

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 55-2022**

**A RESOLUTION CREATING A SHORT-TERM RENTAL
COMMITTEE AS AN AD HOC COMMITTEE OF THE CITY OF
KERRVILLE, TEXAS; THE COMMITTEE TO REVIEW
OPERATIONAL ISSUES OF SHORT-TERM RENTALS**

WHEREAS, City Council recently considered the adoption of ordinances concerning the use and operation of short-term rentals within the City; and

WHEREAS, City Council's consideration and action was the culmination of a months-long public process involving the Planning and Zoning Commission and including a "town hall" style meeting along with several Council workshop meetings, all of which were intended to identify the various issues involved in the establishment and operation of short-term rentals; and

WHEREAS, following City Council's most recent discussion of these issues, which included a public hearing, Council is poised to adopt an amendment to the City's Zoning Code (Chapter 60, Code of Ordinances) to change the zoning districts that a short-term rental is authorized to operate within the City; and

WHEREAS, while City Council believes this zoning change applicable to short-term rentals is appropriate and warranted, City Council believes concerns remain that stem from such uses, concerns which could be addressed through the adoption and implementation of regulations that apply to the operations of short-term rentals; and

WHEREAS, City Council recognizes that different perspectives from a variety of backgrounds may be utilized in pursuit of common goals to address the variety of issues as to the operation of short-term rentals; and

WHEREAS, while City Council sees the both the value and concerns as to short-term rentals, City Council wishes to create a Short-Term Rental Committee (the "Committee"), the Committee to exist as an ad hoc, committee of ten citizens appointed by Council; and

WHEREAS, the Committee will work immediately and diligently to identify the various issues that may arise with respect to the operation of short-term rentals within the City and to consider the adoption of an ordinance that requires the permitting of a short-term rental along with the application of other regulations, reasonably believed to address such issues, such recommendations intended to strike a balance between the value of such use and the identified concerns;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

SECTION ONE. Purpose. City Council hereby creates the Short-Term Rental Committee for the purpose of identifying various issues as to the operation of short-term rentals within the City; and thereafter, reviewing appropriate regulations, including a permitting requirement, reasonably necessary to address such issues. The Committee will be primarily focused on visitor/renter safety and livability issues between short-term rental properties and surrounding properties and other uses and the impact of temporary occupancy of dwelling units on residential neighborhoods.

SECTION TWO. Scope of Review. The Committee shall review the following issues as to the operation of short-term rentals within the City:

1. Protection of the safety of renters (e.g., insurance, egress, fire safety).
2. Compliance with the City's application of occupancy tax (hotel-motel tax) in accordance with state law.
3. Ability to address nuisance conditions.
4. Privacy and other impacts to adjacent property owners and uses to include parking, occupancy limits, limiting noise, and trash.
5. Application of a permitting requirement to include suspensions, revocations, penalties, and fees.
6. Other topics cited by *Kerrville 2050* (City's Comprehensive Plan) related to these issues.

The Committee will not review zoning issues.

SECTION THREE. Structure and Organization. The Committee will be made up of ten (10) members. Each Councilmember shall appoint two (2) members to the Committee. Membership is subject to the following:

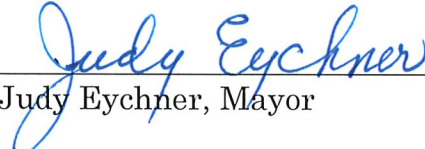
- a) each Council appointee must be a resident of the City or reside in its extraterritorial jurisdiction;
- b) Council appointees should consist of a variety of backgrounds, such as short-term rental ownership, to encourage a diversity of ideas from among the membership;
- c) Councilmembers may choose to appoint themselves as one of their two

appointees;

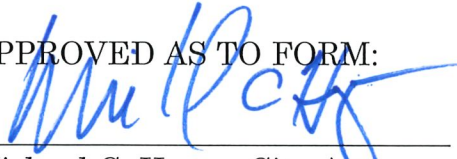
- d) the Mayor shall serve as the Chair of the Committee, or may appoint the chair from the appointees;
- e) Council appointees serve at the pleasure of the Council and may be removed by Council at any time;
- f) each Councilmember may replace his/her appointment to the Committee should an appointee resign, fail to attend or participate in meetings, or for any other reason, without Council approval;
- g) members serve without compensation.

SECTION FOUR. Meetings. The Committee will convene its first meeting as soon as possible. Thereafter, the Committee shall work diligently through its meetings to develop and issue its findings and conclusions. City Council anticipates that the Committee will conclude its work on or before November 8, 2022. Meetings will comply with the Open Meetings Act and the agenda will include an item either at the beginning or end of the meeting that allows the public to address the Committee.

PASSED AND APPROVED ON this the 27 day of SEPTEMBER, A.D., 2022.


Judy Eychner, Mayor

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney

ATTEST:


Shelley McElhannon, City Secretary