

**ORDINANCE NO. 2024-**

***AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 118 SUBDIVISION PLATTING SECTION 30; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.***

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**WHEREAS**, the City Council of the City of New Braunfels, Texas, deems it necessary and desirable to establish zoning regulations to provide for the orderly development of property within the City by governing the use of land in order to promote the public health, safety, morals, and general welfare of the residents of the City; and

**WHEREAS**, the City Council has directed that regulations dealing with the use and development of land be reviewed by the Planning Commission to make recommendations concerning improving those regulations; and

**WHEREAS**, the City is engaged in a project to update the development-related ordinances known as the Land Development Ordinance (LDO), in accordance with the Comprehensive Plan, Envision New Braunfels; and

**WHEREAS**, the Planning Commission held a public hearing on January 7, 2025, and recommended approval of the proposed amendments; and

**WHEREAS**, the City Council held a public hearing on said amendments on January 27, 2025; and

**WHEREAS**, the City Council hereby finds and determines that regularly updating the code for clarification provides improved customer service and is in the best interest of the citizens of New Braunfels.

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

**SECTION 1**

**THAT** Chapter 118, Zoning, Article III, General Platting Procedures, Section 30, Certificates and statements, is hereby amended with additions as underlines and deletions as strikeouts as follows:

**Sec. 118-30. Certificates and statements.**

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(d) A certificate of approval and acceptance by the city shall be placed on the subdivision plat, as follows:

(1) For administratively approved plats:

Approved this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by the City of New Braunfels, Texas.

Approved for Acceptance

_____ Date	_____ Planning and Development Services Director
_____ Date	_____ City Engineer
===== Date	===== New Braunfels Utilities

(2) For non-administrative plats:

A certificate of approval and acceptance by the planning commission shall be placed on the subdivision plat, as follows:

Approved this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, by the Planning Commission of the City of New Braunfels, Texas.

	_____ Chair
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Approved for Acceptance

_____ Date	_____ Planning and Development Services Director
_____ Date	_____ City Engineer
===== Date	===== New Braunfels Utilities

(e) A certificate of recordation in the following form shall be placed on the subdivision plat:

For Comal County

I, \_\_\_\_\_, do hereby certify that the foregoing instrument was filed for record in the Map and Plat Records, Doc # \_\_\_\_\_ of Comal County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ m.

Witness my hand official seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

	County Clerk, Comal County, Texas
	_____ Deputy

For Guadalupe County  
State of Texas  
County of \_\_\_\_\_

I, \_\_\_\_\_ County Clerk of said County, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office, on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_ at \_\_\_\_\_ m. and duly recorded the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_ at \_\_\_\_\_ m. in the map and plat records of \_\_\_\_\_ County, Texas in Volume \_\_\_\_\_, Page \_\_\_\_\_, in testimony whereof, witness my hand and official seal of office this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_.

County Clerk, \_\_\_\_\_ County, Texas

\_\_\_\_\_

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## SECTION 2

**THAT** it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

## SECTION 3

**THAT** all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

## SECTION 4

**THAT** all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

**SECTION 5**

**THAT** in accordance with the provisions of the City Charter, this Ordinance may be read and published by descriptive caption only. This Ordinance has been publicly available in the office of the City Secretary prior to its adoption.

**SECTION 6**

**THAT** this Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office. This Ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels, Texas.

**PASSED AND APPROVED:** First reading this 27<sup>th</sup> day of January 2025.

**PASSED AND APPROVED:** Second reading this 10th day of February 2025.

**CITY OF NEW BRAUNFELS**

\_\_\_\_\_  
**NEIL LINNARTZ, Mayor**

**ATTEST:**

\_\_\_\_\_  
**GAYLE WILKINSON, City Secretary**

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO, City Attorney**