



City Council Agenda Item Summary Report

Meeting Date: December 17, 2019			
Submitted by: P. Morgan			
Consent	Discussion Only	Public Hearing X	Action/Discussion
Item Title: Hold a public hearing and discuss and consider approval of an Ordinance amending the City of Forney Comprehensive Zoning Ordinance and Subdivision Ordinance by amending the procedures for land development applications.			
Attachments: Ordinance			

Item Summary:

Staff requests approval of an ordinance amending the City of Forney Subdivision Ordinance and the City of Forney Comprehensive Zoning Ordinance. The purpose of the request is to comply with House Bill 3167.

The Texas Legislature passed House Bill 3167 earlier this year. Governor Abbott signed the Bill on June 14, 2019, with an effective date of September 1, 2019. HB 3167 makes numerous changes to the site plan and subdivision platting approval process. The Texas House Land and Resource Management Committee Report states that concerns have been raised regarding the process for plat and land development application approval by political subdivisions. It has been suggested that some subdivisions circumvent statutory timelines for approving an application by simply denying the application with generic comments that do not fully address specific deficiencies with the application. HB 3167 seeks to provide greater certainty and clarity for the process by setting out provisions relating to county and municipal approval procedures for land development applications.

Although City of Forney procedures already comply with the new written law, this amending ordinance provides written clarification of the requirements for the Subdivision Ordinance and Zoning Ordinance. The primary change is to set a 30-day limit for certain applications to be considered by the Planning and Zoning Commission and then by City Council (within an additional 30 days). The amendment also specifies the procedures for plan review by staff.

Recommendation:

On December 2, 2019, the Planning and Zoning Commission unanimously recommended approval.