

Please place an item on the ~~date~~  
agenda for the Regular Council Meeting  
on March 1, 2022

I would like to propose an amendment  
to current city policy by adding the  
definition -

"Multiple Family Residential - The use  
of a site for Two or more dwellings  
units, within one or more buildings.  
These facilities are prohibited from  
obtaining short term rental permits

Stephanie Fisher

## Rick Schroder

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**From:** Elizabeth Elleson  
**Sent:** Thursday, February 24, 2022 3:39 PM  
**To:** Rick Schroder  
**Subject:** Re: Short Term Rental Restrictions

Yes, as a land use zoning issue, the proposal does need to go before P&Z for public hearing and recommendation in accordance with the City's Zoning Ordinance Section 5-5 and state law, Local Government Code Section 211.006(a).

EE

Elizabeth Elleson  
City Attorney  
City of Johnson City  
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**From:** Rick Schroder <rschroder@johnsoncitytx.org>  
**Sent:** Thursday, February 24, 2022 2:30 PM  
**To:** Elizabeth Elleson <cityattorney@johnsoncitytx.org>  
**Cc:** Stephanie Fisher <sfisher@johnsoncitytx.org>; Rhonda Stell <rstell@johnsoncitytx.org>; Whitney Walston <wwalston@johnsoncitytx.org>  
**Subject:** Short Term Rental Restrictions

Liz –

Councilwoman Fisher submitted the attached agenda item request form for March 1, 2022. I am happy to place the item on the City Council agenda; however, I believe it needs to be placed on the agenda as a discussion and direction item for the following reasons.

As you are aware, the City does not currently restrict short-term rentals. The only applicable Code section for short-term rentals is Chapter 11, Article 11.04 HOT; however, this Article only relates to the collection of HOT taxes from an entity meeting the definition of "Hotel".

The proposed restriction prohibiting short-term rental units within any structure classified as "multiple family residential" would be, in my opinion, a land use restriction requiring an amendment to the zoning code, publication in the newspaper, and public hearings before the P&Z / CC. Please advise if I am correct.

If so, I will place Councilwoman Fisher's item on the next agenda as discussion and direction only, and the City Council will have to direct staff to initiate the zoning amendment process.