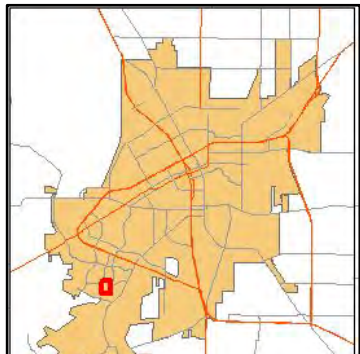


**CITY COUNCIL – NOVEMBER 21, 2022
STAFF REPORT**



| | | | |
|---|----------------|---|--------------|
| APPLICATION TYPE: | | CASE: | |
| Planned Development | | PD22-03: Southeast of Valleyview Boulevard and Stone Canyon Trail | |
| SYNOPSIS: | | | |
| <p>The applicant has applied to rezone the existing 37.5-acre property from the Zero Lot Line, Twinhome and Townhome Residential (RS-3) zoning district and the Low Rise Multifamily Residential (RM-1) zoning district to a Planned Development (PD) zoning district. This is to allow a base zoning of RS-3 but to also allow single-family homes in this district with 45-foot wide lot widths and several other development standards including allowing a reduced front yard setback of 15 feet for the house (while maintaining the 25-foot setback for garages), an increased floor area ratio of 0.60 for single-family homes (applicant wants 0.70), required sidewalks (consistent with the pre-existing RM-1 zoning for higher density development), and construction of the south extension of South College Hills Boulevard and Valleyview Boulevard as part of future subdivision plats as outlined below. The latter is imperative given recently approved plats in the area that do not have this connection, placing all the traffic onto Stone Canyon Trail (see Additional Information).</p> | | | |
| LOCATION: | | LEGAL DESCRIPTION: | |
| Southeast of Valleyview Boulevard and Stone Canyon Trail | | 37.5 acres in the C. Dammann Survey, Abstract No. 141. | |
| SM DISTRICT / NEIGHBORHOOD: | ZONING: | FUTURE LAND USE: | SIZE: |
| SMD District #1 – Tommy Hiebert Bonham Neighborhood | RS-3 and RM-1 | N- Neighborhood | 37.5 acres |
| NOTIFICATIONS: | | | |
| 40 notifications mailed within 200-foot radius on November 9, 2022. One response letter was received in favor and one opposed (see attached). | | | |
| STAFF RECOMMENDATION: | | | |
| <p>Staff’s recommendation is for the Planning Commission to recommend APPROVAL of a rezoning from the Zero Lot Line, Twinhome and Townhome Residential (RS-3), and Low Rise Multifamily Residential (RM-1) Zoning Districts to a Planned Development (PD) Zoning District to allow an underlying base zoning of RS-3 with the additional use of single-family homes and subject to the development standards as outlined in the Planned Development Ordinance, being 37.5 acres, located southeast of Valleyview Boulevard and Stone Canyon Trail. Staff requests the Planning Commission to determine whether to approve the applicant’s request of 0.70 FAR or the RS-3 maximum of 0.60.</p> | | | |
| PROPERTY OWNER/PETITIONER: | |  | |
| Duncan Group Southland, LLC (James Duncan) | | | |
| STAFF CONTACT: | | | |
| Jeff Fisher, AICP Principal Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us | | | |

November 21, 2022

Additional Information: The land north of Maplewood Drive (see attached maps) is zoned RS-3 and south of Maplewood Drive is zoned RM-1. **The reason for the PD is that the RS-3 zoning does not allow single-family homes, and the RM-1 zoning does not allow single-family homes on lot widths less than 50 feet.** The applicant intends to submit future subdivision applications for 45-foot-wide lots for single-family homes. The applicant still intends to meet all the other requirements for single-family homes in the San Angelo Zoning Ordinance, including a minimum lot depth of 100 feet. Notwithstanding these two provisions, the RS-3 standards would allow a maximum floor area ratio (FAR) of 0.60, the gross floor area of all floors of the building(s) on a lot divided by the total lot area. This would allow a house on a 5,000 sf to be up to 3,000 sf (60% of 5,000). Normally, single-family homes must have a minimum lot width of 50 feet, lot area of 5,000 sf in RS-1, RS-2, and RM-1 zoning, and a maximum FAR of 40% in RS-1 and 50% in RS-2. Removal of the RM-1 would ensure that multifamily housing is not an allowed use.

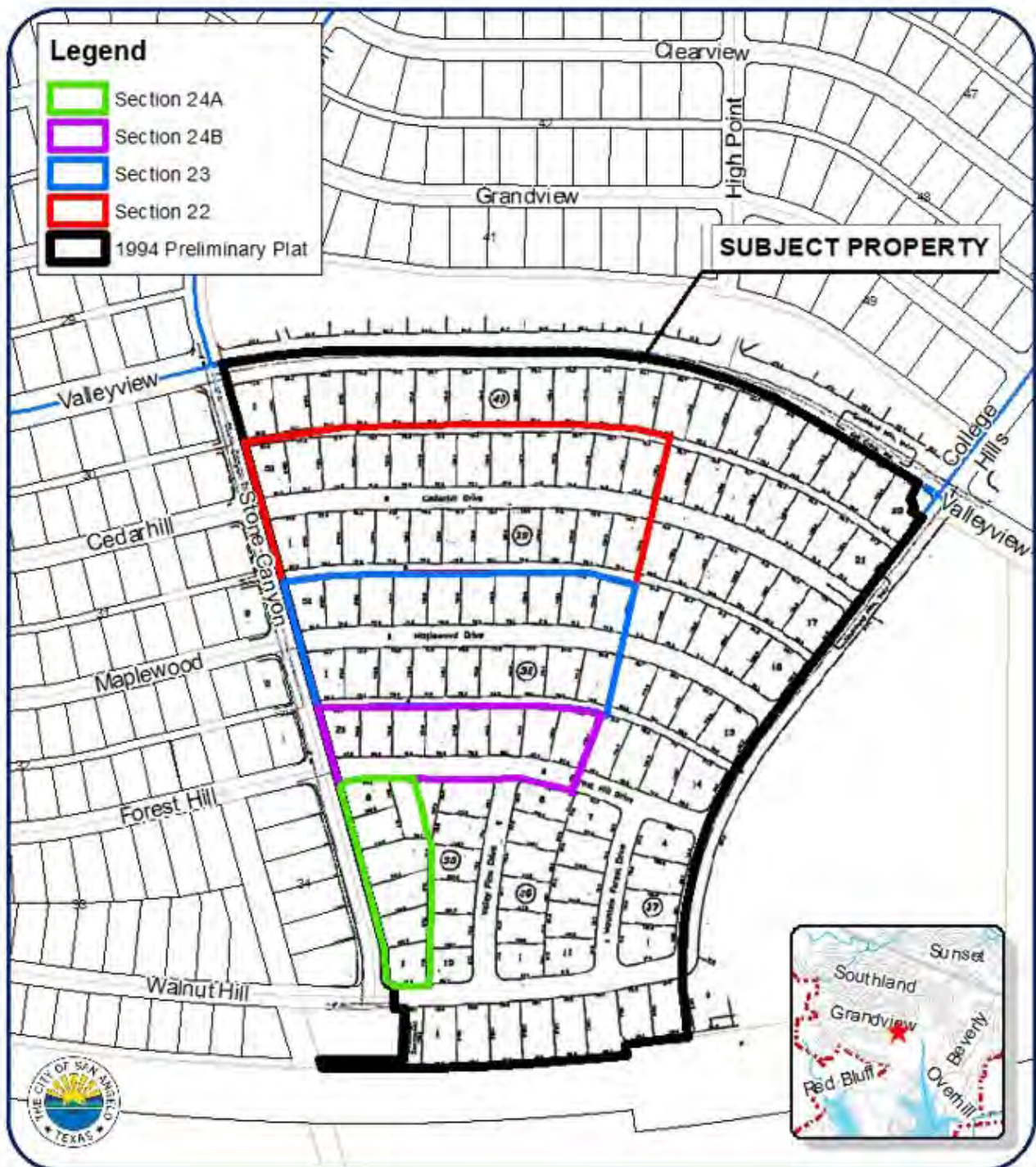
Comparison of current requirements in standard zoning districts vs. proposed (differences from RS-3 shown in red):

| Development Standard | Single-Family | | | | Multifamily | | Proposed |
|--|---------------|--------|--------|-------|-------------|---------|---|
| | R&E | RS-1 | RS-2 | RS-3 | RM-1 | RM-2 | PD |
| Minimum Lot Area (sq. ft.) | | | | | | | |
| Single-Family Unit | 43,560 | 5,000 | 5,000 | - | 5,000 | - | 5,000 |
| Two-Family Unit | - | - | 6,500 | - | 6,500 | - | - |
| Zero Lot Line or Twinhome | - | - | - | 2,500 | 2,500 | - | 2,500 |
| Townhouse Unit | - | - | - | 1,875 | 1,875 | - | 1,875 |
| Multifamily or Group Home | - | - | - | - | 7,000 | 20,000 | - |
| Manufactured Home | 43,560 | 5,000 | 5,000 | - | - | - | - |
| Minimum Lot Dimensions (width x depth in feet) | | | | | | | |
| Single-Family Unit | 150x150 | 50x100 | 50x100 | - | 50x100 | - | 45x100 |
| Two-Family Unit | - | - | 50x100 | - | 50x100 | - | - |
| Zero Lot Line or Twinhome | - | - | - | 40x60 | 40x60 | - | 40x60 |
| Townhouse Unit | - | - | - | 25x75 | 25x75 | - | 25x75 |
| Multifamily or Group Home | - | - | - | - | 60x100 | 100x150 | - |
| Manufactured Home | 150x150 | 50x100 | 50x100 | - | - | - | - |
| Mobile Home | - | - | - | - | - | - | - |
| Minimum Front Yard (feet) | 40 | 25 | 25 | 15 | [2] | 25 | 15 |
| SF home, garage setback | | | | | | | 25 |
| Minimum Side Yard (feet) | | | | | | | |
| Single family homes | | | | | | | 5 |
| One side yard (minimum) | 15 | 5 | 5 | [3] | [3] | 10 | 0-1 |
| The other side yard (minimum) | 15 | 5 | 5 | | | 10 | 10 |
| Twin homes & townhomes | | | | | | | 10 feet, not adjacent to same structure |
| Minimum Rear Yard (feet) | 20 | [4] | [4] | 10 | [5] | 20 | 10 |
| Maximum Floor Area Ratio | .20 | .40 | .50 | .60 | .75 | 1.00 | .60 |
| Maximum Height | | | | | | | |
| In feet | 35 | 35 | 35 | 35 | 35 | - | 35 |
| In stories | 2-½ | 2-½ | 2-½ | 2-½ | 2-½ | - | 2-½ |
| Maximum Density (units/ acre) | - | - | - | - | 25 | 35 | - |

November 21, 2022

Additional requirements:

- Sidewalks required – construction plans at time of platting, installation at time of building construction
- Future phasing will require connection to and construction of South College Hills Boulevard as development progresses (i.e., the next plat phases will have to include the southerly extension of College Hills) in order to provide multiple means of access to this new neighborhood.
- Future phasing will require extension of Valley View once more than 75% of the property within the PD is developed or 28.1 acres (75% of the 37.5-acre property).



Rezoning: Section 212(G) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, seven (7) factors in determining the appropriateness of any rezoning request:

1. **Compatible with Plans and Policies. *Whether the proposed amendment is compatible with the Comprehensive Plan and any other land use policies adopted by the Planning Commission or City Council.*** The subject property is designated “Neighborhood” which is designed to promote neighborhood diversity and security by encouraging a mix of age, income, and housing choices in San Angelo neighborhoods” and to “improve street, bicycle, and pedestrian connectivity between neighborhoods and their associated neighborhood centers, public spaces, schools, and parks.” City Council determined that single-family homes require a minimum of 50 feet width and 5,000 square feet of lot area to “provide appropriate space near residences for services which increase safety and amenity and are not objectionable to residents nearby” as outlined in Section 105.B.1 of the Zoning Ordinance. However, the subject area is 37.5 acres and acts its own development. Reducing the lot width and area by a minimum amount can be appropriate in this case given all the homes in this area would be subject to the same standards. It is noted zero lot line homes are already allowed in RS-3 zoning, and only require 40-foot-wide lots and 2,500 sq. ft. of lot area. Fundamentally, the only difference on the ground between zero lot line and single-family homes is the side setbacks, where zero lot line homes require a 0-1 and 10-foot side yard versus a 5-foot side yard. By allowing single-family homes in this PD zoning, the overall lot sizes are larger.
2. **Consistent with Zoning Ordinance. *Whether and the extent to which the proposed special use would conflict with any portion of this Zoning Ordinance.*** The addition of single-family homes as an allowed use would still meet most of the RS-3 standards. Lot widths of 45 feet would still exceed the other structure type standards in the RS-3. As indicated, zero lot line homes have a 40-foot minimum frontage and 2,500 sq. ft. lot area. Townhomes have a 25-foot minimum frontage and 1,875 sq. ft. lot area. ***The RS-3 zoning limits the FAR to 0.60 (60% of the lot) and the applicant wants 0.70. Staff defers this to the Planning Commission for their determination.***
3. **Compatible with Surrounding Area. *Whether and the extent to which the proposed special use is compatible with existing and anticipated uses surrounding the subject land.*** Staff believes that the proposed PD is compatible with the surrounding area. The property acts as an exclusive development given it is 37.5 acres. That said, adding the requirement for future platting to connect to S. College Hills Boulevard will ensure better connectivity through the area.
4. **Changed Conditions. *Whether and the extent to which there are changed conditions that require an amendment.*** As indicated, the applicant wants single-family homes on smaller lots and the RS-3 zoning does not allow single-family homes.
5. **Effect on Natural Environment. *Whether and the extent to which the proposed special use would result in significant adverse impacts on the natural environment, including but not limited to water or air quality, noise, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.*** Staff does not anticipate any negative

November 21, 2022

environmental affects with the proposed PD. Any development will require a review of drainage, grading, and stormwater per normal practice at the time of platting.

6. **Community Need. Whether and the extent to which the proposed special use addresses a demonstrated community need.** As indicated in #1 above, the Comprehensive Plan supports more diverse types of housing in this area. Further, smaller lots are likely to be less expensive assisting homeowners be able to purchase these homes.
7. **Development Patterns. Whether and the extent to which the proposed special use would result in a logical and orderly pattern of urban development in the community.** Approval of this PD will not change the development patterns in the area. The requirement to connect to S. College Hills Boulevard and Valleyview Boulevard for future platting, and sidewalk construction also at that item, will ensure greater vehicular and pedestrian connectivity through the area.

Recommendation:

Staff's recommendation is for the Planning Commission to recommend **APPROVAL** of a rezoning from the Zero Lot Line, Twinhome and Townhome Residential (RS-3) and Low Rise Multifamily Residential (RM-1) Zoning Districts to a Planned Development (PD) Zoning District to allow an underlying base zoning of RS-3 with the additional use of single-family homes and subject to the development standards as outlined in the Ordinance above, being 37.5 acres, located southeast of Valleyview Boulevard and Stone Canyon Trail. **Staff requests the Planning Commission to determine whether to approve the applicant's request of 0.70 FAR or the RS-3 maximum of 0.60.**

Attachments:

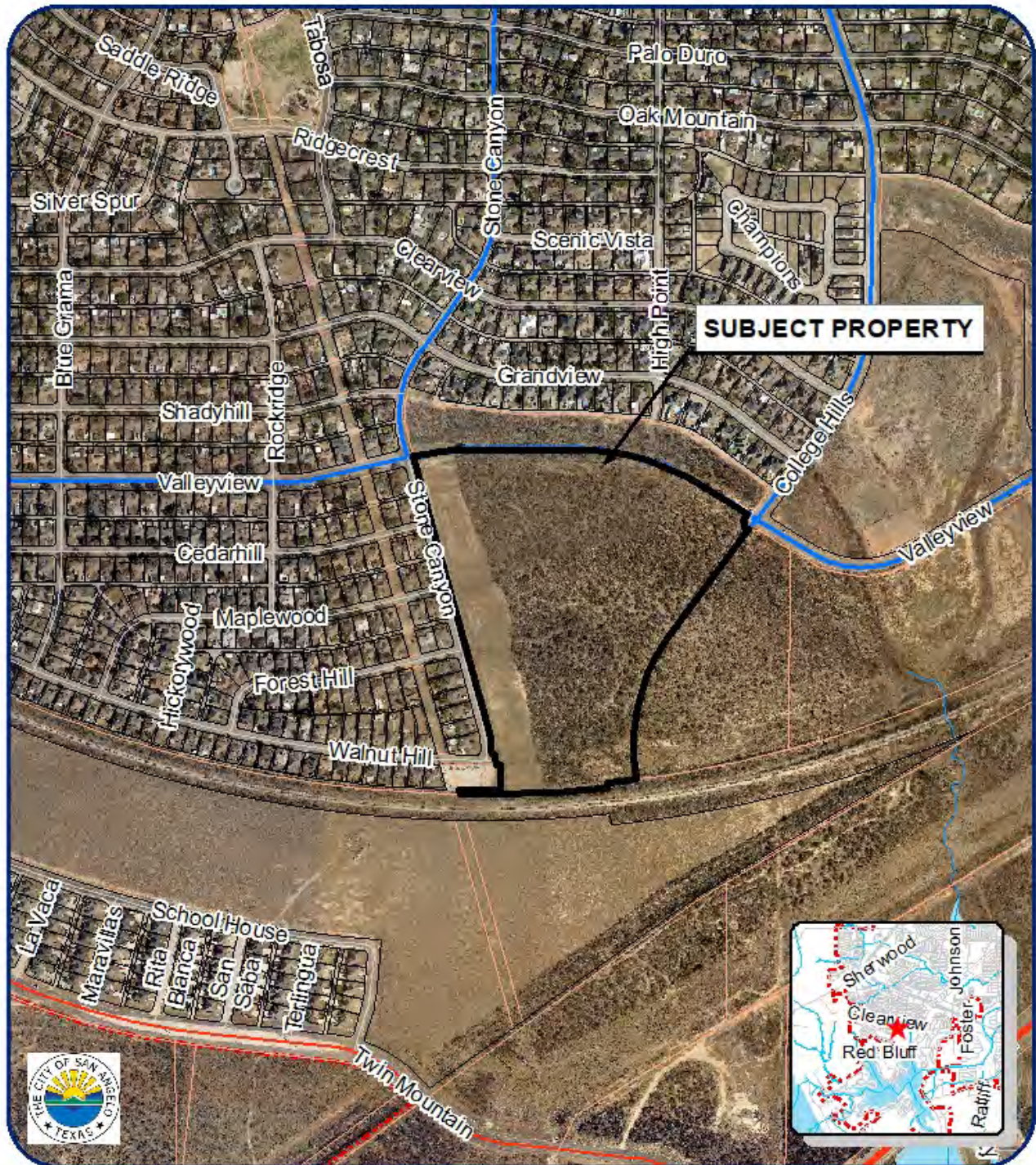
Aerial Map

Future Land Use Map

Zoning Map

200-Foot Notification Map

Response Letter



Planned Development (PD)

PD22-03: SE of Valleyview/Stone Canyon

Council District 1 - Tommy Hiebert

Neighborhood: Bonham

Scale: 1" approx. = 625 ft

SW of Valleyview Blvd/Stone Canyon Tr. 37.5 ac.



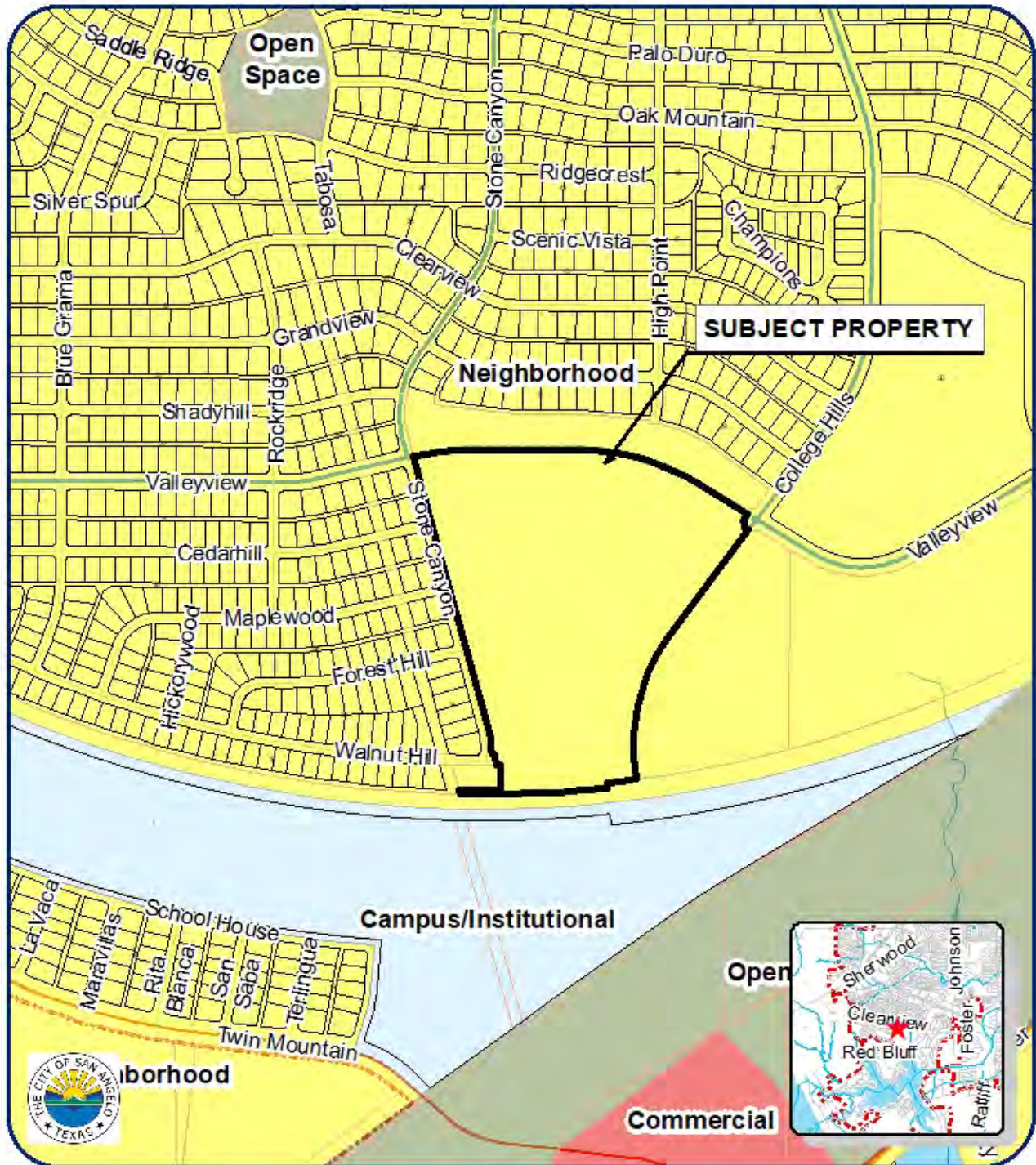
Legend

Subject Properties: —

Current Zoning: **RS-3 & RM-1**

Requested Zoning Change: **N/A**

Vision: **Neighborhood**



Planned Development (PD)


PD22-03: SE of Valleyview/Stone Canyon

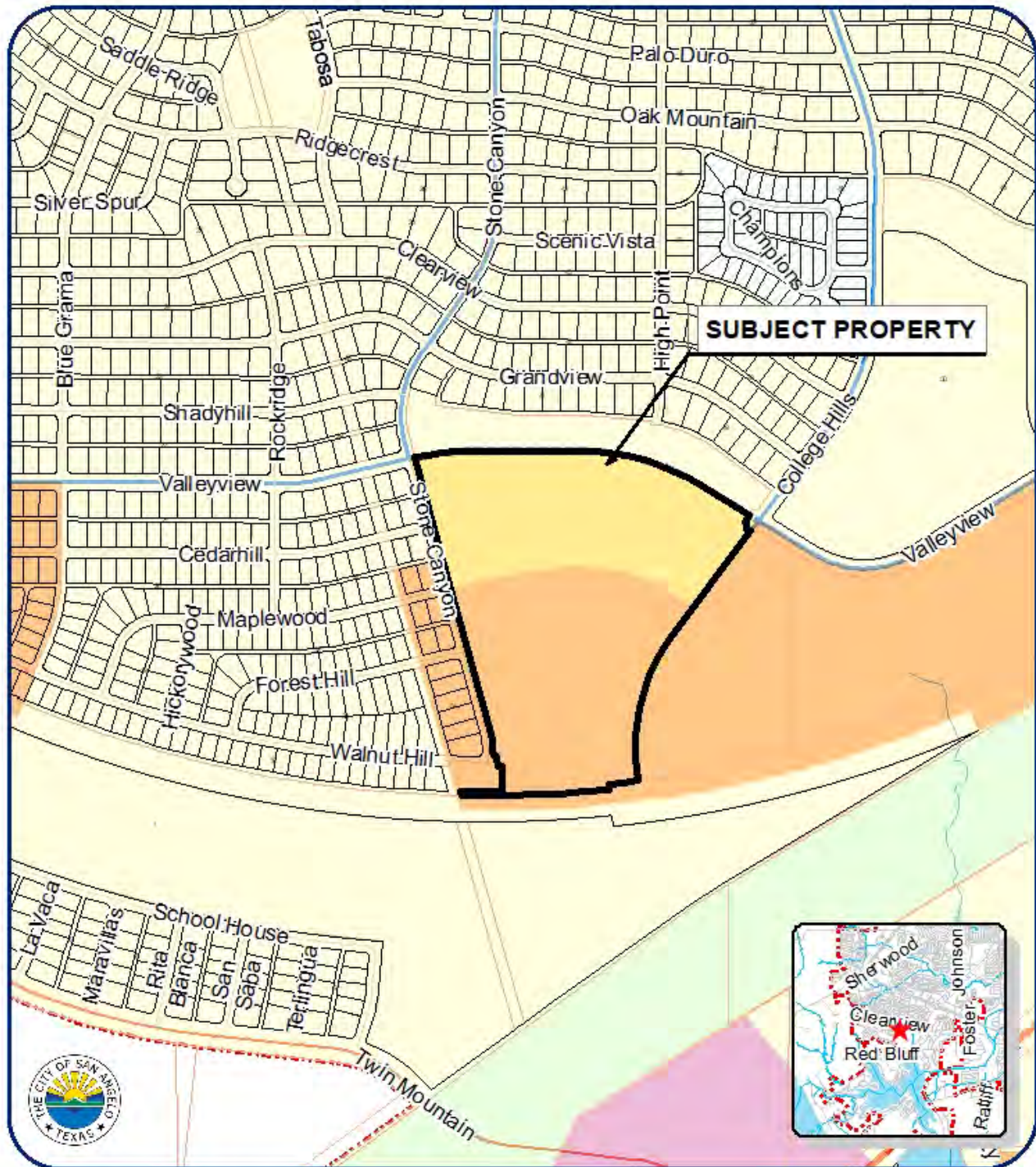
Council District 1 - Tommy Hiebert
Neighborhood: Bonham
Scale: 1" approx. = 625 ft

SW of Valleyview Blvd/Stone Canyon Tr. 37.5 ac.



Legend

Subject Properties: 
Current Zoning: **RS-3 & RM-1**
Requested Zoning Change: **N/A**
Vision: **Neighborhood**



Planned Development (PD)

PD22-03: SE of Valleyview/Stone Canyon

Council District 1 - Tommy Hiebert


Neighborhood: Bonham

Scale: 1" approx. = 625 ft

SW of Valleyview Blvd/Stone Canyon Tr. 37.5 ac.



Legend

Subject Properties: 

Current Zoning: **RS-3 & RM-1**

Requested Zoning Change: **N/A**

Vision: **Neighborhood**



Planned Development (PD)

PD22-03: SE of Valleyview/Stone Canyon

Council District 1 - Tommy Hiebert

Neighborhood: Bonham

Scale: 1" approx. = 625 ft

SE of Valleyview Blvd/Stone Canyon Trl. 37.5 ac.



Legend

Subject Properties: —

Current Zoning: **RS-3 & RM-1**

Requested Zoning Change: **N/A**

Vision: **Neighborhood**

November 21, 2022

For the PLANNING COMMISSION

Please call (325) 657-4210 if you have any questions about this notice.

CASE #: PD22-03

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: SAN ANGELO ISD
Parcel I.D.: 26
Address: 1621 UNIVERSITY AVE

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor
Additional Comments:

I am opposed

Signature:



From: [Milton Tyler](#)
To: [*Planning](#)
Subject: Zone change PD22-03
Date: Friday, November 18, 2022 8:42:13 AM

CAUTION: This email was received from an EXTERNAL source, use caution when clicking links or opening attachments.

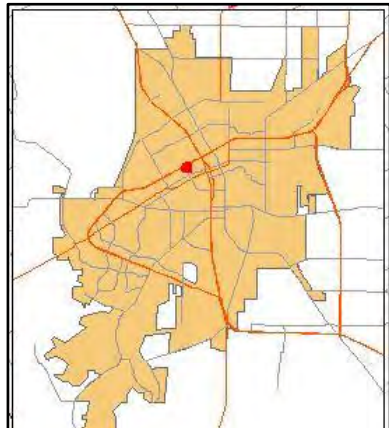
We are opposed to the zone change PD22-03.

Milton O. Tyler
Judith M. Tyler
833 Country Lane Dr.
McGregor TX 76657

owner of
3201 Valleyview Blvd.
San Angelo TX 76904

**PLANNING COMMISSION – NOVEMBER 21, 2022
STAFF REPORT**



| | | | |
|---|----------------|---|--------------|
| APPLICATION TYPE: | | CASE: | |
| Conditional Use/Renewal Short Term Rental | | CU22-18: 411 N. Park Street | |
| SYNOPSIS: | | | |
| The existing single-family home was built in 1958 according to the Tom Green County Appraisal District and has continued to be used for this purpose. The applicant purchased the property in May 2020 and requires this Conditional Use approval in order to operate a Short-Term Rental (STR) from this property. The STR has been operating for a year and is requesting their first renewal. Approval of this application will allow them two years before a renewal is required. There were no records of complaints with either the police or Code Enforcement. | | | |
| LOCATION: | | LEGAL DESCRIPTION: | |
| 411 N. Park Street | | Being Lots 4 in Block 57, Angelo Heights Addition | |
| SM DISTRICT / NEIGHBORHOOD: | ZONING: | FUTURE LAND USE: | SIZE: |
| SMD District #4 – Lucy Gonzales Neighborhood – Central | RS-2 | N and NC – Neighborhood and Neighborhood Center | 0.160 acres |
| STREET REQUIREMENT: | | | |
| Required: minimum 30' public street Existing: 36 feet width | | | |
| NOTIFICATIONS: | | | |
| Thirteen notifications were mailed out within a 200-foot radius on November 2, 2022. No responses received to date. | | | |
| STAFF RECOMMENDATION: | | | |
| Staff recommends APPROVAL of a renewal of a Conditional Use for a Short-Term Rental in a Two-Family Residential (RS-2) Zoning District on the subject property, subject to two conditions of approval. | | | |
| PROPERTY OWNER/PETITIONER: | |  | |
| <i>Property Owners: Timothy Stark and Nicole Walsh</i> <i>Operator: Jonathan Samples</i> | | | |
| STAFF CONTACT: | | | |
| Sherry L. Bailey Senior Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us | | | |

Additional Information: Within the last year, there have been no code enforcement violations or calls to the San Angelo Police Department on the property.

Conditional Uses: Section 208(F) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, six (6) factors in determining the appropriateness of any Conditional Use request.

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** There would be no negative impacts on adjacent properties if the STR renewal was approved. There is a 6-foot tall opaque privacy fence along the north side of the property adjacent to a commercial plaza. This fence will provide privacy for the short-term rental customers.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** The STR is in compliance with the Zoning Ordinance (ZO). Section 406 of the ZO requires that the street frontage is least 30 feet wide, there are no other STRs within 500 feet; and Section 511 of the STR requires a minimum of two parking spaces. N. Park Street, an urban local road, is 36' feet with a 4-foot sidewalk, exceeding the minimum of 30 feet required. Finally, there are 6 paved parking spaces on the property, five on the driveway and one under the detached carport.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The property is located within a short drive of Downtown San Angelo and the River Walk. It is conveniently located close to Houston Harte Expressway Loop which connects visitors to various parts of San Angelo.
4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Planning Staff does not anticipate any adverse impacts on the natural environment. The site is completely developed with commercial and residential development.
5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** Staff believes there is a demonstrated community need for an STR's in this area given close proximity to Downtown San Angelo, the River Walk, and retail stores along the Houston Harte Expressway frontage road.
6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** Development patterns will not change if the STR renewal is approved.

Recommendation:

Staff recommends **APPROVAL** of a renewal for a Conditional Use for a Short-Term Rental in a Two-Family Residential (RS-2) Zoning District on the subject property, **subject to two conditions of approval:**

1. The owners shall maintain the required two off-street parking spaces and maintain them in a manner consistent with Section 511 of the Zoning Ordinance.
2. The owners shall obtain and comply with an annual fire inspection from the Fire Marshal's office.

Note:

1. The owner shall maintain the short-term rental operation in a manner consistent with Section 406 of the Zoning Ordinance, to include adherence to required periodic reviews, and any subsequent conditional use renewals and permit renewals.

Attachments:

Aerial Map
Zoning Map
Photographs
Application



Short Term Rental

CU20-20 411 N Park Street

Council District: # 4 Lucy Gonzales

Neighborhood: Central

Scale: 0.0005 0.015 0.03 0.045 0.06

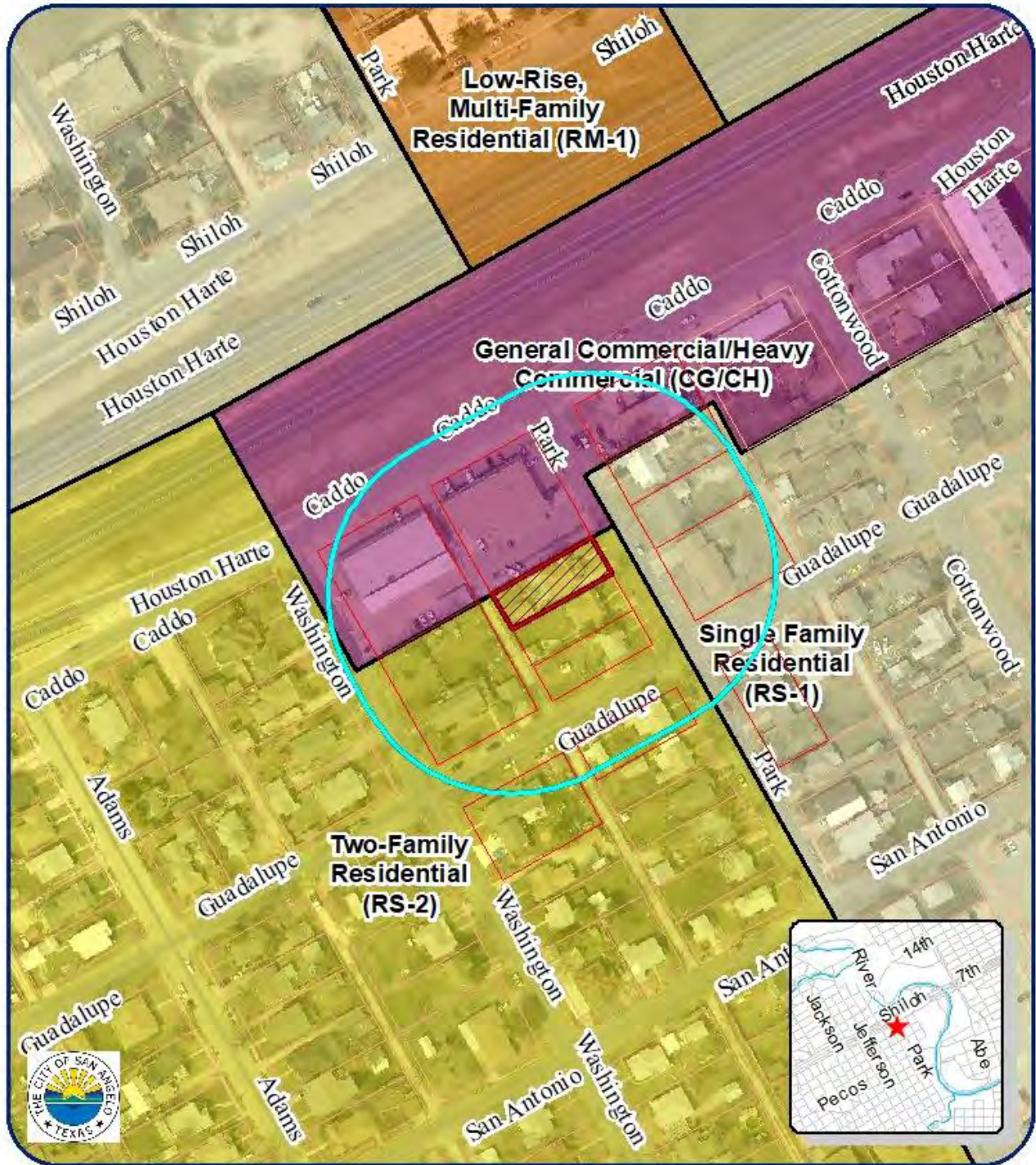
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —





Zoning Map

CU20-20 411 N Park Street

Council District: # 4 Lucy Gonzales

Neighborhood: Central

Scale: 0.000 0.015 0.03 0.045 0.06

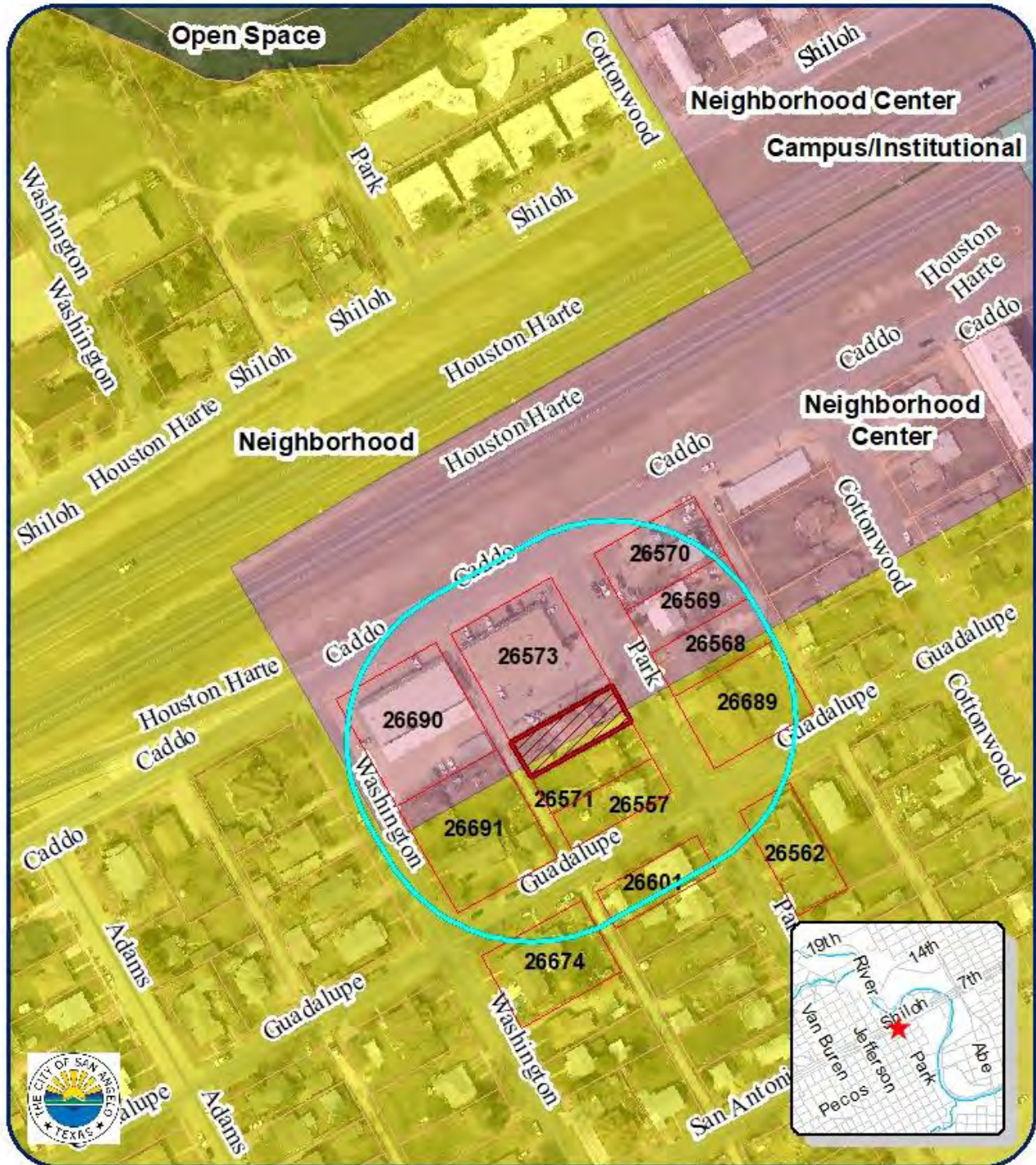
Miles

Subject Properties: —

200' Buffer: —

Notified Properties: —





Future Land Use Map for Short Term Rental

CU20-20 411 N Park Street

Council District: # 4 Lucy Gonzales

Neighborhood: Central

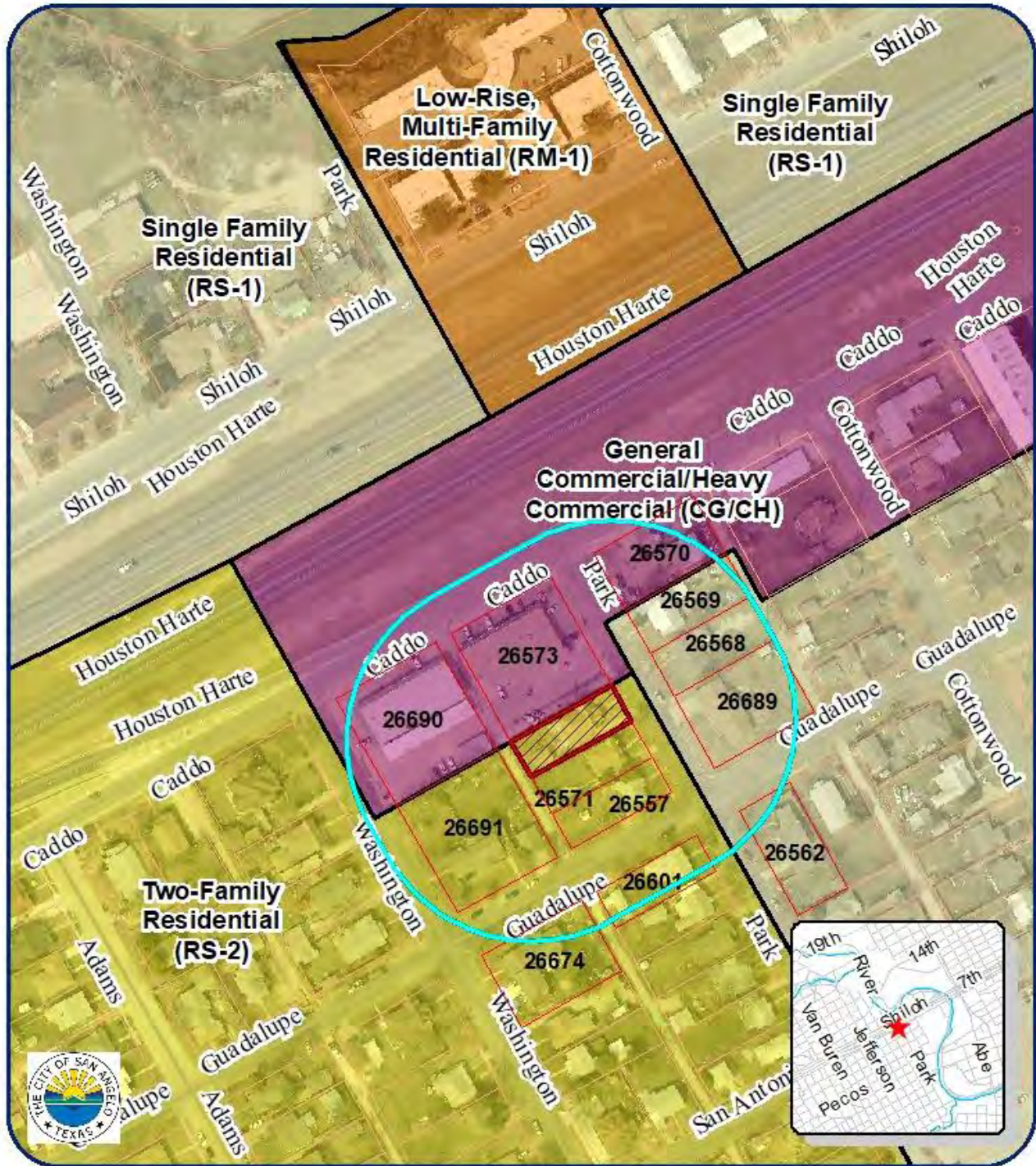
Scale: 0.0005 0.015 0.03 0.045 0.06 Miles

Subject Properties: —

200' Buffer: —


Notified Properties: —





200' Notification Map for Short Term Rental
CU20-20 411 N Park Street
 Council District: # 4 Lucy Gonzales
 Neighborhood: Central
 Scale: 0.0000 0.015 0.03 0.045 0.06 Miles

Subject Properties: —
 200' Buffer: —
 Notified Properties: —

N


Photos of Site and Surrounding Area

NORTH ON PARK STREET



SOUTH OF PARK STREET



PROPERTY IN QUESTION



Effective February 2, 2017



City of San Angelo, Texas – Planning Division
 52 West College Avenue



**Application for Conditional Use:
 Short-Term Rental Property**

Office Use Only - Date Accepted:

Section 1: Basic Information

SELECT ONE: Property Owner Designated Operator (Affidavit Required) Representative (Affidavit Required)

| | | | |
|--|--|--|----------------|
| Timothy Stark & Nicole Walsh | | Mary Beth Purkerson | |
| Name of Property Owner (s) | | Name of Operator (s) | |
| 7600 Wood Hollow Dr Apt 206 | | Austin | Tx 78731 |
| Property Owner Mailing Address | | City | State Zip Code |
| 325-450-6397 | | burnes.10_stark@yahoo.com | |
| Property Owner Contact Phone Number | | Property Owner Contact E-mail Address | |
| 2017 San Antonio St | | San Angelo | Tx 76901 |
| Designated Operator Mailing Address | | City | State Zip Code |
| 325-703-0855 | | marypurkerson@gmail.com | |
| Designated Operator Contact Phone Number | | Designated Operator Contact E-mail Address | |
| 411 N Park St | | San Angelo | Tx 76901 |
| Short Term Property Address | | City | State Zip Code |
| Number of bedrooms: <u>4</u> Number of Off-street Parking Spaces: <u>4</u> Zoning: _____ | | | |

Section 2: Site Specific Details

Provided Site Plan to include a Parking Table and any/all proposed lighting Yes No

Please initial and provide explanations for the following:

TS I understand that the Planning Commission is required by law to make decisions based on the following criteria, and I assert that my request meets all of the required criteria **based on my explanations below:**

Impacts Minimized. Whether and the extent to which the short-term rental or Bed & Breakfast property use creates adverse effects, including adverse visual impacts, on adjacent properties.

Explanation: This property has adequate parking for a large family and will be kept visually appealing with work and maintenance.

Consistent with Surrounding Area. Whether and the extent to which the proposed short-term rental Bed & Breakfast property use is compatible with existing and anticipated uses, surrounding the subject property.

Explanation: There are no STRs within 500ft of the subject property.

Effect on Natural Environment. Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm-water management, wildlife, vegetation, wetlands and the practical function of the natural environment.

Explanation: This STR will not have an effect on the natural environment. There is noise monitoring in place, especially in the evening. It is set up to notify guest automatically if noise persists past 10pm.

Community Need. Whether and the extent to which the proposed conditional use addresses a demonstrated community need.

Explanation: There is a need for large family's to have a place to stay together during rodeo season or winter. This property will allow family's to stay together instead of having to book multiple hotel rooms separately.

Development Patterns. Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.

Explanation: Urban development will be unaffected.

Effective February 2, 2017



Section 3: Applicant(s) Acknowledgement

Please read and initial each of the following:

- TS Each Short-Term Rental Conditional Use must be renewed one year from the initial approval and then every two years thereafter.
- TS Unless exempt, a permit cannot be granted for a STR on a street less than 30 feet in width nor within 500 feet of another STR.
- TS The applicant has designated an "Operator" who resides in Tom Green County, Texas and has furnish a telephone number for the named operator. This information must be furnished in the notice to owners of real property as required by Section 201 of this Zoning Ordinance. If this information subsequently changes, the operator must mail notice of the new contact information to owners of real property within 200 feet of the property.
- TS The operator shall keep a current guest register in compliance with State code.
- TS If the short-term rental property is residentially zoned, all lighting must be directed toward the establishment and not at surrounding neighbors.
- TS The operator of a Short Term Rental must post conspicuously in the common area of each unit
 - 1) The name and contact information of the operator, and
 - 2) The occupancy limits and restrictions on noise as set out in the City Code of Ordinances
- TS Renting for overnight occupancy by more than 2 people 18 or older per bedroom is prohibited.
- TS Meal service may not be provided.
- TS Permitting, or hosting of, outdoor gatherings before 7:00 am or after 10:30 pm is prohibited.
- TS Permitting or hosting any outdoor gathering of more than 20 people attending at one time is prohibited.
- TS A Short Term Rental may be occupied by no more than 6 individuals unrelated by blood, marriage, or adoption.
- TS Tents, trailers, cabin, lean-to or similar used for temporary living quarters are prohibited, with the exception of one "pup tent" for no more than two persons and no larger than 40 inches in height or 8 feet in length.
- TS All Bed and Breakfast and Short Term Rental establishments must be registered with the State of Texas and the City of San Angelo for the purpose of Hotel Occupancy Tax.
- TS The owner will obtain and comply with an annual fire safety inspection by the City Fire Marshal's office
- TS The Planning Commission makes the final decision on all Short-Term Rental Conditional Use requests, appeals may be directed to City Council.
- TS Approval of this Short-Term Rental Conditional Use request does not constitute approval of permits, site plans, or other processes that require separate approval.
- TS If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.
- TS A certificate of occupancy through the City's Permits and Inspections division will be required

I/We, the undersigned, acknowledge and understand that the above information is not an exhaustive list of standards set forth in [Section 406 of Chapter 12, Exhibit A "Zoning Ordinance"]

I/We, the undersigned, acknowledge and understand that failure to comply with all applicable standards set forth in [Section 406 of Chapter 12, Exhibit A "Zoning Ordinance"] for such an establishment may result in revocation of the Certificate of Occupancy.

| | |
|---|---------|
|  | 9/29/22 |
| Printed name and Signature of Property Owner or Authorized Representative | Date |
|  | 9/29/22 |
| Printed name and Signature of Designated Operator | Date |

**PLANNING COMMISSION – October 17, 2022
STAFF REPORT**



| | | | |
|--|--|---|-----------------------------|
| APPLICATION TYPE: | | CASE: | |
| Conditional Use | | CU22-21: 2517 Junius St. | |
| SYNOPSIS: | | | |
| A request for approval of a Conditional Use (CU) to allow a Short Term Rental (STR), as defined in Sec. 406 the Zoning Ordinance, in Single-Family Residential (RS-1) zoning, located at 2517 Junius Street. | | | |
| LOCATION: | | LEGAL DESCRIPTION: | |
| 2517 Junius St. | | Acres: 0.161, Lot: 8, Blk: 31, Subd: FOREST PARK ADDITION | |
| SM DISTRICT / NEIGHBORHOOD: | | ZONING: | FUTURE LAND USE: |
| SMD District #2 – Tom Thompson Angelo Heights Neighborhood | | RS1- Single Family Residential | N- Neighborhood |
| | | | SIZE: 0.161 acres |
| STREET REQUIREMENT: | | | |
| Required: minimum 30' public street Existing: 36 feet width | | | |
| NOTIFICATIONS: | | | |
| 18 notifications mailed within 200-foot radius on 11/09/22. Received 1 response in opposition, and zero in favor. | | | |
| STAFF RECOMMENDATION: | | | |
| Staff's recommendation is for the Planning Commission to APPROVE the proposed Conditional Use to allow a Short Term Rental at 2517 Junius Street. | | | |
| PROPERTY OWNER/PETITIONER: | | | |
| <p>Property Owner: Andrea Salazar</p> <p>Applicant: Andrea Salazar</p> | | | |
| STAFF CONTACT: | | | |
| <p>Rae Lineberry Planner I (325) 657-4210, Extension 1533 Rae.lineberry@cosatx.us</p> | | | |

Conditional Uses: Section 208(F) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, six (6) factors in determining the appropriateness of any Conditional Use request.

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** No, the applicant plans to make no changes to existing structures on the lot.
 2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** No, there are no short term rentals active within 500' of this proposed location.
 3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The rental would be in a (RS-1) Single-Family zoned area and would be compatible with the surrounding area.
 4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Staff does not believe that rental will have any adverse effects on the environment. The area infrastructure is already built to accommodate Single-Family Zoning.
 5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** The STR will address a need for more rentals in the Angelo Heights area.
 6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** The applicant does not plan to alter any of the existing structures or add on to them and adequate parking is provided. The use will remain residential.
-

Recommendation:

Staff's recommendation is for the Planning Commission to **APPROVE** a Conditional Use to allow for a Short Term Rental in the Single-Family Residential (RS-1) Zoning District, **subject to the following three Conditions of Approval:**

1. The owners shall maintain the required two off-street parking spaces and maintain them in a manner consistent with Section 511 of the Zoning Ordinance.
2. The owners shall obtain a Certificate of Occupancy for the Short Term Rental from the Permits and Inspections Division.
3. The owners shall obtain and comply with an annual fire inspection from the Fire Marshal's office.

Note:

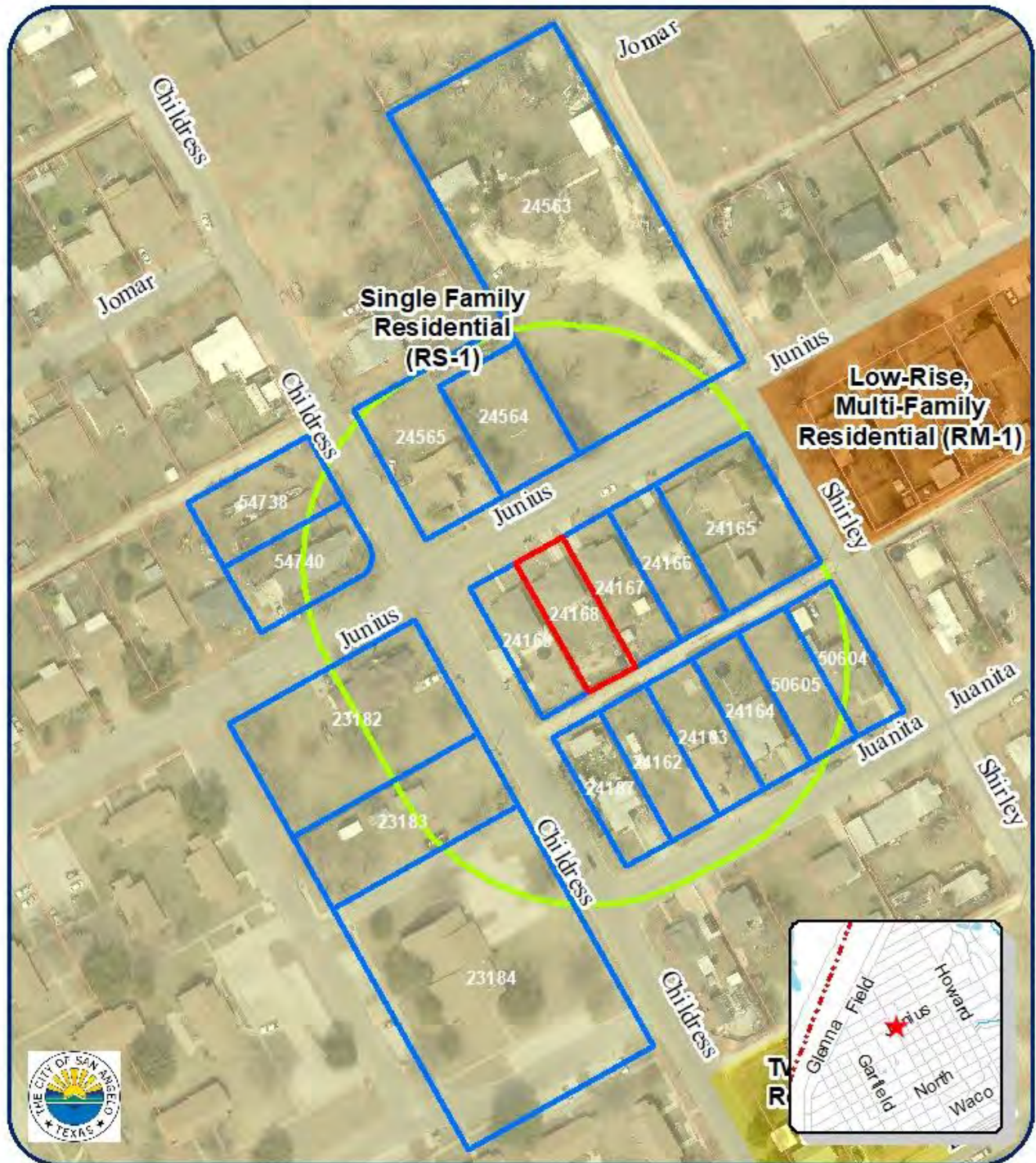
1. The property owner shall maintain the Short Term Rental operation in a manner consistent with Section 406 of the Zoning Ordinance, including a required renewal in one year, with subsequent renewals every two years, and proof that hotel tax payment is not delinquent.

Attachments:

Zoning Map

Notification Map

Site Images



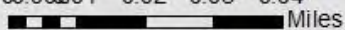
Zoning Map


CU22-21 2517 Junius St


Council District: 2 Thompson


Neighborhood: Angelo Heights

Scale: 0.000501 0.02 0.03 0.04

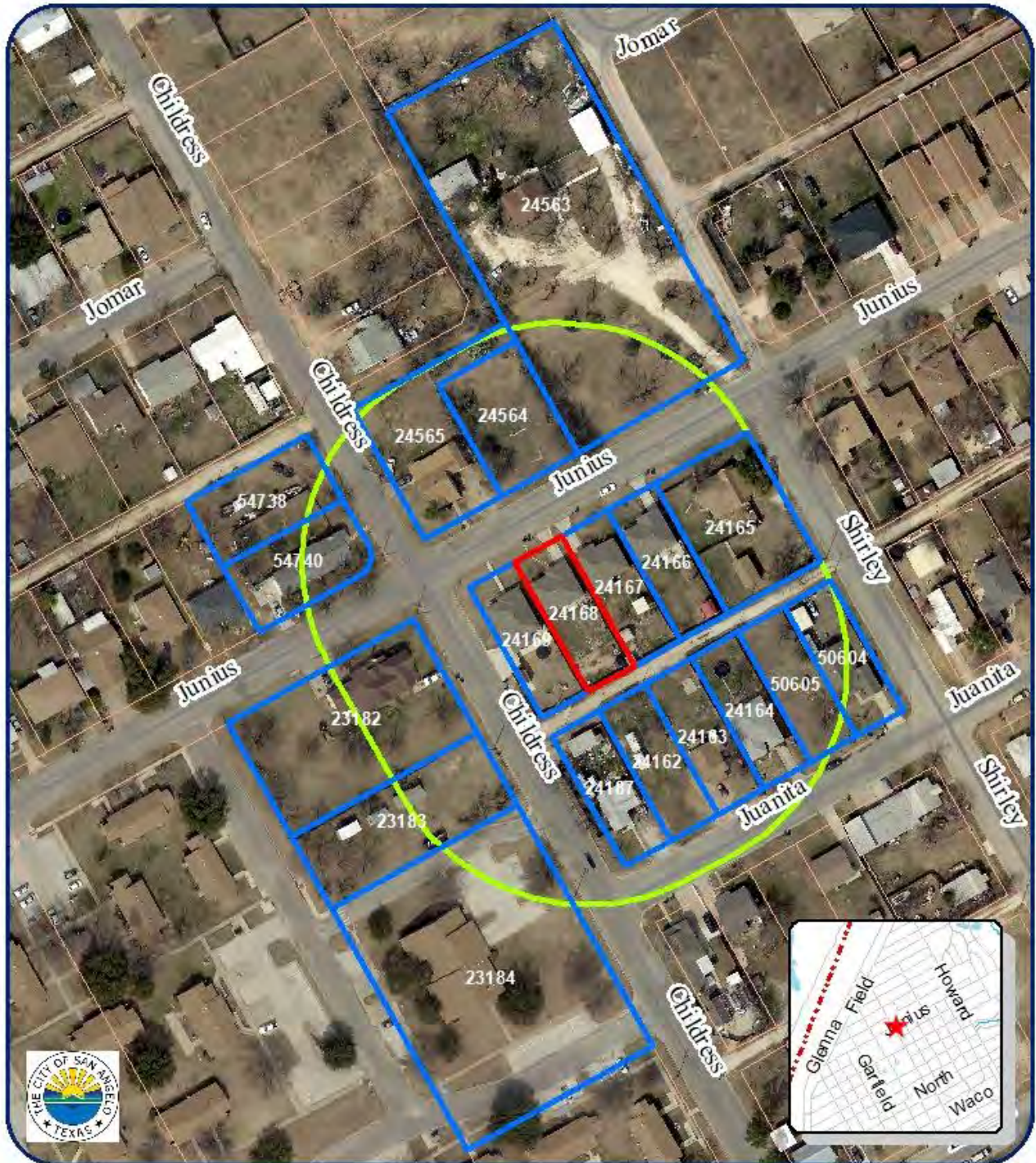


Subject Properties: 

200' Buffer: 

Notified Properties: 





200' Notification Map


CU22-21 2517 Junius St


Council District: 2 Thompson


Neighborhood: Angelo Heights

Scale: 0.000501 0.02 0.03 0.04

Miles

Subject Properties: 

200' Buffer: 

Notified Properties: 



Existing home



Street View

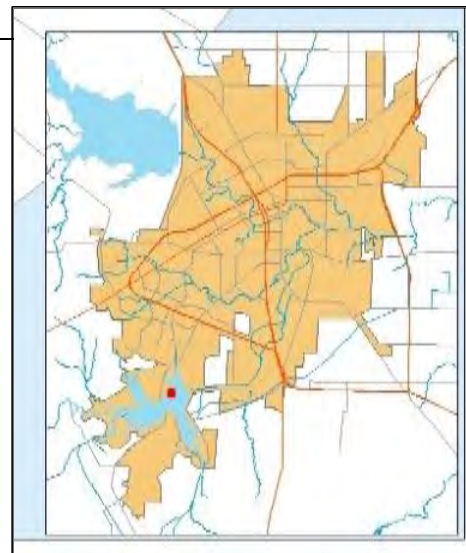


**PLANNING COMMISSION – November 21, 2022
STAFF REPORT**



| | | | |
|--|----------------------------------|---|--------------|
| APPLICATION TYPE: | | CASE: | |
| Conditional Use - STR | | CU22-22: Martinez | |
| SYNOPSIS: | | | |
| <p>The applicant has applied for a renewal of their Conditional Use for a Short-Term Rental on their property at 1810 Shady Point Circle Dr. The original Conditional Use was approved on March 20, 2017. The property is zoned Single Family Residential (RS-1) and contains an existing single-detached dwelling built in 1978. A Short-Term Rental is allowed in the RS-1 with an approved Conditional Use, subject to the development standards of Section 406 of the Zoning Ordinance (see Additional Information). This STR has been operating for five years. There have been no complaints to either the Fire, Police or Code Enforcement.</p> | | | |
| LOCATION: | | LEGAL DESCRIPTION: | |
| 1810 Shady Point Circle Drive; generally located off Knickerbocker Road over the bridge | | Being Lot 17, Block 2, Section 1 Lake Nasworthy, Shady Point 1 Addition | |
| SM DISTRICT / NEIGHBORHOOD: | ZONING: | FUTURE LAND USE: | SIZE: |
| SMD District #1 – Tommy Hiebert Nasworthy Neighborhood | RS-1 – Single-Family Residential | N – Neighborhood | 0.417 acres |
| STREET REQUIREMENT: | | | |
| <p>Required: minimum 30' public street Existing: 30 feet width</p> | | | |
| NOTIFICATIONS: | | | |
| Twelve notifications mailed within 200-foot radius on November 2, 2022. Zero comments received in support or opposition at this time. | | | |
| STAFF RECOMMENDATION: | | | |
| Staff recommends APPROVAL of the renewal for a Conditional Use for a Short-Term Rental as defined in Section 406 of the Zoning Ordinance at 1810 Shady Point Circle Drive, subject to three Conditions of Approval. | | | |

| |
|---|
| PROPERTY OWNER/PETITIONER: |
| <p><i>Property Owner:</i> Richard and Anna Martinez</p> <p><i>Operator:</i> Anna Martinez</p> |
| STAFF CONTACT: |
| <p>Sherry Bailey Senior Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us</p> |



Additional Information:

Conditional Uses: Section 208(F) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, six (6) factors in determining the appropriateness of any Conditional Use request.

1. **Impacts Minimized. Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** There does not appear to be any adverse impacts on surrounding properties. Staff contacted the Police Dept., Code Enforcement and the Fire Marshall. There were no records of any violations or failure to get the required inspections. The Short-Term rental occupancy is located within the existing single-detached dwelling built in the late 1970s. The property's rear yard faces the lake and a two story dock and patio structure that was renovated in 1997. The Short Term Rental at this location is compatible with the surrounding area. Having maintained a STR for five years the applicant understands what is necessary for maintaining an asset for both herself and the City of San Angelo.
2. **Consistent with Zoning Ordinance. Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** The subject property zoned RS-1 allows a Short-Term Rental with an approved Conditional Use, subject to the development standards of Section 501 of the Zoning Ordinance for single-detached dwellings, and Section 406 for Short-Term Rentals. The Short-Term Rental is located within the existing single-detached dwelling and complies with all setbacks. There is a parking area located on the site which can accommodate all parking requirements.
3. **Compatible with Surrounding Area. Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The Short-Term rental property maintains its residential character and has not made any structural changes that would change the original determination that this property is residential and is compatible with the surrounding residential structures in the area.
4. **Effect on Natural Environment. Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Planning Staff believes there have not been any adverse impacts on the natural environment. The area attracts deer and other wildlife and is rural in nature. The setting for the home is compatible with that rural character.
5. **Community Need. Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** Staff believes there is a demonstrated community need for a Short Term Rental in this location given close proximity to Lake Nasworthy. The push for individual home rentals along the lake come from visitors who often return multiple times to the area as well as new visitors.

6. **Development Patterns.** *Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.* The existing short-term rental has not had any adverse effect on existing development patterns. The nature of the area has remained rural residential in nature.

Recommendation:

Staff's recommendation is for the Planning Commission to **APPROVE** the renewal for the existing Conditional Use at 1810 Shady Point Circle Dr. that allows a Short Term Rental in the Single-Family Residential (RS-1) Zoning District, **subject to the following three Conditions of Approval:**

1. The owners shall maintain the required two off-street parking spaces and maintain them in a manner consistent with Section 511 of the Zoning Ordinance.
2. The owners shall obtain a Certificate of Occupancy for the Short Term Rental from the Permits and Inspections Division.
3. The owners shall obtain and comply with an annual fire inspection from the Fire Marshal's office.

Note:

1. The property owner shall maintain the short-term rental operation in a manner consistent with Section 406 of the Zoning Ordinance, to include adherence to required periodic reviews, and any subsequent permit renewals.

Attachments:

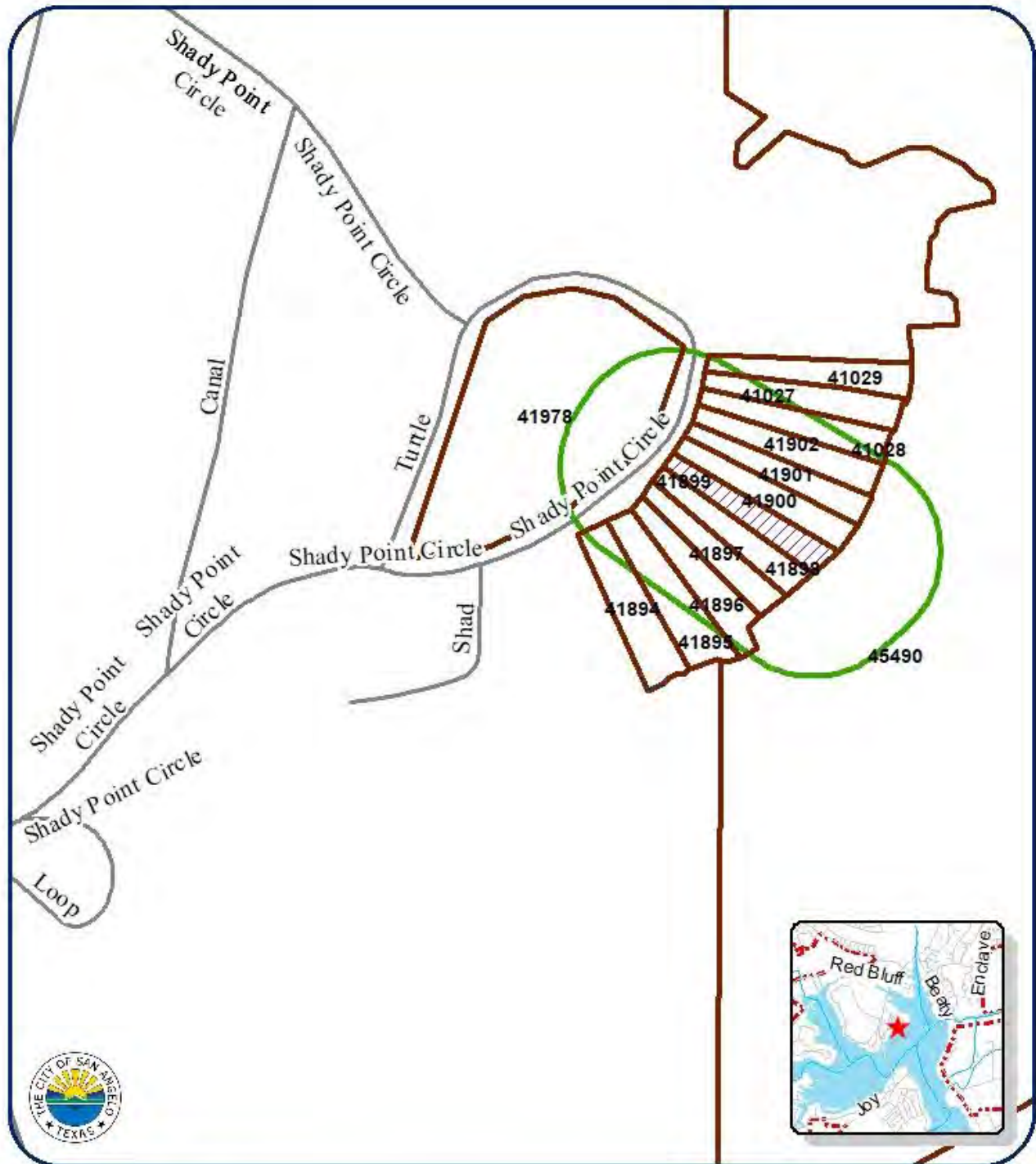
Aerial Map
Zoning Map
Notification Map
Photographs
Site Plan
Application



Zoning Map - RS-1 Single Family
1810 Shady Point Circle Dr.
 Council District: SMD #1 Hiebert
 Neighborhood: Nasworthy
 Scale: 0.0125 0.05 0.075 0.1 Miles

Subject Properties: ———
 200' Buffer: ———
 Notified Properties: ———

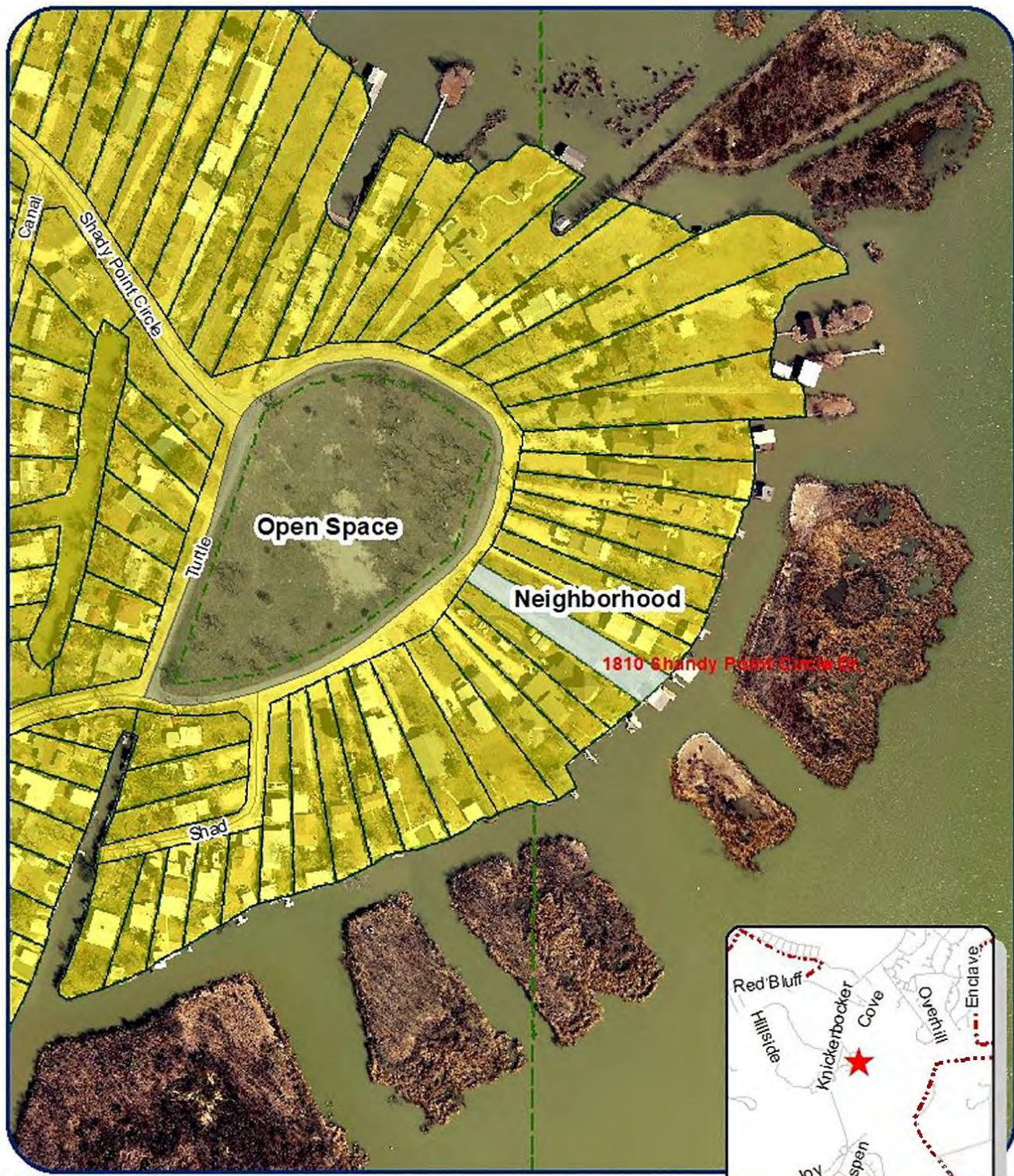
N



200' Notification Map
1810 Shady Point Circle Dr.
 Council District: SMD #1 Hiebert
 Neighborhood: Nasworthy
 Scale: 0.0125 0.05 0.075 0.1 Miles

Subject Properties: ———
 200' Buffer: ———
 Notified Properties: ———

N



Location Map CU22-22:

Short Term Rental: 1810 Shady Point Cir. Dr.
 Council District 1 -Tommy Hiebert
 Neighborhood: Nasworthy
 Scale: 1" approx. = 215 ft

Legend

Subject Properties: **RS-1**
 Current Zoning: **Short Term Rental**
 Requested Zoning Change: **Neighborhood**
 Vision: **Neighborhood**



Photos of Site

Short Term Rental Site




Approach and parking at house site






The environment of the existing Short Term Rental

Effective February 2, 2017



City of San Angelo, Texas – Planning Division
 52 West College Avenue

**Application for Conditional Use:
 Short-Term Rental Property**



Office Use Only - Date Accepted:

Section 1: Basic Information

SELECT ONE: Property Owner Designated Operator (Affidavit Required) Representative (Affidavit Required)

Name of Property Owner (s) Richard & Anna Martinez Name of Operator (s) Anna Martinez

Property Owner Mailing Address 4413 Bermuda Drive City San Angelo State Tx Zip Code 76904

Property Owner Contact Phone Number 325-340-7371 Property Owner Contact E-mail Address amartinez1810@gmail.com

Designated Operator Mailing Address 4413 Bermuda Drive City San Angelo State TX Zip Code 76904

Designated Operator Contact Phone Number 325-340-7371 Designated Operator Contact E-mail Address amartinez1810@gmail.com

Short Term Property Address 1810 Shady Point Circle Dr City San Angelo State TX Zip Code 76904

Number of bedrooms: 3 Number of Off-street Parking Spaces: up to 10 Zoning: RS1

Section 2: Site Specific Details

Provided Site Plan to include a Parking Table and any/all proposed lighting Yes No

Please initial and provide explanations for the following:

I understand that the Planning Commission is required by law to make decisions based on the following criteria, and I assert that my request meets all of the required criteria based on my explanations below:

Impacts Minimized. Whether and the extent to which the short-term rental or Bed & Breakfast property use creates adverse effects, including adverse visual impacts, on adjacent properties.
 Explanation: None - has ample parking and literally a few steps away from water

Consistent with Surrounding Area. Whether and the extent to which the proposed short-term rental Bed & Breakfast property use is compatible with existing and anticipated uses, surrounding the subject property.
 Explanation: Yes, property is compatible with existing & anticipated uses. Fishing & peace & tranquility.

Effect on Natural Environment. Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm-water management, wildlife, vegetation, wetlands and the practical function of the natural environment:
 Explanation: None

Community Need. Whether and the extent to which the proposed conditional use addresses a demonstrated community need.
 Explanation: Yes, STR at lake are in great demand for out of town guests, military stays & business leaders from far away

Development Patterns. Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.
 Explanation: Yes, this lake house is a home away from home and serves the needs for business leaders, Godfellow & others that like to spend their dollars in our community.

Effective February 2, 2017

Section 3: Applicant(s) Acknowledgement

Please read and initial each of the following:

- Each Short-Term Rental Conditional Use must be renewed one year from the initial approval and then every two years thereafter.
- Unless exempt, a permit cannot be granted for a STR on a street less than 30 feet in width nor within 500 feet of another STR.
- The applicant has designated an "Operator" who resides in Tom Green County, Texas and has furnish a telephone number for the named operator. This information must be furnished in the notice to owners of real property as required by Section 201 of this Zoning Ordinance. If this information subsequently changes, the operator must mail notice of the new contact information to owners of real property within 200 feet of the property.
- The operator shall keep a current guest register in compliance with State code.
- If the short-term rental property is residentially zoned, all lighting must be directed toward the establishment and not at surrounding neighbors.
- The operator of a Short Term Rental must post conspicuously in the common area of each unit
 - 1) The name and contact information of the operator, and
 - 2) The occupancy limits and restrictions on noise as set out in the City Code of Ordinances
- Renting for overnight occupancy by more than 2 people 18 or older per bedroom is prohibited.
- Meal service may not be provided.
- Permitting, or hosting of, outdoor gatherings before 7:00 am or after 10:30 pm is prohibited.
- Permitting or hosting any outdoor gathering of more than 20 people attending at one time is prohibited.
- A Short Term Rental may be occupied by no more than 6 individuals unrelated by blood, marriage, or adoption.
- Tents, trailers, cabin, lean-to or similar used for temporary living quarters are prohibited, with the exception of one "pup tent" for no more than two persons and no larger than 40 inches in height or 8 feet in length.
- All Bed and Breakfast and Short Term Rental establishments must be registered with the State of Texas and the City of San Angelo for the purpose of Hotel Occupancy Tax.
- The owner will obtain and comply with an annual fire safety inspection by the City Fire Marshal's office
- The Planning Commission makes the final decision on all Short-Term Rental Conditional Use requests, appeals may be directed to City Council.
- Approval of this Short-Term Rental Conditional Use request does not constitute approval of permits, site plans, or other processes that require separate approval.
- If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.
- A certificate of occupancy through the City's Permits and Inspections division will be required

I/We, the undersigned, acknowledge and understand that the above information is not an exhaustive list of standards set forth in [Section 406 of Chapter 12, Exhibit A "Zoning Ordinance"]

I/We, the undersigned, acknowledge and understand that failure to comply with all applicable standards set forth in [Section 406 of Chapter 12, Exhibit A "Zoning Ordinance"] for such an establishment may result in revocation of the Certificate of Occupancy.

Richard Hung Martinez
Printed name and Signature of Property Owner or Authorized Representative


10/17/22
Date

Juan Martinez
Printed name and Signature of Designated Operator

10/17/22
Date

**PLANNING COMMISSION – NOVEMBER 21, 2022
STAFF REPORT**



| | | | |
|--|----------------|---|--------------|
| APPLICATION TYPE: | | CASE: | |
| Conditional Use/ Short Term Rental | | CU22-23: 1607 S Park Street | |
| SYNOPSIS: | | | |
| The existing single-family home was built in 1952, according to the Tom Green County Appraisal District and has continued to be used for this purpose. The applicant purchased the property in September 2022 and applied for Conditional Use approval to operate a Short-Term Rental (STR) for this property. This home has not been an STR in the past but has ample parking and meets all other STR requirements. | | | |
| LOCATION: | | LEGAL DESCRIPTION: Conditional Use to allow a Short-Term Rental (STR) | |
| 1607 S. Park Street | | Being the E 146 of Lot 15, Blk. 6, Turner RE/SD Santa Rita | |
| SM DISTRICT / NEIGHBORHOOD: | ZONING: | FUTURE LAND USE: | SIZE: |
| SMD District #5 – Hess-Smith Neighborhood – Santa Rita | RS-1 | N – Neighborhood | 0.218 acres |
| NOTIFICATIONS: | | | |
| Twenty-three notifications were mailed out within a 200-foot radius on November 3, 2022. No responses have been received to date. | | | |
| STREET REQUIREMENT: | | | |
| Required: minimum 30' public street Existing: 36 feet width | | | |
| STAFF RECOMMENDATION: | | | |
| Staff recommends APPROVAL of a Conditional Use for a Short-Term Rental in a Single Family Residential (RS-1) Zoning District on the subject property, subject to three conditions of approval. | | | |
| PROPERTY OWNER/PETITIONER: | |  | |
| <i>Property Owners:</i> <i>Laurie & Doug Robinson</i> <i>Operator:</i> <i>Laurie Robinson</i> | | | |
| STAFF CONTACT: | | | |
| Sherry L. Bailey Senior Planner (325) 657-4210, Extension 1546 sherry.bailey@cosatx.us | | | |

Additional Information: This is a new STR in a home that has not been rented.

Conditional Uses: Section 208(F) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, six (6) factors in determining the appropriateness of any Conditional Use request.

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** The STR would have no negative impacts on neighboring properties if approved.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** The STR complies with the Zoning Ordinance (ZO). Section 406 of the ZO requires that the street frontage is least 30 feet wide, there are no other STRs within 500 feet, and section 511 of the STR requires a minimum of two parking spaces. S. Park Street, a local urban road, is 36' feet with a 4-foot sidewalk, exceeding the minimum of 30 feet required.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated service surrounding the subject land.** The property is located within a short walk or drive to ASU.
4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, stormwater management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Planning Staff does not anticipate any adverse impacts on the natural environment. The site is completely developed with commercial and residential development in the area.
5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** Staff believes there is a demonstrated community need for an STR's in this area given close proximity to the University, the River Walk, and retail stores along the Houston Harte Expressway frontage road.
6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** Development patterns will not change if the STR is approved.

Recommendation:

Staff recommends **APPROVAL** of a Conditional Use for a Short-Term Rental in a Single Family Residential (RS-1) Zoning District on the subject property, **subject to three conditions of approval:**

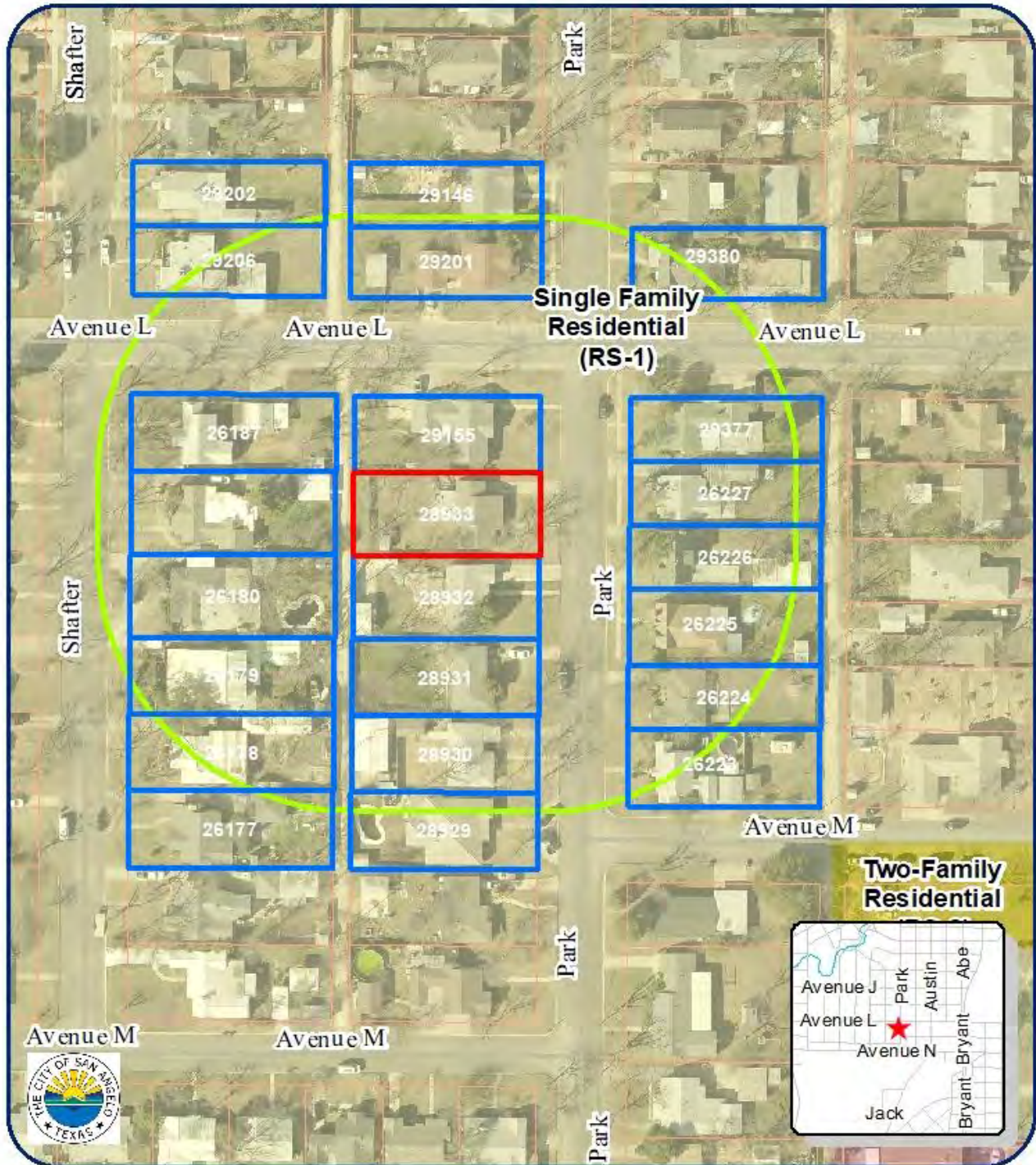
1. The owners shall maintain the required two off-street parking spaces and maintain them in a manner consistent with Section 511 of the Zoning Ordinance.
2. The owners shall obtain a Certificate of Occupancy for the Short Term Rental from the Permits and Inspections Division.
3. The owners shall obtain and comply with an annual fire inspection from the Fire Marshal's office.

Note:

1. The owner shall maintain the short-term rental operation in a manner consistent with Section 406 of the Zoning Ordinance, to include adherence to required periodic reviews, and any subsequent conditional use renewals and permit renewals.

Attachments:

Aerial Map
Zoning Map
Photograph
Application



Zoning Map
CU22-23 1607 S Park Street

Council District: 5 Hesse-Smith
 Neighborhood: Santa Rita

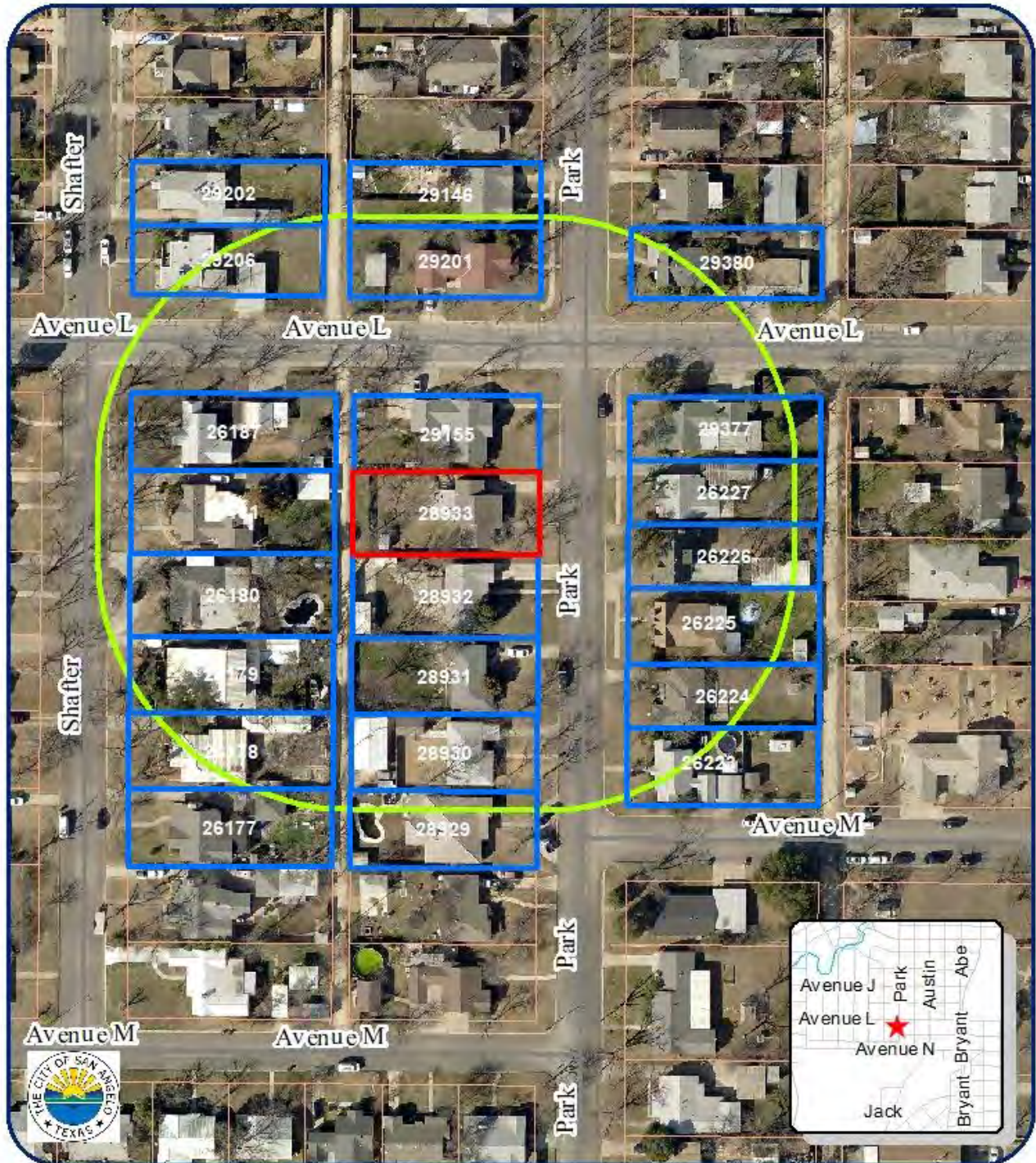
Scale: 0.00001 0.02 0.03 0.04 Miles

Subject Properties: —

200' Buffer: —


Notified Properties: —





200' Notification Map
CU22-23 1607 S Park Street
 Council District: 5 Hesse-Smith
 Neighborhood: Santa Rita
 Scale: 0.0006 0.01 0.02 0.03 0.04 Miles

Subject Properties: —
 200' Buffer: —
 Notified Properties: —

N


Photos of Site and Surrounding Area

SOUTH ON PARK STREET



PROPERTY IN QUESTION





EAST SIDE OF PARK STREET



HEADING NORTH ON SOUTH PARK STREET

Effective February 2, 2017



City of San Angelo, Texas – Planning Division
 52 West College Avenue



**Application for Conditional Use:
 Short-Term Rental Property**

Office Use Only - Date Accepted:

Section 1: Basic Information

SELECT ONE: Property Owner Designated Operator (Affidavit Required) Representative (Affidavit Required)

| | | | |
|--|--|----------------------|----------|
| Name of Property Owner (s) | | Name of Operator (s) | |
| Doug&Laurie properties llc | San Angelo | Tex | 76903 |
| Property Owner Mailing Address | City | State | Zip Code |
| 325 212 2163 | dougrobinson67@gmail.com | | |
| Property Owner Contact Phone Number | Property Owner Contact E-mail Address | | |
| 1215 Kenwood | San Angelo tx | 76903 | |
| Designated Operator Mailing Address | City | State | Zip Code |
| Laurie Robinson | picnpaca@wcc.net | | |
| Designated Operator Contact Phone Number | Designated Operator Contact E-mail Address | | |
| 1607 S. Park | San Angelo Tx | 76903 | |
| Short Term Property Address | City | State | Zip Code |

Number of bedrooms: _____ Number of Off-street Parking Spaces: _____ Zoning: _____

Section 2: Site Specific Details

Provided Site Plan to include a Parking Table and any/all proposed lighting Yes No

Please initial and provide explanations for the following:

DLP I understand that the Planning Commission is required by law to make decisions based on the following criteria, and I assert that my request meets all of the required criteria **based on my explanations below:**

Impacts Minimized. Whether and the extent to which the short-term rental or Bed & Breakfast property use creates adverse effects, including adverse visual impacts, on adjacent properties.

Explanation: _____

Consistent with Surrounding Area. Whether and the extent to which the proposed short-term rental Bed & Breakfast property use is compatible with existing and anticipated uses, surrounding the subject property.

Explanation: _____

Effect on Natural Environment. Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to, adverse impacts on water and air quality, noise, storm-water management, wildlife, vegetation, wetlands and the practical function of the natural environment.

Explanation: _____

Community Need. Whether and the extent to which the proposed conditional use addresses a demonstrated community need.

Explanation: _____

Development Patterns. Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.

Explanation: _____

Effective February 2, 2017

Section 3: Applicant(s) Acknowledgement

Please read and initial each of the following:

dlp Each Short-Term Rental Conditional Use must be renewed one year from the initial approval and then every two years thereafter.

dlp Unless exempt, a permit cannot be granted for a STR on a street less than 30 feet in width nor within 500 feet of another STR.

dlp The applicant has designated an "Operator" who resides in Tom Green County, Texas and has furnish a telephone number for the named operator. This information must be furnished in the notice to owners of real property as required by Section 201 of this Zoning Ordinance. If this information subsequently changes, the operator must mail notice of the new contact information to owners of real property within 200 feet of the property.

dlp The operator shall keep a current guest register in compliance with State code.

dlp If the short-term rental property is residentially zoned, all lighting must be directed toward the establishment and not at surrounding neighbors.

dlp The operator of a Short Term Rental must post conspicuously in the common area of each unit
 1) The name and contact information of the operator, and
 2) The occupancy limits and restrictions on noise as set out in the City Code of Ordinances

dlp Renting for overnight occupancy by more than 2 people 18 or older per bedroom is prohibited.

dlp Meal service may not be provided.

dlp Permitting, or hosting of, outdoor gatherings before 7:00 am or after 10:30 pm is prohibited.

dlp Permitting or hosting any outdoor gathering of more than 20 people attending at one time is prohibited.

dlp A Short Term Rental may be occupied by no more than 6 individuals unrelated by blood, marriage, or adoption.

dlp Tents, trailers, cabin, lean-to or similar used for temporary living quarters are prohibited, with the exception of one "pup tent" for no more than two persons and no larger than 40 inches in height or 8 feet in length.

dlp All Bed and Breakfast and Short Term Rental establishments must be registered with the State of Texas and the City of San Angelo for the purpose of Hotel Occupancy Tax.

dlp The owner will obtain and comply with an annual fire safety inspection by the City Fire Marshal's office

dlp The Planning Commission makes the final decision on all Short-Term Rental Conditional Use requests, appeals may be directed to City Council.

dlp Approval of this Short-Term Rental Conditional Use request does not constitute approval of permits, site plans, or other processes that require separate approval.

dlp If a permit is not sought within one year of the approval date of this Conditional Use, it will expire and requires another application.

dlp A certificate of occupancy through the City's Permits and Inspections division will be required

I/We, the undersigned, acknowledge and understand that the above information is not an exhaustive list of standards set forth in [Section 406 of Chapter 12, Exhibit A "Zoning Ordinance"]

I/We, the undersigned, acknowledge and understand that failure to comply with all applicable standards set forth in [Section 406 of Chapter 12, Exhibit A "Zoning Ordinance"] for such an establishment may result in revocation of the Certificate of Occupancy.

Doy Hume Smith
 Printed name and Signature of Property Owner or Authorized Representative

10/21/2022
 Date

Doy Hume Smith
 Printed name and Signature of Designated Operator

10/21/22
 Date

**PLANNING COMMISSION – NOVEMBER 21, 2022
STAFF REPORT**



| | | | |
|---|--|--|-------------------------|
| APPLICATION TYPE: | | CASE: | |
| Conditional Use / Short-Term Rental Renewal | | CU22-24: 2330 Fisherman's Rd | |
| SYNOPSIS: | | | |
| <p>The applicant is applying for a renewal of a Conditional Use (CU) for a Short-Term Rental (STR) on the property. Previous approvals were granted by the Planning Commission beginning in 2019 (CU19-11), then in 2020 (CU20-13), and again in 2021 (CU21-17). The 2021 STR is set to expire this December 13, 2022. Therefore, the applicant is seeking this renewal which will extend his STR for another two years. The STR will operate out of the existing single-family home, built in 1967. No changes have been to the home since the initial approval. Staff have checked with our Code Compliance Division and the San Angelo Police Department, and no complaints or incident reports have been received in the past year. Staff have confirmed that the applicant has paid the required City and State hotel taxes to date. They also obtained a new change of occupancy for the last STR, with the required fire inspection.</p> | | | |
| LOCATION: | | LEGAL DESCRIPTION: | |
| 2330 Fisherman's Rd | | Being Lot 8, Block 1, Lake Nasworthy Subdivision, Group 15 | |
| SM DISTRICT / NEIGHBORHOOD: | | ZONING: | FUTURE LAND USE: |
| SMD District #1 – Tommy Hiebert Neighborhood – Nasworthy | | RS-1- Residential | N- Neighborhood |
| | | | SIZE: |
| | | | 0.26 acres |
| NOTIFICATIONS: | | | |
| 8 notifications mailed within 200-foot radius on November 9, 2022. No responses have been received to date. | | | |
| STREET REQUIREMENT: | | | |
| Required: minimum 30' public street Existing: 30 feet width | | | |
| STAFF RECOMMENDATION: | | | |
| Staff's recommendation is for the Planning Commission to APPROVE the proposed Renewal of a Short-Term Rental (STR) at this location, subject to two conditions of approval. | | | |
| PROPERTY OWNER/PETITIONER: | | | |
| <i>Property Owner and Applicant:</i> Odom Brother Investments, LLC (Grant Odom) | | | |
| STAFF CONTACT: | | | |
| Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us | | | |

PLANNING COMMISSION

Staff Report – CU22-24: 2330 Fishermans Road

November 21, 2022

Conditional Uses: Section 208(F) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, six (6) factors in determining the appropriateness of any Conditional Use request.

No changes have been made to the property since the original short-term rental approval last year. Therefore, Staff comments remain unchanged.

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** No, the applicant plans to make no changes to existing structures on the lot. This property has been a short term rental previously.
 2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** No, a short term rental has been permitted at this location before, a residential RS-1 zone.
 3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** The rental would be a lakefront property on Lake Nasworthy surrounded by other lakefront properties.
 4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Staff does not believe that the rental will have any adverse effects on the environment.
 5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** The short term rental will address a need for vacation houses on Lake Nasworthy and allow tourism to grow in that area.
 6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** The applicant does not plan to alter or add on to any of the existing structures, and adequate parking is provided. The use will remain residential.
-

PLANNING COMMISSION

Staff Report – CU22-24: 2330 Fishermans Road

November 21, 2022

Recommendation:

Staff's recommendation is for the Planning Commission to **APPROVE** a Conditional Use to allow for a Short Term Rental in the Single-Family Residential (RS-1) Zoning District, **subject to the following two conditions of**

Approval:

1. The owners shall maintain the required two off-street parking spaces and maintain them in a manner consistent with Section 511 of the Zoning Ordinance.
2. The owners shall obtain and comply with an annual fire inspection from the Fire Marshal's office.

Note:

1. The owner shall maintain the short-term rental operation in a manner consistent with Section 406 of the Zoning Ordinance, to include adherence to required periodic reviews, and any subsequent conditional use renewals and permit renewals.

Attachments:

Aerial Map

Future Land Use Map

Zoning Map

200-foot Notification Map

Photographs




Conditional Use

CU22-24: 2330 Fishermans Rd.

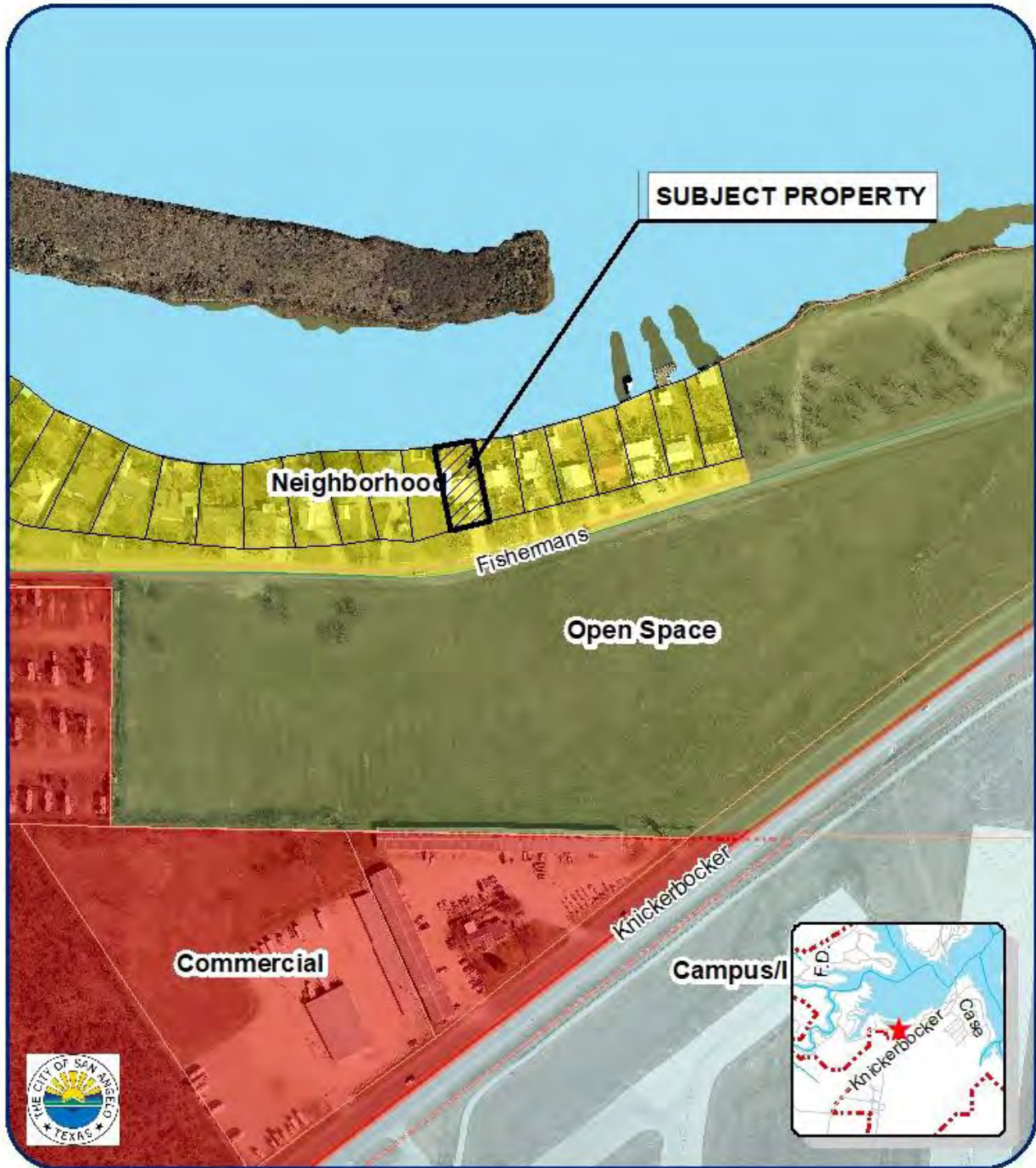
Council District 1 - Tommy Hiebert
Neighborhood: Nasworthy
Scale: 1" approx. = 250 ft



Legend

Subject Properties: 
Current Zoning: **RS-1**
Requested Zoning Change: **N/A**
Vision: **Neighborhood**

NW of Knickerbocker Rd/Fishermans Rd 0.264 acres



| | | |
|---|----------|---|
| <p>Conditional Use CU22-24: 2330 Fishermans Rd. Council District 1 - Tommy Hiebert Neighborhood: Nasworthy Scale: 1" approx. = 250 ft</p> | <p>N</p> | <p>Legend</p> <p>Subject Properties: </p> <p>Current Zoning: RS-1</p> <p>Requested Zoning Change: N/A</p> <p>Vision: Neighborhood</p> |
| <p>NW of Knickerbocker Rd/Fishermans Rd 0.264 acres</p> | | |




Conditional Use
CU22-24: 2330 Fishermans Rd.

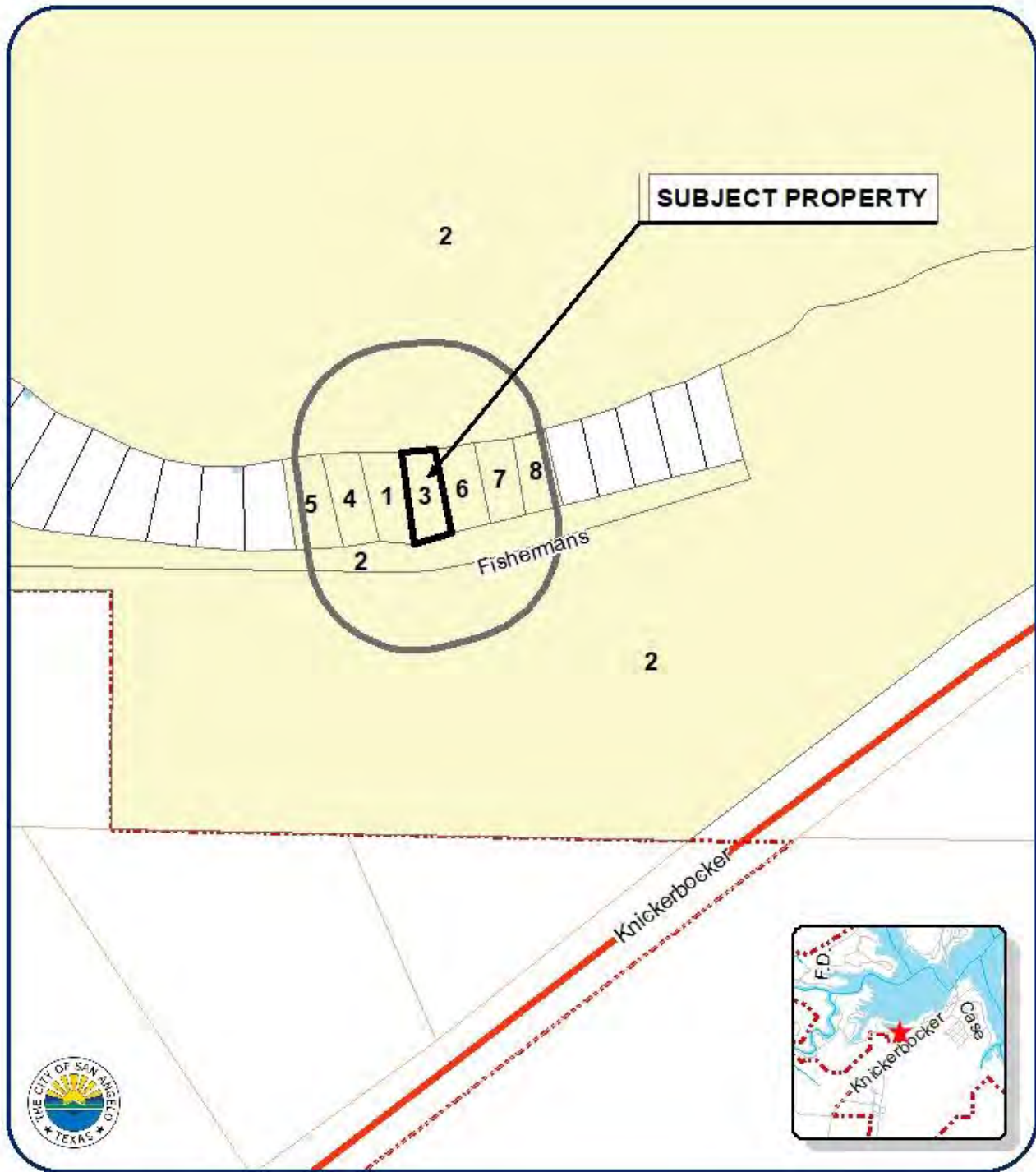
Council District 1 - Tommy Hiebert
 Neighborhood: Nasworthy
 Scale: 1" approx. = 250 ft



NW of Knickerbocker Rd/Fishermans Rd 0.264 acres

Legend

Subject Properties: 
 Current Zoning: **RS-1**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**




Conditional Use
CU22-24: 2330 Fishermans Rd.

Council District 1 - Tommy Hiebert
 Neighborhood: Nasworthy
 Scale: 1" approx. = 250 ft



Legend

Subject Properties: 
 Current Zoning: **RS-1**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood**

NW of Knickerbocker Rd/Fishermans Rd 0.264 acres



Photos of Site and Surrounding Area

NORTH AT PROPERTY



TWO PAVED PARKING SPACES



WEST



EAST



SOUTH



**PLANNING COMMISSION – NOVEMBER 21, 2022
STAFF REPORT**



| | | | |
|--|--|---|---|
| APPLICATION TYPE: | | CASE: | |
| Conditional Use/ Short Term Rental | | CU22-25: 123 S. Park Street | |
| SYNOPSIS: | | | |
| <p>The existing single-family home was built in 1957 according to the Tom Green County Appraisal District and has continued to be used for this purpose. The applicants purchased the property in July 2021 and obtained Planning Commission approval of a Conditional Use to operate a Short-Term Rental (STR) on October 18, 2021, for one year (CU21-15). However, one of the conditions was obtaining a Certificate of Occupancy (C.O.) for the STR, the applicants did not obtain their C.O. within the one year, and the STR has now expired. They have submitted this request to allow a new STR on the property for one year (CU22-25). No changes have been to the home since the initial approval. Staff have checked with our Code Compliance Division and San Angelo Police Department and no complaints or incident reports have been documented in the past year. The applicants have not rented out the home as an STR so no hotel taxes have been collected.</p> | | | |
| LOCATION: | | LEGAL DESCRIPTION: | |
| 123 S. Park Street | | Being Lots 5 & 6 in Block 51 of the Angelo Heights Addition | |
| SM DISTRICT / NEIGHBORHOOD: | | ZONING: | FUTURE LAND USE: SIZE: |
| SMD District #5 – Karen Hesse Smith Neighborhood – Santa Rita | | RS-2 | N – Neighborhood Center 0.321 acres |
| NOTIFICATIONS: | | | |
| 14 notifications were mailed out within a 200-foot radius on November 8, 2022. Two responses have been received in favor and one against. | | | |
| STREET REQUIREMENT: | | | |
| Required: minimum 30' public street Existing: 38 feet width | | | |
| STAFF RECOMMENDATION: | | | |
| Staff recommends APPROVAL of a Conditional Use for a Short-Term Rental in a Two-Family Residential (RS-2) Zoning District on the subject property, subject to three conditions of approval. | | | |
| PROPERTY OWNER/PETITIONER: | | | |
| <i>Property Owners and Operators: Kathryn G. Carruth and Mark Fish</i> | | | |
| STAFF CONTACT: | | | |
| Jeff Fisher, AICP Chief Planner (325) 657-4210, Extension 1550 jeff.fisher@cosatx.us | | | |

Conditional Uses: Section 208(F) of the Zoning Ordinance requires that the Planning Commission and City Council consider, at minimum, six (6) factors in determining the appropriateness of any Conditional Use request.

No changes have been made to the property since the original short-term rental approval last year. Therefore, Staff comments remain unchanged.

1. **Impacts Minimized.** **Whether and the extent to which the proposed conditional use creates adverse effects, including adverse visual impacts, on adjacent properties.** There does not appear to be any adverse impacts on surrounding properties if the proposed STR is approved. The existing home is spacious at 1,982-square feet and is in an ideal location within walking distance of the San Angelo River Walk, Civic League Park, and commercial businesses all located within a few blocks. The applicant is not proposing any changes to the outside of the home so from street view, there will be no changes visible to the public.
2. **Consistent with Zoning Ordinance.** **Whether and the extent to which the proposed conditional use would conflict with any portion of this Zoning Ordinance.** An STR at this property will comply with all applicable requirements of the Zoning Ordinance including the provisions of Section 406 for an STR. While only two paved parking spaces are required for an STR, there is adequate parking for at least seven vehicles on the property, two inside the garage, and five along the large U-shaped driveway facing Colorado Avenue.
3. **Compatible with Surrounding Area.** **Whether and the extent to which the proposed conditional use is compatible with existing and anticipated uses surrounding the subject land.** As indicated, the STR is conveniently located within walking distance of amenities and parks. It is compatible with the surrounding area.
4. **Effect on Natural Environment.** **Whether and the extent to which the proposed conditional use would result in significant adverse impacts on the natural environment, including but not limited to water and air quality, noise, storm water management, wildlife, vegetation, wetlands and the practical functioning of the natural environment.** Planning Staff does not anticipate any adverse impacts on the natural environment. The site is already developed.
5. **Community Need.** **Whether and the extent to which the proposed conditional use addresses a demonstrated community need.** Staff believes there is a demonstrated community need for an STR in this location given close proximity to the River Walk, Civic League Park, and retail stores along W. Beauregard Avenue, and Downtown.
6. **Development Patterns.** **Whether and the extent to which the proposed conditional use would result in a logical and orderly pattern of urban development in the community.** Development patterns will not change if the STR was approved.

Recommendation:

Staff recommends **APPROVAL** of a Conditional Use for a Short-Term Rental in a Two-Family Residential (RS-2) Zoning District on the subject property, **subject to three conditions of approval:**

1. The owners shall maintain the required two off-street parking spaces and maintain them in a manner consistent with Section 511 of the Zoning Ordinance.
2. The owners shall obtain a Certificate of Occupancy for the Short-Term Rental from the Permits and Inspections Division.
3. The owners shall obtain and comply with an annual fire inspection from the Fire Marshal's office.

Note:

1. The owner shall maintain the short-term rental operation in a manner consistent with Section 406 of the Zoning Ordinance, to include adherence to required periodic reviews, and any subsequent conditional use renewals and permit renewals.
2. The property is located within the River Corridor District Overlay Zone. Any exterior improvements to the home or property will require a River Corridor approval consistent with Section 212 of the Zoning Ordinance.

Attachments:

Aerial Map
Future Land Use Map
Zoning Map
200-foot Notification Map
Photographs
Site Survey
Response Letters



Conditional Use

CU22-25: 123 S. Park St.

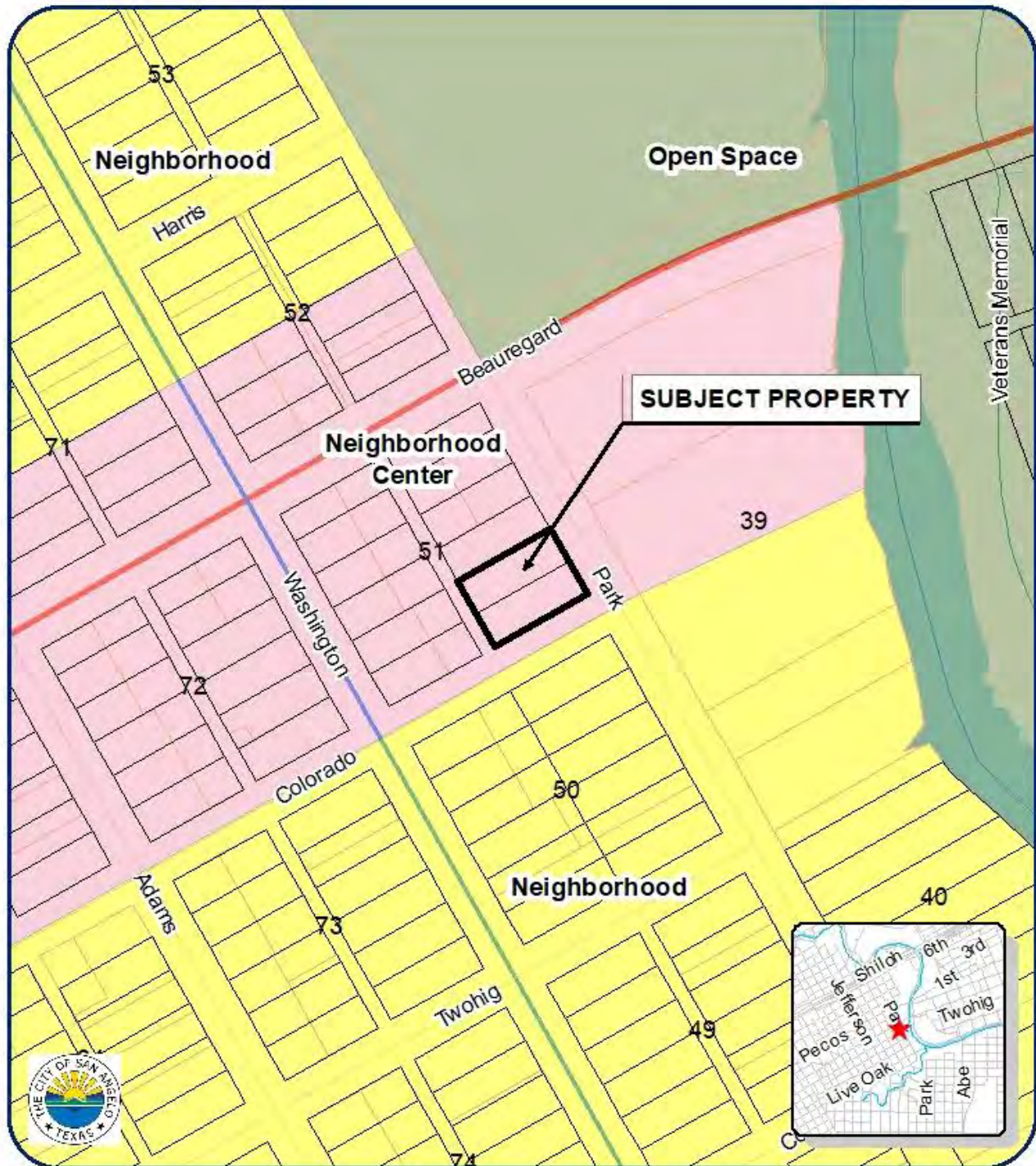
Council District 5 - Karen Hesse Smith
 Neighborhood: Santa Rita
 Scale: 1" approx. = 175 ft

NW corner of S. Park St. and Colorado Ave., 0.321 acres

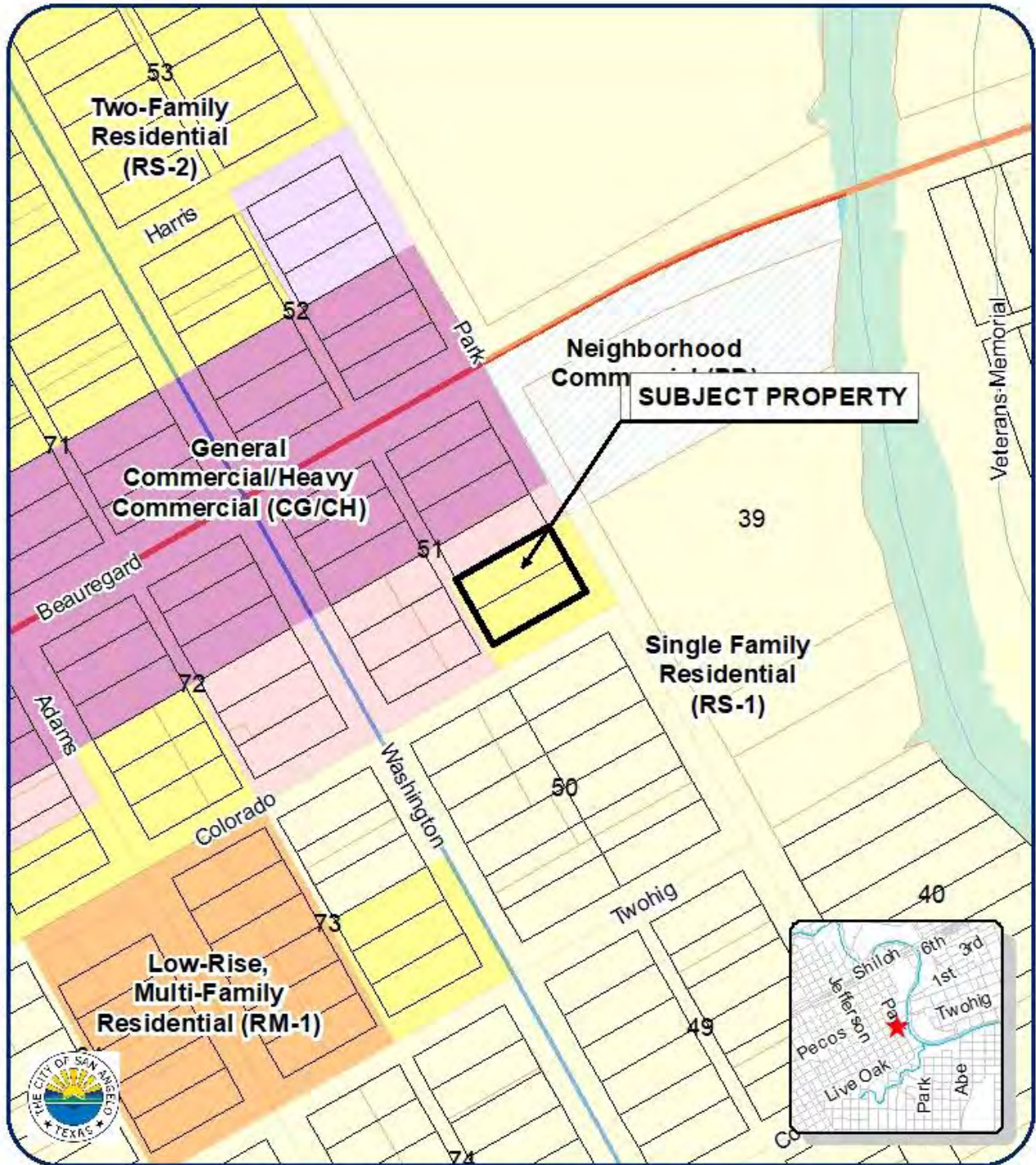


Legend

- Subject Properties:
- Current Zoning: **RS-2**
- Requested Zoning Change: **N/A**
- Vision: **Neighborhood Center**



| | | |
|--|----------|--|
| <p>Conditional Use CU22-25: 123 S. Park St. Council District 5 - Karen Hesse Smith Neighborhood: Santa Rita Scale: 1" approx. = 175 ft</p> | <p>N</p> | <p>Legend</p> <p>Subject Properties: </p> <p>Current Zoning: RS-2</p> <p>Requested Zoning Change: N/A</p> <p>Vision: Neighborhood Center</p> |
| <p>NW corner of S. Park St. and Colorado Ave., 0.321 acres</p> | | |



Conditional Use

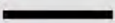
CU22-25: 123 S. Park St.

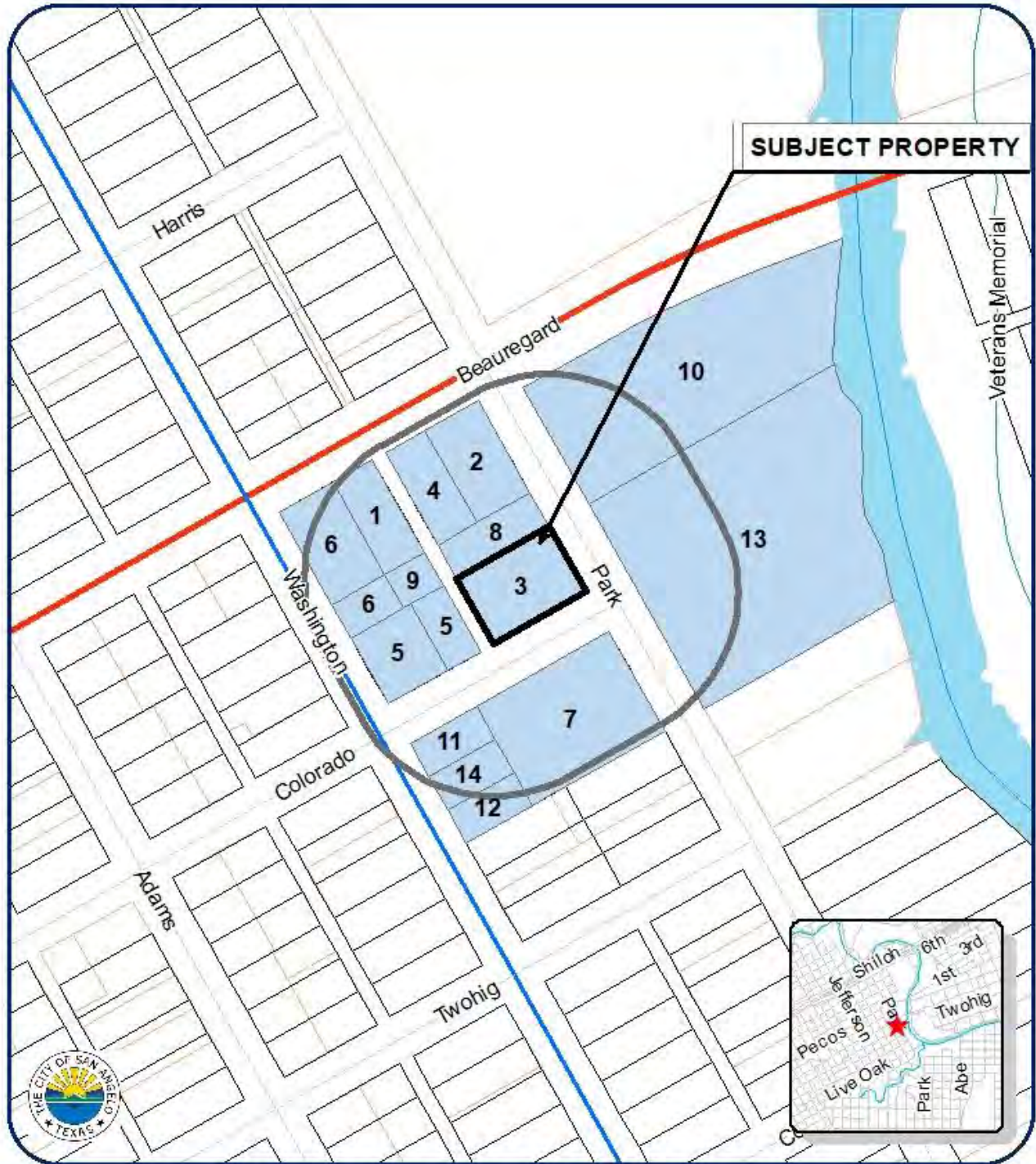
Council District 5 - Karen Hesse Smith
 Neighborhood: Santa Rita
 Scale: 1" approx. = 175 ft

NW corner of S. Park St. and Colorado Ave., 0.321 acres



Legend

Subject Properties: 
 Current Zoning: **RS-2**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood Center**



Conditional Use


CU22-25: 123 S. Park St.

Council District 5 - Karen Hesse Smith
 Neighborhood: Santa Rita
 Scale: 1" approx. = 175 ft

NW corner of S. Park St. and Colorado Ave., 0.321 acres



Legend

Subject Properties: 
 Current Zoning: **RS-2**
 Requested Zoning Change: **N/A**
 Vision: **Neighborhood Center**

Photos of Site and Surrounding Area

VIEW FROM S. PARK ST. (EAST ELEVATION)



VIEW FROM COLORADO AVE. (SOUTH ELEVATION)



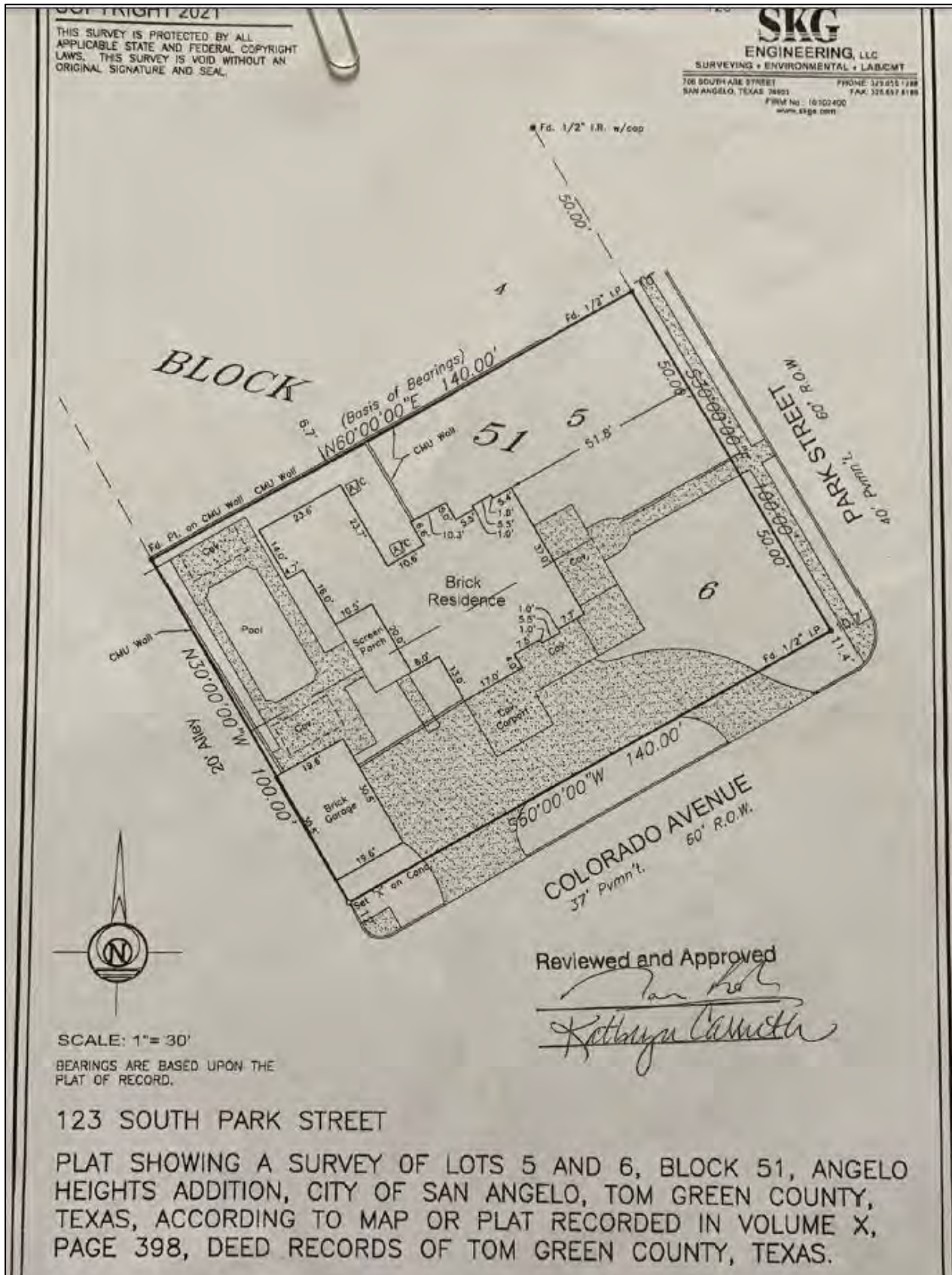
VIEW FROM S. PARK ST. (EAST ELEVATION)



NORTH ON S. PARK ST.



Site Survey



For the PLANNING COMMISSION
Please call (325) 657-4210 if you have any questions about this notice.

CASE #: CU22-25

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: WATKINS ROBERT & LAUREN
Parcel I.D.: 13
Address: PO BOX 3344


Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor

I am opposed

Additional Comments:

Signature: 

For the PLANNING COMMISSION
Please call (325) 657-4210 if you have any questions about this notice.

CASE #: CU22-25

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: WATKINS AMBERLY & WIMBERLY PRESTON
Parcel I.D.: 12
Address: 210 S WASHINGTON ST

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor

I am opposed

Additional Comments:

Signature: 

For the PLANNING COMMISSION
Please call (325) 657-4210 if you have any questions about this notice.

CASE #: CU22-25

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: HARVEY DAVID B & JANET E
Parcel I.D.: 7
Address: 207 S PARK ST

Mailing To: ATTN: Planning and Development Services
52 W. College Ave
San Angelo TX 76903

Email: planning@cosatx.us

I am in favor

I am opposed

Additional Comments:

Signature: 