

ORDINANCE NO. 2025-009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH AMENDING CITY OF WOLFFORTH CODE OF ORDINANCES BY AMENDING CHAPTER 10 SUBDIVISION REGULATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to allow for continuity of areas with approved preliminary plats, City staff has recommended allowing approved preliminary plats to be approved for a two-year period instead of for only one year; and

WHEREAS, the City Council believes it is in the best interest of the City to allow for two year approval periods for preliminary plats and to allow for administrative review of minor alterations; NOW THEREFORE

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

Part 1. Enacted.

THAT City of Wolfforth Code of Ordinances is hereby amended by Chapter 10 Subdivision Regulation, Article 10.04 Preliminary Plat, § 10.04.002. Procedures for plat renewal which shall read as follows:

**ARTICLE 10.04
PRELIMINARY PLAT**

§ 10.04.002. Procedures for plat renewal.

- (a) Preliminary plats, including portions of any preliminary plat not having been filed as a final plat, require renewal every two years (two years from approval date) to continue as an approved preliminary plat. Prior to the renewal deadline, the Developer shall submit a written request to the Director of Development Services to extend the Preliminary Plat application. Upon receiving the request, the Director of Development Services will notify the subdivider of the available renewal options.
- (b) *Minor Changes:* Review by the Director of Development Services may determine that existing conditions and the preliminary plat are minor, requiring no formal action by the City Council. Minor changes may include adjustment in street or alley alignments, lengths, and paving details, and adjustment of lot lines that do not result in the creation of additional lots and do not exceed the authorization for administrative adjustments in § 14.02.002(b)(4), provided that such changes are consistent with any approved prior applications. With such determination, the subdivider may choose to renew the preliminary plat or allow it to expire.

- (1) If the subdivider indicates a desire to renew the plat for another two years and pays the plat

- renewal fee, the plat shall continue under the original stated conditions or minor changes until the next review in two years.
- (2) If the subdivider chooses not to renew the plat or fails to submit a request to extend their application prior to the expiration date, the preliminary plat will expire.
 - (c) Should the Director of Development Services determine that conditions have changed to the extent that the preliminary plat requires revision, automatic renewal shall be denied.
 - (1) Notification of denial shall be sent to the subdivider specifying the following:
 - (A) Reasons why the plat renewal was denied.
 - (B) Valid previous conditions and additional recommendations for amendment or correction.
 - (C) The applicable fees, filing deadline, and meeting date of the City Council when the review shall occur should the applicant choose to renew the plat.
 - (2) If the subdivider chooses to renew the plat, review will follow the procedures set forth in section 10.04.001, including review by the City Council.
 - (3) If the subdivider chooses not to renew the plat, or does not respond to the notification by the Director of Development Services, the preliminary plat will expire.
 - (d) A nonrefundable application fee for automatic renewal of a plat or review of a plat that has been denied automatic renewal shall be set annually in the city's fee schedule. A fee for the administrative costs of processing the application shall be required with the application and shall be paid to the Director of Development Services at the time the application is submitted. If such fee is not received, the preliminary plat will expire.

Part 2. Severability.

If any section, sub-section, clause, phrase or portion of this Ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase or portion shall be deemed to be separate, distinct and independent provision and such invalidity shall not affect the validity of the remaining portion.

Part 3. Repeal.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Part 4. Open Meetings.

That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Part 5. Effective Date.

(unapproved draft)

This Ordinance shall take effect immediately upon its passage and adoption by the City Council.

PASSED AND APPROVED ON THIS THE 16TH DAY OF JUNE 2025.

Charles Addington, II, Mayor
City of Wolfforth, TX

ATTEST:

Terri Robinette, City Secretary