



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Wolosin
- ☐ 2 = Woolard
- ☐ 3 = Tye
- ☐ 4 = Cisneros
- ☐ 5 = Handren
- ☒ All

AGENDA DATE

January 8, 2018

DESCRIPTION

CONSIDER ON FIRST READING ORDINANCE NO. 2019-02; AN ORDINANCE AMENDING ORDINANCE NO. 2014-56, AMENDING PROVISIONS RELATING TO DEVELOPMENT PLAT REGULATIONS AND CRITERIA IN THE CITY LIMITS AND THE EXTRATERRITORIAL JURISDICTION (ETJ), SECTION 02. DEFINITIONS, SECTION 06. PROCEDURES FOR DEVELOPMENT PLAT, A. SUBMITTALS, B. FORM AND CONTENT OF PLAT, SECTION 07. PROCEDURES FOR ADMINISTRATIVE PLAT AND APPENDIX A. ILLUMINATION PLAN; PROVIDING FOR A PENALTY NOT TO EXCEED \$200; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

STAFF'S RECOMMENDED ACTION (be specific)

Approve On First Reading Ordinance No. 2019-02; Amending Ordinance No. 2014-56, Amending Provisions Relating To Development Plat Regulations And Criteria In The City Limits And The Extraterritorial Jurisdiction (Etj), Section 02. Definitions, Section 06. Procedures For Development Plat, A. Submittals, B. Form And Content Of Plat, Section 07. Procedures For Administrative Plat And Appendix A. Illumination Plan; Providing For A Penalty Not To Exceed \$200; Providing For A Severability Clause; And Establishing An Effective Date

CONTACT PERSON

Laura Talley, Planning and Community Development Director

SUMMARY

State law allows cities to require a development plat as stated in Section 212 of the Local Government Code (below). As such, the City of Boerne has a separate Development Plat ordinance. The ordinance requires all property owners that are making improvements (developing), but not subdividing (making more lots), to provide a development plat.

§ 212.043. DEFINITIONS

Development: Any new construction or the enlargement of any exterior dimension or any building, structure, or improvement.

§ 212.045. DEVELOPMENT PLAT REQUIRED.

- (a) Any person who proposes the development of a tract of land located within the limits or in the extraterritorial jurisdiction of the municipality must have a development plat of the tract prepared in accordance with this subchapter and the applicable plans, rules, or ordinances of the municipality.*
- (b) A development plat must be prepared by a registered professional land surveyor as a boundary survey showing:*
- (1) each existing or proposed building, structure, or improvement or proposed modification of the external configuration of the building, structure, or improvement involving a change of the building, structure, or improvement;*
 - (2) each easement and right-of-way within or abutting the boundary of the surveyed property; and*
 - (3) the dimensions of each street, sidewalk, alley, square, park, or other part of the property intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the street, sidewalk, alley, square, park, or other part.*
- (c) New development may not begin on the property until the development plat is filed with and approved by the municipality in accordance with Section 212.047.*
- (d) If a person is required under Subchapter A or an ordinance of the municipality to file a subdivision plat, a development plat is not required in addition to the subdivision plat.*

Staff has prepared a proposed amendment to the Development Plat Regulations to allow for a Minor Development Plat. The Minor Development Plat would allow for less stringent submittal requirements for properties that have been created by metes and bounds over the years (not by subdivision plat). The amendment to allow Minor Development Plats will provide a less cumbersome and time-consuming process for residential and small commercial properties that just need to clarify existing property lines. We held a public hearing before the Planning and Zoning Commission to notify the public and the Commission of the proposed changes. No comment was made by the community. The Planning and Zoning Commission reviewed the amendments and made comments.

Staff had also recommended to the Commission that the Illumination Plan requirement that was revised with the latest update to the Zoning Ordinance replace the old version as part of the proposed amendment. The Commission suggested that the updates to the Illumination Plan be removed from the proposed amendment for further discussion.

The proposed amendment is not intended to be a comprehensive review or update to the ordinance. A comprehensive review and update will come with the Unified Development Code (UDC) revisions to the ordinances. The attached ordinance only those sections that are proposed to be amended.

	<p>The Planning and Zoning Commission recommended approval by a vote of 6-0 with some formatting changes and a couple of minor revisions.</p> <p>Following the discussion with Council in December, the updates to Exhibit A, Illumination Plan have been added to the proposed amendment. The addition mirrors the recent changes to the Zoning Ordinance which include LED lighting and more stringent lighting standards.</p>
COST	
SOURCE OF FUNDS	
ADDITIONAL INFORMATION	

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