

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)

- 1           planned unit development (PUD)
- 2           general-retail – mixed use (GR-MU)
- 3           commercial services – mixed use (CS-MU)
- 4           commercial services – vertical mixed use (CS-V)
- 5           general retail – vertical mixed use (GR-V)

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

9   **§25-2-791 LICENSE REQUIREMENTS.**

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

25 (1) Lake Austin residence (LA);

26 (2) rural residence (RR);

27 (3) single-family residence large lot (SF-1);

28 (4) single-family residence standard lot (SF-2);

29 (5) family residence (SF-3);

30 (6) single-family residence small lot (SF-4A);

31 (7) single-family residence condominium site (SF-4B);

32 (8) urban family residence (SF-5);

33 (9) townhouse and condominium residence (SF-6);

34 (10) multifamily residence limited density (MF-1);

35 (11) multifamily residence low density (MF-2);

