

**ORDINANCE NO. 2023-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 31 ACRES OF THE A.M. ESNAURIZAR SURVEY, ELEVEN LEAGUE GRANT, BLOCK NO. 106, ABSTRACT NO.20, CURRENTLY ADDRESSED AT 1865 S SH 46, FROM C-3 (COMMERCIAL DISTRICT) AND APD (AGRICULTURAL/PRE-DEVELOPMENT DISTRICT) TO MU-A (LOW INTENSITY MIXED USE DISTRICT); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

**WHEREAS**, in keeping with the spirit and objectives of the MU-A (Low Intensity Mixed Use District), the City Council has given due consideration to all components of said district; and

**WHEREAS**, the rezoning is in compliance with the Future Land Use Plan; and

**WHEREAS**, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

**WHEREAS**, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan;

**WHEREAS**, the City Council desires to amend the Zoning Map by changing the zoning of approximately 31 acres of the A.M. Esnaurizar Survey, Eleven League Grant, Block No. 106, Abstract No.20, currently addressed at 1865 S SH 46 from C-3 (Commercial District) and APD (Agricultural/Pre-Development District) to MU-A (Low Intensity Mixed Use District), and

**now, therefore;**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:**

**SECTION 1**

**THAT** pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by rezoning the following tract of land from C-3 (Commercial District) and APD (Agricultural/Pre-Development District) to MU-A (Low Intensity Mixed Use District):

Approximately 31 acres, being of the A.M. Esnaurizar Survey, Eleven League Grant, Block No. 106, Abstract No.20, as delineated and described in Exhibit "A", attached.

**SECTION 2**

**THAT** all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

### **SECTION 3**

**THAT** if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

### **SECTION 4**

**THIS** ordinance will take effect upon the second and final reading in accordance with the provisions of the Charter of the City of New Braunfels.

**PASSED AND APPROVED:** First reading this 23<sup>rd</sup> day of October, 2023.

**PASSED AND APPROVED:** Second reading this 13<sup>th</sup> day of November, 2023.

**CITY OF NEW BRAUNFELS**

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**NEAL LINNARTZ**, Mayor

**ATTEST:**

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**GAYLE WILKINSON**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney

