

ORDINANCE NO. 2023-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS GRANTING SPECIAL USE PERMIT TO ALLOW SHORT-TERM RENTAL OF A RESIDENCE IN THE “C-3” COMMERCIAL DISTRICT BEING LOT 4R, NEW CITY BLOCK 1055, KUEHLER ADDITION, ADDRESSED AT 354 EAST FAUST STREET; 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 354 East 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 Lot 4R, New City Block 1055, Kuehler Addition, addressed at 354 E. Faust Street, as depicted in Exhibit “A” attached, to allow short-term rental of a residence in the “C-3” Commercial District.

SECTION 2

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

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 10 guests.
4. Both dwelling units on the subject property must always be rented by a single party.

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 24th day of April 2023.

PASSED AND APPROVED: Second reading this 8th day of May 2023.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

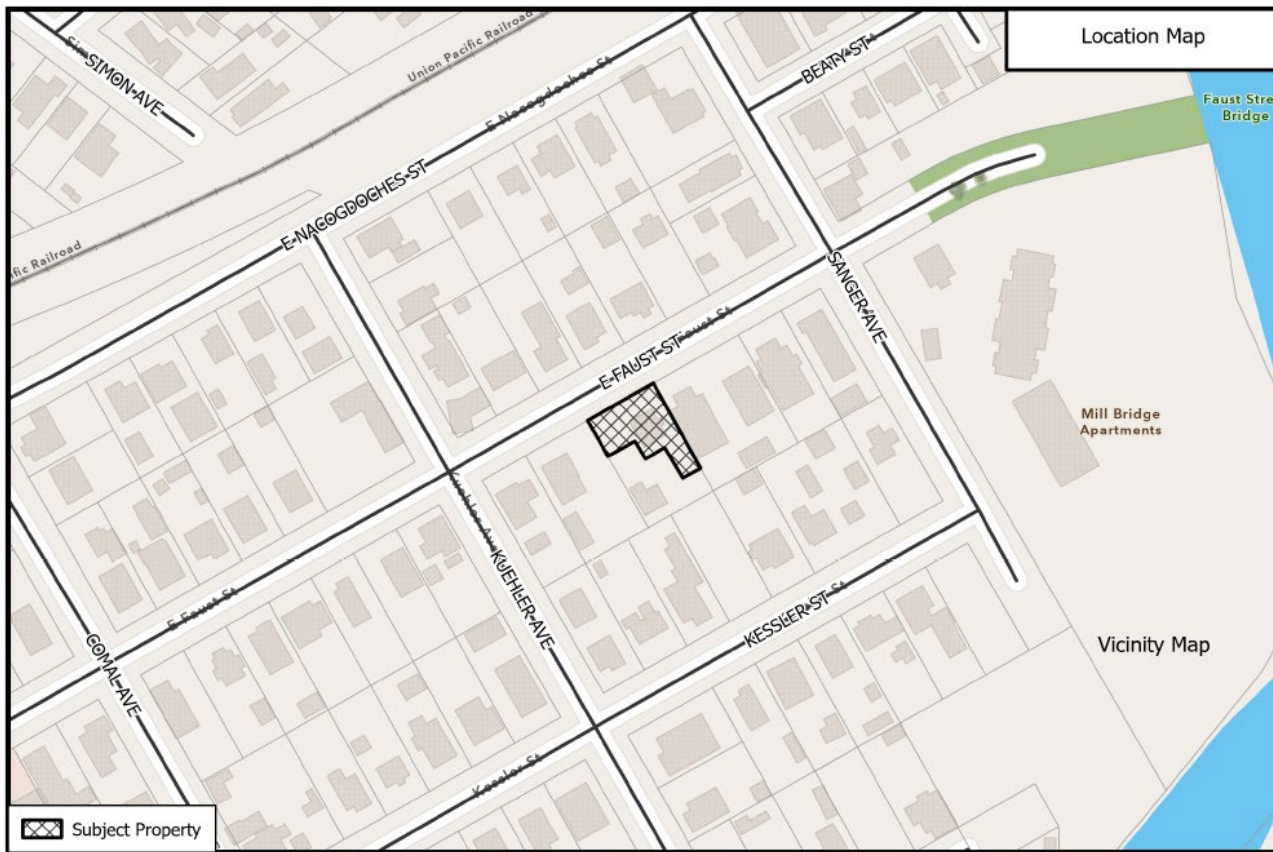


EXHIBIT "B"

