

ORDINANCE 2023-__
CITY OF WOODCREEK, TEXAS

AN ORDINANCE OF THE CITY OF WOODCREEK, TEXAS, TO CONSIDER AMENDING SECTION 156.055 (PERMITTED SINGLE-FAMILY RESIDENTIAL ZONING USES) OF CHAPTER 156 (ZONING) BY ENACTING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF NEW SHORT TERM RENTAL APPLICATIONS AND FEES FOR A PERIOD NOT TO EXCEED NINETY (90) DAYS OR UNTIL THE ADOPTION AND IMPLEMENTATION OF AN APPROVED COMPREHENSIVE SHORT TERM RENTAL POLICY; ALLOWING FOR THE SUSPENSION OF NEW SHORT TERM RENTAL CONDITIONAL USE PERMITS DURING THE TIMEFRAME OF THE MORATORIUM; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Woodcreek City Council, the Planning and Zoning Commission, and the (Ordinance Review Committee) have been reviewing proposed regulations concerning the operation of short-term rental properties (STR) in the city and requests that the City Council adopt a moratorium allowing for the completion of its review and implementation of a comprehensive policy guided by the Texas Legislature and Supreme Court; and,

WHEREAS, it is expected that the initial period of the moratorium shall not exceed ninety (90) days. New short term rental applications, conditional use permit requests, and acceptance of fees will be suspended until completion and implementation of the comprehensive policy. Thereupon, existing and new STR's, if permitted, must comply with the new policy; and,

WHEREAS, the City Council deems it in the public's interest to place a temporary moratorium on the acceptance of new Short Term Rental applications and fees for a period not to exceed ninety (90) days or until the adoption and implementation of a comprehensive STR policy, whichever is earlier.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS:

SECTION 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2. The City Council of the City of Woodcreek hereby places a moratorium on the acceptance of new Short Term Rental applications and fees for a period not to exceed ninety (90) days, subject to extension by the Council, or until the adoption and implementation of a comprehensive STR policy, whichever is earlier.

SECTION 3. The temporary moratorium shall allow for the suspension of new short term rental applications and permitting during the timeframe of the moratorium. Upon termination of the moratorium, STR's shall comply with the new fee structure.

SECTION 4. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any Hays County court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 5. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 6. In accordance with the Texas Open Meetings Act been posted by the City Secretary for not less than 72 hours prior to its first and second readings; that this Ordinance may be read and published by descriptive caption only.

SECTION 7. This Ordinance shall be and become effective from and after its adoption and publication in accordance with the provisions of the Code of Ordinances of the City of Woodcreek.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS, ON THIS THE ____ DAY OF _____, BY A VOTE OF ___ AYES TO ___ NAYS.

ATTEST:

MAYOR JEFF RASCO,
CITY OF WOODCREEK

SUZANNE MACKENZIE
CITY SECRETARY, CITY OF WOODCREEK