

Mayor and Council Communication

DATE: 09/22/20

M&C FILE NUMBER: M&C 20-0680

LOG NAME: 065030 SUBDIVISION ORDINANCE AMENDMENT

SUBJECT

(ALL) Adopt Ordinance Amending Chapter 31 of the Subdivision Ordinance to Authorize Delegation of Approval Authority for Construction Plans to the Development Services Director or the Director's Designee

RECOMMENDATION:

It is recommended that the City Council adopt the attached ordinance amending Chapter 31 of the Subdivision Ordinance to authorize delegation of the approval authority for construction plans to the Development Services Department Director or the Director's designee.

DISCUSSION:

Due to state law changes effective September 1, 2019, public infrastructure construction plans must be approved within 30 day and 15 day deadlines. (House Bill 3167, 8th Texas Legislature). The City Plan Commission must approve, approve with conditions, or disapprove construction plans within 30 days after the construction plans are filed with the City. In addition, the City Plan Commission has 15 days to approve or disapprove construction plans after a written response is filed to construction plans that were previously disapproved or conditionally approved. Failure to comply with these deadlines results in the construction plans being approved by operation of law, even if the construction plans fail to comply with the Subdivision Ordinance or the City's design manuals.

The amendment to the Subdivision Ordinance will authorize the City Plan Commission to delegate the approval, conditional approval, and disapproval of construction plans to the Director of the Development Services Department or the Director's designee. The amendment to the Subdivision Ordinance would also delegate the authority to act on waivers to the design manuals to the Director or the Director's designee. Upon approval of the amendment to the Subdivision Ordinance by the City Council, a resolution will be submitted to the City Plan Commission to delegate the responsibility to the Director or Director's designee.

The City Plan Commission voted to recommend approval of this amendment to the Subdivision Ordinance at the September 9, 2020 City Plan Commission meeting.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that this change will have no material effect on City funds.

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