

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 0.13 ACRES, BEING CITY BLOCK 1038, LOT 2, CURRENTLY ADDRESSED AT 168 HAMPE ST, FROM C-2 (GENERAL BUSINESS DISTRICT) TO C-2 SUP (GENERAL BUSINESS DISTRICT WITH A SPECIAL USE PERMIT FOR SHORT-TERM RENTAL OF A RESIDENCE); 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 168 Hampe St, to allow short term rental of a residence in the C-2 (General 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 out of City Block 1038, Lot 2, being as described on Exhibit "A" and depicted on Exhibit "B" attached.

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 Exhibit "C" and floor plan Exhibit "D". Any significant changes to the site plan will require a revision to the SUP.
3. A paved driveway with two paved parking spaces must be available for use before the issuance of a Short-Term Rental Permit.

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 June 2024.

PASSED AND APPROVED: Second reading this 8th day of July 2024.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT "A"

FIELD NOTES
FOR
A 0.13 ACRE TRACT

Being a 0.13 acre tract of land and being out of the Southwest part of Lot 2, New City Block 1038, City of New Braunfels, Comal County, Texas, and also being the same tract of land described in Deed recorded in Volume 833, Pages 702-704 of the Official Public Records of Comal County, Texas, and being more particularly described as follows:

BEGINNING: An iron pin set for the North corner of this tract, said point also being the North corner of the above referenced tract, said point also being S 38° 42' W 114.0 feet (record) from the North corner of the aforementioned New City Block 1038;

THENCE: S 52° 00' E 96.03 feet to a fence post for the East corner of this tract;

THENCE: S 38° 42' W 60.0 feet to an iron pin found for the South corner of this tract;

THENCE: N 52° 00' W 96.03 feet to an iron pin found for the West corner of this tract, said point being in the Southeast line of Hampe Street;

THENCE: N 38° 42' E 60.0 feet, with the Southeast line of Hampe Street, to the Point of Beginning and containing 0.13 acres of land, more or less.

The foregoing field notes represent the results of an on-the-ground survey made under my supervision, August 17, 1992.

Filed and Recorded
Official Public Records
Joy Sireator, County Clerk
Comal County, Texas
06 09/2008 02:54:04 PM
CASHTHREE
200805022717



Joy Sireator

Recorder's Memorandum- Comal County
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility

Exhibit "A"

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EXHIBIT "B"

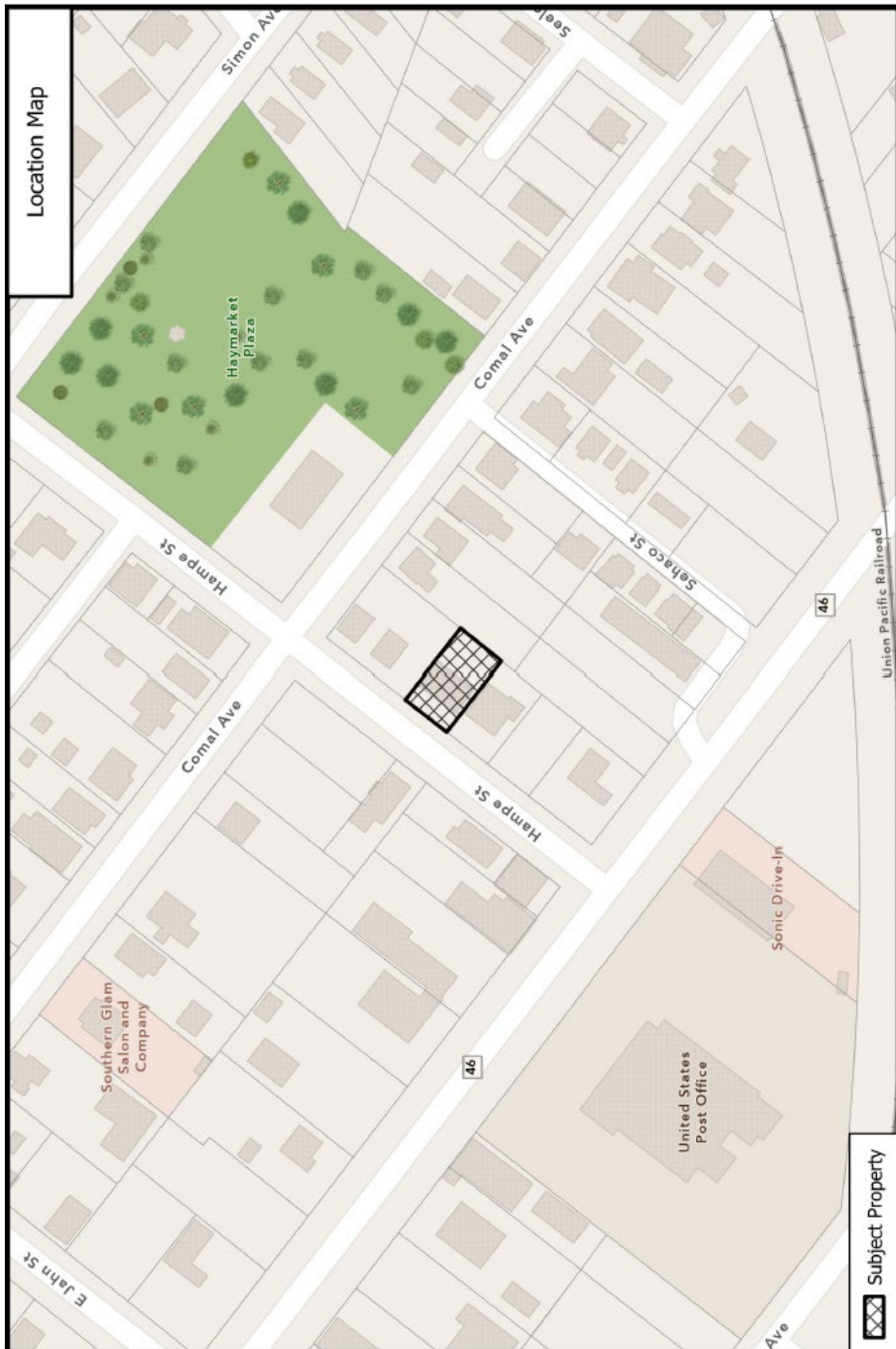


EXHIBIT "C"

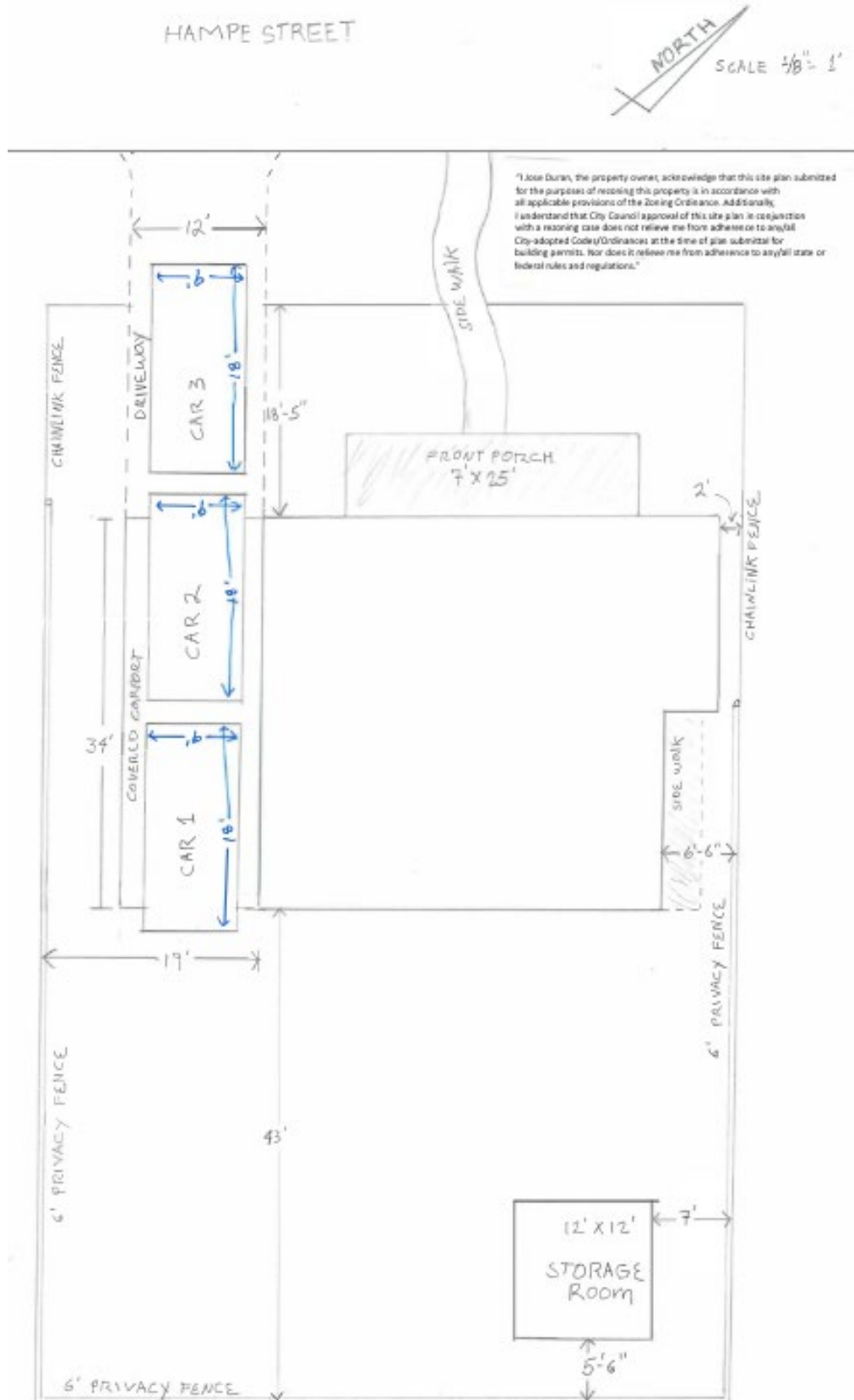


EXHIBIT "D"

