

TOWN OF WESTLAKE, TEXAS

ORDINANCE NO. 1009

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS, DELEGATING TEMPORARY PLAT APPROVAL AUTHORITY AND EXTENSION APPROVAL AUTHORITY PURSUANT TO THE PROVISIONS IN CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED, AND CHAPTER 82 OF THE TOWN OF WESTLAKE CODE OF ORDINANCES, AS AMENDED, TO THE TOWN PLANNER; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Town of Westlake, Texas is a Texas general law municipality authorized to regulate the development of property within its territory, which includes the review and approval of plat applications as set forth in Chapter 212 of the Texas Local Government Code, as amended, and other law; and,

WHEREAS, the 88th Regular Session of the Texas Legislature enacted House Bill 3699 (codified in Chapter 212 of the Texas Local Government Code, as amended), grants municipalities the authority to delegate approval, approval with conditions, or disapproval of plat applications to designated officers or employees; and,

WHEREAS, Chapter 82 of the Town of Westlake, Texas Code of Ordinances, as amended, contains rules, regulations, and procedures for review and approval of plats; and,

WHEREAS, the Town Council of the Town of Westlake, Texas recognizes the benefits of streamlining administrative processes while maintaining prudent oversight of review and approval of plats; and,

WHEREAS, under the provisions of Chapter 212 of the Texas Local Government Code, as amended, the governing body of a municipality is authorized to extend the 30-day period for plat approval by up to 30 days, subject to specific conditions; and

WHEREAS, the Town Council of the Town of Westlake, Texas finds that the passage of this Ordinance is advantageous and beneficial to the Town of Westlake and in the interest of good governance.

NOW, THEREFORE, BE IT ORDAINED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS:

SECTION 1.

FINDINGS

The findings and recitations set out in the Preamble of this Ordinance are found to be true and correct and are hereby adopted by the Town Council of the Town of Westlake, Texas and made a part hereof for all purposes.

SECTION 2.

DELEGATION OF PLAT APPROVAL AUTHORITY

The Town Council of the Town of Westlake, Texas hereby temporarily delegates to the Town Planner the authority to approve, to approve with conditions, or to disapprove plats (as the term "Plat" is defined in Chapter 212 of the Texas Local Government Code, as amended) within its jurisdiction, in accordance with the provisions outlined therein and where such provisions are in conflict with those outlined in Chapter 82 of the Town of Westlake, Texas Code of Ordinances, as amended. The Town Planner shall exercise this authority consistent with all applicable laws, ordinances, and regulations, including Chapter 212 of the Texas Local Government Code, as amended, and Chapter 82 of the Town of Westlake, Texas Code of Ordinances, as amended.

SECTION 3.

EXTENSION OF PLAT APPROVAL PERIOD

The Town Council of the Town of Westlake, Texas further authorizes the Town Planner to approve requests for extensions of the 30-day period described by relevant subsections of Chapter 212 of the Texas Local Government Code, as amended, and Chapter 82 of the Town of Westlake, Texas Code of Ordinances, as amended, for one or more periods, each not to exceed 30 days, provided that the following conditions are met:

- a. The applicant submits a written request for an extension of the plat approval period to the municipal authority responsible for plat approval or the governing body of the municipality, as applicable.
- b. The Town Planner approves the extension request.

SECTION 4.

MEETING OPEN TO THE PUBLIC

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law and the public notice of the time, the place, and the purpose of said meeting was given as required.

SECTION 5.
SEVERABILITY

If any provision of this Ordinance, for any reason, is declared to be invalid by any court of competent jurisdiction, such invalidity shall not affect any of the remaining provisions hereof, and the Town Council of the Town of Westlake, Texas hereby determines that it would have adopted this Ordinance without the invalid provision.

SECTION 6.
EFFECTIVE DATE

This Ordinance shall be effective from and after its passage.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF WESTLAKE, TEXAS ON THIS 7TH DAY OF OCTOBER, 2024.

Kim Greaves, Mayor

ATTEST:

Dianna Buchanan, Town Secretary

APPROVED AS TO FORM:

L. Stanton Lowry, Town Attorney