

ORDINANCE NO. 2018-__

An Ordinance Amending the City Of Boerne Subdivision Ordinance No. 2007-56, Dated November 13, 2007, Article 1. General Provisions, Section 04. Definitions, Article 2. Procedures, Section 02. Procedures For Preliminary Plat, Section 03. Design and Construction Plans, Section 05. Procedures for Final Plat, Article 3. Planning And Community Design Standards, Section 03. Open Space Systems adding Section 06. Low Impact Development Facilities

WHEREAS, the City Council has received recommendations of the Planning and Zoning Commission concerning matters herein, which recommendations were made after holding a public hearing before said Commission and;

Whereas, the City Council held various workshops and public hearings on this matter and;

Whereas the City Council of Boerne has determined that it is in the best interest of the Boerne community to take into consideration the public health, safety and welfare to adopt the amendments included herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

Article 1. General Provisions Section 04. Definitions,

Best Management Practices (BMPs): Low impact development design and techniques as defined and identified in the City of Boerne edition, San Antonio River Basin Low Impact Development Technical Design Guidance Manual hereby referred to as LID Manual.

City of Boerne edition, San Antonio River Basin Low Impact Development Technical Design Guidance Manual: LID Manual.

Low Impact Development (LID): a sustainable land planning and engineering design approach to managing stormwater runoff as close as possible to the source.

Low Impact Development Strategies: Structural stormwater BMPs and planning techniques that are intended to closely model predevelopment hydrologic conditions by reducing impervious surfaces and infiltrating, evaporating, and storing stormwater runoff using native or improved soils, vegetation, and bioengineering.

Article 2. Procedures

Section 02. Procedures For Preliminary Plat 2.02.001 Submission.

L. Engineering report that determines the best location and type of LID that shall be incorporated into the site being developed. LID features that are identified in the LID Manual shall be incorporated into the development.

Section 03. Design and Construction Plans

Any time after approval of a preliminary plat, a subdivider may prepare the following, administratively complete design and construction plans and engineer's estimated cost documents, and for residential subdivisions a drainage study for review, comment or filing to the City (hereinafter referred to as the "submittal"). Three complete bound sets of the design and construction plans as identified in Section 8.01.003 and a minimum of two (2) copies of the drainage study as described in Article 6, Section 2 shall be filed with the Department of Public Works, 400 E. Blanco prior to submittal of a final plat. Design and construction plans shall be bound with a copy of the proposed plat which will be submitted for consideration.

A subdivider shall prepare design and construction plans separate from infrastructure plans for LID features as identified in the engineering report and as provided in the LID Manual. Design and construction plans shall be bound with a copy of the proposed plat which will be submitted for consideration.

Section 05. Procedures for Final Plat, 2.05.001 Procedures for Submission.

G. Letter from the engineer of record that the LID features have been designed to adhere to the BMPs and techniques provided by the LID Manual.

Article 3. Planning and Community Design Standards

SECTION 01.	PLANNING CONTEXT
SECTION 02.	TRANSPORTATION NETWORK AND STREET DESIGNS
SECTION 03.	OPEN SPACE SYSTEMS
SECTION 04.	BLOCKS AND LOTS
SECTION 05.	PUBLIC AND COMMUNITY FACILITIES
SECTION 06.	LOW IMPACT DEVELOPMENT FACILITIES

Section 03. Open Space Systems

3.03.001 Specific Intent.

It is the specific intent of this Section to:

- A. Value the design, function, appropriate application, and perceptual impact of different types of open space, rather than solely the quantity of space.
- B. Recognize open space, whether public, common, or private, as an important element of the civic infrastructure of the City and the primary determinant of the Hill Country character.
- C. Consider the context and multiple functions that open spaces can serve to support development.
- D. Develop a greater perceived impact from open space by coordinating the design and location of open spaces among adjacent sites and within a coordinated system, and develop a community-wide Civic Open Space System.
- E. Create meaningful connections between people and open space, and increase citizens' access to a wider variety of quality open spaces to meet recreation and social needs of the community.
- F. Provide connectivity of trail systems within subdivisions and between developments.
- G. Relate constructed elements on streets, blocks, and lots, to the open space and create focal points for the community, neighborhood, district, or development site where these systems intersect.

- H. Integrate natural systems into the design of common or public open spaces to allow open space to serve multiple aesthetic, recreational, and ecological functions and areas for incorporation of LID features.

Section 06. Low Impact Development Facilities

3.06.001 Specific Intent.

It is the specific intent of this Section to:

- A. Value the design, function, appropriate application of LID features and BMPs either incorporated into areas of open space or constructed separately
- B. Design features in accordance with the LID Manual and with the intent to treat a minimum of seventy percent (70%) of the projected overall stormwater runoff
- C. Consider the context and multiple functions that open spaces can serve to support development.
- D. Provide criteria for LID construction documents and engineering reports that meet the intent of the LID Manual.
- E. Manage stormwater runoff both at the source and at the surface using plans and soil to slow, filter, cleanse and infiltrate runoff by designing facilities that are simple, low-cost and aesthetically enhance the community

3.06.002 Obligations of Subdivider.

The subdivider shall install at his/her own cost and expense all of the improvements required by this ordinance. It shall be the subdividers responsibility to ensure that all improvements are constructed in accordance with this ordinance, LID Manual BMPs. The subdivider shall comply with all other provisions of this ordinance prior to acceptance of the subdivision by the City.

3.06.003 Engineer Responsible.

The subdivider shall retain the services of a licensed professional engineer, licensed in the State of Texas, whose seal shall be placed on each sheet of the construction plans, and who shall be responsible for the design and supervision of all LID features constructed for the subdivision.

3.06.004 Construction Plans.

The construction plans for LID features shall be submitted as provided in Article 2 and shall meet the following requirements.

- A. All design professionals shall be required to sign letters to accompany their documents stating that the "The attached documents comply with the requirements of the City of Boerne Subdivision Ordinance".
- B. All design professionals shall include in their plans, the statement "Construction of all facilities to be shall be performed per the requirements of the City of Boerne LID Manual.

- C. Three complete bound sets of construction plans separate from the infrastructure plans, specifications and contract documents shall be filed with the City Manager after approval of a preliminary plat. These plans shall meet the BMPs and techniques as identified in the LID Manual.

3.06.005 Waiver to LID Requirements.

- A. Waiver of LID requirements in certain circumstances.

The Planning and Zoning Commission, after considering a report from City staff, may waive the LID requirements after considering the engineering report for the development. The report should be able to demonstrate that incorporating LID features would cause hardship, is ineffective or provides insignificant benefit or produces a negative impact onsite or to adjacent property or right-of-way.