

**ORDINANCE NO. 297**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UHLAND AMENDING ORDINANCE 245, ARTICLE II, SECTION 2 APPLICATIONS IN GENERAL, TO ESTABLISH AN APPLICATION SUBMITTAL CALENDAR FOR SUBDIVISION PLAT AND PLAN APPLICATIONS AND UPDATES TO DETERMINATIONS OF COMPLETENESS OF APPLICATIONS AND OTHER MATTERS IN CONNECTION THEREWITH; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Uhlend (“City”) is a Texas General Law Municipality operating under the laws of the State of Texas; and

**WHEREAS**, the City is empowered by Chapter 212 of the Texas Local Government Code to establish rules governing plats and subdivisions of land within the City’s jurisdiction to promote the health, safety, morals, or general welfare of the City and the safe, orderly, and healthful development of the municipality; and

**WHEREAS**, the City Council has given appropriate and reasonable consideration to the amendments to the subdivision regulations, Ordinance 245, and found them most appropriate for the City; and

**WHEREAS**, the City Council finds that the amendments to Ordinance 245 as depicted in this Ordinance are compliant with the requisites of the state law, including Texas Local Government Code; and

**WHEREAS**, the City Council finds that the amendment of the subdivision regulations to establish an application submittal calendar for subdivision plat and plan applications and updates to the determinations of completeness of applications and other matters in connection therewith is necessary for the orderly development of this community and represents the best interest of all citizens of the City and promotes the aesthetics, health, safety, general welfare and convenience of the people.

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

**Section 1.** The foregoing recitals are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

**Section 2.** The City of Uhlend Ordinance 245, Article II, Section 2 *Applications in General* is hereby amended as set forth on **Exhibit A** attached hereto.

**Section 3.** If any provision of this Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of this Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

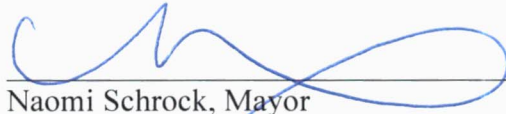
**Section 4.** This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 5.** That all rights and privileges of the City and applicants are expressly saved as to any and all pending submittals under the provisions of the current Ordinance 245, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued rights, review and processing shall continue using the ordinance in effect or being followed at the time of submittal.

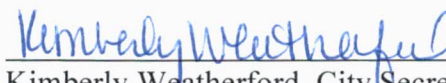
**Section 6.** It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**Section 7.** This Ordinance will take effect upon its adoption by the City Council and any publication as required by law.


**PASSED AND APPROVED THIS 8<sup>th</sup> DAY OF MARCH, 2023.**

  
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Naomi Schrock, Mayor  
City of Uhland, Texas

ATTEST:

  
\_\_\_\_\_  
Kimberly Weatherford, City Secretary  
City of Uhland, Texas

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney  
Denton, Navarro, Rocha, Bernal & Zech, P.C.

## Exhibit A

All text which is underlined denotes addition of new text. All text which is ~~denotes~~ removal of existing text. All other text is existing, unchanged text. Any existing text which has been omitted shall be considered unchanged. All text which is both between braces { } and *italicized*, is for document organization and reference only and is not intended to be adopted.

City of Umland Ordinance 245, Article II, Section 2 *Applications in General* is hereby amended as follows:

A. Uniform Application Date.

Plat and plan applications shall be submitted to the city on the uniform application dates listed in the Application Submittal Calendar approved by City Council.

B. Timeline.

The City Administrator or his/her designee will review submitted applications for completeness. Not later than the tenth (10th) business day after the date an application is submitted, the City Administrator or his/her designee shall make a written determination whether the application constitutes a complete application. This shall include a determination that all information and documents required by the City for the type of application being submitted. A determination that the application is incomplete shall be sent to the applicant within such time period by email to the address listed on the application or by United States mail at the address listed on the application with the date the application was submitted. The determination shall specify the documents or other information needed to complete the application. The City Administrator or his/her designee may, at their discretion, offer courtesy review of application completeness. The P&Z Commission shall approve, approve with conditions, or disapprove a complete plat or plan application within thirty (30) days of the date on which a complete application is deemed filed with the City. City Council shall approve, approve with conditions, or disapprove a complete plat or plan application within thirty (30) days after the date the plan or plat application is approved by the P&Z Commission. If either the P&Z Commission or City Council conditionally approves or disapproves a plat or plan application, the applicant may submit a written response to the respective authority satisfying each condition for the conditional approval or remedying each reason for disapproval. Responses shall be submitted on the uniform application date. If the applicant submits a written response the respective authority shall then approve or disapprove the previously conditionally approved or disapproved plan or plat application within fifteen (15) days of receipt of the applicant's written response. An applicant may request in writing to extend the original 30-day day timeline of either the P&Z Commission or the City Council for a period of no longer than 30 days.

E. Complete Application Required.

No application shall be accepted for processing unless it is accompanied by all documents, applicable fees and other materials as required by and prepared in accordance with this Ordinance and the requirements of Chapter 212 of the Texas Local Government Code. Applications which do not include all required information, fees and materials or in which such is not submitted in the proper format shall be considered incomplete, shall not be deemed filed with the City and shall be made available to the applicant for pick up at City Hall. All incomplete applications not picked up within 5 business days may be discarded at the discretion of the City Administrator or his/her designee.