

ORDINANCE NO. _____

An ordinance amending Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” and Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Sections 51-4.216.1, 51A-4.121, 51A-4.124, 51A-4.125, 51A-4.126, 51A-4.127, and 51A-4.205; providing regulations for short-term rental lodging uses; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 51-4.216.1, “Lodging Uses,” of Division 51-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended,” of the Dallas City Code is amended by adding a new Paragraph (5), “Short-Term Rental Lodging,” to read as follows:

“(5) Short-term rental lodging.

(A) Definition: A full or partial building 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, GO, and central area districts.

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

(D) Required off-street loading: none.

(E) Additional provisions:

(i) This use must comply with Chapter 42B, “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), restaurant with drive-in or drive-through service, restaurant without drive-in or drive-through service, or any other use unless it is located in a zoning district in which the use is permitted and a certificate of occupancy is issued for the use.

(iv) Short-term rental lodging is prohibited in a multiple family structure that has received a density bonus under Division 51-4.900.”

SECTION 2. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (c), “MO(A) Districts (MO-1 and MO-2),” of Section 51A-4.121, “Office Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel. *[RAR] or [SUP] [See Section 51A-4.205(1).]*
- Overnight general purpose shelter. *[See Section 51A-4.205(2.1)].*
- Short-term rental lodging.”

SECTION 3. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (d), “General Office [GO(A)] District,” of Section 51A-4.121, “Office Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel. *[RAR]*

- Overnight general purpose shelter. *[See Section 51A-4.205(2.1)].*
- Short-term rental lodging.

SECTION 4. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (a), “CA-1(A) District,” of Section 51A-4.124, “Central Area Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel.
- Lodging or boarding house.
- Overnight general purpose shelter. *[See Section 51A-4.205(2.1)].*
- Short-term rental lodging.

SECTION 5. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (b), “CA-2(A) District,” of Section 51A-4.124, “Central Area Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel.
- Lodging or boarding house.
- Overnight general purpose shelter. *[See Section 51A-4.205(2.1)].*
- Short-term rental lodging.

SECTION 6. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (d), “MU-1 and MU-1(SAH) Districts,” of Section 51A-4.125, “mixed Use Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel. *[RAR]* or *[SUP]* *[See Section 51A-4.205(1).]*
- Short-term rental lodging.”

SECTION 7. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (e), “MU-2 and MU-2(SAH) Districts,” of Section 51A-4.125, “Mixed Use Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel. *[RAR]*
- Overnight general purpose shelter. *[See Section 51A-4.205(2.1).]*
- Short-term rental lodging.”

SECTION 8. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (f), “MU-3 and MU-3(SAH) Districts,” of Section 51A-4.125, “Mixed Use Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel. *[RAR]*

- Overnight general purpose shelter. *[See Section 51A-4.205(2.1).]*
- Short-term rental lodging.

SECTION 9. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (d), “MC-1 District,” of Section 51A-4.126, “Multiple Commercial Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel. *[RAR] or [SUP] [See Section 51A-4.205(1).]*
- Overnight general purpose shelter. *[See Section 51A-4.205(2.1).]*
- Short-term rental lodging.

SECTION 10. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (e), “MC-2 District,” of Section 51A-4.126, “Multiple Commercial Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel. *[RAR] or [SUP] [See Section 51A-4.205(1).]*
- Overnight general purpose shelter. *[See Section 51A-4.205(2.1).]*
- Short-term rental lodging.

SECTION 11. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (f), “MC-3 and MC-4 Districts,” of Section 51A-4.126, “Multiple Commercial Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Extended stay hotel or motel. *[SUP]*
- Hotel or motel. *[RAR] or [SUP] [See Section 51A-4.205(1).]*
- Overnight general purpose shelter. *[See Section 51A-4.205(2.1).]*
- Short-term rental lodging.”

SECTION 12. That Subparagraph (E), “Lodging Uses,” of Paragraph (2), “Main Uses Permitted,” of Subsection (c), “UC Districts,” of Section 51A-4.127, “Urban Corridor Districts,” of Division 51A-4.120, “Nonresidential District Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(E) Lodging uses.

- Short-term rental lodging ~~[None permitted].~~”

SECTION 13. That Paragraph (3) of Section 51A-4.205, “Lodging Uses,” of Division 51A-4.200, “Use Regulations,” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(3) Short-term rental lodging.

(A) Definition: A full or partial building 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 building rented to occupants.

(D) Required off-street loading: none.

(E) Additional provisions:

(i) This use must comply with Chapter 42B, “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), restaurant with drive-in or drive-through service, restaurant without drive-in or drive-through service, or any other use unless it is located in a zoning district in which the use is permitted and a certificate of occupancy is issued for the use.

(iv) Short-term rental lodging is prohibited in a multifamily structure that has received a density bonus under Division 51A-4.1100 [Reserved].”

SECTION 14. That the director of planning and urban design shall revise the use charts to reflect the change in use regulations made by this ordinance, and shall provide these charts for publication in the Dallas Development Code.

SECTION 15. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 16. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 17. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 18. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 19. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, Interim City Attorney

By _____
Assistant City Attorney

Passed _____