

ANC STR FAQ

This fact/summary sheet from the ANC committee on Short Term Rentals is meant to clarify the intent of the resolution and to dispel misinformation regarding it. We ask that you share this information with your neighbors in preparation for the discussion of the resolution at the ANC's November 30th meeting. The ANC resolution is not an ordinance (or a law.) It is intended to inform and guide City Council and Staff in the creation of an ordinance.

Homesteaded STR's are allowed under this resolution. The current land code does not allow for this use. We are asking that for homesteaded properties short-term rentals be an allowable use. (Similar to B&B's and group homes.)

Homestead (in this resolution) means where you have a homestead exemption accepted by the Travis County Appraisal District (TCAD). Secondary structures can be a garage apartment, a granny flat, a second house on same lot, or duplex where one side is the primary residence. It allows both the primary and secondary structures to be used as STR's on a limited basis. For example, you could rent the house you live in for SXS and rent the garage apartment for up to 60 days per year. You could rent the homesteaded ½ of the duplex for ACL and rent the other ½ as a short-term rental for up to 60 days a year.

This ANC Resolution ONLY addresses rentals less than 30 days. For example: If you go on an extended trip, are in the hospital and rehab for 6 weeks or if you rent your home for the summer one time for 6-8 weeks, this does not apply to you.

Commercial STRs are residential rental properties that are not homesteaded that are being used for short-term rentals. We see these as commercial businesses and as not being a compatible use in a single family zoned neighborhood. For example, you can have a home office in SF zoning under certain guidelines already written in code, but if you starting renting out your residential property as office space, that is not allowed under SF zoning.

We are not opposed to CSTR's in commercial zoning. For example if you buy a house on 1st street, between Ben White and Barton Springs. It looks like a house but can also be a business. It is not a residential neighborhood.

I have been renting my own home for SXS and have been told I have to pay taxes with this new resolution, why? HOT (Hotel Occupancy Tax) is a state law. The City collects the tax for the State Comptrollers office. Refer to the Comptroller for the form and information. If you are not paying the HOT tax, you need to read about the requirements being proposed by the Planning Commission. The ANC Resolution does not deal with tax liability.

I already own a rent house and am using it as a rental most weekends and during events. What about my investment? Renting residential property on a short-term basis is already a violation of the housing code. We are opposed to grandfathering this use as the Planning Commission is suggesting. Local zoning laws should be studied before making such an investment. No one is forcing you to sell your property. You can do long term rentals or corporate rentals (3 month, generally.) You have many options.

Why do the neighborhoods care? We believe zoning is an implied agreement between a homeowner and the City. CSTR's are a commercial business. We believe they remove housing stock, impacts affordable housing and affect neighborhood crime watch. The SWAT bust of a CSTR on La Casa last week and the fire on Argentia are good examples of CSTR's impacting neighborhoods in a negative way.

For more background information visit the ANC website www.ancweb.org
<http://www.ancweb.org/issues/STRs/STRs.htm>

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