

ORDINANCE NO. 2025-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 144 ZONING, ADDING SECTION 144-5.31 WITHIN ARTICLE V, DEVELOPMENT STANDARDS, REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 211 of the Texas Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement and amendment; and

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 Comprehensive Plan, Envision New Braunfels, has multiple action items supporting updates that improve regulations, including Action 1.12: Collaborate with internal and external partners and stakeholders to identify and connect sidewalk and bicycle lanes to trails to improve access and connectivity to key hubs and desirable destinations; Action 1.3: Encourage balanced and fiscally responsible land use patterns; Action Item 3.19: Improve walkability across town to attract younger generations seeking pedestrian connections; Action 7.1: Implement a sidewalk improvement program to install and replace sidewalks or walking trails where they do not exist or have gaps, particularly near and to/from schools; Action 7.4: Strengthen sidewalk requirements in the City's codes; Action 7.5: Continue development of sidewalks and trails to increase interconnectivity by five percent each year to support the reduction of carbon footprint; Action 7.7: Ensure that local development codes that require sidewalks, trails, lanes, or paths include healthy living, safety, and vehicular congestion relief as an intent; Action 7.8: Enhance pedestrian quality of the City by limiting the realm of the automobile, and

WHEREAS, the City of New Braunfels Strategic Plan has multiple objectives in the Enhanced Connectivity section supporting updates that improve regulations, including, Identify and establish planning, capital, and operating funding to support and

maintain a well-connected transportation network serving pedestrians, bicyclists, transit users, children, older individuals, individuals with disabilities, motorists, and freight vehicles; Develop a sidewalk inventory and process to assess pedestrian connectivity and Americans with Disabilities Act (ADA) accessibility and establish priorities for funding, constructing, and maintaining pedestrian improvements; Inform residents and visitors of transportation options on the City's website and social media platforms, including transit services, sidewalks, trails, and bikeways; Increase bikeway, trail, and sidewalk miles and increase walk and bike scores, and

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

WHEREAS, the Planning Commission held a public hearing on June 3, 2025, and recommended approval of the proposed amendments; and

WHEREAS, the City Council held a public hearing on said amendments on June 23, 2025; and

WHEREAS, the City Council hereby finds and determines that regularly updating the code 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 144, Zoning, Article V, Development Standards, is hereby amended with the additions as follows:

Sec. 144-5.31. Sidewalks

(a) Requirement of installation. Sidewalks shall be installed on the development side of all streets and shall be constructed in accordance with city standards and specifications with the permitting of any new structure(s) on a property, excluding accessory structures. A Certificate of Occupancy shall not be issued until all required sidewalks are installed.

(b) Minimum width.

(1) Along a local street: Four feet.

(2) Along a collector, arterial, parkway, expressway, or interstate: Six feet

(c) Requests for alternate pedestrian access plans, variances, waivers or exceptions shall follow the procedures outlined in § 118-49.

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.

PASSED AND APPROVED: First reading this 23rd day of June 2025.

PASSED AND APPROVED: Second reading this 14th day of July 2025.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney