

ORDINANCE NO. 2021.05.25C

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS, DEFINING "SHORT TERM RENTAL" (SECTION 14.02.005 "DEFINITIONS") AND REPLACING "BED AND BREAKFAST ACCOMMODATIONS" WITH "SHORT-TERM RENTAL ACCOMMODATIONS" IN APPENDIX A OF THE SCHEDULE OF USES; PROVIDING FOR REPEALING, SEVERABILITY AND PROPER NOTICE, MEETING AND QUORUM CLAUSES; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Glen Rose, Texas (City) is a Type A general-law municipality located in Somervell County, created in accordance with the provisions of Chapter 6 of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City heretofore adopted the Zoning Regulations, which regulate and restrict the location and use of buildings, structures, and land for trade, industry, residence and other purposes, and provide for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and

WHEREAS, in recent years businesses have begun offering short term rental accommodations that do not meet the traditional definition of "Bed and Breakfast";

WHEREAS, the term "Bed and Breakfast" has become too specific to encompass the various types of short-term rental accommodations offered;

WHEREAS, the City has determined it necessary to broaden the definition to include various types of rental accommodations;

WHEREAS, the City's Planning and Zoning Commission held a public hearing on May 20, 2021, and the City Council held a public hearing on May 25, 2021, with respect to the amendments described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Texas Local Government Code, and all other laws dealing with notice, publication and procedural requirements for the adoption of these zoning regulations; and,

WHEREAS, the City Council has determined for the good government, peace, and order of the municipality, to amend the City's Zoning Ordinance to replace "Bed and Breakfast Accommodations" in the Appendix "A" Schedule of Uses with "Short Term Rental Accommodations" and provide a definition for "Short Term Rental Accommodations";

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

SECTION 1 (OF 7)
INCORPORATION OF RECITALS

All of the above recitals are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2 (OF 7)
AMENDING SECTION 14.02.005(b) DEFINITIONS

Section 14.02.005(b) "Definitions" of Chapter 14 "Zoning" of the City's Code of Ordinances (CCO) is hereby amended to include the following definition:

Short-Term Rental Accommodations. The rental of all or part of a residential property to a person who is not a permanent resident. A permanent resident is someone who has the right to use or possess all or part of a residential property for at least 30 consecutive days, so long as there is no interruption of payment for the period. (from Texas Tax Code Sections 156.001(b) and 156.101)

SECTION 3 (OF 7)
AMENDING APPENDIX A SCHEDULE OF USES (e)

Section (e) of Appendix A "Schedule of Uses" of Chapter 14 "Zoning" of the Code of Ordinances of the City of Glen Rose, Texas, is hereby amended to replace "Bed & Breakfast Accommodation" with "Short Term Rental Accommodation."

SECTION 4 (OF 7)
SAVINGS/REPEALING CLAUSE

Chapter 14 of the CCO shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5 (OF 7)
SEVERABILITY CLAUSE

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 section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment of decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence.

**SECTION 6 (OF 7)
PROPER NOTICE, MEETING, AND QUORUM CLAUSE**

It is hereby officially found and determined that the meeting at which this Ordinance was adopted by majority vote of the City Council of the City of Glen Rose, Texas was open to the public; that public notice of the time, place, and purpose of the meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code; and, that a quorum was present pursuant to Section 22.039 of the Texas Local Government Code.

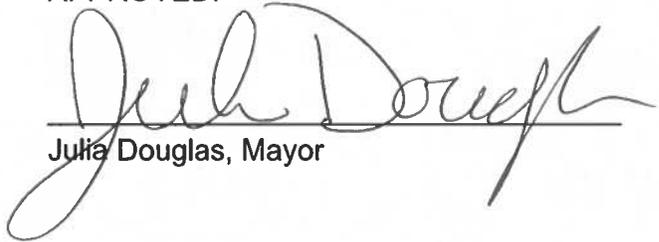
**SECTION 7 (OF 7)
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after the date of its passage.

PASSED AND APPROVED ON THIS 25th DAY OF May, 2021.



APPROVED:



Julia Douglas, Mayor

ATTEST:



Stephanie Ritchie, City Secretary