

## Legislation Text

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**File #:** 21-809, **Version:** 1

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**PRESENTER:**

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

**SUBJECT:**

Approval of a Professional Services Agreement with Clarion Associates LLC to create a Unified Development Code for the City of New Braunfels.

**DEPARTMENT:** Planning and Development Services

**COUNCIL DISTRICTS IMPACTED:** Citywide

**BACKGROUND INFORMATION:**

On March 25, 2021, Request for Qualifications (RFQ) 21-011 was released for the purpose of seeking proposals from qualified consultant teams interesting in assisting the community in drafting and preparing a functional, practical, reasonable and responsible Unified Development Code (UDC). The project will include overhauling and consolidating the existing development-related ordinances into a single, easy-to-use document housed in a single chapter of the New Braunfels Code of Ordinances.

The primary objective of the UDC is to be one of the city's tools used to implement Envision New Braunfels, the community's comprehensive plan, which won the American Planning Association (APA) state chapter award for best Comprehensive Plan in 2018. The plan focuses on how to accommodate and manage the tremendous growth the region is experiencing, while maintaining New Braunfels' exceptional quality of life sustained through its history, cultural identity, environment, geography, architecture, and natural resources.

On April 29, 2021, the City received eight responses to our RFQ. Our City staff evaluated the responses received based on our identified criteria requirements, completeness and clarity of proposal, understanding of the community and State, experience, knowledge and reputation of proposer, past performance on similar projects, and planned approach and timeline. Additionally, City staff interviewed our top three (3) scored proposers. Based on their evaluation and interview presentations, Clarion Associates LLC was selected as the top scored proposer for this vital project. Clarion presented to the City their developed and finalized scope of work, agreed upon by the City, for a fee of \$393,460, which includes contingencies for additional meetings or resources if needed. It is anticipated that this project will take 18 to 21 months to complete.

**ISSUE:**

The current development-related ordinances, including but not limited to the Zoning Ordinance (Chapter 144), Subdivision Platting Ordinance (Chapter 118), Sign Ordinance (Chapter 106), and Historic Preservation Ordinance (Chapter 66), were written at different times in New Braunfels' history. The standards, criteria, and limited development alternatives create barriers to implementation of Envision New Braunfels, as well as other adopted City plans and policies. Additionally, the ordinances' locations in different chapters in the Code of Ordinances result in time-consuming cross-referencing, missed requirements and development delays.

While Envision New Braunfels included a robust public engagement program that resulted in guidance for goals to achieve with the UDC, this project will include additional extensive public outreach to ensure as much

input can be gathered as possible. The consultant will collaborate with staff to develop an innovative stakeholder engagement methodology that will create opportunities for broad, diverse, community-wide input. The effort will include the creation of a Citizens Advisory Committee, and other technical committees made up of interested community members to help prepare the various land development ordinance updates.

The project will be divided into Tasks beginning with initial project meetings with staff, boards, commissions, and City Council, followed by development of the full Public Participation Plan. The next Task will involve stakeholder interviews to assess the status and effectiveness of the currently adopted codes in meeting the goals established by City Council and Envision New Braunfels. Drafting that occurs in the next Task will be divided into four modules (zoning, platting, admin/procedures, and historic preservation/ signs), utilizing community engagement throughout. Following public review/edits and testing of the drafts, the final Task includes the adoption process.

Adopting a new set of land development ordinances as a UDC meets 32 specific goals and strategies in Envision New Braunfels. The Comprehensive Plan very specifically calls for its creation to encourage great urban design for existing and future centers through modern, flexible and innovative development standards, alternatives and regulatory incentives.

**FISCAL IMPACT:**

Funding for this expenditure described above has been incorporated into the FY 2022 Development Services Fund budget. Therefore, sufficient funds are available.

**RECOMMENDATION:**

Staff recommends approval of a Professional Services Agreement with Clarion Associates LLC to assist in creating a Unified Development Code for the City of New Braunfels. Following engagement with Clarion Associates, staff will bring forward to City Council a recommended Citizens Advisory Committee make-up for consideration.