



Legislation Text

File #: 17-0275, **Version:** 1

Consider and take action on Ordinance No. 2017-11, amending Chapter 125 of the Code of Ordinances of the City of League City entitled “Zoning” by amending Section 125-20.D entitled “Powers and Responsibilities” to allow minor deviations to the Zoning Ordinance to be administrative adjustments to be permitted by the City Planner - Second Reading (Director of Planning and Development)

Council approved the first reading, 8-0-0 on April 11, 2017.

February 27, 2017 - City Council (1) conducted a work session on subject, and (2) initiated the process to amend the City’s sign ordinance.

March 15, 2017 - Pursuant to Statute and local ordinance, notice of the forthcoming public hearings published in the GDN.

April 5, 2017 - The Planning and Zoning Commission conducted a public hearing on the proposed amendment and made a recommendation to City Council.

April 11, 2017 - City Council conducted a public hearing and approved the ordinance on first reading.

April 25, 2017 - City Council to consider ordinance on second reading.

Planning and Development

Project Summary:

Approval of this ordinance would amend the City’s Zoning Ordinance and provide the City Planner limited authority to allow minor deviations to the Zoning Ordinance during review of development projects submitted to the City. The intent of such authority would be, in general, for situations in which minor issues arise that are contrary to the zoning regulations and could not otherwise have been reasonably foreseen or prevented by the applicant prior to development review. Currently, any deviation from the requirements of the Zoning Ordinance requires the application to and approval by the Zoning Board of Adjustments (ZBA) of a variance. Such process takes 2-3 months.

The proposed regulation would require that any proposed deviation to be considered by the City Planner shall be in conjunction with a building permit or site development plan submitted to the City. The approval of a minor deviation by the City Planner shall not set a precedent for any future projects, and will not be considered if a variance request is the appropriate venue considering the degree of the proposed deviation.

The City Council approved a motion that requires the City Planner to consult with the City Engineer and the Director of Planning and Development prior to granting an administrative adjustment.

Allowing for an administrative adjustment would increase flexibility within the confines of the Zoning Ordinance and help facilitate a more expedient review of development projects submitted to the City. By allowing flexibility, the City Planner can make determinations based on special circumstances affecting sites that currently cannot be considered. Providing this additional flexibility is mentioned throughout the Comprehensive Plan and is encouraged.

The following sections from the Comprehensive Plan are consistent with the proposed text amendment:

1. “Promote flexibility in development patterns, site designs and uses by right, to the extent practical...” (Policies, Character; pg.5-23)
2. “Small deviations from the Minimum General Design Standards or from a neighborhood pattern book may be approved by staff, but major deviations should require a variance for hardship or a Special Use Permit.” (Policies, Minimum General Design Standards for all Single-Family Structures; pg.5-24)

3. Regulations should promote flexibility sufficient to allow for impact mitigation and creative site design (Policies, Economic Incentives; pg.11-7)

Staff Recommendation:

Given that the request complements the Comprehensive Plan and would provide a viable solution for the lack of discretionary approval authority of staff, staff recommends approval of the proposed ordinance.

Attachments:

1. Data Sheet
2. Proposed Ordinance

CONTRACT ORIGINATION:

Planning and Development

FUNDING

☒ NOT APPLICABLE

☐ Funds are available from Account # _____

☐ Requires Budget Amendment to transfer from Account # _____ to Account # _____