

**ORDINANCE NO. 2022-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING OF APPROXIMATELY 0.1855 ACRE, IN THE HIGHWAY ADDITION SUBDIVISION, NEW CITY BLOCK 1064, LOT 6-7-S PT OF BOTH, ADDRESSED AT 930 SOUTH CASTELL AVENUE FROM “SND-1” SPECIAL NEIGHBORHOOD DISTRICT 1 TO “C-O” COMMERCIAL OFFICE DISTRICT; AND GRANTING A SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A SINGLE-FAMILY DWELLING IN THE “C-O” COMMERCIAL OFFICE DISTRICT; 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 the “C-O” Commercial Office District, the City Council has given due consideration to all components of said district; and

**WHEREAS**, the rezoning is in compliance with the Future Land Use Plan; and

**WHEREAS**, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

**WHEREAS**, the City Council desires to amend the Zoning Map by changing the zoning of approximately 0.1855 acres in the Highway Addition Subdivision, New City Block 1064, Lot 6-7-S Pt of Both, addressed at 930 South Castell Avenue from “SND-1” Special Neighborhood District 1 to “C-O” Commercial Office District; 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 930 South Castell Avenue, to allow short term rental of a single-family dwelling in the “C-O” Commercial Office 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 changing the following described tract of land from “SND-1” Special Neighborhood District 1 to “C-O” Commercial Office District and designating said property with a “Special Use Permit” for the short-term rental use with conditions herein described:

Being 0.1855 acre in the Highway Addition Subdivision, New City Block 1064, Lot 6-7-S Pt of Both, addressed at 930 South Castell Avenue, as depicted in Exhibit “A” attached, to allow short term rental in the “C-O” Commercial Office District.

**SECTION 2**

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

1. The residential character of the property must be maintained.
2. 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.
3. Occupancy is limited to a maximum of 5 guests.

**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**

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**RUSTY BROCKMAN, Mayor**

**ATTEST:**

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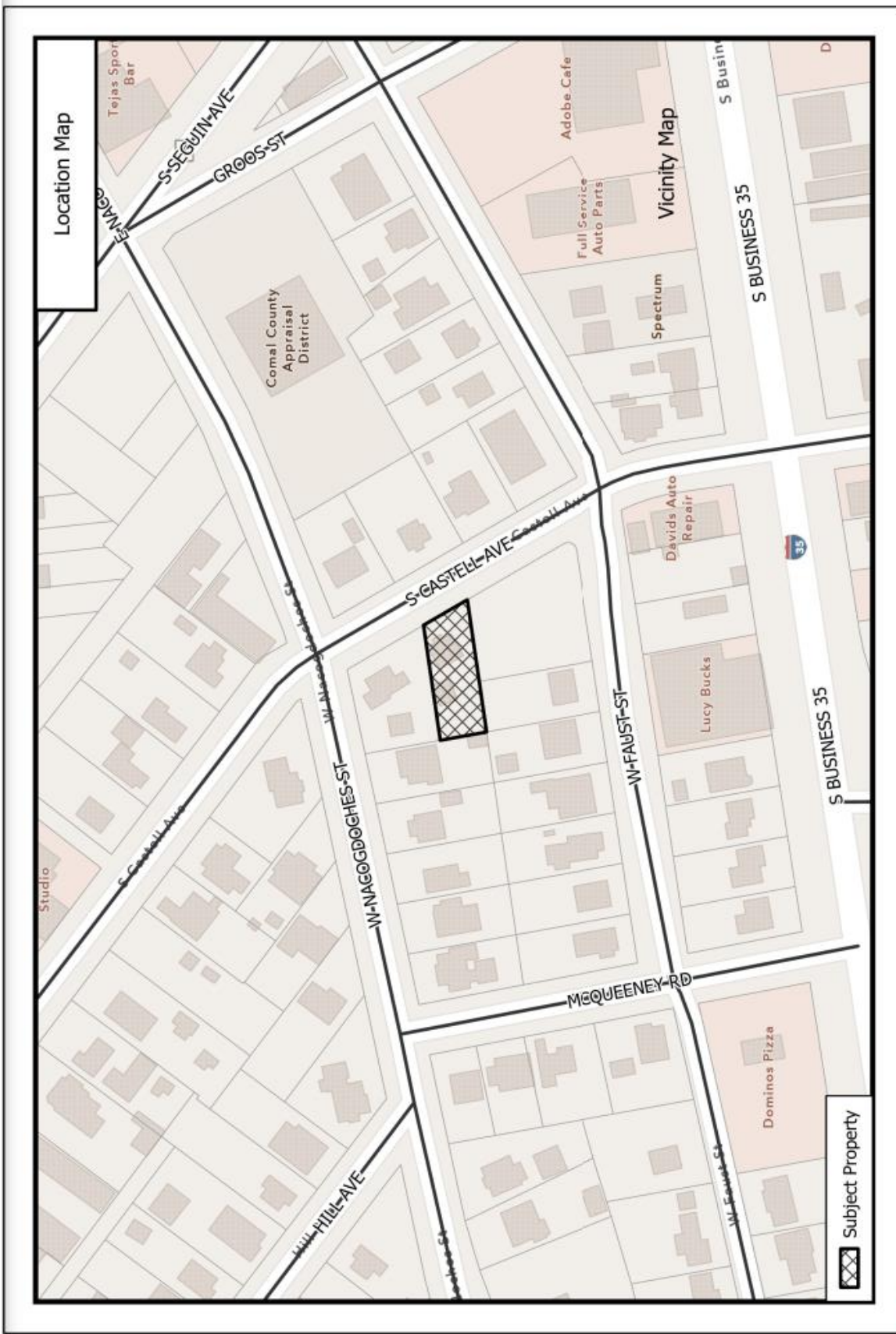
**GAYLE WILKINSON**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney

EXHIBIT "A"



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 else is at that party's risk and without liability to the City of New Braunfels, its officials or employees for any discrepancies, errors, or variances which may exist.

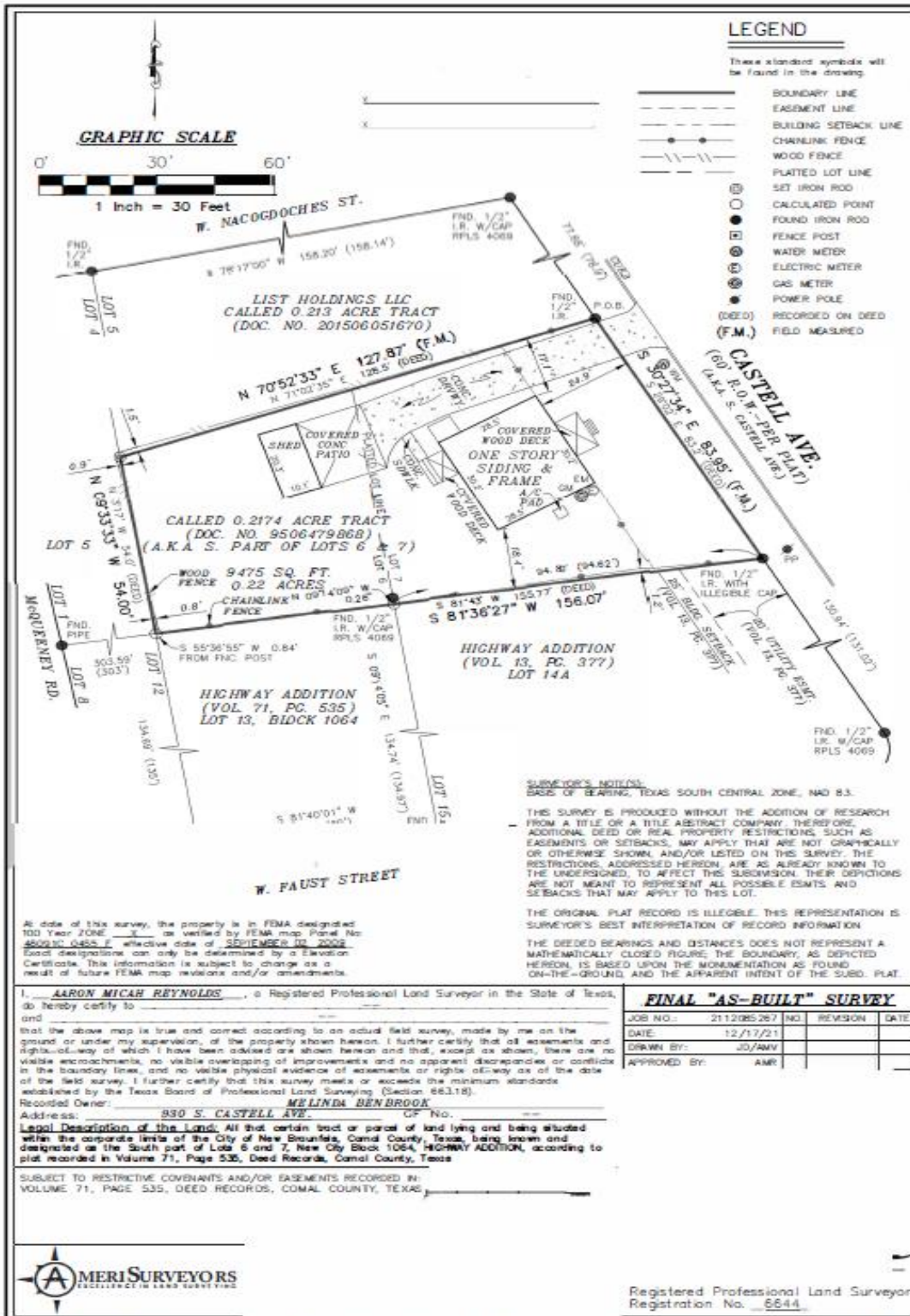
**SUP22-266**  
**Zone Change to C-O with SUP for STR**

Source: City of New Braunfels Planning  
 Date: 7/13/2022

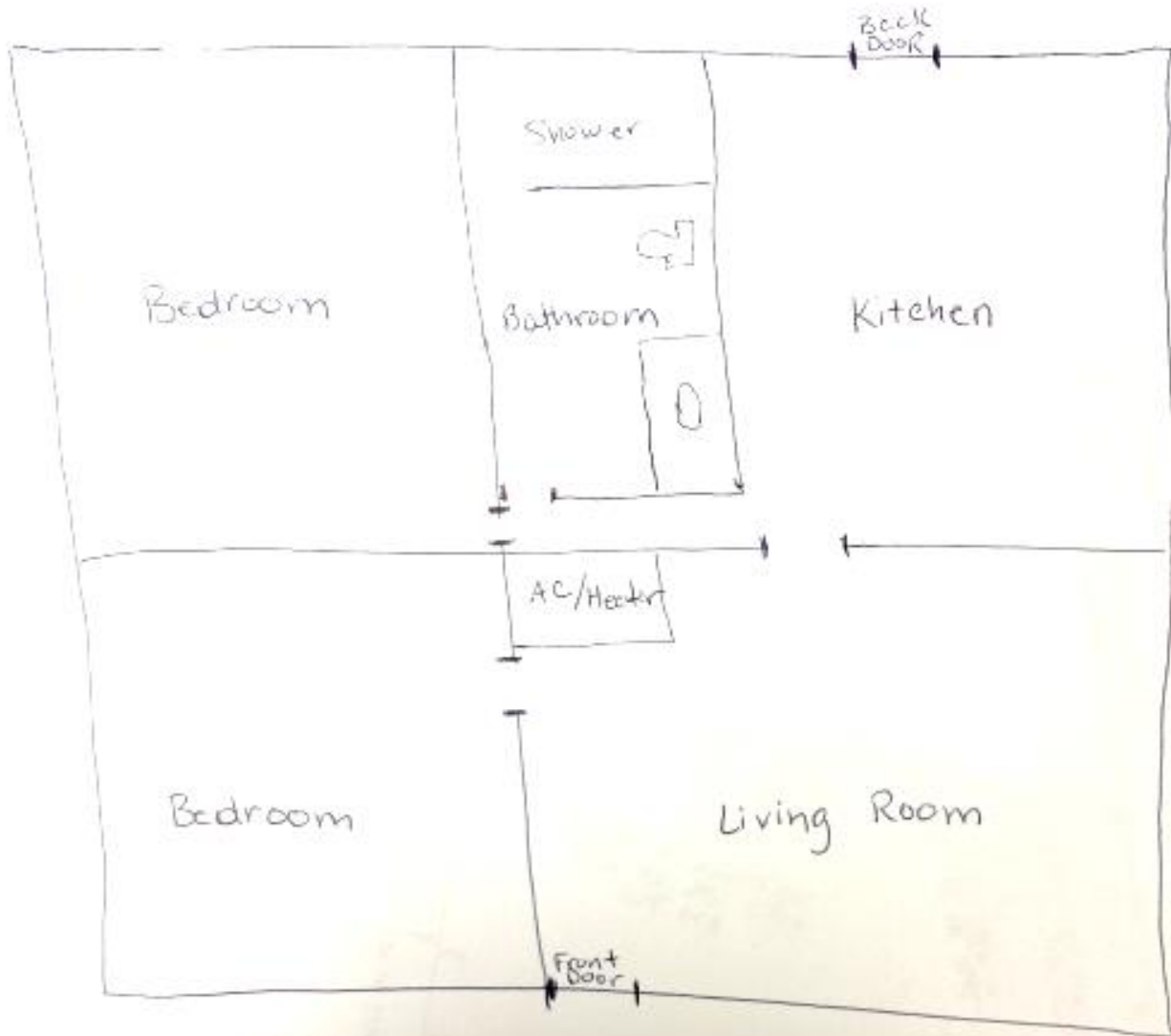


Path: P:\ZoneChange-SUP-replats\2022\SUP22-266 - Benbrook - 930 S Castell Ave - Zone

EXHIBIT "B"



Site Plan



**Floor Plan**