COUNCIL CONSIDERATION REQUEST (CCR)

- Sponsored by former Councilman Mike Gallagher (CD 10)
  - Submitted on February 1, 2017
- Worked with Task Force for more than 1 year
- Ordinance:
  - Approved and became effective Nov. 1, 2018
  - Registration by Feb. 11, 2019
WHAT IS A SHORT TERM RENTAL?

Definition:

• Rents out all or a portion of a unit
• Period not less than 12 hours or greater than 30 consecutive days
• Does not provide food and beverage consumption for a fee
• Does not include venues for weddings, events, restaurants, meeting halls, or other uses
• Regulation and permitting through DSD
• 2 types of STRs
  – Type 1 - Hosted sharing
    • Owner or lessee-occupied
    • Allowed by right in residential & commercial
  – Type 2 - Un-hosted sharing
    • Owner or lessee does not occupy property as primary residence
    • Allowed by right up to density limits
      – Need special exception from Board of Adjustments for more density
• Density and special exceptions:
  – Type 2 allowed by right in most districts
    • Except in Industrial and C-3
  – Sets density limitations:
    • Residential = 12.5% of blockface
    • Multi-family buildings with 5 to 7 units = one Type 2
    • Multi-family buildings with 8+ units = 12.5% of units
  – Bed & Breakfasts included in calculation
• Owner occupies Unit A of the duplex
  • Occasionally rents a bedroom as a Type 1 Short Term Rental
• Owner rents Unit B of the duplex and the Granny Flat as a short term rental
  • Only one on the additional units, either B or the granny flat, would be considered Type 1
  • The other unit would be considered Type 2
• Same owner for all 4 units, and all units are on the same land parcel

• Owner occupies Unit 1 as his primary residence
  • Occasionally the owner rents a bedroom in Unit 1 as a **Type 1 STR**

• Owner rents the additional units as STRs
  • Unit 2 would be a **Type 1 STR**
  • Units 3 & 4 would be considered a **Type 2 STR**
MULTIFAMILY BUILDING SCENARIO

- A single owner owns Units D, F, and G in this building
- The owner occupies Unit G as his primary residence
  - Occasionally rents a bedroom as a **Type 1** STR
- The same owner rents Units F & D as a STRs
  - Only one of these additional units is considered **Type 1**
  - The other unit, due to the density cap, is considered a **Type 2**
KEY PROVISIONS

• **Unit** = sleeping area, bathroom, & kitchen

• Multi-unit clarifications:
  – 1 permit per individual unit
  – 1 additional accessory dwelling on residential properties = Type 1
    • Additional dwelling = Type 2
  – Multi-family units under common ownership = Type 1 for first 2 units in same building
    • Additional units = Type 2
• Self-Certification
  – In lieu of initial City inspection
• Reduced Fee
  – Initial registration = $100.00
  – Renewal (every 3 years) = $100.00
• City Housing Incentives
  – Properties with city housing incentives not eligible for Type 2 STR permit
• Events and Other Uses
  – Cannot provide food and beverage services
  – Events spaces (weddings, meetings, parties) prohibited
REGULATION AND PERMITTING - DSD

- Registration with City for HOT
- List of owners or operators with 24 hour address and contact information
- Floor plan and site plan

- Existing legal Type 2 STRs grandfathered
  - HOT account as of Nov. 1, 2018
- Insurance requirements
- Enforcement requirements/penalties
  - Respond to complaints
  - Repeated violations = revocation of permit
  - Call “311”
HOTEL OCCUPANCY TAX (HOT)

- Finance Department collects HOT for City and County
  - City = 9%
  - County = 1.75%
  - State = 6%
- State Law requires STRs to pay HOT
  - Due monthly
  - Based on self reported monthly room receipts
  - Subject compliance audits by City
HOW TO REGISTER

• Website: www.sanantonio.gov/DSD
DECEMBER 15, 2018
DSD ACADEMY

Presented by:
Tony Felts – Interim Policy Administrator