

**ORDINANCE NO. 2020-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS GRANTING A TYPE 2 SPECIAL USE PERMIT TO ALLOW THE SHORT TERM RENTAL OF A SINGLE FAMILY DWELLING IN THE “C-2” CENTRAL BUSINESS DISTRICT ON LOT 244 AND PART OF LOT 245, OLD CITY BLOCK 3, NEW CITY BLOCK 2013, ADDRESSED AT 212 E. ZINK STREET; 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 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 212 E. Zink Street, to allow short term rental of a single-family dwelling in the “C-2” Central 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:

Lot 244 and part of Lot 245, Old City Block 3, New City Block 2013, currently

addressed at 212 E. Zink Street, as delineated in Exhibit "A".

## **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 illustrated on Exhibit "B". Any significant changes to the site plan will require a revision to the SUP.
3. All standards of the Zoning Ordinance will be met.
4. The driveway and parking area shall be paved in accordance with the Zoning Ordinance. Concrete, asphalt, or alternative pavement methods approved by the City Engineer may be utilized.

## **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 28th day of September, 2020.

**PASSED AND APPROVED:** Second reading this 12th day of October, 2020.

**CITY OF NEW BRAUNFELS**

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**RUSTY BROCKMAN**, Mayor

**ATTEST:**

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**DREW LYON**, City Secretary

**APPROVED AS TO FORM:**

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**VALERIA M. ACEVEDO**, City Attorney

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EXHIBIT "B"

