ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 144 ZONING SECTION 5.1; 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 Item 1.11: Update policies and codes to achieve development patterns that implement the goals of this plan; Action 2.5: Encourage the diversification of commercial activity Downtown to build on and sustain existing historic resources and maximize structure utilization for economic expansion; Action 2.26: Achieve and update Downtown Implementation Plan goals for quality places downtown and along South Castell Avenue; Action Item 3.6: Pro-actively provide a regulatory environment that remains business and resident friendly.

WHEREAS, the Downtown Implementation Plan has action items supporting updates that improve regulations, including Action Item P4.4: Reduce or eliminate parking requirements in the Downtown for new development.

WHEREAS, the City of New Braunfels Strategic Plan has multiple objectives in the Economic Mobility Strategic Priority supporting updates that improve regulations, including Objective 1: Incentivize mixed-use developments and redevelopments in targeted locations to create a built environment with integrated housing, commercial centers, and opportunities for improved connectivity; Objective 2: Support Confluence, the New Braunfels Chamber of Commerce Economic Development Strategic Plan, by helping to ensure a community that supports the targeted industries and increases the

diversity of job opportunities in the community; and Objective 3: In partnership with the New Braunfels Economic Development Corporation (NBEDC) and New Braunfels Utilities, develop a cohesive framework for economic development incentives that encourage a built environment that results in enhanced walkability, mixed housing types, and the co-location of commercial and residential uses.

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 City Council heard a briefing at their special meeting on March 18, 2024, and directed staff to proceed with amendments ahead of the LDO project; and

WHEREAS, the Planning Commission held a public hearing on April 2, 2024, and recommended approval of the proposed amendments; and

WHEREAS, the City Council held a public hearing on said amendments on April 22, 2024; 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 144, Zoning, Article V, Development Standards, Section 5.1, Parking, loading, stacking and Vehicular Circulation, is hereby amended with additions as underlines and deletions as strikeouts as follows:

Sec. 144-5.1. Parking, loading, stacking and vehicular circulation.

5.1-1. *General provisions.*

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(b) *Exception to application for existing* uses *and changes in* uses. Buildings existing in

the area defined by the boundary shown on Figure 3 are exempt from having the number of off-street parking spaces required by this section when:

(1) The use of the building is being changed, but the gross floor area of the building is not being enlarged;

(2) The building is being reconstructed or renovated, but ~~not enlarged~~ the gross floor area of the building is not being enlarged; or

(3) The building is being brought back into use after being vacant.

(4) Where a building ~~an existing building~~ is being enlarged or reconstructed and the building's gross floor area is being enlarged by more than ten percent, the parking shall be required in proportion to the building's ~~for the~~ expanded gross floor area only.

(5) Uses not eligible to be exempt include outfitters, special events, or event venues.

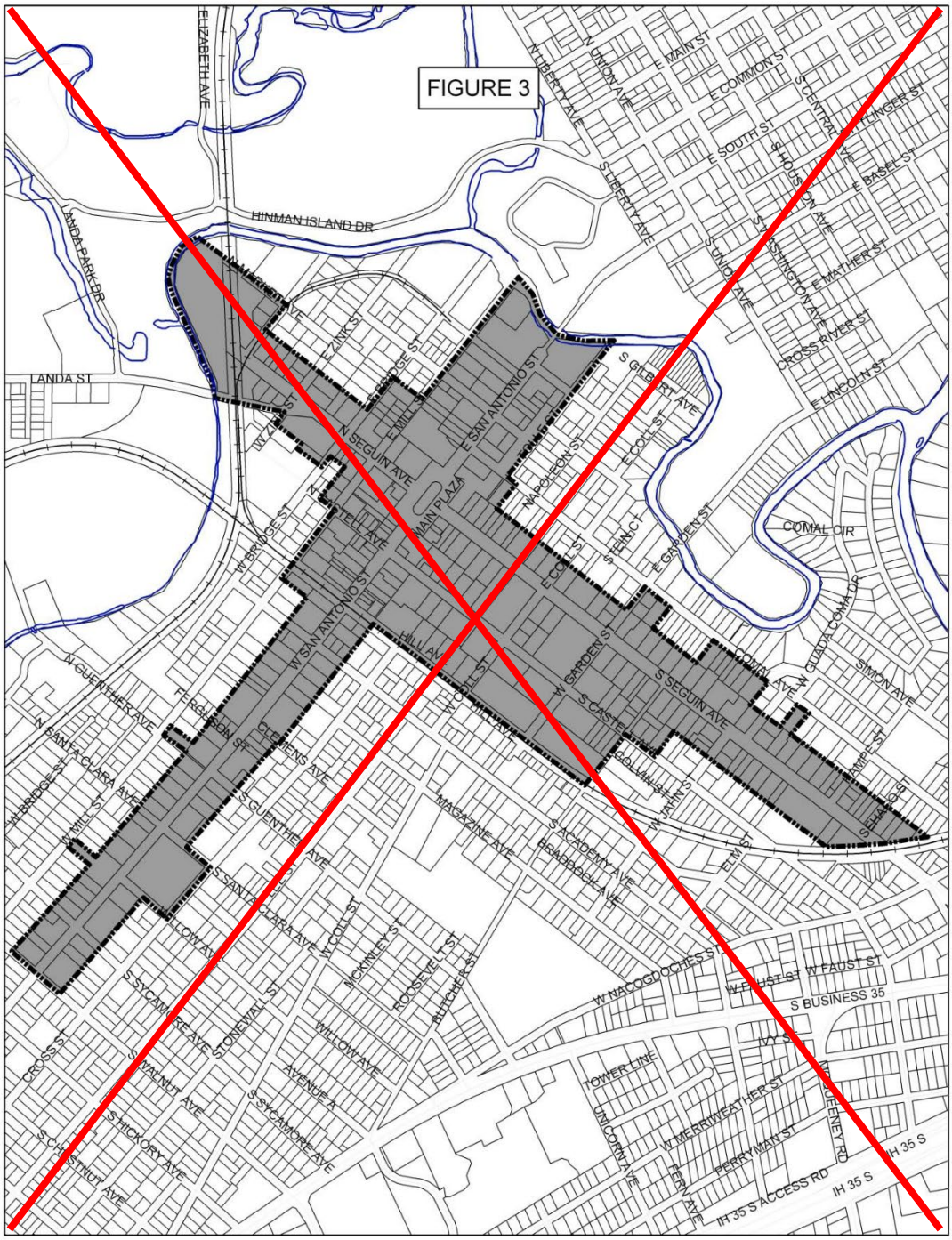
FIGURE 3
ELIZABETH AVE
HINMAN ISLAND DR
LANDA PARK DR
LANDA ST
N UNION AVE
E MAIN ST
E COMMON ST
E SOUTH ST
N LIBERTY AVE
S LIBERTY AVE
E CENTRAL AVE
E HOUSTON AVE
E BASEL ST
E MATHER ST
E LINCOLN ST
CROSS RIVER ST
S UNION AVE
E LINGER ST
W MARKET AVE
W LINK ST
W BRIDGE ST
W MILL ST
N SEGUIN AVE
N CHESTNUT ST
E SAN ANTONIO ST
E MILL ST
E BRIDGE ST
MAIN PLAZA
NAPOLEON ST
E COLL ST
S GILBERT AVE
E GARDEN ST
COMAL CIR
COMAL AVE
N GUADALUPE
SIMON AVE
W SAN ANTONIO ST
W GARDEN ST
S SEGUIN AVE
S CASTELL AVE
GOLLIAD ST
N GUENTHER AVE
FERGUSON ST
CLEMENS AVE
N SANTA CLARA AVE
W BRIDGE ST
W MILL ST
S GUENTHER AVE
S SANTA CLARA AVE
MAGAZINE AVE
S ACADEMY AVE
BROADBACK AVE
ELM ST
W COLL ST
MCKINLEY ST
ROOSEVELT ST
BUTCHER ST
W NACOGDOCHES ST
W FAUST ST
S BUSINESS 35
IVY ST
TOWER LINE
UNICORN AVE
W MERRIWEATHER ST
PERRY MAN ST
PERRY AVE
IH 35 S ACCESS RD
IH 35 S
IH 35 S
S SYCAMORE AVE
STONEWALL ST
WILLOW AVE
AVENUE A
S WALNUT AVE
S HICKORY AVE
S CHESTNUT AVE
CROSS ST

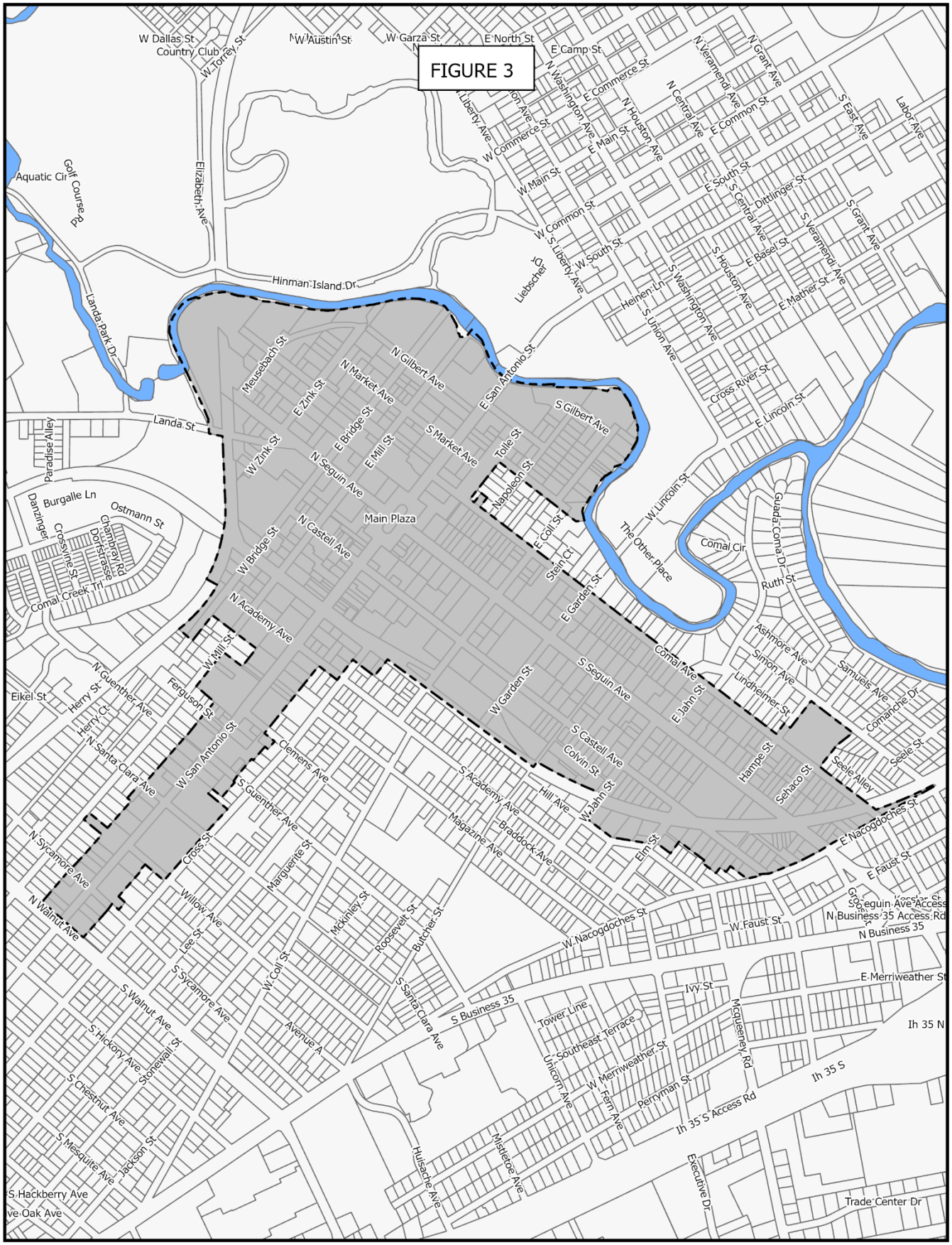
FIGURE 3
Main Plaza
W Dallas St
Country Club
W Austin St
W Garza St
E North St
E Camp St
W Commerce St
E Commerce St
W Main St
E Main St
W Common St
E Common St
W South St
E South St
Aquatic Cir
Golf Course Rd
Elizabeth Ave
Hinman Island Dr
Landa Park Dr
Landa St
Paradise Alley
Burgalle Ln
Ostmann St
Danzinger
Crossvine St
Chambray Rd
Dorfstrasse
Comal Creek Trl
Meusebach St
E Zink St
W Zink St
N Market Ave
N Gilbert Ave
E San Antonio St
S Gilbert Ave
E Bridge St
E Mill St
S Market Ave
Tolle St
Napoleon St
N Seguin Ave
W Bridge St
N Castell Ave
E Coll St
Stein Ct
E Garden St
W Lincoln St
E Lincoln St
The Other Place
Comal Cir
Guada Coma Dr
Ruth St
Cross River St
Liebscher Dr
Heinen Ln
S Union Ave
S Washington Ave
S Houston Ave
S Liberty Ave
S Central Ave
S Dittlinger St
E Basel St
E Mather St
S Veramendi Ave
S Grant Ave
S East Ave
Labor Ave
N Veramendi Ave
N Grant Ave
N Washington Ave
N Houston Ave
N Central Ave
Liberty Ave
N Academy Ave
W Mill St
N Guenther Ave
Herry St
Herry Ct
Ferguson St
Eikel St
N Santa Clara Ave
W San Antonio St
Clemens Ave
S Guenther Ave
N Sycamore Ave
Cross St
N Walnut Ave
Willow Ave
Lee St
Marguerite St
W Garden St
S Seguin Ave
Comal Ave
E Jahn St
W Jahn St
S Castell Ave
Colvin St
Hill Ave
S Academy Ave
Magazine Ave
Braddock Ave
Elm St
Hampe St
Sehaco St
Seele Alley
Seele St
Comanche Dr
Samuels Ave
Lindheimer St
Simon Ave
Ashmore Ave
E Nacogdoches St
E Faust St
W Nacogdoches St
W Faust St
N Business 35
N Business 35 Access Rd
S Seguin Ave Access
McKinley St
Roosevelt St
Butcher St
S Santa Clara Ave
S Business 35
W Coll St
S Sycamore Ave
S Walnut Ave
S Hickory Ave
Stonewall St
S Chestnut Ave
S Mesquite Ave
Jackson St
S Hackberry Ave
Oak Ave
Avenue A
Tower Line
Southeast Terrace
Unicorn Ave
W Merriweather St
Ivy St
E Merriweather St
McQueeney Rd
Ih 35 N
Ih 35 S
Ih 35 S Access Rd
Perryman St
W Fern Ave
Mistletoe Ave
Huisache Ave
Executive Dr
Trade Center Dr

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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 22nd day of April 2024.

PASSED AND APPROVED: Second reading this 13th day of May 2024.

CITY OF NEW BRAUNFELS

_____
NEIL LINNARTZ, Mayor

ATTEST:

_____
GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

_____
VALERIA M. ACEVEDO, City Attorney