

Draft Minutes for the September 12, 2017 Planning Commission Regular Meeting

CS-17-016 Public Hearing and recommendation to City Council regarding the proposed amendment to the Code of Ordinances Zoning Ordinance adding a definition for "Special Event," amending Section 5.10, Temporary Uses and deleting Sec. 5.23-18.

(Applicant: City of New Braunfels; Case Manager: B. Campbell)

Mr. Campbell presented the proposed amendments to Section 5.10, and explained the deletion of Sec. 5.23-18.

Commissioner Hoyt inquired about the statistics on sound ordinances and the number of citations given annually.

Mr. Campbell stated he did not have the statistics with him, but clarified that the amendment to the code would not affect the sound ordinances.

Commissioner Hoyt expressed concern that the current code was not being enforced.

Mrs. Snell stated the noise control was intended as a component of potential impacts that special events could create. She described recent difficulties the City has encountered without the clear guidelines that were proposed by the amendment.

Chair Elrod inquired if there was currently a process for the specific types of special events described in the proposed amendment.

Mrs. Snell responded they were currently handled under temporary vending permits, but it did not adequately address the requirements needed to permit special events.

Commissioner Bearden asked if the Farmers' Market was a special event.

Mrs. Snell responded no, and explained the difference between an event at a location designed for special events, and the type of special events defined by the proposed amendment.

Discussion followed regarding the clarification that special events are defined as being located on private property, and other related clarifications.

Mr. Campbell stated the proposed amendments were written to ensure the previously permitted special events could continue to operate as they have been permitted in the past.

Discussion ensued regarding the previous special events, and the fees associated with the permit.

Mrs. Snell stated the need for the proposed amendments was directly linked to recent events approaching the City to request a permit, but a permit was not available that would be applicable to the type of event requested.

Commissioner Bearden requested clarification that the previously permitted special events would need to comply with the proposed amendments, rather than being grandfathered to continuing under the previous requirements.

Mrs. Snell responded previously permitted events would not be grandfathered. She also clarified the larger reoccurring events such as Wurstfest, or events that occur at the Civic Center, would not require a special event permit, due to the location being designated for hosting the events.

Discussion ensued.

Commissioner Bearden requested the use of 'exemption' be altered to reflect a more clear definition.

Mrs. Snell agreed.

Chair Elrod asked if anyone wished to speak in favor.

No one spoke.

Chair Elrod asked if anyone wished to speak in opposition.

No one spoke.

Motion by Vice Chair Edwards, seconded by Commissioner Hoyt, to close the public hearing. The motion carried (7-0-0).

Motion by Commissioner Hoyt, seconded by Commissioner Tubb, to recommend approval to City Council regarding the proposed amendment to the Code of Ordinances Zoning Ordinance adding a definition for "Special Event," amending Section 5.10, Temporary Uses and deleting Sec. 5.23-18. Motion carried (7-0-0).