

DCA23-0002g: Short-Term Rentals

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Current State of Short-Term Rentals

LODGING FACILITIES	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
Bed and Breakfast	p+				S+	S+	S+	p+	p+	p+	p+						5.3.5S
Boarding or Rooming House								S	P	P	P						
Hotel								P	P	P	P	P	P	P			
Motel										P	P	P	P	P			
Short-Term Rental	p+	p+	p+	p+	p+	p+	p+	p+									5.3.5T

- Defined as rental of an **entire dwelling unit** for monetary consideration for a period of time **less than 30 consecutive days**, not including a bed and breakfast, boarding or rooming house, hotel, or motel. This definition does not include offering the use of one's property where no fee is charged or collected.
- **Registration required** to operate – currently 33 of estimated 250 registered
- Local Emergency Contact required
- **No registration certificate cap** for Short-Term Rentals
- Hotel Occupancy Tax (HOT) remittance required (per Ordinance 96-136)

Proposed Amendments

Table 5.2-A: Table of Allowed Uses																	
P = permitted S = specific use permit required Blank cell = use prohibited + = use-specific standards apply																	
	Residential							Mixed-Use			Corridor		Other Nonresidential				Use-Specific Standards
	RR	R1	R2	R3	R4	R6	R7	MN	MD	MR	SC	HC	GO	LI	HI	PF	
Commercial Uses																	
LODGING FACILITIES																	
Short-Term Rental	p+	p+	p+	p+	p+	p+	p+	p+	p+	p+	p+	p+	p+				5.3.5T

Amend Table 5.2.A Table of Allowed Uses to allow STRs as a permitted use in any Zoning District that allows residential uses by right or by Specific Use Permit

Amend Section 5.3 Use-Specific Standards by amending Subsection 5.3.1.D Maximum Persons Occupying a Dwelling Unit to include Short-Term Rentals as an exempt land use from this regulation.

Proposed Amendments – Use Specific Standards

1. **Registration Requirements** – amendments to this Section include: clarification that a single bedroom **or a unit** may be listed as a Short-Term Rental, requirements **to provide management company information** (when applicable), clarifies **Local Emergency Contact** is a defined term in the DDC, and adds additional detail regarding registration submittal requirements.

2. **Registration Certificates** –a proposed addition to the Short-Term Rental Use Specific Standards to address the results of the short-term rental preference survey

1. Registration Requirements

No person ~~or entity~~ shall advertise, offer to rent, or rent, lease, sublease, license, or sublicense a ~~residential property~~ dwelling unit or bedroom within the city as a short-term rental for which a registration has not been properly made and filed with the Development Services Department. Registration shall be made upon forms furnished by the city for such purpose and shall specifically require the following minimum information:

- a. Name, address, phone number and e-mail address of the property owner ~~and the management company~~ (if applicable) of the short-term rental property;
- b. Verification that the proposed short-term rental ~~property~~ dwelling unit or bedroom is managed by the property owner or by a management company;
- c. Name, address, phone number and e-mail address of the designated ~~Local Emergency Contact~~ local emergency contact;
- ~~d. The maximum number of occupants permitted for the dwelling unit or sleeping room in accordance with Subsection 5.3.1D: Maximum Persons Occupying a Dwelling;~~
- e.d. If the applicant does not own the property where the short-term rental is located, the registrant must provide written authorization, signed by the property owner before a notary public, authorizing the registrant to operate a short-term rental on the premises.
- f.e. A submission of a sketch floor plan of the dwelling unit or bedroom with dimensional room layout; and

Proposed Amendments – Use Specific Standards

Registration Certificates in Residential Zoning Districts

- One thousand (1,000)- Registration Certificate Limit. The Department of Development Services shall issue a **maximum 1,000 STR registration certificates** per calendar year.
- A **maximum of two (2)** STR registration certificates may be issued per parcel.
- A short-term rental **unit cannot be within 100 feet of an existing short-term rental unit**, measured at the property boundary. Does not apply to units on the same parcel.

Registration Certificates in Non-Residential Zoning Districts

- Registered Short-Term Rentals (STR) in Non-Residential Zoning Districts **do not count toward the 1,000-registration certificate cap.**
- For multifamily developments, **no more than 10% of the units** within a given development may be registered as a Short-Term Rentals.
- At least two (2) Short-Term Rentals shall be allowed per multifamily development.
- **Not subject to the 100-foot separation rule.**

Proposed Amendments – Use Specific Standards

4. ***Written Briefing and Safety Features*** –clarify an owner’s or management’s responsibilities to **provide safety information to guests in writing.**

5. ***Notification of Approval of Short-Term Rental Registration*** –clarify **when notification** of an approved Short-Term Rental shall occur and **what information shall be included** within the notification.

Brochure-Written Briefing and Safety Features

a. **Informational Brochure-Written Briefing**

Each registrant operating a short-term rental shall provide to guests, in writing a brochure or e-brochure that includes:

i. The ~~registrant’s 24-hour~~ contact information of the designated Local Emergency Contact;

ii. ~~A local responsible party’s 24-hour contract information if the owner is not within the city limits when guests are renting the premises;~~

Notification of Approval of Short-Term Rental Registration

Within 10 days of the approval of a short-term rental registration, the city shall send notice to all property owners within 100 feet of the subject property, and shall include the contact information of the designated Local Emergency Contact-24-hour complaint line, and pertinent information about standards regulating short-term rentals.

Proposed Amendments – Use Specific Standards

6. **Registration Term, Fees, and Revocation** –revise and clarify the circumstances under which the Director may **revoke a Short-Term Rental permit**
7. **Right to Inspect Premises** - specify the circumstances under **which an inspection of a Short-Term Rental may occur.**

- c. The Director may revoke a short-term rental registration if the registrant has:
 1. Received three notices for violations of the Property Maintenance Code or citations for violations of the Denton Development Code, any other ordinance of the city, or any state or federal law on the premises within the preceding 12-month time period. Examples of such violations include, but are not limited to, noise violations, trash and debris violations, violations for parking vehicles in a manner that impedes the sidewalk or is on an unimproved surface; or
 2. Knowingly permitted three notices for violations of the Property Maintenance Code or citations for violations of the Denton Development Code, any other ordinance of the city, or any state or federal law on the premises by any other person within the preceding 12-month time period; or
 3. Knowingly made a false statement on the registration application.

Proposed Amendments

- **Table 7.9-1: Minimum Required Off-Street Parking** –specify the maximum number of vehicles allowed on premise for a Short-Term Rental shall limited to available off-street parking
- **Section 9.2 Definitions** – revise the following definitions:
 - *Short-Term Rental* –clarify the duration of stay for a Short-Term Rental shall be **not less than 24 hours and not greater than 29 consecutive days**, as well as **allow for a bedroom** to be a Short-Term Rental
 - *Local Emergency Contact* – this definition is amended to **clarify and consolidate the requirements** for Local Emergency Contact.

Updates Since June 4, 2024 City Council meeting

- Staff met with representatives of the Greater Denton/Wise County Realtors Association on June 20, 2024
 - Approximately 18 individuals in attendance (realtors, STR owners/operators and residents)
- Primary concerns expressed by the Association included:
 - 1,000-unit registration cap in residential districts
 - 100-ft separation requirement in residential districts
 - All units within a triplex or fourplex not being able to register in residential districts due to 2 unit per parcel maximum
- Subsequent written response provided states the Association prefers City's current adopted regulations; not support the proposed Code amendments.
- No changes have been made to the proposed ordinance since the June 4, 2024 meeting

Recommendation

Planning and Zoning Commission considered this item at their May 29, 2024, meeting and recommended approval of the Code Amendments as presented.

Staff recommends **approval** of the amendments related to Short-Term Rental regulations as the proposed amendments meet the established criteria for approval for Code Text Amendments as outlined in Section 2.7.4D of the DDC.

Questions?