

ORDINANCE NO. 2017-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 118, PLATTING, SECTION 46(x) PRIVATE STREETS; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels, Texas, finds it necessary to establish rules and regulations governing the use of land in the city limits; 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 Planning Commission held a public hearing on January 3, 2017 and recommended approval of the amended design standards for gated subdivision streets; and,

WHEREAS, City Council finds that adopting amended design standards for gated subdivision streets is in the interest of the public health, safety and welfare; **now therefore**,

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

Section 1.

THAT Section 46(x) of Chapter 118 is hereby amended by adding the following:

(5) *Gated Subdivision Streets*. When a gated entry is installed on a private street, the following provisions shall be met:

a. *Emergency Access*. An approved keyed or keyless entry system shall be provided on all gates. This security access system shall include the following for the specified type of gate:

1. Electric-Operated Gates:

(a) A gate override in case of power failure;

(b) Access provided to the school district, law enforcement, and utility providers; and,

(c) A fire department lock box for the fire department having jurisdiction.

2. Non-electric Operated Gates:

(a) A fire department lock box. If within the ETJ, the key or code of the fire department lock box shall be provided to the appropriate County Office of Emergency Management.

- (b) Non-electric operated gates shall only be utilized at secondary access points.
- 3. Written approval from the responding fire department confirming their satisfaction with the access being provided shall be submitted.
- b. *Queuing.* At gated entrances where traffic can queue into public streets, the gate and entrance design must provide for sufficient storage capacity so that no vehicles will queue into the public street. Gated entrance shall be designed as follows:
 - 1. The gated entryway vehicle storage length measured from the call box to the public right-of-way shall meet the following requirements:
 - (a) A minimum of 40 feet for up to 100 peak hour trips.
 - (b) For developments over 100 peak hour trips, the traffic impact analysis shall include a queuing analysis to determine the minimum entryway vehicle storage length for the gated entry.
 - 2. The gated entryway distance from the call box to the entry gate shall be a minimum of 30 feet.
 - 3. The gated entryway pavement width for each egress and ingress shall be a minimum of 20 feet.
 - 4. The gated entryway center median shall be a minimum of four feet wide.
 - 5. The gated entryway area between the entry gate and public right-of-way shall be free from overhead structures, mail boxes or other objects that may limit the safe movement of vehicles or restrict sight distance.
 - 6. The subdivider shall provide for vehicle turnaround capability based on the single unit design (SU-30) vehicle as provided in the 2011 American Association of State Highway and Transportation Officials *A Policy on Geometric Design of Highways and Streets*, or latest revision thereof or be able to make a three-point turning movement to prevent a motorist from backing onto the public street.
- c. *Connectivity.* The street system shall comply with other street standards of this Chapter.
- d. Gates shall be installed and operational prior to completion of construction of required public/subdivision improvements as defined in this Chapter, and be accepted by the Fire Marshal and City Engineer.

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 Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

Section 5.

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.

PASSED AND APPROVED: First reading this 23rd day of January, 2017.

PASSED AND APPROVED: Second reading this 13th day of February, 2017.

CITY OF NEW BRAUNFELS, TEXAS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney