

# Platting Law Fundamentals

**UT LAND USE LAW**  
**April 19, 2023**

Kimberley Mickelson, AICP  
Senior Ass't City Attorney  
City of Houston

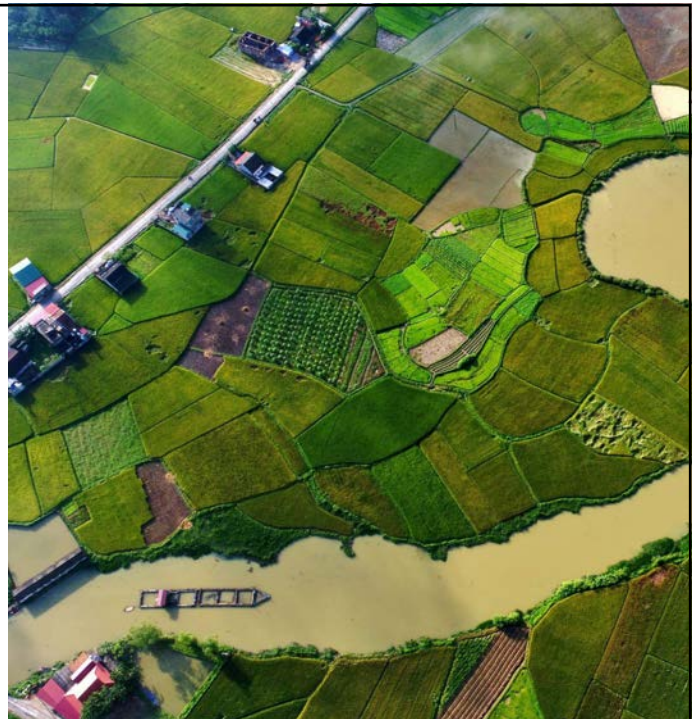


1



Some terms to  
bear in mind

- Land Development
- Subdivision of land
- Combining land
- Platting property
  
- Proportionality of exactions
- Vesting in use, prior regulations
- Special Districts



2

Sec. 212.004(a), *see also*, Sec. 232.001(a)

**PLAT REQUIRED:** The owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who

--divides the tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality,

--to lay out suburban, building, or other lots, or

--to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared.

A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

A division of land under this subsection 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

## Texas Enabling Legislation

Every state has enabling legislation for planning.

Platting directs “horizontal” or “on the ground” planning of lots for development for particular land uses. First step.

Texas Local Government Code

- Chapter 213 – Municipal Comprehensive Plans
- Chapter 212 – Municipal Regulation of Subdivisions
- Chapter 232—County Regulation of Subdivisions

4

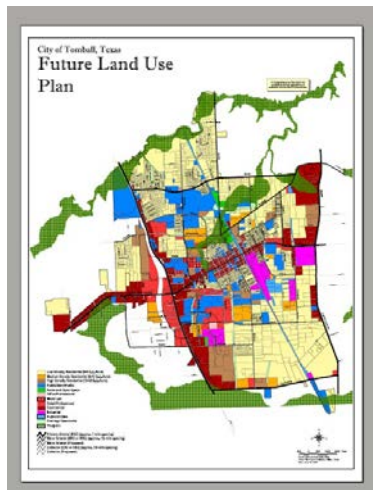
## Purpose of Subdivision Regulations

- Conversion of raw land into buildable lots
- Requirements for public improvements
- Standards for land development
- Procedures for submittal, review and approval of plats
- Shape future development
- Determine physical shape and function of community
- Lasting impact on community design



5

## Relationship to Comprehensive Plan



- An important tool for comprehensive plan implementation
- Comprehensive plan provides legal and practical basis for subdivision regulations
- Consistency with plan avoids arbitrary or discriminatory regulations
- Plan coordinates subdivision layout with other community development

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Platting Law Fundamentals

Also available as part of the eCourse

[2023 Land Use Fundamentals eConference](#)

First appeared as part of the conference materials for the  
2023 Land Use Fundamentals session

"Subdivisions: What you Need to Know in the Context of the Current Application"