



NOTICE OF MEETING OF THE GOVERNING BODY OF THE CITY OF BURNET

Notice is hereby given that a **City Council Workshop Meeting** will be held by the governing body of the above named City on the **24th day October, 2023** at **4:30 p.m.** at City Council Chambers, located at 2402 S. Water Street (HWY 281 South, Burnet Municipal Airport) Burnet, TX at which time the following subjects will be discussed, to-wit:

This notice is posted pursuant to the Texas Government Code, Chapter §551-Open Meetings.

1. CALL TO ORDER:

2. CONSIDERATION ITEMS:

2.1) Discuss and consider: Public safety dispatch services: D. Vaughn

2.2) Discuss and consider: Short Term Rentals: D. Vaughn

3. ADJOURN:

Dated this 19th day, of October, 2023

**CITY OF BURNET
GARY WIDEMAN, MAYOR**

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the governing body of the above named City, BURNET, is a true and correct copy of said NOTICE and that I posted a true and correct copy of said NOTICE on the bulletin board, in the City Hall of said City, BURNET, TEXAS, a place convenient and readily accessible to the general public at all times, and said NOTICE was posted on October 19th, 2023 at or before 6 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Kelly Dix

Kelly Dix, City Secretary

NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:

The City of Burnet Council Chambers is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be faxed to the City Secretary at 512.756.8560.

RIGHT TO ENTER INTO EXECUTIVE SESSION:

The City Council for the City of Burnet reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).



City of Burnet

(512) 756-6093
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www.cityofburnet.com

P.O. Box 1369
1001 Buchanan Drive, Suite 4
Burnet, TX 78611

Friday, October 20, 2023

Dear City of Burnet Property Owner:

The City of Burnet is considering proposed amendments to the Zoning Ordinance that, if adopted, would prohibit short-term rentals unless a property receives an STR overlay, which would allow for short-term rental use (such as “Airbnb”).

The Planning and Zoning Commission’s public hearing shall be held at 6:00 p.m. on Monday, _____, 2023, at the City of Burnet’s Council Chambers located at 2402 S Water Street, Burnet, Texas 78611. City Council’s public hearing shall be held at 6:00 p.m. on Tuesday, _____, 2023, at the City of Burnet’s Council Chambers located at 2402 S Water Street, Burnet, Texas 78611. **DISABILITY ACCESS STATEMENT** This meeting site is wheelchair accessible. For disability access special needs call Kelly Dix, City Secretary, at 512-715-3209 at least forty-eight [48] hours prior to the meeting.

Members of the public may also provide written comments and testimony to City Council prior to the public hearing by submitting same to the Development Services Department at P.O. Box 1369, Burnet, Texas 78611, or by email at developmentservices@cityofburnet.com.

Section two. Amendment. The Code of Ordinances, Chapter 118 (entitled "Zoning") Section 118-5 (entitled "Definitions"), is hereby amended by amending the definition language that follows:

Bed and Breakfast means an establishment used by the record owner of the property and who is also a resident of the property, with not more than 7 rooms for let, engaged in providing rooms or groups of rooms, for compensation, for temporary lodging for overnight transient or prearranged guests for definite periods. Where hot meals are provided and served on-site per day and included in the lodging rate charged. Where lodging of guests is for periods of less than 30 days. Bed and Breakfasts shall be classified as a Lodging Facility. Bed and Breakfasts shall not be classified as a home-based business.

~~*Boarding House* means a building other than a hotel, occupied as a single housekeeping unit where lodging or meals are provided for three or more persons for compensation, pursuant to previous arrangements for definite periods, but not to the general public or transients.~~

Hotel or Motel means a building in which lodging is provided and offered to individual transient guests, and may include a cafe, drugstore, clothes, pressing shop, barber shop or other service facilities for guests for compensation, and in which ingress and egress to and from all rooms is made through a lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradiction to a boarding house or bed and breakfast, a short-term rental unit such as a residential structure or apartment, or a long-term rental unit such as a residential structure or an apartment. To be classified as a hotel an establishment shall contain a minimum of six individual guest rooms or units and shall furnish customary hotel services such as linen, maid service, telephone, and the use and upkeep of furniture. The term includes a hotel, motel, tourist home, tourist house, tourist court, lodging house, inn, rooming house, or bed and breakfast. The term does not include a hospital, sanitarium, nursing home, or a dormitory as defined in V.T.C.A., Tax Code § 156.001. Hotels and motels shall be classified as a Lodging Facility.

~~*Motel* means a building or group of detached, semi-detached or attached buildings containing guest rooms or apartments with automobile storage space provided in connection therewith, which building or group is designed, intended or used primarily for the accommodation of automobile travelers, including groups designated as auto cabins, motor courts, motels and similar designations.~~

Section three. Amendment. The Code of Ordinances, Chapter 118 (entitled "Zoning") Section 118-5 (entitled "Definitions"), is hereby amended by adding the definition language that follows:

Lodging Facilities means for-profit facilities where lodging is provided to transient or prearranged visitors and guests for a defined period of time shorter than 30 days for compensation.

Short-term rental (STR) means the rental for compensation of dwellings or accessory dwelling units or portions thereof for the purpose of overnight lodging for a period of not less than one night and not more than 29 consecutive days, other than ongoing month-to-month tenancy granted to the same renter for the same unit as their primary residence. This is not applicable to rentals made for less than thirty days upon the sale of a dwelling when the tenancy is by the former owner. Short-term rentals shall be classified as a Lodging Facility. Short-term rentals shall not be classified as a home-based business. (See STR Overlay, Sec.118-68)

Section three. Amendment. The Code of Ordinances, Chapter 118 (entitled “Zoning”) Section 118-68 (entitled “Overlays”), is hereby amended in its entirety by adding the language that follows:

The city hereby establishes the following overlay districts which shall be governed by all of the uniform use and area requirements of this chapter. Within these overlay districts, additional requirements are imposed on certain properties within one or more underlying general or conditional zoning districts. The overlay districts established by this chapter, including the symbol for each type of district is as follows:

IR- Infill redevelopment overlay

H- Historical overlay

MX- Multi-story mixed use overlay

AH-Airport hazard zoning overlay

(a) *IR infill redevelopment overlay.* Where there is an existing lot that otherwise conforms to the restrictions of R-1 zoning located in the geographic area if the IR overlay as defined in the city infill ordinance, the city may grant a building permit for a lot that has less than a 20 feet front setback, 15 feet rear setback or is less than 7,600 square feet. The living area may be less than 1,100 square feet upon submission of a house plan and approval from the planning and zoning commission and the city council. The city will grant the building permit only for those lots that are not adjacent to any collector or arterial streets.

(b) *H-Historical overlay.* In addition to the requirements of this chapter. The area located in the geographic location of the H overlay will be subject to the city historical district ordinance.

(c) *MX-Multi-story mixed use.* Those areas zoned commercial that are located in the MX overlay and have more than one story may allow for residential use except in the story or basement abutting street grade.

(d) *STR – Short-term rental overlay.* Unless authorized by STR Overlay, short-term rentals are prohibited in all zoning districts. Those properties with the STR Overlay may allow for short-term rental use in accordance with the City of Burnet short-term rental ordinance.