

## ORDINANCE NO. O-3-20

AN ORDINANCE OF THE CITY OF MCGREGOR, TEXAS AMENDING CHAPTER 52 - SUBDIVISIONS TO THE CODE OF ORDINANCES RELATIVE TO SECTION 52-1 DEFINITIONS, SECTION 52-5(a) PLAT AND APPROVAL OF COUNCIL REQUIRED, ADDING SECTION 52-5(b) PLAT AND APPROVAL OF COUNCIL REQUIRED, SECTION 52-8 UTILITY SERVICE AFTER APPROVAL, ADDING SECTION 52-9 EXEMPTIONS TO PLATS, ADDING SECTION 52-42 MINOR PLAT IS ADDED, ADDING SECTION 52-43 REPLAT WITHOUT VACATION PROCEDURES, ADDING SECTION 52-44 AMENDING PLAT, ADDING SECTION 52-45 VACATING PLAT, ADDING SECTION 52-46 – APPLICATION COMPLETENESS AND EXPIRATION DETERMINATION, ADDING SECTION 52-47 OFFICIAL APPLICATION DATE, ADDING SECTION 52-48 - PRE-APPLICATION CONFERENCE, RENUMBERING AS NEEDED AND CORRECTING CLERICAL ERRORS.; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of McGregor, Texas is a Home Rule City; and

WHEREAS, the City Council of the City of McGregor desires to revise and amend the Subdivision

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCGREGOR, MCLENNAN COUNTY, TEXAS, AS FOLLOWS:

**SECTION 1.** All the above premises are hereby found to be true and correct legislative findings of the City and are hereby approved and incorporated herein into the body of this Ordinance as if copied in their entirety.

**SECTION 2.** Section 52-1 - Definitions is amended to add the following definition:

*Plat, Amending* means a plat with minor changes to a recorded subdivision as itemized in Section 52.44 Amending Plat and as defined and authorized by the Texas Local Government Code, Section 212.016 as amended.

*Plat, Minor* means a plat dividing land into no more than four (4) lots that meets the submission and approval requirements of Section 52.42 Minor Plat of these Regulations. Such plat is considered the final plat submitted under state statute and is subject to the 30-day approval limitation.

*Plat, Recorded* means a plat that has received all approvals required by these Regulations and has been filed with the County Clerk of the County of McLennan. Recording of a plat creates buildable lots with legal descriptions and dedicates rights-of-ways and easements to the use of the public.

*Plat, Vacated* means a subdivision that is vacated through the procedures described in these Regulations and is made legally void.

*Plat, Preliminary* means a plat that illustrates and thereby assures the general layout of a proposed subdivision, the adequacy of public facilities needed to serve the proposed subdivision, and the overall compliance of the applicable requirements of this Section and that is reviewed and decided prior to approval of a Final Plat. This type of plat is authorized under Section 52-35 Preliminary Plats of these Regulations.

*Replat* means to resub divide all or any part of a recorded subdivision, that is beyond the definition of an amending subdivision and which does not require the vacation of the entire preceding plat. The term "replat" includes changes to a recorded Plat, restriction or covenant, whether the change is affected by vacating the recorded Plat and approval of a new Plat application, replatting without vacation, or approving an amended Plat.

**SECTION 3.** Section 52-5 (a) - Plat and Approval of Council required is amended to read as follows:

- a) In accordance with Section 212.004 of the Texas Local Government Code, the owner of a tract of land located within the limits or in the extraterritorial jurisdiction of a municipality who divides the

tract in two or more parts to lay out a subdivision of the tract, including an addition to a municipality, to lay out suburban, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts must have a plat of the subdivision prepared. A division of a tract subject to this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method and must have a plat of the subdivision prepared in accordance with this ordinance. A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has public access and no public improvement is being required, utilized or dedicated.

**SECTION 4.** Section 52-5 (b) is hereby added to this Section as follows:

- b) Before any plan, plat, or replat of a subdivision or addition of land inside the city or within one-half mile of the city limits shall be recorded with the county clerk, it shall be first approved by the city council in conformance with the provisions of this chapter. The city council may request the advice and assistance of the city planning and zoning commission. The approval of a minor plat, amending plat or vacation plat is delegated to and may be approved administratively by the City Manager or their designee without City Council approval in accordance with this ordinance and the Texas Local Government Code Section 212.0065 as amended.

**SECTION 5.** Section 52-8 - Utility Service after approval is amended to read as follows:

Unless and until any plans, plats, minor plats, amending plats or replats, and specifications, shall have been first approved in the manner and by the authorities provided for in this chapter, it shall be unlawful within the area covered by those plans, plats, minor plats, amending plats or replats for any city official or employees thereof to serve or connect that land or any part thereof with any public utility, such as water, sewer, lights or gas, which may be owned, controlled, regulated or distributed by the city.

**SECTION 6.** Section 52-9 - Exemptions is added to read as follows:

The following land divisions are exempt from the requirements of this ordinance that apply to plats:

- (a) The combining of two or more legally recorded lots into one parcel will not be required to be replatted into one lot provided all lots are permanently joined by a structure or improvements built over the property line(s) in accordance with the zoning ordinance.
- (b) Provided, however, that on those parcels described in (1) above, no additional right-of-way or public right-of-way or public easements must be dedicated, or public utilities or roadways must be constructed.
- (c) Sale, inheritance, or gift of land by metes and bounds of tracts upon which no improvements, development, subdivision or alteration is intended, provided however, that prior to construction of improvements, a plat meeting these Regulations shall be completed and recorded;
- (d) Use of existing cemeteries complying with all State and local laws and regulations;

- (e) A division of land created by order of a court of competent jurisdiction, provided however, that prior to construction of improvements, a plat meeting these Regulations shall be completed and either recorded or security provided prior to recordation in accordance with these Regulations;
- (f) Any development activity associated with a plat that conforms to the subdivision requirements set forth in these Regulations;
- (g) Construction of agricultural accessory structures and related agricultural development activities.

**SECTION 7.** – Section 52-42 Minor Plat is added as follows:

- (a) Purpose - The purpose of a Minor Plat is to simplify divisions of land under certain circumstances outlined in State law. Notice, a hearing, and the approval of other lot owners are not required for the approval and issuance of a plat.
- (b) Applicability - An application for approval of a Minor Plat may be filed only in accordance with State law, when all of the following conditions are met:
  - (1) The proposed division results in four (4) or fewer lots;
  - (2) All lots in the proposed subdivision front onto an existing public street and the construction or extension of a street or alley is not required to meet the requirements of this Subdivision Ordinance or any other ordinance; and
  - (3) The Plat does not require the extension of any municipal facilities to serve any lot within the subdivision, however, right-of-way widening and easements shall be permitted as part of a Minor Plat.
  - (4) The replatting of existing platted lots must comply with Section 52.43 Re-Plat Procedures.
- (c) Effect - Upon approval by the City Manager or designee, a Minor Plat may be recorded and is controlling over the recorded Plat without vacation of that Plat.
- (d) Application Contents - All applications shall be submitted on a form supplied by the Building Inspection Department with the required information as stated on the application form. The Minor Plat document shall be prepared by a Registered Professional Land Surveyor.
- (e) Decision - The City Manager or designee is authorized to approve a Minor Plat provided such Plat meets all requirements of these Regulations. Denial of a Minor Plat must be decided by the Council, upon recommendation of the Commission. Each Minor Plat must be approved, approved subject to conditions or denied with reasons listed within 30 days of a finding of completeness, Section 52.47 Application Completeness and Expiration Determination. Review, approval, and recording of Minor Plats shall be in accordance with procedures set forth for Final Plats in Section 52.41 Recording of these Regulations. Appeal of the City Manager or designee's decision shall be to the Commission at the next available meeting. The Commission may recommend to the Council to approve, approve with conditions or deny with reasons listed such appeal based on its findings if it finds the Minor Plat meets or does not meet the requirements of these Regulations.
- (f) Criteria for Approval - The City Manager or designee shall decide whether to approve, conditionally approve or recommend denial of the Minor Plat application if the Minor Plat makes only those changes to the recorded Plat that are allowed and meets the criteria under Subsection (b) above and provided;
  - (1) The Minor Plat is consistent with all zoning requirements for the property, all other requirements of this Subdivision Ordinance that apply to the Plat, all City ordinances and any approved Development Agreement;
  - (2) All lots to be created by the Plat already are adequately served by all required City utilities and services;

- (3) The ownership, maintenance, and allowed uses of all designated easements have been stated on the Minor Plat; and
- (4) The Plat does not require the extension of any municipal facilities to serve any lot within the subdivision.
- (g) Expiration - Approval of a Minor Plat shall expire if the Plat is not submitted for recordation within the time period specified for recordation of a Final Plat.

**SECTION 8.** Section 52-43 - Replat without Vacation Procedures is added to read as follows:

- (a) Applicability - A Replat in accordance with State Law and the provisions of this ordinance shall be required any time a platted, recorded lot is further divided or expanded, thereby changing the boundary and dimensions of the property. In the case of revisions to non-single-family or duplex residential recorded plats or lots other than single-family or duplex residential, a minor or amending plat may also be utilized if allowed by these Regulations. Single-family or duplex lots may utilize an amending plat if they meet the criteria including the creation of no additional lots. A Replat of all or a portion of a recorded Plat may be approved in accordance with State law without vacation of the recorded Plat, if:
  - (1) The Replat is signed and acknowledged by only the owners of the property being replatted; and
  - (2) Is approved after a public hearing on the Replat;
  - (3) The Replat does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded Plat.
- (b) Additional Requirements for Certain Replats –
  - (1) In addition to compliance with the requirements of this section, approval of a replat without vacation of the preceding plat, in accordance with State law, must conform to the requirements of this section if:
    - a. during the preceding five years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or
    - b. any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot
  - (2) Compliance with this subsections is not required for approval of a replat of part of a preceding plat if the area to be replatted was designated or reserved for other than single or duplex family residential use by interim or permanent zoning, by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.
  - (3) Replat requiring a Variance or Exception - If a proposed replat described by Subsection (b)(1) requires a variance or exception, a public hearing must be held by the municipal planning commission or the governing body of the municipality.
    - a. Notice of the hearing required under Subsection (b) (2) shall be given before the 15th day before the date of the hearing by:
      - 1. Publication in an official newspaper or a newspaper of general circulation in the county in which the municipality is located; and
      - 2. by written notice, with a copy of Subsection (c) attached, forwarded by the municipal authority responsible for approving plats to the owners of lots that are in the original subdivision and that are within 200 feet of the lots to be replatted, as indicated on the most recently approved municipal tax roll or in the case of a subdivision within the extraterritorial jurisdiction, the most recently approved county tax roll of the property upon which the replat is requested. The written notice may be delivered by depositing the notice, properly addressed with

postage prepaid, in a post office or postal depository within the boundaries of the municipality.

- b. If the proposed replat requires a variance and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the municipal planning commission or governing body, or both. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the municipal planning commission or governing body, or both, prior to the close of the public hearing. In computing the percentage of land area, the area of streets and alleys shall be included.
- (4) Replat requiring No Variance or Exception - If a proposed replat described by Subsection (b) (1) does not require a variance or exception, the municipality shall, not later than the 15th day after the date the replat is approved, provide written notice by mail of the approval of the replat to each owner of a lot in the original subdivision that is within 200 feet of the lots to be replatted according to the most recent municipality or county tax roll. This subsection does not apply to a proposed replat if the municipal planning commission or the governing body of the municipality holds a public hearing and gives notice of the hearing in the manner provided by Subsection (b)(3) a.
- (5) The notice of a replat approval required by this subsection must include:
  - (a) The zoning designation of the property after the replat; and
  - (b) The telephone number and e-mail address an owner of a lot may use to contact the municipality about the replat.
  - (c) Application - The application for a Replat of a subdivision shall meet all application requirements of a Final Plat.
  - (d) Partial Replat Application - Any Replat that adds or reduces lots must include the original subdivision and lot boundaries. If a Replat is submitted for only a portion of a previously platted subdivision, the Replat must reference the previous subdivision name and recording information and must state on the Replat the specific lots that have changed along with a detailed "Purpose for Replat" statement.
  - (e) Criteria for Approval - The Replat of the subdivision shall meet all review and approval criteria for a Final Plat. The Replat document shall be prepared by a Registered Professional Land Surveyor.
  - (f) Effect - Upon approval of the application, the Replat may be recorded and is controlling over the previously recorded Plat for the portion replatted.

**SECTION 9.** 52-44 – Amending Plat is hereby added as follows:

- (a) Purpose - The purpose of an Amending Plat shall be to provide an expeditious means of making minor revisions to a recorded Plat consistent with Section 212.016 of the Texas Local Government Code and any other provisions of State law as amended. Notice, a hearing, and the approval of other lot owners are not required for the approval and issuance of an amending plat.
- (b) Applicability - The procedures for Amending Plats shall apply only if the plat is signed by the owners of the lots being amended and if the sole purpose of the Amending Plat is to achieve the following:
  - (1) Correct an error in a course or distance shown on the preceding Plat;
  - (2) Add a course or distance that was omitted on the preceding Plat;
  - (3) correct an error in a real property description shown on the preceding Plat;
  - (4) Indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;

- (5) Show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding Plat;
  - (6) Correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving Plats, including lot numbers, acreage, street names, and identification of adjacent recorded Plats;
  - (7) Correct an error in courses and distances of lot lines between two adjacent lots, if;
    - a. Both lot owners join in the application for amending the plat;
    - b. Neither lot is abolished;
    - c. The amendment does not attempt to remove recorded covenants or restrictions; and
    - d. The amendment does not have a material adverse effect on the property rights of the other owners in the plat;
  - (8) Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
  - (9) Relocate one or more lot lines between one or more adjacent lots if;
    - a. The owners of all those lots join in the application for amending the plat;
    - b. The amendment does not attempt to remove recorded covenants or restrictions; and
    - c. The amendment does not increase the number of lots;
  - (10) Make necessary changes to the preceding Plat to create six (6) or fewer lots in the subdivision or a part of the subdivision covered by the preceding Plat; and: or
    - a. The changes do not affect applicable zoning and other regulations of the municipality;
    - b. The changes do not attempt to amend or remove any covenants or restrictions; and
    - c. The area covered by the changes is located in an area that the Commission or Council has approved, after a public hearing, as a residential improvement area; or
  - (11) Replat one or more lots fronting on an existing street including lots zoned, used or deed restricted to single-family and duplex residential use, and;
    - a. The owners of all those lots join in the application for amending the plat;
    - b. The amendment does not attempt to remove recorded covenants or restrictions;
    - c. The amendment does not increase the number of lots; and
    - d. The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.
  - (12) The combining of two or more legally recorded lots into one lot or of one lot and a portion of another lot that allows construction meeting zoning setbacks for lot lines is considered expansion of a lot or lots and shall require a replat. Replats meeting the requirements listed in (11) above may utilize an amending plat in accordance with this section.
- (c) Effect - Upon approval by the City Manager or designee, an Amending Plat may be recorded and is controlling over the recorded Plat without vacation of that Plat.
- (d) Application Contents - All applications shall be submitted on a form supplied by the Building Inspection Department with the required information as stated on the application form. The Amending Plat document shall be prepared by a Registered Professional Land Surveyor.
- (e) Decision - The City Manager or designee is authorized to approve an Amending Plat provided such Plat meets all requirements of these Regulations. Denial of an Amending Plat must be decided by the Council, upon recommendation of the Commission. Each Amending Plat must be approved, approved subject to conditions or denied with reasons listed within 30 days of

a finding of completeness, Section 52.47 Application Completeness and Expiration Determination. Review, approval, and recording of Amending Plats shall be in accordance with procedures set forth for Final Plats in Section 52.41 Recording of these Regulations. Appeal of the City Manager or designee's decision shall be to the Commission at the next available meeting. The Commission may recommend to the Council to approve, approve with conditions or deny with reasons listed such appeal based on its findings if it finds the Amending Plat meets or does not meet the requirements of these Regulations.

- (f) Criteria for Approval - The City Manager or designee shall decide whether to approve, conditionally approve or recommend denial with reasons listed of the Amending Plat application if the Amending Plat makes only those changes to the recorded Plat that are allowed and meets the criteria under Subsection (b) above;
- (g) Expiration - Approval of an Amending Plat shall expire if the Plat is not submitted for recordation within the time period specified for recordation of a Final Plat.

**SECTION 10.** 52-45 – Vacating Plat is hereby added as follows:

- (a) Applicability - A Plat vacation application must be approved by the Council, upon recommendation of the Commission, prior to vacation of any recorded Plat or portion thereof. A Plat may be vacated only in conjunction with approval of a new Plat application and in accordance with State law.
- (b) Application - If no lot subject to the recorded Plat has been sold, the property owner may apply for a Plat vacation. If any lot in a subdivision has been sold, the recorded Plat or any portion thereof may be vacated only upon application of all lot owners in the subdivision. A Plat vacation application shall be accompanied by an application for a Land Study, Preliminary Plat, or Final Plat for the land subject to the recorded Plat or portion thereof to be vacated, prepared in accordance with these Regulations. A Plat vacation application also shall be accompanied by an unconditional Waiver of Right to 30-Day Action (mandated by the State for general approval of Plats) for the Plat vacation application, pending approval of a new Final Plat application for the same land.
- (c) Processing and Decision - The Plat vacation application shall be decided by the Council, upon recommendation of the Commission, in conjunction with its decision on a new Plat application for the same land. The application for Plat vacation shall be processed together with the new Plat application in accordance with the procedures applicable to the new Plat application under this Section. If the new Plat application is for a Land Study or Preliminary Plat, decision on the Plat vacation application shall be deferred or conditioned on approval of a Final Plat application for the land subject to the recorded Plat or portion thereof to be vacated. The Commission shall decide the Plat vacation application after it decides the Final Plat application.
- (d) Criteria - The Council, upon recommendation of the Commission, shall approve the Plat vacation application upon approving the Final Plat application for the same land, and shall deny the Plat vacation application upon denial of such Final Plat application. The Final Plat application, as well as any preceding Land Study or Preliminary Plat application, shall be decided in accordance with the criteria applicable to such applications under this Section.

- (e) Effective Date of Plat Vacation - The Plat is vacated when a signed, acknowledged instrument declaring the Plat vacated is approved and recorded in the manner prescribed for the original Plat. On the execution and recording of the vacating instrument, the vacated Plat shall have no further effect.

**SECTION 11.** 52-46 – Application Completeness and Expiration Determination is hereby added as follows:

- (a) Applicability - The following procedures shall apply to any application that is required by the City and is submitted in accordance with this Ordinance.
- (b) Determination of Completeness - Every required application shall be subject to a determination of completeness in accordance with Chapter 245, Section 245.002 of the Texas Local Government Code, as amended, by the Responsible Official for processing the application.
  - (1) No required application shall be accepted by the Responsible Official for processing unless it is accompanied by all documents required by and prepared in accordance with the requirements of this Section.
  - (2) A determination of completeness shall not constitute a determination of compliance with the substantive requirements of this Ordinance.
  - (3) A determination of completeness shall be made by the Responsible Official in writing to the applicant no later than the tenth (10th) business day by mail, unless otherwise specified, after the date that the required application, along with all other required filing materials and fees, is submitted to the Responsible Official.
    - a. Written notification of incompleteness shall be given to the applicant within ten (10) business days of receipt of initial submittal, unless otherwise requested by the applicant, and shall include a notice that the application must be completed within 45 days of the date of the letter.
    - b. If the required application is determined to be complete, the application shall be determined to be submitted as of the date of the submission and processed as prescribed by this Section.
    - c. If the required application is determined to be incomplete, the notification shall specify the documents or other information needed to complete the application and shall state the date the application will expire (see Subsection (d) below) if the documents or other information are not provided by the applicant or their consultants.
    - d. If no letter of notification of incompleteness is given to the applicant within ten (10) business days of receipt of initial submittal, the application shall be determined to be submitted as of the date of the submission and processed as prescribed by this Section.
- (c) Re-Submittal after Notification of Incompleteness - If the required application is re-submitted after a notification of incompleteness within the time allotted in subsection (d), the application shall be processed upon receipt of the re-submittal. No additional determination of completeness shall be made thereafter. However, to the extent that the information or documents submitted is not sufficient to enable the decision-maker to apply the criteria for approval, the application may be denied on such grounds.
- (d) Expiration of Application
  - (1) An application shall expire on the forty-fifth (45th) day after the date the application is submitted if:
    - a. The applicant fails to provide documents or other information necessary to comply with the City's requirements relating to the required application;



- b. The City has provided to the applicant, not later than the tenth (10th) business day after the date the application is submitted, unless otherwise specified, written notice that specifies the necessary documents or other information, and the date the application will expire if the documents or other information is not provided; and
  - c. The applicant fails to provide the specified documents or other information within the time provided in the notification. If the required application is not completed by the forty-fifth (45th) day after the application is submitted to the Responsible Official, the required application will be deemed to have expired and it will be returned to the applicant together with any accompanying information.
- (2) Once an application has been determined complete, that application shall be vested into the standards of the Zoning, Subdivision and other Ordinances in effect at the time of the determination of completeness.

**SECTION 12.** 52-47 – Official Application Date is hereby added as follows:

The time period established by State law or this Section for a decision approving or denying a plat application shall commence on the date a complete application including the filing fee is accepted by the City. The official application/filing date is the date an application is determined to be complete by the Responsible Official in the manner prescribed by Section 52-46 Application Completeness and Expiration.

**SECTION 13.** 52-48 – Pre-Application Conference is hereby added as follows:

- (a) Purpose - The pre-application conference is intended to allow for the exchange of non-binding information between the applicant and City Staff to ensure that the applicant is informed of pertinent City development regulations and processes.
- (b) Additionally, the pre-application conference provides an opportunity for the applicant and City Staff to discuss major development considerations such as utilities, roadways, drainage concerns, comprehensive plan elements, specific neighborhood characteristics, and historic information. This exchange of information is intended to promote an efficient and orderly review process.
- (c) Pre-application conference before the submission of plans and applications
  - (1) Prior to formal submittal of any required plan, plat or application, the applicant(s) is required to consult with the Building Official, or their designee and any other pertinent City official(s) in order for the applicant(s) to become familiar with the City's development regulations and the development process.
  - (2) At the pre-application conference, the developer/applicant may be represented by his/her land planner, engineer, surveyor, or other qualified professional.
  - (3) The approval process, submission requirements, fees, dates of all required meetings/approvals and any other draft plats or plans available will be reviewed to ensure compliance with the new statutes approved by the legislature for timely approvals.
  - (4) Any platting waivers or exceptions to be requested and any financial participation or reimbursement shall be reviewed at the pre-application conference and the details/process of such requests shall be identified. If Commission and/or Council approval is required of such waivers, exceptions or participation and cannot be processed concurrently or is not going to be recommended by staff, such approvals may be required to be processed before submission of the actual plat documents.

(d) Plans and applications pre-application conference are required for processing of a:

- (1) Zoning map amendment (rezoning).
- (2) PDD application
- (3) Site plan (rezoning)
- (4) Site plan (residential cluster development).
- (5) Special Use Permit
- (6) Mixed Use Overlay District Concept Plan
- (7) Variance
- (8) Exception
- (9) Comprehensive plan adoption or amendment
- (10) Subdivision Plats or Plans (minor and amending plats are optional at the applicant's discretion)

(e) Vesting of Plans and Applications by attendance at a pre-application conference shall be in accordance with state statute as amended

**SECTION 14.** All ordinances, orders and resolutions heretofore passed and adopted by the City Council of the City of McGregor, Texas are hereby repealed to the extent said ordinances, orders or resolutions, or parts thereof, are in conflict herewith.

**SECTION 15.** If any section, article, paragraph, sentence, clause, phrase or work in this Ordinance or application thereto any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 16.** This Ordinance shall become effective from and after the date of its passage in accordance with law.

PASSED on this the 10<sup>th</sup> day of February 2020

CITY OF MCGREGOR, TEXAS

By: \_\_\_\_\_

JAMES S. HERING, Mayor

ATTEST:

ANGELIA SLOAN, CITY SECRETARY