

**ORDINANCE NO. 2018-**

**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 A SINGLE-FAMILY DWELLING IN THE "R-3" MULTIFAMILY DISTRICT, ADDRESSED AT 274 N. LIBERTY AVENUE; 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 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 Lots 2, 3 and the W 9 feet of Lot 11, City Block 5068, addressed at 274 N. Liberty Avenue, to allow the short-term rental of a single-family dwelling in the "R-3" Multifamily 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 Lots 2, 3 and the W 9 feet of Lot 11, City Block 5068, addressed at 274 N. Liberty Avenue, as delineated in the attached Exhibit 'A', to allow the short-term rental of a single-family dwelling in the "R-3" Multifamily District."

## **SECTION 2**

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

1. The applicant will obtain building permits and complete necessary repairs to make the structure safe to occupy.
2. The residential character of the building must be maintained.
3. The property will remain in compliance with the approved site plat attached as Exhibit 'B'. Any significant changes to the site plan will require a revision to the SUP.

## **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 24th day of September, 2018.

**PASSED AND APPROVED:** Second Reading this the 8th day of October, 2018.

**CITY OF NEW BRAUNFELS**

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**BARRON CASTEEL, Mayor**

**ATTEST:**

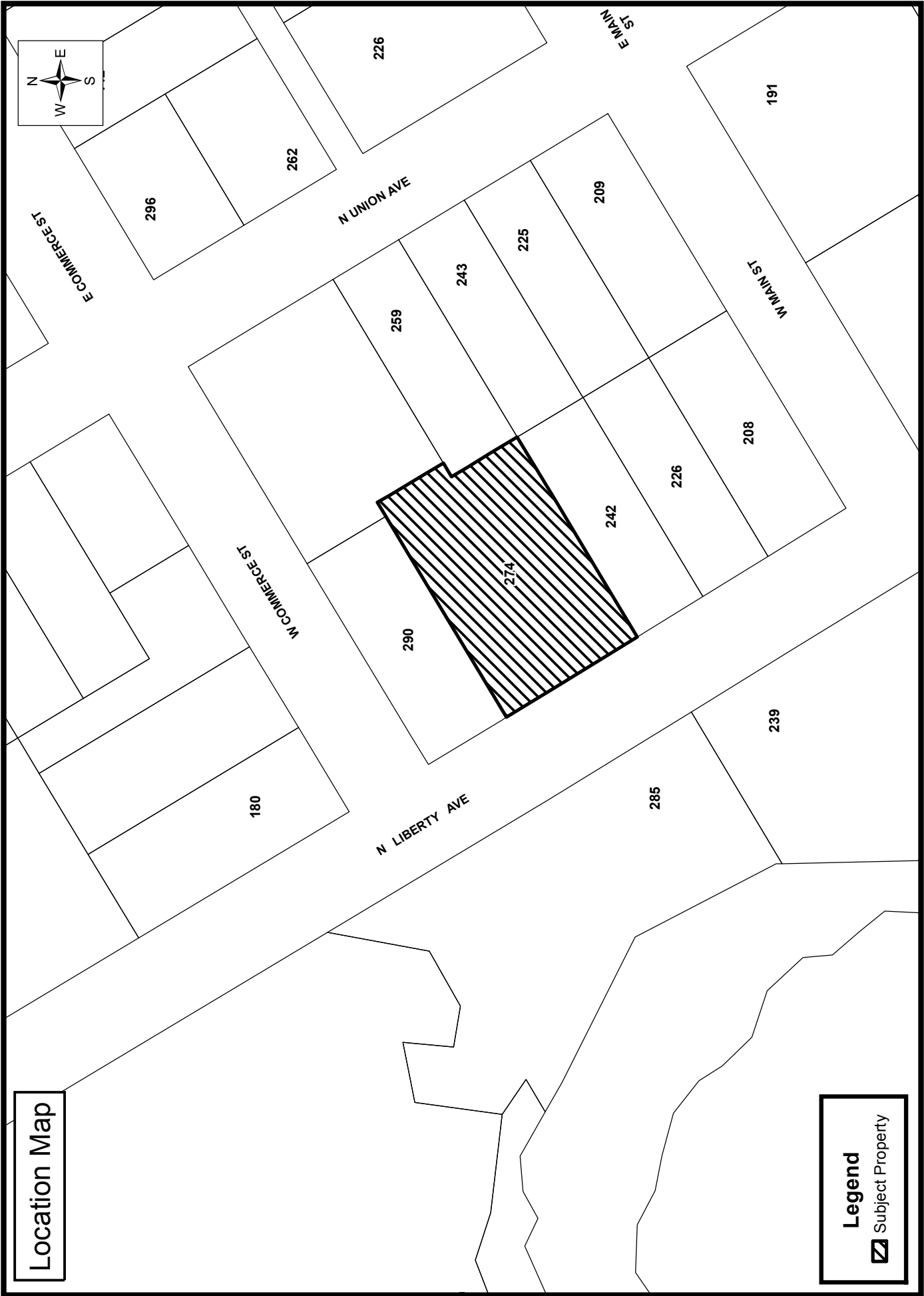
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**PATRICK D. ATEN, City Secretary**

**APPROVED AS TO FORM:**

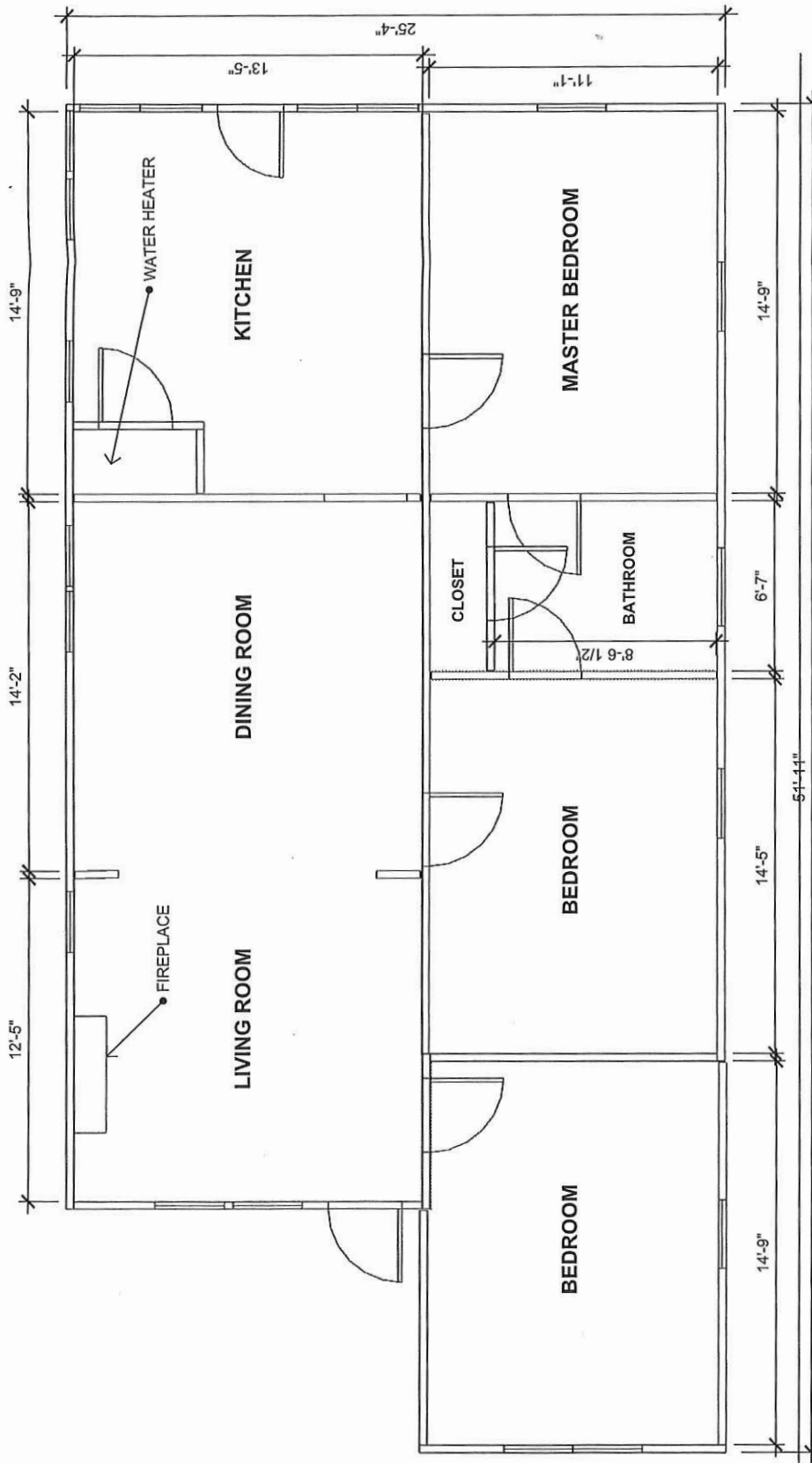
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**VALERIA M. ACEVEDO, City Attorney**



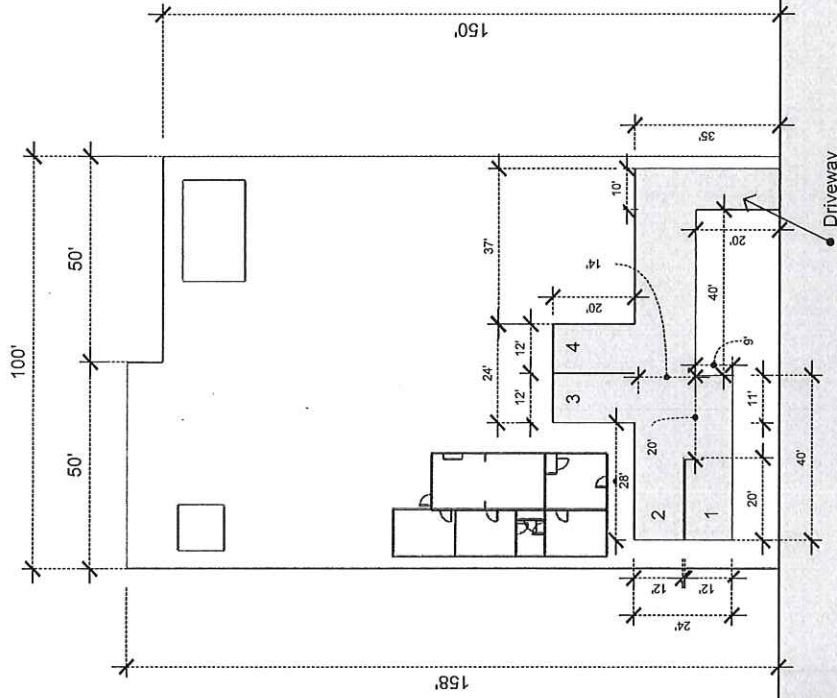
**PZ-18-030**  
**274 N. Liberty**  
**SUP to allow Short Term Rentals in R-3**





Geo ID No: 50000039700    Property ID No: 2766 Legal Description: CITY BLOCK 5068, LOT 2, 3 & W 9' LOT 11		CLIENT ADAMS		PROJECT LIBERTY STREET	PROJECT NO. 201.810.01	ISSUE 07.29.18	DRAWN BY DC	DESCRIPTION <b>FLOORPLAN</b>	323 DESIGN & BUILD
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# BLOCK 5068



PARKING CALCULATION TABLE

OCCUPANCY	PARKING SPACE	PARKING ANGLE	STALL DEPTH	STALL WIDTH	STALL ACCESS
1	1	0	20'	12'	28'
2	2	0	20'	12'	28'
3	3	0	20'	12'	28'
+1	4	0	20'	12'	28'



N LIBERTY AVENUE

Geo ID No: 50000039700 Property ID No: 2766  
Legal Description: CITY BLOCK 5068, LOT 2, 3 & W 9' LOT 11

CLIENT  
ADAMS

PROJECT  
LIBERTY STREET

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201-810.01

ISSUE  
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DRAWN BY  
DC

DESCRIPTION  
SITE PLAN

323  
DESIGN  
& BUILD

W MAIN STREET

W COMMERCE STREET