

**ORDINANCE NO. 2018-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS GRANTING A TYPE 2 SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A SINGLE FAMILY DWELLING IN THE "C-2" CENTRAL BUSINESS DISTRICT, ON A PORTION OF LOT 5, CITY BLOCK 2017, ADDRESSED AT 162 MEUSEBACH STREET; 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 also 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 compatibility 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 rentals; and

**WHEREAS**, the City Council desires to grant a Type 2 Special Use Permit for a portion of Lot 5, City Block 2017, addressed at 162 Meusebach Street, to allow the short term rental of a single family dwelling in the "C-2" Central 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 described tract of land as a "Special Use Permit" for the uses and conditions herein described:

"Being a Portion of Lot 5, City Block 2017, addressed at 162 Meusebach Street, as delineated in the attached Exhibit 'A', to allow the short term rental of a single family dwelling in the "C-2" Central Business District."

## **SECTION 2**

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

1. *Parking.* The tenant information will state that occupants may park only in the designated area located between the residence and Meusebach Street. Signage on the subject property will clearly indicate where occupant parking is prohibited.
2. The existing residential character and appearance of the building must be maintained.
3. Exhibit 'B' shall be considered the adopted site plan. Parking on the property shall be restricted in accordance with the site plan.

## **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 of same.

**PASSED AND APPROVED:** First Reading this the 23<sup>rd</sup> day of April, 2018.

**PASSED AND APPROVED:** Second Reading this the 14<sup>th</sup> day of May, 2018.

**CITY OF NEW BRAUNFELS**

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**BARRON CASTEEL**, Mayor

**ATTEST:**

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**PATRICK D. ATEN**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney