



**TO BE CONSIDERED BY THE
PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**



SUBJECT: An ordinance amending City of Kerrville, Texas Zoning Code, Chapter 60 of the City's Code of Ordinances to include amendments to definitions and regulations concerning short-term rentals and amending the Land Use Table. (Case No. 2022-037)

AGENDA DATE OF: August 4, 2022

DATE

SUBMITTED:

SUBMITTED BY: Drew Paxton

EXHIBITS:

Kerrville 2050 Item? No

Key Priority Area

Guiding Principle

Action Item

SUMMARY STATEMENT:

An ordinance amending City of Kerrville, Texas Zoning Code, Chapter 60 of the City's Code of Ordinances to include amendments to definitions and regulations concerning short-term rentals and amending the Land Use Table. (Case No. 2022-037)

Procedural Requirements

The City, in accordance with state law published a notice in the Kerrville Daily Times on 7/14/2022.

Code Amendment Summary

Through the Kerrville 2050 Comprehensive Plan public process and the public input throughout the rewrite of the zoning code, short term rentals were brought up as needing to be addressed. In 2019, the City of Kerrville adopted a new zoning code, which included regulations for Short Term Rentals. Based on this public input, the Code Review Committee, Planning and Zoning Commission, and City Council introduced Short Term Rentals (STRs) as a Conditional Use in several zoning districts; RE, R-1, R-1A, R-2, and RM. STRs were included as permitted uses in other residential districts; RT, R-3, DAC,

and MU. These conditional uses require a Conditional Use Permit (CUP) in order to be allowed in that district. The CUP process includes public hearings and approval from the Planning and Zoning Commission as well as City Council. Furthermore, the CUP process allows Council to impose conditions on each case specific to the use and/or the property.

The CUP process has allowed council to impose condition related to the STR use on residential properties. The conditions of approval remained relatively consistent throughout the 30+ cases over the last 34 months.

Since the adoption of the new zoning code in fall of 2019, the Planning and Zoning Commission (P&Z) and City Council have heard numerous Conditional Use Permit cases to allow a STR in a residential neighborhood. With these cases, the P&Z and City Council have held numerous public hearings and heard a multitude of comments, concerns, and solutions to neighborhood concerns.

The P&Z and City Council held a joint workshop on June 1st, 2022, to discuss STRs. They discussed the CUP process, concerns with STRs, and identified areas of the Zoning Code that could be amended to potentially reduce the concerns caused by STRs in neighborhoods.

On July 25th, they held a Town Hall Meeting to garner additional input from the community on this topic.

The following proposed code amendment removes the requirement for a Conditional Use Permit, adds requirements for an STR based on the conditions from the CUPs approved thus far, includes a separation distance between STRs, and amends the zoning districts in which STRs are permitted.

Zoning District where STRs are permitted by right, subject to all requirements:

Single-family residential with accessory dwelling unit (R-1A)

Multifamily residential (R-3)

Residential transition (RT)

Downtown arts and culture (DAC)

Mixed use (MU)

Separation distance of 250 feet between each STR shall be required in each of the following districts:

Single-family residential with accessory dwelling unit (R-1A)

Other supplementary requirements for STRs:

1. Parking spaces required, 1 per bedroom plus one for off-site manager.
2. No signs permitted for or related to the STR. (excluding real estate signs, political signs, etc.)

Upon adoption of the proposed code amendment, any existing STR that does not meet the proposed code will become non-conforming, or grandfathered and subject to Article XIII of the Zoning Code. No existing STR is required to make any changes based on this Zoning Code amendment.

In addition to the zoning code amendment, City Council and the Planning and Zoning Commission have also recommended a requirement for a Short Term Rental annual license and on-site inspection. Such license and inspection requirement would not be contained within the Zoning Code and therefore will be a separate code amendment for Council's consideration in the future. The license proposal may also include other operational provisions or regulations for STRs.

Recommendation:

Staff recommends approval of the proposed code amendment.

RECOMMENDED ACTION:

Approve the ordinance.