

Legislation Text

File #: 20-255, **Version:** 1

Presenter

*Christopher J. Looney, Planning and Development Services Director
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SUBJECT:

Public hearing and first reading of an ordinance amending Chapter 144, Zoning, Section 3.6, Special Use Permits.

BACKGROUND / RATIONALE:

Council District: All

Staff Contact: Jean Drew, Senior Planner
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A Special Use Permit (SUP) is not a permit, but rather a type of zoning overlay. Through the SUP process, a use can be authorized to develop on a specific property when it is determined by City Council to be compatible with surrounding uses, provides for orderly development, and is in accordance with the comprehensive plan. City Council can place conditions on SUPs to ensure that compatibility, order and conformance.

The City Council evaluates SUP requests and potential conditions based on the data submitted, known information about the surroundings, and the Planning Commission's recommendation. To be compatible and protect the interests of New Braunfels' citizens and surrounding property owners, the SUP must be developed in accordance with the specifications and possible conditions adopted as part of the approval process.

The timely development of the use authorized via an SUP is necessary to ensure compatibility with a rapidly changing built environment and population. City Council directed staff to address concerns regarding the lack of timely development of approved SUPs, and the process to revoke SUPs where performance has not been demonstrated.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

City Plan/Council Priority: Envision New Braunfels Comprehensive Plan	Action 1.11: Update policies and codes to achieve development patterns that implement the goals of Envision New Braunfels. Action 1.14: Ensure regulations do not unintentionally inhibit the provision of a variety of flexible and innovative lodging options and attractions. Action 2.1: Sustain community livability for all ages and economic backgrounds. Action 3.6: Proactively provide a regulatory environment that remains business and resident friendly. Action 3.10: Change zoning/land use and platting rules and create tax and permit fee incentives in underutilized neighborhoods, nodes and corridors to encourage redevelopment. Action 4.26: Enhance community sense of place by creating spaces and facilities that reflect the community.
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FISCAL IMPACT:

N/A

COMMITTEE RECOMMENDATION:

The Planning Commission held a public hearing on April 7, 2020 and recommended approval unanimously, with a recommendation to edit the reference to planning director/planning and development services department responsibilities, to the planning and development services director or his/her designee. Staff concurs with Planning Commission’s recommendation and has made those edits to the draft ordinance attached.

STAFF RECOMMENDATION:

Staff recommends approval. This proposed new language will add clarity to the SUP provisions, encourage applications to more timely coincide with anticipated development, and will better outline procedures for revocation if necessary.

ATTACHMENTS

Draft Ordinance