Ordinance No. 690

"Administrative Approval of Minor Plats and Replats for Waterfront Property"

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, AMENDING CHAPTER 32 (SUBDIVISIONS), OF THE CITY OF GRANITE SHOALS CODE OF ORDINANCES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council seeks to maintain the value of the City of Granite Shoals' ("City") scenic and natural resources, which are the keystones of the City's economic strength and quality of life through a comprehensive regulatory program that manages and guides land use and development within its City limits and extraterritorial jurisdiction ("ETJ"); and

WHEREAS, the City Council finds that unregulated development creates aesthetic and economic harm by cluttering corridors, devaluing properties and adversely affecting the naturally scenic views and native environment; and

WHEREAS, under the current ordinance, the City Manager's authority to administratively approve minor plats or replats as provided by section 212.0065 of the Texas Local Government Code excludes waterfront on Lake LBJ; and

WHEREAS, the City Council has determined that it will serve the public interest and increase efficiencies to provide the City Manager with the authority to administratively approve minor plats or replats for certain waterfront properties as provided by section 212.0065 of the Texas Local Government Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION II. AMENDMENT

Chapter 32 (Subdivisions), Section 32-10 (Definitions), of the City of Granite Shoals Code of Ordinances is hereby amended as follows:[1]

" *Minor plat* means a subdivision or replat resulting in four or fewer lots abutting an existing street, provided that: (1) the plat does not create any new streets or new easements or the extension of any municipal facilities to serve any lot within the subdivision; and (2) ~~the property does not include fill area; (3)~~ no city-owned water main crosses the property~~; or (4) the property does not include waterfront on Lake LBJ~~. Any property to be subdivided using a minor plat shall already be served by all required city utilities and services."

SECTION III. SAVINGS

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION IV. SEVERABILITY

Should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This ordinance shall not be construed to require or allow any act that is prohibited by any other ordinance.

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[1] *Editor's Note:* Changes to current city code are indicated by ~~strikethrough~~ (deleted language) or underlining (added language). The remainder of the text in this Section II consists of the city code as it is currently enacted in the Granite Shoals Code of Ordinances and is included to provide context only.

SECTION VI. EFFECTIVE DATE AND EXPIRATION DATE

This ordinance shall take effect immediately from and after its passage and publication as may be required by law and shall expire one year from the date of its passage.

SECTION VII. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at that this Ordinance was passed 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 Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this 12th day of April, 2016.

Carl Brugger
Mayor

ATTEST:

Elaine Simpson,
City Secretary

APPROVED AS TO FORM:

Brad Young,
City Attorney