

ORDINANCE NO. 2019-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING SECTIONS 114-98, 114-99, AND 118-46 OF THE CODE OF ORDINANCES REGARDING ACCESS ON COLLECTOR AND MAJOR THOROUGHFARE STREETS, TURN LANE AND TRAFFIC IMPACT ANALYSIS REQUIREMENTS, AND REMOVAL OF DUPLICATE TRAFFIC IMPACT ANALYSIS REQUIREMENTS AND REFERENCES TO THE SUB-COLLECTOR STREET SECTION.

WHEREAS, the State of Texas has enacted legislation empowering municipalities to exercise authority relating to subdivision regulation; and

WHEREAS, the City Engineer may amend city standards from time to time, upon recommendation of Planning Commission to City Council; and

WHEREAS, the Transportation and Traffic Advisory Board and Planning Commission unanimously recommend to the City Council adoption of amendments regarding access on collector and major thoroughfare streets, turn lane and traffic impact analysis requirements, and removal of duplicate traffic impact analysis requirements and references to the sub-collector street section; and

WHEREAS, the City Council has determined that it is in the best interest of the citizens of New Braunfels to amend Sections 114-98, 114-99, and 118-46 of the Code of Ordinances.

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

I.

THAT, Section 114-98, General specifications for all roadways, is amended by deleting subsections (a)(3), (b)(1), (c)(1), (c)(3), (c)(5), (c)(7), (d)(2) and (f)(10), and adding new subsections (a)(3), (b)(1), (c)(1), (c)(3), (c)(5), (c)(7), (d)(2) and (f)(10) as follows:

- (a)(3) No driveways, other than those required for one and two family residential structures on local streets, shall be constructed in such a way as to require backing maneuvers into the public right-of-way.

(b)(1) Driveway access to expressway, parkway, arterial and collector roads shall not be permitted for parking or loading areas that require backing maneuvers in a public street right-of-way. Driveway access to streets for commercial or multifamily developments shall not be permitted for parking or loading areas that require backing maneuvers in a public street right-of-way. Additional provisions for access on a collector are provided in Section 118-46(m).

(c)(1) Application of the driveway access location and design policy requires identification of the functional classification of the street on which access is requested. Street sections are classified as follows:

- a. Local street;
- b. Collector;
- c. Minor arterial; and
- d. Major arterial.

(c)(3) Opposite right driveways, for other than one or two family development, shall be located per the following requirements:

Street Classification	Spacing
Local	Must match or greater than 15 feet
Collector	Must match or greater than 100 feet
Minor arterial	Must match or greater than 225 feet
Major arterial	Must match or greater than 300 feet
Major arterial median	To be determined by city engineer

(c)(5) Opposite left driveways, for other than one and two family development, shall be located per the following requirements:

<i>Street Classification</i>	<i>Spacing</i>
Local	Must match or greater than 15 feet
Collector	Must match or greater than 125 feet
Minor arterial	Must match or greater than 125 feet
Major arterial	Must match or greater than 125 feet
Major arterial median	To be determined by city engineer

(c)(7) Adjacent driveways, for other than one or two family development, shall be located per the following requirements:

<i>Street Classification</i>	<i>Spacing</i>
Local street	Greater than 25 feet

Collector	Greater than 100 feet
Minor arterial	Greater than 150 feet
Major arterial	Greater than 250 feet

(d)(2) Downstream corner clearance. When minimum spacing requirements cannot be met due to lack of frontage and all means to acquire shared access drives or cross access easements have been exhausted, the following shall apply: at intersections with channelized right-turn lanes with yield control, a corner clearance as shown in the following may be approved by the city engineer:

- a. Local streets. No closer than 30 feet.
- b. Collectors. No closer than 75 feet.
- c. Minor arterials. No closer than 100 feet.
- d. Major arterials. No closer than 120 feet.

(f)(10) Turn lanes. Turn lanes are exclusive deceleration and storage lanes that allow for vehicles to turn left and right at intersections outside the through lane. Turn lanes requirements are provided in Section 118-46(y).

II.

THAT, Section 114-99, Approval methods for granting access to roadways, is amending by deleting subsection (2), and adding new subsection (2) as follows:

- (2) The city engineer may require an engineering study or traffic impact analysis (TIA) to be completed and approved by the city engineer and improvements made according to the approved TIA for a development, including a subdivision master plan and the issuance of a building permit, that would generate more than 100 peak hour trips (PHT) on any street or where the standards of this article cannot be met to ensure safety at access points. A building permit shall not be issued for a development that is required to have an approved TIA until such TIA has been approved and any improvements called for in the TIA have been approved as part of the building permit plans. A certificate of occupancy shall not be issued until any improvements required in the approved TIA have been completed, inspected and approved by the director of public works or his designee or as otherwise approved by the city engineer. TIA requirements are provided in Section 118-46(y).

III.

THAT, Section 118-46, Streets, is amending by deleting subsections (m), (y)(1), and (y)(9), and adding new subsections (m), (y)(1), and (y)(9) as follows:

- (m) *Access and driveways.* The provisions of this section and chapter 114 shall apply to all access and driveways. Access shall be approved in accordance with the approved plat and by the local agency with permitting authority.
- (1) *Frontage and access on collector or major thoroughfare streets.* Access to collector or major thoroughfare streets shall not be allowed for residential lots that require backing maneuvers onto a street. Residential lots having direct access on a collector or major thoroughfare streets may be platted only if:
- (a) All lots are greater than one (1) acre in size, have a minimum lot frontage of one hundred (100) feet, and provide for permanent vehicular turnaround on the lot to prevent backing onto the street. A note shall be placed on the plat stating a permanent vehicular turnaround shall be provided on each lot to prevent a vehicle from backing onto the street.
 - (b) Access points which would permit vehicular access to lots less than one (1) acre in size may be allowed if a marginal access street or easement to serve two (2) or more lots spaced a minimum of two hundred (200) feet apart and two hundred (200) feet from an existing driveway or street is constructed. The marginal access street or easement shall be designed to prevent a vehicle from backing onto collector or major thoroughfare streets.
 - (c) The street is classified as a residential collector with a minimum of 36 feet of pavement, has daily traffic volumes of less than 2,000 vehicles per day, and includes traffic calming measures.
 - (d) The street is classified as a residential collector with a minimum of 40 feet of pavement, has daily traffic volumes of less than 4,000 vehicles per day, and includes traffic calming measures.
- (2) *Marginal access street or easement.* Where a developer furnishes a marginal access street or easement, it shall be designed to allow for emergency access, on-street parking, sidewalk connection to the collector or major thoroughfare street, and solid waste operations that do not require backing within the marginal access street or easement.
- (y)(1) *Requirements.* No master plan, plat, building permit or driveway access shall be approved unless a traffic impact analysis (TIA) worksheet or TIA, as provided for in this section, is completed by the developer and approved by the city engineer. A TIA may also be required by the planning director, the commission or the city council as part of a zoning change application. If the specific land use is unknown, the TIA worksheet or appropriate level TIA shall be based on the Future Land Use Plan with consideration to existing

topography and comparable properties.

- (y)(9) *Turn lane requirements.* Turn lanes are exclusive deceleration and storage lanes that allow for vehicles to turn left and right at intersections outside the through lane. Design of deceleration lanes shall be in accordance with the latest edition of AASHTO A Policy on Geometric Design of Highways and Streets.
- (a) Left and right turn lanes shall be required:
 - (1) At all driveway or street intersections with a daily entering traffic volume of five hundred (500) vehicle trips or fifty (50) vehicle peak hour trips;
 - (2) At all driveway or street intersections on the state highway system at the option of TxDOT; or
 - (3) Based on other factors such as street classification, travel speeds, sight distance, truck traffic, crash history, and other site conditions.
 - (b) The design of turn lanes shall be based on the existing centerline of the roadway. The existing and new pavement for turn lane improvements shall be designed based on the development traffic loads and may include rehabilitation. At minimum, a surface course treatment is required for the full improvements including taper and pavement marking area.
 - (c) The construction of turn lanes may be limited due to topographic conditions or need to obtain right-of-way from adjacent property owners. The applicant must show that all reasonable efforts have been made to implement turn lanes required by the TIA or this chapter. This may include relocating driveways or streets to allow for the construction of turn lanes or alternate design options.

IV.

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. The amendments shall be filed with the City Secretary at least ten days before it becomes effective.

PASSED AND APPROVED: First reading this the _____ day of _____, 2019.

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CITY OF NEW BRAUNFELS, TEXAS

BARRON CASTEEL, MAYOR

ATTEST:

PATRICK D. ATEN, CITY SECRETARY

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, CITY ATTORNEY