



City of Dallas

Proposed Short-Term Rental Registration and Zoning Ordinances Update

**Dallas City Council
June 15, 2022**

Julia Ryan AICP, Director
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Presentation Overview



- Presentation Purpose
- Potential Zoning Code Amendments and Recap from June 1, 2022
- Summary of Registration Ordinance Amendments
- Proposed next steps



Presentation Purpose



- Provide Council an update of Short-Term Rental zoning and registration options as a follow up from June 1, 2022





Potential 51A Zoning Code Amendments Additional option

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City of Dallas



Additional Option for Chapter 51A



Added to reflect the City Council briefing discussions and 5-signature memo:

- Create a new use that defines Short Term Rental (STR) as a lodging use, with the same definition as the one presented at the June 1, 2022, briefing.

- Include a new use “Short Term Rental” under the Lodging Uses Category, Section 51A-4.205.
- Only allowed in the same zoning districts where the other lodging uses are generally allowable.
- The new use may require a Certificate of Occupancy (*details to be finalized*).
- The new use will require registration with the City.





Potential 51A Zoning Code Amendments

as presented on June 1, 2022

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Summary of 51A Potential Amendments



- A potential definition for a new land use for Short-Term Rental under the Lodging Use Category, Section 51A-4.205: **A full or partial dwelling unit that is rented to occupants for fewer than 30 consecutive days per rental period.**
- Additional provisions:
 - to require compliance with the registration chapter;
 - limit the number of STRs in a single unit to one;
 - prohibit an STR from being used as an event venue, any commercial amusement, restaurant, or any other use unless the location possesses a Certificate of Occupancy for that use.



Summary of 51A Potential Amendments



- New Short-term rental definition, options for discussion*:
 - Option A: Create two types of STR based on owner-occupied status. The two types would be treated differently by the zoning code, include some additional zoning regulations, and each would be allowable in different zoning districts.
 - Option B: No distinction between owner-occupied status. The option includes some additional zoning regulations.
- Creation of a new use and its regulations: Event Venue

**Numbering of options does not reflect a preference or hierarchy; it is a random assignment*





Proposed Registration Ordinance (Chapter 27)

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Summary of Registration Ordinance Amendments



Proposed new section of Chapter 27 – Short- Term Rentals

- Amendments to be drafted in conjunction with the zoning ordinance
- Require all STR owners/hosts to:
 - Register annually through application
 - Pay registration fee to cover costs of the program
 - Provide emergency contact to respond to issues





Proposed new section of Chapter 27 – Short-Term Rentals

- City staff to:
 - Inspect upon initial registration/complaints
 - Notify neighbors of STRs
 - Require 1,500-foot distance
 - Provide a registration revocation and appeal process



Summary of Registration Ordinance Amendments



- Proposed new section of Chapter 27 – Short-Term Rentals
 - City staff to:
 - Promote responsible STR management and ownership by:
 - Posting STR registration number on listing
 - Prohibiting listings of unregistered properties



Proposed Schedule/Next Steps



June	Chapter 51 and 51A amendments briefed to ZOAC
July	City Plan Commission public hearing for Chapters 51 and 51A amendments for City Council consideration
August	Proposed Amendments to Chapters 51 and 51A + Chapter 27 ordinance briefed to City Council
September	Proposed Amendments to Chapters 51 and 51A + Chapter 27 ordinance and additional regulations on voting agenda





City of Dallas

Proposed Short-Term Rental Registration and Zoning Ordinances

**Dallas City Council
June 1, 2022**

Julia Ryan AICP, Director
Planning and Urban Design

Lynetta Kidd, Interim Director
Code Compliance Services

Presentation Overview



- Presentation Purpose
- Key Themes from May 4 Briefing
- Proposed Chapter 51A Amendments
- Permitting Options, Recommendations, and Challenges
- Registration Process and Licensing Requirements
- Proposed Schedule



Presentation Purpose



- Present Short-Term Rental Regulation proposals to develop a STR registration and zoning ordinance based on:
 - STR Task Forces
 - Stakeholder and community feedback
 - City Council
- Receive feedback and direction from City Council on zoning & registration options



Key Themes of May 4 Briefing



- Accountability of platforms and STR operators
- Emphasis on enforcement and full cost recovery
- Differentiation of owner occupied vs. non-owner occupied





Proposed 51A Zoning Code Amendments

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Summary of 51A Amendments



- New Short-term rental definition, options for discussion*:
 - Option A: Definition and **additional** land use regulations in 51A and regulations in Chapter 27
 - Option B: Definition and **minimal** regulations in 51A with **all regulations in Chapter 27**
- Creation of a new use: Event Venue

**Numbering of options does not reflect a preference or hierarchy; it is a random assignment*



Draft Zoning Ordinance Amendment



Option A: Definition and additional regulations in Zoning

SEC. 51A-4.205. LODGING USES

(x) Short-Term Rental.

(A) Definition: A full or partial dwelling unit that is rented to occupants for fewer than 30 consecutive days per rental period.

(i) **Type 1 short-term rental:** A short-term rental as defined above that is occupied by the owner of the property. Occupied status is determined by property tax homestead exemption status as recorded by the Central Appraisal District for the county in which the property is located.

(ii) **Type 2 short-term rental:** A short-term rental as defined above that is not occupied by the owner of the property and is intended for full-time use as a short-term rental.



Draft Zoning Ordinance Amendment



Option A: Definition and additional regulations in Zoning

SEC. 51A-4.205. LODGING USES

(x) Short-Term Rental. (cont'd)

(B) Districts permitted:

(i) For a Type 1 short-term rental, by right in all districts. {*Owner Occupied*}

(ii) For a Type 2 short-term rental: {*Non-Owner Occupied*}

(a) by right in the following districts: A(A) - Agricultural, MF-1(A) - Multifamily, mixed use, CR – Community Retail, RR – Regional Retail, CS – Commercial Service, LI – Light Industrial, IM – Industrial Manufacturing, IR – Industrial Research, and central area.



Draft Zoning Ordinance Amendment



Option A: Definition and additional regulations in Zoning

SEC. 51A-4.205. LODGING USES

(x) Short-Term Rental. (cont'd)

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

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 10,000	NONE
10,000 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional



Draft Zoning Ordinance Amendment



Option A: Definition and additional regulations in Zoning

SEC. 51A-4.205. LODGING USES (cont.)

(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.
- (iii) A short-term rental must not be used as a commercial amusement (inside), commercial amusement (outside), event venue, restaurant, 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.



Draft Zoning Ordinance Amendment



Option B: Definition and minimal regulations in Zoning

SEC. 51A-4.205. LODGING USES

(#) Short-term rental.

(A) Definition: A full or partial dwelling unit that is rented to occupants for fewer than 30 consecutive days per rental period.

(B) Districts permitted: By right in all districts.

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



Draft Zoning Ordinance Amendment



Option B: Definition and minimal regulations in Zoning

SEC. 51A-4.205. LODGING USES (cont.)

(#) Short-term rental.

(D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 10,000	NONE
10,000 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(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.
- (iii) A short-term rental must not be used as a commercial amusement (inside), commercial amusement (outside), event venue, restaurant, 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.



Draft Zoning Ordinance Amendment



Event Venue: Proposed new use

SEC. 51A-4.210.

RETAIL AND PERSONAL SERVICE USES.

Event venue.

(A) Definition: An establishment primarily engaged for the purpose of hosting guests at private events such as banquets, receptions, charitable gatherings, ceremonies, or celebrations. This use does not include a residential property when used for events hosted by the occupant of the property.

(B) Districts permitted: By right in the following zoning districts: CR - Community Retail, RR – Regional Retail, CS – Commercial Service, industrial, central area, mixed use, multiple commercial, UC-2 – Urban Corridor, and UC-3 – Urban Corridor districts. Residential Adjacency Review (RAR) is required for any event venue that is located within 300 feet, measured in a direct line between the nearest property line where this use is conducted and the nearest boundary of a residential zoning district.



Draft Zoning Ordinance Amendment



Event Venue: Proposed new use

SEC. 51A-4.210. RETAIL AND PERSONAL SERVICE USES. (cont.)

- (C) Required off-street parking: one space per 200 square feet of floor area.
- (D) Required off-street loading:

SQUARE FEET OF FLOOR AREA IN STRUCTURE	TOTAL REQUIRED SPACES OR BERTHS
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 100,000 or fraction thereof	1 additional



Draft Zoning Ordinance Amendment



Event Venue: Proposed new use

SEC. 51A-4.210. RETAIL AND PERSONAL SERVICE USES. (cont.)

(E) Additional provisions:

(i) If applicable, an event venue must comply with Chapter 42A, “Special Events; Neighborhood Markets; Dallas Farmers Market Farmers Market; Streetlight Pole Banners” of the Dallas City Code.



Schedule/Next Steps



Today	Receive guidance and feedback from City Council on Chapter 51 and 51A and Chapter 27 amendments
June	Chapter 51 and 51A amendments briefed to ZOAC
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Proposed Registration Ordinance (Chapter 27)

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Code Compliance Services
City of Dallas



Registration Options & Recommendations



Ordinance Options

Recommendations

Registration - owner/host/agent (ATL/ARL)

Require STRs to obtain a license prior to platform listing within the City of Dallas (ATL/ARL)

Allow for the collection of fees to cover all costs (COD/ATL/ARL)

Require distance between STRs of 1,500 feet for single family and duplex districts; maximum of 10% of the total dwelling units on a property for all other zoning districts

Notification of neighbors within 300 ft by city staff (ATL)

Require owner to have an emergency contact on file to respond onsite to emergency concerns within a one-hour timeframe

Require all listings on platforms to include the license number



Registration Options & Recommendations



Ordinance Options

Recommendations

No exemption from Single Family Registration if owner rents for periods greater than 30 days (ATL/ARL)

Registration to be renewed annually or at the change of ownership (ARL)

Allow for inspections, including night inspections (ARL/ATL)

Self-certification program eligibility for good neighbor properties (COD)

Host/owner/agent liability for failure to allow for inspections of short-term rental properties (ATL/ARL)

Revocation of license (ATL/ARL)



Registration Options & Recommendations



Ordinance Options

Recommendations

Minimum night stay of not less than two (2) days (ARL)

Occupancy limits from TX Property Code (ATL/ARL)

Include available parking and restrictions on platform listing (ARL/ATL)

Encourage the use of a noise monitoring device (ATL)

Prohibit amplified sound that is audible beyond the property line or exceeds decibel levels listed in 51A (ARL)

Violations of the STR ordinance would be eligible violations under the Habitual Nuisance Property designation – 3 citations

Director's Discretion for suspension or revocation of licenses after serious offenses



Options For Legal Review

Hold a platform accountable for failure to comply with provisions of this chapter (ARL)

Require platforms to provide locations being listed within the City of Dallas

Require platforms to remove any listing that is not licensed

Require the collection of HOT and submit remittance

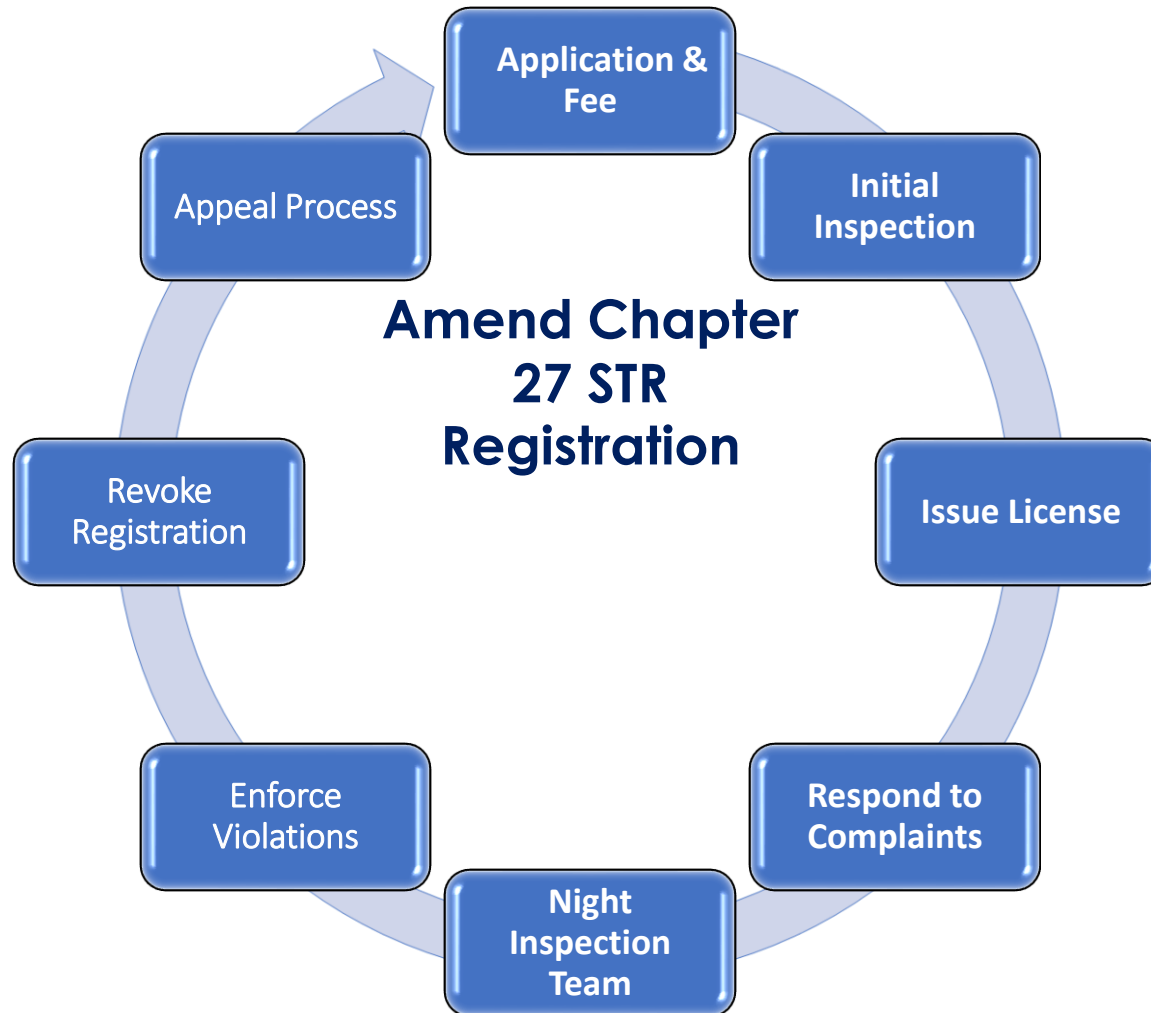
Options Not Recommended

Set limits on total nights per year for non-owner occupied

Provide limits to the number of STR's from a single owner/investor

Prohibit out of town ownership

Registration Process



Revocation Enforcement Tool
May occur after three substantiated disturbances within one year; STR license may be revoked, and the address barred from applying for renewal of license for one year

- ❑ Includes but is not limited to parking, noise, litter, destruction of property, disorderly/criminal conduct or failure to pay hotel occupancy taxes
- ❑ Locations with a revoked registration may appeal to the Permit, License and Appeal Board for review



Registration Licensing Requirements



Application Requirements

1. Submit Application and Fee
2. Provide Owner/Host Contact information
3. Provide emergency contacts that can respond onsite within 1 hour
4. Supply Hotel Occupancy Tax Registration Number and Certificate of Occupancy
5. Acknowledgements:
 - City Ordinance Requirements
 - Occupancy Limits
 - Parking Requirements
 - Understanding of revocation process
 - Advertising and signage limitations
6. Initial inspection – must be completed and in compliance before license is issued
7. Post emergency contact, license number, and Certificate of Occupancy onsite



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Short-Term Rental Regulations



City of Dallas

Dallas City Council
June 1, 2022

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Code Compliance Services

Appendix: Additional Recommendations



Summary of Recommendations

Changing the maximum occupancy to 12 persons per short-term rental

Increase notification distance to 1,000 feet radius

Increase required number of parking spaces

Change criteria for owner-occupied status

Don't allow STR's in Multi-family properties

Ensure properties are held to the same standards as hotels (e.g., fire codes)



Appendix: STR Task Force Meetings 2021 - 2022



Meeting Date	Summary of Discussion
November 15, 2021	Introduced Task Force members, discussed meeting schedule, City Attorney's provided law update on regulation, began discussion of flow chart on proposal to register short term rentals with the City.
November 29, 2021	Further review and modification to the flow chart; CAO to evaluate proposal for legal challenges.
December 17, 2021	Finalized Process Flow Chart, began discussion of proposed recommendations, STR violations and enforcement.
January 3, 2022	Continued discussion on proposed recommendations and enforcement.
January 18, 2022	Completed discussion of proposed recommendations, enforcement strategy, department resource needs and estimated fees.
January 31, 2022	Public hearing at Special Called Quality of Life, Arts and Culture Committee meeting to receive stakeholder input.
February 22, 2022	Presented stakeholder input to Quality of Life, Arts and Culture Committee.

