

**ORDINANCE NO. 2026-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.2 OF AN ACRE, BEING OUT OF THE BAUS ADDITION SUBDIVISION, BLOCK D, EAST PART OF LOTS 1 & 2, CURRENTLY ADDRESSED AT 385 WEST FAUST STREET, FROM C-3 (COMMERCIAL DISTRICT) TO C-3 SUP (COMMERCIAL 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 385 West Faust Street, to allow short term rental of a residence in the C-3 (Commercial 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 the Baus Addition Subdivision, Block D, East part of Lots 1 & 2, being as delineated on Exhibit "A" and described 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 12<sup>th</sup> day of January 2026.

**PASSED AND APPROVED:** Second reading this 26<sup>th</sup> day of January 2026.

**CITY OF NEW BRAUNFELS**

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**NEAL LINNARTZ**, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



## **Exhibit "B"**

### **FIELD NOTES FOR A 0.177 ACRE TRACT**

Being a 0.177 acre tract of land situated in the City of New Braunfels, Comal County, Texas, being known as the East part of Lots 1 and 2, Block D, Baus Addition, according to map or plat recorded in Volume 78, Pages 587-589 of the Deed Records of Comal County, Texas, and also being the same tract of land described in Deed recorded in Volume 538, Pages 16-18 of the Official Public Records of Comal County, Texas, and all bearings referred to in this description are referenced to a bearing of S 81° 43' 00" W between monumentation found along the North right-of-way line of U. S. Highway 81, said 0.177 acre tract of land surveyed under the supervision of Richard A. Goodwin, RPLS #4069, S. Craig Hollmig, Inc., and being more particularly described as follows:

**BEGINNING:** At a 5/8" iron pin found on the South right-of-way line of W. Faust Street, for the Northeast corner of the above referenced Lot 1, the Northeast corner of the above referenced tract (538/16-18), the Northwest corner of the Maldonado Tract recorded in Doc# 200506004403 of the Official Public Records of Comal County, Texas, for the Northeast corner and Point of Beginning of this tract;

**THENCE:** Leaving the South right-of-way line of W. Faust Street, along the East line of the above referenced tract (538/16-18), the West line of the Maldonado Tract, S 10° 48' 38" E 112.20 feet to an 'x' found on concrete on the North right-of-way line of U.S. Highway 81, for the Southeast corner of the above referenced tract (538/16-18), the outhwest corner of said Maldonado Tract, for the Southeast corner of this tract;

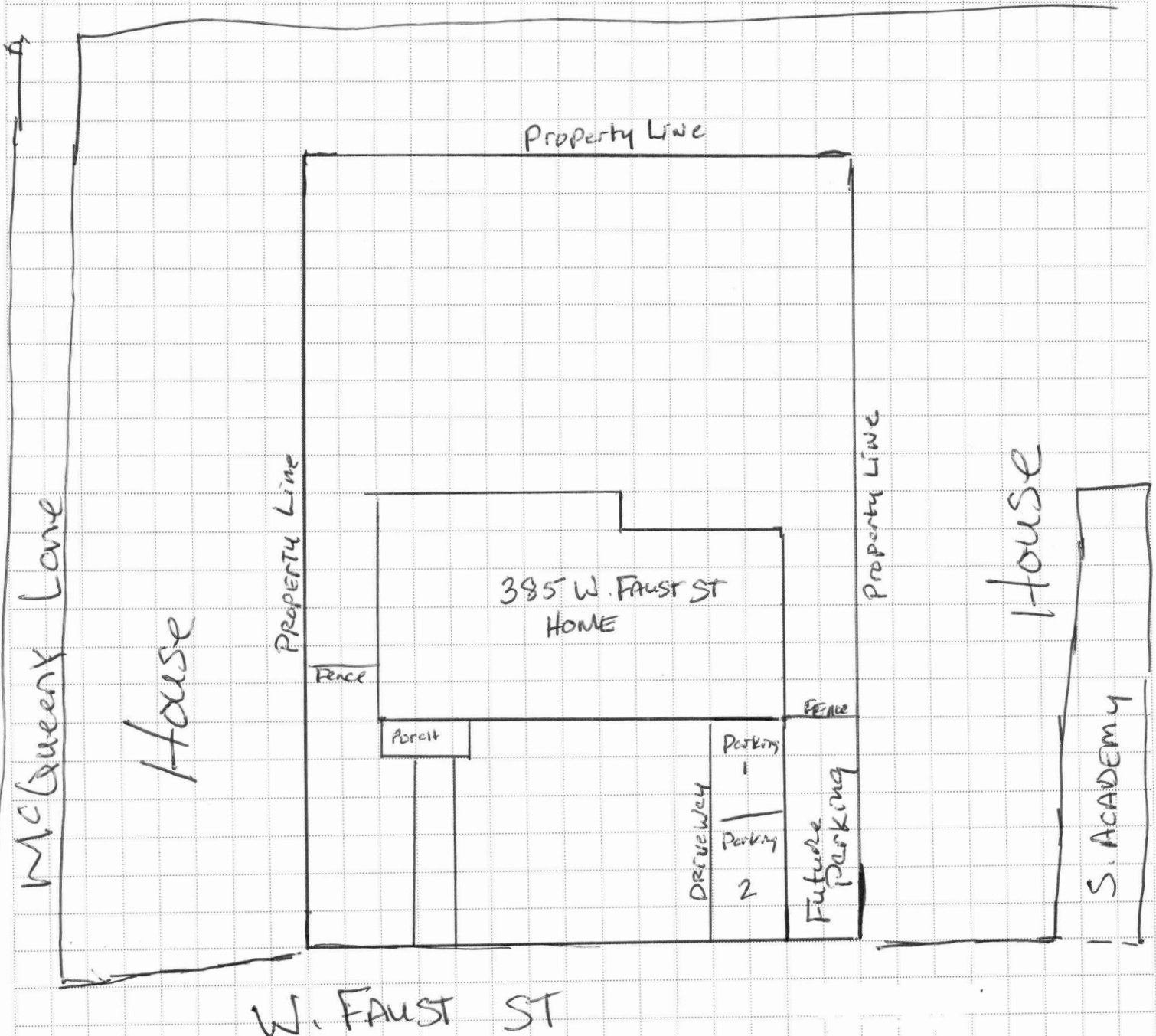
**THENCE:** Along the North right-of-way line of U.S. Highway 81, S 81° 43' 00" W 69.93 feet to a 1/2" iron pin found for the Southwest corner of the above referenced tract (538/16-18), the Southeast corner of a 0.1923 acre tract described in Doc# 9606023771 of the Official Public Records of Comal County, Texas, for the Southwest corner of this tract;

**THENCE:** Along the West line of the above referenced tract (538/16-18), the East line of said 0.1923 acre tract, N 11° 00' 18" W 108.16 feet to a 1" pipe found in the South right-of-way line of W. Faust Street, for the Northwest corner of the above referenced tract (538/16-18), the Northeast corner of said 0.1923 acre tract, for the Northwest corner of this tract;

**THENCE:** Along the South right-of-way line of W. Faust Street, N 78° 24' 45" E 70.24 feet to the Point of Beginning and containing 0.177 acres of land, more or less.

# Exhibit "C"

ELLIOTT KNOX BLVD



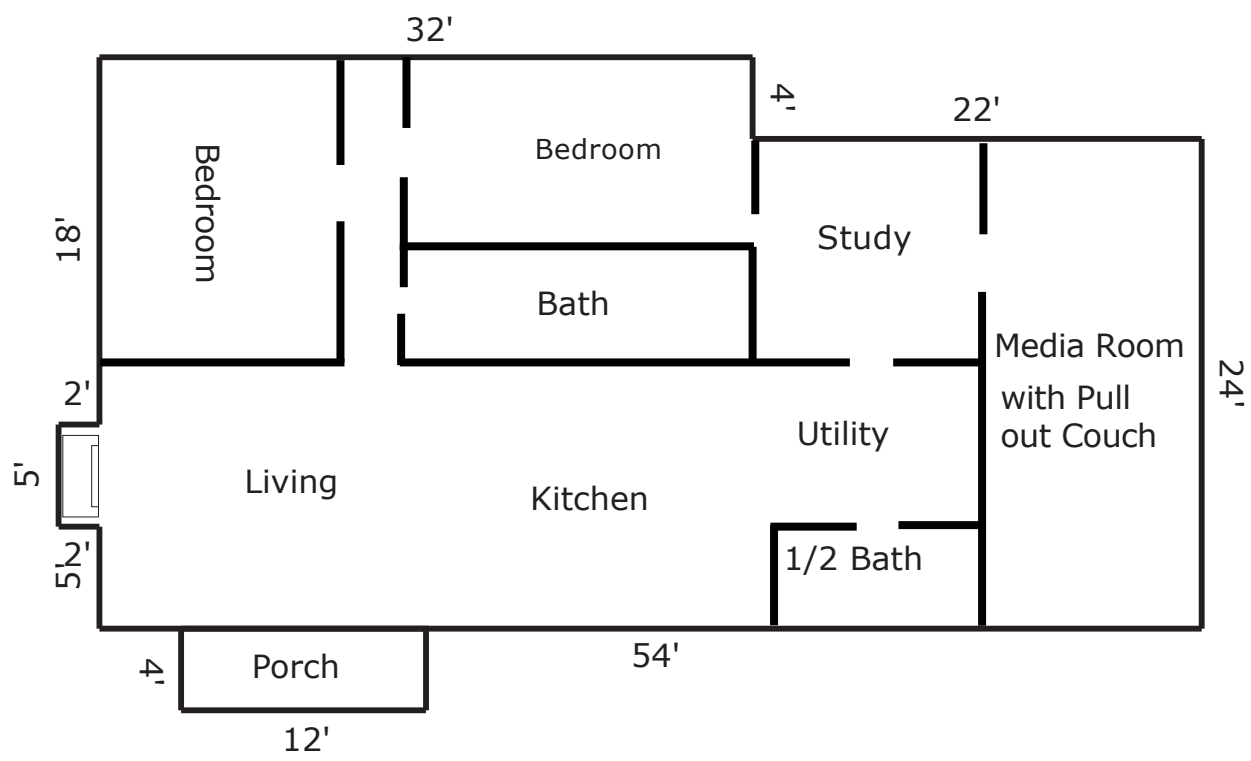
I, Chadwick FLETCHER of CDF Investment Properties, the property owner, Acknowledge that this Site Plan submitted for the purposes of Rezoning this property is in accordance with All Applicable provisions of the Zoning Ordinance. Additionally, I understand that City Council approval of this Site Plan in conjunction with a Rezoning case does not Relieve me from Adherence to any/all City-adopted codes/ordinances at the time of plan submittal for Building permits. Nor does it Relieve me from Adherence to any/all State or Federal Rules or Regulations.

1 Square = 5 Ft

TOL

Exhibit "D"

385 W. Faust Street Floor Plan



TOTAL Sketch by a la mode

Area Calculations Summary

Living Area		Calculation Details
First Floor	1434 Sq ft	$5 \times 2 = 10$ $24 \times 22 = 528$ $32 \times 28 = 896$
Total Living Area (Rounded):		1434 Sq ft
Non-living Area		
Open Porch	48 Sq ft	$12 \times 4 = 48$