

STAFF
CITY HALL

**STAFF
POLICE
DEPARTMENT**

BLANCO POLICE DEPARTMENT MONTHLY STATISTICS 2022



January	February	March	April	May	June	July	August	September	October	November	December
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Crime Statistics												YTD
Major Crimes												
Assaults	2	0	2	0	2	3						9
Sexual Offenses	0	0	0	0	1	0						1
Other	0	0	0	0	0	0						0
Burglaries												
Residence	0	0	0	0	0	0						0
Vehicle	0	0	0	0	1	0						1
Business	0	0	0	0	0	0						0
Theft	2	4	2	0	3	4						15
Criminal Mischief	0	2	3	2	2	3						12
Alcohol Violations	1	3	0	2	8	4						18
Narcotics Violations	5	8	2	1	9	3						28
Arrests												
Individuals	10	4	6	6	9	10						45
Adult	10	4	1	5	8	10						38
Juvenile	0	0	5	1	1	0						7
Offenses	17	6	5	6	16	17						67
Felony	12	4	0	2	7	5						30
Misdemeanor	5	2	5	4	9	12						37
Filed by CID	0	4	10	3	6	2						25
Calls for Service												
Total Calls for Service	237	238	324	287	312	258						1656
Assist EMS	17	9	15	6	13	12						72
Assist Fire	17	5	8	8	3	5						46
Assist Other Agency	18	7	25	21	16	20						107
Assist Public	2	11	9	7	13	6						48
Accidents	6	4	1	11	5	8						35
Disturbances	8	2	5	6	6	4						31
Suspicious Activity	13	14	30	28	24	13						122
Alarms	19	7	2	5	14	8						55
Animal Calls	1	7	9	7	6	6						36
City Ordinance Viol.	1	5	2	3	0	3						14
Traffic Enforcement												
Citations	40	25	32	54	58	51						260
Warnings	84	106	84	123	143	147						687
Speeding	19	7	21	21	25	26						119
D.L. Violations	7	1	2	6	12	13						41
Registration	5	2	4	8	11	10						40
Insurance	0	3	1	7	4	7						22
Stop Sign/Light	3	1	1	7	1	2						15
Equipment	0	0	0	0	6	2						8
Other	6	11	3	5	10	5						40
												0
Other												
Time Out of City	32	15	27	31	34	40						179
Record Requests	15	16	18	12	11	11						83
Golf Cart Permits	0	0	0	1	0	0						1
Home Watches	82	81	115	108	110	68						564

INFRAMARK



1

Noteworthy Events

- Inframark is working with Capital Improvement Committee to help better capture leak repairs and sewer jetting needs to understand what infrastructure is most critical for replacement
- Pittsburg Lift Station is fully operational. New pumps installed in June
- Main Lift Station Pump # 1 flow decreased 50% to the WWTP. After inspecting the pump, it was determined the pump needed replacing. New pump was ordered and installed in June. Main Lift station is fully operational.
- Inframark is now fully establish with Aquatech Labs, and has increased sampling at the WWTP to once a week instead of once a month as previously done. Also ordered more inhouse lab equipment for faster results on process control
- South irrigation field has been plowed and planted. This should help with absorption of the wastewater effluent being irrigated

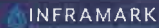
The complex block contains two photographs of pumps. On the left is a green vertical pump unit. On the right is a blue vertical pump unit with the brand name 'SULZER' printed on its side. The central text block is titled 'Noteworthy Events' and contains five bullet points detailing various infrastructure and operational updates.

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Maintenance and Repairs

Out-of-Service Equipment

Facility	Status / Requests	Impact	Est. Cost	Date Listed
Pittsburg Lift Station	<p>Pump #1 out of service. Installed new pump early April, pump failed again. Working with electricians to resolve issue.</p> <p>Update: This has been replaced and is fully operational</p>	<p>Compliance</p> <p>Unauthorized Discharge</p>	\$10,000	3/1/2022
Main Lift Station (Secondary Wet Well)	<p>Pumps 3 & 4 run, but not pumping. Investigating pump curves, and other possibilities as to why not transferring to WWTP.</p> <p>Update: After further investigation, it is determined this lift station has no current flow going to it. Inframark is looking into other options regarding this wet well.</p>	<p>Compliance</p> <p>Unauthorized Discharge</p>	\$10,000	4/15/2022
Main Lift Station	<p>Pump # 1 out-of-service. Pump was replaced and lift station is fully operational</p>	<p>Compliance</p> <p>Unauthorized Discharge</p>	\$17,000	5/1/2022
Alum Pumps WWTP	<p>Heads on Alum pumps failed. These have been ordered</p>	Potential increased phosphorous	\$500	5/1/2022

 INFRAMARK

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City Equipment and Facilities

- Mini-excavator was out-of-service. This was repaired by MG Machinery in Buda, TX
- Repaired and replaced all the lights and brakes on the mowing trailer, and dump trailer
- Actively working on buildings and facilities to improve structurally, cosmetically, and safety concerns

4



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Wastewater Operations

- ✓ WWTP is currently discharging to outfall 002 (irrigation fields)
- ✓ Weekly testing instead of Monthly established
- ✓ Increased process control measures to twice a week to optimize WWTP treatment

Monthly Operations KPI										
Month	BOD			TSS		NH3-N		Phosphorous		
	Influent (mg/L)	Effluent (mg/L)	Removal %	Influent (mg/L)	Effluent (mg/L)	Influent (mg/L)	Effluent (mg/L)	Influent (mg/L)	Effluent (mg/L)	Removal %
May-22	433.8	2.0	100%	199.0	2.2	45.4	0.1	15.2	6.6	49%
Apr-22	316.0	3.0	99%	108.0	3.0	60.5	0.1	Unknown	7.32	
Mar-22	174.0	6.0	97%	316.0	8.0	37.6	0.1	14.5	5.02	35%
Maximum	433.8	3.0	100%	199.0	3.0	50.5	0.1	15.2	7.3	
Average	308.9	3.7	99%	207.0	4.6	44.5	0.1	13.9	6.3	43%

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Water Operations

- Estimated completion August 2022

Irrigation Operations

- 1) Higher temps are improving application rates by
 - a. Increased evaporation in holding ponds
 - b. Fields are drying faster
- 2) South field has been plowed and planted with new hay crop for better absorption
- 3) Working with irrigation and plant specialist for better irrigation options
- 4) Replace current Analog timer with a digital timer. This allows for scheduled timing of irrigation, and less water applied in a concentrated manner



Irrigation Operations KPI

Month	WWTP Effluent	Field Application	Estimated Storage (if no land application)
	Flow MG	Flow MG	Days
June-22	5.18	2.054	40
May-22	5.25	1.25	24
Apr-22	4.98	1.14	21
Mar-22	5.06	0.0792	20

Collection and Distribution

- Lazy Creek sewer line is in rear easement and been having ongoing issues. After further investigation, replacement of line is not recommended at this time. A root cutting bit has been ordered, and this will eliminate the stoppages. This has been established on a quarterly cleaning schedule
- Repaired 22 water leaks in June
- Palomino water line continues to show high usage, even though several leaks have been found and repaired. Will continue working diligently in looking for leaks and repairing

INFRAMARK

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Health and Safety

- No recordable incidents for May/June 2022
- Signage installed on all facility gates with emergency contact information
- First aid kits and safety boards installed at all the facilities



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Personnel

- Ben Escobedo hired full-time with Inframark.
 - Transitioned from the City
- Zach Dorris obtained his Class B Certification for Wastewater Treatment Operator
- Damon Berryman attended a class on Dam Safety

PUBLIC HEARING

City of Blanco
Application for Variance Request/Special Use permit

1. Owner Information (the holder (s) of a legal or equitable interest in the Subject Property as shown by the deed records of Blanco County.

Property owner's full legal name: Second Echo, LLC		
Property owner's mailing Address: PO Box 704		
City: Johnson City	State: TX	Zip Code: 78636-0704
Home Phone: (830) 454-0090	Work Phone: (830) 225-8687	Cell: (512) 470-2443
Email Address: secondechoproperty@gmail.com		

2. Applicant Information (a person Seeking approval of an application ; can be the Owner or Designated Representative of the Owner)

<input type="checkbox"/> Same as Owner (if checked, skip to Section 3)		
Applicant's full legal name: John W. Sone		
Applicant's mailing address: POB 704		
City: Johnson City	State: TX	Zip Code: 78636-0704
Home Phone: (830) 454-0090	Work Phone: (830) 833-3211	Cell Phone: (512) 470-2443
Email Address:		

3. Designated Contact (the individual who the Owner or Applicant has Chosen to receive all communications on his/her behalf related to the Application):

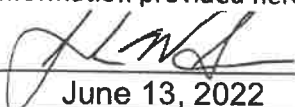
<input checked="" type="checkbox"/> Same as Owner (skip to section 4)	<input type="checkbox"/> Same as applicant (skip to Section 4)	
Contact name:		
Contact mailing address:		
City:	State:	Zip Code:
Home Phone:	Work Phone:	Cell Phone:

4. Additional Information Required Of Business Entities Only:

Is The Owner a Corporation or Partnership? Yes (complete this section) No (skip and go to section 5)
 Attach a letter on company stationery, signed by an authorized individual, authorizing the Applicant to file an Application on behalf of the company.
 Not Applicable. The Company is serving as the Applicant.

5. Owner's / Applicant's Certification

I hereby certify that the information provided herein is true and correct to the best of my knowledge.

Signature: 
 Date: ~~April 6, 2022~~ June 13, 2022

Printed Name: John W. Sone

**City of Blanco Application for a Variance Request
Property Information**

1. Owner Information:
Property Owner's Full Legal Name: Second Echo, LLC

2. Property Information (the property or tract for which this application has been submitted.)				
911 street address of property (if established) 1725 S. US Hwy 281, Blanco, TX 78606				
Legal Description: ABS A0001 SURVEY 24 H EGGLESTON, ACRES .69				
Lot:	Block:	Subdivision:	Sec:	Phase:
If not located in Subdivision: Survey: Horace Eggleston Survey No. 24				
Abstract: A0001			Recorded (Vol/Page) 463 / 758	

3. Type of Variance being requested
--

1. Sign
2. Building setback ✓
3. Administrative
4. Special Use
5. Other (please Explain) _____

All Applicants Complete the Following:

Ordinance and section being appealed	Requirements of Regulation	Variance Sought from requirements
Table 5.1, Unified Development Code	Commercial district lots to have a twenty (20) foot side yard setback and a thirty five (35) foot rear setback.	Parallel placement of two intermodal shipping containers (ISCs) ten (10) feet from neighboring commercial district property to the south. Wooden deck to have a ten (10) foot side yard setback and a twenty (20) foot side yard setback. rear

Hardship Findings (attach additional sheets if necessary):
Describe the actual situation of the subject property and any special or unique condition(s) found thereon which may cause unusual and practical difficulty or unnecessary hardship if Applicant is made to comply with strict enforcement of the ordinance:
This property is burdened by the negligence of the City of Blanco to tender a service agreement at the time of annexation (per Sec. 43.0672 LGC) nor to conduct capital improvement planning. As a result, too much the property is devoted to the on site sewage facility. Echo Gallery has been assigned a maximum occupancy of 60 by the fire marshal, and needs flowover space for public gatherings. Denying this request would make the deck smaller allowing less flowover, and further lose the benefit of full shade in the grove.
Describe how strict enforcement of the provisions of the ordinance that are sought to be varied will (A) deny the applicant the privileges or safety commonly enjoyed by neighboring or similarly situated property in the City of Blanco with similarly timed development and (B) deprive the Applicant the reasonable use of his/her land, and that failure to grant this variance would result in undue hardship to the Applicant :
Enforcing strict commercial property setbacks for an art gallery with no safety justification would penalize it, setting a precedent that the City would be expected to scrupulously follow. A ten foot offset in a residential area is considered safe, and a deck would be no less safe in a commercial area at that setback. The current property ownership on their own initiative removed a deck in 2021 that had been built with no permit and far more encroachment into the required rear setback, and would like to be recognized for playing by the rules.
Describe how the granting of a variance will not be detrimental to public health, safety, and welfare, will not be injurious to other property, or will not prevent the enjoyment/use of adjacent property owners:
There is no neighboring structure within the required side setback zone (20 feet either way) or rear setback zone (35 feet either way). Having an attractive place to stop, linger and reconstitute will be a boon to both local citizens and visitors. There is no additional fire or other hazard risk that the modified offset would impose.
Describe how the hardship sought to be avoided is NOT the result of (A) the applicant's own actions (self imposed or self created) and /or (economic or financial hardship)
The most natural place for a deck to be constructed is the only shady grove of trees on the property. This grove is at the northwest corner. Presently, a nonconforming structure on the property lies a mere five (5) feet from the property line. This provides us the opportunity and duty to coordinate with our neighbor to the north, with whom we maintain cordial relations. The more business that we can attract, the more business that is likely to ensue in our neighbors to both the north and south.
Describe how the variance will improve the functionality of the property:
The deck will complete the installation architecture and art of the property principally occupied by the art gallery, Echo. We have an international patronage and a host of recognized artists that we can offer celebratory openings, receptions, and other events such as the one coming up, Noche en Blanco, a reprise of Nuit Blanche celebrated throughout the art world.

Attach any requested building plans, site plans, plats, surveys, or any other pertinent documents having any importance to this request behind this sheet and list documents and descriptions below:
1. Site Plan and Survey
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

9.

Owner's/ Applicant's Certification:

I hereby certify and agree to the following:

1. I have carefully read the complete Application and know all statements herein and in the attachments hereto are true and correct to the best of my knowledge.
2. The Owner of the Subject Property, if different from the Applicant, has authorized the submittal of this application.
3. No work in relation to the requested variance may start until such variance is approved by the City Council of the City of Blanco.
4. Variance approval may be revoked if any false statements are made herein.
5. As the Owner of the above property or Duly Authorized Applicant, I hereby grant permission to the City of Blanco, its employees, officers and Duly appointed board and commission members to enter the premises to make all necessary inspections and to take all other actions necessary to review and act upon this Application.

Signature: _____



Print Name: John W. Sone

Date June 13, 2022

Required Documents for Variance Submittal

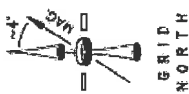
1. Legal description and plat of subject site.
Two (2) copies of field note description typed and attached on a separate sheet (plain bond paper, not letterhead, or the subdivision name with lot and block number.
2. Map, clearly showing the site in relation to the adjacent streets and distance to the nearest thoroughfare.
3. Names and Addresses of legal property owners within 200 feet of the block or parcel (this can be obtained at the Blanco County Appraisal District located at 615 Nugent Ave. Johnson City, TX 78636. (830) 838-4013.)
4. A completed application.
5. A filing fee of \$750.00 plus \$7.58 per property owner within 200 feet.

IMPROVEMENT DETAIL

1725 S US Hwy 281, Blanco, TX
Second Echo, LLC

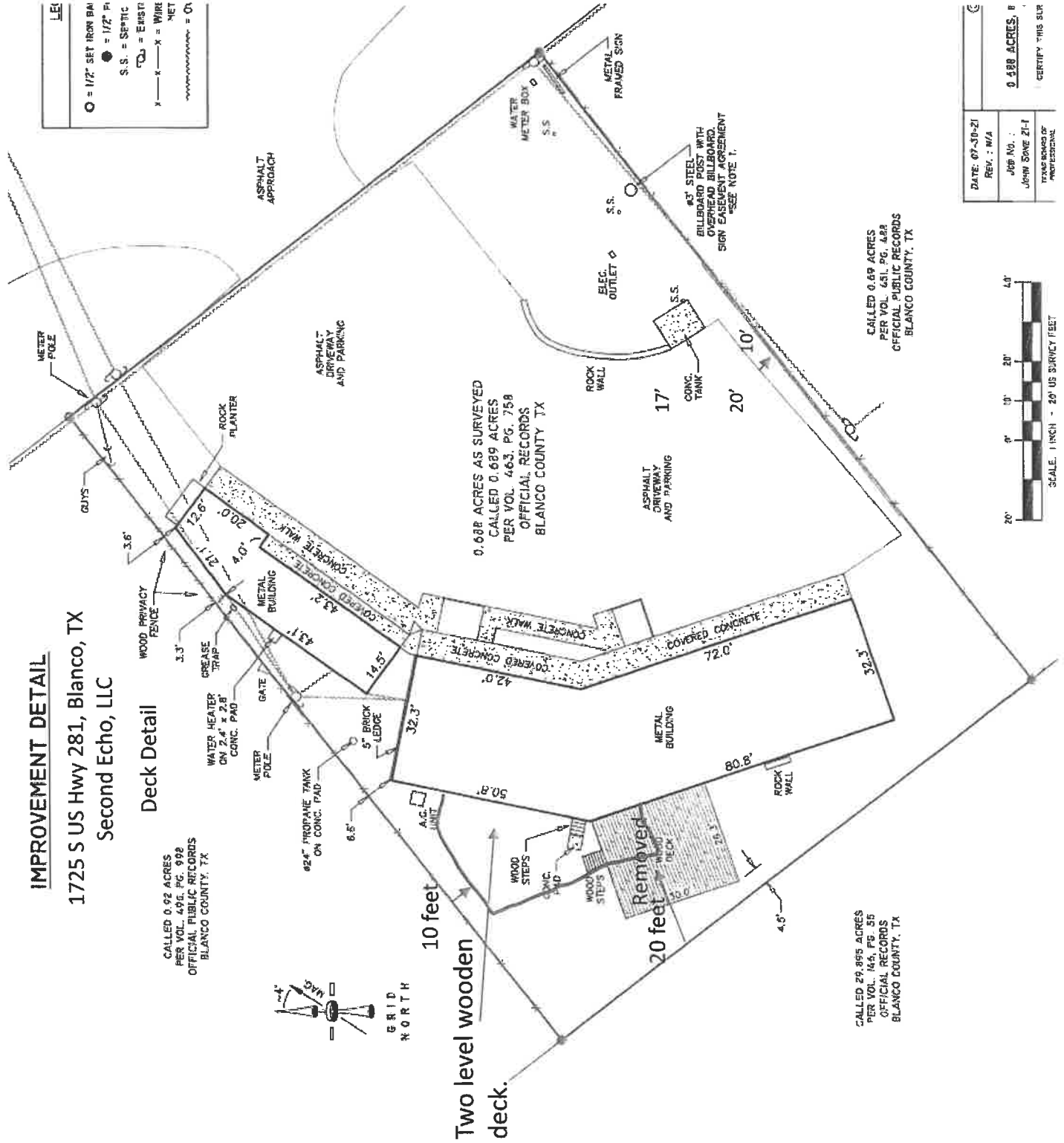
Deck Detail

CALLED 0.92 ACRES
PER VOL. 491, PG. 998
OFFICIAL PUBLIC RECORDS
BLANCO COUNTY, TX



Two level wooden deck.
10 feet

LEG	
	1/2" SET IRON B/M
	1/2" P/H
	S.S. = SEPTIC
	EXIST.
	WIRE NET
	CON.

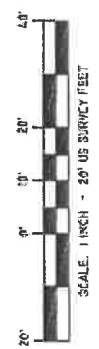


0.688 ACRES AS SURVEYED
CALLED 0.689 ACRES
PER VOL. 463, PG. 758
OFFICIAL RECORDS
BLANCO COUNTY TX

CALLED 29.995 ACRES
PER VOL. 444, PG. 55
OFFICIAL RECORDS
BLANCO COUNTY, TX

CALLED 0.69 ACRES
PER VOL. 451, PG. 488
OFFICIAL PUBLIC RECORDS
BLANCO COUNTY, TX

DATE: 07-30-21
REV: N/A
JOB NO.:
JOHN SONE ZI-T
TWAS 2386248 PROFESSIONAL
0.488 ACRES, B
CERTIFY THIS SUR



SCALE: 1 INCH = 20' US SURVEY FEET

NOTICE OF PUBLIC HEARING

As required by Texas Government Code, Notice is given that the **Planning and Zoning Commission** of the City of Blanco, Texas, will conduct a public hearing at 308 Pecan Street, Blanco, Texas on **July 11th, 2022 at 6:30 p.m.**, and that the **City Council** of the City of Blanco, Texas, will conduct a public hearing at Gem of the Hills, 2233 US Hwy 281 N, on **July 12th, 2022 at 6:00 p.m.** for the purpose of considering **WOODEN DECK 10FT SIDE YARD SETBACK AND 20 FOOT REAR SETBACK** on the following described tract located within the city limits of the City of Blanco.

Property Owner

JOHN W. SONE

Property Description

ABS A0001 SURVEY 24 H
EGGLESTON, ACRES .69

Property Location

1725 S US HWY 281



City of Blanco

P.O. Box 7
Blanco, Texas

72021 0350 0000 6929 6561

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$

Total Postage and Fees \$

Postmark: JUN 17 2022

Blanco Chamber of Commerce
 P.O. Box 626
 Blanco, TX 78606

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

June 17, 2022

Blanco Chamber of Commerce
PO Box 626
Blanco, Texas 78606

Dear Property Owner:

The City of Blanco has received a request from the owner of the following tract of land for **WOODEN DECK 10FT SIDE YARD SETBACK AND 20 FOOT REAR SETBACK** on the following described tract located within the city limits of the City of Blanco.

Property Owner: JOHN W. SONE

Property Description: - 1725 S US HWY 281, ABS A0002 SURVEY 24H EGGLESTON, ACRES .69

The Planning and Zoning Commission of the City of Blanco will conduct a public hearing and regular meetings for the purpose of considering the request at 6:30 p.m. on JULY 11, 2022, at 308 Pecan Street. The City Council will conduct a public hearing and regular meeting JULY 12, 2022 @ 6:00 p.m. at Gem of the Hills, 2233 US Hwy 281 N.

You are receiving this notice as required by the Texas Local Government Code because you have been identified from the tax rolls as owning property approximately 200 feet of the tract proposed for rezoning. If you wish to protest the proposed change, you must do so prior to the public hearing in writing, sign the protest, and return it to the Blanco Assistant City Secretary at Blanco City Hall, 300 Pecan Street in Blanco or mail it to City of Blanco, P.O. Box 750, Blanco, Texas 78606.

Sincerely,

Olga Gamez,
Assistant City Secretary

**What We Offer:
Competitive Pay
Paid Holidays and Vacation
Incentive Pay Potential and
Career Advancement**

Positions for Management and Team Members available in other locations.

APPLY ONLINE: www.richesondq.com

for core areas, including accreditation and Elementary certification required; Special Education Certification Preferred.

Full Position Posting and Application on Doss CCSD website: www.dossccsd.org

Send to: Elise Studer, P.O. Box 50, Doss, TX 78618; or email to estuder@doss.txed.net.

Posted: 03.22.22 Deadline: Until Filled

BlancoNews.com

OPENING SOON

WE ARE OPENING a day care center and boarding and day care facility in Johnson City, TX. Yay! The Grand Opening is on 6/25/2022 from 9 am until 4 pm. We invite you to come visit us to see what we have to offer for babies and their loved ones. We hope to see you there! 100 Old River Crossing, 78636. Contact Shawn at daze78636@gmail.com for more info. (6/22)

LEGAL NOTICES

ALL ELIGIBLE Private/Non-Public, Nonprofit schools needing additional information regarding funds for private/non-public, non profit schools may contact Mrs. Dina Johnson through July 31, 2022 at 830-833-4437.

NOTICE OF PUBLIC HEARING

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Property Owner
JOHN W. SONE

Property Description
ABS A0001 SURVEY 24 H
EGGLESTON, ACRES .69

Property Location
1725 S US HWY 281

**PLACE
CLASSIFIED ADS**

**RENEW
SUBSCRIPTIONS**

AND

PAY BILLS

Online

BlancoNews.com

Publisher's Notice

All real estate advertised herein is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status, or national origin, or intention to make any such preference, limitation, or discrimination. We will not knowingly accept any advertising for real estate which is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis.



TEXAS
THE LLANO
JOHNS

PHOTO BY WILLARD GIBBONS

06 / 22 / 2022

CONSENT
ITEM #1

Old Business: Consider, discuss, and take appropriate action on the following:

1. Consideration, Discussion, and Take Action on approval of Special Use Permit at 631 Academy Street (Pittsburg, Blk Pt of 34, Acres .918 (Owner: Joseph K. Sullivan) (Warren Escovy, City Administrator). Council Member Smith requested a life safety inspection be completed on these properties. **A motion was made by Council Member Smith to approve the Special Use Permit to allow for the additional two units with the following conditions: the two additional properties be assessed and inspected for life safety and make sure they are in compliance as a dwelling unit and second, that as the density in these things be high that they also erect a 7' privacy fence that they maintain, that would extend to the forward face of the most forward building.**
2. Consideration, Discussion, and Take Action on approval of Replat and Rezoning Request at 413 9th Street & US 281, Lot 1, Block 4 Anna Harrison Addition (Owner: Roi Biton) (Warren Escovy, City Administrator). **A motion was made by Council Member Smith to deny request for Replat and Rezoning at 413 9th Street, seconded by Council Member McClellan, all in favor, motion carried unanimously.**

New Business: Consider, discuss, and take appropriate action on the following:

1. Consideration, Discussion, and Take Action on Avenu Insights & Analytics Consultant Services Agreement (Warren Escovy, City Administrator). Mr. Escovy spoke regarding the City's need to consult with Avenu Analytics to accomplish collection of misallocated sales tax revenue (SUTA), short term rental taxes (STR), and a review of franchise fees. Franchise Fee, revenue that is not being realized, SUTA, popular service, fee structure, no risk, on a contingency basis, seasoned staff and CPA's, and third tier is short term rental, gives City full cycle search properties, types, owner and contact information, discover all properties, looks like 40-50 , second phase, if there is a permit, register them; collect the HOT fee, reconcile fee with payment, follow up with delinquencies and collections. 24/7 hotline, for call in violations, to be resolved without using local resources. Reach out to owner to work with renter. Three violations can be struck out for the year, Compliance auditing, Council suggest we go out for RFQ, it was also suggested we complete the STR ordinance before collecting the fees. **A motion was made by Council Member Smith to table item, have staff go out for RFQ and have update at May 10 Council Meeting, seconded by Mayor Pro Tem Saucedo, all In favor, motion carried unanimously.**
2. Consideration, Discussion, and Take Action on Approval of Change Order 006 to the Water Treatment Plant Contract to Include Labor and Materials to Remove Permanent Generator and Provide a Docking Station, then to Add Permanent Generator Back. This Change Order will Increase the Contract by \$32,337.67 and add 4 Days to the Completion of the Project (Tom Turk, Freeland Turk, City Engineer). Water Treatment Plant was bid in 2019, January 2021 generator was part of the project. Numerous discussions of portable generator. March 2021, Ronnie Rodriguez and Will Daves directed contractor to delete generator from Contract, bad storm in February 2021, new mandate-emergency preparedness plan. Different options for delivery of water within 24 hours of event.

CONSENT
ITEM #2

**REGULAR MEETING
OF THE GOVERNING BODY OF
THE CITY OF BLANCO**

**Meeting Minutes
June 14, 2022, 6:00 pm**

A regular meeting of the City Council, City of Blanco, Texas was held on June 14, 2022, at 6:00 pm at the Gem of the Hills, 2233 US 281, Blanco, Texas.

The meeting was called to order at 6:01 pm by Mayor Rachel Lumpee, followed by roll call (Laurie Cassidy) announcing a quorum was present. The Pledge of Allegiance was led by Mayor Lumpee. Council members present: Mayor Lumpee, Mayor Pro-Tem Barron, Council Members Smith, McClellan, and Thraikill, Council Member Divine was absent.

City staff present: Warren Escovy, Laurie Cassidy, Sasha Ricks, and Chief Rubin.

Mayor Lumpee made the following announcements: Blanco County burn ban on until June 28, 2022; Echo Gallery, "Noche en Blanco" event is June 30, 5-8 pm; City is looking for a part time Code Officer, contact City Hall for more information; please complete the 281 corridor survey by June 20, A Public meeting will be held at Gem of the Hills on July 7 at 6:00 pm.

Public Comments:

- Laura Swinson (emailed City Secretary, comment to be read) regarding street parking versus parking lots. Street parking is better than parking lots. Too many parking lots are not good for towns for several reasons. It means less revenue for the city, large parking minimums make it harder for local mom and pop businesses, and they are not good for walkability. Blanco's citizens have shown they want walkability through surveys and the Comprehensive Master Plan, utilizing street parking in lieu of parking lots is a step in the right direction.
- Nick Dornak, The Meadows Center, proactive in addressing the water and wastewater needs of the city. Announce to reconvene Task Force, look at next steps to take, excited to see City moving forward, looking to future, water will be bigger focus of task force. Need to take high priority, re vamp task force, shuffle members and work with stake holders, Presentation Rivera Blanca, opportunity for City and how well they fit into big picture, wonderful opportunity, balance with big picture goals between Meadows and Task Force and City.
- Steve Marshall, property owner, River Road, thanked council members for taking on job of being city leaders. Spoke on short-term rental ordinance, do we need this ordinance, no adverse effect within 1000 feet, who decides what this is? What is the formula for, 90 gal trash containers, why different permitting fees, 10% availability, rights of 90% other owners, we don't want to be like Fredericksburg.

- Amy Arnold, 818 Pecan, spoke on short-term rental ordinance, disappointed that residents were not heard, not managed well, we are not going to turn into Fredericksburg overnight.
- Mike Arnold, 818 Pecan, spoke on the short-term rental ordinance, emailed Chamber Board's position, business owners, appreciate the relationship between the City. Our goals are shared goals, blocks full of short term rentals in Fredericksburg, cannot limit density, Texas landowners have legal right to rent to whoever, whenever, control density in other ways, use case law, penalty, fees should be based.

PRESENTATIONS:

1. Government Investment Opportunity, Presented by Zach Brewer, Texas CLASS, Zach Brewer, government pool cash. Easy, safe. Two pools , one pool .98 and other .64, pools reset daily, take advantage very quickly. Easy to join by resolution. Can pay vendors directly from platform. Diversity of funds, compound and pays interest daily. No joining fees, wires are fee, ACH, wires same day, ACH next day., wire cutoff is 4:00 pm, no minimum balance. Overall, 1,000 across the state., Boerne, Boerne ISD, Austin, large variance of size, second oldest in the state.
2. Jack Twilley presented a status update on the Blanco Broadband Task Force. The task force was formed in December 2021 to insure that Blanco is ready to successfully respond to rural broadband funding opportunities resulting from recent legislation.
3. Kelly Kuentler presented information on a proposed new 567-acre development, Riviere Blanc – Winery, Events, Lodging, City Park, and Blanco Neighborhood, Palmco, Inc. – Vanesa Stoe, finance, development, planning and finance, Hunter Jackson, attorney, Medcalf, Austin, TX, Omar Sanchez, internationally trained, culinary arts, restaurant, Jay Palmer, Developer, Palmco, Inc. Winery, Texas vines, French wines, event center, indoor and outdoor options 50 to 450 persons, lodging along the Blanco River. The Project is now shovel ready with wells and septic. Is the City interested in partnering with developer? Desire to discuss City park with City as well. 100 acre park could be watered with effluent. Who will maintain the park? Put staff person, resource in place. Permeable parking, Income generation through use of pavilion, concerts, tournaments, residential development, 113 homes on 300 acres. Rainwater collection, purple pipe, watering of park, no discharge into Blanco river. Development Agreement or Annexation, enhanced property taxes and sales taxes. Increased quality of life of the City offered to residents. This is not a tax burden to current city residents. The funds are created from the commercial, residential, and bathroom parks portion to pay for retention pond. Option to finance through a PID, TIRZ or Chapter 380 Agreement. The project is already engineered to run without city water or wastewater with well water usage and septic tank systems. What can the City do today to move forward? Direct city administrator, city engineer, and attorney to work with Palmco.

STAFF PRESENTATIONS:

- City Hall, Warren Escovy; spoke regarding Lavender Festival, too hot but fun. Introduced Sasha Ricks City's new Finance Director. Fiscal audit, June 20. New court clerk, Haylee Hartman, starts tomorrow.
- Police Department, Chief Rubin presented the May 2022 Monthly Statistics Report and spoke regarding comments received requesting more traffic monitoring. Have managed multiply mental health calls (over 20 hours). One officer on call at a time. If they are managing a call, there is no one else available to manage traffic calls. May 10 through today. 3 assault/family violence calls, 2-3 DWI's, drowning at state park over Memorial day, 15,000 persons driving through Blanco daily. Barron: Traffic management measurers, not involving an officer, do we need assistance with mental health? Chief, state funding for mental health possible.

Consent Agenda: *The following items may be acted upon in one motion.* No separate discussion or action is necessary unless requested by the Mayor or a Council Member, in which those items will be pulled for separate consideration.

1. Approval of Minutes from the May 10, 2022, Regular City Council Meeting and Public Hearing.
2. Approval of Change Order 007 to the Water Treatment Plant Contract to Include labor and materials to remove the existing 6" finished water valve and install a new 6" finished water valve at the ground storage tank. This Change Order will Increase the Contract by \$3,009.10 and add 1 Day to the Completion of the Project (Tom Turk, Freeland Turk, City Engineer).
3. Approval of Ordinance Amending UDC Provisions Related To Drainage Manual. **A motion was made by Council Member Smith to approve consent items one, two, and three as submitted, seconded by Council Member McClellan, all in favor, motion carried unanimously (3-0), (Mayor Pro Tem Barron was absent from the room).**

Old Business: Consider, discuss, and take appropriate action on the following:

1. Consideration, Discussion, and Take Action on Approval of Water Quality Protection Ordinance 2022-O-0xx (Mayor Pro-Tem Barron). Warren Escovy, City Administrator presented presentation on water quality protection. Mayor Pro-Tem Barron said City attorney, city engineer and CIAMAC committee have all reviewed. Mayor Lumpee suggested the formatting be revised before finalizing. Council Member Smith agreed the tabbing should be corrected on the ordinance. **A motion was made by Mayor Pro-Tem Barron to adopt the Ordinance 2022-O-0xx Water Quality Protection, seconded by Council Member Smith, with the condition the ordinance be properly formatted/tabbed prior to publication, all in favor, motion carried unanimously.**

2. Consideration, Discussion, and Take Action on Approval of Amendment to Ordinance 2022-O-005 Regulating Short Term Rentals and Imposing a Related Permit Fee and Penalties (including a fine) for Noncompliance. Mayor Lumpee requested this item be tabled for further discussion and publish for residents to be able to review. Mayor Lumpee suggested this item be tabled due to additional comment being received at this meeting. She would like the public to be able to see the revisions before they are voted on. **Council Member Smith moved to table approval of amendments to Short-Term Rental Ordinance 2022-O-005, to allow additional time to address all amendments, seconded by Council Member McClellan, all in favor, motion carried unanimously.**

New Business: Consider, discuss, and take appropriate action on the following:

1. Consideration, Discussion and Take Action on Approval of Financial Investments Contract Between Texas CLASS and the City of Blanco. Warren Escovy, City Administrator spoke regarding Texas CLASS investment opportunities. Staff recommends Council review the options and vote on the favored option at the next available council meeting through a resolution. **A motion was made by Council Member Smith to follow staff recommendations and table item until next meeting, seconded by Mayor Pro-Tem Barron, all in favor, motion carried unanimously.**
2. Consideration, Discussion, and Take Action on Directing the City Administrator, City Attorney, and City Engineer to Negotiate a Potential Public Improvement District (PID) Package Between Palmco, Inc. and the City of Blanco. Staff recommends deferring item until after executive session and then bring back to regular meeting for action. **A motion was made by Council Member Smith to table item for discussion in executive session, seconded by Mayor Pro-Tem Barron, all in favor, motion carried unanimously.**
3. Consideration, Discussion, and Take Action on the Revision of Schedule for Sale of Bulk Water at the City of Blanco. Warren Escovy spoke saying administration is concerned that a lack of staff supervision could cause safety concern at our facility from both the site and water contamination. Council Member Smith asked if the customers are all licensed. Not known. Zach Dorris with Inframark spoke sharing information about automatic machinery. Prioritize water sales for use of city residents only during water rationing times. **No action taken.**
4. Consideration, Discussion and Take Action on Approval of Resolution 2022-R-0xx (Chief Rubin). Chief Rubin said the grant is for the hiring of additional police officers. Department of Justice has a grant, 3 year matching fund., will pay \$125,000 per officer over a three (3) year period to include salary and benefits. Current salary with benefits per officer is \$69,833 times 6, less the \$250,00 (for two (2) officers) totals an estimated city cost of \$168,998.00 over a three year period for the two new officers. No need for additional equipment or vehicles. Deadline for grant extended from June 9 to later in June. Resolution is needed to start grant process. Grant would not begin until officers

are hired. Covers two additional positions. **A motion was made by Council Member Smith to approve Resolution 2022-R-0xx authorizing the submittal of a grant application, seconded by Mayor Pro-Tem Barron, all in favor, motion carried unanimously.**

Closed Regular Meeting at 8:22 pm and Convened Into Executive Session.

Executive Session in accordance with Texas Government Code: in accordance with the authority contained in the Texas Government Code, Sections 551.071 and 551.074.

3. Texas Government Code Sections 551.071 (Consultation with City Attorney), 551.072 (Real Estate) and Section 1.05, Texas Disciplinary Rules of Professional Conduct, Confer with City Attorney regarding Proposed Public Improvement District (PID), Palmco, Inc.

Closed Executive Session at 8:52 pm and Reconvened Into Regular Meeting.

New Business Item 2/Ex Session Item 3: A motion was made by Council Member Smith to Direct City Staff to work with Palmco, Inc. to Negotiate an Economic Development Package to be Considered by Council at a later date, seconded by Council Member McClellan, all in favor motion carried unanimously.

Closed the Regular Meeting at 8:56 pm and Convened Into Executive Session.

1. Texas Government Code Section 551.071 (Consultation with City Attorney), Section 1.05, Texas Disciplinary Rules of Professional Conduct: to wit, Discussion with legal counsel 2020 TDA TxCDBG Project (Contract #7220040).
2. Texas Government Code Section 551.071 (Consultation with City Attorney), Section 1.05, Texas Disciplinary Rules of Professional Conduct: to wit, Discussion with legal counsel re: Ordinance 2022-O-005 Regulating Short Term Rentals and Imposing a Related Permit Fee and Penalties (including a fine) for Noncompliance.
4. Texas Government Code Sections 551.071 (Consultation with City Attorney), 551.072 (Real Estate) and Section 1.05, Texas Disciplinary Rules of Professional Conduct; Confer with City Attorney regarding Pharr Paradise Utility Easement Agreement.
5. Texas Government Code Section 551.071 (Consultation with City Attorney) and Section 1.05, Texas Disciplinary Rules of Professional Conduct and 551.072 (Real Estate). Confer with City Attorney regarding Canyon Lake Water SC (CLWSC); Water Valuation with West Water, City's interest undivided interest.
6. Texas Government Code Section 551.071 (Consultation with City Attorney) and Section 1.05, Texas Disciplinary Rules of Professional Conduct and 551.072 (Real Estate). Confer with City Attorney regarding City Property Evaluations at Blanco Vista Estates, Lot 3 (9.43 Acres) and 202 Cherry Street (0.44 Acres), City's interest.

7. Texas Government Code Section 551.071 (Consultation with City Attorney), Section 1.05, Texas Disciplinary Rules of Professional Conduct and 551.072 (Real Estate): to wit, Discussion with legal counsel to obtain legal advice related to possible reclaimed water contract between City and Chamaco Mio Investments, LLC.

Closed Executive Session at 10:06 pm and reconvened Into Regular Meeting.

Items 1, 2, 4, 5, 6 and 7: No action taken

Adjournment:

A motion was made by Council Member Smith to adjourn the meeting, seconded by Council Member McClellan, all in favor.

Meeting was adjourned at 10:06 pm.

Respectfully submitted,

Rachel Lumpee, Mayor

ATTEST:

Laurie A. Cassidy, City Secretary

These minutes were approved on the _____ day of _____, 2022.

CONSENT

ITEM #3



BLANCO POLICE DEPARTMENT



Scott Rubin, MPA
Chief of Police

437 Blanco Avenue
Blanco, Texas 78606

Office: (830) 833-4375
Fax: (830) 833-4975

July 6th, 2022

To: Blanco City Council
From: Victoria McMain
Subject: Reimbursement Request

In accordance with the City of Blanco Personnel Policy Section 5.06 *Tuition Reimbursement Program*, I am requesting reimbursement for tuition fees paid by myself to Purdue Global University on June 14th, 2022 in the total of \$1,214.00.

These fees were for the 2202A April 2022 Term during which I attended and completed two courses:

CJ266 Deviance and Violence which was completed with a grade of **A (4.00)**

PS200 Introduction to Cognitive Psychology, which was completed with a grade of **A (4.00)**

As required by the above-named section of the Personnel Policy, my pursuit of a Bachelor's degree in Criminal Justice is related to my current position and career path within the City.

Thank you in advance for your time and consideration.

Respectfully,

A handwritten signature in blue ink that reads "Victoria McMain #212".

Detective Victoria McMain #212
City of Blanco Police Department

Transaction Processed Successfully

Welcome VictoriaDeReu1 [Sign Out](#)

Your payment was successful but may not be immediately reflected.
Please print this page for your records.

[PAYMENT CENTER](#)

[Make One-Time Payment](#)

[Start Recurring Payment](#)

[Transactions History](#)

RECEIPT

School: **Purdue Global, Online 042**
Student Name: **Victoria Dereu**
Student ID: **43456753**
Receipt Number: **AR2A7F1992D7**
Transaction Date: **6/14/2022 2:48:21 PM Eastern Standard Time**
Payment Amount: **\$1214.00**
Payment Method: **Discover Card**
Card Number: **xxxxxx8453**

Purdue University Global uses secure technology to protect your credit card information, and does not release it to any outside organization. Transactions are protected using modern encryption technologies, and only the last four digits of any credit card number are retained in our system.

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CONSENT

ITEM #4

CONSENT

ITEM #5

**AMENDMENT TO ORDINANCE NO: 2016-O-002 FOR THE CITY OF BLANCO, TEXAS,
PROHIBITING THE SALE OR USE OF FIREWORKS WITHIN CITY LIMITS**

AN ORDINANCE AMENDING ORDINANCE NO: 2016-O-002, CODIFIED AT ARTICLE 6.02, SECTION 6.02.005, PARAGRAPH (3) OF THE CODE OF ORDINANCES FOR THE CITY OF BLANCO, TEXAS, PROHIBITING THE SALE OR USE OF FIREWORKS WITHIN CITY LIMITS WHEN A BURN BAN IS DECLARED AND THEN IN EFFECT IN BLANCO COUNTY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Council has determined that the use of fireworks while a burn ban is then declared and in effect in Blanco County, Texas constitutes a nuisance and can lead to health and safety hazards; and

WHEREAS, the City Council finds that this amendment is necessary to promote the health and safety of the citizens.

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLANCO, TEXAS:

SECTION 1. AMENDMENT

ORDINANCE NO: 2016-O-002, CODIFIED AT ARTICLE 6.02 FIREWORKS, SECTION 6.02.005, PARAGRAPH (3) of the City of Blanco Code of Ordinances is revised and amended to add and read, in the introductory clause thereof, the underscored language set forth hereinbelow, as follows:

(3) Unless a burn ban is then declared and in effect in all or part of Blanco County, Texas, it shall not be an offense under this Ordinance for any person to set off fireworks on their private property on the following dates and times: (1) New Year's Eve beginning at 12 noon until 1 a.m. on January 1st of the next calendar year; and (2) July 4th beginning at 12 noon and continuing until 1 a.m. of July 5th of the same calendar year.

SECTION 2. CUMULATIVE

This Ordinance be and hereby is cumulative of all other provisions and/or ordinances of the City of Blanco, Texas, except where the provisions of those ordinance(s) are in direct conflict with the provisions of this Ordinance. In the event of a conflicting provision(s) of another Ordinance(s), the provisions of this Ordinance shall prevail.

SECTION 3. SEVERABILITY

It is hereby declared that it is the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance be and hereby are declared severable. Accordingly, if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid final judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 4. SAVINGS

All rights and remedies of the City of Blanco are expressly saved as to any other ordinances affecting nuisances which have accrued at the time of the effective date of this Ordinance.

SECTION 5. PUBLICATION

The City Secretary of the City of Blanco shall publish in the official newspaper of the City of Blanco, the caption and effective date clause of this Ordinance as authorized by Section 52.011 of the Local Government Code.

SECTION 6. EFFECTIVE DATE

This Ordinance be and hereby shall be in full force and effective after its passage by the City Council for the City of Blanco and its publication as provided by law.

PASSED AND APPROVED ON THIS ____ DAY OF JULY 2022.

Rachel Lumpee, Mayor

ATTEST:

Laurie Cassidy, City Secretary

OLD BUSINESS

ITEM #1

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SHORT-TERM RENTAL ORDINANCE

AN ORDINANCE AMENDING THE CITY OF BLANCO CODE OF ORDINANCES, CHAPTER 9, "PLANNING AND DEVELOPMENT", AND EXHIBIT A THERETO (UNIFIED DEVELOPMENT CODE) (UDC) BY AMENDING RELEVANT SECTIONS OF SUCH CODE; CREATING UNDER CHAPTER 5, "BUSINESS REGULATION", A NEW ARTICLE 5.04, ENTITLED "REQUIREMENTS FOR PROPERTIES USED AS SHORT-TERM RENTALS"; AND CHAPTER 2, "ADMINISTRATION AND PERSONNEL", ARTICLE 2.08, ENTITLED "TAXATION"; ESTABLISHING REQUIREMENTS AND REGULATIONS FOR USE OF PROPERTY AS A SHORT-TERM RENTAL; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$300.00 PER OFFENSE FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of the City of Blanco ("City") is continually reviewing the provisions of the City Code of Ordinances relating to land use and other circumstances which impact the health, safety and well-being of residents, citizens, and inhabitants; and

WHEREAS, the City Council finds that there are certain owners of residential short-term rental properties within the City who do not provide adequate information on how they may be contacted; and

WHEREAS, the City Council finds that there are owners of residential short-term rental properties who do not reside locally or who reside out-of-state; and

WHEREAS, the City Council finds that there are owners of certain residential short-term rental properties that do not pay the required hotel/motel occupancy tax; and

WHEREAS, the City Council desires to preserve and enhance residential neighborhoods and protect quality of life within the City; and

WHEREAS, in consideration of the foregoing, and other matters before City Council, the City Council of the City has determined that it would be advantageous, beneficial and in the best interest of the citizens of the City to amend certain provisions of the City's Code of Ordinances, Chapter 9, "Planning and Development" and Exhibit A thereto, Unified Development Code (UDC), and Chapter 5, "Business Regulation", to create a new Article 5.04, in the City's Code of Ordinances, entitled "Additional Requirements for Properties Used as Short-Term Rentals"; and amend Chapter 2, "Administration and Personnel", Article 2.08, entitled "Taxation";

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLANCO, STATE OF TEXAS:

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SECTION 1. FINDINGS OF FACT.

That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

SECTION 2. AMENDMENTS TO THE CITY OF BLANCO CODE OF ORDINANCES, CHAPTER 9, "PLANNING AND DEVELOPMENT", AND EXHIBIT A THERETO (UNIFIED DEVELOPMENT CODE) (UDC) BY AMENDING RELEVANT SECTIONS OF SUCH CODE; CHAPTER 5, "BUSINESS REGULATION", CREATING NEW ARTICLE 5.04, ENTITLED "REQUIREMENTS FOR PROPERTIES USED AS SHORT-TERM RENTALS"; AND CHAPTER 2, "ADMINISTRATION AND PERSONNEL", ARTICLE 2.08, ENTITLED "TAXATION".

The Code of Ordinances of the City, Chapter 9, "Planning and Development", at Exhibit A, UDC, is hereby amended to add or amend certain definitions, amend provisions relating to the process of amending or creating exceptions and conditions to current property uses under the City's Comprehensive Plan and Zoning map; and under Chapter 5, "Business Regulation", create a new Article 5.04, entitled as "Additional Requirements for Owners of Properties Used as Short-Term Rentals", as follows:

A. DEFINITIONS. The following definitions under Section 1.13 Definitions, of the City's UDC are hereby amended, in part or whole, as stated below, or adopted in their entirety as new definitions, and if applicable, thus repeal and replace the current definition stated if such definition is currently stated within the City's UDC:

ACCESSORY STRUCTURE/USES

An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. Accessory structures may include a detached garage, storage shed, residential garage, guest house, and other similar structures.

APARTMENT

A building or group of buildings which contain multiple dwelling units for rent to multiple families or individuals. Apartments may be leased, rented, or owned in a condominium style of ownership. Such facilities are not regulated as STRs and prohibited from receiving STR permits.

DUPLEX, RESIDENTIAL

The use of a site for two dwelling units, within a single building, other than a manufactured home. These facilities are not regulated as STRs and prohibited from receiving STR permits unless they are owner-occupied.

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GUEST

The overnight occupants, who are eighteen (18) years or older, renting temporary transient lodging for a specified period and the daytime visitors of the overnight occupants.

LOCAL CONTACT PERSON

The Owner, Operator, or person designated by the Owner or the Operator, who shall be available 24 hours per day for the purpose of responding to concerns or requests for assistance related to the Owner's Short-term Rental.

MOTEL

A building, or group or cluster of buildings, containing three (3) or more transient guest rooms or separate dwelling units or small structures, where access to individual units is made directly from exterior walkways or courts and which are used, rented, or hired for lodging or sleeping purposes by transient guests. The term motel may also sometimes refer to a tourist court, auto court or motor lodge. These facilities are not regulated as STRs and prohibited from receiving STR permits.

MULTIPLE FAMILY RESIDENTIAL

The use of a site for three or more dwelling units, within one or more buildings, including apartments, triplexes, and fourplexes intended for rental, lease, or condominium ownership. The term multiple family does not include bed and breakfast lodging, manufactured housing, single-family detached or attached residential uses. These facilities are prohibited from obtaining STR permits.

OPERATOR

The Owner or the Owner's authorized representative who is responsible for advertising and/or operating a Short-term Rental.

OWNER

The person or entity that holds legal or equitable title to a property.

SHORT-TERM RENTAL (STR)

Any structure used for transient or guest lodging accommodations, rented for compensation of a dwelling unit, that is not owner-occupied (other than a duplex), which includes but is not limited to a single-family residence, townhouses, owner-occupied duplex, accessory structure, short-term rental dwelling unit, bed and breakfast, and other residential real estate improvements, in which the public may obtain sleeping accommodations for a period less than thirty (30) consecutive days. The term applies regardless of whether the dwelling was originally constructed or zoned as a residential dwelling. This term does not apply to duplexes (unless they are owner-occupied), multi-family projects, apartment complexes, hotels, motels, or recreational vehicle parks. This term is a general definition of STRs and is inclusive of the distinct types of STRs.

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SHORT-TERM RENTAL, DWELLING UNIT

A short-term rental dwelling unit is defined as a structure, including an individual room within a larger structure, which is rented separately from other rental units on the property, for the purpose of transient or guest lodging. Each individual short-term rental dwelling unit shall be required to obtain a separate short-term rental permit, unless it is a part of a bed and breakfast.

SHORT-TERM RENTAL, OWNER-OCCUPIED

A short-term rental located on the same property on which the owner resides.

SHORT-TERM RENTAL PERMIT:

A permit issued by the City authorizing the use of ~~a privately owned, privately owned~~ dwelling as a Short-term Rental.

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B. AMENDMENTS TO APPROVAL CRITERIA FOR SPECIAL USE PERMIT. The following provisions amend Chapter 3.5(4) of the City's UDC to create and adopt new provisions of such Chapter, and create and adopt consistent cross-references and amendments in applicable provisions of Chapter 2 & 3, as follows:

1. The following amendment is adopted as a new general criteria for approval of a Special Use Permit, at Chapter 3.5(4)(c) i.5, as follows:

5. Compatibility with existing or permitted uses on abutting sites or within the area of the proposed use, and the relationship between the proposed use and the following:

1. Buffers
2. Driveways
3. Parking Areas

2. Additional Criteria for Short-term Rentals. In addition to the foregoing criteria, the following criteria shall be applied to any application for a Special Use Permit for a short-term rental. Such criteria are adopted here as an amendment to Chapter 3.5(4)(c) iii, as follows:

iii. Additional Criteria for Short-term Rentals.

1. The property affected by the request is within a R1, R2, R3, or R5 zoning district.

2. The property affected by the application, if granted, will not substantially impact, affect, or impair the underlying character or usage within the zoned district in which the property is located.

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3. The application if granted will have no adverse effect on any property within one thousand (1000) feet of the affected property.

4. The proposed property occupancy relative to the size of the property.

5. The applicants' consent and agreement to operate in accordance with the other requirements for short-term rentals set forth in the City's Code of Ordinances.

6. The application if granted will not result in permitting more than 10% of the primary residences in a city block, neighborhood or similar geographic area as STRs; provided, owner-occupied properties are not subject to this limitation but shall be used in calculation of the percentage; provided, this provision is a guideline and may be exceeded if the applicant demonstrates that the proposed use substantially protects the character and integrity of the surrounding block, neighborhood or similar geographic area.

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C. ADDITIONAL REQUIREMENTS FOR PROPERTIES USED AS SHORT-TERM RENTALS. The following provisions are adopted under the City's Code of Ordinances, Chapter 5, "Business Regulation", to create a new Article 5.04, entitled as "Additional Requirements for Owners of Properties Used as Short-Term Rentals", as follows:

General Requirements: All short-term use facilities shall be subject to the following requirements in addition to those otherwise set forth in the City's Code of Ordinances:

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1. Food Service:

a. Only overnight guests may receive food service, except in City zones permitting restaurant services.

b. Such food service shall be limited to continental style breakfast or similar food items provided for use and consumption at the convenience of the guests, unless the facility meets the State of Texas and Blanco County Health Division requirements for commercial food service or is a bed and breakfast that otherwise meets such requirements.

2. Signs: All signs must comply with the City's sign ordinance. A two (2) square foot nameplate may be attached to the structure.

3. Code Compliance Generally: All short-term rental facilities must comply with City code provisions applicable to the zoning then applicable to the area in which the facilities are located, and with all federal, State of Texas, and City of Blanco building codes for existing or new construction.

4. Fire & Safety: Short-term rental uses shall comply with the regulations for Fire Protection set forth in the appropriate NFPA 101 Life Safety Code.

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5. External lighting: All external lighting shall be shielded from adjoining properties and comply with the City's outdoor lighting ordinances.

6. Historic Overlay District.

a. Properties located in the Historic Overlay District shall be developed in accordance with the development standards of the base zoning district and all other City regulations and ordinances, subject to the following restriction:

i. Density shall be in accordance with the base zoning district, except that the number of STR structures shall be limited to a maximum of one (1) structure per three thousand (3,000) square feet of land.

ii. Commercially zoned properties in the Historic Overlay District shall be developed in accordance with the base zoning district and all other City regulations and ordinances.

~~7. Utilities. Each STR shall be served by a single water and electrical meter, unless the STR is a bed and breakfast, the STR dwelling unit is a single room within a larger or main structure, or the STR is owner-occupied.~~

~~78. Trash & Solid Waste. Each STR shall provide adequate garbage and trash container capacity for the a minimum of ninety six gallons (96 gals) of bulk garbage container capacity, or equivalent, for every four (4) occupants, based on the maximum permitted occupancy for the STR.~~

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89. Quiet Hours. Each STR use shall have signage posted in a prominent location in the rear yard or other common gathering area, providing the occupants and guests with notice of the nighttime hours, as set forth in the City's Noise and Sound Level Regulation ordinance.

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910. Permitting. It shall be unlawful for any person or entity to rent, or offer to rent, any Short-term Rental without a valid Short-term Rental Permit issued by the City.

a. A separate Short-term Rental Permit application and application fee must be submitted for each individual Short-term Rental dwelling unit, unless the STR is a bed and breakfast, in which case one application shall be submitted. Unless the applicable property is subject to vested rights as a pre-existing STR, any such application shall be deemed an application for a Special Use Permit and shall be reviewed and evaluated in accordance with other relevant provisions of the City's UDC. An applicant shall apply for a Short-term Rental permit using a format and method promulgated by the City Administrator or his/her designee.

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If an application for a Short-term Rental Permit states a claim of vested rights because it relates to and covers a pre-existing STR operating prior to the adoption of this ordinance, then the applicant shall also submit with the application evidence acceptable to the City of pre-existing operation as a STR. Evidence of collection and remittance of hotel occupancy taxes shall be deemed sufficient evidence of such pre-existing operation. The absence of prior collection of hotel occupancy taxes creates a rebuttable presumption of no pre-existing STR operation, which the applicant may rebut with other substantial and good faith evidence acceptable in the City's sole and reasonable discretion. If the City determines that any application relates to a pre-existing STR, then a Special Use Permit shall be subject to review only for general compliance as set forth herein, and not under the general requirements for a special use permit under other provisions of the City's UDC.

In any event, the application form shall require, at a minimum, the following information from applicants:

1. The name, address, email, and telephone number of the Owner of the Short-Term Rental.
 2. The name, address, email, and telephone number of the Operator of the Short-Term Rental.
 3. The name, address, email and 24-hour telephone number of the Local Contact Person.
 4. The name and address of the Short-Term Rental.
 5. The number of bedrooms and the proposed overnight and daytime occupancy limit of the Short-Term Rental.
 6. A site plan showing the proposed layout of the property use and any on-site parking available for the Short-Term Rental. The site plan shall also include any proposed spas, hot tubs, pools, fire pits, bars, cabanas, and any other proposed uses or structures.
 7. A floorplan of the existing or proposed structure to include bedroom sizes and dimensions.
 8. A general description of any food service to be offered to Guests of the Short-Term Rental.
- b. At the time of submission of the application for a permit, the applicant shall submit the permit application fee described below, portions of which the City may defer and allocate as nonrefundable or refundable based upon final action on the permit application, as follows:
1. Owner-occupied property--\$100 per permit application;

- 2. ~~City resident \$300 per permit, for first two permit applications by same~~
Owner;
- 3. ~~Non-resident \$500 per permit; for first two permit applications; and~~
- 34. \$1000 per permit—for more than two permit applications by same
Owner.

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c. Unless the STR is a bed and breakfast, each individual Short-term Rental dwelling unit shall be assigned a unique permit number upon permit issuance by the City. The owner shall display the permit number in an obvious location within the STR.

d. Except as provided herein, STR permits may not be transferred to new owners. Upon sale or other ownership transfer of the STR dwelling unit, the permit shall remain in force for a period of 60 days thereafter, during which time the new owner(s) may file an application for a new permit. Any such application shall be deemed a new permit application under Section 10.a. above, unless at the time the existing permit was granted the STR held and retained vested rights based on operation as a STR prior to the effective date of this ordinance. If no such application is made within the 60-day period stated above, the existing permit shall be void with no further force and effect whatsoever. Transfers of ownership among or between immediate family members, their heirs or devisees, or business entities under the control of the original owner, their immediate family members, or their heirs or devisees, are not subject to the foregoing transfer conditions, and shall not affect nor void the underlying permit.

Initial transfers of ownership by the initial permit holder of a STR which holds vested rights based on operation as a STR prior to the effective date of this ordinance are not subject to the foregoing transfer conditions; provided, the new owner of any such STR shall provide evidence satisfactory to the City, in the time period allotted under paragraph 10.h. below, of continuous operation of the STR since the date the STR permit was granted. Subsequent transfer(s) of any such STRs shall be subject to the transfer conditions stated herein.

e. Prior to issuance of a STR Permit, the Operator shall allow an on-site inspection by City staff, to ensure compliance with City's ordinances and regulations.

f. Inspections shall also be required when a new STR permit is required as the result of a sale or transfer to another owner, or when additions or modifications are performed to the property which requires a City building permit.

g. Notwithstanding the foregoing, STRs may be inspected by the City or its designee every other year, regardless of the date of the last inspection, or at such other times designated by the City.

h. In the event of any transfer, whether or not permitted under paragraph 10.d. above, a new owner of an STR has thirty (30) days to update the City of changes to ownership, contact information, management company information, and Local Contact Person. In addition,

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if applicable, the new owner shall provide evidence of continuous operation required under paragraph 10.d. above.

j. The Owner shall notify the City within ten (10) business days, in writing, of any changes to Information submitted as part of a Short-Term Rental Permit application under this Section.

k. Changes or modifications to the property that result in non-compliance with City ordinance or other applicable law shall void the existing STR permit.

l. An application for Short Term Rental Permit may be denied if the Owner has had a Short-Term Rental Permit suspended or revoked during the previous 365-calendar days before submission of the relevant application.

m. No more than two (2) Short-term Rental Permits shall be issued for any single residential-zoned and platted property lot within the City, ~~unless such property is owner-occupied~~, unless such property is owner-occupied; provided, if the STR is a bed and breakfast, one such Permit may be issued for the property.

Commented [TT10]: Deletes bracketed language

n. Subject to exceptions for extraordinary conditions or events, as determined in the reasonable but sole discretion of the City, any Short-term Rental permit shall terminate and be considered abandoned if there is evidence of no transient lodging rental activity, based in part on the state occupancy tax reports, for a period of nine (9) consecutive months. The burden is on the property owner to prove the property has been in use as a STR during any relevant nine (9) month period.

11. General Operational Requirements.

a. The Operator shall post the following information in a prominent location within the Short-Term Rental Unit, using a form promulgated by the City stating:

1. The unique Short Term Rental Permit number assigned to the Short-Term Rental Unit;
2. Operator name and phone number;
3. Contact person name and number;
4. The location of any on-site and off-site parking spaces available for Guests. The owner must limit guests' vehicles to the number of off-street parking spaces provided. The number of permitted vehicles shall be included on any advertisement of the rental unit;
5. Instructions to Guests concerning disposal of garbage and handling of garbage containers; and

6. Notification that the Guests are responsible for compliance with all applicable laws, rules and regulations pertaining to the use and occupancy of the Short-Term Rental, and that Guests may be fined by the City for violations of this Article.

b. The Operator shall operate a Short-Term Rental in compliance with the following:

1. Zoning regulations prescribed for the zoning district in which such Short-Term Rental is located;

2. Maximum occupancy limits prescribed in this ordinance, or by the City Fire Marshal pursuant to the International Fire Code;

3. City of Blanco Hotel Occupancy Tax Ordinance, set forth in the Code of Ordinances;

4. City of Blanco Noise and Sound Level Regulation Ordinance, set forth in the Code of Ordinances;

5. City of Blanco Garbage Collection Ordinance, set forth in the Code of Ordinances; and

6. During any period when a Short-Term Rental is occupied or intended to be occupied by Guests, the Local Contact Person shall be available 24 hours per day for the purpose of responding to concerns or requests for assistance related to the condition, operation, or conduct of guests of the Short-Term Rental.

a. The Local Contact Person shall respond within 60 minutes of being notified of concerns or requests for assistance regarding the condition, operation, or conduct of guests of the Short-Term Rental, and shall take immediate remedial action as needed to resolve such concerns or requests for assistance.

b. Failure to respond in the required timeframe shall be a violation of this ordinance.

c. Any advertisement that promotes the availability of a Short-Term Rental, listed in any medium, including newspaper, magazine, brochure, website, or mobile application, shall include the current Short Term Rental Permit number assigned by the City and the number of available parking spaces provided for each rental unit.

12. Complaints

a. Complaints related to the operation of a Short-Term Rental, including complaints concerning noise, garbage, parking, and disorderly conduct by Guests, shall be reported to the City Code Enforcement office.

1. When the City's Code Enforcement Officer is unavailable, all calls shall be directed to the City's Police Department.

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2. Any noise complaints, after 10:00 p.m. shall be directed to the City's Police Department.

13. Enforcement.

a. It shall be unlawful for any person or entity to violate any provision of this Ordinance. Proof that a violation occurred at a Short-Term Rental shall create a rebuttable presumption that the Owner of said Short-Term Rental committed the violation.

1. Any violation of this Article is a Class C misdemeanor offense, and upon conviction, shall be punished by a fine as set forth in Section 1-6 of this Code of Ordinances.

2. Penalties provided for herein are in addition to any other criminal or civil remedies that the City may pursue under federal, state, or local law.

3. Any property operating as an STR, without a permit, shall be prohibited from receiving an STR permit for a minimum of one (1) year.

b. Fines & Revocation; Other Enforcement Action

1. Each violation of this ordinance shall be punishable by a fine not to exceed \$300 for each day during which a violation exists.

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2. Each violation of this ordinance may be punishable by a suspension or revocation of the STR permit for a period of not more than one year.

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3. Permits shall be revoked automatically for a period of one year on the third violation in any one calendar year.

4. If an Owner operates a STR without permit, or after revocation of a permit, in violation hereof, the City may take additional enforcement action including a shutoff of utility service to the applicable premises.

c. Notice of Suspension or Revocation. Upon conviction for a violation of this Article, the City may suspend or revoke any Short-Term Rental Permit issued for the same Short-Term Rental where the violation occurred. The City shall notify an Owner of a suspension or revocation under this Section in writing, delivered by Certified Mail, Return Receipt Requested, and mailed to the address of the Owner as set forth on the most recent Short Term Rental Permit application submitted to the City.

d. Appeal. An Owner may appeal a suspension or revocation under this Section by filing a written appeal with the City Administrator within ten (10) business days following the date said notice was deposited in the U.S. Mail. Following a timely filing of an appeal hereunder, the Owner may present evidence to the City Administrator related to the suspension or revocation under this Section. Following the City Administrator's final decision on appeal, the

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Owner may appeal an adverse decision of the City Administrator by filing a written appeal with the City Council within five (5) business days following the date of the City Administrator's final decision. The decision of the City Council shall be final.

D. AMENDMENT OF CHAPTER 4, SECTION 4.8, RELATING TO ACCESSORY USE. Provisions of the UDC at Chapter 4, Section 4.8, are hereby amended or adopted:

1. Chapter 4, Section 4.8(e) is amended as follows: Accessory uses located in residential districts shall not be used for commercial purposes other than authorized and legitimate Home Occupations or permitted Short-Term Rental, Accessory Structure/Uses; and

2. Chapter 4, Section 4.8(f) is adopted as follows: Short-Term Rental, Accessory Structure/Uses shall mean property containing a primary dwelling that also contains a legal guest house that is being used for Short-Term Rental purposes.

E. AMENDMENT OF ARTICLE 2.08 TAXATION; DIVISION 4 HOTEL OCCUPANCY TAX; SECTION 2.08.093 DEFINITIONS. The definition of the term *Hotel* is hereby amended and adopted:

Hotel. A building in which members of the public obtain sleeping accommodations for consideration. The term includes but is not limited to a hotel, motel, tourist home, tourist house, tourist court, lodging house, inn, rooming house, short term rental, or bed and breakfast.

SECTION 3. EFFECTIVE DATE; IMPLEMENTATION AND ENFORCEMENT DATE

This ordinance is effective immediately. The City Administrator shall, within 10 days after such effective date, cause the publication of notice of adoption on the City's website, the local newspaper of general circulation, and by such other and further means necessary to provide notice to the public. No new permit applications shall be accepted for 60 days from the effective date of this ordinance, during which time applications for permits based on claims of pre-existing operation as a STR may be filed under the provisions of Section C.10. above. During this initial 60-day period and thereafter, the City shall create and maintain a GIS map of all permitted STRs to assist with review of future new permit applications. After the initial 60-day period referenced above, applications for new STR permits (in addition to those for pre-existing STRs) may also be filed, accepted, and reviewed by the City.

The City shall not seek enforcement of this ordinance until at least 75 days after the initial publication of notice in the newspaper of general circulation and the City's website.

SECTION 4. SEVERABILITY

If any provision of this ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or in part, except the part held or adjudged invalid or unconstitutional.

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SECTION 5. REPEALER

Upon adoption, the provisions of this ordinance repeal any inconsistent existing provisions of other City ordinances.

APPROVED AND ADOPTED BY CITY COUNCIL, CITY OF BLANCO, ON THE ___ DAY OF _____, 2022.

CITY OF BLANCO

Mayor

ATTEST:

City Secretary