

## ORDINANCE 2019-32

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING CHAPTER 10 – “SUBDIVISIONS,” ARTICLE 10.03 – “SUBDIVISION ORDINANCE,” SECTION 1 – “GENERAL,” BY ADDING A NEW SECTION 1.1, “ANNUAL ADOPTION OF SCHEDULE OF UNIFORM SUBMITTAL DATES FOR PUBLIC IMPROVEMENT PLANS”, AND AMENDING CHAPTER 14 – “ZONING,” SECTION 1 – “ENACTING PROVISIONS,” BY ADDING A NEW SECTION 6.2, “ANNUAL ADOPTION OF SCHEDULE OF UNIFORM SUBMITTAL DATES FOR SITE PLANS, ZONING CHANGES, AND CONDITIONAL USE PERMIT (CUP),” AND ADOPTING SCHEDULES OF UNIFORM SUBMITTAL DATES FOR 2019/2020 FOR SITE PLANS, PLATS, ZONING CHANGE, CUP, AND PUBLIC IMPROVEMENT PLANS AS SHOWN AS EXHIBIT A, IN ORDER TO COMPLY WITH TEXAS LOCAL GOVERNMENT CODE CHAPTER 212, WHICH REQUIRES PLATS, SITE PLANS, AND PUBLIC IMPROVEMENT PLANS TO BE REVIEWED WITHIN THIRTY (30) DAYS OF SUBMITTAL OR DEEMED APPROVED; AND PROVIDING FOR FINDINGS OF FACT, ENACTMENT, ENFORCEMENT, A REPEALER, AND SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.**

**WHEREAS**, House Bill 3167 of the 86th Session of the Texas Legislature requires that a subdivision development plan, subdivision construction plan, site plan, land development application, site development plan, preliminary plat, general plan, final plat, and replat be approved, approved with conditions, or disapproved by staff and/or Planning & Zoning Commission within 30 days of submission or it is deemed approved by inaction; and

**WHEREAS**, Texas Local Government Code Chapter 212, Subchapter A. Regulation of Subdivisions, Section 212.002. Rules grant authority to a governing body of a municipality, after conducting a public hearing on the matter, to adopt rules governing plats and subdivisions of land within the municipality’s jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

**WHEREAS**, City Council will annually adopt a Schedule of Uniform Submittal Dates in September in order to comply with Texas Local Government Code Chapter 212 for Zoning Change & CUP applications, Public Improvement Plan applications, Plat applications, and Site Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and dates when the Planning & Zoning Commission will meet, and/or administrative decisions will be made.

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

### SECTION 1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

## **SECTION 2. ENACTMENT**

That Chapter 10, "Subdivisions," of the Code of Ordinances, Article 10.03 – "Subdivision Ordinance," Section 1 – "General," shall be amended to add a new Section 1.1. to read as follows:

**Section 1.1 – Annual Adoption of Schedule of Uniform Submittal Dates for Public Improvement Plans.** City Council will annually adopt a Schedule of Uniform Submittal Dates in September in order to comply with Texas Local Government Code Chapter 212 for Public Improvement Plan and plat applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, and when administrative decisions by the City Engineer will occur.

That Chapter 14, "Zoning," of the Code of Ordinances, Section 1 – "Enacting Provisions," shall be amended to add a new Section 6.2 to read as follows:

**Section 6.2 – Annual Adoption of Schedule of Uniform Submittal Dates for Site Plans, Zoning Changes, and Conditional Use Permits.** City Council will annually adopt a Schedule of Uniform Submittal Dates in September in order to comply with Texas Local Government Code Chapter 212 for Zoning Change & CUP applications and Site Plan applications. The Schedule of Uniform Submittal Dates will include dates when applications will be accepted, when review for completeness checks will occur, when the Planning & Zoning Commission will meet, and/or when administrative decisions by the Director of Planning & Development will occur.

## **SECTION 3. ADOPTION OF 2019-2020 SCHEDULES**

The City Council hereby adopts the 2019 – 2020 Plat & Site Plan Schedule of Uniform Submittal Dates, 2019-2020 Public Improvement Plan Schedule of Uniform Submittal Dates, and 2019 – 2020 Zoning Change & Conditional Use Permit (CUP) Schedule of Uniform Submittal Dates, as attached in Exhibit A.

## **SECTION 4. REPEALER**

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

## **SECTION 5. SEVERABILITY**

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

## **SECTION 6. ENFORCEMENT**

The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

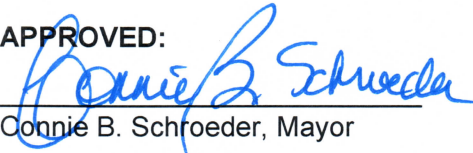
**SECTION 7. EFFECTIVE DATE**

This Ordinance shall be effective immediately upon passage and publication.


**READ and APPROVED** on First Reading on the 14<sup>th</sup> day of August 2019.

**READ and ADOPTED** on Second Reading on the 27<sup>th</sup> day of August 2019.

**APPROVED:**

  
\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**


  
\_\_\_\_\_  
Alan Bojorquez, City Attorney

EXHIBIT A

**2019 – 2020 Plat & Site Plan Schedule of Uniform Submittal Dates**

Plat Submissions will only be accepted on these dates between 8:00 a.m. - 12:00 p.m.	All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.	Due Date for Public Notice Notification in the Bastrop Advertiser, if Public Hearing is Required.	Responses to Approval with Conditions will only be accepted on these dates between 8:00 a.m. – 3:00 p.m. for Inclusion on Planning & Zoning Commission Meeting Agenda or Administrative Review in the same month. (15 Day Review Requirement or Deemed Approved)	DRC Committee Review – Staff Recommendation to Approve, Approve with Conditions or Disapprove	Planning & Zoning Commission Packet Published	Planning & Zoning Commission Meeting Date / Administrative Decision for Amending Plats & Replats not requiring Public Hearing.
9/3/2019	9/3/2019	9/3/2019	9/13/2019	9/19/2019	9/20/2019	9/26/2019
10/7/2019	10/8/2019	10/8/2019	10/18/2019	10/24/2019	10/25/2019	10/31/2019
10/28/2019	10/29/2019	10/29/2019	11/08/2019	11/14/2019	11/15/2019	11/21/2019
11/25/2019	11/26/2019	11/26/2019	12/06/2019	12/12/2019	12/13/2019	12/19/2019
1/06/2020	1/7/2020	1/7/2020	1/17/2020	1/23/2020	1/24/2020	1/30/2020
2/3/2020	2/4/2020	2/4/2020	2/14/2020	2/20/2020	2/21/2020	2/27/2020
3/3/2020	3/3/2020	3/3/2020	3/13/2020	3/19/2020	3/20/2020	3/26/2020
4/6/2020	4/7/2020	4/7/2020	4/17/2020	4/23/2020	4/24/2020	4/30/2020
5/4/2020	5/5/2020	5/5/2020	5/15/2020	5/21/2020	5/22/2020	5/28/2020
6/1/2020	6/2/2020	6/2/2020	6/12/2020	6/18/2020	6/19/2020	6/25/2020
7/6/2020	7/7/2020	7/7/2020	7/17/2020	7/23/2020	7/24/2020	7/30/2020
8/3/2020	8/4/2020	8/4/2020	8/14/2020	8/20/2020	8/21/2020	8/27/2020
8/31/2020	9/1/2020	9/1/2020	9/11/2020	9/17/2020	9/18/2020	9/24/2020
10/5/2020	10/6/2020	10/6/2020	10/16/2020	10/22/2020	10/23/2020	10/29/2020
10/26/2020	10/27/2020	10/27/2020	11/6/2020	11/12/2020	11/13/2020	11/19/2020
11/23/2020	11/24/2020	11/24/2020	12/4/2020	12/10/2020	12/11/2020	12/17/2020

\*Adopted by City Council on August 27, 2019 – Ordinance 2019-32



**Plat & Site Plan Schedule of Uniform Submittal Dates – 2019/2020**



EXHIBIT A

**2019 – 2020 Public Improvement Plan Schedule of Uniform Submittal Dates**

Public Improvement Plan Submission will only be accepted on these dates between 8:00 a.m. - 3:00 p.m.	All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.	Responses to Approval with Conditions will only be accepted on these dates between 8:00 a.m. - 3:00 p.m. for City Engineer Action calendared on same line*	DRC Review Approval with Conditions – Staff Recommendations to Approve /Disapprove	*City Engineer Action on Public Improvement Plans
9/16/2019	9/17/2019	9/27/2019	10/3/2019	10/10/2019
10/21/2019	10/22/2019	11/1/2019	11/7/2019	11/14/2019
11/18/2019	11/19/2019	12/2/2019	12/5/2019	12/12/2019
12/30/2019	12/31/2019	1/10/2020	1/16/2020	1/23/2020
1/20/2020	1/21/2020	1/31/2020	2/6/2020	2/13/2020
2/17/2020	2/18/2020	2/28/2020	3/5/2020	3/12/2020
3/16/2020	3/17/2020	3/27/2020	4/2/2020	4/9/2020
4/20/2020	4/21/2020	5/1/2020	5/7/2020	5/14/2020
5/18/2020	5/19/2020	5/29/2020	6/4/2020	6/11/2020
6/15/2020	6/16/2020	6/26/2020	7/2/2020	7/9/2020
7/20/2020	7/21/2020	7/31/2020	8/6/2020	8/13/2020
8/17/2020	8/18/2020	8/28/2020	9/3/2020	9/10/2020
9/14/2020	9/15/2020	9/25/2020	10/1/2020	10/8/2020
10/19/2020	10/20/2020	10/30/2020	11/5/2020	11/12/2020
11/16/2020	11/17/2020	11/30/2020	12/3/2020	12/10/2020

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**Public Improvement Plan Schedule of Uniform Submittal Dates – 2019/2020**



EXHIBIT A

**2019 – 2020 Zoning Change & Conditional Use Permit (CUP) Schedule of Uniform Submittal Dates**

Zoning Submission will only be accepted on these dates between 8:00 a.m. - 3:00 p.m.	All Submissions shall be reviewed for completeness and must be deemed administratively complete to be considered filed.	Due Date for Public Notice Notification in the Bastrop Advertiser	Planning & Zoning Commission Meeting Date	City Council Meeting Date 1 <sup>st</sup> Reading	City Council Meeting Date 2 <sup>nd</sup> Reading
9/16/2019	9/17/2019	10/8/2019	10/31/2019	11/12/2019	11/26/2019
10/7/2019	10/8/2019	10/29/2019	11/21/2019	11/26/2019	12/10/2019
11/4/2019	11/5/2019	11/26/2019	12/19/2019	1/14/2020	1/28/2020
12/16/2019	12/17/2019	1/7/2020	1/30/2020	2/11/2020	2/25/2020
1/13/2020	1/14/2020	2/4/2020	2/27/2020	3/10/2020	3/24/2020
2/10/2020	2/11/2020	3/3/2020	3/26/2020	4/14/2020	4/28/2020
3/16/2020	3/17/2020	4/7/2020	4/30/2020	5/12/2020	5/26/2020
4/13/2020	4/14/2020	5/5/2020	5/28/2020	6/9/2020	6/23/2020
5/11/2020	5/12/2020	6/2/2020	6/25/2020	7/14/2020	7/21/2020
6/15/2020	6/16/2020	7/7/2020	7/30/2020	8/11/2020	8/25/2020
7/13/2020	7/14/2020	8/4/2020	8/27/2020	9/8/2020	9/22/2020
8/10/2020	8/11/2020	9/1/2020	9/24/2020	10/13/2020	10/27/2020
9/14/2020	9/15/2020	10/6/2020	10/29/2020	11/10/2020	11/24/2020
10/5/2020	10/6/2020	10/27/2020	11/19/2020	11/24/2020	12/8/2020
11/2/2020	11/3/2020	11/24/2020	12/17/2020	1/12/2021	1/26/2021

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**Zoning Change & CUP Schedule of Uniform Submittal Dates – 2019/2020**