

**ORDINANCE 2023-08-23-01
CITY OF WOODCREEK, TEXAS**

**AN ORDINANCE CALLING A JOINT PUBLIC HEARING OF WOODCREEK'S
PLANNING AND ZONING COMMISSION/CITY COUNCIL TO CONSIDER
DECLARING A TEMPORARY MORATORIUM ON NEW SHORT-TERM RENTALS**

AN ORDINANCE OF THE CITY OF WOODCREEK, TEXAS, CALLING FOR A JOINT PUBLIC HEARING OF THE CITY COUNCIL AND PLANNING AND ZONING COMMISSION TO CONSIDER AMENDING SECTION 156.055 (PERMITTED SINGLE-FAMILY RESIDENTIAL ZONING USES) OF CHAPTER 156 (ZONING) OF THE CODE OF ORDINANCES OF THE CITY OF WOODCREEK, TEXAS RELATING TO AN INTERIM BAN ON NEW SHORT-TERM RENTALS; PROVIDING FOR A VARIANCE PROCEDURE; PROVIDING FOR A PENALTY CLAUSE, A SEVERABILITY CLAUSE, A REPEALER CLAUSE, A SAVINGS CLAUSE, A PUBLICATION CLAUSE, AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of Woodcreek Texas has held a Previous Public Hearing and directed that notice be issued, as required by the Code of Ordinances and laws of the State of Texas, for the purpose of considering a change in the Zoning Ordinance addressing Short-Term Rentals (STRs); and

WHEREAS, both the Texas Legislature and the Texas Supreme Court have failed to delineate a clear and concise set of regulations and guidance despite multiple opportunities to adopt the same; and

WHEREAS, it is the desire of the City Council to hold a joint public hearing with the Planning and Zoning Commission to consider an amendment to the City of Woodcreek Code of Ordinances, Zoning, for the purpose of considering an interim moratorium on the permitting of new Short-Term Rentals within the City of Woodcreek; and

WHEREAS, the City of Woodcreek, Texas is authorized by Chapter 211 of the Local Government Code to hold a joint public hearing of the City Council and Planning and Zoning Commission to adopt amendments to the City's Code of Ordinances; and

WHEREAS, Section 211.007(b) authorizes, if an ordinance is adopted, a joint public hearing of the City Council and Planning and Zoning Commission, after notice is provided consistent with statute; and

WHEREAS, there has been an increased public concern regarding the nuisance, health and safety related to short-term rentals; and

WHEREAS, Woodcreek residents have an expectation of peace, quiet, and stability of their neighborhood; and

WHEREAS, the City Council finds that it is expedient to hold a joint public hearing with the Planning and Zoning Commission, to be held on September 20, 2023, during which public testimony will be heard concerning the proposed temporary moratorium on new short-term rentals in the interest of the public and to ensure the health, safety, and general welfare of the City and its inhabitants.

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

Section 1: All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in its entirety.

Section 2: A public hearing shall be jointly held with the City Council and Planning and Zoning Commission at a joint meeting to convene at 6:30 p.m. on September 20, 2023, at Camp Young Judaea, 121 Camp Young Judaea Rd., Woodcreek, TX 78676, to hear public testimony and to consider and act upon proposed amendments to the Code of Ordinances, Zoning. Staff is directed to take all necessary actions to prepare and distribute said public notice of the meeting.

Section 3: It is the intention of the City Council that this Ordinance, and every provision hereof, shall be considered severable, and the invalidity or partial invalidity of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Section 4: This Resolution shall be effective immediately upon its passage.

PASSED AND APPROVED this, the 23rd day of August, 2023, on a roll call vote of the City Council of Woodcreek, Texas.

City of Woodcreek, Texas:

By: _____
Jeff Rasco, Mayor

Attest:

By: _____
Suzanne MacKenzie, City Secretary