

## Legislation Details (With Text)

<b>File #:</b>	18-086	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Consent Item Ready
<b>File created:</b>	2/13/2018	<b>In control:</b>	City Council
<b>On agenda:</b>	2/26/2018	<b>Final action:</b>	
<b>Title:</b>	Approval of the second and final reading of an ordinance amending the City of New Braunfels Code of Ordinances, Chapter 114, Streets, Sidewalks and Other Public Places, Article IV, Right-Of-Way Access and Management, Relating to Section 94, Permit Required; Application, to allow for a Capital Projects Access Permit.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. 2018-02-12 Ordinance - Sec. 114-94, 2. Sec 119-94 Ordinance Amendment, 3. Capital Programs Driveway Permit SOP, 4. Capital Projects Access Permit Application		

Date	Ver.	Action By	Action	Result
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Presenter/Contact

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**SUBJECT:**

Approval of the second and final reading of an ordinance amending the City of New Braunfels Code of Ordinances, Chapter 114, Streets, Sidewalks and Other Public Places, Article IV, Right-Of-Way Access and Management, Relating to Section 94, Permit Required; Application, to allow for a Capital Projects Access Permit.

**BACKGROUND / RATIONALE:**

City Council unanimously approved the first reading of this ordinance amendment on February 12, 2018.

The Capital Programs Division of the City of New Braunfels, executes numerous roadway improvements projects throughout the City. As part of the design and construction process, only existing access to private property can be replaced as part of the construction project.

The Capital Programs Division has received several Citizen requests for the construction, addition, alteration, enlargement or movement of driveway access to private property as part of the roadway improvement project. To facilitate these requests, Staff has developed a defined plan and process to follow when making these requests.

If a Citizen desires to construct, add, alter, enlarge or move driveway access to their private property during a roadway improvement project, they must follow the following steps:

1. Submit application to the City Engineer specifying the type and location of access requested

- along with appropriate application fee and escrow fee.
2. City Engineer reviews the application to ensure all codes are met with regards to access placement.
  3. City Engineer submits application to the appropriate Capital Project Manager who oversees the roadway improvement project for their review to determine if access can be constructed along with the roadway.
  4. If approved, the escrow money will be deposited into the appropriate project account and the Capital Project Manager will proceed with having access added to the project.
  5. If denied, the escrow money will be refunded to the applicant.

The application fee shall be \$150 and will be non-refundable. The escrow fees are determined based on the average costs for engineering work to design and incorporate the access into construction plans and the average costs for the access to be constructed as part of the roadway improvement project. The escrow fees will be routinely reviewed and updated by Staff to ensure they remain in line with project costs.

If an application is approved, City contractors will construct access only to the edge of the right-of-way. It will be the applicant's responsibility to make any connections to existing infrastructure within their private property. This responsibility also includes obtaining the necessary building permits for the work to be completed.

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

N/A

**FISCAL IMPACT:**

The application fee will be used to offset staff time in reviewing applications and the escrow fee will allow the access to be constructed as part of the roadway improvement project with no additional cost to the City.

**COMMITTEE RECOMMENDATION:**

N/A

**STAFF RECOMMENDATION:**

Staff recommends the approval of the second and final reading of this ordinance amendment.