

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS APPROVING AND ADOPTING THE ATTACHED FEE SCHEDULE FOR CERTAIN PLANNING AND DEVELOPMENT APPLICATIONS; PROVIDING A CONFLICT CLAUSE AND SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, House Bill 3167, enacted by the Texas Legislature on May 21, 2019 and signed into law by the Governor on June 14, 2019, requires the municipal authority responsible for approving plats to approve, approve with conditions, or disapprove a subdivision plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, or replat within 30 days of the date the application is filed, beginning September 1, 2019; and

WHEREAS, House Bill 3167 requires the municipal authority responsible for approving plats to issue a written statement that sets forth the conditions of a conditional approval or reasons for a denial, to which the applicant may submit a response that purports to address said conditions or reasons, and the municipal authority must approve, approve with conditions, or disapprove the application within 15 days of the date the response is filed; and

WHEREAS, the Planning and Zoning Commission (the “Commission”) is the municipal authority responsible for approving plats within the city limits or the ETJ of the City; and

WHEREAS, site development plans, subdivision construction plans, and other land development applications that are not plats currently only require administrative approval under the City’s Unified Development Code (“UDC”); and

WHEREAS, the City strives to provide comments on all complete development applications within four weeks of submittal, a metric attained 90% of the time in 2018, and comments on all resubmissions within two weeks of resubmittal, a metric also attained 90% of the time in 2018; and

WHEREAS, House Bill 3167’s requirement that the Commission must approve, conditionally approve, or deny all plats, plans, and other land development applications would have required the Commission to have acted upon over 500 additional applications in 2018; and

WHEREAS, in order to bring all plats, plans, and other land development applications to the Commission for final action within 30 days of the date the application is filed, as well as all resubmissions to the Commission within 15 days of the date the response is filed, the City will be required to dedicate additional resources to the review of said applications; and

WHEREAS, the City Council finds it necessary to adopt a revised fee schedule for certain planning and development applications in order to comply with House Bill 3167 as set out herein.

NOW THEREFORE BE IT RESOLVED:

SECTION ONE. The facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

SECTION TWO. The following Application Fee Schedule, attached to this Resolution, is approved and adopted, and the City's UDC Development Manual shall be amended accordingly:

Exhibit A - "Application Fee Schedule"

SECTION THREE. If any provision of this Resolution or application thereof to any person or circumstance, shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

SECTION FOUR. This Resolution shall be effective September 1, 2019.

SECTION FIVE. The Mayor is hereby authorized to sign this Resolution and the City Secretary to attest.

PASSED AND APPROVED on the _____ day of _____, 2019.

ATTEST:

CITY OF GEORGETOWN, TEXAS

Robyn Densmore, City Secretary

Dale Ross, Mayor

APPROVED AS TO FORM:

Charlie McNabb, City Attorney