

Short-Term Rentals DCA212-002



City of Dallas

**City Plan Commission
Briefing
November 17, 2022**

Planning & Urban Design
City of Dallas

Case DCA212-002



- Consideration of amending Chapters 51 and 51A of the Dallas Development Code, with consideration to be given to amending Section 51-4.216.1, “Lodging Uses” and Section 51A-4.205 “Lodging Uses” to define a new use called “Short-term rental lodging” and related regulations.



Background



- 2020, February: initial staff briefing to City Council Quality of Life, Arts and Culture Committee (QLAC)
- 2020, June – December: meetings of the QLAC initiated STR Task Force
- 2021, January: briefing @ QLAC.
- 2021, February: closed session briefing @ QLAC
- 2021, March: briefing @ QLAC
- 2021, May: public comments @ City Council
- 2021, November – 2022, January: restructured QLAC STR Task Force
- **2021, December: City Plan Comm. authorized code amendment**
- 2022, January and February: public and stakeholder input @ QLAC
- 2022, May 4, June 1, June 15: City Council briefings
- 2022, June 7: memo signed by 5 Council Members for City Manager



Background (cont'd)



- 2022, June - September: Zoning Ordinance Advisory Committee (ZOAC) meetings to discuss potential development code amendments and take public comment.
- 2022, October: ZOAC makes recommendation to CPC



Short-Term Rentals - General Information



- STRs are typically residential properties that are rented for overnight accommodation for a period of fewer than 30 consecutive days.
- Currently no standards in the Dallas development code related to the use of a residence as a short-term rental.



Short-Term Rentals - General Information



- City's Tax Code (Chapter 44) considers STRs to be a lodging use for purposes of collecting the City's Hotel Occupancy Tax (HOT). Compliance requires that an operator of an STR register with the City Controller's Office and remit the HOT as required.
- Chapter 27 of the City Code requires that all residential properties rented for 30 days or more, be registered with the Code Compliance Department and inspected. However, Chapter 27 exempts STRs that pay the HOT from registration and inspection requirements.



Short-Term Rentals – Regulatory / Licensing



- City Council priority on STR regulations and briefings on a potential comprehensive package of STR regulations.
- An interdepartmental effort: Code Compliance Services, the City Attorney's Office, City Controller, and Planning and Urban Design.
- Code Compliance is developing proposed standards for an STR registration and regulation ordinance.
- Per direction from City Council at the June 15, 2022, briefing – zoning option preferred by City Council.



ZOAC Discussion



- Discussion at ZOAC meetings consisted of a definition for STRs, owner / operator occupancy, appropriate development standards and zoning districts, and nuisance abatement measures.
- Important to note that nuisance abatement (noise, litter, traffic / street parking concerns, etc.) do not fall under the development code, but rather are regulated by other chapters (Chapter 27, Minimum Property Standards) and enforced by Code Compliance Services. These standards will be determined by the regulatory / licensing ordinance.

Proposed Amendment (from 8/16 motion)



SEC 51A-4.205. LODGING USES

(3) Short-term rental lodging. [~~Reserved~~]

(A) Definition: A full or partial unit containing one or more kitchens, one or more bathrooms, and one or more bedrooms that is rented to occupants for fewer than 30 consecutive days per rental period.

(B) Districts permitted: By right in MO(A), GO(A), central area, mixed use, multiple commercial, and urban corridor districts.

(C) Required off-street parking: One space per full or partial unit rented to occupants.



Proposed Amendment (from 8/16 motion)



SEC 51A-4.205. LODGING USES

(3) Short-term rental lodging. [~~Reserved~~]

....

(D) Required off-street loading: none

(E) Additional provisions:

(i) This use must comply with Chapter ##, “Short-Term Rentals” of the Dallas City Code.

(ii) The number of short-term rentals in a single ~~dwelling~~ unit may not exceed one.



Proposed Amendment (from 8/16 motion)



SEC 51A-4.205. LODGING USES

(3) Short-term rental lodging. [~~Reserved~~]

....

(E) Additional provisions:

....

(iii) A short-term rental must not be used as a commercial amusement (inside), commercial amusement (outside), restaurant with drive-in or drive-through service, restaurant without drive-in or drive-through service, or any other use unless located in a zoning district in which the use is permitted and a Certificate of Occupancy is issued for the use.



Proposed Amendment (from 8/16 motion)



SEC 51A-4.205. LODGING USES

(3) Short-term rental lodging. [~~Reserved~~]

....

(E) Additional provisions:

....

(iv) Short-term rental lodging is prohibited in a multifamily structure or development that has received and utilized a development bonus under Division 51A-4.1100 “Mixed Income Housing.”



Purpose Statement



To establish regulations to protect the health and safety of occupants of short-term rental properties, to protect the integrity of the districts in which short-term rental properties operate, and to preserve the neighborhood character of residential districts within the city and to minimize adverse impacts to the housing supply caused by the conversion of residential units to transient use.

Will be included in enacting ordinance, not in Chapter 51A.



Next Steps



- Special called meeting on December 8, 2022 to take public comment, hold a public hearing, and potentially make a recommendation to City Council.
- City Council discusses and holds public hearing(s)
- City Council has final authority to approve or modify the proposed ordinance.



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