

AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS FOR THE BLOCK DESIGN OF ANY SUBDIVISION OF PROPERTY WITHIN THE CITY OF NEW BERLIN AND EXTRATERRITORIAL JURISDICTION (ETJ) REQUIRING ALL LOTS LESS THAN SIXTY (60) FEET TO REQUIRE VEHICULAR ACCESS FROM AN ALLEY AS AN AMENDMENT TO AND IN CONJUNCTION WITH ORDINANCE NUMBER 2003-001 AND SUBSEQUENT UPDATES TO THE SUBDIVISION ORDINANCE.

WHEREAS, The governing body of the City of New Berlin, Texas has determined that any proposed streets being built in new subdivisions must be interconnected and must connect with adjacent street external to the subdivision in order to provide multiple routes for pedestrian and vehicle trips from and within the subdivision; and

WHEREAS, It is imperative that subdivision access must provide roadways that remain open to the public and provide community-wide access as part of an overall connected street network; and

WHEREAS, Fire Department and emergency first responders must have free access on all public streets including new streets in subdivisions; and

WHEREAS, after notice of public hearings in the manner prescribed by law and publication as required by the Code of Ordinances and the City of New Berlin; and

WHEREAS, the Planning & Zoning Commission and the Board of Alderman having duly considered the requirements of the Code of Ordinances and state law; and

WHEREAS, the Planning & Zoning Commission and the Board of Alderman contends that the Code amendments included within this Ordinance promote the health, safety and welfare of the Citizens of New Berlin.

NOW THEREFORE:

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERLIN, TEXAS:

SECTION 1. DEFINITIONS

A. Alley: A minor public right-of-way not intended to serve as the primary access to lots; but rather as a secondary means of vehicular service access to the back or sides of properties that abut a street unless required per the Block Design standards included in this code.

B. Block Design:

- a. All lots less than sixty (60) feet in width platted after the effective date of this ordinance are required to take vehicular access from an alley. Alley design and construction shall conform to all requirements of the subdivision ordinance and adopted Construction Standards of the City of New Berlin, Texas.
- b. The length, width and shape of blocks will be determined with due regard to:

- i. Provision of adequate building sites suitable to the special needs of the type of use contemplated (note that the Planning & Zoning Commission may require that the block and lot size bear reasonable relation to the planned use of the land); and
 - ii. Zoning requirements as to lot sizes and dimensions; and
 - iii. Need for convenient access, circulation, control and safety of street traffic.
- c. In general, intersecting streets shall be used to determine the block lengths and widths and shall be provided at such intervals as to serve cross traffic adequately, and the meet existing streets or customary subdivision practices.
- d. A deviation from the standards of this section may be considered in cases where physical barriers, property ownership or adjacent existing subdivisions create conditions where it is appropriate. The length may be increased or decreased to meet the existing conditions having due regard for connecting streets, circulation of traffic and public safety.
- e. In general, block lengths along minor or secondary streets shall not exceed 1,400 feet or be less than 500 feet. Along arterial streets, blocks shall not exceed 1,800 feet or be less than 900 feet. For a residential subdivision, block length shall be that distance measured along the centerline of the street from the intersection center-point of one through street to the intersecting center-point of another through street, or to the mid-point of a cul-de-sac.
- f. Blocks shall be numbered consecutively within the subdivision and/or sections of an overall plat.

SECTION 2. REPEALER

- A. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this Ordinance. The Board of Aldermen hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void, and that in lieu of each clause or provision of this Ordinance that is invalid, illegal, or unenforceable there be added as a part of the Ordinance a clause or provision as similar in terms to such invalid, illegal or unenforceable clause or provision as may be possible, legal, valid and enforceable.

SECTION 4. EFFECTIVE DATE:

This Ordinance shall be effective upon passage and approval.

PASSED, APPROVED and ADOPTED on the _____ day of July 2026.

WALTER WILLIAMS, MAYOR
CITY OF NEW BERLIN, TEXAS

ATTEST:

ROXANN PULLIN, CITY SECRETARY
CITY OF NEW BERLIN, TEXAS