

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF JOHNSON CITY, TEXAS AMENDING MUNICIPAL CODE OF ORDINANCES CHAPTER 14 ZONING, ARTICLE 14.02 ZONING ORDINANCE BY PROVIDING DEFINITIONS RELATED TO AND AMENDING THE PERMITTED CHART OF USES FOR THE PROHIBITION OF HOTELS, INCLUDING, BUT NOT LIMITED TO, SHORT-TERM RENTAL UNITS, WITHIN MULTI-FAMILY DWELLING UNITS LOCATED WITHIN ZONING DISTRICTS IN THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the City Council (“City Council”) of the City of Johnson City, Texas (“City”) seeks to provide for the public health, safety and welfare of its citizens by promoting the orderly and safe use of property within the City to protect and preserve the dignity and sanctity of low-density, single-family residential neighborhoods, which are the City’s primary land use category; and

WHEREAS, the City Council has determined that amendment of Municipal Code of Ordinances Chapter 14 *Zoning*, Article 14.02 *Zoning Ordinance* by providing definitions related to and amending the permitted chart of uses for the prohibition of hotels, including, but not limited to, short-term rental units, within multi-family dwelling units located within zoning districts in the City limits is in the best interest of the citizens and businesses of the City and promotes the health, safety, and general welfare of the inhabitants of the City; and

WHEREAS, pursuant to Texas Local Government Code Section 211.005 and 211.006, the City has general authority to adopt zoning regulations and zoning district boundaries regulating the location and use of buildings, other structures and land for business, industrial, residential, or other purposes; and

WHEREAS, in accordance with Section 211.006, public notice was issued and a public hearing was conducted before the City’s Planning and Zoning Commission and the City Council; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the 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.

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

ARTICLE I. FINDINGS OF FACT

The foregoing recitals are adopted as facts and are incorporated fully herein.

ARTICLE II. AMENDMENT AND ENACTMENT

The City Council hereby amends Municipal Code of Ordinances Chapter 14 *Zoning*, Article 14.02 *Zoning Ordinance* by providing definitions related to and amending the permitted chart of uses for the prohibition of hotels, including, but not limited to, short-term rental units, within multi-family dwelling units located within zoning districts in the City limits as depicted in *Exhibit A*, attached hereto and incorporated fully herein for all purposes.

ARTICLE III. REPEALER AND SEVERABILITY

REPEALER: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SEVERABILITY: Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

ARTICLE IV. EFFECTIVE DATE

This Ordinance shall be effective immediately upon approval by the City Council.

PASSED and APPROVED by the City Council of the City this ____ day of _____ 2022.

Rhonda Stell, Mayor

Attest:

Whitney Walston, City Secretary

The following sections of Article 14.02 *Zoning Ordinance* in Chapter 14 *Zoning* of the Municipal Code of Ordinances are amended or supplemented, as follows (bold, underlined text indicates new text):

ARTICLE I. GENERAL

Sec. 1-3 Definitions

The following terms used in this Article shall have the meanings below:

Multifamily dwelling means a building that contains more than two dwelling units. **The term includes Multi-family Dwelling Unit contained within Article 4.07 Hotel / Short-term Rental Unit Permit Registration and Regulations of this Code.**

~~Hotel/motel means a building occupied or used as a temporary abiding place of individuals or groups of individuals who are lodged with or without meals for compensation.~~ **is a building or facility, as defined in Section 11.04.001, in which the public may obtain sleeping accommodations in exchange for compensation for a period of less than 30 consecutive days. The term includes a hotel, motel, tourist home, tourist house, tourist court, lodging house, inn, rooming house, bed and breakfast, short-term rental unit, and any accommodation hereinafter described under State law, as amended.**

ARTICLE VIII. SCHEDULE OF USES

Zoning district abbreviations are as follows:

SF	Single-Family Residential
SFR	Single-Family Residential Restricted
MR	Mixed Residential
GHD	Garden Housing District
MHD	Micro Housing District
M	Manufactured Home District
CD	Commercial District
HC	Highway Commercial Corridor District
IP	Industrial Park
DO	Downtown District Overlay
PFD	Public Facilities District

Permitted use abbreviations are as follows:

C: Conditional Use Permit
P: Permitted

Schedule follows:

Schedule of Permitted Uses

	SF	SFR	MR	MH	GHD	MHD	CD	HC	IP	PFD	DO
<u>Hotel, including, but not limited to, short-term rental unit, located within a multi-family dwelling unit.</u>	<u>Blank. Not permitted.</u>	<u>Blank. Not permitted.</u>	<u>Blank. Not permitted.</u>	<u>Blank. Not permitted.</u>	<u>Blank. Not permitted.</u>	<u>Blank. Not permitted.</u>	<u>Blank. Not permitted.</u>	<u>Blank. Not permitted.</u>	<u>Blank. Not permitted.</u>	<u>Blank. Not permitted.</u>	<u>Blank. Not permitted.</u>