



Planning & Development Services Department

550 Landa Street
New Braunfels, Texas 78130
(830) 221-4050 www.newbraunfels.gov

Shared Parking Agreement Application

Name of Applicant/Agent*: _____

Subject Property Address: _____

Mailing Address: _____

Phone: _____

E-Mail: _____

Legal Description: Lot #: _____ Block: _____ Subdivision: _____

(NOTE: If property is not platted, attach a copy of the metes and bounds description and survey/drawing.)

Present/Proposed Uses on the Subject Property: _____

SUBMITTAL CHECKLIST:

(Additional information may be deemed necessary by staff for processing the request.)

- Site plan of the subject property indicating the location of all on-site proposed parking.
- Parking calculation for subject property, to be provided on site plan.
(See Section 144-5.1-3 for parking requirements)
- Draft agreement – sample is attached

The Planning and Community Development Department shall approve or deny any completed application based on the criteria outlined in Sec.144-5.1-1(g) (provided with this application) and any additional information deemed necessary for a thorough review. If approved, a shared agreement shall be recorded in the appropriate county deed records and a copy shall be provided to the Planning and Community Development Department.

Any application that is missing information will be considered incomplete and will not be processed.

I hereby certify that the information provided is true and correct to the best of my knowledge.

Signed: _____ Date: _____ Print Name: _____
Applicant/Agent*

* If signed by an agent, a letter of authorization must be furnished by the subject property's owner.

FOR OFFICE USE ONLY

Application Received By: _____ Date: _____

Sec. 144-5.1 Parking, Loading, Stacking and Vehicular Circulation.

5.1-1 General provisions:

(g) *Shared parking*. Shared parking may be allowed in the case of mixed uses (different buildings) under the following conditions:

- (1) Up to 50% of the parking spaces required for a theater or other place of evening entertainment (after 6:00 p.m.), or for a church, may be provided and used jointly by banks, offices, and similar uses not normally open, used, or operated during evening hours.
- (2) The Planning Director may approve shared parking based on an applicant-submitted parking study demonstrating significantly different peak hours of parking demand.
- (3) Shared parking must be on the same parking lot, unless an off-site parking application is approved.
- (4) Reduction due to shared parking shall only be allowed if approved on the site plan, the building permit site plan, SUP site plan or PD detail plan.
- (5) To assure retention of the shared parking spaces, each property owner shall properly draw and execute an irrevocable mutual parking agreement document expressing the same, approved by the Planning Director, shall file this agreement with the County, and shall provide a copy of the filed agreement to the City of New Braunfels prior to issuance of a Certificate of Occupancy for any use that relies upon the parking agreement.

(Should you have any questions please contact the Planning Division at (830) 221-4050, or at planning@nbtexas.org.)

STATE OF TEXAS §
 §
COUNTY OF COMAL §

SHARED PARKING AGREEMENT

This Shared Parking Agreement (Agreement) is entered into and effective _____
20_____ by _____ as owner of the property known as
_____, New Braunfels, Texas.

WHEREAS, pursuant to Section 144.5.1-1(g) of the Code of Ordinances, the City of New Braunfels specifies criteria which must be met in order to utilize shared parking agreements to satisfy the on-site parking requirements,

NOW, THEREFORE, in consideration of satisfying the recitals and mutual obligations of the parties herein expressed, we hereby bind ourselves as follows:

1. _____, as the owner of the property consisting of _____ (subject property), agrees to provide no less than _____ spaces for vehicular parking on the subject property as shown on Exhibit A to this Agreement. The provided spaces may be used jointly by multiple businesses on the subject property only when the hours of business operation do not conflict or overlap. The _____ parking spaces are not required parking for any other premise.
2. The provisions and conditions of this Agreement shall be for a term of no less than ten (10) years from the date of this Agreement, unless otherwise replaced pursuant to Section 144.5.1-1(i)(5), and shall be enforceable against successors in interest and future owners and assigns.
3. The subject property or portion thereof on which the parking spaces are located will not be made subject to any other covenant or contract for use which interferes with the parking use, without prior written consent of the City.
4. This Agreement is in perpetuity and can only be terminated with the approval of the City of New Braunfels, if replaced with on-site parking to meet Code, or replaced with another parking agreement.
5. If for any reason the Agreement is not followed, the owner of the premise using the shared parking acknowledges that the premise is in violation of Chapter 144 of the City of New Braunfels Code of Ordinances, and that the Certificate of Occupancy may be voided by the City.

6. This Agreement shall be kept on file with the City of New Braunfels and shall be recorded in the real property records of _____ (Name) _____ County, Texas.

Owner of Subject Property:

Signature

Date

Printed Name

State of Texas §
 §
County of **Comal** §

ACKNOWLEDGED AND SIGNED BEFORE ME, the undersigned authority, on the _____ day of _____, _____, by _____ (Name of property owner).

Notary Public, State of Texas

APPROVED AS TO FORM:

City Attorney
City of New Braunfels, Texas

By: _____

Date: _____

This Agreement satisfies section 144.5.1-1(g) **subsection (5) only** of the City of New Braunfels Code of Ordinances. The shared parking agreement request is still subject to all remaining subsections of 144.5.1-1(g) before a certificate of occupancy may be issued.

Planning and Community Development Director

Date: _____

INSTRUCTIONS FOR SUBMITTING THIS APPLICATION

This application can be submitted online using the City of New Braunfels permit portal. For instructions on how to submit this permit application, please read below.

1. Access the online permit portal at <https://nbpermits.nbtexas.org/publicaccess>. Once you arrive at the Portal Login Page you will need to create a username and password.
 - a. The username will need to be a valid email address and you will be informed of the status of your application via email.
 - b. Password Requirements are: Minimum of 8 characters and must include at least one uppercase, one lowercase, and a number. Passwords cannot match your email address, first, or last name.
2. Select the Create Application button at the top center of the page and click on the Planning/Zoning folder.
3. Navigate to the desired application on the following pages. The application will be titled the same as it is on page 1 of this document.
4. Once you have found the correct application type, click on it once and select the Begin Application button.
5. Enter the application information:
 - a. Main: Subject property location (if applicable) and description of the request.
 - b. People: Your contact information. The email address provided will receive status updates on the application as it proceeds through the review process. You can add additional email addresses to receive status updates, but the provided email addresses must have a permit portal account.
 - c. App Form: Questions relating to the application.
 - d. Attachments: Upload a digital copy of this application and all required documents listed on page (1). Attachments must be .pdf format and named as they are listed on this application. **ALL REQUIRED DOCUMENTS LISTED ON THE APPLICATION MUST BE ATTACHED OR THE APPLICATION IS CONSIDERED INCOMPLETE.**
 - e. Payment: The required fee to submit. Please note: all credit/debit card transactions will incur a 2.75% processing fee. We encourage you to utilize one of our free options which include cash, check or e-Check.

You will receive a confirmation email once the application is submitted. If the application is incomplete or requires corrections, you will be emailed by a staff member requesting the information that is necessary to continue review. **AN INCOMPLETE APPLICATION WILL NOT CONTINUE TO BE REVIEWED AND CAN DELAY THE PROCESS.** Communication from the portal system will originate from cwmessenger@newbraunfels.gov.

If you have any questions, please contact Development Planning Division Staff at planning@newbraunfels.gov or (830) 221-4050.