

ORDINANCE 08-02

AN ORDINANCE OF THE CITY OF TOLAR, TEXAS AMENDING CHAPTER 11, SUBDIVISION ORDINANCE OF THE CITY'S CODE OF ORDINANCES BY AMENDING SECTION 5 PROCESSING PROCEDURES (A) TO READ CONCEPT PLAN (MANDATORY) : AND SECTION 10 FILING FEES TO READ FEES AND CHARGES AND ADDING UTILITY CHARGES

WHEREAS, the City Council of the City of Tolar, Texas desires to amend Chapter 11, Subdivision Ordinance;

THEREFORE, be it ordained by the City Council of the City of Tolar that Chapter 11, Subdivision Ordinance Section 5 Processing Procedures (A) Concept Plan Section 6 General Requirements and Standards (L) be amended to wit:

Section 5 (A): Concept Plan (Mandatory)

The concept plan is mandatory as part of the subdivision approval process and is provided to allow a sub-divider the opportunity to discuss with the Planning and Zoning Commission conceptual ideas regarding potential tracts of land considered for development and to receive information that may be useful in the sub-dividers planning. The following criteria allow the Planning and Zoning Commission to have certain information available when related items are placed on the agenda and discussed.

(1) Required copies; Filing deadline:

The sub-divider may submit a concept plan of the entire area being subdivided. Ten (10) legible copies shall be submitted to the City Secretary for presentation to the Planning and Zoning Commission prior to the designated deadline for preparing agendas preceding the meeting at which consideration is requested. This date may be obtain by contacting the City Secretary.

(2) Minimum information required:

(a) Map including current property owner, and owners of adjacent tracts, out-boundary, topographical information (from USGS or other source), name of major streams and structures, and conceptual drainage and utilities features.

(b) Letter listing approximate number of utility connections, total acreage, estimated number of lots, special items, any variances that are expected to be requested, and questions that the sub-divider desires to have responses to.

(3) Scale

The concept plan shall be drawn to a scale sufficient to adequately show the detail required or a minimum of one inch equals one hundred feet (1"=100'), and shall or the accompanied by the information outlined herein.

(4) Planning and Zoning Commission to review with in forty five (45) days

The Planning and Zoning Commission shall review the concept plan within forty-five (45) days, act upon said plan as submitted or as modified, and express its general concurrence as "taking no exception", state the conditions of such concurrence, if any, or if not in concurrence, shall express its disapproval as "exception taken", and the exceptions and reasons therefore. At the meeting during which the concept plans comes up for review, the party submitting such plan shall appear in person or by agent and shall be prepared to make a presentation to the Planning and Zoning Commission.

(5) Planning and Zoning Commission to note its action

The Planning and Zoning Commission shall note its action and conditions or exceptions, if any, on three (3) copies of the concept plan.

(6) Distribution of Concept Plan

Of the three (3) copied, one (1) shall be returned to the sub-divider, one (1) shall be filed with the City Secretary, and one (1) shall be retained by the Planning and Zoning Commission.

(7) Authority to proceed

Taking no exceptions to the concept plan does not constitute acceptance of the subdivision, nor do the exceptions taken or condition represent all such current or future items. The concept plan is a mechanism for the early discovery of historical or obvious problems without the expenditure of large amounts of money on professional services. Any work done on the subdivision before the final plat is accepted and recorded is done at the risk of the sub-divider. If any major exceptions resulting in significant changes are required by the Planning and Zoning Commission, the commission will review the submission of a revised concept plan. The sub-divider is required to submit a revised concept plan.

(8) Second Concept Plan to Planning and Zoning Commission Option

The sub-divider may ask that the Planning and Zoning Commission not send the concept plan to the City Council with their recommendations and may return directly to the Planning and Zoning Commission with a second revised concept plan for their review and recommendations to the City Council.

Section 10: Fees and Charges

The following schedule of fees and charges shall be paid by into the general funds of the City of Tolar when any map or plat is tendered to the planning department, and each of the fees and charges provided herein shall be paid in advance, and no action of the City Planning and Zoning Commission or any other board or any agency shall be valid until the fees have been paid.

Concept Plan

Subdivision of more than two lots: Fifty dollars (\$50.00) for two per year. Thereafter seventy-five dollars (\$75.00) each.

Subdivision of two or less lots: Twenty-five dollars (\$25.00) for two per year. Thereafter fifty dollars (\$50.00) each.

Preliminary Plat

Subdivision of more than two lots: First submittal: One hundred fifty dollars (\$150.00) plus ten (\$10.00) per acre or part of an acre.

Subdivisions of two or less lots: First submittal: Fifty dollars (\$50.00) plus five dollars (\$5.00) per acre or part of an acre.

Final Plat

Same fees as preliminary plat noted above

All Resubmittals

No charge for the first resubmittal.

Second resubmittal: one-half the cost of the original submittal.

Third and each resubmittal thereafter shall cost one-half the cost of the second resubmittal.

Utility Charges

Water and sewer tap fees: If the city installs the taps the sub-divider will be charged a fee of:
Water Tap: \$1200.00 per tap
Sewer Tap: \$1200.00 per tap

If the sub-divider installs taps, the \$1200.00 fee per tap will not be required. The city will be responsible for setting the meter only, the sub-divider will be charged a meter set fee of \$100.00 per meter. Taps installed by the sub-divider must be inspected by the city

before they can be covered. Inspection fees are not included in the tap fees or meter set fee.

This ordinance shall be effective immediately upon passage and publication.

PASSED, APPROVED AND ADOPTED this 21st day of July 2008 by the City Council of the City of Tolar, Texas in a regular meeting, a quorum being present, by a vote of ____ in favor and ____ in opposition to its passage.

Terry Johnson, Mayor

ATTEST:

Joyce Johnson, City Secretary