

ORDINANCE NO. _____

1 AN ORDINANCE AMENDING CHAPTERS 25-2 (ZONING) OF THE CITY
2 CODE RELATING TO SHORT-TERM RENTALS.

3 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

4 PART 1. City Code Section 25-2-791 (*License Requirements*) is amended to
5 amend Subsection (C) and add a new Subsection (H) to read as follows:

6 §25-2-791 LICENSE REQUIREMENTS.
7

- 8 (C) Except as provided in subsection (H), t[F]he director shall issue a license
9 under this section if:
- 10 (1) the application includes all information required under Subsection (B)
11 of this section;
 - 12 (2) the proposed short-term rental use complies with the requirements of
13 Section 25-2-788 (*Short-Term Rental (Type 1) Regulations*), Section
14 25-2-789 (*Short-Term Rental (Type 2) Regulations*), or Section 25-2-
15 790 (*Short-Term Rental (Type 3) Regulations*);
 - 16 (3) for a short-term rental use regulated under Section 25-2-789 (*Short-*
17 *Term Rental (Type 2) Regulations*), no more than 3% of the single-
18 family, detached residential units within the census tract of the
19 property are short-term rental (Type 2) uses as determined by the
20 Director under Section 25-2-793 (*Determination of Short-Term Rental*
21 *Density*); and
 - 22 (a) the structure has a valid certificate of occupancy or compliance,
23 as required by Chapter 25-1, Article 9 (*Certificates of*
24 *Compliance and Occupancy*); or
 - 25 (b) the structure has been determined by the building official not to
26 pose a hazard to life, health, or public safety, based on a
27 minimum life-safety inspection;
 - 28 (4) for a short-term rental use regulated under Section 25-2-790 (*Short-*
29 *Term Rental (Type 3) Regulations*), located in a non-commercial
30 zoning district, no more than 3% of the total number of dwelling units
31 at the property and no more than 3% of the total number of dwelling
32 units located within any building or detached structure at the property
33 are short-term rental (Type 3) uses as determined by the Director
34 under Section 25-2-793 (*Determination of Short-Term Rental*
35 *Density*); and

- 1 (a) the structure and the dwelling unit at issue have a valid
2 certificate of occupancy or compliance, as required by Chapter
3 25-1, Article 9 (*Certificates of Compliance and Occupancy*); or
4 (b) the structure and the dwelling unit at issue have been
5 determined by the building official not to pose a hazard to life,
6 health, or public safety, based on a minimum life-safety
7 inspection.

8 (5) For a short-term rental use regulated under Section 25-2-790 (*Short-*
9 *Term Rental (Type 3) Regulations*), located in a commercial zoning
10 district, no more than 25% of the total number of dwelling units at the
11 property and no more than 25% of the total number of dwelling units
12 located within any building or detached structure at the property are
13 short-term rental (Type 3) uses as determined by the Director under
14 Section 25-2-793 (*Determination of Short-Term Rental Density*); and

- 15 (a) the structure and the dwelling unit at issue have a valid
16 certificate of occupancy or compliance, as required by Chapter
17 25-1, Article 9 (*Certificates of Compliance and Occupancy*); or
18 (b) the structure and the dwelling unit at issue have been
19 determined by the building official not to pose a hazard to life,
20 health, or public safety, based on a minimum life-safety
21 inspection.

22 (H) After November 23, 2015, the director may not issue a license to operate
23 short-term rental use as described in Section 25-2-789 (*Short-Term Rental*
24 *(Type 2) Regulations*). This does not apply to an annual renewal authorized
25 in subsection (E).

26 **PART 2.** This ordinance will expire on November 23, 2016.

27 **PART 3.** The City Manager is directed to place an ordinance on the November, 2016
28 Council zoning agenda that would extend this ordinance.

29 **PART 4.** This ordinance takes effect on _____, 2015.

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PASSED AND APPROVED

_____, 2015

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Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
Interim City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk

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