to formal acceptance of the subdivision by the city of Carrollton.

The provisions of this subsection shall also apply to mobile home parks.

2. Lots Siding Upon a Freeway Frontage Road or Arterial Thoroughfare:

Where a street within a single-family, mobile home, or duplex subdivision must intersect a freeway frontage road or arterial thoroughfare, as identified on the Transportation Plan, in order to provide access into the subdivision, and where a single-family, mobile home, or duplex lot sides to a freeway frontage road or arterial thoroughfare, a screening wall shall be provided by the developer and maintained by the homeowner's association or private property owner along the side of the lot adjacent to such freeway frontage road or arterial thoroughfare where the screening wall would constitute a continuation of any existing or proposed screening wall.

Where two residential streets intersect with a freeway frontage road or arterial thoroughfare identified on the Transportation Plan, the Planning and Zoning Commission shall determine whether adequate distance exists between the residential streets such that the provision of a masonry screening wall would be reasonable and appropriate. In making its determination, the Planning and Zoning Commission shall take into consideration the requirements of Title V., Chapter 53, of the Carrollton Code of Ordinances, otherwise known as the Visibility Obstructions Ordinance, and the provision of corner clips, as may be deemed necessary by the Director of Transportation to afford the adequate provision of roadway and intersection design or signalization.

The provisions of this subsection shall apply where the sides of such lots are separated from the freeway frontage road or arterial thoroughfare by an alley. In such instance



the screening wall shall be placed on the right-of-way line separating the alley and freeway frontage road or arterial thoroughfare.

The provisions of this subsection shall also apply to mobile home parks.

6. Maintenance:

All areas adjacent to any screening wall or fence, or areas adjacent to a public street or right-of-way, shall be maintained in a clean and orderly condition by the homeowner's or property owner's association or private property owner, free of debris and trash, in accordance with the applicable codes of the city of Carrollton.

The city of Carrollton shall maintain screening walls provided in accordance with subsections G(1), G(2), G(3), and G(4)(c) of this Section."

Section 8.

The Comprehensive Subdivision Ordinance is hereby amended to reflect the action taken herein.

Section 9.

Any person, firm or corporation violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Section 10.

Ordinance Number 1849, otherwise known as the Comprehensive Subdivision Ordinance, as amended, shall remain in full force and effect.

Section 11.

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton Code of Ordinances.

Section 12.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 13.

This Ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Twentieth day of May 2025.

CITY OF CARROLLTON

By: \_\_\_\_\_  
Steve Babick, Mayor

ATTEST:

\_\_\_\_\_  
Chloe Sawatzky  
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Meredith Ladd  
City Attorney

\_\_\_\_\_  
Michael McCauley  
Senior Planner