

## Legislation Details (With Text)

<b>File #:</b>	21-1139	<b>Name:</b>	
<b>Type:</b>	Recommendation	<b>Status:</b>	Individual Item Ready
<b>File created:</b>	10/18/2021	<b>In control:</b>	Planning Commission
<b>On agenda:</b>	11/2/2021	<b>Final action:</b>	
<b>Title:</b>	ORD21-369 Public Hearing and recommendation to the City Council of an ordinance to revise sections of the Code of Ordinances regarding the approval and/or appeals authority in: Chapter 144, Zoning, Section 5.1, Parking, loading, stacking and vehicular circulation, Section 5.22, Nonresidential and Multi-family Design Standards, Section 5.23, Temporary vending operations, and, Section 5.24, Temporary mobile storage units; Chapter 118, Subdivision Platting, Section 118-11, Waiver, Section 118-44, Blocks, and, Section 118-49, Sidewalks; and, amendments to Appendix D, Fee Schedule, Section A schedule of development fees.		

**Sponsors:****Indexes:****Code sections:**

**Attachments:** 1. Draft Chapter 144 Zoning Amendments, 2. Draft Chapter 118 Subdivision Platting Amendments, 3. Draft Appendix D Fee Schedule Amendments

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**PRESENTER:**

Presenter: Maddison O'Kelley

**SUBJECT:**

ORD21-369 Public Hearing and recommendation to the City Council of an ordinance to revise sections of the Code of Ordinances regarding the approval and/or appeals authority in: Chapter 144, Zoning, Section 5.1, Parking, loading, stacking and vehicular circulation, Section 5.22, Nonresidential and Multi-family Design Standards, Section 5.23, Temporary vending operations, and, Section 5.24, Temporary mobile storage units; Chapter 118, Subdivision Platting, Section 118-11, Waiver, Section 118-44, Blocks, and, Section 118-49, Sidewalks; and, amendments to Appendix D, Fee Schedule, Section A schedule of development fees.

**DEPARTMENT:** Planning and Development Services

**COUNCIL DISTRICTS IMPACTED:** All

**BACKGROUND INFORMATION:**

Case #: ORD21-369

City Council directed staff at their July 12, 2021 regular meeting to research and identify streamlining opportunities where local development-related ordinances require City Council or Planning Commission consideration for a final decision. Staff provided a briefing for the Planning Commission on October 6, 2021 on the sections of the code that were identified as opportunities for streamlining.

### **ISSUE:**

It has been noted that some of these processes do not necessarily rise to a level requiring City Council scrutiny and, with appropriate criteria, could be addressed and finalized at an administrative or board/commission level. The intent of the proposed amendments is to enhance customer service and reduce review times for customers and developers by re-evaluating the decision-making hierarchy and which board, commission or Council should decide appeals or waivers.

Staff has examined the currently adopted ordinances and thus far has identified the following processes for amendment:

### **Zoning Ordinance**

- Revise appeal process for Temporary Mobile Storage Units, Off-site Parking Plans, Multi-family and Non-residential design standards, and Temporary Vendor Permits.

### **Platting Ordinance**

- Revise approval and appeal process for Alternative Pedestrian Plans, block length waivers and sidewalk waivers

### **Fee Schedule**

- Adjust sidewalk waiver fee to reflect reduced costs associated with the reduced public hearing notification requirements.

This initiative addresses the following action items from **Envision New Braunfels**:

- **Action 3.6:** Pro actively provide a regulatory environment that remains business and resident friendly.
- **Action 7.4:** Strengthen sidewalk requirements in the City's codes.
- **Action 7.7:** Ensure that local development codes which require sidewalks, trails, lanes or paths include healthy living, safety, and vehicular congestion relief as an intent.
- **Action 7.9:** Enact/enforce maximum block size limitations.

### **FISCAL IMPACT:**

N/A

### **RECOMMENDATION:**

Based on the research conducted, staff recommends approval of the proposed revisions to processes for various appeal and waiver requests.

### **Attachments:**

1. Draft Chapter 144 Zoning Amendments
2. Draft Chapter 118 Subdivision Platting Amendments
3. Draft Appendix D Fee Schedule Amendments