

ORDINANCE NO. 2017-__

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 TWO RESIDENTIAL STRUCTURES IN THE "C-1" LOCAL BUSINESS DISTRICT, ON LOT G, CITY BLOCK 5085, ADDRESSED AT 160 W. NORTH 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 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 Lot G, City Block 5085, addressed at 160 W. North Street, to allow short term rental of residential structures 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 described tract of land as a "Special Use Permit" for the uses and conditions herein described:

"Being Lot G, City Block 5085, addressed at 160 W. North Street, as delineated in the attached Exhibit 'A', to allow short term rental of two residential structures in the "C-1" Local Business District as shown on the site plan contained in Exhibit 'B' attached."

SECTION 2

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

1. *Occupancy.* Occupancy of the house is limited to ten (10) adults as allowed by ordinance. Occupancy of the cottage will be limited to four (4) adults for a total of 14 adults on the property.
2. *Units.* The cottage may be rented in conjunction with the existing house, or as a separate unit, but the upstairs may not be rented separately from the downstairs.
3. *Parking.* Provide a minimum of six (6) and maximum of seven (7) off-street parking spaces. The two new parking spaces on North Street must be paved in accordance with the Zoning Ordinance, with a concrete approach. If crushed granite is approved, the driveway approach must be constructed of concrete per City standards for residential driveways.
4. *Signage.* Total signage for the property will be limited to one attached sign as depicted in Exhibit "B".
5. All exterior lighting, including the sign lighting, will conform to Section 5.3-3 of the Zoning Ordinance and meet the definition of "fully shielded."
6. No building additions, other than those shown on the approved site plan, and no changes to the approved site plan unless the Special Use Permit is amended through the rezoning process.
7. All supplemental standards for short term rentals in Section 5.17 that were not specifically altered by the Special Use Permit will be observed, including obtaining a Short Term Rental Permit prior to operation.

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 23rd day of January, 2017.

PASSED AND APPROVED: Second Reading this the 13th day of February, 2017.

CITY OF NEW BRAUNFELS

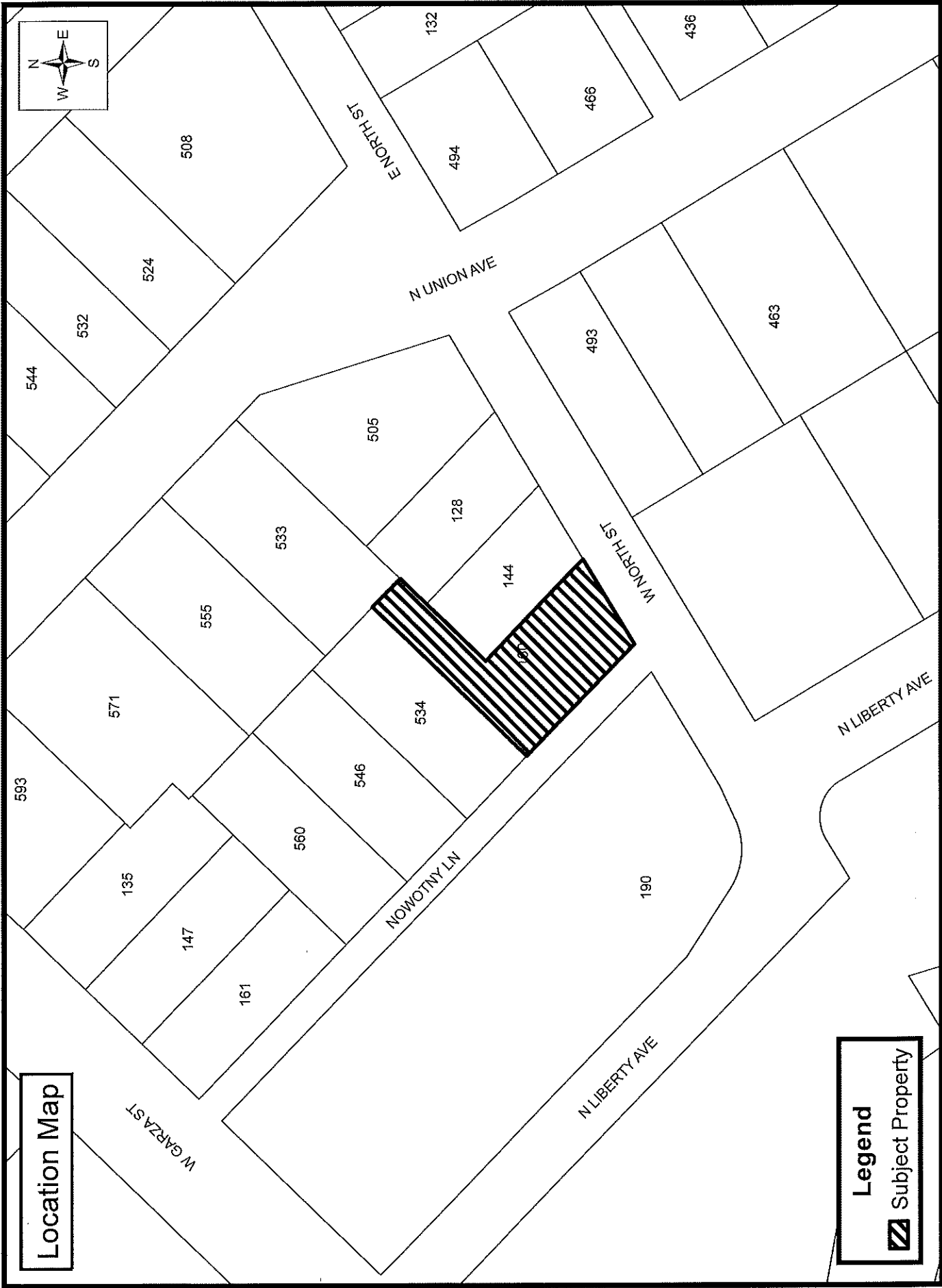
BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

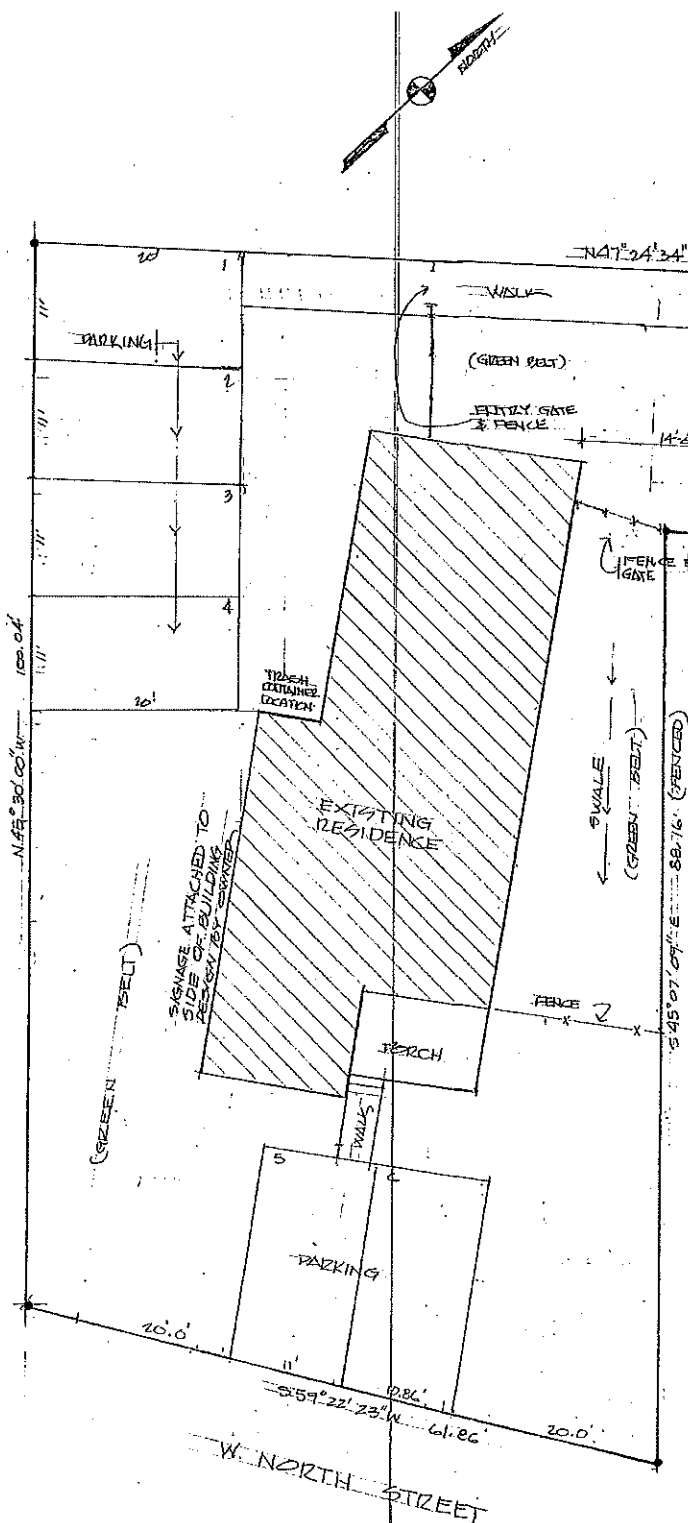


Map Created 12/7/16

PZ-16-063
160 W. North Street
Special Use Permit - Short Term Rental

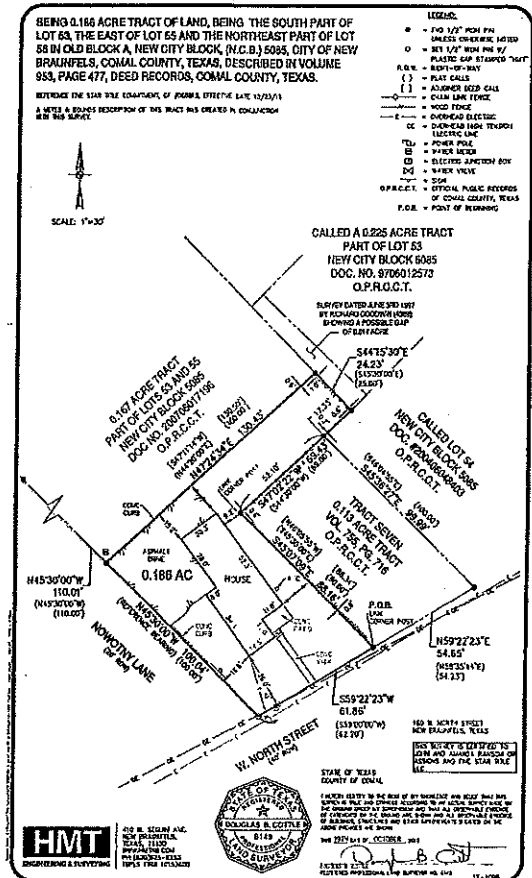


NOWOTNY LANE



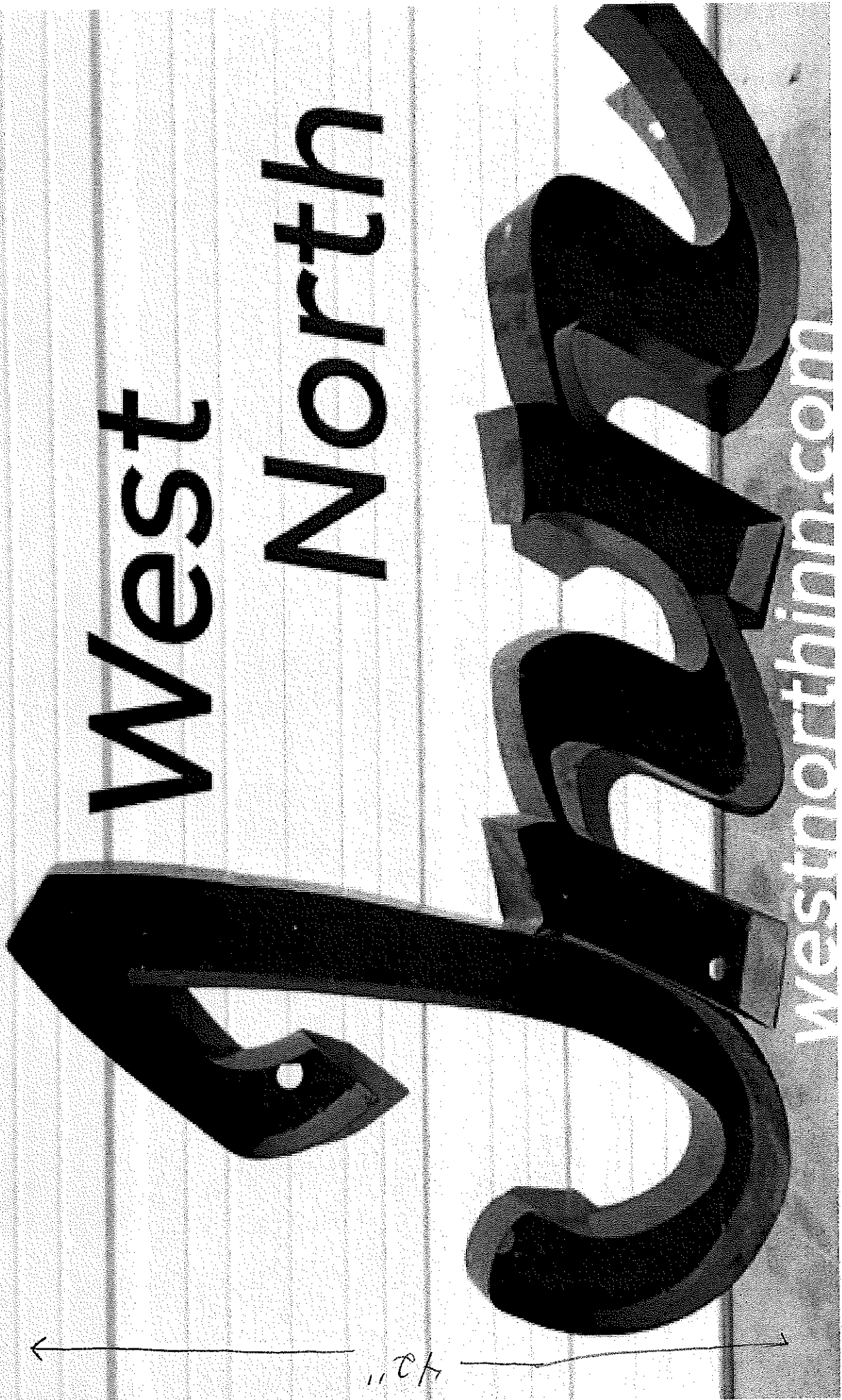
PLOT

PLAN
1/8"=1'-0"



Proposed Site Plan

EXHIBIT "B"



Proposed 68" Sign