

**ORDINANCE NO. 20151112-078**

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

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

**PART 1.** City Code Section 25-2-491 (*Permitted, Conditional, and Prohibited Uses*) is amended to add a new footnote (17) to short-term rental in the chart in Subsection (C) as follows:

(17) Subject to the limitations in Section 25-2-791.

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

**§25-2-791 LICENSE REQUIREMENTS.**

- (C) Except as provided in subsection (H), t[F]he director shall issue a license under this section if:
- (1) the application includes all information required under Subsection (B) of this section;
  - (2) the proposed short-term rental use complies with the requirements of Section 25-2-788 (*Short-Term Rental (Type 1) Regulations*), Section 25-2-789 (*Short-Term Rental (Type 2) Regulations*), or Section 25-2-790 (*Short-Term Rental (Type 3) Regulations*);
  - (3) for a short-term rental use regulated under Section 25-2-789 (*Short-Term Rental (Type 2) Regulations*), no more than 3% of the single-family, detached residential units within the census tract of the property are short-term rental (Type 2) uses as determined by the Director under Section 25-2-793 (*Determination of Short-Term Rental Density*); and
    - (a) the structure has a valid certificate of occupancy or compliance, as required by Chapter 25-1, Article 9 (*Certificates of Compliance and Occupancy*); or
    - (b) the structure has been determined by the building official not to pose a hazard to life, health, or public safety, based on a minimum life-safety inspection;

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

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

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

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

(H) After November 23, 2015, the director may not issue a license to operate a short-term rental use described in Section 25-2-789 (*Short-Term Rental (Type 2) Regulations*) except for an application received prior to September 17, 2015. In any event, the director may not issue a license pursuant to an application received after November 12, 2015.

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

**PART 3.** Council directs the City Manager to set a public hearing to be held prior to March 1, 2017, that allows the Council to consider the effectiveness of this ordinance and to consider revisions.

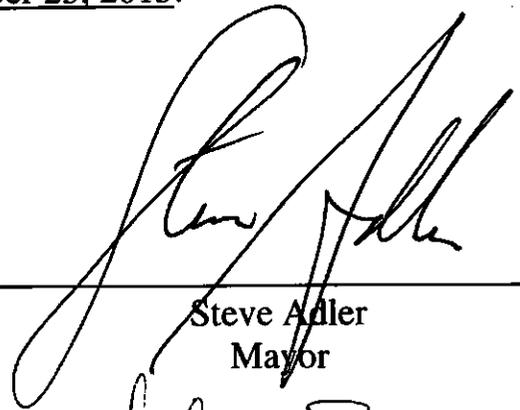
**PART 4.** This ordinance expires on March 31, 2017.

**PART 5.** This ordinance takes effect on November 23, 2015.

**PASSED AND APPROVED**

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November 12, 2015

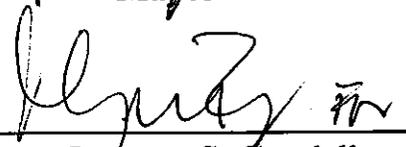
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Steve Adler  
Mayor

**APPROVED:** \_\_\_\_\_  


Anne L. Morgan  
City Attorney

**ATTEST:** \_\_\_\_\_  


Jannette S. Goodall  
City Clerk