



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Anzollitto
- ☐ 2 = Woolard
- ☐ 3 = Boyd
- ☐ 4 = Cisneros
- ☐ 5 = Colvin
- ☒ All

DESCRIPTION	<p>RECEIVE RECOMMENDATION FROM THE PLANNING AND ZONING COMMISSION AND SET A PUBLIC HEARING FOR MARCH 14, 2017:</p> <p>C. PROPOSED REVISIONS TO THE CITY OF BOERNE SUBDIVISION ORDINANCE NO. 2007-64, ARTICLE 1, IN GENERAL, SECTION 04. DEFINITIONS, SECTION 05. GENERAL PROHIBITIONS, ARTICLE 2, PROCEDURES, SECTION 02. PROCEDURES FOR PRELIMINARY PLAT, ARTICLE 3, PLANNING AND COMMUNITY DESIGN STANDARDS, SECTION 03. OPEN SPACE SYSTEMS, SECTION 04. BLOCKS AND LOTS, ADDING ARTICLE 4, MASTER PLANNED DEVELOPMENTS/SUBDIVISIONS, SECTION 04. COTTAGE SUBDIVISIONS, ARTICLE 5. STREET SPECIFICATIONS AND CONSTRUCTION STANDARDS, ARTICLE 6. DRAINAGE AND FLOOD HAZARDS, ARTICLE 7. WATER AND SEWERS, ARTICLE 8, UTILITY EXTENSIONS AND GENERAL SUBDIVISION REQUIREMENTS, ADDING ARTICLE 10. RECLAIMED WATER, ADDING ARTICLE 11. GAS DISTRIBUTION</p>
STAFF'S RECOMMENDED ACTION (be specific)	Receive recommendation from the Planning and Zoning Commission and set a public hearing date for March 14, 2017.
DEPARTMENT	Planning and Community Development
CONTACT PERSON	Laura Talley
SUMMARY	<p>In November of 2015 we updated the Zoning Ordinance to add provisions for Cottage development. Now it is time to update the Subdivision Ordinance to integrate the necessary changes to allow cottage developments.</p> <p>We are also taking this opportunity to make a couple of other changes. One of those is in an effort to assist in the overall development process. In February 2016 Staff held a roundtable discussion with developers and engineers in an effort to understand the challenges of developing in Boerne. This roundtable was well attended and provided the City some insight as to the challenges that developers have and some possible resolutions to the issues. We are continuing to research the best way to resolve some of those issues and have included one step in that direction in this update.</p> <p>We updated the ordinance to include definitions for cottage developments.</p>

Article 1. General Provisions, Section 4. Definitions

We've added several definitions for cottages that correspond with the Zoning Ordinance definitions. We also clarified that "days" means calendar days rather than work days.

Article 2. Procedures, Section 02. And 03. Preliminary and Final Plat Procedures

Procedures have been modified to provide clarity to developers regarding submittals for preliminary plats. It will also provide more flexibility on timing for staff. Our policy is still a 14 day turnaround time for plat review. There is also an addition of a section for administratively approved plat submittals. Lastly we've asked developers to identify heritage trees (trees with a circumference of 75" or larger) so that development can be planned around those trees. There is still an opportunity to mitigate the trees if need be.

ARTICLE 3. PLANNING AND COMMUNITY DESIGN STANDARDS, SECTION 3. OPEN SPACE SYSTEMS

E. ***Exceptions.*** The following are exceptions to the open space requirement in Table 3-10.

We've added a definition for cottage in this section.

1. *Small Infill Residential Subdivision:* Any residential subdivision in the City Limits at the date of adoption of this ordinance, and which is less than 10 acres shall be exempt from the open space requirements of Table 3-10.
2. *Cottage developments:* Any cottage development shall provide open space as required by the Zoning Ordinance, Article 5, Section 31.

Article 3. Planning and Community Design Standards

SECTION 04. BLOCKS AND LOTS.

3.04.003 Lot Size and Arrangement.

D. ***Lot lines.***

1. *Frontage:* All lots shall have a frontage on a public right-of-way. Cottage developments may provide frontage on a shared access/utility easement provided at either the front or rear of the lot.
2. *Side Lot Lines:* All side lot lines shall be at right angles to the right-of-way line. On curved rights-of-way or streets, side lot lines shall be radial to that line.

We've added a section to Article 4 Master Planned Communities that outlines how lots will be laid out, frontages and how they will connect to streets. Staff is also updating the impact fee ordinance to allow a reduced rate for cottage

developments impact fees.

Section 4.03.005 updates the open space requirements for Cottage developments.

Article 5 updates street improvements and the time in which they are constructed. Construction of improvements should take place at development of the lot unless several lots front a major street and those improvements must be made at early on.

**Article 7. Water and Sewers, Section 3. Water Mains
7.03.005 Location.**

All water mains shall be located in dedicated streets or fire lanes, or in the community open space in a planned unit development or cottage development. On streets with curbs and sidewalks, all water mains shall be located in the public right-of-way between the curb and the sidewalk.

Finally there are several revisions to the utility side of the ordinance. The most impactful is adding the Reclaimed Water section in Article 10. We added some new Note requirements for plats regarding setbacks and plats in the ETJ.

Exhibit “A” Plat Certificates and Notes

Add Setback Note:

Setbacks in the ETJ: Lot setbacks are determined by the City of Boerne Zoning Ordinance enforced at the time of development. The use that is being constructed and the lot size shall determine which setback shall apply.

Setbacks in City Limits: Lot setbacks are determined by the City of Boerne Zoning Ordinance enforced at the time of development and are based on zoning/lot size. Unless otherwise identified, the front setback for a pie shaped lot or a lot on a curvilinear street or cul-de-sac is measured wherever the lot width meets frontage requirements for the lot category.

HERITAGE LEGACY TREE:

There are ____ Heritage Legacy Trees, as defined in subsection 2.02.002, identified on this plat.

Specific Notes for plat in the ETJ:

Setbacks in the ETJ: Lot setbacks are determined by the City of Boerne Zoning Ordinance enforced at the time of development. The use that is being constructed and the lot size shall determine which setback shall apply.

Fire Marshall Approval: At time of development of the lot, the owner/developer shall obtain a development permit for Kendall County; submit a site plan for the proposed development, and a letter of approval

	<p>from the Kendall County Fire Marshall.</p> <p>Detention shall be provided for each lot unless approved otherwise by the County. Prior to any improvements being made on the lot, Kendall County shall review and approve detention for the site.</p> <p>There are really four main categories for changes: 1) the addition of anything having to do with Cottages, 2) Procedures for plat submittals, 3) some options for lien releases to make it easier for developers to get their subdivision acceptance, and 4) addition of Reclaimed Water provisions.</p> <p>The Planning and Zoning Commission voted 8-0 in favor. Council needs to set a public hearing for March 14th to consider this item.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

This summary is not meant to be all inclusive. Supporting documentation is attached.