

**ORDINANCE NO. 2025-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.2 ACRES, BEING OUT OF CITY BLOCK 2013, PART OF LOTS 234 AND 235, CURRENTLY ADDRESSED AT 341 NORTH MARKET AVENUE, FROM C-2 (GENERAL BUSINESS DISTRICT) TO C-2 SUP (GENERAL BUSINESS DISTRICT WITH A SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A RESIDENCE); REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**WHEREAS**, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

**WHEREAS**, in keeping with the spirit and objectives of a Special Use Permit, the City Council has given due consideration to all components of said permit; and

**WHEREAS**, the City recognizes that granting such a permit is possible while promoting the health, safety and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

**WHEREAS**, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatible and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144 of the New Braunfels Code of Ordinances; and

**WHEREAS**, the property is located in an area suitable for short term rental use; and

**WHEREAS**, the requested rezoning is in accordance with Envision New Braunfels, the City's Comprehensive Plan; and

**WHEREAS**, the requested rezoning is in accordance with the City's Strategic Plan; and

**WHEREAS**, the City Council desires to grant a Special Use Permit at 341 North Market Avenue, to allow short term rental of a residence in the C-2 (General Business District); **now, therefore;**

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

**SECTION 1**

**THAT** pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by adding the following tract of land as a "Special Use Permit" for the uses and conditions herein described:

Being out of City Block 2013, part of Lots 234 and 235, being as described on Exhibit "A" and depicted on Exhibit "B" attached.

## **SECTION 2**

**THAT** the Special Use Permit be subject to the following additional conditions:

1. The residential character of the property must be maintained.
2. The property will remain in compliance with the approved site plan Exhibit "C" and floor plan Exhibit "D". Any significant changes to the site plan will require a revision to the SUP.

## **SECTION 3**

**THAT** all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

## **SECTION 4**

**THAT** if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

## **SECTION 5**

**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 22<sup>nd</sup> day of September 2025.

**PASSED AND APPROVED:** Second reading this 13<sup>th</sup> day of October 2025.

**CITY OF NEW BRAUNFELS**

\_\_\_\_\_  
**NEAL LINNARTZ**, Mayor

**ATTEST:**

\_\_\_\_\_  
**GAYLE WILKINSON**, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**VALERIA M. ACEVEDO**, City Attorney

Doc# 28848688427 Doc# 200506046100

## EXHIBIT "A"

Being a 0.142 acre tract of land situated within the corporate limits of the City of New Braunfels, Comal County, Texas, being part of Lots 234 and 235, New City Block 2013, and also being the same tract of land, called a 101.7' x 60' tract of land described in Doc# 9906004651, Exhibit "A", of the Official Public Records of Comal County, Texas, and all bearings referred to in this description are rotated to and referenced to a bearing of S 38° 42' 00" W between iron pins found along the Southeasterly line of the above referenced tract recorded in Doc# 9906004651 and all bearings and distances referred to in this description as record calls are taken from said Doc# 9906004651, said 0.142 acre tract of land being more particularly described as follows:

BEGINNING: At a 1/4" iron pin found in the Southwesterly line of N. Market Avenue, for the East corner of Lot 242, New City Block 2013, the North corner of said Lot 235, for the North corner and Point of Beginning of this tract;

THENCE: Along the Southwesterly line of said N. Market Avenue, S 51° 57' 19" E 60.11 feet (record call: S 52° 00' E - 60.0 feet) to a 1/4" iron pin found in same, said point being in the Northeasterly line of said Lot 235, for the East corner of this tract;

THENCE: Severing said Lot 235, S 38° 42' 00" W 102.84 feet (record call: 101.70 feet) to a 1/4" iron pin found for an interior corner of the Save and Except portion of a Deed recorded in Volume 240, Page 138 of the Deed Records of Comal County, Texas, for the South corner of this tract;

THENCE: Along the Southwesterly line of the Save and Except portion of said Deed recorded in Volume 240, Page 138, N 51° 56' 16" W 60.11 feet (record call: N 52° 00' W - 60.0 feet) to a 1/4" iron pin found for a corner of said Save and Except portion of said Deed recorded in Volume 240, Page 138, said point being in the Southeasterly line of Lot 243, New City Block 2013, for the East corner of this tract;

THENCE: Partially along the Southeasterly line of said Lot 243, the Southeasterly line of Lot 242, the Northwesterly line of the above referenced tract recorded in Doc# 9906004651, N 38° 42' 00" E 102.82 feet (record call: 101.70 feet) to the Point of Beginning and containing 0.142 acres of land, more or less.

Doc# 28848688427  
# Pages 3  
12/06/2005 11:57:12 PM  
Filed & Recorded in  
Official Records of  
COMAL COUNTY  
JOY STREATER

Doc# 28848688427

Doc# 200506046100  
# Pages 3  
12/06/2005 1:46PM  
Official Records of  
COMAL COUNTY  
JOY STREATER  
COUNTY CLERK  
Fees \$24.00

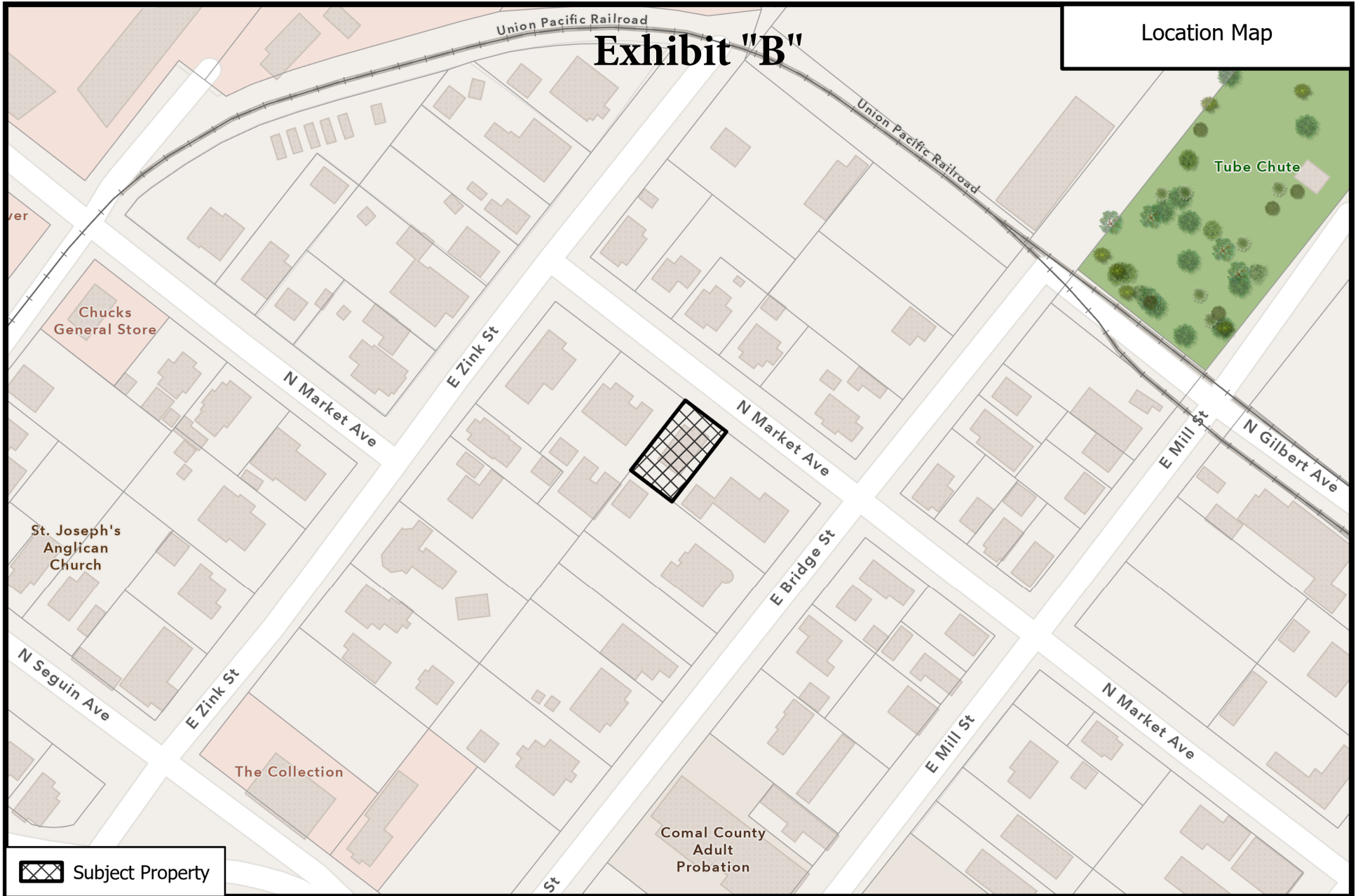


*Joy Streater*

Doc# 200506046100

# Exhibit "B"

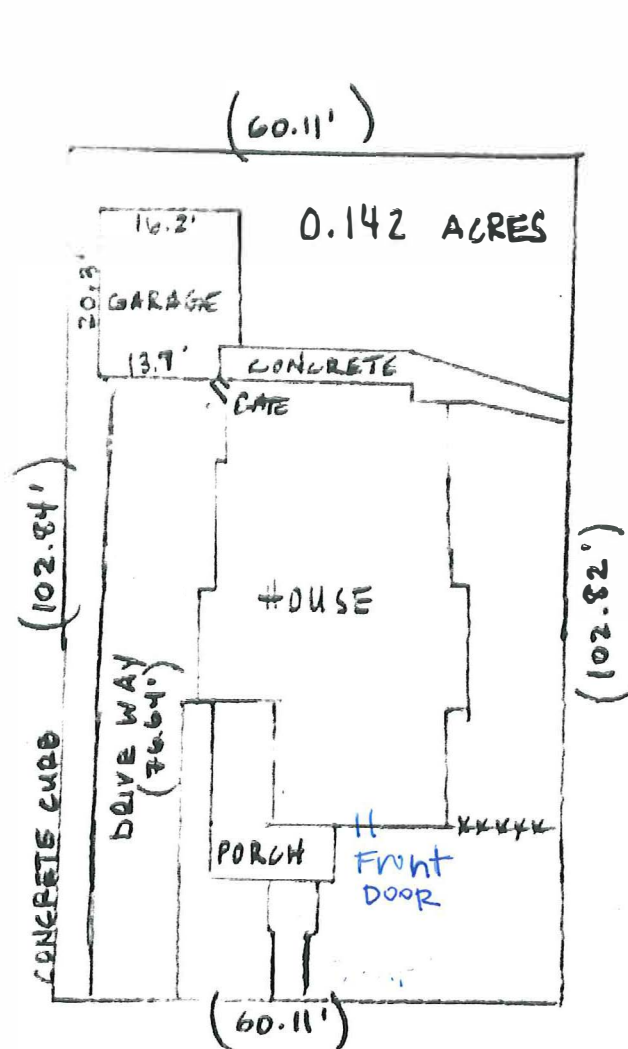
Location Map



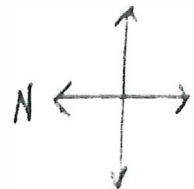
# Exhibit "C"

## Site Plan

I, June Orr, the property owner, acknowledge that this site plan submitted for the purposes of rezoning this property is in accordance with all applicable provisions of the Zoning Ordinance. Additionally, I understand that City Council approval of this site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City-adopted Codes/Ordinances at this time of plan submittal for building permits. Nor does it relieve me from adherence to any/all state or federal rules and regulations.



SCALE 1" = 20"

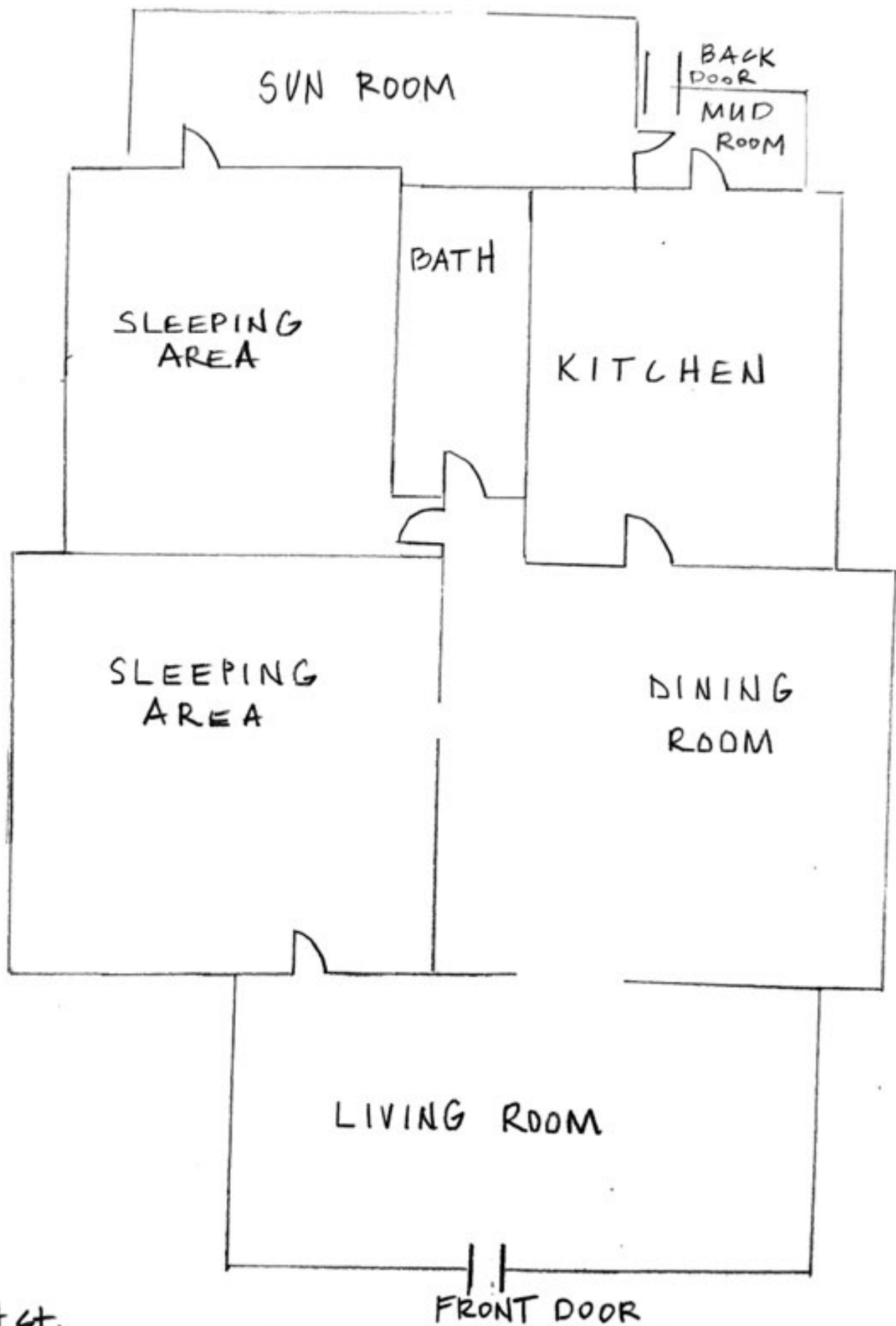


341 N. MARKET AVE

# FLOOR PLAN

341 N MARKET

## Exhibit "D"



Market St.