

Ordinance No. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS ("CITY") AMENDING CHAPTER 2.48 OF THE CODE OF ORDINANCES OF THE CITY OF GEORGETOWN ENTITLED "PLANNING AND ZONING COMMISSION" ("COMMISSION") RELATING TO COMMISSION MEMBERSHIP, MEETINGS, COMPENSATION, RULES, AND PROCEDURES; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING 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 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 increase the number of Alternate Members and the frequency of Commission meetings; and

WHEREAS, in recognition of the increased Commission workload required to comply with House Bill 3167, the City intends to compensate Members and amend the Commission's attendance requirements in order to encourage participation; and

WHEREAS, the Purpose of the Commission as set forth in Chapter 2.48 of the Code of Ordinances must be amended to reflect these additional responsibilities; and

WHEREAS, the membership, meetings, rules, and procedures of the Commission must be amended in order to ensure the Commission complies with these expedited review timelines; and

WHEREAS, the City Council finds it necessary to amend Chapter 2.48 of the Code of Ordinances of the City of Georgetown in order to comply with House Bill 3167 as set out herein.

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

Section 1. The facts and recitations contained in the preamble of this ordinance 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 2. Chapter 2.48 of the Code of Ordinances is amended as shown in **Exhibit A** attached hereto.

Section 3. All ordinances or resolutions that are in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other ordinances or resolutions of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4. If any provision of this ordinance, 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 ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are hereby declared to be severable.

Section 5. The Mayor is hereby authorized to sign this ordinance and the City Secretary to attest. This ordinance shall become effective and be in full force and effect in accordance with the provisions of the City Charter of the City of Georgetown.

Section 6. The meeting at which this ordinance was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED on First Reading on the _____ of _____, 2019.

PASSED AND APPROVED on Second Reading on the _____ of _____, 2019.

ATTEST:

THE CITY OF GEORGETOWN

Robyn Densmore, City Secretary

Dale Ross, Mayor

APPROVED AS TO FORM:

Charlie McNabb, City Attorney