

SHORT-TERM RENTAL REQUIREMENTS

Per Unified Development Ordinance Section 516, a short-term rental (STR) shall meet the following requirements:

1. An STR may only occur in a dwelling unit. A main dwelling unit and an Accessory Dwelling Unit on the same lot cannot be rented as two separate STRs.
2. An STR must not provide rentals of less than two nights unless the property owner or operator is onsite overnight.
3. Where there is property management at a Multifamily Dwelling but not necessarily within the individual dwelling units, up to one unit or 5% of the dwelling units on the property, whichever is greater, can be STRs. A higher percentage of STRs may be permitted with a Special Use Permit (SUP).
4. The applicant must demonstrate that the unit and property do not have any outstanding issues related to taxes or building, electrical, plumbing, fire, health, housing, police, planning, noise, or code enforcement provisions.

Initial STR Permit and Inspection

1. All STR operators must obtain an STR permit from the City.
2. Applicants must provide proof of ownership of the residence and proof of insurance in accordance with 3.d below.
3. The City must perform an inspection of the STR to ensure compliance with the Property Maintenance Code, Fire Code, and other adopted City codes prior to its occupation by a guest.

STR Renewals

1. STR operators must renew STR permits annually by January 1 of each year.
2. Prior to renewal, the City must perform an inspection of the STR to ensure compliance with the Property Maintenance Code, Fire Code, and other adopted City codes.
3. The applicant must submit a report that indicates the following:
 - a. The number of nights the unit was rented as an STR in the previous year.
 - b. Proof of payment of Hotel Occupancy Tax is submitted to the City; and
 - c. Proof of current property insurance; and
 - d. Proof of general commercial liability insurance (or its equivalent) of a

minimum of \$500,000.00 per occurrence. The owner must provide a copy of the certificate of insurance which shows the name insured, any additional insureds, the location address, the effective date, the coverage limit and type. Each policy shall be endorsed to provide the City with a minimum of a 30-day notice of cancellation, non-renewal, and/or material change in policy terms or coverage; provided, however, a minimum 10-day notice shall be required in the event of non-payment of premium. The short-term rental permit shall be suspended until proof of updated insurance is provided.

4. If the applicant fails to meet one of these requirements, the City shall provide 10 calendar days of notice to comply

Registry Removal

1. The City retains the right to suspend or remove a property from the registry. Once a property has been removed from the registry, the property shall not be added to the registry for at least one year.
2. Suspension or removal shall be at the discretion of the Development Services Department for reasons including, but not limited to the following:
 - a. The applicant has given false or misleading information during the application process
 - b. There has been a violation of any of the terms, conditions, or restrictions of this subsection
 - c. The applicant has failed to pay the Hotel Occupancy Tax in a timely manner
 - d. The location has received three or more complaints from the neighboring property owners for excessive noise or traffic within a 24-month period.
3. Continued operation of an STR following suspension or removal from the registry shall be considered a violation of the Unified Development Ordinance.

BED & BREAKFAST REQUIREMENTS

In accordance with Unified Development Ordinance Section 513, a bed and breakfast shall meet the following:

1. B&B shall meet the definition of an owner-occupied home. **Bed and Breakfast** is a private, owner-occupied residence that provides overnight accommodation and may provide meals, usually breakfast, for a fee to guests. Owner-occupied is defined as the owner having a homestead exemption.
2. A B&B shall be no closer than five hundred (500) feet from any other B&B.
3. Sleeping accommodations shall not exceed five bedrooms and no more than 10 lodgers shall be accommodated at one time, not including the owner-occupied rooms.
4. Meals may be served in guest rooms but not prepared in guest rooms. Permits to prepare and/or serve food shall be secured from the San Patricio County Department of Public Health which shall continuously inspect the residence to ensure compliance with all Texas Food Establishment Rules.
5. The use of commercial dumpsters for day-to-day garbage disposal shall be prohibited.
6. Provide two (2) off-street parking spaces for the owners and one-half ($\frac{1}{2}$) off-street parking spaces for each guest room. All such parking spaces shall be exclusive of driveways and immediately available for use (cannot be used for storage or any other purpose that prevents the owners and guests from using them). All such parking spaces shall be constructed of concrete or brick pavers and be properly drained.
7. Comply with all requirements of the Americans with Disabilities Act.
8. Comply with all R1 regulations of the International Building Code. The Department of Development Services shall conduct annual inspections to ensure continued compliance
9. Comply with all R1 regulations of the International Fire Code. The Fire Department shall conduct annual inspections to ensure continued compliance.
10. Comply with all Hotel Occupancy Tax regulations.
1. The operator shall keep a current request register including names, permanent addresses, dates of occupancy and motor vehicle license numbers for all guests.

2. The applicant must demonstrate that the unit and property do not have any outstanding issues related to taxes or building, electrical, plumbing, fire, health, housing, police, planning, noise, or code enforcement provisions.

Initial B&B Permit and Inspection

1. All B&B operators must obtain a B&B permit from the City.
2. Applicants must provide proof of ownership of the residence and proof of insurance in accordance with 3.d below.
3. The City must perform an inspection of the B&B to ensure compliance with the Property Maintenance Code, Fire Code, and other adopted City codes prior to its occupation by a guest.

B&B Renewals

1. B&B operators must renew B&B permits annually by January 1 of each year.
2. Prior to renewal, the City must perform an inspection of the B&B to ensure compliance with the Property Maintenance Code, Fire Code, and other adopted City codes.
3. The applicant must submit a report that indicates the following:
 - a. The number of nights the unit was rented as a B&B in the previous year.
 - b. Proof of payment of Hotel Occupancy Tax is submitted to the city; and
 - c. Proof of current property insurance; and
 - d. Proof of general commercial liability insurance (or its equivalent).

If a vacation rental site is used, the minimum insurance requirements established with such service must be provided. The owner must provide a copy of the certificate of insurance which shows the name insured, any additional insureds, the location address, the effective date, the coverage limit and type. Each policy shall be endorsed to provide the City with a minimum of a 30-day notice of cancellation, non-renewal, and/or material change in policy terms or coverage; provided, however, a minimum 10-day notice shall be required in the event of non-payment of premium. The B&B permit shall be suspended until proof of updated insurance is provided.

4. If the applicant fails to meet one of these requirements, the City shall provide 10 calendar days of notice to comply.

Registry Removal

1. The City retains the right to suspend or remove a property from the registry. Once a property has been removed from the registry, the property shall not be added to the registry for at least one year.

2. Suspension or removal shall be at the discretion of the Development Services Department for reasons including, but not limited to, the following:
 - a. The applicant has given false or misleading information during the application process.
 - b. There has been a violation of any of the terms, conditions, or restrictions of this subsection.
 - c. The applicant has failed to pay the Hotel Occupancy Tax in a timely manner; or
 - d. The location has received three or more complaints from the neighboring property owners about excessive noise or traffic within a 24-month period.
3. Continued operation of a B&B following suspension or removal from the registry shall be considered a violation of the Unified Development Ordinance.

Development Services Department
601 Moore Avenue
Portland, Texas 78374
Phone: (361) 777 - 4550
E-mail: permits@portlandtx.gov



SHORT-TERM RENTAL/BED & BREAKFAST APPLICATION

APPLICATION TYPE: _____

New Application

Renewal (*Submitted annually by Jan. 1st*)

APPLICANT INFORMATION:

Owner Name: _____ Date: _____

Business/Company Name: _____

Mailing Address: _____

E-Mail: _____ Phone: _____

Select one (1) that best describes the proposed STR/B&B:

Single-Family Residential (*stand alone residence on 1 lot*)

Multi-Family Residential: Number of Units proposed as STR? _____

Single Family with Accessory Dwelling Unit (*A main dwelling unit and an accessory dwelling unit on the same lot cannot be rented as two separate short-term rentals*)

Other (*e.g. duplex, triplex etc.*): _____

PROPERTY INFORMATION:

Address of STR/B&B: _____

[SPCAD](#) Property ID: _____ Property Zoning: _____

SHORT-TERM RENTAL REQUIRED DOCUMENTS: (please initial by the applicable documents)

_____ Proof of Ownership (*New and Renewal*)

_____ Proof of Insurance (*New and Renewal*)

_____ Proof of General Commercial Liability Insurance in accordance with UDO Sec. 516.C.3.d (*New and Renewal*)

_____ Proof of payment of Hotel Occupancy Tax

_____ Report indicating number of nights the unit was rented as a short-term rental in the previous year

BED & BREAKFAST REQUIRED DOCUMENTS: (please initial by the applicable documents)

Is the dwelling owner occupied (owner having homestead exemption)? _____

_____ Proof of Homestead Exemption (*Contact San Patricio County Tax Appraisal District for details*) (*New*)

_____ Proof of ownership (*New and Renewal*)

_____ Proof of current property insurance (*New and Renewal*)

_____ Proof of general commercial liability insurance (*New and Renewal*)

_____ Proof of payment of Hotel Occupancy Tax (*Renewal*)

I, the applicant for this permit, warrant the truthfulness of all the information provided in this application and understand that if any of the information provided is incorrect, the permit may be revoked by the City of Portland. I certify that all work will be in full conformity with the City of Portland Ordinances, Terms of Issuance, and applicable State laws. An incomplete application may delay the permit.

Signature: _____

OFFICE USE ONLY

Zoning District: _____

Approved

Denied

Denial reason(s): _____

Completed by: _____ Date: _____

Inspection Status:

Completed

Pending