



Planning and Neighborhoods Committee
MINUTES

REGULAR MEETING
15, September, 2015

The Planning and Neighborhoods Committee convened in a regular meeting on 15, September, 2015 at 301 W. Second Street in Austin, Texas.

Chair Gregorio Casar called the Board Meeting to order at 1:11 p.m.

Board Members in Attendance:
Chair, Gregorio Casar
Vice Chair, Sabino “Pio” Renteria
Council Member Sheri Gallo
Mayor Pro Tem Kathie Tovo

Staff in Attendance:

1. APPROVAL OF MINUTES

The minutes were approved on this the 21st day of September 2015 on Council Member Gallo’s motion, Council Member Renteria second on a 4-0 vote.

2. CITIZEN COMMUNICATION: GENERAL

Stuart Harry Hersh: spoke on being a renter in the Austin area, about high occupancy nuisances and the recently adopted budget. Mr. Hersh suggested to Council there are problems with the Code on the issue of occupancy, on the definition of adult, on the definition of unrelated, and the requirements related to residential parking.

Sammy Easterday: ask that whatever deliberations are taken by the PNC Committee and full Council, they should honor the citizens of Austin that are living here now, whether they live in apartments or family homes.

Frank Harren: ask that Council direct city staff and Opticos as part of the CodeNEXT to include a number of more affordable housing options in the new residential zoning categories. The low density single-family homes is no longer an affordable housing option in central Austin and it’s quickly becoming less affordable throughout the city of Austin. We need to return to a place where the typical neighborhood in Austin represents a cross-section of our community.

Cynthia Valdez: spoke on the noise nuisance, the narrowness of Cesar Chavez which does not allow you to park on the street and expect for two-way traffic to go through safely, restaurants coming in all because Cesar Chavez was changed to commercial from single-family residential zoning by the flick of a pen. Please take all of this into consideration about what you are doing to change the look and feel of our Austin neighborhoods.

3. DISCUSSION AND POSSIBLE ACTION

Discussion and possible action on recommendations for Short-Term Rental regulations and enforcement (no public comment will be taken).

Council Member Gallo, provided a little bit of background of the revised “draft” Resolution. This has been an ongoing process which started about six months ago as a result of a town hall meeting in District 10, where a constituent told the story of living next to a person that was operating a short-term rental and was not in compliance and in violation of zoning. Subsequent investigation found there were multiple neighborhoods in District 10 and other areas within the City of Austin neighborhoods that were not operating in compliance with existing laws and code. The recommendations we have been discussing is to help enforcement tools strengthened so that Austin Code can go in and actually do something to stop the operators who are not operating in compliance.

Item #1 Add short-term rentals to Section 1301 in City Code Section 25-12-2013 (*Local Amendments to the International Property Maintenance Code*) inspection requirements in Chapter 13 of the Local Amendments;

Council Member Renteria moved for Committee to recommend item #1 to full Council and Seconded by Council Gallo on a vote of 3-1 with MPT Tovo off the dais.

Item #2 Require an inspection, including septic systems, during the initial application process for all s short-term rentals and renewal inspections as recommended by the Austin Code Department;

After committee discussion, Council Gallo motioned to remove the language for item #2 to replace the word “require” with “evaluate”. Council Member Gallo motion for committee to recommend to full Council. Council Member Casar (Chair) moved to recommend item 2 to the full Council with one additional amendment. Amending item #2 limiting it to Type 2 Short Term Rentals by inserting “Type 2” before short-term rental. Council Renteria seconded the motion on vote of 3-0 with MPT Tovo off the dais.

Item #3 Require short-term rentals to have property insurance that provides liability coverage when the property is rented; require the applicant to provide proof of liability coverage during the application process; and make failure to maintain liability coverage grounds to suspend or revoke the license;

Council Member Gallo moved for the Committee to recommend item #3 to the full Council. Seconded by Council Member Renteria on a vote of 2-1 with Council Member Casar abstaining and MPT Tovo off the dais.

Item #4 Prohibit clustering of Type 2 short-term rentals and grandfather existing Type 2 short-term rentals that comply with City Code;

Council Member Gallo moved for the Committee to recommend item #4 to the full Council. Seconded by Council Member Renteria on a vote of 3-0 with MPT Tovo off the dais.

Item #5 Set the occupancy limit for short-term rentals as the lesser of:

- a. Six unrelated adults;
- b. Four unrelated adults in the area defined in City Code Section 25-2-511 © and (D); or
- c. C. not more than two adults per bedroom;

Item #6 Enforce the occupancy limit for short-term rentals through the administrative hearing process.

Items #5 & 6 were discussed and considered together. MPT Tovo moved to strike the word “unrelated” from a and b. Council Member Renteria seconded on a vote of 2-2 with MPT Tovo and Council Member Renteria voting for and Council Member Casar (Chair) and Council Member Gallo voting against.

Council Member Gallo moved for the Committee to recommend item #5 and 6 to full Council on a vote of 2-2 with Council Casar (Chair) and Council Member Gallo voting For and MPT Tovo and Council Renteria voting against.

MPT Tovo moved to forward items 5 and 6 to the full Council without a recommendation from the Committee and a record showing the votes for items. Council Member Gallo seconded. Passed on 4-0 vote.

Council Member Gallo moved that all items from Council Member Gallo’s and MPT Tovo’s resolutions not discussed by the Planning and Neighborhoods Committee (PNC) be forwarded onto the full Council without a recommendation and indicating that there was no PNC discussion. To allow the full Council on Thursday, September 17, 2015, to still be able to consider all the items not discussed by PNC. Council Member Renteria seconded. Passed on a vote of 4-0.

4. FUTURE ITEMS

5. ADJOURN

Chair Casar adjourned the meeting at 3:27 p.m. without objection.

The minutes were approved on this the 21st day of September 2015 on Council Member Gallo’s motion, Council Member Renteria second on a 4-0 vote.