

Chairman
Dwain Rogers



Board Members
Diana Firestone
John Osbourn
Charles Simpson
Julie Ireland

**NOTICE OF A SPECIAL CALLED MEETING OF THE PLANNING AND ZONING COMMISSION
CITY HALL, 301 WEST MAIN STREET, OF LLANO, TEXAS
5:30 P.M. THURSDAY, NOVEMBER 30, 2023**

Agenda

This notice is posted pursuant to the Texas Open Meetings Act. All agenda items are subject to action. The Planning and Zoning Meeting of the City of Llano, Texas, reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. CALL TO ORDER

2. PUBLIC COMMENTS

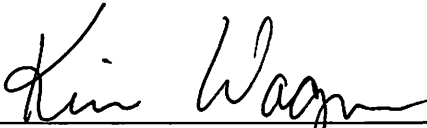
(Visitors shall be limited to no more than (3) three minutes to address the Board or at the discretion of the Mayor) In accordance with Section 551.042 of the Texas Government Code, an inquiry made at a meeting shall be conducted as follows: (a.) If at a meeting of a governmental body, a member of the public or the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to 1. A statement of specific information was given in response to the inquiry, and 2. A recitation of existing policy in response to the inquiry; and (b.) Any deliberation of or a decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

3. REGULAR AGENDA ITEMS

- a. Discussion and possible action approving the short-term rental ordinance for Llano.

4. ADJOURNMENT

Although a quorum of the members of Councilmembers and/or other Boards or Commissions may or may not be in attendance, this notice is being posted to meet the requirements of the Texas Open Meetings Act and subsequent opinions of the Texas Attorney General's Office. I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Llano, was posted on the bulletin board in front of Llano City Hall, 301 W. Main, Llano, Texas, by 5:30 p.m. on Monday, November 27, 2023, which is always readily accessible to the public. Said Notice remained so posted continuously for at least seventy-two (72) hours preceding the scheduled time of said Meeting. I further certify that the following news media were properly notified of this meeting as stated above.



Kimberley Wagner, City Secretary

Date Posted 11-27-23

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LLANO, TEXAS, AMENDING CHAPTER 26, BUSINESSES, TO ADD ARTICLE V, SHORT-TERM RENTALS; ESTABLISHING REQUIREMENTS AND REGULATIONS FOR THE USE OF PROPERTY AS A SHORT-TERM RENTAL; CREATING AN OFFENSE; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$300.00 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AMENDING CHAPTER 94, TAXATION, ARTICLE VI, HOTEL OCCUPANCY TAX, SECTION 94-171, DEFINITIONS BY AMENDING THE DEFINITION OF HOTEL; AMENDING CHAPTER 110, ZONING, ARTICLE I, IN GENERAL, SECTION 110-1, DEFINITIONS, BY ADDING DEFINITIONS; AMENDING CHAPTER 110, ZONING, AMENDING CHAPTER 110, ZONING, ARTICLE III, ZONING MAP AND ZONING DISTRICTS, SECTION 110-451, ESTABLISHED, BY ADDING A NEW USE TO THE USE TABLE; AMENDING CHAPTER 110, ZONING, ARTICLE V, SUPPLEMENTARY REGULATIONS AND DEVELOPMENT STANDARDS, BY ADDING SECTION 110-555, SHORT-TERM RENTALS; PROVIDING FOR A REPEALER, SEVERABILITY, EFFECTIVE DATE, AND PROPER NOTICE & HEARING.

WHEREAS, pursuant to Section 51.001 of the Texas Local Government Code, the City of Llano ("City") has general authority to adopt an ordinance or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council of the City ("City Council") is continually reviewing the provisions of the Code of Ordinances of the City of Llano, Texas, relating to land use and other circumstances which impact the health, safety, and well-being of residents, citizens, and inhabitants; and

WHEREAS, the City Council finds that there are certain owners of residential Short-Term Rental properties within the City who do not provide adequate information on how they may be contacted; and



WHEREAS, the City Council finds that there are owners of certain residential Short-Term Rental properties that do not pay the required hotel occupancy tax; and

WHEREAS, the City Council desires that all owners and operators of residential Short-Term Rental properties are treated equitably; and

WHEREAS, the City Council desires to preserve and enhance residential neighborhoods and property values within the City; and

WHEREAS, in consideration of the foregoing, and other matters before the City Council, the City Council of the City has determined that it would be advantageous, beneficial, and in the best interest of the citizens of the City to amend certain provisions of the Code of Ordinances of the City of Llano, Texas, regarding Short-Term Rental;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LLANO, STATE OF TEXAS THAT:

I. FINDINGS

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

II. AMENDMENTS

Chapter 26, Businesses, of the Code of Ordinances of the City of Llano, Texas, is hereby amended by adding Article V, Short-Term Rentals, as follows:

ARTICLE V SHORT-TERM RENTALS

§ 26-201 Definitions.

The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Apartment means attached dwelling units, designed to be occupied by three or more families living independently of one another, exclusive of hotels or motels.

Bed and Breakfast means a dwelling which may be occupied as a permanent residence by an owner or renter, or a historic or otherwise architecturally unique building, which serves breakfast and in which sleeping accommodations in not more than five rooms are provided or offered for transient guests for compensation. Lodging of transient guests is for periods of less than thirty (30) days.

Duplex means a detached dwelling, designed with a common vertical wall between units, and to be occupied by two families living independently of each other.

Guest means an overnight occupant, who is eighteen (18) years or older, renting temporary transient lodging for a specified period, and the daytime visitor of an overnight occupant.

Local Contact Person means the Owner, Operator, or person designated by the Owner or the Operator, who shall be available twenty-four (24) hours per day for the purpose of responding to concerns or requests for assistance related to the Owner's Short-Term Rental.

Motel means a building, or group of buildings, designed for and occupied as a temporary dwelling place of individuals, and providing four or more room units where customary hotel services, such as linen, maid service, telephone and upkeep of furniture, are provided.

Multiple Family Residential means attached dwelling units, designed to be occupied by three or more families living independently of one another, exclusive of hotels or motels.

Operator means the Owner or the Owner's authorized representative who is responsible for advertising and/or operating a Short-Term Rental.

Owner means the person or entity that holds legal or equitable title to a property.

Recreational Vehicle Park means an area or commercial campground for RVs and similar vehicles or trailers to reside, park, rent or lease on a temporary basis.

Short-Term Rental (STR) means any structure used for transient or guest lodging accommodations, rented for compensation of a dwelling unit, that is not owner-occupied (other than a duplex), which includes but is not limited to a single-family residence, townhouses, owner-occupied duplex, accessory dwelling unit, Short-Term Rental dwelling unit, and other residential real estate improvements, in which the public may obtain sleeping accommodations for a period less than thirty (30) consecutive days. The term applies regardless of whether the dwelling was originally constructed or zoned as a residential dwelling. This term does not apply to bed and breakfasts, duplexes (unless they are owner-occupied), multi-family projects, apartment complexes, hotels, motels, or recreational vehicle parks. This term is a general definition of STRs and is inclusive of the distinct types of STRs.

Short-Term Rental Dwelling Unit means a structure, including an individual room within a larger structure, which is rented separately from other rental units on the property, for the purpose of transient or guest lodging.

Short-Term Rental Permit means a permit issued by the City authorizing the use of a privately-owned structure as a Short-Term Rental.

§ 26-202 Short-term rental permit required; exceptions.

- (a) It shall be unlawful for any person or entity to rent, or offer to rent, any Short-Term Rental without a valid Short-Term Rental Permit issued by the City.
- (b) A separate Short-Term Rental Permit application and application fee must be submitted for each individual Short-Term Rental dwelling unit.
- (c) Unless the applicable property is subject to vested rights as a pre-existing Short-Term

Rental, any such application shall be deemed an application for a Special Use Permit and shall be reviewed and evaluated in accordance with other relevant provisions of this Code.

- (d) The provisions of this Article shall not apply to a property permitted as a bed and breakfast under § 110-553 of this Code.

§ 26-203 Permit period.

Short-Term Rental Permits shall be valid for a period of 2 years, subject to other provisions of this Article.

§ 26-204 Application fee.

At the time of submission of the application for a permit, the applicant shall submit the permit application fee of three hundred dollars (\$300.00), portions of which the City may defer and allocate as nonrefundable or refundable based upon final action on the permit application.

§ 26-205 Application contents.

The Short-Term Rental Permit application shall be in a format and method promulgated by the City Administrator or the City Administrator's designee and shall require, at a minimum, the following information from applicants:

- (1) The name, address, email, and telephone number of the Owner of the Short-Term Rental;
- (2) The name, address, email, and telephone number of the Operator of the Short-Term Rental, if different than the Owner;
- (3) The name, address, email, and 24-hour telephone number of the Local Contact Person, if different than the Owner or Operator;
- (4) The name and address of the Short-Term Rental;
- (5) The number of bedrooms and the proposed overnight and daytime occupancy limit of the Short-Term Rental;
- (6) A site plan showing the proposed layout of the property use and any on-site parking available for the Short-Term Rental. The site plan shall also include any proposed spas, hot tubs, pools, fire pits, bars, cabanas, and any other proposed uses or structures;
- (7) A floorplan of the existing or proposed structure to include bedroom sizes and dimensions;
- (8) A general description of any food service to be offered to guests of the Short-Term Rental;

- (9) If an applicant for a Short-Term Rental Permit states a claim of vested rights because it relates to and covers a pre-existing Short-Term Rental operating prior to the adoption of this Article, then the applicant shall also submit with the application evidence acceptable to the City of the pre-existing operation as a Short-Term Rental.
 - a. Evidence of collection and remittance of hotel occupancy taxes shall be deemed sufficient evidence of such pre-existing operation.
 - b. The absence of prior collection of hotel occupancy taxes creates a rebuttable presumption of no pre-existing Short-Term Rental operation, which the applicant may rebut with other substantial and good faith evidence acceptable in the City's sole and reasonable discretion.

If the City determines that any application relates to a Short-Term Rental operating prior to the adoption of this Article, then a Special Use Permit shall be subject to review only for general compliance as set forth herein and not under the general requirements for a Special Use Permit under other provisions of this Code.

- (10) The applicant shall notify the City within ten (10) business days, in writing, of any changes to information submitted as part of an application under this Section.

§ 26-206 Inspection.

- (a) Prior to issuance of a Short-Term Rental Permit, the Operator shall allow an on-site Inspection by City staff, to ensure compliance with City's ordinances and regulations.
- (b) Inspections shall be required when a new Short-Term Rental Permit is required as the result of a sale or transfer to another owner, or when additions or modifications are performed to the property which require a City building permit.
- (c) Notwithstanding the foregoing, a Short-Term Rental may be inspected by the City or its designee every other year, regardless of the date of the last inspection, or at such other times designated by the City.

§ 26-207 Denial of application.

An application for Short-Term Rental Permit may be denied for any of the following causes:

- (1) If the applicant has had a Short-Term Rental Permit suspended or revoked during the previous 365 calendar days before submission of the relevant application;
- (2) Fraud, misrepresentation, or false statements contained in the relevant application;
- (3) Violations of this Article;

- (4) Two (2) Short-term Rental Permits have been issued and are active for the platted property lot within the City, if the property lot in question is zoned as Single-Family Residential; or
- (5) The proposed Short-Term Rental is not in a zoning district in which Short-Term Rentals are authorized by the Code of Ordinances of the City of Llano, Texas.

§ 26-208 Issuance of permit.

- (a) Applications submitted without the permit application fee shall be considered incomplete and will not be processed.
- (b) After the submission of a complete application and appropriate permit fee, the Permit Tech shall investigate the truth and accuracy of the information contained in the application.
- (c) After verifying the truth and accuracy of the information contained in the application, successful inspection of the Short-Term Rental, and obtaining any additional information necessary to ensure the health and safety of the community, the Permit Tech shall issue to the applicant a Short-Term Rental Permit.
- (d) Each individual Short-Term Rental dwelling unit shall be assigned a unique permit number upon permit issuance by the City. The City Administrator shall issue unique, numbered decals or stickers which the Owner shall affix to the dwelling unit.
- (e) The City Administrator shall maintain a register of all Short-Term Rental Permits, including the location of each permitted dwelling.
- (f) The City may create and maintain a GIS map of all permitted Short-Term Rentals to assist with the review of future new permit applications.

§ 26-209 General operation requirements.

All Owners and Operators of Short-Term Rentals shall be subject to the following requirements in addition to those otherwise set forth in the Code of Ordinances of the City of Llano, Texas:

- (1) **Food Service:**
 - a. Only overnight guests may receive food service, except in City zones permitting restaurant services;
 - b. Such food service shall be limited to continental-style breakfast, consisting of pastries prepared by a licensed provider, and pre-packaged milk, cereal, fruit, fruit juice, and coffee, unless the facility meets the State of Texas and Llano County Health Division requirements for commercial food service;
- (2) **Signs:**

- a. All signs must comply with the City's sign ordinance, and
 - b. A two (2) square foot nameplate may be attached to the structure;
- (3) All Short-Term Rental facilities must comply with Code of Ordinances of the City of Llano, Texas, provisions applicable to the zoning then applicable to the area in which the facilities are located, and with all federal, State of Texas, and City of Llano building codes for existing or new construction;
- (4) Short-Term Rental uses shall comply with the regulations for Fire Protection set forth in the appropriate NFPA 101 Life Safety Code and its successors;
- (5) All external lighting shall be shielded from adjoining properties and comply with the City's outdoor lighting ordinances;
- (6) Each Short-Term Rental shall be served by a single water and electrical meter unless the Short-Term Rental dwelling unit is a single room within a larger or main structure;
- (7) Each Short-Term Rental shall provide a minimum of ninety-six-gallons (96 gals) of bulk garbage container capacity, or equivalent, for every four (4) occupants, based on the maximum permitted occupancy for the Short-Term Rental;
- (8) Each Short-Term Rental use shall have signage posted in a prominent location in the rear yard or other common gathering area, providing the guests with notice of the nighttime hours, as set forth in the City's noise and sound level regulations;
- (9) Maximum occupancy limits prescribed in this Article, or by the City Fire Marshal pursuant to the International Fire Code;
- (10) Hotel Occupancy Tax regulations, set forth in Chapter 94, Article VI;
- (11) Any Noise and Sound Level Regulation regulations, set forth in the Code of Ordinances of the City of Llano, Texas;
- (12) Solid Waste regulations, set forth in Chapter 82 and Chapter 102;
- (13) During any period when a Short-Term Rental is occupied or intended to be occupied by Guests, the Local Contact Person shall be available twenty-four (24) hours per day for the purpose of responding to concerns or requests for assistance related to the condition, operation, or conduct of guests of the Short-Term Rental.
 - a. The Local Contact Person shall respond within sixty (60) minutes of being notified of concerns or requests for assistance regarding the condition, operation, or conduct of guests of the Short-Term Rental, and shall take immediate remedial action as needed to resolve such concerns or requests for assistance.

- b. Failure to respond in the required timeframe shall be a violation of this Article;
- (14) Any advertisement that promotes the availability of a Short-Term Rental, listed in any medium, including newspaper, magazine, brochure, website, or mobile application, shall include the current Short-Term Rental Permit number assigned by the City and the number of available parking spaces provided for and permitted vehicles at each rental unit; and
- (15) The Owner must limit guests' vehicles to the number of off-street parking spaces provided.

§ 26-210 Required posting of information in Short-Term Rental.

The Operator shall post the following information in a prominent location within the Short-Term Rental, using a form promulgated by the City stating:

- (1) The unique Short-Term Rental Permit number assigned to the Short-Term Rental unit;
- (2) Operator name and phone number;
- (3) Local Contact Person name and number;
- (4) The location of any on-site and off-site parking spaces available for guests;
- (5) Instructions to guests concerning disposal of garbage and handling of garbage containers; and
- (6) Notification that the guests are responsible for compliance with all applicable laws, rules and regulations pertaining to the use and occupancy of the Short-Term Rental, and that guests may be fined by the City for violations of this Article.

§ 26-211 Historical Preservation District.

Properties located in the Historical Preservation District shall be developed in accordance with the development standards of the base zoning district and all other City regulations and ordinances, subject to the following restrictions:

- (1) Density shall be in accordance with the base zoning district, except that the number of Short-Term Rental structures shall be limited to a maximum of one (1) structure per three thousand (3,000) square feet of land; and
- (2) Commercially-zoned properties in the Historical Preservation District shall be developed in accordance with the base zoning district and all other City regulations and ordinances.

§ 26-212 Violation.

- (a) It shall be unlawful for any person or entity to violate any provision of this Article.

- (b) Each day a violation exists shall constitute a separate offense.
- (c) Proof that a violation occurred at a Short-Term Rental shall create a rebuttable presumption that the Owner of said Short-Term Rental committed the violation.

§ 26-213 Penalties for violation.

- (a) Any violation of this Article is a Class C misdemeanor offense, and upon conviction, shall be punished by a fine not to exceed \$300.00.
- (b) Each violation of this Article may be punishable by a suspension of the STR permit for a period of not more than six (6) months or revocation of the STR permit for a period of not more than one (1) year.
- (c) Permits shall be revoked automatically for a period of six (6) months on the third violation in any one (1) calendar year.
- (d) Any property operating as a Short-Term Rental, without a permit, shall be prohibited from receiving a Short-Term Rental Permit for a minimum of one (1) year.
- (e) If an Owner operates a Short-Term Rental without a permit, or after revocation of a permit, in violation hereof, the City may take additional enforcement action.
- (f) Penalties provided for in this Section are in addition to any other criminal or civil remedies that the City may pursue under federal, state, or local law.

§ 26-214 Complaints.

- (a) Complaints related to the operation of a Short-Term Rental, including complaints concerning noise, garbage, parking, and disorderly conduct by guests, shall be reported to the City Code Enforcement office.
- (b) When the City's Code Enforcement Officer is unavailable, all calls shall be directed to the City's Police Department.
- (c) Any noise complaints after 10:00 p.m. shall be directed to the City's Police Department.

§ 26-215 Suspension and revocation; notice.

- (a) Upon conviction for a violation of this Article the City may suspend or revoke any Short-Term Rental Permit issued for the same Short-Term Rental where the violation occurred. If the violation is applicable to all Short-Term Rental dwelling units within a property, the City may suspend or revoke all Short-Term Rental Permits held by the Owner at that property.

- (b) Changes or modifications to the property that result in non-compliance with City ordinances or other applicable law shall void the existing Short-Term Rental Permit.
- (c) Any Short-Term Rental Permit shall terminate and be considered abandoned if there is evidence of no transient lodging rental activity, based in part on the state occupancy tax reports, for a period of nine (9) consecutive months. The burden is on the Owner to prove the property has been in continuous use as a Short-Term Rental.
- (d) The City shall notify an Owner of a suspension or revocation under this Section in writing, delivered by Certified Mail, Return Receipt Requested, and mailed to the address of the Owner as set forth on the most recent Short-Term Rental Permit application submitted to the City.

§ 26-216 Appeal.

- (a) An Owner may appeal a suspension or revocation under this Article by filing a written appeal with the City Administrator within ten (10) business days following the date said notice was deposited in the U.S. Mail.
- (b) Following a timely filing of an appeal in this Section, the Owner may present evidence to the City Administrator related to the suspension or revocation under this Article.
- (c) Following the City Administrator's final decision on the appeal, the Owner may appeal a decision of the City Administrator by filing a written appeal with the City Council within five (5) business days following the date of the City Administrator's final decision. The decision of the City Council shall be final.

§ 26-217 Transfer of Short-Term Rental Permit.

- (a) Except as provided herein, Short-Term Rental Permits may not be transferred to new Owners.
- (b) Upon sale or other ownership transfer of the Short-Term Rental dwelling unit, the permit shall remain in force for a period of sixty (60) days thereafter, during which time the new Owner(s) may file an application for a new permit. Any such application shall be deemed a new permit application under this Article, unless at the time the existing permit was granted the Short-Term Rental held and retained vested rights based on operation as a Short-Term Rental prior to the effective date of this Article. If no such application is made within the sixty-day (60-day) period stated above, the existing permit shall be void with no further force and effect whatsoever.
- (c) Transfers of ownership among or between immediate family members, their heirs or devisees, or business entities under the control of the original owner, their immediate family members, or their heirs or devisees, are not subject to the foregoing transfer conditions, and shall not affect nor void the underlying permit.

- (d) Initial transfers of ownership by the initial permit holder of a Short-Term Rental which holds vested rights based on operation as a Short-Term Rental prior to the effective date of this Article are not subject to the foregoing transfer conditions; provided, the new Owner of any such Short-Term Rental shall provide evidence satisfactory to the City, in the time period allotted in Subsection (e) below, of continuous operation of the Short-Term Rental since the date the Short-Term Rental permit was granted. Subsequent transfer(s) of any such Short-Term Rentals shall be subject to the transfer conditions stated herein.
- (e) In the event of any transfer, a new Owner of a Short-Term Rental has sixty (60) days to update the City of changes to ownership, contact information, management company information, and Local Contact Person. In addition, if applicable, the new Owner shall provide evidence of continuous operation required under this Article.

§ 26-218 through § 26-300 (Reserved).

Chapter 94, Taxation, Article VI, Hotel Occupancy Tax, § 94-171, Definitions, of the Code of Ordinances of the City of Llano, Texas, is hereby amended by amending the definition of “Hotel” and adding the definition of “Short-Term Rental”:

Hotel means a building in which members of the public obtain sleeping accommodations for consideration. The term includes but is not limited to a hotel, motel, tourist home, tourist house, tourist court, lodging-house, inn, rooming house, short-term rental, or bed and breakfast. The term does not include a hospital, sanitarium, nursing home, or dormitory as defined in V.T.C.A., Tax Code sec. 156.001.

Short-Term Rental (STR) means any structure used for transient or guest lodging accommodations, rented for compensation of a dwelling unit, that is not owner-occupied (other than a duplex), which includes but is not limited to a single-family residence, townhouses, owner-occupied duplex, accessory structure, Short-Term Rental dwelling unit, and other residential real estate improvements, in which the public may obtain sleeping accommodations for a period less than thirty (30) consecutive days. The term applies regardless of whether the dwelling was originally constructed or zoned as a residential dwelling. This term does not apply to bed and breakfasts, duplexes (unless they are owner-occupied), multi-family projects, apartment complexes, hotels, motels, or recreational vehicle parks. This term is a general definition of STRs and is inclusive of the distinct types of STRs.

Chapter 110, Zoning, Article I, in General, § 110-1, Definitions, of the Code of Ordinances of the City of Llano, Texas, § 110-1 is hereby amended by adding the following definitions:

Short-Term Rental (STR) means any structure used for transient or guest lodging accommodations, rented for compensation of a dwelling unit, that is not owner-occupied (other than a duplex), which includes but is not limited to a single-family residence, townhouses, owner-occupied duplex, accessory structure, Short-Term Rental dwelling unit, and other residential real estate improvements, in which the public may obtain sleeping accommodations for a period less than thirty (30) consecutive days. The term applies regardless of whether the dwelling was originally constructed or zoned as a residential dwelling. This term does not apply to bed and

breakfasts, duplexes (unless they are owner-occupied), multi-family projects, apartment complexes, hotels, motels, or recreational vehicle parks. This term is a general definition of STRs and is inclusive of the distinct types of STRs.

Short-Term Rental Dwelling Unit means a structure, including an individual room within a larger structure, which is rented separately from other rental units on the property, for the purpose of transient or guest lodging.

Chapter 110, Zoning, Article III, Zoning Map and Zoning Districts, Division 4, Use of Land and Buildings By District, § 110-451 Established, Subsection (b) Schedule of uses, is hereby amended by adding the following use to the Use Chart:

	AG	SF-1	SF-1 Overlay	SF-2	SF-3	SF-4	GR	OM	R	NBD	CBD	Commercial	Industrial	FS
Short-Term Rental	*	S		S	S	S				•	•	•		

Chapter 110, Zoning, Article V, Supplementary Regulations and Development Standards, of the Code of Ordinances of the City of Llano, Texas, is hereby amended by adding § 110-555 as follows:

§ 110-555 Short-Term Rentals.

In addition to the requirements of Section 110-431, an application requesting a specific use permit shall have the following additional criteria applied:

- (a) Compatibility with existing or permitted uses on abutting sites or within the area of the proposed use;
- (b) The relationship between the proposed use and the following:
 - (1) Buffers,
 - (2) Driveways, and
 - (3) Parking Areas;
- (c) The property affected by the request is within an C, NBD, CBD, SF-1, SF-2, SF-3, or SF-4 zoning district;
- (d) The property affected by the application, if granted, will not substantially impact, affect, or impair the underlying character or usage within the zoned district in which the property is located;

- (e) The application if granted will have no adverse effect on any property within two hundred feet (200') of the affected property and is not immediately adjacent to another short-term rental;
- (f) The proposed property occupancy relative to the size of the property;
- (g) The applicants' consent and agreement to operate in accordance with the other requirements for short-term rentals set forth in the Code of Ordinances of the City of Llano, Texas; and
- (h) The application if granted will not result in permitting more than twenty percent (20%) of the primary residences in a city square block or similar geographic area as Short-Term Rentals.

III. REPEALER

All provisions of the ordinances of the City of Llano in conflict with the provisions of this Ordinance are hereby repealed; and all other provisions of the ordinances of the City of Llano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

IV. SEVERABILITY

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required by law. The City Administrator shall, within ten (10) days after such effective date, cause the publication of notice of adoption on the City's website, the local newspaper of general circulation, and by such other and further means necessary to provide notice to the public.

No new permit applications shall be accepted for sixty (60) days from the effective date of this ordinance, during which time applications for permits based on claims of pre-existing operation as a Short-Term Rental may be filed under the provisions of this Ordinance.

After the initial sixty-day (60-day) period referenced above, applications for new Short-Term Rental permits (in addition to those for pre-existing Short-Term Rentals) may also be filed, accepted, and reviewed by the City.

The City shall not seek enforcement of this Ordinance until at least seventy-five (75) days after the initial publication of notice in the newspaper of general circulation and the City's website.

VI. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 and 211 of the Texas Local Government Code.

PASSED AND APPROVED this the ____ of _____, 2023.

Marion Bishop, Mayor

ATTEST:

Kim Wagner, City Secretary

DRAFT