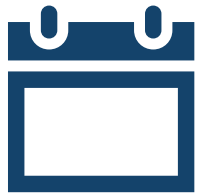




Development CITY OF AUSTIN
SERVICES DEPARTMENT

Short-Term Rentals

Current Regulations



An STR is defined as the rental of a dwelling for less than 30 consecutive days.



There are three types of STRs in Austin.



An STR owner must obtain a license prior to advertising/operating. This license must be renewed annually.



Type 1 and Type 2 STRs

- Type 1
 - Owner occupied
 - Permitted use in all residential zoning districts
 - Owner must obtain a license prior to advertising and/or operating
- Type 2
 - Non-owner occupied
 - Permitted use in seven commercial zoning districts
 - Owner must obtain a license prior to advertising and/or operating
 - 1000 ft separation between Type 2 STRs
 - Maximum 3% of single-family units within the census tract



Type 3 STR

- Type 3
 - Multi-family use
 - Permitted use in all residential zoning districts
 - Owner must obtain a license prior to advertising and/or operating
 - Density caps:
 - 3% maximum of property (and each building) in non-commercial zoning
 - 25% maximum of property (and each building) in commercial zoning

Court Rulings

Zaatari vs. City of Austin (Nov 2019) ruled that the City cannot enforce STR occupancy limits nor can the City “sunset” existing Type 2 STR licenses.

Hignell-Stark vs. City of New Orleans (Aug 2022) removed distinction between Type 1 and Type 2 STRs.

Anding vs. City of Austin (Aug 2023) rules that Type 2 STR licenses must be made available anywhere in the City where Type 1 licenses are available.

Austin 3-1-1 Complaint Process



A Service Request (SR) is generated by Austin 3-1-1



A Code Compliant (CC) case is created in AMANDA



The CC case is given a priority response level

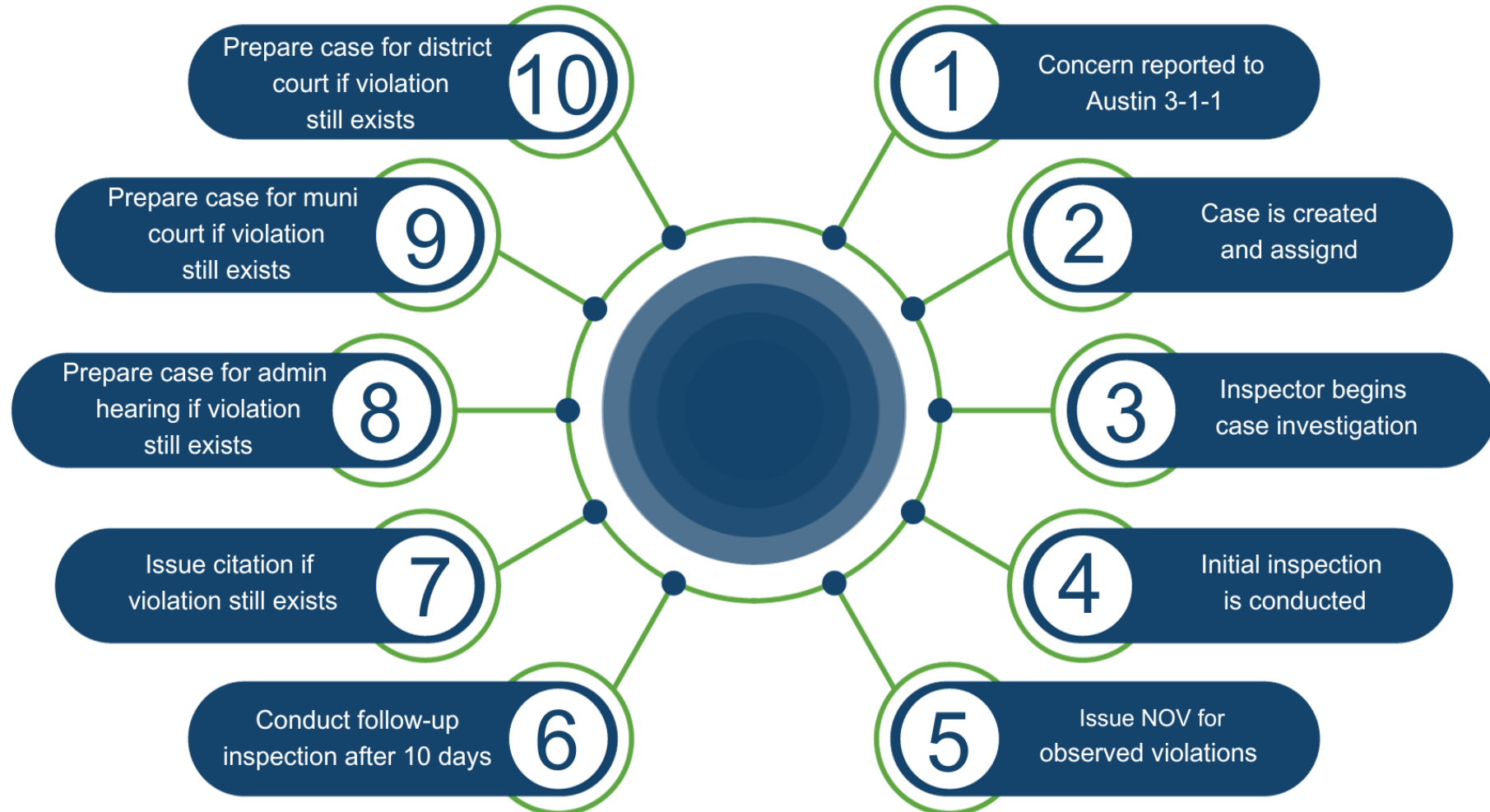


The CC case is auto assigned to the area inspector



The Austin 3-1-1 SR is closed

Enforcement Process





Frequent Complaint Locations – “Directed Patrol Programs”

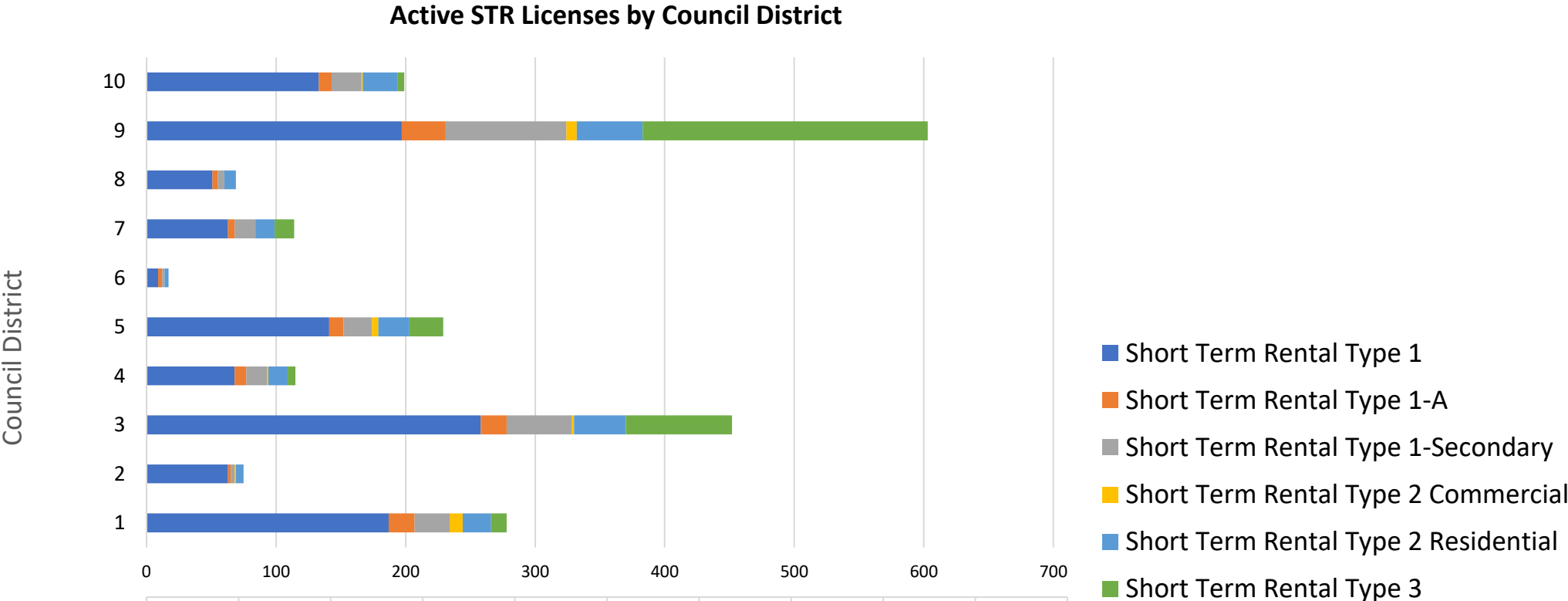
INTERNAL POLICY

Locations with repeated complaints are monitored regardless of whether a new complaint has been received

TENANT CONTACT

Attempt to make contact with tenants during the day to make them aware of nuisance regulations

Active STR Licenses



	1	2	3	4	5	6	7	8	9	10
Short Term Rental Type 1	187	63	258	68	141	9	63	51	197	133
Short Term Rental Type 1-A	20	2	20	9	11	3	5	4	34	10
Short Term Rental Type 1-Secondary	27	3	50	16	22	2	16	5	93	23
Short Term Rental Type 2 Commercial	10	1	2	1	5				8	1
Short Term Rental Type 2 Residential	22	6	40	15	24	3	15	9	51	27
Short Term Rental Type 3	12		82	6	26		15		220	5

Enforcement Challenges

TENANT CONTACT

Proving operation requires having direct contact with a tenant, tenant must admit to booking a stay for less than 30 days

COURT RULINGS

Court rulings have removed some regulations

NOISE COMPLAINTS

Unsafe conditions for inspectors, no authority to address the source of the noise

ADVERTISEMENT & LOCATION

Proving advertising requires determining the location of the property being advertised

PLATFORMS

All actions are against the property owner – not the hosting platforms



Development CITY OF AUSTIN
SERVICES DEPARTMENT

Questions