

Legislation Details (With Text)

File #:	24-784	Name:	
Type:	Ordinance	Status:	Passed
File created:	6/4/2024	In control:	City Council
On agenda:	6/24/2024	Final action:	6/24/2024
Title:	Public hearing and first reading of an ordinance to rezone approximately 0.13 acres out of City Block 1038, Lot 2, 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), currently addressed at 168 Hampe St.		

Sponsors:**Indexes:****Code sections:**

Attachments: 1. City Maps, 2. Site Plan & Floor Plan, 3. Subject Property Photos, 4. Notification Map, List, & Responses, 5. PC Draft Minutes, 6. Draft Ordinance

Date	Ver.	Action By	Action	Result
6/24/2024	1	City Council	approved	Pass

PRESENTER:

Matthew Simmont, Planning Manager

SUBJECT:

Public hearing and first reading of an ordinance to rezone approximately 0.13 acres out of City Block 1038, Lot 2, 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), currently addressed at 168 Hampe St.

DEPARTMENT: Planning and Development Services

COUNCIL DISTRICTS IMPACTED: 5

BACKGROUND INFORMATION:

Case No: SUP24-151

Applicant/ Jose J Duran

Owner:

168 Hampe St
New Braunfels, TX 78130
(830) 481-9434 | duranfdz@gmail.com

Staff Contact: Dana Moses

(830) 221-4054 | dmoses@newbraunfels.gov

The subject property is approximately 0.13 acres in size and located on the southeast side of Hampe St, approximately 210 feet northeast of the intersection of S Seguin Ave and Hampe St, and one block southwest of Haymarket Plaza.

The 1920s residence is roughly 1,258 square feet in total interior livable area with 2 bedrooms and 1 bathroom. This Special Use Permit (SUP) application is proposed to allow the short-term rental (STR) of the existing home.

Per the Zoning Ordinance, the maximum occupancy of a STR with a total of 2 bedrooms and 1 bathroom is 5

occupants, and the minimum off-street parking is 2 spaces. The applicant will be required to provide a paved driveway with 2 paved parking spaces before obtaining a short-term rental permit.

Surrounding Zoning and Land Use:

North	C-2	Two-family residence
South	C-2	Single-family residence
East	C-2	Single-Family Residences
West	Across Hampe St: C-2	Single-Family Residence & Vacant Land

ISSUE:

The proposed rezoning to apply the Special Use Permit is consistent with the following actions from Envision New Braunfels:

- **Action 1.3:** Encourage balanced and fiscally responsible land-use patterns.
- **Action 1.14:** Ensure regulations do not unintentionally inhibit the provisions of a variety of flexible and innovative lodging options and attractions.

Future Land Use Plan: The subject property is located within the New Braunfels sub-area, and near existing Outdoor Recreation Centers.

Short-term rental standards in the Zoning Ordinance help to ensure proper measures are in place to protect public health, safety, and neighboring properties. If this rezoning request is approved, the registration of the short-term rental and online payment of hotel occupancy taxes are required. Also, the project must comply with all other City Code standards.

There are currently 12 approved short-term rental SUPs within one-half mile of the subject property, 5 of which are active.

STRATEGIC PLAN REFERENCE:

☒Economic Mobility ☐Enhanced Connectivity ☒Community Identity
☐Organizational Excellence ☐Community Well-Being ☐N/A

FISCAL IMPACT:

If approved, the property will be subject to local and state hotel occupancy tax (HOT).

RECOMMENDATION:

Staff recommends approval with the following conditions:

1. The residential character of the property must be maintained.
2. The property will remain in compliance with the approved site plan and floor plan. Any significant changes to the site plan or floor 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.

The Planning Commission held a public hearing on June 4, 2024, and unanimously recommended approval (8-0-0).

Mailed notification as required by state statute:

Public hearing notices were sent to 19 property owners within 200 feet of the request. As of the date that this agenda was posted, the city has received no responses in opposition.

Resource Links:

- Chapter 144, Sec. 3.3-8 (C-2) of the City's Code of Ordinances:
[≤https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?&_ga=2.151111111.1735555555.1735555555-1735555555.1735555555)
- Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances:
[≤https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?&_ga=2.151111111.1735555555.1735555555-1735555555.1735555555)
- Chapter 144, Sec. 5.17 (Short-term Rental) of the City's Code of Ordinances:
[≤https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?&_ga=2.151111111.1735555555.1735555555-1735555555.1735555555)