



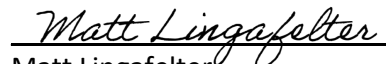
NOTICE OF A REGULAR MEETING
OF THE ZONING COMMISSION
OF THE CITY OF SUNSET VALLEY, TEXAS
WEDNESDAY, JULY 28, 2021
6:00 P.M.

Notice is hereby given that the Zoning Commission of the City of Sunset Valley, Texas will hold a Regular Meeting on Wednesday, July 28, 2021 at 6:00 P.M. in the City Council Chambers, City Hall, 3205 Jones Road, Sunset Valley, Texas, at which time the following items will be discussed, to-wit:

1. Call to order of the Zoning Commission.
2. Citizen/Public Comments
3. Consider approval of the minutes from the June 16, 2021 called meeting.
4. Discussion and possible recommendation to the City Council of proposed changes to Chapter 10 of the Land Development Code – Parking and Fire Lanes regarding the difference between Gross Floor Area and Net Floor Area.
5. Discussion of the regulation of short-term rentals within the City of Sunset Valley.
6. Adjourn

A quorum of the City Council may attend the meeting, however, no official action by the City Council shall be taken.

I certify that the above notice of meeting was posted at City Hall, 3205 Jones Road, Sunset Valley, Texas, on Thursday the 23rd day of July 2021 at 6:00 P.M.


Matt Lingafelter
City Secretary

The City of Sunset Valley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.



MINUTES OF A CALLED MEETING
OF THE ZONING COMMISSION
OF THE CITY OF SUNSET VALLEY, TEXAS
WEDNESDAY, JUNE 16, 2021
6:00 P.M.

This meeting was held virtually at: <https://attendee.gototraining.com/r/2852179757515660546>
Training ID: 563-596-156

Members Present:

Robert Skewis, Chair
Brant Boozer
John Frick
Robert Reetz

Staff Present:

Sylvia Carrillo, City Administrator
Matt Lingafelter, Asst. to the City Administrator

Members Absent:

Miguel Huerta, Vice Chair

1. Call to order of the Zoning Commission.

Chairman Skewis called the meeting to order at 6:03 P.M.

2. Consider approval of the minutes from the April 21, 2021 called meeting.

Robert Reetz made a motion to approve the minutes, seconded by Brant Boozer. All voted in favor and the motion carried.

3. Discussion of proposed changes to Chapter 2 of the Land Development Code and a new chapter within the Code of Ordinances regarding Credit Access Business.

There was a brief discussion on this item. Zoe Trieff, Chair of the Planning & Environmental Committee, spoke regarding the Committee's recommendations.

City Staff and Legal recommended that the Commission table this discussion item.

Robert Reetz made a motion to table the item indefinitely, seconded by John Frick. All voted in favor and the motion carried.

4. Discussion and possible recommendation to the City Council of proposed changes to Chapter 10 of the Land Development Code – Parking and Fire Lanes regarding the difference between Gross Floor Area and Net Floor Area.

Chairman Skewis informed the Commission that Vice Chair Huerta requested that this item be tabled until he could be in attendance for the discussion.

Chairman Skewis made a motion to table this item, seconded by Brant Boozer. All voted in favor and the motion carried.

5. Adjourn

Brant Boozer made a motion to adjourn, seconded by Robert Reetz. All voted in favor and the meeting adjourned at 6:16 P.M.

DRAFT

MEETING DATE: JULY 28, 2021



ZONING COMMISSION AGENDA ITEM #4

STAFF PREPARER/CONTACT INFORMATION: Sylvia Carrillo, City Administrator
scarrillo@sunsetvalley.org

SUBJECT: SPECIAL USE PERMIT APPLICATION

DESCRIPTION: Discussion and recommendation to the City Council of proposed changes to Chapter 10 of the Land Development Code – Parking and Fire Lanes regarding the difference between Gross Floor Area (GFA) and Net Floor Area (NFA).

BACKGROUND:

Rather than amending the ratios required for parking in all or some of the zoning designations, the City Administrator recommended a review of net floor area (NFA) as opposed to gross floor area (GFA).

The existing Land Development Code requires parking calculation based on gross floor area. This means areas that will not be occupied such as the mechanical room, electrical room, server room, etc. are calculated as overall occupiable square footage and the required parking count is determined. Using GFA results in a higher number of parking spaces (over parking), which often results in a request for variances for an increase in impervious cover, usually accompanied by a request to remove protected trees or pay into the Tree Fund. Overparking leads to more unused impervious cover, requires the removal of more vegetation and trees, and creates more pollutant runoff potential. By reducing to NFA, the City can potentially reduce the impervious cover footprint and be more sensitive to the environment.

After discussion by Planning & Environmental, the Committee is in favor of protecting green space and limiting the number of variances granted.

The change to NFA would provide consistent results throughout the code parking requirements without impacting those uses that are not based on square footage.

Other cities in our area, calculate based on gross floor area, but their required ratio is lower. For comparison, assume a 10,000 GFA office building in various cities in Texas.

- Houston - 2.75/1,000 NFA = 21 parking spaces required (assumes NFA is 75% of GFA)
- Dallas - 2.75/1,000 GFA = 28 parking spaces required (lower ratio than Sunset Valley)
- San Antonio – 1/300 GFA = 33 parking spaces required

- Austin – 1/275 GFA = 30 (after applying 20% reduction allowed by Austin LDC 25-6-478) (lower ratio than Sunset Valley)
- Arlington – 2.5/1,000 GFA = 25 parking spaces required (lower ratio than Sunset Valley)
- **CoSV – 1/300 GFA = 33 parking spaces required – CURRENT CODE**
- **CoSV – 1/300 NFA = 27 parking spaces required (assumes NFA is 75% of GFA) – PROPOSED CODE**

As demonstrated with the example above, changing the parking ratios to only include NFA would result in a reasonable number of parking spaces, consistent with other populous cities.

STAFF RECOMMENDATION:

Recommend to Council to adopt Net Floor Area to calculate parking requirements, while keeping the existing parking ratios.

SUPPORTING MATERIALS PROVIDED: YES / NO

From: [Gary Freeland](#)
To: [Sylvia Carrillo](#)
Cc: [Thomas Turk](#)
Subject: Parking Floor Areas
Date: Friday, May 7, 2021 3:09:43 PM
Attachments: [image001.png](#)

Sylvia,

Regarding parking.

The CoSV UDC parking table currently requires parking based on Gross Floor Area (GFA), which includes the entire building footprint. This is being considered to be changed to Net Floor Area (NFA), which would not count unusable, or unoccupiable space within the building.

For the purpose of comparison, we will restrict the use to office only. The CoSV currently requires one parking space for every 300 square foot of GFA. In reviewing jurisdictional requirements in other populous cities, parking area is calculated in many different ways to include GFA and NFA. Many other populous areas have a parking ratios less than 1/300sf GFA, requiring fewer parking spaces than the current CoSV requirements. Other methods of transportation can also impact this requirement with the availability of mass transit, ride share programs, and bicycles. The CoSV UDC requires bicycle parking in office uses, so the Code appears to encourage and support this alternate method of transportation. To create a parking standard more consistent with other populous areas that match today's standards, the CoSV could adopt a NFA ratio approach.

Using GFA can lead to an overparked situation when the ratios are too low, which appears to be the case for the CoSV. Overparking leads to more unused impervious cover, requires the removal of more vegetation and trees, and creates more pollutant runoff potential. By not overparking developments, the City can reduce the impervious cover footprint and be more sensitive to the environment. The City could reevaluate the ratios of each parking category, or change the evaluation to only consider NFA. It appears the change to NFA would provide consistent results throughout the code parking requirements without impacting those uses that are not based on square footage.

For comparison, assume a 10,000 GFA office building in various cities in Texas.

Houston - $2.75/1,000$ NFA = 21 parking spaces required (assumes NFA is 75% of GFA)

Dallas - $2.75/1,000$ GFA = 28 parking spaces required

San Antonio – $1/300$ GFA = 33 parking spaces required

Austin – $1/275$ GFA = 30 (after applying 20% reduction allowed by Austin LDC 25-6-478)

Arlington – $2.5/1,000$ GFA = 25 parking spaces required

CoSV – $1/300$ GFA = 33 parking spaces required – CURRENT CODE

CoSV – $1/300$ NFA = 27 parking spaces required (assumes NFA is 75% of GFA) – PROPOSED CODE

As demonstrated with the example above, changing the parking ratios to only include NFA would result in a reasonable number of parking spaces, consistent with other populous cities.

Sincerely,



Gary Freeland, P.E., CFM

Freeland Turk Engineering Group, LLC

TBPE Firm Registration Number F-21047

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Spring Branch, TX 78070

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Website: www.freelandturk.com

7.28.21 ZONING AGENDA ITEM #5

JUNE 22, 2021



CITY COUNCIL INFORMATION REQUEST

STAFF PREPARER: Sylvia Carrillo, City Administrator

INFORMATION OR RESPONSE REQUESTED:

QUESTION: WHAT IS THE STATUS OF A CLEARER SHORT TERM RENTAL CODE UPDATE

RESPONSE: A CODE COMPLAINT REGARDING A SHORT-TERM RENTAL ADVERTISING IN THE CITY OF SUNSET VALLEY RAISED THE NEED FOR A MORE COORDINATED AND CLEAR CODE UPDATE REGARDING THEIR USES IN THE CITY. MORE SPECIFICALLY, WHETHER OR NOT THIS IS A USE THAT THE RESIDENTS WOULD LIKE TO ALLOW IN THE CITY, AND IF SO, THE REGULATION THAT FOLLOWS.

ADDITIONAL INFORMATION REQUESTED/BY:

ACTION REQUIRED: DIRECTION BY THE COUNCIL

SUPPORTING MATERIALS PROVIDED:

- YES, SHORT TERM RENTAL IN AUSTIN [BY LINK](#) AND ALSO BY PDF INCLUDED HERE.

SHORT-TERM RENTAL FREQUENTLY ASKED QUESTIONS

WHAT IS A SHORT-TERM RENTAL?

A short-term rental, often called a vacation rental, is the rental of a residential dwelling unit or accessory building on a temporary basis for periods of less than 30 consecutive days.

WHAT DOES THE NEW ORDINANCE DO?

The new ordinance imposes new requirements for advertising, sets occupancy limits, places new requirements on those requesting STR licenses, and creates a process for denying or suspending a license, along with an appeal process. The ordinance also sets limits on the distance between STRs, establishes requirements related to inspections, noise and music and prohibits certain types of gatherings. Eventually, the ordinance will eliminate Type 2 short-term rentals in residential areas.

WHAT INFORMATION WILL BE PROVIDED TO GUESTS/STR RENTERS?

Renters must be provided with a packet of information that includes:

- The name and contact information of the local contact
- Restrictions on the occupancy limits
- Restrictions on noise, music and amplified sound
- Parking restrictions
- Trash collection schedule
- Information on relevant burn bans
- Information on relevant water restrictions
- Information on applicable requirements of the Americans with Disabilities Act

WHAT ARE THE REQUIREMENTS FOR MY LOCAL CONTACT?

If the license holder does not reside within the Austin Metro Area, the license holder must identify an individual who lives within the Austin Metro Area, who can be available to respond within two hours of notification.

ARE UNLICENSED PROPERTIES ALLOWED TO ADVERTISE?

The ordinance prohibits unlicensed short-term rentals from advertising. Violators could be subject to fines up to \$2,000 per day.

WHAT MUST BE INCLUDED IN THE STR ADVERTISEMENT OR PROMOTION?

All licensed short-term rental advertisement or promotions must include:

- (1) the license number assigned by the City to the short-term rental; and
- (2) the applicable occupancy limit for the short-term rental.

WHERE CAN I FIND THE LIMITS, BY CENSUS TRACTS, ON THE PERCENTAGE OF SHORT-TERM RENTALS IN RESIDENTIAL AND COMMERCIAL AREAS?

For current, limits, by census tracts, visit www.austintexas.gov/str

WHAT ARE THE DISTANCE LIMITS BETWEEN STR TYPE 2 PROPERTIES?

A short-term rental (Type 2) use may not be located on a lot that is within 1000 feet of a lot on which another short-term rental (Type 2) use is located unless the license:

- (1) was issued on or before November 23, 2015;
- (2) is not suspended after November 23, 2015; and
- (3) is renewed timely.

WHAT ARE THE OCCUPANCY LIMITS FOR SHORT-TERMS RENTALS?

A short-term rental use may not be used by more than:

- (1) ten adults at one time, unless a stricter limit applies; or
- (2) six unrelated adults.

WHAT KINDS OF EVENTS OR ASSEMBLIES ARE PROHIBITED BETWEEN THE HOURS OF 10PM-7AM?

When the dwelling units is used as a short term rental, a wedding, bachelor or bachelorette party, concert, sponsored event, or any similar group activity other than sleeping are prohibited between the hours of 10 p.m.-7a.m.

WHAT ARE THE REQUIREMENTS FOR OUTDOOR ASSEMBLIES?

A licensee or guest may not use or allow another to use a short-term rental for an outside assembly of more than six adults between 7:00 a.m. and 10:00p.m.

WHAT ARE THE RESTRICTIONS ON NOISE, SOUND EQUIPMENT AND LOUD MUSIC?

- (A) A licensee or guest of a short-term rental may not use or allow the use of sound equipment that produces sound in excess of 75 decibels at the property line between 10:00 a.m. and 10:00 p.m.
- (B) A licensee or guest of a short-term rental may not use or allow use of sound equipment that produces sound audible beyond the property line between 10:00 p.m. and 10:00 a.m.
- (C) A licensee or guest of a short-term rental shall not make or allow another to make noise or play a musical instrument audible to an adjacent business or residence between 10:30 p.m. and 7:00 a.m.

WHAT IS THE STATUS OF ACCEPTING TYPE 2 APPLICATIONS?

Type 2 applications will be accepted for certain commercial zoning areas only beginning April 1, 2017, pending availability within the census tract.

WHAT ARE THE INSPECTION REQUIREMENTS TO OBTAIN AN STR LICENSE?

The applicant must provide an approved life-safety inspection or a Certificate of Occupancy issued in 2006 or later.

WHAT IS THE PROPERTY INSPECTION REQUIREMENTS RELATED FOR TYPE 2 RENEWALS?

If a license for a short-term rental (Type 2) use meets the requirements for annual renewal and the property received a notice of violation related to the life, health, or public safety of the structure, the property is subject to an inspection every three years.

ARE ALL PROPERTIES SUBJECT TO A SEPTIC SYSTEM INSPECTION?

No, only properties in the limited purpose jurisdiction with a septic system.

WHEN WILL TYPE 2 SHORT TERM RENTALS BE DISCONTINUED IN RESIDENTIAL AREAS?

- (1) April 1, 2022; or
- (2) if the license for a short-term rental use is not renewed, the date on which the existing license expires.

WHAT ACTION MAY CREATE A REPEAT OFFENDER?

A licensee or operator may become a repeat offender if the individual fails to comply with Section 25-2-794 (General Requirements for Short-Term Rentals) or Section 25-2-795 (Occupancy Limits for Short-Term Rentals) or If a property is the subject of repeated substantiated violations of City Code or state law during a 24-month period.

WHAT ACTIONS CAN BE TAKEN AGAINST REPEAT OFFENDERS?

The Code Official may deny an application for renewal or suspend the license for a period of 12 months.

WHAT IS THE APPEAL PROCESS FOR A SUSPENSION OR DENIAL OF A LICENSE?

A licensee or applicant may appeal the director's decision to the Building and Standards Commission.

OWNERS AND MANAGERS OF SHORT-TERM RENTALS ARE ENCOURAGED TO VISIT
WWW.AUSTINTEXAS.GOV/STR TO KEEP UP TO DATE ON THE IMPLEMENTATION OF THESE CHANGES.

Austin Code encourages residents to call 3-1-1 or use the mobile app to report STR complaints,
and remember, calls can be anonymous.



AUSTINCODE
DEPARTMENT