

TOWN OF HORIZON CITY

ORDINANCE NO. 035, AMENDMENT NO.

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE TOWN OF HORIZON CITY, TEXAS, CHAPTER 10 (SUBDIVISION REGULATIONS), EXHIBIT 10A (SUBDIVISION ORDINANCE), TO REVISE AND AMEND THE FOLLOWING: SECTION 2 (MINIMUM STANDARDS), SUBSECTION 2.8 (PARKLAND DEDICATION AND FEES IN LIEU), SUBSECTION 2.8.3 (CALCULATING ACREAGE AND FEES FOR DEDICATED PARKLAND) TO ADD DENSITY CALCULATION AND PRIVATE PARKLAND TO SATISFY PART OF THE PARKLAND DEDICATION REQUIREMENTS, AND TO ADD DENSITY, INCREASE REFERENCE AND REQUIREMENTS TO CHAPTER 14 (ZONING), SECTION 405 (BULK REGULATIONS) AND TO REVISE LETTER SEQUENCE A. TO E. AND ADD F. AND G; SECTION 4 (SUBDIVISION APPLICATION PROCEDURE AND APPROVAL PROCESS), SUBSECTION 4.1 (REQUIREMENTS AND APPROVAL PROCESS) TO AMEND CLASSIFICATION OF SUBDIVISIONS AND REVISE PLATTING REQUIREMENTS AND ADD STATE AND CITY REQUIREMENTS; SUB SECTIONS 4.2 (PRELIMINARY PLAT REQUIREMENTS) TO ADD PRELIMINARY AMENDING AND MINOR PLAT REQUIREMENTS AND 4.3 (FINAL PLAT REQUIREMENTS) TO ADD FINAL AMENDING AND MINOR PLAT REQUIREMENTS AND TO AMEND SUBSECTIONS 4.2 TO 4.3 TO FOLLOW NUMBER SEQUENCE THROUGHOUT THIS CHAPTER, SUBSECTION 4.14 (APPROVAL AUTHORITY) TO ADD APPROVAL OF AMENDING AND MINOR PLATS AND APPEAL PROCESS AND TO ADD APPROPRIATE APPLICATION FEES AND ENGINEERING FEES TO THE CITY'S AMENDED FEE SCHEDULE; PROPER NOTICE AND HEARING; AND EFFECTIVE DATE; THE PENALTY BEING AS PROVIDED IN SECTION 810 OF THE CODE OF ORDINANCES OF THE TOWN OF HORIZON CITY, TEXAS, CREATING A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$2,000.

WHEREAS, a proposal was brought forward by City Council and considered by the Town of Horizon City Planning and Zoning Commission to amend portions of Subdivision Ordinance No. 035 relating to adding Minor and Amending Plat Procedure, Requirements, Approval and Appeal Process, Density Calculation, Density Increase Reference to Chapter 10 Zoning Ordinance and Private Parkland ; and

WHEREAS, the Planning and Zoning Commission considered City Council's proposals at its regular meetings and voted to recommend approval of the change to the ordinance; and

WHEREAS, the City Council of the Town of Horizon City ("Town Council") seeks to promote safe, orderly and consistent subdivision and development of real property;

WHEREAS, public hearings have been held by the Town Council as required by law; and

WHEREAS, all written and oral protests (if any) submitted against the proposed ordinance change have been reviewed and considered; and

WHEREAS, pursuant to Texas Local Government Code section 51.001, the town has general authority to adopt an ordinance that is for the good government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace, and order and that our physical environment has a direct impact on the chances for happy, prosperous lives for the residents of the Town of Horizon City to adopt this Ordinance and technical code; and

WHEREAS, the Texas Local Government Code Section 212.002 allows for the governing body of a municipality to adopt rules governing plats and subdivisions of land within the municipality's jurisdiction to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality; and

WHEREAS, the intent of the amendment is to provide an expeditious means of making minor revisions to a recorded plat and simplify divisions of land under certain conditions outlined and consistent with provisions of state law and City Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:

I. ENACTMENT OF AMENDMENTS

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code, the City Council of the Town of Horizon City hereby enacts and adopts this amendment **no.** to Ordinance no. **035**, which regulates subdivisions within the territorial limits of the Town of Horizon City and related matters, to amend Chapter 10 Subdivision Regulations, Sections 2 and 4 as follows:

Section 2 Minimum Standards

Subsection 2.8 Parkland Dedication and Fees in Lieu

Subsection 2.8.3 Calculating Acreage and Fees for Dedicated Parkland.

Add Density Calculation and Private Parkland to Satisfy Part of the Parkland Dedication Requirements.

2.8.3 Calculating Acreage, Density and Fees for Dedicated and Private Parkland.

A. When the subdivision application requires dedication of parkland and/or fees, the subdivider may use private parkland to satisfy half of the required parkland dedication, or the City has approved the payment of cash in lieu of the dedication of parkland, such payment shall be calculated in the following manner, which may be amended by the Council from time to time:

Single-Family and Mobile Homes in Single Subdivision:	
1–149 Units	\$400.00 per unit
150–224 units	1 acre plus \$400.00 per unit over 150 units
225–299 units	1-1/2 acres plus \$400.00 per unit over 225
300 units and up	2 acres plus \$400.00 per unit over 300 unit
Multifamily in Single Subdivision:	
1–249 units	\$240.00 per unit
*For 250 units and up, 1 acre plus \$240.00 per unit over 250 units, plus an additional 1/2 acre for each additional 75 unit plus \$240.00 per unit above the 75-unit increment will be required.	
<u>*For private parkland ½ acre credit will be applied for each acre of required parkland dedication requirement, this does not apply to park fees.</u>	

Section 2 Minimum Standards

Subsection 2.8 Parkland Dedication and Fees in Lieu

Subsection 2.8.3 Calculating Acreage Density and Fees for Dedicated Parkland

To Add C. Density Calculation and Requirements and

To Add Density, Increase Reference to Chapter 14 Zoning , Section 405 (Bulk Regulations)

C. Density Calculation and Requirements. Density for single-family, multi-family and mixed-use subdivisions shall be calculated at the maximum density allowed unless otherwise specified by the subdivider through covenants restricting density to less than maximum density.

Maximum density is the gross number of units calculated based on the maximum number of lots permitted by the zoning district pursuant to the zone district bulk standards less parkland, storm water drainage ponding and right-of-way required. Applicants shall provide covenants restricting the subdivision to the maximum density or less than maximum density calculated if so desired.

Should the property owner increase density through a rezoning as referenced in Chapter 14 Zoning, Section 405 (Bulk Regulations), Subsection 405.6 (Density Increase Through Change of Use or Rezoning) other proposed increase in density, replat or vacation of a right-of-way or other means, the applicant shall submit a request for covenant amendment to Horizon City for review and final action. Property owners may not increase density unless they have an approved

increase in density through amended covenants and have provided the appropriate parkland fees and dedication when applicable. After parkland fees have been calculated, a subdivision, not otherwise classified as a residential subdivision, that changes the use to include dwelling units or increases the density of dwelling units within the subdivision, shall trigger a recalculation of parkland fees or parkland dedication under Chapter 10 Subdivision Regulations. If additional fees are due or if the recalculation requires parkland to be dedicated, then such fees shall be paid, or dedication provided, prior to the issuance of any building permit.

Section 2 Minimum Standards

Subsection 2.8 Parkland Dedication and Fees in Lieu

2.8.5 Fees, Land, Private Parkland or Improvements In Lieu of Dedication of Parkland

To Add Private Parkland and Requirements to Satisfy Part of the Parkland Dedication Requirements

E. Private Park facilities to satisfy required parkland dedication. Single-family, duplex, or multi-family development where parkland dedication is required may be satisfied using private parkland by following the requirements below:

1. Park facilities shall be owned and maintained by residents of the dwelling units or by the owner of the rental facility.
2. The private ownership and required maintenance of such park facilities shall be memorialized through recorded agreement, conveyance, or deed restrictions.
3. Private parkland facility use shall be restricted strictly for park and recreational use by recorded covenant running with the land favoring future owners of such property and cannot be amended or removed without review and approval by the city council.
4. Private parkland facilities seeking credit shall receive credit only if such facilities meet all minimum parkland dedication and standards.
5. No credit shall be given for recreational facilities other than the land upon which those facilities are located.
6. A minimum of 1 acre of Functional Park Area. Functional Park Area may include parks, child play areas, multi-purpose courts, and similar facilities. Swimming pools, community, recreational or exercise buildings, and similar facilities shall not be eligible for credit.

F. Private Parkland Credit Calculation.

1. One acre of private parkland shall count as credit for one-half acre of the required parkland dedication. The parkland requirement may be satisfied in its entirety by

providing private parkland which meets the criteria in this section.

2. If the required parkland dedication cannot be completely satisfied by providing private parkland, any remaining requirement can be satisfied as follows:

- a. Through the dedication of public parkland.
- b. Review and approval by City Council: Through improvements to existing parkland located in the same area, provided that a developer participation agreement is entered into and complies with the provisions of the state statute that governs developer participation agreements.
- c. Review and approval by City Council: Payment of fees.

3. See Section 2.8.3 Calculating Acreage, Density and Fees for Dedicated and Private Parkland.

E. G.

Section 4 Subdivision Application Procedure and Approval Process

Subsection 4.1 Classification of Subdivisions

To revise the classification of subdivisions as follows:

Whenever any subdivision of land classified as (Amending, Minor, Preliminary, Final, Combination Preliminary & Final, Replat (Resubdivision) or Vacating Subdivision) is proposed or determined to be required, and before any contract is made for the sale or development of any part thereof; and prior to the issuance of any no building or grading permits shall be issued until the subdivider ~~shall apply~~ applies for and secures approval of such proposed or required subdivision consistent with the provisions of state law and the following procedure, except where a Land Development Exemption Determination is granted.

Subsection 4.2 Amending Plat Requirements

To add Amending Plat and requirements:

Subsection 4.2.1 Amending Plat Standards in ETJ

To add Amending Plat Standards in ETJ

Standards for preparation of amending plats submitted to the City Engineer for proposed subdivisions located within Horizon City's extraterritorial jurisdiction (ETJ) of the City of five (5) miles or other cities ETJ's shall be to standards proposed in that municipality's subdivision ordinance. Where no conflicts exist with these standards, the plat standards proposed below will be required as a minimum.

Subsection 4.2.2 Amending Plat Standards

To add Amending Plat Standards

- a. **Purpose of Amending Plat** - applies to changes of a previously recorded plats except for recorded covenants, the creation of new lots, dissolving of existing lots or the dedication of any required improvements or vacation, relocation or addition of easements. Amending plat allows for corrections to errors in bearings and distance, real property descriptions, clerical or scrivener errors, removal of restrictions, lot line adjustments so long as all affected property owners are part of the application, changes do not affect zoning and other state or municipal regulations. Final action on amending plats shall be the responsibility of the Planning Director or designee.
- b. **General Requirements** for preparation of preliminary amending plats for existing subdivision within the City Municipal limits or within the five (5) mile ETJ of the City shall be drawn to a scale of one hundred feet to one inch (100' = 1"); except that a scale of two hundred feet to one inch (200' = 1") may be used if the preliminary is over one hundred acres by express permission of the City Engineer. The maximum sheet size accepted shall be 24" x 36" (Note: the maximum final amending plat size for recording is 24" x 36" and the minimum final plat size for recording shall be 18" x 24"). The following are additional requirements for preliminary plats located in the ETJ:
1. A digital copy of the amending plat shall be uploaded through the customer portal if using the online submission application or submit a PDF format on CD or flash drive for an in-person application.
 2. The date, scale and north point, a key plan showing the location of the subdivision, the name and address of the owner, and the name of the engineer and/or surveyor.
 3. Add amending to the existing subdivision name and call out existing and proposed changes.
 4. The legal description of the property proposed to be amended including name of the County, survey and together with reference to the nearest section corner or an original corner of the original survey of which it is a part and/or survey tie at the nearest right-of-way or existing monument. The total acreage of the subdivision shall be placed at the bottom of the legal description in a proper manner.
 5. Location of existing boundary lines and width and location of platted streets, alleys within or adjacent to the subject property, including location of watercourses, ravines, existing bridges, culverts, present structures and other features pertinent to subdivision, and location of any existing utilities with the size of sewer or water mains if they exist within the area. The total acreage of each lot is to be indicated below the lot number.
 6. Current topographic information approximately equivalent to two (2) feet contours on land less than 5% gradient and five (5) feet contours on land more

than 5% gradient. Local U.S.G.S. datum shall be referenced. Topography shall be based on aerial photogrammetry, on field surveys conducted by the surveyor or engineer or on reliable existing topography. If the latter, the date [data] source shall be noted on the plan. Such topographical information, location and dimensions shall be of sufficient accuracy as to permit the planning of drainage facilities, streets and other proposed improvements. Developed stormwater shall be addressed in the drainage study.

7. Include the names, locations, width and dimensions of existing streets, roads, lots, alleys and of drainage and public utility easements, parks or other public spaces, sites for all public uses and other features, and their relation to streets in adjacent subdivisions, including lot lines on the plat. A location map of a smaller scale as requested by the City Engineer shall be placed on the preliminary plat showing the outline and identification of the adjacent properties, location of subdivisions and how the streets or highways in the subdivision offered for record may connect with those in the nearest subdivision or other roads in the area. The location map should be oriented with the drawing and in the same direction as the detail subdivision drawing.
8. The location of the boundaries of the Flood Hazard Area for the regulatory (100-Year) flood for all waterways in accordance with the requirements of El Paso County Floodplain Regulations (See El Paso County Manual “Guidelines and Procedures for Development Permits”) and the drainage requirements of this specification. Clarification of these boundaries (if any) by a professional engineer or registered surveyor is required.
9. Certification from utility and/or service agencies indicating their confirmation of the location and extent of existing utility easements. Said certification will also state whether services will be available sufficient to serve the subdivision. If certifications are not submitted with the amending plats showing all proposed easements, the City may forward plats and a comment sheet to these agencies requesting utility service information and easement location comments and will charge a fee to cover the cost.
10. A general summary description of any deed restrictions proposed indicating the lots so restricted and all pertinent documents pertaining to the creation of a property owners’ association responsible for maintenance obligations, if such private ownership is to be established.
11. Include all existing street names and proposed street name change if applicable.

c. General Requirements for Final Amending Plat

1. The date, subdivision title, scale, location map and north point.

2. The name of the subdivision and adjoining subdivisions, the name of the streets (to conform wherever possible to existing street names whenever extending streets, but not to create new streets with duplicated names), numbers on each lots and blocks, and street addresses (provided by the City Engineer).
3. The lines and names of all proposed streets or other ways or such easements, including a statement of the purpose for which such easements are dedicated. The lines and names of other open spaces to be dedicated for public use or granted for use by the inhabitants of the subdivision. Show all natural drains and watercourses as they exist, or as adjusted, with an easement of width as required hereafter in these specifications. All easements of record shall be shown, or if incapable of being definitely located on the ground, a statement of such easements must appear on the plat.
4. Sufficient data to determine readily and reproduce on the ground the location, true bearing and length of every street line, lot line, block line, whether curved or straight and include the true north point. This shall include the complete curve data for property lines, centerlines of the rights-of-way and returns.
5. The location of all permanent monuments and control points. The monuments and pins shall be delineated in a standard manner with:
 - (a) found or set monuments shown as a solid circle;
 - (b) to-be-set monuments as an open circle with a solid small circle in the center;
 - (c) to-be-set pins as an open circle to indicate return radii, change of bearing and block corners;
 - (d) square footage of each lot to be placed under lot number.
6. Dimensions shall be shown in feet and hundredths of a foot, and angles in degrees, minutes and seconds. All lines and ties to primary control points and existing monuments, survey corners, etc., shall be shown.
7. The location of the boundaries of the Flood Zone Area for the regulatory flood (100-Year Flood) for all waterways in accordance with the requirements of the El Paso County Floodplain Regulations and drainage requirements of these Regulations. These boundaries shall be established by a professional engineer or registered surveyor of the State of Texas, whose seal and signature shall appear on the plan. (Should the subdivider elect to contain the Flood Hazard Area within a drainage easement, the actual boundaries of the Flood Hazard Area, need not be shown provided that the Engineer certifies that the actual Flood Hazard Area boundaries are contained within the drainage easement.)
8. If finished floor elevations for buildings in the lots, a portion or all of which lots lie in Flood Hazard Areas, are noted on the plat within the boundaries of the lot or tract to which they apply, then minimum development permit fees are applicable for buildings constructed on these lots. Elevation verification will still

be required. The floor elevations shall be determined by the engineer or surveyor and shall comply with the requirements of the El Paso County Floodplain Regulations and the drainage requirements of these Regulations.

9. One or more benchmarks shall be monumented in subdivisions which contain or bound flood hazard areas. The distance between benchmarks in a subdivision shall not exceed 2500 feet.

Subsection 4.3 Minor Plat Requirements

To add Minor Plat and requirements:

Subsection 4.3.1 Minor Plat Standards in ETJ

Standards for preparation of minor plats submitted to the City Engineer for proposed subdivisions located within Horizon City's extraterritorial jurisdiction (ETJ) of the City of five (5) miles or other cities ETJ's shall be to standards proposed in that municipality's subdivision ordinance. Where no conflicts exist with these standards, the plat standards proposed below will be required as a minimum.

- a. Purpose of Minor Plat** - applies to minor or replats involving four or fewer lots fronting on an existing street and not requiring the creation or dedication of any new street or the extension or dedication of municipal facilities and parks. Final approval of minor plats is the responsibility of the Planning Director or Designee.
- b. General Requirements for preparation of preliminary minor plats within the City Municipal limits or within the five (5) mile ETJ of the City** shall be drawn to a scale of one hundred feet to one inch (100' = 1"); except that a scale of two hundred feet to one inch (200' = 1") may be used if the preliminary is over one hundred acres by express permission of the City Engineer. The maximum sheet size accepted shall be **24" x 36"** (Note: the maximum final amending plat size for recording is 24" x 36" and the minimum final plat size for recording shall be 18" x 24"). The following are additional requirements for preliminary plats located in the ETJ:

 1. A digital copy of the amending plat shall be uploaded through the customer portal if using the online submission application or submit a PDF format on CD or flash drive for an in-person application.
 2. The date, scale and north point, a key plan showing the location of the subdivision, the name and address of the owner, and the name of the engineer and/or surveyor.
 3. Add amending to the existing subdivision name and call out existing and proposed changes.

4. The legal description of the property proposed to be amended including name of the County, survey and together with reference to the nearest section corner or an original corner of the original survey of which it is a part and/or survey tie at the nearest right-of-way or existing monument. The total acreage of the subdivision shall be placed at the bottom of the legal description in a proper manner.
5. Location of existing boundary lines and width and location of platted streets, alleys within or adjacent to the subject property, including location of watercourses, ravines, existing bridges, culverts, present structures and other features pertinent to subdivision, and location of any existing utilities with the size of sewer or water mains if they exist within the area. The total acreage of each lot is to be indicated below the lot number.
6. Current topographic information approximately equivalent to two (2) feet contours on land less than 5% gradient and five (5) feet contours on land more than 5% gradient. Local U.S.G.S. datum shall be referenced. Topography shall be based on aerial photogrammetry, on field surveys conducted by the surveyor or engineer or on reliable existing topography. If the latter, the date [data] source shall be noted on the plan. Such topographical information, location and dimensions shall be of sufficient accuracy as to permit the planning of drainage facilities, streets and other proposed improvements. Developed stormwater shall be addressed in the drainage study.
7. Include the names, locations, width and dimensions of existing streets, roads, lots, alleys and of drainage and public utility easements, parks or other public spaces, sites for all public uses and other features, and their relation to streets in adjacent subdivisions, including lot lines on the plat. A location map of a smaller scale as requested by the City Engineer shall be placed on the preliminary plat showing the outline and identification of the adjacent properties, location of subdivisions and how the streets or highways in the subdivision offered for record may connect with those in the nearest subdivision or other roads in the area. The location map should be oriented with the drawing and in the same direction as the detail subdivision drawing.
8. The location of the boundaries of the Flood Hazard Area for the regulatory (100-Year) flood for all waterways in accordance with the requirements of El Paso County Floodplain Regulations (See El Paso County Manual "Guidelines and Procedures for Development Permits") and the drainage requirements of this specification. Clarification

of these boundaries (if any) by a professional engineer or registered surveyor is required.
9. Certification from utility and/or service agencies indicating their confirmation of the location and extent of existing utility easements. Said certification will also

state whether services will be available sufficient to serve the subdivision. If certifications are not submitted with the amending plats showing all proposed easements, the City may forward plats and a comment sheet to these agencies requesting utility service information and easement location comments and will charge a fee to cover the cost.

10. A general summary description of any deed restrictions proposed indicating the lots so restricted and all pertinent documents pertaining to the creation of a property owners' association responsible for maintenance obligations, if such private ownership is to be established.

11. Include all existing street names.

c. General Requirements for Final Minor Plat

1. The date, subdivision title, scale, location map and north point.
2. The name of the subdivision and adjoining subdivisions, the name of the streets (to conform wherever possible to existing street names whenever extending streets, but not to create new streets with duplicated names), numbers on each lots and blocks, and street addresses (provided by the City Engineer).
3. The lines and names of all proposed streets or other ways or such easements, including a statement of the purpose for which such easements are dedicated. The lines and names of other open spaces to be dedicated for public use or granted for use by the inhabitants of the subdivision. Show all natural drains and watercourses as they exist, or as adjusted, with an easement of width as required hereafter in these specifications. All easements of record shall be shown, or if incapable of being definitely located on the ground, a statement of such easements must appear on the plat.
4. Sufficient data to determine readily and reproduce on the ground the location, true bearing and length of every street line, lot line, block line, whether curved or straight and include the true north point. This shall include the complete curve data for property lines, centerlines of the rights-of-way and returns.
5. The location of all permanent monuments and control points. The monuments and pins shall be delineated in a standard manner with:
 - (a) found or set monuments shown as a solid circle;
 - (b) to-be-set monuments as an open circle with a solid small circle in the center;
 - (c) to-be-set pins as an open circle to indicate return radii, change of bearing and block corners;
 - (d) square footage of each lot to be placed under lot number.

6. Dimensions shall be shown in feet and hundredths of a foot, and angles in degrees, minutes and seconds. All lines and ties to primary control points and existing monuments, survey corners, etc., shall be shown.

7. The location of the boundaries of the Flood Zone Area for the regulatory flood (100-Year Flood) for all waterways in accordance with the requirements of the El Paso County Floodplain Regulations and drainage requirements of these Regulations. These boundaries shall be established by a professional engineer or registered surveyor of the State of Texas, whose seal and signature shall appear on the plan. (Should the subdivider elect to contain the Flood Hazard Area within a drainage easement, the actual boundaries of the Flood Hazard Area, need not be shown provided that the Engineer certifies that the actual Flood Hazard Area boundaries are contained within the drainage easement.)

8. If finished floor elevations for buildings in the lots, a portion or all of which lots lie in Flood Hazard Areas, are noted on the plat within the boundaries of the lot or tract to which they apply, then minimum development permit fees are applicable for buildings constructed on these lots. Elevation verification will still be required. The floor elevations shall be determined by the engineer or surveyor and shall comply with the requirements of the El Paso County Floodplain Regulations and the drainage requirements of these Regulations.

9. One or more benchmarks shall be monumented in subdivisions which contain or bound flood hazard areas. The distance between benchmarks in a subdivision shall not exceed 2500 feet.

Section 4 (Subdivision Application Procedure and Approval Process)

Sub Section 4.14 Approval Authority

To add the Planning Director or designee as the administrative approver of Amending and Minor Plats and add appeal process.

4.14.4 The Planning Director shall administratively approve amending and minor plats which have met all requirements of these regulations and shall have the authority to sign recording amending and minor plats, pursuant to Texas Local Government Code §212.0065 Delegation of Approval Responsibility.

4.14.5 Within ten business days of denial of an amending or minor plat, the Planning Director or designee, shall prepare an action letter indicating the reasons for the denial and shall provide a copy to the applicant. The Planning Director or designee's decision is final unless within ten calendar days from the date of receiving such action letter, the applicant submits an appeal application to the Board of Adjustment specifying reasons for the appeal. Said appeal shall also include a written rebuttal to the Board of Adjustment.

To add appropriate Minor and Amending Plat application and Engineering Review Fees to the City Fee Schedule.

1. Application fee \$150.00
2. Non-Refundable Engineering Review Deposit \$500.00.
3. Follow up Engineering reviews past deposit fees not covered by deposit as applicable.
4. Newspaper Advertisement publishing fees if applicable

II. FINDINGS OF FACT

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

III. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

IV. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections, or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

V. PROPER NOTICE AND MEETING

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code and the Charter of the Town of Horizon City, Texas.

PASSED AND APPROVED this the ____ day of _____, 2024, by a vote of ____ (eyes) to ____ (nays) to ____ (abstentions) of the City Council of Horizon City, Texas.

Town of Horizon City

By: _____
Adres Renteria, Mayor

ATTEST:

By: _____
Elvia Schuller, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Sylvia Borunda Firth
Assistant City Attorney

Michelle Garcia
Planning Director