

ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS GRANTING A SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A SINGLE-FAMILY DWELLING AND ACCESSORY STRUCTURE IN THE “C-1” LOCAL BUSINESS DISTRICT BEING LOT B S 70 FEET OF LOTS 1 & 2, CITY BLOCK 5067, ADDRESSED AT 262 N. UNION AVENUE; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

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 City Council desires to grant a Special Use Permit at 262 North Union Avenue, to allow short term rental of a single-family dwelling and accessory structure in the “C-1” Local 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 Lot B S 70 feet OF Lots 1 & 2, City Block 5067, addressed at 262 N. Union Avenue, as depicted in Exhibit “A” attached, to allow short term rental in the “C-1” Local Business District.

SECTION 2

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

1. Pave the off-street parking area to accommodate a minimum of three vehicles in accordance with City standards.
2. The residential character of the property must be maintained.
3. The property will remain in compliance with the approved site plan. Any significant changes to the site plan will require a revision to the SUP.
4. Occupancy is limited to a maximum of 8 guests.
5. The detached garage (living space) may not be rented separately from the main house.

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 22nd day of August, 2022.

PASSED AND APPROVED: Second reading this 12th day of September, 2022.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"



0 80 160 Feet

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of New Braunfels. Any use or reliance on this map by anyone other than the City of New Braunfels, its officials or employees for any purposes, errors, or omissions which may occur.

SUP22-270
SUP for STR

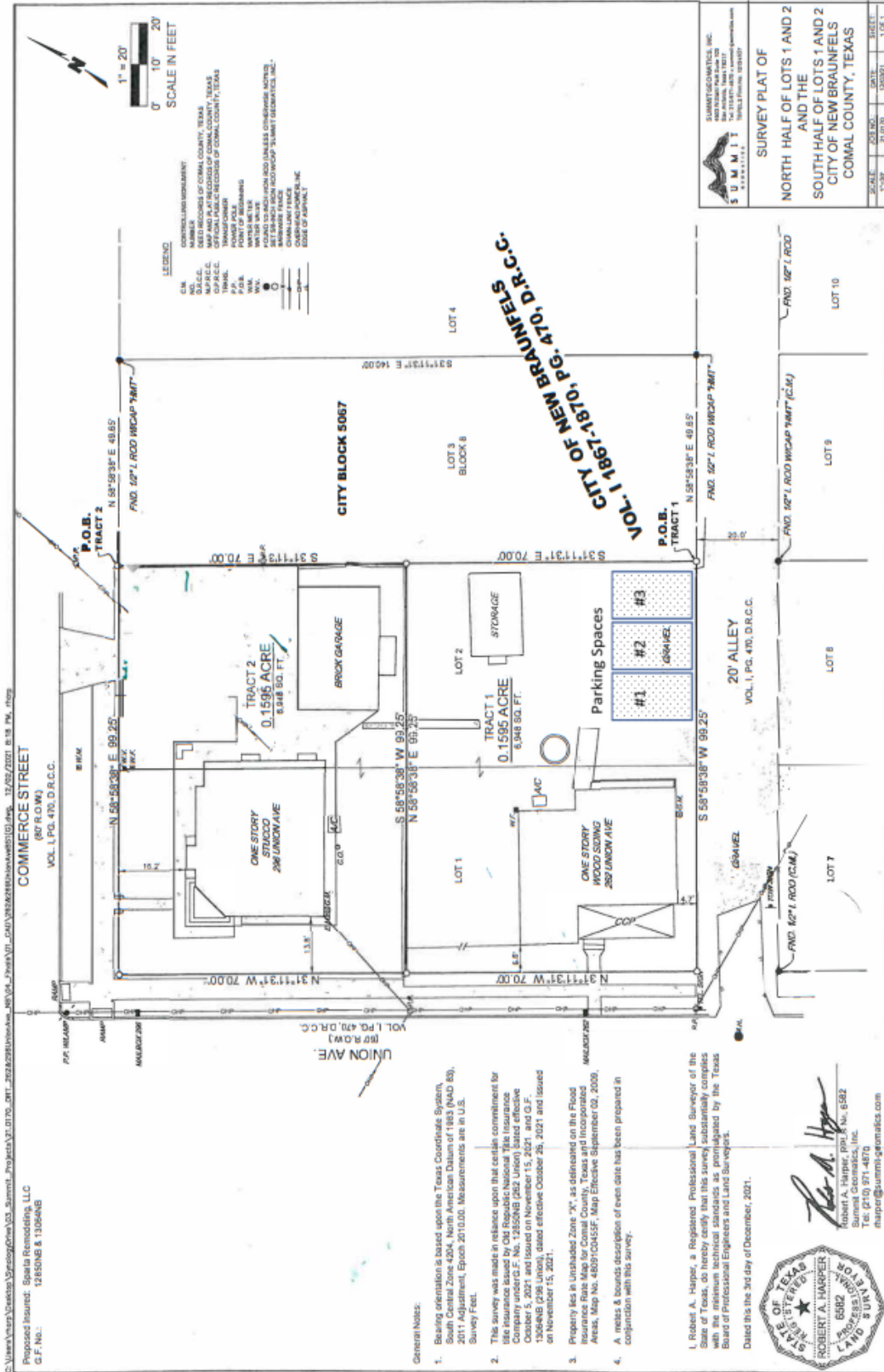
Source: City of New Braunfels Planning
 Date: 8/17/2022

City of New Braunfels

Plan: P:\ZoneChange-010-ResPlan\2022\05\023-270 - Palmer - 302 N Union Ave - STR

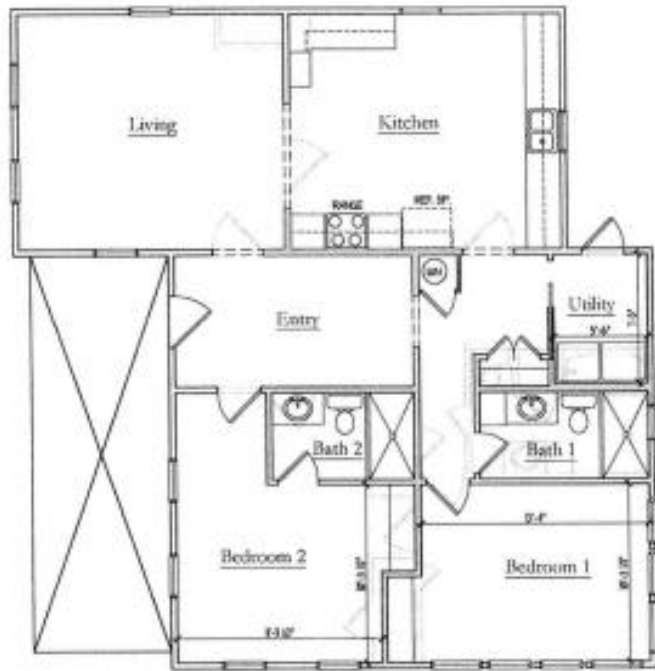
EXHIBIT "B"

n. union ave site plan 262 N. Union Ave.

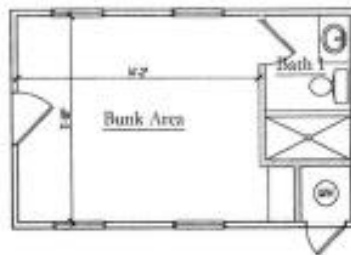


The following statement must be included on the site plan: "I, **Jessica Palmer**, the property owner, acknowledge that this site plan submitted for the purposes of rezoning this property is in accordance with all applicable provisions of the Zoning Ordinance. Additionally, I understand that City Council 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 and regulations."

Site Plan



FLOOR PLAN 1



FLOOR PLAN 3

Floor Plan