



PLAT VACATION APPLICATION CHECKLIST

APPLICANT AND PROJECT INFO

Applicant Name: _____
Applicant Phone #: _____
Applicant Email: _____
Plat Name: _____
Vacation Type By Property Owner
 By All Lot Owners

This checklist is intended to provide information and data needed to constitute a complete application. A request for a Subdivision Plat Vacation requires review by staff and the Planning and Zoning Commission. Final action will be taken by the Bee Cave City Council on whether to approve, approve with conditions, or deny the vacation request in accordance with UDC Section 2.3.11. Incomplete applications will not be accepted.

PLAT VACATIONS

The purpose of a Plat Vacation is to provide an expeditious means of vacating a recorded Plat in its entirety, consistent with TLGC Chapter 212. This checklist may be used to vacate a Plat:

1. By a Property Owner: The owner of property covered by a Plat may submit an application to vacate the Plat at any time **before** any lot in the Plat is sold.
2. By All Lot Owners: If lots in the original Plat have been sold, an application to vacate the plat must be submitted **by all the owners of property in the Plat**.

MY GOVERNMENT ONLINE SUBMISSION REQUIREMENTS

The City of Bee Cave utilizes a digital review system called MyGovernmentOnline, which requires certain digital submittal standards. For more detailed information and troubleshooting, please review the separate MyGovernmentOnline User Guide available at <http://www.MyGovernmentOnline.org/>

APPLICATION FEES

All application fees shall be paid in full according to the adopted Fee Schedule. The adopted Fee Schedule is available on the City Website: <http://www.BeeCaveTexas.gov/>

PLAT VACATION REQUEST PROCESS

The process for plat vacation involves the following steps:

1. **Pre-Application Conference.** Prior to filing of a plat vacation request, the applicant may consult with the Planning Director and other City staff concerning compliance with all applicable ordinances and regulations.
2. **Submittal of Application and Completeness Check.** The applicant will submit all required documents and fees along with the signed application checklist for a completeness check. Staff will

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review the documents for completeness of items listed on the checklists and provide feedback about any additional information or documents required from the applicant. Staff will perform a completeness check within 10 business days. **If the application is deemed incomplete, the applicant will have 45 calendar days to resubmit the incomplete items, or the application will expire.**

3. **Application Filing.** Upon determination of application completeness, the application will be considered filed with the Planning and Development Department. The application will be distributed to all applicable staff members for review.
4. **Technical Review.** City Staff will review the application for compliance with the UDC and other applicable city requirements and provide comments. Staff may complete technical review within 21 calendar days of the application's filing date, however this time period may be extended based on staff availability and the complexity of the application. The applicant may need to make changes and revisions to the application or supporting materials to satisfactorily address City Staff comments. **If a resubmittal is not received within 90 calendar days of the most recently issued staff comments, the application will be forwarded to the Planning & Zoning Commission with a staff recommendation for denial.**
5. **Required Property Owner Notice.** All Plat Vacation Requests require Public Hearings with property owner notification. Written notice of all public hearings before the Planning and Zoning Commission and City Council on a plat vacation shall be sent to all owners of real property within two hundred (200) feet of the boundaries of the plat requested to be vacated not fewer than eleven (11) calendar days before the date of the Planning & Zoning Commission Public Hearing. Notwithstanding property owner notification prior to the resolution of staff comments noted in Section 4 above due to non-responsiveness, property owner notification is not completed until all Staff comments have been satisfactorily addressed and the Plat Vacation Request is ready to be placed on a Planning & Zoning Commission meeting agenda. **Resubmittals and/or new information submitted after property owner notification will not be included in the agenda packets for the Planning and Zoning Commission's consideration.**
6. **Planning & Zoning Commission Public Hearing & Recommendation.** The Planning and Zoning Commission will hold a Public Hearing for all Plat Vacation Requests and make a recommendation to City Council. In making its recommendation, the Planning and Zoning Commission shall make one of the following recommendations:
 - a. Approve the Plat Vacation Request;
 - b. Approve the Plat Vacation Request with conditions; or
 - c. Deny the Plat Vacation Request.The Commission may, on its own motion or at the applicant's request, defer its recommendation until it has had an opportunity to consider other information or proposed modifications to the request which may have a direct bearing thereon. If the Commission elects to table the request, such tabling shall specifically state the time period of the tabling by citing the meeting date whereon the request will reappear on the Commission's agenda.
7. **Required Public Notice.** Notice of the City Council Public Hearing for the Plat Vacation Request must be published in a newspaper of general circulation in the City at least sixteen (16) days before the date of the hearing. Due to this there is minimum 3 week separation between the Planning & Zoning Commission and City Council Public Hearings for Plat Vacation Request, the separation may be longer depending on meeting schedules.

8. **City Council Public Hearing / Action.** After a Public Hearing is held before the City Council regarding the Plat Vacation Request, the City Council may approve the request, approve the request with conditions, or deny the request.

9. **City Council Acton.** City Council shall take on of the following actions on the Plat Vacation Request:
 - a. Approval: If the City Council approves the Plat Vacation Request, the Plat shall be vacated and no longer in effect upon the execution and recording of a vacating instrument with the County Clerk’s Office.
 - b. Approval with Conditions: If the City Council approves the Plat Vacation Request with conditions, the Plat Vacation shall be considered approved once such conditions are fulfilled; until such conditions are fulfilled it is considered denied.
 - c. Deny the Plat Vacation.

10. **Effect of Vacation**
 - a. Upon the execution and recording of the vacating instrument, the previous Plat shall no longer be in effect.
 - b. The Plat is vacated when a signed, acknowledged instrument declaring the Plat vacated is approved and recorded in the manner prescribed for the original Plat.

REQUIRED ITEMS FOR SUBMITTAL OF A COMPLETE APPLICATION

The following is grouped into the electronic documents that will be required for submittal. The list below each document heading shows the individual items that are to be combined to form the PDF document. Please review the Detailed Information section of this form for help in preparing each of these items. Please, flatten all PDF before submittal and rename documents for easy readability.

- Application Information**
 - Deed(s) showing current ownership of all property covered by the Plat requested to be Vacated
 - Notarized Verification of Land Ownership Form(s) for all property covered by the Plat requested to be Vacated
 - Authorization Agent Designation Form(s) (if applicant different than owner) for all property covered by the Plat requested to be Vacated
 - Written consent to the Plat Vacation Request from each lienholder of the subject property (if applicable)
 - Written consent to the Plat Vacation Request **from each lot owner** within the Plat (if lots have been sold)
 - Recent Title Commitment (dated within one year) If the title commitment is older, submit a property report and nothing further certificate
 - Original Tax Certificate issues by Travis Central Appraisal District and showing no taxes due

- Plat Vacation Request Letter with signed statements of no objections from all easement holders as applicable (see attached template)**
 - City of Bee Cave City Engineer



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- City of Bee Cave Planning Director
- Austin Energy
- WTCPUA / WCID-17 as applicable
- Gas Provider (as applicable)
- Telecom Providers (as applicable)
- Travis County (if in ETJ)
- Any other easement holder



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TEMPLATE PLAT VACATION REQUEST – TO BE COMPLETED ON APPLICANT’S LETTERHEAD

Date

Chair
Planning & Zoning Commission
City of Bee Cave, Texas

RE: Proposed vacation of _____ **BLOCK, LOTS, PLAT NAME** _____ pursuant to Section 212.013 of the Texas Local Government Code.

Dear Chairperson,

The purpose of this request is to vacate _____ **BLOCK, LOTS, PLAT NAME** _____, as recorded in Document No. ____ Official Public of Travis County, Texas. After a thorough examination, the respective suppliers of utility services have no objection to this vacation and understand that the vacation of this plat vacates the subdivision in its entirety including all lots, easements and rights-of-way, and have indicated their agreement by signing below. Thank you for considering this request.

Sincerely,

Applicant

I have reviewed the above proposal for utility service purposes and street rights-of-way requirements, and I have no objections to the vacation of the entire plat including easements and rights-of-way.

Name Phone
Austin Energy

Name Phone
Telecom Provider Name

Name Phone
Gas Provider (if applicable)

Name Phone
WTCPUA / WCID-17 (as applicable)

Name Phone
Travis County (if applicable)

Name Phone
Other easement holder (as applicable)

Add additional signatories as necessary