

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 25-2-491 (*Permitted, Conditional, and Prohibited*
5 *Uses*) is amended to amend the chart in Subsection (C) as follows:

6 Short-term rental uses regulated under Section 25-2-788 (*Short-term Rental*
7 *(Type 1) Regulations*) and Section 25-2-790 (*Short-term Rental (Type 3)*
8 *Regulations*) are a permitted use in the following base districts:

- 9 Lake Austin residence (LA)
- 10 rural residence (RR)
- 11 single-family residence large lot (SF-1)
- 12 single-family residence standard lot (SF-2)
- 13 family residence (SF-3)
- 14 single-family residence small lot (SF-4A)
- 15 single-family residence condominium site (SF-4B)
- 16 urban family residence (SF-5)
- 17 townhouse and condominium residence (SF-6)
- 18 multifamily residence limited density (MF-1)
- 19 multifamily residence low density (MF-2)
- 20 multifamily residence medium density (MF-3)
- 21 multifamily residence moderate-high density (MF-4)
- 22 multifamily residence high density (MF-5)
- 23 multifamily residence highest density (MF-6)
- 24 central business (CBD)
- 25 downtown mixed use (DMU)
- 26 planned unit development (PUD)

- 1 general-retail – mixed use (GR-MU)
- 2 commercial services – mixed use (CS-MU)
- 3 commercial services – vertical mixed use (CS-V)
- 4 general retail – vertical mixed use (GR-V)

5 Short-term rental use regulated under Section 25-2-789 (*Short-Term Rental*
6 *(Type 2) Regulations*) is a permitted use in the following base districts:

- 7 central business (CBD)
- 8 downtown mixed use (DMU)
- 9 planned unit development (PUD)
- 10 general-retail – mixed use (GR-MU)
- 11 commercial services – mixed use (CS-MU)
- 12 commercial services – vertical mixed use (CS-V)
- 13 general retail – vertical mixed use (GR-V).

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

17 **§25-2-791 LICENSE REQUIREMENTS.**

- 18
- 19 (C) Except as provided in subsection (H), t[F]he director shall issue a license
20 under this section if:
- 21 (1) the application includes all information required under Subsection (B)
22 of this section;
 - 23 (2) the proposed short-term rental use complies with the requirements of
24 Section 25-2-788 (*Short-Term Rental (Type 1) Regulations*), Section
25 25-2-789 (*Short-Term Rental (Type 2) Regulations*), or Section 25-2-
26 790 (*Short-Term Rental (Type 3) Regulations*);
 - 27 (3) for a short-term rental use regulated under Section 25-2-789 (*Short-*
28 *Term Rental (Type 2) Regulations*), no more than 3% of the single-
29 family, detached residential units within the census tract of the
30 property are short-term rental (Type 2) uses as determined by the
31 Director under Section 25-2-793 (*Determination of Short-Term Rental*
32 *Density*); and

- 1 (a) the structure has a valid certificate of occupancy or compliance,
2 as required by Chapter 25-1, Article 9 (*Certificates of*
3 *Compliance and Occupancy*); or
4 (b) the structure has been determined by the building official not to
5 pose a hazard to life, health, or public safety, based on a
6 minimum life-safety inspection;
- 7 (4) for a short-term rental use regulated under Section 25-2-790 (*Short-*
8 *Term Rental (Type 3) Regulations*), located in a non-commercial
9 zoning district, no more than 3% of the total number of dwelling units
10 at the property and no more than 3% of the total number of dwelling
11 units located within any building or detached structure at the property
12 are short-term rental (Type 3) uses as determined by the Director
13 under Section 25-2-793 (*Determination of Short-Term Rental*
14 *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 (5) For a short-term rental use regulated under Section 25-2-790 (*Short-*
23 *Term Rental (Type 3) Regulations*), located in a commercial zoning
24 district, no more than 25% of the total number of dwelling units at the
25 property and no more than 25% of the total number of dwelling units
26 located within any building or detached structure at the property are
27 short-term rental (Type 3) uses as determined by the Director under
28 Section 25-2-793 (*Determination of Short-Term Rental Density*); and
- 29 (a) the structure and the dwelling unit at issue have a valid
30 certificate of occupancy or compliance, as required by Chapter
31 25-1, Article 9 (*Certificates of Compliance and Occupancy*); or
32 (b) the structure and the dwelling unit at issue have been
33 determined by the building official not to pose a hazard to life,
34 health, or public safety, based on a minimum life-safety
35 inspection.

36 (H) After November 23, 2015, the director may not issue a license to operate
37 short-term rental use as described in Section 25-2-789 (*Short-Term Rental*
38 *(Type 2) Regulations*) located in the following base districts:

39 (1) Lake Austin residence (LA);

40 (2) rural residence (RR);

- (3) single-family residence large lot (SF-1);
- (4) single-family residence standard lot (SF-2);
- (5) family residence (SF-3);
- (6) single-family residence small lot (SF-4A);
- (7) single-family residence condominium site (SF-4B);
- (8) urban family residence (SF-5);
- (9) townhouse and condominium residence (SF-6);
- (10) multifamily residence limited density (MF-1);
- (11) multifamily residence low density (MF-2);
- (12) multifamily residence medium density (MF-3);
- (13) multifamily residence moderate-high density (MF-4);
- (14) multifamily residence high density (MF-5); and
- (15) multifamily residence highest density (MF-6).

(I) The limitation in subsection (H) does not apply to an annual renewal authorized in subsection (E).

PART 3. This ordinance takes effect on _____, 2015.

PASSED AND APPROVED

_____, 2015 § _____

Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
Interim City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk