

## Legislation Details (With Text)

<b>File #:</b>	21-191	<b>Name:</b>	
<b>Type:</b>	Recommendation	<b>Status:</b>	Individual Item Ready
<b>File created:</b>	2/12/2021	<b>In control:</b>	Planning Commission
<b>On agenda:</b>	3/2/2021	<b>Final action:</b>	
<b>Title:</b>	SUP21-043 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-2 Central Business District at 307 W. Bridge Street.		

**Sponsors:****Indexes:****Code sections:****Attachments:** 1. Aerial, 2. Site Plan, 3. Land Use Maps, 4. Notification List, Map and Responses, 5. Photos

Date	Ver.	Action By	Action	Result
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Presenter/Contact

*Applicant/Owner: Jami Carr*  
(210) 683-2650 / carr2casa@gmail.com

**SUBJECT:**

SUP21-043 Public hearing and recommendation to City Council regarding a proposed rezoning to apply a Special Use Permit to allow short term rental of a single-family residence in the C-2 Central Business District at 307 W. Bridge Street.

**BACKGROUND / RATIONALE:****Case No.:** SUP21-043**Council District:** 1**Owner/Applicant:** Jami Carr

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New Braunfels, TX 78132  
(210) 683-2650  
carr2casa@gmail.com

**Staff Contact:** Matthew Simmont, AICP  
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The subject property is located northeast of the intersection of North Academy Avenue and West Bridge Street and is zoned C-2 Central Business District. The property contains a 1,300 square foot residence.

The applicant is requesting a Special Use Permit (SUP) to allow short term rental of the property. The house has 2 bedrooms and 2 bathrooms. Per the Zoning Ordinance, maximum occupancy of this residence if rented as an STR would be limited to 6 occupants.

The minimum off-street parking requirement for this proposed STR is 2 spaces, or one per sleeping room. The existing paved driveway can accommodate at least three cars.

If the SUP zoning is approved, a separate short-term rental permit is also required.

**Surrounding Zoning and Land Use:**

North - Across Railroad ROW, C-2/ Single-family residence  
South - C-2/ Single-family residence  
East - C-2/ Single-family residence  
West - Across W. Bridge St., C-2/ Single-family residence

**Determination Factors:**

In making a decision on zoning, the following factors are to be considered:

- Whether the permitted uses will be appropriate in the immediate area and their relationship to the area and to the City as a whole (*The site is centrally located within a short drive to many visitor attractions, and in an area containing a mix of residential and commercial uses, including existing STRs.*);
- Whether the change is in accord with any existing or proposed public schools, streets, water supply, sanitary sewers, and other utilities to the area (*There do not appear to be any conflicts with these elements.*);
- How other areas designated for similar development will be affected (*The proposed use should not impact other areas designated for similar development.*);
- Any other factors that will substantially affect the public health, safety, morals, or general welfare (*Short term rental standards help to ensure proper measures are in place to protect public health, safety and neighboring properties.*); and
- Whether the request is consistent with the Comprehensive Plan.

**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

<b>City Plan/Council Priority:</b> Envision New Braunfels Comprehensive Plan	<b>Action 1.3</b> Encourage balanced and fiscally responsible land use patterns. <b>Action 1.14</b> Ensure regulations do not unintentionally inhibit the provision of a variety of flexible and innovative lodging options and attractions. <b>Future Land Use:</b> The property is situated within the New Braunfels Sub-Area, in close proximity to a Recreational River Corridor and Existing Tourist/Entertainment, and Outdoor Recreation Centers.
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**FISCAL IMPACT:**

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

**STAFF RECOMMENDATION:**

Approval in accordance with the ordinance requirements, including 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. Any significant changes to the site plan will require a revision to the SUP.
3. Occupancy is limited to a maximum of 6 guests.
4. All other standards of the Zoning Ordinance will also be met.

**Notification:**

Public hearing notices were sent to 16 owners of property within 200 feet. The City has received one response (#3) in objection to the request.

**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?nodeId=PTIICOOR\\_C H144ZO\\_ARTIIIZODI\\_S144-3.3ZODIREPRZOPRJU221987](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_C H144ZO_ARTIIIZODI_S144-3.3ZODIREPRZOPRJU221987)
- Chapter 144, Sec. 3.6 (SUP) of the City's Code of Ordinances:  
[https://library.municode.com/tx/new\\_braunfels/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_C H144ZO\\_ARTIIIZODI\\_S144-3.6SPUSPE](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_C H144ZO_ARTIIIZODI_S144-3.6SPUSPE)
- 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?nodeId=PTIICOOR\\_C H144ZO\\_ARTVDEST\\_S144-5.17SHTEREOC](https://library.municode.com/tx/new_braunfels/codes/code_of_ordinances?nodeId=PTIICOOR_C H144ZO_ARTVDEST_S144-5.17SHTEREOC)

**ATTACHMENTS:**

1. Aerial Map
2. Site/Floor Plan
3. Land Use Maps (Zoning, Existing Land Use, Future Land Use Plan, Short Term Rental)
4. Notification List, Map and Responses
5. Photographs