AGENDA ITEM: Short Term Rental of Outdoor Amenities in Residential Areas

PROPOSED ACTION: Refer to Planning & Zoning Commission a proposed amendment to Zoning Code § 107-80 relating to short - term rentals that would prohibit short-term rental of residential amenities, as follows:

Sec. 107-80. - Short-term rentals.

(a) Definitions. For purposes of this article, the terms used will have the meanings set forth below. Words that are not defined will have their ordinarily accepted meanings.

     (1) Rental. The renting, bartering, trading, letting, or otherwise allowing the use of a residential structure, or room or rooms within a residential structure, <u>or outdoor sport court, swimming pool or hot tub, cooking, dining or conversational areas</u> for compensation,

     (2) Short term rental. The rental of any property for a period of less than 30 days.

(b) Prohibited. All short-term rentals are hereby prohibited and are unlawful within the city.

(c) Penalty. A violation of this article is a misdemeanor punishable by a criminal penalty of up to $2,000.00 per day.

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BACKGROUND: It has been brought to the Council's attention that websites are being established to facilitate the short term rental of outdoor amenities in residential areas, much like short term rental of homes. Rollingwood currently prohibits short term rentals (being rentals of less than 30-days). However, as worded it is unclear whether the code would prohibit the rental of outdoor amenities. Adding the wording underlined above should be considered if it is the desire of the Council to prohibit short term rental of outdoor amenities in the residential zone.

See attached link to a memo to the Council on this topic:

    https://mccmeetingspublic.blob.core.usgovcloudapi.net/rollwdtx-meet-80ebdec407894b02ac5fa1c4017628fd/ITEM-Attachment-001-16c8353484f9469188baa17b317a0503.pdf

Note: Advice of Counsel is needed to determine if this proposed change requires a public hearing and/or must be referred to the Planning and Zoning Commission for a recommendation.