

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 106, SIGNS, DELETING SECTION 10B, (13) SUBDIVISION ENTRY SIGNS FROM SIGNS EXEMPT FROM REGULATION OR PERMIT; AMENDING SECTION 14B, PERMANAENT ON- PREMISE SIGN REGULATIONS BY ADDING SUBSECTION (8) SUBDIVISION ENTRY SIGNS; 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 August 7, 2018 and recommended approval of amendments to the Subdivision Entry Signs section of the Sign Ordinance; and

WHEREAS, the City Council finds that relocating the regulations for subdivision entry to ensure the standards set forth within the Code are being upheld within the City of New Braunfels; **now therefore**,

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

SECTION 1

THAT Chapter 106, Signs, Section 10b Signs Exempt from Regulation or Permits, Subsection (13) Subdivision entry signs is hereby deleted for purposes of relocation as shown below:

~~(13) — *Subdivision entry signs.* Subdivision entry signs are allowed at any entrance into a subdivision, subject to the following standards:~~

~~a. — Subdivision entry signs must be a monument sign, or a sign on a screening or decorative wall, subject to the definition of this Code, and may contain a maximum of 40 square feet per sign face with a maximum height of six feet;~~

~~b. — Subdivision entry signs must be constructed of masonry, stone, brick, wood or other material(s) compatible with surrounding development.~~

~~c. — Subdivision entry signs must be setback a minimum of five feet from the property line outside of the required sight triangle and located outside of any drainage easement and not in public or private right-of-way.~~

~~d. — Subdivision entry signs must provide a landscaped area equal to twice the area of the sign face, providing one, five-gallon shrub for every ten square feet of landscaped area.~~

~~1. — One of the following irrigation methods shall be used to ensure the~~

~~survival of the required plant material in the landscaped areas.~~

~~A. Conventional system. An automatic or underground irrigation system that may be a conventional spray or bubbler type heads.~~

~~B. Drip or leak-pipe system. An automatic or underground irrigation system in conjunction with a water-saving system such as a drip or a leaky-pipe system.~~

~~C. Temporary and above-ground watering. Landscape areas utilizing xeriscape plants and installation techniques, including areas planted with native grasses, wildflowers and trees may use a temporary and above-ground system, and shall be required to provide irrigation for the first three growing seasons.~~

~~D. No irrigation shall be required for undisturbed natural areas or undisturbed trees.~~

~~2. The owners of the landscaped property shall be responsible for the maintenance of the landscaped area.~~

SECTION 2

THAT Chapter 106, Signs, Section 14b, Permanent on-premises sign regulations, is hereby amended by adding the following Subsection:

(8) Subdivision entry signs. Subdivision entry signs are allowed at any entrance into a subdivision, subject to the following standards:

a. Subdivision entry signs must be a monument sign, or a sign on a screening or decorative wall, subject to the definition of this Code, and may contain a maximum of 40 square feet per sign face with a maximum height of six feet;

b. Subdivision entry signs must be constructed of masonry, stone, brick, wood or other material(s) compatible with surrounding development.

c. Subdivision entry signs must be setback a minimum of five feet from the property line outside of the required sight triangle and located outside of any drainage easement and not in public or private right-of-way.

d. Subdivision entry signs must provide a landscaped area equal to twice the area of the sign face, providing one, five-gallon shrub for every ten square feet of landscaped area.

1. One of the following irrigation methods shall be used to ensure the survival of the required plant material in the landscaped areas.

A. Conventional system. An automatic or underground irrigation system that may be a conventional spray or bubbler type heads.

B. Drip or leak-pipe system. An automatic or underground irrigation system in conjunction with a water-saving system such as a drip or a leaky-pipe system.

C. Temporary and above-ground watering. Landscape areas utilizing xeriscape plants and installation techniques, including areas planted with native grasses, wildflowers and trees may use a temporary and above ground system, and shall be required to provide irrigation for the first three growing seasons.

D. No irrigation shall be required for undisturbed natural areas or undisturbed trees.

2. The owners of the landscaped property shall be responsible for the maintenance of the landscaped area.

SECTION 3

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 4

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 5

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

SECTION 6

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 7

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.

SECTION 8

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 the 27th day of August 2018.

PASSED AND APPROVED: Second and Final Reading this the 10th day of September 2018 .

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney