

## Legislation Details (With Text)

<b>File #:</b>	21-39	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Consent Item Ready
<b>File created:</b>	1/5/2021	<b>In control:</b>	City Council
<b>On agenda:</b>	2/8/2021	<b>Final action:</b>	
<b>Title:</b>	Approval of the second the final reading of an ordinance amending Chapter 144, Zoning, Sections on Definitions, Zoning Districts, Walnut Special District, Land Use Matrix, Parking, Accessory Structures, and General Provisions and Exceptions for Yard Setbacks, and Rear Yard Requirements.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Final ORD_FALL2020cleanup_3, 2. ORD19-249 (JD) Draft Minutes for Planning Commission 12-1-2020		

Date	Ver.	Action By	Action	Result
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Presenter

*Christopher J. Looney, AICP, Planning and Development Services Director*  
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Approval of the second the final reading of an ordinance amending Chapter 144, Zoning, Sections on Definitions, Zoning Districts, Walnut Special District, Land Use Matrix, Parking, Accessory Structures, and General Provisions and Exceptions for Yard Setbacks, and Rear Yard Requirements.

**BACKGROUND / RATIONALE:**

**Council District:** All

**Staff Contact:** Jean Drew, Senior Planner  
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**City Council held a public hearing on January 25, 2021, and approved the first reading of this ordinance (7-0-0).**

This collection of proposed ordinance updates codify formal interpretations issued over the last few years, and address emerging terms and trends regarding popular businesses or new uses.

The definitions were updated, and zoning districts where the defined uses are appropriate were determined by evaluating similar uses, as allowed in Section 4.1-2 of Chapter 144. They were also included in the Land Use Matrix Section 4.2. Parking standards were also identified for the new uses. The Building Design Standards included for the Walnut Special District, in Section 3.8-7e, are temporarily suspended to comply with HB 2439. Clarification relative to setbacks and number of allowed accessory buildings was made relative to structures with no walls, such as outdoor fireplaces. Section 5.21 was updated to clarify exceptions allowed for front porches encroaching

within required yard setbacks, and rear yard requirements for lots abutting drainage easements.

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

<b>City Plan/Council</b> <b>Priority:</b> Envision New Braunfels Comprehensive Plan	<b>Action 1.11:</b> Update policies and codes to achieve development patterns that implement the goals of Envision New Braunfels. <b>Action 3.6:</b> Pro-actively provide a regulatory environment that remains business and resident friendly.
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**FISCAL IMPACT:**

These proposed code revisions are anticipated to provide clarity to the public regarding allowed uses, required parking, accessory structures and required setbacks and yards. While these are customer service-oriented revisions, and should facilitate the development process, no fiscal impact is anticipated from these updates and revisions.

**STAFF RECOMMENDATION:**

Approval. These updates are based on formal interpretations that have been adopted over the last few years. Codifying these revisions will assist in transparency, enhance customer service, and further consistency for development across the community and region.

**ATTACHMENTS**

1. Draft proposed final ordinance revisions for the listed sections.
2. Planning Commission minutes