



ORDINANCE AMENDING CHAPTER 31 –
PUBLIC NOTIFICATION REQUIREMENTS &
FLUM AMENDMENT CRITERIA

PH-22-065

August 2, 2022

Background

- The purpose of the proposed ordinance is to:
 - Codify the City's current practice of sending written notification regarding FLUM amendment and zoning change requests to property owners within 400 feet of the request; and
 - Establish a process and criteria upon which staff, P&Z, and City Council can evaluate requests to amend the Future Land Use Map (FLUM) of the Comprehensive Plan.

Background

- The City's new Comprehensive Plan is scheduled to come before City Council for adoption on August 23, 2022.
- If approved, the proposed ordinance will establish criteria for Future Land Use Map (FLUM) amendment requests.
- The intent of the proposed ordinance is to limit the frequency of FLUM amendment requests and establish parameters for those requests.

Public Notification Requirements

Sec. 31-39. Amendments.

- b. Public notification.* All property owners within four hundred (400) feet in all directions of the area for which a zoning change or Future Land Use Map (FLUM) amendment is requested shall be notified in accordance with Section 211.007, as amended, of the Texas Local Government

Consistency with Comprehensive Plan

Sec. 31-39. Amendments.

- i.* *Consistency with Comprehensive Plan.* Requests to amend the zoning designation of a piece of a property shall be in accordance with the Future Land Use Map (FLUM) of the Comprehensive Plan. If a request is not consistent with the Future Land Use Map (FLUM), a request to amend the Future Land Use Map (FLUM) may be submitted prior to submitting a request to amend the zoning. Future Land Use Map (FLUM) amendment requests shall not be processed concurrently with a zoning request for the same property.

FLUM Amendment Criteria

- i. When considering whether to approve a request to amend the City's Future Land Use Map (FLUM) the City Council shall consider the following factors:
 - 1) Is the proposed amendment consistent with the principles and policies set forth in the Comprehensive Plan?
 - 2) Is the proposed amendment compatible with the character of the surrounding area?
 - 3) What is the impact of the proposed amendment on infrastructure provision including water, wastewater, drainage, and the transportation network?
 - 4) What is the impact of the proposed amendment on the City's ability to provide, fund, and maintain services?

FLUM Amendment Criteria

- 5) What is the impact of the proposed amendment on environmentally sensitive and natural areas?
- 6) What specific conditions (e.g., population size and/or characteristics, area character and building form, property/structure conditions, infrastructure or public services, market factors including need for more land in a particular designation, etc.) have changed sufficiently to render the current map designation(s) inappropriate or out-of-date?
- 7) Do City staff, the Planning and Zoning Commission, and/or the City Council have sufficient information to move ahead with a decision (e.g., utility capacity, potential traffic impacts, other public service implications, resident/stakeholder concerns and input)?

Alternatives

- ❑ The City Council has three (3) alternatives:
 - ❑ Do not approve the ordinance;
 - ❑ Approve the ordinance with modifications; or
 - ❑ Approve the ordinance as presented.

Recommendations

- Staff recommends approval of the ordinance as presented.
- On June 11, 2022, the Planning and Zoning Commission recommended approval of the ordinance as presented by a vote of 7 to 0.