



**City Council Agenda
August 17, 2023**

Ordinance

Action Item

Agenda Description:

Discuss, consider, and possible action on an Ordinance amending the Joshua Subdivision Ordinance to be in full compliance and meet all House Bill No 3699 requirements. (Staff Resource: A. Holloway)

Background Information:

During the 88th Texas Legislature, Regular Session, HB 3699 was approved and signed by Governor Abbott. HB 3699 addressed multiple aspects of subdivision and platting regulations for municipalities. This ordinance amends the City of Joshua's current Subdivision Ordinance so the City will be in full compliance with the new legislation. The effective date of the new legislation is September 1.

Following is a short summary of HB 3699 as it relates to the City of Joshua:

- Any plat that is submitted to the City is deemed "filed" as of the date of submittal if it is accompanied by a completed plat application and appropriate application fees, as well as with any documentation that may otherwise be required by state law.
- The City will provide to the public a listing of requirements relating to the filing of plats, and state law allows for any city to have plat submittal dates—for example, plats will only be accepted on the 2nd and 4th Tuesdays, or similar time periods.
- Approval of plats can now be delegated to City staff—the proposed ordinance delegates approval or denial authority to the City Manager or designee in the event there is not sufficient time for the planning and zoning commission or city council to timely review a plat. If the City Manager or designee denies a plat, the applicant can appeal to the planning and zoning commission.
- If an applicant and City both agree, the 30-day time period for plats to be approved by the City can be extended for multiple 30-day periods, subject to council or planning and zoning commission review and approval.
- Cannot require dedication of land for roadways that are not intended by owner or are not on City's capital improvement plan

The draft ordinance will be placed on the Planning & Zoning agenda as an update once approved by City Council.

Financial Information:

NA

City Contact and Recommendations:

Alice Holloway, City Secretary

Terry Welch, City Attorney

Attachments:

1. Ordinance