



**ELGIN PLANNING & ZONING COMMISSION AGENDA
ELGIN PUBLIC LIBRARY ANNEX COUNCIL CHAMBERS
404 NORTH MAIN STREET
October 27, 2025
6:30 PM**

I. CALL TO ORDER

II. OATH OF OFFICE

1. Induction of new member.

III. PUBLIC COMMENT

The "PUBLIC COMMENT" item posted on the agenda is reserved for members of the public who would like to address the Planning and Zoning Commission regarding posted agenda items or non-agenda items. Individuals requesting to speak or address the Planning and Zoning Commission during the meeting shall do so under the "PUBLIC COMMENT" agenda item. Speakers shall be required to fill out a "PUBLIC COMMENT FORM" and present it, along with any material, handouts, or information for the Commission, to the Secretary prior to commencement of the Commission meeting. **As of May 1, 2022, all such public comments will be done IN PERSON. You may email public comments and they will be distributed to each of the Commission Members but not read out loud.**

Speaker comments are limited to three (3) minutes. No formal action can be taken by the Planning and Zoning Commission on items not posted on the agenda. Items requiring a PUBLIC HEARING will allow a member of the public an opportunity to speak during the Public Hearing and does not require a "PUBLIC COMMENT FORM".

Speakers must address their comments to the Chairperson or Presiding Officer rather than to an individual Commission Member or Staff Member. All speakers must limit their comments to the specific subject matter noted on the "PUBLIC COMMENT FORM" and refrain from any personal attacks or derogatory comments directed at any Commission Member, Staff Member, other individual, or group.

IV. CONSENT AGENDA

The Consent Agenda includes non-controversial and routine items that are considered to be self-explanatory by the Planning and Zoning Commission and will be enacted with one motion, one second, and one vote. Any member of the Commission may pull any item from the Consent Agenda in order that the Commission discuss and act upon it individually as a part of the Regular Agenda.

1. September 22, 2025 Meeting Minutes

V. NEW BUSINESS

- 1. Election of Chair and Vice-Chair for October 2025 to September 2026.**
- 2. Project #202500084: An annexation of a 38.5700-acre tract of land and a zoning request of "I" General Industrial District located on a parcel of land known by the Travis County Appraisal District as Parcel 227351 located at 18706 Littig Road for use as a Wastewater Treatment Facility.**
 - A. Staff Presentation**
 - B. Applicant Presentation**
 - C. Open Public Hearing**
 - D. Close Public Hearing**
 - E. Discussion**
 - F. Recommendation**
- 3. Staff Update on Short Term Rentals.**
 - A. Staff Presentation**
 - B. Discussion**
 - C. Recommendation**

VI. WORKSHOP

- 1. Review, discuss, and provide input regarding Harvest Ridge Amended DA #3**
- 2. Review, discuss, and provide input regarding annexation and PDD rezoning of Silo Ranch**

VII. ANNOUNCEMENTS

- 1. The November meeting will be a special meeting held on Tuesday, November 18, 2025.**
- 2. If a meeting is required for the month of December, it will be a special meeting held on Monday, December 15th.**

VIII. ADJOURNMENT

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance.

The members of the boards, commissions and/or committees may participate in discussions on the same items listed the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Notice of Assistance at Public Meetings, the City of Elgin is committed to compliance with the Americans with Disabilities Act. Elgin City Hall and Council Chambers are wheelchair accessible and

special marked parking is available. Persons with Disabilities who plan to attend this meeting and who may need assistance are requested to contact the City Secretary's Office at (512) 229-3222. Please provide forty-eight hours' notice when feasible.

I, Beau Perry, City Engineer for the City of Elgin, hereby certify this notice was posted at the City Hall Annex of the City of Elgin, Texas on or before October 22, 2025, in accordance with Chapter 551 of the Texas Government Code.



Beau Perry, Development Services Director



Development Services Department

STAFF REPORT

Oath of Office

Date: October 21, 2025

Meeting Date: Planning and Zoning Commission – October 27, 2025

OATH OF OFFICE

On September 16, 2025, the Elgin City Council appointed Jennifer Wissmann to the Planning and Zoning Commission (PZC) to fill the seat vacated by Ronnie Creppon. This is the first PZC meeting since that appointment and since the PZC has decision making authority over certain matters such as plats, a Statement of Officer and an Oath of Office are required.

MINUTES
CITY OF ELGIN PLANNING AND ZONING COMMISSION
REGULAR MEETING
MONDAY, SEPTEMBER 22, 2025

I. CALL TO ORDER – ROLL CALL: The Chair called the meeting to order at 6:30 P.M. at the Library Annex (Civic Center) located at 404 N. Main St., Elgin, TX.

COMMISSION PRESENT: Chair Antonio Prete, Danica Morgan, Berney Williams, Dorothy McCarther, Taylor Christian, Scott Mackay.

COMMISSION ABSENT: Vice-Chair Ronnie Creppon

STAFF PRESENT: Beau Perry, Director of Development Services; Melissa Lipiec, Planning Technician; William McIlvain, Administrative Assistant; Alyssa Loveday of WGA, Assistant Project Manager

STAFF ABSENT: None

II. PUBLIC COMMENT FOR NON-AGENDA RELATED ITEMS: No members of the public present stood to speak on this item.

III. CONSENT AGENDA

1. August 25, 2025 Minutes.

Scott Mackay moved that the Commission approve the consent agenda. Danica Morgan seconded the motion. The motion passed unanimously with a vote of six (6) for and zero (0) against.

IV. NEW BUSINESS

1. Project #202500075: An ordinance amending the official zoning map of the City of Elgin, Texas adopted in Chapter 46, Section 46-3, Revised Code of Ordinances City of Elgin, Texas, 2013 and making this amendment a part of said zoning map to wit: To rezone land from "I" General Industrial District to "R-2" Single-Family and Duplex Dwelling District located on parcels of land known by the Bastrop County Appraisal District as Parcel 8701906 and Parcel 8701923 (ELGIN CITY, BLOCK 21, (ALLEYWAYS THRU LOTS 4-9)) on the southeast corner of E 1st St and MLK Blvd.

A. Staff Presentation – Director Beau Perry presented the property, calling attention to the vacated alleyway between the divided parcel which can provide access to the area to be rezoned.

B. Applicant Presentation – Ignacio Gonzales stood to speak on behalf of the applicant Rogelio Rangel. He remarked on the surrounding residential areas and described the plans to convert the property into duplexes, requiring R-2 zoning.

C. Open Public Hearing – The public hearing was opened at 6:36 P.M. No members of the public present stood to speak.

D. Close Public Hearing – The public hearing was closed at 6:36 P.M.

E. Discussion – The Commission discussed what could be constructed in an R-2 district, and the potential of combined residential/commercial use due to the Downtown Overlay. As the Overlay allows residential use regardless of zoning district, it is specifically the plan for duplexes that necessitates the change to R-2 zoning. Director Perry also pointed out the access points for the lots through the vacated alley, and that neighboring lots without the same access would need to build out the roads before developing.

There was some discussion of area and parking requirements for duplexes, but Director Perry reminded the Commission that the item presented is solely for the rezoning and that the details of any proposed development would be reviewed when that development is eventually initiated.

IV. NEW BUSINESS (Cont.)

- F. Recommendation – Taylor Christian moved that the Commission recommend approval of the request to rezone the property from "I" General Industrial District to "R-2" Single-Family and Duplex Dwelling District. Berney Williams seconded the motion. The motion passed unanimously with a vote of six (6) for and zero (0) against.
- 2. An Ordinance Amending Ch. 20 Floods, Sec. 20-19, Sec. 20-20, Sec. 20-21, Sec. 20-22, Sec. 20-23, Sec. 20-24, Sec. 20-25, Sec. 20-26, Sec. 20-27, Sec. 20-28, Sec. 20-29, Sec. 20-49, Sec. 20-50, Sec. 20-51, Sec. 20-52, Sec. 20-53, Sec. 20-80, Sec. 20-81, Sec. 20-82; Revised Code of Ordinances, City of Elgin, Texas; repealing all other ordinances and parts of ordinances in conflict therewith; and providing for a savings clause.
 - A. Staff Presentation – Director Beau Perry readdressed the workshop from the August 25 meeting at which the Commission reviewed Chapter 20: Flood Ordinance and supported revising the base flood elevation to be one foot above the 100-year floodplain as opposed to at the 100-year floodplain. The chapter was polished and had proposed edits made, and is now being presented for recommendation for approval to City Council on October 14th.
 - B. Open Public Hearing – The public hearing was opened at 6:47 P.M. No members of the public present stood to speak.
 - C. Close Public Hearing – The public hearing was closed at 6:47 P.M.
 - D. Discussion – The Commission agreed that the proposed changes to the Ordinance were in line with the discussion at the previous month’s workshop.
 - E. Recommendation – Taylor Christian moved that the Commission recommend approval of the amendment as presented. Dorothy McCarther seconded the motion. The motion passed unanimously with a vote of six (6) for and zero (0) against.
 - 3. Consideration of adding an Appendix to the Final Plat Checklist modifying Plat Notes required by the City.
 - A. Staff Presentation – Director Beau Perry readdressed the other part of the last meeting’s workshop in which the Commission had agreed that it would be preferable to standardize some common required plat notes rather than work around similar sentiments expressed in different ways. He also explained that unlike the previous item this modification would be administratively executed following approval from the Commission.
 - B. Discussion – The Commission agreed that the proposed changes to the required Final Plat notes were in line with the discussion at the previous month’s workshop.
 - C. Consideration – Scott Mackay moved that the Commission approve direction of City Staff to modify the Final Plat application with the notes as presented. Berney Williams seconded the motion. The motion passed unanimously with a vote of six (6) for and zero (0) against.

V. WORKSHOP

The Commission discussed the City’s current standards for short-term rentals, including the process of applicants requesting a Specific Use Permit, and whether they wanted to propose a change to the existing Ordinance. Melissa Lipiec had compiled a collection of Ordinances employed by nearby cities for comparison and review, including conflicting court rulings. Director Beau Perry outlined the process by which City staff could prepare an Ordinance for presentation and recommendation, or receive a different directive.

V. WORKSHOP (Cont.)

The Commission discussed the idea of having a finite limit on allowed permits for short-term rentals. The subject of how to alert neighboring homeowners of the short-term rental status of a property beyond the SUP-mandated 200’ notices was also discussed.

Taylor Christian asked about the status of the Notices of Violation proposed to be sent to homeowners currently illegally operating short-term rentals, and Melissa Lipiec explained that they are poised to be sent but have not yet gone out. The Commission discussed wanting to hear the reactions to those letters to gauge what restrictions or requirements might be necessary to officially implement, and how cooperative homeowners may be.

Jason Milliken of 125 Bunny Run who had applied for the Specific Use Permit for 907 N Ave C at the August 25th meeting requested an opportunity to speak, which Chair Antonio Prete entertained at 7:15 P.M. Jason Milliken shared his experiences at the City Council meeting following the recommendation of his Specific Use Permit, as well as his sentiments about the City’s growth. He supported a more straightforward permitting process so that more people like himself can host short-term rentals and contribute to the City via Hotel Occupancy Taxes.

The workshop concluded at 7:21 P.M.

VI. ANNOUNCEMENTS

1. Melissa Lipiec called attention to the meeting regarding the 290 Extension Project being hosted at ACC on Thursday, September 25th and encouraged attendance to be aware of developments on Highway 290. Scott Mackay inquired about a public meeting held by TCEQ regarding the Darling rendering plant.
2. Melissa Lipiec announced that Vice-Chair Ronnie Creppon is stepping down from the Planning and Zoning Commission at the end of the term, and introduced Jennifer Wissmann who had been appointed by City Council as a new Commission member. She will be sworn in at the October 27th meeting.
3. Melissa Lipiec announced that Ronnie Creppon would receive recognition at the October 14th City Council meeting and encouraged attendance to wish him well.
4. Director Beau Perry announced that the City Council meeting on Tuesday, September 23rd would focus on priorities for the newly appointed interim City Manager.
5. Director Beau Perry announced that on Tuesday, September 23rd there would be a Bastrop County Economic Growth Summit at the convention center, where the City and the EDC would be represented.
6. Melissa Lipiec noted that at the October 27th meeting the Planning and Zoning Commission would be electing the Chair and Vice-Chair.

IV. ADJOURNMENT: The meeting was adjourned at 7:30 P.M.

Antonio Prete, Chairman

ATTEST: _____
Melissa Lipiec, Secretary

On a motion by _____, seconded by _____ the foregoing instrument was passed and approved on this _____ day of _____, 2025.



Development Services Department

STAFF REPORT

Election of Chair and Vice Chair

Date: October 21, 2025

Meeting Date: Planning and Zoning Commission – October 27, 2025

ELECTION OF CHAIR AND VICE-CHAIR FOR 2025-2026

This is for the election of officers for the 2025-2026 fiscal year. All that needs to be done is the item opened by the Chair and nominations can begin. Nominations need a second and can be voted upon once the second is made, if desired by the Commission. It is up to that person to decide if they wish to serve in the position after the voting. If not, another nomination must be made and the same format followed in each instance.



Development Services Department

STAFF REPORT

WWTP No. 2

Zoning Request

Date: October 20, 2025
Applicant: City of Elgin
Representative: Michael Gonzalez, Public Works Director
Workshop Date: Planning and Zoning Commission – October 27, 2025
Council Meeting: November 17, 2025
Location: TCAD Parcel 227351, located at 18706 Littig Road, west of County Line Road

APPLICATION SUMMARY

Consideration of an annexation with zoning request for city owned property in the ETJ.

DEPARTMENT COMMENTS

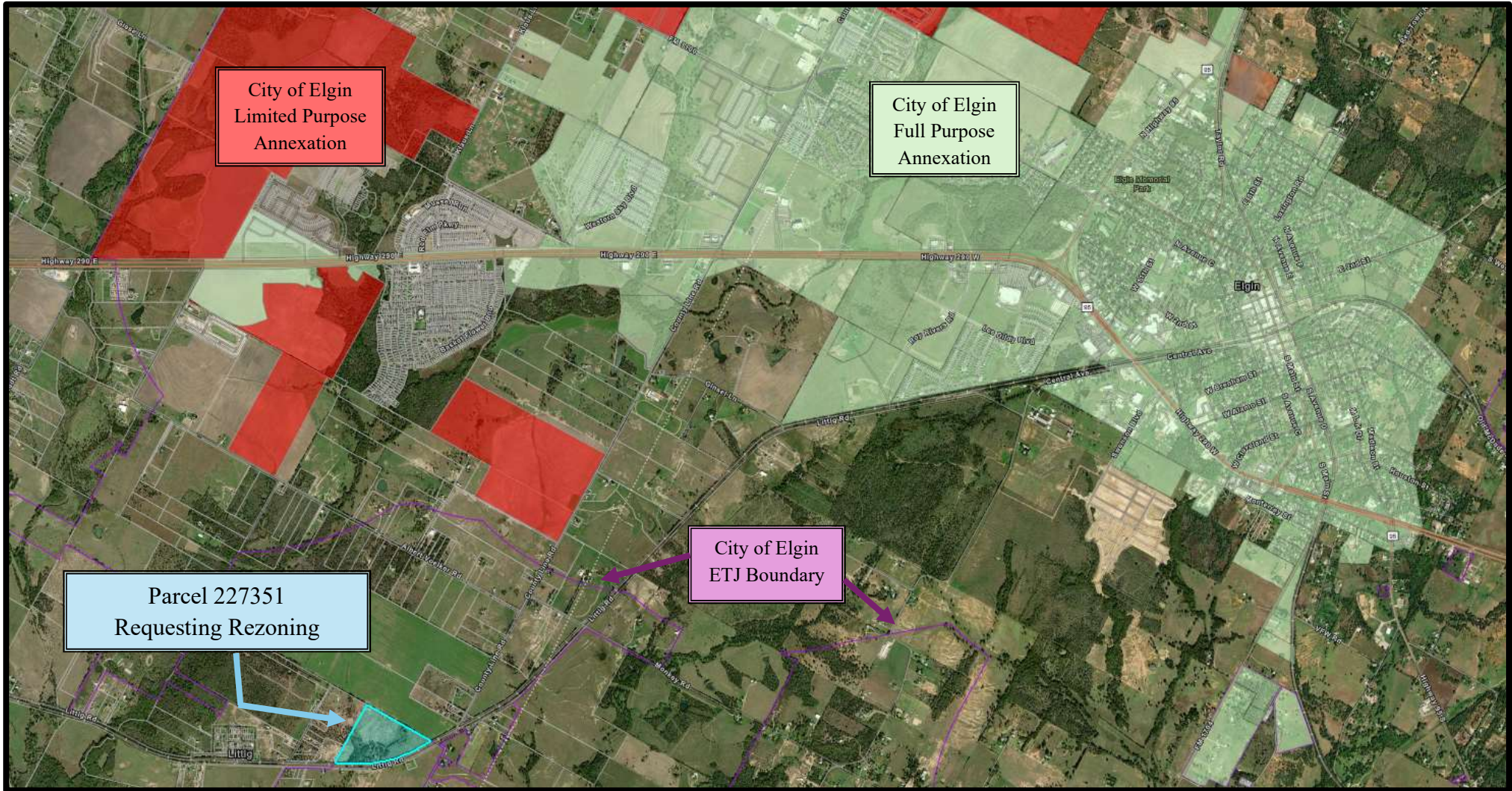
The City of Elgin has purchased a 38.5700 tract of land where they plan to construct a new wastewater treatment facility. State law allows municipalities to annex property they own. Once annexed, the property will require zoning and per [Sec. 46-7](#). – Newly annexed areas automatically get classified as R-1. Since this property will be a public utility service yard which would be classified as Industrial use.

The Elgin City Council will consider the annexation and zoning recommendations at the November 17, 2025 meeting.

ATTACHMENTS

1. Vicinity Map
2. Deed
3. Short Form Plat of Wastewater Treatment Plant No. 2
4. Notice and map to 200' property owners

Vicinity Map





Dyana Limon-Mercado
Dyana Limon-Mercado, County Clerk
Travis County, Texas

Jun 06, 2025 03:46 PM Fee: \$37.00

2025063346

Electronically Recorded

Independence Title/GF# 250240 -ELG/ BD General Warranty Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

Date: June 5, 2025

Grantor: FILMON SAUCEDO, a married person, owning, occupying and otherwise claiming other property as homestead

Grantor's Mailing Address:

302 Pleasant Grove Dr
Elgin, TX 78621

Grantee: CITY OF ELGIN, TEXAS

Grantee's Mailing Address:

310 N. Main
Elgin, TX 78621

Consideration: Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

Being 38.570 acres of land, more or less, out of the Alexander Amos Survey, Abstract No. 1, Travis County, Texas, and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance: None.

Exceptions to Conveyance and Warranty:

- (1) Taxes for 2025, which Grantee assumes and agrees to pay.
- (2) The following matters and all terms of the documents creating or offering evidence of the matters:

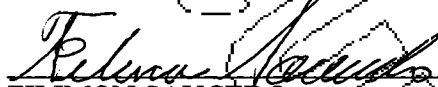
- a) All leases, grants, exceptions or reservation of coal, lignite, oil, gas and other mineral, together with all rights, privileges, and immunities relating thereto appearing in the public records of Travis County, Texas.
- b) All leases, grants, exceptions, or reservations of the geothermal energy and associated resources below the surface of the land, together with all rights, privileges, and immunities relating thereto, appearing in the public records of Travis County, Texas.
- c) Rights of Parties in Possession.
- d) Rights of tenants, as tenants only, under any and all unrecorded leases or rental agreements.
- e) Easement:

Recorded: Document No. 2000181991, Official Public
 Records, Travis County, Texas.
 To: Aqua Water Supply Corporation
 Purpose: water line

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

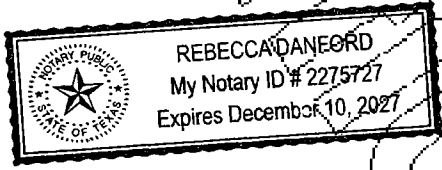
By acceptance hereof, Grantee accepts the Property "AS IS" in its present condition, with any and all defects and without warranty except for those warranties of title set forth herein.

When the context requires, singular nouns and pronouns include the plural.


 FILIMON SAUCEDO

STATE OF TEXAS §
COUNTY OF Bastrop §

This instrument was acknowledged before me on the 5 day of June, 2025, by
FILIMON SAUCEDO.



[Signature]
NOTARY PUBLIC, State of Texas

UNRECORDED COPY OF ORIGINAL DOCUMENT

EXHIBIT "A"

A TRACT OR PARCEL CONTAINING 38.570 ACRES OR 1,680,111 SQUARE FEET OF LAND, SITUATED IN THE ALEXANDER AMOS SURVEY, ABSTRACT NO. 1, TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 38.570 ACRE TRACT OF LAND DESCRIBED IN DEED TO FILIMON SAUCEDO, AS RECORDED IN DOCUMENT (DOC.) NUMBER (NO.) 2014194317 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), WITH SAID 38.570 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, CENTRAL ZONE (4203):

BEGINNING AT A 5/8 INCH CAPPED IRON ROD STAMPED "WINDROSE" SET ON THE NORTHWEST RIGHT-OF-WAY (R.O.W.) LINE OF THE T.&O. RAILROAD (CITY OF AUSTIN) (100' WIDE), BEING THE MOST SOUTHERLY CORNER OF A CALLED 324.310 ACRE TRACT, DESCRIBED AS TRACT 5 TO THE ESTATE OF HENRY J. SCHOVAJSA, AS RECORDED IN DOC. NO. 2000078050, O.P.R.T.C.T., AND BEING THE MOST EASTERLY CORNER OF SAID 38.570 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND 1/2 INCH IRON ROD BEARS SOUTH 17 DEG. 21 MIN. 08 SEC. EAST, A DISTANCE OF 0.81 FEET;

THENCE, WITH THE COMMON LINE OF SAID 38.570 ACRE TRACT AND THE NORTHWEST R.O.W. LINE OF SAID T.&O. RAILROAD THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. SOUTH 59 DEG. 59 MIN. 19 SEC. WEST, A DISTANCE OF 389.60 FEET TO A 1/2 IRON ROD FOUND FOR AN ANGLE POINT OF SAID 38.570 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT, BEING THE BEGINNING OF A CURVE TO THE RIGHT;
2. WITH SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2,819.62 FEET, AN ARC LENGTH OF 1,488.83 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 75° 05' 01" WEST - 1,471.59 FEET TO A 5/8 INCH IRON ROD FOUND FOR AN ANGLE POINT OF SAID 38.570 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;
3. NORTH 89 DEG. 47 MIN. 12 SEC. WEST, A DISTANCE OF 510.10 FEET TO A 1/2 IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 38.570 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT, BEING THE SOUTHEAST CORNER OF LOT 5 OF THE INDIGO RIVER RANCH SUBDIVISION, SECTION ONE, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOC. NO. 201600282, O.P.R.T.C.T.;

THENCE, NORTH 27 DEG. 29 MIN. 46 SEC. EAST, WITH THE COMMON LINE OF SAID CALLED 38.570 ACRE TRACT, SAID LOT 5, AND THE REMAINDER OF A CALLED 38.57625 ACRE TRACT DESCRIBED TO DOLORES SCOTT, AS RECORDED IN DOC. NO. 2008176812, O.P.R.T.C.T., A DISTANCE OF 1,557.17 FEET TO A 1/2 INCH IRON ROD (BENT) FOUND FOR THE MOST NORTHERLY CORNER OF SAID 38.570 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT, BEING THE NORTHEAST CORNER OF THE REMAINDER OF SAID 38.57625 ACRE TRACT, AND BEING ON THE SOUTHWEST LINE OF THE AFORESAID 324.310 ACRE TRACT;

THENCE, WITH THE COMMON LINE OF SAID 38.570 ACRE TRACT AND OF SAID 324.310 ACRE TRACT THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. SOUTH 62 DEG. 23 MIN. 07 SEC. EAST, A DISTANCE OF 791.83 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET FOR AN ANGLE POINT OF SAID 38.570 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;
2. SOUTH 62 DEG. 28 MIN. 15 SEC. EAST, A DISTANCE OF 957.30 FEET TO THE TO THE PLACE OF BEGINNING AND CONTAINING 38.570 ACRES OR 1,680,111 SQUARE FEET OF LAND, AS SHOWN ON JOB NO. 60410-38.570ac, PREPARED BY WINDROSE LAND SERVICES.



1 pg

202500130

PLAT

ASSOCIATED DOCUMENTS:

Certificate – 2025092650

- STAYS IN FILE
- CALL FOR PICK UP #
- RETURN TO:

Email PDF copy to
PLANNINGANDDEVELOPMENT@ELGINTEXAS.GOV



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dyana Limon-Mercado

Dyana Limon-Mercado, County Clerk
Travis County, Texas

202500130

Aug 21, 2025 09:20 AM

Fee: \$47.00

NUNEZJ



October 10, 2025

NOTICE OF AN ANNEXATION WITH ZONING REQUEST

You are being notified because your property is located within two hundred (200) feet of this request. The attached map shows this lot making the request (light blue highlighted triangle) and your lot within the notice area (dark blue border). This notice is to inform you of public hearings to be held by Planning & Zoning Commission and the City Council as denoted below:

Project #202500084: An annexation of a 38.5700-acre tract of land and a zoning request of “I” General Industrial District located on a parcel of land known by the Travis County Appraisal District as parcel 227351 located at 18706 Littig Road for use as a Wastewater Treatment Facility.

Notice is given of public hearings to be held:

- By the Planning & Zoning Commission on **Monday, October 27, 2025**, beginning at 6:30 P.M. Central Standard Time (CST) for a recommendation.
- By the City Council on **Monday, November 17, 2025**, beginning at 6:30 P.M. Central Standard Time (CST) for consideration.

These meetings will be held at Elgin Public Library Annex (Civic Center) at 404 N. Main St. Elgin, TX, 78621, U.S.A. The public is welcome to attend and may give a public comment on this item. Any person may be represented by another person, neighbor, or attorney.

Any interested person may also express written comments by emailing the Development Services Department at planninganddevelopment@elgintexas.gov or by postal mail at the following:

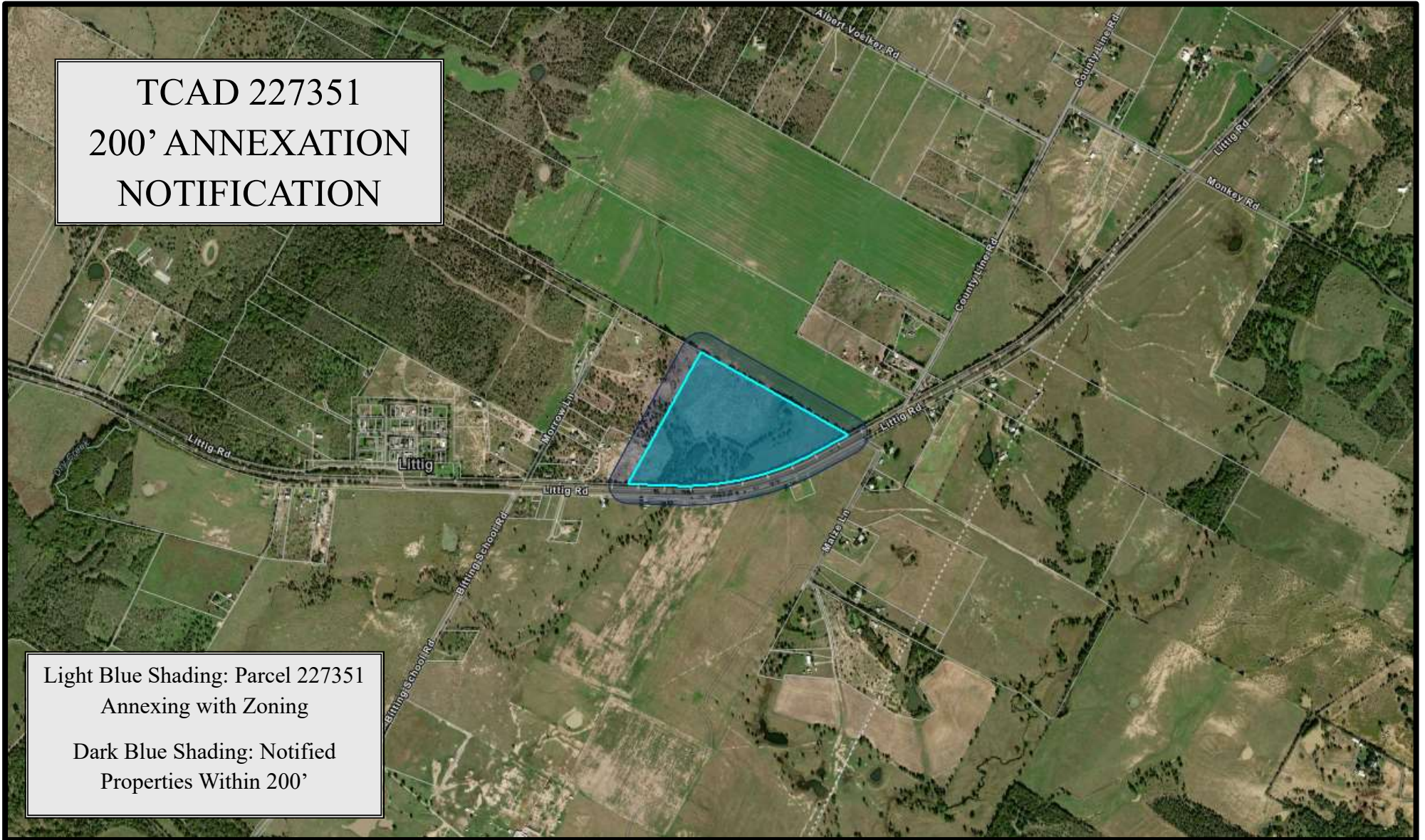
City of Elgin
Development Services Department
P.O. Box 591
Elgin, TX 78621 U.S.A.

Requests for any additional information may be directed to planninganddevelopment@elgintexas.gov or to (512) 281-0119 or may be requested from the Development Services Department, Fleming Community Center, 802 N. Avenue C, Elgin, TX 78621 U.S.A. from 8:30 A.M – 4:00 P.M. Central Standard Time, Monday – Friday.

TCAD 227351
200' ANNEXATION
NOTIFICATION

Light Blue Shading: Parcel 227351
Annexing with Zoning

Dark Blue Shading: Notified
Properties Within 200'





Development Services Department

STAFF REPORT

Update on Short-term Rental Notices

Date: October 20, 2025
Meeting Date: Planning and Zoning Commission – October 27, 2025
Location: 14 locations throughout the city

ITEM SUMMARY

Staff began identifying short-term rental (“STR”) properties in July with the submittal of the first Specific Use Permit requesting that use at 907 North Avenue C. Staff identified a total of 14 locations inside the city limits listed on platforms such as Airbnb, VRBO, Booking.com and Expedia.com. As previously stated, such uses meet current ordinance definitions related to [Hotel Occupancy Taxes](#) and uses related to [Specific Use Permits](#) (“SUP”).

DEPARTMENT COMMENTS

The Code Compliance Department mailed a total of 13 Violation Notices between September 22nd and 26th. The notices were sent via regular mail and Certified Mail, return receipt requested and informed the property owners that a SUP was required to operate an STR and that Hotel Occupancy Taxes were required to be collected and remitted to the City. The letter directed property owners to cease and desist all STR operations until they brought their property into compliance with city codes. A deadline of 30 days was given for property owners to pay any outstanding taxes and contact the city to begin the process of obtaining a SUP.

As of the date of this staff report, a total of six property owners contacted our office in response to those notices. Of those six, a total of two cases have been closed because the properties have been brought into compliance (one by suspending operations and the other by paying Hotel Occupancy Tax for the 1st and 2nd quarter). We have received one SUP application which will be considered for recommendation at the November PZC meeting. Two owners have shown proof that they had no stays so far this year so they are not subject to HOT, one has stated they would remove their property from the rental platforms and the other has increased the rental terms on their listing to over thirty days in order to be exempt from paying HOT ([Sec. 156.101](#) of the State Tax Code states that no tax is imposed “on a person who has the right to use or possess a room in a hotel for at least 30 consecutive days,”). To date, we have collected a total of \$660.00 in HOT.

Feedback from property owners ranged from shock about the cost of the SUP application fee of \$600.00, increasing the rental terms on their listing to over thirty days to suspending operations. Generally speaking, the property owners who contacted us were willing to bring their property into compliance with city codes. Eight property owners have yet to contact our office and one letter was just mailed this week.

Regarding length of stay, it is staff’s determination that listings for stays less than six months would still require a SUP.

ATTACHMENTS

1. List of STR properties
2. Sample Short-Term Rental Notice of Violation
3. Texas Tax Code – Hotel Occupancy Tax
4. Chapter 38 – Article IV. – Hotel Occupancy Tax
5. Chapter 46 – Division 5. – Specific Use Permits

Short Term Rental Properties

Parcel No.	Case #	Date NOV Mailed	Date NOV Delivered	Address	Property Name	Host Name	Status	Notes
12036	20250697	9/22/2025	10/2/2025	1200 block N Main Street	Spacious Pet Friendly 5 BR 4 BA	Liyan	case closed 10/3/25	Paid \$660 on Hotel Occupancy Tax
12040	20250710	9/25/2025	9/29/2025	1100 block N Maint Street	Juanita's House	Judy	case closed 10/10/25	Suspended Operations
15480	20250711	9/26/2025	9/29/2025	1100 block N Maint Street	Sweet studio in perfect location	Katy	Open	Has not responded
15727	20250726	9/26/2025	10/17/2025	200 block Loesch Dr	Checkmate and Chill-Inn	Hill Country Premier Lodging	Pending	Applied for a SUP; will be on November PZC agenda
92752	20250712	9/26/2025	9/29/2025	300 block Gettysburg Loop	Room only	Kurt	Open	Updated listing to 30 days or more; indicated that they would apply for an SUP but has not yet
8720017	20250713	9/26/2025	9/29/2025	14000 block Prasky Trail	The Middle Point	David	Open	Has not responded
8724302	20250719			12000 block Token Trail	Oppong's House	Blank		
8724285	20250714	9/26/2025	9/29/2025	12000 block Token Trail	Room in Elgin, Texas	Rodolfo	Open	Has not responded
8724261	20250716	9/26/2025	10/2/2025	13000 block Roving Pass	Roving Pass Retreat: Grey Room	Beau	Open	Has not responded
959605	20250715	9/26/2025	9/29/2025	18000 block Spotted Eagle Ln	Entire Home in Elgin, Texas	Zaituni	Pending	Provided proof of no stays in 2025; must provide proof of removal from rental platforms
12379	20250718	9/26/2025	10/2/2025	Depot Sq.	The McKinley on Historic Main St.	Jeremy	Open	Has not responded
13318	20250727	9/26/2025	10/20/2025	1200 block Lake Terrace Dr	Serene Guesthouse	Jb & Oana	Open	Has not responded
13318	20250717	9/26/2025	10/20/2025	1200 block Lake Terrace Dr	Kick Back, Play, Relax, Enjoy!	Jb & Oana	Open	Has not responded
14520	20250720	9/26/2025		400 block S Ave A	Our Country Cottage	Jen	Pending	Provided proof of no stays in 2025; updated listing to 30 days or more
14838	20250721	9/26/2025	9/29/2025	600 block West Alamo St.	Charming 3BR/2BA Haven	Tasha	Open	Has not responded

The ones highlighted seem to be rooms only rather than the whole house.

Has an SUP but does not appear to be paying Hotel/Motel tax

Has been paying Hotel/Motel Tax but does not have an SUP



09/25/2025

ELGIN, TX, 78621

RE: **Short Term Rental**
Case #: 20250711
A20 CHRISTIAN, THOMAS, ACRES 0.3300
ELGIN, TX, 78621

DEAR PROPERTY OWNER / LESSEE:

It has come to the City of Elgin's attention that you may be operating a short-term rental at _____ ST without obtaining the required Specific Use Permit ("SUP") as mandated by the City of Elgin Code of Ordinances.

Pursuant to **City of Elgin Code, Zoning Ordinance Section 46-138**, short-term rentals, including residences used as bed-and-breakfasts, boarding houses, tourist homes, or rented for fewer than thirty (30) consecutive days, must obtain an SUP issued by the City prior to operation.

Additionally, **City of Elgin Code of Ordinances Section 38-73-74** requires the payment of hotel occupancy taxes on revenues derived from short-term rental activities. Our records indicate that no such taxes are currently being reported or remitted for the above-referenced property. Please see the City's website for the Hotel Occupancy Tax Report form: <https://www.elgintexas.gov/DocumentCenter/View/84/Hotel-Tax-Form> or scan the QR code below for information regarding Short-Term Rentals and the Hotel Tax Form.



You are hereby directed to immediately cease and desist all short-term rental operations at this property until you have obtained the required SUP and are in compliance with all applicable City ordinances, including the registration and remittance of hotel occupancy taxes.

Please contact the City of Elgin Development Services Department at (512)-229-3261 or planninganddevelopment@elgintexas.gov immediately to begin the process of applying for a Specific Use Permit and to discuss any past-due hotel occupancy tax obligations.

Failure to comply within thirty (30) days of the date of this notice may result in enforcement action, including fines and other legal remedies as provided by City Code.

Thank you for your prompt attention to this matter.

Sincerely,

Orlando Rodriguez - Lic #7305
Code Compliance Officer
City of Elgin

1108 N Main Street



Anywhere Any week Add guests

Become a host

Sweet studio in perfect location

Show Save



Entire guesthouse in Elgin, Texas

2 guests Studio 1 bed 1 bath

Quick favorite

One of the most loved homes on Airbnb, according to guests

5.0

21

Reviews



Hosted by Katy

Superhost · 2 years hosting

\$576 for 5 nights

Check in 8/17/2025

Check out 8/21/2025

Who's 1 guest

Reserve

TAX CODE

TITLE 2. STATE TAXATION

SUBTITLE E. SALES, EXCISE, AND USE TAXES

CHAPTER 156. HOTEL OCCUPANCY TAX

SUBCHAPTER A. DEFINITIONS

Sec. 156.001. DEFINITIONS. (a) In this chapter, "hotel" means a building in which members of the public obtain sleeping accommodations for consideration. The term includes a hotel, motel, tourist home, tourist house, tourist court, lodging house, inn, rooming house, or bed and breakfast. The term does not include:

- (1) a hospital, sanitarium, or nursing home;
- (2) a dormitory or other housing facility owned or leased and operated by an institution of higher education or a private or independent institution of higher education as those terms are defined by Section [61.003](#), Education Code, used by the institution for the purpose of providing sleeping accommodations for persons engaged in an educational program or activity at the institution; or
- (3) an oilfield portable unit, as defined by Section [152.001](#).

(b) For purposes of the imposition of a hotel occupancy tax under this chapter, Chapter [351](#) or [352](#), or other law, "hotel" includes a short-term rental. In this subsection, "short-term rental" means the rental of all or part of a residential property to a person who is not a permanent resident under Section [156.101](#).

Acts 1981, 67th Leg., p. 1686, ch. 389, Sec. 1, eff. Jan. 1, 1982. Amended by Acts 1993, 73rd Leg., ch. 486, Sec. 5.01, eff. Oct. 1, 1994; Acts 1995, 74th Leg., ch. 454, Sec. 1, eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 1000, Sec. 56, eff. Oct. 1, 1995.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 566 (H.B. [3182](#)), Sec. 3, eff. September 1, 2011.

Acts 2015, 84th Leg., R.S., Ch. 1255 (H.B. [1905](#)), Sec. 22(a), eff. September 1, 2015.

SUBCHAPTER B. TAX

Sec. 156.051. TAX IMPOSED. (a) A tax is imposed on a person who, under a lease, concession, permit, right of access, license, contract, or agreement, pays for the use or possession or for the right to the use or possession of a room or space in a hotel costing \$15 or more each day.

(b) The price of a room in a hotel does not include the cost of food served by the hotel and the cost of personal services performed by the hotel for the person except for those services related to cleaning and readying the room for use or possession.

Acts 1981, 67th Leg., p. 1686, ch. 389, Sec. 1, eff. Jan. 1, 1982. Amended by Acts 2003, 78th Leg., ch. 209, Sec. 28, eff. Oct. 1, 2003.

Sec. 156.052. RATE OF TAX. The rate of the tax imposed by this chapter is six percent of the price paid for a room in a hotel.

Acts 1981, 67th Leg., p. 1686, ch. 389, Sec. 1, eff. Jan. 1, 1982. Amended by Acts 1984, 68th Leg., 2nd C.S., ch. 31, art. 5, Sec. 1, eff. Oct. 2, 1984; Acts 1987, 70th Leg., 2nd C.S., ch. 5, art. 5, Sec. 1.

Sec. 156.053. COLLECTION OF TAX. A person owning, operating, managing, or controlling a hotel shall collect for the state the tax that is imposed by this chapter and that is calculated on the amount paid for a room in the hotel.

Acts 1981, 67th Leg., p. 1686, ch. 389, Sec. 1, eff. Jan. 1, 1982.

SUBCHAPTER C. EXCEPTIONS TO TAX

Sec. 156.101. EXCEPTION--PERMANENT RESIDENT. This chapter does not impose a tax on a person who has the right to use or possess a room in a hotel for at least 30 consecutive days, so long as there is no interruption of payment for the period.

Acts 1981, 67th Leg., p. 1686, ch. 389, Sec. 1, eff. Jan. 1, 1982. Amended by Acts 1991, 72nd Leg., ch. 328, Sec. 4, eff. Aug. 26, 1991.

Sec. 156.102. EXCEPTION--RELIGIOUS, CHARITABLE, OR EDUCATIONAL ORGANIZATION. (a) This chapter does not impose a tax on a corporation or association that is organized and operated exclusively for a religious, charitable, or educational purpose if no part of the net earnings of the corporation or association inure to the benefit of a private shareholder or individual.

(b) For purposes of this section:

(1) a corporation or association that is organized and operated exclusively for the cleaning of beaches and that has no part of its net earnings inure to the benefit of a private shareholder or individual is organized and operated exclusively for a charitable purpose; and

(2) a public or private institution of higher education is organized and operated exclusively for an educational purpose only if the institution is defined as a Texas institution of higher education or as a Texas private or independent institution of higher education under any subdivision of Section [61.003](#), Education Code.

Acts 1981, 67th Leg., p. 1686, ch. 389, Sec. 1, eff. Jan. 1, 1982. Amended by Acts 1999, 76th Leg., ch. 1359, Sec. 2, eff. Sept. 1, 1999; Acts 1999, 76th Leg., ch. 1467, Sec. 2.48, eff. Oct. 1, 1999; Acts 2001, 77th Leg., ch. 1420, Sec. 18.011, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 209, Sec. 29, eff. Oct. 1, 2003.

Sec. 156.103. EXCEPTION--STATE AND FEDERAL GOVERNMENT.

(a) This chapter does not impose a tax on:

- (1) the United States;
- (2) a governmental entity of the United States; or
- (3) an officer or employee of a governmental entity of the United States when traveling on or otherwise engaged in the course of official duties for the governmental entity.

(b) This state, or an agency, institution, board, or commission of this state other than an institution of higher education shall pay the tax imposed by this chapter and is entitled to a refund of the amount of tax paid in accordance with Section [156.154](#).

(c) A state officer or employee of a state governmental entity described by Subsection (b) who is entitled to reimbursement for the cost of lodging and for whom a special provision or exception to the general rate of reimbursement under the General Appropriations Act is not applicable shall pay the tax imposed by this chapter. The state governmental entity with whom the person is associated is entitled under Section [156.154](#) to a refund of the tax paid.

(d) A state officer or employee of a state governmental entity described by Subsection (b) for whom a special provision or exception to the general rate of reimbursement under the General Appropriations Act applies and who is provided with photo identification verifying the identity and exempt status of the person is not required to pay the tax and is not entitled to a refund. The photo identification of a state officer or

employee described by this section may be modified for the purposes of this section.

(e) In this section, "institution of higher education" has the meaning assigned by Section [61.003](#), Education Code.

Added by Acts 1989, 71st Leg., ch. 504, Sec. 1, eff. Sept. 1, 1989. Amended by Acts 1995, 74th Leg., ch. 454, Sec. 2, eff. Sept. 1, 1995; Acts 1999, 76th Leg., ch. 1467, Sec. 2.49, eff. Oct. 1, 1999.

Sec. 156.104. EXEMPTION CERTIFICATE. (a) The right to use or possess a room or space in a hotel is exempt from taxation under this chapter if the person required to collect the tax receives, in good faith from a guest, a properly completed exemption certificate stating that the guest is qualified for an exemption under Section [156.102](#) or [156.103](#). An exemption certificate must be supported by the documentation required under rules adopted by the comptroller.

(b) The comptroller shall produce and maintain a list of entities that have been provided a letter of exemption from the state hotel occupancy tax under Section [156.102](#). The comptroller shall make the list available on the comptroller's Internet website.

Added by Acts 2003, 78th Leg., ch. 209, Sec. 30, eff. Oct. 1, 2003.

SUBCHAPTER D. REPORTS AND PAYMENTS

Sec. 156.151. REPORT AND PAYMENT. (a) A person required to collect the tax imposed by this chapter shall pay the comptroller the tax collected during the preceding reporting period and at the same time shall file with the comptroller a report stating:

(1) the total amount of the payments made for rooms at the person's hotel during the preceding reporting period;

(2) the amount of the tax collected by the person during the preceding reporting period; and

(3) other information that the comptroller requires to be in the report.

(b) Except as provided by Subsection (c), each calendar month is a reporting period and the taxes imposed by and collected under this chapter are due and payable to the comptroller on or before the 20th day of the month following the end of each calendar month.

(c) If a taxpayer owes less than \$500 for a calendar month or \$1,500 for a calendar quarter, the taxpayer qualifies as a quarterly filer having a reporting period of a calendar quarter and the taxes are due and payable on the 20th day after the end of the calendar quarter.

Acts 1981, 67th Leg., p. 1687, ch. 389, Sec. 1, eff. Jan. 1, 1982. Amended by Acts 1993, 73rd Leg., ch. 486, Sec. 5.02, eff. Oct. 1, 1994.

Sec. 156.152. ACCESS TO BOOKS AND RECORDS. After the comptroller gives reasonable notice to a person that the comptroller intends to inspect the books or records of the person, the comptroller has access to the person's books or records necessary for the comptroller to determine the correctness of a report filed under this chapter or the amount of taxes due under this chapter.

Acts 1981, 67th Leg., p. 1687, ch. 389, Sec. 1, eff. Jan. 1, 1982.

Sec. 156.153. REIMBURSEMENT FOR TAX COLLECTION. The person required to file a report under this chapter may deduct and withhold from the taxes otherwise due to the state on the monthly or quarterly return, as reimbursement for the cost of collecting the tax, one percent of the amount of the tax due as shown on the report. If taxes due under this chapter are not

paid to the state within the time required or if the person required to file a report fails to file the report when due, the person forfeits the claim to reimbursement that could have been taken if the tax had been paid or the report filed when due.

Added by Acts 1981, 67th Leg., p. 2779, ch. 752, Sec. 11, eff. Jan. 1, 1982. Amended by Acts 1993, 73rd Leg., ch. 486, Sec. 5.03, eff. Oct. 1, 1994.

Sec. 156.154. REFUND. (a) A governmental entity that is entitled under Section [156.103](#) to a refund of taxes paid under this chapter must file a refund claim with the comptroller.

(b) The claim must be filed on a form provided by the comptroller and contain the information required by the comptroller.

(c) A claim for a refund may be filed only for each fiscal year quarter for all reimbursements accrued during that quarter.

Added by Acts 1995, 74th Leg., ch. 454, Sec. 3, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 1158, Sec. 91, eff. Sept. 1, 2001.

Sec. 156.155. AVAILABILITY OF CERTAIN TAXPAYER INFORMATION. (a) A state agency may not post on a public Internet website information that identifies the taxable receipts of an individual business that is contained in or derived from a record, report, or other document required to be provided under this chapter.

(b) Information described by Subsection (a) that is collected or maintained by a state agency is public information under Section [552.002](#), Government Code. A state agency shall provide access to the information in the manner provided by Chapter [552](#), Government Code, and the exceptions under Subchapter C of that chapter do not apply to the information.

Added by Acts 2017, 85th Leg., R.S., Ch. 30 (S.B. [1086](#)), Sec. 1, eff. May 18, 2017.

SUBCHAPTER E. ENFORCEMENT

Sec. 156.201. INTEREST ON DELINQUENT TAXES. A tax imposed by this chapter that is not paid to the comptroller when it is due draws interest as provided by Section [111.060](#) of this code.

Acts 1981, 67th Leg., p. 1687, ch. 389, Sec. 1, eff. Jan. 1, 1982.

Sec. 156.202. PENALTY. (a) If the person who is required to pay to the comptroller the tax imposed by this chapter fails to file a report or does not pay the tax when it is due, the person shall forfeit to the state a penalty of five percent of the amount of tax due.

(b) If the person who is required to pay the tax to the comptroller does not pay the tax within 30 days after it is due, the person shall forfeit to the state a penalty of an additional five percent of the amount of tax due.

(c) The minimum penalty under Subsections (a) and (b) is \$1.

(d) In addition to any other penalty authorized by this section, a person who fails to file a report as required by this chapter shall pay a penalty of \$50. The penalty provided by this subsection is assessed without regard to whether the taxpayer subsequently files the report or whether any taxes were due from the taxpayer for the reporting period under the required report.

Acts 1981, 67th Leg., p. 1687, ch. 389, Sec. 1, eff. Jan. 1, 1982.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 4 (S.B. [1](#)), Sec. 14.06, eff. October 1, 2011.

Sec. 156.203. CRIMINAL PENALTY. (a) A person commits an offense if the person fails to file a report with the comptroller, collect a tax for the state, or pay a tax to the comptroller as the person is required to do by this chapter.

(b) An offense under this section is a misdemeanor punishable by a fine of not less than \$100 or more than \$1,000.

Acts 1981, 67th Leg., p. 1687, ch. 389, Sec. 1, eff. Jan. 1, 1982.

Sec. 156.204. TAX COLLECTION ON TERMINATION OF BUSINESS.

(a) If a person who is liable for the payment of an amount under Section [156.151](#) of this code is the owner of the hotel and sells the hotel, the successor to the seller or the seller's assignee shall withhold an amount of the purchase price sufficient to pay the amount due until the seller provides a receipt from the state comptroller showing that the amount has been paid or a certificate stating that no amount is due.

(b) The purchaser of a hotel who fails to withhold an amount of the purchase price as required by this section is liable for the amount required to be withheld to the extent of the value of the purchase price.

(c) The purchaser of a hotel may request that the comptroller issue a certificate stating that no tax is due or issue a statement of the amount required to be paid before a certificate may be issued. The comptroller shall issue the certificate or statement within 60 days after receiving the request or within 60 days after the day on which the records of the former owner of the hotel are made available for audit, whichever period expires later, but in either event the comptroller shall issue the certificate or statement within 90 days after the date of receiving the request.

(d) If the comptroller fails to mail the certificate or statement within the applicable period provided by Subsection

(c) of this section, the purchaser is released from the obligation to withhold the purchase price or pay the amount due.

(e) The period of limitation during which the comptroller may assess tax against the purchaser under this section is four years from the date when the former owner of the hotel sells the hotel or when a determination is made against the former owner, whichever event occurs later. At any time within three years after a deficiency determination against the purchaser has become due and payable the comptroller may bring an action in a district court of Travis County or a court of any other state of the United States in the name of the people of Texas to collect the delinquent amounts together with penalties and interest.

Added by Acts 1983, 68th Leg., p. 302, ch. 65, Sec. 1, eff. May 3, 1983.

SUBCHAPTER F. DISPOSITION OF REVENUE

Sec. 156.251. REVENUE DEPOSITED IN GENERAL REVENUE FUND.

(a) The revenue from the tax imposed by this chapter shall be deposited in the state treasury to the credit of the general revenue fund.

(b), (c) Expired.

(d) An amount equal to the amount of revenue derived from the collection of taxes imposed by this chapter at a rate of one-half of one percent shall be allocated in the general revenue fund to be used for media advertising and other marketing activities of the Tourism Division of the Texas Department of Commerce. Section 403.094(h), Government Code, does not apply to funds described in this section. This subsection takes effect October 1, 1994.

Acts 1981, 67th Leg., p. 1688, ch. 389, Sec. 1, eff. Jan. 1, 1982. Amended by Acts 1985, 69th Leg., ch. 651, Sec. 8, eff. Aug. 26, 1985; Acts 1987, 70th Leg., 2nd C.S., ch. 5, art. 5,

Sec. 2; Acts 1993, 73rd Leg., ch. 986, Sec. 34, eff. Sept. 1, 1993.

Sec. 156.2511. ALLOCATION OF CERTAIN REVENUE. (a) Not later than the last day of the month following a calendar quarter, the comptroller shall:

(1) compute the amount of revenue derived from the collection of taxes imposed under this chapter at a rate of two percent and received from hotels located in an eligible coastal municipality that has created a park board of trustees to administer public beaches under Chapter [306](#), Local Government Code; and

(2) issue to the eligible coastal municipality a warrant drawn on the general revenue fund in the amount computed under Subdivision (1).

(b) An eligible coastal municipality may use money received under this section only to clean and maintain public beaches in that municipality.

(c) Section 403.094(h), Government Code, does not apply to funds described by Subsection (a).

(d) In this section:

(1) "Eligible coastal municipality" has the meaning assigned by Section [351.001](#).

(2) "Clean and maintain" has the meaning assigned by Section [61.063](#), Natural Resources Code.

Added by Acts 1995, 74th Leg., ch. 454, Sec. 4, eff. Sept. 1, 1995.

Sec. 156.2512. ALLOCATION OF REVENUE TO CERTAIN MUNICIPALITIES. (a) Not later than the last day of the month following a calendar quarter and subject to Subsection (d), the comptroller shall:

(1) compute the amount of revenue, excluding revenue described by Subsection (e), derived from the collection of

taxes imposed under this chapter at a rate of two percent and received from hotels located in an eligible barrier island coastal municipality; and

(2) issue to the municipality a warrant drawn on the general revenue fund for that amount.

(b) An eligible barrier island coastal municipality may use money received under this section only:

(1) to clean and maintain public beaches in that municipality;

(2) for an erosion response project in that municipality; and

(3) to clean and maintain bay shores owned by that municipality or leased by that municipality from this state.

(c) In this section:

(1) "Eligible barrier island coastal municipality" means a municipality:

(A) that borders on the Gulf of Mexico;

(B) that is located wholly or partly on a barrier island; and

(C) that:

(i) includes an institution of higher education that is part of the Texas Coastal Ocean Observation Network under Section [33.065](#), Natural Resources Code;

(ii) includes a national estuarine research reserve;

(iii) is located within 30 miles of the United Mexican States; or

(iv) has a population of less than 10,000 and is located in a county with a population of at least 370,000 that is adjacent to a county with a population of at least 3,000,000.

(2) "Clean and maintain" has the meaning assigned by Section [61.063](#), Natural Resources Code.

(3) "Erosion response project" has the meaning assigned by Section [33.601](#), Natural Resources Code.

(d) The comptroller may not issue a warrant to any municipality under this section for an amount that exceeds the amount of revenue derived from the collection of taxes imposed under this chapter at a rate of two percent and received from hotels located within the municipality.

(e) This section does not apply to revenue derived from the collection of taxes paid by persons for the use or possession of or for the right to the use or possession of a room or space at a qualified hotel project, the owner of which is entitled to a rebate, refund, or payment of hotel occupancy tax revenue under:

- (1) Section [2303.5055](#), Government Code; or
- (2) Section [151.429](#)(h).

Added by Acts 1999, 76th Leg., ch. 1359, Sec. 1, eff. Sept. 1, 1999.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1192 (H.B. [1009](#)), Sec. 1, eff. June 15, 2007.

Acts 2009, 81st Leg., R.S., Ch. 667 (H.B. [2276](#)), Sec. 1, eff. July 1, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 702 (H.B. [3042](#)), Sec. 1, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 702 (H.B. [3042](#)), Sec. 2, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 702 (H.B. [3042](#)), Sec. 3, eff. September 1, 2013.

Acts 2015, 84th Leg., R.S., Ch. 971 (H.B. [1915](#)), Sec. 1, eff. October 1, 2015.

Acts 2023, 88th Leg., R.S., Ch. 644 (H.B. [4559](#)), Sec. 221, eff. September 1, 2023.

Sec. 156.2513. ALLOCATION OF REVENUE TO CERTAIN MUNICIPALITIES AND COUNTIES. Not later than the last day of the month following a calendar quarter, the comptroller shall:

(1) compute the amount of revenue, excluding penalties and interest and amounts paid under protest, derived from the collection of taxes imposed by this chapter that resulted from documentation or other information described by Section [351.008](#) or [352.008](#); and

(2) issue a warrant drawn on the general revenue fund in the amount of 20 percent of the revenue computed under Subdivision (1) to the municipality or county that provided the documentation or other information.

Added by Acts 2011, 82nd Leg., R.S., Ch. 1152 (H.B. [2048](#)), Sec. 1, eff. September 1, 2011.

For expiration of this section, see Subsection (e).

Sec. 156.252. TEMPORARY ALLOCATION OF CERTAIN REVENUE TO BENEFIT COASTAL COUNTIES. (a) In this section, "coastal county" means any county adjacent to:

- (1) the Gulf of Mexico; or
- (2) Corpus Christi Bay.

(b) Beginning with the state fiscal year beginning September 1, 2021, and except as provided by Subsection (d), the comptroller shall, not later than September 30 of each state fiscal year:

(1) compute the amount of revenue derived from the collection of taxes imposed under this chapter at a rate of two percent and received from hotels located in coastal counties during the preceding state fiscal year; and

(2) transfer that amount to the coastal erosion response account created under Section [33.604](#), Natural Resources Code.

(c) Revenue transferred under this section may be appropriated only to the General Land Office for a purpose consistent with Subchapter [H](#), Chapter [33](#), Natural Resources Code, that benefits a coastal county.

(d) Revenue derived from the collection of taxes under this chapter that is placed in a suspense account under Section [151.429](#)(h) or under Section [2303.5055](#)(f), Government Code, is excluded from the computation required by Subsection (b)(1).

(e) This section expires September 1, 2031.

Added by Acts 2019, 86th Leg., R.S., Ch. 1018 (H.B. [6](#)), Sec. 5, eff. September 1, 2019.

ARTICLE IV. HOTEL OCCUPANCY TAX¹

Sec. 38-72. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Consideration.

- (1) The term "consideration" means the cost of the room in such hotel.
- (2) The term "consideration" does not include the cost of any food served or personal services rendered to the occupant of such room not related to the cleaning and readying of such room for occupancy.

Hotel.

- (1) The term "hotel" means any building, trailer or other facility, in which the public may, for a consideration, obtain sleeping accommodations within the city limits. The term "hotel" includes hotels, motels, tourist homes, houses or courts, lodgishouses, inns, roominghouses or other buildings where rooms are furnished for a consideration.
- (2) The term "hotel" does not include hospitals, sanitariums or nursing homes.

State law reference(s)—Similar definition, V.T.C.A., Tax Code § 156.001.

Occupancy means the use or possession, or the right to the use or possession, of any room, sleeping space, bed or other facility in a hotel for any purpose.

Occupant means anyone who, for a consideration, uses, possesses, or has a right to use or possess, any room, sleeping space, bed or other facility in a hotel under any lease, concession, permit, right of access, license, contract or agreement.

Permanent resident means any occupant who has or shall have the right to occupancy of any room or rooms or sleeping space or other facility in a hotel for at least 30 consecutive days during the current calendar year or preceding year.

Person means any individual, company, corporation or association owning, operating, managing or controlling any hotel.

Quarterly period means the regular calendar quarters of the year:

- (1) The first quarter being composed of the months of January, February and March;
- (2) The second quarter being composed of the months of April, May and June;
- (3) The third quarter being composed of the months of July, August and September; and
- (4) The fourth quarter being composed of the months of October, November and December.

Tax collector means the county tax collector.

¹State law reference(s)—Municipal hotel occupancy tax, V.T.C.A., Tax Code § 351.001 et seq.

(Code 1990, ch. 4, § 10(A); Ord. of 4-2-1985; Ord. No. 90-19, 9-18-1990)

State law reference(s)—Definitions, V.T.C.A., Tax Code § 351.001.

Sec. 38-73. Levied; exceptions.

- (a) There is hereby levied a tax upon the cost of occupancy of any room or space furnished by any hotel where such cost of occupancy is at the rate of \$2.00 or more per day, such tax to be equal to seven percent of the consideration paid by the occupant of such room to such hotel.
- (b) No tax shall be imposed hereunder upon a corporation or association organized and operated exclusively for religious, charitable, or educational purposes no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(Code 1990, ch. 4, § 10(B); Ord. of 4-2-1985; Ord. No. 90-19, 9-18-1990)

State law reference(s)—Rate of tax, V.T.C.A., Tax Code § 351.003; exemptions, V.T.C.A., Tax Code § 351.006.

Sec. 38-74. Collection.

Every person owning, operating, managing or controlling any hotel, shall collect the tax imposed in this article for the city.

(Code 1990, ch. 4, § 10(C); Ord. of 4-2-1985; Ord. No. 90-19, 9-18-1990)

State law reference(s)—Collection procedures, V.T.C.A., Tax Code § 351.004.

Sec. 38-75. Records.

Every person who is required by the provisions of this article to collect the tax imposed herein shall have a record of the following information:

- (1) The names and addresses of all occupants of the establishment;
- (2) The period of time for which each room is rented; and
- (3) The consideration paid for such rental.

(Code 1990, ch. 4, § 10(D); Ord. of 4-2-1985; Ord. No. 90-19, 9-18-1990)

State law reference(s)—Records and audit procedures, V.T.C.A., Tax Code § 351.004.

Sec. 38-76. Reports to be filed; payment of tax collected.

On the last day of the month following each quarterly period, every person required hereby to collect the tax imposed by this article shall file a report with the tax collector showing the consideration paid for all room occupancies in the preceding quarter, the amount of tax collected on the city's behalf on such occupancies, and any other information as the tax collector may reasonably require. Such person shall pay over the tax due on such occupancies at the time of filing such report. There shall also be furnished to the tax collector of the city at the time of payment of such tax, a copy of the quarterly tax report filed with the state comptroller in connection with the state hotel occupancy tax.

(Code 1990, ch. 4, § 10(E); Ord. of 4-2-1985; Ord. No. 90-19, 9-18-1990)

Sec. 38-77. Rules and regulations; access to books and records.

The tax collector shall have the power to make such rules and regulations as are reasonably necessary to effectively collect the tax levied herein and shall, upon reasonable notice have access to books and records necessary to enable him to determine the correctness of any report filed as required by this article and the amount due under the provisions of this article.

(Code 1990, ch. 4, § 10(F); Ord. of 4-2-1985; Ord. No. 90-19, 9-18-1990)

Sec. 38-78. Penalty.

If any person required by the provisions of this article to collect the tax imposed in this chapter, make reports as required herein, and pay to the tax collector the tax imposed herein, shall fail to collect such tax, shall fail to file such report, or shall fail to pay such tax, or if such person shall file a false report, such person shall be deemed guilty of a misdemeanor.

(Code 1990, ch. 4, § 10(G); Ord. of 4-2-1985; Ord. No. 90-19, 9-18-1990)

State law reference(s)—Penalty for not making reports or not paying tax when due, V.T.C.A., Tax Code § 351.004.

Sec. 38-79. Penalty for failure to file reports or pay taxes when due; interest on delinquent taxes.

If any person shall fail to file a report as required herein or shall fail to pay to the tax collector the tax as imposed herein when such report or payment is due, he shall forfeit five percent of the amount due as a penalty, and after the first 30 days he shall forfeit an additional five percent of such tax; provided, however, that the penalty shall never be less than \$1.00. Delinquent taxes shall draw interest at the rate of six percent per annum beginning 60 days from the date due.

(Code 1990, ch. 4, § 10(H); Ord. of 4-2-1985; Ord. No. 90-19, 9-18-1990)

State law reference(s)—Penalty for not making reports or not paying tax when due, V.T.C.A., Tax Code § 351.004.

Secs. 38-80—38-125. Reserved.

DIVISION 5. SPECIFIC USE PERMITS

Sec. 46-138. General description.

- (a) A specific use permit for any of the following uses in any use district may be granted and may contain such requirements, conditions and safeguards as are needed to protect adjacent property, and in any case a site plan may be required by the planning and zoning commission or the city council which may be made a part of the regulations granting such specific use permit:
- (1) College, university or private boarding school.
 - (2) Library, museum or art gallery.
 - (3) Golf course, driving range or putting course.
 - (4) Radio, microwave relay tower or television tower.
 - (5) Private aboveground water storage tank.
 - (6) Gas or petroleum drilling or storage.
 - (7) Rock quarries: sand, gravel or earth excavation for off-site use.
 - (8) Airports or landing fields for public or private use. A specific use permit will not become effective until the site is approved by the Civil Aeronautics Administration. When located in the R-1, R-2, R-3 or A residential districts, the site shall contain not less than 20 acres.
 - (9) Hospitals intended for the care of insane, liquor or narcotics patients. When located in the R-1, R-2, R-3 or A residential districts, the site shall contain not less than 20 acres.
 - (10) HUD Code Manufactured Home Park in the R-3 zoning district.
 - (11) Dry board storage.
 - (12) Dog kennels and veterinary hospitals.
 - (13) Greenhouses and nurseries.
 - (14) Private club, community or civic club.
 - (15) Day nursery or child care center.
 - (16) Kindergarten.
 - (17) Home beauty shop.
 - (18) Institutions of a religious, education, recreation or philanthropic nature which are not listed in this division.
 - (19) Sororities, fraternities and lodges.
 - (20) Medical facility.
 - (21) Off-street parking lot.
 - (22) Bait sales.

-
- (23) Electric transmission station.
 - (24) Roller skating rink.
 - (25) Temporary structures for religious or public gatherings.
 - (26) Carnivals or amusement parks.
 - (27) Zoo.
 - (28) Temporary produce stand.
 - (29) Motor raceways.
 - (30) Feed lot.
 - (31) Athletic fields or stadiums.
 - (32) Christmas tree sales.
 - (33) Fireworks sales.
 - (34) Sewage collection and/or treatment utility installation, public or private, not listed in this division.
 - (35) Animal pound.
 - (36) Home tropical fish sales.
 - (37) Store selling beer.
 - (38) Bed and breakfast.
 - (39) Boardinghouse.
 - (40) Public stable.
 - (41) Private stable.
 - (42) Roominghouse.
 - (43) Tourist house.
 - (44) Industrialized housing.
 - (45) Industrialized building.
 - (46) Wireless communication facility, self-enclosed monopole within a residential zoning district.

(Code 1990, ch. 11, § 2(C)(11)(a); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011; Ord. No. 2017-07-11-09, § II, 7-11-2017; Ord. No. 2020-02-04-06, § II, 2-4-20; Ord. No. 2020-02-04-10, § IV, 2-4-2020)

Sec. 46-139. Restricted uses.

A specific use permit may be granted for the following uses in the I-Industrial District only:

- (1) Cement, lime or gypsum manufacture.
- (2) Natural gas, production and distribution.
- (3) Petroleum production and refining.
- (4) Wholesale or bulk storage of gasoline, propane or butane, or other petroleum products.

-
- (5) Disposal plants of all types including trash and garbage, sewage treatment, including lagoons and compost plants.
 - (6) Salvage yards for automobiles, building materials, scrap metal, junk, or for any other kind of salvage; provided, however, that all salvage operations shall be so screened by ornamental walls, fences, or evergreen planting that it cannot be seen by a person standing at ground level at any place immediately adjacent to the lot on which the salvage operation is located.

(Code 1990, ch. 11, § 2(C)(11)(b); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

Sec. 46-140. Site plan.

Whenever the city council or the city planning and zoning commission shall require a site plan for a specific use permit, such site plan shall show existing improvements on the land and proposed development of the property and shall give the following information:

- (1) Date, scale, north point, title, name of owner and the name of person preparing plan;
- (2) Location of existing boundary lines and dimensions of the tract;
- (3) Centerline of existing watercourses, drainage features, and location and size of existing and proposed streets and alleys;
- (4) Location and size to the nearest one-half foot of all proposed buildings and land improvements;
- (5) Clear designation of areas reserved for off-street parking and for off-street loading; the location and size of points of ingress and egress; and
- (6) The ratio of parking space to floor space.

(Code 1990, ch. 11, § 2(C)(11)(c); Ord. No. 96-03-19-09, 3-19-1996; Ord. No. 97-12-02-31, 12-2-1997; Ord. No. 2001-09-11-21, 9-11-2001; Ord. No. 98-11-03-54, 11-3-1998; Ord. No. 2001-04-03-10, 4-3-2001; Ord. No. 2002-02-05-06, 2-5-2002; Ord. No. 2011-07-05-37, §§ I—XXV, 7-5-2011)

Secs. 46-141—46-163. Reserved.



Development Services Department

STAFF REPORT

Harvest Ridge 3rd Amended Development Agreement

Date: October 21, 2025

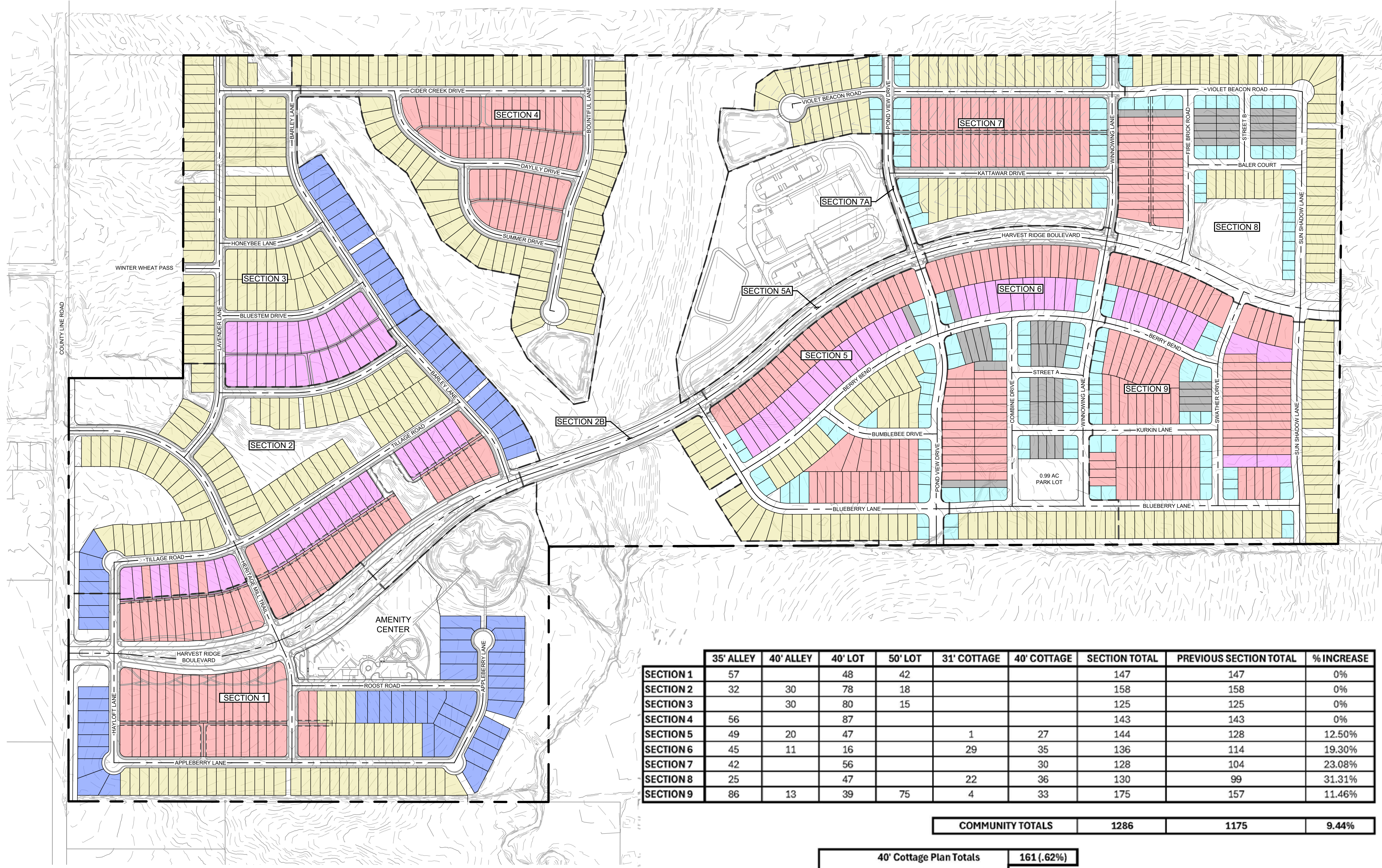
Meeting Date: Planning and Zoning Commission – October 27, 2025

WORKSHOP SUMMARY

This is a workshop to review and provide input on an amendment (the 3rd) to the Harvest Ridge Development Agreement, which was originally approved by Council on August 9, 2019, and amended on December 15, 2020 (allow for sign variances, and various subdivision variances) and March 7, 2023 (allow for donation of school site). This third amendment would reduce the square foot requirement on certain lots in the development, allowing for cottage homes in the development therefore increasing overall density by less than 100 units.

HARVEST RIDGE SUBDIVISION

COMMUNITY MAP

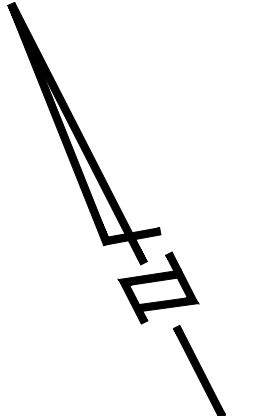


	35' ALLEY	40' ALLEY	40' LOT	50' LOT	31' COTTAGE	40' COTTAGE	SECTION TOTAL	PREVIOUS SECTION TOTAL	% INCREASE
SECTION 1	57		48	42			147	147	0%
SECTION 2	32	30	78	18			158	158	0%
SECTION 3		30	80	15			125	125	0%
SECTION 4	56		87				143	143	0%
SECTION 5	49	20	47		1	27	144	128	12.50%
SECTION 6	45	11	16		29	35	136	114	19.30%
SECTION 7	42		56			30	128	104	23.08%
SECTION 8	25		47		22	36	130	99	31.31%
SECTION 9	86	13	39	75	4	33	175	157	11.46%

COMMUNITY TOTALS	1286	1175	9.44%
-------------------------	-------------	-------------	--------------

40' Cottage Plan Totals
(40'x50', 2,000 s.f. Minimum Lot Size)
161 (.62%)

- 40' WIDE LOT
- 50' WIDE LOT
- 35' ALLEY LOT
- 40' ALLEY LOT
- 31' COTTAGE LOT
- 40' COTTAGE LOT (45' CORNER COTTAGE)



SCALE: 1" = 200'
 GRAPHIC SCALE IN FEET



PROJECT NO. 1636-11963	DRAWN BY: MKS
DATE: 5/12/2025	CHECKED BY: JAB
8834 N. Capital of Texas Hwy. Suite 140 Austin, Texas 78759 (512)452-0371 FAX (512)454-9933 TBPELS FIRM #2346	





Development Services Department

STAFF REPORT

Silo Ranch PDD Workshop

Date: October 21, 2025
Workshop Date: Planning and Zoning Commission – October 27, 2025
Representative: Antonio A. Prete – Waeltz & Prete, Inc.

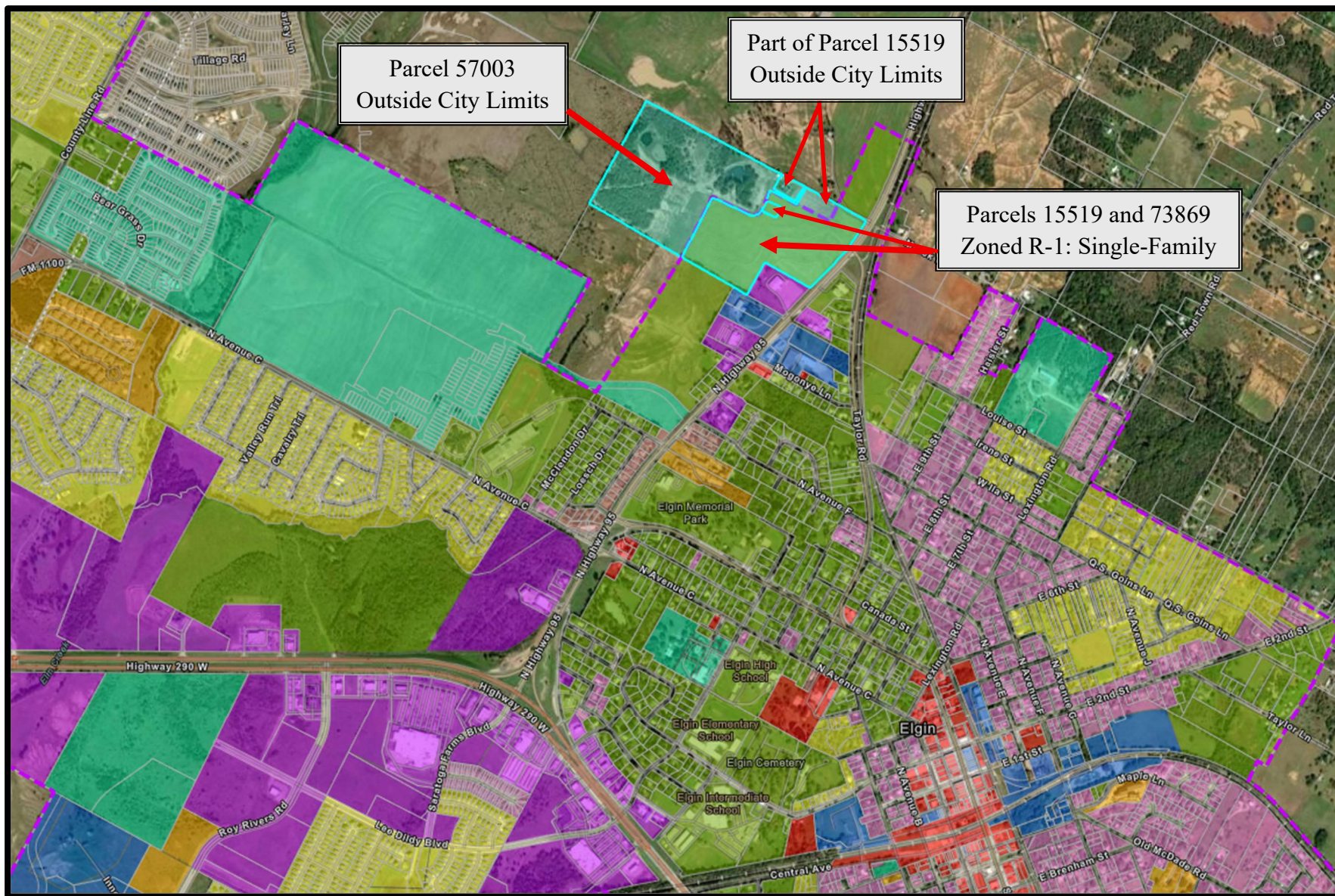
WORKSHOP SUMMARY

This is workshop of an upcoming item that has requested a PDD rezoning. Eventually the item will come before you for a recommendation for rezoning. However, the purpose of this meeting is to allow the Commission to review what has been submitted so far, discuss, and offer input on this proposed item. Please be aware City Staff has removed some of the pages to shorten the packet size, however the Development Plan with Exhibits have been retained for this meeting. Staff has also provided an aerial, vicinity map showing zoning and city limits to assist. Portions of this development are inside city limits and zoned R-1 and approximately 42.16 acres are located in the ETJ. The area inside the light blue highlight on the map is the proposed development.

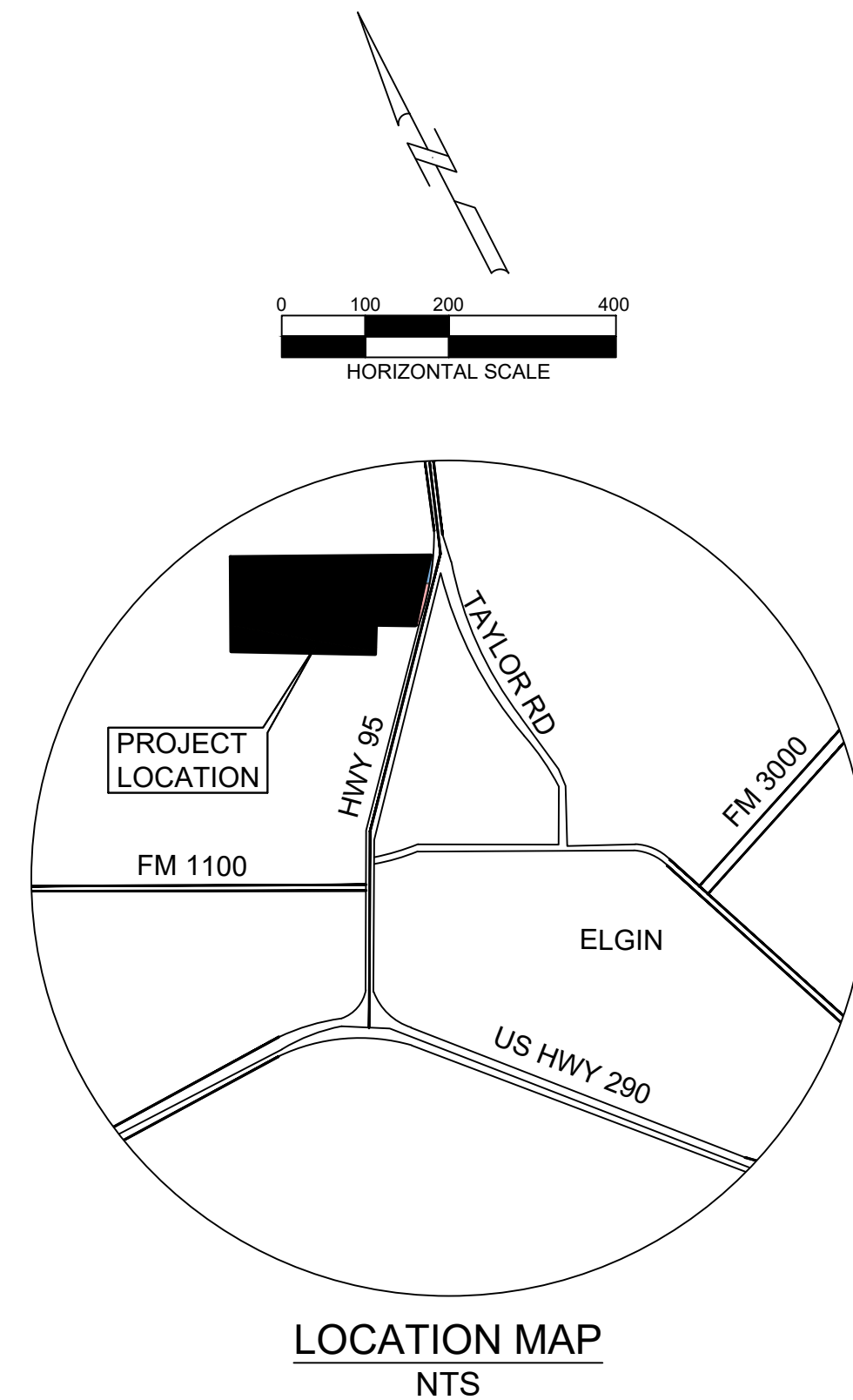
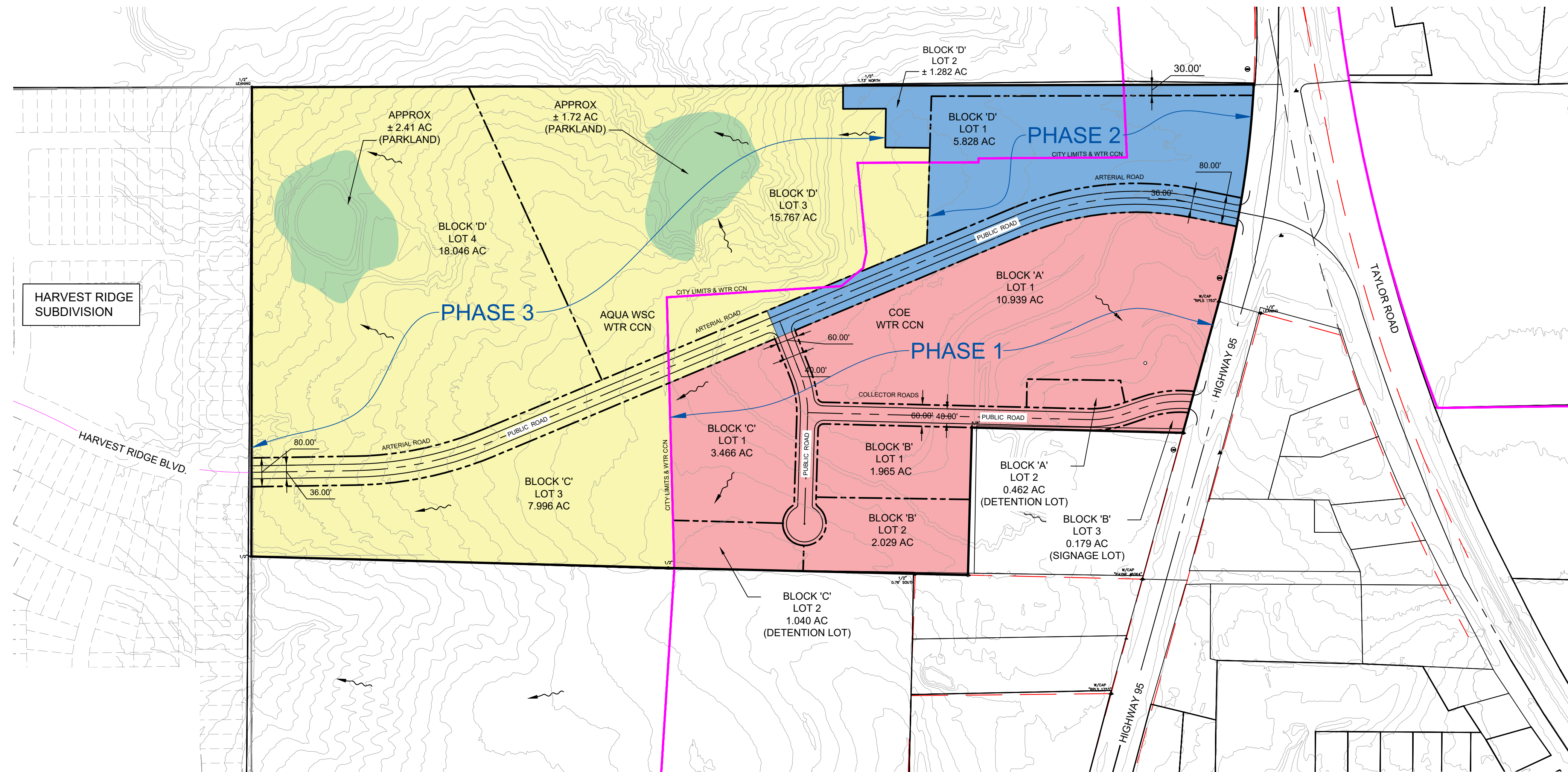
A large scale version of the Concept Plan will be provided at the meeting.

SILLO RANCH PDD: The proposed development will consist of a mixed use (commercial and multi-family) development consisting of 4 blocks and a total of 12 lots across 76.190 acres. The development will also include an 80' ROW collector street running through the development which will be an extension of Harvest Ridge Blvd. connecting the Harvest Ridge Subdivision to State Highway 95 at Taylor Road. A collector road (60' ROW) will also be included. Staff can provide more updates regarding the development at the workshop meeting.

Vicinity Map



SILO RANCH CONCEPT PLAN



NOTES:

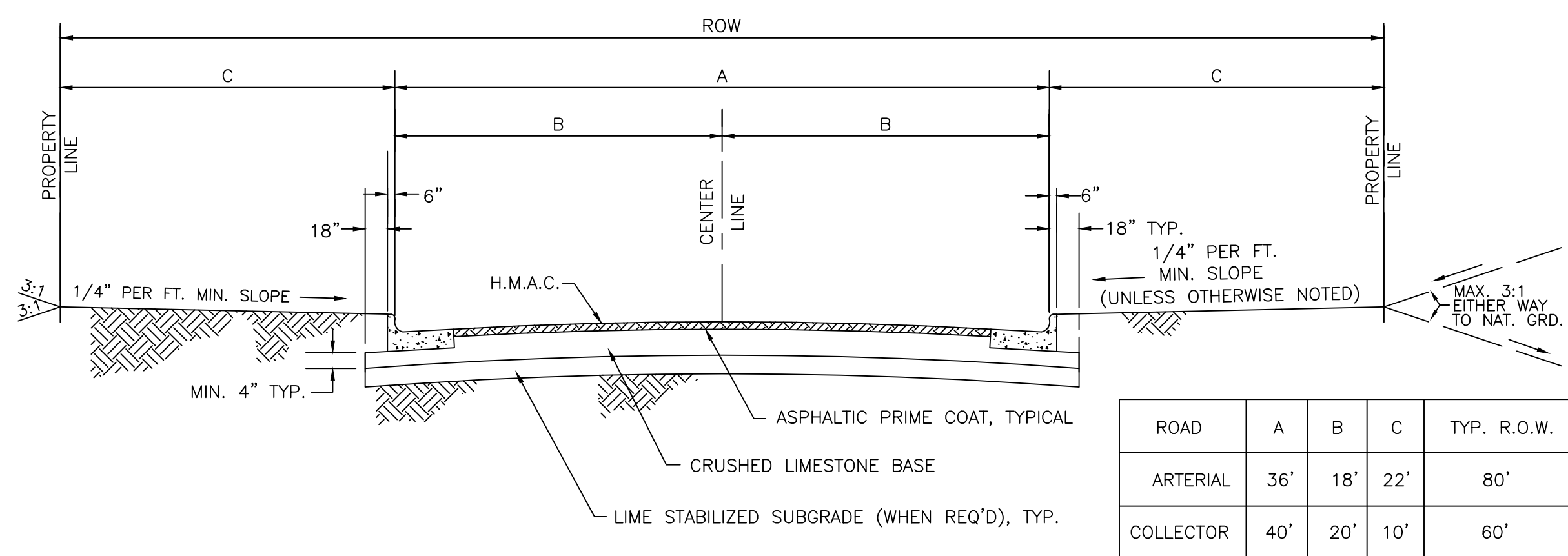
1. DEVELOPMENT STANDARDS FOR THIS SUBDIVISION SHALL COMPLY WITH THE SILO RANCH PDD

PHASE 1
BASE ZONING C-3 HIGHWAY
COMMERCIAL DISTRICT

PHASE 2
BASE ZONING C-3 HIGHWAY
COMMERCIAL DISTRICT

PHASE 3
BASE ZONING C-3 HIGHWAY
COMMERCIAL DISTRICT AND/OR
R-4 MULTI FAMILY RESIDENTIAL
DISTRICT

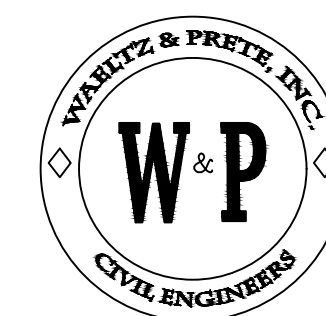
TOTAL SITE AREA = 76.190 AC
R.O.W. (80') = 5.287 AC
R.O.W. (60') = 2.355 AC



TYPICAL ROADWAY SECTION
N.T.S.

ROAD	A	B	C	TYP. R.O.W.
ARTERIAL	36'	18'	22'	80'
COLLECTOR	40'	20'	10'	60'

ALL INFORMATION FURNISHED REGARDING THIS PROPERTY IS FROM SOURCES DEEMED RELIABLE. HOWEVER, WAELTZ & PRETE, INC. HAS NOT INDEPENDENTLY VERIFIED ANY OF THESE SOURCES. NO WARRANTY OR GUARANTEE IS MADE BY WAELTZ & PRETE, INC. AS TO THE ACCURACY. THE INFORMATION SHOWN IS CONCEPTUAL IN NATURE AND DOES NOT REPRESENT ANY REGULATORY APPROVAL.



WAELTZ & PRETE, INC.
CIVIL ENGINEERS
211 N. A.W. GRIMES BLVD.
ROUND ROCK, TX. 78665
PH (512) 505-8953
FIRM TX. REG. #F-10308