



## AGENDA ITEM SUMMARY

### District Impacted

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

### DESCRIPTION

CONSIDER ON SECOND READING ORDINANCE NO. 2017-10; AN ORDINANCE AMENDING THE CITY OF BOERNE SUBDIVISION ORDINANCE NO. 2007-56, DATED NOVEMBER 13, 2007, ARTICLE 1. GENERAL PROVISIONS, SECTION 03. APPLICATION OF REGULATIONS, SECTION 04. DEFINITIONS, ARTICLE 2. PROCEDURES, SECTION 01. PRE-APPLICATION CONFERENCE, SECTION 02. PROCEDURES FOR PRELIMINARY PLAT, SECTION 03. DESIGN AND CONSTRUCTION PLANS, SECTION 04. FINAL PLAT APPROVAL, SECTION 05. PROCEDURES FOR FINAL PLAT, SECTION 06. PROCEDURES FOR ADMINISTRATIVE 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, SECTION 02. REQUIRED STREET IMPROVEMENTS, SECTION 07. SIDEWALKS – TIMING, SECTION 11. PRIVATE STREETS, ARTICLE 6, DRAINAGE AND FLOOD HAZARDS, SECTION 01. GENERAL REQUIREMENTS, SECTION 02. REQUIRED DRAINAGE STUDY, SECTION 04. DRAINAGE SYSTEM DESIGN STANDARDS, ARTICLE 7. WATER AND SEWERS, SECTION 01. GENERAL REQUIREMENTS FOR WATER SYSTEMS, SECTION 03. WATER MAINS, SECTION 06. ON-SITE SEWAGE FACILITIES, ARTICLE 8, UTILITY EXTENSIONS AND GENERAL SUBDIVISION REQUIREMENTS, SECTION 01. GENERAL REQUIREMENTS, SECTION 03. COSTS OF UTILITY EXTENSIONS, SECTION 05. MINIMUM SIZES FOR OVER-SIZING CALCULATIONS, SECTION 06. WATER, RECLAIMED WATER AND SEWER MAIN REIMBURSEMENTS, ADDING ARTICLE 10. RECLAIMED WATER, SECTION 01. GENERAL REQUIREMENTS FOR RECLAIMED WATER SYSTEMS, SECTION 02. RECLAIMED WATER SYSTEM DESIGN STANDARDS, SECTION 03. RECLAIMED WATER SYSTEM COMPLIANCE, ADDING ARTICLE 11. GAS DISTRIBUTION, SECTION 01. GENERAL REQUIREMENTS FOR GAS DISTRIBUTION, SECTION 02. GAS MAIN DESIGN STANDARDS, SECTION 03. GAS SYSTEM COMPLIANCE.

### STAFF'S RECOMMENDED ACTION (be specific)

APPROVE ON SECOND READING ORDINANCE NO. 2017- 10; AN ORDINANCE AMENDING THE CITY OF BOERNE SUBDIVISION ORDINANCE NO. 2007-56, DATED NOVEMBER 13, 2007, ARTICLE 1. GENERAL PROVISIONS, SECTION 03. APPLICATION OF REGULATIONS, SECTION 04. DEFINITIONS, ARTICLE 2. PROCEDURES, SECTION 01. PRE-

	<p>APPLICATION CONFERENCE, SECTION 02. PROCEDURES FOR PRELIMINARY PLAT, SECTION 03. DESIGN AND CONSTRUCTION PLANS, SECTION 04. FINAL PLAT APPROVAL, SECTION 05. PROCEDURES FOR FINAL PLAT, SECTION 06. PROCEDURES FOR ADMINISTRATIVE 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, SECTION 02. REQUIRED STREET IMPROVEMENTS, SECTION 07. SIDEWALKS – TIMING, SECTION 11. PRIVATE STREETS, ARTICLE 6, DRAINAGE AND FLOOD HAZARDS, SECTION 01. GENERAL REQUIREMENTS, SECTION 02. REQUIRED DRAINAGE STUDY, SECTION 04. DRAINAGE SYSTEM DESIGN STANDARDS, ARTICLE 7. WATER AND SEWERS, SECTION 01. GENERAL REQUIREMENTS FOR WATER SYSTEMS, SECTION 03. WATER MAINS, SECTION 06. ON-SITE SEWAGE FACILITIES, ARTICLE 8, UTILITY EXTENSIONS AND GENERAL SUBDIVISION REQUIREMENTS, SECTION 01. GENERAL REQUIREMENTS, SECTION 03. COSTS OF UTILITY EXTENSIONS, SECTION 05. MINIMUM SIZES FOR OVER-SIZING CALCULATIONS, SECTION 06. WATER, RECLAIMED WATER AND SEWER MAIN REIMBURSEMENTS, ADDING ARTICLE 10. RECLAIMED WATER, SECTION 01. GENERAL REQUIREMENTS FOR RECLAIMED WATER SYSTEMS, SECTION 02. RECLAIMED WATER SYSTEM DESIGN STANDARDS, SECTION 03. RECLAIMED WATER SYSTEM COMPLIANCE, ADDING ARTICLE 11. GAS DISTRIBUTION, SECTION 01. GENERAL REQUIREMENTS FOR GAS DISTRIBUTION, SECTION 02. GAS MAIN DESIGN STANDARDS, SECTION 03. GAS SYSTEM COMPLIANCE</p>
<b>DEPARTMENT</b>	Planning and Community Development
<b>CONTACT PERSON</b>	Laura Talley
<b>SUMMARY</b>	<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 development.</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</p>

development.

#### **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 that either the front or rear of the lot line.
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 in cottage developments, frontages and how they will connect to streets. Staff is also updating the Impact Fee Ordinance to allow a reduced rate for cottage development 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 5, Street Specifications and Construction Standards**

Staff has added timing for street improvements and clarified that these improvement apply to streets in the City limits and the ETJ.

#### **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:**

	<p>There are ____ <b>Heritage</b> Legacy Trees, as defined in subsection 2.02.002, identified on this plat.</p> <p><b>Specific Notes for plat in the ETJ:</b></p> <p><b>Setbacks in the ETJ:</b> 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.</p> <p><b>Fire Marshall Approval:</b> 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 from the Kendall County Fire Marshall.</p> <p><b>Detention</b> 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.</p>
<b>COST</b>	
<b>SOURCE OF FUNDS</b>	
<b>ADDITIONAL INFORMATION</b>	

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