

## Legislation Details (With Text)

<b>File #:</b>	21-1227	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	11/4/2021	<b>In control:</b>	City Council
<b>On agenda:</b>	11/22/2021	<b>Final action:</b>	11/22/2021
<b>Title:</b>	Public hearing and consideration of the first reading 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 Ordinance, 2. PC Draft Minutes 11-2-2021

Date	Ver.	Action By	Action	Result
11/22/2021	1	City Council	approved	Pass

**PRESENTER:**

Christopher J. Looney, AICP, Planning and Development Services Director

**SUBJECT:**

Public hearing and consideration of the first reading 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**Staff Contact:** Maddison O'Kelley  
(830) 221-4056 mokelley@nbtexas.org

At their July 12, 2021 regular meeting, City Council asked staff to research and identify streamlining opportunities where local development-related ordinances require City Council or Planning Commission consideration for a final decision.

## **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 cycle 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.

### **Subdivision Platting Ordinance**

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

### **Fee Schedule**

- Reduce sidewalk waiver fee to reflect reduced costs associated with the reduced public hearing notification requirements and reduced administrative steps.

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:**

### **Committee Recommendation:**

Planning Commission held a public hearing on November 2, 2021 and unanimously recommended approval of the proposed amendments (8-0-0, with Commissioner Tubb absent).

### **Staff Recommendation:**

Approval. Based on the research conducted approval of the proposed revisions to processes for various appeal and waiver requests will reduce cycle time for customers and improve customer service.

## **Attachments:**

1. Draft Ordinance

4. Excerpt of Minutes of the November 2, 2021 Planning Commission Regular Meeting