

**Proposed UDC Amendments - Summary of Statutory/Regulatory Changes**

Page Number	Sections of the Current UDC	Statutory/Regulatory Change	Reason
4	Section 1.4 (2)	Corrected References to State Law Provisions.	Statutory
6	Section 1.9 (d)	Corrected Statutory Reference.	Statutory
8	Section 2.1 (2)	Amended the automatic void of a permit issued in error.	Legal Clarification
16	Section 3.2 (2) (a), Section 3.2 (2) (b)	Amended verbiage in favor of the use of the term "Public facilities".	Legislative Update: H.B. 3699
21 & 22	Section 3.4 (3) & 3.5 (3)	Amended Plat Filing Date to the date the applicant submits a completed application. Removed "plat" from the standard review period.	Legislative Update: H.B. 3699
26	Section 3.6 (3b),	Amendments to Annexation Applications	Legal Recommendation: References to LGC 43
40	Section 3.8 (1) (d)	Struck out reference to city controlling conveyance of property in the manner written.	Legal Recommendation
44	Section 3.8 (4) (b) (iv)	Fiscal Security for Final Plat application requirements.	Legislative Update: H.B. 3492
61 & 62	Section 4.2 (2)	Revised vested rights. Projects expire/dormant 5 years or later and Permits can expire 2 years or later.	Statutory: LGC Chapter 245
64	Section 4.4 (1)(c)	Rezoning - Zoning Map Change. Removed joint public hearing and replaced shall with may to holding said.	
64	Section 4.4 (1)(c)	Replaced may with shall relative to a public hearing.	P&Z Recommendation
64	Section 4.5	Removed reference of Future Land Use Map relative to outside city limits	Legal Recommendation: The City may not regulate land use outside its city limits.
65-67, 89-91	Section 4.6 (1), Table 5.1 and 5.2	Removed and amended all enforcement for Deeds and HOA restrictions throughout Section 4.6. Removed reference to "Restriction Committees" in Table 5.1 and Table 5.2.	Revised for compliance - city's cannot enforce deed restrictions and HOA rules
65-67	4.6 1(a&b)	For consistency insert the language used in c, d, e, and f relative to city not enforcing deed restrictions and HOA regulations	P&Z Recommendation
68	Section 4.9 (2)	Clean up of both sections in favor of objective criteria	Legal Recommendation

**Proposed UDC Amendments - Summary of Statutory/Regulatory Changes**

Page Number	Sections of the Current UDC	Statutory/Regulatory Change	Reason
72	Table 4.2 Footnote	Add definition for Mixed Uses Permitted	
72	Table 4.2 Footnote	Removed "any type" and clarified permitted "based on acreage in total"	P & Z Recommendation
83 - 85	Section 4.14 (2), (3), (4), and (5) Section 4.14 (5)	Incorporated revisions and additions to conform to S.B. 929 for Nonconforming Uses.	Legislative Update: S.B. 929.
90	Section 5.4 (4)	Flag Lots.	Update to clarify flag lots addressed through a variance process
90	Section 5.4 (4)	Further clarified flag lot exceptions.	P & Z Recommendation
91	Section 5.6	Dedication of land for future streets or alleys.	compliance with H.B. 3699
105	Sectuin 6.7 (10)	As ADA laws change periodically; removed all requirements and referenced Federal Statute.	P & Z Recommendation
129	Section 7.1	Design standards may be applicable to ETJ through agreement or development agreement.	Compliance with LGC Chapter 212.
129	Section 7.3 (b)	Removed verbiage to ensure all applications are considered under objective criteria.	Legal Recommendation
135 - 138	Section 7.5 (5)	Amended section to remove reference to specific exterior building materials.	Compliance - Governmental Code Chapter 3000
155 & 161-163	Section 8.3 (7) & 8.7	Removed language referencing HOA processes and procedures	City cannot enforce HOA rules
156	Section 8.4 (1)	Water Quality Protection - limited City Regulatinon to the ETJ	Legal Recommendation: LGC212.003
163	Section 8.8 (2)	Tree Removal: Added language for compliance with local government codes.	Legal Recommendation: Compliance with LGC 212.905.
167	Section 8.8 (9)	Removed the postponement of the Preliminary Plat process until the Denial of a Tree Plan process is determined.	Legal Reccomendation - LGC 212
169	Section 9.2 (5)	Required Improvements: Streets.	Compliance with H.B. 3699.
170 & 171	Section 9.2 (9)	Subdivision Maintenance Agreement subsection removed.	Legal Reccomendation

**Proposed UDC Amendments - Summary of Statutory/Regulatory Changes**

Page Number	Sections of the Current UDC	Statutory/Regulatory Change	Reason
171	Section 9.2 (10)	Added Development Manual(s) and Public Works Specification Manual(s) section.	Compliance with H.B. 3699.
173	Section (1)(g)	Struck out as City can regulate but no reference in law for approval	LGC Chapter 212
193 - 195	Section 9.6 (4) (f)	Removed OSSF subsections.	Legal Recommendation: County regulates OSSF
195	Section 9.6 (4) (g)	Removed Revocation of Permit subsection.	Legal Recommendation: City cannot compel the county to take action for compliance
222	Section 11.1 (2)	Removed "...and within the City's ETJ upon a City approved Development Agreement".	Legal Recommendation: Compliance with federal Law
223	Section 11.1 (2) (b)	Equipment Storage Buildings may be considered commercial and subject to LGC 3000.	Legal Recommendation: Compliance with LGC 3000
232	Section 12.1 (1)	Removed references to Deeds Restrictions.	Legal Recommendation
233-238	Section 12.1, 2 and 3	Removed as no reason to codify court processes	Legal Recommendation
239	Section 12.5 (2) (c)	Surety Requirements.	Compliance with H.B. 3492
239	Section 12.5 (2) (d)	Amended that the city may prohibit the connection to utilities until compliance with City Codes is met vs conveyance control.	Legal Recommendation
240	Section 12.5 (3) (a)	Bonds or Letters of Credit will be 20% of the value as determined by City Engineer or the actual cost.	Compliance with H.B. 3492 - LGC 906.
251	Section 13.2	Amended Fee Schedule to reflect Building Code Fees reauthorization period	Legislative Update: H.B. 1922