

ORDINANCE NO. 3542

AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO PERMIT A SHORT-TERM RENTAL USE WITHIN A PLANNED SINGLE FAMILY 2 (SF-2) ZONING DISTRICT, LOCATED AT 131 VANDERBILT LANE, BEING PROPERTY ID 172836 IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING LOT 16, BLOCK 2 OF THE COLLEGE HILLS #2 ADDITION, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

WHEREAS, the City Council of the City of Waxahachie having heretofore adopted a zoning ordinance and map showing the classification of the various property located within the city limits of said City; and

WHEREAS, the described property is classified in said ordinance and any amendments thereto as SF-2; and

WHEREAS, a proper application for a SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-131-2024. Said application having been referred to the Planning and Zoning (P&Z) Commission, was recommended by the P&Z Commission for approval and the issuance thereof; and

WHEREAS, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and,

WHEREAS, a proper hearing was held as required by law and the Council having heard all arguments for and against said SUP;

NOW, THEREFORE, this property is rezoned from SF-2 to SF-2 with a SUP in order to permit a Short-Term use on the following property: Lot 16, Block 2 of the College Hills #2 Addition, which is shown on Exhibit A, in accordance with the Zoning Map attached as Exhibit B, the Floor Plan attached as Exhibit C, the Survey attached as Exhibit D, and the Host Rules attached as Exhibit E.

SPECIFIC USE PERMIT

Purpose and Intent

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

Specific Use Permit

FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR A SHORT-TERM RENTAL USE IN A SINGLE FAMILY-2 (SF-2) ZONING DISTRICT; the following standards and conditions are hereby established as part of this ordinance:

1. The subject property shall conform to the site plan approved by the City Council under case number ZDC-131-2024.
2. Development on the subject property shall adhere to the following exhibits approved by the City Council: Exhibit A - Location Map, Exhibit B – Zoning Map, Exhibit C – Floor Plan, Exhibit D –Survey, and Exhibit E – Host Rules.
3. The STR Operator for the subject property shall be responsible for obtaining registration per the City's applicable rules and regulations governing such permits.
4. The STR Operator for the subject property shall be responsible to pay hotel occupancy taxes as required per Section 3.27.e.7 of the City of Waxahachie Zoning Ordinance.
5. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in Exhibits C, D, and E.
6. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
7. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the premises covered by this Specific Use Permit is vacated and/or ceases to operate, a new Specific Use Permit shall be required to reestablish the use.
3. This Specific Use Permit shall run with the owner and therefore shall not be transferred from owner to owner.
4. The owner and/or short-term rental operator shall renew registration on an annual basis of the amount in the Fee Schedule set forth by Ordinance 3415, or as amended.
5. The short-term rental operator shall register for a Hotel Occupancy Tax account with the City's vendor.
6. The owner/short-term rental operator is subject to a maximum occupancy of eight (8) guests per stay.

7. The short-term rental operator is subject to provide a maximum of three (3) off-street parking spaces.
8. The short-term rental operator must adhere to all regulations stated in Section 3.27 of the City's Zoning Ordinance.
9. The applicant shall apply for the required STR registration within thirty (30) calendar days from the City Council approval of this SUP.
10. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

PASSED, APPROVED AND ADOPTED on this 5th day of August, 2024.



Beth Wallace
MAYOR

ATTEST:

Amber Villarreal
City Secretary



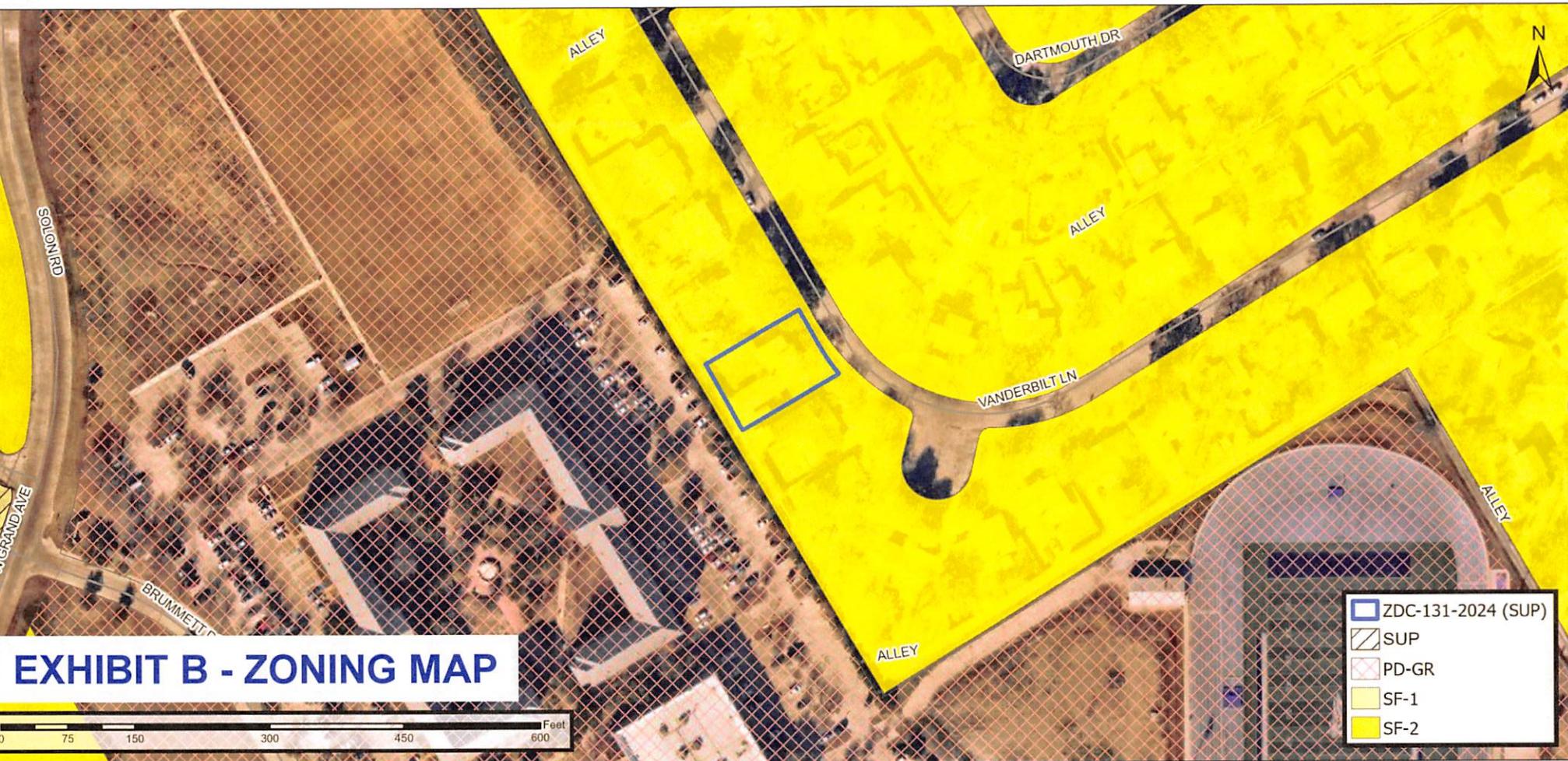
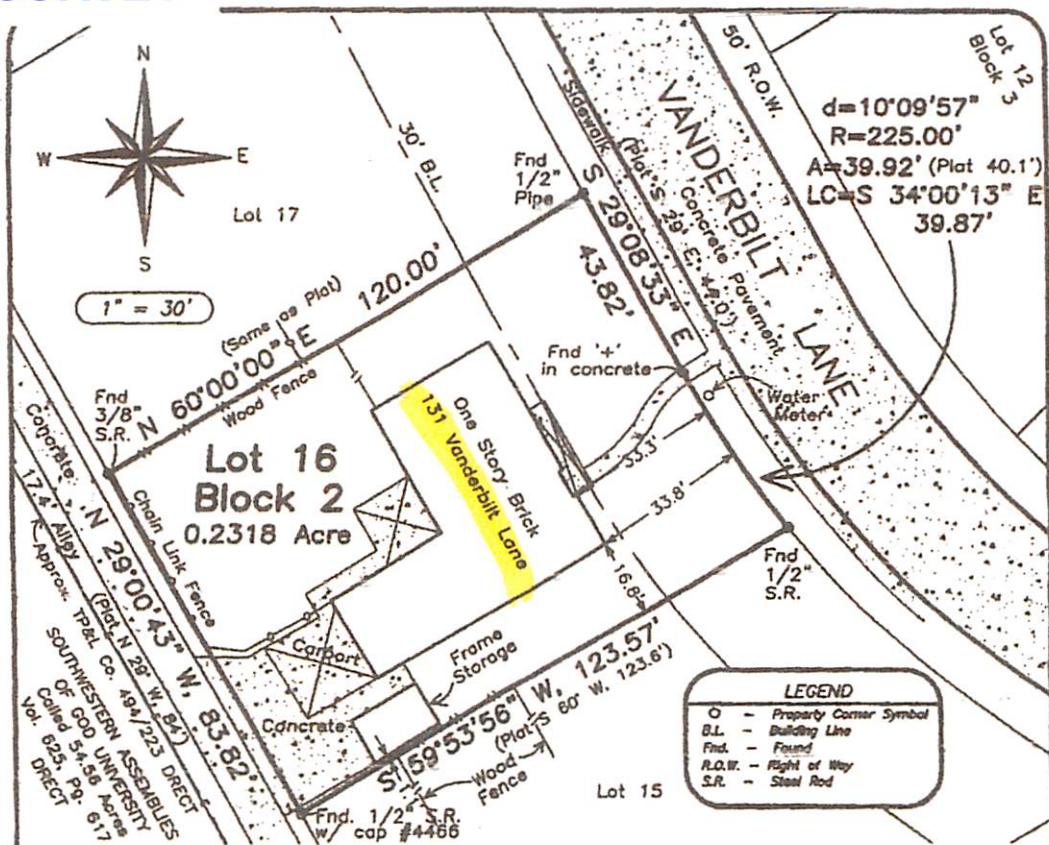


EXHIBIT C - FLOORPLAN

A/KEY



EXHIBIT D - SURVEY



All that certain lot, tract or parcel of land being known and designated as LOT 16, BLOCK 2, COLLEGE HILLS ADDITION, UNIT 2, an addition to the City of Waxahachie, Ellis County, Texas, according to the Final Plat thereof recorded in Cabinet A, Slide 341, Plat Records, Ellis County, Texas.

(also known as 131 Vanderbilt Lane)

The plat hereon reflects a survey made on the ground and is true, correct and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements thereon, if any, and as to the other matters shown hereon, and correctly shows the location of all visible easements and rights-of-way. This survey reflects the above ground (visible) location of utilities. The surveyor makes no guarantees that the utilities shown compromise all such utilities in the area, either in service, or abandoned. Further, the surveyor does not warrant that the underground utilities shown are in the exact location indicated. Underground utilities which may affect this property were not located during the course of this survey. Except as shown on the survey, there are no encroachments upon the subject property by improvements on adjacent property, there are no encroachments on adjacent property, streets or alleys by any improvements on the subject property and there are no conflicts or protrusions. I further declare that no portion of the said tract lies within a Special Flood Hazard Boundary according to the Flood Insurance Rate Map for Ellis County, Texas. Map # 48139C0095 D, Zone X Unshaded. This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 2 Survey. This survey was prepared for title purposes in conjunction with Ellis County Abstract & Title Company, Inc. Commitment for Title Insurance, G.F. No. 1101074W, dated: November 23, 2010. The easements, rights-of-way, or other exceptions noted hereon are according to the Schedule B provided. The surveyor has not abstracted the property. Based on the easements and/or deeds provided by the title company, the following do not appear to affect the subject property:

T.P. & L. Co. 339/321, 494/223, 495/133, 509/452, 546/65 & 546/109 DRECT
 Lone Star Gas Co. 494/457 DRECT
 Southwestern Bell Telephone 494/479 DRECT
 Drainage Easement 531/356 DRECT

Walter Keven Davis 2/5/11
ENGINEERS
D & M DAVIS & McDILL, Inc.
SURVEYORS



(A Texas Licensed surveying firm # 101504-00)
 P.O. BOX 428, Waxahachie, Texas 75168
 Phone: Metro 972-938-1185 Fax: 972-937-0307

Description Survey Plat Client: Ellis County Abstract and Title Co. G.F. # 1101074W
 Drawn by: Kevin Huber Scale: 1" = 30' Date: February 9, 2011 Job# 211-0037
 Revised: 2-9-11

Kevin Huber *Walter Keven Davis*

EXHIBIT E - HOST RULES

RECEIVED JUL 2 92024

House rules

You'll be staying in someone's home, so please treat it with care and respect.

Checking in and out

Check-in after 3:00 PM

Checkout before 11:00 AM

Self check-in with lockbox, lockboxes are provided both front and rear doors with same code

During your stay

6 guests maximum

No pets

Quiet hours

10:00 PM - 7:00 AM

No parties or events

No Smoking

Gather used towels

Throw trash away (Green bin for trash)(Blue bin recycle)

Turn things off when not in use please

Please no street parking/ parking is provided behind the home

Additional requests

we require no stripping of beds , that is the cleaning staff responsibility , Thank's for your booking and we hope you had an enjoyable stay.