

AGENDA



Recommendation for Council Action

Austin City Council	Item ID	53807	Agenda Number	98.
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Meeting Date:	12/17/2015	Department:	Planning and Zoning
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Subject

Conduct a public hearing and consider an ordinance amending City Code Title 25 related to short-term rental use.

Amount and Source of Funding

Fiscal Note

Purchasing Language:	
Prior Council Action:	
For More Information:	Trish Link, Law Department, 512-974-2173; Marcus Elliott, Austin Code Department, 512-974-1951; Greg Dutton, Planning and Zoning Department, 512-974-3509
Council Committee, Boards and Commission Action:	December 8, 2015 - To be reviewed by the Planning Commission.
MBE / WBE:	
Related Items:	

Additional Backup Information

In August, September, and October of 2015, Council initiated amendments to the City Code related to short-term rentals (STRs) and directed the City Manager to bring the amendments to Council within 150 days. These amendments include, but are not limited to:

- Inspection every 3 years for renewals.
- Adds a distance limitation between Type 2 short-term rentals: 500 feet from an existing Type 2 short-term rental, unless grandfathered (if the license is issued prior to a certain date, the license is not suspended, and is timely renewed).
- Requires an applicant to provide local contact information.
- Requires a certification related to outstanding City Code and state law violations at the property.
- Limits reliance on certificates of occupancy to certificates issued within the last 10 years.
- Requires a determination from Austin Water that the septic system complies with City Code.

- Authorizes the director to deny a renewal application if the license is currently suspended, other violations exist, or if repeat offenses occur at the property.
- Deletes “test the waters” provision.
- States that a violation of the short-term rental regulations is grounds to deny, suspend, or revoke a license.
- Establishes general requirements for short-term rentals:
 - maintain a guest registry.
 - limit use of sound equipment and noise/music.
 - prohibit occupancy of a short-term rental if the building permit does not allow occupancy.
 - require advertisements or promotions to include license numbers and occupancy limit.
 - prohibit advertising or promoting a short-term rental if it is not licensed.
 - prohibit advertising or promoting a short-term rental in a manner that violates the City Code.
- Creates specific occupancy limits for assemblies at short-term rentals and general use of short-term rentals.
- Authorizes the director to deny an initial application for a license if applicant violates City Code (or, if applicable, state law) a certain number of times during a specific timeframe.
- Requires a non-compliant property owner to pay a non-compliance fee when applying for or renewing a short-term rental license.
- Creates evidence standards that show a violation of the occupancy and advertising requirements.
- Amends the Local Amendments to the Property Maintenance Code
 - include a definition for “short-term rental”,
 - adds “short-term rentals” to inspection requirements,
 - authorizes the director to suspend a license if it was issued in error, and
 - authorizes the director to suspend a license for repeated violations.
- Removes short-term rental use from 25-2-511 (Dwelling Unit Occupancy Limit)
- Phases out existing Type 2 short-term rentals from residential areas by April 1, 2022.